**TOWN OF KIOWA**

**PUBLIC WORKS AUTHORITY**

**FOR**

**SPECIAL MEETING MINUTES**

**JULY 12, 2022**

**6:00 P.M.**

All items on this agenda, including but not limited to any agenda item concerning the adoption of any ordinance, resolution, contract, agreement, or any other item of business, are subject to **amendment**, including additions and/or deletions. This rule will apply to every individual agenda item without exception, and without providing this same **amendment** language with respect to each individual agenda item. Such amendments should be rationally related to the topic of the agenda item, or the governing body will be advised to continue the item.

The governing body may adopt, approve, ratify, deny, defer, recommend, amend, strike, or continue any agenda item. When more information is needed to act on an item, the governing body may refer the matter to its City/Trust Manager, staff, Attorney or to the recommending board, commission or committee.

**CALL MEETING TO ORDER:** Meeting called to order by Mayor Peterson @ 6:00 P.M.

**PLEDGE OF ALLEGIANCE:** Completed.

**ROLL CALL:** Hall-present, Peterson-present, Vanblaricom-present, Nichols-absent, Sexton-present, Ellis-present, Johnston-absent.

1. **Discussion and possible approval to pay William Ellis 89.83 hours of comp time in the amount of $1,886.43 and 190.80 hour for vacation time in the amount of $4.006.80.** Peterson made a motion to approve to pay William Ellis 89.83 hours of comp in the amount of $1,886.43 and 190.80 hours of vacation time in the amount of $4,006.80. Nichols seconds the motion. William Ellis, “Will that be on this week’s paycheck?” Peterson, “She’s done payroll already yesterday so it will be on the next one cause I asked Tracy if we could go ahead and just write you all a check and she said she prefer us to do it out of ADP. That way all the taxes and everything stay on tract.” Ellis, “You still could have done them today and they still would have gone through.” Peterson, “I don’t mind doing it.” Ellis, “It can be done tomorrow is what I meant and go through.” Peterson, “Well if it will then we can still do that. I don’t mind.” Sawyer, “It will just be an off-cycle payroll.” Hall-yes, Peterson-yes, Vanblaricom-yes, Nichols-absent, Sexton-yes, Ellis-abstain, Johnston-absent. Motion carries.

**FIVE (5) Executive Sessions were held consecutively with findings after the Board of Trustee’s return.**

2. Discussion and possible approval to enter into executive session for the purpose of discussion of possible promotions and/or pay raise or disciplinary action for Kasey Sawyer.

4. Discussion and possible approval to enter into executive session for the purpose of discussion of possible promotions and/or pay raise or disciplinary action for Jess Wilson.

6. Discussion and possible approval to enter into executive session for the purpose of discussion of possible promotions and/or pay raise or disciplinary action on Gibbs, the K-9.

8. Discussion and possible approval to enter into executive session for the purpose of discussion of possible promotions and/or pay raise or disciplinary action for Josh Furr.

10. Discussion and possible approval to enter into executive session for the purpose of discussion of possible promotions and/or pay raise or disciplinary action for Zach Taylor

12. Discussionand possible approval to enter into executive session for the purpose of discussion to hire a full time Office Assistant.

14. Discussionand possible approval to enter into executive session for the purpose of discussion of discussion to hire a full time maintenance worker.

Wilson stated that right there on Number 6 we’ll have to do here in open. Peterson replied okay.

**TIME:** 6:04 PM

**TIME BACK FROM EXPECUTIVE SESSION:** 6:48 pm

**FINDINGS IN EXECUTIVE SESSION ARE AS FOLLOWS:**

2. Peterson, “Discussion and possible approval of findings from Kasey Sawyer. She gets a pay raise at $11.50 starting immediately July 13th.” Peterson made a motion for Kasey Sawyer to get a pay raise to $11.50 starting July 13th. Hall seconded the motion. Hall-yes, Peterson-yes, Vanblaricom-yes, Nichols-absent, Sexton-yes, Ellis-yes, Johnston-absent.

4. Peterson, “Discussion and possible approval of Finance from Executive Session for Jess Wilson. We tabled to the regular monthly meeting.”

