

The Council of the City of Wellington, Kansas, met in Regular Session on March 15, 2016 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 William Wingfield of Calvary Lutheran Church.

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

Members of the Staff present were City Attorney Mike Brown, City Manager Roy Eckert, City Clerk Carol S. Mericle, Finance Director Shane Shields, Public Works Director Jeremy Jones, Utility Director Jason Newberry and Electric Distribution Supervisor John Bales.

Council member Etter entered council chambers at 6:37 p.m.

AUDIENCE PARTICIPATION

Kenneth Moore, 918 E. Lincoln, Wellington, KS president of the Landlord Association addressed his concern with a problem we have in town with trash. He wanted to know what was going to be done to force people to clean up trash, tires, cars, couches in yards and to expedite this process. His concern was how hard it was to sell or rent in town when adjacent properties are trashed and there is nothing that a landlord can do to correct it.

Mayor Hansel agreed and shared her concern with the deterioration and lack of pride in our town. She said the Council and City Manager Eckert agrees and they are working together to find a way to clean up the blight and hold people accountable. She thanked him for being a spokesperson for this cause.

Cathy Sheets, 1302 N. Poplar, Wellington, KS also spoke. She leases and sells property here and she feels there is also a health issue due to viruses and insects. She thanked the City's support, Sherry's Army and hopes we could expand on that with downtown and residential clean up. This is her hometown and she asked if we could see some ordinances in place so they can see if they are being out of place with their expectations of people and their properties.

Tim Fairbanks is also member of the Sumner County Landlord Association. He spoke that although he wasn't a lifetime resident, he has been here 30 years and commented that if Wellington looked like it does now, he would never have moved his family here. He has a few rental houses and is tired of fighting problems with neighbors and decreasing property values.

City Manager Eckert talked about the H.A.T. program survey and the CDBG grant through the Sumner County Economic Development office. He explained that every house here in Wellington was surveyed and graded to see where it would fit into this program. Each house received a grade of A, B, C or D under the guidelines of the CDBG grant. He commented that once you take the time to look at individual houses you would be surprised on how many need repair or attention, such as roofs or foundations. He shared that John Sweet, the City Administrator for the City of Lyons, KS has been extremely successful in securing grant funding for improvement of his City and how he offered to speak to our City on March 22nd during a Work Session to present how they have made programs work.

Council member Green said that she and Kenny Moore and a few others sat down over 13 years ago and formed the South Central Kansas Landlord Association. They met recently to brainstorm things they could do to help take care of the blight. She said they try to keep up to date on rules and regulations on what they can do to enforce rules and assist their tenants. She encourages people to look at this project on a greater scale that Wellington could lose potential residents to our town because of what they see – our streets and our alleys and what this could do to our economy. She challenges the City of Wellington, Mayor, Council and Staff to find resolutions and bring it to the Council's attention.

Mayor Hansel agreed and challenged the citizens of Wellington to hold each other accountable. She said to not only take care of your own yard but if you have an elderly neighbor, take care of them, too. She added we have to get into the mindset that we are one community.

Council member Etter shared that the Wellington Chamber of Commerce board met today. They discussed a program such as a “Property of the Month” to try to put a positive spin on some of the negativity in our community and to reward those who have pride of ownership in residences and businesses.

CONSENT AGENDA

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

➤ **APPROVAL OF MINUTES**

- 1) Regular Session of March 1, 2016
- 2) Work Session of March 7, 2016

➤ **APPROVAL OF APPROPRIATIONS**

- 1) Payroll Report February 21 – March 5, 2016 in the amount of \$224,062.65
- 2) ACH Authorization Voucher #988 for BCBS for February 24 – March 1, 2016
- 3) ACH Authorization Voucher #989 for BCBS for March 2 – 8, 2016
- 4) Claims Register for March 1-11, 2016 in the amount of \$346,169.78.

➤ **COUNCIL CORRESPONDENCE**

- 1) Clerk’s Report for February 2016
- 2) Electric, Water Works, Sewage Utility Operating Fund for February 2016
- 3) Building/Demo, Permit Report for February 2016
- 4) Police Activity Report for February 2016
- 5) Ambulance Monthly Financial Report for February 2016
- 6) Fire/EMS Activities/Overtime/Revenue Report for February 2016
- 7) Memorial Auditorium Board Meeting Minutes for February 11, 2016
- 8) Safety Committee Meeting Minutes for March 9, 2016
- 9) SCCDAT Newsletter for March 2016
- 10) Invitation to Mark Farley’s Retirement Party, March 18, 2016, 2:00 – 4:00 p.m.

