

UNAPPROVED MINUTES

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

July 21, 2020

The Chetopa City Council met in regular session on Tuesday, July 21, 2020 at 7:00 p.m., at City Hall.

PRESIDING: Mayor Tammy Bushong.

PRESENT: Council Members/Gary W. Bryant (via speaker phone), Geraldine Castle, Ernie Wulf and Linda Seaman. Carthen Nash and Juanita Kepner were not present.

ALSO PRESENT: Clerk/Toni A. Crumrine, Police Chief Scott Feagan, City Supervisor Bryan Midgett, Attorney Shane Adamson (via speaker phone), Bruce Boettcher, Lee Bushong, Kenny Allman and Phil Jarred (at 7:10 p.m.).

Mayor Bushong led the council and visitors in the Pledge of Allegiance and opened in prayer.

It was requested to add discussion of the mowing position and an executive session to discuss pending litigation.

Motion by Castle, second by Seaman to approve the agenda with the requested additions. Motion carried.

Motion by Seaman, second by Castle to approve the Minutes of the last regular meeting. Motion carried.

Motion by Castle, second by Seaman to approve the Municipal Court Report. Motion carried.

Motion by Bryant, second by Wulf to approve the Treasurer's Reports. Motion carried.

Motion by Castle, second by Seaman to approve the Warrant Register. Motion carried.

APPROPRIATION ORDINANCE # 3612 as follows:

Payroll Funds	\$25468.54
Other Funds	<u>67212.21</u>
Total of all funds	\$92680.75

MAYOR, COUNCIL, EMPLOYEES & VISITORS

Phil Jarred with Jarred, Gilmore & Phillips CPA Firm presented a copy of the 2019 audit to the council and discussed the report in detail. Jarred also presented a draft proposal of the 2021 budget and a lengthy discussion was held regarding changes to the budget to keep the mill levy as close to last year as possible to generate the same tax dollars.

Motion by Castle, second by Seaman to approve the publication of the budget with the amendments discussed. Motion carried. (Jarred left) (During this discussion Midgett and Feagan were called away for an emergency).

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Bruce Boettcher with BG Consultants updated the council on the sewer project and discussed the PER that will be presented at the upcoming KIAC meeting.

Mayor Bushong had been notified that there was a leak in the ceiling of the storm shelter, but when she went to look at it, did not see any evidence of a leak. It will be looked at again the next time it rains hard. Bushong questioned why the judge was being paid when court is not being held at his request and it was discussed that the judge has other court responsibilities other than just presiding at municipal court. There is a catalpa tree at the corner of 5th and Locust Streets that prevent drivers from seeing around the corner. Midgett will be advised of this to look at it tomorrow. It was asked why we are selling the 1st Responder vehicle if we could use it possibly at the water plant and it was pointed out that the vehicle was not capable of pulling the sludge trailer.

Bryant asked if Nash had stated when he was going to resign his position as he had moved and Mayor Bushong stated that Attorney Myers had been asked if Nash was required to resign and Myers had stated that there was an Attorney General's Opinion that say as long as he owned the property and had not changed his driver's license and voters registration that he could maintain his position until that changed.

Castle reported that the trailer that Jimmy Hoggatt had told Chief Feagan he was going to scrap out is now being hooked to the other trailer to be used as a double wide and that he had not gotten a permit to do that. Hoggatt will be asked to be at the next council meeting. Also discussed was the safety risk of junk vehicles on the main street and the blocking of the alley behind them. A letter will be written and hand delivered to the owner.

Mayor Bushong questioned the status of the repairs of the Elmore Park boat ramp. City Supervisor Midgett reported that with the water down, the area would need to be sandbagged to pour the concrete and this will be scheduled as soon as possible.

Castle asked what is being done on the truck at Kathy Pease's property that her son pulled in and Mayor Bushong also reported that she has had complaints regarding the odor coming from that area. This will be addressed by Police Chief Feagan.

Clerk Crumrine reported that Labette County Emergency Manager Charlie Morse had contacted her regarding the SPARK funding to reimburse COVID-19 related expenses and she asked if the city would want to participate in the program and a resolution will need to be adopted if the council wished to proceed.

Motion by Castle, second by Wulf to proceed with looking into the COVID-19 SPARK funding. Motion carried.

Clerk Crumrine presented for signatures the quote in the amount of \$5400 from Layne Christensen Company to pull and inspect the pump at the water intake that was approved at the last council meeting and the Maguire Iron full service maintenance agreement amendment to the time line as the maintenance did not start until 2020 and the original agreement had the maintenance starting in 2019.

Motion by Castle, second by Seaman to authorize the mayor to sign both documents. Motion carried.

