

Osawatomie, Kansas. **August 22, 2019.** The Council Meeting was held at Memorial Hall. Mayor Mark Govea called the meeting to order at 6:30 p.m. Council members present were Dickinson, Diehm, Hampson, LaDuex, Caldwell, Macek, Walmann and Wright. City Staff present at the meeting were: City Manager Don Cawby, Assistant to the City Manager Meagan Borth, City Clerk Tammy Seamands, City Attorney Richard Wetzler, Building Official Ed Beaudry, Members of the public were: Doug Carder, Renee Slinkard, Tim Lewallen and Michelle Chester.

**INVOCATION.** Tim Lewallen, Victory Baptist Church

**CONSENT AGENDA.** Approval of August 22<sup>nd</sup> Agenda; Register Report 2019-07, Pay Application – Anixter – Electric Shop Heaters - \$13,972.00, Pay Application – Tyler Tech – Utility Billing - \$1,808.00, Pay Application – Hall’s Bobcat – Trail Project - \$8,615.01. **Motion** made by LaDuex, seconded by Dickinson to Approve the Consent Agenda as presented. Yeas: All. Hampson abstained.

**COMMENTS FROM THE PUBLIC.**

Tim Lewallen – Victory Baptist church has been in service for 38 years. The church has a lot of activities going to minister to the public.

**PRESENTATIONS & PROCLAMATIONS.**

Constitution Week Proclamation read by Karen LaDuex. **Motion** made by LaDeux and seconded by Dickinson to approve the Constitution Week Proclamation. The Proclamation was presented to Renee Slinkard.

**PUBLIC HEARINGS.**

2020 Osawatomie City Budget hearing was opened at 6:38 p.m. City Manager, Don Cawby stated the only change to the budget that was published on August 7, 2019 was a change to the Industrial Fund to reflect the estimated revenue and costs for the sale of the grocery store equipment. JTC Oil has indicated that they would like to execute the purchase option on their building lease which is a pass through to the Kansas Department of Commerce. Second call for the hearing at 6:42 p.m., third call for the hearing at 6:43 p.m. The hearing was closed at 6:43 p.m.

**UNFINISHED BUSINESS.**

2020 CITY BUDGET - **Motion** made by LaDuex, seconded by Walmann to authorize the 2020 City Budget as presented and authorize the Mayor to sign the certification required. Yeas: All.

ORDINANCE – 2020 TAX REVENUE INCREASE – **Motion** made by LaDuex, seconded by Dickinson to approve Ordinance 3778 attesting to an increase in tax revenues for budget year 2020 as presented. Yeas: All.

RESOLUTION – 2020 APPROPRIATIONS – **Motion** made by Dickinson, seconded by Hampson to approve Resolution 772 providing for the appropriation, by fund, of the budget for the year beginning January 1, 2020; and appropriating money from the various funds to pay payrolls and claims for the calendar year 2020 as presented. Yeas: All.

### **NEW BUSINESS.**

WATER TOWER MONITORS - **Motion** made by LaDuex, seconded by Dickinson to approve the purchase of water tower monitoring system from Lloyd Harold in the amount of \$14,186.00. Yeas: All.

2020 LEAGUE OF KANSAS MUNICIPALITIES DELAGATES - **Motion** made by LaDuex, seconded by Hampson to appoint voting delegates for the League of Kansas Municipalities as 1) Mark Govea 2) Karen LaDuex and as alternatives city staff 1) Tammy Seamands 2) Meagan Borth. Yeas: All.

### **COUNCIL REPORTS.**

Dan Macek ~ has been questioned about the City taking over the refuse billing from Waste Management. There has been reports that Waste Management is charging fees incorrectly to some customers.

Jeff Walmann ~ work has begun on the trail. Miami county has approved a \$10,000 donation for the trail. The taskforce has also requested a bridge from Miami County to be used on the trail.

Karen LaDuex ~ has been contacted by someone that is requesting that the City give them a lot on the north side of Reed if they purchase two other lots surrounding this lot. City Manager, Don Cawby suggested that they purchase the lot for \$5,000 and then if they build a garage on the lot then the City could rebate the money back to them.

### **MAYOR'S REPORT**

Mark Govea ~ received a letter from Jim Morrison regarding the 1000 block of Brown Ave. stating that trash cans are being left sitting at the curb and that something needs to be done about the grass at Swenson Elementary. Govea stated that he went to Topeka and talked with Nikki Harrison that coordinates the LEAPS program that assists cities in filling city executive positions. Govea passed out information regarding he LEAPS program for the council to review. Govea suggested that a committee made up of the senior officials should be set up to initially meet with Nikki Harrison but anyone else that wanted to be on the committee was welcome.

### **CITY MANAGER & STAFF REPORTS.**

Ed Beaudry ~ 409 4<sup>TH</sup> STREET UPDATE – New owners Dave and Michelle Drumm have been remodeling the house. The house is approximately half done and they are continuing to make progress on the house. The demolition extension expires this month. Staff would ask council to approve an extension to allow the house to be finished. **Motion** made by Macek, seconded by LaDuex to extend the demolition reprieve at 409 4<sup>th</sup> Street until the end of their permit of February 12, 2020. Yeas: All

Ed Beaudry ~409 5<sup>TH</sup> STREET UPDATE – has sent numerous emails and calls to Ron Shade and Darby Lindsey since the April 25, 2019 council meeting at which time Ron Shade agreed to produce a \$10,000 performance bond and to show significant performance within six months. Currently the only work that has occurred at the house is the yard was mowed three times. **Motion** made by Macek, seconded by Caldwell to authorize the City Attorney, Richard Wetzler to deal with the lack of performance on this property and bring back what legal options are available to the City.

Ed Beaudry ~ DEMOLITION UPDATE – All five houses that was on the demolition list have been demoed. City Staff will plant the grass seed within the next month or so when the weather cooperates. We will be keeping a close watch on 815 Pacific because it has twisted and is leaning.

Ed Beaudry ~ TRASH CONTAINER STORAGE – Staff has received may complaints regarding trash containers that are being left on the curb making the neighborhoods look bad. Council directed staff to bring back a draft ordinance regarding the storage of trash cans.

Don Cawby ~ ELECTION START DATE CHANGES – The state has passed senate bill 105 authorizing cities to determine the start date of a regular term of office. Council would need to pass a Charter ordinance and publish it twice to make this change. Staff is just looking for direction on this. Council directed staff to draft the charter ordinance to change the date to the first regular meeting in December.

Don Cawby ~ 2018 ELECTRIC ANNUAL REPORT – This is a report is just for your records. This report is updated every year because of our bonds.

Meagan Borth and Richard Wetzler has put together easement for the Roseberry property. There should be an executable agreement on the September 12, 2019 agenda.

Update on the sale of grocery store equipment – Ed Beaudry did a pre check out walk through at the store today and there is still a couple of things to be removed. Vision Equipment has worked things out with the Equip Bid owner on how these will be removed. There is still a milk cooler and an exterior walk in cooler to be removed. Tomorrow is the deadline.

### **EXECUTIVE SESSION.**

**Motion** made by LaDuex, seconded by Hampson to go into executive session for Non-Elected Personnel from 8:05– 8:20 p.m. including the City Manager Don Cawby, City Attorney Richard Wetzler and Assistant to the City Manager Meagan Borth. Yeas: All. No action taken.

**OTHER DISCUSSION/MOTIONS.**

**Motion** made by LaDuex, seconded by Walmann to adjourn. Yeas: All. Mayor declared the meeting adjourned at 8:20 p.m.

                    /s/ Tammy Seamands                      
Tammy Seamands, City Clerk