

OSAWATOMIE CITY COUNCIL
AGENDA

February 10, 2022

6:30 p.m. | Memorial Hall | 411 11th Street

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Invocation
5. Consent Agenda

Consent Agenda items will be acted upon by one motion unless a Council member requests an item be removed for discussion and separate action.

 - A. February 10th Agenda
 - B. January 27th Meeting Minutes
 - C. Pay Application – Western Consultants - \$2,384.50 – WWTP Improvements
 - D. Pay Application – BG Consultants - \$4,900.00 – WWTP Improvements
 - E. Pay Application – BG Consultants - \$4,875.00 – Brown Street Improvements (16th to 18th St.)
 - F. Adding City Council Meeting Dates to the City’s Calendar
 - February 17, 2022 and March 3, 2022
6. Comments from the Public

Citizen participation will be limited to 5 minutes. Stand & be recognized by the Mayor.
7. Presentations, Proclamations, and Appointments
 - A. Resolution 964 - Council President Elections - City Council President
 - B. Resolution 965 - Interview and Selection of Tourism Committee Members – Mike Scanlon
 - C. Election of City Council Liaison to the Tourism Committee – Mike Scanlon
8. Unfinished Business
9. New Business
 - A. Resolution 966 – Resolution Directing the City Manager to Finalize the Purchase of Real Property at 500 Main Street (Parcel ID# 1711102019022000)
 - B. Resolution 967 – Resolution Directing the City Manager to Finalize the Purchase of Real Property at 510 Main Street (Parcel ID# 1711102019021000)
 - C. Resolution 968 – Resolution Amending the Property Purchased Under Resolution 937 and Directing the City Manager to Make Available an Equivalent Amount of Property on City-Owned Land (Parcel ID # 1493200000001000) to the West of (Parcel ID # 1493200000009000).
 - D. Resolution 969 – Resolution Directing the City Manager to Work with the Owners and Potential Owners of 558 Main St. and 525 Main St. on the Declaration of “Building Blight” to Make the Properties Available for the Kansas Small Cities Community Development Block Grant (CDBG) Commercial Rehabilitation Program.
 - E. Resolution 970 – Resolution Directing the City Manager to Finalize the Contract with Governmental Assistance Services (GAS) for Administration and Application Assistance for the Kansas Small Cities Community Development Block Grant (CDBG) Commercial Rehabilitation Program.
10. Council Report
11. Mayor’s Report
12. City Manager & Staff Report
13. Adjourn

NEXT REGULAR MEETING – FEBRUARY 17, 2022 – MEMORIAL HALL

Osawatomie, Kansas. **January 27, 2022.** The Council Meeting was held at the Memorial Hall located at 411 11th Street. Mayor Nick Hampson called the meeting to order at 6:30 p.m. Council members present were Wright, Macek, Bratton, LaDuex, Dickinson, Diehm, Filipin and Caldwell. City Staff present at the meeting were City Manager Mike Scanlon, Deputy City Manager Bret Glendening, City Clerk Tammy Seamands, Chief Building Official Ed Beaudry, Assistant to the City Manager Samantha Moon, and City Attorney Richard Wetzler. Members of the public were: Kari Bradley, Doug Carder, Neal Daney, Lindsay Freeman, Thomas Macek, Dale Koontz, Donna Koontz, Father Barry Clayton, Sarah Dorsett and Wes Duncan.

INVOCATION. – Father Barry Clayton – St. Philip Neri

CONSENT AGENDA. Approval of January 27th Agenda, January 13th Council Minutes, 2021-12 Council Report. **Motion** made by LaDuex, seconded by Dickinson to approve the consent agenda as presented. Yeas: All.

COMMENTS FROM THE PUBLIC. – Father Barry Clayton - around Thanksgiving some of the churches hosted a Thanksgiving Dinner for the community. They are thankful to be able to do this and hope to continue this in the future. It seems to build good connections with the area churches and the community. The community of churches recently met and discussed offering a Good Friday service outdoors this year. They are working on putting that event together.

PUBLIC HEARINGS. – None.

PRESENTATIONS, PROCLAMATIONS AND APPOINTMENTS.

EVERGY KANSAS CENTRAL, INC. 3MW SOLAR DEVELOPMENT ON NORTHLAND PROJECT – Lindsay Freeman with Evergy and Neal Daney with KMEA gave an overview of the Northland Solar Project. Evergy has partnered with KMEA to offer all KMEA member cities the opportunity to participate in a solar project. The more cities that agree to do the project at the same time lowers the cost of the materials. Evergy would size, build, and own the community solar project. After 7 years, the city has the opportunity to purchase the facility.

KMEA BOARD APPOINTMENTS - **Motion** made by LaDuex, seconded by Filipin to appoint Terry Upshaw as the EMP1 representative and Bret Glendening as the alternate EMP1 representative and to appoint Terry Upshaw as Director #1, Bret Glendening as Director #2 and Nick Hampson as the alternate for the KMEA Board of Directors. Yeas: All.

LIBRARY BOARD OF DIRECTORS APPOINTMENT - **Motion** made by LaDuex, seconded by Bratton to appoint Kathryn Struckhoff to the Library Board of Directors. Yeas: All.

UNFINISHED BUSINESS.

RESOLUTION 953 – CONSIDERATION OF SOLAR DEVELOPMENT AGREEMENT – Motion made by Caldwell, seconded by LaDuex to approve Resolution 953-Authorizing the execution of the solar development agreement with Evergy as presented. Yeas: All.

RESOLUTION 945 – REESTABLISHING THE TOURISM COMMITTEE – Scanlon reminded council that this resolution was presented on December 9, 2021. Council was asked to provide any comments or changes they felt appropriate. The tourism committee can play a big role in increasing our pull factor with our four signature events. **Motion** made by Wright, seconded by LaDuex to approve Resolution 945 –Reestablishing the tourism committee and modifying powers and responsibilities as presented. Yeas: All.

RESOLUTION 963 – AUTHORIZE 2022/2023 STREET PROJECT DESIGN AGREEMENT– BG Consultants has prepared and submitted an agreement to design the streets that were approved in Resolution 931 for construction during 2022 and 2023. Design costs for all projects is \$760,500. Additionally, the cost associated with construction observation for the projects in 2022 is \$120,000. **Motion** made by Dickinson, seconded by Caldwell to approve Resolution 963 – Authorizing city staff to execute a design agreement for the 2022 and 2023 street improvements as presented. Yeas: All.

