

# UNAPPROVED MINUTES

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

December 4, 2018

The Chetopa City Council met in regular session on Tuesday, December 14, 2018 at 7:00 p.m., at City Hall.

PRESIDING: Mayor Terry G. Robison

PRESENT: Council Members/Gary W. Bryant (at 7:27 p.m.), Geraldine Castle, Betsy Koontz, Carthen Nash and Linda Seaman. Juanita Kepner was not present.

ALSO PRESENT: Clerk/Toni A. Crumrine, Police Sergeant Tim Gilliland, City Supervisor Bryan Midgett, Attorney Shane Adamson, Mark Rhodes, Joel Riddle, Office Dalton Russell, Debbie Yost, Judy Wilson and Charles Archer.

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

Clerk Crumrine requested that Joel Riddle and Mark Rhodes be added as visitors and the snow removal contract be added to the agenda.

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

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

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

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

### **APPROPRIATION ORDINANCE # 3572 AND 3573** as follows:

Payroll Funds # 3572	\$ 3127.91
# 3573	23704.89
Other Funds # 3573	<u>202891.81</u>
Total of all funds	\$229724.61

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

**Michelle Feagan** was not present but wanted to know if any of the council was interested in riding on a float for the Christmas parade. There will be at least four riding and Crumrine will let Michelle know.

**Jim Cooper** was not present but had sent Crumrine information about flashing lights for the stop sign at 3<sup>rd</sup> and Maple. Cooper was just about hit there at that intersection by a semi that didn't stop and requested a light be placed on the stop sign.

Motion by Koontz, second by Castle to table action until the next meeting to get more information. Motion carried.

**Joel Riddle** discussed the improvements that he wanted to make at his business, The Firepit and some involved reworking the sidewalks and asked if there was any grants, etc. to help with the

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sidewalk improvements and placing a handicap section by his restaurant. Discussion followed and the clerk will contact several people to see what programs are available for funding help.

**Mark Rhodes** was present to discuss the cleanup done at his residence from the complaint filed at the last meeting. Pictures of the property were passed around and discussion followed.

Motion by Castle, second by Koontz to give Rhodes an additional 30 day extension to complete the cleanup. Motion carried. Bryant voted no.

Rhodes asked about putting up a privacy fence to allow for storage and it is permissible as long as the items are not visible to the public.

**Mayor Robison** discussed the extension of the snow removal contract with Zach Lawellin due to the forecasted weather. Clerk Crumrine had spoken with Lawellin and he is agreeable to provide this service at the same price as prior years \$500 per occurrence.

Motion by Nash, second by Bryant to extend the snow removal contract with Lawellin. Motion carried.

**Koontz** reported that the storage container that was moved from Cindi McElroy's property had been moved to lots on Plum Street. Police Sergeant Gilliland was instructed to contact the owner as a building permit had not been applied for or approved.

**Nash** asked City Supervisor Midgett about where they were on trimming limbs out of the power lines. It was reported that they had started the trimming and that Joey Midgett had left for the transformer workshop in McPherson and Tony Mayfield was going to be taking his CDL test this week.

**Bryant** asked if Gilliland had an update on the complaint that he had done and there was nothing new to discuss.

**Castle** asked if the Elmore shower/bathrooms were going to be closed during the winter.

Motion by Castle, second by Koontz to start Monday, December 10<sup>th</sup> locking the facility at 4:00 p.m. and unlock in the morning when city crews reported to work. Motion carried.

**Castle** had a discussion with the county appraiser and they had asked if the city considered requiring building permits for travel trailers that are being lived in and hooked up to utilities, whether it be an extension cord or directly into city electricity and also discussed people with no utilities hauling water as they are using the sewer and not being charged. The ordinance committee was instructed to look at the minimum housing code to address these issues.

**Clerk Crumrine** reported that the work comp experience mode was .85 and that only small claims have been submitted recently. It had been asked if the city would approve allowing a company to bring pony rides up for the Christmas on the Street event on December 13<sup>th</sup> and the company will provide the liability insurance for the event.

Motion by Nash, second by Castle to allow pony rides for the 13<sup>th</sup>. Motion carried.

**Clerk Crumrine** informed the council that the fire department has a buyer for the Polaris side by side for \$17000 and possibly the trailer at a later date. Discussion followed.

Motion by Koontz, second by Castle to allow the sale of the Polaris. Motion carried.

**Clerk Crumrine** had been contacted by Chetopa State Bank President Debbie Yost about the banks utilities. Yost was present and gave the council a comparison of 2017 and 2018 and

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stated that the electric meter evidently has been dying and the readings are not accurate as the bank only used 187 kw's of electricity last month and it had used 847 kw's the year before. Yost estimated that the bank owed the city at least \$1000 as the readings didn't look in line since July. Discussion followed. (Riddle and Rhodes left)

Motion by Bryant to work with Chetopa State Bank to determine some sort of average to correct the billing on the electric meter. Motion died for lack of second after discussion.

