

UNAPPROVED MINUTES

THE RECORD OF THE PROCEEDINGS OF THE GOVERNING BODY CITY OF CHETOPA, KANSAS

August 20, 2019

The Chetopa City Council met in regular session on Tuesday, August 20, 2019 at 7:00 p.m., at City Hall.

PRESIDING: Mayor Terry G. Robison.

PRESENT: Council Members/Gary W. Bryant, Juanita Kepner, Geraldine Castle, Betsy Koontz, Carthen Nash and Linda Seaman.

ALSO PRESENT: Clerk/Toni A. Crumrine, Police Chief Scott Feagan, Attorney Shane Adamson, City Supervisor Bryan Midgett, Labette County Sheriff Darren Eichinger, Police Officer Travis Rakestraw, Luke and Savannah Wethey, Vicie J. Johnson, Charlotte Tash, Steven Coonen, Jim Blundell, Kathy Pease, Steve Hamm, Lee Bushong, Scherrill McConnell, Charles Archer.

Mayor Robison called the meeting to order and opened with prayer.

Visitors Luke and Savannah Wethey were requested to be added to the agenda.

Motion by Nash, second by Koontz to approve the agenda with the visitor addition.

Motion carried.

Motion by Bryant, second by Koontz to approve the Minutes from the last regular meeting. Motion carried.

Motion by Nash, second by Kepner to approve the Municipal Court Report. Motion carried.

Motion by Nash, second by Seaman to approve the Treasurer's Reports. Motion carried.

Bryant asked about the number of Empire Bills that are being paid and there are two to Empire/Liberty and one to Southwest Power Pool.

Motion by Nash, second by Bryant to approve the Warrant Register. Motion carried.

APPROPRIATION ORDINANCE # 3590 as follows:

Payroll Funds	\$29196.90
Other Funds	<u>55108.70</u>
Total of all funds	\$84305.60

MAYOR, COUNCIL, EMPLOYEE & VISITORS

Savannah and Luke Wethey discussed the issues that they were having with their neighbor and the options that they had to resolve the problem. The option of signing a petition to close that portion of the unmaintained street or getting the property surveyed was discussed.

Lee Bushong was present to discuss the ditch and water issue on property at 628 Cherry that was purchased as a rental property. City Supervisor Midgett will meet with Bushong in the morning at 8:15 to look at what can be done. (Bushong left)

UNAPPROVED MINUTES

Mayor Robison stated that it is time to do evaluations and had not gotten any recommendations on changes to the evaluation form being used and asked if the council still wanted evaluations done. Discussion followed.

Motion by Bryant, second by Kepner to continue doing employee evaluations. Motion carried. Castle had stepped outside and was not present for vote.

Seaman, Koontz and Castle all had comments about properties, ditches, etc. needing mowed. **Castle** also noted that there is a lot of grass being thrown in the street when people are mowing, which poses a safety issue for people on motorcycles, etc. This has been discussed previously and the clerk will look back to see what was discussed.

Koontz reported that someone has been seen at the trailer that is parked by the container on Locust St.

Clerk Crumrine discussed the email from Bobbi Williams about having a registered farmers' market, read two thank you cards, presented the new LCC CTE Program contract, asked if any revisions were noted on the pool manual, asked if a fall cleanup would be scheduled and asked Attorney Adamson if a liability waiver had been written for the Blundell condemnation. The following discussions and actions were taken: Scherrill McConnell was recognized and stated that other towns that have farmers market do not collect sales tax. Bobbi Williams will be asked to come to the next council meeting. Castle discussed several instances that water was being wasted at the pool with sprinklers being turned on when swimmers were not there and lifeguards washing their vehicles. Attorney Adamson gave the liability waiver to the clerk to be presented to Joe Blundell for his signature.

Motion by Bryant, second by Koontz to sign the CTE Agreement. Motion carried.

Motion by Nash, second by Bryant to have a city-wide cleanup running from September 9th to 23rd. Motion carried.

Attorney Adamson presented the ordinance to enforce the wildlife and park regulations.

Motion by Bryant, second by Nash to have ordinance presented at the next meeting. Motion carried.

