

UNAPPROVED MINUTES

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

December 16, 2014

The Chetopa City Council met in regular session on Tuesday, December 16, 2014 at 7:00 p.m., at City Hall.

PRESIDING: Mayor Ron Wood.

PRESENT: Council Members/Gary Bryant (at 7:06), Terry Robison, Pat Blaich (at 7:10 p.m.), Jim Cooper, Carthen Nash and Joey Midgett.

ALSO PRESENT: Clerk/Toni A. Crumrine, Police Chief Scott Feagan, Rocky Billings, Jim Blundell, Bill Moses, Kay Wolfe, Nancy and Kelly Nading, Travis Rakestraw (at 7:11 p.m.) and Jeremiah Johnson.

Mayor Wood called the meeting to order and asked that Robison open the meeting with prayer.

Motion by Cooper, second by Midgett to approve the Minutes from the last regular meeting. Motion carried.

Motion by Cooper, second by Midgett to approve the Municipal Court Report. Motion carried.

Robison noted that the expenses exceeded the receipts in the Sanitation Fund and asked if we needed to increase rates. The clerk will research this matter.

Motion by Cooper, second by Midgett to approve the Treasurer's Reports. Motion carried.

Cooper questioned what the payment to Monett City Utilities was and it was reported that it was the City of Chetopa's portion of the lawsuit with Empire. It was also questioned about the purchase of six (6) tires from Moores Auto Repair and Cooper explained that it was mentioned during the original purchase of the fire truck that it would need mud tires.

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

APPROPRIATION ORDINANCE # 3476 as follows:

Payroll Funds	\$ 24984.11
Other Funds	<u>131960.73</u>
Total of all funds	\$156944.84

2014 AMENDED BUDGET HEARING

Mayor Wood opened the budget amendment hearing. There was no one present to discuss the budget amendment.

Motion by Bryant, second by Cooper to adopt the budget amendment as presented. Motion carried. The budget amendment hearing was closed.

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VISITORS

Rocky Billings had purchased the Appleton property on N. 11th Street from the tax sale and was not aware that the city had a special assessment for mowing of \$7590 against the property. He could not pay the 2014 property taxes until the special assessment was either adjusted or paid and he asked the city to reduce the amount. Discussion followed.

Motion by Nash to charge what we had in cleaning and mowing. Discussion: It was noted that the hours of labor and equipment had not been recorded as the charge was \$100 per lot. Bryant wanted to wait until the property was further cleaned up before making a decision on the reduction of the special assessment but Billings stated that unless he knew what the amount of special assessment would be, he didn't want to put a lot of time in the property if he couldn't pay the assessment. Moses was recognized from the floor and vouched for Billings that if he says he will clean up the property, he will. Billings discussed his ideas for the property. Motion died for a lack of a second. More discussion followed.

Motion by Nash, second by Cooper to amend the original charge of \$7590 to \$600 for the special assessment. Motion carried. Bryant and Robison voted no. (Billings thanked the council and left).

Bill Moses gave an update on the building that collapsed on Maple St and reported that it was asbestos free and is requesting an emergency tear down with the hopes of getting all the permits and have it torn down by the weekend. Bryant reported that there is a possibility that the west library wall will be damaged when the building is torn down. Discussion followed concerning the library wall/roof and how it is connected to the damaged building. A demolition permit had been applied for by the owner of the property.

Motion by Bryant, second by Cooper to approve the demolition permit. Motion carried.

Moses also presented a petition signed by 27 people concerning the higher utility rates for people living outside of the city limits and discussed the protected franchise area that the City of Chetopa had with the electric utility.

LAYOFF CLARIFICATION

The clerk had been contacted by Jacob Scales who had asked if the layoff was permanent or temporary and she had also received an unemployment employer notice that asked the reason for separation.

Motion by Bryant, second by Robison to call it a temporary layoff depending if funds become available to call employee back. Motion carried.

JOB DESCRIPTION & SALARY DISCUSSION

A draft of the job description for the city supervisor position was presented for review and several changes were made.

Motion by Robison, second by Nash to approve the job description with the changes made. Motion carried.

Further discussion on changes in departments with the hiring of a city supervisor was done.

