

**MINUTES**  
**Goshen City Council**  
**February 14, 2023 at 6:30PM**  
**Goshen Community Building, 244 Clark Street**

**1. Call to Order:** Mayor Stroud called the meeting to order at 6:30PM.

**2. Roll Call:** Colton Martin, John Vaillancourt, Birch Wright, Jamie Van Becelaere and Shawn Mayfield were present. Paula Anderson was absent. City Attorney Brian Hogue and Mayor Russell Stroud were present.

**3. Approval of Agenda:** The agenda was reviewed. Mayor Stroud wanted to add an item to the agenda as Q: Computer Privacy. Councilwoman Van Becelaere inserted in 3A: Request to make a statement. We have a motion by John Vaillancourt to approve the agenda and a second by Birch Wright, all those in favor 5, all those opposed 0. The motion carried.

**4. Approval of Minutes:** Approval of the minutes January 10th. Marjorie Vaillancourt: I know they got out late tonight so I apologize. We have a motion by John Vaillancourt to approve the minutes as written and a second by Colton Martin. All in favor Yeah, 5 all those opposed 0, motion carries.

Minutes of January 19th meeting, this was the special session. A motion to approve by Colton Martin and the second by Jamie Van Becelaere. All in favor Yeah, 5 all those opposed 0, motion carries.

**5. Reports for January 2023:**

**A. Police Department Report:** Chief Travis reported. Info in packet.

**B. Street Report:** City Park – Added 60 tons of gravel to the entrance road off highway 45 for improvement of the road bed. This required box blading the gravel after delivery and smoothing the road for park use. Continued trash pick-up at the park Roads.

We had over 350 tons of gravel delivered to city roads that have not had gravel in over 3 years. The gravel was delivered by APAC. The city tractor and box blade to were used spread the gravel as it was delivered. The roads receiving this gravel were: Nimmo Road, Salisbury Road, S. Sharp Road, and Spring Park Lane.

Continued Maintenance on roadside debris: Washington County Corrections Department brought in a work crew and picked up trash on Goshen-Tuttle Road, with Blue Springs Road to be next.

We are also speaking with tree trimming services to have the trees in the rights of way cut or removed to help ensure safety to the public. So far, we have one bid and are awaiting other bids to come in.

Maintenance: We are currently in search of new material to apply to our streets to replace the currently used limestone "fine grit" chat. Our hopper and spreader for the city truck is not a heavy-duty apparatus to spread this type of heavy chat product and thus our use of "fine grit" chat has caused the city to incur some costly repairs to the spreader equipment. We have identified three other options to use in place of "fine grit" chat going forward.

Option 1 = Central Salt our of Kansas sells regular white coarse salt at \$136 per ton. This would need to be mixed with Sand which can be purchased from APAC for \$14.50 per ton. The problem is we don't currently have a way to mix these two products here at the city.

Option 2 = A beet juice (Brine) truck setup which costs about \$80,000 to purchase, not including the beet juice or regular maintenance. This product also stops working at about 18-degree F.



Option 3 = There is a company out of Colorado that Washington and Benton Counties have just started using called "Envirotech". They produce a product called "Ice Slicer". This is a type of complex salt that is mined in Utah and it works at a much lower freezing temperature than regular salt. It does not require anything to be mixed with it and it gets delivered in shipments of 25 tons at a price of \$215 per ton or \$5,375.00 per 25-ton truck load. This price does include the shipping of the product. It is also environmentally safe for plants and animals. The best thing is that you only use one half as much of this product as regular Salt/Sand mix and it does a better job on the roads. John Vaillancourt ask Mayor Stroud to contact other area cities to see if they are using this product, and if so, would they be interested in purchasing loads of this together and splitting loads after delivery?

