

City of Ozawkie, Kansas
City Council Meeting
Monday, January 13, 2020 at 7:00 P.M.

NOTE: The City Council meets on the second Monday of each month, unless otherwise posted, at 524 Kiowa Street in the Community Center. All citizens are welcome.

Council in attendance: Mayor Loren Lutes, Nancy Leek, Margie Payne and Kevin Klenklen.
Absent Councilmembers were Mel Armstrong and Shawn Owen.

Others in attendance: Sammy Mowder, Sandi Goetz, Gary Branson, Sharon Branson, Jim Shaw, Wayne McNary, Chief Tim Bacon, Christopher Feuerborn, Ken Miller, Olivia Meyer, Jenny Lamb, Dana Gettel, City Attorney Lee Hendricks and Jamie Klenklen taking minutes.

1) Call to Order, Pledge of Allegiance

Mayor Lutes called the meeting to Order at 7:00 P.M. All recited the Pledge of Allegiance.

2) Nancy Leek made a motion to approve December 9, 2019 minutes. Margie Payne seconded. Motion carried unanimously.

3) Approval of the Agenda – Mayor Lutes added one item to the agenda under Old Business, between a) and b), Executive Session regarding contracts. Margie Payne made a motion to approve the Agenda with the added item. Kevin Klenklen seconded. Motion carried unanimously.

4) City Attorney Lee Hendricks swore in our two new Councilmembers Chris Feuerborn and Gary Branson and re-elected Councilmember Kevin Klenklen.

5) Citizens comments, questions, concerns

A) James Shaw asked why the City Police car was on Westlake Road as this is beyond the City limits. Chief Tim Bacon explained it is called “mutual aid” when Law Enforcement help each other, and he was the closest officer available.

B) Sharon Branson spoke about welcoming new people to the community 20 families were reached in 2017 and in 2018, 19 in 2019. She will leave forms for our City Clerk to hand out. Sharon reported that she has not received any information since August.

C) Dana Gettel asked why we have to wait until the next meeting to approve the minutes. City Attorney Lee Hendricks advised according to the “Open Meetings” laws, the Council must meet as a body to approve the minutes. Lee Hendricks wants to have an “Open Meetings” presentation for all citizens. Email is considered an “Open Meetings” violation. Dana Gettel expressed her concern for the lack of communication, especially about the water situation. She stated the City’s website is out of date. She also asked about lowering the speed limit to 20 mph. She stated that when the water line was cut lots of muck came through the water lines causing damage within the home. She asked if FEMA could be brought in to help with the home damage. Mayor Lutes responded to her concerns and advised the Council will look into it.

D) Ken Miller stated that some cities have 45 mph speed limits and asked if the 4-way stop at the City Park could be changed to a Yield sign.

E) James Shaw stated that 30 mph is fast, but it does look faster to some.

F) Sharon Branson said she missed the comments on the back of the water bill. Mayor Lutes said most, probably 80% of the water bills did have printing on them. She does not want the City to forget about putting messages on the water bills as it has been a good communication tool.

G) Gary Branson asked for a Point of Personal Privilege. Mayor Lutes granted his request. Mr. Branson presented a “Resolution of Cooperation” for the Year 2020. It is an agreement between the City of Ozawkie and Ozawkie PRIDE.

H) Jenny Lamb asked if the City Council minutes could be published with “DRAFT” printed on them. City Attorney Lee Hendricks stated that it doesn’t always perfectly reflect what truly happened. Gary Branson said we need to weigh the benefit of having information in a timely manner. Lee Hendricks replied that no information is better than bad information. Kevin Klenklen agreed that communication with the public is lacking. He suggested that the Council consider publishing a newsletter. Nancy Leek

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stated a newsletter use to be sent out every two months. Margie Payne suggested using Social media and having a Facebook page in order to reach more people in a timely manner. Mayor Lutes said the Council will have to consider this matter.

5) Council comments, questions, concerns – Councilmember Gary Branson asked when do the Board members get their packets? Mayor Lutes replied that Sammy Mowder hand delivers the packets on the Friday before the City Council meeting.

7) Old Business

a) **Emergency Tanker Cover** – Building is **now complete** with heat and electricity included. Pallets of bottled water are inside. Nancy Leek mentioned to be careful when stepping up into the building. We need some paint there for safety purposes. Mayor Lutes said the building has been funded but we don't know exactly how much yet.

Mayor Lutes asked for an Executive Session for 15 minutes to include City Attorney Lee Hendricks. Kevin Klenklen made a motion for an Executive Session to discuss contract business for 15 minutes. Nancy Leek seconded. Motion carried unanimously. Council left the room at 7:45 P.M. including City Attorney Lee Hendricks.

