

The Council of the City of Wellington, Kansas, met in Regular Session on September 19, 2017 at 6:30 p.m., in the City Council Room, City Administration Center, with President Vince Wetta presiding.

The Pledge of Allegiance was led by Council President Vince Wetta.

The Invocation was given by Council member Jan Korte.

Council members Jan Korte, Kelly Hawley, Bill Butts, Jim Valentine, and Vince Wetta were present at roll call. Mayor Shelley Hansel and Council member Kip Etter were absent at roll call. Council member Etter entered the meeting at 6:33 p.m.

Members of the Staff present were City Manager Shane Shields, Finance Director/City Clerk Carol Mericle, Assistant City Manager for Utilities and IT Jason Newberry, Attorney Pat Hughes, Airport Manager Matt Wiebe, and Fire Chief Tim Hay.

AUDIENCE PARTICIPATION

There was no audience participation at this meeting.

CONSENT AGENDA

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

➤ APPROVAL OF MINUTES

- 1) Regular Session of September 5, 2017
- 2) Work Session of September 7, 2017
- 3) Regular Session of September 7, 2017

➤ APPROVAL OF APPROPRIATIONS

- 1) Payroll Report for August 20-September 2, 2017 \$228,767.26
- 2) ACH Authorization Voucher #1067 for BCBS for August 30- September 5, 2017
- 3) ACH Authorization Voucher #1068 for BCBS for September 6-12, 2017
- 4) Claims Register for September 1-15, 2017 \$1,463,297.02

➤ RECEIPT OF COUNCIL CORRESPONDENCE

- 1) Clerk's Report for August 2017
- 2) Electric, Waterworks, Sewage Operating Fund for August 2017
- 3) Weed Notice Publication for September 13, 2017
- 4) Police Activity Report for August 2017
- 5) Ambulance Monthly Financial Report for August 2017
- 6) Fire/EMS Activity/Overtime/Revenue Report for August 2017
- 7) Park Board Meeting Minutes for July 10, 2017
- 8) Memorial Auditorium Board Meeting Minutes for August 3, 2017
- 9) KMU Press Release, September 8, 2017-Kansas Cities Respond to Hurricane Irma

- 10) Media Release, 2017 Hydrant Testing Schedule
- 11) Media Release, Airport Authority Board Vacancy
- 12) Media Release, Duck Blind Drawing, Wednesday, October 4, 2017
- 13) Cowley College-Sumner Campus Invitation to Groundbreaking Ceremony, October 11, 2017

1:00-2:00 p.m.

REPORTS OF MAYOR AND COUNCIL

Council member Valentine thanked Chief Heath and Forest Schultz for the street marking around the schools. He said he appreciated the Public Works Department and the Electric Department for the new light that was installed at Washington & 17th Street. Council member Valentine also thanked Assistant City Manager for Utilities and IT Jason Newberry for the help with the cow. He stated that on Page 4 in the newspaper there is a large similarity of the Cowley College logo with Born to Sell, and to the Full Metal Jacket video tape case with the statement of Born to Kill. He said the logo with the College needs to be changed immediately as he says this is an offense to all Veterans.

REPORTS OF CITY OFFICIALS

Airport Manager Matt Wiebe- Fly Kansas-2017 Air Tour, September 28, 2017, Wellington Municipal Airport. He shared about the Air Tour and that 124 elementary students will be attending the event. Manager Wiebe also told that a sky diver is scheduled to be in attendance. They are expecting about 30-40 aircraft to be present and can be viewed. There will be refreshments served as well. Matt Jacobs, of Lochner, will be in attendance to answer any questions regarding the Airport Expansion project. This is the 3rd year that the Air Tour is starting at the Wellington Airport.

Street Closing Requests

Homecoming Parade, Thursday, October 19, 2017-3rd & Washington to 8th & Washington. Council member Korte made a motion to approve the street closing, Council member Butts seconded the motion. The motion carried.

Fall Fest 5K Fun Run, Saturday, October 21, 2017-see Plan A & Plan B. City Manager Shields told the contact person for this event is Lisa Allton. Director Jones added a different route is proposed if the road project on Harvey and South 81 is not completed, which will use Lincoln Avenue if needed. Council member Butts moved to approve the street closing, Council member Korte seconded the motion. The motion carried.

Not So Scary Halloween Party & Parade, October 31, 2017- 7th Street, Washington to Jefferson. Chamber Director Annarose White told of the new party and parade that will be held this year. Shawna Gore will be in charge of the parade at 5:30 with a contest for 0-12 year olds, with a group category added as well. Games and candy will be available at the Memorial Auditorium from 3:00 – 6:00 pm. Candy can be passed out at the Memorial Auditorium by businesses if so desired. Council member Butts moved to approve the street closing. Council member Korte seconded. The motion carried.

PUBLIC HEARING

No Public Hearings were on the agenda for the meeting.

