

REGULAR COUNCIL MEETING

MAY 16, 2016

The Board of Aldermen met in regular session with Mayor Joseph Johnson at City Hall, 206 North 16th Street, on Monday, May 16, 2016 at 5:30 p.m.

Present: Johnson, Ishmael, Brejnik, Williams, Miles

Absent: none

Others Present: Jeremy VanMeter, Paula Denum, Tyson Martin, Debbie Nalle, Jerry Collins, Brian Groom, Andrew Alborn, Katlyn Steins, Jan Johns, Becky Turley, Jan Hagler, David Hamilton, Charlie Crabtree, Misty Oliver, Bobby Loving, Cathy Smith, Rick Smith, Johnathan Meyer, Suzanne Wagner, Clayton Wagner, Colt Loving, Stewart Johnson, David Kinnison, Teri Kinnison, John Barclay, Jonne Slemon, Jacob Denum, Andrew Callaway, Suzanne Hatten, Zach Wilson, Phil Conger, Sarah Hagler, Kelly Hagler, Cristine Stallings, Randy Mann, Lance Johns, Greg Blanton, Lisa Miles, and Gary Hatten.

Meeting Called To Order Mayor Joseph Johnson called meeting to order at 5:30 p.m.

Pledge of Allegiance The meeting opened with the Pledge of Allegiance.

Approve Agenda Mayor Joseph Johnson called for a motion for approval or amending of the agenda.

Motion made by Alderman Todd Williams to approve the agenda as presented and seconded by Alderman Steve Miles.

Miles – Aye Williams – Aye
Mann – Aye Johns – Aye

Approve Bills Mayor Joseph Johnson asked if there were any questions on bills presented for payment and if not, a motion to approve the bills.

Alderman Gene Ishmael asked for clarification on the payment for food items and lifeguard gear. Becky Turley explained that the food items are for the park snack shack and the lifeguard gear is for swimsuits and other items that the lifeguards will pay for and be reimbursed if they work thru the summer.

Motion made by Alderman Randy Brejnik to approve the bills as presented and seconded by Alderman Gene Ishmael.

Miles - Aye Williams – Aye
Brejnik - Aye Ishmael – Aye

Constellation Newenerg	36,155.92	City of Bethany	9,532.66
Baker & Taylor	586.12	DEMCO	71.77
Barco Municipal Products	171.25	DeRossett Co	3,257.84
BOKF NA	84,941.72	Elecsys International Corp	209.97
CarQuest	46.80	Ellis Tire	23.82
Carter-Waters	2,307.75	Family Tree Care	2,300.00
Cintas Inc	150.22	Fleet Services	1,796.02

Gamers Palace	76.00	O'Reilly Automotive Inc	185.13
Grundy Electric Coop Inc	832.00	PeopleService Inc	53,870.00
H*D Supply Waterworks LTD	852.52	Pettijohn Auto Center	135.29
Heiman Inc	358.45	Petty Cash	268.83
Hoover, Brenda	70.00	Porter Trash Service	12,590.80
Industrial Sales Co Inc	10,075.35	RAM Supply	1,845.96
Interstate All Battery Center	263.30	Remmers Design	280.00
John Deere Financial	431.90	Ricoh USA Program	131.66
Kansas City Life Ins Co	129.08	SAK Construction LLC	625.00
Kriz Davis Company	15,804.03	Shelby Printing	28.60
Ledgerwood Concrete	3,808.48	Southside MFA	204.00
Lifeguard Store Inc, The	569.70	Stallings LAW Office LLC	68.48
Maryville Typewriter Exc	227.83	Stoner Sand	903.15
Matheson Tri-Gas Inc	85.54	SUBSC	29.96
Midland GIS Solutions	2,400.00	Tekcollect Incorporated	50.00
Missouri CCFO Assoc	25.00	US Foodservice Inc	713.49
Missouri One Call System	49.40	Utility Consultants Inc	65.00
MPLD	30.00	Wahoo Concrete Products	793.88
Municipalcms LLC	959.00	Missouri Joint Mun Elect	244,175.55
Norris Quarries LLC	1,218.52		