ACCEPTING CITY OF OSAWATOMIE BRANDING LOGO – August 26, 2021 city council passed Resolution 916 – Accepting the New City Logo Designed by Springboard Creative for the benefit of the City of Osawatomie, Kansas. After that council meeting a few council members have approached Scanlon to ask if they could discuss the change to the City Logo again. Sam Moon presented the top two choices that was presented on August 26, 2021. Springboard did make a couple tweaks based on comments from the council. The first option is a green color scheme on the “O” and has the creamery bridge in the middle of the “O”. The second option is what was accepted in August. This is a modern seal-design locked in. It also has the creamery bridge with a blue color scheme. **Motion** made by LaDuex, seconded by Filipin to approve option one with the green color scheme as the new city logo. Yeas: (5) LaDuex, Dickinson, Diehm, Filipin and Caldwell. Nays: (3) Wright, Macek and Bratton.

NEW BUSINESS.

RESOLUTION 962 — 2018 IBC, CODE ADOPTION BID – Building Official Beaudry stated that the city is currently using the 2006 International Building Codes and the 2005 National Electrical Code. They have become outdated with building and electrical standards. J.M. Davis has given us a quote to draft an adoption ordinance to formally and legally adopt the requested international codes to the 2018 International Building Code and the 2017 National Electric Code. Davis would also hold a full day training session for contractors and interested parties to discuss the significant changes that have occurred between the 2006 and 2018 editions of the International Codes and the amendments that are proposed to be incorporated into the Osawatomie adoption. **Motion** made by Bratton, seconded by Macek to approve Resolution 962 – Accepting the bid from J.M. Davis for reviewing and updating the city building codes to the 2018 International Building codes and the 2017 National Electric Code as presented. Yeas: All.

COUNCIL REPORTS.

Karen LaDuex ~ appreciates the reports that council is getting from the departments. We have had a couple of Zoom at noon meetings with the Trail Champion Award and we are learning how to promote our trail and hopefully learn how to increase our pull factor.

Lawrence Dickinson ~ There is a Legislative Breakfast on February 12th.

Cathy Caldwell ~ several residents have been asking Dollar General to sell produce. So hopefully by June Dollar General will begin selling produce in their store. It is exciting that there is a lot of new houses being built in Ward IV. The maintenance crew has been out on 5th Street working on the roads. 5th and Reed still have a major water leak on the road. Miami County Cancer Foundation will have their Ride for Life in May and Caldwell looks forward in helping to work that.

Tammy Filipin ~ asked who to talk to about getting some streets changed from being allowed to park on both sides of the street to only being able to park on one side of the street.

MAYOR'S REPORT – At the next meeting we will be voting on a Council President/Vice-President. Thank you to the police department for all the work they're doing to help control the problems generated by the Country Vintage Inn – it seems we've got their attention but I think there's more that we need to do and Mr. Scanlon is working with the chief to get us an ordinance that will do just that. Thank you to those council members that have signed up for KOMA training – if you haven't signed up get with Tammy and she'll get you in. Thank you to the Macek's for all the work they are doing for Lights on the Lake. I've seen it on Facebook – they are making a difference in the community and I know we all appreciate it. Having a Tourism Committee that can support them is going to be great. We have already submitted a Miami County ARPA dollar request for a proposed water line interconnection with Miami County #2. So, we're just starting to put together our Water Plant puzzle pieces so thank you, Bret for jumping on that. I've met with Mike and Bret about several different development opportunities that have presented themselves or we've received inquiries on. Hopefully you'll see some of those coming to the City Council in the coming months once they get further along. But things are happening!! I want to thank all of our staff on the behalf of the City Council – that list of 55 items and the number of things I know we are working on outside that list is impressive. So, lets all keep on working together and looking forward!!

CITY MANAGER & STAFF REPORTS. – Scanlon remarked that sometimes we are doing more than the public realizes. Thank you to David Ellis for all his hard work and to Ed for supporting him. As you can see on the nuisance's report there were 696 actions last year and so far, 100 actions this year. As the mayor pointed out we have gotten the attention of the Country Vintage Inn owners. As we continue using the ordinance, I would guess that Country Vintage Inn will be changing their fee schedule to include a fee if the police arrives that a resident has to pay if you live there. I would like to encourage council members to use their city email addresses. I appreciate the mayor's comments about staff.

Glendening reviewed the Deputy City Manager's report on operations that was included in the agenda packet.

EXECUTIVE SESSION. - None

OTHER DISCUSSION/MOTIONS.

Motion made by LaDuex, seconded by Filipin to adjourn. Yeas: All. The mayor declared the meeting adjourned at 8:43 p.m.

/s/ Tammy Seamands
Tammy Seamands, City Clerk

February 3, 2022

Bret Glendening, Deputy City Manager
 City of Osawatomie, Kansas
 439 Main Street
 Osawatomie, KS 66064

Re: 20-1414L - Osawatomie WWTP Improvements

-----Invoice for Consulting Services-----

This invoice is for services which were performed during the month of January as follows:

Engineering Services:

<u>Task</u>	<u>Lump Sum Amount</u>	<u>Completion Progress</u>	<u>Total</u>
1. Preliminary Design Phase	\$117,000.00	100.0%	\$117,000.00
2. Final Design Phase*	\$92,000.00	100.0%	\$92,000.00
3. Bidding and Negotiating Phase	\$20,000.00	86.5%	\$17,300.00
4. Approvals and Permitting	\$15,000.00	100.0%	\$15,000.00
5. Construction Substantial Completion	\$5,000.00	0.0%	\$0.00

*Updated, refer to Contract Amendment 01

Subtotal Amount Due: \$4,900.00
 Total Completed to date: \$241,300.00
 Prior Billings to Date: \$236,400.00

Resident Project Observation

Contract Amount	\$ 234,000.00	
Work Completed to Date	\$ -	0%
Work Previously Billed	\$ -	
Subtotal	\$0.00	

Additional Services

Contract Amount	\$ 5,000.00	
Work Completed to Date	\$ 5,000.00	100%
Work Previously Billed	\$ 5,000.00	
Subtotal	\$0.00	

Total Amount Due: \$4,900.00

Sincerely,

BG CONSULTANTS, INC.



