

The Council of the City of Wellington, Kansas, met in a Work Session on October 17, 2017 at 5:30 p.m., in the City Council Room, City Administration Center, with Mayor Shelley Hansel presiding.

The Pledge of Allegiance was led by Mayor Hansel.

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

Members of the staff present were City Manager Shane Shields, Finance Director/ City Clerk Carol Mericle, City Attorney Shawn DeJarnett, Assistant City Manager of Utilities & I.T. Jason Newberry, Public Works Director Jeremy Jones, and Airport Manager Matt Wiebe.

City Manager Shields introduced the names of the four Airport Authority Board Applicants. He asked the candidates to speak regarding their applications. The first applicant, Will Ravenstein, told that he is becoming a licensed drone operator and he wants to give back to the City. He finds that the airport is very interesting. The second applicant, Brian Marks, told that he is new to the Wellington area in the last 3-4 years. He has been in the aircraft industry for nearly 35 years and has been employed with Boeing, Spirit and Bombardier Learjet. He currently is a consulting manufacturing engineer with Bombardier Learjet. The third applicant, Jason Newberry, told that he has an interest in aviation. He is currently in the process of getting his pilot's license. Jason told he was asked by several people to fill the open position as there weren't any applicants previously. The fourth applicant, Bill Rhiley, was not present at the meeting. Council member Hawley recommends Brian Marks as the new board member for the Airport Authority Board. Council member Korte shared her appreciation for all of the candidates. Council member Wetta also said he will be recommending Brian Marks for the position on the Airport Authority Board.

Council member Valentine entered the meeting at 5:45 pm.

City Manager Shields reported the 21 complaints regarding Elkhorn Valley Packing Plant that are in the agenda. The history shows that the plant was built in 1977, has sold several times and is currently owned by Elkhorn Valley. The zoning was changed at some point over the years. The operation is correct under the current zoning. He continued the City used to have an Ordinance that related to odors in the City under Chapter 8. An Ordinance passed in March of 2011 adopted the 2009 IPMC that moved all of that chapter to chapter 16. Manager Shields told in the process the part related to offensive odor was not carried over. City Attorney DeJarnett stated there was nothing found in the Code relating to odors, probably due to the fact it was hard to enforce. City Manager Shields said Elkhorn Valley has asked the City to notify them when odor occurs so they can investigate this. He explained the difficulty in tracking this nuisance. Several City staff members toured the Elkhorn Valley Plant recently. They were told that a new air scrubber is being installed at the plant, and staff is to clean the pens daily, at the end of the shift. Council member Wetta told of many stories he has heard since these complaints first took place. He asked are there laws or KDHE regulations regarding how these packing plants are to handle the animal waste. He continued as a City Council, we owe it to the City to do something about this problem and as the east corridor develops, this needs to be investigated. Council member Etter asked how many people are complaining about this problem. City Manager Shields stated there were four different complaining parties in the agenda. Council member Etter also asked if there has been any violations by Elkhorn Valley. He reported when staff has been out to visit them, trucks have been loading at times of odor, but no KDHE findings in recent past. Council member Etter asked when facility was built, how many houses were in the Hargis Creek area. Norman Massoth, resident of that neighborhood, said the houses were starting to be built in 2001, but there was no problem until 2003 when Elkhorn Valley took over. Council member Etter asked if there was a court case recently against Elkhorn Valley. City Attorney DeJarnett stated there was one in 2015. Carl Garnand, neighborhood resident, told he was part of that lawsuit, and

stated that Elkhorn Valley was a permanent nuisance instead of a temporary nuisance per the law suit. Manager Shields said Elkhorn Valley has been receptive of City calls about odors. As stated before the holding pens are now being cleaned out daily, and the scrubber is being put into place with an approximate cost of \$30,000. Director Jones shared the kill floor was not open 24 hours a day. Mr. Massoth told he called Ark City and asked if anyone has had problems with odor control and they answered never at Creekstone. He added approximately 1200 head of cattle are put through that plant a day and have never had any odors within a half a mile of the plant. Manager Shields stated that area has no residents close to the plant. He said that information was given to Jeff Venn at Elkhorn Valley. Council member Etter asked if Elkhorn Valley knew this discussion was going on this evening. City Manager Shields stated they were notified of the meeting. Manager Newberry said there were no surcharges in 2017, but in 2016 they were hit pretty hard with financial charges. Council member Etter stated we need to work on this with the growth being in the eastern corridor and he would like to see us work with Elkhorn Valley if at all possible. Council member Butts asked who the owner of Elkhorn Valley Plant is. Director Jones shared that Mike Grant is the owner and he lives in Harper, KS. Council member Hawley asked Attorney DeJarnett about our options. Attorney DeJarnett told he can research why IPMC was taken out regarding odors. Linda Massoth stated she would like to see an ordinance put into place about this odor that can be enforced. Council member Valentine suggested that a manager or owner come to a meeting to try and resolve this issue. Manager Shields will proceed to invite Elkhorn Valley Plant to come to a work session and discuss this.

City Manager Shields reminded Council that the Rules of Procedure are included in the agenda. He asked them to please read and get back to him. City Attorney DeJarnett told of the two issues that need to be addressed.

A motion to adjourn was seconded and carried.

Approved and filed this 7th Day of November, 2017.

Mayor

City Clerk