Total \$496,782.74

Void Check
5-11-16

Stallings Law Office 68.48

Total \$68.48

Payroll
5-13-16

Johnson, Joseph	269.36	Groom, Brian	1,058.37
Miles, Steven	138.52	Holloway, Bryan	1,322.73
Ishmael, Dale	138.52	Parkhurst, Aaron	1,012.57
Williams, Robert	138.52	Rimmer, Eric	1,044.01
Johnson, Cathy	941.61	Denum, Jacob	388.81
Jennings, Randy	838.44	Doll, Jacob	796.18
Russell, Melvin	693.11	Griffin, Larry	341.17
Russell, Robert	911.55	Lykins, Michael	775.15
Brown, Johnathan	805.40	Addison, Michael	99.73
Gard, Paul	981.99	Lehleitner, Janee	573.73
Clawson, Nicole	180.56	Wooderson, Karen	139.39
Davidson, Colton	68.89	Hinkle, Judith	256.57
Doll, Mason	258.07	Sanders, Linda	171.48
Miller, Steven	269.36	Robertson, Kenneth	880.13
Mann, Randall	92.35	Willis, Brian	773.18
Brejnrik, Randall	138.52	Clemmons, Ted	974.15
Johns, Lance	92.35	Puffer, Toby	783.04
Stallings, Renna	1,313.25	Thomas, Michelle	1,070.70
Hagler, Janelle	1,303.90	Willis, Jennie	719.29
Schroff, Jaunita	1,133.53	Kohler, Ann	391.87
Turley, Rebekah	957.30	ING Life Insurance	960.00
Ellis, Joyce	761.24	BTC Bank	7,940.34

Total \$34,898.93

Approve Minutes/ May 2, 2016	Mayor Joseph Johnson called for approval or correction of the minutes of May 2, 2016.
Amend the Minutes of May 2, 2016	<p>Alderman Steve Miles asked for a correction on Jeremy VanMeter, Fargo and Tony Nelson, United Country Realty to be changed in the minutes. Alderman Miles felt that when a citizen speaks to the council and they are not representing their company/business, then the name of the company/business should not be attached to their name.</p> <p>Motion by Alderman Steve Miles to approve the minutes of May 2, 2016 with the amendment; second by Alderman Todd Williams.</p> <p style="text-align: center;"> Miles - Aye Williams – Aye Brejnik - Aye Ishmael – Aye </p>
Appoint Police Officer	<p>Chief Brian Groom introduced Andrew Alborn who recently graduated from the police academy and asked the council to appoint Mr. Alborn as a police officer for the city.</p> <p>Alderman Gene Ishmael made a motion to appoint Andrew Alborn to the Bethany Police Department; second by Alderman Randy Brejnik.</p> <p style="text-align: center;"> Miles - Aye Williams – Aye Brejnik - Aye Ishmael – Aye </p>
Eagle Scout Project	<p>Clayton Wagner presented a project for a Flag Retirement Collection Box that he would build and asked permission to place in city hall. Alderman Todd Williams asked Clayton Wagner to explain how the Boy Scouts would dispose of the flags. Mr. Wagner talked about how the first flag would be cut into specific pieces and a ceremony would be held describing what each piece means that would then be burned. All other flags would be folded with a ceremony and burned. Council in agreement that this is a good idea.</p> <p>Motion by Alderman Randy Brejnik to allow Clayton Wagner to place a Flag Retirement Collection Box at city hall; second by Alderman Steve Miles.</p> <p style="text-align: center;"> Miles - Aye Williams – Aye Brejnik - Aye Ishmael – Aye </p>
Point of Order	Alderman Gene Ishmael stated the minutes of May 3, 2016 work session needs to be approved.
Approve Minutes/May 3, 2016	<p>Motion by Alderman Todd Williams to approve minutes of the work session on May 3, 2016; second by Alderman Steve Miles.</p> <p style="text-align: center;"> Miles - Aye Williams – Aye Brejnik - Aye Ishmael – Aye </p>
Administrator & Dept Reports	Mayor Joseph Johnson called for Administrator and Department Reports.
39 th Street Compaction Test	Council was informed by Administrator Jan Hagler that results had not been received on the compaction test by Snyder & Associates on the subgrade on the south end of 39 th Street concrete.
Electric & Gas Projects	Administrator Jan Hagler told the council that notice to proceed was given to Nail Excavating on the electric and gas projects.

Bids for Fire Equipment

Administrator Jan Hagler presented bids for three (3) sets of bunker gear for the Fire department. Alderman Randy Brejnik asked if these were for replacement or to allow for more sets. Fire Chief Jacob Denum explained that there is a new volunteer fireman who needs a set and that the other two were for replacement of worn out gear.

Motion by Alderman Todd Williams to purchase three (3) sets of bunker gear at \$5,519.70 from Heiman; second by Alderman Randy Brejnik.

Miles - Aye
Brejnik - Aye

Williams – Aye
Ishmael – Aye

Administrator Jan Hagler presented bids for firefighting boots, gloves and helmets. Alderman Todd Williams instructed Administrator Hagler to proceed with the purchase of these items since they are all under the \$5,000 maximum purchase authority.

Bids for 10 sections of 3” supply line fire hose were presented.

Motion by Alderman Randy Brejnik to purchase 10 sections of 3” supply line from Heiman at \$2,049.50; second by Alderman Gene Ishmael.

Miles - Aye
Brejnik - Aye

Williams – Aye
Ishmael – Aye

Street Barn Roof Inspection

Administrator Jan Hagler talked about the inspection of the street barn roof done by Code Enforcement, Jacob Doll. Administrator Hagler explained that there have been leaks and an animal issue.

