

**MINUTES OF MEETING OF THE CITY COUNCIL
CITY OF OZAWKIE, KANSAS
APRIL 12, 2021**

A meeting of the City Council of the City of Ozawkie, Kansas was held on April 12, 2021 at the City Hall of Ozawkie, Kansas. The following Council Members were present:

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

Councilmember Nancy Leek was not present.

Also present were the following persons:

**SAMMY MOWDER, City Superintendent
JAMIE KLENKLEN, Treasurer
SANDI GOETZ, Zoning Administrator
LEE W. HENDRICKS, City Attorney
TIM BACON, Chief of Police
CHRISTY CREWS, Consultant**

The meeting was called to order at 7:02 p.m.

Consent Agenda – Mayor Lutes briefly discussed the Treasurer’s report. Expenditures are running approximately 25% below expected for the year. Cash balances are in good shape, especially when you figure in funds coming in from FEMA.

Motion was made by Councilmember Feuerborn to approve the consent agenda. Seconded by Councilmember Payne. The motion carried unanimously.

Citizen Comments

Sharon Branson expressed to the Council that she hoped everyone received their forms for the garage sale. She wanted to make sure that the City passed them around to citizens.

Council Comments

Councilmember Feuerborn said the Easter egg hunt was a huge success and expressed his thanks to all those involved. The Mayor echoed those comments and again expressed his thanks to all individuals involved.

Old Business

Purchase Accounting Software – Consultant Christy Crews stated that she was still in favor of going with Accufund software. She provided a recommended software purchase documents before the Council, which is attached to these Minutes. She stated the City could use its old computer as a server. She stated that the software will make accounting and billing much easier for the City. Another additional benefit is that it is more efficiently arranged, allowing the user to find items more easily. The upfront costs for the system would be \$17,800.00 with annual costs of \$3,100.00. Councilmember Payne made a motion to purchase the Accufund software and to empower the Mayor to sign any necessary agreements on behalf of the City. Councilmember Klenklen seconded the motion. The motion carried unanimously.

Purchase of Lawn Mower – The Mayor and City staff have looked into options for a mower for the City. The following bids were gathered: J.D. Heritage Tractor in the amount of \$12,750.00; Heinen Repair in the amount of \$11,999.00; and, Tarwater in the amount of \$13,900.00. Both the Mayor and Councilmember Klenklen recommended the Ferris Mower from Heinen Repair. Councilmember Klenklen moved to purchase the Ferris Mower from Heinen Repair in the amount of \$11,999.00. Councilmember Payne seconded. There was then discussion by the Council. Councilmember Branson stated that he would think a tractor with a twelve-to-fourteen-foot mower would be helpful, then using the one the City is discussing to trim around trees and the like. The Mayor responded that the City was concerned with a tractor pulled mower being difficult to use given the topography. There was a discussion by the Council on the relative costs of these two approaches. There was then a discussion on the history of recent zero-turn mowers purchased by the City. The question was called by the Mayor and the motion passed unanimously.

Given the attendance of the applicant in the room, the Mayor skipped ahead in the agenda to Building and Zoning under “Reports” on the agenda.

Reports – Building and Zoning

Donna Huffman Reinmuth was present to discuss an application she had filed with the City for a Morton building-type garage on her property at 122 Vista View. Mrs. Huffman Reinmuth stated that she wanted to house boat(s), cars and her RV in this new building. She discussed the location of the proposed building on Lot E-60. She discussed her approach to deal with water runoff and possible utilities to the property. There was further discussion by the Council regarding water runoff from the property. The Mayor asked if this construction would add to the water buildup issue on Lakeview Court. Mrs. Huffman Reinmuth stated it would not, it would actually direct the water another direction. Mrs. Huffman Reinmuth stated that any water coming off of the property should continue to head toward Delaware Street.

Mrs. Huffman Reinmuth stated she will need water and sewer connection to the building. She stated she wants to purchase another water meter, but would like the City to bill the residence for both of its meters on one bill (the home and Morton-type building on one

bill). City Superintendent Sammy Mowder asked if the City would have access to sewer lines given the proposed construction of a fence on the property. Mrs. Huffman Reinmuth stated the fence would not go all the way around the new building and the City would have access to the sewer line and the ability to bring equipment to that location if necessary to access its sewer line. Councilmember Klenklen asked if this was a pre-engineered building. Mrs. Huffman Reinmuth stated that it is a Morton-like building that is barn shaped to specifically allow for RV parking within the structure. She did not have the name of the company or model with her at the time. She stated that she and her husband would act as general contractors. They suspect they will keep their gate on the property and continue to use it.

Sandy Goetz, Zoning Administrator, stated that the Planning Commission recommended approval of the building permit to the City Council. There was then a discussion on the location of two sewer lines on the property.

A motion was made by Councilmember Klenklen to approve the building permit. Councilmember Payne seconded the motion. The motion passed 4-0.

Zoning Administrator Goetz then discussed different types of site plans that the Planning Commission receives generally with the Council.

Ms. Goetz introduced a site plan from Paige Lee at 304 Sioux Drive for a gravel driveway off of Sioux Drive. The Planning Commission had recommended approval as presented. A motion was made by Councilmember Payne to approve the site plan. Councilmember Feuerborn seconded the motion. The motion passed unanimously.

Ms. Goetz introduced a second application, this time a request for a chain link fence at 504 Sioux Drive. The Planning Commission recommended approval as presented. Councilmember Branson moved to approve the request. Councilmember Feuerborn seconded the motion. The motion passed unanimously.

The Mayor then returned the Council to the regular agenda.

