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**CITY OF COLWICH, KANSAS  
CITY ADMINISTRATIVE CENTER  
310 S. 2<sup>ND</sup> STREET  
REGULAR COUNCIL MEETING  
AUGUST 17, 2015  
7:00 P.M.**

**1. CALL TO ORDER**

Mayor Terrence D. Spexarth on Monday, August 17, 2015 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, Pamela Winegarner, Stephanie Guy, Angela Banz with Doyle Dodd absent.

Staff members present were William Gondoly, Public Works Director; 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 – Adopting the 2016 Budget

**Councilmember Banz moved that the Council open the public hearing for the adopting of the 2016 Budget at 7:00 p.m. Councilmember Winegarner second the motion. Motion carried 4-0.**

Mayor Spexarth stated that the purpose of the hearing was to take comments or questions from the public regarding the adopting of the 2016 Budget. Mayor Spexarth called for public comments, hearing none he called for a motion to close public hearing.

**Councilmember Banz moved that the Council close the public hearing at 7:02 p.m. Councilwoman Winegarner second the motion. Motion carried 4-0.**

**Councilmember Banz moved that the Council approve Resolution No. 471 informing the public of an increase in the mill levy. Councilwoman Winegarner second the motion. Motion carried 4-0.**

**Councilman Winter moved that the Council adopt the 2016 budget. Councilwoman Guy second the motion. Motion carried 4-0.**

## 2. NOTICES AND COMMUNICATIONS

There were no notices or communications.

## 3. CITIZEN COMMENTS

Ms. Shellie Ewertz, 106 S 1<sup>st</sup>, expressed concerns regarding the prohibiting of semi-trucks and trailers on Wichita Ave due to the deterioration of the street. She requested leniency for three months until their new home was built and she explained the inconvenience of having to park the truck at the Coop. Mr. Stanley Juhnke, City Attorney reminded the Council that they could not make an exception to the City Code.

Mayor Spexarth stated that the Council would discuss the matter later in the meeting and the city clerk would inform her of the Council's decision.

## 4. PURCHASE REQUESTS AND ITEMS NEEDING COUNCIL ACTION

### A. Discussion of park hours and alcohol consumption on city property

Chief Mark Hinkle, Chief of Police, questioned if the Colwich Ball Club fell under the park operation hours and questioned what action the Council wanted taken when tournaments allowed alcohol outside the specified area. Ms. Brooks stated that the City Code allowed alcohol only in the areas specified on the temporary event permit application with the City Council's approval. Mr. Juhnke states that all tournaments must have temporary special event permits.

Mr. Jon Scott, President, Colwich Ball Club, stated that when tournaments were scheduled the ball club tells applicants they must have a temporary special event permit to have alcohol. Mayor Spexarth clarified that if the Police Department wrote tickets for alcohol violations the City had the Ball Club's support. Mr. Scott stated they did.

There was discussion regarding the need for a special meeting to allow tournaments extend their hours due to special conditions, i.e. weather delays.

### B. Review of the bids for a new tractor and accessories – presented at meeting

Mayor Spexarth reviewed the bids presented for the tractor and accessories with the best bid being determined to be Prairie Land Partners at a cost of \$119,100.

**Councilwoman Banz moved that the Council approve the purchase of the John Deere tractor with the \$52,000 down payment and three lease payments of \$22,366.70 each for a total of \$119,100. Councilwoman Winegarner second the motion. Motion carried 3-1 with Councilwoman Guy voting nay.**

C. Discussion of a complaint regarding mosquito spraying

Mr. and Mrs. Jeremy Hall, 434 S. 3rd requested the Council consider not spraying for mosquitos or use all natural products so it would not affect their organic gardening and affect people with asthma or other breathing difficulties.

The consensus of the Council was to look for natural options to take care of the mosquito problem.

D. Discussion the parking of trucks over 18,000 lbs.

Mayor Spexarth questioned Council's direction on the parking of trucks over 18,000 lbs. Councilwoman Banz questioned the zoning regulations as it relates to parking of trucks over 18,000. Ms. Brooks stated that the city code lays out the truck route, parking regulations, and the definition of residential district.

There was discussion regarding setting a time limit along the truck route, the problem with a business owner using the city street to stage the company's vehicles, and install signs prohibiting overnight parking.

