



# Newsletter March 2008

**NEXT MEETING: APRIL 12, 9:00 A.M. at COMMUNITY CHRISTIAN CHURCH McCARDLE and MAIN STREETS**

## CONTACTS

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## PRESIDENT'S COMMENTS

I'm sad to report that on February 29, the second special commission on financial stability and governance issues was dissolved. Mayor Cynthia Engle took the recommendation of the City Council not to pursue negotiations with the Lake Association through the special commission. The explanation for this action followed a consensus from the City Council that this was not an urgent issue and that the governing body should not deal with this issue until 2011 when our ground lease expires. The same City Council who voted this past June to form this committee, has reversed its decision and now believes the issue is not important at this time.

To say the least, Jane Rickenbrode, Charlene McRae, Tim Tyner (members who represent the city at large) and Dave Fritchen and I (members who represent the Lake Association) were very disappointed. We tried to explain to City Council Members Anita Thomas and Steve Shepard, and Mayor Cynthia Engle that while the city does not see the urgency in this matter, we do. Every day, week, month and year that goes by hurts lake homeowners who are trying to plan for the future. Many of us are hoping to make major life decisions about our future. Some are thinking of retiring and moving to the lake full-time; others are considering whether they should sell their lake homes or not; and yet others are wondering if they should build or upgrade their lake homes. This delay makes answering these questions nearly impossible. I also believe that delaying the process of negotiating a new lease and operating agreement will decrease our property values. We will likely experience the tipping-point where this uncertainty and instability will surely have a significant impact on the values of our homes. Finally, in this last meeting we expressed our frustration of two years of work and that thousands of dollars in drafting proposals was never taken seriously.

This action concludes over two years of work by two special commissions formed by two different mayors. The purpose of these special commissions was to use citizens from the community of Council Grove and the City Lake to develop ideas and proposals for the new ground lease and operating agreement (see attached documents). While the second commission was never allowed to submit a proposal to the City Council, it did reach a consensus on a number of items. These consensus items include: survey of lake properties; a 99 year and/or perpetual lease; protection clauses for homeowners; a five year review process; \$800 lease starting in 2012 (60% for maintenance and 40% for a capital improvement fund); development of a City Lake Advisory Committee for shared governance; and a commitment to pursue capital improvements at the City Lake Park (water, sewer, and roads).

Clearly, the Lake Association is disappointed that the City Council would not consider the items that were reached by the first or the second special commission. Today, the reality is:

- 1) we have spent \$9,000 in legal fees on drafting proposals and hundreds of volunteer hours in working with the special commissions;
- 2) two separate mayors commissions have been formed by two different mayors and while both have reached a consensus neither were given serious consideration;
- 3) the Lake Association's commitment to spend up to \$2,500 for a "scope of work" (survey of the lake) was never considered; and
- 4) our efforts to improve the relationship between the city and the lake and our efforts to negotiate in good faith has produced little results.

What makes these events so alarming is that Council Grove City Administrator Danny Matthews has publicly advised the City Council that after our current lease expires in December 2011, that the city should develop a new lease that allows the city to alter the dollar amount per year based on city financial needs. He has also advised the City to retain "total control" of all aspects of the City Lake Park. In addition, the city attorney has also hinted that the city consider an annual lease for the City Lake Park. What this means for us is that we would never know what our lease conditions or its amount would be from year to year or if we would even be guaranteed a renewed lease. This situation would hinder homeowners' ability to secure financing to purchase a lake home, remodel, or build a new home. Most importantly it would be nearly impossible for us to plan our own personal budgets. I believe the city administrator's proposal would be disastrous for lake homeowners as well as the city itself.

In conclusion let me reassure you that the Lake Association leadership will continue to pursue our goals of financial stability and shared governance at the lake. Clearly these recent events and decisions by the City Council illustrate that this will be a difficult process. I am confident that we will be successful in obtaining a favorable ground lease and operating agreement; however, it will likely take new and different strategies and a protracted struggle over the next year or two to be successful.

### **BOARD OF DIRECTOR ELECTIONS TO BE HELD AT JUNE GENERAL MEETING**

Consistent with corporate by-laws, the Lake Association will be holding elections during our June meeting for eleven new directors to the board. Candidacy forms will be available at both the April and May Lake Association meetings, as well as on our website.

### **BUSINESS DIRECTORY**

It's time again for us to be putting together our Business Directory for the year. If you would like to list your business, this is an excellent way to give your services repeated exposure. For the \$100.00 you will receive.

