

Regular meeting of the mayor and council was held April 6, 2015, 5:00 p.m. at city hall. Mayor Jennifer Brush presided. Council members present: Dave Draayer, David Hardy, Jerry Knouf, Teri Cordill, and John Cary. Also in attendance: Terry Gradig, Vickie Oviatt, Bruce Berkley, Tonya Kuhn, Devin Renken, John Bisnette, Tim Brush, Don Heiland, Bill Cushing, Brian Sharp, Charlie Stevens, Gilbert Meyeres, Perry Remus, Evan Joy, Glen Hofbauer, Doug Lantz, Rob Allen, Shane Renken, Austin Gasper, Drake Koops, Bill Berkley, Doug Brush, Jim Griffith.

Mayor Jennifer Brush called the meeting to order and led in the flag salute.

Jerry moved, seconded by Teri, to approve the regular meeting minutes of the March 16, 2015 meeting. Carried.

Mayor Brush is in the process of contacting all property owners involved in the proposed annexation to the city. Presently, five land owners have agreed to not object to the proposed annexation into the Downs city limits. She reviewed the drafts of the five agreements presented. Mayor Brush reviewed the purpose and benefits of annexation.

The Agreement for Annexation with Solomon Valley (Scoular Co.) included a request for the city to vacate Clark Street between Commercial and Railroad for future expansion.

Council heard from Rob Allen, Midway Co-op. He expressed concerns on the proposal to close Clark Street. He said that they use the road a great deal pulling trailers back and forth from their NH3 plant north of town, also for their sprayers, spreaders, and trucks. He said to close the street would be a huge inconvenience for them and for their patrons.

Council heard from Charles Stevens, homeowner. Charlie expressed his concerns on the proposal to close Clark Street. He said that he uses this road several times daily.

Dave H. mentioned two citizens who had notified him of their concerns regarding the proposed closing, Rhonda Atwood and Edgar Reinert. Council also heard from Gilbert Meyeres, Perry Remus, and Brian Sharp. Bill Cushing suggested that, when the time comes for Scoular to expand, the council focus on adding another crossing.

Following discussion, Jerry moved, seconded by Dave H., to allow the mayor to sign the Agreement for Annexation with James and Nancy Cary, with amendment. Carried. John abstained.

Jerry moved, seconded by Dave H., to allow the mayor to sign the Agreement for Annexation with Bob's Inc., with the change in wording. Carried.

Jerry moved, seconded by John, to allow the mayor to sign the Agreement for Annexation with MidTown Service with the change in wording. Carried.

Jerry moved, seconded by seconded by John, to allow the mayor to sign the Agreement for Annexation with Solomon Valley Enterprises LLC. Carried.

John moved to allow the mayor to sign the Agreement for Annexation with H&H Investments with the change in wording. Dave H. seconded the motion. Carried.

Jerry gave the law enforcement report of activities for the period of March 1 – April 1, 2015.

Mayor Brush reported that Ellsworth Brown has withdrawn his application for code enforcement officer.

City Attorney reported on the vinyl stickers to be used with special use permits to identify the year of the permit. This will provide assistance to law enforcement.

Terry Gradig reported on the sewer upgrade. If it is an option, he would like the city to tag team with Jim Keezer on the sewer line installation.

Terry reported on the replacement of the intersections in the geometric project area. The sewer line on Ray Street has been replaced. Water line repairs have been completed on Ross Street. They have flushed the fire hydrants and found four that need replaced. John moved, seconded by Dave H., to spend up to \$10,000.00 for fire hydrant replacement, to be paid out of the water/sewer fund. Carried.

Terry reported that the KDOT overlay of Highway 24 will start in May.

Terry said that the concrete, in the east side intersection parking area on Division, is deteriorated. He asked if the council wished to replace this for an additional cost. John moved, seconded by Jerry, to allow the superintendent to add to the scope of the project on intersection on east side of Division and Morgan in the amount of \$1400.00. Carried.

Terry asked about sending one or two employees to a free class in Russell. They would receive five hours credit. Dave H. moved, seconded by Jerry, to approve the city superintendent to send up to two city employees to the Rural Water Association's training in Russell on April 22<sup>nd</sup>. Carried.

Terry reported that he had given a quote on the replacement of the city shop to insurance and it was approved.

