

**City of Benton
City Council Meeting**

July 19, 2021

The governing body of the City of Benton, Kansas met in regular session at the Community Building at 150 S. Main St. in the city at 7:00 p.m. Mayor Tyler Gottschalk presided. Members of the council were present as follows: Ross Schoneboom, Curt Ghormley, Travis Swift, Dan Claycamp and Cody Smith.

Pledge of Allegiance

Approve Agenda

Curt requested to add the follow-up of the MKC lot clean up to unfinished business. Councilman Schoneboom made the motion to add the MKC lot clean up to unfinished business. The motion was seconded by Councilman Ghormley. Motion passed 5-0.

Councilman Schoneboom moved to approve the amended agenda. The motion was seconded by Councilman Swift. Motion passed 5-0.

Approve Minutes

Councilman Ghormley requested the comments made by Mr. Rome at the June council meeting regarding the possibility of mold in the grain elevator areas being demolished be added to the June minutes and that the governing body will follow up with MKC on the matter.

Councilman Schoneboom moved to approve the minutes from the June 21, 2021, meeting as amended.

The motion was seconded by Councilman Claycamp. Motion passed 5-0.

Public Comment

Girl Scouts gave a video presentation seeking approval to place a blessing box on city property towards earning their Take Action Badge.

Councilman Smith moved to accept the proposal for the Blessing Box to be placed at City Hall by the Mailbox. The motion was seconded by Councilman Ghormley. Motion passed 5-0.

Matt Engels presented 2022 updated budget report.

Mark Perry, Maintenance Supervisor, presented updated generator bids. Request for an additional \$1200 for the Main Street lift station generator. Bid is for a 12 kw instead of 10 kw and is available in 2 weeks. 10 kw generator is on back order.

Councilman Ghormley moved to approve the additional \$1200 to purchase the 12 kw generator for the Main Street lift station. The motion was seconded by Councilman Smith. Motion passed 5-0.

Mayor Gottschalk will follow up with MKC on the mold situation next week when the estimate for damage they caused to the street while buildings were being demolished.

Mark Perry 3 bids to replace the Hustler mower which is in need of major repairs again.

Hoover Mower \$10,866

KS Golf & Terf \$13,949

Walker \$14,526

Requests to purchase the Hustler from Hoover Mower.

Councilman Ghormley moved to purchase the Hustler from Hoover Mower for \$10,866. The motion was seconded by Councilman Schoneboom. Motion passed 5-0.

ORDINANCE 2021-05, AN ORDINANCE AMENDING ARTICLE 3, PARAGRAPH 1-315, SUBSECTION (b) OF THE BENTON CITY CODE.

Councilman Claycamp moved to adopt Ordinance 2021-05 modifying the requirement for the City Administrator to reside within the city limits. The motion was seconded by Councilman Swift. Motion carried 5-0.

Councilman Claycamp moved to approve the hiring of a City Administrator. Further, establish a committee to start the selection process. Committee members: Mayor Gottschalk, Councilman Claycamp and Councilman Schoneboom. The motion was seconded by Councilman Schoneboom. Motion passed 5-0.

Councilman Ghormley moved that the position of Assistant City Clerk be filled as soon as is practical. This is to be a full-time position with duties as outlined in City Code, Article 3, paragraph 1-309; and with salary established according to same reference, paragraph 1-309(d). The motion was seconded by Councilman Claycamp.

Discussion followed.

Councilman Ghormley moved to amend the office hours to close at 5:00 p.m. The motion was seconded by Councilman Smith. Motion passed 5-0.

Original Motion passed 5-0.

Councilman Ghormley moved that the minutes from the April 2021 meeting be amended from: "Councilman Ghormley moved to adopt an ordinance modifying the City Code, Article 3, paragraph 1-209 to read"

to: "Council Ghormley moved to adopt an ordinance modifying the City Code, Article 3, paragraph 1-309 to read"

The motion was seconded by Councilman Schoneboom. Motion passed 5-0.

Councilman Ghormley moved that the City Council consider whether to move forward with Exclusion of Territory of the property at 13812 SW 20th Street, pursuant to a written request dated June 17, 2021. The motion was seconded by Councilman Schoneboom.

Discussion followed.

Randy and Diana Horner addressed the council regarding their request to have the property at 13812 SW 20th Street de-annexed from the city because the city cannot provide city services. They would also like to have extra out buildings and farm animals.

The motion was considered and failed 0-5.

Councilman Schoneboom moved to hire a fulltime employee into the Maintenance Department. The motion was seconded by Councilman Smith. Discussion followed. Motion passed 5-0.

ORDINANCE 2021-06, AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF BENTON, KANSAS; INCORPORATING BY REFERENCE THE UNIFORM PUBLIC OFFENCE CODE FOR KANSAS CITIES, EDITION OF 2021, AND REPEALING ORDINANCES NUMBERED 2020-02.

Councilman Schoneboom moved to adopt Ordinance 2021-06. The motion was seconded by Councilman Swift. Motion passed 5-0

ORDINANCE 2121-07, AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF BENTON, KANSAS; INCORPORATING BY REFERENCE THE STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES, EDITION OF 2021, WITH CERTAIN OMISSIONS, CHANGES, AND ADDITIONS; PRESCRIBING ADDITIONAL REGULATIONS; PROVIDING CERTAIN PENALTIES AND REPEALING ORDINANCES NUMBERED 2020-01.

Councilman Schoneboom moved to adopt Ordinance 2021-07. The motion was seconded by Councilman Claycamp. Motion passed 5-0.

RESOLUTION 21-07, A RESOLUTION OF THE CITY OF BENTON, KANSAS TO LEVY A PROPERTY TAX RATE EXCEEDING THE REVENUE NEUTRAL RATE.

Councilman Schoneboom moved to pass Resolution 21-07. The motion was seconded by Councilman Claycamp. Motion passed 5-0.

Department Reports

City Clerk/City Treasurer – Financial Reports

Maintenance – No additional information to report

Police – New school zone signs are up and the beacon light has been ordered. KTSRO donation of beacons from AAA for Police Vehicles.

Councilman Schoneboom inquired about Rocky. Chief Moore reported we have had 4-5 arrests so far in town and Butler County and Sedgwick County have utilized his services also.

Discussed calls to service.

Admin Report

Councilman Schoneboom reported we have received the first half of the playground grant and paperwork for the second half is being completed. ARPA application has been completed and initial funds received. Prepped the 2022 budget workshop. Announced the city hall reorganization. Interim zoning administration support has been coordinated. Completed admin work in preparation for the regular monthly meeting.

The limb and grass drop site by the tracks is being abused and causing city employees too many hours to maintain. Discussion on options to eliminate abuse and cut time involved to maintain.

Mayors Report

Approve Main Street Systems as the official IT provider for the City.

Councilman Claycamp moved to approve Main Street Systems as City IT provider. The motion was seconded by Councilman Smith. Discussion followed.

Councilman Claycamp moved to postpone until next month and get additional bids. The motion was seconded by Councilman Ghormley. Motion passed 5-0.

Councilman Ghormley brought to the city's attention the use of city equipment for personal use by the mayor. The council discussed the situation.

Councilman Ghormley moved that:

1. Mayor Gottschalk be censured from using city equipment for personal use
2. Mayor Gottschalk be charged double damages for the use in the amount of \$326

The motion was seconded by Councilman Schoneboom.

Chair of the meeting was moved to the President of the Council in accordance with proper procedure.

Discussion followed. Motion passed 4-1, Councilman Swift voted against.

Councilman Schoneboom stated the Censure: "Tyler Gottschalk is hereby censured by the Benton City Council for use of city equipment and personnel for private use in violation of city code. Further, Tyler Gottschalk is fined \$362 for this action".

Executive Session

Councilman Schoneboom moved for an Executive Session to discuss non-elected personnel at 8:56 p.m. to return at 9:10 p.m. The motion was seconded by Councilman Swift. Motion passed 5-0.

Reconvene

Councilman Schoneboom moved to reconvene the meeting at 9:10 p.m. The motion was seconded by Councilman Smith. Motion passed 5-0.

Open Discussion

Councilman Schoneboom stated he will add Mayor Gottschalk to the SME list for Infrastructure and that the Fresh Water SME position is still open.

Councilman Smith inquired about the drainage project in Prairie Village. Mark stated he called the contractor today and they are waiting for a part to repair equipment.

Approve Expenses

Councilman Schoneboom moved to approve the expenses as presented. The motion was seconded by Councilman Claycamp. Motion passed 5-0.

Adjourn

Councilman Ghormley moved to adjourn the meeting at 9:15 p.m. The motion was seconded by Councilman Swift. Motion passed 5-0.