

**REGULAR COUNCIL MEETING**

**MAY 2, 2016**

The Board of Aldermen met in regular session with Mayor Joseph Johnson at City Hall, 206 North 16<sup>th</sup> Street, on Monday, May 2, 2016 at 5:30 p.m.

**Present:** Johnson, Ishmael, Brejnik, Williams, Miles

**Absent:** none

**Others Present:** Janelle Hagler, Jaunita Schroff, Cristine Stallings, Phil Conger, Steve Guthrie, Kenny Groves, Jacob Denum, David Kinnison, Teri Kinnison, Jeremy VanMeter, Zach Wilson, Tyson Martin, Rick Smith, Lance Johns, Jan Johns, Jeff Wagner, Becky Turley, Misty Oliver, Patrick Miller, Billy Bennett, Charles Crabtree, H.A. Roberson, Drake Daniel, John Barclay, Tony Nelson, Randy Mann, Jay Hemenway, Trey Bradley, Elijah Lamberson, Treavor Bradley, Levi Beaty, Ethan Lamberson, Dakota Colvin, Clayton Wagner, Riker Barclay, Chad Meyer, and Brendan Hemenway.

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

Miles - Aye  
Mann - Aye

Williams – 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.

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

Miles - Aye  
Brejnik - Aye

Williams – Aye  
Ishmael – Aye

Central Bank of Midwest	10,146.71	Federated Insurance	15,735.42
Aflac	989.52	Fonseca, Brian	375.00
Liberty National	648.48	Galls LLC	58.94
B G Muffler Center	187.46	Grand River Mutual	1,228.13
Best Way Inc	76.60	Groebner & Associates	9,379.30
Bethany Bldg Center	596.81	H*D Supply Waterworks	2,354.10
BSN Sports Collegiate Pacific	906.44	Harrison Co Ad-Visor	254.20
Cintas Inc	150.22	Harrison Co Treasurer	1,364.35
City of Bethany	12,490.58	Hoover, Brenda	70.00
City of Bethany	878.53	Industrial Sales Co Inc	3,454.20
Commerce Bank	924.35	John Deere Financial	466.55
DeRossett Co	10,653.63	John Deere Financial	139.62
Elecsys International Corp	7,565.00	Kriz Davis Company	31,888.95

Maryville Typewriter Exc	471.16	Utility Sales and Service Inc	1,296.00
MFA Agri Ser-Bethany	34.00	Verizon Wireless	201.18
Midwest Mobile Radio Serv	1,241.00	Wahoo Concrete Products	226.00
Missouri Dept of Revenue	904.00	Wal-Mart	185.18
Missouri Dept of Revenue	1,023.00	Holliday, Janie	6.44
Missouri Dept of Revenue	1,070.00	Teel, Jamee	179.06
Missouri Lagers	12,121.20	Nunn, Michelle	44.27
Missouri Sales Use Tax	14,273.23	Demny, Lauren	75.32
Norris Quarries LLC	567.51	Malcolm, Kimberley	107.95
Petty Cash	24.78	Nelson, Garrett	76.89
RAM Supply	59.95	Asher, Hazel	67.27
Trenton Coca-Cola Bottling	771.84	Ellis Tire	9,050.80
Tyler Technologies	1,623.18	UMB HSA Account	1,053.62
Utility Consultants	65.00		
Utility Safety and Design	8,580.75		

