**Minutes of the Meeting**

Regular Session held on September 7th, 2019

In attendance were:

**Board Members**: Phil Gilliam, John Rydholm, Theresa Wilson and Frank Baumann

**Absent**: Beth Siegfried

**Village Staff**: Police Chief Daniel Clayton, City Clerk April Baxter, Chief Water Operator Kevin Turley

**Audience Members**: Don Myers, Wes Johnston, Elizabeth Damm, Mary & Larry Hohimer, Williams Phillips, Topher & April Philgreen and James Valentine (Nabolz Construction representative)

Meeting was called to order at 4:04 PM

**Chairman Phil Gilliam**: Gilliam asked the members of the Board of Trustees for responses to the highlighted sections of the employee handbook that the City Clerk submitted by the next regular session so it can be finalized and approved.

**City Clerk April Baxter:** Ms. Baxter presented to the Board of Trustees with billing summaries for all accounts. Gilliam asked the City Clerk if there was a response from Straitline Trucking regarding the damage to the stop sign at 1st & Heady Avenue on June 21st, 2019. Ms. Baxter responded that there had not been a response. Gilliam asked the clerk to send an invoice for the replacement of the stop sign, pole and break away.

A motion was made by Theresa Wilson to pay the bills for the month of August. Motion was seconded by Frank Baumann.

Roll Call Vote:

Phil Gilliam-aye \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Frank Baumann-aye \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Beth Siegfried-absent \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Theresa Wilson-aye \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

John Rydholm-aye \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Motion Carries 4-0-0-1

Ms. Baxter presented the board with minutes from the previous four sessions for approval. Sessions included were the Regular Session held on August 3rd, 2019, a Public Hearing held August 22nd, 2019, Special Session held on August 22nd, 2019, and a Closed Session held on August 22nd, 2019.

A motion was made by John Rydholm to approve the minutes of the previous four sessions. Motion was seconded by Frank Baumann.

Roll Call Vote:

Phil Gilliam-aye \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Frank Baumann-aye \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Beth Siegfried-absent \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Theresa Wilson-abstain \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

John Rydholm-aye \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Motion Carries 3-0-1-1

Ms. Baxter stated that she found a grant program through SafePet that would fund building a dog park for the Village and would apply for the grant when the application opened in 2020.

Ms. Baxter stated that a new resident at Ferrelwoods MHP was in City Hall to pay the residential water deposit. Ms. Baxter was informed at that time that Ferrelwoods MHP no longer required an account number for water services before letting a resident sign a lease agreement.

Ms. Baxter stated that one of the concerns addressed in the State Audit was no off-site storage of records for City Hall. Ms. Baxter added that an eternal hard drive had been purchased to back-up these records but she did not want to accept responsibility for the off-site storage of these records. Ms. Baxter recommended placing the external hard drive in a safety deposit box located at the bank of Weston, if available. Audience member Don Myers asked about the size of the records being stored. Gilliam replied that the records would be stored electronically on an external storage device about the size of a smart phone.

Ms. Baxter stated that she found an ordinance that allowed the Village of Ferrelview to charge residents for Fire Suppression Services provided by KCFD. Audience member Don Myers stated that a previous board had it brought to its attention that charging residents for fire suppression is a violation of the Handcock Amendment. Ms. Baxter stated that she would research the amendment.

Ms. Baxter asked the board to consider placing an ad for snow removal services, as some residents and board members were unhappy with services provided last year by Metro Snow Contractors. Audience member William Phillips asked if the board would be opposed to a resident doing snow removal. Gilliam replied that he would not object at all to a resident placing a bid proposal with the Village. A certificate of liability insurance would need to be provided, as it is required by all other contractors placing bid proposals. Audience member Don Myers inquired about the expense and issues with Metro Snow. Ms. Wilson replied that it (the expense) was excessive and Metro Snow was making numerous unneeded passes. Ms. Baxter added that when she contacted Metro Snow Contractors last year, that if they had to rely on a board member approving services, they (Metro Snow) would not accept the contract for the 2018/2019 season, plowing would have to be at their discretion.

A motion was made by John Rydholm to place an ad in the Platte County Citizen for bids for snow removal services for 2019/2020. Motion was seconded by Frank Baumann.