Paul Owings, P.E.
 Project Engineer

* **by email only** *

City of Osawatomie
 Attn: Bret Glendening, Deputy City Manager
 439 Main Street
 Osawatomie, KS 66064

February 6, 2022

INVOICE #1

Re: Brown Street Improvements (16th to 18th Street)
 Osawatomie, Kansas

BG Project No. 22-1115L

-----**Invoice for Consulting Services**-----

This Invoice is for services performed during the month of January 2022 as follows:

	Lump Sum	% Complete	
	Amount	Progress	Subtotal
<u>Design Phase Services</u>			
Design, Bid, and Const. Eng. Services (Lump Sum Fee).....	\$ 15,000.00	32.50%	\$ 4,875.00
		Subtotal #1 =	\$ 4,875.00

Construction Observation

Observation Services (Not to Exceed).....	\$ 34,200.00		
Engineer IV.....	0.0 hrs @	\$ 144.00 /hr	\$ -
Engineer II.....	0.0 hrs @	\$ 130.00 /hr	\$ -
Senior Construction Observer.....	0.0 hrs @	\$ 120.00 /hr	\$ -
Certified Construction Observer.....	0.0 hrs @	\$ 103.00 /hr	\$ -
		Subtotal #2 =	\$ -
Total Construction Observation Services Billed Thru this Invoice.....		\$	-
Contract Value of Construction Observation Services Remaining.....		\$	34,200.00

Reimbursable Expenses

None this month.....	\$ -
	Subtotal #3 = \$ -

Total Amount of Services Complete (Subtotals #1 + #2 + #3).....	\$ 4,875.00
Less Previous Amount Billed (Thru Invoices: #0).....	\$ -
Total Amount Owed this Invoice.....	\$ 4,875.00
Plus Previous Invoices Unpaid (<i>none</i>).....	\$ -
Total Amount Owed to Date.....	\$ 4,875.00

TOTAL AMOUNT DUE THIS INVOICE	\$ 4,875.00
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For questions, please contact me at 785-749-4474 or diane.rosebaugh@bgcons.com.

Sincerely,



Diane Rosebaugh, P.E.
 Project Manager | Associate Principal

Western Consultants

PO Box 187
Lawrence, KS 66044
816.805.9183

Date: 1/5/22 – 1/31/22

Bill To: City of Osawatomie
439 Main St
Osawatomie, KS 66064

For: Wastewater Treatment Plant Improvements
CDBG 21-PF-027

DESCRIPTION	AMOUNT
Correspondence with project engineer regarding wage decision, new Section 3 guidance and bid advertisement	
Sent bid advertisement to paper	
Scheduled 10-day wage update	
Sent minority mail outs to DBEs & MBEs	
Bookkeeping updates	
Misc. tasks	
19 hrs @ \$125.50 per hour	\$2,384.50
TOTAL	\$2,384.50

**Please make check payable to Western Consultants*



City of Osawatomie

ACTION ITEM SUMMARY	Item Number:	7/A
	Date:	2/09/2022
City Manager	From:	Mike Scanlon

RE: Resolution 964 – Election of the City Council President.

RECOMMENDATION: Hold an election for City Council President per City Code 1-206 and approve Resolution 964

DETAILS: Per City Code 1-206 and the tradition of the City Council, once a new Governing Body is seated there is an election of a City Council President.

PROCEDURE:

1. Mayor will take nominations for City Council President – there is no second required and you may self-nominate.
2. A Ballot has been provided to all eight City Councilmembers. The ballot has four lines in which to fill in the names of the nominees. Please fill in the names and circle the name of the person you are voting for.
3. The Ballots will be returned to the Mayor and City Clerk to tally.
4. The City Clerk will announce the winner of the election.
5. If there is a tie we continue to vote until a nominee gets a majority of the votes. You can only be declared the winner with 5 votes of the City Council. This is a **City Council** decision not a **Governing Body (Mayor and City Council)** vote.

Related Statute / City Ordinances	Chapter 1, Section 206
Line-Item Code/Description	N/A
Available Budget:	N/A

RESOLUTION NO. 964

**A RESOLUTION RECOGNIZING THE ELECTION OF _____
TO FILL THE ROLE OF OSAWATOMIE CITY COUNCIL PRESIDENT**

WHEREAS, it has been the practice of the Osawatomie Governing Body to select a City Council President following the swearing-in of a newly elected Governing Body according to Chapter 1, Section 206; and

WHEREAS, the City Council shall elect one of its own body as President of the council.

WHEREAS, the President of the council shall preside at all meetings of the council in the absence of the mayor.; and

WHEREAS, in the absence of both the Mayor and the President of the council, the council shall elect one of its members as “Acting President of the council.”; and

WHEREAS, the President and Acting President, when occupying the place of Mayor, shall have the same privileges as other council members but shall exercise no veto.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF OSAWATOMIE, KANSAS:

SECTION ONE: That the City Council in accordance with Chapter 1, Section 206 elect City Council President.

PASSED AND APPROVED by the Governing Body of the City of Osawatomie, Kansas, this 10th day of February, 2021, a majority voting in favor of.

APPROVED and signed by the Mayor.

Nick Hampson, Mayor

(SEAL)

ATTEST:

Tammy Seamands, City Clerk



City of Osawatomie

ACTION ITEM SUMMARY	Item Number:	7.B
	Date:	2/09/2022
City Manager	From:	Mike Scanlon

RE: Resolution 965 – Interview and Selection of Tourism Committee members.

RECOMMENDATION: Approve Resolution 965 and direct the City Manager adjourn the Ex-Officio members of the Tourism Committee and conduct interviews and present a slate of representatives to the City Council for their consideration.

DETAILS: A number of people have shown interest in serving on the City’s Tourism Committee. Resolution 965 establishes an interview panel that would forward recommendations for the City Council to consider at their February 17, 2022 meeting.

Related Statute / City Ordinances	Resolution 945
Line-Item Code/Description	N/A
Available Budget:	N/A

RESOLUTION NO. 965

A RESOLUTION DIRECTING THE ESTABLISHMENT OF A NOMINATING COMMITTEE TO FILL THE POSITIONS ON THE CITY'S TOURISM COMMITTEE.