Total \$168,383.67

Void Check  
4-18-16

Axiom Strategies LLC	1,724.94
Buzzard Gulch Inc	187.46

Total \$1,912.40

Payroll  
4-29-16

Johnson, Cathy	991.74	Holloway, Bryan	1,078.63
Jennings, Randy	1,022.70	Parkhurst, Aaron	997.24
Russell, Melvin	963.14	Rimmer, Eric	1,092.47
Russell, Robert	1,099.78	Denum, Jacob	426.51
Brown, Johnathan	870.64	Doll, Jacob	830.40
Addison, Michael	85.19	Lykins, Michael	798.38
Gard, Paul	1,111.67	Lehleitner, Janee	627.38
Ellis, Cole	206.65	Wooderson, Karen	80.81
Blanton, Brooke	206.65	Hinkle, Judith	218.17
Clawson, Nicole	239.43	Sanders, Linda	255.26
Davidson, Colton	58.29	Robertson, Kenneth	1,197.38
Ragan, Skyler	28.26	Willis, Brian	795.93
Doll, Mason	203.95	Clemmons, Ted	1,099.47
Hagler, Janelle	1,582.39	Puffer, Toby	961.65
Schroff, Jaunita	1,214.26	Thomas, Michelle	1,117.15
Turley, Rebekah	1,034.71	Willis, Jennie	734.34
Ellis, Joyce	865.53	Kohler, Ann	375.45
Groom, Brian	1,246.65	BTC Bank	8,054.49

Total \$33,772.74

Approve  
Minutes / April  
18, 2016 as  
amended

Mayor Joseph Johnson called for approval or correction of the minutes of April 18, 2016.

Alderman Gene Ishmael reported that Randy Mann and Lance Johns were voting on the certification of election results and close sine die.

Motion made by Alderman Steve Miles to approve the April 18, 2016 minutes with the amendment made by Alderman Gene Ishmael and seconded by Alderman Todd Williams.

Miles - Aye  
Brejnik - Aye

Williams – Aye  
Ishmael – Aye

Approve April  
25, 2016  
Minutes

Mayor Joseph Johnson called for approval or correction of the special session minutes of April 25, 2016.

Motion made by Alderman Todd Williams to approve the April 25, 2016 special session council minutes and seconded by Alderman Gene Ishmael.

Miles - Aye  
Brejnik - Aye

Williams – Aye  
Ishmael – Aye

Boy Scout  
Proclamation

Mayor Joseph Johnson asked for the reading of the proclamation from the Pony Express Council of the Boy Scouts of America.

Trevor Bradley read the introduction to the proclamation and presented it to Mayor Joseph Johnson. The Republican Clipper took a picture of the Boy Scouts presenting the proclamation to Mayor Joseph Johnson.

Public Input

Mayor Joseph Johnson asked for any public input.

Mayor Joseph Johnson addressed that when the Council took their oath of office they swore to serve all the citizens of Bethany.

Administrator  
& Dept Reports

Mayor Joseph Johnson asked for Administrator and Department Reports.

Administrator Janelle Hagler reported that she and Mayor Joseph Johnson met with Auditor Mark Higgins of Conrad & Higgins, CPA LLC. Mayor Joseph Johnson asked for a motion to approve the contract for audit. Alderman Todd Williams asked Mayor Joseph Johnson if the auditor could do the green book audit and Mayor Joseph Johnson replied that certain aspects could be done.

Approve Audit  
Contract /  
Conrad &  
Higgins CPA  
LLC

Motion made by Alderman Todd Williams to approve the audit contract with Conrad & Higgins, CPA, LLC and seconded by Alderman Randy Brejnik.

Miles - Aye  
Brejnik - Aye

Williams – Aye  
Ishmael – Aye

Bids Submitted  
/ Brush  
Removal at  
Compost Site

Administrator Janelle Hagler submitted bids for the removal of brush at the compost site. Bids submitted: Doug Nible for \$2.75 per cubic yard; DD (Drake Daniel) for \$1.95 per cubic yard; Tri-River (Mark Dotson) for \$3.00 per cubic yard; and Eivins Excavating (Jeremy Eivins) for \$3.95 per cubic yard.

