

CITY COUNCIL CHAMBERS
APRIL 10, 2018
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, Alan Brauer, Jon Prescott, James McCormick, Kirk Clawson and Mayor Irlan Fullbright. Also present was Mary Jo Cunningham, representing the Ellinwood Leader and Veronica Coons, representing the Great Bend Tribune and city attorney Robert Peter.
- C. **APPROVAL OF MINUTES:** A motion was made by Councilmember Jon Prescott to approve minutes for the March 13, 2018 regular council meeting, seconded by Councilmember Kirk Clawson. Motion carried. All voting in favor.
- D. **APPROPRIATIONS:** A motion was made by Councilmember Ken Lebbin to authorize payment of bills and claims processed, seconded by Councilmember James McCormick. Motion carried. All voting in favor.
- E. **OLD BUSINESS:**
1. Main Street Building Permit Request: This issue was tabled from the March 13, 2018 meeting to allow Ms. Ringering time to research other possible locations for her building and possible building design changes discussed at the previous meeting. Ms. Ringering and her contractor, Colter Dent were present at the meeting and provided council with more accurate elevation views, detailed floor plans and foundation detail and an updated picture with the placement closer to Minnis Funeral Home. They also provided council with a list, showing that 234 clients have been served by Ms. Ringering so far in 2018 from 24 communities.

City Council was in agreement of the placement of the building closer to Minnis Funeral Home. A motion was made by Councilmember James McCormick to approve the placement of the building on Main Street, subject to a building permit executed by both the building owner and the property owner and placement of the building according to the diagram next to Minnis Funeral Home, seconded by Councilmember Alan Brauer. Motion carried. All voting in favor.

Also, during this discussion, Councilmember Jon Prescott inquired of Robert Peter, city attorney the timeline for completing a final draft of the zoning ordinance. Mr. Peter responded that himself and Chris Komarek, city administrator need to meet to discuss a few details with the existing draft of the ordinance within the next two weeks and then an updated draft of the ordinance would be sent to the city council for review.

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- F. **VISITORS:** Rachel Ringering, Colter Dent, Ron Cunningham, Brittney Glenn, Josh Komarek, Kara Brauer, Dean Satern, Jim McMullen, Rosie Joiner, Jon Perron, Rob Dove, Cheryl Isern, Carl Isern, Joe Schulte, Gordon Eggers, Judy Hayes, Kevin Kramp, Mark Chesney

Gordon Eggers provided council with 10 pictures of abandoned property in town and expressed concern that letters being sent out on properties are not working and inquired as to how these properties can be addressed and cleaned up or demolished. Dean Satern also expressed concerns about abandoned property and complained about the appearance of the community garden on South Main.

G. **NEW BUSINESS:**

1. Service Award: A service award was presented to Carl Isern for his 20 years of service to the City of Ellinwood Fire Department.
2. KPP Update: Mark Chesney, General Manager and CEO of the Kansas Power Pool (KPP) was present to give council an update on activities within the Power Pool. Mr. Chesney explained there will be a full membership meeting on April 19th and a question to exempt the Power Pool from KCC regulations will be posed to the membership. He also explained that KPP staff is planning to visit every community with new council members and give an orientation about the Kansas Power Pool.
3. Splash Pad Improvements: Staff reported that following the first year of operations, there were numerous requests for more seating and shade for the splash pad facility. The Rotary Club still has some available funding that could be used towards these improvements. Presented to council is a quote from Joiner Construction, Inc. to construct a 16 x 20 patio with cover in the amount of \$16,000.

A motion was made by Councilmember Jon Prescott to approve the quote from Joiner Construction, Inc. in the amount of \$16,000 for the construction of a 16 x 20 patio with cover, subject to staff determining the best location for the shelter, seconded by Councilmember Kirk Clawson. Motion carried. All voting in favor.

4. KMU Designation of Voting Delegates: The annual meeting of Kansas Municipal Utilities is scheduled for May 2nd through May 4th, 2018. It is necessary that a voting delegate and alternate be designated by the council. Robert Peter is currently designated as voting delegate and Chris Komarek is currently designated as alternate voting delegate.

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A motion was made by Councilmember Alan Brauer to continue with the designation of Robert Peter as voting delegate and Chris Komarek as alternate voting delegate, seconded by Councilmember Ken Lebbin. Motion carried. All voting in favor.

