

The Council of the City of Wellington, Kansas, met in Regular Session on September 5, 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 William Wingfield of Calvary Lutheran Church.

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

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

#### **AUDIENCE PARTICIPATION**

Manager Shields announced that Dr. Mark Whitener from USD 353 and J.D. Christy from J.D.C. Development are present this evening and would like to be added to the agenda to speak during audience participation. Council member Hawley made a motion to allow this addition to the agenda. Council member Etter seconded the motion. Motion carried.

Scott McNett who resides at 567 N. Tyler Road, rural Wellington, shared that he believes the college could be good for Wellington. He has communicated with Stacy Davis of SCEDC and asked a lot of questions. Mr. McNett said he voted against the college coming to town because he had many questions that were not answered. His questions were about the proposals that were presented and what are the expenses regarding the issue. He asked if this was a county wide tax, why the City would control the expenses. He feels that the City has been blindsided by this project. Mr. McNett said there has been lots of advertisements and pushing of the college on our town. Now all of a sudden there are many things being asked of the City to foot the bill. The college is a business and thinks the cost should be on the college not the City. He would like the Council to think about this and table the issue until all the facts are in place and a fair decision can be made.

Tami Klindedinst who resides at 709 N. Jefferson stated that she had been talking to several people about Cowley County Community College and doing some research regarding the issue, and has found that many people in Wellington are in support of the College. However at this time many people do not support the costs. They are hurting financially already and if this is only Phase 1 with an estimate of \$700,000, how can the City support it without knowing the whole cost. Keeping the people informed leads to respect and trust in the community.

Dr. Mark Whitener who resides at 2150 E. 12<sup>th</sup> and is the Superintendent of Wellington USD 353 shared he appreciates the support the City gives to USD 353. According to the Kansas Dept. of Commerce by 2020, 71% of all jobs in Kansas will require post-secondary education. This means that a certificate will be required to get the sought after jobs. He continued on average in the state of Kansas 44% of our graduates have received some training or are enrolled in classes at this time and things in the world are changing rapidly. He told of the new McDonalds in Ark City and the self-automation that they are using. He predicts that in the next decade, the main jobs that pay \$20.00 per hour will be gone. Automation is coming and training is necessary.

Mr. J.D. Christy, a developer from Overland Park, KS spoke next, and is interested in developing in our town. He is interested in developing a project on the north side of east highway 160 which will be very important to Wellington. The state of the community will benefit greatly from this development. He said he works with national restaurants and businesses that want to come here as strong markets in the state embrace education institutions. He said we have to grow to keep going, and if you stop investing, young adults will move. If you don't grow your town will die. You will also lose the ability to retain jobs.

**CONSENT AGENDA**

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

➤ APPROVAL OF MINUTES

- 1) Regular Session of August 15, 2017
- 2) Special Session of August 22, 2017

➤ APPROVAL OF APPROPRIATIONS

- 1) Payroll Report for August 6-19, 2017 \$230,044.92
- 2) ACH Authorization Voucher #1064 for BCBS for August 9-15, 2017
- 3) ACH Authorization Voucher #1065 for BCBS for August 16-22, 2017
- 4) ACH Authorization Voucher #1066 for BCBS for August 23-29, 2017
- 5) Claims Register for August 12-31, 2017 \$2,183,697.89

➤ RECEIPT OF COUNCIL CORRESPONDENCE

- 1) Local Retailer's Sales Tax & Compensating Use Tax for July 2017
- 2) Building Demo Permit Report for August 2017
- 3) Code Compliance Violations Report for July & August 2017
- 4) SRMC Financial Report for July 2017
- 5) HCA Board of Director's Meeting Minutes for July 20, 2017
- 6) Weed Notice Publication for August 23, 2017
- 7) Weed Notice Publication for August 30, 2017
- 8) Planning Commission Meeting Minutes for June 27, 2017
- 9) Housing Authority Board Meeting Minutes for July 5, 2017
- 10) WRC Board meeting Minutes for July 25, 2017
- 11) Media Release of August 21, 2017-Airport Advisory Board Vacancy
- 12) SCCDAT Newsletter for August 2017
- 13) Aging Projects Legislative Meeting, Saturday, September 9, 2017, 9:00 AM at the Senior Center

- 14) Fly Kansas-2017 Air Tour, September 28-30, 2017, Wellington Municipal Airport,  
September 28, 8:00 AM
- 15) Correspondence from KDOT re: 2020 City Connecting Link Improvement Project-US-160  
from Woodlawn to Day
- 16) Correspondence from Wellington Humane Society re: Request for Disbursement of Funds
- 17) Correspondence from Craft Senior Center re: Thank You to Mayor & Council

#### **REPORTS OF MAYOR AND COUNCIL**

Council member Valentine shared information regarding December 7, 1941, and September 11, 2001, and how much of an impact those dates have had on our country. He read a letter that he wrote to the President and the NY Mayor after the 9/11 tragedy.

