

The Council of the City of Wellington, Kansas, met in Regular Session on August 1, 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 James Byers of First Christian Church.

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

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

AUDIENCE PARTICIPATION

City Manager Shields said that Jeff Simpson would like to address the Council, but needed approval to do so as he was not on the Agenda. Council member Korte moved to allow Mr. Simpson to address the Council. Council member Valentine seconded the motion. The motion carried. Jeff Simpson, a resident of 1504 N. Washington told he has been watching the trials and tribulations going on in Wellington, and as a single fixed income individual in Wellington, he feels that the tax payers cannot afford to pay higher taxes, mill levies, and utility rate increases. He believes Cowley College needs to pay for the roads, sewer, and water and not expect the government to pay for it. Mr. Simpson closed saying he would like the Council to look hard at where the money is going and how we fund projects and spend taxpayers money.

CONSENT AGENDA

Council member Valentine moved to approve the Consent Agenda. Council member Korte seconded. The motion carried. The following items were approved under the Consent Agenda.

➤ **APPROVAL OF MINUTES**

- 1) Regular Session of July 18, 2017
- 2) Work Session of July 25, 2017

➤ **APPROVAL OF APPROPRIATIONS**

- 1) Payroll Report for July 9-22, 2017 \$237,409.25
- 2) ACH Authorization Voucher #1060 for BCBS for July 12-18, 2017
- 3) ACH Authorization Voucher #1061 for BCBS for June 19-26, 2017
- 4) Claims Register for July 15-28, 2017 \$1,387,248.78

➤ **RECEIPT OF COUNCIL CORRESPONDENCE**

- 1) Sales Tax & Compensating Use Tax for June 2017
- 2) SRMC Financial Report for June 2017
- 3) HCA Board of Director's Meeting Minutes for June 13, 2017
- 4) HCA Board of Director's Special Meeting Minutes for June 19, 2017
- 5) Housing Authority Board Meeting Minutes for June 27, 2017
- 6) Airport Advisory Board Meeting Minutes for May 23, 25, & 30th
- 7) Weed Notice Publication for July 26, 2017
- 8) WPD 2017 Kansas Wheat Fest Overtime Report-Memo from Police Chief Heath

REPORTS OF MAYOR AND COUNCIL

Council member Wetta told he brought Chief of Police Heath the bomb from the 4th of July and determined that it was a 40 MM grenade. He said he doesn't have an issue with fireworks in general but military grade fireworks are unacceptable and should not be used.

Council member Valentine said he received a call from a neighbor who was having trouble with his electricity. He said he called the Power Plant and had them go out to check the problem. He said the workers at the Power Plant went above and beyond to help this resident and did a great job. He reported

there is a new addition of a hand carved wooden statue in Woods Park. It was done by Denny Leak, and is beautiful.

Council member Korte encouraged all of the candidates running for City Government to stay interested even if they are not moving on to the primary election.

Council member Etter thanked everyone who helped to put on the Great Race this past weekend as it was a first class event for our community.

Mayor Hansel also said the Great Race was a well-organized event and the City workers did a fantastic job helping to prepare for this event. She also reported the Wellington Heat plays at 9:30 tonight in the NBC World Series in Wichita, KS.

REPORTS OF CITY OFFICIALS

Audit Report- City Auditor Lonnie Cooper, CPA, Chtd. Mr. Cooper explained the Audit to the Council that was given out at the last Work Session. He stated the financial statements included, represent a fair representation of the activity in 2016. He said he gathers evidence to support the figures that are presented this evening. There are two opinions to the audit method and he used the Kansas Municipal Audit Guide method. He said the General Fund shows a loss, but the Utility funds did reverse the negative trend of 2015, and improved by \$1,000,000. He stated the rate increases were a big help with the costs. Mr. Cooper reported the Employee Benefit Contribution fund has decreased from \$900,000 to \$290,000 in the last three years. If it continues in a downward trend, the City will have to make some adjustments. Council member Wetta asked Mr. Cooper's professional opinion regarding all the projects and moving forward financially, asking if the City is still okay. Mr. Cooper told that the City is stable and as long as they can make the debt payments, they will be fine. He added at the current rate the City has stopped downgrading the financial position that they were in two years ago. Council member Korte asked about the management letter from July 3rd, included in this agenda, and the 5 things that Mr. Cooper cited as weaknesses. He answered those need to be looked at and staff should make sure procedures are in place. Council member Korte asked if the Council should look to the staff to solve the differences in each category. Mr. Cooper stated there could be some improvements. City Manager Shields said the City evaluates it based upon the risks and what the cost would be to address the risk. Most of those have been in the Audit year after year. He continued the City is aware of the items that are being questioned, however at some point you have to have trust in your staff. Director Jones explained the Lake and Landfill collections procedures. The Lake computer program is also live at City Hall and the staff here can see active changes. The money is counted and brought to town for the City Clerks' office to count and verify. The Landfill has a cash drawer and a lot of paper receipts. The same process is handled with the Landfill being done by the Utility office. Mr. Cooper said overall the City is doing a great job.

