

The Council of the City of Wellington, Kansas, met in Regular Session on January 3, 2017 at 6:30 p.m., in the City Council Room, City Administration Center, with Mayor Shelley Hansel presiding.

The Pledge of Allegiance was led by Mayor Hansel.

The Invocation was given by Rev. Kitty Shield of Saint Jude's Episcopal Church.

Council members Bill Butts, Kip Etter, Kelly Hawley, Jan Korte, Jim Valentine and Vince Wetta were present at roll call.

Members of the Staff present were City Manager Shane Shields, City Attorney Shawn DeJarnett, Utility Director Jason Newberry, and City Clerk/Financial Director Carol Mericle.

AUDIENCE PARTICIPATION

There was no audience participation.

CONSENT AGENDA

Council member Korte moved to approve the consent agenda. Council member Butts seconded. The motion carried. The following items were approved under the Consent Agenda.

➤ **APPROVAL OF MINUTES**

1) Regular Session of December 20, 2016

➤ **APPROVAL OF APPROPRIATIONS**

1) Payroll Report for December 11- December 24, 2016 in the amount of \$215,942.37

2) ACH Authorization Voucher #1030 for BCBS for December 14-20, 2016

3) ACH Authorization Voucher #1031 for BCBS for December 21-27, 2016

4) Claims Register for December 17-30, 2016 in the amount of \$\$396,106.49

➤ **RECEIPT OF COUNCIL CORRESPONDENCE**

1) Sales Tax & Compensating Use Tax for November 2016

2) WRC Meeting Minutes for November 15, 2016

3) Planning Commission Meeting Minutes for December 27, 2016

REPORTS OF MAYOR AND COUNCIL

Several of the council made remarks welcoming Mr. Shawn DeJarnett to the council as the City Attorney.

REPORTS OF CITY OFFICIALS

KPP Letter of Intent. City Manager Shields gave a follow up from the meeting that was held in December and the action that was previously directed from the KPP annual meeting in December. He explained, each entity is to follow up with a letter of intent indicating intent to sign the resolution that will be brought to you in the near future. It is about a change to the contract wording. Manager Shields continued, the council took no action at the December 6, 2016 meeting and our representative voted the way you directed. This is to follow that up and give approval if that is what you so choose, that authorize either the Mayor or the City Manager to sign this letter of intent. He further explained the contract expires in 20 years or the date upon which principal of premium or interest if any are paid and the bonds are paid in full and are retired. Council member Wetta shared concern about the grid and asked what would happen if it was compromised. Utility Director Newberry stated we have 40 Megawatts available to us which is enough to carry the current load of Wellington and said we could run on the natural gas as long as it was flowing. He told that KPP has had a number of classes and seminars and a lot of our staff members have attended. The SW power pool governs power not the KPP. Council member Etter noted that this was only a letter of intent, and City Manager Shields indicated that the final decision would be when the final resolution was presented before the council. Council member Butts asked about previous cities voting to adopt. Manager Shields reported the vote was 22-2 as the cover letter indicated to bring

this resolution to all the member cities with the only two who voted no were Attica and Winfield. Council member Wetta asked what our path forward was if we don't do this? Manager Shields said if this resolution is not adopted then the existing contract will expire in 2032 and we will be on our own to work out electricity and energy contracts. Director Newberry stated that KPP has been good for the City overall and thinks an agreement can be reached. Council member Butts moved to have the City Manager submit this letter of intent and to sign the contract. Council member Wetta seconded. The motion carried.

F.B.O./Concession Agreement. City Manager Shields said this is a concession agreement for the sale of fuel with the Airport Manager Patrick Hamlin. The council discussed this in a previous meeting. Council member Wetta made a motion and Council member Korte seconded the motion to approve the concession agreement. The motion carried.

Airport Runway Extension Project Update. Manager Shields reported he received the update on the runway extension project on December 29, 2016 via email. The congressional review does not allow the FAA to participate in the funding process for the sewer. He continued the sewer will not be included in the 90% funding as indicated previously, it will be prorated for utility improvements, as there are other commercial entities that will benefit from this and are not considered to be associated with Airport traffic. The final numbers are not known at this point and the funding options to be looked at include the Utility fund, or a bond issue.

PUBLIC HEARINGS

There were no public hearings included in the agenda.

ORDINANCES

There were no ordinances included in the agenda.

RESOLUTIONS

A RESOLUTION ACCEPTING AND APPROVING THE 2017 CHEMICAL BIDS FOR THE WATER TREATMENT PLANT AS SUBMITTED AND RECOMMENDED was introduced and considered.

Manager Shields introduced the resolution. This is the annual process for the bid. There was much discussion about the bid amounts and the specific chemicals used by the various utility departments and the cost of the project.

Council member Korte moved to adopt the resolution as presented. Council member Butts seconded. Upon roll call vote, those voting "AYE" were Council members Butts, Etter, Hawley, Korte, Wetta and Valentine. There were no "NAY" votes. Number 5794 was assigned to this resolution.

OTHER

Mayor Hansel made several remarks regarding the Lincoln street property, stating that her hope is that we can remove the barricades on Lincoln and reopen the street. She said we need to be aware that we are in jeopardy of losing our Theatre. Manager Shields said we are waiting to prepare a demo bid document to send out to determine how we proceed. He also said the street was originally closed for public safety, and if the governing body chooses to open the street, possibly tremors could exist and damage the building further. Council member Etter wanted to know what the liability would be. City Attorney DeJarnett explained to the council that it would be against his advice to open the street at this time. The City has already cited reasons for concern and could be sued if anything happened. The council needs professional expertise to make sure that it is safe. Council member Etter inquired about business insurance and if it was available for this type of project. City Manager Shields said the alley was a potential concern as well. Mayor Hansel suggested that Richard Jack review the building.

STUDY ITEMS

There were no study items included in the agenda.

EXECUTIVE SESSION

Council member Korte made a motion to recess into executive session for consultation with an attorney on matters that would be deemed privileged in an attorney-client relationship with the City Manager, City Clerk/ Finance Director, City Attorney and Council for a period of 15 minutes. Council member Hawley seconded the motion and it carried at 7:12 pm. The meeting reconvened at 7:27 pm with no binding action taken.

FUTURE AGENDA ITEMS

Work Session to present recommended updates to the building codes. Manager Shields told the topic will be going to the Combined Trade board on the 9th. If it proceeds we will plan a work session at the next meeting.

The annual Chamber Meeting will be on January 20, 2017. City Clerk Mericle reported that the Boards/Commissions that were due by December 31st were now in hand. She said the City still needs one person for the Airport Advisory Board, one person for the Library Board, and one for the Board of Zoning Appeals. The council is responsible to appoint if not all positions are filed for.

The next Council meeting is January 17, 2017.

A motion to adjourn was seconded and carried.

Approved and filed this 17th day of January, 2017.

Mayor

City Clerk