Continued Old Business

Sewer System Study – A discussion was had by the Council regarding CES removing limitation of liability language from its agreement with the City. City Attorney Lee Hendricks discussed the language generally. Councilmember Klenklen requested details of the study, specifically asking if smoke testing would be used. The Mayor informed Councilmember Klenklen that this was a study only at this point. He then discussed his concerns that this study needed to be done quickly. A motion was made by Councilmember Klenklen to approve the agreement allowing the study. Councilmember Payne seconded the motion. The motion passed 3-1, with Councilmember Feuerborn voting against. There was then a short discussion by the Council that CES needs to be reminded to update the Council monthly on the status of these projects in order to ensure that the projects continue to progress.

City Cleanup – A discussion was had about bringing in three dumpsters, one on the day of the City garage sale and two on the cleanup weekend following the garage sale. A motion was made by Councilmember Branson to approve this approach. Councilmember Klenklen seconded. The motion passed unanimously.

FEMA Update – Consultant Christy Crews informed the Council that the total on the FEMA project was looking to be between \$140,000.00 and \$150,000.00, or less than initially estimated. She informed the Council that the City is waiting for the final invoice from Rural Water District No. 3, and a few additional items which needed to be completed, including a top coat of gravel, top soil, grass and flowers in the fields.

New Business

Pride Activities – Dana Gettel was present on behalf of Ozawkie Pride. She stated to the Council that the Pride would like to use the park more and would like to have bands a few times in the summer. She was also considering the allowance of liquor licensing for those events. A discussion was had regarding the need for a resolution from Council. The Council discussed that it would be willing to pay for a handicap accessible porta-potty to be rented at the City's expense from April to October 1st. Councilmember Branson moved to approve that rental. Councilmember Klenklen seconded. The motion passed unanimously. The Council then discussed further the possibility of bands and alcohol in the park. It was agreed that the Pride should discuss these specifics and then come back to the Council with requests.

Water Pump – Considered purchase of water pump meters. The Mayor stated that he felt it would benefit the City to have water pump meters for the three wells and for the water building. DC&D Supply out of Pratt could provide all four meters at \$8,760.00. Additionally, the cost for three of those meters and the associated labor would be submitted to FEMA. Motion was made by Councilmember Payne to approve these purchases. Councilmember Klenklen seconded. The motion was approved unanimously.

Auditor Company Change – The Mayor informed the Council that Russell Shipley has performed the audit for the City in the past as an employee of James Gordon & Associates. Mr. Shipley has left his employment at James Gordon & Associates and has asked the City if he could continue providing auditing services to the City as an independent party under the name Shipley CPA, LLC. James Gordon & Associates have approved this as they split under amicable terms. Motion was made by Councilmember Branson to allow Shipley CPA, LLC to provide the City's audit. Councilmember Feuerborn seconded the motion. The motion passed unanimously.

Grinder Pump Replacement – The Mayor informed the Council that the City has a grinder pump currently out at lift station No. 3. Sammy Mowder found a replacement at Alliance Pump and Mechanical Services for \$3,237.50, including install. A motion was made by Councilmember Feuerborn to approve this purchase. Councilmember Payne seconded. The motion passed unanimously.

Firework Stand – A request was made by Lisa Abromovitz to allow her to again operate a firework stand for \$450.00. Councilmember Klenklen made a motion to approve this request at that rate. Councilmember Feuerborn seconded. The motion passed unanimously.

Deputy City Clerk Appointment – The Mayor and Councilmember Klenklen reviewed four applications for this position and interviewed two candidates. The Mayor and Councilmember Klenklen recommended Ryan Mansfield of Ozawkie for the position. Motion was made by Councilmember Payne to approve the recommendation. Councilmember Klenklen seconded. The motion passed unanimously.

Consider Purchasing Riprap – The Mayor informed the Council that the staff had requested additional riprap for ditches. A discussion was had regarding rates. Councilmember Klenklen made a motion to empower the Mayor to approve the purchase of riprap at a rate to be determined by staff. Councilmember Branson seconded. The motion passed unanimously.

Reports

Mayor's Report – The Mayor provided a handout comparing mill levy rates in Jefferson County. That handout is attached to these minutes.

Government Affairs – No report at this time.

Law Enforcement – Chief Bacon stated that he is still watching an individual who was soliciting/walking around town and will continue to monitor the concern.

Parks – Councilmember Branson updated the Council that the slide continues to not be installed in the City Park. The Mayor stated that the Clerk has been speaking with the installer and is hoping it will be installed soon. The City initially received the wrong slide, although it ordered the correct one.

Streets – A discussion was had regarding Hamm's repairing Sioux Drive at Central. Pricing is being put together by Hamm's and the cost is likely in the range of \$2,000.00 to \$4,000.00. Hamm's will be working on K-4 Highway from 24 to 192 and the City would additionally like to get a few loads of millings from that project if available.

Utilities – No report.

Additional Comments from the Mayor

- The Mayor informed the Council that Frank and Sammy had worked hard to keep water controls up and running. The hope is that the work last long enough for the new building to be installed.

- The Mayor informed the Council that the City's water use had been roughly 75,000 gallons per day, but now is running at 110,000 to 125,000 gallons per day. The City is continuing to investigate that concern.
- A discussion was had on the pump house. The Mayor expressed his hope that construction would begin in May with a sixty-day timeline to complete the project.

Executive Session - A motion was then made by Councilmember Payne to enter into executive session for a period of ten minutes to include the City Attorney under the non-elected personnel exception. The motion was seconded by Councilmember Klenklen. The motion passed unanimously.

The City entered into executive session at 8:55 p.m.

The Council meeting was resumed at 9:05 p.m. Motion was made by Councilmember Feuerborn to adjourn the meeting. Councilmember Payne seconded the motion. The motion passed unanimously.

The meeting was adjourned at 9:05 p.m.