**Approve DD (Drake Daniel) Bid**      **Motion made by Alderman Todd Williams to approve DD (Drake Daniel) for removal of brush at the compost site and seconded by Alderman Steve Miles.**

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

**Bids Submitted / Removal Asbestos Ceiling Tiles at Library Garage**      **Administrator Janelle Hagler submitted bids for the removal of the asbestos ceiling tiles from the Library parking lot roof. The bids submitted were B & R Insulation from Lenexa, Kansas for \$11,600.00 and Tital Environmental for \$13,985.00.**

**Alderman Randy Brejnik asked when the ceiling will be replaced. Alderman Steve Miles replied that the ceiling replacement was planned for the next year’s budget. Alderman Todd Williams asked if this project will be prevailing wage. Administrator Janelle Hagler said that since it is not construction it will not require prevailing wage. Alderman Steve Miles asked if both companies came and looked at the job and aware of what it involves. Administrator Janelle Hagler said both companies looked at project.**

**Approve B & R Insulation / Asbestos Ceiling Tiles**      **Motion made by Alderman Todd Williams to approve B & R Insulation from Lenexa, Kansas for removal of asbestos ceiling tile for \$11,600.00 and seconded by Alderman Steve Miles.**

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

**Approved Purchase / Concrete Saw For Street Department**      **Administrator Janelle Hagler informed the council that she approved the purchase of a concrete saw for the Street Department. The bids submitted were: Ellis Tire for \$1,385.00 and RAM Supply for \$1,259.99. Administrator Janelle Hagler approved the low bid from Ram Supply for \$1,259.99.**

**Engineering Qualifications & Proposals Reviewed for MDC Lake Project**      **Alderman Randy Brejnik Administrator Janelle Hagler, and George Hulet, PeopleService, met on Wednesday, April 27, 2016 to review the engineering qualifications and proposals for the MDC Lake Project. They included Howe Company from Macon, MO; Olsson Associates from Kansas City, MO; and Snyder & Associates from St. Joseph, MO. Administrator Janelle Hagler told council that the final recommendations will be presented at the May 16, 2106 meeting.**

**Seasonal Mowing / Brady Sunderland**      **Administrator Janelle Hagler told council that Brady Sunderland has been interviewed for summer help and can start work after completing the pre-employment physical, drug test, and background check. Starting wage will be \$10.00 an hour.**

**TIF Board Meeting Scheduled For May 3, 2016**      **Administrator Janelle Hagler told Council that the TIF Board has scheduled a meeting for Tuesday, May 3, 2016 at 5:00 p.m. at City Hall. Administrator Janelle Hagler also told Council that Mayor Joseph Johnson would like to schedule a workshop meeting immediately following the TIF meeting. Mayor Joseph Johnson said that it is just an information meeting and the council will not get paid. Attorney Cristine Stallings replied that it still needs to be posted because of sunshine law. Administrator Janelle Hagler is to check if council do or do not get paid for workshop sessions. Administrator Janelle Hagler reported that some towns have workshop meetings**

before the regular council meeting. Mayor Joseph Johnson said the workshops are for important information that needs to be discussed. No voting will occur.

**Council Reports  
& Comments**

Mayor Joseph Johnson asked for the Council Reports and Comments.

Alderman Todd Williams expressed that since he ran for council, he has put a lot of time in trying to make Bethany a better place. Although he does not mind to put in extra hours, he would like to have a calendar of events because he has a job that requires him to go out of town and he has a family. Alderman Todd Williams explained that he did not become a Councilman for the money.

Alderman Steve Miles asked Mayor Joseph Johnson if they could do the workshop on a scheduled council night. Mayor Joseph Johnson replied that it would make the meeting lengthy.

**Alderman  
Ishmael / Police  
Dept to get more  
Officers**

Alderman Gene Ishmael told Council that he believes the police department needs to hire two or three more officers. Attorney Cristine Stallings replied that Chief Brian Groom has advertised and cannot get applicants. Attorney Cristine Stallings said that it is not in the budget to employ additional officers. Alderman Todd Williams recommended talking to the high school kids that may have an interest in law enforcement and a possible training/employment offer could be arranged.

**Broken Board  
on Picnic Table  
at West Park**

Alderman Randy Brejnik reported that the West Park has a board broken on a picnic table. Alderman Randy Brejnik asked why there are no bathrooms at that park. Jeremy VanMeter said that he lives in that area and is aware of the people that go to that park, further explaining that it would be a waste of time and money to repair it. Alderman Randy Brejnik expressed concern that the patches on Main Street were not done correctly and the patching will not hold.

Alderman Todd Williams said that Bueford Cooper has invested in real estate on Miller Street to bring a business into the area and he thinks the City should do everything they can to accommodate him.

