

The Council of the City of Wellington, Kansas, met in Regular Session on May 17, 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 Don Byant of First Christian Church.

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

Members of the Staff present were City Manager Roy Eckert, City Clerk Carol Mericle, Finance Director Shane Shields and City Attorney Mike Brown.

Council member Korte moved to amend the agenda to insert under “Reports of City Officials” section, “Discussion Regarding the Crestview Heights Lots”. Council member Green seconded. The motion carried.

#### **AUDIENCE PARTICIPATION**

***Car Show for Cystic Fibrosis.*** Kenneth Ault, 200 Mary Etta, Derby, KS addressed the Council. He is employed by Oldies 92 in Wellington, KS and is in charge of the car show to benefit the Cystic Fibrosis Foundation. He came to discuss the Great Strides Benefit Car, Truck and Bike Show. He said the car show will run from 1pm – 5pm on Saturday, August 13, 2016 and he is making two requests: 1) The City of Wellington grant their street closure request and 2) the Council and Mayor be their guests for the day and be their official judges for the car show. All car show funds from the car show, ticket sales, and raffle drawings will go to the Great Strides Cystic Fibrosis Foundation. He both discussed the details of the day and the benefits of the Cystic Fibrosis Foundation.

Mayor Hansel thanked him for his time and detailed information and informed him that his street closing request was on the agenda later in the meeting.

***Utility Bill Issue.*** David Troutman, 1102 S Washington, addressed the Council regarding an issue he is having with his personal utility bill. He is trying to amend the name on his utility account due to a change in his marital situation and was not able to do this after visiting the Utility office. He explained that he has lived at this address almost 15 years and still resides there. The bill is in his wife’s name but she no longer lives there. He visited the city utility office three times in the past thirty days trying to make necessary changes to add his name on the utility account. He discussed both frustration in the difficulty of the process, the additional costs he would incur with a new deposit, elimination in the equal pay program and in the morale and the treatment he received from the customer service department at the utility office. He has spoken to the Mayor, Council members and Director Shields. He was enlightened as to why the current process is in place but still would like to see it simplified and customer service improved.

Council member Wetta shared his concern that Mr. Troutman was told by the utility office that he should not have contacted the Council about issues because these things go through channels and he wanted to make sure everyone knew they could contact any member of the Council for any issues.

Council member Etter shared the same message and apologized to Mr. Troutman.

Mr. Troutman also talked about what he learned about the average monthly payment (AMP) plan and his concerns on how the monies there were managed and transferred. There was more discussion.

Director Shields informed the Council and Mr. Troutman that City staff was researching the reason why only one name can be on an account, as no one currently on the council or staff was employed when that original decision was made years ago.

Mayor Hansel thanked Mr. Troutman for his time and for bringing the issue to their attention.

## **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 May 3, 2016
- APPROVAL OF APPROPRIATIONS
  - 1) Payroll Report April 17 - 30, 2016 in the amount of \$218,205.43
  - 2) ACH Authorization Voucher #997 for BCBS for April 27 – May 3, 2016
  - 3) ACH Authorization Voucher #998 for BCBS for May 4 - 10, 2016
  - 4) EFT for Airport Fuel for May 5, 2016
  - 5) Claims Register for April 16 - 30, 2016 in the amount of \$503,748.03
- COUNCIL CORRESPONDENCE
  - 1) Clerks Report for April 2016
  - 2) Electric, Waterworks, Sewage Operating Report for April 2016
  - 3) Building/Demo Permit Report for April 2016
  - 4) SRMC Financial Reports for March 2016
  - 5) HCA Meeting Minutes for March 24, 2016
  - 6) Police Activity Report for April 2016
  - 7) Ambulance Monthly Financial Statement for April 2016
  - 8) Fire/EMS Activities, Overtime/Revenue Report for April 2016
  - 9) Park Board Meeting Minutes for April 11, 2016
  - 10) Safety Committee Meeting Minutes for May 11, 2016, includes “Profile of an Active Shooter” and KMIT Report
  - 11) Media Release – Planning Commission Vacancy with Memo from City Clerk Mericle
  - 12) Street Closing Request- PS Club Block Party, May 28, 2016
  - 13) Street Closing Request – Security State Bank Wheat Run, July 9, 2016
  - 14) Street Closing Request – Car Show for Cystic Fibrosis, August 13, 2016

## **REPORTS OF MAYOR AND COUNCIL**

Council member Wetta reported that they had a good meeting in Topeka.

Council member Valentine shared that the Wellington Library roof had some major issues and that there were funds available for both the Memorial Auditorium and Library for maintenance. He said according to his discussion with Director Shields, there is around \$287,000 in the Horton Trust for the Library and hopefully they can use this money to get the roof issue fixed. Mayor Hansel serves on the Library Board and she reported that the Library Board is on top of the issue. She complimented both the Board and the new librarian, Jo Plumb. Manager Eckert updated that Ms. Plumb met with him and Richard Jack, the Building Official, who took a look at the building and made some good recommendations.

