

**CITY COUNCIL CHAMBERS
MARCH 10, 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 Kirk Clawson, Jacque Isern, Ken Lebbin, Steve Oelke, Jon Prescott and Mayor Irlan Fullbright. City attorney Jane Isern was present. Also present was Becky Gillette 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 Jacque Isern. Motion carried. All voting in favor.
- E. **APPROVAL OF MINUTES:** A motion was made by Councilmember Ken Lebbin to approve minutes for the February 11, 2020 regular council meeting, seconded by Councilmember Kirk Clawson. Motion carried. All voting in favor.
- F. **APPROPRIATIONS:** A motion was made by Councilmember Kirk Clawson to authorize payment of bills and claims processed, seconded by Councilmember Jon Prescott. Motion carried. All voting in favor.
- G. **OLD BUSINESS: NONE**
- H. **VISITORS:** Spencer Proffitt, Brittney Bailey, Chance Bailey, Kevin Clair, Howard Herter, Gordon Eggers
- Gordon Eggers addressed council with concern regarding vehicles parked on non-parking areas, such as lawns and inquired of council's intent for the sale of city owned vacant lots.
- I. **NEW BUSINESS:**
1. Service Awards: Service awards were presented to the following city employees for their years of service to the City of Ellinwood. The awards were presented to:

Kim Schartz – 15 years – City Clerk
Travis Kaiser – 5 years – Electric Department

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2. Request for use of Bandshell: Presented to council was a request from the Ellinwood High School Band Director for the use of the bandshell in late April for a jazz band concert. The concert date will be Sunday, April 26th @ 7:00 p.m., however the request would include use of the facilities for rehearsal time beginning April 23rd. A motion was made by Councilmember Steve Oelke to approve the request for the use of the band shell for a jazz band concert on April 26th, including rehearsal time beginning April 23rd, seconded by Councilmember Jon Prescott. Motion carried. All voting in favor.
3. Citizen Request to Address a Dilapidated Structure: Howard Herter addressed council regarding a dilapidated and unsafe structure located behind the Wolf Manor at 110 West 4th. Mr. Herter expressed concern that the structure is a health and safety concern. He explained that he had spoken with Mr. Steve Peter who had been contacted by the owner of the property to perform demolition services. Mr. Herter also informed city council that guests of the Wolf Manor are parking in the yard of the property.

Mr. Chris McCord, owner of the property was not at the meeting, but sent a text message to staff that he had contracted with Mr. Peter to demolish the north half of the structure, but that he would like to make improvements to the south half of the structure. Mr. McCord informed council that Mr. Peter was finishing a job but could begin demolition within two weeks.

After much discussion, legal counsel suggested verifying the structural integrity to determine if it was practical to replace a roof or make improvements to the south half of the structure. Staff will set up a meeting with Mr. McCord to discuss the situation.

4. Review of Property at 518 E. 4th: At the November, 2019 council meeting Chris McCord made city council aware that he had purchased the house at 518 E. 4th at the recent sheriff sale. This house had previously been declared dilapidated and unsafe by council, therefore Mr McCord requested council give him time to get this property cleaned up and repaired. Council agreed to give him 120 days to work on the property with a review scheduled after the 120 days.

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The property is now up for review. Mr. McCord was not present at the meeting but sent staff a text message that the roof would be replaced next month. After some discussion, Councilmember Ken Lebbin made a motion to allow Mr. McCord until April 1st to have the roof, guttering, soffit and fascia replaced to bring up to standards with the rest of the project to be reviewed at the April meeting. Motion seconded by Councilmember Jon Prescott. Motion carried. All voting in favor.

5. City Owned Empty Lots: Staff explained the city owns several empty lots located around town. The majority of the lots were acquired after demolition of dilapidated structures which stood on these lots and the City gained ownership by either the owner handing over the deed or by purchase at the sheriff sale. Staff would like council to consider making these lots available for sale to the public.

Staff explained the city has 5 empty lots. The three smaller lots could be used for a storage shed, etc. and the two big lots could be used for a residential home. Staff would like to place a sign in the lots and publish in the paper that the lots that are for sale. Staff requested council input as to the selling price of the lots. After some discussion the consensus of the council was to offer the lots at \$.50 per square foot for all properties. Staff also requested council to consider a rebate of the purchase price if construction of a structure would begin and end within a specified time frame. Staff will review the details of the rebate program offered previously on the sale of the lots on the north side of town and provide this information to council at the April meeting for possible action. Issue was tabled until April meeting awaiting further information.

6. General Liability, Property, and Casualty Insurance Renewal: The City's general liability, property and casualty and worker's compensation insurance is up for renewal. This year's premium is \$126,651 compared to \$122,837 for last year which is an increase of 3.10%.

A motion was made by Councilmember Steve Oelke to approve the general liability, property and casualty, and worker's compensation insurance renewal as presented, seconded by Councilmember Jon Prescott. Motion carried. All voting in favor.