Roll Call Vote:

Phil Gilliam-aye \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Frank Baumann-aye \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Beth Siegfried-absent \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Theresa Wilson-aye \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

John Rydholm-aye \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Motion Carries 4-0-0-1

Ms. Baxter suggested that the intersection at 1st & Heady Avenue be turned into all way stop for the safety of residents and drivers. Ms. Baxter added that the stop sign on 1st Street has been knocked down numerous times and she has received several complaints from residents and non-residents regarding near misses at the referenced intersection.

A motion was made by John Rydholm to turn the intersection a 1st & Heady Avenue into an all way stop. Motion was seconded by Frank Baumann.

Roll Call Vote:

Phil Gilliam-aye \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Frank Baumann-aye \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Beth Siegfried-absent \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Theresa Wilson-aye \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

John Rydholm-aye \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Motion Carries 4-0-0-1

Audience member Don Myers inquired if an ordinance would have to been written. Ms. Baxter responded that it would need an ordinance and she would draft one and post it at City Hall.

Ms. Baxter addressed the State Audit bill. Gilliam read in part the letter from the State Auditor’s Office. The total bill for the audit is $40,512.86 and Gilliam noted that is already considered past due. Gilliam added that the Citizen did an article on the audit and someone posted an interesting comment questioning if the tax payers already pay the salaries and payroll of the State Auditor’s Office, what’s the $40,000 for? Ms. Baxter stated that she had spoken with the auditor’s office and they would need a good faith payment in the around the amount of five thousand (5,000) dollars and she did not believe that the general fund could support a payment that large. Ms. Baxter added that once the Village started generating revenue from the court system she believed payments could start being made. Audience member Don Myers inquired about the court system and what was still owed to the state. Gilliam replied that as far as what did not get paid in 2016, that the Village still owed the state approximately $20,000 in excess court revenues. Gilliam added that court would be on the associate level and all cases will be heard at Platte County starting 12/06/2019. Gilliam asked the clerk to see if the Village could start making payments in 2020.

**Water Commissioner Beth Siegfried**: Absent

**Street Commissioner John Rydholm**: Mr. Rydholm suggested to the board that the repaving of Garrison Avenue start on the north end as opposed to the south, due to the condition of the road. Audience member Don Myers added that a dump truck had damaged a part of Garrison Avenue, due to hot weather and load size. Ms. Baxter stated that she would open it to proposals for bids and hopefully the Village could secure 2019’s asphalt prices. Ms. Baxter added the repaving for 1st & Ona has been secured and she is awaiting a start date from McConnell & Associates.

**Building Commissioner Frank Baumann**: Mr. Baumann stated that Ferrelwoods MHP has set the nine trailers in place that were staged on Hilltop without notifying the Village/Building Commissioner to inspect the piers as agreed to by Rhonda Franks on July 24th, 2019 via email. Ms. Baxter stated that she inspected the water pits at the nine lots where the new mobile homes were placed. Ms. Baxter stated that lots 58, 61 and 52 do not have service lines, all have setters, and lots 69 and 64 have meters inside the pits, Ms. Franks was notified via email regarding the findings.

**Emergency/Health Commissioner Theresa Wilson**: No new business

**Police Chief Daniel Clayton**: Police Chief Clayton stated that he had 12 traffic stops, 8 citations, 2 arrests and 2 calls for service last month. Chief Clayton suggested that the Village submit a grant application for a vehicle for additional officers. The grant application results should be received at the end of 2019. Chief Clayton requested reimbursement in the amount of one hundred (100) dollars for Pacheco’s time completing grant applications on behalf of the Village of Ferrelview Police Department.

A motion was made by John Rydholm for reimbursement for Officer Pacheco in the amount of one hundred (100) dollars for his time and services. Motion was seconded by Frank Baumann.

Roll Call Vote:

Phil Gilliam-aye \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Frank Baumann-aye \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Beth Siegfried-absent \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Theresa Wilson-aye \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

John Rydholm-aye \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Motion Carries 4-0-0-1

Chief Clayton thanked the Board of Trustees. Chief Clayton addressed the issues with the 2010 Dodge Charger. Ms. Baxter stated that her father-in-law, Michael Baxter, looked at the Dodge Charger. Ms. Baxter stated that the findings by Mr. Baxter were that the Charger was in need of basic maintenance that included a radiator flush, oil change, air & oil filter replacement, PVC valve, and front brakes. Ms. Baxter added that once the engine was cleaned, Mr. Baxter would be able to determine what type of fluid was on the engine and where it was leaking from. Mr. Baxter would also examine the power steering and air conditioner. The estimated cost for parts were one hundred seventy seven dollars and thirty four cents (177.34). The cost of labor for Mr. Baxter is twenty (20) dollars per hour. Ms. Baxter stated that the police vehicle would need to be moved to her place of residence, where Mr. Baxter could work on it. Audience member Mr. Phillips offered to tow the vehicle at no charge to the Village.

