

The Council of the City of Wellington, Kansas, met in a Work Session on March 5, 2018 at 6:00 p.m., in the City Council Room, City Administration Center, with Mayor Shelley Hansel presiding.

The Pledge of Allegiance was led by Mayor Hansel.

Council members Kelly Hawley, Jennifer Heersche, Kevin Dodds, Joe Soria and Jim Valentine were present at roll call. Council member Kip Etter was available on speaker phone.

Members of the Staff present were City Manager Shane Shields, Finance Director/ City Clerk Carol Mericle, City Attorney Shawn DeJarnett, Assistant City Manager/Public Utilities Director Jason Newberry, City Prosecutor Kerwin Spencer, and Chief of Police Tracy Heath.

Mayor Hansel introduced the candidates for Boards/Commissions and reviewed those applications with the council. The candidates that were present made comments to the Council. The Board/Commissions applicants will be voted on at the March 20, 2018 Council meeting.

Mayor Hansel introduced Coni Adams with Sumner Cowley Electric Cooperative. City Manager Shields introduced the memo that provides the details of what this process will be this evening. The location that is involved is the Boundary Road annexation, and there are nine factors of determination that have to be done during this process. He continued the City has been asked for the issuance of a franchise by Sumner-Cowley Electric Cooperative for the territory. Ultimately it remains the governing body's decision whether they wish to issue a franchise or not, and if no decision is made for the franchise, then the City assumes service to that territory. City Manager Shields handed out a report to Council during the discussion explaining the Staff's position on the 9 factors of determination. He told the letter in the agenda included Sumner-Cowley's answers to the 9 factors also. Coni Adams asked why the City is willing to recreate the wheel and not allow Sumner-Cowley to serve this property. Assistant City Manager/ Public Utilities Director Jason Newberry shared the future of the property is unknown but it may need a lift station and water. The City will be able to provide both things to the area. Mrs. Adams told that the Cooperative now serves seven addresses in the City. City Staff was not sure why that was done in the past by previous Staff. Manager Shields said the Council will make a decision on the proposed franchise on March 20th, and added that Mr. Cletas Rains, CEO of the Cooperative, will be present at that meeting to answer questions.

City Manager Shields told of the process to select a new Prosecutor for the City of Wellington. It was a four person committee that consisted of Public Works Director Jeremy Jones, Police Chief Tracy Heath, Finance Director/City Clerk Carol Mericle, and City Manager Shane Shields. The candidates were Matthew Mullen, Kerwin Spencer, and Shawn DeJarnett. It is the committee's recommendation that Shawn DeJarnett be selected for this position. He told the reasons that Attorney DeJarnett was selected and the others were not. City Manager Shields explained the Prosecutor fees that are being asked for by the candidates. The committee believes that the prior experience being a City Judge would be valuable, as it gives a different perspective on the job as City Prosecutor. He continued there were several other factors in deciding upon Attorney DeJarnett. He told that Attorney DeJarnett would be brought to Council at the March 20th meeting for final approval. Council member Valentine stated he is all about money, and can't go with Attorney DeJarnett's requested salary. He continued he is satisfied with Kerwin and the job he does well, and asked why we were doing this. City Manager Shields stated that the current contract hadn't been updated since 2002 and that contract didn't provide for a continuation or renewal for Attorney Spencer. It was discussed that the \$2200 a month was low compared to other cities and would need to be updated. Council member Valentine stated he wants to keep Attorney Spencer in his position and would be willing to pay him more. He has set in on night court and has had an incredible eye opening. He has seen Attorney Spencer doing a fantastic job. Council member Etter asked if Chief Heath was

involved with the interviewing committee. He added that to him that makes sense as he has to deal with that individual.

City Manager Shields stated the current salary is \$2,269 a month. For the 2018 year we have that budgeted. The staff went into this knowing there possibly would be an increase to this position and it will be covered. Mayor Hansel asked to confirm the legality of the issue, with a City Attorney also serving as City Prosecutor. City Manager Shields answered that Ark City and Winfield have similar situations and have the same agreement. The League of Kansas Municipalities also confirmed it. Attorney Spencer spoke and clarified that his proposal was for the \$2500 and that he was willing to do it for that amount. He also made comments regarding the position he currently holds as City Prosecutor. Mayor Hansel stated that 4 of the Council were in favor of staff's recommendation and two were not, bringing the consensus to recommend Attorney DeJarnett for this position.

City Manager Shields discussed the federal surplus property program. He told of a flyer that he received that had two vehicles on it for very reasonable prices that could have been purchased for police cars, but anything over \$10,000 needs Council approval. He continued these vehicles go quickly and there is no way to get approval from Council in time to purchase. He asked for general consensus that City staff can act upon by putting a hold on a vehicle, which would be checked out before purchase.

City Manager Shields said he received the lease and purchase agreement of SRMC today. It will be distributed to Council after being examined by staff.

Council member Valentine asked about a letter to residents about tree trimming in Westborough. City Manager Shields explained that it was done as City crews noticed some trees that were over hanging the streets that may be in the way of the machinery when paving the street. Residents have been given an opportunity to have it done before the project starts.

The meeting was adjourned.

Approved and filed this 20th day of March 2018.

Mayor

City Clerk