

REGULAR COUNCIL MEETING

APRIL 6, 2015

The Board of Aldermen met in regular session with Mayor Patrick Miller at City Hall, 206 North 16th Street, on Monday, April 6, 2015 at 5:30 p.m.

Present: Miller, Johns, Mann, Miles

Absent: Williams

Others Present: Janelle Hagler, Becky Turley, Phil Conger, Stuart Johnson, John Barclay, Riker Barclay, Jacob Denum, George Hulet, Rick Smith and Randy Brejnik.

Meeting Called To Order Mayor Patrick Miller called the meeting to order at 5:30 p.m.

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

Approve/Amend the Agenda Mayor Patrick Miller called for a motion for approval or amending of the agenda.

Motion by Alderman Lance Johns to amend the agenda by adding a closed session for personnel after #8; second by Alderman Randy Mann.

Miles - Aye
Mann - Aye
Williams - Absent
Johns - Aye

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

Alderman Steve Miles asked about the 72" brush cat from K.C. Bobcat. It was explained that this had been on order and had just been delivered.

Motion made by Alderman Steve Miles to approve the bills presented for payment; second by Alderman Randy Mann.

Miles - Aye
Mann - Aye
Williams - Absent
Johns - Aye

Central Bank of Midwest	10,146.71	Grand River Mutual Tele	1,436.55
Liberty National	716.43	Grundy Electric Coop	875.00
BTC Bank	0.00	H*D Supply Waterworks	9,000.00
AFLAC	1,148.10	Harrison Co Treasurer	5,081.40
Axiom Strategies	2,875.00	Harrison Co Ad-Visor	30.80
Bethany Bldg Center	59.67	Hawkins Inc	5,992.94
Bethany Medical Clinic	257.75	Information Technologies	660.00
Bethany Printing Company	40.20	Interstate All Battery Center	111.00
City of Bethany	12,864.60	John Deere Financial	145.05
Dept of Nat Resources	200.00	K.C. Bobcat	4,578.00
Diesel Tune-Up	216.94	Kansas City Life Ins	169.50
Ed M. Feld Equipment	1,045.00	Key Equipment & Supply	602.98
Elecsys International Corp	209.97	Lacal Equipment Inc	29.12
Fedex	23.85	MDI/MSU	200.00

Mid-America Pump	10,971.14	Verizon Wireless	351.83
Midwest Laboratories	375.90	Victor L. Phillips Co	83.88
Midwest Public Risk	26,775.41	Wal-Mart	596.11
Missouri Dept Revenue	1,137.00	Axiom Strategies	2,875.00
Missouri Dept Revenue	1,143.00	Bethany Printing Co	1,881.36
Missouri Lagers	10,740.42	Fargo Assembly of PA	50,000.00
Missouri One Call System	36.40	Boyd, Patty	155.00
O'Reilly Automotive	173.49	Groves, Nikki	2.54
Petty Cash	286.31	Fry, Beth	32.29
Ricoh USA Program	126.81	Merritt, Kyanna	4.25
Tyler Techologies	3,649.77	Freerksen Bruce	176.11
USA Pro Aquatic	300.00	Oakleaf, Michelle	140.42
Utility Consultants Inc	180.00	Kinder, Virginia	156.32
Utility Safety and Design	768.26		

Total \$171,835.58

Payroll
3-20-15

Johnson, Cathy	916.92	Parkhurst, Aaron	959.41
Russell, Melvin	685.22	Denum, Jacob	428.36
Russell, Robert	970.72	Doll, Jacob	717.15
Brown, Johnathan	741.52	Lykins, Michael	732.69
Stottlemeyer, Lela	186.18	Kinnison, Teresa	466.10
Gard, Paul	879.57	Wooderson, Karen	246.20
Groves, Kenneth	1,017.42	Sanders, Linda	93.91
Cowell, Christopher	743.20	Robertson, Kenneth	1,137.74
Jennings, Randy	747.49	Willis, Brian	760.77
Jones, Joshua	854.31	Clemmons, Ted	940.83
Johnson, Amy	144.30	Puffer, Toby	657.85
Clawson, Nicole	241.97	Hoover, Charles	728.23
Nighthart, Mallorie	208.71	Hulet, George	1,041.75
Hagler, Janelle	1,253.13	Allen, Jeremy	387.40
Schroff, Jaunita	1,116.14	Thomas, Michelle	908.27
Turley, Rebekah	937.58	Willis, Jennie	701.58
Ellis, Joyce	857.49	Kohler, Ann	330.76
Groom, Brian	962.14	Wright, Kalee	141.14
Holloway, Bryan	1,068.30	ING	540.00
Wills, Jesse	819.13	BTC Bank	9,297.28
Roberts, Bryan	814.48	Family Support Payment Center	305.99

Total \$37,689.33

Approve Closed
Session
Minutes / March
16, 2015

Mayor Patrick Miller called for approval or correction of the closed session minutes of March 16, 2015.