**C. Goshen Volunteer Fire Department:** Report is in the Council's packet.

**D. Planning Commission Report:** No January 2023 meeting, so there is no report.

**E. Building Official's Report:**

**F. Financial Report:**

**G. Parks and Rec. Report:** Report is in Council's packet. Ken Smith presented.

**H. Arbor Board Report:** Report is in Council's packet. Mary Smith reported.

## **6. City Business**

**A. Feasibility Study for New City Hall:** Albert Skyles made a presentation. Basically, he said that we need to go and sit down with some contractors and tell them what we are looking to do. Ask them what the cost might be depending on where it is built. Get a committee together and bat around some basic ideas of what we are looking for in Goshen. Meeting rooms office space etc. We can listen to the recording to get deeper into what he was saying. It is much to long to figure out what was said and put it in a condensed version here.

**B. SH-45 & Tuttle Road Drainage Repairs- Bid Process:** Luke Jost spoke and gave us next steps to move forward on project. The Council gave him the go ahead to go out and get bids to complete the project. He will return with bids ASAP.

**C-1. Amendment to Parks Commission Ordinance 175:** Colton Martin made a motion to read in title only and suspend the first and second readings, second by Birch Wright. Motion carries with no opposed voted Voice vote: All in favor. None opposed. Attorney Brian Hogue read Amendment to Ordinance 175. Colton Martin made a motion to adopt. Second by Birch Wright. Motion carries with no opposed votes. Voice vote: All in favor. None opposed. Ordinance passes.

**C-2 Resolution for confirming reappointment of Adam Walker to the parks Commission:** Mayor Stroud: I have a motion by Colton Martin and a second by John Vaillancourt to read in title only. Attorney Brian Hogue read title of Resolution. Mayor Stroud asked if any public input: None. A motion to adopt by Colton Martin and the second by John Vaillancourt, received. Resolution carries with None opposed.

**D. Resolution Appointing Park Commissioners:** A resolution appointing CALEB LEBOW AND DANIELLE EDWARDS to the parks Commission. Mayor Stroud: I have a motion by Colton Martin and a second by John Vaillancourt to read in title only. All approved, none opposed. Attorney Brian Hogue read Title only. Motion carried with None against. A motion to adopt by Colton Martin and the second by John Vaillancourt. All approved, none opposed. Resolution adopted.

**E. RFQ- Hay Service:** Ken Smith presented the Request for Qualifications. Document in Council packets.

**F. Budget Finalization – Legislative Audit:** Mayor Stroud

The 2022 budget finalization I'm going to address this because we are not able to finalize it currently. I have called for a legislative audit from the state. I had to call them several times to get them to come they are scheduled to be here on February 22nd at 10:00 AM. The auditor and myself will be in the office working to finalize the 2022 budget. It will be presented once we have that finalized just means we reconcile everything from last year. We will go through the 2022 budget to make sure that everything balances and anything that was over or under gets re-appropriated, and signed off on it as a council. I will keep the council informed of how the audit is progressing. The CSA which is basically our accounting program software with center point we've had difficulty identifying all the 2022 budget we have files that we've not been able to access. We're not sure exactly where they are, whether they were lost in the cloud or whether we just don't have them. But some of those items we just can't reconcile until we have an auditor that will go through that with us. So, I called for an audit because we were missing information as a city and for us to be able to audit ourselves and to make sure we're on good solid ground and that we're in compliance with everything that is required by a state audit. That's why I felt like it was appropriate for me to do the audit. We are missing the information or we just don't know where to locate the information. There is the possibility that we may not know where some of it is but we are definitely missing some information. That's why we've been told by CSA which is Red Wing software that does our accounting program at City Hall. So those are the concerns of everybody.

**G. Ordinance 172 -Violates GAAP:** Mayor Stroud spoke to the reasons he wanted to make changes to the Ordinance. There was then a motion by John Vaillancourt to suspend the rules reading title only. A second made the by Colton Martin. All approved, none opposed. Ordinance read in Title only by Attorney Brian Hogue. Roll call vote: Colton Martin- yes, John Vaillancourt- yes, Birch Wright- no, Jamie Van Becelaere- no, Shawn Mayfield- no, Paula Anderson was absent. Ordinance 172 did not pass.

**H. Ordinance Limiting Mayor Spending:** Discussion/Statements from Brian Hogue. Nothing to vote on tonight.

**I. Ordinance Regarding Personal Files/HR:** Discussion/Statements from Brian Hogue. Nothing to vote on tonight.

**J. Fiscal Responsibility:** Mayor Stroud spoke and had discussion about the fiscal responsibility of the Mayor and City Council.