- The Business Directory will be mailed with four newsletters
- Business Directory will be published on the Council Grove City Lake web site [www.cgclakeassoc.org](http://www.cgclakeassoc.org)
- Business Directory will be mailed to every new owner with the "Welcome Packet"
- Business Directory will be available at every Association meeting for members to pick up

For a fee of \$500.00 you will receive all of the above AND a link from the Lake Association web site home page to your web site. At this time we have only four links available so sign up early!

The guideline for your business listing is approximately 30 words, which should include the name of the business, address, web site, phone number and a brief description of the product and/or services. For simplification of the process, once you determine what to say in your listing there can be no changes. We will be using a format similar to last year. The current business directory may be viewed at [www.cgclakeassoc.org](http://www.cgclakeassoc.org).

by clicking the Council Grove Directory link. If you need to see a copy of the directory let us know. Please contact LuAnn Fuller @620-767-7207 or email us at [cglakeassoc@yahoo.com](mailto:cglakeassoc@yahoo.com). The deadline to be in the April edition is March 24<sup>th</sup>.

### **POLO SHIRTS AND OTHER ITEMS AVAIABLE AT MONTHLY MEETINGS**

Once again Council Grove City Lake polo shirts, aprons and bags are available, at our monthly meetings. We are looking for your input on what you would like to have for promotional items this summer. Additionally, we are looking for a volunteer to assist with the sale of promotional lake items. This position requires the following: have materials at monthly Association meetings (or arrange for someone to have items for sale); keep track of money from sales and submit to treasurer; order additional inventory as needed. If you feel you can devote a few hours a month to assist with this venture, please contact Joyce Hutter at 620-767-2726 or LuAnn Fuller at 620-767-7207.

### **SPRING LAKE CLEAN-UP**

Good News for City Lake Residents!! The Pride Committee of Council Grove is promoting a Community-wide Clean-up the month of March. The city has scheduled Monday, March 31<sup>st</sup> as FREE pick up day for the City Lake. **ALL ITEMS MUST BE SORTED INTO THE GROUPS BELOW OR THE CITY WILL NOT PICK THEM UP.** Place your sorted trash for pickup in separate piles far enough apart to permit pick up by machinery. Please call the City Clerk at 620-767-5417 the week prior to Monday and give her your address and the list of items to be picked up. All limbs, leaves, brush, mulch and compost are to be in one pile (not in bags or boxes).

Also we will coordinate to have the brush dump, east of the dam, open on the previous weekend, March 29<sup>th</sup> and 30<sup>th</sup>, for those who want to haul their own limbs, brush, leaves, mulch, or compost. Lumber and other trash is not permitted in the brush dump. NO plastic bags or boxes are permitted in the brush dump.

Gibson's Recycling, a Council Grove business, will accept old appliances, with or without freon, metal and scrap iron. They are open Monday- Friday 10 am-6 pm and Saturday mornings. Call 620 767-7471 for more information. Questions about the Pride Spring clean-up should be directed to Cheerie Baker, 620 767 6403, or Diane Bolton 620 767 5807. Thanks, ladies for getting this organized for us and coordinating with the city.

### **Items Allowed for Community-wide March Clean-up Need to be Sorted into These Groups.**

Tree limbs, brush, leaves, mulch, and compost – NOT IN BAGS OR BOXES

Trash, household rubbish and garbage

Old furniture

Metal appliances- freon free (red tag)

Tires (auto only)

### **Items Not Allowed, these items will NOT be picked up**

Construction or demolition materials waste oil

Iron, fence wire

Dead animals

Batteries

Paint, paint stripper, varnish,

Asbestos waste

Dirt, rocks, or brick

Ammunition or explosives

Household hazardous waste (spray insecticide, etc)

Agricultural spray, Gas tanks

Any waste that requires KDHE authorization

## **LAKE PROPERTIES APPEARANCE**

As the Lake Association leadership discussed the Pride Committee clean-up efforts and surveyed the condition of the commons areas at the lake, it became apparent that some of us need to place emphasis on maintaining our own areas.

Items that have been brought to our attention are: boats and trailers that obviously haven't been moved recently, some embedded in tall weed patches and even some with trees growing in them!; Old lawn mowers, and other equipment scattered about; Brush piles left in the commons areas; Old piles of dirt, sand, etc, grown up in weeds; Several old, (some currently tagged) vehicles, stored in congested high traffic areas.

Almost every month we receive suggestions (gentle complaints) from home owners about these types of situations. Please take a look at your area, and see if you might easily improve the appearance. We all want to be proud of our lake community! If you find you need help with one of these items, please email us or call and we will find some Lake Association volunteers to assist you.