Motion made by Alderman Lance Johns to approve the closed session minutes of March 16, 2015; second by Alderman Steve Miles.

Miles - Aye
Mann - Aye

Williams - Absent
Johns - Aye

**Approve
Regular
Session
Minutes / March
16, 2015**

Mayor Patrick Miller called for approval or correction of the regular session minutes of March 16, 2015.

Motion by Alderman Randy Mann to approve regular session minutes of March 16, 2015: second by Alderman Steve Miles.

**Miles - Aye
Mann - Aye**

**Williams - Absent
Johns - Aye**

**Approve
Special Session
Minutes / March
25, 2015**

Mayor Patrick Miller called for approval or correction of the special session minutes of March 25, 2015.

Motion by Alderman Steve Miles to approve special session minutes of March 25, 2015; second by Alderman Lance Johns.

**Miles - Aye
Mann - Aye**

**Williams - Absent
Johns - Aye**

Public Input

Mayor Patrick Miller asked if there was any public input.

**Agricultural Use
Permit Policy**

Rick Smith asked if there had been any decisions made on the agriculture use of land inside the city limits. Mr. Smith explained the need for a timely decision because the farming date is quickly approaching. Rick Smith mentioned that he had heard rumor that there might be a permit fee to engage in this and the fee could be a deterrent. Randy Brejnik asked why it is a problem to have hay ground within the city limits.

Administrator Janelle Hagler expressed the city's concern with agriculture being done in residential areas. Alderman Steve Miles responded that many times people will say they are going to hay a lot and never mow it. Last year, the city did make progress in enforcing the right-of-ways to be mowed.

Alderman Steve Miles mentioned that there were cases where citizens said that they were going to hay an area and never did hay it or mow it. Alderman Randy Mann asked if the city adopted the new Agricultural Use Permit Policy would the existing areas be grandfathered in.

Mayor Patrick Miller expressed that the nuisance ordinance that was adopted last year would take care of most of the issues mentioned. He further explained that this was a cut and paste policy for discussion only.

Randy Brejnik mentioned that the fee of \$200.00 is too steep and as long as the hay is cut, he is not bothered by having agricultural behind his home.

Mayor Patrick Miller explained that the Nuisance Ordinance has requirements on the size of land to hay and to mow 10 feet around the lot.

Mayor Patrick Miller asked for the Administrator & Department Reports.

**Administrator and
Department
Reports**

Administrator Janelle Hagler presented the MIRMA Evaluation Score the City had received of 94%. The score has continued to rise over the past years and the only low rating was on the recommendations that had not been completed. Alderman Steve Miles asked if part of the recommendations not followed addressed the play equipment in the park. Administrator Janelle Hagler responded, yes.

**Electric Bids
Received**

Administrator Janelle Hagler presented multiple bids received from Kenny Robertson:

School project - 3 phase sectionalizing box:

Kriz Davis \$1,250.62

Arkansas Electric \$799.00

H.D. Supply \$1,081.76

Kenny Robertson recommended H.D. Supply for \$1,081.76

School project – 1500 KVA transformer for middle school:

Kriz Davis \$19,259.79

Arkansas Elect \$17,527.00

Solomon \$26,100.00

Kenny Robertson recommended Arkansas Electric for \$17,527.00

School project – 1/0 primary wire:

H.D. Supply 2,500 reel \$5,500.00

Kriz Davis 2,500 reel \$6,192.00

Arkansas Elec 2,500 reel \$5,375.00

Kenny Robertson recommended H.D. Supply \$5,500.00

Remote meters – H.D. Waterworks \$135@ 96 meters

Kenny Robertson recommended H.D. Waterworks as a sole source provider for \$12,960.00.

Replace old breakers for sub-station:

Harold Scholz \$83,700.00

Kriz Davis \$80,099.25

Kansas Electric \$58,500.00 (used reclosures)

Kenny Robertson recommended Kriz Davis \$80,099.25.

Mixed load of poles for stock:

Kriz Davis \$11,185.00

Arkansas \$10,224.00

H.D. Supply \$11,688.00

Kenny Robertson recommended Arkansas at \$10,224.00.

Extra transformers for stock: 5 each 25 KVA, 50 KVA, 75 KVA:

Arkansas \$16,895.00

H.D. Supply \$16,745.00

Kriz Davis \$17,862.50

Kenny Robertson recommended H.D. Supply at \$16,745.00.

