

## **INFORMATION**

City Office – (785) 876-2550  
Located at 515 Kiowa

Office Hours  
Mon: 9am – 6pm  
Tues-Wed: 8am – 4pm

City Engineer – Bob (785) 640-1194  
Ron (785) 640-8750

Next Meeting – August 8<sup>th</sup>, 2005

## **Regular Council Meeting August 8<sup>th</sup>, 2005**

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

Mayor Gibson called the meeting to order at 7:05 p.m. Members present: Mayor Scott Gibson Commissioners Terry Marsh, Ed Carmona and Elke Lassiter. Members absent: Commissioners Kirk Vernon and Brad Ayres.

### **PUBLIC COMMENTS:**

No Opening Comments.

### **II. APPROVAL OF AGENDA:**

Mayor Gibson requested that items #5 and #6 be moved down as #6 and #7, and a new #5 be added as Mayer Specialty Co. Clerk Zimmerman requested that item #8 be added as Casey's Sunday Liquor Sales. Motion by Marsh to approve the amended agenda, second by Carmona. The motion passed 3-0.

### **III. APPROVAL OF CONSENT ITEMS:**

Councilman Marsh clarified New Business Item #4 from the July minutes, Sump Pump Attachment to Sanitary Sewer has been researched and ordinance 12-201 Subsection 2 prohibits sump pumps, downspouts, etc. to be attached to the sanitary sewer. Motion by Carmona to approve the consent items, second by Marsh. The motion passed 3-0.

#### **IV. REPORTS:**

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

Planning & Zoning Committee President, Sandi Goetz reported that the committee had a special meeting on August 2<sup>nd</sup> to discuss a size violation on a temporary storage shed owned by Ed & Deborah Lewis, located at 205 Sunflower. Per Ordinance 3-312c, "...any building or structure two hundred (200) square feet or greater will require construction plans, specifications, and a plan showing the location of the structure..." The Lewis' storage shed is 12 x 20 square feet, for an overall size of 240 square feet, which would have required a building permit and site plan. Committee President Goetz has requested, without prejudice, a one-time size variance for this structure. Councilman Carmona expressed his concern that by issuing a one-time variance, it would set a precedent for other citizens to follow. President Goetz assured the Council that the Committee will work on making more efforts to notify the citizens of the Planning and Zoning rule and regulations. Motion by Marsh to approve the one-time size variance, second by Lassiter, with Carmona abstaining. Motion passed 2-0.

The next meeting is scheduled for September 6<sup>th</sup>, 2005.

##### ***Streets:***

Nothing to report.

##### ***Utilities:***

Nothing to report.

##### ***Parks:***

Councilwoman Lassiter informed the Council that she has been working on obtaining park equipment that will utilize the entire park, not just the north end.

Discussion took place regarding people draining their swimming pools, causing flooding in surrounding yards. Clerk Zimmerman will check with other cities to see if they have adopted an ordinance against this.

##### ***Law Enforcement:***

Nothing to report.

##### ***Governmental Affairs:***

Nothing to report.

##### ***Tree Board:***

Nothing to report.

##### ***City Maintenance:***

Engineer Thomas furnished the Mayor and Council with an Engineer's Report for July. The report showed 1 water line break and informed the council that all manholes are being checked and raised to ground level if necessary. Engineer Thomas did purchase a concrete mixer, so citizens can expect to see the fountain completed soon.

##### ***City Clerk:***

City Clerk Zimmerman announced that the budget meeting will be held on August 15<sup>th</sup> to approve the 2006 budget.

Mayor Gibson has been working with Clerk Zimmerman on new office hours, allowing for the office to be open Monday through Friday without adding too many more hours to the current amount. Hours are currently Monday 9am to 6pm and Tues-Wed. 8am to 4pm and Friday 8am to 1pm, with a total of 28 hours. The new hours will be Monday from 9am to 6pm (no change) and Tues-Fri 8am to 2pm, with a total of 33 hours. The new hours will begin on August 15<sup>th</sup>.

Clerk Zimmerman announced that an article was written in the Kansas Government Journal for July 2005 about the 2005 Regional Meeting hosted by the City of Ozawkie. The article described the history of Ozawkie and commented on the leadership taking place within the City.

Clerk Zimmerman informed the Mayor and Council that beginning January 1<sup>st</sup>, 2006, the City will no longer be able to charge sales tax on water. Under K.S.A. 79-3603(c), as of December 31<sup>st</sup>, 2005, the state exemption for residential utilities expires and they all become taxable, however, the state has set the tax rate beginning January 1<sup>st</sup>, 2006 at 0% (as permitted by the Streamlined Sales Tax Agreement).

Clerk Zimmerman furnished the Council with information regarding employee benefits, for Council's review.

## **V. NEW BUSINESS**

### **1) Mayer Specialty Services, L.L.C.**

Mayer Specialty Services representative, Gail Abney attended the meeting to clear up any confusion regarding the company's quote for the sewer line cleaning and inspection. The project will be for cleaning and inspecting approximately 15,000 feet of sewer line. The most reasonable price quote was from Mayer Specialty Services for \$1.15 per foot, plus a fee of \$1,925 for the travel, totaling around \$19,203.00. Mr. Abney supplied the Council with a copy of references. Further discussion will take place regarding this matter at the September meeting, once all references have been checked.

### **2) 2005-2006 Annual Management Plan**

City Clerk Zimmerman presented an updated Annual Management Plan for 2005-2006 for the Corps property leased to the City. The plan has been reviewed by the Corps of Engineers, and is deemed satisfactory. Motion by Marsh to approve the 2005-2006 Annual Management Plan, second by Carmona. The motion passed 3-0.

Discussion took place regarding the usage of the leased property. Several options were discussed, such as, cleaning the whole leased area up, to ensure citizen's visibility of the lake, mowing from the end of citizen's east property lines all the way down to where the drift wood starts, or checking to see if the Corps of Engineers would clear the area. The Council requested that Engineer Thomas and Certified Operator Schuenight do some research on the area and come to the September Council Meeting with recommendations.

### **3) Motorized Scooters**

Due to a citizen complaint, research was conducted regarding the issue of motorized scooters in the City limits. At the July Council Meeting, Clerk Zimmerman was requested to look into the way other cities control the motorized scooter issues. After much discussion, the Mayor and Council requested Clerk Zimmerman to formulate an ordinance restricting the use of Motorized Scooters within the corporate limits of the City of Ozawkie.

### **4) Casey's Sunday Liquor Sales**

Casey's General Stores, Inc. sent a letter to the City requesting an ordinance be passed allowing Casey's in Ozawkie to sell liquor on Sunday's. Motion by Carmona to approve the ordinance, second by Lassiter. The motion passed 2-1, with Marsh opposed.

## **V. ADJOURNMENT:**

Motion by Carmona to adjourn the meeting, second by Marsh. The motion passed 3-0. Meeting adjourned at 8:30.

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Melissa A. Zimmerman  
City Clerk