

# NEW CORDELL CITY COUNCIL

## Meeting Minutes of Regular Session

Monday, August 15, 2022

The New Cordell City Council met at the Cordell Community Center at 101 East Main behind City Hall on August 15, 2022 with six council members present including: Zetta Penner, Sheri Parsons, Steve McLaughlin, Jamie Bardwell, Tad Boone, and James Newman. Council Members Lowell Holman and Earlene Smith were absent. Also present were Mayor Jerry Beech, City Attorney Johnny Beech, Interim City Administrator Vicki Hagerman, and Deputy City Clerk Karla Ferrero. Others in attendance were Jeanna King of RSMeacham CPAs, Heather Flores, Darryl Anthony, Robert Venable, and Melinda Laird.

### CALL TO ORDER, ROLL CALL AND DECLARATION OF A QUORUM:

Mayor Beech called the meeting to order at 6:11 pm. Deputy City Clerk Ferrero called roll, and a quorum was declared to be present.

### MOTION AND VOTE TO ADOPT AGENDA

Council Member Newman made a motion to adopt the agenda. The motion was seconded by Council Member Penner.

Vote called: Aye: Penner, Parsons, McLaughlin, Bardwell, Boone, Newman.  
Nay: 0

Motion carried: Aye: 6  
Nay: 0

**INFORMATION ITEMS:** (Information items are presented for information only, they can be discussed but do not require action.)

- a) Receive reports.
- b) Representative from RSMeacham CPAs to present financial reports.
- c) Representative from FFIT Consulting, LLC to present monthly report.

Jeanna King from RSMeacham CPAs presented the financials for July 2022, Month 1 of the 2023 Fiscal Year. The unrestricted cash balance is \$3.129 million, last month it was \$3.198 million, so there is a decrease in cash of almost \$70,000. This is because there are a lot of capital projects ongoing and there are still invoices from the previous Fiscal Year that are still clearing the bank. In the General Fund revenues should be at 8% or greater and expenditures at 8% or less. Revenues are at 12% of budget which is above target. Sales and Use tax are both ahead of budget. The Legislative Division is at 15% of budget expenditures because of annual dues that come out in July. Fire expenditures are at 9% because of a fire engine repair and hose purchases. City Garage and Gregory Park department is over budget, but it is a small department, and so the percentage is more negligible. The city ended the month with a positive \$30,375, last year the city was at approximately negative \$34,000, showing an increase over last year. In NCUA Electric Expenditures and Revenues are at 12%, which will be seasonal, they purchased supplies from Anixter and a transformer for about \$4,000. In the Water Department \$94,000 was paid out for elevated water storage. The water project may make the budget appear skewed some months. The Garbage Department is right at 8% for income and expenditures. The NCUA net income for July was almost \$118,000 compared to approximately \$50,500 from last July. Repair parts for the sirens were purchased out of the Capital Projects fund for an expenditure of \$4,770. The Sales and Use tax is through August for the first two months of the fiscal year, and the city portion of the Sales Tax is up almost \$51,000 over the first two months compared to last year. The Sales tax compared to August of last year is up 51%, year to date up 33%. Council asked about Use Tax being so high, Jeanna did not know which

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industry that represented but suggested that sometimes companies have to pay use tax to use equipment in town. Jeanna stated she would look into that information for council members.