Discussion held on the office area having a flat roof, the damage to the rafters and the need for repairs depending on the length of time expected at this location.

SCADA System Upgrade

Administrator Jan Hagler mentioned that George Hulet, PeopleService had a report in the council packet explaining the problems/solutions to the SCADA system. Because of the specialty software, Systems Manufacturing would be a sole source provider and the bid came in \$500 below the budget amount.

Bids for Air Conditioning/Furnace

Bids for air conditioning/furnace at the Water/Sewer barn were presented. Discussion held on the different brands and warranties.

Motion by Alderman Randy Brejnik to accept the bid submitted by Sanders Electric for a Lennox at \$4,595.00; second by Alderman Gene Ishmael.

Miles - Aye
Brejnik - Aye

Williams – Aye
Ishmael – Aye

MIRMA Report

Administrator Jan Hagler informed the council that the MIRMA inspector had been in town and the areas that had been inspected. She further explained the letter received from MIRMA and discussed the recommendations that the city received.

Alderman Steve Miles asked about the merry-go-round that the previous council had voted to restore. Administrator Jan Hagler said that the repairs have been made to the merry-go-round and it is waiting to be painted.

Lake Project Engineer Evaluation

Administrator Jan Hagler presented a Professional Services Evaluation sheet on the Missouri Department of Conservation lake project.

Administrator Hagler, Alderman Randy Brejnik and George Hulet of PeopleService had met with three engineers regarding this project.

Administrator Hagler explained the grading system used considers staff qualifications, references, performance, and experience. According to criteria the decision was not to be based on the cost of the project. Discussion was held among the council.

Motion made by Alderman Randy Brejnik to use Olsson for the Missouri Department of Conservation lake project; second by Alderman Steve Miles.

Miles - Aye
Brejnik - Aye

Williams – Aye
Ishmael – Aye

- Compost Site Administrator Jan Hagler reported that Drake Daniel has hauled six loads from the compost site. Mr. Daniel has been called away on storm damage, but will finish as soon as he returns.
- Summer Mowing Administrator Jan Hagler explained that she has two more applicants for the summer mowing job. The previously hired person will begin on Wednesday. Mayor Joseph Johnson stated for Administrator Hagler to proceed with the hiring at her discretion.
- Electric & Gas Report Administrator Hagler asked the council if they had any questions for Becky Turley, Treasurer on the electric and gas reports included in the packet. Alderman Steve Miles asked if any new information had been received concerning the transportation cost increase. Becky Turley, Treasurer, explained that it will go into effect August 2016 and that the price increase will have to be passed on to the consumers.
- Council Reports & Comments Mayor Joseph Johnson asked for the council reports and comments.
- Alderman Randy Brejnik wanted to clarify that his concern on the repairs to Main Street is from Green Hills Insurance building east. He further explained his opinion on hiring more street department personnel.
- Alderman Gene Ishmael mentioned a citizen who was concerned about a storm sewer overflowing and washing out his building. Administrator Jan Hagler will check into this.
- Alderman Randy Brejnik asked if Herzog is going to fix the street cut on Miller street while they are here. Administrator Hagler explained that it is not in the project this year.
- Alderman Brejnik asked Attorney Cristine Stallings if she had contacted Trenton concerning the utility deposits. She replied that she had not and City Clerk Nita Schroff is out of town.
- Alderman Todd Williams asked Administrator Jan Hagler if there was a reason that she abruptly stopped when talking about the SCADA system bid and went directly to the air conditioning/furnace bids. Administrator Hagler explained that there was only one bid due to a sole source provider and more information will be provided in the future.
- Mayor's Correspondence & Appointments Mayor Joseph Johnson told council that items B Utility Incentives and C Bethany Code 220.020 will not be addressed tonight.
- Mayor Joseph Johnson informed council that he had talked with MO Kansas American Concrete Association concerning the stress cracks on the south part of 39th Street.

Appoint Street Superintendent

Mayor Joseph Johnson recommended appointment of Randy Jennings for Street Superintendent.

Motion by Alderman Randy Brejnik to accept the appointment of Randy Jennings as Street Superintendent; second by Alderman Steve Miles.

Miles - Aye
Brejnik - Aye

Williams – Aye
Ishmael – Aye

Appoint Gas Superintendent

Mayor Joseph Johnson recommended appointment of Ted Clemmons as Gas Superintendent. Discussion held concerning if the title of Superintendent would qualify in this case.

Motion by Alderman Steve Miles to accept the appointment of Ted Clemmons in name only to the gas department; second Alderman Randy Brejnik.

