

INFORMATION

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

Office Hours

Mon: 9am – 6pm

Tuesday-Friday: 8am – 2pm

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

Next Meeting – November 14th, 2005

Regular Council Meeting October 10th, 2005

I. CALL TO ORDER:

Mayor Gibson called the meeting to order at 7:00 p.m. Members present: Mayor Scott Gibson. Commissioners Terry Marsh, Ed Carmona, Brad Ayres, Elke Lassiter and Kirk Vernon.

OPENING COMMENTS:

In opening comments, citizen, Sandi Goetz recommended that while the Council is reviewing and making necessary changes to the newly codified ordinances, an ordinance be inserted regarding the consideration of flooding neighboring yards while building or adding on to homes or re-terracing yards. Citizen, Forrest Jolly, added that if a level of grade was set for each yard, so that the water flows between the houses, needless flooding can be prevented. Two citizens living on Sunflower Blvd. have had on-going problems with large amounts of water running through the neighboring culverts, causing gravel to wash-out from their driveways. Councilman Marsh will review the situation with Engineer Thomas.

In regards to the recent rain storm, Don Haynes, from Jefferson County Emergency Management, has informed the City of Ozawkie that if there is any damage to homes or property caused by the severe rain storm, all citizens are asked to take pictures of the damage, and save any receipts from the cost of repairing the damage. However, if there is only sitting water in the basement, and it is less than 2 feet deep, you will not be compensated for the damage. The grant money that FEMA will be distributing will be allocated by need. If you feel that you are entitled to a reimbursement, please contact the Ozawkie City Office for more information. If you are not entitled to any grant money, all citizens with flood damage are recommended to contact their homeowners' insurance company.

Lot owner, Charles Martin, requested that all citizens be informed that there is to be no trespassing on their lots, K-2 and K-5, located at 405 Delaware and 417 Delaware. This includes, but is not limited to, sledding or any other type of snow activities. Mr. Martin will not claim liability for any injuries on his property.

II. APPROVAL OF AGENDA:

Councilman Marsh would like #8, Township Office Agreement, added to the agenda. Motion by Carmona to approve the agenda with item #8 added, second by Ayres. The motion passed 5-0.

III. APPROVAL OF CONSENT ITEMS

a) MINUTES OF SEPTEMBER 12TH, 2005 MEETING

Mayor Gibson informed the Council that there will be a change to the *unofficial* minutes, sent out after the September meeting. The change will be in item #6, Fire Department Building Discussion, in the first paragraph. The paragraph now reads:

Mayor Gibson informed the Council that the Ozawkie Township/Fire Department is considering enacting resolution #2005-02, titled "A Proposal to Authorize the Creation of the Fire Station Building Advisory Committee." The committee will serve solely to aid in the research and planning of the new Fire Building, and is completely separate from the Ozawkie Township Board, and will not make decisions on the Township Board's behalf. If the committee is approved, it would consist of 7 members; a representative within the City limits of Ozawkie, a representative within Fire District No. 7, the Mayor of Ozawkie (or his designee), the Fire Chief of Ozawkie Fire District No. 7 (or his designee), the Superintendent of Schools for USD 340 (or his designee), the Economic Development Specialist for Jefferson County, and the Township Board Treasurer (to serve as liaison and coordinator between the committee and Township Board). The Township board will vote on the resolution, at the October 6th meeting. The advisory committee is set to conclude in May, 2006, and all recommendations must be made to the Ozawkie Township Board at the regularly scheduled June Meeting.

After reviewing the minutes, motion by Marsh to approve the minutes of the September 12th meeting, second by Carmona. The motion passed 5-0.

b) SEPTEMBER TREASURER'S REPORT

Motion by Marsh to approve the September treasurer's report, second by Carmona. The motion passed 5-0.

c) SEPTEMBER WARRANT REGISTER

Motion by Marsh to approve the September warrant register, second by Carmona. The motion passed 5-0.

IV. REPORTS:

Planning & Zoning:

Planning & Zoning Committee President, Sandi Goetz reported that the committee did not meet in October. The next meeting is scheduled for November 7th, 2005 at 7:00 pm in the Township Hall. All citizens are invited to attend.

Streets:

Street Commissioner Marsh reported that he has made numerous attempts to contact A&W Asphalt regarding the white edge striping of Kiowa, which was approved at the July Council Meeting. Since A&W has yet to do the work, and has not contacted himself or the Ozawkie City Office, Councilman Marsh recommends that the Council approve to withdraw from the bid contract. Motion by Marsh to withdraw from the contract due to the failure to be able to perform, second by Carmona. The motion passed 5-0.