Mayor Hansel thanked Council member Valentine for his service and the letter he read to the council.

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

##### **Street Closing & Special Event Applications.**

*Fiancé's Birthday Party, September 9, 2017-2<sup>nd</sup> Street, from Jefferson east to alley* from 5:00-pm until midnight. Council member Etter made a motion to approve the street closing. Council member Butts seconded the motion. Motion carried.

*Washington Elementary Jog-a-thon, September 22, 2017-Washington,* from 17<sup>th</sup> to 18<sup>th</sup> Street in front of school from noon until 3:00 pm. Council member Wetta made a motion to approve the street closing. Council member Etter seconded the motion. Motion carried.

*Chamber Fall Fest Food Vendors & Arts & Crafts Show, October 21, 2017-* Washington, from 7<sup>th</sup> to 8<sup>th</sup> Street, 7<sup>th</sup> Street from Washington to Jefferson; 7<sup>th</sup> Street from Washington to Police Department for foot traffic. Council member Butts made a motion to approve the street closing. Council member Hawley seconded the motion. Motion carried.

*Chamber Fall Fest Micro Beer Tasting Event, October 21, 2017,* Antler's Lot. City Manager Shields stated this special event requires a resolution to increase the content of the alcohol consumed at Antler's Lot. It is already approved for 3.2% alcohol. This would need to be done at the next meeting to approve the Resolution. Annarose White explained the reason for the microbrewery tasting event.

*Letter of Opinion from City Attorney Shawn DeJarnett* re: Candidate Klinedinst's Proposal of August 15, 2017 was shared by Attorney DeJarnett. He feels like some of the requests can be done, however some of it creates issues to our open meetings and procedures and would not be acceptable to our open meetings requirements.

**Street Project Updates-Memo from Public Works Director Jones.** He gave an update regarding the south 81 highway project. Cornejo and Sons are about half way completed with this project. This week they will be pouring the shoulders and the north and south bound lanes. The intersection at Mill Street is closed and they are currently working on that.

He continued the Harvey Street project is moving forward. The milling has started however the milling machine broke down and an excavator had to be brought into complete this process. After milling had started it was discovered that the base was not aggregate rock but concrete, and will be more difficult to remove. He continued the progress of the contractor has slowed down, but the completion of the project

should still be on schedule. Council member Valentine asked what kind of surface is going to be replaced here. Director Jones stated it will be an asphalt surface.

#### **PUBLIC HEARING**

No Public Hearings were on the agenda for the meeting.

#### **ORDINANCES**

No Ordinances were on the agenda for the meeting.

#### **RESOLUTIONS**

A RESOLUTION AUTHORIZING THE MAYOR AND THE CITY CLERK TO SIGN THE FINAL PLAT OF COWLEY COLLEGE-SUMNER CAMPUS, IN THE CITY OF WELLINGTON, SUMNER COUNTY, KANSAS was introduced and considered. Director Jones shared the planning commission plat and the site plan submittals of August 22, 2017. They have been viewed and were contingent upon that date of additional legal description and date of preparation. Those have both been met and are ready for final consideration from the Council. The plat is an 18 acre tract of land, basically one street that is a continuous loop. He showed the map in the agenda and described it in detail. Director Jones gave descriptions of all utilities involved. At this time the signage and lighting are not ready to approve and will be considered at a later date

Director Jones said the Resolution is for the final plat, and a voice vote to review the Site plan is also needed this evening. Council member Hawley made a motion to approve the Resolution authorizing the Mayor and the City Clerk to sign the final plat of Cowley College-Sumner Campus, in the City of Wellington, Sumner County, Kansas. Council member Butts seconded the motion. Upon roll call vote, those voting "AYE" were Council members Butts, Wetta, Etter, and Hawley. Those voting "NAY" was Council member Valentine. Number 5838 was assigned to this Resolution.

Director Jones presented more details of the Site Plan and that there are 93 parking stalls provided in this site plan. The requirements in the Ordinance states that it must be 40% of the student capacity. The only question is what about faculty and staff parking. They meet that plan regarding the Ordinance. He continued there is a community space located around the technology building to use as an overflow area which would be an additional 39 spaces and would give us a total of 129 spaces. An approval of gravel parking lot to use as an overflow would need to be made, which will be included in the Site Plan. It would be to the south of the asphalt parking lot, and would not be used very often. Dr. Dennis Rittle gave an example of a memorial service held at Ark City and will need up to 400 parking spaces. Typically things like this will be done during the weekend or when students are not there at the school. Council member Wetta moved that we approve the review of the Site Plan as presented. Council member Butts seconded the motion. Motion carried.

