

The Council of the City of Wellington, Kansas, met in Regular Session on December 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 Jon Shellenberger of the Church of the Nazarene.

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

Members of the Staff present were City Manager Shane Shields, Finance Director/City Clerk Carol Mericle, City Attorney Shawn DeJarnett, and Public Works Director Jeremy Jones.

Council member Korte moved to amend the agenda to allow Jo Plumb, Director of the Library, to speak during audience participation. Council member Butts seconded the motion. Motion carried.

AUDIENCE PARTICIPATION

Jo Plumb from the Library was present at the meeting this evening to speak about repairs to the library roof and additional things that need taken care of. The funds that were used to repair this roof were from the Horton Trust. The current balance in that trust is \$171,000, and she would like to repair the library steps. Director Plumb said currently bids are being taken to repair the water damage on the second floor of the library. In the spring they are also wanting to help put in some new landscaping. Chelsea McNeil, the new Children's Librarian spoke about some Christmas ideas and activities that will be held at the library this holiday season. She also shared some ideas to encourage kids to utilize the library with many new things being offered to all age groups. Mayor Hansel welcomed both of these ladies and also spoke about the new 3D printer at the library.

CONSENT AGENDA

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

➤ **APPROVAL OF MINUTES**

- 1) Regular Session of November 21, 2017

➤ **APPROVAL OF APPROPRIATIONS**

- 1) Payroll Report for November 12-25, 2017 \$231,385.57
- 2) ACH Authorization Voucher #1078 for BCBS for November 15-21, 2017
- 3) ACH Authorization Voucher # 1079 for BCBS for November 22-28, 2017
- 4) Claims Register for November 18-30, 2017 \$326,158.87

➤ **RECEIPT OF COUNCIL CORRESPONDENCE**

- 1) Local Retailer's Sales Tax & Compensating Use Tax for October 2017
- 2) Building, Demo, Permit Report for November 2017
- 3) Airport Advisory Board Meeting Minutes for October 16, 2017
- 4) Media Release on November 21, 2017 re: Citizen Applications for City Boards/Commissions
- 5) Correspondence from KDHE dated November 17, 2017 re: Termination of Consent

Order-Raw Water

REPORTS OF MAYOR AND COUNCIL

Council member Valentine apologized to Council member Hawley regarding the Veteran's Room and not giving them credit for their fantastic work. He told of the J. C .Penney's building and how fabulous it looks. Council member Valentine also mentioned the Christmas tree that is on Antler's Lot and how that is a very fitting spot for it to be placed.

Council member Butts also mentioned the new J.C. Penney's building and how nice it is. The owners are looking to have it open by the first of March. They have restored a lot of the old features during this process. He also told of the renovating that is going on at the golf course. He added the work should be completed by April 1, 2018.

Mayor Hansel thanked everyone who participated in the Christmas Parade this past weekend. She told of the Mayor's Christmas tree lighting of the tree on Antler's Lot. She also made a statement to shop local in Wellington.

REPORTS OF CITY OFFICIALS

Annual Cereal Malt Beverage License Renewals-Memo from City Clerk Mericle. She stated this is a standard procedure process that we do each year to renew City CMB licenses. We currently have 13 businesses that are renewing. A few have dropped off due to the fact they aren't required to have a CMB any longer if they have a liquor license. The CMB license is only needed if they sell 3.2% alcoholic beer at their place of business. Council member Korte made a motion to approve the annual CMB license renewals. Council member Etter seconded the motion. Motion carried.

PUBLIC HEARING

Mayor Hansel opened the Public Hearing on 914 South C Street. It was presented by Public Works Director Jeremy Jones. He told the owners of the property are both deceased, so this is a vacant residence and has not had utility services since April, 2017. The County evaluation for the structure itself shows a decrease in the value of the structure. There are no delinquent taxes at this time. He and Code Compliance Officer Norton were able to visit the property and tour the inside and outside. He told there is significant roof damage, lateral movement of the walls, rotted two by fours, damaged siding and other items that are in need of repair. At this time there seems to be no family that is interested in taking the property and repairing it. The hearing was closed by the Mayor as there was no one else at the meeting to speak on the issue.