A motion was made by Phil Gilliam to allow Michael Baxter to begin work on the 2010 Dodge Charger not to exceed five hundred (500) dollars without further board approval. Motion was seconded by John Rydholm.

Roll Call Vote:

Phil Gilliam-aye \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Frank Baumann-aye \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Beth Siegfried-absent \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Theresa Wilson-aye \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

John Rydholm-aye \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Motion Carries 4-0-0-1

**Chief Water Operator Kevin Turley**: Mr. Turley stated that the engineer that reviewed the Anderson House Parking Expansion plans on behalf of the Village was not at the meeting to answer questions from residents, although he said he would be able to attend. Mr. Turley stated that the new plans for the expansion should have been completed on Friday, September 6th, 2019. Mr. Turley explained that Mr. Miller, the engineer who designed the plans, stated that the pond is to be a retention and detention pond. Turley added that the pond is designed to retain the storm water run-off and release it into the existing storm water system at a rate that it can handle. Turley stated that all studies that Mr. Miller used to build his design show that the water should evaporate and/or drain within two (2) days and it is the standard. The mosquito life cycle is seven (7) days and it should not allow them to bread while the pond still has water in it. Audience member Don Myers used the last rain fall as an example for his question. Mr. Myers questioned the silt generated from the rain. Mr. Turley responded that during the construction process there are always items that fail. Mr. Turley added that there is currently no grass or landscaping in the area to absorb the rain water or hold the silt back. Mr. Turley added that when our engineer accepted the plans that were submitted it enabled the construction contractors to move forward with the plans that were approved. Mr. Turley added that in the future the Village might look into storm water grants and suggest that Mr. Rydholm begin the process because storm water run-off is typically part of the street department. Audience member Don Myers questioned why they were allowed to move forward with the construction as some of the plan has changed, i.e. the parking lot entrance was moved a few feet south to account for a light pole that was missed during the survey process. Mr. Valentine from Nabolz Construction stated that the plans have been red lined to include the changes needed but no other items were changed or modified. Mr. Myers questioned if there are issues with the water run-off whether or not Village would be responsible for fixing it or since the Village does not own the property, should that fall on the property owner. Gilliam replied that it would fall back on Anderson House because standing water is not allowed per ordinance. Mr. Myers questioned whether or not the detention pond would be fenced for children. Mr. Turley stated that there is nothing the Village can do regarding children and it is private property. Mr. Turley added that it is something that will fall back on the residents of Ferrelview to take responsibility for their children. Ms. Wilson stated that she did not want a child to lose their life just because it is private property.

Gilliam asked the board to examine Ordinance 248, prohibiting the ownership of Pitt Bulls for the next regular session.

Turley stated that he was able to locate the meter pit at lot 4 and it is full of dirt. Turley added that since the Village does not allow Ferrelwoods MHP maintenance inside the meter pits that our maintenance department be called in to carefully remove the dirt from the pit. Turley did not know if it was full of dirt before they began work at lot 4.

