

UNAPPROVED MINUTES

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

November 20, 2018

The Chetopa City Council met in regular session on Tuesday, November 20, 2018 at 7:00 p.m., at City Hall.

PRESIDING: Mayor Terry G. Robison

PRESENT: Council Members/Gary W. Bryant (at 7:03 p.m.), Juanita Kepner, Geraldine Castle, Betsy Koontz, Carthen Nash and Linda Seaman.

ALSO PRESENT: Clerk/Toni A. Crumrine, Police Chief Scott Feagan, Attorney Shane Adamson (at 7:04 p.m.), City Supervisor Bryan Midgett, Water Plant Supervisor Mike Tyler, Jamie Mays, Tony Grant, Jim Blundell, Joe and Elizabeth Wright, Debbie Yost, Judy Wilson, Charles Archer (at 7:04 p.m.), Officer Tim Gilliland (at 7:10 p.m.), Officer Dalton Russell (at 7:24 p.m.) and Officer Travis Rakestraw (at 7:30 p.m.).

Mayor Robison called the meeting to order and opened with prayer.

Mayor Robison requested the addition of visitors Joe and Elizabeth Wright and Judy Wilson.

Motion by Nash, second by Koontz to approve the agenda with the visitor addition. Motion carried.

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

Motion by Koontz, second by Kepner to approve the Municipal Court Report. Motion carried.

Motion by Kepner, second by Nash to approve the Treasurer's Report. Motion carried.

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

APPROPRIATION ORDINANCE # 3571 as follows:

Payroll Funds	\$ 26313.93
Other Funds	<u>88527.00</u>
Total of all funds	\$114840.93

MAYOR, COUNCIL, EMPLOYEES & VISITORS

Jamie Mays and Tony Grant with McGuire Iron gave a presentation on their proposal for the repairs and maintenance to be done on the city water tower. No action will be taken until after the first of the year and water tower discussion will be on the first meeting in January 2019. (Mays and Grant left).

Joe and Elizabeth Wright were present to discuss the water bill for their property that is on a rural water line. Outside water meters are read once a year by the city crews and the water reading had been estimated since March 2018. When it was read in November, there was a high

UNAPPROVED MINUTES

usage which resulted in a large billing. Debbie Darnell had given the council different options to take into consideration if an adjustment is to be made to the account. Discussion followed.

Motion by Castle, second by Koontz to charge Wright the wholesale rate on the water reading consumption, which amounts to \$1785.95. Motion carried. Bryant voted no.

Motion by Koontz, second by Bryant that rural meters will be read at least once a quarter. Motion carried.

Judy Wilson presented a formal complaint on the property at 914 Elm with the excessive number of used appliances and the burning of debris resulting in a foul black smoke. Discussion followed.

Motion by Koontz, second by Bryant to have a letter written and delivered by November 30, 2018 to the property owner. Motion carried.

Koontz discussed Altamont's building code for requiring houses being built to be at least 625 square feet and stated that Chetopa needed to look at doing something like this.

Nash discussed houses needing to be condemned and reported on a listing that he had made.

Motion by Nash, second by Koontz to start condemnation proceedings on structure located at 315 Cherry St. Motion carried.

Koontz discussed inoperable vehicles.

Nash asked what each council member was bringing for the employee Christmas party and a list was made.

Seaman noted that Kathy Pease's property was cleaned up.

Debbie Yost asked if city crews could put up the lights around the community building.

Clerk Crumrine reported that she is working with the auditor on a budget amendment and is going to see if she can locate someone to help with the FEMA Mitigation grant application.

Nash had received a quote in the amount of \$802.48 for lights and poles for the Community Bible Church and wanted approval for the city crews to proceed with the installation.

Motion by Bryant, second by Koontz to have city crews install the lights and poles with the Community Bible Church reimbursing for the labor and materials. Motion carried.

Police Chief Feagan requested an executive session.

Motion by Nash, second by Koontz to enter into an executive session to discuss non-elected personnel with mayor, council, legal counsel, police chief and police officers present with session ending at 8:20 p.m.. Motion carried.

Entered: 8:10 p.m.

Returned: 8:20 p.m.

Mayor Robison called the meeting back to order and the following action was taken.

