

CITY COUNCIL CHAMBERS
MAY 14, 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 Kirk Clawson, Jacque Isern, Ken Lebbin, Steve Oelke, Jon Prescott, and Mayor Irlan Fullbright. City attorney Jane Isern was present. Also present was Mary Jo Cunningham and Karen VanBrimmer representing the Ellinwood Leader.
- C. **APPROVAL OF MINUTES:** A motion was made by Councilmember Jon Prescott to approve minutes for the April 9, 2019 regular council meeting, seconded by Councilmember Jacque Isern. 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 Kirk Clawson. Motion carried. All voting in favor.
- E. **OLD BUSINESS: NONE**
- F. **VISITORS:** Judy Hayes, Spencer Proffitt, Brittney Glenn, Chance Bailey, Kevin Clair, John Sturn, Danielle Hollingshead, Cody Waite, Jordan Waite, Jon Perron, Larry Holloway
- G. **NEW BUSINESS:**
1. Service Awards: Service awards were presented to the following city employees for their years of service to the City of Ellinwood:

Jim Elsen – 30 years – Fire Department
Cody Waite – 10 years – Fire Department
 2. 2018 Audit Report: Presented to council was the 2018 audit report. Danielle Hollingshead, a representative of Adams, Brown, Beran & Ball, Chtd. was present and reviewed the audit with council.
- A motion was made by Councilmember Steve Oelke to accept the 2018 audit report as presented, seconded by Councilmember Kirk Clawson. Motion carried. All voting in favor.

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3. Ordinance for Consumption of Alcohol on Public Property: Presented to council for review was Ordinance 2019-5, an ordinance that allows for the consumption of enhanced cereal malt beverages in the City Park from 4:00 p.m., Thursday, July 18, 2019, through 2:00 a.m. Sunday July 21, 2019 in association with the beverage tent and the After Harvest Festival.

A motion was made by Councilmember Jon Prescott to approve Ordinance 2019-5, an ordinance exempting certain following described public property, the title of which is vested in the City of Ellinwood, Kansas to permit the consumption of enhanced cereal malt beverages thereon, as authorized by charter ordinance No. 5 of said city and establishing the time when such exemption shall be effective. Motion was seconded by Councilmember Ken Lebbin. Motion carried. All voting in favor.

4. Kansas Sidewinders Cereal Malt Beverage Application: Presented to council was an application for a cereal malt beverage license submitted by the Kansas Sidewinders MC for operation of a beverage tent at the After Harvest Festival beginning Thursday, July 18, 2019 at 4:00 p.m. through midnight on Saturday, July 20, 2019.

A motion was made by Councilmember Ken Lebbin to approve the cereal malt beverage application for operation of a beverage tent by the Kansas Sidewinders MC at the After Harvest Festival for Thursday July 18, 2019 beginning at 4:00 p.m. through midnight on Saturday, July 20, 2019 for the licensed premise as outlined in Ordinance 2019-5. Motion seconded by Councilmember Jacque Isern. Motion carried. All voting in favor.

5. Defibrillator Purchase: Staff explained the two defibrillators in the ambulances are 11 and 14 years old and at the end of 2019, the manufacturer will no longer offer support or maintenance for these units. EMS Director, Brittney Glenn applied for a grant to help purchase the replacement of one of the units and was successful in receiving this grant. The grant is a 50/50 match with the total cost of the defibrillator being \$37,325.00, therefore the city's share would be \$18,662. Funds are available in the Fire Ambulance Equipment fund for this purchase.

A motion was made by Councilmember Steve Oelke to approve the city match of \$18,662 toward the purchase of the defibrillator, seconded by Councilmember Jon Prescott. Motion carried. All voting in favor.

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6. Lift Station: Staff explained the sewer lift station located in the 500 block of N. Fritz needs replaced. Presented to council was a quote from Smith and Loveless for the equipment in the amount of \$50,786 and a quote from Hickman Environmental Services for the installation in the amount of \$5,500.

A motion was made by Councilmember Ken Lebbin to approve the purchase of the lift station equipment in the amount of \$50,786 from Smith and Loveless and the installation cost of \$5500 from Hickman Environmental Services, seconded by Councilmember Kirk Clawson. Motion carried. All voting in favor.

7. Distributive Generation Base Rate Ordinance: Presented to council was Ordinance 2019-6, an ordinance that establishes the formula for setting monthly base meter rates for distributive generation. These rates would be assessed to any customer who has electric generation (solar) and wants to tie their generation into the city's system for distribution. John Sturn, an Ellinwood resident interested in pursuing the distributive generation was present at the meeting to discuss concerns regarding the rate structure and regulations. Also present at the meeting to assist in answering questions regarding the distributive generation was Larry Holloway from the Kansas Power Pool and Jon Perron, electric distribution superintendent.

After much discussion, city council directed legal counsel to make changes to the ordinance to allow for an option for metering output so an adjustment could be made to the grid access charge for decreasing efficiency in the solar panels. Item was tabled to allow modifications to the ordinance to be reviewed at the June, 2019 meeting.

8. Distributive Generation Standards Ordinance: Staff explained the current Interconnection Standards for Installation and Parallel Operation of Customer Owned Generation Facilities and the associated Net Metering Rate Rider was adopted by council in August, 2017. Presented to council were revised copies of the Interconnection Standards and the Net Metering Rate Rider and Ordinance 2019-7 an ordinance adopting interconnect standards for installation and parallel operation of customer owned residential and commercial renewable generation facilities for customer owned renewable energy generation facilities.

