

The Council of the City of Wellington, Kansas, met in Regular Session on January 17, 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 Reverend 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, Public Works Director Jeremy Jones, Accounts Payable Clerk, Kelly Ford, Police Chief Tracy Heath, Jerry Zoglmann, HR Coordinator, and Gilbert Berryman, Wastewater Supervisor.

#### **AUDIENCE PARTICIPATION**

There was no audience participation.

#### **CONSENT AGENDA**

Council member Korte moved by 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 January 3, 2017

➤ **APPROVAL OF APPROPRIATIONS**

1) Payroll Report for December 25, 2016- January 7, 2017 in the amount of \$235,945.44

2) ACH Authorization Voucher #1032 for BCBS for December 28, 2016-January 3, 2017

3) ACH Authorization Voucher #1033 for BCBS for January 4-10, 2017

4) Claims Register for January 1-13, 2017 in the amount of \$398,848.06.

➤ **RECEIPT OF COUNCIL CORRESPONDENCE**

1) Electric, Waterworks, Sewage Operating Report for December 2016

2) Building Demo Permit Report for December 2016

3) Police Activity Report for December 2016

4) Ambulance Monthly Financial Report for December 2016

5) Fire/EMS Activities/Overtime/Revenue Report for December 2016

6) Safety Committee Meeting Minutes for January 11, 2017 (includes accident statistics)

7) Memorial Auditorium Board Meeting Minutes for November 3, 2016

8) Correspondence to SCKLA from City Manager Shields re: Proposed Code Language

#### **REPORTS OF MAYOR AND COUNCIL**

Council member Valentine suggested that City Attorney DeJarnett and City Prosecutor Spencer get together and discuss the proposed changes to the building codes for 2009, as well as the letter sent from Mr. Jack to the city council on 11-28-16 so they are not caught off guard by this when questioned by the public. City Attorney DeJarnett has the packet of information and is going to attend the work session as related to the enforcement of these codes as well as requesting that Mr. Spencer does as well.

Council member Valentine also wants to thank the city crews for the work this weekend with the ice storm. Director Jones is going to evaluate the need for the compost site to be open to take care of the debris from the storm.

Mayor Hansel welcomed City Attorney DeJarnett to the meeting.

Mayor Hansel attended the combined Trade Board meeting last week, and she recommends that the community and council continue to work together to reach a mutual agreement regarding the proposed code changes.

Council member Wetta commented he read the KPP letter about emergency preparedness and would like to attend the meeting that will be held.

Mayor Hansel mentioned that the Annual Chamber Banquet will be held this Friday Jan. 20, 2017 and they are sold out of tickets.

Regarding the dog abuse case, Mayor Hansel assured everyone that the Police Dept. is doing everything they can to handle this properly. As always there is more to this than what we are reading on social media. This type of behavior is not tolerated in Wellington, Kansas and it will be dealt with accordingly.

Mayor Hansel told she received a letter today regarding a grant for \$300,000 from the CDBG. The grant was awarded to the City of Wellington, and Stacy Davis, Sumner County Economic Development Director is working towards this for a 2017 grant as well. City Manager Shields stated there are many federal guidelines that have to be followed. The Department of Commerce will be contacting us to assist in the completion of this grant. Casey Tillman with SCKEDD will be contacting City Manager Shields, as Mr. Tillman is the administrator for this grant. Council member Butts asked when we would be receiving the money. At this time Mrs. Davis didn't have a timeline for payment. She stated that we could use the same information we have already provided for the new grant and typically no new information would be needed for completion and payment.

#### **REPORTS OF CITY OFFICIALS**

***Progress of Tire Removal at 220 N. Haslet-Memo from Code Compliance Official Aaron Norton.*** Public Works Director Jones shared that a hearing was held on May 3, 2016 and gave the resident a 90 day extension until August 1, 2016. He told that on Jan, 5, 2017, he and Mr. Norton had a meeting with Miss Debuhr for a follow up and it was obvious that an effort had been made to comply with the request by organizing into several piles. However tires are still on the property and the financial burden for the disposal of the tires remains as the issue. It is still in violation of the City code. Director Jones said he and City Manager Shields met with Miss DeBuhr and she is looking at several options to deal with the tires. After some discussion, Council recommended that the City give the tenant a 60 day extension to take care of the issue. Miss DeBuhr addressed the Council explaining her efforts to get the issue resolved. Council member Etter thanked the tenant for her work towards this project. Council member Butts asked if the City was to help with this matter where would the money come from. Director Jones replied that if the money was used out of the Sanitation Fund, which is funded by the customers within the City, we would have to control tires being brought in from outside the City. We would need a large enough space to keep maybe 5000-6000 tires for a week until the company could pick them up and it would cost thousands of dollars to do this. Council member Wetta moved to give the tenant until March 21<sup>st</sup> to find a solution. Council member Korte seconded the motion. The motion carried.