WHEREAS, the City of Osawatomie has re-established the City's Tourism committee; and

WHEREAS, The Tourism Committee shall consist of at least one representative from each of the four *Signature Events* and three at-large representatives. Each member shall be a resident, property owner, business owner/operator in the 66064-zip code. The Committee's membership shall also include three ex-officio members: one Council member who shall be appointed as a liaison, the City Manager or their designee, and the Executive Director of the Osawatomie Chamber of Commerce; and

WHEREAS, there has been an overwhelming show of interest in this committee; and

WHEREAS, it is only fair, prudent and reasonable for there to be an interview conducted of all the potential representatives.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF OSAWATOMIE, KANSAS:

SECTION ONE: That the City Manager convene the three ex-officio members: one Council member who shall be appointed as a liaison, the City Manager or their designee, and the Executive Director of the Osawatomie Chamber of Commerce.

SECTION TWO: That the Ex-Officio members conduct interviews of the potential candidates for consideration and send back to the City Council a slate of representatives for the City Council to consider.

SECTION THREE: As time is of the essence, we ask that interviews be conducted and recommendations be made to the City Council at their February 17, 2022 City Council meeting.

PASSED AND APPROVED by the Governing Body of the City of Osawatomie, Kansas, this 10th day of February, 2022, a majority voting in favor of.

APPROVED and signed by the Mayor.

Nick Hampson, Mayor

(SEAL)

ATTEST:

Tammy Seamands, City Clerk



City of Osawatomie

ACTION ITEM SUMMARY	Item Number:	9.A
	Date:	2/09/2022
City Manager	From:	Mike Scanlon

RE: Resolution 966 – Resolution Directing the City Manager to Finalize the Purchase of Real Property at 500 Main Street (Parcel ID# 1711102019022000).

RECOMMENDATION: That the City Council approve Resolution 966 – Resolution Directing the City Manager to Finalize the Purchase of Real Property at 500 Main Street (Parcel ID# 1711102019022000).

DETAILS: The City Council meeting in Executive Session directed the City Manager to negotiate the purchase of the property located at 500 Main St. (Masonic Lodge) one of the requirements set in all property purchases is that the price paid by the city not exceed 85% of a private property appraisal or 90% of the current county appraised value. If the purchase does the City Manager is required to describe why the additional amount is appropriate and justified. In this case the proposed purchase amount is \$9,888 below our target number.

Price Offered for the parcel	ADJ County Appraisal (\$94,320 *.90%)	Difference (+/-)
\$75,000	\$84,888	-9,888 below our target number

We also believe that a private appraisal will yield a number greater than \$94,320 and that number less what we paid will be written into the contract as donation of property to the City. That donation can then be treated as a match for any future grants we might apply for on the building at 500 Main St.

Related Statute / City Ordinances	Resolution 936
Line-Item Code/Description	
Available Budget:	\$250,000 (Unreserved GF Fund Balances)

RESOLUTION NO. 966

A RESOLUTION DIRECTING THE CITY MANAGER TO CONTINUE WITH THE PURCHASE OF REAL AT 500 MAIN STREET HEREBY IDENTIFIED BY MIAMI COUNTY AS PARCEL ID'S (1711102019022000).

WHEREAS, the City of Osawatomie has established five goals for the community including “Economic Development,” and

WHEREAS, the City views this parcel as key in promoting Economic Development in the Downtown Corridor; and

WHEREAS, the City actively encourages development that supports pulling people into our community and building our “Pull Factor” through commercial establishments; and

WHEREAS, the City also follows a policy whereby all property purchases are limited to 85% of the current Miami County Appraised Value, unless a “value” argument is presented to the City Council in writing and recorded in the minutes of the City Council meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF OSAWATOMIE, KANSAS:

SECTION ONE: That the City Manager continue with the purchase of the following parcel 1711102019022000 for the purchase price of upto \$75,000. The monies which will come unreserved General Fund in the amount upto \$75,000.

SECTION TWO: That the City Manager prepare a final purchase Resolution for consideration at the February 17, 2022 City Council meeting.

PASSED AND APPROVED by the Governing Body of the City of Osawatomie, Kansas, this 10th day of February, 2022, a majority voting in favor of.

APPROVED and signed by the Mayor.

Nick Hampson, Mayor

(SEAL)

ATTEST:

Tammy Seamands, City Clerk

500 and 510 Main Street Properties



Address	Property ID	Owner	Price
500 Main St	1711102019022000	Osage Valley #24 AF-AM	\$70,000
510 Main St	1711102019021000	Kevin Gatlin	\$10,000



City of Osawatomie

ACTION ITEM SUMMARY	Item Number:	9.B
	Date:	2/09/2022
City Manager	From:	Mike Scanlon

RE: Resolution 967 – Resolution Directing the City Manager to Finalize the Purchase of Real Property at 510 Main Street (Parcel ID# 1711102019021000).

RECOMMENDATION: That the City Council approve Resolution 967 – Resolution Directing the City Manager to Finalize the Purchase of Real Property at 510 Main Street (Parcel ID# 1711102019021000).

DETAILS: The City Council meeting in Executive Session directed the City Manager to negotiate the purchase of the property located at 510 Main St. ("Old Country Store") one of the requirements set in all property purchases is that the price paid by the city not exceed 85% of a private property appraisal or 90% of the current county appraised value. If the purchase does the City Manager is required to describe why the additional amount is appropriate and justified. In this case the proposed purchase amount is \$5,437 above our target number – so a justification is in order.

Price Offered for the parcel	ADJ County Appraisal (\$5,070 *.90%)	Difference (+/-)
\$10,000	\$4,563	+5,437 above our target number

We believe that there are several justifications that create a cascading set of problems that we have to address.

1. The current owner is asking only what they paid for the property. Did they pay too much given its condition? Yes.
2. Do we believe the current owner has the capacity to complete the rehabilitation of the building? No, to verify the amount we had an estimate provided us by Legacy Contractors LLC. (SEE ATTACHMENT). That estimate was for \$486,412.
3. The property is currently at a point in which it could fail and fall down and damage surrounding structures. How do we know this? The city had an Engineering Inspection performed by Norton and Schmidt on November 9, 2022. That inspection determined that the north wall was unstable and could fail and the city needed to close off that portion of the alley.