## **COUNCIL GROVE CITY LAKE LICENSE PLATES ON SALE AT MARCH MEETING**

YOU have an opportunity to make a difference in the lives of our students of today and our leaders of tomorrow and at the same time promote the City Lake. With the purchase of a Council Grove City Lake license plate you allow students in our district to participate in projects the district is not able to fund. Through the Educational Enhancement Fund, ALL MONEY from the purchase of license plates will be used for enrichment activities not normally available to district students.

An informational brochure promoting the USD 417 Educational Enhancement Fund has been designed in cooperation with the foundation, 1500 copies printed and distributed to the Educational Enhancement committee. This was made possible through generous contributions by Lake Association members.

Leon Lungwitz, D37 and his firm THE PRINT SOURCE, INC., Wichita, have designed, produced and donated the the license plates. We greatly appreciate the generous donation.

Officers and members of the executive board have purchased license plates and have been displaying them for all to see. Now, as we begin another active season on the lake, it is time for all to participate. Let our youth, their teachers, and our community, know that we support them and want only the best for them. **SUPPORT OUR STUDENTS and SHOW YOUR PRIDE IN THE LAKE. BUY A LICENSE PLATE FOR EACH VEHICLE YOU OWN!!!** For only \$10.00 each

## **COUNCIL GROVE BUSINESS EXPO**

Volunteers are needed to set up, man and take down the City Lake Association Booth for the 2008 Business Expo which is scheduled for April 5<sup>th</sup> from 9:00 – 4:00. In past years this has proven to be a wonderful opportunity for acquainting visitors to our area and local residents with various aspects of the lake. We generally have available for people to take with them the Master Plan, boating and safety regulations, fishing information and regulations, lake maps, and city regulations pertaining to the lake. This is also a great opportunity to get to meet business leaders in the area. If you can assist with this event, email us or call Joyce Hutter at 620-767-2726.

## **LAKE ASSOCIATION RELAY FOR LIFE**

The Lake Association is pleased to announce that we are sponsoring a team to walk in the Relay for Life on August 1<sup>st</sup> to help make a difference in the fight against cancer. We need VOLUNTEERS (male or female) to JOIN THE TEAM in an effort to raise money and help find a cure. Please email [cglakeassoc@yahoo.com](mailto:cglakeassoc@yahoo.com) or call Carolyn Nelson at 620-767-8456 or LuAnn Fuller at 620-767-7207 to sign up for the team. We can help make a difference.

**NEW ROAD NAMES (or) ENHANCED 911 SYSTEM IMPLEMENTATION**

The county is in the process of implementing the Enhanced 911 System at the City Lake. As you may recall, the new system will bring the City Lake area up to standards which will allow emergency response equipment to automatically determine the location of a 911 call. The system requires that each individual road have a separate name. Lake Association members previously provided names for the roads. This lengthy project is still a work in progress. It will be at least late fall before we need to be concerned about changing addresses.

**PRELUDE TO SYMPHONY IN THE FLINT HILLS**

Morris County and the City of Council Grove would like to welcome you for a Prelude to Symphony in the Flint Hills, Friday and Saturday June 13<sup>th</sup> and 14<sup>th</sup>. Join us on the Riverwalk for Friday night’s activities, featuring artisans, cowboy poetry, and musicians. Buy your tickets early for the family chuck wagon dinner prepared by the Flying W Ranch. Call: 620-767-5807 or email [dbolton@tctelco.net](mailto:dbolton@tctelco.net) Adult and Children meals are available .Savor the flavor of the west! Tour the Kaw Mission; open Friday and Saturday from 10AM to 4PM. Don’t miss the free concert on the lawn at 8PM Friday, sponsored by the Kansas State Historical Society and Friends of the Kaw Heritage. Remember to bring your own chairs. For a full list of working ranch tours, nature walks, historic walk and tours, quilt show, art/author walk, Riverwalk activities, shops, restaurants, and lodgings, visit the web site [www.councilgrove.com](http://www.councilgrove.com). or call 800-732-9211. Spend some time in our small friendly towns and discover for yourself why Morris County is truly the Heart of the Flint Hills.

**INDEPENDENCE DAY REGATTA**

The annual Independence Day Regatta and lake front decoration will be Saturday July 5<sup>th</sup>. Details will be available on the web site soon.

**CALL TO JOIN LAKE ASSOCIATION**

Forgot to pay your dues? We strongly encourage all lake homeowners to join in our efforts, be a part of the lake community and let your voice be heard.

