

UNAPPROVED MINUTES

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

September 15, 2020

The Chetopa City Council met in regular session on Tuesday, September 15, 2020 at 7:00 p.m., at City Hall.

PRESIDING: Mayor Tammy Bushong.

PRESENT: Council Members/Gary W. Bryant, Geraldine Castle, Ernie Wulf, Carthen Nash and Linda Seaman. Juanita Kepner was not present.

ALSO PRESENT: Clerk/Toni A. Crumrine, Police Chief Scott Feagan, Attorney Shane Adamson, City Supervisor Bryan Midgett, Joseph and Freda Grant, Andrew Folsom, Freedom Moore, Corie Brown, Robert and Lenora Humphrey, Tabatha Rumbaugh, Lee Bushong, Jody and Cheryl Paxson, Justin Ventle (who remained outside until his time to speak), Justin Martin and Shawn Shoemaker.

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

It was requested to add the special assessment ordinance and museum board resignations and appointments to the agenda.

Motion by Nash, second by Bryant to approve the agenda with the additions. Motion carried.

Motion by Nash, second by Seaman to approve the Minutes of the last regular meeting and the September 8, 2020 special council meeting. Motion carried.

There was a typo on the Municipal Court Report that had the Total Expenses incorrect and should be \$203.00 which was verified by Court Clerk Patty Wilkinson.

Motion by Nash, second by Seaman to approve the Municipal Court Report with the correction. Motion carried.

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

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

APPROPRIATION ORDINANCE # 3616 as follows:

Payroll Funds	\$26497.97
Other Funds	<u>72065.42</u>
Total of all funds	\$98563.39

MAYOR, COUNCIL, EMPLOYEES & VISITOR

There were several people present to discuss the vehicle registration letter that they received and ask for extensions on complying with the ordinance. Robert and Lenora Humphrey were present to discuss the off-road title and a lengthy discussion was held on the code and amending ordinance. This was also the reason for Freedom Moore, Andrew Folsom, Jody and

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Cheryl Paxson, Freda and Joseph Grant and Justin Ventle being present. The following actions were taken:

Motion by Nash, second by Wulf to give Humphrey's 60 days to build a fence. Motion carried.

Motion by Nash, second by Wulf to give Moore 60 days to build a fence. Motion carried.

Motion by Nash, second by Wulf to give Folsom until Friday, September 18th to take care of his vehicle. Motion carried.

Motion by Nash, second by Wulf to give Paxson's 60 days to take care of their vehicles. Motion carried.

Motion by Nash, second by Wulf to give Grant's 60 days to take care of their vehicles. Motion carried.

Motion by Nash, second by Wulf to give Ventle 30 days to take care of his vehicle. Motion carried.

Justin Martin was present to ask if a gate could be put up in his driveway to prevent people from driving to his house as it is somewhat isolated and he is getting items stolen. It was noted that the city crews would need to have access to the property as the meters would be inside the proposed gate. Discussion followed.

Motion by Castle, second by Wulf to table action on the gate request until it is reviewed further. Motion carried.

Tabatha Rumbaugh presented more pictures and described the work that Conard had done. Discussion followed as the main issue was that the council had not been approached before the work was done when it was going to be requested that the city reimburse Rumbaugh for the cost of the work. (During this conversation Nash, Feagan, Brown and Midgett left due to an emergency call)

Motion by Castle, second by Wulf to not reimburse any portion of the bill. Motion carried. (Nash was not present for the vote) (Rumbaugh left)

Mayor Bushong discussed a property needing mowed and Chief Feagan will check to see if a letter has been written. Bushong also noted that Virginia Davis had resigned from the Library Board and asked why the library phone bill was so large.

Castle reported that the stage gate by the pool was pushed out but it has since been fixed.

Wulf questioned the broken playground equipment and this will be checked into.

Clerk Crumrine had been asked if Brad Bryant and his band could use the park to play music sometime, requested five (5) days' vacation September 21-25, 2020 and reminded the council that purchases needed to be thought of to use the SPARK money that was received from the county for COVID-19 expenses as the money has to be spent by the end of the year.

Motion by Nash, second by Wulf to allow Brad Bryant to use the park to play music. Motion carried.

Motion by Nash, second by Bryant to approve the vacation request for Crumrine. Motion carried.

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Police Chief Feagan requested an executive session at the end of the meeting to discuss pending litigation.