Mayor Brush reminded Terry of projects to do as needed such as the street sealing, upkeep of parks and cemetery, and getting the swimming pool ready. Terry said that the prisoners are scheduled to be at the cemetery on June 10<sup>th</sup>.

Dave H. reminded of the upcoming city wide clean up on April 11<sup>th</sup>.

City Clerk reported that a donation of the remaining funds, in the Betty Coco Roadside Park Christmas Fund, were received from the State Bank of Downs, in the amount of \$1139.61.

At 6:30 p.m., John moved to recess into executive session for 15 minutes to discuss confidential data relating to financial affairs of corporations with the council, mayor, clerk, attorney, and members of Downs Enterprises present. Jerry seconded. Carried.

At 6:45 p.m., regular session resumed.

Mayor Brush reported that Wilson and Company would complete applications for KLINK projects and for Geometric Projects at no cost if the council approves. John moved, seconded by Jerry, to approve Wilson & Co., to apply on behalf of the city for a Geometric Improvement grant for 2018, and also for a KLINK grant for 2017. Carried.

Jerry moved to approve electrical license #15-43. Teri seconded. Carried.

Jerry moved to approve builder license #15-44. Dave H. seconded. Carried.

John moved, seconded by Teri, to approve building permits #15-05; #15-06; #15-07; #15-08. Carried.

Jerry moved, seconded by Teri, to approve demolition permit #15-09. Carried.

Dave H. moved, seconded by Teri, to approve special use permits #15-16; #15-17; #15-18; #15-19. Carried.

Jerry moved to approve the Purchasing Card Policy with corrections. Dave H. seconded the motion. Carried.

Dave H. moved, seconded by John, to approve the City of Downs to obtain two credit cards from the State Bank of Downs under the name of City of Downs. Carried. Teri and Dave D. abstained.

Dave D. asked about the anonymous letter concerning a WWII machine gun that was missing from the memorial hall. Jerry reported that the gun is now in the possession of the Osborne County Sherriff's department.

Dave H. moved, seconded by John, to purchase a window shade for the clinic from Ellenz of Tipton, at a cost of \$202.80, from the clinic fund. Carried.

Jerry reported for the Fink-Thomas Committee that the committee had reviewed and unanimously declined an application for funds from Vikki Grady for Little Blessings childcare facility, as it is a private business.

John asked about the residence in the ten hundred block of Division with vehicles on the sidewalk. Bruce will send out a letter with a deadline to comply.

John reported that he is registered for an Emergency Planning class presented by the League of Kansas Municipalities.

Mayor Brush thanked those council members with terms expiring. Three members chose not to file at this election: Dave Draayer, Dave Hardy, and Jerry Knouf. Refreshments were served.

Mayor Brush read a thank you note from Municipal Judge Kenneth Lee. Judge Lee will be attending continuing education classes in Wichita, April 20<sup>th</sup> and 21<sup>st</sup>.

At 7:15 p.m., John moved, seconded by Jerry, to recess into executive session for 30 minutes to discuss non-elected personnel with the council and mayor present. Carried.

(The remaining minutes were taken by Jennifer Brush)

7:45pm regular session resumed. John Cary moved to return to executive session for 15 minutes for discussion of personnel matters of non-elected personnel with council and mayor present. Dave H. seconded. Motion passed unanimously.

8:00pm regular session resumed. Teri made a motion to hire Kelsi Smith as pool manager, Sage Schlaefli and Josh Arnoldy as assistant managers and pay as presented. John seconded. Motion passed unanimously. Teri made a motion to hire John Hudson and Cody Burda for summer employment and pay as presented. John seconded. Motion passed unanimously.

8:02pm John made a motion to go into executive session for 30 minutes to discuss confidential data relating to financial affairs of individual proprietorships with council and mayor present. Jerry seconded. Motion passed unanimously.

8:21pm regular session resumed. Council reviewed payroll and vouchers. Dave D. made a motion to approve payroll and vouchers as presented. Dave H. seconded. Motion passed unanimously.

8:42pm Dave D. made a motion to adjourn. Jerry seconded. Motion passed unanimously.

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Jennifer Brush, Mayor

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Vickie Oviatt, Clerk

Pay schedule:  
Kelsi Smith \$7.95  
Sage Schlaefli \$7.70  
Josh Arnoldy \$7.70  
John Hudson \$9.00  
Cody Burda \$8.00

