

UNAPPROVED MINUTES

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

February 3, 2015

The Chetopa City Council met in regular session on Tuesday, February 3, 2015 at 7:00 p.m., at City Hall.

PRESIDING: President of the Council Terry Robison in the absence of Mayor Ron Wood.

PRESENT: Council Members/Gary Bryant (7:10 p.m.), Pat Blaich, Jim Cooper and Carthen Nash. Joey Midgett was not present.

ALSO PRESENT: Clerk/Toni A. Crumrine, Police Chief Scott Feagan, Attorney Shane Adamson, James Reynolds, Malinda and Wayne Lawrence, Billy and Belinda Hutchins, Kay Wolfe, Debbie Darnell and Jim Blundell.

President of the Council Terry Robison called the meeting to order and opened the meeting with prayer.

Motion by Cooper, second by Nash to approve the Minutes from the last regular meeting and the January 21, 2015 special meeting. Motion carried.

Motion by Blaich, second by Cooper to approve the Treasurer's Report. Motion carried.

The clerk pointed out that an emergency approved payment in the amount of \$761.40 to Waste Research for repairing the trash truck was included in the warrant register. Blaich asked if the insurance portion of the repairs to the white truck had been received and was told it had.

Motion by Cooper, second by Blaich to approve the Warrant Register. Motion carried.

APPROPRIATION ORDINANCE # 3479 as follows:

Payroll Funds	\$ 23033.26
Other Funds	<u>77282.23</u>
Total of all funds	\$100315.49

VISITORS

Kay Wolfe, Chetopa Librarian presented two recommendations for the library board: Michelle Hooper to replace Dixie Moore and Virginia Davis to replace Debbie Rogers. The appointments will be put on the agenda for the next meeting as the mayor was not present to make the appointments. The lights have not been fixed yet and there are 24 light bulbs not working and the ceiling tile is falling down in places. The city crews will be notified of the repairs needed. While Wolfe was present, the bids for the library wall repair were presented. B&D, Bobby Lawellin bid \$4,120 and Kevin Smith bid \$3,392.

Motion by Blaich, second by Cooper to go with the low bid of Kevin Smith. Motion carried. Council member Bryant arrived and handed a bid to Robison on the library wall. The bid was opened and S&D Mini Contractor, Darrin Jackson bid \$3,050. Discussion followed and it was decided to still award the bid to Kevin Smith. (Wolfe left).

UNAPPROVED MINUTES

Debbie Darnell, Department Head discussed the motion that was made last meeting on changing the reading dates and said those dates wouldn't work, the dates needed to be 2-17; 3-26 and 4-30 or 5-1. Discussion followed.

Motion by Cooper, second by Bryant to allow the change in the reading dates. Motion carried.

In order to change the information on the back of the utility payment post cards, the due date, penalty date and shut off dates need to be decided on.

Motion by Cooper, second by Blaich to change the dates to: Bills due the 5th of each month, penalty added after the 20th and shut off on the 25th. Motion carried.

A resident has a past due bill with a signed payment agreement that she is current on, she wants to move because of a mold issue at her current residence. The ordinance says that the utilities must be current before service is turned on at a new residence. Discussion followed.

Motion by Bryant, second by Blaich to allow the resident to move as long as they pay the current billing at the new residence and some on the old. Motion carried.

Steve Gilmore wants to assume the delinquent bill of Mike Frost at a previous residence and asked to set up a payment plan. Attorney Adamson recommended that Gilmore sign a payment agreement with the city to be held responsible for this debt.

Motion by Bryant, second by Cooper to agree to allow Gilmore to assume debt by signing contract to pay \$200 per month on this bill. Motion carried.

A rural water customer had their water shut off and had turned it back on. The billing for the water usage during this time was \$211 but the city agreed to settle for \$200 with the customer paying this charge plus the unpaid past due balance, which they have. Darnell asked if the city wanted to pursue criminal charges for Theft of Services. Discussion followed.

Motion by Bryant, second by Cooper to not pursue legal action against this customer because it's not worth the cost involved to take it to court. Motion carried.

In order to make the bond payments on the water project, the \$100,000 Water Reserve CD needs to be cashed in. Discussion followed.

Motion by Bryant, second by Cooper to cash in all CD's as they mature and put the funds in savings accounts. Motion carried.

An overview of the meeting with the three other Empire wholesale customers was given by Darnell and Robison. Several people had expressed concern over the condition of the old city hall building. It was asked if the air conditioner that had been left on the building had ever been paid for and this will be checked into. Darnell asked if she was to contact Zach Lawellin each month when rent is due on his usage of the old city barn/police station and she will pursue this.