**Mayor  
Correspondence  
& Appointments**

Mayor Joseph Johnson correspondence and appointments.

**Mayor Johnson /  
Fire Station &  
Community  
Room**

Mayor Joseph Johnson told Council that he had received a letter from Municipal Development about a new fire station and community room. Mayor Joseph Johnson has talked with John Gannan about a design for a fire station. Alderman Todd Williams asked Mayor Joseph Johnson where it was going to be built. Mayor Joseph Johnson stated that he is working on a place to put it.

**Appoint Michael  
Parkhurst to IDA  
Board**

Mayor Joseph Johnson would like to appoint Michael Parkhurst to the Industrial Development Board.

Motion made by Alderman Randy Brejnik to appoint Michael Parkhurst to the Industrial Development Board and seconded by Alderman Gene Ishmael.

Miles - Nay  
Brejnik - Aye

Williams - Nay  
Ishmael - Aye

**Tabled  
Appointments  
For Next  
Meeting**

Mayor Joseph Johnson voted yes and Attorney Cristine Stallings informed Mayor Joseph Johnson that to approve an appointment it has to have a majority vote of Council. Mayor Joseph Johnson asked Alderman Todd Williams about his decision on Michael Parkhurst and Alderman Todd Williams said that he did not approve of some of the things Michael Parkhurst did at the senior citizens center. Mayor Joseph Johnson commented that Mr. Parkhurst does work for a board and if he was not doing his job he would have been fired. Mayor Joseph Johnson set aside appointments for another meeting.

**Street Bond  
Project / 39<sup>th</sup>  
Street**

Mayor Joseph Johnson started discussion on the Street Bond Project. Mayor Joseph Johnson explained that TIF was designed for towns that did not have funds to build roads. Mayor Joseph Johnson will not vote to put one million dollars from the Street Bond to build 39<sup>th</sup> Street. Alderman Randy Brejnik said that it was in the budget to use one million dollars for 39<sup>th</sup> Street.

Alderman Todd Williams explained that if the City has to put the money up front to complete 39<sup>th</sup> Street and then get paid back from TIF as the money comes in, the cost to the tax payers would be around \$300,000 which would be cheap for that road. Alderman Todd Williams said that Bethany is land locked and more land needs to be opened up for development.

Alderman Randy Brejnik asked if the City had a clear title on the existing road. Attorney Cristine Stallings answered that it is not the city's road until it is approved with an ordinance. Attorney Cristine Stallings said that the city needs right-of-way and utility easements which would be easier to accept the street and easements for the utilities at the same time.

Mayor Joseph Johnson explained that when the voters voted on the Transportation Sales Tax the money was supposed to go for repairs of the streets. Alderman Todd Williams said that there is a ten year street plan and wants to let the tax money collect so we can attack bigger projects. Alderman Gene Ishmael asked if the one million dollar budget item includes the infrastructure for sewer, water, and electric on 39<sup>th</sup> Street. Administrator Janelle Hagler said that utilities are there but would have to be extended when new development plans are made it was planned to do the sidewalks and lighting at a later date. The City wanted to see what was coming into the area before investing more money.

Alderman Gene Ishmael inquired about where the City is going to get the money for the infrastructure. Alderman Todd Williams said that funds have not been pulled out of reserve for the last two years. Becky Turley, City Treasurer, was asked about the use of money out of reserves. Treasurer Becky Turley explained that the wording of "cash on hand" had been changed to "cash in reserve" by Mayor Patrick Miller.

Alderman Todd Williams said that the one million dollars does not include the utilities, only the roads and guttering. Mayor Joseph Johnson replied that the city would have to raise the rates if someone builds so the city has funds to install the utilities. Alderman Todd Williams responded that the utility rates would not be increased and the utility departments would use that as a project. Administrator Janelle Hagler explained that most utilities are located on the outskirts of the 39<sup>th</sup> Street area and would be easy access.

