

City of Wellsville  
411 Main Street, P.O. Box 455  
Wellsville, KS 66092

Wednesday  
January 28, 2009  
City Hall Meeting Room  
7:00 p.m.

The regular meeting of the Wellsville City Council was held on Wednesday, January 28, 2009 at 7:00 p.m. in the City Hall Meeting room, 411 Main Street. Councilmen present were Kurt Taylor, Ron Samsel, Marvin Hutchinson, Jim Stonequist and Jerald Owings. Department heads present were Chief of Police Steve Gillespie, Fire Chief Robert Thomas, City Attorney Patrick Reavey, City Engineer Mike Brungardt and City Superintendent Chris Cross.

The pledge of allegiance and invocation were given.

Mayor Lytle called the meeting to order at 7:00

Councilman Kurt Taylor moved to approve the consent agenda as submitted. Councilman Marvin Hutchinson seconded. Motion passed 5 to 0.

**Board Report/Committee Reports**

Franklin County Commissioner Don Stottlemire informed Council of the County's recently revised meeting dates, times and chair changes.

Commissioner Stottlemire briefly reviewed the County's annual EMT report. The County is asking all department heads to try to cut 5% from their current budgets.

Planning Commission Chairperson Jeanine Berrier reported that the PC is currently working on incorporating a Planned Development process for the City.

**Old/New Business**

Ordinances 813 & 814 were submitted for approval. The Ordinances are titled as follows:

Ordinance 813 " An Ordinance amending Section 15.08.010 and 15.08.050 of Chapter 15.08 of the City of Wellsville code related to adoption of 2003 International Mechanical Code".

Ordinance 814 " An Ordinance amending Chapter 2.48 of the City of Wellsville code to include new article III adopting the 2003 International Fire Code.

Building Inspector Wes Brown explained the need for these additional codes.

Councilman Kurt Taylor moved to approve Ordinance 813. Councilman Marvin Hutchinson seconded. Motion passed 5 to 0.

Councilman Kurt Taylor moved to approve Ordinance 814. Councilman Marvin Hutchinson seconded. Disc: Councilman Jim Stonequist asked if the City had the manpower in place to enforce these new codes. City Attorney Patrick Reavey explained that the codes are intertwined with the 2003 Building Code and need to be in place to sufficiently enforce those codes. Motion passed 5 to 0.

The City's financial advisor Rick Ensz was present to briefly review a Capital Improvement Program that he has created for the City that covers finance options for the City's Capital

**Improvement Plan.** The CIP consists of proposed Sewer/Water/Storm Water projects over a 10 year period.

Mr. Ensz gave a brief explanation of the submitted financial program and suggested meeting again in a special study session to discuss the program in detail.

Mr. Ensz provided Council with information on the President's proposed stimulus package and how it might be disbursed. Mr. Ensz indicated that he felt that the funds will be primarily for projects that can be started within 120 days.

City Engineer Mike Brungardt encouraged Council to go ahead and submit request for funds that they feel could possibly be started with the 120 day requirement.

Council scheduled a study session for Thursday, February 12<sup>th</sup> at 5:30 p.m. To further discuss the Capital Improvement finance program.

Council reviewed and discussed pending code violations for 113 E 5<sup>th</sup> Street and 635 Main Street.

Councilman Ron Samsel asked what the City's options were in dealing with the non-compliance.

City Attorney Patrick Reavey explained that the City can either proceed with having the nuisance removed themselves and the property owner will be billed for the expense and if not paid, the costs will be assessed to the property taxes. The second option will be to fine the property owner everyday that they are in noncompliance.

Councilman Kurt Taylor moved to stay enforcement of noncompliance at 635 Main Street. Councilman Ron Samsel seconded. Motion passed 3 to 2. Councilman Jim Stonequist abstained. Councilman Marvin Hutchinson voted no.

Councilman Ron Samsel moved to begin fining the property owner at 113 E 5<sup>th</sup> Street for the code non-compliances Councilman Marvin Hutchinson seconded. Motion passed 3 to 2. Councilman Jim Stonequist abstained. Councilman Kurt Taylor voted no.

Building Inspector Wes Brown explained to Council that he was submitting a proposed ordinance for licensing certain occupational trades for them to review and use as a basis for their decision to implement this kind of code.

The matter was tabled for further review.

City Superintendent Chris Cross gave a brief public works activity report.

Chief of Police Steve Gillespie gave brief police department activity report.

Fire Chief Robert Thomas gave a brief fire department activity report and submitted additional bids for a washing machine for the fire department. The bids are as follows:

Sears \$694.00 + \$200.00 for a 3 year warranty  
Home Depot \$799.00 (no warranty)  
Mr. C's Maytag - \$799.00 (no warranty)

Councilman Jim Stonequist moved to purchase the washing machine from Sears for \$694.00. (won't purchase the additional warranty at this time). Councilman Kurt Taylor seconded. Motion passed 5 to 0.

**Fire Chief Robert Thomas informed Council that the City has received a grant for fire equipment. The total grant amount is around \$55,000.00. The City must match 5% which is around \$2800.00 and he has earmarked the debt in his 2009 budget.**

**Chief Thomas gave a brief report of his NIMS training and suggested that the City look at starting to put away funds for disasters.**

**Chief Thomas suggested that the City pay Jared Eggleston a small bonus for writing the fire equipment grant.**

**Councilman Kurt Taylor moved to give Jared Eggleston \$250.00 for his service in the City obtaining the fire equipment grant. Councilman Marvin Hutchinson seconded. Motion passed 4 to 1. Councilman Jim Stonequist voted no.**

**City Engineer Mike Brungardt briefed Council on the following topics: K33 annexation, discussions on the possibility of entering into the development of a wholesale water district to obtain water from the Hillsdale reservoir. He informed Council on the current progress of the water discussions with the City of Baldwin City in renegotiating the city's current water contract and entering into a mutual water study for distribution. The proposed engineering fees will be around \$15,000.00, he indicated that he hasn't talked to Baldwin about how the cost of the study will be disbursed, but suggested that to avoid partiality on the Engineer's part the City should really consider paying for half of the study.**

**The Mayor informed Council that the City has received a request from the owners of Wellsville Heights Apartments asking for the City's support in their desire to obtain grant funds to make improvements to the Wellsville complex.**

**Council consensus was to authorize the Mayor to sign the letter of support on the Wellsville Heights Apartments improvements.**

**Councilman Kurt Taylor suggested that the City inform the candidates who have currently filed for the councilman positions.**

**Councilman Marvin Hutchinson moved to adjourn. Councilman Jerald Owings seconded. Motion passed 5 to 0.**

**The meeting adjourned at 8:30 p.m.**

**City Clerk  
Donna Layton**