

**CITY COUNCIL CHAMBERS**  
**JANUARY 14, 2020**  
**7:00 P.M.**

- A. **CALL TO ORDER:** Mayor Irlan Fullbright called the meeting to order at 7:00 p.m.
- B. **ROLL CALL:** Members present were Councilmembers Ken Lebbin, Steve Oelke, Jacque Isern, Jon Prescott and Mayor Irlan Fullbright. Councilmember Kirk Clawson was absent. City attorney Jane Isern was present. Also present was Mary Jo Cunningham representing the Ellinwood Leader.
- C. **RECITATION OF THE PLEDGE OF ALLEGIANCE**
- D. **APPROVAL OF AGENDA:** A motion was made by Councilmember Jon Prescott to approve the agenda, seconded by Councilmember Steve Oelke. Motion carried. All present voting in favor.
- E. **APPROVAL OF MINUTES:** A motion was made by Councilmember Ken Lebbin to approve minutes for the December 10, 2019 regular council meeting, seconded by Councilmember Jacque Isern. Motion carried. All present voting in favor.
- F. **APPROPRIATIONS:** A motion was made by Councilmember Steve Oelke to authorize payment of bills and claims processed, seconded by Councilmember Jon Prescott. Motion carried. All present voting in favor.
- G. **OLD BUSINESS: NONE**
- H. **VISITORS:** Chance Bailey, Brittney Bailey, Kevin Clair, Kyle Nemnich, Spencer Proffitt
- I. **NEW BUSINESS:**
1. City Audit-Waiver of GAAP Reporting: The City is required to conduct an audit each year in accordance with state statute. State statute specifies that audits are to be conducted according to Generally Accepted Accounting Principles (GAAP).  
  
State statute authorizes a municipality to pass a resolution to adopt the cash basis method of accounting and audit control. A motion was made by Councilmember Ken Lebbin to adopt Resolution 011420, seconded by Councilmember Jacque Isern. Motion carried. All present voting in favor.

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2. 10<sup>th</sup> Street Curb and Gutter Bids: Presented to council for review were 2 bids received for the 10<sup>th</sup> Street Curb and Gutter project. The bid opening was on January 9, 2020 at 3:00 pm. and the bids received were as follows:

|                          |          |
|--------------------------|----------|
| Concrete Service Co Inc. | \$21,307 |
| Suchy Construction, Inc. | \$23,528 |

Staff explained that Joel Krosschell with EBH & Associates had reviewed the bids received and found a mistake on the bid from Suchy Construction. The adjusted bid amount is reflected above. A motion was made by Councilmember Steve Oelke to approve the low bid from Concrete Service Co Inc. in the amount of \$21,307, seconded by Councilmember Jon Prescott. Motion carried. All present voting in favor.

3. Pohlman Addition Storm Sewer Project: Presented to council for review were design drawings for the storm sewer project which were completed by Joel Krosschell, engineer with EBH & Associates. Staff explained the project design will need to be approved and then upon approval, quotes for the needed material can be obtained to be approved at a future meeting. Upon closer review of the project, staff is suggesting extending the pipe north and east 500 feet to allow direct discharge into the slough. After some discussion, Councilmember Jon Prescott made the motion to request EBH & Associates to do additional design work to extend the pipe north and east to allow direct discharge into the slough, seconded by Councilmember Ken Lebbin. Motion carried. All present voting in favor.
4. Police Vehicle Bids: Presented to council were quotes to replace the police department 2012 Dodge Charger. Staff explained this vehicle has required substantial maintenance to keep it in operation. He explained funds were allocated in the 2020 police department budget to purchase a new unit. Staff explained the vehicle can now be ordered with lights and sirens installed and are covered under factory warranty. Staff's recommendation is to purchase another Ford Explorer. Quotes received were as follows:

|   |          |
|---|----------|
| Marmie Ford Inc.- Great Bend – 2020 Ford Explorer | \$40,834 |
| Midway Motors – McPherson - 2020 Ford Explorer    | \$40,580 |

A motion was made by Councilmember Jon Prescott to approve the quote from Marmie Ford Inc. for a 2020 Ford Explorer for \$40,834, seconded by Councilmember Steve Oelke. Motion carried. All present voting in favor.

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5. Executive Session for Discussion of Property Acquisition for a utility easement: An executive session was requested for discussion of the acquisition of real property for a utility easement. A motion was made by Councilmember Ken Lebbin to recess into executive session pursuant to KSA 75-4319 (b) (6) for the purpose of discussion of the acquisition of real property for a utility easement. Executive session will be for ten (10) minutes beginning at 7:35 p.m. until 7:45 p.m. and council will reconvene in the council chambers at that time. Persons to remain in executive session are the governing body, city administrator, city clerk and city attorney. Motion seconded by Councilmember Jon Prescott. Motion carried. All present voting in favor. The governing body recessed into executive session at 7:35 p.m.

Meeting reconvened at 7:45 pm. No action taken.

6. Utility Easement at 910 N. Kennedy: Presented to council for review was an agreement with the property owner of the property located at 910 N. Kennedy to provide an easement to the City of Ellinwood along the south property line. The easement would allow for the installation of utilities to service this property and any future development to the west.

A motion was made by Councilmember Ken Lebbin to approve the agreement for a permanent utility easement with Kyle and Christy Nemnich and authorize Mayor Irlan Fullbright to execute the agreement and approve a payment of \$1,000 and a waiver of a one-time utility connection fee for electricity, water and sewer at 910 N Kennedy. Motion was seconded by Councilmember Jon Prescott. Motion carried. All present voting in favor.

7. Executive Session for Discussion of Property Acquisition Related to Flood Control: An executive session is requested for discussion of the acquisition of real property relating to the flood control project. A motion was made by Councilmember Ken Lebbin to recess into executive session pursuant to KSA 75-4319(b)(6) for the purpose of discussion of the acquisition of real property related to the flood control project. Executive session will be for twenty (20) minutes beginning at 7:55 p.m. until 8:15 p.m. and council will reconvene in council chambers at that time. Persons to remain in executive session are the governing body, city administrator and city attorney, seconded by Councilmember Steve Oelke. Motion carried. All present voting in favor. The governing body recessed into executive session at 7:55 p.m.

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Meeting reconvened at 8:15 p.m. No action taken.

**J. REPORTS:** (These reports were given prior to executive session)

1. Municipal Court Report: Presented to Council was the Municipal Court Report for December, 2019.
2. Utilities Production Report: Presented to Council was the Utilities Production Report.
3. Staff Reports:
  - a) Staff reported city crews have been doing truck maintenance, finishing tree trimming and tree removal, working at the compost site and taking Christmas decorations down.
  - b) Staff reported Kansas Power Pool staff will be here next week and begin working on the preliminary rate study.

**K. ADJOURNMENT:** There being no further business at this time, a motion was made by Councilmember Steve Oelke that the meeting be adjourned, seconded by Councilmember Jon Prescott. Motion carried. All present voting in favor.

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Irlan Fullbright, Mayor

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Kim Schartz, City Clerk