

MINUTES OF MEETING OF CITY COUNCIL

CITY OF OZAWKIE, KANSAS

September 12, 2022

A meeting of the City Council of Ozawkie, Kansas was held on September 12, 2022 at the City Hall of Ozawkie, Kansas. The following Council members were present:

Gary Branson
Laci Heller
Kevin Klenklen
Chris Feuerborn
Loren Lutes, Mayor

Also present were the following persons:

Mazi Barnes, City Clerk
Jamie Klenklen, Treasurer
Lee Hendricks, City Attorney
Residents: Sharon Branson, Susan Kramer, Mark & Linda Roberts, Pamela Barnum, Kim and Curt Holland, David Ayres, Francis and Donna Stockton, Jim Shaw, Monty Tyler.

The Public Hearing to Exceed the Revenue Neutral Rate was called to order at 6:50 P.M.

Mayor Lutes informed those present of the cities intention to exceed the Revenue Neutral Rate set forth by the county. We have an existing mill levy of 22.776 and have the intention of exceeding that to 25.5. This will be an increase of \$15,095.00. A motion to adopt Resolution 2022-3 to exceed the RNR was made by Kevin Klenklen and was seconded by Gary Branson. The motion passed unanimously. Roll call vote was recorded with all present council members voting yes.

With no additional comments from the public or council the hearing to exceed the Revenue Neutral Rate closed at 6:54 P.M.

The 2023 Budget Hearing opened at 6:54 P.M.

Resident Mark Roberts asks what main force drove the tax increase, the Mayor states that it was property tax increases. A motion to adopt the 2023 budget as it was published was made by Gary Branson and was seconded by Kevin Klenklen. The motion passed unanimously.

With no additional comments from the public or council the 2023 Budget Hearing closed at 7:00 P.M.

The Council Meeting was called to order at 7:00 P.M.

Mayor Lutes led those present in the flag salute.

Consent Agenda: Mayor Lutes put forth the Consent Agenda with one additional change in the agenda under new business, item C Asphalt repair. A motion to approve the agenda with the addition was made by Chris Feuerborn and was seconded by Gary Branson. The motion passed unanimously.

Treasurer Comment: No additional comments.

Regular Agenda:

Citizen Comments: Francis Stockton of 10697 Perryview Dr. has come to the council seeking help in reducing the speed limit of K-92 Hwy when coming through Ozawkie. He states that speeds are reduced when passing through all other towns located in Jefferson County and would like the current speed limit of 65 reduced for safety reasons. Mark Roberts of 107 Timberlane Dr. added that he has some experience in this matter and understands that the state controls the speed limit and recommends that the council request a study from the state be done to potentially improve the road safety. The council will discuss this matter further under new business.

Kim and Curt Holland of 717 Delaware and David Ayres of 709 Delaware presented paperwork regarding resident concerns over the property located at 127 Timberlane Dr. Various concerns were raised regarding the potential junking/scraping business being ran at this location. Concerns included fire code violations, health and welfare violations, environmental code violations, health and nuisance violations as well as unregistered vehicles and operating an unlicensed business in a residential zone. Mark Roberts of 107 Timberlane Dr. added that he believes there are some state statutes that apply to the problem as well. The council will discuss this further under new business.

Mark Roberts of 107 Timberlane Dr. also asked about the water systems. Do we have an operator taking care of them, are the chemicals in the parameters set forth by the state and why has the city had to go on a boil order instead of using the new emergency line? The Mayor informed him of our operator contract with Ehrhart Excavating to oversee the day to day operations of the water and sewer systems done by our city employee and that all tests have come back within the allowed parameters set forth by KDHE and finally that the boil order was due to a large leak that caused loss of water that caused the tower to be shut off and that turning on the emergency line would have only worsened this particular leak. There are still some things that the state requires a boil order for that the city cannot control regardless of the emergency line.

At Susan Kramer's request the Mayor sign in a document proclaiming the week of September 17th-23rd as Constitution week and asks that the citizens reaffirm the ideals and freedoms guaranteed through the original document.