Mayor Hansel shared that bad journalism upsets her. She discussed her frustrations and concerns with a local website that sited this Council was in violation of Kansas Open Meetings Act. She wanted to say officially that they were not out of order. They have according to State Statue, which overrides local, the right to go into an Executive Session for any trade secrets, which they did with Ms. Stacy Davis, and regarding Personnel issues, which is what they did for Mr. Eckert’s review. She wanted to go on record that if you hear these rumors or any comments in the article, they are completely inaccurate and we are in compliance. Mayor Hansel, Manager Eckert, our City Attorney, and even Derek Meade, a journalist with the Wellington Daily News, all checked to see if they were in compliance with the Kansas Open Meetings

Act and they all concur that we were. She also wanted to thank Mr. Derek Mead for his good and fair reporting and wished him luck in his new adventure.

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

***Crestview Heights Subdivision.*** Council member Korte announced she is not in favor of the City purchase of the lots at Crestview Heights. She feels we have many things we need to deal with and that is an added issue. She feels someone else can develop those lots. Council member Butts agreed. Director Shields requested a brief review of the issue for the public. Mayor Hansel agreed and asked him to report. Director Shields explained the issue. He said at the last Work Session, the Council was given the information that there are 39 lots in the Crestview Heights development that are going to the County tax sale on May 24<sup>th</sup> due to unpaid taxes for five years. He further explained the Council has the option to open the bidding process with any bid they wish, whether it be for the minimum Ad Valorem taxes and/or Specials. Director Shields reported that of the 39 lots, 11 lots remain in Phase 1 of that development where the streets are completed, and 25 lots are in Phase 2 which does not have the streets completed but there some of the infrastructure is in place.

Council member Butts added that these situations come by from time to time and it is an attractive thought that we could own all that real estate for a considerably small amount of money. However, it is his thought that the City should not be in the development business. He feels it should be taken care of by business people who would pay taxes on it and turn it into something that would generate revenue for the City.

Mayor Hansel asked if a vote needed to be taken. Director Shields replied that no action has to be taken if the Council direction is not to bid,

***Banking Services Memo & Bid Tab Summary.*** Director Shields explained that the current 4 year agreement for banking services ends June 30, 2016. A Request for Proposal (RFP) was sent to all of the local banking institutions for the next 4-year period beginning July 1, 2016. A summary of the RFPs is in the agenda packet. He explained the difference in the bids is the interest rates offered on the accounts. Director Shields said the Bank of Commerce submitted the best proposal and they are our current provider. He had John Haas, our current financial advisor review the bids, as well, and he concurs the Bank of Commerce is the best solution. The recommendation is to award the next 4-year banking services to the Bank of Commerce. Council member Butts moved to accept the recommendation. Council member Korte seconded. The motion carried.

***Letter of Explanation & Auditor Engagement Letter with Memo.*** Director Shields explained that Mr. Lonnie Cooper with Kenneth L Cooper Jr. CPA firm has our auditing services through 2016 and each year he updates the Letter of Engagement from the audit services. He said this year two items are different: 1) a single audit is not going to be required for 2015 because we did reach the threshold in federal dollars that requires the more intense single audit and, 2) the audit for the utility system that is separate, the Kansas Municipal Audit and Accounting Guide (KMAAG) audit, with the bond issues that were no longer in existence, is no longer required. He told he also involved John Haas to confirm it would not impact any future bond issues. Mr. Cooper provided several pages of explanation about services that would no longer be performed.

Mr. Lonnie Cooper addressed the Council to explain which audit services would still be completed. His letter addresses the elements required for reporting. Mr. Cooper recommends a single audit.

Director Shields made the recommendation to approve the addendum to the 10/8/2014 agreement, thereby ending the separate utility financial statement.

Council member Etter moved to accept the recommendation. Council member Wetta seconded. The motion carried.

**PUBLIC HEARINGS**

There were no public hearings included in the agenda.

**ORDINANCES**

There were no ordinances included in the agenda.

**RESOLUTIONS**

There were no resolutions included in the agenda.

**STUDY ITEMS**

There were no study items included in the agenda.

**FUTURE AGENDA ITEMS**

Mayor Hansel asked for an update on the water issue. Council member Wetta responded that he, Council member Butts, and Manager Eckert went to Topeka to talk to the Water Resources department. He stated the Kansas Dept. of Health and Environment representative is going to meet with The Water Resource Dept. at 3:30 p.m. on Friday. Council member Wetta said whatever comes out of that meeting will most likely require a work session. Manager Eckert added that the he and the staff were able to come up with a crossover solution that KDHE was concerned about. He commended the water department crew for the drawings that show how to remedy the issue. Manager Eckert said what they thought was going to cost \$10,000 plus dollars can probably be done for under \$1,000 with this solution. He told the plans have been sent to KDHE and this information needed to be to them by June 1st. He believes they will approve the plan. He also added the City has been in contact with KDHE daily, whether they have something new or not. He wants to arrange a meeting with KDHE, some of our staff, and Council soon. Mayor Hansel thanked the water department for their work. She then shared a letter from the Kansas Department of Agriculture about a water restoration program, which provides financial support through grants and project. Council member Wetta talked about the formative meetings and how we can possibly use the water used in oil drilling. He said scientists are using reclamation processes to reuse it.

A motion to adjourn was seconded and carried.

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

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Mayor

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City Clerk