Board Appointment, Board of Zoning Appeals. City Clerk Mericle said this is regarding the application submitted from Jane Cole for the Board of Zoning Appeals. This position has been open since the first of the year. Council member Wetta moved that we appoint Jane Cole to the Board of Zoning Appeals. Council member Butts seconded the motion. The motion carried.

Approval of Notice of Budget Hearing. Manager Shields reviewed the budget changes that were made after the work session based upon the discussion that evening. The proposed 2018 levy is 56.461 mills. That is an increase of 2.479, this would equal an annual Ad Valorem tax of \$28.51 on a home valued at \$100,000. The breakdown for the 4 levied funds were shared as proposed. The prepared budget has an Ad Valorem tax value of \$2,544,599. He stated the action necessary is a motion to approve the notice of budget hearing for publication. The notice is required to be published for at least ten days prior to the public hearing for adoption. The notice will be published on August 9th, and the hearing will be on August 22nd. He told that once the notice of budget hearing is published, the tax dollars may be lowered but they cannot

be increased. Council member Korte moved to approve the notice for the budget hearing for the publication. Council member Butts seconded the motion. The motion carried.

PUBLIC HEARING

No public hearings were on the agenda for the meeting.

ORDINANCES

AN ORDINANCE RELATING TO PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF WELLINGTON, KANSAS; INCORPORATING BY REFERENCE THE “2017 UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES, 33RD EDITION.” WITH CERTAIN CHANGES AND ADDITIONS; PRESCRIBING ADDITIONAL REGULATIONS; PROVIDING CERTAIN PENALTIES; AND REPEALING ORDINANCE NO. 4197 OF SAID CITY was introduced and considered. Chief of Police Tracy Heath said a memo explaining the changes to the 2017 Uniform Public Offense Code is in the Agenda. This is done each year, and he recommends that the council approve this addition Council member Korte asked about the domestic battery changes to dating situations. City Attorney DeJarnett reported that the State statute changed this and adopted the definition. Chief Heath said the City is just adopting the Code like we do each year. Council member Korte moved to adopt the Ordinance as presented. Council member Butts seconded the motion. Upon roll call vote, those voting “AYE” were Council members Butts, Valentine, Wetta, Etter, Hawley and Korte. There were no “Nay” votes. Number 4210 was assigned to this Ordinance.

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF WELLINGTON, KANSAS; INCORPORATING BY REFERENCE THE “2017 STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES, 45TH EDITION,” WITH CERTAIN CHANGES AND ADDITIONS; PRESCRIBING ADDITIONAL REGULATIONS; PROVIDING CERTAIN PENALTIES AND REPEALING SECTIONS I,II,III, IV, V, VI, VII, VIII, IX, X, XII AND XIII OF ORDINANCE NO. 4198 OF SAID CITY was introduced and considered. Chief of Police Tracy Heath said in the agenda is a memo explaining the two changes this year. The increase in seat belt tickets, the fine is increasing to \$30.00. The second change is operating bicycles at night. You will be required to have a reflector and or a light that will be visible at 600 ft. ahead. The changes are from the State legislature to be uniform to adopt Standard Traffic Ordinances. Council member Etter made a motion to approve the Ordinance as presented Council member Wetta seconded the motion. Upon roll call vote, those voting “AYE” were Council members Hawley, Korte, Butts, Valentine, Wetta and Etter. There were no “NAY” votes. Number 4211 was assigned to this Ordinance.

