

MINUTES OF THE REGULAR MONTHLY MEETING  
OF THE OZAWKIE CITY COUNCIL  
JANUARY 9, 1995

The meeting was called to order at 7:06 p.m. by Mayor Brunenn. All council members were present.

Comments from citizens: Jim Blair addressed council and citizens regarding a city audit. He stated that the city's books and records, as presently constituted, would involve excessive audit costs. He suggested that during the implementation of record-keeping according to the Small City Accounting Manual, an audit committee be appointed to monitor the books on a monthly basis for a reasonable amount of time and recommend to council when they felt the city records were ready for an individual audit which could then be performed at a reasonable cost. Mayor Brunenn responded in the affirmative and stated the matter would be discussed with the city attorney and taken under consideration.

Approval of: Minutes of 12-12-94 meeting- Councilman Happer inquired of Law Enforcement Commissioner Haviland about the request for service process and requested that the record show that the mayor receive a record of this request immediately. Councilman Brooks stated he wanted the record to show that on the subject of staff meetings discussed at the last meeting he had said such meetings were a violation of the open meeting act. Councilwoman Petty stated there were ways to have staff meetings and not violate the open meeting act. No action on this, at this time. Petty moved to accept the minutes as corrected, Haviland seconded. Carried.

Treasurer's Report - Petty moved to accept the treasurer's report, Councilman Holliday seconded. Vote was 4-0 with Brooks abstaining. Carried. Bill's to be paid - After additions to warrant register and a correction made on taxes on city-owned lots decreasing the amount from \$2834.17 to \$914.04, Happer moved to pay the bills, Haviland seconded. Vote was 4-0 with Brooks abstaining. Carried.

Reports: P & Z - Lee Doan, of the planning and zoning Commission, submitted his resignation effective January 9, 1995. He also reported on the last meeting of P & Z. Utilities - Happer reported that the bid from High Plains does not include corrosion control but does take care of the water telemetry problems and includes the placement of meters on the wells. He reminded council that the bid was not to exceed \$5825.00. Maintenance man Smith stated that it would take approximately 8 weeks for implementation of this plan. He said implementation of corrosion control plan was scheduled for May. Law Enforcement- Haviland reported on the "abandoned vehicle" ordinance which needed revision to include an appointed committee. She stated that a committee had been appointed and was awaiting revision of the ordinance. Park - Petty stated that she had talked with David Brunton, District Forester for the Glacial Hills RC&D who informed her about types of trees available (one of which to be donated to the city). Petty stated that the park committee chose a seedless ash tree and that it would be planted in the park Arbor Day, March 31, 1995. It was unanimously decided that Petty's request for \$1200 in the Special Parks and Recreation Fund be used for start up of the 1995 ParkFest.

City Employees - Charles Bell recommended that the recycling fund be closed using the remaining amount of \$369.45 for park needs. Petty stated this would be used for two basketball goals. Smith inquired as to whether or not the mayor had yet determined whether or not the maintenance position is an appointment. Mayor Brunenn stated that it was an appointed position. Smith requested that it be put on record that this was not made clear to him when he was hired and asked that council consider changing this policy.

Old Business - Audit - Clerk Blair reported to Mayor Brunenn that the City books are in balance as of December 31, 1994. Mayor Brunenn again recommended an audit by Schehrer, Bennett and Lowenthal. Discussion followed regarding the restructuring of the books following fundamental accounting principles and using the Small City Accounting Manual. Mayor Brunenn stated she would consult with City Attorney Steve Montgomery regarding any conflict of interest if certain citizens were on the proposed audit committee. Ordinance # 15 Section II & III - Clerk Blair had requested that council address this ordinance at the December 1994 meeting. The ordinance specifically states that a real estate agent be hired following publication of the available position, to handle real estate sales for the city. Clerk Blair has been acting in this capacity under direction of the mayor and council and requested the ordinance be amended or complied with. The matter was tabled last month and again this month so that the mayor could consult with Montgomery. Computer - Utility commission Pat Happer reiterated the need for a Utility Billing System and a computer. He moved to approve Thoroughbred Computer System not to exceed \$3650.00, Holliday seconded. Brooks expressed his concerns and cited the equipment fund ordinance. Discussion involved the need to adhere to and use the ordinances the city makes. Brooks stated money wasn't budgeted for a computer and that the budget shouldn't be amended each time there was a need. Happer withdrew his motion with the agreement of Holliday who had seconded and stated he wanted a special meeting to address Brooks concern and wants a vote at the next meeting. Mayor Brunenn recommended Smith meet with Happer and check with the vendor to set up a meeting to show what he has. Update of Request for Services - Haviland clarified the processing of Request for Services and all that remains is the approval of the revised portion of the ordinance that addresses the problems under consideration. Rubber Stamp - Petty explained the need for the mayor to obtain a rubber signature stamp for payroll checks and other pre-approved checks. Mayor Brunenn stated she doesn't want her name stamped on a check until after there is an audit and refused to obtain one stating that is her right. There was discussion regarding this and no action was taken. Updated ordinances - Brooks moved to accept the proposed amendment change to Ordinance 3-312, Article IV, Section 1.3 which addresses the height of a structure not to exceed 20' measured from the highest point on the lot, Happer seconded. Carried. Brooks moved to accept proposed amendment change to Ordinance #3-312, Art. VII, Para. (b), Happer seconded. Discussion regarding sizes of structures needing building permits, plans, specs, etc. followed. The ordinance needs to be rewritten so Brooks retracted his motion with Happer's approval. Amendment of Ord. 3.312 with addition of Art. XII was tabled until the next meeting. Brooks moved to accept proposed amendment to Ord. Chapter 4, Art. 1, Section 4-101 which changes who may be on A Board of Health, Happer seconded. Haviland stated that she would like to add (to all be appointed by the mayor)...and approved by council members. Brooks struck his motion with Happer's approval. He then moved to accept the proposed amendment change with the changes, Happer seconded. All updates on the above ordinances carried 5-0. Brunenn recommended the following for A Board of Health: Dennis Tryon - Chairman, members - Bill Severn, Connie Milner and Donna Williams with Councilman Rob Holliday. Brooks moved to accept the mayor's recommendations, Happer seconded. The vote was Brooks and Happer - yea; Petty and Haviland - nay; Holliday abstained. Mayor Brunenn voted yea and instructed Blair to let the record show the vote was 4-2. Haviland requested the record show she voted no because she wants to know who people are before she votes.