Council Comments: Gary Branson asks that a motion be added to the agenda regarding current time clock and payroll operations for perrsonell. The mayor states that the motion set forth is an encroachment on his duty and character as Mayor and does not support the motion. This will be discussed further in executive session.

NEW BUSINESS

a) Approve Playground Expansion Expenses

A motion to approve up to \$4000 for expenses related to the installation of the donated playground equipment was made by Kevin Klenklen and was seconded by Chris Feuerborn. The motion passed unanimously.

b) Consider Lift Station Service

Douglas Pump has offered to service the lift stations for \$2500-\$3000 in addition to the cost of any problems found. A motion to approve this service was made by Gary Branson and was seconded by Laci Heller. The motion passed unanimously.

c) Asphalt Repair

Approved Paving LLC out of Atchison will be out later this week to do some damage repairs caused by water leaks. Kevin Klenklen and Laci Heller discussed a few other spots that are in need of repair and ask that these be fixed at that time as well. A motion to approve the needed repairs was made by Kevin Klenklen and was seconded by Laci Heller. The motion passed unanimously.

d) Speed Limit

In regard to the concerns over the speed limit of K-92 brought up earlier in the meeting Gary Branson proposes that a resolution be drafted to reduce the speed limit for a section of K-92 from the city limits of Ozawkie to the Ferguson Rd intersection. This resolution will then be brought to the council for approval at next month's meeting and if upon approval sent to the state in hopes of official approval and change.

e) 127 Timberlane

The Chief of police brought complaints of the property located at 127 Timberlane Dr. to city attorney Lee Hendricks on August 14th. Lee states that no violation is more difficult to address than junk/scrap violations as they are almost constantly changing day to day. Starting August 15th Lee Hendricks asked Police Chief Tim Bacon to record documentation of the property weekly in an attempt to build evidence for a case that there is an ongoing problem. The police chief and Attorney will continue to monitor the problems and build the case and ask that any documentation from now be sent to them or the city clerk.

REPORTS

a) Mayors Report

Nothing additional to report.

b) Planning & Zoning

Kim Holland has created a new spreadsheet and will be entering the history we have available in permits as well as all permits going forward. A motion to begin use of the spreadsheet was made by Gary Branson and was seconded by Kevin Klenklen. The motion passed unanimously.

c) Governmental Affairs

Nothing to report.

d) Law Enforcement

The Mayor reads the police report provided by Police Chief Tim Bacon that includes 3 code enforcements, 3 safety enforcements, 1 trespassing report, 1 arrest, 5 building checks, 3 alarm calls and 1 medical asst.

e) Parks

Gary Branson read the parks report. The new Wi-Fi station is installed and fully functional. Grass seeding and fertilization was completed around the restroom, shelter house and Wi-Fi station at a cost of \$277.44 to the city. Trails have been mowed and work on the playground expansion has officially begun as of this morning.

f) Streets

Nothing to report.

g) Utilities

Kevin Klenklen would like to see the parking lot for the park be extended to Kansa. He also would like to see discussion and work begin regarding the installation of a splash pad as it is a cost effective entertainment option for the residents. The city attorney recommends calling Mayetta as they have just recently installed one and could be helpful. A motion to approve up to \$1000 for expenses regarding to extension of the parking lot was made by Kevin Klenklen and was seconded by Laci Heller. The motion passed unanimously.

A Motion for a 20-minute Executive session to include council members and the city attorney to discuss non-elected personnel was made by Kevin Klenklen and was second by Chris Feuerborn. The motion passed unanimously.

Executive Session went into order at 8:33 P.M.

A motion for an additional 10 minutes to be added was made by Kevin Klenklen and was seconded by Chris Feuerborn. The motion passed unanimously.

The meeting was called back to order at 9:06 P.M.

No action was taken during the executive session.

A motion to adjourn was made by Chris Feuerborn and was seconded by Laci Heller. The motion passed unanimously.

The meeting adjourned at 9:29 P.M.

