

Approved

City of Peabody  
Minutes of the City Council Meeting  
August 29, 2022

Office of the City Clerk  
August 29, 2022

**CALL TO ORDER:** The regular meeting was called to order by Mayor Spencer at 6:03 p.m. in the Council Room at City Hall located at 300 N. Walnut, Peabody, Kansas. The following council members were present: Alan Gillen, Catherine Weems, Rick Reynolds, and Lindsay Hutchison. A quorum was established.

**STAFF:** Bruce Burke – Chief of Police, Beth Peter – Court Clerk, Taylor Ensminger – City Clerk, Lori Pickens – City Treasurer, Darren Pickens – Public Works Superintendent,

**VISITORS:** Linda Martinez, Darin Neufeld, Dustin Brinkman, Pandeia Smith, Ginger Whitney, Gene Schmill, Amy Elliott, Kristi Silvernale, Terri Tucker, and Megan McKeon

**THE PLEDGE OF ALLEGIANCE**

Revenue Neutral Rate Hearing began at 6:03pm

No public comment was had.

**MOTION** by Catherine to adopt Resolution Number 2022-3 to exceed the Revenue Neutral Rate, seconded by Lindsay. Motion carried 3-0.

Roll call vote:

Catherine – yea  
Lindsay – yea  
Rick – yea

**MOTION** by Rick to close the Revenue Neutral Rate Hearing at 6:08pm, seconded by Lindsay. Motion carried 3-0

Budget Hearing began at 6:08pm

Proposed budget mill levy is 77.779

No public comment was had.

**MOTION** by Lindsay to approve the 2023 Budget, seconded by Catherine. Motion carried 3-0.

**MOTION** by Lindsay to close the Budget Hearing at 6:11pm, seconded by Rick. Motion carried 3-0.

Regular Council Meeting began at 6:12pm

**I. MINUTES:**

The council reviewed minutes of the Regular City Council Meeting held on August 8<sup>th</sup> and the Special Meeting held on August 15<sup>th</sup>;

**MOTION** by Catherine to approve August 8<sup>th</sup> minutes, seconded by Lindsay. Motion carried 3-0.

**MOTION** by Catherine to approve August 15<sup>th</sup> minutes, seconded by Lindsay. Motion carried 3-0.

Alan Gillen arrived at 6:14pm

## **II. APPROPRIATIONS:**

PAYROLL 2022 8A	\$13,105.51
PAYROLL 2022 8A extra tax & benefits	\$10,520.58
PAYABLES 2022 8A	<u>\$33,130.01</u>
<b>Total</b>	<b>\$56,756.10</b>

**MOTION** by Lindsay to approve appropriations, seconded by Rick. Motion carried 4-0.

## **III. PUBLIC COMMENT:**

Ginger Whitney updated the Council about 2022 Fall Fest activities.

The fire department will be providing kids games

She asked to make sure Public Works brings all of the trash cans at the park to the front gate to be emptied after a home football game.

She asked to make sure the pool bathrooms are left open for Fall Fest.

## **IV. APPROVAL OF AGENDA:**

Rick requests to add a 15-minute executive session to the agenda.

Bruce requests to add a 10-minute executive session to the agenda.

**MOTION** by Rick to approve the agenda with additions, seconded by Lindsay. Motion carried 4-0.

## **V. AGENDA ITEMS:**

Dustin Brinkman with gWorks presented a new quote that includes a special August discount.

Dustin gave a presentation about the gWorks software.

**MOTION** by Lindsay to approve the purchase of gWorks, seconded by Alan. Motion carried 4-0.

Kristi Silvernale asked Council who is responsible to replace vandalized and stolen scoreboards, cupholders, etc. at the horseshoe pit.

Darin with EBH went over the cost share grant application for the 3 blocks between Sycamore and Pine on 7<sup>th</sup> Street.

**MOTION** by Lindsay to approve Resolution 2022-4 to submit a KDOT Cost Share Program application, seconded by Rick. Motion carried 4-0.