New Business - Happer moved to approve a building permit as presented for John Lewis, Brooks seconded. Carried. Recommendation for City Employee Appraisals - Brunenn recommended a 4% salary increase for Smith. Brooks moved to approve it, Happer seconded. Carried. Brunenn recommended to approve a 4% salary increase for Branson. Brooks moved to approve it, Holliday seconded, carried. Brunenn stated she would reevaluate Marshal Baker at his one year anniversary date. She stated that Bell declined a raise this year. Blair's raise is contingent upon the outcome of another issue on the agenda. Brooks moved to recess for 5 minutes, Petty seconded. Carried. Request for temporary change in office hours - Clerk Blair requested evening office hours for three months. Brunenn expressed several concerns about this which Blair responded to. After lengthy discussion with comments from a citizen in favor of

the evening hours and a willingness on the part of Smith to maintain the office during regular daytime hours, Holliday moved to accept the new hours until April 30, 1995 and Smith to do paperwork during Mary's usual hours, Petty seconded. After discussion Holliday amended the motion to read: to accept Mary's new hours from 6:30 p.m. to 8:30 p.m. Tues. and Thurs. and Sat. 9 a.m. - 11 a.m. through April 30, 1995, Petty seconded. Vote was 4-0 with Happer abstaining.

Petty moved to accept Lee Doan's resignation from P & Z, Haviland seconded. Carried.

Happer moved to accept the bid from High Plains to improve water controls and well improvements, not to exceed \$5825.00 out of the WS&T Fund, Petty seconded. Carried.

After discussion Petty moved to earmark \$1200.00 for start-up of the Parkfest this year, from special parks and rec. fund, Brooks seconded. Carried.

After lengthy discussion regarding the publication of Marshal Baker's phone number in the newsletter it was decided that since the newsletter goes out to only the citizens of Ozawkie the number would remain.

Clerk Blair requested council address her 4% raise since the matter of her working evenings had been approved. Mayor Brunenn stated she hadn't done an appraisal on the clerk yet but would do so by the next meeting and that any raise due would be retroactive. Haviland inquired as to why an appraisal had not been done along with other employees appraisals as it was her understanding that all employees were to receive appraisals yearly. Brunenn reiterated that the clerk's appraisal would be done next month. Haviland then stated that she had a concern and attempted to read a prepared statement regarding an issue she felt was mishandled in executive session at the November 1994 meeting concerning personnel matters. She stated she had consulted her blue handbook which indicated that council was not to take action during executive session and stated that she felt counsel had taken action. Brunenn stated she had legal council to support the manner in which the issue was handled. Petty stated she had talked with legal counsel at the League of Kansas Municipalities regarding the occurrence and found out the action taken was invalid. Haviland agreed with Petty and stated she was concerned about the validity of "Mary's reprimand". She was then reprimanded by Brunenn at which point Petty made a motion to go into executive session for 20 minutes citing personnel exception, Holliday seconded. Carried. The meeting reconvened at 10:01 p.m. Haviland stated that she personally wanted to publicly apologize to Mary for mishandling her personnel matter. Petty stated that she resigned effective immediately and left the meeting. Holliday moved to accept Petty's resignation, Brooks seconded. Carried 3-0 with Happer abstaining. Clerk Blair stated she wanted council to decide on her 4% increase at this meeting. Mayor Brunenn refused and Clerk Blair stated she resigned. No action was taken on this. Holliday moved to adjourn, Brooks seconded. Carried.

Mary Blair, City Clerk

Redrafted per corrections 2/13/95 Regular Council Meeting.  
Gordon Smith, City Clerk