

Approved

City of Peabody  
Minutes of the City Council Meeting  
July 30, 2018

Office of the City Clerk  
July 30, 2018

**CALL TO ORDER:** The regular meeting was called to order by Tom Spencer, Council President at 7:00 p.m. in the council chambers of City Hall located at 300 N. Walnut, Peabody, Kansas. The following council members were present: Travis Wilson, Jay Gfeller. Larry Larsen, Mayor, Beth Peter and Lindsay Hutchison was absent. A quorum was established.

**STAFF:** City Treasurer Liz Harder, City Clerk- Jylle Wilson, Bruce Burke – Chief of Police, Ronnie Harms- Public Works Superintendent

**VISITORS:** Sheila Kelley – Peabody Gazette-Bulletin, Jason Anderson, Kim and Dale Nellans, Ginger Whitney, Susan Marshall, Mark Penner, Kelly Penner, Hannah Bourbon, Morgan Marler, Bobbie Saylor, Janice Woodruff.

**THE PLEDGE OF ALLEGIANCE**

**I. MINUTES:**

The council reviewed minutes of the Regular City Council meeting held on July 9, 2018 and no corrections were made, minutes from the special meeting held on July 10, 2018 were reviewed and no changes were made, minutes from the Special Meeting held on July 24, 2018 were reviewed and no changes were made.

**II. APPROPRIATIONS:**

|                                      |                     |
|--------------------------------------|---------------------|
| PAYROLL 2018 7A                      | \$ 12,094.45        |
| PAYROLL 2018 7B                      | \$ 13,408.13        |
| PAYROLL 2018 7A extra tax & benefits | \$ 8,704.58         |
| PAYROLL 2018 7B extra tax & benefits | \$ 9,148.00         |
| PAYABLES 2018 7C                     | <u>\$ 19,696.70</u> |
| <b>Total</b>                         | <b>\$ 63,051.86</b> |

**MOTION** by Jay to approve July 9 minutes as amended, Travis seconded the motion. Motion Carried 3-0.

**MOTION** by Travis to approve special meeting July 10 minutes. Jay seconded the motion. Motion Carried 3-0

**MOTION** by Jay to approve Special Meeting July 24 minutes. Travis seconded the motion. Motion carried 3-0

**MOTION** by Jay to approve Payroll and Payables in the amount of \$63,051.86, Travis seconded the motion. Motion Carried 3-0

**III. PUBLIC COMMENT:**

Bobbie Saylor addressed the council about a mailing that came out from the county concerning Recycling Containers, wanted to know if the city was doing away with the current recycling. There will be a container on the Marion County Property on 1<sup>st</sup> Street for the county residents to be able to use. Ms. Saylor also wanted to know why there was a need for a 3<sup>rd</sup> officer when our roads were in the condition that they are in, wants money to be used for that and not a 3<sup>rd</sup> officer.

Janice Woodruff addressed the council with the same concern about a 3<sup>rd</sup> Full time Officer. Also wanted to know what could be done about the ditch between Vine/Olive and Division/4<sup>th</sup> St. She says the City Guys used to maintain that and thinks that if there is going to be a Fall Fest/Open House in September that it should be cleaned up.

**IV. APPROVAL OF AGENDA:**

**MOTION** by Travis to approve the agenda as Amended with the addition of Jason Anderson. Jay seconded the motion. Motion carried 3-0

## **V. AGENDA ITEMS:**

Jason Anderson: Jason is unable to pay for his water bill right now while he is waiting on his Disability to be either approved or denied. He has another appointment on August 11 and should know more at that time. Liz said that she has done all that she can do for him with 2 extensions already this year. He currently has an outstanding balance of \$108.32 and water is shut off due to the non-payment, and his current bill going out will be \$115.55. A donation was given during council meeting that paid his past due balance, so council told Jason to come back to council before shut off day to see where he was at with the current bill.

Peabody Fall Fest: Ginger Whitney wanted to let council know about everything that the Fall Fest Committee was going to have for September 22, 2018. The Scarecrow Contest is coming back this year. There will be several vendors downtown with lots of entertainment, Vyve is going to have free WIFI downtown that day, as well as having a 40' Obstacle Course and a Dunk Tank that she was hoping that the Fire Dept. would be able to fill( Mark Penner said that the FD would be able to fill it that day). They are charging a \$25 Vendor fee and allowing Non-Profits to set up for free this year. There will be a shuttle going from the school to downtown. Ginger requested that the City clean the streets before the 22<sup>nd</sup> of September and that the businesses clean up around their buildings. Also asked if the City would be willing to place some more Port-A-Pottys and Trash cans downtown and around the park. Council asked how many trash cans and Port-A-Pottys she was looking to have and she didn't have a full count, council requested that Liz and Jylle call and see what the prices were to have extra cans and pottys for the weekend, and that Ginger come back to the August 13, 2018 meeting with the amounts that the Fall Fest would need.