REPORTS OF MAYOR AND COUNCIL

Council member Jan Korte reminded everyone that the Corporate Tax return deadline was today. She also asked if it was possible to get a waiver for those who have mattresses in their yards, allowing these large items to be picked up.

City Manager Eckert responded that we did have staff pick up a few mattresses in an alley. He had heard that the reason for the increased amount of mattresses lying around was a bed-bug issue and it is spreading. His concern is that when City employees pick them up, they can get them on clothes and the bugs not only spread easy, they are hard to get rid of.

Council member Green asked Public Works Director Jeremy Jones if residents could call City Hall and request these items be hauled off because she had not known about this program until recently.

Director Jones said yes, that this was implemented not long ago and could be done with a minimal fee. He shared that to help maintain the current average rate, for those who continually put excess at the curb for pick up, they incur an additional charge. Specific to the bedbug issue, we do not want to handle those items with direct contact. We put stickers on those items for customers to reach out to the landfill where we have the opportunity to ask the customer if there are concerns such as bedbugs.

Council member Etter congratulated the Lady Crusaders for their achievement of placing 3rd in the State.

Council member Valentine shared that there is a new clothing store downtown called “The Getting’ Place” and it is owned by Kistin Petersen and she has done a really great job with her store. He added that another store, more of a craft shop, will be moving in at the old Chamber location, next to Renn & Co. He also said the old JC Penney building has been sold and will be fixed up before another store is opened. He is excited for downtown and feels it is the heartbeat of our community. He hopes everyone will shop at these locations. Mayor Hansel shared that The Getting’ Place will have a ribbon cutting ceremony on Wednesday at 11:00 a.m. There is another ribbon cutting on Friday at 9:00 a.m. at 519 N. C. She recommends contacting the Chamber for more info. She shared that Mark Farley will be retiring from the Fire department after 34 years of service and there will be a celebration for him this Friday from 2-4:00 p.m. She thanked him and congratulated him on his years of service. There will not be an April Town Hall meeting. Instead, it will move in conjunction with the SCCDAT gathering on Wednesday, April 13th from 6-9 p.m. at Memorial Auditorium. There is a great speaker and prizes.

Mayor Hansel also read a Proclamation for Fair Housing Month, April 2016.

REPORTS OF CITY OFFICIALS

City Clerk Mericle read a memo regarding KMEA Director No. 2 Appointment. The position is currently held by City Manager Eckert. His term expires April 30, 2016. Council member Butts made a motion to approve the appointment of Roger Estes, our current Electric Power Scheduler to the KMEA Director No. 2 position. Council member Green seconded. The motion carried. There were no “Nay” votes.

Mayor Hansel read the memo from City Clerk Mericle regarding 2016 Board Appointments. She reminded the Council each Board needed to be decided one-by-one.

Airport Advisory Board: Council member Korte moved to appoint Ty Sober and Tony Stringer. Council member Green seconded. The motion carried. There were no “Nay” votes.

Board of Zoning Appeals: Council member Korte moved to appoint Alison Redford and Delmer Zerr. Council member Green seconded. The motion carried. There were no “Nay” votes.

Combined Trade Board: Council member Green moved to appoint David Herlocker, Tim Fairbanks and Kenny Moore. Council member Wetta seconded. The motion carried. There were no “Nay” votes.

Health Care Authority Board: Council member Korte moved to appoint Tammy McCue and Fred Hinman. Council member Butts seconded. The motion carried. There were no “Nay” votes.

Housing Authority Board: Council member Korte moved to appoint Paula Mortimer. Council member Butts seconded. The motion carried. There were no “Nay” votes.

Library Board: Council member Korte moved to appoint Jane Stayton and Sheila King. Council member Green seconded. The motion carried. There were no “Nay” votes.

Memorial Auditorium Board: Council member Korte moved to appoint Jerry Fike and Jarrod Kline. Council member Etter seconded. Council members Butts, Etter, Korte, Valentine and Wetta voted, “Aye”. The motion carried. Council member Green voted “Nay”.