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE DEVELOPER'S AGREEMENT TO CONDITIONS FOR COWLEY COLLEGE-SUMNER CAMPUS, CITY OF WELLINGTON, KANSAS was introduced and considered. City Manager Shields told this is the conclusion of what is being proposed to the Council. He explained the share of the expense between Cowley College and the City as stated in the attached document. He remarked the extension of the sewer line would be important for any other project that comes into the area. He also stated the only developer's agreement to compare with this was the "Hotel coming soon" and the city was offering almost 100% cost coverage for that hotel. Council member Hawley stated that she was not going to compare this as an incentive to business coming to town, no tax increases for business. Her opinion is not to vote but have a work session to discuss this. She stated she should have the ability to say we don't want this for whatever reason. She continued the work session previously held, had absolutely nothing that she said or stated

included in this decision. City Manager Shields stated that he asked more than once if Council would like to have a work session to discuss this project and nothing was said. He added he wanted to make note of that for the record. Council member Etter is in favor of the College but he stated that the Council has not had much discussion on this and would like to table this, and believes a work session is the best thing to do at this point. Council member Wetta wants to say he is in favor of this agreement and wants to proceed and would vote yes. Council member Hawley asked for a Cowley official to stand up and tell what they would do without this support. Dr. Rittle shared about this journey that began in July of 2015. The Cowley College came over to Sumner County to discuss this possibility. We began to meet with officials of business and educational institutions and they told they would like to have a comprehensive campus in this town, which has not been done before in the State of Kansas. They next met with Sumner County officials in November 2015 They surveyed 1000 Sumner County students and professionals and of those interviewed 86% responded to a survey saying they would stay in the area if a college was here. Dr. Rittle stated of all votes in the County, 80% voted yes in Wellington for this college, 9,000 votes in the County said yes. Council member Hawley asked what will happen if the City cuts the percentage. Dr. Rittle said construction will be cut again. Council member Hawley moved to table the Developer's agreement until after a work session can be held. Council member Valentine seconded the motion. Council member Wetta asked what will happen if we table the issue. Dr. Rittle stated the tech center will not be open by next fall. Council member Etter wants to have a work session and a special meeting to complete this and move forward. An incredible amount of time has been given to this project and Dr. Rittle feels that an injustice has been done to Cowley College if we don't follow through with the Developers agreement. There was discussion about Council member Hawley putting the Developer's agreement on social media (Facebook) before the other Council members were able to view it. Council member Valentine stated that Council members owe the people of Wellington to table this matter and vote on it later. Council member Wetta told he has attended these meetings all over town regarding this project. He stated every question has been answered, and the same questions that are going to be asked will be answered again. He feels this is a waste of time as a great amount of time and consideration has been given to this College coming to Wellington. Council member Butts referred to the work session prior to this meeting saying the City staff was instructed to go into a meeting with CCCC to seek 50% participation. The Council instructed City Manager Shields to go with this project and proceed on the developer's agreement. He added that many hours have gone into working on this with CCCC. Mayor Hansel apologized to those citizens who feel misled as no one is trying to hide anything. She said she has heard from people that she greatly respects in this community who said this is a great idea. Upon roll call vote to table this resolution, those voting "AYE" were Council members Valentine, Etter, and Hawley. Those voting "NAY" were Council members Butts, and Wetta. Motion carried to table the Resolution.

Council member Wetta moved that we hold this work session and special meeting to discuss the CCCC Developer's agreement on September 7, 2017, Council member Etter seconded. The motion carried. City Manager Shields would like all questions sent to him by Wednesday at noon. The work session will be held at 6:30 pm with a special meeting following this at 8:30 pm on Thursday, September 7, 2017.

Council member Wetta made a motion to table Resolutions 3 & 4, which include petitions for Paving and Electric as well as the authorizing of the improvements for Cowley College, Sumner Campus. Manager Shields asked Bond Counsel Kevin Cowan to explain how this action would affect the issue. He said the petitions flow from the Developer's agreement. If the Developer's agreement gets approved and the percentages change then the petitions regarding Paving and Electric Improvement Resolutions will

have to be changed as well. Council member Etter seconded the motion to table the Resolutions. The motion carried.

