

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

January 17, 2023

The Chetopa City Council met in regular session on Tuesday, January 17, 2023 at 7:00 p.m., at City Hall.

PRESIDING: Mayor Tammy Bushong.

PRESENT: Council Members/Bob Boyd, Linda Seaman, Justin Nading, Geraldine Castle (at 7:05 p.m.) and Ernie Wulf. Juanita Kepner was not present.

ALSO PRESENT: Clerk/Toni A. Crumrine, Interim City Supervisor/Police Chief Scott Feagan, Attorney Shane Adamson, Mike Carson, Chad Caldwell, Derek Spenser, Bryan Midgett, David Carter and Bill Moses (at 7:18 p.m.)

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 visitors: Todd McClendon (via zoom), Fire Chief Bryan Midgett and David Carter; delete visitor Londa Grover; add executive session for non-elected personnel and delete personnel policy manual update.

Motion by Seaman, second by Nading to approve the Agenda with the additions and deletions. Motion carried.

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

Clerk Crumrine informed the council that the date at the top of the Municipal Court Report that had been sent out in the council packets was incorrect and a corrected copy was on the table.

Motion by Seaman, second by Nading to approve the Municipal Court report. Motion carried.

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

Boyd asked who and reason for the hotel and meals on the Warrant Register. Clerk Crumrine responded that it was for Myles Adams when he went to McPherson for the CDL training.

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

**APPROPRIATION ORDINANCE # 3674** as follows:

Payroll Funds	\$ 30804.87
Other Funds	<u>110811.00</u>
Total of all Funds	\$141615.87

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

**Mike Carson and Derek Spenser** were present to ask for permission to use the East River Park for the annual MD Disc Golf Neosho River Open tournament that they would like to schedule for February 25, 2023 and asked if the city would like to continue the hole sponsorship of \$200.

Motion by Nading, second by Wulf to approve use of the park for the tournament on that date and continue with the \$200 sponsorship. Motion carried.

**Chad Caldwell with KLM Engineering, Inc.** was present to discuss what their company can provide compared to Maguire Iron on the water tower. Caldwell presented a handout and discussed the savings that his company could provide. Nading asked about references and Caldwell will provide this. It was suggested to check with the water plant supervisor to get his input before any further discussion would be held.

**Fire Chief Bryan Midgett** was present to seek approval to apply for a FEMA Assistance to Firefighters Grant with a 5% local match to purchase new radios for the department. Discussion followed.

Motion by Castle, second by Seaman to allow the fire department to apply for the FEMA grant in the amount of \$120,000 with the 5% match. Motion carried.

**Midgett** updated the council on the truck repairs and Mayor Bushong asked about the fire department maintenance and was told that the department will finish up the forms at their next meeting.

**David Carter** was present to discuss the near dog attack on his wife, Dale, on their property, that was prevented by Andy Porter pulling up in between the dog and his wife and stated that something needs to be done with the dogs at large. Boyd stated again that the city needs to look at hiring an animal control person and providing a vehicle.

**Todd McClendon with Foley Equipment via Zoom** was present to answer any questions concerning the preventative maintenance program for the CAT Generators that are being installed by the water plant and well house and the generator already installed at the main lift station on Willow. Discussion followed.

Motion by Castle, second by Wulf to enter into the service agreements with Foley Equipment on the generators. Motion carried.

**Bill Moses** was present to give an update on the tree trimming contract he has with the city and reported that the South side of the system has been completed and stated that there were 18.75 blocks of electric lines that were not on the map he was given and it took 16.5 days to trim the limbs out of the lines. Moses asked for consideration of getting additional funds for wages that he computed to be \$14,520 for these extra lines. Discussion followed.

Motion by Castle, second by Wulf to reimburse Moses for the additional wages that amounted to \$14,520 for cutting limbs out of lines not on the map. Motion carried.

Motion by Castle, second by Wulf to temporarily adjourn the council meeting to hold the Oak Hill Cemetery Association Board meeting. Motion carried.

**(OAK HILL CEMETERY ASSOCIATION BOARD MEETING-SEE MINUTES)**

Mayor Bushong called the adjourned meeting back to order.

Motion by Seaman, second by Castle to enter back into the regular adjourned council meeting. Motion carried.

### **MAYOR, COUNCIL, EMPLOYEES & VISITORS (CON'T)**

**Mayor Bushong** inquired on the status of the CDL testing and it was discussed that Blundell had not passed the first portion and will need to go again; Myles Adams will be scheduled to go to Chanute to finish his CDL as soon as L. Bushong or Trinkle do their training portion. It was reported that there was \$60,000 paid out in overtime, wanted it noted that the only person that can call a council meeting is the mayor and stated that the lift stations are not being checked every day. Mayor Bushong also discussed that the Sunday sales ordinance had holiday's mentioned that sales couldn't be done that weren't in the statute. Clerk Crumrine pointed out that the holiday's mentioned were in the existing code and those had just been carried over to the ordinance. Discussion followed.

Motion by Nading, second by Castle to amend Section 4(b) of Ordinance No. 963 to read just Easter, Thanksgiving Day and Christmas Day. Motion carried. Clerk Crumrine will prepare an ordinance for the next meeting for adoption.

**Mayor Bushong** discussed the parking area that had been paved and questioned if there were water lines that ran through that area and it was reported that the water lines had been marked and lines have been paved over.

**Boyd** requested that the motor for the 1<sup>st</sup> Responder unit be ordered and possibly transferred over to the water plant as the 1<sup>st</sup> Responders are currently using a fire truck to respond with. Discussion followed.

Motion by Boyd, second by Nading to authorize the ordering of the motor for the 1<sup>st</sup> Responder that \$7500 was budgeted for. Motion carried.