Motion by Nash, second by Castle to call a five (5) minute executive session to discuss pending litigation at the end of the meeting. Motion carried.

City Supervisor Midgett reported that the trash truck needed four (4) tires at \$291 each.

Motion by Nash, second by Castle to approve the purchase of the trash truck tires. Motion carried.

Steve Blackledge has offered to level the ground where the old fertilizer plant was across from the Hornet Addition as many people use that to drive through to the highway.

Motion by Castle, second by Bryant to allow Blackledge to start leveling the ground. Motion carried.

OLD BUSINESS FOLLOW UP

It was decided to continue to accept applications for the city help position. Two quotes had been received to cut the two oak trees by Pat Robison: Carson Tree Service \$2500 and Cutting Edge Tree Service (Brad Owens) \$4500.

Motion by Castle, second by Nash to hire Carson Tree Service. Motion carried.

The building permit for Cochran that had been approved at the last meeting pending Bryant's approval had been signed at the beginning of the meeting. The continuation of the condemnation proceedings on the Neel property that was postponed due to the coronavirus outbreak was discussed. Clerk Crumrine reported on what the League had said and discussion followed. It was decided to allow 30 days for the condemnation to be completed. A resolution will be prepared for the next meeting.

STO/UPOC ADOPTION ORDINANCES

Ordinances No. 938 (STO) and No. 939 (UPOC) were presented for approval.

Motion by Nash, second by Seaman to adopt Ordinance No. 938 and No. 939. Motion carried.

ORDINANCE NO. 938/AN ORDINANCE REGULATION TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF CHETOPA, KANSAS; INCORPORATING BY REFERENCE THE STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES, 47TH EDITION, WITH CERTAIN CHANGES; PROVIDING CERTAIN PENALTIES AND REPEALING ORDINANCE NO. 922.

ORDINANCE NO. 939/AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF CHETOPA KANSAS; INCORPORATING BY REFERENCE THE UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES, 36TH EDITION WITH CERTAIN OMISSIONS; PROVIDING CERTAIN PENALTIES AND REPEALING ORDINANCE NO. 923.

SPECIAL ASSESSMENT ORDINANCE

Ordinance No. 940 was presented for approval to do special assessments on properties for mowing during the months of July and August and a condemnation expense for January 2020.

Motion by Nash, second by Seaman to adopt Ordinance No. 940. Motion carried.

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ORDINANCE NO. 940/AN ORDINANCE MAKING AND LEVYING A SPECIAL TAX UPON ALL LOTS AND PARCELS OF GROUND IN THE CITY OF CHETOPA, KANSAS LIABLE FOR THE COST AND EXPENSE OF MOWING IN SAID CITY DURING THE MONTHS OF JULY AND AUGUST 2020 AND CONDEMNATION EXPENSE FOR JANUARY 2020.

BUILDING PERMIT

Posted on city website and Facebook-Chetopa Residents without protest: Terry D. Hall to move a 40' x 8' storage container to 430 Mulberry. It was not staked out when Building Inspector Bryant went by and no action was taken at this meeting.

USDA SEWER FORMS

A resolution to adopt and provide for USDA's standards for procurement, bidding and contract awards was presented for adoption and several other forms were reviewed for the funding of the proposed sewer project.

Motion by Nash, second by Castle to allow the signing of Resolution No. 2020-10. Motion carried.

Mayor Bushong discussed the drug screening and it has been determined that drug testing can only be done for pre-employment and after accidents.

BOARD RESIGNATIONS AND APPOINTMENTS

Two resignations from Museum Board Members Marilyn Sue Headley and Betty Withrow were read and recommendations to appoint Barbara Harris and Barbara Evans to the board were presented.

Motion by Castle, second by Nash to accept the resignations. Motion carried.

Mayor Bushong appointed Barbara Harris and Barbara Evans to the Museum Board.

Motion by Wulf, second by Castle to confirm the appointments. Motion carried.

Motion by Castle, second by Wulf to accept the resignation of Virginia Davis from the Library Board. Motion carried.

EXECUTIVE SESSION

Motion by Bryant, second by Castle to enter into executive session to discuss pending litigation with mayor, council, legal counsel, Police Chief Feagan, Police Officer Brown and city clerk present for a period of five (5) minutes with session ending at 8:58 p.m. Motion carried.

Entered: 8:53 p.m. Returned: 8:58 p.m.

Mayor Bushong called the meeting back to order and there was no action taken from executive session.

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

Seal

Mayor

City Clerk