CHARTER ORDINANCE

A charter ordinance to set the time for the swearing in of new governing body members was presented. Newly elected members will be sworn in and outgoing members will end their term at the first meeting in January that will be held no later than the second Monday of January.

Motion by Nash, second by Seaman to adopt Charter Ordinance No. 17. Motion carried. This ordinance will be published two consecutive weeks and will take effect 61 days after the final publication unless a sufficient petition for a referendum is filed.

CHARTER ORDINANCE NO. 17/A CHARTER ORDINANCE EXEMPTING THE CITY OF CHETOPA, KANSAS FROM THE PROVISIONS OF K.S.A. 14-103, 14-201 AND 14-204 RELATING TO THE ELECTION AND APPOINTMENT OF THE MAYOR, COUNCIL MEMBERS AND CITY OFFICERS, THEIR TERMS OF OFFICE, TRANSITIONS TO NOVEMBER ELECTIONS, THE APPOINTMENT OF OFFICERS AND NOMINATION PETITIONS; AND PROVIDING SUBSTITUTE AND

UNAPPROVED MINUTES

ADDITIONAL PROVISION ON THE SAME SUBJECT; AND REPEALING CHARTER ORDINANCE NO. 15.

PETITION PROCESS DISCUSSION

The county clerk had notified the city clerk concerning the petition that Lisa Haney had filed to repeal the Veterans Park curfew that was set by a previous ordinance. The filing process had not been done correctly and Haney will need to redo the petition but Clerk Crumrine did not know if Haney had been contacted yet. It will be too late to get this on the November ballot, so a special election will need to be held to put the curfew question before the residents, if a new petition is turned in and the signatures are validated by the county.

EXECUTIVE SESSION

Motion by Nash, second by Koontz to enter into a 30 minute Executive Session to discuss non-elected personnel with mayor, council, legal counsel, police officers and Sheriff Eichinger present with session ending at 8:35 p.m. Motion carried. Note: Officer Rakestraw was not present in executive session.

Entered: 8:05 p.m.

Returned: 8:35 p.m.

Mayor Robison called the meeting back to order and the following action was taken.

Motion by Koontz, second by Castle to accept the resignation of Corey Brown effective August 16, 2019. Motion carried.

Police Chief Feagan passed out a July 2019 Department activity report. Feagan wanted to commend Officer Rakestraw on his handling of the situation while Feagan was gone. Police Chief Feagan, who is the President of the First Responders, asked if Julia Nash could be appointed to clean the fire station office and be paid 30-minutes per pay period. Nash is currently enrolled at LCC and the CTE program only covers employees.

Mayor Robison appointed Julia Nash to cleaning the fire station office.

Motion by Koontz, second by Kepner to confirm the appointment. Motion carried. Nash abstained.

CULVERT POLICY

Clerk Crumrine asked for a policy regarding the installation of culverts in the city. There has been an inconsistency in what is being charged for. A request for a drive into a pasture has been made and Crumrine discussed that at a residence, one culvert is put in by the city and maintained and if a second drive was wanted the resident paid. The issue is that in some instances, the resident paid for the rock, or the culvert or both and the city supplied the labor and Crumrine wanted a policy to be decided on so that there would be no doubt what would be charged. It was determined that the first culvert would be installed at the expense of the city, if a second culvert was requested, the resident would be charged for the culvert and rock. A drive into a pasture, the owner would be charged for the culvert and rock. Crumrine will draft an ordinance to adopt this policy.

DRAINAGE DITCH DISCUSSION

Jerry Dayhuff had contacted the clerk regarding spraying the natural waterway that runs through his property as he can't. The waterway is part of the city drainage as the storm water

UNAPPROVED MINUTES

runs through that property. Because it was on private property, the clerk wanted the council's decision whether to have the city spray the weeds along the waterway. Nash stated that he probably knew someone who could do that for the Dayhuffs.

Attorney Adamson requested that the city purchase The Local Government Law book.

Motion by Nash, second by Castle to allow the purchase of the book for the attorney.

Motion carried.

Motion by Bryant, second by Kepner to adjourn. Motion carried.

Seal

Mayor

City Clerk