Related Statute / City Ordinances	Resolution 936
Line-Item Code/Description	
Available Budget:	\$250,000 (Unreserved GF Fund Balances)

RESOLUTION NO. 967

A RESOLUTION DIRECTING THE CITY MANAGER TO CONTINUE WITH THE PURCHASE OF REAL AT 510 MAIN STREET HEREBY IDENTIFIED BY MIAMI COUNTY AS PARCEL ID'S (1711102019021000).

WHEREAS, the City of Osawatomie has established five goals for the community including “Economic Development,” and

WHEREAS, the City views this parcel as key in promoting Economic Development in the Downtown Corridor; and

WHEREAS, the City actively encourages development that supports pulling people into our community and building our “Pull Factor” through commercial establishments; and

WHEREAS, the City also follows a policy whereby all property purchases are limited to 85% of the current Miami County Appraised Value, unless a “value” argument is presented to the City Council in writing and recorded in the minutes of the City Council meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF OSAWATOMIE, KANSAS:

SECTION ONE: That the City Manager continue with the purchase of the following parcel: Parcel ID 1711102019021000 for the purchase price of \$10,000. The monies which will come from unreserved General Fund in the amount of \$10,000.

SECTION TWO: That the City Manager prepare a final purchase Resolution for consideration at the February 17, 2022 City Council meeting.

PASSED AND APPROVED by the Governing Body of the City of Osawatomie, Kansas, this 10th day of February, 2022, a majority voting in favor of.

APPROVED and signed by the Mayor.

Nick Hampson, Mayor

(SEAL)

ATTEST:

Tammy Seamands, City Clerk

November 10, 2021

Ed Beaudry
City of Osawatomie
439 Main Street
Osawatomie, Kansas
ebeaudry@osawatomiaks.org

**RE: COMMERCIAL BUILDING
510 MAIN STREET
OSAWATOMIE, KANSAS**

JOB #2021-3012

Dear Ed:

On Tuesday, November 9, 2021, visual observations of the building at the above location were made with you per your request. This building was previously inspected in 2015. Following is a summary of the current findings and opinions for your review.

SCOPE OF WORK

The purpose of the examination was to determine if current structural concerns exist with the building, to determine if structural damage has continued since being inspected in 2015, to determine the cause and extent of structural damage found, to determine if the alley, sidewalk and structures are safe for occupancy, and to make recommendations regarding the safe use of the surrounding areas where required. The structural items checked include only the load-bearing elements mentioned in this report.

It should be noted that this examination did not attempt to check for structural components that are concealed from view by finish or stored materials. Nor were the existing conditions reviewed for possible asbestos, lead paint, radon gas, or any other toxic substances or environmental risks. When making visual observations of a building, it is required that certain assumptions be made regarding the existing conditions. Because these assumptions may not be verifiable without expending added sums of money, or destroying adequate or serviceable portions of the building, the owner of this report agrees that we will be held harmless, indemnified and defended by you from and against all claims, loss, liabilities, or expenses (including legal fees) arising out of the services provided by this report.

OBSERVATIONS

The building in question noted above is a two-story (with mezzanine level) brick structure which faces south for the purposes of this report. The building has a short mezzanine level between the first and second floors at the north end of the building. It is my understanding that ownership of the building has changed multiple times over the past six (6) years and that no significant structural repairs have been completed on that time.

An examination of the interior of 510 Main revealed the condition to be very similar to that in 2015, with loose plaster, wood rot and brick and mortar deterioration to exist in several locations throughout the building. This damage appears to be a result of normal deterioration due to age and the long-term exposure to water leaks and the elements. The deterioration and water leaks



have not been addressed and will need to be addressed for the long-term structural stability of the building. It is outside the scope of this report to provide design and repair recommendations to restore the structural integrity of the building.

Some of the loose plaster on the east wall [common wall to the Masonic Lodge building] contains large cracks and large sections of loose and crumbling material. Most of the large cracks appear to occur at original window locations where a previous window was filled with brick. Most of the loose plaster is due to the continued weathering and deterioration process from continued water leaks, and may be hiding more long-term structural concerns with the deterioration of the brick and mortar behind. To determine the structural repairs needed, all loose plaster will need to be removed so that the condition of the brick and mortar can be evaluated. If it is determined that the brick and mortar is loose and deteriorating, then tuck pointing, and structural repairs should be completed as needed. If the brick-and-mortar joints are tight and secure with no significant mortar damage, then no additional major repairs would be needed.

During the interior inspection structural failures of the floor and mezzanine levels at the north end of the building were noted. The wood floor and roof frames are deflecting significantly and are not adequately supported at this time. This condition was noted in 2015 but is more significant now, especially at the north end next to the exterior wall. The separation between the wood structure and the north exterior wall has reduced the stability of the north wall and created additional failure concerns due to the condition of the masonry wall and lack of support. The wood structure at the north end of the building is the most damaged and needs to be addressed at all levels if the building is renovated. Consideration toward removing a portion of the north section of the building to shorten the building is also an option.

An examination of the south end of the building where the second floor meets the wall revealed a gap. This gap was noted in 2015 and it was noted that previous repairs had been completed by installing bolts through the brick wall and plates on the outside. The effectiveness of these repairs has not been evaluated and only a short section of flooring was removed and replaced indicating that the bolts may not extend significantly into the building. The wall appears to be stable at this time as the cracks and separations do not appear to have expanded. Therefore, it does not appear to be unsafe at this time. However, for the long-term structural integrity of the building it should be further evaluated once the interior materials are removed, and the southeast corner of the building addressed where the largest gaps exist.

An examination of the exposed portions of the roof structure revealed significant wood rot, deterioration, and damage to exist at the roof level. It was noted that the roof rafters are sporadically and inconsistently installed with varying sized members. This was unable to be fully evaluated. However, the beam supports at the walls do not appear to go down to the ground and may be adding additional weight to the second-floor joists which may or may not be adequate. For the long-term stability of the building, one option would be to remove the roof structure and replace it with a new roof frame that spans from east wall to west wall as the floor joists do with a new roof deck and membrane. This would address the structural deterioration and deficiencies of the roof and may be best solution for the long-term repair of the roof. A full design of this system is not a part of the scope of this site inspection and consideration toward the use of the building has not been undertaken. However, suffice to say that significant repairs to the roof structure or full replacement of the roof frame are needed.