***Requested Funding for Employee Health Insurance-Memo from Health Insurance Committee.*** City Manager Shields shared the Health Insurance Committee was in attendance, and that the council did approve \$35.00 per person increase per month for the 2017 budget. He stated we typically don't know until the end of the year if there will be a future increase at the time of the budget preparation. The BlueCross increase is approximately 20% and that is what we have learned in the last month. Director Jones stated that we offer a shared pay plan to our employees through BlueCross/BlueShield. It is a self-funded plan, and we maintain the Employee Benefit contribution fund and pay medical claims up to \$30,000 per person per year. He continued we are responsible for over 120% of our expected claims and we base our premiums upon those numbers. Over the last several years our premiums have consistently increased, however we have absorbed a good portion of those increases as we had a healthy Employee Benefit fund, and did not pass the full increase on to our employees or the City. Director Jones told we

had 2 bad years for claims in 2014 and 2015, and our usage this year was much higher than anticipated. He said the fund cannot afford to go into another year and have claims like we have had or the fund will go bankrupt. In years 2010 through 2014, we made no adjustments to the premiums. In 2015 we increased the employee portion for a family plan to \$230 per month. In 2016, we again increased the employee portion for a family plan to \$250 and had to begin charging \$30 per month for single coverage. We notified employees this week that their premiums beginning in February will increase another \$50 for premiums of \$80 for single and \$300 for family. The committee also looked at another BlueCross plan but the committee felt that it would benefit employees by staying with the current plan. The staff requested an increase to the City Contribution of up to \$50 per employee per month for the 2017 budget and ultimately \$35 was budgeted. Director Jones said the employees are appreciative of that increase, however our overall funding for premiums is still lacking. He said the committee is asking Council consider matching the \$50 employee increase with an additional \$50 to the City portion. A motion was made by Council member Wetta, seconded by Council member Korte, to approve the City paying an additional \$50 towards the employees' health insurance premiums. Upon roll call vote, those voting "AYE" were Council members Korte, Butts, Valentine, and Wetta. Those voting "NAY" were Council members Etter, and Hawley. Motion carried. Director Jones stated if we continue to raise the costs to our employees we may lose valuable employees to other jobs if they can't afford the premiums. There was more discussion on the cost of the increase. The Health Insurance Committee will begin scheduling employee meetings to discuss these premium increases and actions that can be taken to reduce our claims.

#### **PUBLIC HEARINGS**

There were no public hearings included in the agenda.

#### **ORDINANCES**

A CHARTER ORDINANCE EXEMPTING THE CITY OF WELLINGTON, KANSAS, FROM THE PROVISIONS OF (K.S.A. 14-103) AND/OR (K.S.A. 14-201) AND/OR (K.S.A.14-204) RELATING TO THE ELECTION OF OFFICERS, THEIR TERMS OF OFFICE, TRANSITIONS TO NOVEMBER ELECTIONS, THE APPOINTMENT OF OFFICERS, AND, NOMINATION PETITIONS; AND, PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT; AND REPEALING CHARTER ORDINANCES NO. 25 and 27 was introduced and considered. City Manager Shields stated the Mayor and council members with terms expiring in April, 2017 shall expire on 2<sup>nd</sup> Monday of January, 2018, and those with terms expiring in April, 2019 shall expire on the 2<sup>nd</sup> Monday of January, 2020. He said those dates match the statutory changes. Council members are selected at large, for a 4 year term, and the mayor shall have a 4 year term as well. Manager Shields added it addresses the term limits that are in place, and all elections shall be non-partisan. This charter ordinance will be published and takes effect 61 days after the date of publication. Council member Wetta moved to adopt this ordinance. Council member Korte seconded. A roll call vote was taken. Those voting "AYE" were Council members Etter, Hawley, Korte, Butts, Valentine, Wetta, and Mayor Hansel. Number 29 was assigned to this Charter Ordinance.

