

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

May 6, 2025

The Chetopa City Council met in regular session on Tuesday, May 6, 2025,
at 7:00 p.m. at City Hall.

PRESIDING: Mayor Bob Boyd.

PRESENT: Council Members/ Justin Nading, Chuck Bentley, Linda Seaman, Brenda Dominguez and Ernie Wulf.

ALSO PRESENT: Clerk Amy Wilkinson, Attorney Shane Adamson, Utility Bookkeeper/City Treasurer Krystal Adams, Court Clerk Patty Wilkinson, City Supervisor Myles Adams, Water Treatment Plant Supervisor Mike Tyler, Police Chief Scott Feagan, Officer Alexis Scofield, Officer Wammack, Officer Rakestraw, Barb Harris, Lisa Haney, Jessica Morgan, Roberta Carter, Ann Mckenzie, Betsy Koontz, Michelle Feagan, Tammy and Lee Bushong, Debbie Yost, Robert and Lenora Humphrey, Jessica and Chad Siler, David Hubbell, Rebecca Scoggins, Jason and Melissa Hockett, Barbara Evans, Bill Moses, Aaron Eckhust, and Nancy McKibben @8:22 p.m.

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

It was requested to add Chad Siler and Rebecca Scoggins, as visitors, the 2008 public works truck repair, employee outside employment approval, and CMB License approval to be added as new business. Motion by Wulf, second by Dominguez, to approve the Agenda with additions. Motion carried.

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

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

Adding a porta-john to the Chesnutt Park for a fee of \$80 per month was discussed.

Motion by Wulf, second by Bentley to add the porta-john to the park. Motion carried.

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

APPROPRIATION ORDINANCE NO. 3730 as follows:

Payroll Funds	\$ 21,681.63
Other Funds	<u>\$ 96,402.54</u>
Total of all Funds	\$ 118,084.17

MAYOR, COUNCIL, EMPLOYEES & VISITORS

Lisa Haney who resides at 320 Mulberry Street, submitted a noise complaint regarding her neighbors' semi truck, which is parked adjacent to her bedroom window. She also inquired about ordinances in other towns addressing similar issues. Feagan noted we currently have no zoning regulations and the Mayor stated that a response would be provided to her after further review.

Chad Siler expressed interest in purchasing 15 old street light poles for \$1,500.00. Motion by Nading, second by Bentley, to approve the sale of the light poles. Motion carried. Siler also requested to buy the old fire hydrants for \$25.00 each. Motion by Nading, second by Bentley to approve the sale of the fire hydrants contingent upon the City Supervisor verifying the number of old hydrants available. Motion carried.

Rebecca Scoggins, speaking on behalf of the Spring Fling Committee, reported that approximately \$1,500.00 was raised after expenses. She stated the committee would like to paint the street signs green and yellow and the Main Street light poles black. Scoggins also inquired about having volunteers spray the sidewalks, expressing hope that the work could be completed by Memorial Day weekend. Motion by Wulf, second by Bentley to approve the proposed improvements by the Spring Fling Committee. Motion carried.

VACATED COUNCIL POSITION

Josh Moore was the sole applicant for the vacant council seat. Motion by Dominguez, second by Bentley to appoint Moore to fill the vacancy. Motion carried. Clerk A. Wilkinson administered the oath of office, and Moore took his seat at the council table.

Tyler updated the council on an issue discovered with the water tower riser during an inspection conducted by Maguire Iron. Due to a leak, the riser will need to be replaced. A cost estimate is expected to be provided soon and it can be replaced when the tower is out of commission for paint.

M. Adams presented a list of unused vehicles that could be sold. Motion by Bentley, second by Moore to list the four vehicles for sale on Purple Wave. Motion carried.

The community parks clean up took place this past Friday and the photos of the improvements were shared. Several volunteers were recognized and thanked for their efforts. SEK Ready Mix also donated sand for the volleyball court at Elmore Park.

