

**Village of Wapella Board Meeting**

**Wednesday, July 20<sup>th</sup>, 2022**

**Village Hall – 7:00 pm**

Meeting called to order by Village President, Dennis Klatt.

**Pledge of Allegiance**

**Present:**

Dennis Klatt

Lauren Johnson

Jane Buraglio

Mark Miller

Steve Marht – Attorney

Robin Morrow – Clerk

**Absent:**

Sean Holland

**Approval of Minutes:**

Motion made by Jane Buraglio to approve the minutes June 15<sup>th</sup>, 2022 meeting. Second by Mark Miller. All voting yes.

**Bills:**

Motion made by Jane Buraglio to approve the bills as presented to the board with the addition of Tyler Morris (KTM) for mulch at the park based on quote since invoice not yet received. Second by Lauren Johnson. All voting yes.

**Department Reports:**

**STREETS/ALLEYS/DRAINAGE: Jane Buraglio**

**Julies:** It appears to be busy work season for the residents. Toby has done 20 Julies this past month.

**Railroad Mowing:** We have spent approximately 17 ½ hours maintaining the railroad right-of-way this past month. Motive Rail is in town and Jerry Respondek has brought his own locomotives to move the 132 railcars full of grain. His company is also repairing the tracks. The way they are laying the old rails to the side makes it impossible most of the time to mow close to the tracks. Jerry and Paul have talked several times. They have been coordinating the spraying.

**Drainage at detention pond:** There has been cooperative work done between DeWitt County and the Village. Paul contacted Mark Mathon, the County Engineer about the blockage after getting a complaint. The County began work at the Waynesville Road entrance to open the tile running under the highway. The blockage and backup pressure caused several issues. Jim Murphy lost about 2 acres of crop. Our detention pond area would not drain for months. The backup pressure caused a tile to collapse under our detention pond creating a sinkhole just north of Haremaker's main building. Paul and Toby spent several days on the issue, which included digging, locating the collapsed tile, replacing the tile, and installing a breather and inspection pipe. After the last few rains, it appears that the tiles are running water.

**Backhoe Repair:** The backhoe threw a code and was down. We had to call Birkey's and as you can see from the bills list it was a failed DEF sensor. I will be asking for permission to have a 1000-hour maintenance check scheduled.

**Dumpsters:** We had another issue this past month with the dumpsters. One dumpster was stuffed with construction debris and GFL would not pick it up. I learned that the Village is allowed the two free commercial dumpsters on our lot, but they can only accept residential, food waste and regular commercial debris. They cannot accept construction and demolition debris. The men had to empty the dumpster and put all the debris into our red dump truck. We were allowed to take it to the landfill and get rid of it at no cost. So now we have a roll off dumpster clearly marked Construction and Demolition Only. When it gets full, we will have to pay a flat \$200, which is the fee with no mark up. It's not full yet and people seem to be abiding by the signs.

**Spoils from New Main Installation:** I am sure you are all aware of the massive piles of concrete, rocky dirt, broken asphalt, pipes, and metal debris that was dumped at the shed area along the east side of the lot. All of this came from the contractors doing the new water main installation. I learned the disposal was in the original contract, but for whatever reasons it was decided by someone to have them truck the debris to the shed to save some costs. Finding a place for us to dispose of all the mess has been on our radar since we started work at the shed in February 2021. We heard that H & M were filling in their ponds. Paul contacted the owner and was told they would take everything we have. We started with the burn pile bunker we inherited. Eric Shangraw looked at it for us and said GFL could not take it. It turned out to be more than a burn pile. The men found shovels, metal rods, concrete, and other debris besides wood ash. The bunker is empty now and we haven't decided yet whether to take it down or use it to store other material. The men have dug into and started hauling from the New Main Spoils. So far Toby has hauled 24 loads to H & M. I estimate there are easily 80 more truckloads to haul away. We are going to concentrate on hauling the spoils away before our source of disposal ends.

