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**CITY OF COLWICH, KANSAS
CITY ADMINISTRATIVE CENTER
310 S. 2ND STREET
REGULAR COUNCIL MEETING
JANUARY 17, 2016
7:00 P.M.**

1. CALL TO ORDER

Mayor Terrence D. Spexarth on Tuesday, January 17, 2017 at 7:00 p.m. called the regular monthly meeting of the Colwich City Council to order.

ATTENDANCE

Present were Mayor Terrence D. Spexarth, Councilmembers Stephanie Guy, Doyle Dodd, Angela Banz, Robert Winter and Victoria Duling arriving at 7:07 p.m.

Staff members present were Corey Heck, Public Works Director, Jesolyn Trego, Police Officer, Brad Banz, Fire Chief, Katie Wetta, Deputy City Clerk and Diana Brooks, City Clerk.

PLEDGE OF ALLEGIANCE

Mayor Spexarth led the audience, staff and Council in the Pledge of Allegiance.

2. NOTICES AND COMMUNICATIONS

There were no notices or communications.

3. CITIZEN COMMENTS

Mr. Mark Spexarth, 6455 N. 151st St. W., expressed concern regarding semi-trucks using 151st St. to access the ICM plant.

Mr. Alvin Neville, 14061 W. 77th St. N., reiterated Mr. Spexarth's concerns and asked ICM to design a plan allowing for some of the traffic to use 167th St. He reminded Council that 167th was built to handle truck traffic.

Mr. Greg Tice, President, Renwick School District, stated the school board would support any decision the City Council made on the tax abatement issue. He explained how property tax distributions worked for the school district.

4. PURCHASE REQUESTS AND ITEMS NEEDING COUNCIL ACTION**A. Discussion of the proposed project by ICM**

Ms. Kim Bell, Gilmore and Bell, City's Bond Counsel explained that industrial revenue bonds were for economic development, ICM potentially receiving federal tax exemptions, and ICM's investment being subordinate to the bond issue.

There was discussion regarding the procedure for the distribution of the payment in lieu of taxes, the ramifications of an early pay off, expenses for the issuance being paid by ICM and the developer's agreement stipulating the expectations of each party not being a part of the IRB issue.

Mr. Andy Bulloch, Chief Financial Officer, ICM, presented three options for Council consideration being: 100% tax abatement with no payment lieu of taxes; 100% tax abatement with a \$60,000 payment in lieu of taxes and 100% tax abatement with a \$120,000 payment in lieu of taxes. He assured citizens that the company was willing to work with all parties to facilitate an amicable solution to the traffic situation.

Councilwoman Banz moved that the Council accept ICM's proposal bottom line black star 100% tax abatement with \$120,000 for annual payment in lieu of taxes. Councilman Dodd second the motion.

Councilwoman Banz moved to withdraw her motion and Councilman Dodd withdrew his second.

Councilwoman Banz moved that the Council instruct Bond Council to move forward with the necessary actions to hold a public hearing and consider a resolution of intent to issue Industrial Revenue Bonds for ICM in an aggregate principle amount not to exceed \$180 million subject to payment in lieu of taxes in the amount of \$120,000 a year and negotiations of a suitable developer's agreement. Councilman Dodd second the motion. Motion carried 5-0.

B. Discussion of the delivery of the "free" newspaper by the Wichita Eagle

Mayor Spexarth stated people were expressing concerns regarding the "free" newspaper making the city look trashy. Councilwoman Banz stated she observed approximately 60 papers lying in the street, gutters, and curbs.

The consensus of the Council was to have the City Clerk draft a letter for the City Attorney's review to send to the Wichita Eagle asking them to stop delivery inside the city limits.

C. Review of the request to approve the cereal malt beverage and temporary special event permit for the Knights of Columbus and waive the distance requirements per city code

Councilwoman Guy moved that the Council approve the temporary special event permit and cereal malt beverage license for the Knights of Columbus bull fry and waive the distance requirement per the City Code. Councilwoman Duling second the motion. Motion carried 5-0.

D. Discussion of year end transfers

Ms. Diana K. Brooks, City Clerk presented the year end expenditure authority available for Council to transfer cash to the capital improvement reserve account. She cautioned Council to use restraint to allow for a larger amount of cash carryover to begin 2017 and effect the development of the 2018 budget.