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City Supervisor Midgett reported on the lagoon monitoring violation with KDHE. Luman Laboratories has been contracted to pull the samples and no samples were taken the first quarter due to confusion that the city offices were closed and then no sample was taken for the second quarter due to no discharge in July. Midgett had been told by KDHE that samples should be pulled the first month of the quarter so that if there is an issue, there are still two months to get samples. He had attended a sewer class and was told that the city could take their own samples and transport them to a lab. Pace has been contacted as that is where the water plant sends their water samples. Discussion followed.

Motion by Seaman, second by Castle to take over the wastewater sampling and take samples to Pace. Motion carried.

City Supervisor Midgett reported that he is going to start having Moore Auto service the city equipment and he also asked that the council approve the purchase of four sets of bunker gear for the Fire Department at approximately \$2500 per set to replace outdated gear that has been issued to the volunteer firemen.

Motion by Castle, second by Wulf to approve the purchase of the bunker gear. Motion carried.

Police Chief Feagan reminded the council that he would not be at the next council meeting and also requested an executive session to discuss pending litigation at some point in the meeting.

FOLLOW UP ON OLD BUSINESS

Clerk Crumrine is still waiting on a quote to remove the stain glass windows from Doyle Glass. Mayor Bushong opened the sealed bids and read them. A final tally of the bids is attached at the end of the minutes. The lease purchase for the First Responder vehicle was presented for the mayor and clerk's signatures.

Motion by Seaman, second by Castle to allow the mayor and clerk to sign the First Responder vehicle lease purchase. Motion carried.

BUILDING PERMIT

Published on the city website and on Facebook Chetopa Residents without protest: Wayne and Betty Allen to move in a 2018 41' recreation vehicle at 220 Elm St. to be used as seasonal housing in the City of Chetopa. Building Inspector Bryant had no issue with the permit but wanted to be sure of the charges that would have to be paid by the owners in getting utilities to the RV.

Motion by Seaman, second by Castle to approve the building permit for Allen. Motion carried.

VACATION REQUEST

Debbie Darnell, City Treasurer/Utilities Bookkeeper requested five days' vacation the first part of August.

Motion by Castle, second by Wulf to approve the vacation request for Darnell. Motion carried.

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MOWING POSITION

Peyton Voyles has resigned as the city seasonal mow man. City Supervisor Midgett discussed that this close to the end of the mowing season, if they can still have Rakestraw mow on his day's off, they probably could do without hiring another person.

Motion by Seaman, second by Castle to allow Rakestraw to continue mowing at the mow man wage. Motion carried.

EXECUTIVE SESSION

Motion by Castle, second by Wulf to enter into executive session to discuss pending litigation with the mayor, council, city clerk, police chief and attorney present for a period of 10 minutes with the session ending at 9:50 p.m. Motion carried.

Entered: 9:40 p.m. Returned: 9:50 p.m.

Mayor Bushong called the meeting back to order and the following action was taken:

Motion by Castle, second by Wulf to follow Attorney J. Steven Pigg's recommendation for mediation. Motion carried.

Motion by Seaman, second by Wulf to adjourn. Motion carried.

Seal

Mayor

City Clerk

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BID TABULATION-JULY SURPLUS EQUIPMENT

Dixon Speed ZTR 42 Zero Turn Mower—	David Farrow	\$ 250 High Bid
	Rocky Hill	\$ 150
	DJ Wimp-	\$ 25
Husqvarna RZ5424 Zero Turn Mower—	David Farrow	\$ 250 High Bid
	Rocky Hill	\$ 150
	Rob Darnell	\$ 40
	DJ Wimp	\$ 25
Poulan 17 HP 42" cut 6 speed Law Tractor-Non-running—	David Farrow	\$ 250 High Bid
	Rocky Hill	\$ 75
	Jim Blundell	\$ 51
	DJ Wimp	\$ 20
1958 John Deere Tractor 420W-Needs Battery—	Rocky Hill	\$ 476 High Bid
	Kenny Allman	\$ 376
	Dave Marlin	\$ 350
	DJ Wimp	\$ 200
Minneapolis Moline Generator Propane engine-Non-running—	Kenny Allman	\$ 751 High Bid
	Rocky Hill	\$ 330
	DJ Wimp	\$ 70
2" Honda Trash Pump-Non-Running—	Kenny Allman	\$ 26 High Bid
	Jim Blundell	\$ 25
	DJ Wimp	\$ 10
3" Honda Trash Pump-Non-Running—	Kenny Allman	\$ 50 High Bid
	Jim Blundell	\$ 25
	DJ Wimp	\$ 10
6 Ft. Brush Hog-Needs repairs—	David Hubbell	\$ 101 High Bid
	DJ Wimp	\$ 25
2012 Dodge Charger-Non-Running—	Yousef Dabbagh	\$1,278 High Bid
	Rocky Hill	\$ 361
	DJ Wimp	\$ 200
2011 Ford Expedition-As is—	Rob Darnell	\$1,200 High Bid
	Rocky Hill	\$ 678
	Yousef Dabbagh	\$ 578
	Abby & Treg Easley	\$ 500
	DJ Wimp	\$ 300