ORDINANCES

AN ORDINANCE MAKING PROVISIONS FOR FEES FOR THE COLLECTION OF REFUSE IN THE CITY OF WELLINGTON, KANSAS; AMENDING SECTION I OF ORDINANCE NO. 3688 AND REPEALING ORDINANCE NO. 4089 was introduced and considered. Public Works Director Jones shared the rates as of this date. The last increase was in March of 2011. This Ordinance will increase the residential rates 75 cents per month and the commercial rates will increase 5%. He said this would raise the residential rate to \$15.00 per month and an average commercial customer will see an increase of \$2.00-4.00 per month. The reduced rate fee is going to be \$10.00 a month only with a 2.5% increase. Council member Etter asked what would happen if this was tabled until the new Council was able to come on board. City Manager Shields said that it would impact the new budget, the projections of revenue for the 2018 budget and Sanitation fees. It would cause a shortfall of revenue. Council member Etter said the only way he would vote for an increase would be for there to be a long term investment. Council member Etter moved to make a motion to table this issue until the new council comes on board. Council member Valentine seconded the motion that was made. Council member Korte stated this increase must take place in order for them to run in the black. This vote is only for the increase of fees for

the sanitation department and if there is no increase then services will have to be cut. This has been presented for the last two years to the council. Council member Etter asked if it was running in the black now. Director Jones presented the facts regarding the current budget. Mayor Hansel asked for a roll call vote on this motion. Upon roll call vote, those voting "AYE" were Council members Hawley, and Etter. Those voting "NAY" were Council members Korte, Butts, Valentine, and Wetta. Motion did not pass. Council member Korte made a motion to pass the Ordinance as stated. Council member Butts seconded the motion. Those voting "AYE" were Council members Butts, Wetta, and Korte. Those voting "NAY" were Council members Valentine, Etter, and Hawley. Mayor Hansel voted "AYE" to adopt the Ordinance. Number 4218 was assigned to this Ordinance.

AN ORDINANCE AMENDING ORDINANCE NO. 3975 ESTABLISHING FEES FOR THE DISPOSAL OF REFUSE, CONSTRUCTION AND DEMOLITION WASTE AND WASTE TIRES AT THE WELLINGTON TRANSFER STATION, WELLINGTON CONSTRUCTION AND DEMOLITION LANDFILL AND THE WASTE TIRE MONOFILL AND REPEALING ORDINANCE NO. 4180 was introduced and considered. Public Works Director Jones shared the needed increase for tipping fees. The increase of fees for household trash is 2.5%, and a 4% increase to the demolition and construction waste tipping fees. The trash fee would be \$38.00 per ton and the C & D fee would be \$24.00 per ton. This is a \$1.00 increase to both of these fees. Currently we are much cheaper than a privately owned facility. He explained why haulers from Sedgwick County are coming here, due to the lower fees. Together with the collection increase and the landfill increase, it would be an additional \$60,000 revenue. Council member Butts asked what kind of a capacity does the C & D cell have. Currently we have 10- 15 years at our current rate before another cell would have to be built. At that time the cost will be around 400,000-500,000 to build. Council member Wetta told that he sees a lot of trucks coming down here to haul trash. He asked if we are hurting ourselves by allowing them to come here. Director Jones stated that the trash that they bringing is going to Plumb Thicket in Harper. He also shared that we have increased our revenue by \$150,000 from just 2 haulers. There will be a new one as well that will generate \$70,000. The more we can make through this option the less we will have to add additional funds to our customers and residents. He told about the idea in the past to increase rates for commercial and allow residents to use it for free. Council member Hawley told she would like to see this happen now rather than later. Director Jones stated the Sanitation/Landfill department is a very unique situation in that it generates such revenue. Council member Etter made a motion to adopt the Ordinance as it is stated. Council member Hawley seconded the motion. Upon roll call vote, those voting "AYE" were Council members Hawley, Korte, Butts, Wetta, and Etter. Voting "NAY" was Council member Valentine. Motion carried. Number 4219 was assigned to this Ordinance.