Kim Nellans: Just wanted an update on the 811 Locust property. Council agreed that just needed to get a contract for purchase wrote up by the City Attorney with no names and no price in it.

Hannah Bourbon: Hannah addressed the council about a Promotional Video for the City of Peabody. The video will be 4minutes and have several different perspectives from different people in Peabody. It will be used on the internet to bring people to town. Hannah asked the council to donate \$100 towards the project. A motion was made by Travis to donate \$100 to the project, Jay seconded the motion and the motion carried 3-0.

Baker Lofts: Susan Marshall addressed the council about the Baker Buildings, Larry would have been the only one that is still on council from back when the Baker Buildings were purchased from Brock Baker. The Baker Lofts LLC is now bringing in new businesses with the idea that they are giving the building to the new owner for "free", but the new owner has to bring the building back up to Code and get the right permits and certificates as well as pay all taxes and insurance on the building. Just had a new store open up and they have completely remodeled the building and took care of all the water damage and structure issues in the building that they occupy.

Fire Department: A motion was made by Travis to pay the remaining \$1000 for the Fire Truck, seconded by Jay. The motion carried 3-0.

Mark Penner brought a quote before the council for 4 packs and 8 carbon fiber cylinders for \$6,387.98 and said that if it was paid for at the time of order there was a 5% discount. Council decided to hold off on the purchase of these until there was more council members present.

## **VI: Reports**

**Police Report:** There is a citizen that is wanting to bring in 6 new businesses that include:1) Escort Service 2) Mini Adult Film Theater 3) Pop Shop- Nude Dancing; No Alcohol Served 4) Nude Modeling Booth 5) Private Nude Show 6) Adult Film Video Store that would include Sex Toys, to the City. We have researched this and find nothing in our City Ordinance Book that would regulate this type of business. We have got the City Attorney and the City Prosecutor involved and would like some input from council on where to go next. Council stated that Planning/Zoning would require an exception for it since there is no current zoning for those types of business. Council requested that the City Attorney and Terri Tucker come to the council meeting on August 27 to discuss this further.

Chief said that 803 Chestnut is regressing on its progress and has now been sold so the process of Health and Safety will have to start all over again. Chief received a call from Ms. Stevenson about 407 Plum, she said that she has made some improvements on clean up but is out of money and won't have any until the 15<sup>th</sup> of August. She wanted to know if she could have another 30 days. Travis said that he has a hard time giving another 30 days when a person can bring more stuff in but can't take it out. A motion was made by Travis to give a 30 day extension until the 27<sup>th</sup> August, motion was seconded by Jay and carried 3-0.

Chief had a Barricade Request for the Special Event held out at Affordable Street Rods on September 22, 2018. Motion was made by Travis to approve the Barricade Request and for Ronnie to purchase the needed signs for the request, Motion was seconded by Jay. Motion carried 3-0.

Megan Chizek will be graduating from KLETC on August 10<sup>th</sup> and Bruce is requesting permission to go to the graduation since he is unable to find someone to work that day. He will be gone from 10am until about 2:30, the Sheriff's office will cover all emergency calls.

Motion was made by Jay to go into executive session for 10 minutes concerning non-elected personnel with Council, Chief Burke and City Clerk Jylle Wilson, seconded by Travis. Motion carried 3-0 at 8:28pm

Council was back in regular session at 8:38pm. A motion was made by Jay to hire Christina Harper-Head for the open Municipal Court Clerk position for an immediate start date of 7/31/2018(pending results of drug/alcohol test) at the rate of \$12.75/hr and after 90 days a raise to \$13.25, seconded by Travis. Motion was carried 3-0. Chief stepped out and call Ms. Harper-Head and she accepted the position.

**Public Works:** Ronnie told Council that the pool was about out of chlorine, and that he has a bid for more chlorine. A motion was made by Jay to purchase 6tons of chlorine at \$969.60, seconded by Travis. Motion carried 3-0. The shark at the pool died again, do we need to get it fixed again or wait to purchase a new one for next year. Council agreed that waiting until next year was probably going to be best. Council asked if Ronnie could look into some sort of solution to the ditch that Janice Woodruff had brought up earlier in the evening. Ronnie said he would look into what he could do about it.