**K. Recovery of Sales Tax:** Birch Wright spoke. I think everyone knows we do not collect sales tax based on our post office. Because we don't have a post office established here is my understanding. Elm Springs just went through this and they were able to establish something. I asked the mayor, if he would explore that so we can get the sales tax. The mayor said that he had reached out to Chuck Jacobus who's reached out to the mayor of Elm Springs and a conversation about it. We are waiting to see how that turns out for them. No further comments from Council. No public comments.

**L. Request for Items on Agenda: John Vaillancourt:** I just want to get some clarity so everybody understands. Brian will you answer some questions. Who can or who cannot put an item on the meeting agenda.

**John Vaillancourt:** Can the citizen of the city of Goshen request to put an item on the agenda. Attorney Hogue: NO. But I do think they can request their City Councilman to do so. So, if they want to reach out to their ward

Councilman then they could or any other Councilman. **John Vaillancourt:** Any item council person would want on the agenda goes on the agenda? **Brian:** Yes

**John Vaillancourt:** Alright just so that everybody understands as well. Because there was compensation the other day on items that are going to be going on the agenda regardless of whether it's the council, the Planning Commission, or the Parks Commission. The agenda will be done by the recorded treasure? **Mayor:** Yes, it is going forward.

**M. Attorney Fee Schedule – Increase:** **John Vaillancourt :** At the last meeting we were all given a letter in regards to city attorneys request for fee increase, from our attorney, Brian Hogue. Subsequently I spoke with him. Brian started four years ago as our city attorney. At that time his billing rate was \$250 an hour and he gave us a discount of \$100.00. So, his rate for Goshen was \$150. He did this because he is a citizen of Goshen. I'm going make a motion that we increase Hogue Law Firm's billing rate for the city of Goshen to \$250 an hour. That is still a \$100.00 below his current billing rate of \$350.00 an hour. **Jamie Van Becelaere** asked if he was fine with that. **Attorney Hogue:** I am and I've discussed that with John. He asked me point blank. We talked as I said same in my letter. **John** asked me later and I said OK. **Second by Jamie Van Becelaere.** **Public comment: Jimmy 9?):** How many hours typically in a month's time do you bill? **Attorney Hogue:** I don't know Jimmy. I knew you would ask what my Billings have been over the last year. That has gone up to the city or it might be able to tell. But it was probably around \$1100 a month is what would be billed under the current rate. I'm not a math whiz whatever that ends up being five hours and now it's more than that. I would say 8 to 9 about 10 hours. Yeah in a normal month this - January was not a normal month - lot more hours spent in that month. But on average that's probably what it has been. No other public comment. **Mayor Stroud:** So, we have a motion and a second all those in favor ( 5 ), any opposed ( 0 ). **Paula Anderson** was absent. Motion carries.

