

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

August 1, 2023

The Chetopa City Council met in regular session on Tuesday, August 1, 2023 at 7:00 p.m., at City Hall.

PRESIDING: Mayor Tammy Bushong.

PRESENT: Council Members/Bob Boyd, Linda Seaman, Justin Nading, Juanita Kepner, Geraldine Castle and Ernie Wulf.

ALSO PRESENT: Clerk/Toni A. Crumrine, Police Chief/City Supervisor Scott Feagan, Attorney Shane Adamson (at 8:15 p.m.), Water Plant Supervisor Mike Tyler, Utility Bookkeeper/City Treasurer Debbie Darnell, Court Clerk Patty Wilkinson (at 7:15 p.m.), and Assistant City Clerk Amy Wilkinson.

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

It was requested to delete the paving bids and the duplicate item on the new business and add the main lift station pump repair estimate from JCI and the STO and UPOC Ordinances for Adoption.

Motion by Castle, second by Wulf to approve the Agenda with the Deletions and Additions noted. Motion carried.

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

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

APPROPRIATION ORDINANCE # 3687 as follows:

Payroll Funds	\$ 33239.73
Other Funds	<u>80349.80</u>
Total of all Funds	\$113589.53

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

MAYOR, COUNCIL, EMPLOYEE & VISITORS

Water Plant Supervisor Tyler reported that parts for the rapid mixer totaling \$433 had been ordered and had found another company to order the rapid mixer that was half of the original quote from another company. Mayor Bushong presented pictures and discussed the condition of the pool liner that prompted the early closing of the pool. Alternatives to the repairs needed at the pool were discussed. Due to the low water in the Neosho River, concerns were discussed on water usage and availability.

Utility Bookkeeper/City Treasurer Darnell informed the council that she had been told that the financials had to be published by the 20th following the end of the quarter, but because it

was found to be the end of the month, financials will be presented to the council and approved before sending to the newspaper for publication.

Mayor Bushong discussed the VIN fees and reported that Clerk Crumrine had contacted the auditors and was told that it was a misclassification by the auditors, but will be corrected going forward, suggested that the council start thinking about who to put in as the city certified wastewater operator, to get them trained and certified and also discussed her conversation with Charles Morse at the Floodplain meeting regarding the river bank erosion and that Morse would make some calls to his contacts to see if the erosion issue could be resolved.

Boyd reported on a complaint by a resident of a trailer being moved into property. This will be checked into.

Nading had visited with Fire Chief Bryan Midgett on the cleaning list for the fire station office area. Mayor Bushong expanded on the cleaning hours and it was decided to allow seven (7) hours total per week for the cleaning of the city offices, police station, fire station office and the community building and not have specific hours designated for each location.

Nading had spoken with the post office employees about the water issue and suggested the building of a trough to feed the water away from the back door but the property owner has not returned calls. It was decided to wait until the property owner had been spoken with, to give their approval to do the repair due to it being on the property owner's side of the alley.

Mayor Bushong discussed the mowing list and pointed out that several properties listed had several locations but only one minimum charge that was being split between the locations and had understood from previous discussions that there should be a minimum charge for each legal location. More discussion followed.

Motion by Seaman, second by Nading going forward to charge each legal address the minimum charge of two hours plus any certified mailing fees for each mowing and if not paid within the time period after billing, levy a special assessment to the property mowed. Motion carried.

Clerk Crumrine had received a quote in the amount of \$5455 from JCI to repair the main lift station pump and Chad Copher will reinstall the pump for the balance of his billing in the amount of \$1827.50. This work will complete the list of repair items on the lift stations that had been compiled in March 2022. JCI was finally able to get the parts to repair the pump that they have had an estimated eight months.

Motion by Wulf, second by Boyd to approve JCI proceeding with the repairs and approve the reinstallation charge for Chad Copher, when pump is picked up. Motion carried.

Clerk Crumrine presented two ordinances to adopt by reference the new Uniform Public Offense Code and the Standard Traffic Ordinance books published by the League of Kansas Municipalities. Discussion followed.

Motion by Wulf, second by Seaman to adopt Ordinance No's 971 and 972. Motion carried.

ORDINANCE NO. 971/AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF CHETOPA, KANSAS:

INCORPORATING BY REFERENCE THE STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES, 50TH EDITION, WITH CERTAIN CHANGES; PROVIDING CERTAIN PENALTIES AND REPEALING ORDINANCE NO. 957

ORDINANCE NO. 972/AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF CHETOPA, KANSAS; INCORPORATING BY REFERENCE THE UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES, 39TH EDITION, WITH CERTAIN OMISSIONS; PROVIDING CERTAIN PENALTIES AND REPEALING ORDINANCE NO. 958.

