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**CITY OF COLWICH, KANSAS
CITY ADMINISTRATIVE CENTER
310 S. 2ND STREET
REGULAR COUNCIL MEETING
FEBRUARY 15, 2016
7:00 P.M.**

1. CALL TO ORDER

Mayor Terrence D. Spexarth on Monday, February 15, 2016 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 Robert Winter, Stephanie Guy, Pamela Winegarner with Angela Banz and Doyle Dodd absent.

Staff members present were Stanley Juhnke, City Attorney; Brad Banz, Fire Chief; Mark Hinkle, Chief of Police, and Diana Brooks, City Clerk.

PLEDGE OF ALLEGIANCE

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

PUBLIC HEARING – Amending the 2016 Sewer Fund budget

Mayor Spexarth requested a motion to open the public hearing to consider amending the 2016 Sewer Fund budget.

Councilwoman Guy moved that the Council open the public hearing at 7:10 p.m. Councilwoman Winegarner second the motion. Motion carried 3-0.

Ms. Diana K. Brooks, City Clerk reminded the Council that during the development of the 2016 budget there was discussion about paying off the revolving loan with the State of Kansas to save interest. Ms. Brooks stated that upon receiving notice for the first payment in 2016, she contacted KDHE for payoff information. The early pay off will result in a \$1,452.82 savings in interest and fees.

Mayor Spexarth called for questions from the public or Councilmembers, hearing none, he called for a motion to approve amending the 2016 Sewer Fund budget.

Councilwoman Guy moved that the Council approve the amending of the 2016 Sewer Fund budget as presented to allow for the payment of the sewer loan. Councilwoman Winegarner second the motion. Motion carried 3-0.

Mayor Spexarth called for a motion to close the public hearing.

Councilwoman Winegarner moved that the Council close the public hearing at 7:12 p.m. Councilwoman Guy second the motion. Motion carried 3-0.

2. NOTICES AND COMMUNICATIONS

There were no notices or communications.

3. CITIZEN COMMENTS

Ms. Shannon Sanders, 613 W Chicago, expressed concerns with the loud music on Saturday, February 13th coming from the KEG's concert event. After extensive discussion, the Council directed the City Attorney to write the owners a letter requesting they be cautious regarding the level of sound emitted by the bands at their concert events.

4. PURCHASE REQUESTS AND ITEMS NEEDING COUNCIL ACTION

- A. Review of the request to uphold the recommendation of the Planning Commission and approve application Z-15-01 an application requesting a change from the R-1 Single Family Residential to the R-2 Two Family Residential District and adopt Ordinance No. 682

Mayor Spexarth called Agenda Item 4-A and stated this was a request for an amendment to change property located behind 309 W Chicago from the R-1 Single Family Residential District to the R-2 Two Family Residential District. He asked if any members of the Council intended to disqualify themselves, hearing none he declared a quorum of three was present.

Mayor Spexarth asked the City Clerk if she received any protest petitions, she replied no. He asked the Zoning Administrator to provide a summary of the minutes and the zoning administrator's report. Ms. Brooks reviewed the location of the lot, the size of the lot, and stated that the intent of the property owner was to build four duplex units or two structures. She summarized the minutes of the meeting and stated that the Planning Commission recommended approval of the application.

Mayor Spexarth asked if those present on the case felt they had received a fair and impartial hearing. Those present stated they did.

Mayor Spexarth questioned the applicant or the public if they had any new information on the case to bring to the Council's attention. No one requested to share new information on the case.

Mayor Spexarth called for public comments, hearing none he detailed the four choices under state statutes Council could take and then called for a motion.

Councilwoman Guy moved that the Council adopt the findings and factors and accept the recommendation of the Planning Commission on Case No. Z-15-01 and adopt Ordinance No. 682. Councilwoman Winegarner second the motion. Motion carried 3-0 with Councilwoman Guy voting yea; Councilman Winter voting yea and Councilwoman Winegarner voting yea.

Mayor Spexarth stated that persons aggrieved by the final decision of the Council had 30 days after the publication of the effectuating ordinance to appeal to District Court. He thanked all the participants and invited them to stay for the remainder of the meeting.

B. Discussion of mosquito spraying and pesticide choices

Mayor Spexarth stated that Councilwoman Banz invited a representative to attend the March meeting to discuss various products and options for mosquito spraying.

Mayor Spexarth introduced Levy Neelly, the young man interviewed for the full-time firefighter's position.