ORDINANCES

AN ORDINANCE AUTHORIZING FILING OF APPLICATION WITH THE FEDERAL ENERGY REGULATORY COMMISSION (FERC) BY THE KANSAS POWER POOL (“KPP”), A

MUNICIPAL ENERGY AGENCY, ON BEHALF OF THE CITY OF WELLINGTON (CITY), A MEMBER CITY OF KPP, FOR WAIVER OF CITY'S MUST-PURCHASE REQUIREMENT UNDER THE PUBLIC UTILITY REGULATORY POLICIES ACT OF 1978 (PURPA) AND ADOPTING RULES FOR COMPLIANCE WITH FERC'S PURPA REGULATIONS was introduced and considered. CEO Mark Chesney with KPP, told about PURPA which is intended as a Federal Regulation. When it was adopted into Congress and was intended to encourage the installation of electric producing facilities without using the traditional fossil fuels. Congress put the Federal Energy Regulation Commission in charge of these projects as governing bodies. If a merchant developer came into an incumbent service territory and constructed as a qualifying facility, the utility must purchase the energy. The ordinance that KPP has given to us, asks to waive our purchase obligation in case the day ever came that a qualifying facility project was built that the purchase obligation would be moved away from Wellington to the KPP. KPP would negotiate the operating agreement so all the members would be taking on the negotiations. Council member Valentine asked if this was failsafe. If you pass the ordinance FERC still has to act upon it. Mark Chesney stated they want to be ready by addressing this now. Council member Korte asked about the wind energy south of town, and asked if that would be a qualifying project. Mark Chesney stated that law says there it has to be within one mile of a city electric plant in order to create that obligation, so it would not qualify. Council member Hawley made a motion to approve the Ordinance as presented. Council member Korte seconded. Upon roll call vote, those voting "AYE" were Council members Korte, Butts, Valentine, Wetta, Etter and Hawley. Number 4213 was assigned to this Ordinance.

AN ORDINANCE OF THE CITY OF WELLINGTON, KANSAS, AUTHORIZING AND PROVIDING FOR THE CONSTRUCTION OF SEWER MAIN IMPROVEMENTS AND SEWAGE DISPOSAL WORK IMPROVEMENTS IN THE CITY AND PROVIDING FOR THE PAYMENT OF THE COSTS THEREOF was introduced and considered. City Manager Shields stated this is authorizing the project and the financing for the sewer portion. He stated the Developer's agreement with Cowley College that has been approved sets the percentage of the costs. Council member Korte moved to approve the Ordinance as presented. Council member Butts seconded the motion. Upon roll call vote, those voting "AYE" were Council members Butts, Wetta, Etter, Hawley, and Korte. Voting "NAY" was Council member Valentine. Number 4214 was assigned to this Ordinance.

RESOLUTIONS

A RESOLUTION OF THE CITY OF WELLINGTON, KANSAS, AUTHORIZING IMPROVEMENTS TO THE CITY PUBLIC WATER SUPPLY SYSTEM; AND PROVIDING FOR THE PAYMENT OF THE COSTS THEREOF was introduced and considered. City Manager Shields said this is for the water portion of the Cowley College project, per the Developer's agreement two weeks ago. Council member Butts moved to approve this Resolution as presented. Council member Korte seconded the motion. Upon roll call vote, those voting "AYE" were Council members Wetta, Etter, Hawley, Korte, and Butts. Voting "NAY" was Council member Valentine. Number 5847 was assigned to this Resolution.

A RESOLUTION APPROVING COMMON CONSUMPTION AREA FOR THE KANSAS 2017 FALL FESTIVAL was introduced and considered. Manager Shields reported this is a request by the Chamber of Commerce and was talked about two weeks ago and is for approval on the Antler's Lot which is already approved for CMB. The time will be from 10:30 am until 2:00 pm. He stated it can be done for a period of one year, but suggested more research on rules is needed for that time frame. Chamber Director Annarose White said it is up to the seller of the alcohol to obtain a license from the State. This is just to allow consumption there. Council member Korte made a motion to approve the

Resolution as presented. Council member Butts seconded the motion. Upon a roll call vote, those voting “AYE” were Council members Butts, Wetta, Etter, Hawley, and Korte. Voting “NAY” was Council member Valentine. Number 5848 was assigned to this Resolution.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF WELLINGTON, KANSAS AND THE CITY OF ARKANSAS CITY, KANSAS, FOR EMERGENCY MEDICAL SERVICE was introduced and considered. Fire Chief Hay told of the response times to several rural communities. The goal of this agreement is to improve some of those response times. Council member Valentine moved to approve the Resolution as presented. Council member Hawley seconded the motion. Upon roll call vote, those voting “AYE” were Council members Wetta, Etter, Hawley, Korte, Butts, and Valentine. There were no “NAY” votes. Number 5849 was assigned to this Resolution.

A RESOLUTION APPROVING AND ACCEPTING A BID AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER WITH JCI INDUSTRIES, INC., OF KANSAS CITY, MISSOURI FOR THE REPLACEMENT OF THE CIRCULATING WATER PUMP ON THE COOLING TOWER, AT THE CITY OF WELLINGTON POWER PLANT, IN THE AMOUNT OF \$54,737.96 was introduced and considered. Assistant City Manager for Utilities and IT Newberry shared the bids originally for this project were incorrect due to one being a new pump and the second being a used pump. At this time two new bids were accepted. The bids are slightly over budget. In order for the steam plant to be functioning we need to have this cooling tower. Director Newberry is confident that this will work. The pump that is the worst one will be the one that is replaced. Council member Valentine made a motion to approve the Resolution as presented. Council member Butts seconded the motion. Upon roll call vote, those voting “AYE” were Council members Wetta, Etter, Hawley, Korte, Butts, and Valentine. There were no “NAY” votes. Number 5850 was assigned to this Resolution.

EXECUTIVE SESSION

Council member Korte moved to recess into an Executive session to discuss pending litigation for consultation with an attorney for the public body or agency which would be deemed privileged in the attorney-client relationship for a period not to exceed 10 minutes to include Attorney Pat Hughes, Assistant City Manager for Utilities and IT Jason Newberry and City Manager Shane Shields until 7:25 pm. Council member Butts seconded the motion. The motion carried.

Council returned at 7:25 pm with no binding action being taken as a result of the executive session.

A motion to adjourn was made by Council member Hawley, and seconded by Council member Butts. The motion carried.

Approved and filed this 3rd day of October, 2017.

Mayor

City Clerk