**New Business**: Gilliam asked the City Clerk the set-backs on mobile homes. Ms. Baxter responded that she thought they were fifteen (15) feet for front, ten (10) feet for rear and five (5) for side, but would check the ordinance. Gilliam stated that the Village did not see any issues with the site/lot plan submitted by the residents at 308 7th Street Place Lot 15. Audience member Elizabeth Damm stated that as far as she knew everything was ten (10) feet and it met the requirement of the Village’s ordinances. Ms. Damm stated that she has already sold the existing mobile home and was told Friday September 6th, 2019 that they (Ferrelwoods MHP) would not approve the new (mobile) home. Gilliam added that he cannot make Ferrelwoods MHP accept the placement of a new mobile home because it is private property. Ms. Baxter stated that the setbacks for mobile homes were ten (10) feet on the front and back and four (4) feet on each side. Gilliam stated that since the new owners have taken over they have said on the record that they will do what they want because they are private property. Audience member Don Myers asked what the Village was being sued for. Gilliam replied that it is open record and he would be happy to tell all residents about it. Gilliam stated that the park (Ferrelwoods MHP) feels that the Village of Ferrelview has interfered with their business operations by not issuing occupancy permits. Gilliam added that when they (Ferrelwoods MHP) turned in the applications they had a list of items that would be required. They chose not to do them and now blame the Village for not issuing the permits. Ms. Damm added that they are trying to do it with the Village’s approval and in compliance with the ordinances and they (Ferrelwoods MHP) will still not approve it. Mr. Gilliam summarized the lawsuit filed by Ferrelwoods MHP against the Village of Ferrelview to the audience members. Gilliam referenced the corner marker requirement and noted that the ordinance has been in place before any of the current board members. Ms. Baxter added that the ordinance was passed in 1972. Gilliam told Ms. Damm to tell Ferrelwoods MHP that the Village has no issues with the setbacks. Gilliam added that Ms. Franks has his email if she needs to contact him on Monday since City Hall is closed and if there is anything else it’s just them (Ferrelwoods MHP) holding things up.

**Old Business**: None

**Audience Participation**: Audience member Don Myers addressed Chief Clayton regarding school buses flying up and down Garrison Avenue and added that he has contacted the bus service and the school. Chief Clayton asked Mr. Myers where the bus stop is and what time it runs. Mr. Myers added that the tree service also speeds down Garrison Avenue. Chief Clayton stated that the residents are going to begin to see him working morning shifts and they will see him out there. Audience member Larry Hohimer stated that he is a long time resident of Ferrelview and has never seen so much trash and junk cars in Ferrelview. Chief Clayton responded that he has recently begun sending pictures to the City Clerk so citations can be issued and the resident will have seven (7) days to comply. Mr. Myers asked about a property and 3rd & Chester. Mr. Hohimer asked Chief Clayton when he could begin writing citations. Chief Clayton responded that he has already begun. Mr. Hohimer asked when Chief Claytons hours will be increased. Gilliam responded that when we generate more revenue from the courts and hopefully next year the Village can have additional officers. Chief Clayton responded that it is not about him writing tickets or generating revenue it is about safety for children, residents, and cyclists. Audience member Mr. Phillips addressed Mr. Myers concerns regarding the property at 3rd & Chester. Mr. Phillips stated that he recently purchased the property and is in a remodel stage. Mr. Phillips added that he is in the process of getting a dumpster and it is years’ worth of junk he is removing from the property. Chief Clayton thanked Mr. Phillips for all the work he has done to the property. Mr. Phillips inquired about an additional tax for response to his alarm system. Chief Clayton asked the City Clerk if there was an ordinance in place. The clerk responded that she has not seen one. Mr. Phillips inquired about improvement and building permits. Mr. Phillips referenced replacing his front porch and roof. Gilliam instructed Mr. Phillips to have the company(s) stop by City Hall and get licensed to work within the Village of Ferrelview. Mr. Phillips stated that he was left with barrels of what he thought was used motor oil on the property and asked for guidance on removal of the barrels.

The City Clerk left the regular session at 5:20 PM.

Gilliam stated that he would ask some of the persons he worked with if they knew anyone that could help he remove the barrels. Mr. Phillips stated that he had seven (7) fifty five (55) gallon barrels on the property. Mr. Phillips asked about if the Village required permits for demolition. Mr. Gilliam asked the board if they previously required permits for demolition. The board responded that there is not a permit for demolition.

Audience member Topher Philgreen introduced himself and wife to the board. Mr. Philgreen stated the he is purchasing the property on 3rd Street and would like to know if he would be allowed to rent it out for short term rentals. Gilliam responded that if he was establishing an Air BNB that he would suggest looking into creating business and licenses to cover himself and the home.

A motion was made by Theresa Wilson to adjourn the regular session. Motion was seconded by John Rydholm.

Roll Call Vote:

Phil Gilliam-aye \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Frank Baumann-aye \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Beth Siegfried-absent \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Theresa Wilson-aye \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

John Rydholm-aye \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Motion Carries 4-0-0-1

Meeting was adjourned at 5:29 PM.

The minutes of the meeting held on September 7th, 2019 were approved by the Board of Trustees

on the \_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_, 2019

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 Chairman of the Board

Attest:

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 City Clerk