

Regular meeting of the mayor and council was held October 20, 2014, 5:00 p.m. at city hall. Mayor Jennifer Brush presided. Council members present: John Cary, David Draayer, Jerry Knouf, Teri Cordill, and David Hardy. Also in attendance: Bruce Berkley, LaRhea Cole, Vickie Oviatt, Terry Gradig, Janice Boland, Cathy Shellito, Pam Meier, Claude Warren, Doug Brush.

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 October 6, 2014. Carried.

Dave Hardy entered.

Janice Boland, Osborne EMS Director, was present for a review of the services provided to the City of Downs. She reviewed the schedule, coverage of events, and response times. They currently have 8 full time and one part time on staff.

Pam Meier, representative of the Osborne County Solomon Valley Transportation Team, explained the relatively new service funded by KDOT Public Transit Program. This general public transportation service is provided in Mitchell and Osborne counties on a first come first served, Monday thru Friday 8:00 a.m. to 5:00 p.m. Suggested donations are \$1.00 per trip in the county; \$2.00 per trip out of county. Trips can be for medical appointments (in and out of county), shopping, employment and work related needs, and day to day necessities. SVT is requesting that the council consider providing a pledge of support.

Claude Warren, Code Enforcement Officer, reported that notices have been sent out. He will be back this week sometime to look things over. Mayor Brush said that the council had a question for Claude. Jerry asked if Claude had submitted any mileage reimbursement when driving the Osborne police car. Claude said that he had driven the car to Downs a couple of times. Jerry explained that this was not proper procedure and the city would not pay for trips in the Osborne Police Car.

Mayor Brush presented a sample ordinance on "Parking on Lawns" for the council's review. There was discussion regarding the code. Council also asked that Claude check on a time line for a house demolition permit issued to Jay Bingesser, at 717 Hadley.

Bruce reported that the survey was finished on the old tree dump ground. The sale bill has been prepared for the two tracts and the land sale will be November 10th. John asked about cleaning up the old trees before the sale. Bruce noted that KDHE requires it to be cleaned up before transfer. This includes trees, ashes, and rock.

Mayor Brush reported that she had visited with Ron Duran about a dog complaint and will review the number of untagged dogs.

Terry reported that the KDOT geometric improvement application for Delay to Osborne was denied.

Terry had talked to Harold Schleicher, KDOT, about installing a “no right turn” sign for truck traffic on Commercial. Scoular and Co-op have requested pricing for street repair. Terry will have Jim Keezer prepare quotes. Mayor Brush has contacted Glen in the Overland Park office about the possibility of repairs.

John reported for the fire department that Kyle Railroad has been contacted about the railroad ties that are piled on west Railroad. Kyle replied that they will be removed by the end of the month. Mayor Brush thanked the fire department for doing the safety presentations at the school and day care businesses.

Jerry moved to approve a builder’s license for Burwell Construction, #14-63, subject to supplying proof of insurance. John seconded. Carried.

John moved, seconded by Dave H., to approve building permit #14-25. Carried.

Jerry moved to approve demolition permit #14-26. Teri seconded the motion. Carried.

Mayor Brush discussed annexation and read the following report: Annexation map proposal - the expanded city boundary has been drawn after much discussion and investigation, from planning commission findings, talking to property and business owners and Downs citizens and city superintendent and city planning consultant John Riggs. The primary reason for annexation of these properties is to increase the tax base for budget shortfall and expand the city boundaries for future growth and expansion, long range growth of Downs; all of land is adjacent to current city boundary, all the services such as water, ambulance, fire and police protection are already available to these properties. Public sewer service would be extended in a reasonable time frame.

Properties discussed but not in the proposed map are because there isn't an urban potential in the property or it isn't feasible for the property to be annexed and services extended; then no benefit to annex.

Water rates will go down, insurance will go down due to a change in fire rating by being within city limits. Engineers Wilson & Co. will come up with concept plan & estimate for sewer, water, fire hydrants. City attorney will contact Schwab Eaton for legal description of boundary line. Council will decide reasonable time frame and services plan. Public hearing will be held. Zoning will be assigned. Zoning is a protection for the business/ property owner. By state law annexation is not allowed to change two things: land & buildings used for agriculture are exempt from zoning by state law. Also, new zoning laws cannot apply to existing uses of land by state law.

Mayor Brush presented a map of a proposed expanded city boundary. John moved, seconded by Jerry, to approve the proposed annexation map as presented. Jerry, John, Dave H., Teri – Yes; Dave D. – No. Motion carried.

John moved, seconded by Jerry, to allow the city superintendent and city attorney to contact Schwab-Eaton (for legal boundaries); Wilson & Co. (for sewer/water study); and John Riggs (legal) to proceed with the annexation. Jerry, John, Dave H., Teri – Yes; Dave D. – No. Motion carried.

Dave D. presented another proposal for water rates for the council’s review. No action was taken.

Jerry moved, seconded by Dave H., to pledge \$100.00 to Solomon Valley Transportation. Carried.

The Chamber’s request for advertising funds was denied. Council continues to support Chamber with in-kind donations.

Jerry had met with the Fink-Thomas Committee concerning a request for funds from the scouts. The committee approves a \$1000.00 contribution. Jerry moved, seconded by John, to approve a donation of \$1000.00 from the Fink Thomas Trust to the scout house utilities and up keep. Carried.

Teri reported that the members of Xi Theta Sorority are donating \$2,250.000 for use of beautification of city parks.

Vouchers/payroll were reviewed and signed. Dave D. moved to approve the vouchers/payroll as presented. Jerry seconded the motion. Carried.

Dave D. moved, seconded by Dave H., to adjourn the meeting at 7:13 p.m. Carried. Meeting adjourned.

Jennifer Brush – Mayor

Vickie Oviatt – Clerk

