

City of Ozawkie Minutes

February 10, 2020 - 7:00 pm

Council in Attendance: Mayor Loren Lutes, Council President Kevin Klenklen, Councilwoman Nancy Leek, Councilwoman Margie Payne and Councilman Chris Feuerborn. Councilman Gary Branson was absent.

Others in attendance: Sammy Mowder, Jamie Klenklen, Sandi Goetz, Ellis Moses, Dana Gettel, Jenny Lamb, 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

Margie Payne made a motion to approve the Agenda. Kevin Klenklen seconded. Motion passed unanimously.

3) Citizens comments, questions, concerns

Ellis Moses advised the 14th of March the Ozawkie Pride will be hosting the Corn Beef and Cabbage Diner at the Community Center for St. Patrick's Day.

Jenny Lamb suggested doing a survey through Survey Monkey about the communication with the City and the residents of the City of Ozawkie. Kevin Klenklen advised we do have a Web Page and a Facebook page that citizens can access. Jenny stated people no longer use Facebook. She also stated there seems to be a problem with the calling system. Margie Payne explained Everbridge is part of the county and they should be contacted if there are problems, with emergency matters.

Dana Gettel also spoke about the communication. She suggested we put a link on the Web Page to Everbridge. She thought we should do a new Web Page. She was also disappointed it took so long for the minutes to appear on the Web Page.

4) Council comments, questions, concerns

5) Approval of Minutes from previous meeting – January 13, 2019

Chris Feuerborn made motion to approve the Jan 13, 2020 minutes. Nancy Leek seconded. Motion passed unanimously.

6) Old Business

a) Update on Tanker Cover

Mayor Lutes advised the Tanker Cover is complete and contains the Water Tanker and Bottled Water. He explained we have received a check from FEMA for \$17,855.00 which is the first portion of reimbursement.

b) Update on Well Access Roads

Mayor Lutes advised the roads to access the wells are complete. He explained last month the Council approved the portion of the road that goes from Delaware Dr to Well #3. The Mayor asked for a motion to ratify as when Kings was complete with the portion to Well #3 Layne the company working on the wells advised they would not be able to get their equipment to Wells #1 & #2 the way it was. Since Kings was still there he asked them to complete the road to Well #2 with pads for the equipment. Kevin Klenklen made a motion to ratify the \$10,500.00 from Kings to complete the road to Well #2 as long as from now on there will be a Special Meeting to approve such items. Margie Payne seconded. Motion passed unanimously. The Mayor agreed. Chris Feuerborn asked if this road is something we will be keeping up. Mayor Lutes advised yes it is, until the next flood. Kevin Klenklen asked if this will appear in the lease contract with the Corp. Paula Smith advised she called Corp and received

permission before the work was done. Kevin Klenklen and Lee Hendricks advised next time she get it in writing or an email.

c) Update on Well Repairs

Mayor Lutes advised Well #3 has been repaired. The pump was pulled and taken to Laynes shop to be repair. Well #3 has been sanitized with three different chemicals. The pump has been reinstalled in the well and is running. A raw well sample was taken today and another one will be taken tomorrow. If those samples come back clean then Well #3 will be turned on to the city distribution and 4 samples will be taken. If those samples come back clean then the Boil Water will be lifted. This could happen sometime next week. Since the roads to Wells #1 & #2 are complete they will be able to move on to sanitizing those wells.