After much discussion the issue was tabled to allow for research and possible changes to the sizing regulations and minimum insurance liability requirement.

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9. Election of Council President: As provided in the Ellinwood City Code, the City Council shall annually elect one of their own body, as “President of the Council.” The Council President shall preside at all meetings of the Council in the absence of the Mayor.

A motion was made by Councilmember Jon Prescott nominating Councilmember Ken Lebbin as Council President, seconded by Councilmember Kirk Clawson. Motion carried. All voting in favor.

10. Designation of Official Depository: Each year the Mayor designates, with the consent of council, the institutions that may serve as depositories for City funds. The institutions recommended for this designation are:

Sunflower Bank, N.A.
Community Bank of the Midwest

A motion was made by Councilmember Kirk Clawson to accept the designations as recommended by Mayor Irlan Fullbright, seconded by Councilmember Ken Lebbin. Motion carried. All voting in favor.

11. Designation of Official Newspaper: Each year the Mayor shall designate, with the consent of Council, the official newspaper for publication of city notices. The Ellinwood Leader is the only operating newspaper in Ellinwood and is recommended for designation as the official newspaper. Staff suggested designating the Great Bend Tribune as an alternate official newspaper.

A motion was made by Councilmember Ken Lebbin to accept the designation of the Ellinwood Leader as primary official newspaper and the Great Bend Tribune as an alternate official newspaper, seconded by Councilmember Jon Prescott. Motion carried. All voting in favor

12. Appointment of Fire Committee: Each year the Mayor appoints two members of the council to represent the City in discussion with the two townships for contractual services to the fire district. This appointment is subject to council approval. Generally, the townships each pay 1/3 of the operating costs plus 1/2 of the direct rural equipment costs.

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Mayor Fullbright recommended appointment of Councilmembers Steve Oelke and Kirk Clawson to the Fire Committee. A motion was made by Councilmember Jon Prescott to accept the appointments as submitted by Mayor Irlan Fullbright, seconded by Councilmember Jacque Isern. Motion carried. All voting in favor.

13. Executive Session for Non-Elected Personnel: An executive session is requested for discussion of job performance of non-elected personnel. A motion was made by Councilmember Ken Lebbin to recess into executive session for discussion of job performance of non-elected personnel. Executive session will be for fifteen (15) minutes beginning at 9:03 p.m. and council will reconvene in the council chambers at 9:18 p.m. Persons to remain in executive session are the governing body, city administrator and city attorney, seconded by Councilmember Jon Prescott. Motion carried. All voting in favor. The governing body recessed into executive session at 9:03 p.m.

Meeting reconvened at 9:18 p.m. No action taken.

14. Annual Appointment of Department Directors: As provided by City Code, the Mayor, with consent of council, may appoint the city officers/directors.

The following Department Directors are recommended for appointment:

Kevin Clair	Street & Parks Superintendent
Jon Perron	Electric Distribution Superintendent
James McMullen	Electric Production Superintendent
Chance Bailey	Chief of Police
Kim Schartz	City Clerk
Janice Birzer	City Treasurer
Chris Komarek	City Administrator
Charles Pike	Municipal Judge
Chris Komarek	Fire Chief
Brittney Bailey	EMS Director
Isern & Carpenter	City Attorney
Spencer Proffitt	Water/Wastewater Superintendent
Brad Helfrich	Sanitation Department

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A motion was made by Councilmember Jon Prescott to approve the annual appointment of Department Directors as presented above, seconded by Councilmember Steve Oelke. Motion carried. All voting in favor.

15. City Administrator Contract Review: After some discussion, a motion was made by Councilmember Jon Prescott to approve a \$.50 per hour increase in the City Administrator salary based on 2080 hours annually, seconded by Councilmember Kirk Clawson. Motion carried. All voting in favor.

16. Executive Session for Discussion of Property Acquisition: An executive session is requested for discussion of property acquisition. A motion was made by Councilmember Ken Lebbin to recess into executive session for the purpose of preliminary discussion of the acquisition of real property. Executive session will be for fifteen (15) minutes beginning at 9:30 p.m. and council will reconvene in the council chambers at 9:45 p.m. Persons to remain in executive session are the governing body, city administrator and city attorney, seconded by Councilmember Jon Prescott. Motion carried. All voting in favor. The governing body recessed into executive session at 9:30 p.m.

Meeting reconvened at 9:45 p.m. No action taken.

H. REPORTS:

1. Municipal Court Report: Presented to Council was the Municipal Court Report for April, 2019.
2. Utilities Production Report: Presented to Council was the Utilities Production Report.
3. Staff Reports:
 - a) Staff reported there will be a Planning Commission meeting Tuesday, May 21st at 7:00 p.m.
 - b) Staff reported the City-wide cleanup was successful.
 - c) Staff reported that Jon, Tyson, Cody and himself attended the KMU conference last week and it was a very good conference.
 - d) Staff reported city crews are working on getting the swimming pool ready for the season, mowing and continuing periodic generating training at the power plant. The police department is continuing to monitor tall grass and weeds and sending out weed notices accordingly.

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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 Steve Oelke. Motion carried. All voting in favor.

Irlan Fullbright, Mayor

Kim Schartz, City Clerk