

## MINUTES OF MEETING OF CITY COUNCIL

### CITY OF OZAWKIE, KANSAS

**JULY 6, 2020**

A meeting of the City Council of Ozawkie, Kansas was held on July 6, 2020 at the City Hall of Ozawkie, Kansas. The following Council members were present:

**Chris Freuerborn**  
**Nancy Leek**  
**Gary Branson**  
**Kevin Klenklen**  
**Loren Lutes, Mayor**

Council Member Margie Payne was out sick.

Also present were the following persons:

Mazi Barnes, City Clerk  
Jamie Klenklen, Treasurer  
Frank Courter, Public Works Operator  
Barbara Thomas, Deputy City Clerk  
Timothy Bacon, Police Chief  
Sandy Goetz, Chair Planning and Zoning  
Residents: Sharon Branson

The meeting called to order at 7:00 p.m.

**Consent Agenda:** Mayor Lutes put forth parts (a)-(d) of the Consent Agenda. Mayor informed there were 2 items to add to the agenda under New Business. Items (e) Purchasing New Snowplow Equipment and (f) Old Equipment Disposal.

Motion was made by Gary Branson to approve Consent Agenda with the additional items on the agenda. Seconded by Kevin Klenklen. The motion carried unanimously.

**Regular Agenda:** Resident Sharon Branson raised a concern that the core land had only been mowed once this season and the Johnson grass and weeds were heavily overgrown. The mayor agreed to follow up on a solution.

Council Member Nancy Leek stated she had a residential complaint brought to her attention regarding heavy firework debris in the roads and her yard that was not picked up by the owners. The Mayor recommended as a precaution for next year the City can place a message on the July water bills reminding citizens to clean up their firework debris.

## **OLD BUSINESS**

### **a) City Wide Clean-Up**

The Mayor informed the council that the dumpsters for the clean-up were delivered and ready to be used. Gary Branson announced he would be bringing a trailer to the shop on Tuesday for various chemical wastes. The mayor also informed Frank Courter that he and Sammy Mowder will have to lift the heavier items into the dumpster with the tractor.

### **b) Update on FEMA Projects**

A summary sheet was handed out to all attendees with the status and costs of the current FEMA projects. The sheets included information on the new water system building, the work done to the wells and included the waterline relocation. The Lagoon Project has been submitted and the mayor feels confident that the city will be funded for it. We have received an estimate on the current value of the Tanker cover building and may receive additional funding for it after sending the data to FEMA. The RWD#3 project will be covered later in the agenda. The debris needs to be burned before the project can be submitted and the mayor feels there is a reasonable chance of the project being approved. Little has been done on the drainage project, if we proceed, we will have to bring in engineers to help. The mayor stated that 5% of all the project funds goes to management and FEMA pays us directly for that cost. The mayor hopes to have most of the work done in 2020 to keep the books from getting complicated with more than one fiscal year's worth of work. Line items have been cleaned up, so the Water and Sewer funds do not look as low. The mayor explained two of the projects were Emergency projects and we have already received some funding on them, the additional projects are not emergency and so the funding will come as reimbursement at the end of the project.

### **c) Street Parking**

Two Ordinances regarding street parking were brought to the Council for approval. Ordinance 2020-01 regulates parking on the West side of Kiowa Dr in Ozawkie, Kansas. No parking will be allowed on the West side and a fine will be given to those in violation. The main reason for this parking ordinance being presented is that the fire trucks cannot get down the street when cars are parked on both sides of the street.

Motion was made by Kevin Klenklen to approve ordinance 2020-01. Seconded by Chris Feuerborn. The motion carried unanimously.

Kevin asked that no street signs be placed within 45 feet on either side of the fire station as they are likely to get clipped by the fire trucks.

Ordinance 2020-02 regulates parking on the East Side of Sioux Dr from Central Avenue to Sunflower Boulevard in Ozawkie, Kansas. No parking will be allowed on the East side of Sioux Dr from Central Avenue to Sunflower Boulevard and a fine will be given to those in violation. The main reason for this parking ordinance being presented is that fire trucks cannot get down the street when cars are parked on both sides of the street. In addition, all the mailboxes are on the East side.

Resident Sharon Branson commented that she also had concerns of regular vehicles getting through the street with boats, RV's, etc.

Motion was made by Gary Branson to approve ordinance 2020-02. Seconded by Nancy Leek. The motion carried unanimously.

