

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

August 4, 2020

The Chetopa City Council met in regular session on Tuesday, August 4, 2020 at 7:00 p.m., at City Hall.

PRESIDING: Mayor Tammy Bushong.

PRESENT: Council Members/Gary W. Bryant (at 7:08 p.m.), Geraldine Castle, Ernie Wulf and Linda Seaman. Juanita Kepner and Carthen Nash were not present.

ALSO PRESENT: Clerk/Toni A. Crumrine, Attorney Shane Adamson (via phone), City Supervisor Bryan Midgett, Officer Corie Brown, David Napier, Lee Bushong, Lenora Humphrey, Johnna McDaniel and Bruce Boettcher.

Mayor Bushong led the council and visitors in the Pledge of Allegiance and opened the meeting in prayer.

Motion by Castle, second by Bryant to approve the Agenda as presented. Motion carried.

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

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

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

**APPROPRIATION ORDINANCE # 3613** as follows:

Payroll Funds	\$25944.56
Other Funds	<u>26360.14</u>
Total of all funds	\$52304.70

**MAYOR, COUNCIL, EMPLOYEES & VISITORS**

**David Napier** had requested a hearing on the nuisance/junk vehicle violation letter that he received. A lengthy discussion was held.

Motion by Bryant, second by Castle to have Mr. Napier clean up lots and move his business out of Chetopa. Motion carried. (Napier left)

Mayor Bushong reported that the last meeting had been recorded by an individual, which is legal as it is a public meeting but in the future, it will need to be sure that there are not any cell phones or other recording devices left in the room when the council enters into executive sessions.

**Bruce Boettcher** with BG Consultants was present to update the council on the sewer project. (Boettcher left after discussion)

**Lenora Humphrey** was present to discuss the broken back glass on their 1996 Chevy Caprice that occurred when the city was mowing the right away in front of their house. A copy of the courtesy police report had been given to the council in their packets. Discussion followed.

Motion by Bryant, second by Wulf to have the Humphrey's get estimates on replacing the glass and give to the city clerk. Motion carried.

**Castle** discussed the concerns of the living conditions of a resident's house and them having grandkids being there. This will be checked into regarding a minimum housing ordinance that was adopted. Castle reported that a sidewalk had been torn out by Jerry Adler.

Motion by Castle, second by Wulf to send letter to Adler stating sidewalk that was removed would need to be replaced and send a copy of the ordinance with the letter. Motion carried.

**Castle** stated that Jim Hoggatt had not gotten a building permit to move the second trailer in that he has attached to the existing trailer and that he did not appear as requested for this meeting. Hoggatt had originally told Police Chief Feagan that he intended to scrap the trailer out.

Motion by Bryant, second by Wulf to send a letter to Hoggatt regarding the trailer moved in without a permit. Motion carried.

**City Supervisor Midgett** reported that the fire department tanker is still making a noise and it is getting looked at and that they would be using a house for some smoke training Saturday. Midgett also asked for an executive session for non-elected personnel later.

#### **STAIN GLASS WINDOW DISCUSSION**

Clerk Crumrine reported that Casey Doyle had not gotten back with her yet on a quote to remove the stain glass windows from the old city building.

#### **SEALED BID TABULATION**

A tabulation of the sealed bids that were opened at the last meeting was presented to see if the high bids would be accepted.

Motion by Wulf, second by Castle to accept the high bids on the sealed bid surplus property sale. Motion carried.

#### **MOW MAN POSITION DISCUSSION**

City Supervisor Midgett wanted this discussion postponed because of the executive session discussion.

#### **CREDIT CARD CHARGE DISCUSSION**

Mayor Bushong discussed that the city is bearing the expense for customers using a credit card and suggested that the charge be passed on to the customer. Discussion followed and it was asked for the clerk to find out the fees are on using credit cards.

#### **PROBATION DISCUSSION**

It was prior council's decision to have employees remain on probation until they get their CDL. Due to the COVID-19 restrictions, there are no driving tests being administered in Chanute and the closest testing is in Wichita or Topeka. Nicholas Dimos has passed his written portion of the license application but in order to take the driving test, they would have to drive the sanitation truck or the dump truck to either of the above locations. Employees on probation cannot use their sick leave or get paid for holidays and it was asked because of the circumstances

beyond his control, if Dimos could be taken off probation before obtaining his CDL. Discussion followed.

Motion by Seaman, second by Wulf to remove Dimos from probation when his 90 days is up. Motion carried. Bryant voted no.

**SPECIAL ASSESSMENT ORDINANCE**

Ordinance No. 935 levying a special assessment on properties for mowing during the months of May and June was presented for approval.

Motion by Castle, second by Seaman to adopt Ordinance No. 935. Motion carried.

**ORDINANCE NO. 935/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 MAY AND JUNE 2020.**

**SPARK RESOLUTION**

A resolution to participate in the Coronavirus Relief Fund was presented for approval.

Motion by Castle, second by Seaman to approve Resolution 2020-4 relating to the Coronavirus Relief Fund. Motion carried.

**EXECUTIVE SESSION**

Motion by Castle, second by Bryant to enter into executive session to discuss non-elected personnel with mayor, council, legal counsel, city clerk and city supervisor present for five (5) minutes with session ending at 8:32 p.m. Motion carried

Entered: 8:27 p.m. Returned: 8:32 p.m.

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

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

Seal

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk