

City Council Meeting

06/24/24, 7PM

Meeting Minutes

Attendees: Mayor Brady Gragg, Ken Stringer, Kathryn Coleman, & Trent Clark, **Absent:** Grant Bowlin & Dan Ravenscraft

Others In Attendance: Officer Tom Moore, Anne Morrow, Don Berg, Andrew Hanna, Terry Ullum, Tim Stanghor, Christina Henson of the Loyd Group & Kendall Pierce of Professional Code Compliance

7:06pm: Mayor Brady Gragg calls the meeting to order. Additions to Agenda:

1.) The mayor will call Attorney Brian Bina for introductions following the Professional Code Compliance presentation.

2.) Trent Clark would like to discuss the need for more American Flags, will follow Street Sweepers.

Motion to Approve: Accept the agenda with these two updates. Clark, second by Coleman. Ayes Carried: 7:08pm

Coleman requests the minutes be formatted differently to help highlight the motions and to find information and facts easier.

Motion to Approve: Approve of the minutes as presented of the May 20, 2024 City Council Meeting. Stringer, second by Clark. Ayes Carried: 7:15pm

Open to Public – N/A

ORDER OF BUSINESS

Christina Henson of The Loyd Group, 7:16pm: – Provided Handouts containing 2023 Audit Report Financial Statement & Recommendation Letter: When doing the audit this year for 2023 there was good progress seen from the year before such as, more reporting in the last sixth months of 2023 which was a good thing. Some highlighted areas:

- Make sure policies are in place and individuals have proper training.
- Have a second set of eyes review bank statements concerning cash flow.
- Have someone other than those making the corrections sign off on the Journal entry.
- The Loyd group appreciated the fact that we work with QuickBooks instead of spreadsheets, which makes their job much easier.

Mayor Gragg – Asked how the process for the onsite Audit went, Henson expressed that the City Clerk and City Treasurer responded quickly to help find or correct anything they asked for, which in turn allowed significantly less man hours spent on the Audit.

Reminder that Scot Loyd will be in Whitewater to assist on the 2025 Budget prep.

Kendall Pierce co-owner of Professional Code Compliance, 7:29pm: – Provided handouts of the purpose and function of the business. Mock Property Report. Example Contract.

The Professional Code Compliance company's purpose is to help the small cities save money by contracting out the role/job of a Code Compliant Officer. Pierce is a former council member of Towanda and his co-owner, Rob Lane, is a City Attorney. They would send bi-weekly reports with

time stamped images and willing to appear in court if cases should progress. They begin by issuing warnings to those in violation of the city code and follow-up if they do not comply.

Towanda has been their pilot city for the past few months and has started with Potwin & Burns.

Their contract with a city like Whitewater would be about \$8400 for a full year and he stated the city would probably see the results after the first 4 months. This contract also allows access to their city attorney who could work with the city and our city attorney.

Q&A:

Stringer asked if any of them have passed the test to be Certified Inspectors? Answer: No, they will focus on code compliance and not building permits or building codes. Stringer expressed that he will not be backing this idea.

Coleman asked how many cities this company can manage with just the two on staff. Answer: at the max 10 cities. He has another person learning and may allow them to increase the staff in the future.

Officer Tom Moore stated that he has seen noncompliant people moving out of the cities who are what may be called "Compliant Cities" and ending up in the towns who do not enforce the codes. If we do not enforce our codes, they will end up here.

Clark asked if they do animal control? Answer, they do not.

Mayor Gragg – Sounds like a great service being provided for cities who can't afford to pay a Compliance Officer.

Everyone thanked Mr. Pierce.

Brian Bina via Phone: – Bio Handout and introduction by Mayor Gragg stating that attorney Brian Bina has been recommended by Scot Loyd. Attorney Bina of Karstetter & Bina LLC Law Firm in McPherson & Marion County informed the council that he apologized for not being able to be at the meeting in person but that his kids came first, and his daughter had a game that evening. Spoke about the fact that there is a trend of fewer attorneys doing municipal law, but this would be his sixth city to be their attorney.

Stringer asked him why municipality law is not listed on his bio. Answer: Municipality law is usually many aspects of various laws of which are listed.

Mayor Gragg asked about Attorney Bina's rates. Answer: In his general practice he charges \$300/hr but for municipality \$200/hr. He does not charge a monthly retainer and wants to encourage the cities to call him when they might need him. He would send a bill at the end of the month for whatever services he may have provided.

Coleman inquired about his usual turnaround time. Answer: If he has time to work on things, he will get it done, but his family comes first, so if something is needed right away late Friday, it may not be done until the next week. Most everything is subject to what is required and the subject matter as well as how much lead time he has been given.

Mayor Gragg asked about the Municipal Court. Answer: He prefers holding court if needed on a Quarterly schedule but that is up to the Judge. A few reasons being that a small city, like ours sometimes does not need to hold court for months at a time AND it would be better to have a full docket if we are paying him for his time.

Motion to Approve: Attorney Brian Bina as the new City Attorney of the City of Whitewater. Coleman, second by Stringer. Ayes Carried: 8:05pm

Financial Report – Terry Ullum, 8:07pm

- Audit has inspired a few changes and will allow the numbers to be more accurate moving forward.
- We will pay for Phase 1 of the Sidewalk project in three installments: We have already paid the first at the beginning and the second will be paid this final week of June. Many *businesses have made changes as Pope has come to their areas and most of them will be paying for those adjustments, however there will be some final costs assessed in the final bill. *The Flora's building will have a railing placed at the raised step area for safety. - Confirmed by Andrew Hanna
- Last month there was a little concern about our cash flow, but that issue was resolved by \$100,000 from the County and more monies coming in soon as well.
- CD's - have earned \$9,151 interest this year so far.
- We cannot go beyond our line item for this year with our special projects/highway/ARPA.

Motion to Approve Financial Report: Stringer, second by Coleman. Ayes Carried: 8:16pm

Police Report – Tom Moore, 8:16pm

- Following last month's meeting he was able to get the camper moved.
- Tricyclist is no longer riding it along Butler Rd.
- 4 Stops – all for speeding, given verbal warnings.
- Talked with a few people about junk cars, to get them moved.
- Moved 2 homeless/transient individuals out of town. Unfortunately, more and more will continue to come.

Questions/Concerns: Mayor Gragg informed him that same individual is continually living inside one of the storage units. Officer Moore will contact that individual and the owner.

Mayor's Report – Brady Gragg, 8:21pm

- Wednesday, June 26th at 7PM at the City Building we will all meet with Scot Loyd to discuss/plan for the 2025 Budget. Including a discussion on where we will be concerning Revenue Neutral so we can send that information to the county by July 20th. Clark asked the city clerk to send reminder texts to everyone.
- Pope Concrete is doing a good job and is working with the towns people. Have not heard many complaints and everything is looking great.
- A card was passed around for those who wanted to sign it in gratitude to Attorney Greg Nye for 36 years of service to the City of Whitewater.

Clerk's Report – Anne Morrow, 8:25pm

- Continues to go through all the files within the office to organize and follow the proper retention schedule.
- The city received both Water & Sewer Bonds from Graber Backhoe and they will begin work the last week of June.
- Grant Bowlin was able to join an online meeting for IdeaTek to speak to those from the State in charge of deciding on the Grant submitted to bring Fiber to Whitewater and other surrounding areas. I was told that Bowlin did a great job. The earliest possible decision could be by the end of July.

- A recent renter of the Scout House expressed a few concerns about the building, most importantly the restroom. The toilet was very wobbly and low, which was concerning for the elderly. Andrew Hanna & Connor Sweazy promptly went and placed a new seal and new bolts securing the toilet down. They also tried to replace some bulbs in the lights of which a few worked but the ballast may be bad. - Morrow would like to look at possibly changing the rental costs to build up some money to look at possibly accomplishing some improvement projects at the Scout House.

Suggestions for Scout House Project(s):

- Talk with the Scouts for ideas as well as possibly help (Mayor will reach out)
- Possible Fundraisers for specific projects
- New A/C unit
- Cosmetic improvements and use of space
- Bathroom

Maintenance Report – Don Berg, 8:36pm

- Continues to train Andrew Hanna, the new City Superintendent
- Continued the Storm cleanup – Has burned the Dump once; Second burn was started that morning, and the need to have a 3rd burn as people continue to cleanup.
- June 4th – sewer main backed up between Main & Elm from Carr, south. Mayer Specialties found 2 good sized root balls and a plastic sack.
- June 5th – Mayer Specialties performed their annual sewer cleanout in the middle sector of town, between Elm & Locust. They were able to run a camera for a problem spot by the middle school from Central running north. They also televised the area from Carr southward from the night before. Both revealed some root growth in some joints. Liquid Root Control was applied to both areas.
- Brandon Maus, City Maintenance, took his Wastewater Exam Friday, June 21 and is now waiting to see his results.
- The Water Tower Interior Renovations is postponed for various issues.
 - City Treasurer has advised no more BIG projects until after Aug. 1
 - Need to coordinate the Bladder Tank from KRWA & Viking Tower Crew at the same time.
 - Tank won't be available until September.
 - This project was approved in 2019 at the cost of \$42,925.
- The City Maintenance crew met with Clint Clark of Graber Backhoe, June 24 and discussed the Whitewater Lakes/Cottonwood CT project. They plan to begin the dig for the waterline on the 25th and hope to pressure test Tues. or Wed. of the following week. They continue to wait for the manhole for the sewer and that looks to be a few weeks out.
- This will be Don's last Maintenance Report as he plans to hand the reins over to Andrew for the July meeting.

New/Unfinished Business

- City Ordinance/Codification - Ranson Citycode
 - All agree that it needs to be done but would like to know what the process would be if we do not want the Annual Up-to-Date Service or choose to discontinue that service at some point. Council requests Morrow to discuss that request with Larry Kleeman.

Motion to Initiate the Part One Codification Service with Ranson Citycode for \$3750 and to table the Part Two – Always Up-to-Date Service annual fee for \$1250 until next month. Stringer, second by Coleman. Ayes Carried:8:51pm

- Street Sweeper – Handout, Andrew Hanna was able to get a quote from the manufacturer of the Victory Sweeper who is willing to bring one as a demo. If the council likes it, he will leave the machine with us. The quote is \$20,684.

Testimonial from a guy in Louisiana who uses the sweeper for a large mall parking lot. He says it works just like the video (picks up bricks, diapers, etc.). Maintenance of the machine: any issues are usually self-inflicted and most wear happens on the side broom. He has been running his for 6 years and changes the flaps every 6 months to a Year. 100% recommend it and has found it very cost efficient.

- Clark asked about our roads with so much slurry seal will the curb broom be effective at some of those angles. Something to see during the demo and asked the manufacturer.
- Stringer would like to know how much training the manufacturer is offering.
- Hanna will try to schedule the demo for July 22nd in the morning or afternoon before the Council Meeting so the council can see the demo.
- American Flags – Trent Clark found some medium duty USA made flag kits at Sams for \$33 a piece. Many of the ones we currently have for the city decoration need to be replaced. Would like to get about 20, we can also apply for our tax exemption.

Motion to purchase 20 of the American Flag kits at Sams. Stringer, second by Coleman. Ayes Carried: 9:12pm

Executive Session – For Elected Officials only – 9:15pm

- called Don Berg, City Superintendent back in 9:29pm
- Ended Executive Session 9:40pm

Motion to adjourn the June 24, 2024 City Council Meeting. Stringer, second by Coleman. Ayes Carried: 9:41pm

9:41pm - Meeting Adjourned