**N. Checks:** **Jamie Van Becelaere:** Russell, I am wondering where we are as far as our checks. I know we've had a problem with paychecks. Are we able to do them now or are we still having problems with them? Has **Laura's** check been corrected? The check was wrong the day she picked it up. **Mayor Stroud:** Are you referring to the \$600.00. **Jamie Van Becelaere:** And the \$1,600.00 overpaid in her paycheck. **Mayor Stroud:** \$1,600.00 overpaid, I wasn't aware of that. **Jamie Van Becelaere:** A message was left with **Ricky** the day that **Laura** picked it up. **Laura,** sent a mass e-mail and in it she said her paycheck is \$1600 over. **Mayor Stroud:** What do I do with it. I don't recall the e-mail that stated that. She just didn't pick up the check the council had approved a \$600 payment for fees that she had sustained as part of a fine from late payment or something. **Jamie Van Becelaere:** She paid it to make it easier for you coming into office. She wrote a check for \$600.00. **Mayor Stroud:** **Laura** declined to pick that check up and said that that was not the correct amount. That she wanted to look and came back later and said it was \$400 and something dollars. **Mayor Stroud:** told **Ricky** I was only authorized by the council to authorize a \$600.00 check for that reimbursement. So, without a receipt for us to reconcile with the legislative audit I don't have any way other than going back to the council meeting and saying what that council meeting minutes said for payment. **Jamie Van Becelaere:** I think, I said in that meeting that she paid around or close to or something to \$600. I did not say exactly \$600. She then provided a copy of the checks that she wrote and the one voided out showing that it was only the \$400.00 something and has that check not been written? **Mayor Stroud:** No, that check has not been written that was one of the items that we wanted to talk to the council about. Because I don't know how to reconcile that with the legislative audit and how we show what that reimbursement is for. I didn't know about it until it was discussed there was this \$600.00. I don't recall getting a document, I, would tell you that if there's an e-mail with a document that's an invoice of or you know whatever it was that was paid then definitely we would print that out and we will get you a check for that. I cannot tell you that I've seen that I really have not seen that e-mail with a document of what it was that was paid and how much. **Jamie Van Becelaere:** So, with the payroll check. What's the process between you and **Ricky** relaying messages to you? **Mayor Stroud:** I'm not understanding what you're asking **Jamie Van Becelaere:** A message was left with **Ricky** that the payroll check was wrong. You're saying you knew

nothing about it. What's the process between you and her in getting you those messages? Mayor Stroud: We go through payroll every single time payrolls done and we go through and make sure that the payroll is correct. I am unaware and maybe really can't address this now. I don't know about this \$1,600.00. Because she keeps record, you know what was paid, why it was paid, you know all the paid stuff. I'll go back and pull it up and look because I don't recall the exact numbers or the amount. Jamie Van Becelaere: Lora was fired on January 10th and she's not been paid is that correct? Mayor Stroud: she's been over it, I mean so again no not pardon me. Yes, on more than one occasion it's been followed up with yes, can you guys provide that because I don't know that we have received multiple emails, I don't recall that one. I will go back and look and try to find it. It doesn't mean I'll go back and look and see if I can find that e-mail because I really don't remember a \$1,600.00 over payment. There's a lot of emails that I've received and I don't have that in front of me. Just like I wouldn't expect you to understand things that I'm bringing on the agenda. If I don't put it there for you to be able to see. So, I have 2/3 of 23 see what this e-mail is said. I can I can tell you definitively, I will investigate this and we will resolve this. Jamie Van Becelaere: My understanding is that payroll checks are still not being done correctly. You're saying that they are? Mayor Stroud: that payroll checks are being done correctly. We've actually been able to utilize Gala at Elkins to help us with center point and make sure that we are doing all the payroll correctly in center point so that those checks are correct. Jamie Van Becelaere: What about the W2 forms that went out on the 10<sup>th</sup>, what are we doing about those? Mayor Stroud: I'm talking about the W2 form that's my item on the agenda Q that's one of the that's the item that I'm going to be discussing on Q.

**O. Personnel:** Jamie Van Becelaere: I'm wondering what your plan is concerning Personnel? We as a City Council are concerned. Mayor Stroud: So, you're concerned about a lack of personnel but wouldn't let me hire for a month is that correct? OK so you don't want don't want me to hire someone or you do because. I have been interviewing and I have very qualified and experienced people that I've interviewed and hope to offer them a job in the very near future. Because it has been the 30 days as of the February 15<sup>th</sup>. I reached out to the municipal league to talk about payroll and budget. The office budget that was approved in 2023. We have an amount of money for office staff, what I did was I looked at that. After you know an employee that was terminated another employee that was no longer there and was terminated and that approved an item on the budget for another employee, so the council had approved for three positions. I took those salaries and took all of them together and added up what the total cost was. I looked at that and said OK how do I staff this office with enough personnel to get the job done and to pay a rate where I can get people that are highly qualified to apply for these positions. So, the hourly rate is more but they're not full-time they're part-time positions 20 to 30 hours per week which allows for a lot of people that have children in school to be able to apply for a job that can be somewhat flexible but they can work part time and still make it a decent pay. Between 20 and \$30 an hour versus a position where we're paying 15 to \$17.00 an hour, and we're not getting the type of qualified personnel to do the job, that I feel like needs to be done in City Hall and I do feel like we have a full-time person there all the time to make sure that everything is being overseen and managed. I think that's important and I said that salary between 35 and 45,000 pending on qualifications. I think that is well within my position as the mayor to be able to make those decisions. So again, if the council wants to run City Hall, please by all means let me not be mayor and you guys can come in and be at City Hall and make those decisions yourself. The City Council is responsible for the budget city of Goshen correct, and they approved the budget for 2023. I'm trying to stay within those guidelines and that when we hire somebody. You all set the budget, if you want to be more specific within that budget you certainly can but that's goes back to what we talked about before on how much you all want to micromanage the money. Right now, you all just have a general budget. I know there have been times where there's been a request made for a certain salary and that's come before the council to do that but, the budget you all set and then how it gets spent within that budget would be up to the major at that point. John Vaillancourt: You also sent us the redacted resumes. What information is being left off? We don't know what position they are applying for. So, that all of the applicants and we had both of the job postings for office manager and for the administrative associate, zoning, planning, and HR.