Police Chief/City Supervisor Feagan informed the council that on the small utility truck, the upper controls weren't working and on the big utility truck a bracket has broken. Terex is coming and will be doing repairs on both utility trucks. Feagan introduced Carly Eichler, who had been interviewed for a police officer position and requested that she be appointed to the position.

Mayor Bushong appointed Carly Eichler as a Police Officer.

Motion by Castle, second by Seaman to approve the appointment. Motion carried.

Police Chief/City Supervisor Feagan discussed the City of Chetopa Binding Agreement for Reimbursement of Hiring and Training Expenses that he had received from another city, that stated any resignation other than termination within twenty-four months from commencement of full time service as a police officer, employee will reimburse the city for all expenses and employment costs incurred in connection with the hiring and/or training and reported that Eichler had signed the agreement. Eichler has found a house to rent in Chetopa and is scheduled to start the police academy on September 18th and an additional spot at the same academy date is being held for the other officer when they start.

OLD BUSINESS FOLLOW UP

Clerk Crumrine presented an ordinance establishing a written policy and regulations for the two cubic yard dumpsters provided for residents with a large amount of trash.

Motion by Wulf, second by Nading to adopt Ordinance No. 973. Motion carried.

ORDINANCE NO. 973/AN ORDINANCE AMENDING THE CODE OF THE CITY OF CHETOPA, KANSAS ADDING 15-524 ESTABLISHING A WRITTEN POLICY AND REGULATIONS FOR TWO (2) CUBIC YARD DUMPSTERS PROVIDED FOR RESIDENTS IN ADDITION TO THE POLY CARTS.

No new updates were available on the tractor repair and camping statistic information had been summarized by Darnell and given to the council. The KPERS 457 form previously discussed at the last meeting was held to get the council's decision on whether to offer the plan election. Patty Wilkinson also participated in the discussion.

Motion by Castle, second by Wulf to not participate in the plan election. Motion carried.

An email from the LKM was discussed concerning LIEAP balances and details were worked on to draft an ordinance to increase the sanitation rates by 3% annually, to offset the rate increases that will be charged annually by the transfer station.

Motion by Seaman, second by Nading to draft an ordinance for the next meeting to automatically increase sanitation rates by 3% annually with the September 1st payment due date. Motion carried.

PROBATION DISCUSSION

City Helper Jason Morgan's 90-day probationary period is up on August 5, 2023 and Feagan reported that he is doing a good job and has passed the initial step of getting his CDL.

Motion by Seaman, second by Kepner to remove Morgan from probation effective August 5, 2023. Motion carried.

SPECIAL ASSESSMENT ORDINANCE

Ordinance No. 970 to levy unpaid mowing charges for the months of May and June to properties was presented for adoption.

Motion by Seaman, second by Castle to adopt Ordinance No. 970. Motion carried.

ORDINANCE NO. 970/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 2023.

FEMA-30 DAY REVIEW OF DRAFT FIRM DATABASE

Clerk Crumrine reminded the governing body that she had included information from FEMA in the council packets sent out before the meeting, regarding the 30 day review of the floodplain mapping data, giving the opportunity to supplement or modify it.

INSTITUTE SCHOLARSHIP APPLICATION

Clerk Crumrine stressed the importance of Assistant City Clerk Amy Wilkinson being allowed to start the CCMFOA/IIMC Institute and discussed a scholarship opportunity to pay the cost of the institute, mileage and partial mileage and hotel fees. Discussion followed.

Motion by Seaman, second by Wulf to allow Wilkinson to register for the Institute when put online and allow mayor to sign the support letter to be submitted with the scholarship application. Motion carried.

BUILDING PERMIT

Several comments had been made concerning the building permit application that was on the agenda, as the construction had already begun on Shane Beery & Alisha Dunnick building a 30' x 70' shop at 813 Cherry St., before the permit had been approved. The applicants were already aware of the application process as they had previously moved a tiny home into that location before requesting a permit. Discussion continued and it was pointed out that there is a general penalty specified in Section 1-116 of the Chetopa City Code and several wanted that penalty applied to this matter.

Motion by Boyd to approve the building permit, contingent on... (Further discussion interrupted the making of the motion, which subsequently died for a lack of a second).

Motion by Wulf, second by Seaman to approve the building permit. Motion carried. Boyd voted no and Building Inspector Nading abstained. The issuance of a citation will be pending.

PENDING ITEMS

There has been no update on the Archaeological Survey from the Osage Nation and Clerk Crumrine will reach out to them along with the contact for KB Archaeological Consulting, Kale Bruner. Regarding the installation of the generators at the water plant, materials have been ordered and installation will be completed once materials are received.

Motion by Seaman, second by Kepner to adjourn. Motion carried. Meeting adjourned at 9:11 p.m.

Seal

Mayor

City Clerk