Jeremy VanMeter explained that he has worked in customer service for 15 years and normally people that come to customer service are

unhappy. The customer service representatives need to try and make the customer happy and not give negative responses. Jeremy VanMeter feels that the City is being negative and showing a zero lack of progress for the community. Mayor Joseph Johnson said that people came to him about different concerns of the city and that is why he was voted into office. Mayor Joseph Johnson replied that he is not doing this for himself but for the people that voted for him. Tony Nelson said this is a dead horse just like last week's answer.

**Approved  
Street Bond  
Money only for  
Repairs**

**Motion made by Alderman Randy Brejnik to use street bond money for only the repairs of existing streets and seconded by Alderman Gene Ishmael.**

**Miles - Nay  
Brejnik - Aye  
Mayor Johnson - Aye**

**Williams - Nay  
Ishmael - Aye**

**Alderman Gene Ishmael replied that he took an oath of office to follow the statutes of the State of Missouri.**

**Table / Reduce  
Wastewater  
Treatment  
Plant Fee**

**Mayor Joseph Johnson would like to move forward on reducing the wastewater treatment plant fee. Alderman Gene Ishmael asked Mayor Joseph Johnson if this topic could be tabled until the next meeting since he has not completed his documentation. Administrator Janelle Hagler presented some information from Stan Wolfe, USDA, that she would like them to also read before the next discussion on the wastewater treatment plant project.**

**Motion made by Alderman Gene Ishmael to table the wastewater treatment plant fee and seconded by Alderman Randy Brejnik.**

**Miles - Aye  
Brejnik - Aye**

**Williams - Aye  
Ishmael - Aye**

**Utility Charge-  
Offs**

**Mayor Joseph Johnson asked to address the utility charge-off accounts. Mayor Joseph Johnson explained that the charge-off utilities have been dropping but he believes that the landlords need to be responsible for their tenants when they leave an unpaid bill. Alderman Randy Brejnik asked what the city does to collect the charge-off utilities. Nita Schroff, City Clerk, told Council that the accounts that have forwarding address, a list is given to Attorney Cristine Stallings and she mails a letter. Nita Schroff, City Clerk, further explained that she uses social media to locate people and follows up with a judgement and garnishment of their wages. Attorney Cristine Stallings suggested one solution would be to raise the deposits. Attorney Cristine Stallings said that Trenton uses a program that deposits are based on their credit rating; or that an average cost of utilities for that location could be used for the amount of deposits. Attorney Cristine Stallings recommendation is to raise the deposits and visit City of Trenton about their program.**

**PeopleService  
Contract**

**Mayor Joseph Johnson presented discussion about the PeopleService Contract. Mayor Joseph Johnson read in the state statutes that he believes this contract should have only been approved by a vote of the people. Attorney Cristine Stallings replied that the state statute that he is referring to does not apply. Attorney Cristine Stallings said that the city owns their utilities and PeopleService is only managing the water and sewer departments. Mayor Joseph Johnson said that a franchise is the same as a contract. Attorney Cristine Stallings explained the difference between a contract of this type and a franchise. Mayor Joseph Johnson said that the city is paying an extra**

**\$600,000.00 for PeopleService. Alderman Steve Miles answered that the city is not paying an additional \$600,000.00. The council combined four departments and found a company to run those departments. PeopleService is managing our business and they keep up-to-date on the rules, laws, licenses and regulations. Alderman Steve Miles said that George Hulet, Water/Sewer Superintendent, was having problems hiring people because they did not want to get into a hole to fix a water break in zero temperatures. The city asked the employees their opinion on PeopleService and only one employee voted not to go with PeopleService.**