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**Council Grove Lake Association  
PO Box 13, Council Grove, Ks 66846  
2008 Annual Dues \$25.00**

Lot Number \_\_\_\_\_  
Name(s) \_\_\_\_\_  
\_\_\_\_\_  
Mailing Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Home Phone \_\_\_\_\_  
Lake or Cell Phone \_\_\_\_\_  
I volunteer to assist with \_\_\_\_\_

## **History of the Financial Stability and Governance Issue**

- Apr 2005 Mayor Dick Montgomery proposes to annex the lake properties (recommends taxation with little or no services)
- City Administrator Danny Matthews and Mayor Dick Montgomery provide data showing that the city is losing money at the city lake and therefore justify the annexation proposal
- Oct 2005-  
Mar 2006 Lake Association Master Plan sub-committee discusses several options for addressing both the financial and governance issues (Sub-committee includes representatives from both the lake and the city.)
- Apr 2006 Lake Association Master Plan adopts sub-committees proposal for residents to purchase lake properties and establish an “Improvement District” for self-governance
- May 2006 Lake Association presents Master Plan to City Council and asks Mayor Dick Montgomery to establish a “special commission” to study the issue and develop a proposal that addresses the financial stability and governance issue
- Lake Association hires attorney Bill Frost to assist the Association in the issues of annexation and the negotiating process with the City of Council Grove
- June 2006 Mayor establishes special commission (Representatives included members of the City Council and Mayor, Lake Association, County Commission, Council Grove Area Chamber of Commerce, and the Morris County Economic Development Corporation.)
- July 2006 Special commission begins its work to discuss various options
- Aug 2006 Special commission discusses the “Improvement District” option for governance
- Sept –  
Oct 2006 Special commission discusses the various annexation proposals
- Nov 2006 Special commission discusses the lake properties purchase proposal
- Feb 2007 Special commission discusses a compromise plan that includes (a) permanent easement/long-term lease and (b) the development of a homeowners association/operating agreement for self-governance

Special commission adopts the permanent easement/long-term lease plan (Decides to wait on the homeowner's association/agreement until a later date) Motion passes 7-0-1

- Mar 12, 2007 Lake Association membership endorses the compromise plan
- Mar 14, 2007 Special commission representatives present compromise plan to the City Council
- May 14, 2007 City Administrator Danny Matthews advises City Council on his annual lease and "total control" plan
- June, 2007 City Council votes 0-6 and rejects the compromise plan
- Council member Steve Shepard calls for the development of a second special commission to resume negotiations
- July 24, 2007 Mayor Cynthia Engle forms the second mayor's commission to address financial stability and governance issues (Membership includes two city council members, two members of the community, two lake association representatives, and two individuals who own property both at the lake and in the city)
- Sept –  
Oct 2007 Second Mayor's Commission reach consensus on several conceptual points (They include 99-year lease, five year review, and development of City Lake Advisory Board)
- Oct 2007 Lake Association attorney drafts a ground lease and operating agreement for the second commission that includes agreed upon conceptual points
- Second mayor's commission recommends that city attorney review the new proposal and make comments to the special commission
- Dec 5, 2007 City attorney responds negatively to City Council (and later to the mayor's commission) on the new proposals
- Jan 25, 2008 Second mayor's commission again confirms its support of its basic concepts (99-year lease, five year review, and development of City Lake Advisory Board) – decides to ask city attorney to draft proposal
- Feb 29, 2008 Mayor Cynthia Engle informs the second mayor's commission that the City Council no longer sees the urgency of this issue and thus recommends that we dissolve the commission
- Other members of the commission agree that if the City Council is not interested in the commission's work there is no value in continuing their discussions

# **Second Special Commission Outline of the Consensus Reached**

- ◆ Survey of lake properties
- ◆ 99 year and/or perpetual lease
- ◆ Protection clauses for security (due process)
- ◆ 5 year review process
- ◆ \$800 lease (60% for maintenance and 40% for capital improvement fund)
- ◆ Development of City Lake Advisory Committee for shared governance
- ◆ Commitment to pursue capital improvements (water, sewer, roads)
- ◆ Covenants over City Ordinances (used by HOA/City process)
  - Includes water quality protection provisions

## **First Mayor's Commission (June 2006)**

Mayor Dick Montgomery (chair)	City Council
Dave Baker (vice-chair)	Lake Association
JD Jones	City Council
Rick Evans	City Council
Jan White	City at large
Charlie Busch	Lake Association
Dave Fritchen	Lake Association
Gary Catlin	Lake Association
Darrell Miller	County Commission
John White	Morris County Economic Development
Gale Young	Council Grove Chamber of Commerce

## **Second Mayor's Commission (August 2007)**

Charlene McRae (chair)	City at large
Jane Rickenbrode (secretary)	City at large
Steve Shepard	City Council
Anita Thomas	City Council
Tim Tyner	City lake and City at large
Steve Adams	City lake and City at large
Curt Brungardt	Lake Association
Dave Fritchen	Lake Association