6. Peterson, “Discussion and possible approval of Finance from Executive Session for Gibbs. Okay we need to talk about this one.” Wilson, “Do we want to go into Executive Session?” Peterson, “No, you said you wanted to do it out here.” Wilson, “No, I didn’t know if you needed to go on findings first.” Peterson, “No, we’ll just go in order.” Wilson, “On Gibbs, we had that incident where he bit my mom. And then I called and talked to Burt, the guy who comes down and does our canine training. I called and talked to Dr. Ferrell up at the vet clinic. And they said that basically a dog with his demeanor if he starts to experience pain or any dementia it’s just going to get worse. And what Dr Ferrell said was that basically he could have be lying down across the room or whatever but for some reason when that door opened he felt like he needed to get up and move and he was in pain. That could have been the whole catalyst for it. Or it could have been dementia. He said what we’ll see is that it will get worse. The only person now who can take care of him is me. And of course I can’t take him on trips because if I take him on a trip I run a bigger risk of him biting somebody there. I talked to Dr. Ferrell about it. I talked to Burt about it and I’ve thought a lot about it myself. I don’t think we’ve got any other options myself but to put him down. I would like to adopt him out but I don’t know who we would adopt him to. Dr Ferrell says if we adopt him out you are probably going to run the risk that he is going to bite somebody else and even though you could probably get away with saying that protects the city would you want the dog to be subjected to what’s going to happen if he bites somebody and it’s their personal dog, and they abuse the dog or something. And so the consensus I think is that the best thing for the dog is to put him down.” Peterson, “So we need a motion.” Hall, “I make a motion that we have Gibbs, the canine, put down.” Peterson, “I’ll second.” Hall-yes, Peterson-yes, Vanblaricom-yes, Nichols-absent, Sexton-yes, Ellis-yes, Johnston-absent.

8. Peterson, “Discussion and possible approval of findings from executive session for Josh Furr. We tabled that as well.”

10. Peterson, “Discussion and possible approval of findings from executive session for Zack Taylor. We tabled.”

12. Peterson, “Discussion and possible approval of findings from executive session to hire a full time office assistant at $11.00 an hour.” Peterson made a motion to hire an office assistant for $11.00 an hour. Ellis,“Who?” Peterson, “Do we need to say the name?” Ellis, “You’re supposed to.” Peterson, “Lynnette Smith.” Vanblaricom, “And probationary? Is that good with everybody else? We’ve done probationary. What is it, ninety (90) days?” Peterson, “Yes.” Hall, “She says she has an appointment every other Tuesday afternoon.” Hall seconds the motion. Hall-yes, Peterson-yes, Vanblaricom-yes, Nichols-absent, Sexton-yes, Ellis-yes, Johnston-absent.

14. Peterson, “Discussion and possible approval of findings from executive session to hire a full time maintenance worker. Peterson made a motion to hire Mark Walkens for a full time maintenance worker for $11.00 an hour. And the probationary period is ninety (90) days. Peterson, “I need a second.” Hall seconds the motion. Hall-yes, Peterson-yes, Vanblaricom-yes, Nichols-absent, Sexton-yes, Ellis-yes, Johnston-absent.