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7. Sewer Cleaning Contract: Presented to council was a Sanitary Sewer Collection System Maintenance Program proposal/agreement from Mayer Specialty Services, LLC. The agreement includes two options, a three-year program and a four-year program as follows:

3-year program:

2020	\$17,905.50
2021	\$18,165.00
2022	\$18,424.50
Total	\$54,495.00

4-year program:

2020	\$13,624.10
2021	\$13,818.73
2022	\$14,013.36
2023	\$14,207.99
Total	\$55,664.18

A motion was made by Councilmember Kirk Clawson to approve the 4-year agreement with Mayor Specialty Services, LLC as presented above, seconded by Councilmember Steve Oelke. Motion carried. All voting in favor.

8. Storm Sewer Pipe Bids: Presented to council were 2 quotes for the pipe that will need to be purchased for the storm sewer project in the Pohlman addition. This pipe was part of the \$80,000 estimated cost of the project which was approved at the February 11, 2020 council meeting. The quotes were as follows:

Municipal Supply Inc. of Nebraska	\$29,831.67
Core and Main	\$34,328.60

A motion was made by Councilmember Ken Lebbin to approve the quote from Municipal Supply Inc. of Nebraska in the amount of \$29,831.67, seconded by Councilmember Kirk Clawson. Motion carried. All voting in favor.

9. Grass Seed Purchase: Staff explained that as a part of the approved flood control project, grass is to be planted, in the areas where dirt was removed during the cleaning of the waterway, to control erosion. Due to the weather and moisture conditions being optimal this past week, approval was obtained from Mayor Irlan Fullbright to purchase grass seed to allow

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this project to be completed while conditions were favorable. Presented to council was the bill from Barton County Conservation District for the grass seed in the amount of \$6,471.47.

A motion was made by Councilmember Ken Lebbin to ratify staff's decision to purchase the grass seed in the amount of \$6,471.47 because of optimal weather conditions, seconded by Councilmember Steve Oelke. Motion carried. All voting in favor.

10. Ordinance Designating Main Trafficways: Presented to council was Ordinance 2020-1 which would amend Ordinance 2017-6 to allow the designation of several other streets as main trafficways making them eligible for improvements.

A motion was made by Councilmember Kirk Clawson to adopt Ordinance 2020-1, which amends Ordinance 2017-6, seconded by Councilmember Jon Prescott. Motion carried. All voting in favor.

11. Amending Bond Ordinance: Presented to council was Ordinance 2020-2 which would amend Ordinance 2017-10 to add the improvement and repaving of the additional streets to the authorized Main Trafficway Project.

A motion was made by Councilmember Ken Lebbin to adopt Ordinance 2020-2, which amends Ordinance 2017-10, seconded by Councilmember Jacque Isern. Motion carried. All voting in favor.

12. Street Improvement Engineering Contract: Presented to council was a contract from EBH & Associates for engineering services for 2020 street improvements in the total amount of \$58,000, including \$30,000 for the design phase and \$28,000 for the construction engineering phase. Staff explained there are remaining funds available from the bond proceeds because prior street and flood control projects were completed at lower than expected costs, leaving additional funds to pursue more street improvements.

A motion was made by Councilmember Jacque Isern to approve the engineering contract from EBH & Associates for 2020 street improvements for a total cost of \$58,000, seconded by Councilmember Steve Oelke. Motion carried. All voting in favor.

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13. Sale of Used Vehicles: Staff reported with the purchase of the 2020 Ford F-250 pickup for the water department, the 1999 Ford pickup will no longer be utilized in that department and could be sold. Staff also explained the inoperable 2012 Dodge Charger that was involved in an accident earlier in the year could also be sold. After some discussion a motion was made by Councilmember Steve Oelke to allow the sale of these vehicles by sealed bid after advertising for the sale. Motion seconded by Councilmember Kirk Clawson. Motion carried. All voting in favor.

13. 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 ten (10) minutes beginning at 8:50 p.m. until 9:00 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 Kirk Clawson. Motion carried. All voting in favor. The governing body recessed into executive session at 8:50 p.m.

Meeting reconvened at 9:00 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 February 2020.
2. Utilities Production Report: Presented to Council was the Utilities Production Report.
3. Staff Reports:
 - a) Staff reported city crews have been doing maintenance in the city park restrooms including extending stalls in the women's restroom.
 - b) Staff reported new playground equipment has been installed.
 - c) Staff reported Seth Schartz has been hired to work in the power plant

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- d) Staff reported Joe Johns was hired for the police department. Also, Kyle Reed was promoted to sergeant.
- e) Staff reported city crews have been working on the compost site and on the sewer project on west 10th Street.
- f) Staff reported the City website is getting a lot more traffic.
- g) Staff reported there is a lot of training scheduled for all departments.

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

Irlan Fullbright, Mayor

Kim Scharz, City Clerk