

City of Ozawie Minutes

June 10, 2019

Council in attendance: Mayor Loren Lutes, Council President Mel Armstrong, Councilwoman Nancy Leek, Councilman Shawn Owen and Councilwoman Margie Payne.

Others in attendance: Sammy Mowder, Jamie Klenklen, Sandi Goetz, Chief Timothy Bacon, Cheryl Youngquist, Mark Tenpenny, Ron Amrein, Ken Miller, Paul Finley, Mike VonSenden, City Attorney Lee Hendricks and City Clerk Paula Smith taking minutes.

1) Call to order, Pledge of Allegiance

Meeting called to order at 7:00pm by Mayor Loren Lutes. All stood to recite the Pledge of allegiance.

2) Approval of Council Meeting Agenda

Mel Armstrong made a motion to approve 6/10/2019 agenda with Executive Session for non-elected personal for 5 minutes. Shawn Owen seconded. Motion passed unanimously.

3) Citizens comments, questions, concerns

Mark Tenpenny advised the Council of a property that has become a nuisance to the City. He explained it has been going on for a year and would like to know how we can stop the circle. City Attorney Lee Hendricks advised that Mark was correct he did send a letter this time last year. He also explained the process and possible outcomes.

Mark Tenpenny also advised the Council that when the sewer job was complete they filled the soil in but now it has sunk and he is asking the City to bring soil in the fall. Mayor Lutes explained there is soil available for that and we will add you to the list.

Mike VonSenden advised the Council about the drainage problem from an area that had been fixed before which is now coming into his yard. Mayor Lutes advised he was aware of the problem and there will need to be a contractor hired to fix this problem.

4) Council comments, questions, concerns

5) Minutes from previous meeting – May 13, 2019

Mel Armstrong made a motion to approve the May 13, 2019 Minutes. Nancy Leek seconded. Motion passed unanimously.

6) Old Business

a) Annexation 301 & 401 Kiowa Dr plus property south of Sunflower

Mayor Lutes explained we have been in touch with Jefferson County and are now aware of the Zoning they currently have which will take some time to work into the City Zoning. He advised it is still in the planning stage but will need an action at some point.

b) Update from Lee Hendricks City Attorney

Lee Hendricks brought three Ordinances' for Council to act on. 19-05 is to temporarily amend the **Fire Code** to change the dates and times of operation for A-Z Fireworks for 2019 only. Mayor Lutes advised the \$150 deposit has been received and both parties agreed to \$500.00 rent for the space. Mel Armstrong made a motion to approve **Ordinance 19-05**. Margie Payne seconded. Motion passed unanimously.

19-06 is the adoption of 2019 **Standard Traffic Ordinance**. Shawn Owen made a motion to approve 19-06. Nancy Leek seconded. Motion passed unanimously.

19-07 is the adoption of 2019 **Uniform Public Offense Code**. Shawn Owen made a motion to approve

19-07. Nancy Leek seconded. Motion passed unanimously.

Lee Hendricks advised the Council of a contract written in 1997 for a franchise fee from CenturyLink. It automatically renews every three years. He will bring a revised contract next month for the Councils approval.

7) New Business

a) Silver Lake Bank

b) Sewer Pump

Mayor Lutes advise the Council he made a decision to buy a pump for the lagoon after renting one at 750.00 per week was not enough. He would like them to approve purchasing the **new pump and hoses** for \$2995. Margie Payne made a motion to approve the purchase of the 4" Honda Trash Pump. Shawn Owen seconded. Motion passed unanimously.

c) Heritage Fall Festival Sponsorship

Mayor Lutes requested a **sponsorship for the Heritage Fall Festival** of \$1000 from the City to be held here in the Park. Mel Armstrong made a motion to approve the \$1000 dollar sponsorship to the Heritage Fall Festival. Shawn Owen seconded. Motion passed unanimously.

d) Heritage Fall Festival Alcohol

Mayor Lutes advised Heritage Fall Festival Committee has requested to use the **VFW to serve alcohol**. Shawn Owen commented the Business within the City Limits should be asked first. Mayor Lutes agreed. Lee Hendricks advised we need to amend the code for consumption on city grounds for Sept 21.