Utilities:

Nothing to report.

Parks:

Councilwoman Lassiter reported that it is still too early to receive a fall discount on park equipment, however, she will continue researching equipment.

Law Enforcement:

Law Enforcement Commissioner, Kirk Vernon, reported that he received a citizen complaint regarding an untagged vehicle parked on Sioux. Councilman Vernon checked with the Jefferson County Sheriff's Department and they reported that the vehicle is legally tagged.

Councilman Vernon also reported that he received a citizen complaint regarding a possible automotive repair business being operated out of a residence. Councilman Vernon requested that the citizen file a complaint and show proof. The citizen refused. The subject was dropped.

Councilman Vernon requests that all citizens with complaints please contact either the Jefferson County Sheriff's Department or himself, specifically.

Governmental Affairs:

Governmental Affairs Commissioner, Ed Carmona, reported that he has been working on arranging meetings with all the surrounding government officials to share ideas on grants, community improvements, etc. Councilman Carmona reported that Jefferson County Economic Development Commissioner, Jim McGrath will aid in the assembly of the meetings. Detailed reports will be given at each Council Meeting, once the meetings begin.

Tree Board:

Councilmember, Terry Marsh, reported that Tree Board Chair, Phyllis Cooper has informed him that the Tree Board will begin meeting again in 2006.

Engineer Thomas reported that due to the weather, the construction of the drinking fountain in the park has been delayed, but will resume once weather permits.

City Maintenance:

Engineer Thomas furnished the Mayor and Council with an Engineer's Report for September. The report showed that there were 2 water leaks, which have been fixed, and that he has been purchasing necessary supplies for the Fall season. Engineer Thomas explained that he has been preparing the large mower for the 2006 mowing season, and that since the mower is 5 years old and has been operated for an estimated 900 hours, next year would be a good time to look into purchasing a new or used mower. He will begin doing research on upgrading the mower.

City Clerk:

City Clerk Zimmerman requested that the Council approve her attending the Municipal Clerks Certification Institute will be held November 7th – 11th in Wichita. This will be Clerk Zimmerman's second year; next year she will be eligible to become a Certified Municipal Clerk. Motion by Carmona to approve Clerk Zimmerman's attendance at the meeting, second by Ayres. The motion passed 5-0.

Councilman Marsh requested that Clerk Zimmerman gather all research regarding health insurance for employees and present it at the November meeting.

City Clerk Zimmerman informed the Council that she has worked with Engineer Thomas and Certified Operator Schuenight on making the City of Ozawkie a "Safe City", according to the Kansas Municipal Insurance Trust. Ozawkie is considered to be a "Gold Star Rating", which is the best rating possible through KMIT. Due to this rating, the City of Ozawkie will receive a 5% discount on its Workman's Comp Insurance.

v. NEW BUSINESS

1) Salt/Sand Building Bids

Councilmember Marsh informed the Mayor and Council that he has received three bids for the construction of the salt/sand building. The first company, A.T.M. concrete, delivered 2 bids, the first one is 14'x30', 6" thick concrete, 54' of 12" foundation, 4' high with 8"x24" footings and 4 steel bars, for a total of \$3,960.00. The second one is 14'x30', 6" thick concrete, 54' of 8" foundation, 4' high with 8"x16" frost footings, for a total of \$4,924.00. The second company is Ben Schreiner Construction, whose bid included the excavation of 12"x36" trench footings, the setting and pouring of 8" thick concrete walls and floor, 4' tall and reinforced with ½' rebar, 12" on center. The floor is to extend 10' out past end of walls, 14x30, for a total of \$5,892.00. The third company is Bill Valentine, Inc., whose bid included ½' rebar at 12" O.C. each way at floor, walls, and footing, as well as 4000lb. concrete with 6% air entrainment, for a total of \$7,000.00.

Councilman Marsh reminded the Council that \$8,000.00 has been set aside for this project and recommends approving Ben Schreiner Construction Company's bid for \$5,892.00, and assured the Council that the remaining \$2,108.00 will be a sufficient amount to complete the top of the shed. Motion by Marsh to approve Ben Schreiner's bid, second by Carmona. The motion passed 5-0.

2) Ordinance Codification Discussion

Mayor Gibson suggested that a committee be formed to review the newly codified ordinances. After much discussion, the Council decided to form a committee of 6 members, to include both professionals and citizens of Ozawkie. Preliminary volunteers include Mayor Gibson, Councilman Marsh, and citizens Forrest Jolly, Bob Schuenight, and Jim Cox. Anyone interested in sitting on this committee is asked to contact the Ozawkie City Office for more information.

