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**CITY OF COLWICH, KANSAS
CITY ADMINISTRATIVE CENTER
310 S. 2ND STREET
REGULAR COUNCIL MEETING
FEBRUARY 18, 2019
7:00 P.M.**

1. CALL TO ORDER

Mayor Kevin J. Dorritie on Monday, February 18, 2019 at 7:00 p.m. called the regular monthly meeting of the Colwich City Council to order.

ATTENDANCE

Present were Mayor Kevin J. Dorritie, Councilmembers Pamela Winegarner, Angela Banz, and Terrie Nicholson.

Staff members present were Corey Heck, Public Works Director, Mark Hinkle, Police Chief, Michael Rau, Fire Chief, Andrew Marino and Nolan Wright, City Attorneys and Diana Brooks, City Clerk.

PLEDGE OF ALLEGIANCE

Mayor Dorritie led the audience, staff and Council in the Pledge of Allegiance. He requested the agenda be amended to move Citizens Comments to follow a motion to amend the agenda.

Councilwoman Winegarner moved that the Council amend the agenda to move Citizens Comments immediately following the motion. Councilwoman Nicholson second the motion. Motion carried 3-0.

2. CITIZEN COMMENTS

Mayor Dorritie inquired if anyone would like to address the Council at this time. Mr. Kurt Burkhart, 114 Crocker Ct., volunteer firefighter, presented the Mayor and Councilmembers a copy of the letter agreed to by a number of firefighters supporting Chief Mike Rau.

Mr. Paul Rau, 6011 N. 167th St. reminded Council that Union Township receives fire protection from the Colwich Fire Department, the ISO rating lowering over the past years and the increase in the mill levy under Sedgwick County Fire District 1.

Mayor Dorritie asked if there were any further comments from the public. Hearing none, he called for a motion to recess into executive session to discuss an individual employee's performance under K.S.A. 75-4319 (b) for the discussion of non-elected personnel.

Councilwoman Banz moved that the Council go into executive session in the police department staff room with the subject to be discussed during the executive session being an individual employee's performance. The justification for closing the meeting is for discussion of non-elected personnel and the time and place at which the opening meeting will resume will be at 7:30 p.m. in the city council chambers. Those to be included in the executive session are the Mayor, Council, City Attorneys, City Clerk, and Michael Rau when requested for information purposes. Councilwoman Winegarner second the motion. Motion carried 3-0.

Mayor Dorritie stated that it was 7:30 p.m. and the Colwich City Council was called back in open session. He stated that no binding action was taken during the executive session.

Mayor Dorritie requested a second motion for executive session to discuss an individual employee's performance under K.S.A. 75-4319 (b) for the discussion of non-elected personnel to include the Mayor, Council, City Attorneys, City Clerk and Michael Rau when requested for information purposes.

Councilwoman Banz moved that the Council go into executive session in the police department staff room with the subject to be discussed during the executive session being an individual employee's performance. The justification for closing the meeting is for discussion of non-elected personnel and the time and place at which the opening meeting shall resume will be at 7:45 p.m. in the city council chambers. Those to be included in the executive session are the Mayor, Council, City Attorneys, and the City Clerk. Councilwoman Winegarner second the motion. Motion carried 3-0.

Mayor Dorritie stated that it was 7:45 p.m. and the Colwich City Council was called back in open session. He stated that no binding action was taken during the executive session.

Mayor Dorritie recommended termination of Michael Rau and his position as fire chief effective immediately.

Councilwoman Banz moved that the Council uphold the recommendation of the mayor and terminate Michael Rau. Councilwoman Winegarner second the motion. Motion carried 3-0.

3. NOTICES AND COMMUNICATIONS

There were no notices or communications.

4. DISCUSSION REGARDING THE APPOINTMENT OF COUNCIL VACANCIES

Mayor Dorritie reminded the Council of the strengths of Mr. Don Koci and James Treece as discussed at the special Council worksession held on January 22, 2019. He recommended the appointment of Mr. Don Koci to fill the unexpired term of Robert Winter.

Councilwoman Nicholson moved that the Council uphold the recommendation of Mayor Dorritie and appoint Mr. Don Koci to fill the unexpired term of Robert Winter. Councilwoman Banz second the motion. Motion carried 3-0.

Mayor Dorritie recommended the appoint of Mr. James Treece to fill his unexpired term that was vacated when he became Mayor.