**Rock Deliveries and Storage:** We had 122.29 tons of CA-6 rock delivered to the shed two weeks ago as arranged by Rodger Sprague. It is stored in the west bunker of the storage bins on the northeast corner of the shed. The other bunker holds CA-7. We have two more bunkers on the south side of the shed by the dumpsters where we keep sand and winter blend. We have a pile of cold patch and a pile of road millings. We have segregated piles of good dirt and fill dirt taken from main breaks. We have a pile of rock and sediment that came from the filtration tanks at the pump house that can be used as fill. We also have a pile of rusty rock and media that came from the backwash pit, which can be used as fill.

**Rules for the Burn Pile:** The basic rules for the Burn Pile are the ones dictated to us by the EPA and County regulations. We can only burn yard waste, garden waste, tree limbs and tree parts. We cannot burn construction material, lumber, or furniture. We must call in a Control Burn each time we light a fire. We receive bigger logs and those are isolated in a separate pile. Those logs are added gradually to the burn pile. I know and don't care that there are people who come and take some of that wood for personal use. It is not the exact same pile that was there last month or there last year. We like to think that most of the debris in the Burn Pile comes from residences in town. It has been said that contractors cannot use the dumpsters or burn pile. We have contractors living in town and working in town. I am not going to have employees monitor and interrogate contractors about where the debris they bring came from. I want it understood that I have always offered the use of the Burn Pile to Fryman Tree Service, especially since they are dealing with Village trees. Kevin has always graciously declined saying he has a place to take it. I contacted the Mandrells again yesterday.

**Rules for the Dumpsters:** The basic rules for the dumpsters are dictated to us by GFL and our contract. The dumpsters and the roll off are clearly marked. Infractions of those rules end up costing us money in

clean up and delay emptying the dumpsters. I have sent notices and bills for those infractions thanks to the surveillance cameras.

**Mediacom:** We have been in the construction phase with Mediacom ever since December 2021. They finally finished the installation of the cable line to the east side of the cul-de-sac. We are waiting for the notice that they are ready to hook up our Internet and we can reduce our phone bill at the shed. The Estimated Activation Date of our service is July 29<sup>th</sup>.

**Harassment Incidents at the Village Shed:** There was two incidents at the village shed involving the same person on Monday. Verbal attacks were directed toward the employees. The person was alone in the morning incident, and it was reported to me by the employees. He not only verbally attacked an employee, but he verbally attacked a civilian at the burn pile. I had to go to a private resident and assure the homeowner and the people she had working for her that they should have no fear coming to the village shed and if any of them were harassed again by that same person, they should call 911.

I thought that was the end of it, but there was a second incident in the afternoon involving the same person. This time the person had a trustee in the truck with him. The mayor showed up, as well as a second trustee. One of the employees ended up recording the encounter and sent it directly to me saying it was happening right then. The video is disturbing. Three officials all discussing village business at the same place constitutes an illegal meeting. That is not what bothers me the most. It is the fact that it was an employee that had to tell me what was happening. I should have heard immediately from my colleagues. I did hear from Mark and thank him for that.

At the end of the day when I went to the shed, one of the employees stood up in front of the bulletin board where we post Labor Law and various posters. He pointed to it and said this guarantees me a harassment free workplace. He is right and that is the reason I called our attorney today for advice and the reason I authorized a Cease-and-Desist letter be sent to the person involved in both incidents yesterday. If it continues, I will be back to the board and our attorney for help.

### **HEALTH & SAFETY: Lauren Johnson**

Too late for a school project for upgrades to the park.

Researching improvements with updating asphalt at community center. Spoke with rep with DMD.

**Trail Light:** The entire light has been removed and we are in the process of locating the replacement parts. I picked up the Incident Report from the Sheriff's Office. When the light is replaced, I will send a bill to the individual. I would like permission from Lauren to use her funds to install barriers along the walking trail in specific spots to deter any more vehicles driving on the trail.

**Refrigerators:** We removed the old commercial refrigerators from the CC and the concession stand. They are still at the shed because we have no place to take them. Lauren tried to get someone to take one, but they never came. I would like permission from Lauren to use her funds to pay a responsible party to take them away for proper disposal.