James Reynolds and Malinda and Wayne Lawrence were present. Reynolds reported that their business, Riverside Sporting Goods will have a Grand Opening on March 21, 2015 and they intend to do a soft opening somewhere between the end of February to March 21st. They invited everyone to come and check out the improvements that have been done. They had heard that they needed to sign an easement for the water intake structure project but had not been contacted. The engineer is in the process of getting a permit from the state and will be addressing the

UNAPPROVED MINUTES

easement with the business. Reynolds asked if the city would trade the signing of the easement for shelving that is needed for the store. Discussion followed.

Motion by Bryant, second by Cooper to give Riverside Sporting Goods the shelving needed with their promise of approving the easement. Motion carried.

Motion by Bryant, second by Cooper to go ahead and let them get the shelving when they are ready for it. Motion carried.

Reynolds also reported that they will be removing the gas pumps and hope to be able to eventually remove the underground storage tanks.

Jim Blundell asked about the city chip and sealing roads this year. Discussion followed and Robison stated they needed to get the oil tank moved out to the new complex.

Billy Hutchins introduced himself and his wife and said they are moving to Chetopa and he has applied for the City Supervisor position. The clerk had the applications and asked if they wanted to review them. Bryant stated that nothing could be done until the mayor was present to appoint and Cooper wanted to set up interviews with current applicants. No action was taken from the discussion.

BULK WATER ROOM

Cooper discussed the specs for the bulk water room that Caleb Scales had drawn out and had made a few minor changes in. The estimated cost will be around \$400. The leak issue was discussed and how to fix it. Because the repair will need to be done before the bulk water room is built, Bryant suggested waiting and putting it on the city supervisor list to complete.

FIRE EXTINGUISHER PURCHASE

A fire extinguisher for the council room and one for the court room need to be purchased. Fire X recommended a 5 # extinguisher for \$55 each.

Motion by Blauch, second by Bryant to purchase the two fire extinguishers and pay for them out of the building fund. Motion carried.

MUSEUM INTERNET

The museum board would like to get internet service over at the museum and it had previously been discussed at the council meeting that as long as the museum paid for the service they could do so. A cheaper rate could be gotten if the internet was billed with the museum telephone bill that the city pays and the clerk asked if that was agreeable with the council to proceed. Cooper informed the council that Wave Wireless will be providing service in the next few months and with the city allowing them to install the antennae on the water tower, maybe they would be open to providing internet service to the museum and other locations. Discussion followed.

Motion by Bryant, second by Cooper to wait until we see what services Wave Wireless will provide before internet is ordered for the museum. Motion carried.

TRASH TRUCK REPAIR/RATE DISCUSSION

The repair had already been discussed earlier, but the clerk discussed a rate increase as the fund had only generated approximately \$5000 in revenue above expenses were last year and

UNAPPROVED MINUTES

this would not pay the lease payments for a new truck when purchased. Discussion followed and no action was taken on a rate increase at this time.

LOT DONATION

Richard Thompson wanted to donate the lot next to the city library where the building had been torn down. The property is currently appraised at \$3340 and the clerk asked if the city would send a letter stating this to Mr. Thompson for his donation records.

Motion by Cooper, second by Nash to pursue the donation of the lot next to the library. Motion carried.

EXECUTIVE SESSION

Motion by Cooper, second by Bryant to enter into an executive session to discuss confidential data relating to financial affairs of second parties with council, legal counsel, police chief and city clerk present for a period of 15 minutes ending at 8:40 p.m. Motion carried.

Entered: 8:25 p.m. Returned: 8:40 p.m.

President of the Council Robison called the meeting back to order and there was no action taken from executive session.

WORK COMP RENEWAL

The work comp renewal had been received from Berkley Risk Administrators and the premiums have increased \$17,000. The clerk had been contacted by other insurance agencies and asked if the council wanted to see if they could get a cheaper rate. Discussion followed.

Motion by Bryant, second by Cooper to get work comp only quotes from the other insurance agencies. Motion carried.

STOP SIGN AND BARRICADE PURCHASE

Jerry Midgett had put in a request for purchasing 10 stop signs at a cost of \$25.95 each totaling \$259.50 and had discussed with Police Chief Feagan about purchasing 12 barricades at a cost of \$84.99 each which included free shipping for a total cost of \$1,019.88. Police Chief Feagan agreed that the barricades were needed. Both these purchases could be paid out of the Special City & County Highway Fund.