**Boyd** questioned the charge on Ordinance #899 that referred to Carryout Service, once weekly and stated that presently no one is being charged for employees picking up trash from locations other than on the street. Discussion followed.

Motion by Boyd to remove the carryout service from Ordinance #899. Motion died for a lack of a second. Discussion followed and it was decided that citizens that are disabled and qualify as disabled, trash will be picked up at no extra charge.

**Boyd** also discussed a complaint that he had received on poly cart door hangers that had been left and one in particular that been left concerning the poly cart being too far from the edge of the road. Discussion followed.

Motion by Boyd, second by Wulf to do away with the door hangers. Motion carried. Seaman and Castle voted no.

**Seaman** discussed two properties on cleanup and other matters.

**Nading** reported on a customer concerned over an unusually high electric charge and will see if the usage changes on the next billings. Nading also questioned why a plastic barrel had not been picked up as he couldn't find any documentation that it wasn't an acceptable item to be picked up.

**Mayor Bushong** had taken pictures of a property that had been discussed that had a lot of metal on trailers and the ground. This property had been discussed and Police Chief Feagan stated that he had failed to write a violation letter to the resident. Also discussed were two manhole covers at 2<sup>nd</sup> & Cherry and on 10<sup>th</sup> St. that needed repaired and a culvert at 5<sup>th</sup> & Plum that needed looked at.

**Clerk Crumrine** reported that the library hot water heater was not working. Discussion followed.

Motion by Nading, second by Wulf to replace the library on demand water heater. Motion carried.

**Clerk Crumrine** discussed the interest rate increase on the low-interest loan that had been taken out to help with the polar vortex that happened in 2021 and gave some suggestions to look at. Crumrine also informed the council that she had not yet written the ordinance to correct other places that the reconnection fee had been mentioned, when the fee had been increased. This will be done for the next meeting.

**Interim City Supervisor/Police Chief Feagan** updated the council on the installation of the generators by the water plant to be installed by Foley Equipment and asked where the 40KW generator will be placed. Discussion followed and it was decided to demo the concrete picnic table by the memorial and pour the pad for the 40 KW to be installed there. Feagan updated the council on the lead and copper requirements and stated that Amy Wilkinson had been working on the mailings to get the surveys out and returned. Chief Feagan presented information on the purchase of a new police vehicle and discussion followed as the truck price had increased from which the lease purchase estimates had been based on for the 2023 budget. Different lease purchase terms were discussed and it was pointed out that the new truck would probably not be delivered for several months, which wouldn't make the 2023 lease purchase line item of \$7000 over budget and the increased lease payment payments could then be figured starting with the 2024 budget for the remaining term.

Motion by Seaman, second by Nading to purchase the 2023 Ford F-150 truck as quoted and set up the lease purchase for five years. Motion carried.

**Interim City Supervisor/Police Chief Feagan** reported that City Helper Lee Bushong had requested four (4) days of vacation in January.

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

#### **OLD BUSINESS FOLLOW-UP**

Carey Spoon had requested clarification on some questions that a potential archaeological firm had asked and the council addressed the questions, there were no updated quotes on the water plant equipment repairs discussed at the last meeting, and Castle, Kepner and Mayor Bushong will still be on the Solid Waste Committee with Justin Nading having a proxy vote. The pending items on the back of the agenda were discussed and the stop signs on Cherry St. will be installed. Information regarding the Safety Committee and safety training for the city

helpers was presented. This will be put on the agenda for the next meeting for the selection of safety committee members.

**USDA/RD DOCUMENT REQUEST-SEWER PROJECT**

Copies of the email from USDA/Rural Development on documents that will be required for the sewer project were given to the council for their information.

**KMU MEMBERSHIP INVOICE**

An invoice in the amount of \$3,138 (an increase of \$62 from 2022) for KMU membership was presented for approval to pay.

Motion by Wulf, second by Castle to approve the payment of the KMU membership invoice. Motion carried.

**BUILDING PERMIT**

Posted without protest, Cameron Snyder to move in an 80' x 16' mobile home at 130 Locust St., in the City of Chetopa. Discussion followed as the placement location had not been staked out. It was requested to contact Snyder to have him present at the next council meeting.

**SALARY ORDINANCE**

Ordinance No. 964 was presented for approval. The salary ranges needed to be expanded due to the wage increase approved at the last council meeting.

Motion by Seaman, second by Wulf to approve the adoption of Ordinance No. 964 as presented. Motion carried.

**AN ORDINANCE PROVIDING FOR SALARIES AND WAGES OF CERTAIN APPOINTIVE OFFICERS AND EMPLOYEES OF THE CITY OF CHETOPA, KANSAS AND REPEALING ORDINANCE NO. 906 AND ALL OTHER ORDINANCE IN CONFLICT HEREWITH.**

**1<sup>ST</sup> RESPONDER RUN PAY**

A pay request in the amount of \$380 for the 4<sup>th</sup> quarter 2022 1<sup>st</sup> Responder runs was presented for approval to pay.

Motion by Boyd, second by Wulf to approve the payment of the 4<sup>th</sup> quarter 1<sup>st</sup> Responder Run invoice. Motion carried.

**EXECUTIVE SESSION**

Motion by Boyd, second by Wulf to enter into an executive session to discuss non-elected personnel with mayor, council and legal counsel present for a period of five (5) minutes with session ending at 10:37 p.m. Motion carried.

Entered: 10:32 p.m. Returned: 10:37 p.m.

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

Motion by Seaman, second by Wulf to adjourn. Motion carried. Meeting was adjourned at 10:38 p.m.

Seal

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Mayor

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City Clerk