**Dunk Tank:** Natalie contacted Lauren and I about an inquiry to rent the dunk tank. I have given you a picture of the dunk tank. It was made by Ken Duncan in 1973 for the children of Wapella. The Booster's Club used it. The Village used it. It ended up in the hands of the Khorey League and they had the insurance and rented it out. After the Khorey League ended, at some point it ended up at the shed. It is not in the best of shape. There is a hornet's nest in the toolbox. Does the Board want the men to work at inspecting and repairing the dunk tank for use? Then, what are the rules for rental of equipment like this? Fees? Insurance?

### **Update or Ordinance Violations:**

Hamblen – I believe the Hamblens have made a very good attempt to remove a lot of items from the front of their house. The hot tub is still there and so are some wooden fencing panels stacked to the north side of their garage. I can see most of the driveway now.

Schwartz – All the furniture, the toilet, and debris along the alley has been removed.

Murphy – The front and back yard were extensively cleaned up after the last meeting and brought up to code. I thanked the person responsible for the cleanup. I was told that most of the junk did not come from her mother and had been tossed into the yard. Someone cut down her apple trees and left the brush.

Cohenour – I contacted Lauren and had approval to send a letter after receiving a complaint from a neighbor. I went by the front and the backyard yesterday and today and observed that the yard has been mowed. There are lots of volunteer trees surrounding the house, but he may consider that landscaping. I'm not sure we can do anything about trees that hang over other properties. That would be considered a civil issue.

Our men are out every day, they are our eyes and do report to me when they see weed, grass and vehicle ordinance violation with pictures. I also hear complaints from citizens. I'm not sure any of us are truly diligent about visual inspections that help in keeping the ordinances in check. We should all be more proactive. It is all our responsibility.

We need to send letters to additional residents with violations.

### **WATER: Sean Holland**

**Kamstrup:** I determined that we do have to pay a yearly hosting fee for our autoread meters. We paid the \$1001.76 fee for 6/21 to 6/22 because it was late. We never received the initial bill. Now we owe \$1070.68 for 6/22 to 6/23. I found that a hosting fee was paid with the \$57,000 bill when the meters were purchased in 2019. I can't find any other hosting fee that was paid since. I suspect the fee started again when we put the meters online in 2021. Side note: I've been told these meters have a 20-year life span. It appears they will all have to be replaced beginning 2029.

**Meter Installation:** The men have spent a productive month installing 18 new meters. They used the down time from mowing due to the drought. Please remember that we were not left with the easy change outs and there are various problems with each one. I believe that is the main reasons we can't get plumbers to give us a quote. We are at the point of needing risers and hubs. Some of the meters are so deep in the ground they are not readily accessible and need risers. There are broken hubs and lids that need replaced. Paul and Toby have met with the rep from Core & Main and we are having good results getting parts promptly. We have approximately 47 more meters to install. The FS meter is here and will not be easy change out. We have to shut off the water to Casey's and that will be coordinated when the time comes.

**Embossed Meter Lids:** 71 Wildcat embossed meter lids were ordered in 2019 at the cost of \$1775. The wrong size was ordered, and they do not fit any standard size hub. They are nonreturnable because of the embossed picture. It does not seem feasible to order 71 special order hubs just to fit these lids. It's been suggested to sell them as novelties and try to recoup some of the cost. Would the board object to this if I find an outlet? Do we need a resolution?

**ZONING: Mark Miller**

Issued 2 permits – one for replacing 3 storage shed and the other for an addition to a home.

**FINANCE: Jane/Pat**

**FINANCE**

**Account Balances as of June 30, 2022**

General Fund Checking	\$194,891.34
Park CD (Heartland)	\$ 41,564.04
Park CD (DeWitt Savings)	\$ 54,679.87
Police CD (DeWitt Savings)	\$ 18,402.95
Water Fund Checking	\$ 69,579.37
Motor Fuel Checking	\$117,623.87
<u>Water Project Fund</u>	<u>\$ 97,848.69</u>
<b>Total:</b>	<b>\$594,590.13</b>

I have provided blank budget forms for you to work with until we can schedule the budget workshop. The June Treasurer Report has ending balances for the fiscal year. Pat and I will be making some coding changes before the next meeting. Some of the figures on the report may change. We can set the budget workshop meeting date tonight for before the August regular meeting or wait until the August meeting to set a date. The budget is due before September 30<sup>th</sup>.

