

The Council of the City of Wellington, Kansas, met for a Work Session on March 7, 2016, at 5:30 p.m., in the City Council Room, City Administration Center, with Mayor Shelley Hansel presiding.

The Pledge of Allegiance was led by Mayor Shelley Hansel.

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

Members of the Staff present were Finance Director Shane J. Shields, City Clerk Carol Mericle, City Manager Eckert, Building Official Richard Jack, Engineering Aide Jamie Cornejo, and City Attorney Mike Brown.

### **Agenda Items**

**Humane Society.** Mayor Hansel recognized Linda Stewart to speak about the proposed Humane Society Project. Mrs. Stewart handed out notebook presentations of the building they are planning to house the project. She is asking the City to donate the land located in the Industrial Park at the corner of Hillside Street and Clark Avenue. Mrs. Stewart told the Council about the 13 acres located on the curve north of town on Highway 81, that the Humane Society had planned to build on, hoping the City sewer lines would be extended to that property. Since that has not happened, they are hoping on the City's donation of the Industrial Park land.

Mrs. Stewart said the original donation from the Mitchell's of \$413,750, was given with the hope of involving members of the local Sheltered Workshop to help maintain the property. Since that time, John & Linda Stewart have given \$634,000 to the Society, and numerous others have given through gifts, memorials, and fundraisers. The funds that have been set aside for the building fund total \$922,845.17.

Council member Etter entered the Council room and joined the Work Session.

Mrs. Stewart also is requesting \$25,000 per year for 3 years, from both of City and County governments with the Stewart's donation of \$25,000, to fund a director for the project. Phyllis Todd, President of the local Humane Society and owner of the Pearly Gaits Ranch, was introduced. She explained the process of the Humane Society with the keeping of animals. Mrs. Stewart told that Mrs. Todd currently helps house the animals and adopt them out.

City Manager Eckert told there was a desperate need for a shelter and the location selected would be good for that purpose. He added the land does belong to the City and is valued at about \$27,000 and there should be some provision with the donation that if the shelter does not go through, the land reverts back to the City. There was more discussion about a veterinarian being offered office space in return for an amount of time donated to the Society. The Consensus of the Council was to vote on the donation of the land at the next meeting, with future plans of any donation of funds to be considered for future budget preparation.

Council member Wetta asked Mrs. Stewart for an estimate of time when this facility would be constructed. She replied she hoped it would be within 2 or 3 years.

**Code Compliance.** Council member Green invited City Prosecutor Kerwin Spencer to tell his involvement with the Code Compliance process. She also explained the reason for this work session subject was to continue with solutions to the problems brought up at the October work session on Code Compliance. Mr. Spencer told that 3 or 4 years ago the Council voted to change from the City ordinances to the IPMC (International Property Maintenance Code) for standards to use for dealing with Code violations. He said he has a problem with the definitions used in it to determine the violations, such as "rubbish" which could be someone's yard decorations. Mr. Spencer told that only about 50% can be cited for the violations and after letters are sent, only a few will comply with his letters.

Council member Green asked if the City should get rid of the IPMC standards. Mr. Spencer said that would be first on his list. He also said he didn't know of the change from City Ordinances to IPMC

before it was decided, and he thought the City codes were better. He added that in the IPMC, each offense had to fit into the description exactly and was harder to find a way to charge the offender. He further described the procedure he and the Code officers have to follow and the problems with the penalties and waiting periods. He described the City Ordinances that spoke to the individual offenses and why he thought they were best.

Council member Green said she didn't think all of the IPMC needed to be repealed, but she is no longer able to defend the City in complaints of not getting the town cleaned up. She would like to get this changed so we don't lose businesses or residents because of it.

Michael Cody was recognized and he asked why the fines are not paid if a summons is issued for someone that does not comply with the terms of the letters sent out.

City Attorney Brown asked Mr. Spencer what the maximum fines are from the municipal court process. Mr. Spencer said the maximum fee in IPMC for an automotive issue is \$500, and for other violations it is \$100 maximum. City Attorney responded we should increase the fines and penalties.

Mayor Hansel asked if actual tickets could be written by the Code officers to help with compliance issues. Several responded they did not think that was the answer. Council member Korte asked Building Official Jack if we should repeal the IPMC. He responded he was not in favor of that, but would like to see the old ordinances that were in force before the IPMC.

Kenny Moore was recognized and cited the mess he sees in Wellington and also the cases in progress. He displayed a list of the cases in progress.

Council member Green proposed the City be able to pick up discarded items, such as mattresses and add a fee to the person's utility bill. Engineering Aide told we could be accused of stealing someone's property. Mr. Spencer said we would have to give them notice before we could pick anything up.

After more discussion, Mr. Spencer and Mr. Brown both said they would get old Ordinances and review them before a decision could be made to repeal the IPMC.

The meeting was adjourned.

Approved and filed this 15th day of March 2016.

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Mayor

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City Clerk