Interim City Administrator Vicki Hagerman presented the department reports. In Police, they had 237 calls for service, 98 traffic stops, and 19 citations for just over \$3,500. Doors are unlocked when anyone is there, so there has been increased walk-in traffic. Chief Denney did a walkthrough at Cordell High School and met with some faculty and administration. The chief and officers went to a LAZER training and are doing extra patrols in troubled areas. Chief Denney has been covering shifts of officers who are sick or on vacation. Hagerman will be meeting with Indian Health Services 8/16/22 to look at grants that may be available for the city's water and sanitation systems. There will be a public hearing on the next agenda so the city can apply for the REAP Grant which will be \$100,000 this year. The AC at the Senior Citizens Center has been fixed, there were grease barrels being stored too close which have been moved. Additionally, Hagerman has located a grant that will be coming out soon for the Center to apply for. The SWODA grant for nutrition sites is out and Karla called to remind them the deadline is September 2<sup>nd</sup>. The cemetery is being unlocked by David before he comes to work, and the officers are locking the cemetery and airport about 8:00 pm or as time allows. There was a big water leak that when combined with drought conditions drained the water tower, so the city issued a voluntary water restriction. The tower is now filling back up. Bo will be retiring at the end of September, and the city is currently taking applications for the meter reading side of that position. 20 fewer red tags were delivered this month than last month. Fire calls for services were 25 and EMS was 22. Four residents finished the class for Emergency Medical Technician, and a new class starts in October. There have been issues with trash so there was a meeting with Crystal with Republic, but also with the General Manager David and the Regional Manager Darryl to try and fix these issues. These issues included polycarts not being delivered on time or at all and city hall taking all trash complaint calls. The contract states that the trash company will handle all complaints, so the city is working with Republic to create a plan to transition to them taking those calls. The city ran a brief report that suggests the city is being charged for too many polycarts. The city is currently running an audit on that, and Republic will be running their own audit. Regarding the water projects, on the waterline replacement project the contractor began Line B that runs along Crider Road and will continue to bore and install Line B this week. They will then begin Line A along Ollie Street. They are currently waiting on valves to continue to bore and install pipe. On the water tower the outside logo and exterior painting has been completed, the remaining work consists of vault installation and splash pad installation. On the chemical building, the tank has been delivered and 90% of the SCADA system has been installed.

Ferrero passed out examples of two bills on average billing to council members, from before and after the recalculation inside of Jayhawk. Average Billing happens at the first of the new fiscal year. Prior to the new software, Jayhawk, these were calculated in an Excel spreadsheet, the city was told they would calculate equivalently. The bills were mailed out, and the calls started to come in about the new averages. After crunching some numbers Hagerman and the city office were able to establish that Jayhawk does not calculate average billing the same way the city was before. Talking to them about their Level Payment Plan averaging system, the city was told that customers who overpaid should be removed, Karla spent a lot of time with Jayhawk to fix a lot of these issues. What was happening was that the city was rolling the behind over a 24-month period with a 3% buffer, while Jayhawk was doing it over a 12-month period and adding a 10% buffer, as their system does not want customers to ever be behind. The city has been working with Jayhawk to figure out what they can do for the city, and this issue will be brought to Council in future meetings along with items to vote on to see how Council wants to move forward. Council Member Boone interjected with, "running average". Council asked how long the contract with Jayhawk is, Hagerman responded she believed it to be year to year and that she believed it had just been resigned. She further stated that the conversion cost that was the biggest factor. Council Member Boone stated that he believes a running average would fix these issues and that the city needs to find a system