The consensus of the Council was to uphold the city code and deny the request for leniency from Ms. Ewertz.

E. Appointing a voting delegate and an alternate for the annual League of Kansas Municipalities meeting

Mayor Spexarth stated that this was an annual action and requested the Council appoint a voting delegate and an alternate for the annual League of Kansas Municipalities business meeting.

**Councilwoman Winegarner moved that the Council appoint Councilwoman Banz as the voting delegate and Ms. Brooks as the alternate. Councilman Winter second the motion. Motion carried 4-0.**

F. Discussion of tree dumping regulations – Andy Miller, A & M Tree Service

Mayor Spexarth reviewed the approval of the request by Andy Miller when he first began his business to allow him to dump brush for Colwich residents he was servicing. However, his business has expanded and he is removing full trees with stumps and logs. Mayor Spexarth stated that city staff was prohibiting him from dumping at the brush because he is a commercial business and the sign states no commercial dumping. Mayor Spexarth questioned Council's direction on whether to allow him to continue to dump brush, logs and stumps.

The Council consensus was to restrict all commercial dumping at the brush pile.

**5. CONSENT AGENDA**

- A. Approval of the minutes of the July 20, 2015 Council meeting
- B. Approval of the Appropriations Ordinance No. 15-07-02 and 15-08-01
- C. Approval of the July financial reports

**Councilwoman Banz moved that the Council approve the consent agenda A-C as presented. Councilwoman Winegarner second the motion. Motion approved 4-0.**

**6. COMMITTEE REPORTS**

- A. Heritage Festival

Ms. Mary Ann Morrison reported on plans for the festival, highlighted the plans for the car show, and stated that all the information regarding the festival was on the city's website. She requested the Mayor welcome the veterans at the REC reception.

- B. Park Committee

Councilwoman Guy stated that the vendor completed the installation of the new dock, ICM moved the old dock to their lay down area, and the benches and picnic tables arrived. She presented the bid from Powder Tech for sandblasting and powder coating the ironwork at Veterans Park for a total amount of \$699.

**Councilwoman Guy moved that the Council approve the bid from Powder Tech in the amount of \$699 to get the work done as soon as possible. Councilwoman Banz second the motion. Motion carried 4-0.**

- C. Marketing Committee

Councilwoman Winegarner stated that the school was questioning the Council's interest in participating in the home show in 2016.

**Councilwoman Winegarner moved that the Council approve participating in the home show in 2016. Councilwoman Banz second the motion. Motion carried 4-0.**

- D. Annexation and FEMA Committee

Councilman Winter highlighted the information provided at the July 21<sup>st</sup> FEMA meeting and the potential impact the map changes could make on homeowners insurance policies.

- E. Library Board – Mayor Spexarth stated the report was in the packet.

**7. DEPARTMENT HEAD REPORTS**

- A. City Engineer – There was no report. There was discussion regarding ICM’s insurance company requiring them to install a fire suppression system. Mayor Spexarth question if the water lines in that area could service this change. Mr. Mabry stated he would review the lines for adequate pressure or determine whether they needed a booster pump.
- B. Fire – Chief Brad Banz, Fire Chief presented the monthly report and thanked the 4-H group for the cookies. Chief Banz presented photographs of the improvements made to the brush truck.
- C. Public Works – William Gondoly, Public Works Director presented the monthly report and stated that the generator struck by lightning needed minor adjustments.
- D. Police Department – Chief Hinkle was not present. The monthly report was in the packet.
- E. City Attorney – Mr. Stanley Juhnke, City Attorney, had nothing to report.
- F. City Clerk - Ms. Brooks presented the monthly report and stated that the insurance adjustor verified all items repaired and the final payout should be received soon.

Councilwoman Banz questioned that status of the LED sign. Mayor Spexarth stated that he was hoping the issues would be resolved by the end of the week.

**8. GOVERNING BODY COMMENTS**

Mayor Spexarth reminded Council of the league meeting in October and requested the city logo be redesign.

**9. EXECUTIVE SESSION**

No executive session was needed.

**10. ADJOURNMENT**

**There being no further business, Councilwoman Banz moved for adjournment at 9:27 p.m. Councilwoman Winegarner second the motion. Motion approved 4-0.**

Respectfully submitted  
Diana K. Brooks, City Clerk