

# UNAPPROVED MINUTES

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

May 4, 2021

The Chetopa City Council met in regular session on Tuesday, May 4, 2021 at 7:00 p.m., at City Hall.

PRESIDING: Mayor Tammy Bushong.

PRESENT: Council Members/Gary W. Bryant, Geraldine Castle, Ernie Wulf and Linda Seaman. Juanita Kepner and Ashley Brown were not present.

ALSO PRESENT: Clerk/Toni A. Crumrine, Police Chief Scott Feagan, Attorney Shane Adamson, Water Plant Supervisor Mike Tyler, Joey Midgett, Lee Bushong, Rachel Cabral, Stacy Wulf, Carthen Nash and Patty Wilkinson.

Mayor Bushong called the meeting to order and led the council and visitors in the Pledge of Allegiance and opened the meeting with prayer.

It was requested to add an executive session to discuss Client/Attorney Privilege, Closure of 5<sup>th</sup> Street for craft fair, Pay raises, vacation request and Nash Brush Clearing invoice to the agenda.

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

Motion by Wulf, second by Seaman to approve the Minutes from the last regular meeting and the minutes from the two (2) special meeting held on April 26 and April 27, 2021. Motion carried.

Motion by Seaman, second by Wulf to approve the Treasurer's Report. Motion carried.

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

### **APPROPRIATION ORDINANCE # 3631** as follows:

Payroll Funds	\$ 25410.78
Other Funds	<u>125194.61</u>
Total of all funds	\$150605.39

### **MAYOR, COUNCIL, EMPLOYEES & VISITORS**

**Rachel Cabral** discussed her parent's utility account. The account became delinquent and payment arrangements had been made and the required payment had been made for the month. Her father Tom Cabral came in and made an additional \$500.00 payment on the account. Rachel asked for a refund of the \$500 payment as her father had made the payment in error to the city and he had a truck payment due. A printout of the account was reviewed and discussed by the council.

Motion by Bryant, second by Castle to deny the payment refund request. Motion carried. (Cabral left).

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**Mayor Bushong** reported that while tearing the building down on Maple, an 8' wide cistern was found that was 6'-8' deep. This was filled with brick and rock. It was noted that there was a leak in the dump truck and Midgett reported that it was a power steering leak that Josh Moore is to look at it. Nash gave an explanation and update on the demolition of the buildings on Maple and Council Member Bryant asked why it was shut down. It was reported that KDHE had received a complaint and upon investigation had shut down the removal of the debris.

**Castle** asked if the city had started sending out mowing/nuisance letters and asked for an update on the property that had previously been owned by Hoggart and discussed Levi Lashbrook's property. Castle discussed the purchase of mulch and rose bushes for the park and reported that the park cleanup would be Friday, May 7<sup>th</sup> and asked for a donation from the city of \$300 to purchase mulch and rose bushes.

Motion by Wulf, second by Bryant to give the chamber \$300 towards the purchase of mulch and rose bushes. Motion carried.

**Mayor Bushong** asked Midgett to put the repair of the teeter totters in Veterans Park on their work list.

**Wulf** discussed the roof leaking at the water plant over the office area and Stacy Wulf reported that the library roof is also leaking. Discussion followed.

Motion by Bryant, second by Seaman to put out for bids for roof repair on the library and water plant. Motion carried.

**Seaman** asked if the library could be closed more and it was pointed out that the library has to be open so many hours a week to get their funding. Seaman also requested that Joey Midgett be moved to the city supervisor position temporarily until it was filled through applications. Discussion followed.

Mayor Bushong appointed Joey Midgett as the Interim City Supervisor position.

Motion by Wulf, second by Seaman to confirm the appointment. Motion carried. Bryant voted no.

Motion by Wulf, second by Seaman to raise Midgett's hourly pay by \$2.50 up to \$17.50. Motion carried. Bryant voted no.

**Seaman** discussed the mowing work done by the city and asked if Rakestraw could mow on his days off as he has done in the past to help out during the shortage in the department.

Motion by Castle, second by Wulf to allow Rakestraw to mow on days off at mow man's wages. Motion carried.

**Mayor Bushong** reported on the manholes that have been broken around town by Mayer as they were cleaning the sewer line mains. This has been reported to Bruce at BG Consultants and he is following up on the matter.