Visual observations of the exterior of the building revealed several areas of brick-and-mortar deterioration and partial failure. The majority of the walls on the east, south and west sides appear to be deteriorating at a normal rate and have continued to deteriorate since previously inspected



but do not appear to be progressing rapidly. However, the north wall was found to be in significantly worse shape than previously noted. On both the interior and exterior, fresh bricks and stucco were noted on the ground and falling out of the wall. Plaster has also fallen off on the interior, and the vines are growing more extensively on the wall which may be expanding into the joints causing additional pressure. In some ways, the vines may be helping to hold the wall together. However, there is a very significant "bulge" outward above the overhead door on the north wall leading to safety concerns with the use of the alley along the north wall. Therefore, it is my opinion that with new bricks falling off on the interior of the building and the lack of attachment between the floor and the brick masonry, the stability of the north wall is in question and the area adjacent to the building should be blocked off to provide public safety in case the wall collapses. It is impossible to predict the exact timing of any collapse or failure. However, the freeze/thaw process during the winter season can cause additional forces to be introduced into the walls which could cause sections to fall off. Therefore, I am of the opinion that the north wall of the building is unsafe at this time.

An examination of the south side of the building revealed no signs of continued rapid deterioration of the exterior. Bulging of the brick and continued deterioration of the steel beams and elements inside the wall appear to have occurred but this appears to be a slow process. This will need evaluation and repair but does not appear to pose an imminent danger at this time.

CONCLUSIONS

In conclusion, it is my opinion that the north wall of the building at 510 Main Street has continued to deteriorate and appears to be unstable. It was determined on site that blocking off access to the alley is prudent to help maintain public safety. I am further of the opinion that extensive repair work is needed to the roof and the north end of the building to restore the structural integrity of this building. The option of removing the north section of the building to shorten the building would be an option since the north wall of the building will need to be rebuilt anyway. No formal design recommendations or plans have been developed. If I may be of further service to you in this matter, please feel free to call.

Sincerely,

Warren D. Schwabauer, Jr., P.E., CBIE
Principal
Charter Member of NABIE
Kansas P.E. #10709; Missouri P.E. #E-22664
Norton & Schmidt Consulting Engineers
311 East 11th Avenue
North Kansas City, Missouri 64116
direct line: (816) 701-7329
e-mail: wds@nortonschmidt.com



ENCLOSURES: photo sheets, billing invoice
(©Norton & Schmidt Consulting Engineers, LLC 2021)
lw



(photos have been turned)





(photos have been turned)





(photos have been turned)



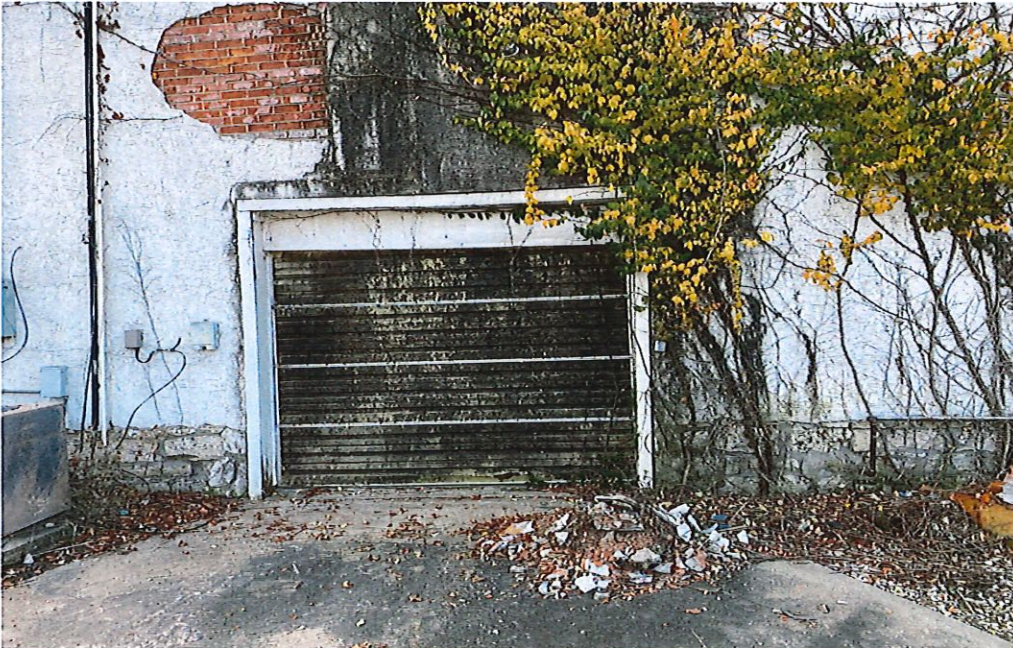


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COMMERCIAL BUILDING
510 MAIN STREET
OSAWATOMIE, KANSAS

PAGE 9
NOVEMBER 10, 2021
JOB #2021-3012



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helping you build your legacy commercial contractor • design/builder • construction manager

PROPOSAL

SUBMITTED TO Mike Scanlon		PHONE 755-2146	DATE 11/19/2021
City Of Osawatomie STREET 439 Main Street		JOB NAME Interior demolition of Police Station	
CITY, ST, ZIP Osawatomie, KS 66064		JOB LOCATION Whitehead Building 510 Main Street Osawatomie, KS 66064	JOB PHONE
ARCHITECT Per Owner's Direction	DATE OF PLANS n/a	JOB FAX	

We Propose hereby to furnish material and labor - complete in accordance with specifications below, for the sum of: \$ **486,412**
Four hundred eighty-six four hundred twelve dollars

Payment to be made as follows: **progressive monthly payments, due upon receipt, 0 retainage**

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from specifications below involving extra costs will be executed only upon written orders and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado, and other necessary insurance. Our workers are fully covered by Workmen's Compensation insurance.

AUTHORIZED SIGNATURE

by:  **Rob George**

TITLE: **Estimator**

Note: This proposal may be withdrawn
by us if not accepted within **20** days.