**Mayor Joseph Johnson asked if they had looked at the treasurer's report on PeopleService that was provided. Alderman Steve Miles said that he thought the report was fake so it would make PeopleService look bad. Becky Turley, Treasurer, replied that she takes great offense to that remark. Becky Turley, Treasurer, explained that she had talked to Administrator Janelle Hagler and George Hulet in order to make sure that the report was accurate. They explained some of the areas that the numbers need changed. Becky Turley also asked George Hulet to go over figures and George told her that he was not allowed to. Becky Turley expected Steve Guthrie, PeopleService, to come to city hall to go over the report and he never showed up. Becky Turley, Treasurer, showed an increase to the city on a two year comparison of a little over \$21,000.00. Steve Guthrie, PeopleService, did not think this report is a fair comparison and that he shows a savings to the city. Becky Turley, Treasurer, asked Steve Guthrie, PeopleService for a copy of his report. Alderman Randy Brejnik asked Steve Guthrie if he could see his report and Steve Guthrie showed councilmen the report. Steve Guthrie, PeopleService, responded that the figures are out of the current budget. Steve Guthrie, PeopleService, said that these are figures that you refused to compare and City Treasurer, Becky Turley responded that she did not refuse any figures. Steve Guthrie, PeopleService, responded back that it was a poor choice of words.**

**Mayor Joseph Johnson would like Attorney Cristine Stallings to mail an official request to the Attorney General to verify if PeopleService contract should have been put to a vote of the people. Alderman Steve Miles said he has talked to George Hulet who feels that the training he has received thru PeopleService has been very beneficial. Alderman Todd Williams said that the employees received better wages by going with PeopleService.**

**Discussion  
Held /  
Discontinue  
Fire Dept  
Membership  
Fees**

**Mayor Joseph Johnson told council that the Fire Department is funded by the General fund. The majority of the residents in the county buy their needs from Bethany. The city of Bethany has provided fire support outside the city limits with payments from property owners and insurance companies. Mayor Joseph Johnson thinks the city needs to discontinue the Fire Department membership fees. Attorney Cristine Stallings told Mayor Joseph Johnson that she read the state statute that he was referencing to and she does not believe that it applies to municipalities. Attorney Cristine Stallings said that she did not think all the bills were being collected and that the fire trucks should not go out of the city limits unless it is mutual aid. Attorney Cristine Stallings said that she had never been asked to collect fire call bills while John Gannan was Fire Chief. Attorney Cristine Stallings said that the billing is done in the office now. Administrator Janelle Hagler mailed out 600 letters for the Fire Department memberships and received one third of the memberships back.**

**Appoint Verna Herzog To Extension Council** Mayor Joseph Johnson would like to appoint Verna Herzog to the University of Missouri Extension Council. No vote was taken.

**Discussion Held / Appointment of Fire Chief Denum** Mayor Joseph Johnson asked if there was any other business. Jacob Denum, Fire Chief, said that since he has not been appointed yet, he did not know if he could purchase some hoses for the fire trucks. Mayor Joseph Johnson instructed him to continue doing his job until he is notified otherwise.

Jacob Denum, Fire Chief, was very offended because Mayor Joseph Johnson is going to John Gannan for his input on a new fire station and equipment. Jacob Denum has told his volunteered firefighters not to go to John Gannan on fire procedures; that they are to ask the current fire chief. David Kinnison, volunteer firefighter, thinks it is very insulting toward the fire chief. Jacob Denum reminded Mayor Joseph Johnson that after the election he talked to him and Mayor Joseph Johnson asked for his resume for a full time fire chief position. Jacob Denum provided Mayor Joseph Johnson with a resume and Jacob feels like Mayor Joseph Johnson is holding his position hostage. Mayor Joseph Johnson told Jacob Denum that he needs to perform his duties until not appointed. Alderman Randy Brejnik replied that Chief Jacob Denum should not be instructing the volunteers not to go to John Gannan. Jacob Denum replied that the procedures have changed in the new building and the maintenance on the equipment is different than when John Gannan did it. Alderman Todd Williams told Jacob Denum that he is doing a good job. Mayor Joseph Johnson replied that they would rather go to people with the gray hair for information. Mayor Joseph Johnson would go to David Kinnison before he would go to Jacob Denum because he has gray hair.

**Adjournment** Motion made by Alderman Randy Brejnik to adjourn at 6:50 p.m. and seconded by Alderman Todd Williams.

Miles - Aye  
Brejnik - Aye

Williams – Aye  
Ishmael – Aye

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Joseph S. Johnson, Mayor

ATTEST:

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Nita Schroff, City Clerk