**Stacy Wulf** discussed a grant that had been given to the school and the school had chosen the Chetopa PTO to be awarded the funds, but the PTO has to match the funds that are being awarded. Stacy Wulf asked if the city would like to donate towards the match.

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Motion by Castle, second by Seaman to donate \$200 to the Chetopa PTO. Motion carried.

Pool manager, assistant manager and lifeguard applications were discussed.

Mayor Bushong appointed Stacy Wulf as Pool Manager.

Motion by Castle, second by Seaman to confirm the appointment. Motion carried.

One other application had been received for manager and it was asked to see if that person was interested in being an assistant manager if the lifeguard certification training was not required. Mayor Bushong asked to interview the applicant at 6:30 Thursday, but interview was later cancelled.

Motion by Castle, second by Seaman to not required the assistant pool manager to be lifeguard certified. Motion carried. Applications will be advertised for assistant pool manager.

**Water Plant Supervisor Tyler** asked to talk about raises and was told that it will be on the agenda for the next meeting.

## **AMERICAN RESCUE PLAN WEBINAR**

An update was done on the American Rescue Plan webinar that City Clerk Crumrine and Mayor Bushong had sat in on and Crumrine reported that the webinar was posted on the LKM website if anyone wanted to view it.

## **CONDEMNATION RESOLUTION**

Clerk Crumrine presented Resolution No. 2021-4 setting out the beginning and completion dates for the removal of the structure at 215 N. 3<sup>rd</sup> Street owned by Kathryn (Kathy) Pease.

Motion by Bryant, second by Wulf to adopt Resolution No. 2021-4 as presented. Motion carried.

## **CHETOPA LIBRARIAN APPOINTMENT**

The Chetopa City Library Board submitted Angela Forquer's name to fill the vacancy of the librarian resulting from the resignation of Melissa Livingston.

Motion by Bryant, second by Wulf to confirm the appointment. Motion carried. Seaman voted no.

## **ADDITIONS TO THE AGENDA**

A request to close N. 5<sup>th</sup> Street between Maple and Walnut for a craft fair was discussed.

Motion by Castle, second by Wulf to close N. 5<sup>th</sup> Street for the craft fair but not allow a petty zoo to be held at that location. Motion carried.

A vacation request for five (5) days' vacation in May was received from Tim Grover and had been approved by Water Plant Supervisor Tyler.

Motion by Bryant, second by Seaman to approve the vacation request. Motion carried.

A partial demolition billing in the amount of \$13,275 on the emergency condemnation of the Maple St. buildings from Nash Brush Clearing was presented for approval to pay and it was requested that Nash be able to pick up the check tomorrow May 5<sup>th</sup>.

Motion by Castle, second by Wulf to pay Carthen Nash tomorrow for the partial demolition billing invoice. Motion carried.

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## SALES TAX UPDATE

Clerk Crumrine updated the council on the sales tax election. Primary elections in odd numbered years are not guaranteed and Crumrine had presented a resolution to put the extension of the sales tax on the November ballot not realizing at the time that in order for the tax to go into effect on January 1<sup>st</sup>, the Kansas Department of Revenue had to receive the paperwork by September 30<sup>th</sup>. Crumrine had spoken to the County Clerk and the only chance of a forced primary was for the college board of directors office if enough filed for the position. If not the city would need to hold a special election and the expenses would need to be paid by the city for that election. If a primary is necessary will be determined by June 1<sup>st</sup> as that is the final date to file for office and Crumrine will update the council then.

## STORM SHELTER DISCUSSION

Mayor Bushong asked for the process of opening the storm shelter and Police Chief Feagan discussed the current procedure for opening the storm shelter.

## EXECUTIVE SESSION

**Mayor Bushong** asked for an executive session for consultation with attorney on matter that would be deemed privileged in an attorney-client relationship.

Motion by Castle, second by Wulf to enter into executive session to consult with attorney on matter deemed privileged in an attorney-client relationship with mayor, council and legal counsel present for a period of 10 minutes with session ending at 8:51 p.m. Motion carried.

Entered: 8:41 p.m. Returned: 8:51 p.m.

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

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

Seal

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Mayor

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City Clerk