**Clerk Report:** Liz and I have been fielding lots of phone calls over the last few days concerning the pool and the lack of it being open. A motion was made by Travis to have the mayor contact Rachael at the pool to have them stay open the stated hours regardless of how many people are at the pool, seconded by Jay and motion carried 3-0. I have renewed the contract with AT&T for the City Office that was up back in March, the rates will remain the same for the next 3 years.

The current folding machine that is in the office is very old and unsafe. I have found one that will work for what we use it for great. The cost of it is \$269.97. A motion by Travis was made to purchase a folding machine for no more than \$270, seconded by Jay. Motion carried 3-0.

The desk that is currently at the Clerk side of the office is falling apart. I would like to be able to purchase a new desk and a bookshelf. I have found a desk that will work at a cost of \$225 and a matching bookshelf at a cost of \$115. We would like to also purchase 2 metal shelving units for the middle office to be able to place files that have to stay in the office as well as some of the old books that we have in the office. I have found a shelving unit at a cost of \$59.97/unit. A motion by Travis to purchase 2 metal shelves at \$57.97ea, Desk at \$225 and Bookshelf at \$115, seconded by Jay. Motion carried 3-0.

I have found several trainings that I would like to go to over the next few months. 1 in Augusta on Sept. 20<sup>th</sup> from 1p-4p, it is free other than time and mileage. The other is in Emporia on Sept 26<sup>th</sup> from 9a-12p again it is free other than time and mileage. The other training that I am looking into is November 12-16 in Wichita, it is the clerk school I am currently looking for the price of this one. So I will bring this one back up when I have all the information. A motion was made by Jay to approve the 2 free trainings in September, seconded by Travis. Motion carried 3-0.

## **VI: Reports from Standing Committees:**

1. **Water (Gfeller)** - with the extreme drought that we are experiencing water conservation would be advisable, but not mandatory.  
With all the flushing of the lines could people possibly be able to use it for other things. Ronnie says as long as everyone knows and understands that it is not potable water that he doesn't see an issue with citizens being able to use it for watering flowers and also allowing farmers to come in and fill their tanks with it as long as it is during the time that the City crew is out and the line is flushing.
2. **Streets and Alleys (Spencer, Wilson)** – RR has pulled the crossing on Walnut off their budget for 2018, might get someone out and put asphalt on it to smooth it out.
3. **Sanitation (Larsen)** – Nothing to report
4. **Lights (Peter)** – nothing to report
5. **Fire (Larsen)** – nothing to report

6. **Park and Swimming Pool (Spencer, Peter)** –NM Patton let council know that painting has been done at the Park. August 7<sup>th</sup> at 7pm they would be having their next meeting and will be discussing the replacement of the horses and swing and adding another swing. They have talked about selling the old equipment but will only be able to sell for scrap due to liability issues after the sell. NM stated that he was unable to make it to the budget meetings but need to know where to go with it. Need to get the 2 slides out of the Park immediately as they will become an insurance issue soon.  
The water system for the flower beds needs some repair also, it is clogged in the line somewhere.
7. **Building (Larsen)- nothing to report**
8. **Finance and Ordinance (Spencer, Wilson)** – Budget Hearing will be August 13, 2018 at 6:30pm
9. **Economic Development Committee (Larsen, Hutchison)** – Nothing to report
10. **Personnel (Larsen, Wilson, Peter)** – Nothing to report.

VII. **ENCLOSURES:**

Minutes July 9, 2018 Regular Meeting  
Minutes July10, 2018 Special Meeting  
Minutes July 24, 2018 Special Meeting  
PAYROLL 2018 7A  
PAYROLL 2018 7B  
PAYROLL 2018 7A & 7B extra tax & benefits  
PAYABLES 2018 7A  
PAYABLES 2018 7B  
PAYABLES 2018 7C

VIII. **ITEMS TO BE ON AGENDA FOR UPCOMING MEETINGS:**

IX. **ADJOURNMENT:**

There being no more business to be brought before the council.

**MOTION** by Travis to adjourn the meeting at 9:25 p.m. Motion was seconded by Jay. Motion carried 3-0.

**CERTIFICATE**

I hereby certify that the foregoing minutes are a true and correct recording of the proceedings of the governing body of the City of Peabody, Kansas, held on the date stated therein, and that the official minutes of such proceedings are on file in my office.

(SEAL)

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Jylle Wilson, City Clerk