Park Board: Council member Korte moved to appoint Sandra McNevin. Council member Wetta seconded. The motion carried. There were no “Nay” votes.

Planning Commission: Council member Korte moved to appoint Marvin White and Gerald Gilkey. Council member Butts seconded. The motion carried. There were no “Nay” votes.

Manager Eckert discussed the sale of lots 806 & 810 Settlers Creek. Mr. Larry Putter previously bought Lot 814 to build a house on. He also wants to buy Lots 806 & 810, which are mostly unusable

due to flood map. Selling these Lots at \$350 each would get these properties on the tax rolls. Council member Green moved to approve the City Manager to negotiate the sale of Lots 806 & 810 at Settlers Creek. Council member Korte seconded. The motion carried.

PUBLIC HEARINGS

There were no public hearings included in the agenda.

ORDINANCES

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF PRINCIPAL AMOUNT OF ELECTRIC, WATERWORKS AND SEWAGE UTILITY SYSTEM REVENUE BONDS, SERIES 2016, OF THE CITY OF WELLINGTON, KANSAS; MAKING CERTAIN COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH was introduced and considered.

John Haas discussed the ordinance, further explaining that this was for electrical system improvements. He said the annual cost average is \$330,000 as opposed to the \$345 - \$350,000 originally budgeted for.

Council member Etter asked about figures for expected savings. Mr. Haas replied the savings to be about \$200,000.

Council member Korte moved to approve the ordinance. Council member Butts seconded.

City Clerk Mericle asked for a roll call vote. Upon roll call, those voting 'Yes' were Council members Wetta, Green, Korte, Butts, Etter and Valentine. There were no 'Nay' votes. Number 4190 was assigned to this Ordinance.

RESOLUTIONS

A RESOLUTION PRESCRIBING THE FORM AND DETAILS OF AND AUTHORIZING AND DIRECTING THE SALE AND DELIVERY OF ELECTRIC, WATERWORKS AND SEWAGE UTILITY SYSTEM REVENUE BONDS, SERIES 2016, OF THE CITY OF WELLINGTON, KANSAS, PREVIOUSLY AUTHORIZED BY ORDINANCE NO. 4190 OF THE ISSUER; MAKING CERTAIN COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF; AND AUTHORIZING CERTAIN OTHER DOCUMENT AND ACTIONS CONNECTED THEREWITH was introduced and considered.

Council member Korte moved to adopt the resolution as presented. Council member Etter seconded. Upon roll call vote, those voting "AYE" were Council members Butts, Green, Korte, Wetta, Etter and Valentine. There were no "NAY" votes. Number 5735 was assigned to this resolution.

A RESOLUTION APPROVING THE SOUTH CENTRAL SOLID WASTE AUTHORITY 2016 UPDATE SOLID WASTE PLAN AND REVISION was introduced and considered.

Director Jeremy Jones introduced the resolution and explained the KDHE requirements and was available for questions.

Council member Wetta moved to adopt the resolution as presented. Council member Green seconded. Upon roll call vote, those voting "AYE" were Council members Butts, Green, Korte, Wetta, Etter and Valentine. There were no "NAY" votes. Number 5736 was assigned to this resolution.

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CITY/STATE AGREEMENT FOR THE GEOMETRIC IMPROVEMENT RESURFACING PROJECT (PROJECT NO. 81-96 KA-4050-01) FROM BOTKIN TO HARVEY ON US-81 HIGHWAY AND A CANCELLATION OF AGREEMENT NO. 270-14 was introduced and considered.

Director Jones explained the new agreement and was available for questions. He told that Transystems designed the Geometric KLINK and we already have funds set aside for the project.

Council member Korte asked if this project included the intersection of Botkin. Director Jones replied that it did not and explained that a large intersection such as this would use a considerable amount of the funds, and would most likely be another project in the near future.

Council member Wetta asked if KDOT could pull funds from the project. Director Jones replied that he knows the funds are set aside for the project, but he cannot say that the funds are technically that secure. He further explained that any money over budget would be the City's responsibility with this contract.

Council member Valentine asked about the intersection east of 4th Street. Director Jones replied we do not have plans yet and we are in the very beginning phases of the survey. He knows that KDOT is only going so far and the rest would be responsibility of the City.

Council member Valentine moved to adopt the resolution as presented. Council member Etter seconded. Upon roll call vote, those voting "AYE" were Council members Butts, Green, Korte, Wetta, Etter and Valentine. There were no "NAY" votes. Number 5737 was assigned to this resolution.