The 3<sup>rd</sup> area of parking being discussed is the parking on main street. During peak business hours patrons of Lago Vista run out of parking spaces in front of the restaurant and must park on the opposing side. The Mayor feels that the restaurant needs this extra parking, but Nancy Leek opposed this feeling that the extra cars pose a problem for those driving through the street. Kevin Klenklen mentioned that the fire trucks can get through fine. Gary Branson proposed using the cities land next to the gun shop on main street as overflow parking for Lago Vista. The mayor stated he will follow up on this suggestion at next month's meeting.

## **NEW BUSINESS**

### **a) Approve Contract Awarding to Low Bid on Water Line Project**

There were 2 contracts to bid on for the waterline project to RWD#3 there were 5 bids in total that varied heavily with the low bid for the total coming in at 197,000 from Earhart's Excavating out of Hoyt. This company was one of two that both the city engineer and RWD#3 engineer had agreed was a good company for the job and were pleasant to work with. The Mayor had received a letter from both engineers recommending we adopt the low bid and Mayor is in agreement with them. RWD#3 has already approved the awarding of both contracts to the low bid from Earhart and as such both engineers recommend the city approve the awarding of both contracts to Earhart's Excavating as well.

Motion was made by Kevin Klenklen to approve the awarding of both contracts to Earhart's Excavating. Seconded by Nancy Leek. The motion carried unanimously.

### **b) Approve 2021 Budget Publication**

The Mill Levy remained the same for the same for the 2021 year at 19.97. The taxes for the city are coming in at the normal rate with little loss due to late payments and loss of sales tax. The second bond was placed in the new budget. The budget hearing will be held at 6:50pm before the August meeting, the public will have an opportunity to comment on the budget during this hearing. The publication page will be published this week. The mayor reminded the council that any carryover cash from any fund is budgeted so that the city can spend it if it is needed though we try to not spend more than the previous year.

Motion was made by Gary Branson to approve the budget publication. Seconded by Kevin Klenklen. The motion carried unanimously.

### **c) Approve Repairs for Water Line Damage**

There has been a water line break at 416 Delaware Dr, one section of the driveway was damaged because of it. The resident reached out to the city regarding the damage and has expressed his desire to have both the damaged piece and the connecting piece fixed so that neither piece is weakened. Kevin Klenklen commented that there was a similar problem a few houses down from the resident and only the damaged piece was fixed with no problems occurring to any of the connecting pieces and would like to approach this problem the same way. Nancy Leak also is in favor of only fixing the damaged piece. The mayor informed the council that the resident has offered to take care of the yard work involved in the process and suggests that Frank Courter remove the build up from the hole in the driveway and the city will contract out replacing the damaged piece of driveway.

Motion was made by Gary Branson to repair the one damaged section of the driveway. Seconded by Kevin Klenklen. Chris Feuerborn voted NO and the motion carried 3-1.

#### **d) Purchasing New Snowplow Equipment**

Frank Courter informed the council that the shop needed new snowplow equipment for the coming winter. They had a price estimate from The Tarwater Company in Topeka of the Snowplow equipment at 1800 dollars and a price of 800-900 for installation. The mayor recommended the purchase.

Motion was made by Kevin Klenklen to purchase the new snowplow equipment and place it on the City's new dump truck. Seconded by Nancy Leek. The motion carried unanimously.

#### **e) Disposal of Old Equipment**

The shop has a non-functioning welder and air compressor that the city would like to sell. There was talk of using purple-wave but Kevin mention that when using purple wave the buyer has up to 90 days to pick up the items and as a result we could end up having the equipment take up space longer than needed. Kevin Klenklen then recommended we take sealed bids on the items until the next council meeting at which time we will sell the equipment to the highest bidder.

Motion was made by Kevin Klenklen to take Sealed Bids on the items until the next council meeting August 10<sup>th</sup>. Seconded by Gary. The motion carried unanimously.

## **REPORTS**

#### **a) Mayors Report**

The mayor informed us that there was a SPARK (Strengthening People and Revitalizing Kansas) meeting currently being held in Oskaloosa and that Barb Thomas was in attendance to represent the city of Ozawkie. He has also discussed this program with Keith Jeffers the Emergency Manager for Jefferson County. We hope the outcome of the meeting will result

in the town receiving some funds to help recover losses that happened during the initial COVID outbreak.