AN ORDINANCE AMENDING THE CODE OF THE CITY OF WELLINGTON, KANSAS AS IT PERTAINS TO PERMITTED USES IN THE C-S HIGHWAY SERVICE DISTRICT was introduced and considered. City Manager Shields stated this is regarding the Eastern US 160 corridor. He said the Institute of Higher Learning was not included in the approved uses of the highway district. Since the Cowley County Community College will be placed along that highway, and the planning commission unanimously voted to accept the changes. Mrs. Korte asked if the slaughter house is in compliance of the ordinance. Director Jones stated that the slaughter house has been grandfathered in and it effects no other use in that area. Council member Korte moved to adopt the ordinance as presented. Council member

Valentine seconded A roll call vote was taken. Those voting “AYE” were Council members Etter, Hawley, Korte, Butts, Valentine, Wetta, and Mayor Hansel. Number 4204 was assigned to this ordinance. .

AN ORDINANCE CHANGING THE BOUNDARIES OF THE ZONING DISTRICT AND AMENDING THE ZONING MAP AS ADOPTED BY ORDINANCE NO. 3826 (Rezone 804 S. Jefferson) was introduced and considered. Director Jones stated that Danville Coop has talked with the city about different options they are looking at on their property at this address. Many of the zones are heavy industrial but some of the property is zoned single family residential property. He said they are trying to improve the traffic flow on their property and they need to rezone as heavy industrial on the adjacent property to make this happen. Because they currently have a large track of land right next to it, we received a unanimous vote by the Planning Commission to approve this. Council member Wetta asked what exactly does this mean. He continued it could mean driveways, scales, or traffic flow, and they can change their minds at any time. Council member Etter wanted to know if the council was allowed to discuss this. Attorney DeJarnett stated they are allowed to discuss it. City Manager Shields reminded the decisions need to be made upon the request not any discussion that takes place. Council member Korte moved to adopt the ordinance. Council member Etter seconded the motion. Roll call vote was taken, Those voting “AYE” were Council members Etter, Hawley, Korte, Butts, Valentine, Wetta, and Mayor Hansel. Number 4205 was assigned to this ordinance.

#### **RESOLUTIONS**

There were no resolutions included in the agenda.

#### **STUDY ITEMS**

City Manager Shields shared the power outage last night was due to an accident on Highway 160. We have also provided some mutual aid to the City of Greensburg with their current power outage. He told the Utility Billing timeline has been impacted as we were short a meter reader, and today was an update from our Incode software. The bills will be two days late going out, and we will also forgive the past due for the same two days in the process. He reminded Council that the Chamber Annual Banquet will be Friday evening January 20<sup>th</sup>.

Council member Korte asked if we have an update on the building on Lincoln. Manager Shields said he had an update that the insurance company has received the second bid for demo as of today. The insurance company should be contacting the owner and will make that settlement offer. Council member Korte suggested that the City take over the demolition process if the insurance company is going to pay the owner, then the owner sign the payment over to the City, due to health of the owner and the burden this will put upon them. Manager Shields stated this could happen only if the owner is willing to sign it over to the city.

Mayor Hansel asked if anyone was attending the local government day in Topeka on the 25<sup>th</sup>. Manager Shields responded that no one is attending from the city.

Mayor Hansel asked Manager Shields to explain the memo given to Council members. He explained it is about the statement of substantial interest that Council members filled out when filing for election and may need to update, and is a reminder from himself and City Attorney DeJarnett. It is the responsibility of the Council members to take care of this. And he reminded them to do the update at the County elections office not the City Clerk office. If you have the need to update it, again, the covered memo explains that to you. It should be filed every year if you have the need to update it as before. If nothing has changed since the last year you filed it then no there is nothing that needs done.

**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 Attorney, and the Council, for a period of 15 minutes. The motion carried at 7:35 pm. The meeting reconvened at 7:50 pm with no binding action taken.

**FUTURE AGENDA ITEMS**

Manager Shields reminded Council of the work session with the topic of code changes and clarifications that will take place on January 31, 2017, at 6:30 pm at City Hall.

**OTHER**

A motion to adjourn was seconded and carried.

Approved and filed this 7<sup>th</sup> day of February, 2017

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Mayor

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Accounts Payable Clerk