

**CITY COUNCIL CHAMBERS**  
**SEPTEMBER 14, 2010**  
**7:00 P.M.**

**A. CALL TO ORDER:**

**B. ROLL CALL:** Members present were Councilmembers Clawson, Nielsen, Wilson, Rapp and Mayor Koelsch. Councilmember Fullbright was absent. Also present was Mary Jo Cunningham, representing the Ellinwood Leader and Karen LaPierre, representing the Great Bend Tribune.

**C. APPROVAL OF MINUTES:** A motion was made by Councilmember Clawson to approve minutes for the August 10, 2010 regular council meeting. Motion seconded by Councilmember Rapp. Motion carried. All present voting in favor.

**D. APPROPRIATIONS:** A motion was made by Councilmember Wilson to authorize payment of bills and claims processed, seconded by Councilmember Clawson. Motion carried. All present voting in favor.

**E. OLD BUSINESS:** None.

**F. VISITORS:** Mary Jo Cunningham, Karen LaPierre, Debbie Glenn, Brittney Glenn and Chris Komarek.

**G. NEW BUSINESS:**

1. Appointment of Delegates to the League of Kansas Municipalities: The annual conference for the League of Kansas Municipalities is scheduled for October 9<sup>th</sup> – 12<sup>th</sup>, 2010. It is necessary that a voting delegate and alternate be designated by the council.

A motion was made by Councilmember Nielsen to designate Robert L. Peter, City Administrator as voting delegate and Kim Schartz, City Clerk as alternate voting delegate, seconded by Councilmember Clawson. Motion carried. All present voting in favor.

2. Resolution regarding 116 East 1<sup>st</sup>: Presented to council was Resolution 091410, setting a time and place for a hearing on the condemnation of property located at 116 East 1<sup>st</sup> street. Rosa Vasquez is the owner of record of the property, however the city has been advised the property is being sold on contract to Marie Sotelo. Notice has been sent to both parties and a notice has been posted on the structure.

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Subject to K.S.A. 12-1750: 12-1756 the City Governing Body may direct a property owner to abate a dangerous or dilapidated structure. The procedural process is as follows:

- a) A written statement prepared by the Enforcing Officer is submitted to the Governing Body.
- b) The Governing Body adopts resolution.
  - 1) Resolution is published two (2) times. 30 days must elapse between last publication and date for a hearing.
  - 2) Copy of the resolution is mailed by certified mail to each owner, agent, lienholder and occupant.
- c) Governing Body holds a hearing on the date and time specified in the resolution and makes a formal determination on conditions of the structure.
- d) If the structure is found to be unsafe or dangerous, the Governing body Adopts resolution declaring such and directs structure to be removed or repaired. The resolution shall be published one time and mailed to owners, agents, lienholder and occupant.
- e) If owner does not diligently commence repair or removal as direct by resolution the City may:
  - 1) Remove or repair the structure.
  - 2) Assess cost, less salvage, against the property.

A motion was made by Councilmember Nielsen to adopt Resolution No. 091410, a Resolution fixing a time and place and providing for notice of a hearing before the governing body of the City of Ellinwood, Kansas, at which the owner, his or her agent, lienholders of record and occupants of the structure located at: Lot 16, 17, and 18 in Block Seven (7) in the City of Ellinwood, Kansas, according to recorded plat thereof. Commonly known as 116 East 1st Street, Ellinwood, Kansas, in said City may appear and show cause why such structure should not be condemned and ordered repaired or demolished as an unsafe, dangerous, or dilapidated structure, and that a Public Hearing will be held on the 16<sup>th</sup> day of November, 2010, before the Governing Body of the City of Ellinwood, Kansas at 7:00 p.m. in the City Council Chambers of the City Office. Motion seconded by Councilmember Rapp. Motion carried. All present voting in favor.