Motion by Bryant, second by Koontz for the city to pay Officer Rakestraw for his vacation time up to this time and if possible have pay check ready tomorrow. Motion carried.

Police Chief Feagan informed the council that Municipal Court Judge Jerry Wilson had asked about person that owed a larger amount of fines working them off by doing community

UNAPPROVED MINUTES

service. Pastor Raymond Whetstone has work that needs done at the church and has other people needing work done. After discussion, Attorney Adamson stated that it was his opinion that it was not in the city's best interest to allow community service to be done.

City Supervisor Midgett reported that he had to replace two batteries in the utility truck and that ETI had ordered the wrong parts to get the repairs done on the truck. Castle asked about Tony Mayfield's CDL and it was reported that he had been scheduled to go but the truck had to have a repair done and Mayfield is scheduled to go next Wednesday. Bryan is scheduled to go for his Wastewater testing in Emporia and Tony and Joey are scheduled for the Transformer training in McPherson.

PARK CURFEW/LIVESTOCK ORDINANCES

Ordinances for the Veterans Park Curfew and prohibiting livestock in the park and the livestock limitation were presented for adoption.

Motion by Nash to adopt the two ordinances. Discussion: does there need to be a penalty clause included in the ordinances in the event someone is in violation of the ordinance. Motion died from a lack of a second. Discussion followed as to what penalties would be imposed.

Motion by Koontz, second by Seaman to include fines discussed and present the ordinances at the next council meeting. Motion carried. Bryant voted no.

DOG LIMITATION ORDINANCE

Discussion was held on the city code section concerning kennels and number of dogs and cats allowed.

Motion by Koontz, second by Seaman to limit ownership of dogs and or cats to six and repeal Section 2-120 of the city code. Motion carried.

Judy Wilson questioned if everyone is aware of the tag licensing policy and asked that the policy be put in the minutes.

Article 2. Dogs. 2-201. **REGISTRATION AND VACCINATION REQUIRED; FEE.** (a) Every owner of any dog over six months of age shall annually register with the city clerk his or her name and address with the name, sex and description of each dog owned and kept within the city. It shall be unlawful for the owner of any newly acquired dog or any dog brought into the city to fail to register such animal within 30 days from acquisition or bring the dog into the city. It shall be unlawful for the owner of any previously registered dog to fail to maintain current registration of such dog. (b) Upon registration, the owner shall present a current, completed certificate of immunization against rabies. No registration shall follow without evidence of the document, and shall be unlawful for the owner of any dog over six months of age to fail to maintain effective rabies immunization of such dog. (c) The owner or harbinger of any dog shall, at the time of registering such dog, present to the city treasurer a certificate from an accredited veterinarian showing that a male dog has been neutered or a female dog has been spayed, if the dog has been neutered or spayed. (d) The city treasurer shall collect an annual registration fee of \$1.00 for each neutered male dog and for each spayed female dog, and \$25.00 for each unneutered male dog and for each unsprayed female dog. (e) The

UNAPPROVED MINUTES

registration year shall be January 1st of each year. The fee shall be payable before January 3rd of each year without penalty. Registration fees as enumerated above may be prorated for newly acquired dogs or for dogs owned by a person or persons moving to and establishing a home in the city during a calendar year. Every owner or harbinger of dog or dogs who shall fail to register the same prior to the 1st day of January of each year shall pay in addition to the registration fee herein provided, a penalty for late registration of \$2.00 for each neutered male dog and for each spayed female dog and \$37.50 for each unneutered male dog and for each unsprayed female dog.

CITY HELPER DISCUSSION

The two applicants that were to be interviewed had both decided to not interview for the city helper position and the clerk asked if the council wished to take more applications.

Discussion followed.

Motion by Koontz, second by Bryant to wait until after the first of the year to take applications for the city helper position. Motion carried.

BUILDING PERMIT

Post of the city website and on the Chetopa Facebook page without protest, Elmer Joe Blundell to move in a 1996 14' x 86' mobile home at 904 Plum Street in the City of Chetopa.

Motion by Castle, second by Kepner to approve the building permit for Blundell. Motion carried.

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

Seal

Mayor

City Clerk