### **Employee Reports:**

Bruce presented his monthly report to the Council and requested approval for Beth to attend Court Clerk Management Training Conference on September 29<sup>th</sup> and 30<sup>th</sup> in Pittsburgh for \$100.00 plus two nights lodging and mileage.

**MOTION** by Rick to approve Court Clerk training for Beth, seconded by Lindsay. Motion carried 4-0.

Darren presented his monthly report to the Council.

**MOTION** by Lindsay to approve Middle Creek labor fees in the amount of \$4,600 to fix the water tower, seconded by Rick. Motion carried 4-0.

**MOTION** by Lindsay to approve \$14,300 to have Hett Construction repair the fire station's driveway and surrounding street after a water leak and \$2,500 to repair the box culvert on 4<sup>th</sup> Street between Vine and Olive after the trash truck fell through it. Motion carried 3-0-1 with Catherine abstaining.

The paint striper is 20 years old and needs repaired or replaced. A new one is \$8,200 through CrafCo. The current one was repaired many times last year.

Alan McLaughlin turned in his two-week notice.

Lori requests a \$50.00 donation to the 2022 Fall Fest.

**MOTION** by Rick to donate \$50.00 to the Fall Fest, seconded by Catherine. Motion carried 4-0.

Lori and Council discussed a potential new policy regarding lowering sewer rates if a pool is filled or they're watering a garden.

City Wide garage sale is October 8<sup>th</sup>. All permits must be obtained by October 1 to be included on the map.

**MOTION** by Lindsay to purchase 2 Dangerous Structure publications from the League of Municipalities, seconded by Rick. Motion carried 4-0.

The council reviewed three contracts from Konica Minolta to switch to a flat monthly fee.

**MOTION** by Lindsay to approve Konica Minolta contracts, seconded by Rick. Motion carried 4-0.

**Reports from Standing Committees:**

1. **Water (Gfeller, Gillen)** – nothing to report

2. **Streets and Alleys (Spencer, Gfeller, Reynolds)** –

There's a significant drop off between a concrete pad and the gravel in the alley between the Senior Center and Cameo Rose Antiques.

3. **Sanitation (Spencer, Weems, Reynolds)** – nothing to report

4. **Lights (Reynolds, Gillen)** – nothing to report

5. **Park and Swimming Pool (Spencer, Hutchison, Gillen)** –

Donate all leftover items from the pool concession stand to The Hub.

6. **Building (Gillen, Reynolds)** –

7. **Finance and Ordinance (Spencer, Weems, Hutchison)** – nothing to report.

8. **Economic Development Committee (Gfeller, Hutchison)** – nothing to report.

9. **Personnel (Spencer, Hutchison, Weems)** – nothing to report

**MOTION** by Rick to enter into a 10-minute executive session regarding non-elected personnel matters, seconded by Lindsay. Motion carried 4-0.

Entered into executive session at 9:45pm

Returned to regular meeting at 9:55pm

No action was had.

**MOTION** by Rick to enter into a 15-minute executive session regarding non-elected personnel matters, seconded by Lindsay. Motion carried 4-0.

Entered into executive session at 9:58pm

Returned to regular meeting at 10:13pm

No action was had.

**MOTION** by Alan to enter into a 10-minute executive session regarding non-elected personnel matters, seconded by Catherine. Motion carried 4-0.

Entered into executive session at 10:15pm

Returned to regular meeting at 10:25pm.

**MOTION** by Rick to call for immediate termination of Police Chief Bruce Burke for poor performance, seconded by Alan. Motion tied 2-2.

Mayor Tom Spencer casted the deciding vote of nay.

Motion failed with the mayor casting the deciding vote.

**Report from the Mayor** – nothing to report.

VI. **ENCLOSURES:**

Minutes from August 8<sup>th</sup> Regular Meeting and August 15<sup>th</sup> Special Meeting  
PAYROLL 2022 8A  
PAYROLL 2022 8A extra tax & benefits  
PAYABLES 2022 8A

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

VIII. **ADJOURNMENT:**

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

**MOTION** by Rick to adjourn the meeting at 10:28pm, seconded by Catherine. Motion carried 4-0.

**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)

---

Taylor Ensminger, City Clerk