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Motion by Bryant that if a city supervisor is hired then all department heads and distribution superintendent goes to helper wages. Motion died for a lack of a second.

Motion by Cooper, second by Blaich that if a city supervisor is hired, the distribution superintendent title will be changed to head linesman with the wages remaining the same and all other department heads wages will be reduced to helper wages. Motion carried. Cooper, Blaich and Carthen voted yes; Bryant, Midgett and Robison voted no; Mayor Wood voted yes to break the tie.

Discussion followed concerning what the pay would be for the city supervisor.

Motion by Nash, second by Robison to have the city supervisor base pay at \$16.50 per hour negotiable with qualifications. Motion carried.

LOADER REPAIR INVOICE DISCUSSION

An emergency repair authorization had been done to take the loader to Joplin to get the leak fixed. Approval had been given to pay Jerry Dugan \$300 to take the loader over and bring it back. Mike Frost had worked on the loader three (3) times and had not been able get the problem fixed. The last time that he had worked on it, he submitted a bill for \$270 and there was a question as to whether authorization had been given for him to do the work and it was asked to have him come to the next meeting to discuss this before payment is made. Frost was also to take a seal back to R&F Farm Supply in Erie to get credit as an additional seal had been purchased to replace a defective seal at a cost of \$130.38. S&H Farm Supply in Joplin, MO had done the repair work and submitted a bill of \$802.87.

Motion by Bryant, second by Blaich to pay the S&H Farm Supply and Jerry Dugan for the repair work done on the loader. Motion carried.

UTILITY RATE ORDINANCES

Three ordinances were presented for adoption for rates increase on electric, water and sewer. Discussion followed and Mayor Wood read recommendations from Debbie Darnell, Patty Wilkinson and Toni Crumrine.

Motion by Bryant, second by Cooper to adopt Ordinance No. 873 and review in 90 days on the electric rates. Motion carried. Nash and Robison voted no.

Motion by Bryant, second by Robison to adopt Ordinance No. 871 on sewer rates. Motion carried.

Motion by Nash, second by Bryant to adopt Ordinance No. 872 on water rates. Motion carried.

ORDINANCE NO. 871/AN ORDINANCE AMENDING ORDINANCE NO. 858 OF THE CITY OF CHETOPA, KANSAS, RELATING TO SEWER SERVICE CHARGES WITHIN SAID CITY AND OUTSIDE THE CITY LIMITS.

ORDINANCE NO. 872/AN ORDINANCE AMENDING ORDINANCE NO. 859 OF THE CITY OF CHETOPA, KANSAS, RELATING TO WATER RATES WITHIN SAID CITY AND OUTSIDE THE CITY LIMITS.

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ORDINANCE NO 873/AN ORDINANCE AMENDING SECTION 15-301 OF THE CITY CODE OF THE CITY OF CHETOPA, KANSAS, RELATING TO ELECTRICAL RATES WITHIN SAID CITY AND OUTSIDE THE CITY LIMITS.

OLD CITY BARN PROPERTY LEASE

Zach Lawellin had asked about leasing the old city barn facility until it was sold to store his equipment in. Bryant asked that a decision on this not be made at this meeting until it was seen what would happen with the city library building. This will be put on the next meeting's agenda.

CMB LICENSE APPLICATIONS

Cereal Malt Beverage License Applications were presented for approval. AKAS, Inc. (Jumpstart); Riverside Sporting Goods; The Shorthorn and Carm N Dales applied for licenses to sell cereal malt beverages in original and unopened containers and not for consumption on the licensed premises; and The Shorthorn applied for a license to sell cereal malt beverages for consumption on the premises. All background investigations had come back qualified.

Motion by Cooper, second by Bryant to approve the five (5) CMB licenses. Motion carried. Robison voted no.

SPECIAL ASSESSMENT ORDINANCE

An ordinance to assess the August and September mowing expenses and the nuisance cleanup and condemnation charges for 2014 was presented for approval.

Motion by Nash, second by Bryant to approve the Special Assessment ordinance. Motion carried.

ORDINANCE NO. 874/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 AUGUST AND SEPTEMBER, 2014 AND NUISANCE CLEANUP AND CONDEMNATION CHARGES FOR 2014.

