

**KECHI CITY COUNCIL MEETING MINUTES**  
**October 24, 2019**

**I. CALL TO ORDER**

Mayor, John Speer called the regular meeting of the Kechi City Council to order. The time was 7 PM

**Council present:** Betty Washington, Brian Adams, David McConaughay, Margaret McCormick & Kevin Opat w

**Staff present:** Andrew Kovar, City Attorney; Laura Hill, City Clerk, Nicole Bailey, City Treasurer; John Blevins, Chief of Police

**Visitors present:** Taylor Messick, Ark Valley News; Sandra McConaughay; Scout Troop 404 members & parents; Liz Basford, Rachel Trumbull, Curtis Zerr, Trevor Kauffman, PEC; Mr. & Mrs. Gary Gelvin

**A. PLEDGE OF ALLEGIANCE**

Colors were presented by BSA Troop 404

**B. APPROVE CONSENT AGENDA**

**Motion by** Brain Adams to approve the consent agenda. Second by Margaret McCormick. Motion carried 5-0-0.

**Consent agenda**

**1. Approve the minutes of October 10, 2019**

**C. APPROVE AGENDA**

**Motion by** Brian Adams to approve the agenda. Second by Betty Washington. Motion carried 5-0-0.

**II. COMMUNICATIONS**

**A. PUBLIC FORUM - Public wishing to address the Council, are asked to sign a Public Forum Request Form in the foyer, listing your topic along with your name, address and phone number, for the record. You are asked to limit your presentation to five minutes. Your comments or requests maybe addressed at a future meeting.**

**B. KECHI CIVIC GROUPS/COMMITTEES**

1. Curtis Zerr, Kechi Arts Council reported on some activities that the group was doing & the progress of refurbishing of the old Post Office Building behind city hall. He reported the Arts council would be giving some additional funds to the city for the re-habilitation of the Playhouse project but requested \$2,000 be incumbered for a recognition plaque to be presented once the project is complete.

**III. OLD BUSINESS**

**IV. NEW BUSINESS**

**A. Kechi Business Park Change Order #2**

Nicole Bailey, City Treasurer (Acting City Administrator) reported the following:

- On February 14, 2019 the Kechi City Council approved Ordinance #1735-19 authorizing improvements to the Kechi Business Park. During the same meeting, petitions were accepted from Alley Investments, LLC authorizing the assessment of the cost of such improvements against the Kechi Business Park benefit district.
- Construction began on the project on August 5th. At that time, Change Order #1 was approved to extend the final completion date from October 29<sup>th</sup> to November 16<sup>th</sup>.
- On October 9<sup>th</sup>, PEC recommended Change Order #2 to extend the final completion date, a second time, to November 23<sup>rd</sup> and add \$6,350.95 to the contract amount for water and sewer line extensions.
- When bids were let, it was originally thought that the water and sewer lines in an adjacent property ran to the property line, as work progressed it was discovered the lines were further back than specified.

- The \$6,350.95 increase in the contract amount is for additional labor, materials, and mobilization already incurred by the subcontractor. Requested approval of the change order #2

**Motion by** Kevin Opat to approve Change Order #2 for Kechi Business Park extending the the final completion date to November 23<sup>rd</sup> and increasing the construction contract by \$6,350.95 and authorize the Acting City Administrator to sign. Second by Betty Washington. Motion carried 5-0-0.

**B. Young Industrial Sanitary Sewer Phase 2 Supplemental Agreement**

Nicole Bailey, City Treasurer (Acting City Administrator) reported the following:

- On October 24, 2018, the City approved an agreement with Professional Engineering Consultants, P.A. (PEC) for engineering design, field survey services and construction administration for the Young Industrial Phase 2 Sanitary Sewer Improvements in the amount of \$12,300.
- On April 11, 2019, the City approved an agreement with Dondlinger Construction & Company, Inc. in the amount of \$222,015 for the construction phase of the project.
- On July 25, 2019, the City approved a change order to the project in the amount of \$30,525 to fix an elevation issue. It was determined at that time that the elevation issue was attributed to the design and construction of the existing sanitary sewer line and therefore the responsibility of the City.
- Due to the additional work, PEC has incurred additional construction administration costs and is now requesting a supplemental agreement increasing their original contract amount by \$2,000. Recommending Approval of the supplemental agreement.

**Motion by** Margaret McCormick to approve the Young Industrial Phase 2 supplemental agreement with PEC and authorize the Mayor to sign. Second by David McConnaughay. Motion carried 5-0-0

**C. Kechi Playhouse Change Order #2**

Nicole Bailey, City Treasurer (Acting City Administrator) reported the following:

- The City of Kechi has received a \$250,000 Community Development Block Grant from the Kansas Department of Commerce to rehabilitate the property located at 100 E. Kechi Road, the Kechi Playhouse.
- On June 13, 2019, the Kechi City Council approved a contract for construction in the amount of \$260,795 with Compton Construction, LLC of Wichita. Construction began on August 13, 2019.
- Since construction began, Kechi city staff, WDM Architects, and SCKEDD have met with Compton Construction on a bi-weekly basis to obtain status updates.
- On September 26, 2019 the Kechi City Council approved a change order for brick attachment anchors and additional masonry work on the North and West walls in the amount of \$18,095.
- On October 8, 2019, WDM Architects advised the City should consider a second change order to stabilize additional sections of the West wall and the entire East wall. While not an immediate concern, WDM Architects advised these sections should be addressed to avoid future failure of the brick façade. Recommended approval of the change order.

