

The following are subject to modification and are not official minutes until approved by the Governing Body.

**CITY OF COLWICH, KANSAS
CITY ADMINISTRATIVE CENTER
310 S. 2ND STREET
REGULAR COUNCIL MEETING
MAY 15, 2017
7:00 P.M.**

1. CALL TO ORDER

Mayor Terrence D. Spexarth on Monday, May 15, 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, Angela Banz, Pamela Winegarner, Robert Winter with Victoria Duling absent.

Staff members present were Mark Hinkle, Police Chief, 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

- A. Presentation of dividend check – Madrigal and Associates

Mr. Rob Davis, Madrigal and Associates presented the Council with a dividend check, the liability policy, and information on worker's compensation.

3. CITIZEN COMMENTS

There were no citizen comments.

4. PURCHASE REQUESTS AND ITEMS NEEDING COUNCIL ACTION

- A. Review of the developer's agreement for the ICM Expansion

Mayor Spexarth, Council, City Attorney and Jason Friedberg, ICM reviewed the developer's agreement revised from the April meeting. Three articles were amended being page 2 section 2a regarding screening; page 4 section 11 agreeing to a \$25,000 annual fee for loss in franchise fees, and page 5 section 14 by adding a clause clarifying the language regarding executive session.

Councilwoman Banz moved that the Council approved the Development Agreement with the proposed changes to page 2 section 2a, page 4 section 11; and page 5 section 14 as discussed with the amount of \$25,000 for compensation for lost franchise fees. Councilwoman Winegarner second the motion. Motion carried 2-2 with Councilwoman Winegarner and Councilwoman Banz voting yea; Councilman Winter and Councilwoman Guy voting nay and Mayor Spexarth voting yea breaking the tie vote.

- B. Review of the request to adopt Ordinance No. 698 amending Chapter 15 Article 4 Solid Waste of the City Code

Mayor Spexarth reviewed the changes to the solid waste chapter of the code highlighting section 15-419 stating that illegal dumping would be finable offense in the amount up to \$1,000 and a mandatory court appearance.

Councilwoman Winegarner moved that the Council adopt Ordinance No. 698. Councilman Winter second the motion. Motion carried 4-0 with Councilwoman Guy voting yea; Councilman Winter voting yea; Councilwoman Winegarner voting yea and Councilwoman Banz voting yea.

- C. Review of the request to purchase Compact Excavator

Mayor Spexarth presented the request from the Public Works Director for a compact excavator. Bids were solicited with Mr. Heck supporting the best bid for the Bob Cat excavator.

Councilwoman Guy moved that the Council approve the purchase of a Bob Cat Compact Excavator in the amount of \$37,600. Councilwoman Winegarner second the motion. Motion carried 4-0.

- D. Review of the request to approve the best bid for pest control services

Mayor Spexarth presented two bids for pest control services with Swanee General Pest Control accepted as the best bid.

Councilwoman Winegarner moved that the Council accept the best bid from Swanee General Pest Control. Councilwoman Banz second the motion. Motion carried 4-0.

5. CONSENT AGENDA

- A. Approval of the minutes of the April 17, 2017 regular Council meeting
- B. Approval of the Appropriations Ordinance Nos. 17-04-02 and 17-05-01
- C. Approval of the April financial reports
- D. Monthly purchase orders – if any

Councilwoman Banz moved that the Council approve the consent agenda as presented. Councilwoman Guy second the motion. Motion approved 4-0.

6. COMMITTEE REPORTS

A. Heritage Festival

There was no report.

B. Park Committee

Councilwoman Guy reported on the repairs and plans for completing the installation of the refurbished dock, ADA compliant sidewalks and parking pad.

7. DEPARTMENT HEAD REPORTS

A. City Engineer – Mr. Ben Mabry, City Engineer reported that Union Park 2nd Addition plans were reviewed and the project ready to proceed when the developer was ready.

B. Fire – Brad Banz, Fire Chief, presented the monthly report and requested the Council authorize the Mayor to sign the Intergovernmental Fire Protection Agreement with Union Township.

Councilwoman Guy moved that the Council authorize the Mayor to sign the intergovernmental agreement with Union Township for fire protection. Councilwoman Winegarner second the motion. Motion carried 4-0.

C. Public Works –The monthly report was on file.

D. Police Department – Mark Hinkle, Chief of Police, presented the monthly report. Chief Hinkle informed the Council of the department's participation in the Click It or Ticket program beginning May 22nd running through June 4th. He reported there were 52 participants in the bike rodeo held on May 13th at the Library.

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

F. City Clerk – Ms. Brooks presented the monthly report. Mayor Spexarth questioned the status of the budget. Ms. Brooks stated that all department heads had participated in the preparation of the budget and until the County Clerk's information was received it was difficult to tell the outcome of the mill levy.

8. GOVERNING BODY COMMENTS

Mayor Spexarth congratulated the Library on the flier they mailed out over the weekend.

Councilwoman Winegarner questioned the building taking places at Stone Corner's addition. Mayor Spexarth stated it was a single family home and a duplex.

Councilman Winter requested that Legacy Bank be requested to dim their LED sign as it makes it difficult to see traffic during the early morning hours. Ms. Brooks stated she would forward the regulations to Legacy Bank and ask them to dim the sign.

Councilwoman Guy questioned that status of the cleanup of the old tanning salon. Mayor Spexarth reported that the owners would be tearing the building down by September.

9. EXECUTIVE SESSION

Mayor Spexarth requested a 10-minute executive session for discussion of non-elected personnel to include everyone at the table including Chief Mark Hinkle.

Councilwoman Banz moved that the Council recess to executive session for 10 minutes for discussion of non-elected personnel to include everyone at the table being the Mayor, City Attorney, and Chief Hinkle beginning at 8:25 p.m. Councilwoman Winegarner second the motion. Motion carried 4-0.

Councilwoman Banz moved to go out of executive session and into regular session at 8:35 p.m. Councilman Winter seconded the motion. Motion carried 4-0.

Councilwoman Banz moved to go into regular session at 8:35 p.m. Councilwoman Guy seconded the motion. Motion carried 4-0.

Councilwoman Guy moved that the Council give Jesolyn Trego a \$1.00 per hour raise effective the next pay period and Corey Heck \$1.50 per hour raise at the next pay period. Councilwoman Winegarner second the motion. Motion carried 4-0.

10. ADJOURNMENT

There being no further business, Councilwoman Guy moved for adjournment at 8:40 p.m. Councilwoman Winegarner second the motion. Motion approved 4-0.

Respectfully submitted
Diana K. Brooks, City Clerk