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A FEDERAL-AID FUND EXCHANGE MASTER AGREEMENT AND REQUEST WITH THE KANSAS DEPARTMENT OF TRANSPORTATION (KDOT) was introduced and considered. Director Jones explained the new agreement and was available for questions. He explained that we have \$475,000 banked at the State level, which are Federal transportation funds that are dispersed to the states that trickle down to the municipalities of 5,000 or more people. We have not requested those funds since at least 2011 so the funds have built up and our choices are to use those on a federal project or we can exchange those for state dollars at 0.90 cents on the dollar. He said one of the benefits of the exchange is that we don't have to use the funds on a federal project which are typically quite a bit higher based on requirements and regulations. It would benefit us since we don't have any federal projects coming up in the near future and KDOT wants to get this money out to the communities and off their books. He estimates our 90% to be about \$428,000. KDOT highly recommends we use it as transportation dollars and we could use that on street projects in Wellington.

Council member Etter asked if the intersections on Woodlawn would count as a federal project and Director Jones replied that we are still doing state projects, as that is a state highway. Federal would be bridge projects or projects where we are getting federal funding of some sort.

Council member Korte asked if we could designate these funds for certain roads or equipment, such as chip spreader. Director Jones replied that we currently hire that out and if we did it ourselves we could do it about 40% cheaper. He said the City doesn't have to spend these dollars immediately; we can talk about a lot of different ways even in 2017. A used chip spreader is about \$70,000 and we would have payback on that in about 3 years. He added the City of Arkansas City has their own spreader and all they do is buy new oil, which would allow us to do more blocks every year.

Council member Green moved to adopt the resolution as presented. Council member Korte seconded. Upon roll call vote, those voting "AYE" were Council members Butts, Green, Korte, Wetta, Etter and Valentine. There were no "NAY" votes. Number 5738 was assigned to this resolution.

A RESOLUTION ACCEPTING AND APPROVING THE 2016 CHEMICAL BIDS FOR THE WATER TREATMENT PLANT AS SUBMITTED AND RECOMMENDED was introduced and considered. Utility Director Jason Newberry introduced the resolution and was available for questions. He explained that based on fuel cost fluctuation, and many of these products are fuel based, it is hard to budget for these expenses. He further explained that buying in bulk gives us purchase power if we buy in larger quantities and since there are expiration dates on these products, we don't actually get delivery on

them until we need them. We previously bought in bulk on an annual basis and would like to purchase as an annual bid again.

Council member Korte asked if the price shown was for one year and Director Newberry explained that it is the estimate for the remainder of 2016. He answered the price shown was not just for chemicals but also lab equipment.

Council member Wetta moved to adopt the resolution as presented. Council member Korte seconded. Upon roll call vote, those voting "AYE" were Council members Butts, Green, Korte, Wetta, Etter and Valentine. There were no "NAY" votes. Number 5739 was assigned to this resolution.

A RESOLUTION APPROVING AND ACCEPTING BIDS AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH KRIZ-DAVIS OF DES MOINES, IOWA, FOR UNDERGROUND WIRE FOR ELECTRIC DISTRIBUTION IN THE AMOUNT OF \$88,208.25 was introduced and considered. Director Newberry explained the resolution and was available for questions. He also introduced Electric Distribution Supervisor John Bales as available for questions, as well. He explained safety, visual upgrade and reliability of power with underground wiring. Supervisor Bales explained the cost.

Council member Wetta moved to adopt the resolution as presented. Council member Etter seconded. Upon roll call vote, those voting "AYE" were Council members Butts, Green, Korte, Wetta, Etter and Valentine. There were no "NAY" votes. Number 5740 was assigned to this resolution.

A RESOLUTION APPROVING AND ACCEPTING BIDS AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH PIPING & EQUIPMENT OF WICHITA, KANSAS, FOR THE PURCHASE AND INSTALLATION OF A GAS LINE FOR THE STEAM PLANT FOR ELECTRIC PRODUCTION IN THE AMOUNT OF \$28,900 was introduced and considered. Director Newberry explained the resolution and was available for questions. He told this is the gas line on South Olive that supplies gas to our steam plant. Our crews detected a leak due to higher bills. Kansas Gas was contacted and they found a pipe was leaking underground and although it was legally placed underground at the time of installation, the replacement must be redone above ground. He added that we have no gas service at electric plant now, and we have to have gas in order to produce power at the steam plant this summer. Our crews will do some of the work to help with costs, as well. Director Newberry said this was not budgeted, but as per conversations with the Director of Finance, he feels we can deal with this under the operating budget with the gas turbine budget and fuel/oil reimbursements from the Kansas Power Plant (KPP).