C. Review of the request to set a date for strategic planning

Mayor Spexarth requested the Council determine a date to discuss plans for the future of the City. After extensive discussion, the Council consensus was to bring ideas to the next meeting and start the discussion there.

5. CONSENT AGENDA

- A. Approval of the minutes of the January 18, 2016 Council meeting
- B. Approval of the Appropriations Ordinance No. 16-01-02 and 16-02-01
- C. Approval of the January financial reports
- D. Review of the monthly purchase orders

Councilwoman Guy moved that the Council approve the consent agenda A-D as presented. Councilwoman Winegarner second the motion. Motion approved 3-0.

6. COMMITTEE REPORTS

A. Heritage Festival

Ms. Mary Ann Morrison reported that the theme suggested for the 2016 festival was the Wizard of Oz. She stated she was working on adding more children's activities, shortening the festival to end with the fireworks, and various other options to make the 2016 festival a success.

B. Park Committee

Councilwoman Guy stated she had nothing to report.

C. Marketing Committee

Councilwoman Winegarner stated there was nothing to report.

D. FEMA Committee

Councilman Winter stated there was nothing to report.

E. Library Board – Mayor Spexarth stated there was no report in the packet this month.

7. DEPARTMENT HEAD REPORTS

A. City Engineer – Ben Mabry, City Engineer stated that the dam inspection at Colwich Memorial Park would be completed by April 30th and reported to KDHE as required. Mayor Spexarth stated that a gas company in the State of Kansas who used the same pipe as the City was having problems with leaks. Mr. Mabry stated that he was still looking at the integrity of the pipe in an attempt to find a cause for the water leaks.

B. Fire – Chief Brad Banz presented the monthly report.

C. Public Works – Mayor Spexarth stated that two bids had been received for the replacement of portions of the sidewalk along Wichita Ave between 2nd and 3rd Streets and the southwest corner at S Colorado Ave and W Wichita Ave. He stated he was unsure how the former public works director submitted the specifications to the companies. He requested the Council approve up to \$15,000 to complete the project and allow him to revise the specifications and ask each company to resubmit their proposals.

Councilwoman Winegarner moved that the Council approve up to \$15,000 for the sidewalk replacement to be negotiated by the mayor. Councilwoman Guy second the motion. Motion carried 3-0.

D. Police Department – Chief Hinkle presented the monthly report. He requested that the Council consider negotiate a priced with the City of Bentley for the 2010 F-150 pickup.

Councilman Winter moved that the Council approve the selling of the 2010 Ford to the City of Bentley for a negotiated price of not lower than \$17,500. Councilwoman Winegarner second the motion. Motion carried 3-0.

E. City Attorney – Mr. Stanley Juhnke, City Attorney, stated he had nothing to report.

- F. City Clerk - Ms. Brooks presented the monthly report and stated that the new deputy city clerk was progressing well.

8. GOVERNING BODY COMMENTS

There were no additional comments from the Governing Body.

9. EXECUTIVE SESSION

Mayor Spexarth requested an executive session for non-elected personnel for a period of 20 minutes to include everyone at the table being the Mayor, Council, and City Attorney with Fire Chief Brad Banz.

Councilwoman Guy moved that the Council recess to executive session for the discussion of non-elected personnel for a period of 20 minutes for everyone at the table being the Mayor, Council, and City Attorney with Fire Chief Brad Banz beginning at 8:00 p.m. Councilwoman Winegarner second the motion. Motion carried 3-0.

Councilwoman Winegarner moved that the Council recess out of executive session at 8:20 p.m. Councilwoman Guy second the motion. Motion carried 3-0.

Councilwoman Guy moved that the Council move in to regular session at 8:20 p.m. Councilwoman Winegarner second the motion. Motion carried 3-0.

Councilwoman Winegarner moved that the Council allow Diana Brooks to bank her vacation time if needed. Councilwoman Guy second the motion. Motion carried 3-0.

Councilwoman Guy moved that the Council approve the hiring of Levi Neelly as a full-time firefighter at \$15.00 with a \$.50 per hour increase after successfully complete his six-month training period. Councilwoman Winegarner second the motion. Motion carried 3-0.

Councilman Winter moved that the Council approve a 3% raise for all employees with the exception of Jesolyn Trego and Katie Wetta effective March 1st. Councilwoman Winegarner second the motion. Motion carried 3-0.

10. ADJOURNMENT

There being no further business, Councilwoman Guy moved for adjournment at 8:28 p.m. Councilman Winter second the motion. Motion approved 3-0.

Respectfully submitted
Diana K. Brooks, City Clerk