

Regular meeting of the mayor and council was held May 4, 2015, 5:00 p.m. at city hall. Mayor Jennifer Brush presided. Council members present: John Cary, Teri Cordill, John Bisnette, Devin Renken, Tonya Kuhn. Also present: Bruce Berkley, Terry Gradig, Vickie Oviatt, David Draayer, LaRhea Cole, Eric Rose, Shannon Elmore, Danny Miner, Sherry Naasz, Judy Fiala, Bill Cushing, Linda Miller, Doug Brush.

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

Teri moved, seconded by John B., to approve the minutes of the April 20, 2015. Carried. John C. abstained.

Sherry Naasz and Judy Fiala, Cushing Insurance Agency, presented the city with a Kansas Municipal Utilities Safety Group Insurance Program dividend check in the amount of \$5,580.23.

Osborne County Deputy Sheriff Danny Miner gave the law enforcement report for the period of April 1, 2015 through May 4, 2015.

City Superintendent reviewed the cost estimates, prepared by Wilson & Co., for the KLINK (2017) and Geometric Improvement (GI) (2018) applications. Action was tabled.

Terry reported on prices to repair or purchase a new robotic pool vacuum. Following discussion, John C. moved, seconded by Teri, to have the city superintendent spend up to \$1700.00 to repair the robotic pool scrubber. Carried.

City Clerk reported that the yearly audit is scheduled for May 27<sup>th</sup>. She also reported receipt of grant money from Sarver Charitable Trust, \$5,000.00; and from McFadden Charitable Trust, \$5,000.00 for the sewer upgrade. Mayor Brush had made application to these trusts. Thank you notes were received from the Downs Chamber and from After Prom.

John C. reported on the emergency management course summary he had participated in and shared a handout on disaster preparedness. John recommended taking photos of city equipment.

Bill Cushing, Chairman of the Planning Commission, was present to report on activity. They have been working on the option of allowing structures on vacant lots. They have put this subject on hold until other issues are completed. They will plan to report regularly to the city council. John C. asked if the commission could look into incentives for people to build houses in the south part of town.

Eric Rose was present to ask the council to consider taking some of the funds designated for police protection and adding more EMS coverage. He referenced an ambulance call that took a half hour for the ambulance to arrive. He also suggested that Mitchell County be called out when Osborne is busy.

Shannon Elmore was present to ask the council to consider allowing chickens, possibly with a special use permit. Council will take into consideration.

Mayor Brush presented the committees and appointments for 2015. John B. moved, seconded by Devin, to approve the mayor's committees and appointments for 2015. Carried. Oaths were taken by

City Attorney, Bruce Berkley; City Clerk, Vickie Oviatt; City Treasurer, David Draayer; City Superintendent/Zoning Administrator, Terry Gradig.

Teri moved, seconded by Tonya, to elect John Cary as president of the council. Carried. John C. abstained.

John C. moved, seconded by John B., to approve the west side sanitary sewer improvements. Carried.

An ordinance providing for the execution of an amendment to the loan agreement between the City of Downs and KDHE for sewer improvements was considered. John B. moved, seconded by Devin, to pass Ordinance #957. Carried.

Mayor Brush had contacted KDOT concerning the \$71,600.00 of city matching funds on the Geometric Improvement project due. KDOT agreed to allow a payment of \$35,800 by June 4, 2015 and a second payment of \$35,800 by January 15, 2016. There was some discussion concerning street repairs and special highway funds. Tonya moved, seconded by John C., to approve the mayor to sign the Authority to Award Contract on Project 71 KA3048-01. Carried.

Due to the additional funds required for the geometric project, council discussed postponing new sidewalks. John C. moved, seconded by Devin, to postpone the sidewalk projects until a later date. Carried.

Terry asked if council wished to postpone the fire hydrants as well. It was noted that this was not a cosmetic purchase and citizens expect the upkeep of fire hydrants.

Regarding the proposed ordinance to establish a truck route, Terry, Bruce, and Devin will meet to finalize a proposal.

Teri had met with Kelsi Smith, Pool Manager, to discuss pool matters for the coming season. Teri discussed admission rates. Following discussion, pool rates were agreed upon as follows: Sr. Citizen Pass (55+) \$40.00; Individual Pass \$70.00; Family Pass (2) \$90.00; Family (3) \$100.00; Family (4) \$110.00; Family (5+) \$120.00; Daily Admission (5+) \$5.00; Daily Admission (4 & under) Free; Party Pass \$100.00 & Pay for own Lifeguards; Swim Lessons \$25.00 per child. Teri moved, seconded by John C., to set the pool rates as proposed. Carried.

Teri presented a check in the amount of \$500.00 from the Christian Agape Shop, a donation toward lifeguard swimming suits and pool toys.

Teri moved, seconded by Tonya, to approve the special use permit #15-24. Carried.

John moved, seconded by Devin, to approve building permit #15-11. Carried.

John moved, seconded by Devin, to approve a CMB license for Downs Chamber of Commerce for Celebration. Carried.

Mayor Brush, Bruce, and Teri had visited with John Riggs concerning annexation and he had clarified some questions they had. Bruce had spoken with some of the business owners and there were a couple of counter offers.

At 7:12 p.m., John C. moved, seconded by John B., to recess into executive session for thirty minutes to discuss financial matters of third parties with the mayor, council, attorney, and clerk present. Carried.

At 7:42 p.m., regular session resumed.

At 7:42 p.m., John C. moved, seconded by Tonya, to recess into executive session for ten minutes to discuss financial matters of third parties with the mayor, council, attorney, and clerk present. Carried.

At 7:51 p.m., regular session resumed.

John C. moved, seconded by Devin, to allow the mayor to sign the newly adjusted annexation agreement with Alvin and Debi Becker. Carried.

John C. moved, seconded by Tonya, to direct the city attorney to draft the ordinance to accept voluntary annexation with those that have signed an agreement, including the city cemetery, the city farm ground north of the cemetery, the north water tower, the highway along 24 and 181, and have this ready to review at the first meeting in June. Carried.

John C. moved, seconded by John B., to direct John Riggs to prepare the report for unilateral annexation and set the date for the public meeting. Carried.

Mayor Brush is contacting the contractor concerning the stone at the medical clinic.

Vouchers and payroll were reviewed and signed. Devin moved, seconded by John C., to approve the vouchers and payroll as presented. Carried.

At 8:14 p.m., John C. moved, seconded by Devin, to recess into executive session for thirty minutes to discuss non-elected personnel with the council, mayor, and city attorney present. Carried.

At 8:41 p.m., regular session resumed. No action was taken.

Devin moved to adjourn at 8:41 p.m. Tonya seconded the motion. Carried. Meeting adjourned.

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Jennifer Brush, Mayor

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Vickie Oviatt, City Clerk