Councilman Dodd moved that the Council transfer the following amounts to the capital improvement reserve accounts for the designated projects: \$40,000 to the water tower; \$5,790.24 for the heritage festival; \$8,456.64 for the home incentive program and \$25,000 for the park site development for a total amount of \$79,246.88. Councilwoman Duling second the motion. Motion carried 5-0.

E. Review of the request to adopt Ordinance No. 695 amending the dates for the City Council meetings

Mayor Spexarth stated that with the change in the election laws he requested an ordinance setting the January Council meeting for the second Monday with the meetings for the remainder of the year on the third Monday.

Councilwoman Banz moved that the Council adopt Ordinance No. 695 amending the dates for the city council meetings for January. Councilman Dodd second the motion. Upon a roll call vote the motion carried 5-0 with Councilwoman Guy voting yea; Councilman Winter voting yea; Councilwoman Duling voting yea; Councilman Dodd voting yea and Councilwoman Banz voting yea.

F. Review of the request to adopt Ordinance No. 696 updating the records retention schedule

Ms. Brooks stated that one item was added to the records retention and destruction schedule dealing with audio recordings of the Council meeting.

Councilwoman Banz moved that the Council adopt Ordinance No. 696 updating the records retention schedule as amended. Councilman Dodd second the motion. Upon a roll call vote the motion carried 5-0 with Councilwoman Guy voting yea; Councilman Winter voting yea; Councilwoman Duling voting yea; Councilman Dodd voting yea and Councilwoman Banz voting yea.

G. Review of the Annual Treasurers Report

Ms. Brooks stated this item was for information purposes only. She presented the annual treasurer's report that would be published once the transfers were appropriately documented.

5. CONSENT AGENDA

- A. Approval of the minutes of the January 19, 2017 special Council meeting
- B. Approval of the Appropriations Ordinance Nos. 17-01-01
- C. Approval of the December financial reports
- D. Monthly purchase orders – if any

Councilwoman Duling moved that the Council approve the consent agenda as presented. Councilwoman Banz second the motion. Motion approved 5-0.

6. COMMITTEE REPORTS

- A. Heritage Festival

Ms. Mary Ann Morrison stated she had nothing to report at this time.

- B. Park Committee

Councilwoman Guy stated she had nothing to report.

7. DEPARTMENT HEAD REPORTS

- A. City Engineer – There was nothing to report.
- B. Fire – Brad Banz, Fire Chief, presented the monthly report.
- C. Public Works – Mr. Corey Heck presented the monthly report.
- D. Police Department – Mayor Spexarth presented the monthly report.
- E. City Attorney – Mr. Stanley Juhnke, City Attorney stated he nothing to report.
- F. City Clerk – Ms. Diana K. Brooks, City Clerk stated she had nothing to report.

8. GOVERNING BODY COMMENTS

Mayor Spexarth distributed a letter of resignation from Councilman Dodd due to personal reasons. Councilman Dodd stated that his resignation was not based on any action of the Council but his attention was needed in other areas. Mayor Spexarth thanked Councilman Dodd for his service on the Council.

Mayor Spexarth recommended the approval of Pamela Winegarner to fill Councilman Dodd's vacated seat and term.

Councilwoman Duling moved that the Council uphold the recommendation of Mayor Spexarth and appoint Pamela Winegarner to fill the vacant seat on the Council. Councilwoman Banz second the motion. Motion carried 4-0.

Ms. Brooks administered the oath of office to Pamela Winegarner.

Councilwoman Winegarner moved that the Council appoint Councilwoman Banz as Council President. Councilwoman Guy second the motion. Motion carried 5-0.

Mayor Spexarth stated that the City Clerk would proceed with the processes necessary in the code book to begin the removal of the tanning salon that has been abandoned and partially torn down.

Councilwoman Banz stated good work.

Councilman Winter thanks Mr. Dodd for his service on the Council.

9. EXECUTIVE SESSION

There were no matters for executive session.

10. ADJOURNMENT

There being no further business, Councilwoman Guy moved for adjournment at 8:45 p.m. Councilwoman Winegarner second the motion. Motion approved 5-0.

Respectfully submitted
Diana K. Brooks, City Clerk