d) Update from City Attorney Lee Hendricks

Lee Hendricks explained this City Council had approved the first agreement with RWD #3. He is now working on the second agreement which RWD #3 refers to as an Inter-Local Agreement which describes the work to be done and who is responsible for what. Such as RWD #3 will be responsible for their line to the new meter and the City of Ozawkie will be responsible from that meter to the city. Lee Hendricks advised he verified today that an Inter-Local Agreement is not required. He request that the City Council empower the Mayor and himself to sign this agreement with RWD #3. Since it does not have to be an Inter-Local Agreement he will have a draft ready for RWD #3's meeting and this will allow him to clarify any question RWD #3 may present. If there is anything that is different than what he has explained the Mayor will call a Special Meeting to have Council approve. Kevin Klenklen asked if they were going to eminent-domain property for this line and if the job was going to be public. Lee Hendricks advised they could use eminent-domain and it will be public. Lee also explained we do not have the final decision. Paula Smith advised it was explained to her the problem they are having at this point is that there are now full grown trees over the existing line which is in their easement and they are trying to work this out with their customers. Kevin Klenklen asked if there would be the ability to add fire hydrants to RWD #3's portion of the line. Mayor Lutes and Lee Hendricks advised that is up to RWD #3. Mayor Lutes explained there will be one on our property at Kiowa and Sunflower to flush the line. Nancy Leek advised it sounds like our only control is where we hook up. Mayor Lutes advised we are responsible from the meter at the last home on the north side of HWY 92. Mayor Lutes also advised the Council that we have received a check from FEMA for \$212,746.50. Kevin Klenklen made a motion to empower the Mayor with Lee Hendricks approval to sign the contract. Margie Payne seconded. Motion passed unanimously.

Mayor Lutes advised the Council that the final approval for the Chlorine Building has arrived. He explained we are hoping to possibly include that with some of the work done with the wells.

e) Update on Emergency Water Connection

f) Executive Session for non elected personnel addition

Kevin Klenklen made a motion at 8:30 pm for an Executive Session with City Attorney Lee Hendricks for non-elected personnel addition for 15 minutes. Margie Payne seconded. Motion passed unanimously. Mayor Lutes called the meeting to order at 8:50 pm.

g) Employ Maintenance Worker

Kevin Klenklen made a motion to allow the Mayor to negotiate a contract with Frank Courter as a second maintenance worker. Nancy Leek seconded. Motion passed unanimously.

7) New Business

a) Road to Wells #1 & #2

Completed above #6 b)

b) Clean and Inspect Tower

Mayor Lutes explained the end of 2018 we had the tower inspected and cleaned. He would recommend Council approve having it done again after all wells are up and running. He advised for \$2,950.00 we could have it done again by the same company, Inland Potable Water. Chris Feuerborn asked how that went last time. The Mayor explained perfect. He could not ask for more. Paula explained she has a CD if he would like to watch it. It shows him working inside the tower. Kevin Klenklen would like to see us contract the tower work with someone. Nancy Leek advised that is what the \$6.43 was to go for. Margie Payne made a motion to approve the tower cleaning by Inland Potable Water for \$2,950.00. Nancy Leek seconded. Motion passed unanimously.

c) FEMA Update

Mayor Lutes explained we had two KDEM inspectors for FEMA here last week to look at the seven projects we have listed with FEMA for reimbursement. Some of the things they were looking at would be the lagoon dykes and seeding which was \$2,000.00, the debris fields on the Corp leased land, drainage ditches that drain off of Delaware Dr including and the drain catches on Delaware Dr. They can help us with anything that is not on private land. If it is on private land they do not help with. He explained as far as being reimbursed they have been going well. He also explained we are working on an upgrade to the FEMA plan which we have the right to OPT-IN or not. Our engineers are also helping us look into this as it could enable us to do not only have FEMA financial help in bring us back to where we were but in some areas making it a better end product.

d) CD Investment

Mayor Lutes explained currently cash is at \$850,900.00 of that 250,000.00 is in a CD that will be up next week still leaving us at \$600,000.00. Mayor Lutes recommends we put another \$250,000.00 into a 6 month CD for 1.57% which is more interest than we can get in our money market. Mayor Lutes explained every bit of interest we make is money we do not have to tax. He explained the main thing we have to work around is the big payment at the end of the year for the sewer. Margie Payne made a motion to approve moving \$250,000.00 into a 6 month CD. Kevin Klenklen seconded. Motion passed unanimously.

