

**MINUTES OF MEETING OF THE CITY COUNCIL  
CITY OF OZAWKIE, KANSAS  
FEBRUARY 8, 2021**

A meeting of the City Council of the City of Ozawkie, Kansas was held on February 8, 2021 at the City Hall of Ozawkie, Kansas. The following Council Members were present:

**CHRIS FEUERBORN  
NANCY LEEK  
GARY BRANSON  
KEVIN KLENKLEN  
MARGIE PAYNE  
LOREN LUTES, Mayor**

being all the Members of the Council and the Mayor.

Also present were the following persons:

**SANDI GOETZ, Zoning Administrator  
LEE W. HENDRICKS, City Attorney  
TIM BACON, Chief of Police**

The meeting was called to order at 7:04 p.m.

Consent Agenda – Mayor Lutes put forth parts (a) – (d) of the Consent Agenda. The Treasurer did not appear due to COVID precautions and the weather. The Mayor stated that the Treasurer had passed along the financials, that they looked good, the budget was published and the January books balanced.

Motion was made by Councilmember Klenklen to approve the Consent Agenda. Seconded by Councilmember Payne. The motion carried unanimously.

There were no citizen comments, questions or concerns.

Councilmember Branson did make one comment under Councilmember comments. He stated he is no longer the President of Ozawkie Pride, he is now the Vice-President. They are planning the annual city-wide garage sale and he stated that if the City wants to have a voice in the planning of that event it should discuss the City's potential involvement at the March council meeting. The Mayor stated he would place it on the March agenda.

## Old Business

Consider Water Control Building Contract – The Mayor stated that he received bids for a new pump house. The low bidder was Senne and Co. from Topeka with a bid of \$165,950.00. They also provided an alternative bid which included a generator on site. That bid was \$197,950.00. The bids were opened on February 3<sup>rd</sup>. The other bid from D.F. Osborne Construction Inc was \$205,800.00 with an alternate bid including a generator of \$239,400.00.

Discussion was had regarding the fact that the City already possesses a portable generator. Councilmember Leek asked of the Mayor how this project would be financed. The Mayor stated that the City had approximately \$260,000.00 in combined funds between the City Water Fund, the Water Reserve Fund and a \$30,000.00 transfer from the General Fund. He further stated that the City needed to set aside \$60,000.00 to pay the City's share of the waterline extension with the Water District. There was a general discussion on alternative types of buildings. There was a general discussion on the increasing cost of raw materials. The Mayor then stated that should the Council decide to accept this bid, the engineer requested two separate motions: The first motion would be to accept the bid. The second motion would be a notice to proceed allowing the contractor to lock in material prices. Councilmember Payne made a motion to accept the Senne and Co. bid of \$165,950.00 without the generator. Councilmember Klenklen seconded the motion. The motion passed unanimously. Councilmember Klenklen made a motion to give notice of the City's intention to proceed with the project immediately. Councilmember Payne seconded the motion. The motion passed unanimously.

Water Line Project – The Mayor stated that the Project is complete. The City tested the new line and filled the water tower 10% full which was successful. The City has a great deal of control on the flow of water with a five-valve system which was installed as a result of this Project. Within a week of completion the City had issues with its pumps and turned on the new connection to provide water to the citizens. The Mayor then described a series of issues with the City's pumps. Plastic parts within the pumps were replaced with similar metal parts and it was determined that a seal was having an issue. There were repeated issues with the workmanship of Lane, the provider of that work. Douglas Pump and Service was present at the time and was able to repair all three pumps.

The Mayor called Lane and discussed his displeasure regarding the workmanship. To date the City has yet to receive a bill from Lane.

As to the Water Line Project, so far \$373,000.00 has been paid on the Project. That is \$160,000.00 above what the City has received from FEMA. The City anticipates receipt of approximately \$105,000.00 additionally from FEMA.

Update on FEMA Projects – The City received an additional \$6,000.00 in SPARK grant funds.

The City anticipates receipt of approximately \$17,000.00 in the next month or two for the temporary shelter.

The City is waiting for CES to provide updated drainage plans and the City is waiting on the record of volunteer hours for general debris removal.

Ozawkie South Project Update - The project south of the highway has decided not to proceed. While the project is feasible, the owner of the property determined that it is not practical. The item will be removed from the agenda.

