

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
AUGUST 15, 2019
7:00 P.M.**

1. CALL TO ORDER

Mayor Kevin J. Dorritie on Monday, August 19, 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 Angela Banz, Terrie Nicholson, Kenneth Davis with Don Koci and James Treece absent.

Staff members present were Mark Hinkle, Chief of Police, Corey Heck, Public Works Director, Maurice Lallament, Fire Chief, Andrew Marino, City Attorney, Stephanie Guy, Deputy City Clerk and Diana Brooks, City Clerk.

PLEDGE OF ALLEGIANCE

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

2. NOTICES AND COMMUNICATIONS

There were no notices or communications.

3. CITIZENS COMMENTS

There were no citizen comments.

4. PURCHASE REQUESTS AND ITEMS NEEDING COUNCIL ACTION

- A. Review of the request to approve Resolution No. 485 Authorizing the Sale and Conveyance of Certain Property to ICM, Inc. – Dominic Eck Gilmore and Bell

Mr. Dominic Eck, Gilmore and Bell stated that after review of the IRBs for ICM it was determined that a portion of the property included in the 2005 IRB issue had property that needed to be deeded back to ICM. He stated that Resolution No. 485 resolved the matter and requested Council approve Resolution No. 485.

Councilwoman Banz moved that the Council approve Resolution No. 485 authorizing the sale and conveyance of certain property to ICM, Inc. Councilwoman Nicholson second the motion. Motion carried 3-0.

- B. Review of the request to approve the Temporary Special Event Permit for the Colwich Community Foundation for Heritage Festival

Ms. Diana Brooks, City Clerk requested Council approve the temporary special event permit submitted by the Colwich Community Foundation for Heritage Festival contingent upon receiving the necessary certificate of insurance.

Councilwoman Banz moved that the Council approve the temporary special event permit for the Colwich Community Foundation for Heritage Festival contingent upon receiving the certificate of insurance. Councilman Davis second the motion. Motion carried 3-0.

- C. Review of the request to approve the cereal malt beverage license for Steven Fessenden for the Beer Garden at the Heritage Festival

Mayor Dorritie requested Council approve the cereal malt beverage license for Steven Fessenden for the Beer Garden at the Heritage Festival contingent upon receiving the necessary certificate of insurance and a revised map showing the correct area for the beer garden.

Mr. Fessenden stated that a certificate of insurance for the beer garden may be too costly and requested to be allowed to pull the application should he be unable to find a cheaper coverage. There was discussion regarding the strength of the beer needing assurance of insurance coverage clarified, the beer garden area needing clarified, and the waiving of the distance regulations per city code.

Councilwoman Banz moved that the Council approve the cereal malt beverage license submitted by Steven Fessenden for the beer garden at the Heritage Festival on September 21st contingent upon either Mr. Fessenden or the Foundation providing the certificate of insurance and waive the distance requirement as required by the City Code as it is within 200 ft of the assisted living center and providing a revised map accurately depicting the beer garden. Councilman Davis second the motion. Motion carried 3-0.

- D. Review of the request to destroy records per the Records Retention Policy for 2019

Ms. Diana Brooks, City Clerk requested Council approve the destruction of the records that had met their retention period.

Councilwoman Nicholson moved that the Council approve the destruction of the City records as listed. Councilwoman Banz second the motion. Motion carried 3-0.

- E. Review of the request to adopt Ordinance No 722 amending Chapter 4 amending the International Residential Code

Ms. Brooks informed the Council that upon review of the city code book that Chapter 4 needed amending to correct the International Residential Code used by the Metropolitan Area Building and Construction Department. She stated this would keep the City in compliance with the interlocal agreement for inspection of new home construction.

Councilwoman Banz moved that the Council adopt Ordinance No. 722 amending Chapter 4 of the City Code. Councilman Davis second the motion. Motion carried 3-0 with Councilwoman Nicholson voting yea; Councilwoman Banz voting yea; and Councilman Davis voting yea.

- F. Review of the request to adopt Ordinance No. 723 amending Chapter 4 amending the International Electrical Code

Ms. Brooks informed the Council that upon review of the city code book that Chapter 4 needed amending to correct the International Electrical Code used by the Metropolitan Area Building and Construction Department. She stated this would keep the City in compliance with the interlocal agreement for inspection of all electrical work.

Councilwoman Nicholson moved that the Council adopt Ordinance No. 723 amending Chapter 4 of the City Code. Councilman Davis second the motion. Motion carried 3-0 with Councilwoman Nicholson voting yea; Councilwoman Banz voting yea; and Councilman Davis voting yea.

- G. Review of the request to appoint a voting delegate for the League's meeting

Ms. Brooks requested the Council appoint the deputy city clerk to be the voting delegate at the annual business meeting held at the League's annual conference in October.

Councilwoman Nicholson moved that the Council appoint the deputy city clerk to be the voting delegate at the 2019 League of Kansas Municipalities annual business session to be held in Overland Park. Councilwoman Banz second the motion. Motion carried 3-0.

5. CONSENT AGENDA

- A. Approval of the minutes of the July 15, 2019 regular Council meeting
- B. Approval of the Appropriations Ordinance Nos. 19-07-02 and 19-08-01
- C. Approval of the July financial reports

Councilwoman Banz moved that the Council approve the consent agenda as presented. Councilwoman Nicholson second the motion. Motion approved 3-0.

6. DEPARTMENT HEAD REPORTS

- A. City Engineer – The City Engineer was absent. Ms. Brooks stated that Mr. Mabry reported the dam inspection was complete, minor issues were reported, and the report was filed with the Kansas Department of Agriculture before the deadline.
- B. Fire – Mr. Maurice Lallament, Fire Chief presented the monthly report.
- C. Public Works –Corey Heck, Public Works Director, presented the monthly report. He stated that the Bobcat skid steer would be delivered the first week in September.
- D. Police Department – Chief Mark Hinkle, Chief of Police presented the police department’s monthly report.
- E. City Attorney – Mr. Andrew Marino, City Attorney stated he had nothing to report.
- F. City Clerk – Ms. Diana K. Brooks, City Clerk presented the monthly report, thanked the staff for helping with the park wrap up event, and presented an article about the event to be sent to the League for possible publication.

Ms. Stephanie Guy, Deputy City Clerk, informed the Council of the fund raising efforts for the Hockett family at the Heritage Festival.

7. GOVERNING BODY COMMENTS

There were no governing body comments.

8. EXECUTIVE SESSION

Mayor Dorritie requested an executive session for the discussion of performance of non-elected personnel to include the Mayor, Council, City Attorney, City Clerk and any other personnel as requested by Council to answer questions should the need arise.

Councilwoman Banz moved that the Council go into executive session with the subject to be discussed during the executive session being discussion of the performance of various personnel with the justification of closing the meeting to discuss non-elected personnel with the time and place at which the open meeting shall resume at 8:10 p.m. in the city council chambers. Those members included in the executive session are the Mayor, Council, City Attorney, City Clerk and any other personnel as requested by Council that may need to answer any questions. Councilman Davis second the motion. Motion carried 3-0.

Mayor Dorritie stated it was 8:10 p.m. and the Colwich City Council was back in open meeting and that no binding action was taken during the executive session.

9. ADJOURNMENT

There being no further business, Councilman Davis moved for adjournment at 8:15 p.m. Councilwoman Nicholson second the motion. Motion carried 3-0.

Respectfully submitted
Diana K. Brooks, City Clerk