Alderman Steve Miles asked why these bids were just now received. Administrator Janelle Hagler explained that the bids had come under the budgeted amount and that some were received earlier today and could not be submitted with the packets on Friday evening.

Motion by Alderman Randy Mann to accept Kenny Robertson's recommendations on each of the bids; second by Alderman Lance Johns.

**Miles - Aye
Mann - Aye**

**Williams - Absent
Johns - Aye**

Bartlett Street Update Janelle Hagler, City Administrator reported that engineer Ron Urton had received a letter from the Corp of Engineers stating that the Bartlett street project is in an unnamed tributary of the East Fork Big Creek and will require a permit and a survey of the right-of-way. The survey estimate is \$3,200 to \$3,500.

Electric Sale of Switch Gear and Cat Engine Administrator Janelle Hagler reported that a check for \$45,000 had been received for the switch gear located in power plant #1. The city did not receive the wire transfer from Hackney and the cat engine has been offered to Martin Energy Group who will send 20% now with the remaining 80% to be paid and equipment moved out within 60 days.

Harrison County Fire District Administrator Janelle Hagler reported that the Harrison County Fire District received enough signatures on their petition and a Hearing is set for 2:00 p.m. on May 21, 2015 at the Courthouse.

Show-Me Green Sales Tax Holiday The Show-Me Green Sales Tax Holiday is April 19-25 on retail sales of qualifying energy star certified new appliances up to \$1,500.00. Administrator Janelle Hagler explained that these purchases would only have to pay 1.75% tax because the county and ambulance did not opt out of this tax incentive.

Council Reports/Comments Mayor Patrick Miller asked for council reports and comments.

Sales Tax Phone Calls Alderman Lance Johns asked if the phone calls for the sales tax election was generated from Axiom and if they had any kind of report from this project.

Administrator Janelle Hagler had talked with Casey Guernsey and was informed that at that time it was 40% yes, 20% no, and 40% undecided. She explained that a committee is hired to do the phone calls and mailings.

Harrison County Fire District Name Alderman Steve Miles asked why the name of Harrison County Fire District was chosen instead of Bethany Fire District since there are multiple fire districts within Harrison County.

John Barclay explained that looking to the future, Harrison County Fire District was the simplest way to go.

Rick Smith expressed that he has heard complaints on the name and that there is no legal description of the district.

John Barclay said that the Harrison County Fire District would cover any area that is not covered by another fire district. He explained that this has been approved by the attorney and if a legal description was used, there would be a possibility of an area being missed.

Park Board Appointment Mayor Patrick Miller recommended to appoint Deanna Allen to the Park Board.

Motion by Alderman Randy Mann to accept the Mayor's appointment of Deanna Allen to the Park Board; second by Alderman Lance Johns.

Miles - Aye
Mann - Aye

Williams - Absent
Johns - Aye

Board of Adjustments

Administrator Janelle Hagler informed the council of a Board of Adjustments meeting on April 16th at City Hall at 5:30 p.m. for the Grand River Mutual variance.

City Website Update

Jacob Denum, Fire Chief asked for the city website to be updated. He continues to get phone calls at the Fire Department because the website lists John Gannan as Building Inspector and a correct phone number needs to be entered.

Closed Session

Motion made by Alderman Lance Johns at 6:12 p.m. to go into closed session for personnel; second by Alderman Randy Mann.

Miles - Aye
Mann - Aye

Williams - Absent
Johns - Aye

Closed Session

Open Session

Motion by Alderman Randy Mann to go into Open Session at 6:58 p.m.; second by Alderman Steve Miles.

Miles - Aye
Mann - Aye

Williams - Absent
Johns - Aye

Open Session

Middle School Electric Service

Mayor Patrick Miller informed the council that the school has asked for help on the cost of the electric service needed for the new middle school. Mayor Patrick Miller expressed that the city would support any new business venture and feels that the same should be done for the school.

Mayor Miller plans on attending the next school board meeting and explain the city's position of wanting to assist and maybe the possibility of asking the school for help with the maintenance of the ball fields in the park.

Alderman Steve Miles asked if the school does any maintenance at the ball fields or if the park charges a fee for the use of them. Mayor Patrick Miller said that the school does not help or pay anything for the use of the ball fields.

Adjourn

Motion by Alderman Randy Mann to adjourn at 7:25 p.m.; second by Alderman Steve Miles.

Miles - Aye
Mann - Aye

Williams - Absent
Johns - Aye

Patrick Miller, Mayor

ATTEST:

Nita Schroff, City Clerk