The safe removal of the failing masonry walls, flooring, roofing at the rear (north end) of the building per structural engineer report. Including shoring of the existing flooring/roofing, temporary stabilization of the afflicted walls, disconnecting any utilities, protecting any remaining utilities in the alley, removal/disposal of all interior contents and debris, prior to the removal of the north wall/roof. Including aerial lifts to safely disassemble the walls and roof from above, debris removal off-site, until reaching stable material. Including retaining Norton & Schmidt, structural engineer, for design of shoring & temporary shoring, as well as new wall/floor/roof. Repair/replace damaged roofing sheathing and joists, install new as required, install a new roofing membrane with proper flashings. Install new foundation as required, new floor slab, and new masonry walls as deemed appropriate by Norton & Schmidt. Install new floor joists & sheathing at each floor, connected to new masonry wall as designed. Install new electrical panel, new water line, new sewer connection and gas connection as required. Barricades, dumpsters, chemical toilet, supervision, safety, temporary utilities as required, and insurances are included. Excluding sales tax, building permit fees, utility costs, lead paint & asbestos abatement, P&P bonds. Work to be done during normal working hours, unless other arrangements are made. We will require a sales tax project exemption certificate prior to work beginning.

1 Contractors General Conditions - safety, dumpsters, supervision, temp utilities, etc.	\$ 39,597
2 Structural Engineer/professional services	\$ 20,130
3 Clean interior/debris removal/ dumpsters	\$ 13,220
4 Temporary bracing, temp. enclosures, shoring	\$ 60,650
5 Floor/roof joist/sheathing - removal and replacement/repair	\$ 44,397
6 Remove existing roofing, new roof, flashings, gutter/downspouts	\$ 90,680
7 Demo masonry walls/install new masonry walls/repair existing masonry	\$ 130,611
8 Install new concrete foundation/slab/grading	\$ 17,618
9 Utility disconnection/reconnection, protection, new services	\$ 25,042
10 Contractors Insurances	\$ 6,804
11 Contractors fee & overhead	\$ 37,662
	\$ 486,412

Acceptance of Proposal

The above prices, specifications and conditions are satisfactory and are hereby accepted. Legacy Contractors, LLC is authorized to do the work as specified. Payment will be made as outlined above or pay finance charges.

Date of acceptance: _____

Signature: _____

907 n. pearl, suite 4 • Paola, Kansas 66071

p: 913-294-9898 • f: 913-294-3111



City of Osawatomie

ACTION ITEM SUMMARY	Item Number:	9.C
	Date:	2/09/2022
City Manager	From:	Mike Scanlon

RE: Resolution 968 – Resolution Amending the Property Purchased Under Resolution 937 and Directing the City Manager to Make Available an Equivalent Amount of Property on City-Owned Land (Parcel ID # 1493200000001000) to the West of (Parcel ID # 1493200000009000).

RECOMMENDATION: That the City Council approve Resolution 968 – Resolution Amending the Property Purchased Under Resolution 937 and Directing the City Manager to Make Available an Equivalent Amount of Property on City-Owned Land (Parcel ID # 1493200000001000) to the West of (Parcel ID # 1493200000009000).

DETAILS: We then discovered after approval of Resolution 937 and upon completing the purchase documents that a portion of land extended down from the residential property along the west side of Old Bethel Church Rd. that was part of the “originating parcel” that wrapped the single-family residence. We contacted the County to see if this parcel of land could be easily excluded. We learned that the process of separating and recording could take up to six months or longer to achieve. We notified the current owners of this development and we proposed a “land swap” of an equivalent area of land identified in the attached map. The owners indicated early on that they did not want to lose any acreage of the farm field that had been separated from the parcel.

The only cost associated with this item is a survey of City property in calculating the area we are swapping for.

PROPERTY SWAP ASSOCIATED WITH RESOLUTION 937



PARCEL ID	OWNER
1493200000001000	City of Osawatomie
1493200000009000	Margaret Hays

RESOLUTION NO. 968

**A RESOLUTION DIRECTING THE CITY MANAGER AND AMENDING RESOLUTION 937
TO INCLUDE A PROEPRTY SWAP WITH THE CITY OF OSAWATOMIE, KS.**

WHEREAS, the City of Osawatomie completed the purchase of “Hays Hill” with Resolution 937;
and

WHEREAS, the City and Owner upon completing the purchase documents identified a portion of land extending down from the residential property along the west side of Old Bethel Church Rd. that was part of the “originating parcel” that wrapped the single-family residence; and

WHEREAS, the City upon contacting the County to see if this parcel of land could be easily excluded learned that the process of separating and recording could take up to six months or longer to achieve; and

WHEREAS, upon notification of the Owner of this development the City proposed a “land swap” of an equivalent area of land identified in the attached map.

WHEREAS, the Owner has accepted the City’s proposal as outlined in the attached map.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY
OF OSAWATOMIE, KANSAS:**

SECTION ONE: That the City Manager execute the land swap depicted in the attached map.

SECTION TWO: That the City Manager update the City Council upon completion but no later than six-months from today’s date.

PASSED AND APPROVED by the Governing Body of the City of Osawatomie, Kansas, this 10th day of February, 2022, a majority voting in favor of.

APPROVED and signed by the Mayor.

Nick Hampson, Mayor

(SEAL)

ATTEST:

Tammy Seamands, City Clerk



City of Osawatomie

ACTION ITEM SUMMARY	Item Number:	9.D
	Date:	2/09/2022
City Manager	From:	Mike Scanlon

RE: Resolution 969 – Resolution Directing the City Manager to Work with the Owners and Potential Owners of 558 Main St. and 525 Main St. on the Declaration of “Building Blight” to Make the Properties Available for the Kansas Small Cities Community Development Block Grant (CDBG) Commercial Rehabilitation Program.

RECOMMENDATION: That the City Council approve Resolution 969 – Resolution Directing the City Manager to Work with the Owners and Potential Owners of 558 Main St. and 525 Main St. on the Declaration of “Building Blight” to Make the Properties Available for the Kansas Small Cities Community Development Block Grant (CDBG) Commercial Rehabilitation Program.

DETAILS: In order to qualify for the CDBG Commercial Rehabilitation Program a property has to be declared blighted by the City Council. This Resolution directs the City Manager to undertake the studies and work necessary to make the properties at 558 and 525 Main Street eligible and to present to the City Council on February 17, 2022 a Blight Resolution for consideration.