8) Consent

a) Treasurer's Report

Jamie Klenklen advised that both December and January accounting system and bank statements balanced.

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

Margie Payne made a motion to approve the financial reports. Chris Feuerborn seconded. Motion passed unanimously.

9) Reports

a) Mayor's Report

Mayor Lutes explained we have had a very brief discussion with the Corp about leasing the land to the west of us which would mean we would be in control of all the Corp land around us. Sammy Mowder asked if it could still be hunted. Mayor Lutes advised that would depend on the lease. Chris Feuerborn asked if we could allow people to still farm it. Mayor Lutes advised that also would depend on the lease. Nancy Leek asked what our advantage would be to lease it. Mayor Lutes advised it would give us some control on what happens back there. Margie Payne advised it is a good idea to look forward into the future. Sammy Mowder explain another advantage would be it would allow him to work on the trees on the north side of the lagoons as the state has asked him to.

Mayor Lutes explained there is an Easter Egg Hunt planned. Police are helping and most of the business are helping the Mayor asked if the City would like to help. No action was taken.

b) Building and Zoning, Sandi Goetz

Sandi Goetz advised the Council that the first set of plans for Heller/Woods is for two porch additions one on the front of the home and one to the back of the home. On both the roof of the porches will be the same pitch as the existing roof. The back is a screened in back porch. Sandi Goetz advised that Planning & Zoning recommend that City Council approve both of these projects. They were turned in on two separate applications. Lee Hendricks advised they be done on two motions. Margie Payne made a motion to approve the front porch project for Heller/Woods. Nancy Leek seconded. Motion passed unanimously. Margie Payne made a motion to approve the back screened in porch project. Kevin Klenklen seconded. Motion passed unanimously.

Sandi Goetz explained Eric Eck of Eck Properties has purchased 4 lots and he wishes to replatt them to three lots to make the yards larger. Sandi Goetz showed the new form which would allow the change to Lee Hendricks he suggested changes to include the revised survey be attached and the signature be notarized. Mayor Lutes asked if we are holding up anything if we revise the form. Lee Hendricks asked if Sandi had been given the survey yet. Sandi advised he has not received a survey yet.

Sandi Goetz explained she also has a floor plan for Eck's for the above property but the yard light was left out. It was suggested to table this until the property is plotted and the yard light was added. Chris Feuerborn asked if this home was a slab or a crawl space. Sandi advised it is a crawl space.

Kevin Klenklen asked what is happening to the Main St platting. Mayor Lutes advised we are waiting on a call back from the surveyor.

c) Governmental Affairs-Chris Feuerborn

Chris Feuerborn advised the Legislature has been in session for a month now but he has seen nothing done. Kevin Klenklen advised they are trying to make the tax lid deeper which will hurt us. Lee Hendricks advised with this they are also looking to do away with annexation which could also hurt us.

d) Law Enforcement-Nancy Leek

Nancy Leek advised Chief Bacon has been training another officer to help with Code Enforcement. She explained they have been keeping on top of the Code Enforcement which is a good thing for the City.

e) Parks-Gary Branson

Absent

f) Streets-Kevin Klenklen

Kevin Klenklen would like to see more gravel around the new Tanker Cover Building. Mayor Lutes advised that is in the works.

g) Utilities-Margie Payne

Margie Payne advised that with everything else Sammy Mowder has been doing he has also repaired two water leaks this month.

Margie Payne wanted emphasize how important the presentation Paula Smith is giving at the Rural Water Assoc. Conference. They asked her to give a class on disaster because she was so well prepared they want everyone to do it her way. For them to approach her is huge, it is a big deal. Mayor Lutes advised this is why we already have money from them. Margie explained even the KDEM inspectors talked about Paula's work. Mayor Lutes explained Lee Hendricks has also been asked to present at the conference.

10) Executive Session (if needed)

Kevin Klenklen made a motion to adjourn. Chris Feuerborn seconded. Motion passed unanimously.