Councilwoman Winegarner moved that the Council uphold the recommendation of Mayor Dorritie and appoint Mr. James Treece to fill his unexpired term. Councilwoman Banz second the motion. Motion carried 3-0.

Swearing in of new Councilmembers

Ms. Diana K. Brooks, City Clerk gave the oath of office to Mr. Don Koci and Mr. James Treece as Councilmembers.

5. PURCHASE REQUESTS AND ITEMS NEEDING COUNCIL ACTION

- A. Discussion of the request to continue the tax abatement on the property known as the Stolz property

Ms. Diana K. Brooks, City Clerk informed the Council of the 20-year tax abatement given to the Stolz family as consideration for the easement allowing a sewer main to be placed on their property. She stated that when the property sold the agreement ended and the new property owner was requesting the Council to consider the same type of agreement that was given to the Stolz family.

Mr. Andrew Marino, City Attorney requested that the item be tabled to allow time to look into the legality of issuing a tax abatement of this type.

Councilman Koci moved that the Council table this item to the next meeting to allow the City Attorney to research the matter and check the history of the legality for this type of agreement. Councilwoman Winegarner second the motion. Motion carried 5-0.

6. CONSENT AGENDA

- A. Approval of the minutes of the January 14, 2019 regular Council meeting

- B. Approval of the minutes of the January 22, 2019 special Council meeting
- C. Approval of the minutes of the February 6, 2019 special Council meeting
- D. Approval of the minutes of the February 12, 2019 special Council meeting
- E. Approval of the Appropriations Ordinance Nos. 19-01-02 and 19-02-02
- F. Approval of the January financial reports
- G. Monthly purchase orders – if any

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

7. DEPARTMENT HEAD REPORTS

- A. City Engineer – Mr. Mabry stated he had nothing to report.
- B. Fire – Mayor Dorritie stated that there would be a full report at the next meeting.
- C. Public Works – Corey Heck, Public Works Director, presented the monthly report. Councilman Koci questioned if the mapping of the water and sewer lines could be incorporated in the GIS program. Mr. Heck reported that the department would be working on locating the valves and making the GIS coordinates. Mayor Dorritie stated that there was a need to obtain portable radios for the Public Works Department. Councilwoman Banz complimented the Director on the improvements made to the shop.
- D. Police Department – Mark Hinkle, Chief of Police, presented the monthly report. He stated that the new truck was in transport and delivery of the vehicle was expected this week.
- E. City Attorney – Mr. Andrew Marino, City Attorney stated he nothing to report.
- F. City Clerk – Ms. Diana K. Brooks, City Clerk presented the monthly report.

8. GOVERNING BODY COMMENTS

Mayor Dorritie expressed his thanks and support for the volunteer firefighters. Mayor Dorritie recommended that Corey Heck administratively operate the Fire Department and that he wanted the volunteers to work with their chain of command to develop a plan for moving the department forward. The Council agreed to hold a special meeting once the department formulated a plan for their consideration.

Councilwoman Banz thanked the department heads for all their hard work.

Mayor Dorritie recommended Angela Banz as Council president.

Councilwoman Winegarner moved that the Council uphold the recommendation of Mayor Dorritie and appoint Angela Banz as Council President. Councilman Treece second the motion. Motion approved 5-0.

9. EXECUTIVE SESSION

Mayor Dorritie requested a motion for an executive session to discuss an individual employee's performance under K.S.A. 75-4319 (b) for the discussion of non-elected personnel to include the Mayor, Council, City Clerk, and City Attorneys.

Councilwoman Banz moved that the Council go into executive session with the subject to be discussed during the executive session being an individual employee's performance. The justification for closing the meeting is for discussion of non-elected personnel and the time and place at which the opening meeting would resume be at 8:40 p.m. in the city council chambers. Those to be included in the executive session are the Mayor, Council, City Attorneys, and the City Clerk. Councilwoman Winegarner second the motion. Motion carried 5-0.

Mayor Dorritie stated that it was 8:40 p.m. and the Colwich City Council was called back into open meeting. He stated that no binding action was taken during the executive session.

Councilwoman Nicholson moved that the Council uphold the recommendation raising the Public Works Director's hourly wage to \$24.00 per hour. Councilman Koci second the motion. Motion carried 5-0.

10. ADJOURNMENT

There being no further business, Councilwoman Winegarner moved for adjournment at 8:42 p.m. Councilwoman Nicholson second the motion. Motion carried 5-0.

Respectfully submitted
Diana K. Brooks, City Clerk