e) Assistant Maintenance Employee

Mayor Lutes advised he has hired **Dan Beavers** as **part-time assistant** maintenance employee. Shawn Owen made a motion to approve the hiring of Dan Beavers. Nancy Leek seconded. Motion passed unanimously.

f) Water Issues

Mayor Lutes explained what we have learned about the **water issue**. Patchen will be available when the lake drops below 902' and dries out to sanitize our wells at \$750 each. He said we are also looking into the future Sammy Mowder has given a good analysis on our condition, #3 is our problem and the pump has been turned off but it does still allow some lake water through. He is grateful that the Council approved the work to be done on Wells #1 & #2 last year. He explained we found a Lab in Ottawa that will test Well #3 to see what seals are broken and what it will take to fix. Next thing we are looking at is Rural Water District #3 has a 6" line at Hwy 92 and West Lake Rd. They are looking into to possibly bringing it to us so when something like this happens we can seal our wells, turn on RW#3 and purchase water. The next thing being looked at is depending on what we find out about Well #3. Paula Smith has found an area within the City where we could put a Well that is above floodplain. The Mayor explained the Wells are at elevation 903' and the lake was at 921'. Casing a current well would be 18' high. There continues to be drinking water in a tanker on Main St. The tanker use is free from Nebraska, the water is purchased from Perry and the driver and rig is from Valley Falls.

8) Consent

a) Treasurer's Report

Jamie Klenklen explained she has looked over last month and all is in order.

b) Financial Reports including cash receipts report, cash disbursements report, monthly financial statement, summary of budgetary status and expenditure approval

Mel Armstrong made a motion to approve Financials and expenditures. Shawn Owen seconded. Motion passed unanimously.

9) Reports

a) Mayor's Report

b) Building and Zoning, Sandi Goetz

Sandi Goetz explained the **new build plans for 508 Delaware Dr.** The Committee recommends the approval of the new build. Mel Armstrong made a motion to approve the new build at 508 Delaware Dr. Shawn Owen seconded. Motion passed unanimously.

c) Governmental Affairs-Nancy Leek

Nancy Leek asked about the plan with the Corps. Mayor Lutes explained it is complete.

d) Law Enforcement-Shawn Owen

Chief Tim Bacon gave his report for last month. He invited all to the "Kids Day Out" on June 15th.

He also requested a **sponsorship for the Heritage Fall Festival** of \$1500 to come from the fines and forfeitures that have been collected. He would like to see the Ozawkie Police Department to give back to the community. Shawn Owen made a motion to approve the sponsorship of \$1500 to the Heritage Fall Festival. Margie Payne seconded. Motion passed unanimously.

e) Parks-Margie Payne

f) Streets-Kevin Klenklen

Mayor Lutes explained for Kevin Klenklen we have received a statement for \$340,000.00 for Hamm, Inc. The Bond is here and the cost of the Bond Council has been paid. The next phase is by Vance Brothers and will start end of June to beginning of July. Built into that phase was more asphalt milling from a company in Missouri requiring new permitting. Kevin was able to work it out for Hamm, Inc. to complete it with the cost going from 20,000 down to 6,300. Hamm's will also be reworking a cross piece on Central that is settling and will also be redoing Sunflower at no cost to us. Currently we have moved out 300 tons of millings.

g) Utilities-Mel Armstrong

Mel Armstrong advised the plans for the treatment building are complete we are now just waiting for the telemetry. Mayor Lutes gave kudos to Sammy Mowder and Paula Smith for their hard work during the current water and sewer problems.

10) Executive Session

Mayor Loren Lutes asked for a motion for a 5 minute executive session for non-elected personal at 8:40pm. Mel Armstrong made a motion for a 5 minute executive session for non-elected personal. Nancy Leek seconded. Motion passed unanimously.

Mayor Lutes called the Meeting to order at 8:45pm. Mel Armstrong made a motion to raise **Judge Dennis Reiling** to \$300 per month. Nancy Leek seconded. Motion passed unanimously.

Shawn Owen made a motion that the **Chief Tim Bacon be raised** \$1 per hour. Nancy Leek seconded. Motion passed unanimously.

Mel Armstrong made a motion to adjourn. Shawn Owen seconded. Motion passed unanimously.