Motion Bryant, second by Nash to allow the purchase of the barricades and stop signs. Motion carried.

KMU MEMBERSHIP INVOICE

An invoice in the amount of \$2199 for 2015 KMU membership dues was presented. This is up \$246 from last year. The council asked what advantages membership brings to the city.

Motion by Cooper, second by Bryant to table action on the membership until the next council meeting. Motion carried.

CLERK'S MISC.

The small deep freeze in the Mae Lessley Community Building quit working and it had been asked if the city would purchase one to replace it. It was asked if that freezer could be repaired and Cooper stated it would cost more to fix than to purchase a new one. The clerk informed the council that she was going to do a spreadsheet on the rental income versus expenses

UNAPPROVED MINUTES

for the community building and had been told that no rental income has been received for a while. The clerk was instructed to find out why the city hasn't been getting the rental income.

Motion by Bryant, second by Nash to purchase a small deep freeze for the community building. Motion carried.

Published without protest, Howard Baldrige to build a 30' x 30' addition to garage at 211 Maple St., in the City of Chetopa. Bryant reported that he hadn't talked to Baldrige and was concerned about the location of the structure being built over the vacated alley.

Motion by Cooper, second by Nash to approve the building permit pending the researching of the alley issue and the building inspector's approval. Motion carried.

LASR (Leisure and Sports Review) had contacted the city regarding continuing with a community page on their website at a cost of \$10 per month. The email received from LASR was discussed and why it is needed when we have a new city website in development.

Motion by Bryant, second by Cooper to not do the LASR ad this year. Motion carried.

Information regarding the purchasing of "Saving Energy with Your Family" booklets to be sent home with the elementary students was discussed and it was decided to keep the information until a later date. Brett Darnell, Darnell Construction had submitted a bid to install two downspouts in front of city hall and remove the ramp and install a step at a total bid of \$140. Cooper explained the work to be done.

Motion by Nash, second by Cooper to hire Darnell Construction to install the downspouts and replace the ramp. Motion carried.

MAYOR, COUNCIL & EMPLOYEE MISC.

Nash had reviewed the utility delinquencies and stated that the \$1000 maximum needed to be adjusted.

Motion by Nash to eliminate the \$1000 ceiling and follow the ordinance and give customers 60 days to pay off the past due bill as of February 16th before they will be shut off excluding people with current payment agreements. Discussion followed and motion died for a lack of a second.

Motion by Nash, second by Cooper to eliminate the \$1000 ceiling on utility bills. After discussion, motion was amended to read: to no longer permit a bill to reach the \$1000 ceiling on utility bills. Motion carried.

Motion by Nash, second by Cooper to have anyone currently delinquent without a current payment plan agreement to be required to sign a payment plan agreement to pay the current bill plus 1/10th of the current past due amount as of February 16, 2015 each month. Motion carried.

Cooper had talked to Fire Chief Doug Moses concerning purchasing a chain saw to replace the old chain that the handle had broken off, as they could not find a handle to fit on it. A 20" Stihl chainsaw with case, cost \$479.99.

Motion by Blauch, second by Nash to allow the purchase of the chainsaw and case. Motion carried.

UNAPPROVED MINUTES

Motion by Cooper, second by Blaich to enter into an executive session to discuss property acquisition with council, legal counsel, police chief and city clerk present for a period of 10 minutes ending at 9:51 p.m. Motion carried.

Entered: 9:41 p.m.

Returned: 9:51 p.m.

President of the Council Robison called the meeting back to order and there was no action taken from executive session.

POLICE CHIEF MISC.

A January Police Department Activity Report was handed out.

Motion by Nash, second by Cooper to enter into an executive session to discuss non-elected personnel with council, legal counsel, police chief and city clerk present for a period of 10 minutes ending at 10:01 p.m. Motion carried.

Entered: 9:51 p.m.

Returned: 10:01 p.m.

President of the Council Robison called the meeting back to order and there was no action taken from executive session.

The amount of overtime in the police department was discussed and Police Chief Feagan felt that some of it could be eliminated if he had a larger pool of part-time officers to call to fill in. He had spoken with Sheriff Sims about him allowing some of his deputies to work on their off hours and he had no problem with asking for volunteers. Any officers that wanted to work part-time would be sworn in by the clerk and then be eligible to be called to fill in.

Motion by Cooper, second by Blaich to allow Police Chief Feagan to proceed with getting part-time officers to fill in as long as they are already Kansas certified. Motion carried.

A discussion concerning jurisdictional boundaries and calls between the police department and Labette County was held.

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

Seal

Mayor

City Clerk