

# UNAPPROVED MINUTES

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

February 16, 2021

The regularly scheduled council meeting for February 16, 2021 was cancelled and rescheduled for Tuesday, February 23, 2021 at 7:00 p.m. at City Hall due to the extreme weather conditions.

February 23, 2021

The Chetopa City Council met on the rescheduled date of Tuesday, February 23, 2021 at 7:00 p.m., at City Hall.

PRESIDING: Mayor Tammy Bushong.

PRESENT: Council Members/Gary W. Bryant, Juanita Kepner, Ernie Wulf, Ashley Brown and Linda Seaman. Geraldine Castle was not present.

ALSO PRESENT: Clerk/Toni A. Crumrine, Police Chief Scott Feagan, City Supervisor Bryan Midgett, Attorney Shane Adamson (via Zoom at 7:14 p.m.), Corey Brown, Krystal Adams and Lee Bushong.

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

Motion by Wulf, second by Kepner to approve the Agenda. Motion carried.

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

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

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

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

### **APPROPRIATION ORDINANCE # 3626** as follows:

Payroll Funds	\$ 24142.76
Other Funds	<u>79412.74</u>
Total of all funds	\$103555.50

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

**Krystal Adams** was present representing Project Prom to ask for a donation towards this years' after prom activities.

Motion by Wulf, second by Brown to approve giving Project Prom a \$200 donation. Motion carried. (Adams left)

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**Mayor Bushong** discussed the online session that Debbie Darnell and her had sat in on a presentation concerning the KMEA utility billing for the extreme cold period but there are no figures on how much the billing will be yet and discussed the utility delinquencies.

**Ernie Wulf** asked if rock could be put in the parking area on the East side of the First Christian Church. Discussion followed.

Motion by Bryant, second by Brown to have rock put in the parking area. Motion carried.

**Seaman** discussed employee raises that had been put in the budget. Discussion followed.

Motion by Wulf, second by Brown to raise Mike Billingsly up to \$15 per hour retroactive to when he was certified and give Nicholas Dimos a \$1.00 per hour raise retroactive to when he got his CDL and off of probation. Motion carried. Bryant voted no. The clerk was instructed to have raises on the agenda for the next meeting with information from what was put in the budget.

**Clerk Crumrine** discussed the email from Bobbi Williams concerning the Chetopa Farmers Market and Williams had asked about making it a monthly event in place of the weekly market and have vendors and food truck set up. Discussion followed.

Motion by Seaman, second by Wulf to allow Bobbie Williams to proceed with making the Chetopa Farmers Market a monthly event and allow her to work out the date details. Motion carried.

**Clerk Crumrine** had received an invoice in the amount of \$1,797.79, down from last year of \$2,042.06 from the Cottonwood and Neosho River Basins Water Assurance District No. 3 for the 2021 Assessment.

Motion by Bryant, second by Kepner to approve the payment of the 2021 Assessment. Motion carried.

**Clerk Crumrine** had received the CDBG Letter of Conditions, Contract and Budget on the sewer grant award. Discussion followed and it was reported that there is a TEAM meeting with KDOC regarding the paperwork required on Thursday, February 25, 2021 at 10:00 a.m. and at least one person from the city needs to be in attendance. Mayor Bushong said that she would be available to be at the meeting.

Motion by Wulf, second by Kepner to approve the mayor and clerk to sign the CDBG documents for the sewer project. Motion carried.

**Mayor Bushong** addressed the way that sewer fees are calculated and the code states that the rate will be based on the December, January and February water usage average and felt that because of the water leaks and other measures to keep water lines from freezing causing a higher than normal usage in February, to use November, December and January water usage average for the sewer calculations.

Motion by Seaman, second by Wulf to approve using November, December and January average water usage. Motion carried.

**Police Chief Feagan** advised the council that CDL Electric had looked at the siren circuit boards and will bring them back over to install and then test sirens.

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**City Supervisor Midgett** reported that the dump truck issue that they originally thought was a transmission problem turned out to be bad batteries. Batteries were purchased and installed and truck is running okay.

**Mayor Bushong** was informed by Water Plant Supervisor Mike Tyler that they had have a problem keeping the water tower full due to water leaks and faucets dripping and she had approved overtime to be worked to pump water at night.

## **OLD BUSINESS FOLLOWUP**

No other window quotes for the library have been received. Council member Bryant does not want to serve on the KMEA Board of Directors. Discussion followed as to who to serve on the board.

Motion by Wulf, second by Kepner to have Council Member Brown serve as Director 1. Motion carried.

Building Inspector Bryant did not see the location staked out for the modular home and would not approve the permit until that was done. A condemnation update was done on the Neel property and it was noted that the property was up for sale. Discussion followed.