### New Business

Lift Station Pump Repair or Replacement – The City Council discussed repair or replacement of the pump in Lift Station No. 1. One of the pumps is currently down and the City is currently operating on a backup. The City was given a proposal from Douglas Pump Service which provided three options regarding the pump: The first option was to repair the pump for \$7,360.25, plus freight. The second option was to purchase a grinder pump for \$17,941.25, plus freight. A third option was to replace the model the City currently has with a new version of the exact same model for \$16,400.00, plus freight. Neither of the new pump estimates included installation. The Mayor stated that Douglas recommended the grinder pump model. Discussion was had by the Council regarding the three options. Councilmember Klenklen moved to purchase the grinder pump for \$17,941.25, plus freight and install. Councilmember Feuerborn seconded. The motion passed unanimously.

There was then a general discussion led by Councilmember Klenklen regarding future discussions on sewer upgrades. Councilmember Klenklen stated that the City Council has repeatedly discussed and dealt with issues involving the City sewer system and he felt it was important that the City deal with and plan for issues before they arise. The Mayor stated that he would contact the City Engineer regarding such future planning.

Consider Water Meter Ordinance – The Mayor discussed that the Council had asked to revisit the current rate for the installation of a City water meter. City Attorney Lee Hendricks provided examples of such rates in other Jefferson County cities and rural water districts. Hendricks discussed that it is not a fair comparison when comparing city rates to rural water district rates since in the rural water district context you actually are purchasing a water right which runs with the property. In the case of City of Ozawkie, the homeowner is not purchasing the meter, they are installing a City meter. Hendricks then discussed that a higher rate would be justifiable due to the cost of installing the meter and to protect the meter in the event it was stolen or damaged. The Mayor echoed that while the citizens of Ozawkie are not purchasing a water right, they are purchasing the right to access the City's water system.

A motion was made by Councilmember Branson to authorize the Mayor to sign an ordinance increasing the fee for the installation of a new water meter to \$2,000.00, plus any costs incurred by the City which exceed that amount. Councilmember Leek seconded the motion. The motion passed unanimously.

Water Pumps Repair – The Mayor stated that he has not received a bill yet.

Pickup Repair – The Mayor stated that the City’s 2007 Ford pickup was having transmission issues. The pickup cannot travel in reverse. The Mayor received three bids for repair of the truck: A bid from Town and Country in the amount of \$3,636.39; a bid from Ford in the amount of \$4,865.91; and, a bid from Mammoth in the amount of \$4,921.52. There was a discussion amongst the Council about contacting a fourth party to look at the transmission, Chadwell in Meriden. After a general discussion, Councilmember Branson made a motion to have Chadwell look at the Ford and provide a bid to the City and further moved to empower the Mayor to chose the best bid following receipt of Chadwell’s estimate and have the truck repaired. Councilmember Klenklen seconded the motion. The motion passed unanimously.

Accounting Software Report – Councilmember Klenklen moved to table the item to March. Councilmember Payne seconded. The motion passed 5-0.

## Reports

Mayor’s Report – The Mayor had no report.

Building and Zoning – Sandy Goetz stated that the Planning and Zoning Board met last month. No new business was discussed. She then discussed a new portable garage that was brought in to a residence located on the 800 block of Kanza without a building permit. She spoke with both Tim and Mazi about the addition and they both confirmed that there was no request made upon the City to allow the garage. City Attorney Hendricks discussed with Ms. Goetz and the Council the importance of contacting this owner and informing them that they are in violation of the City Code. A discussion was had that Chief Bacon would first speak with the owners and then update the City on the result of that conversation.

Government Affairs – There was no report.

Law Enforcement – Councilmember Leek deferred to Chief Bacon. Chief Bacon discussed three items:

- 1) Chief Bacon discussed an issue with a gentleman who was soliciting within town. Chief Bacon stated that should the individual continue he will be issuing him a citation.
- 2) A dog complaint was filed in January. Chief Bacon spoke with the owner and believes the issue is resolved.

- 3) Chief Bacon discussed with the Council the possibility of installing cameras at the two entries to town. A discussion was had regarding options for those cameras and the Council gave its general approval for Chief Bacon to obtain more information and bids for such cameras.

Councilmember Feuerborn left the meeting at 8:10 p.m.

Parks – No report.

Streets – No report.

Utilities – No report.

Executive Session - A motion was made by Councilmember Klenklen to enter into executive session for the purposes of attorney/client privilege to discuss non-elected personnel, to include the City Attorney, for fifteen minutes. The motion was seconded by Councilmember Branson. The motion passed unanimously.

The Council reentered the meeting and a motion was made by Councilmember Payne to adjourn the meeting. Councilmember Klenklen seconded the motion. The motion passed unanimously.

The meeting was adjourned at 8:30 p.m.