5. Approval of City Fireworks Display Date and Contributions: Presented to council for consideration was a proposed date for a community fireworks display on Wednesday, July 4, 2018, with a rain date of Friday July 6, 2018. The commitment of city funds was also discussed and staff explained as in the past, letters will be sent out to area businesses requesting donations for the event.

A motion was made by Councilmember James McCormick to approve the community fireworks display on July 4, 2018, with a rain date of July 6, 2018 and approve a city contribution up to \$5,000 not including insurance, seconded by Councilmember Kirk Clawson. Motion carried. All voting in favor.

6. Water Tower Maintenance Agreement: Presented to council was a proposal from Maguire Iron for the annual maintenance of the City's two water towers. Maintenance consists of draining, cleaning and a visual inspection of each tower every other year. Details of the proposal included the following:

50,000 Gallon Water Tower –	2019	\$1550
	2021	\$1550
	2023	\$1550
	2025	\$1550
	2027	\$1550
300,000 Gallon Water Tower -	2018	\$1850
	2020	\$1850
	2022	\$1850
	2024	\$1850
	2026	\$1850

A motion was made by Councilmember Jon Prescott to approve the proposal from Maguire Iron as presented above for 5 annual inspections of each water tower, seconded by Councilmember Ken Lebbin. Motion carried. All voting in favor.

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7. 1st and Kennedy Street Improvements: At the March 13, 2018 council meeting, council approved rebuilding the intersection at 1st and Kennedy as part of the bond issue for street improvements in the 200 block of West 1st Street. Presented to council was an opinion of probable cost provided by EBH & Associates for the additional intersection work in the amount of \$25,422.38

A motion was made by Councilmember Alan Brauer to approve the opinion of probable cost provided by EBH & Associates in the amount of \$25,422.38 for the additional work at the intersection of First and Kennedy, seconded by Councilmember Kirk Clawson. Motion carried. All voting in favor.

8. Executive Session for the Acquisition of Property: An executive session is requested to discuss negotiations for possible acquisition of property relating to the flood control project. A motion was made by Councilmember Alan Brauer to adjourn into executive session for (15) fifteen minutes to discuss negotiations for possible acquisition of property relating to the flood control project, with Robert Peter, city attorney, Kim Schartz, city clerk and Chris Komarek, City Administrator present and that the council meeting will reconvene in the council chambers, seconded by Councilmember Kirk Clawson. Motion carried. All voting in favor. The governing body recessed into executive session at 8:23 p.m.

Meeting reconvened at 8:38 p.m. No action taken

9. Approval of Permanent and Temporary Easement: Presented to council was a grant of temporary and permanent easement agreement between the City of Ellinwood and Corey and Jennifer Long. The agreement grants a permanent easement for a 60 foot wide strip of channel and a temporary easement outside of the boundaries of the permanent easement for construction and maintenance of the City's drainage improvements, including work on the landowner's driveway. The payment for the easement agreement would be \$2,875.00

A motion was made by Councilmember Jon Prescott to approve the Grant of Temporary and Permanent Easement agreement and the payment of \$2,875 and authorize Mayor Irlan Fullbright to execute the agreement with Corey and Jennifer Long, seconded by Councilmember Ken Lebbin. Motion carried. All voting in favor.

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10. Approval of Permanent and Temporary Easement: Presented to council was a grant of temporary and permanent easement agreement between the City of Ellinwood and John Sunderland and Angela Schwartz. The agreement grants a permanent easement for a 60 foot wide strip of channel and a temporary easement outside of the boundaries of the permanent easement for construction and maintenance of the City's drainage improvements. The payment would be \$250 for the permanent easement and \$250 for the temporary easement.

A motion was made by Councilmember James McCormick to approve the Grant of Temporary and Permanent Easement agreement and the payment of \$250 each for the permanent and temporary easement and authorize Mayor Irlan Fullbright to execute the agreement with John Sunderland and Angela Schwartz, seconded by Councilmember Kirk Clawson. Motion carried. All voting in favor.

H. REPORTS:

1. Municipal Court Report: Presented to Council was the Municipal Court Report for March, 2018.
2. Utilities Production Report: Presented to Council was the Utilities Production Report.
3. Staff Reports:
 - a) Staff reported the subcontractor for Suchy Construction started the storm sewer work on Monday.
 - b) Staff reported the city crews are working on water mains.
 - c) Staff reported the new tractor has been received and the old street tractor has been moved to the water department, and the plan is to put the old water department tractor up for sale by sealed bids.

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

Irlan Fullbright, Mayor

Kim Schartz, City Clerk