

## **INFORMATION**

City Office – (785) 876-2550  
Located at 524 Kiowa

### **Office Hours**

Mon: 9am – 6pm  
Tuesday-Friday: 8am – 2pm

City Engineer – Kyle (785) 608-3547  
Ron (785) 640-8750

Next Meeting – November 13<sup>th</sup>, 2006

## **Regular Council Meeting October 9<sup>th</sup>, 2006**

### **I. CALL TO ORDER:**

Mayor Gibson called the meeting to order at 7:00 p.m. Members present: Mayor Scott Gibson. Commissioners Terry Marsh, Jason Klenklen, Marlin Youngquist and Elke Lassiter. Members absent: Commissioner Kirk Vernon.

Citizens in attendance were Sandi Goetz, Marilyn Blevins, Pete Deppe, Dee Deppe, Jim Shaw, Bob Schuenight, Jim Cox, Don Lassiter, Ed Lewis, Ken Bieker and Bob Holliday.

### **OPENING COMMENTS:**

In opening comments, citizen, Bob Holliday reported that he has seen items thrown in the burn pile that are illegal to burn, therefore he requests that a reminder be put in the next newsletter regarding this issue. Mr. Holliday explained that a burn permit cannot be issued to burn the pile, if there has been illegal dumping.

### **II. COUNCIL COMMENTS/QUESTIONS/CONCERNS**

Mayor Gibson informed the Council that he read an article in the September issue of Kansas Government Journal regarding grant options for recycling, and questioned as to whether the Council would be interested in trying to obtain a grant for recycling. Councilman Klenklen informed the Council that he will look into the grant.

Commissioner Marsh furnished the Council with an information sheet showing all of the homes and lots for sale in the City, as well as the locations of the lots. According to the sheet, there are 20 homes for sale in Ozawkie, and 7 lots for sale. Councilman Marsh informed the Council that he will begin reporting on this subject during his Governmental Affairs report.

Mayor Gibson reminded all citizens that anytime any digging is being done, that DigSafe does need to be contacted so that they may mark all the utilities on the property. It is a free service offered and it normally takes around 2 working days for all of the utilities to be marked. The phone number for DigSafe is 1-800-DIG-SAFE.

Mayor Gibson informed all in attendance that the final working session for the codified ordinance recommendations will be held at the Township Hall on October 16 at 6:30pm. This is an open meeting. Mayor Gibson also thanked the Codified Ordinance Review Committee Member for all of their hard work during the review process.

### **III. APPROVAL OF AGENDA:**

Councilman Marsh requested that item #7 be moved to item #8 and that a new item #7 – Initial Discussion of City Property on Main Street be added. Motion by Marsh to approve the agenda, second by Youngquist. The motion passed 4-0.

### **IV. APPROVAL OF CONSENT ITEMS**

#### **a) MINUTES OF THE SEPTEMBER 11<sup>TH</sup>, 2006 MEETING**

Clerk Zimmerman read aloud a complaint received regarding the minutes of the September 11<sup>th</sup>, 2006 Council Meeting:

“...the submission is in reference to be built at 111 Timberlane Dr., lots 22 and 23. The lot reference is incorrect; I own lot 23...”

Clerk Zimmerman reported that the lot reference was a typographical error, the reference should have been to lots 21 and 22. The error will be corrected in the official minutes. Motion by Youngquist to approve the Minutes of the September 11<sup>th</sup> meeting, second by Klenklen. The motion passed 4-0.

#### **b) SEPTEMBER TREASURER’S REPORT**

Treasurer Bieker furnished the Mayor and Council with a monthly financial report for September. The report reflected credits/debits of \$15,449.76/\$7,850.48 for General, \$8,144.02/\$3,915.79 for Water, \$2,699.72/\$1,287.66 for Sewer, \$0/\$124.50 for Special Highway, \$150.00/\$21.98 for Parks, and \$3,313.70/\$4,195.20 for Trash. The total receipts/expenditures for September were \$29,757.20/\$17,395.61.

Motion by Marsh to approve the September Treasurer’s Report, second by Lassiter. The motion passed 4-0.

#### **c) SEPTEMBER WARRANT REGISTER**

The September Warrant Register reflected an expenditure amount of \$7,870.24 for General, \$4,308.21 for Water, \$4,097.00 for Sewer and \$54.71 for Park. Total expenditures for September were \$16,330.16.