**Motion by** Betty Washington to approve the change order for masonry work on the property located at 100 E. Kechi Road in the amount of \$9,944. Second by Kevin Opat. Motion carried 5-0-0.

**D. Park Master Plan**

Nicole Bailey, City Treasurer (Acting City Administrator) reported the following:

- In the 2019 Adopted Budget, \$40,000 was allocated in the Capital Reserve for a Master Park Plan.
- On September 19th a request for qualifications was sent nationwide to 29 firms. Three proposals were received with project amounts ranging from \$38,000 to \$40,000.
- An internal committee comprised of the Park & Tree Board Chair, the City Administrator, the Assistant Public Works Director, the City Treasurer, and a governing body member, reviewed the proposals on October 16<sup>th</sup> and selected Vireo.

- Vireo is a Kansas City-based consulting firm with expertise in community engagement and natural resource planning. Vireo most recently completed the community engagement portion of the Kechi Arts & Business District Master Plan.
- The purpose of the Master Park Plan is to assess the current and future recreational needs of the City of Kechi, in order to better plan, fund, manage, and develop parks, facilities, and natural areas. The Master Park Plan will build on previous planning efforts including the Comprehensive Plan and the Arts & Business District Master Plan.
- Development of the Master Park Plan will include the direction of a steering committee (which will include all members of the Park & Tree Board), as well as, focus groups and interviews with key community stakeholders. The process may include, but is not limited to, the following participants:
  - Mayor and City Council Members
  - City staff
  - Youth organizations
  - Faith-based organizations
  - Neighborhood leaders and groups
- Work is anticipated to begin in November with the final report being delivered by March 31, 2020. Recommended Vireo for the project.

**Motion by** Brian Adams Approve and authorize the Mayor to sign the agreement with Vireo for \$40,000. Second by Kevin Opat. Motion carried 5-0-0.

- **E. Court Appointed Counsel Compensation**

**1. Ordinance 1754-19** – An Ordinance repealing and replacing Chapter IX, Article 1, Sections 9-114 and 9-115 of the Code of the City of Kechi, Kansas regarding Court Appointed Counsel and Compensation. Nicole Bailey, City Treasurer (Acting City Administrator) presented the following:

The Kechi Municipal Court is required per Section 9-112 of the City Code to provide defendants with court appointed counsel should they not be able to afford representation.

- Per Section 9-114 of the City Code court appointed counsel is to be paid \$50 per hour up to a maximum of \$250 for driving under the influence cases and \$150 for all other misdemeanor cases.
- The Court staff has reviewed compensation for court appointed counsel, as well as, the City Code pertaining to such compensation and now recommends:
  - The language in the City Code pertaining to compensation for court appointed counsel be revised to allow the Court to charge defendants a maximum amount established by resolution.
  - The court appointed attorney fee be revised, within the fee resolution, to a flat \$250 for driving under the influence cases and a flat \$150 for all other misdemeanor cases.
- The recommended changes are beneficial to the defendant because:
  - Transparency is increased, as defendants will know the cost of court appointed counsel up front.
  - Case processing time is decreased, as defendants will not have to wait for court appointed counsel to turn in invoices to settle their case.
- The recommended changes are beneficial to court appointed counsel because:
  - Flat rates will bring payment for services in line with other municipalities.
  - Flat rates provide reliability in the amount of compensation received per case.

**Motion by** Kevin Opat to Adopt Ordinance 1754-19 repealing and replacing Chapter IX, Article 1, Sections 9-114 and 9-115 of the Code of the City of Kechi, Kansas regarding court appointed counsel compensation. Second by David McConaughay. Motion carried 5-0-0.

**2. Fee Resolution 19-706** - A Resolution of the City of Kechi, Kansas; Establishing fees and charges authorized pursuant to the City Code for services related to Land Use Applications; Contractor Licensing, Building Inspections, Administrative Services, Operation of the Municipal Court, , and other services rendered by or through City Forces; and Repealing Resolution 18-686.

**Motion by** Kevin Opat adopt Resolution 19-706 establishing fees and charges pursuant to the City Code for services related to land use applications; contractor licensing, building inspections, administrative services, operation of the municipal court, and other services rendered through city forces; and repealing Resolution 18-686. Second by Margaret McCormick. Motion carried 5-0-0.

**V. ADJOURNMENT**

Kevin Opat suggested the city staff invite the county commissioners to a council meeting in the near future.

**Motion by** Betty Washington to adjourn. Second by Margaret McCormick. Motion carried 5-0-0. The time was 7:54 PM

Signed: \_\_\_\_\_  
John Speer, Mayor

Attest: \_\_\_\_\_  
Laura Hill, City Clerk