Wulf expressed appreciation to all the volunteers for their dedication and for contributing ideas that help the community move forward in a positive direction. He also encouraged residents to bring any concerns directly to a council member rather than posting them on Facebook.

Boyd thanked Council Member Dominguez for creating the city's YouTube channel to record and share council meetings. Boyd also noted that the city is in the process of ordering Perma Patch to address potholes throughout town, emphasizing that road repair is a priority.

Seaman inquired about the status of mowing at 119 N. 4th Street, near the school. Feagan stated that a mowing notice has already been sent to the property owners.

OLD BUSINESS

HOCKETT NUISANCE

Jason Hockett informed the council that he and his wife have cleaned up their property and are currently on a waiting list for a dumpster. Motion by Dominguez, second by Bentley to table the resolution regarding the clean up Hockett's property. Motion carried.

EMPLOYEE MEAL ALLOWANCE ORDINANCE No. 996

Motion by Seaman, second by Wulf to approve the adoption of Ordinance No. 996 as presented. **AN ORDINANCE ESTABLISHING A PER DIEM MEAL ALLOWANCE AND ALSO ESTABLISHING THE MILEAGE REIMBURSEMENT FOR THE CITY OF CHETOPA, KANSAS.**

JUNK VEHICLE LIST UPDATE

Feagan stated that Rakestraw did not have an updated vehicle list.

OFFICER EICHLER’S CONTRACT RESTITUTION

Attorney Adamson reported having the information for the lawsuit against Eichler for approximately \$21,440 in restitution for breach of contract.

SEWER PROJECT UPDATE

Boyd provided an update on property repairs related to the sewer project, noting that the contractor’s work should be completed soon. Pay request No.7 from Bennett Inc. in the amount of \$388,932.04 was presented for payment. A CDBG draw request for \$47,385.00, was also submitted. Additionally, BG Consulting's billing No.33 for \$42,086.13 was presented for payment. Motion by Nading, second by Seaman to approve both payments and authorize required signatures for the CDBG draw request. Motion carried. Boyd also reported that KRWA would soon be conducting smoke testing in town to identify any leaks or holes in the sewer lines.

TREE EVALUATION

A tree located at 3rd and Walnut Street has been reported as dead and poses a safety hazard, requiring removal. Motion by Wulf, second by Bentley to go out for bids for the removal. Motion carried.

BUSINESS OCCUPATIONAL TAX

An explanation was provided regarding the city’s Business Occupational Tax ordinance, which has been in effect since December 5, 2000. Ordinance No. 740 requires liquor stores operating within the city to pay a \$150.00 fee.

UTILITY VIOLATION LETTER UPDATE

Code enforcement has issued letters to three residents found to be in violation of the city’s utility ordinance. Feagan consulted with Adamson regarding whether a petition to the County Attorney is necessary. Motion by Nading, second by Wulf to move forward with filing the petition. Motion carried.

COMMUNITY VOLUNTEER WAIVER

Adamson has prepared a draft waiver for community volunteers, however final approval is pending confirmation from the city insurance provider. Motion by Wulf, second by Bentley to table this waiver until further notice. Motion carried.

Boyd reviewed the Kansas Statute regarding vehicle registration, noting that the County Sheriff confirmed the city can issue citations for out of state license plates within Chetopa. Feagan added that in order for officers to issue these tickets, updates would be required to both the Standard Traffic Ordinance and the Uniform Public Offense Code. Boyd requested Adamson look into making the necessary amendments to these code books.

The city animal tags were discussed. Debbie Yost stated that the veterinary clinic is willing to host a vaccination clinic, provided the city pays \$10 per animal. Tammy Bushong offered to donate \$100 to cover the cost of 10 pet vaccinations. Motion by Wulf, second by Bentley to move forward with contacting the vet clinic to arrange the clinic. Motion carried.

NEW BUSINESS

OATH OF OFFICE

Mayor Boyd administered the Oath of Office to A. Wilkinson, appointing her as Chetopa City Clerk.