City Council meeting was called back to Order at 8:00 P.M. Mayor Lutes announced that no binding action was taken.

b) Emergency Water Connection – RWD #3 water line will connect to the City water tower with a 4 or 6-inch line and a one-way only emergency-based master meter.

c) Update from City Attorney Lee Hendricks – he has been working on the **contract agreement with RWD #3** that is four pages long. Lee Hendricks reviewed several “Terms of Agreement” within the contract agreement. Gary Branson made a motion to approve the Emergency Water Connection contract agreement. Kevin Klenklen seconded. Motion carried unanimously. Mayor Lutes thanked Lee Hendricks for his work on this contract.

d) Repair Well #3 – Mayor Lutes reviewed a quote from **Layne to repair Well #3** that broke on or about May 11, 2019 for about \$26,883.00. Gary Branson made a motion to approve the quote from Layne to repair Well #3 as proposed in the quote. Nancy Leek seconded. Motion carried unanimously.

e) Repair Wells #1 & #2 – Mayor Lutes reviewed a quote from **Layne to rehabilitate Wells #1 and #2**. Margie Payne made a motion to approve the rehabilitation proposal for Wells #1 and #2 from Layne for 16,966.00 each. Gary Branson seconded. Motion carried unanimously.

8) New Business

a) **Road access to Wells** – Mayor Lutes discussed rebuilding the access road **to well 3** in a proposal submitted by Kings Construction. Kevin Klenklen made a motion to approve the proposal for 7,220.00 from Kings Construction. Margie Payne seconded. Motion carried unanimously.

b) Repair Lagoon berms – Mayor Lutes discussed a proposal from Kings Construction to repair the Lagoon berms. After all the questions were answered, Gary Branson made a motion to approve the bid for 6,500.00 from Kings Construction and to add grass seeding to the bid. Margie Payne seconded. Motion carried unanimously.

c) Service Dog request – no action was taken.

9) Consent

a) Treasurer' Report – no report.

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

Mayor Lutes reviewed the financial reports with explanations of where we are at on the budget. After some discussion, Margie Payne made a motion to approve the financial reports. Nancy Leek seconded. Motion carried unanimously.

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10) Reports

a) Mayor's Report – Mayor Lutes gave accolades to Paula for her work with FEMA, her research and her reaching out to the right people to help is appreciated. Paula will be speaking at the Kansas Rural Water Assoc. Conference in Wichita as well as Lee Hendricks and his wife, Mrs. Hendricks.

Mayor Lutes announced to the Council their assignments - Kevin Klenklen, Streets; Gary Branson, Parks; Chris Feuerborn, Government; Margie Payne, Utilities; and Nancy Leek, Law Enforcement.

PRIDE Resolution – Kevin Klenklen made a motion to approve the PRIDE resolution. Margie Payne seconded. Motion carried unanimously.

b) Building and Zoning, Sandi Goetz – Sandi reported there is a correction in her minutes. Garage plans at 115 Cottonwood Court require a variance on the pitch of the roof. Gary Branson made a motion to approve the garage project including the variance. Nancy Leek seconded. Motion carried unanimously.

c) Governmental affairs – Nancy Leek reported the Legislative Session started today.

d) Law Enforcement – Chief Tim Bacon reported on three traffic stops that were warnings about stopping at the stop signs. 11 Other reports – one animal issue, 9 building checks including John Dewey and one criminal damage report. Two Code Enforcements reports with junk in yards and vehicle issue. Chief Bacon gave an update on the camera that was purchased with a grant received from the Substance Abuse Council. The camera is waiting to be installed.

e) Parks – Margie Payne – no report.

f) Streets – Kevin Klenklen announced that Vance Brothers will be back in the spring to finish up some work on the streets.

g) Utilities – no report.

11) Executive Session – Mayor Lutes asked for a ten-minute Executive Session to include City Attorney Lee Hendricks. Margie Payne made a motion to approve a ten-minute Executive Session to include City Attorney Lee Hendricks for non-elected personnel staff addition at 8:37 P.M. Kevin Klenklen seconded. Motion carried unanimously.

At 8:47 P.M. Mayor Lutes called the City Council meeting back to Order. Mayor Lutes recommended that a City employee be added. Kevin Klenklen made a motion to approve the addition of a City Maintenance position. Gary Branson seconded. Motion carried unanimously.

Mayor Lutes said if he is unavailable, on vacation or absent for any reason then he needs a Council President to replace him. Margie Payne made a motion to elect Kevin Klenklen as Council President. Gary Branson seconded the motion. Motion carried unanimously.

Gary Branson announced that he is a “snowbird” and will be absent the next couple of months. He will return in time for the April City Council meeting.

At 9:00 P.M., Margie Payne made a motion to adjourn the City Council meeting. Kevin Klenklen seconded. Motion carried unanimously.

Sincerely,
Jamie Klenklen, Pro tem
for Paula Smith, City Clerk

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