

## **INFORMATION**

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

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

City Maintenance – Gordon (785) 640-1194

Next Meeting – May 10<sup>th</sup>, 2010

*[www.ozawkie.org](http://www.ozawkie.org)*

## **Regular Council Meeting April 12<sup>th</sup>, 2010**

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

Mayor Feuerborn called the meeting to order at 7:01 p.m. Members present: Councilmembers Mark Larson, Dale Barnum, and Mark Roberts. Members absent: Councilmember Steve Stanton.

Citizens in attendance were Sandi Goetz, Jerry Marsh, Marilyn Blevins, Bill Parker, Joe Beck, Patrick Gottstein, and Jim Shaw.

### **OPENING COMMENTS:**

Terry Marsh of 127 Timberlane Dr. stated that over the winter a water break was repaired by City by his house. He was inquiring when the City would be able to come and fill in the holes and repair the lawn. He understood that during the winter, maintenance was unable to do this. Mayor Feuerborn stated that he would contact Maintenance and have them repair the lawn and fill in the holes.

John Allen of 621 Delaware stated that the residence of 122 Vista View and 114 Vista View has dogs that bark all day and it has become a nuisance. Mayor Feuerborn stated that he would have a letter notifying the residences of 122 Vista View and of 114 Vista View of the situation and letting them know they are in violation of city ordinances. He suggested that Mr. Allen continue to talk with the owners and try to also resolve the situation. He also wanted it researched to see if the dogs are registered with the city; if not the residents need to be aware that all dogs are to be registered annually with the city.

Bill Parker of 111 Leisure Lane spoke regarding maintenance employee Gordon Smith. He stated that he felt that Gordon was doing a very good job and that he should be compensated for the work he is doing. Councilmember Roberts asked Mayor Feuerborn about the hours that Smith was working and was concerned about him going into overtime. Councilmember Roberts suggested that the council consider getting maintenance a part-time, temporary, seasonal employee to help with the mowing.

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

Councilmember Barnum stated that the Council needs to start working on the budget for 2011 starting in the May meeting.

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

Motion by Barnum to approve the agenda, motion was second by Roberts. The motion passed 3-0.

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

#### **a) MINUTES OF THE MARCH 8th, 2010 MEETING**

Motion by Roberts to approve the minutes from March 8<sup>th</sup>, 2010 with the correction of item IV, c), to reflect Roberts seconded the motion instead of Barnum. Second was by Barnum. The motion passed 3-0.

#### **b) MARCH TREASURER'S REPORT**

Treasurer Bieker furnished the Mayor and Council with a monthly financial report for March. The report reflected credits/debits of \$6,259.24/\$5,427.63 for General, \$5,849.17/\$2,275.01 for Water, \$2,300.76/\$639.10 for Sewer, \$0/\$17.53 for Parks, \$0/\$222.86 for Equipment Reserve and \$3,375.55/\$4,862.00 for Trash. The total receipts/expenditures for March were \$17,784.72/\$13,444.13.

Motion by Barnum to approve the March Treasurer's Report, second by Roberts. The motion passed 3-0.

#### **c) MARCH WARRANT REGISTER**

The March Warrant Register reflected an expenditure amount of \$9,666.45 for General, \$10,013.74 for Water, \$2,714.92 for Sewer, \$222.86 for Equipment Reserve, and \$113.64 for Park. Total expenditures for March were \$22,731.61.

Motion by Roberts to approve the March Warrant Register, second by Larson. The motion passed 3-0.

### **V. REPORTS:**

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

Committee Chairperson, Sandi Goetz informed the Council that the Planning & Zoning Committee met on April 5th. The board reviewed the definition of fence, and voted to recommend to the Council the following definition:

Fence: A permanent partition or structure erected or planted as a boundary marker or barrier partially or wholly enclosing a given area. Hedges, living bushes or shrubs constitute a fence as well as structures of posts, boards, iron, vinyl or composites, railings, paling or wire, including patios, decks, retaining walls, exterior stairway, swimming pools, handicapped access ramps and approach ways are exempt from the definition

Temporary Fence: Seasonal snow fencing; required construction safety or erosion/sediment control fencing or barriers are defined as temporary. Ordinance requires total removal from site of within 180 days of installation.

Ms. Goetz also reported to the council that the committee recommends that the height of code C-101:I be changed from thirty-five (35)ft to twenty-one (21)ft and to read:

C-101:I, The maximum height of any structure in Block S, the "Business District", shall be twenty-one (21) feet. This measurement shall be made from the top of the footing.

The Planning and Zoning Committee also reviewed the Building Permit Application and possible areas where the Erosion and sediment control references could be incorporated.

Ms. Goetz presented the Council with a Land Disturbance Permit Application for review.

Ms. Goetz reminded the Council of the ordinance prohibiting tent and tent structures within city limits, and that all permanent pools must have a permit, but seasonal, temporary pools do not have to have a permit.

There are also some storm water concerns. In some areas the storm water is accumulating due to issues running under private drives. Citizens who are required by ordinance to have a drain tube are required to maintain it.

The next Planning and Zoning meeting would be May 3rd, 2010.

Councilmember Roberts requested that Ms. Goetz present next month a revised final copy of the Building Permit Application for the council to consider. He also requested deferment on the Land Disturbance Permit and that a charge be applied to the permit and included in the permit would be the stipulation that the site would be returned to its original state if it was not built on.

A motion was made by Barnum to approve the Fence Definition as presented. Second by Roberts. Carried 3-0

A motion was made by Barnum to approve the Amended Building Code C-101:I as presented. Second by Roberts. Carried 3-0

***Streets:***

Street Commissioner Larson reported the black top has eroded in many areas of the streets and Sunflower has some issues. He stated that the city will try to get through the year with just minor repairs.