EMPLOYEE SECOND JOB APPROVAL

Rogan Bruce requested council approval to coach the Chetopa High School football team during the upcoming season. Motion by Dominguez, second by Wulf to approve Bruce's request. Motion carried.

EMPLOYEE RESIGNATIONS

The resignation of Scott Feagan, effective May 23rd, was read. Motion by Nading, second by Seaman to Nading to accept the resignation. Motion carried.

The resignation of Travis Rakestraw, effective May 15th, was read. Motion by Seaman, second by Nading to accept the resignation. Motion carried.

The resignation of Alexis Scofield, effective May 16th, was read. Boyd noted that Scofield is requesting release from her signed two-year contract with the city. Motion by Nading, seconded by Seaman to accept the resignation. Motion carried. Bentley voted Nay.

Tammy Bushong questioned why the council can go after Eichler for breach of contract but not doing the same for Officer Scofield. Nading read the proposed contract from the Sheriff's department. Moore emphasized the need to hire additional police officers. Debbie Yost, a local business owner, voiced concerns about operating without a fully staffed police department.

EMPLOYEE APPOINTMENT

Boyd appointed Jason Wammack as the Interim Police Chief. Motion by Moore, second by Nading to confirm the appointment. Motion carried.

FIRST RESPONDER 1st QTR PAY REQUEST

A pay request in the amount of \$560.00 for the First Responders' first quarter payment was presented. Motion by Seaman, second by Wulf to approve the pay request. Motion carried.

SOLID WASTE COMMITTEE DISCUSSION

Boyd attended the Solid Waste Committee meeting, noting that the transfer station is considering a rate increase.

EMPLOYEE VACATION APPROVAL

Jason Morgan requested five vacation days. Motion by Wulf, second by Bentley to approve the vacation request. Motion carried.

RECLOSURE CONTROL PANEL UPDATE

Following a power outage caused by Liberty Utilities during two pole replacements, a reclosure control panel failed to power back up. The control panel has been shipped to Sunbelt Solomon for evaluation. They will provide further updates upon completion of their assessment.

2008 PUBLIC WORKS PICKUP TRUCK REPAIRS

The 2008 gray Public Works pickup truck is currently undergoing a transmission replacement. Additional repairs to the rear differential are also required. Motion by Wulf, second by Dominguez to authorize repair expenses up to \$2,000.00. Motion carried.

CMB LICENSE

Carm ‘N’ Dales convenience store has been sold to Baig Petroleum LLC, which has applied for a Cereal Malt Beverage (CMB) license. The required fees have been paid, and the applicant has successfully passed a background check. Motion by Wulf, second by Nading to approve the CMB License. Motion carried.

EXECUTIVE SESSION

Motion by Nading, second by Seaman to enter into executive session to discuss non-elected personnel with the Mayor, the council, Attorney Adamson, Scott Feagan, Jason Wammack, and Sheriff Eichinger via teleconference for a period of fifteen (15) minutes with the session ending at 9:39 p.m. Motion carried.

Entered: 9:24 p.m.

Returned: 9:39 p.m.

Mayor Boyd called the meeting back to order and asked if any action was to be taken.

Motion by Wulf, second by Nading to advertise for three police officer positions. Motion carried.

David Hubbell raised concerns regarding the manhole located at Willow and Cherry Street, as well as ongoing issues with the ditch water. M. Adams stated that once smoke testing is performed on the sewer lines, it should help identify the source of the problem.

Officer Scofield inquired about the status of her resignation approval. Boyd explained that the contract was currently tabled pending legal review. Scofield then asked when her contract could be discussed. Adamson stated that it was not an appropriate time for discussion, as the matter should be addressed in an executive session, which may be scheduled as a special meeting with the Labette County Sheriffs’ Department.

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

Meeting adjourned at 9:56 p.m.

Seal

Mayor

City Clerk