3) Fire Department Building

Mayor Gibson informed the Council that at the Township's October 6th meeting, resolution 2005-02 was discussed, more specifically, the representatives to sit on the advisory committee. The Township has been informed that USD #340 Superintendent will be unable to sit on the committee, but has recommended Blaine Moore to sit in his place. Dan Rosencutter is the newly appointed Fire Chief, who will sit on the committee. Bill Kramer will sit on the committee as a rural resident within the Ozawkie Township. The City of Ozawkie Mayor, Scott Gibson, will be unable to sit on the committee, but has recommended Councilmember, Terry Marsh, to sit for him. Jefferson County Economic Development Commissioner, Jim McGrath, has informed the Township that he is unable to sit on the committee, but will act as an advisor. Since Jim McGrath was unable to sit on the advisory board, the Township Board decided to have a local business owner to sit in his place; Dennis Hewitt will be contacted, and if he is unable to sit on the board, then the owners of Main Street Café will be contacted regarding the position. The Committee will meet on Tuesdays, and in May of 2006, they will finalize their findings and make recommendations to the Ozawkie Township.

The Mayor and Council discussed a recent letter circulated through the Valley Falls Vindicator regarding the miscommunication of facts during a Council Meeting, regarding the new advisory board. Councilman Carmona informed the Council and all citizens that many statements made in this article were full of inconsistencies and errors, and that if there are any questions, the best way to distinguish fact from fiction is to attend both the Township meetings and the City Council Meetings.

The Ozawkie Councilmembers clarified some statements made in the recent letter: The "newsletter" that was mentioned to be circulated monthly, is not a newsletter, and should not be confused with the bi-monthly newsletter that is sent out. What is meant by "newsletter" in the letter is the "*unofficial* minutes" of the most recent City Council Meeting. These minutes are sent out through the Topeka Capital Journal to inform the City of what was discussed at the monthly Council Meeting, and any questions or concerns with the minutes, can be changed or amended during the next council meeting, which is when the minutes are approved. The term "newsletter" that is used can be very confusing, because an actual newsletter is sent out on a bi-monthly basis to inform all citizens of city happenings. The newsletter that is sent out has nothing to do with the Mayor and Council, and has nothing to do with the minutes. Also, in the letter it states that not all citizens receive the paper, therefore they don't receive the "newsletter", however, all citizens are given the opportunity to have the minutes mailed to them or even emailed to them, and many have contacted the City Office expressing their desire to do so. Another point mentioned in the newsletter was that the City is considering building a new city office building at the site where the Fire Department Building was going to be constructed. That is an incorrect statement, and the minutes were not intended to imply that. The Council was simply considering assembling a small building for the City Office and a meeting room, on a parcel of land on the opposite side of where the Fire Department Building was to be placed. The only reason this was being considered, was because the possibility of the Fire Department not getting a new building had come up, and the City was reviewing back-up plans.

The Mayor and Council expressed to all citizens that the City is still interested in helping with the new Fire Department Building in any way possible. It was discussed that all parties involved are in agreement that a new Fire Station is needed however, a much smaller building would suffice, and until actual plans have been presented, along with a site for the building to be placed, the Council has agreed to rescind the Development Agreement, dated June 29th, 2004. Motion by Marsh to rescind the contract, second by Carmona. The motion passed 5-0. In the future, the

Mayor and Council will definitely be open to reviewing any new contracts or agreement for the use of the Township building.

4) Township Office Agreement

It has been brought to the Mayor, Council and Ozawkie Township Board that there is no actual written agreement between the City of Ozawkie and the Ozawkie Township concerning the City's use of the Township Building. The only agreement found, has been in the October 8th, 2001 City Council meeting minutes, where it states that the City will rent office space from the Township for the use of the City Office, and that rent would cost two-third of the utilities for the building.

Mayor Gibson informed the Council that he attended the Ozawkie Township meeting on October 6th and that this matter was discussed. The Township Board has asked recently appointed Township Secretary, Ed Lindsay, to write up an agreement and present it to the Township Board November 3rd. The Council agrees to have City Attorney, Steven Montgomery, review the agreement before signing into it.

V. ADJOURNMENT:

Motion by Ayres to adjourn the meeting, second by Marsh. The motion passed 5-0. Meeting adjourned at 8:30pm.

Melissa A. Zimmerman
City Clerk