We have accounts at DeWitt Savings Bank. I made sure the signature cards were updated and the old names were removed.

According to our auditor, we have too much money in the bank. I am supposed to secure a letter from Heartland Bank guaranteeing our funds in excess of \$250,000.

Please take Jessica's name off the agenda. It should be Pat Good.

**WATER OPERATOR: Steve**

Nothing to report

**CLERK: Robin Morrow**

Nothing to report

**FOIA OFFICER: Robin Morrow**

Nothing to report

**WEBSITE: Jane Buraglio**

All updated

**PUBLIC COMMENTS/Village Organizations:**

Jake Simons expressing concerns with ordinance violations to property of neighbor on N. Locust Street. Property seems to get worse as time goes on. Concerned about how over-grown the property is and not being kept up. Concerned with health issues and mosquito population. Feels it is an issue and concern with all the residents around the property. Has personally

placed a note on door offering to assist with helping take care of property. Trees and shrubs need to be addressed and would appreciate anything the board can do to get resolved. Steve mention similar situation in Bellflower where village found volunteers to help with homeowners' permission. Another letter will be sent.

Dale Karr comments about divots and potholes need to be fixed near Casey's and by his drive. Brush and weeds along road that two cars can pass through. Jane is addressing.

Jeff Finger comments about the burn pile at the shed and dumpsters. Wants to know why the village taxpayers are paying for disposal of debris from contractors, etc. Addressed the alleged harassment comment that took place at the shed and the video of an altercation at the shed. Asked about some ordinance that allowed people to dump and it was re-iterated that there is no ordinance, and it was by permission only. Further discussion about contractors usually includes costs for disposal in work being done. Several members had additional comments and remarks. Mark commented that we were getting off track and public comments was not the place for this type of conversation.

#### **New Business for discussion, approval, and possible vote:**

1. Discuss/Authorization of Amending Septic Tank Zoning Code Ordinance – motion made by Mark Miller to approve the amendment of the 5 ft set-back. Second by Jane Buraglio. All voting yes.
2. Discussion and possible authorization to have Parkreation Inc inspect and provide complete list of recommendation to bring Park playground equipment up to code for \$1500 was tabled. Dennis mentioned that we could use insurance and provided documentation for review and contact insurance.
3. Discussion and possible authorization of quote for Fryman Tree Service to remove 2 trees (302 Chery and 113 S Poplar) and to trim 1 tree (406 S Locust) was tabled as we have not yet received a quote and Jane wants to further investigate.
4. Discussion/Authorization of American Legal Publishing Web Hosting Cost Agreement Code of Ordinances as determined by the board. Motion made to authorize ordinances with suggested checking #7 and #8 as not all services are needed by Jane Buraglio and second by Mark Miller. All voting yes.
5. Discussion/Authorization to purchase Fluoride Saturator from USA Blue Book, not to exceed \$3500. Motion made by Jane Buraglio and second by Lauren Johnson. All voting yes.
6. Discussion/Authorization to purchase re-setters and hubs from Core & Main not to exceed \$5000. Motion made by Jane Buraglio and second by Lauren Johnson. All voting yes.
7. Discussion and possible authorization to schedule backhoe 1000 hr. full maintenance and service check with Birkey's not to exceed \$3000. Motion made by Jane Buraglio and second by Lauren Johnson. All voting yes.
8. Discussion/Authorization of supporting National Rail Safety week – Sept 19<sup>th</sup> - 25<sup>th</sup> by signing the Proclamation presented by Operation Lifesaver and the CN

Railroad. Motion made by Lauren to approve and second by Mark Miller. All voting yes.

9. Mayor's list of things that need to be done around the village was tabled by a motion made by Mark Miller until all trustees could be present and this business be moved to a closed session discussion as it is internal. Second by Jane Buraglio. Each department/committee to address and to report back at next meeting for what pertains to that department. All voting yes.

Motion to adjourn meeting by. Second by. All in favor.

Meeting adjourned @ 8:21 pm

Respectfully submitted by:  
Robin Morrow, Village Clerk