Clerk Zimmerman reported that she has contacted Embarq regarding the City’s landline service, as per requested at the August Council Meeting. Embarq did confirm that the three landlines are still in service. Clerk Zimmerman also updated the City’s long distance plan, which was on a per-minute basis at 22¢ per minute, to unlimited long distance for approximately \$60.00 a month. Clerk Zimmerman also informed the Council that a \$75.00 check to LKM for Kyle to attend a water training course was reflected on the August Warrant Register, but it will be refunded because the water training course was cancelled.

Motion by Marsh to approve the Warrant Register, second by Klenklen. The motion passed 4-0.

### **V. REPORTS:**

#### ***Planning & Zoning:***

Committee Chairperson, Sandi Goetz informed the Council that the next Planning & Zoning meeting will be held on November 6<sup>th</sup>, 2006 at 7:00pm at the Ozawkie Township Hall.

***Streets:***

Councilmember Youngquist reported that A&W Asphalt has completed the Delaware paving project, except for a small curb portion, to be completed by the City.

***Utilities:***

Utility Commissioner Klenklen reported that there has been an ongoing water drainage problem on the property at 118 Goldenrod. After much review, Councilman Klenklen and Planning and Zoning Chairperson, Sandi Goetz, have come up with a few ideas that might help with the water drainage problem:

- 1) The garden at the back of the property at 118 Goldenrod needs to be relocated, to allow for more natural drainage.
- 2) The fence line adjoining the property needs to be re-graded
- 3) The three properties involved should work together to make the water drain east

Councilman Klenklen invited all the parties involved to have a sit-down meeting to get a game plan together.

Councilman Klenklen informed the Council that he is still working on getting a meeting together with the NRCS, but they are currently working on their budget, therefore they will contact Councilman Klenklen as soon as they have some time to meet.

Councilman Klenklen reported that Certified Operator Truhe has just updated the rough draft for the Sewer Strategic Plan. Also, the Water Strategic Plan has been updated and in the near future, the two will be discussing preventative maintenance and a few other topics. Councilman Klenklen encouraged all councilmembers to formulate a Strategic Plan for each department, so that by December, the City can come up with one City Strategic Plan, involving each department.

Councilman Klenklen reported that there was an oil spill at 512 Delaware, to prevent an accident like this in the future, it is recommended that all citizens dispose of any chemicals the proper way. For information on what S.M. Ball Waste Disposal will pick up, and how and where to dispose of chemicals, please visit [http://www.ozawkie.org/Water\\_and\\_Waste\\_Dept.htm](http://www.ozawkie.org/Water_and_Waste_Dept.htm) and click on TRASH INFORMATION. Or call the City Office at 876-2550.

Councilman Klenklen thanked Clerk Zimmerman for reporting on the lagoon inspection at the September Council Meeting and reported that Certified Operator Truhe has just gotten the seed laid down around the lagoons.

Councilman Klenklen requested that the City purchase a digital camera and mentioned several reasons:

- 1) If the City receives a complaint, a representative of the City can take pictures of any physical evidence
- 2) The maintenance department can use it to take pictures before and after any excavation work, for liability reasons
- 3) Various pictures of the City may be taken and added to the City's website, including pictures of the Mayor and Councilmember's, as well as each individual employee

Motion by Marsh to approve Clerk Zimmerman purchase a digital camera, not to exceed \$400.00, and the funds to come from the general account, second by Youngquist. The motion passed 4-0.

***Parks:***

Park Commissioner Lassiter reported that the 501(c)(3) has been filed and the committee can begin working on getting donations for the park.

Mayor Gibson informed the Council that two citizens have approached him asking if they could have the old swing set from the park, since the Council agreed to have it removed. Mayor Gibson felt that the only fair to sell the equipment is to put it up for a sealed bid. The Council agreed to have Clerk Zimmerman put a notice in the Valley Falls Vindicator. Sealed bids will be open at the November 13<sup>th</sup> Council Meeting, so all bids must be turned in before 7:00 pm that night. The City reserves the right to refuse any bid.

Councilwoman Lassiter requested that one bench in the City park be turned around. She also requested that all the property pins in the park be located, as well as the utilities marked, so that the Park Committee can begin to plan where they would like trees to be planted. Mayor Gibson will fill out a "Request for Service" for the maintenance department to take care of these matters.

***Law Enforcement:***

Nothing to Report.