CLERK'S MISC.

A request to put a culvert in at 4th and Elm St. was discussed. The ditch was not deep enough for a culvert to be installed and would require excavation.

Motion by Bryant, second by Robison to put rock only not a culvert in the location. Motion carried.

Ricky Crain had contacted the city about a dead tree in front of his residence at 514 Plum and asked that it be cut down. Jason Dugan had looked at the tree and reported that it was on city property and the city could cut it down. Library Minutes for the November meeting were given to the council. The Labette County Family Coalition will host a meeting in Parsons on January 6, 2014 at 6 p.m. and the council was invited to attend. The clerk had been asked to be a facilitator at the KRWA Conference in March and asked if the council wanted her to attend due to the funding issues. Attendance was denied. Jerry Midgett, Street Superintendent will be gone Friday, December 19, 2014 for sick leave and asked for two days of vacation the following Monday and Tuesday December 22 and December 23. The policy manual states any vacation

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over 2 days needed council approval but because he was taking Friday as a sick leave day wanted to be sure it was noted and approved.

Motion by Bryant, second by Nash to approve the vacation request. Motion carried.

The closeout paperwork on the HOME grant was presented along with the quarterly report to be submitted. A brief overview of the work that was done was given.

Motion by Bryant, second by Nash to approve the mayor signing the closeout HOME Grant paperwork. Motion carried.

Inventories have not been being done annually by some departments and the clerk is sending out a memo to all departments to get the inventories done by January 15, 2014 and a follow up will be given to the council.

Motion by Nash, second Midgett to have the clerk report to the council on the inventories. Motion carried.

Fire Runs for the 3rd and 4th Quarters in the amount of \$912 was presented for approval.

Motion by Cooper, second by Blaich to approve the payment of the fire runs. Motion carried.

MAYOR, COUNCIL & EMPLOYEE MISC.

Mayor Wood requested an executive session be called to discuss non-elected personnel.

Motion by Cooper, second by Midgett to enter into executive session to discuss non-elected personnel with mayor and council only for a period of 15 minutes ending at 9:58 p.m. Motion carried.

Entered: 9:43 p.m.

Returned: 9:58 p.m.

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

Motion by Cooper, second by Midgett to enter into executive session to discuss non-elected personnel with mayor and council only for a period of 10 minutes ending at 10:058 p.m. Motion carried.

Entered: 9:58 p.m.

Returned: 10:08 p.m.

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

Mayor Wood discussed the problems with the hand held readers and suggested have the employees retrained on using the equipment. Eldon Perkins had sent him a Christmas card and it had a check for \$1500 for the police department to use for the youth activities that they do.

Blaich stated that Bob Overman and she did not like the issue with the security system being put in the paper.

Cooper had evaluated the heating system at the water plant and one issue was a part under warranty. He had to look up the parts cost. He also gave some recommendations on making the water plant heaters more efficient.

Nash asked if the cleaning could be done by the office staff instead of hiring someone.

Blaich commended Officer Rakestraw on the response time in addressing a prior call.

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POLICE CHIEF MISC.

Police Chief Feagan gave an YTD update on the court fines and reported that \$61,000 had been paid with approximately \$7000 was outstanding. He also asked for clarification on the special law budget amendment and was told that the expenditures were more than had been budgeted and that was why the amendment had been done to give budget authority for the actual amount spent.

Cooper had found the pricing information and stated that he billed 10% over invoice for parts and gave estimates for parts to fix the remaining heaters. The repairs are not critical at this time unless another heater goes down. He also discussed that the meter reading dates and the dates of the Empire readings were not the same and this made the fuel adjustment charges not correct. This will be put on the next meeting's agenda to be discussed with Debbie Darnell. There will be a conference call with the Empire Electric wholesale customers on December 19, 2014 at 11:00 a.m. and the mayor or any council member was welcome to sit in on the phone conference.

Mayor Wood asked to meet at 6 p.m. before the next council meeting to continue the discussion on the non-elected personnel. A special meeting will be called to get this done.

Motion by Nash, second by Midgett to adjourn. Motion carried.

Seal

Mayor

City Clerk