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that would do a running average. Hagerman further stated that there were people overpaying on their average utility bill whose overpayments were not seen by the system when recalculated, but that for people who were behind there was the behind amount, and then a 10% buffer affecting the recalculated average. Council Member Parsons asked if it was not verified when the city switched systems last year how the system took care of average billing. Hagerman responded that the conversion seemed to take place when no one was in the office who currently works for the city. Parsons asked why it was purchased without knowing what we were purchasing, and that she sees that City Hall is working on fixing it, but that the timeline for fixing the bills is not short enough. Hagerman responded that the issue with average billing is that City Hall has to estimate somehow the usage, and that with rising costs of energy, the 10% buffer may not even cover those costs so she believes that the buffer is not bad to have in there. The buffer plus the past due amount is not necessarily higher than what the customers will owe, but this will result in higher bills. Using the previous formula customers would risk getting increasingly behind. Parsons explained that her issue is that this formula is different than what was sent out, and that customers either had to stick with the higher number or pay their behind balance in full. Parsons expressed that she is worried about people on fixed incomes, and does not know what the solution is, but that one needs to be found. Parsons further stated that she believes if the calculation is different and the city is unsure of the exact differences, then we have to work with people. Hagerman stated that we do now know the exact differences, that she sat down and figured out what those differences were, expressly that they were the 10% buffer, and the behind amount was being added and divided by 12. This is a decision of how the city wants to move forward with the formula, customers have past due balances, and they will have to pay those, whether that is rolled into their average amount or paid up-front. That means that regardless, for customers who are behind on their average, they will have to pay that amount. Hagerman stated that another part of the problem is that no one is watching the behind amount to make sure they are not getting extremely behind. Parsons responded that on the pre-existing formula people would see these increases, but that they would be smaller \$50-\$75 increases, not the \$150 plus increases that are being seen this calculation. She further stated that customers expect the smaller increase and account for that, especially people on fixed incomes, and those on fixed incomes are who are being affected the most. Parsons stated she strongly believes the city has to work with them. Hagerman stated that she has been meeting with anyone who has requested a meeting to go over their bills. Parsons asked if the city would work with people on average who need it. Hagerman stated the city has been working with people on their bills. King from RSMeacham CPAs added that the previous software, Sutterfield, was not calculating the monthly averages correctly, and that Jayhawk is a much more accurate billing system. Parsons stated that she just wanted to have known that the average billing was going to change. Parsons further stated that Lawana in City Hall had informed her it was hand figured before last year. Jeanna stated that she believed it had been a while since they were hand figured. She further stated that Chase assisted with the conversion of average customers into Jayhawk and that it was not hand figured during that conversion.

Council Member Parsons asked if the city plans on setting a sign for hours the cemetery will be open. Hagerman responded no, because the officers are closing it while on duty, if there is a call, they may be unable to lock the cemetery at 8 pm and people could be confused by that discrepancy. Parsons responded that she felt a sign would be a good idea so that people don't plan to go after or near 8 pm. Hagerman responded that that decision would be up to council members if they wanted a sign placed. Parsons responded that she likes things to be transparent and that there are people who go out there regularly. Parsons asked what the grant amount would be on the new DOC grant for the Senior Citizens Center. Hagerman responded that since the grant has not been posted yet they did not give out a lot of information and so all she could provide were her impressions and thoughts. Parsons further asked about the trash company and if anything had happened regarding the idea of moving the dump week hours from 8-5 to 12-7 pm to give people who are working more time to dump loads after work. Hagerman responded that in speaking with Crystal from Republic part of the delay was that there were so many other issues that

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needed worked out, and part of it was that there was some discussion on going a different route that would more involve the city again. Hagerman has met with Charlie and asked Jerry about what has happened in the past and figure out how to open up more options for customers. The goal is to come up with a plan that is the most efficient for the city.

**PUBLIC REMARKS:** (This time is set aside to allow the public opportunity to remark on agenda items only. Time will be limited to 3 minutes.)

None.

### DISCUSSION ITEMS:

**a) Domesticated fowl ordinance.**

Animal Control/Code Enforcement Robert Venable presented information on current ordinances related to domesticated fowl and proposed updating these ordinances. Venable would like to update the ordinances so that property owners with smaller lots can have up to 10 chickens and chicken coop if they follow health and safety regulations including keeping the coop at least 20 feet from the neighbor's house, down from 50 feet. He suggested a permit to build a roost, a rate schedule for impoundment of loose fowl, and guidelines regarding roosters. He also stated that the city already has ordinances in place regarding noise and smell violations so those would not need to be addressed.

**b) Parking restrictions ordinances.**

Code Enforcement Robert Venable presented information on the parking situation at Coventry Circle, and on what he would like to see happen regarding parking in the center area. He stated that he has been unable to find any ordinance on the center of Coventry Circle in particular. There is a vehicle that parks in the center circle, which impedes traffic into the circle, especially for larger vehicles. With the current ordinances as code enforcement violation the owner can simply move the vehicle a couple feet and the entire evidence gathering and ticketing timeline must begin again. Venable presented some options on how the city could resolve this using current ordinances including placing a no parking sign or no left side parking sign both of which would make it a police ticket if violated. City Attorney Beech stated that he would review the ordinances in place and figure out how to proceed.