Miles - Aye
Brejnik - Aye

Williams – Aye
Ishmael – Aye

Appoint Fire Chief/Code Enforcement

Mayor Joseph Johnson explained that the Fire Chief and the Code Enforcement position should be combined as it had before and recommended appointment of Jacob Doll as Fire Chief/Code Enforcement.

Motion made by Alderman Gene Ishmael to accept the appointment of Jacob Doll as Fire Chief/Code Enforcement; second by Alderman Randy Brejnik.

Discussion held: Alderman Steve Miles expressed concern on this direction: Alderman Todd Williams said that his concern would be the salary split of 50/50 would be a strain on the budget.

Mayor Joseph Johnson asked for a vote.

Miles - Nay
Brejnik – Aye

Williams – Nay
Ishmael – Aye

Johnson – Aye

Alderman Steve Miles stated that we have a Fire Chief who is qualified, certified and ready to go. He further stated that he respected Mayor Joseph Johnson's authority and right to make these appointments, but questioned if Jacob Doll is qualified for this position.

Mayor Joseph Johnson responded: Yes.

Street Repair Project

Mayor Joseph Johnson talked about the street repair project and the need for full-time and part-time employees. Alderman Todd Williams said that the city will need to advertise for the positions and receive applications.

39th Street Proposal

Mayor Joseph Johnson presented a proposal concerning the South TIF project and the number of acres that would become available for development compared to the North TIF. Mayor Johnson feels that the money would be better spent developing the North TIF road.

A possible option would be for the South TIF to be closed and since the taxing authorities have shown that they do not want the refund of the South TIF monies, they could then dedicate that money to be used to develop 39th Street. Mayor Johnson said that the city could not move the South TIF money to the North TIF, but the taxing districts could

dedicate the money for that use.

Attorney Cristine Stallings said that she would have to talk to the TIF attorney about this option.

Public Input

Mayor Joseph Johnson asked for public input.

Information on Strip Mall

Paula Denum addressed the council about a strip mall that is owned by a city with opportunities of short-term and low rent leases to help start community businesses.

Meeting Out of Order

The citizens in council chambers began making comments and asking questions.

Alderman Gene Ishmael commented that the meeting was out of order; explaining that only one person was to speak at a time and the Mayor chairs the meeting.

Citizens were instructed to stand up and introduce themselves in order for everyone to have an opportunity to speak.

Citizen Concerns

Many of the citizens presented their concerns about the appointment of a new Fire Chief. Several volunteer firefighters were present and voiced their respect and ability of Jacob Denum as a Fire Chief and the concern of the lack of training of the newly appointed Fire Chief.

Another comment was made regarding the council decision for the engineers on the lake project was overwhelmingly based on experience and the decision on a Fire Chief without any experience would put people's lives on the line was questionable.

Stuart Johnson asked if the appointment made was based on past performance on the candidate or a structural move.

Mayor Joseph Johnson explained that the decision was based on trust and faith that the job will get done. Further, Code Enforcement and Fire Chief was one position for decades and the majority of the work is administrative.

Phil Conger asked if Jacob Doll sought this job.

Alderman Randy Brejnik responded, yes.

Alderman Todd Williams explained his position when there was a full-time Fire Chief and his position with Fire Chief Jacob Denum. Alderman Williams commented that he was troubled that nothing about the appointment of Jacob Doll as Fire Chief/Code Enforcement was in the council packet. He further stated that there had been secret meetings thru the back door where the Mayor and two Aldermen knew about this and Alderman Miles and he were not informed; and this must stop.

Mayor Joseph Johnson replied that he would not do anything improper.

Resignation:
Attorney &
Administrator

At that time, Attorney Cristine Stallings stood and gave her resignation as City Attorney, effective immediately.

City Administrator Jan Hagler then stood and said that she was going to follow Attorney Stallings out the door; she resigned.

A citizen addressed the council stating that she does not know anyone at this meeting, but hearing the volunteer firefighters concerns, she felt that the council would want to listen to them. She thought the council

might want to re-visit this motion.
Discussion was held about the proper way to proceed.

Re-visit Fire Chief Appointment Alderman Randy Brejnik made a motion to re-visit the vote/appointment of Jacob Doll as Fire Chief; second by Alderman Gene Ishmael.

Miles - Aye Williams – Aye
Brejnik - Aye Ishmael – Aye

Discussion held.

Fire Chief Appointment Motion by Alderman Todd Williams to approve Mayor Joseph Johnson's appointment of Jacob Doll as Fire Chief/Code Enforcement; second by Alderman Steve Miles.

Miles - Nay Williams – Nay
Brejnik - Nay Ishmael – Nay

Adjournment Motion by Alderman Gene Ishmael to adjourn at 7:25 p.m.; second by Alderman Randy Brejnik.

Miles - Aye Williams – Aye
Brejnik - Aye Ishmael – Aye

Joseph S. Johnson, Mayor

ATTEST:

Nita Schroff, City Clerk