The Mayor also requests a motion be made to approve his attendance of the League of Municipality conference at the end of July so long as it is not moved online.

Motion was made by Kevin Klenklen to allow the Mayor to attend the KLM conference. Seconded by Nancy Leek. The motion carried unanimously.

## **b) Planning & Zoning**

Sandy Goetz explained 2 building permits. Zachery Holcomb applied for a building permit for a gravel driveway in 2018 and it was approved but never built, he is now needing to build it. Sandy recommended waving any additional fee's as he already paid them in the original permit.

Motion was made by Gary Branson to not charge any additional fees. Seconded by Nancy Leek. The motion carried unanimously.

The second permit was for a fence at 413 Sioux Dr. It is a combination of Privacy Fence and chain-link and meets all building requirements. Sandy Goetz moved for approval.

Motion was made by Chris Feuerborn to approve the fence. Seconded by Nancy Leek. The Motion carried unanimously.

Sandy also discussed the plans for the city owned lots adjacent to Main St. The Planning and Zoning committee recommends evenly dividing lots 1 and 2 into lots 1 2 and 3 with lots 1 and 2 zoned as park and lot 3 zoned as residential with heavy restrictions. She also informed the council it is easier to sell as residential property if they decided to sell it. Gary Branson commented that he would prefer there not be restrictions on lot 3. After discussion, the Mayor suggested that the council move to approve the replotting of lots 1 & 2 as Park and lot 3 as residential without restrictions at this time. Restrictions can be added at any time.

Motion was made by Gary Branson to approve the replotting of lots 1 & 2 as Park and lot 3 as residential without restrictions at this time. Seconded by Nancy Leek. Kevin Klenklen abstained from the vote and the motion carried unanimously.

## **c) Governmental Affairs**

Chris Feuerborn Informed the council that Shawnee County put a mandatory mask mandate in places where social distancing is not an option. He also reminded the council that at this time Jefferson County has opted out of the mandate and Masks are not currently required.

## **d) Law Enforcement**

Police Chief Timothy Bacon read the Law Enforcement Report. The report included: 1 grass violation, 1 animal violation a resident has ducks and Tim is following up on it, 1 traffic stop

a warning was issued, 3 firework complaints, 2 alarm calls, 2 unattended deaths no suspicion was involved, and 10 building checks. Timothy Bacon announced that he was promoted to Sergeant with the Jefferson County Police Department and will be going back to working nights, but he will try to attend council meetings.

### **e) Parks**

Gary Branson showed the council a slideshow of the various improvement projects to the parks including the new disk golf course and the flowers Sharon Branson had planted outside of City Hall. He then discussed the Johnson grass needing to be mowed on the core ground as it was starting to take over. Gary received a donation from the Estate of Terry Marsh of 71 landscape timbers at a value of \$300. Gary suggested using them as signposts on the new disk golf course. Lastly Gary brought up the price of the gravel for the parks all came out of the PRIDE Grant, but it needed to be split between the PRIDE Grant and the City General Fund.

### **f) Streets**

Stripping of the streets was done and came in \$600 under the estimate. Kevin met with Vance Brothers and they are putting together a solution for the spots on Sioux, Kansa, and Sunflower that need repair. After repairs patching will need to be done. The mayor suggested using Hamm again.

Frank Courter asked the council for permission to wear shorts when working outside in the summer. The council agreed that it was fine if he still wore proper footwear.

The Mayor asked for a 10-minute Executive. Motion was made by Kevin Klenklen and was seconded by Gary Branson. Council left at 8:27pm

The meeting came back to order at 8:37 pm.

Motion was made by Kevin Klenklen to approve the use of a consultant to manage FEMA projects at \$50 an hour up to 100 hours. Seconded by Gary Branson, Chris Feuerborn Voted No and the motion carried 3-1.

Barb Thomas returned from the SPARK meeting. She explained the time to use any funds from SPARK was short the city would have to have a plan by the end of July. Ozawkie was estimated to receive \$60,000 for COVID related expenses. The council will have to approve the plan before presenting it to the county and before the county can present it to the state. The suggested uses were for business that lost revenue, city hall, fire and police.

Motion was made by Kevin to proceed with the SPARK Grant and hold a special meeting if needed. Seconded by Chris Feuerborn the motion carried unanimously.

Gary Branson moved to adjourn the meeting. Kevin Klenklen seconded.

Meeting adjourned at 8:45pm.