### CONSENT AGENDA:

- a) **Approve Minutes from Regular Meeting on July 18, 2022.**
- b) **Approve Financial Reports Period 1, July 2022.**
- c) **Approve Expenditures Period 1, July 2022.**
- d) **Approve Payment to Myers Engineering in the amount of \$4,509.50 for Invoice #220065.17 Potable Water System Hydraulic Model and Analysis and Disinfection Feed.**
- e) **Approve Payment to Myers Engineering in the amount of \$27,834.10 for Invoice #221039-12 Cordell — Water System Improvements.**
- f) **Approve Payment to Young Contracting, LLC in the amount of \$51,578.70 for Pay Application #8, for Project #Y2114 Cordell Water System Improvements.**
- g) **Approve Payment to Elite Towers, Inc in the amount of \$126,404.15 for Pay Application #4, for Project No. 52-22-1001 Elevated Water Storage Tank Rehabilitation.**
- h) **Approve Payment to TLS Group, Inc. in the amount of \$104,750.00 for Pay Application #1, for Project No. HMGP-4315-0010-OK Warning Sirens.**

Council Member McLaughlin made a motion to adopt the consent agenda. The motion was seconded by Council Member Boone.

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Vote called: Aye: Penner, Parsons, McLaughlin, Bardwell, Boone, Newman.  
Nay: 0

Motion carried: Aye: 6  
Nay: 0

### POTENTIAL VOTING BUSINESS:

- A. Consider, discuss and/or possible take action on Short Form Agreement with Myers Engineering, Consulting Engineers, Inc. for an amount of \$87,384.99 for Engineering Services, Construction Staking, Resident Project Representative Services for 18549 CDBG 21 Grant.**

Council Member Parsons made a motion to approve the Short Form Agreement with Myers Engineering, Consulting Engineers, Inc. for an amount of \$87,384.99 for Engineering Services, Construction Staking, Resident Project Representative Services for 18549 CDBG 21 Grant. The motion was seconded by Council Member McLaughlin.

Vote called: Aye: Penner, Parsons, McLaughlin, Bardwell, Boone, Newman.  
Nay: 0

Motion carried: Aye: 6  
Nay: 0

- B. Consider, discuss and/or possible take action on Engagement Letter with Britton, Kuykendall, & Miller for Year Ending June 30, 2022 Audit.**

Council Member McLaughlin made a motion to accept the Engagement Letter with Britton, Kuykendall, & Miller for Year Ending June 30, 2022 Audit. Motion was seconded by Council Member Newman.

Vote called: Aye: Penner, Parsons, McLaughlin, Bardwell, Boone, Newman.  
Nay: 0

Motion carried: Aye: 6  
Nay: 0

**NEW BUSINESS:** (Non-Agenda items or business. Discussion can be held, but action will be deferred until the next or some subsequent Regular or Special Meeting.)

Mayor Beech, at the recommendation of City Attorney Beech, stated that the rescheduled Public Hearing will take place on August 29, 2022, at 6:00 pm.

### COUNCIL REMARKS:

Council Member Newman asked if repairs on the water tower downtown were finished. Interim City Administrator Hagerman responded that the outside was done, but not the inside or splash pad.

### MAYOR REMARKS:

None.

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**ADJOURNMENT:**

Council Member Newman made a motion to adjourn. Motion was seconded by Council Member Boone.

Vote called: Aye: Penner, Parsons, McLaughlin, Bardwell, Boone, Newman.  
Nay: 0

Motion carried: Aye: 6  
Nay: 0

The meeting was adjourned at 7:01 pm.

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Jerry Beech/ Mayor

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Karla Ferrero/ Deputy City Clerk