**NEW BUSINESS:** Peterson, “On new business, they needed everybody on council to go by the bank and sign the corporate resolution. And then Mike you’ll be able to sign checks but you will have to go by and sign other papers too. Other business? Jerri, do you know when you’ll be coming by to do Treasurer work, on what days or whatever?” Ellis, “Are you all going to….. I mean it’s just whatever. It’s not really defined what I’m actually supposed to be doing since you assigned my duties to somebody else.” Peterson, “Treasurer.” Ellis, “Yeah, I mean I’m kinda just here.” Peterson, “So you’re not going to do no daily deposits or Treasurer’s Report or nothing?” Ellis, “You all have assigned those to somebody else to do. That’s what I’m saying.” Peterson, “Well I mean you’re not going to do them?” Ellis, “I can come and do them but you all decided somebody else to do the daily deposits.” Peterson, “Well I mean if you are going to do them we’ll let you do them. You are supposed to do our treasurer work so we’ll let you do that.” Ellis, “Well you are all going to have to decide what I’m actually going to do and what somebody else is actually going to do cause I’m not going to do deposits and somebody else do deposits.” Peterson, “Okay, that sounds fine. Somebody had to do them while you were gone so that’s why we did them. So you’ll be doing daily deposits from now on and Treasurer’s Report at our meetings.” Ellis, “Send me the stuff for the Treasurer’s Report.” Peterson, “Okay, do we need to get you a computer or something like that one in there so you can have access to everything or do you want to just come up here and have access to everything?” Ellis, “You can just get me a laptop to do what I need to do.” Peterson, “Okay. Alright. Does anybody else have any other questions?” Vanblaricom, “Is there defined treasurer’s duties that they are supposed to be doing?” Peterson, “I don’t think so just daily deposits.” Vanblaricom, “I thought she was talking to them about what she were supposed to be doing and stuff. Did you ever find out any defined answers?” Hall, “Yes, I’m sorry.” Vanblaricom, “Well I mean who is paying the bills?” Peterson, “She’s been putting them in because they had to be put in. It’s either let them set there or put them in. Nobody’s printed out any checks.” Ellis, “It’s deposited daily for funds received by this town as the Board of Trustees has designated. The Board has designated somebody else to do that.” Vanblaricom, “So the only defined duties for a Treasurer that is in an elected position is only daily deposits?” Ellis, “No. To maintain accounts to show where and from the source………have you all not read this?” Hall, “Yes.” Vanblaricom, “I haven’t read it all the way, no.” Ellis, “You will probably need to do that and probably need to do that because it is also in the ordinance. So you should probably read the ordinance too because I guess I can have my attorney to come back up here. I mean that’s why it has always been Treasurer with additional duties. But you all took the additional duties so…..” Vanblaricom, “I don’t know. That’s why I am saying, that’s why I asked the question. I’m just saying.” Peterson, “We are waiting on Kris for that.” Ellis, “I mean you all can’t make any decisions right now anyways. Or we can have a commissioner come up here and we can really open up some worms. But I am going to excuse myself because I have a game to go to.” Vanblaricom, “Have a good night.” Peterson, “So we’re waiting on what?” Sawyer, “He’s going to go find the ordinance that we printed out for the meeting.” Vanblaricom, “So this is what Mike just read for us?” Peterson, “Okay.” Vanblaricom, “So what did what’s his name say when you called him?” Hall, “Since she is in an elected position…” Sexton, “This is their definition of what the Treasurer does.” Vanblaricom, “And that’s hot off the presses huh?” Sexton, “Yeah.” Wilson, “You would have to go to the next meeting and you would have to change the ordinance to have it reflect what state statues for that treasurer would be. I mean like what’s put into the government code there on the left for the treasurer and then you could have it and reflect that. Cause the ordinance you can change at any meeting. You can change the ordinance as long as you advertise it, publish it and send it into the Court Clerk’s office. You have to advertise it and so on. At the next meeting you could put it on the Agenda to amend it and then that would amend the ordinance to whatever you want it to be because it says in the ordinance already additional duties.” Peterson, “Okay.” Hall, “And he also said it would be up to the DA whether to do away with the elected since she hasn’t been doing her job and stuff like that. That would be up to the DA. So I called the DA’s office and talked to the Assistant DA, Shawn Scharn. He said that he didn’t remember anything like that. He hadn’t read it. But then while I was on the phone he said he had spoke to the DA and the DA said you know what, I think I kinda remember that, I read something like that. And he said that was going to go have a discussion on that and he would call me. Well things got busy and I didn’t call him. I’m sorry. But as of right now they are looking into it and there is apparently something that he could do but I don’t know what is going to happen.” Sexton, “Is this the first time she’s been in here since…..” Vanblaricom, “Un-huh.” Sexton, “Okay.” Peterson, “Alright. Anything else on new business other than we’ll just put something on the agenda?” No other business.

**ADJOURN:** Peterson, “Okay. I make a motion to adjourn at 7:04 PM.” Sexton seconds the motion. Hall-yes, Peterson-yes, Vanblaricom-yes, Nichols-absent, Sexton-yes, Ellis-yes, Johnston-absent. Motion carries.

**TIME ADJOURNED:** 7:04 pm

**IF ASSISTANCE IS NEEDED PLEASE NOTIFY THE CITY HALL AT 918-432-5621, 24 HOURS IN ADVANCE.**