Mayor Stroud: So, the only applicant that I got for office manager was KaSeana, now upon interviewing Lacey Lawson she said that she would be willing to apply for that position as well but those were the only two that applied at all for the office manager the others applied for the administrative assistant position. We have three positions as well there will be three, I only posted two because right now because KaSeana is filling one of those positions. Jamie Van Becelaere: So what position is she working at currently? Mayor Stroud: She's at office assistant.

**P. Permits:** After a lot of conversation, it was determined that the Ordinance dealing with Building Permits needs to be updated. It doesn't have the proper wording in it and is obsolete. It was also determined that Russell Stroud pulled his permits for the work done at his property. They were pulled and paid for on Friday, February 10, 2023 and the fees were paid at the same time. It was also inspected on that day by the building inspector. All work passed inspection.

**Q. Computer:** Mayor, I wanted address a significant issue that had occurred on Friday last week. We had an employee that was a former employee that wanted his W2 and contacted Ka Seana at the office about his W2 because it was not mailed to his current address. They discussed this she said. Fast forward to Monday Jason Chief Travis notifies us that the city council knew anything about it I said. Yes, I talked to Shawn about it one of the other things. I told Ka Seana when you send out an e-mail and it's got personal information it's not encrypted you need to make sure it gets deleted out of that e-mail account because if it ever gets compromised. If anybody ever you know ends up accessing the server getting into that account you don't want being sitting there with a Social Security number in it. So it was deleted out of the sent folder and deleted out folder then we also contacted the legislative audit personnel to ask them as well is there anything else that we can do to try to mitigate this risk that has occurred. She recommended that we speak to our city attorney I called Brian and then at that point we decided that we would bring it before the council to ask for a proposal for us to be able to pay for Life Lock for these employees for the next couple of years. I would ask the council for permission for us to pay for two years of Life Lock for each of those employees that their Social Security number was out there. I sent all those officers an e-mail letting them know that I was going to ask the city council for Life Lock for them to have coverage for the next couple of years. I have also put a note in Ka Seana's file. So, we've talked about this and I've counseled her about this and we also identified that we don't have the ability at this time to encrypt our emails I did have a call this morning with our Rep for critical edge and she is looking into our accessibility on our office suite that we have and whether we have the ability to encrypt an e-mail. Those are the steps that have been taken and those are the things that we've done on finding this and so I just want to make sure the council is OK with that two year subscription for Life Lock for each of those officers. I have a motion by John Va illancourt and a second by Shaw Mayfield to approve Life-Lock. All those in favor? Motion carries- thank you.

## **7. Report/Comments by Mayor, Alderman, City Attorney**

### **8. Public Input**

Mayor Stroud asked for public input.

### **9. Adjournment**

Colton Martin made a motion to adjourn at 10:09 PM. The motion was seconded by Jamie Van Becelaere. The motion carried and the meeting adjourned at 10:09 PM.

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Marjorie B. Vaillancourt



Russell Stroud

*Mayor Santanow*  
Recorder/Treasurer

Mayor