Council member Korte shared concerns about the large differences in the bidding and if the recommended company was of quality. Director Newberry addressed her concerns.

Mayor Hansel asked for Director Shields view on the budgeting of this project and Director Shields addressed her concerns, reiterating the KPP reimbursements.

Council member Korte moved to adopt the resolution as presented. Council member Wetta seconded. Upon roll call vote, those voting "AYE" were Council members Butts, Green, Korte, Wetta, Etter and Valentine. There were no "NAY" votes. Number 5741 was assigned to this resolution.

A RESOLUTION APPROVING AND ACCEPTING BIDS AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH ALTEC INDUSTRIES, INC. OF BIRMINGHAM, ALABAMA, FOR A TRUCK, FIFTY-FOOT DIGGER DERRICK AND A LINE BODY FOR ELECTRIC DISTRIBUTION IN THE AMOUNT OF \$289,069.09 was introduced and considered. Director Newberry explained the resolution and was available for questions. He explained that the truck would be used a lot during the immediate process of building our sub-transmission line and

future replacement of lines. He added our current equipment is not sufficient and we have to contract out to get the jobs done.

Council member Korte shared that although she understands the need for the bigger truck, she has a concern that we are keeping the original truck, too. Director Newberry explained why both trucks would be useful, including having a back-up in case one breaks down. In these cases, we typically rent another truck for use.

Council member Valentine asked for clarification on renting versus lease/purchase of additional trucks. Director Newberry explained the differences including the fact that some of these rental trucks are not only expensive but a delay in delivery since they are coming from out of town.

Council member Wetta asked what other communities do for trucks and if there was a chance for us to make money by leasing a new truck to them when not in use. Director Newberry explained that surrounding communities are serviced by larger utility companies that have larger fleets of trucks.

Council member Valentine asked how much money was in the budget for the truck. Director Newberry replied that the money has been in the CIP since 2012 and was budgeted for 2016. We adjusted the budget last year to \$90,000 which leans towards lease/purchase versus outright purchase. Council member Valentine shared his concerns with Finance Director Shields that we are spreading our finances too thin. Director Shields informed him that this money was budgeted and planned on so it is an expenditure we knew was coming.

Council member Etter moved to adopt the resolution as presented. Council member Green seconded. Upon roll call vote, those voting "AYE" were Council members Butts, Green, Korte, Wetta, Etter and Valentine. There were no "NAY" votes. Number 5742 was assigned to this resolution.

A RESOLUTION APPROVING AND ACCEPTING BIDS AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH U.S. BANCORP TO PROVIDE FOR THE LEASE PURCHASE FINANCING FOR A DIGGER DERRICK TRUCK FOR THE ELECTRIC DISTRIBUTION DEPARTMENT. Finance Director Shields explained the bids and asked the Council to choose a selection of a bank. He informed the Council that even though the monthly payment was more, the bank with the bid of the lowest interest rate and total cost came from U.S. Bancorp. If the Council was wanting to stay with a local bank, it would be Bank of Commerce.

Council member Butts shared he would like us to do business in town if possible but understands the financials. Director Shields replied to the Council that we currently have 10-12 total leases; U.S. Bancorp only has one and all the others are local.

Council member Butts moved to adopt the resolution with U.S. Bankcorp as the lowest bidder. Council member Korte seconded. Upon roll call vote, those voting "AYE" were Council members Butts, Green, Korte, Wetta, Etter and Valentine. There were no "NAY" votes. Number 5743 was assigned to this resolution.

STUDY ITEMS

There were no study items included in the agenda.

FUTURE AGENDA ITEMS

Mayor Hansel reminded the group that there was a Work Session scheduled for Tuesday, March 22nd at 4:30 or 5:00 p.m., to be determined as soon as possible.

A motion to adjourn was seconded and carried.

Approved and filed this 5th day of April, 2016.

City Clerk

Mayor