RESOLUTIONS

A RESOLUTION APPROVING AND ACCEPTING A BID AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH COUNTRYSIDE MOTORS OF WELLINGTON, KANSAS, FOR A 2018 CHEVROLET ¾ TON, 4X4 DOUBLE CAB SERVICE TRUCK IN THE AMOUNT OF \$35,065 FOR THE WATER DISTRIBUTION DEPARTMENT was introduced and considered. City Manager Shields told this was an item that was approved in the 2017 budget. Public Utilities Director Jason Newberry explained the truck as an everyday work truck. The truck it is replacing is a 2003 that is currently out of service and only being used for emergency service. We received only one bid at \$35,065 from Countryside Motors. A utility bed will be installed. He recommended the one bid that is local. Council member Korte asked what will be done with the other truck. Director Newberry stated the truck will possibly be sold, as it is not safe to drive at this time. Council member Wetta made a motion to approve the purchase. Council member Butts seconded the motion. Upon roll call vote, those voting “AYE” were Council members Etter, Hawley, Korte, Butts, Valentine and Wetta. There were no “NAY” votes. Number 5830 was assigned to this Resolution.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN A DESIGN ENGINEERING SERVICES AGREEMENT FOR STREETS, WATER AND SANITARY SEWER FOR THE COWLEY COLLEGE SUMNER CAMPUS PHASE I WITH MKEC ENGINEERING, INC. OF WICHITA, KANSAS IN THE AMOUNT OF \$84,200 was introduced and considered. City Manager Shields explained this is the design for the streets, water and sanitary sewer for Phase I of the project. Due to the timeline to open the College in 2018 this needs to be addressed and acted upon immediately. Public Works Director Jones told the total cost for design is \$84,200. The overall improvement cost for the project is approximately \$650,000. Council member Valentine asked how much was in the Utility fund. City Manager Shields stated he wasn't sure but the City is not in trouble at this time with the Utility Fund. The City shared cost will be determined at a later date. Director Jones explained this is just a little ahead of schedule. This is what would typically be brought to the City for a project like this. Council member Valentine stated that a mill levy increase will happen on the bond issue. City Manager Shields said the bond payments would not be until 2019. City Manager Shields stated that this bond will contain funds for several projects including this one. Council member Valentine said this is the people's money and we need to be very careful. Mayor Hansel stated that Cowley College will bring the opportunity for population increase and business increase. Director Jones told that who pays for it and how it is paid will be determined at a future date. This needs to be approved for this project to move forward. Council member Hawley feels that we need to hold off and not rush into anything. Director Newberry stated this plan is for the design work for Cowley College and this will develop utilities for the College. The sewer to connect to this property was already voted on at the last meeting and is already being designed at the present time. Council member Etter stated that this contract shows that Wellington will work with Cowley College by securing this funding with the City. This is just a formality and he repeated it needs to be done now and we will work on splitting the cost later. Council member Etter made a motion to accept the Resolution as presented. Council member Wetta seconded the motion. Council member Korte asked if the Developer's agreement was in final form. City Manager Shields stated he just received it at 4:00 pm today and said we could have a work session to discuss it. Council member Korte shared that a consensus was brought forward that we proceed with this from the work session. We are supporting a College coming to our town and we should proceed. Council member Hawley requested to have an extension of two weeks to look at the agreement, stating she will vote no at this time. Upon roll call vote, those voting "AYE" were Council members Korte, Butts, Wetta, and Etter. Those voting "NAY" were Council members Hawley and Valentine. Number 5831 was assigned to this Resolution.

A RESOLUTION ESTABLISHING AND ADOPTING STANDARD SPECIFICATIONS FOR PAVING, DRAINAGE, WATERLINE, AND SANITARY SEWER IMPROVEMENTS IN THE CITY OF WELLINGTON, KANSAS was introduced and considered. Director Jones explained that several months ago the City discussed with their engineering firm PEC, the written policies on the public improvements such as water, sanitary sewer, paving, drainage, and water lines. We now have a document that is fairly concise, to hand out to contractors to get their projects complete. He added it will also improve our day to day work that we do here at the city. Council member Butts made a motion to approve this Resolution as presented. Council member Korte seconded the motion. Upon roll call vote, those voting "AYE" were Council members Valentine, Wetta, Etter, Hawley, Korte and Butts. Number 5832 was assigned to this Resolution.

OTHER ITEMS

Mayor Hansel shared the positive publicity regarding the airport expansion and other developments in the City of Wellington. City Manager Shields told of the FAA media release and the dollar amount of

\$2,100,000 award to the City of Wellington. He said the City is waiting for the official notice from the FAA to confirm this release and the amount.

A motion to adjourn was made, seconded and carried.

Approved and filed this day August 15, 2017.

Mayor

City Clerk