***Governmental Affairs:***

Governmental Affairs Commissioner Marsh reported that he has contacted several area schools requesting a time that he can go speak to the art classes regarding the City Seal Project. He has decided that he will ask every art student to participate, but will ask each school to submit their top 3 choices to the City Council for judging. After much discussion, it was decided that there will be prizes for 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> places out of all seals submitted. First place being a \$100 E. Series Bond to be given to the student's school, to be designated for the art department, as well as a commemorative plaque with the student's name and an engraved picture of the winning seal. The second place prize will be a \$50 E. Series bond for the student's school, to be designated for the art department. And the third place prize will be a \$25 E. Series Bond for the student's school, to be designated for the art department. The possibility of handing out certificates to all who participate was discussed. The Council unanimously agreed to have Councilman Marsh proceed forward with this project.

The next Meriden/Ozawkie Area Chamber of Commerce meeting will be held at the Branded B Ranch on October 19<sup>th</sup> at noon.

Councilman Marsh informed the Council that he will begin looking into grants for the City. Citizen, Bob Holliday, informed the Council that the Ozawkie Fire Department is utilizing the services of Brenda Schmidt, a local grant writer, and that she offers a sit-down consultation for \$25.00. Councilman Marsh expressed his interest and informed the Council that he will look into the sit-down consultation.

***Tree Board:***

Councilwoman Lassiter reported that she needs more volunteers to sit on the Ozawkie Tree Board. Anyone who is interested is asked to contact Elke Lassiter at 876-2513.

***City Maintenance:***

Councilman Klenklen reported that the road boring on Meadowlark has been completed and that the work on the water fountain is almost complete.

A continued discussion took place from the September Council Meeting regarding the recent high water bills. Councilman Klenklen reported that a "Water Audit" was completed on several of the houses, and all of the issues have been resolved except for the high water usage from the United Methodist Church. The possibility of replacing the meter was considered. The Council agreed to hold the bill, and continue to monitor the meter. Discussion tabled until next month.

***Animal Control Officer:***

Animal Control Officer, Kyle Truhe, furnished the Council with a report for September. The report reflected , 1 stray cat and 3 opossums picked up.

The Mayor and Council commended Kyle for his hard work and thanked him for supplying the monthly reports.

***City Clerk:***

Clerk Zimmerman reported that the City Office will be closed November 6-10 because she will be attending her third year of the Municipal Clerk's Institute.

Clerk Zimmerman also reported that she has been working very hard on the website, and thanked the Council for allowing her to purchase the digital camera, which will help to enhance the website. Clerk Zimmerman requested that each member of the Council, as well as the Mayor, furnish information for the website, including a brief history of themselves, future plans for their department, current plans for their department, etc. So far, there is a web page for Marlin Youngquist and Jason Klenklen.

The Mayor and Councilmembers thanked Clerk Zimmerman for her hard work on updating the website.

## **NEW BUSINESS**

### **VI. City Attorney Discussion**

Clerk Zimmerman reported on the four recommended candidates for City Attorney:

- **Rick Johnson**, Valley Falls – Is interested, but has a very full plate at the moment. He will help if need be, though.
- **John Kerth**, Atchison – Is interested, will attend meetings if asked to, no retainer fee requested, \$100/hour charge for any legal work
- **Mike & Janice Hayes**, Oskaloosa – Seemed interested, but never returned my call.
- **Dennis Hawver**, Ozawkie – Is interested, will attend meetings if asked to, no retainer fee requested, \$150/hour charge for any legal work, has been Attorney for other cities in the past.

After much discussion, motion to ask John Kerth to assume the position as City Attorney, for a time not to exceed 6 months, under the terms that either party can terminate the agreement with a 30 day written notice, second by Klenklen. The motion passed 4-0.

### **VII. Initial Discussion – City Property on Main Street**

Councilman Marsh requested that the Councilmember's begin coming up with ideas of what the City should do with the property on Main street. He would like the Council to discuss the ideas within 90 days, so that a survey of the property can be done at the beginning of next year.

### **VIII. Executive Session – Employee Review**

Motion by Marsh to go into executive session under K.S.A. 75-4319(b)(1) – personnel matters of non-elected personnel, at 8:45pm for 30 minutes, second by Youngquist. The motion passed 4-0.

Council reconvened at 9:15.

### **V. ADJOURNMENT:**

Motion by Marsh to adjourn at 9:15pm, second by Youngquist. The motion passed 4-0.

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Melissa A. Zimmerman  
City Clerk