A RESOLUTION AMENDING AND SUPPLEMENTING RESOLUTION NO. 5778 OF THE CITY OF WELLINGTON, KANSAS, WHICH AUTHORIZED AND PROVIDED FOR THE MAKING OF CERTAIN IMPROVEMENTS TO THE WELLINGTON MUNICIPAL AIRPORT, AN EXISTING PUBLIC BUILDING was introduced and considered. City Manager Shields stated this is the Airport project that was voted on last year. This Resolution updates all of these numbers as it was no longer accurate. Council member Wetta made a motion to accept this Resolution as presented. Council member Butts seconded the motion. Upon roll call vote, those voting "AYE" were Council members Etter, Hawley, Butts, Valentine and Wetta. There were no "NAY" votes. Number 5839 was assigned to this Resolution.

A RESOLUTION APPROVING AND ACCEPTING A BID AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER WITH PFP, PRODUCTS FOR PROGRESS INC., OF NEWTON, KANSAS, FOR THE REPLACEMENT OF THE VOLUMETRIC FEEDER SYSTEM FOR THE WATER PRODUCTION DEPARTMENT IN THE AMOUNT OF \$51,558,50 was introduced and considered. Public Utility Director Newberry discussed the replacement of the 21 year old feeder for the Water Production department. It is still operating but not easy to find parts since it is so old. The staff feels the best cost efficient way is to proceed with this purchase of the new volumetric feeder system. Council member Hawley made a motion to approve the Resolution as presented. Council member Etter seconded the motion. Upon roll call vote, those voting "AYE" were Council members Butts, Valentine, Wetta, Etter, and Hawley. There were no "NAY" votes. Number 5840 was assigned to this Resolution.

A RESOLUTION APPROVING AND ACCEPTING BIDS AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH BAYSINGER POLICE SUPPLY FOR THE PURCHASE OF (13) SAFARILAND SX02 LEVEL IIIA BALLISTIC VESTS IN THE AMOUNT OF \$12,350 was introduced and considered. Chief Tracy Heath explained the need for replacement of 13 bullet proof vests. The life expectancy of bullet proof vests is five years. The company will not warranty the vests for after a period of five years. Currently Wellington officers are wearing a level 2 vest. The recommendation is to increase to level 3a which is the most secure level of vest to be worn. At this time we have \$16,000 budgeted, however a grant has been applied for and will reduce the cost by 50% if awarded. Council member Valentine made a motion to approve this Resolution as presented. Council member Hawley seconded the motion. Upon roll call vote, those voting "AYE" were Council members Etter, Wetta, Hawley, Butts, and Valentine. There were no "NAY" votes. Number 5841 was assigned to this Resolution.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN AGREEMENT WITH PROFESSIONAL ENGINEERING CONSULTANTS, P.A. OF WICHITA, KANSAS FOR THE WELLINGTON LAKE AND HARGIS CREEK DAM INSPECTION SERVICES IN THE AMOUNT OF \$15,650 was introduced and considered. Director Jones stated this is an inspection agreement for the Wellington Lake dam that is required every five years, and Hargis Creek dam that is required every three years. The Hargis Creek inspection is \$8,850, and is to be covered in the Engineering operation budget. The Lake inspection is \$6,800 and will be covered in the Utility fund budget. Council member Wetta made a motion to approve this Resolution as presented. Council member Etter seconded the motion. Upon roll call vote, those voting "AYE" were Council members Hawley, Butts, Valentine, Etter, and Wetta. There were no "NAY" votes. Number 5842 was assigned to this Resolution.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT AN AGREEMENT WITH BRADBURN WRECKING CO. INC. OF WICHITA, KANSAS FOR THE DEMOLITION OF THE STRUCTURE LOCATED AT 107 WEST LINCOLN, ALSO KNOWN AS LINCOLN PLACE was introduced and considered. City Manager Shields said this is the proposal to demolish the building at a charge of \$300,000, plus \$29,775 for the asbestos window casings removal. The amount of the insurance check of \$285,000 doesn't cover that, so we are looking into the budget to see where the remainder of the money will come from. Director Jones explained the cost breakdown. The project will begin no later than the last of November. The City staff will assist loading their trucks with material to fill in the excavated area. Council member Etter said he wished the building could have been sold for renovation instead of being torn down. Director Jones stated they were trying to leave the sidewalks and as much as possible to eliminate costs. City Manager Shields said part of the cost is the expansion and the lack of access from the building adjacent to this property. Council member Butts made a motion to accept this Resolution as presented. Council member Wetta seconded the motion. Upon roll call vote, those voting "AYE" were council members Valentine, Wetta, Etter, Hawley, and Butts. There were no "NAY" votes. Number 5843 was assigned to this Resolution.

A motion to adjourn was made by Council member Butts, and seconded by Council member Etter. Motion carried.

Approved and filed this day September 19, 2017.

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Mayor

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City Clerk