3. Review of Bids for Demolition of 400 East 4<sup>th</sup> Property: Presented to council were bids received for the demolition of property located at 400 East 4<sup>th</sup> Street. Bids received were as follows:

Krier Dozer Service	\$5,440.00
Steve Peter D/B/A S & K Dirt Service	\$7,000.00

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A motion was made by Councilmember Clawson to accept the low bid from Krier Dozer Service in the amount of \$5,440.00, seconded by Councilmember Nielsen. Motion carried. All present voting in favor.

4. Amendment to Liquor License Ordinance: The state has changed the state issued liquor license for some establishments from a one year license to a 2 year license and has increased the fee for the license. The City also issues a liquor license. The city license is currently effective for one year and the license fee is \$100. Robert L. Peter, city administrator recommends the city follow the state licensing guidelines, and for the establishments that get a 2 year license, increase the city fee to \$200. Council was in agreement with staff's recommendation, therefore an amended ordinance will be presented at the October meeting to approve this change.
5. September 22<sup>nd</sup> Disaster Drill: Brittney Glenn, Debbie Glenn and Chris Komarek were present at the meeting to provide council with information regarding a disaster drill which will be done at the Ellinwood High School on September 22<sup>nd</sup>. The drill is an active shooter drill, which includes multiple injuries that will begin at 6:30 p.m. The drill will involve 22 agencies encompassing approximately 150 – 200 people and will include Ellinwood EMS, Ellinwood fire and Ellinwood police departments. Eagle Med and all 4 county hospitals will also be involved. The school will send out letters to all parents notifying them of the drill.
6. November Council Meeting Date Change: Presented to council was a request to change the November, 2010 council meeting date from November 9<sup>th</sup> to November 16<sup>th</sup>.

A motion was made by Councilmember Rapp to move the November council meeting from November 9<sup>th</sup>, 2010 to November 16<sup>th</sup>, 2010, seconded by Councilmember Nielsen. Motion carried. All voting in favor.

7. Executive Session: An executive session is requested for discussion of non-elected personnel. A motion was made by Councilmember Clawson to adjourn into executive session for 5 (five) minutes for discussion of non-elected personnel and that the council meeting will reconvene in the council chambers, seconded by Councilmember Nielsen. Motion carried. All present voting in favor. The governing body recessed into executive session at 8:05 p.m.

Meeting reconvened into regular session at 8:10 p.m. No action taken.

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8. Executive Session: An executive session is requested for discussion of property acquisition. A motion was made by Councilmember Clawson to adjourn into executive session for 10 (ten) minutes for discussion of property acquisition and that the council meeting will reconvene in the council chambers, seconded by Councilmember Rapp. Motion carried. All present voting in favor. The governing body recessed into executive session at 8:10 p.m.

Meeting reconvened into regular session at 8:20 p.m. No action taken.

**H. REPORTS:**

1. Municipal Court Report: Presented to Council was the Municipal Court Report for August 2010.
2. Utilities Production Report: Presented to Council was the Utilities Production Report.
3. Staff Reports:
  - a) Staff reported a property in the 300 block of East 4<sup>th</sup> may be reviewed for condemnation proceedings.
  - b) Staff reported street sealing and street painting has been completed. Annual tree trimming is planned to begin the first part of October. The electric department has been working on electrical lines to the airport. A capacity test was done on the 4 engines at the power plant and the engines tested very well.
  - c) Staff reported on 9/21, KMU, Kansas Municipal Utilities will be in town filming for their municipal video project.
  - d) Staff reported KDHE will present an award to the Ellinwood community for their “going green” and recycling efforts.
  - e) Staff reported health insurance options are being reviewed and a special meeting will probably be scheduled toward the end of September.
  - f) Staff reported the power plant will be generating part of the day on September 16<sup>th</sup> while Midwest Energy performs line maintenance.

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- I. **ADJOURNMENT:** There being no further business at this time, a motion was made by Councilmember Clawson that the meeting be adjourned, seconded by Councilmember Wilson. Motion carried. All present voting in favor.

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Frank Koelsch, Mayor

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Kim Schartz, City Clerk