Motion by Bryant, second by Castle to accept the Chetopa State Bank offer of paying an additional \$1000 towards the electric due to the meter dying. Motion carried. Koontz and Nash voted no.

**City Supervisor Midgett** who is also the Fire Chief reported that the Parsons Fire Department is applying for a training equipment grant that will be available for use county wide but are asking the other area department to help with the matching grant funding. The portion for the Chetopa fire department is approximately \$2000. This will be placed on the first meeting in January's agenda. There are three firemen on the department that want to take the Firefighter 1 class through LCC. The CTE scholarship program will pay the tuition. Mayor Robison asked about the status of the additional 9 holes for the disc golf and they are working on them.

## **PARK CURFEW/LIVESTOCK ORDINANCE**

Ordinance No. 913 was presented for approval establishing a curfew for Veterans Park and regulating the usage of said park, with the addition of the penalty section as discussed at the last meeting. Mayor Robison asked if someone wanted to have a pony ride, would they be able to and it was stated that they could have it on the road or anywhere besides in the park so no change was made to the ordinance as presented.

Motion by Nash, second by Seaman to adopt Ordinance No. 913 as presented. Motion carried.

## **ORDINANCE NO. 913/AN ORDINANCE ESTABLISHING A CURFEW FOR VETERANS PARK AND REGULATING THE USAGE OF SAID PARK.**

Ordinance No. 914 was presented for approval on limiting the possession of livestock within the city limits with the addition of the penalty section for noncompliance that was discussed at the last meeting.

Motion by Koontz, second by Nash to adopt Ordinance No. 914 as presented. Motion carried.

## **ORDINANCE NO. 914/AN ORDINANCE TO LIMIT POSSESSION OF LIVESTOCK WITHIN THE CITY LIMITS OF THE CITY OF CHETOPA AND RESCIND SECTION 2-112A OF CHAPTER II ANIMAL CONTROL AND REGULATION OF THE CITY CODE OF THE CITY OF CHETOPA.**

## **DOG LIMITATION ORDINANCE DISCUSSION**

In reviewing the information for the limitation of dogs and cats, it was brought to Clerk Crumrine's attention that there is a hobby breeder with a KS license in the city limits and if the ordinance was drafted as presented last meeting that would not allow the breeder to have their

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number of dogs. Also Crumrine felt that a penalty section needed to be added to the ordinance. Discussion followed. (Nash left before the motion and vote).

Motion by Bryant, second by Koontz that a penalty section is added that 30 days from passage of ordinance, all animals over the age of 6 months above the 6 animal limit, are to be removed from the city limits or a fine of \$10 per day per animals will be assessed. Motion carried. Motion carried. Crumrine will draft an ordinance and send to Attorney Adamson for review.

## **BUDGET AMENDMENT HEARING DATE**

Clerk Crumrine reported that the 2018 budget amendment hearing is scheduled for the next city council meeting. Copies were given to the council for their review.

## **CONDEMNATION NOTICE OF HEARING**

A resolution setting a hearing date of February 4<sup>th</sup> for condemnation was presented for properties located at 321 Cherry and 415 S. 4<sup>th</sup> St. These properties are both owned by John Harris and in doing both now, will save on certified postage expenses as both properties are in unsafe or unfit shape.

Motion by Seaman, second by Castle to adopt Resolution 2018-3. Motion carried.

## **BUILDING PERMIT**

Posted on the city website and on Facebook on Chetopa Residents without protest, Patty Wilkinson to move in a 15' x 30' prebuilt storage building to 315 Mulberry St., in the City of Chetopa. Building Inspector Bryant had no objection to the approval of the permit.

Motion by Koontz, second by Castle to approve the building permit. Motion carried.

## **DATE CHANGE FOR 1<sup>ST</sup> MEETING IN JANUARY**

With the first meeting date falling on January 1<sup>st</sup> (New Year's day) the clerk asked when the council wanted to hold the first meeting. Discussion followed.

Motion by Bryant, second by Koontz to change the meeting date to Thursday, January 3, 2019. Motion carried.

## **SPECIAL ASSESSMENT ORDINANCE**

Clerk Crumrine presented Ordinance No. 912 to levy the last special assessment mowing fees to properties for the months of July and September.

Motion by Castle, second by Koontz to adopt Ordinance No. 912. Motion carried.

## **ORDINANCE NO. 912/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 SEPTEMBER 2018.**

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

Seal

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Mayor

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City Clerk