Related Statute / City Ordinances	N/A
Line-Item Code/Description	N/A
Available Budget:	N/A

RESOLUTION NO. 969

A RESOLUTION DIRECTING THE CITY MANAGER TO WORK WITH BUSINESS AND PROPERTY OWNERS FOR THE SUBMISSION OF BUILDINGS AT 558 AND 525 MAIN FOR A COMMERCIAL REHABILITATION PROJECT.

WHEREAS, the City of Osawatomie has established five goals for the community including “Economic Development,” and

WHEREAS, the City views this parcel as key in promoting Economic Development in the Downtown Corridor; and

WHEREAS, the City actively encourages development that supports pulling people into our community and building our “Pull Factor” through commercial establishments; and

WHEREAS, the City is working with property and business owners to rehabilitate buildings in the downtown core; and

WHEREAS, the City has identified two potential buildings and business owners located at 525 Main and 558 who may be viable for consideration; and

WHEREAS, as a requirement of the CDBG Commercial Rehabilitation Project a determination of blight for a building must be approved by the City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF OSAWATOMIE, KANSAS:

SECTION ONE: That the City Manager prepare the necessary study, documents and resolutions for that declaration to be made available to the City Council for consideration on February 17, 2022.

PASSED AND APPROVED by the Governing Body of the City of Osawatomie, Kansas, this 10th day of February, 2022, a majority voting in favor of.

APPROVED and signed by the Mayor.

Nick Hampson, Mayor

(SEAL)

ATTEST:

Tammy Seamands, City Clerk



City of Osawatomie

ACTION ITEM SUMMARY	Item Number:	9.E
	Date:	2/09/2022
City Manager	From:	Mike Scanlon

RE: Resolution 970 – Resolution Directing the City Manager to Finalize the Contract with Governmental Assistance Services (GAS) for Administration and Application Assistance for the Kansas Small Cities Community Development Block Grant (CDBG) Commercial Rehabilitation Program.

RECOMMENDATION: That the City Council approve Resolution 970 – Resolution Directing the City Manager to Finalize the Contract with Governmental Assistance Services (GAS) for Administration and Application Assistance for the Kansas Small Cities Community Development Block Grant (CDBG) Commercial Rehabilitation Program

DETAILS: We have used GAS to support us in several grant application and grant administration projects over the last 15 or so years. We use them because of the complexity and grant administration requirements that constantly change. These services can be reimbursed out of the grant proceeds if we are successful in receiving the grant. In the last five grant applications/administrations submitted the City has received the funds requested.

Related Statute / City Ordinances	Resolution 969
Line-Item Code/Description	N/A
Available Budget:	N/A

RESOLUTION NO. 970

**A RESOLUTION DIRECTING THE CITY MANAGER TO SIGN AN AGREEMENT WITH
GOVERNMENTAL ASSISTANCE SERVICES FOR A CDBG GRANT FOR A COMMERCIAL
REHABILITATION PROJECT.**

WHEREAS, the City of Osawatomie has established five goals for the community including “Economic Development,” and

WHEREAS, the City views this parcel (*to be identified*) as key in promoting Economic Development in the Downtown Corridor; and

WHEREAS, the City actively encourages development that supports pulling people into our community and building our “Pull Factor” through commercial establishments; and

WHEREAS, the City is working with property and business owners to rehabilitate buildings in the downtown core; and

WHEREAS, the City given the level of work and detail required in both the application for and administration of state and federal grants needs assistance; and

WHEREAS, the City has identified two potential buildings and business owners who may be viable for consideration.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY
OF OSAWATOMIE, KANSAS:**

SECTION ONE: That the City Manager enter into an Agreement with Governmental Assistance Services (GAS) for the preparation of a 2022 Community Development Block Grant for a Commercial rehabilitation project (single project) in an amount not to exceed \$8,950 payable from General Fund resources.

PASSED AND APPROVED by the Governing Body of the City of Osawatomie, Kansas, this 10th day of February, 2022, a majority voting in favor of.

APPROVED and signed by the Mayor.

Nick Hampson, Mayor

(SEAL)

ATTEST:

Tammy Seamands, City Clerk



January 27, 2022

Nick Hampson
City of Osawatomie
439 Main Street
PO Box 37
Osawatomie, KS, 66064-1330

Dear Mayor Hampson:

The Osawatomie City Council recently approved our new natural gas franchise agreement with the City of Osawatomie.

I would like to take this opportunity on behalf of the people at Kansas Gas Service to express our appreciation to you, the members of the city council and the citizens of Osawatomie for your confidence in our company.

We look forward to the continued opportunity to serve your community and will continue to strive to keep your trust and confidence.

Sincerely,

Sean Postlethwait
Vice President Operations, KGS

cc: Margaret Steele – KGS
Lindsay Freeman – KGS

CITY OF OSAWATOMIE



439 Main Street
P.O. Box 37
Osawatomie, Kansas 66064

913.755.2146 (p)
913.755.4146 (f)
ozcity@osawatomieks.org
www.osawatomieks.org

L. Mark Govea, Mayor

NOTICE OF SPECIAL MEETING

The Council, being the Governing Body of the City of Osawatomie, Kansas.

You are hereby notified that pursuant to a written request, I have called and do hereby call a special meeting of the Council of the City of Osawatomie, Kansas, be held at **CITY HALL, 439 MAIN ST** in said City at **2:00 PM** on **WEDNESDAY, FEBRUARY 23, 2022** for the following purpose:

KOMA FOR ELECTED OFFICIALS TRAINING

DATED this 10TH day of February, 2022.

Nick Hampson
City of Osawatomie, Kansas

CITY OF OSAWATOMIE



439 Main Street
P.O. Box 37
Osawatomie, Kansas 66064

913.755.2146 (p)
913.755.4146 (f)
ozcity@osawatomieks.org
www.osawatomieks.org

L. Mark Govea, Mayor

REQUEST FOR SPECIAL MEETING

We, the undersigned Council members being of the Governing Body of the City of Osawatomie, Kansas, respectfully request that a special meeting of the Council of the City of Osawatomie, Kansas, be held at **CITY HALL ; 439 MAIN STREET** in said City at **2:00 PM** on **WEDNESDAY, FEBRUARY 23, 2022** FOR THE FOLLOWING PURPOSE:

KOMA FOR ELECTED OFFICIALS TRAINING

Respectfully Submitted:
