

City of Towanda  
Council Meeting

March 9, 2022

Mayor Jennifer Shaults opened the council meeting at 7:02pm.

In attendance were Mayor Jennifer Shaults; Council President Mike Hayes; Council Members Nicole Vargo, Darrell White, and Holly McAdoo. Also in attendance were Interim City Administrator Paul Erickson, City Attorney Rob Lane, City Superintendent Rick Kearney, and Acting City Clerk Rachel Cain.

Motion made by Nicole Vargo to approve the minutes from the February 9, 2022 council meeting. Second by Mike Hayes (4-0).

Motion made by Mike Hayes to approve the minutes from the February 16, 2022 special council meeting. Second by Nicole Vargo (4-0).

Motion made by Nicole Vargo to approve Appropriations Ordinance 02-2022 in the amount of \$119,041.02. Second by Holly McAdoo (4-0).

Mayor Jennifer Shaults presented the resignation of Chris Stanyer as council member.

Council discussed the hiring of the new City Administrator, including the proposed contract. Motion made by Nicole Vargo to hire Chris Stanyer as City Administrator with a start date of April 1, 2022. Second by Holly McAdoo (4-0). Mayor Jennifer Shaults noted the referenced contract would be emailed to each council member once completed.

Mayor Jennifer Shaults presented Kendall Pierce as her appointment for the vacant council member seat. Motion made by Nicole Vargo to approve the Mayor's appointment of Kendall Pierce for the vacant council member seat. Second by Holly McAdoo (4-0).

Treasurer Andy Newbrey presented the Treasurer's Report. Mr. Newbrey detailed the current payroll audit and income audit, including state reporting, that he was completing. Mr. Newbrey detailed a sales tax issue that had been discovered, noting that the sales tax collected on commercial water had not been reported to the State since 2017 and that 32 quarterly sales [correction of 23 quarterly sales noted after meeting] tax reports had been amended by himself and Deputy Clerk Cami Jones. Mr. Newbrey noted that from those amendments, roughly \$4,300 in taxes and \$1,300 in penalties and interest were submitted to the state. Mr. Newbrey also noted that he is reviewing all tax collection revenue received through the county and the funds to which they post. Mr. Newbrey noted that accurate Treasurer's Reports for the months still being worked on (December through February) will be presented to council when completed. Mike Hayes inquired as to why the city's annual audit would not have caught this error and directed Mr. Newbrey to ask that of the auditor, requesting the answer be in written in a formal letter. Mr. Newbrey lastly noted his current work to increase internal controls, noting that the auditor believed

the current court set-up with the court clerk working from home added a good level of control with money handling in that department. No additional questions from council.

Ron Pastore addressed the council regarding his continued water consumption issue. Mayor Jennifer Shaults noted that she had seen Mr. Pastore's latest email of questions and Paul Erickson's reply answering each question with attached reports showing water consumption for that property since 2013. Mr. Pastore noted he had received no email, and by recommendation from council, will check his spam folder and contact the city if he cannot locate it. Mr. Pastore asked if a second meter outside his house was a possibility. Paul Erickson responded that it was not as the property is outside city limits. Council informed Mr. Pastore if he or his landlord wished to install a private meter outside the house and arrange for separate responsibility for the water consumed between the two meters, he would have to arrange that with his landlord directly.

Ron Pastore addressed the council regarding the brush pile cameras. Mr. Pastore asked if the city found out if electricity could be run to the site. Rick Kearney responded that it was not financially feasible for the city to do such, so if council approved moving forward with the cameras, lines would have to run from Mr. Pastore's home office. City Attorney Rob Lane noted that he foresaw no issue prosecuting cases with the concerns of it utilizing a residence/home office not owned by the city. Mr. Pastore will update his bid again and submit it to the city.

Deputy Tom Moore presented the monthly report of Sheriff's activities. Deputy Moore noted that the three new Towanda deputies would be starting soon. Council discussed the continuous large percentage of calls originating from Pine Ridge Estates. No further questions from council.

Court clerk Rachel Cain presented the monthly municipal court report. No questions from council.

Lisa Hamilton presented the monthly activity report for the Planning and Zoning Department, including five additional inspections that passed on Pine Ridge Estates properties. Ms. Hamilton noted that the permit for the new primary school addition had been issued. Rob Lane inquired into the quadrant code enforcement for this year. Ms. Hamilton replied that they would continue it again this year, beginning in April. Ms. Hamilton gave an update on the recent convenience store purchase, that the owner plans to reopen it as a Jump Start with competitive rates on gas and commodities. Council inquired as to the owner's plan for the dilapidated house on the property. Ms. Hamilton responded that she had no word on that yet. No further questions from council.

Deputy Tom Moore added a note for council to steer clear of a certain city resident who had recently caused much commotion in town and that maintenance should have two workers present for any work done around the resident's home. Deputy Moore noted that the individual had escalated to a 2-3 officer response.

Fire Chief TC Pyle presented the monthly activity report for the Fire Department. Mr. Pyle noted that SCBAs should be delivered this week, and he was currently working with city staff on the status of a grant they had been working on for an air compressor. Mayor Jennifer Shaults asked if Mr. Pyle planned to replace Captain Rose. Mr. Pyle answered that none of the current volunteers were qualified for the duties

Captain Rose performed and that he may advertise for the position. Mr. Pyle and council discussed the extreme weekend fires and the small grass fire in town. Mr. Pyle and council discussed the recent rewards ceremony. No further questions from council.

City Superintendent Rick Kearney presented the monthly activity report for the Maintenance Department, noting that with summer coming, maintenance would soon be focusing on streets. Mr. Kearney informed council that he was getting bids on the intersection of Main St. and 3<sup>rd</sup> St. and on new asphalt for Highland St. between 8<sup>th</sup> St. and 11<sup>th</sup> St. Mr. Kearney noted that from his discussion with a Dustrol representative, Dustrol was not at all interested in the intersection and not very interested in a proposed bid for Main St. from city limits to city limits. Mayor Jennifer Shaults and council questioned why that would be. Mike Hayes questioned the current route for Dustrol trucks driving on city streets. Darrell White suggested we propose to Dustrol that they move their yard gate to enter through Hunter Rd. instead of Main St. by the High School. Mayor Jennifer Shaults directed Mr. Kearney to contact Dustrol again about the bid for the entirety of Main St., and if they don't want the bid, to give the reason why.

Mr. Kearney noted that Waste Connections had informed the city that they will be changing the servicing trash trucks from rear-loading trucks to side arm trucks on March 28, 2022. Mr. Kearney noted these will be bigger, heavier trucks. Darrell White noted he believes the trucks have sometimes been coming to town partially full and would like to see discussions to stop that. Council discussed the expiration date of the current contract, conveying desires to bid out the work before that time. Kendall Pierce directed Rick Kearney and Paul Erickson to speak with the Waste Connections representative to see if there is any way to avoid the side arm trucks and/or if the city has any other options.

Mr. Kearney noted the Morrow bid that was passed at the council meeting last month did not include all the work the city wished done for the community building windows. Mr. Kearney presented the updated bid. Motion made by Mike Hayes to approve the updated bid for Morrow Exteriors & Glass LLC in the amount of \$4,961.68 for replacement of the community building windows. Second by Kendall Pierce (5-0). Mayor Jennifer Shaults questioned the upcoming pool work to prepare for the season. Mayor Shaults recommended Mr. Kearney price chemicals and other necessities and have her review the bids. No further questions from council.

Interim City Administrator Paul Erickson presented information regarding the work that has been scheduled for the community building's floors. Mr. Erickson also noted that changes will be made concerning the pool concessions this year. Mr. Erickson noted he and Andy Newbrey will be meeting with Charlie Jacobson before the next meeting to discuss those changes. Mr. Erickson noted that as a related item, the Sam's Club membership will likely be changed to create more distinction of purchases by different departments.

Mike Hayes proposed discussing ideas for Christmas festivities earlier in the year, including downtown decorations and celebrations, perhaps joining efforts with the museum. Mr. Hayes requested the rest of council bring ideas to the next council meeting. Mr. Erickson noted the positive responses to the city Christmas party at the community building in years past.

Mayor Jennifer Shaults presented the topic of the city's social media accounts. She still has plans to reach out to Matt Engels about the current Facebook page. Mike Hayes noted the possibility of including the fire department. Council discussed the idea of highlighting a volunteer firefighter or other city highlights monthly.

Council discussed SCARF. Nicole Vargo recommended waiting until the end of the year to donate again to see how funds are distributed elsewhere before then. The rest of council agreed.

Interim City Administrator Paul Erickson presented a recommendation from the League of Kansas Municipalities for the mayor to sign a non-prosecuting notice regarding a section in the Unified Public Offense Code related to pre-filling voting registration cards. Mayor Jennifer Shaults signed the notice.

Paul Erickson noted that the previous owner of the Country Store had been storing deteriorated dining booths in the newly acquired city property at 322 Main St. prior to its purchase by the city. Mr. Erickson noted that the owner of the booths had been notified verbally and by writing multiple times, with the last date offered to retrieve the booths having passed at the end of February. Rob Lane advised that he foresaw no legal issue with disposing of the booths after taking adequate pictures of the items.

Darrell White noted a concern he had of not hearing the recent tornado siren at his residence. Mr. White also inquired as to the Covid response funds the city has received and what plans could be set for them. Mr. White made a recommendation for electric water meters, which were further discussed by council. Paul Erickson noted that he will be attending a class on the details of the usage of the funds on March 28, 2022 and will provide more answers at the next meeting.

Holly McAdoo noted a street light was out near her residence. Rick Kearney to report the outage to Evergy.

Paul Erickson noted that the cost of the feature to email utility bills through the city's software ended up being much higher than originally estimated, so it will no longer be pursued.

Motion made by Kendall Pierce to adjourn at 9:05pm. Second by Mike Hayes (5-0).

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Rachel Cain  
Acting City Clerk