***Utilities:***

Councilmember Larson reported that maintenance employee Gordon Smith has been working on the lift stations. He is working on setting a screen up in the lifts to help prevent objects being caught in the pumps. So far this spring there has been very few water breaks.

***Parks:***

Councilmember Barnum stated that the port-a-potty is now set up in the Park. Mayor Feuerborn added that there are now new flags also in the park.

***Law Enforcement:***

Nothing to report.

***Governmental Affairs:***

Councilmember Roberts reported that the state legislator did not address the budget in this session. He did state that the bill regarding reinstating sales tax on utilities is still active. The 911 bill that might affect the city has had no action taken on it and the present law will be extended one more year.

Senate Bill 498 & 515 sets up a new transportation plan for state and municipalities to assist with roads that are not state highways.

Senate Bill 515 would become effective in January 2013 when some of the sales tax would fall off and make it available for municipalities to assess a sales tax on fuel sold within the city.

***Tree Board:***

Nothing to report.

***Maintenance:***

Mayor Feuerborn reported that mowing season has started, also that the city has bought new tires for the tractor.

***Certified Operator:***

Nothing to report.

***City Clerk:***

City Clerk Christlieb informed the council that a letter from Grace Jolly of the Planning and Zoning Committee, was received giving her resignation from her position. She was first appointed to her position in August 2000 and served 2 ½ years, then returned in 2006 until present. It was noted by the council that she has been very active in the Committee and her work for the city was greatly appreciated. Robers made a motion to accept the resignation and to send a card and letter of appreciation to her. Larson seconded the motion. Carried 3-0.

## **NEW BUSINESS**

### **VI. PROPERTY INSURANCE**

Two proposals had been received last month for the City to review. One was from Continental Western Group for and from Anderson Peck, with Anderson Peck being the lower bid. Motion by Barnum to stay with Anderson Peck and accept their bid. Second by Larson. Motion passed 3-0.

### **VII. COUNCIL OFFICER ELECTIONS**

Mayor Feuerborn gave his resignation. He stated that he has taken a position to attend flight school at Fort Rucker, Al., in preparation to become a Blackhawk Helicopter pilot. May 10<sup>th</sup> will be his last council meeting and he is hoping to swear in the next Mayor. He stated that the President of the Council would fill the position of Mayor. Councilmember Roberts is the current President. Election of Council Officers was tabled until next month.

### **VIII. CITY WIDE GARGAGE SALES**

City Clerk Christlieb reported that there has been lots of interest in the sales. She encouraged everyone to keep promoting the sale.

### **IX. CITYWIDE CLEANUP**

Mayor Feuerborn suggested that city wide clean up days be May 8<sup>th</sup> & 9<sup>th</sup> and that S.M. Ball provide the dumpster services.

Barnum made the motion. Second by Larson. Carried 3-0.

### **X. JEFFERSON CO. FIRE FIGHTERS ASSOC.**

City Clerk Christlieb reported that she had spoken with the Jefferson Co. Fire Fighters Assoc. and that they had sent her an email requesting that they be allowed to set up a trailer to gather scrap metal from those in Ozawkie during clean up days.

The Mayor and council agreed that it would be alright as long as someone attended the trailer to prevent trash being thrown into it.

### **XI. PROPERTY AT 504 DELAWARE**

Councilmember Stanton was absent but had requested that City Clerk Christlieb inform the council that he would like to send a letter to 504 Delaware giving 10 days to clean up the property before the city comes in and cleans it for them and assess the charges to the property. He would like it done before clean up day. He had stated to City Clerk Christlieb that perhaps the city could hire teens to go in and clean it up.

Councilmember Roberts said that he would like pictures taken of everything that is removed. He also wanted maintenance to immediately remove the lid off of the freezer to prevent any hazards to the community.

He also requested that a letter be sent to the resident across from 532 Sioux that has a large brush pile with trash in it.

### **XII. CODE PG R-11 ITEM 7 & CODE PG BC-2 ITEM I DISCREPANCY**

City Clerk Christlieb showed the council the discrepancy in code pg. R-11 item 7 and pg. BC-2 where one stated measuring for the “top of the foundation or sill plate” the other “top of the footing”.

Motion by Barnum to change R-11 item 7 to match pg. BC-2. Second by Larson. Carried 3-0

### **XIII. EXECUTIVE SESSION**

Councilmember Larson called an executive session at 9:00pm under K.S.A 75-4319 (b)(1) not for less than 15 minutes. Second by Roberts. Carried 3-0.

Council returned at 9:30 pm.

Roberts made a motion that Mayor Feuerborn offers Gordon Smith the full time maintenance position. Also that Smith is given a 5% pay increase over his current salary and that he is put on probation for 6 months in which time he is to complete his water operator’s certification. Upon completion he will receive a 5% increase over his current salary. He will have one year in which to complete his waste water certification and training at which time the Mayor will give a written review and if it is satisfactory, he will receive a 5% increase over his current salary. Second by Larson. Carried 3-0

Councilmember Roberts made a motion to give the Mayor the authority to hire a part-time, temporary, seasonal maintenance employee to work under the supervision of Gordon Smith not to exceed 999 hours in the calendar year of 2010. Pay is not to exceed \$8.00/per hour. Age limit will be determined by insurance carrier, not to be under age 18 due to the fact they will be operating equipment.

Second by Barnum. Motion carried 3-0.

### **XIV. ADJOURNMENT**

Motion by Barnum to adjourn at 9:40, second by Larson. The motion passed 3-0.

---

Rita Christlieb  
City Clerk