

CITY COUNCIL CHAMBERS
JANUARY 8, 2019
7:00 P.M.

- A. **CALL TO ORDER:** Mayor Irlan Fullbright called the meeting to order at 7:00 p.m. and the Pledge of Allegiance was recited.
- B. **ROLL CALL:** Members present were Councilmembers Steve Oelke, Ken Lebbin, Jon Prescott, James McCormick and Mayor Irlan Fullbright. Councilmember Kirk Clawson was absent. City attorney Robert Peter was present. Also present was Mary Jo Cunningham, representing the Ellinwood Leader and Veronica Coons representing the Great Bend Tribune.
- C. **APPROVAL OF MINUTES:** A motion was made by Councilmember James McCormick to approve minutes for the December 11, 2018 regular council meeting, seconded by Councilmember Steve Oelke. Motion carried. All present voting in favor.
- D. **APPROPRIATIONS:** A motion was made by Councilmember Jon Prescott to authorize payment of bills and claims processed, seconded by Councilmember Ken Lebbin. Motion carried. All present voting in favor.
- E. **OLD BUSINESS:**
1. Executive Session: An executive session is requested for the purpose of protecting attorney/client privilege related to potential litigation. A motion was made by Councilmember Ken Lebbin to recess into executive session for the purpose of protecting attorney/client privilege related to potential litigation for (15) fifteen minutes beginning at 7:10 p.m. and reconvene in the council chambers at 7:25 p.m. with Robert Peter, city attorney, Chris Komarek, city administrator and Kim Schartz, city clerk present, seconded by Councilmember James McCormick. Motion carried. All present voting in favor. The governing body recessed into executive session at 7:10 p.m.

Meeting reconvened at 7:25 p.m. No action taken.

2. Review of Property at 518 E. 4th: According to Resolution 111318B adopted at the November 13, 2018 city council meeting, there is to be a review of the status of the property at 518 E. 4th.

Legal counsel informed city council that there is a problem in proceeding with the litigation to resolve the probate issue on the property, so no action will be taken at this time.

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F. **VISITORS:** Jim McMullen, Jon Perron, Brittney Glenn, Josh Komarek, Jacque Isern, Judy Hayes, Wayne Scritchfield

G. **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 Jon Prescott to adopt Resolution 010819A, seconded by Councilmember Steve Oelke. Motion carried. All present voting in favor.

2. ACEC Award for KDOT Project: Kirkham Michael and Associates was the engineering firm that designed the recent improvements made to Highway 56 going through Ellinwood. Wayne Scritchfield with Kirkham Michael and Associates was present and explained this project was submitted for consideration to the American Council of Engineering Companies for cities with population under 5000. Mr. Scritchfield read to council the application that was submitted on behalf of the City of Ellinwood, hi-lighting all the positive effects to the City from the completion of the project. Mr. Schritchfield was proud to announce that the City of Ellinwood project was the winner of the award.
3. Review of Cereal Malt Beverage Application: A renewal CMB application has been received from Annie Mae's for a general retailer license. A motion was made by Councilmember Ken Lebbin to approve the cereal malt beverage application from Annie Mae's and issue a license for 2019, seconded by Councilmember Jon Prescott. Motion carried. All present voting in favor.
4. Update on Property at 610 N Hirsch: City staff was contacted by a family member to address the issue on the property. Staff reported the family member said they have multiple individuals coming during the month of February to help clean up the property. City Administrator, Chris Komarek also explained that himself and Police Chief Bailey will be allowed into the premises to review and monitor the progress on the property.

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5. Small Cell Tower Ordinance: Presented to council was a set of standards for the installation and aesthetics of small cell towers and Ordinance 2019-1, an ordinance providing for the adoption of the Small Cell Aesthetic Standards for the City of Ellinwood.

A motion was made by Councilmember Jon Prescott to approve the standards as presented, seconded by Councilmember Ken Lebbin. Motion carried. All present voting in favor. A motion was made by Councilmember James McCormick to adopt Ordinance 2019-1, seconded by Councilmember Steve Oelke. Motion carried. All present voting in favor.

6. Resolution establishing Fees for Small Cell Towers: Presented to council was Resolution 010819B establishing a fee schedule for applications and annual access charges to install wireless facilities in the City.

A motion was made by Councilmember Ken Lebbin to adopt Resolution 010819B, seconded by Councilmember Jon Prescott. Motion carried. All present voting in favor.

H. REPORTS:

1. Municipal Court Report: Presented to Council was the Municipal Court Report for December, 2018.
2. Utilities Production Report: Presented to Council was the Utilities Production Report.
3. Staff Reports:
 - a) Staff invited city council members to the Chamber Annual Banquet January 26th and asked them to RSVP by January 21st.
 - b) Staff reported City crews are working on the breaker panel at the power plant and doing re-wire work.
 - c) Staff reported the street department has received a load of asphalt and will begin working on the railroad tracks on South Kennedy.
 - d) Staff reported the EMS department ended the year with 412 calls and 141 transfers, with 103 of those being out of county.
 - e) Staff also explained the police department has addressed and sent out letters for 68 junk/abandoned vehicles since June 1st.

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- I. **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 James McCormick . Motion carried. All present voting in favor.

Irlan Fullbright, Mayor

Kim Schartz, City Clerk