Motion by Wulf, second by Seaman to proceed with the condemnation pending checking with the Labette County Register of Deed to see if there has been anything recorded with the grandson's name. Motion carried.

An update on Kathy Pease property was given. Discussion followed.

Motion by Wulf, second by Seaman to start the condemnation process on the Pease property. Motion carried.

A quote of \$10565 from Champlain Tire Recycling, Inc., for rubber mulch to be installed under playground equipment at Elmore and Veterans Park required per the EMC survey was presented. The council was in agreement to look at other options.

## **KDHE LOAN AGREEMENT/ORDINANCE/ATTORNEY OPINION**

The paperwork required for the KDHE Loan for the sewer project was received and the clerk has prepared the forms for execution. Forms are the Loan Agreement, Ordinance No. 943, Exhibit G ( Form of Opinion of Municipality's Counsel) and Exhibit F (Excerpt of Minute of Meeting).

Motion by Seaman, second by Brown to approve the signing of the required documentation for the KDHE Loan on the sewer project. Motion carried.

**ORDINANCE NO. 943/ AN ORDINANCE AUTHORIZING THE EXECUTION OF A LOAN AGREEMENT BETWEEN THE CITY OF CHETOPA, KANSAS AND THE STATE OF KANSAS, ACTING BY AND THROUGH THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT FOR THE PURPOSE OF OBTAINING A LOAN FROM THE KANSAS WATER POLLUTION CONTROL REVOLVING FUND FOR THE PURPOSE OF FINANCING A WASTEWATER TREATMENT PROJECT; ESTABLISHING A DEDICATED SOURCE OF REVENUE FOR REPAYMENT OF SUCH LOAN: AUTHORIZING AND APPROVING CERTAIN DOCUMENTS IN CONNECTION THEREWITH; AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION WITH THE LOAN AGREEMENT.**

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## **LEGAL SERVICES AGREEMENT FOR USDA**

A legal services agreement between the City of Chetopa and Law Office of Shane Adamson had been drafted and reviewed by Attorney Adamson. This will fulfill all the requirements at this time.

Motion by Seaman, second by Wulf to approve the mayor, clerk and attorney to sign the agreement. Motion carried.

## **ANNUAL EMPLOYEE APPOINTMENTS**

Mayor Bushong appointed the following employees in accordance with Charter Ordinance No. 17: Toni A. Crumrine, City Clerk; Scott T. Feagan, Police Chief; Debbie Darnell, City Treasurer; Shane Adamson, City Attorney and Jerry R. Wilson, Municipal Judge.

Motion by Wulf, second by Kepner to confirm the mayor's appointments. Motion carried.

## **FIRST RESPONDER ROSTER CONFIRMATION**

First Responder President Scott Feagan submitted the following First Responder roster for confirmation: Ashley Brown, Brenda Dominguez, Bryan Midgett, Carthen Nash, Colby Riddle, Corie Brown, Dakota Pease, Jaylee Sanders, Joey Midgett, Julia Nash, Kelsey Durflinger, Kyle Darnell, Laken Owens, Lane Rathjen, Lori Midgett, Scott Feagan and Timothy Gilliland.

Motion by Wulf, second by Brown to confirm the First Responder roster. Motion carried.

## **COMMITTEE AND OTHER DESIGNATIONS**

The following is a listing of the Committees and other Designations: Industrial: Seaman and Wulf; Property: Bryant and Brown; Ordinance: Brown and Castle; Police: Kepner and Castle; Street, Alley and Sanitation: Wulf and Seaman; Parks: Brown and Wulf; Building Inspector: Ernie Wulf; Civil Defense Directors: Fire Chief Midgett and Police Chief Feagan; Bank: Bank of Commerce; Newspaper: Labette Avenue and Parsons Sun and Christmas Decorations: Mayor and Clerk.

Motion by Brown, second by Kepner to approve the Committees and Other Designations. Motion carried.

## **ELECTION OF PRESIDENT OF THE COUNCIL**

Motion by Kepner, second by Wulf to elect Linda Seaman as Council President. Motion carried.

## **POOL MANAGER AND MOWING POSITION APPLICATIONS**

Clerk Crumrine asked if it was the council's intent to open the pool this year as the city needs to start advertising for the seasonal position of pool manager, lifeguards and the mowing position. Approval was given to advertise with positions open until filled.

## **UTILITY CHARGE OFF LISTING**

The 2020 Charge-Off List was presented to remove accounts of deceased and bankruptcy filed persons.

Motion by Bryant, second by Kepner to approve the charge-off listing. Motion carried.

**Mayor Bushong** asked the attorney about active utility accounts that are still under a deceased family member where family members are living and Attorney Adamson stated that accounts need to be in the living person's name.

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

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Seal

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Mayor

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City Clerk