

INFORMATION

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

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

City Maintenance – Gordon (785) 785-640-1194

Next Meeting – July 12th, 2011

www.ozawkie.org

Unofficial Regular Council Meeting June 14th, 2011

I. CALL TO ORDER:

Mayor Stanton called the meeting to order at 7:05 p.m. Members present: Mayor Steve Stanton, Council members Mark Larson, Nancy Leek, Bradley McNary, and Mel Armstrong. Member absent was Joe Beck.

Citizens in attendance Marilyn Blevins, Sandi Goetz, Shirley & Rick Jensen, Jamie Klenklen, Bill Parker, Jan & Bill Kuntzsch, Jim Shaw and others.

City employees in attendance were maintenance Gordon Smith, treasurer Ken Bieker and city clerk Rita Christlieb.

OPENING COMMENTS:

Joe Shaw of 612 Delaware requested that the city look at the poor drainage of the drainage ditches in that area. Maintenance Man Smith stated that he would check on it, but with all of the current rain a lot of areas were flooding.

Jeff Werner of 301 Kansa received a letter from the city regarding the ordinances of chickens within the City Limits. He stated that his chickens were small bantam chickens and were his children's pets. He informed the council that Cities such as Wichita, Lawrence, and others allowed chickens in City limits. He gave the Council a handout showing the benefit of chickens as pets for children. He stated that he did not have any roosters.

Mayor Stanton asked the Council if they would want to consider changing the ordinance to reflect citizens keeping chickens as pets.

Councilmember Armstrong asked if he could get citizens opinion on this subject.

Bill Parker asked if there had been any complaints regarding the chickens. Clerk Christlieb stated that there had been one signed by Sandi Goetz and Bradley McNary.

Mel Armstrong made a motion that the Council vote "yes" to consider whether to rewrite the ordinance or "no" to uphold it as stated, second by Leek, carried 4-0.

Mark Roberts of 107 Timberlane Dr. spoke regarding the issue of the veto power of the Mayor. Mr. Roberts stated that the issue he is referring to happened in the January 2011 meeting regarding the yard light ordinance. He stated that there were not at that time enough people there for a quorum.

Mr. Roberts referenced City ordinance Chapter 1 Act 205 regarding the veto power of the Mayor. He also referenced state statues Chapter 12 and 15, and 15-301, Powers and Duties and 15-1502 Signing of ordinances. Mr. Roberts also referenced Kansas Statue 12 -3003 regarding signing and vetoing in council cities. He stated that he felt that the power of veto did not refer to previous ordinances and statues that have been in place months or years, and that for a Mayor to have such power to veto a previous ordinance, without going through council to repeal it was overstepping the intent of the ordinance.

Mayor Stanton stated that he greatly appreciated Mr. Roberts's comments and the way he responded, and his way of handling a disagreement. Mayor Stanton read the LKM legal lawyer's reply regarding veto power stating that the Mayor may veto and the Council may override the Mayor's veto.

Mr. Roberts requested that the Council from this time forth no longer allow a unilateral veto.

II. COUNCIL COMMENTS/QUESTIONS/CONCERNS:

None.

III. APPROVAL OF AGENDA:

Request was made by Larson to accept agenda with the condition of making Reports for City Maintenance moved to the top of reports. Motion by Larson, second by Armstrong, carried 4-0

IV. APPROVAL OF CONSENT ITEMS

a) MINUTES OF THE MAY 12TH MEETING

Motion by Larson to approve the minutes of the May 10th, 2011 meeting, second by McNary, carried 4-0.

b) MAY TREASURER'S REPORT

Treasurer Bieker furnished the Mayor and Council with a monthly financial report for May. The report reflected credits/debits of \$5,039.00/9,740.74 for General, \$6002.30/\$10,425.93 for Water, \$2,962.64/2724.57 for Sewer, \$0/\$47.96 for Parks, \$0/\$0.0 for Equipment Reserve, \$0 /\$0 for Special Highway and \$2962.64 /\$2724.57 for Trash. The total receipts/expenditures for May were \$16,032.63/\$27,287.51.

c) MAY WARRANT REGISTER

The Warrant Register reflected an expenditure amount of \$5,301.57 for general, \$6,519.14 for water, \$1890.88 for sewer, \$3706.98 for trash, and \$33.49 for parks. Total expenditures for May were \$17,452.06. A motion by Armstrong was made to approve the warrant register, second by Larson, carried 4-0.

V. REPORTS:

City Maintenance:

Smith reported that he needs to buy a portable fuel tank to provide the city with diesel rather than trying to replace the old tank. The estimated cost would be \$1100.00 for the fuel tank and tool box combo.

Armstrong made the motion to have maintenance purchase the tank, second by Larson, carried 4-0.

Planning & Zoning:

Sandi Goetz presented two building permits to the Council. Permit 2011-02 was to Leonard Stevens of 616 Kansa Drive for a breezeway, replace and extend a retaining wall, and add a roof cover over patio. Motion by Larson to approve permit, second by McNary, carried 4-0.

Permit 2011-03 was by the Vista View Citizens for Neighborhood Improvement for a concrete base for a telescoping flag pole in center of cul-de-sac garden.

Motion was made by Larson to approve the permit, second by McNary, carried 4-0.

Ms. Goetz also presented the Council with a copy of the Moving Container Permit application for moving containers. Council requested approve of permit application be moved until next Council meeting.

Streets:

Nothing.

Utilities:

Councilmember Larson stated that the maintenance had put a variable speed drive on well #3 to control the amount of water fill in the water tower.

Governmental Affairs:

Councilmember Leek stated that she had talked to several citizens about the yard lights that would like the original ordinance put back in effect. She stated that she would like to put out a questionnaire about keeping the yard lights or about assessing a fee for street lights. She request 30 days to form a committee to look into options. The Council consented.

Parks:

McNary reported that the parks water fountain needs to be repaired.

Law Enforcement:

Council member Beck had given Clerk a report to give to the council on spring cleanup.

City Clerk:

Nothing to report.

NEW BUSINESS

VI. Yard Light Review

Already covered under government affairs.

VII. Conflict of Interest

Mayor Stanton stated he had sent an inquiry to the City lawyer regarding Conflict of interest for those on Council. The reply stated that there was no Conflict for the councilmembers.

VIII. Chickens in City Limits

Covered under opening comments.

IX. Salary Increase for Gordon Smith

Clerk Christlieb informed the Council that at the raise increase that the council had approved for Smith upon his completion of his water and waste water certification was 5% each, for a total of 10% in his salary.

X. Shelter House Parking

Mayor told the Council that the money for the shelter house off street parking is still budgeted, but the exact location is not yet set.

XI. Park Drinking Fountain

Already covered under Parks.

ADJOURNMENT:

A motion was made by Larson to adjourn at 8.45 p.m. second by Leek. The motion passed 4-0.

Rita Christlieb
City Clerk