RESOLUTIONS

A RESOLUTION FINDING THE STRUCTURES LOCATED ON L.K. MYER'S BLOCK 11-16, BLOCK 16, LOT 4, WELLINGTON, KANSAS, COMMONLY KNOWN AS *914 SOUTH C STREET* ARE UNSAFE OR DANGEROUS AND DIRECTING THE STRUCTURES TO BE MADE SAFE AND SECURE OR REMOVED was introduced and considered. Director Jones provided details regarding this Resolution. His recommendation is to give 30 days to repair or remove the structure from the premises. At that time the City Manager would have the authority to direct staff to send this project out for bid for demolition. Director Jones told there are no family members wanting to take on this project. The average cost to demolish would be \$2,000-\$4,000. Council member Hawley 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 Korte, Butts, Valentine, Wetta, Etter, and Hawley. There were no “NAY” votes. Motion carried. Number 5863 was assigned to this Resolution.

A RESOLUTION FIXING THE TIME AND PLACE AND PROVIDING NOTICE OF A HEARING BEFORE THE GOVERNING BODY OF THE CITY OF WELLINGTON, KANSAS, AT WHICH THE OWNERS, THEIR AGENTS, ANY LIENHOLDERS OF RECORD AND ANY OCCUPANTS OF THE BUILDINGS LOCATED BELOW MAY APPEAR AND SHOW CAUSE WHY SUCH BUILDINGS SHOULD NOT BE CONDEMNED AND ORDERED DEMOLISHED. (*624 West 3^d Street*) was introduced and considered. Public Works Director Jones stated the current owner is Quentin Sprague of Caldwell, the current utility services have been inactive since 2014. This property has three years of delinquent taxes that total a little over \$460.00. The sheriff tax sale would be May of 2020. This property was purchased and by Mr. Sprague and staff has been trying to reach him. The overall condition of the property warrants moving to a public hearing on January 16, 2018. Council member Korte made a motion to approve this Resolution. 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 5864 was assigned to this Resolution.

A RESOLUTION FIXING THE TIME AND PLACE AND PROVIDING NOTICE OF A HEARING BEFORE THE GOVERNING BODY OF THE CITY OF WELLINGTON, KANSAS, AT WHICH THE OWNERS, THEIR AGENTS, ANY LIENHOLDERS OF RECORD AND ANY OCCUPANTS OF THE BUILDINGS LOCATED BELOW MAY APPEAR AND SHOW CAUSE WHY SUCH BUILDINGS SHOULD NOT BE CONDEMNED AND ORDERED DEMOLISHED. (*824 South C Street*) was introduced and considered. Public Works Director Jones told that the owner of the property is Hannah Whitney of Wellington. Property has been vacant since July 2015, and the structure value has decreased. There are 2015 and 2016 delinquent taxes of \$270.00. There is also a weed notice in the amount \$150.00 which brings the total to \$420.00. The estimated date for the tax auction is May of 2020. He continued staff has been in contact with the owner numerous times for debris around the property. Staff has went through the property with the owner, and found foundation issues, water damage, and broken windows. Passing of the Resolution would allow a public hearing to be held on January 16, 2018. Council member Butts made a motion to approve the Resolution as presented. Council member Etter seconded the motion. Upon roll call vote, those Council member voting “AYE” were Council members Valentine, Wetta, Etter, Hawley, Korte, and Butts. There were no “NAY” votes. Number 5865 was assigned to this Resolution.

A RESOLUTION WAIVING THE STATUTORY REQUIREMENT OF THE CITY OF WELLINGTON, KANSAS TO USE GENERALLY ACCEPTED ACCOUNTING PRINCIPALS IN THE PREPERATION OF THEIR FINANCIAL STATEMENTS AND REPORTS was introduced and considered. City Clerk Mericle told this is an annual action that the Council takes for the operation of the financial statements and reports. The GAAP reporting is a lot more detailed, and after talking with Mr. Cooper, the auditor, we believe the KMAAG accounting procedure is the best way to perform these tasks. Council member Korte made a motion to approve the Resolution as stated. Council member Butts seconded the motion. Upon roll call vote, those Council members voting “AYE” were Butts, Valentine, Wetta, Etter, Hawley and Korte. There were no “NAY” votes. Number 5866 was assigned to this Resolution.

EXCEUTIVE SESSION

Council member Korte made a motion to recess into executive session to discuss personnel matters of non-elected personnel, 75-419(b)(1), with City Manager Shields being subject to call, for a period of 20 minutes beginning at 7:25 pm. Council member Etter seconded the motion. The motion carried. The meeting reconvened at 7:45 pm with no binding action taken.

A motion to adjourn was made and seconded. Motion carried.

Approved and filed this day December 19, 2017.

Mayor

City Clerk