

Osawatomie, Kansas. **January 8, 2026.** The Council Meeting was held at the City Auditorium located at 439 Main Street. Mayor Nick Hampson called the meeting to order at 6:00 p.m.

Council members present: Schasteen, Macek, Diehm, Dickinson, Henness, Bratton, Filipin and Caldwell.

Council members absent: None.

City Staff present: City Manager Bret Glendening, Deputy City Manager Michele Silsbee, Director of Utilities Terry Upshaw, Director of Community Affairs Samantha Moon, City Clerk Tammy Seamands, and City Attorney Jeff Deane.

Members of the public present: Jamie Wilson, Kimi Wilson, Nancy Thompson, Ben Marselus, Korey Holmberg, Meredith Kinney, Shay Hanysak, Dean Inscore and Sam Inscore.

INVOCATION. – Pastor Ben Marselus – Cross Point Church

CONSENT AGENDA.

- A. January 8, 2026 Agenda
- B. December 11, 2025 Meeting Minutes
- C. Pay Application(s)
 - BG Consultants (TBD)
 - Killough Construction Inc. (TBD)
- D. Special Event Permit(s)
- E. AP Council Report – November 2025
- CMB License – Whistlestop Café

Motion made Dickinson, seconded by Schasteen to approve the consent agenda as presented. Yeas: All.

COMMENTS FROM THE PUBLIC.

Pastor Ben Marselus – I am the new campus pastor at Cross Point Church on Main Street. I started here in September. My family and I look forward to moving down this way from the Kansas City area after school is out. We have some things that we are looking forward to doing in the community. In the past at other churches, we have held Vacation Bible School and supplied book bags and school supplies for all the kids that attended. We have partnered with some organizations that will provide those for us this year.

PUBLIC HEARINGS. -None.

PRESENTATIONS, PROCLAMATIONS AND APPOINTMENTS

OATH OF OFFICE – MAYOR HAMPSON & COUNCIL MEMBERS DIEHM, SCHASTEEN, BRATTON, AND FILIPIN – Mayor Hampson and Council Members Diehm,

Schasteen, Bratton and Filipin were given the oath of office by City Clerk Tammy Seamands.

CHAMBER OF COMMERCE YEAR END REPORT – Chamber Executive Director Shay Hanyak reported that 2025 was a rebuilding year for the Chamber. In 2024, the Chamber had 51 members and in 2025 the chamber increased to 75 members. In 2025, the chamber hosted fifteen membership events, seven ribbon cuttings, a coffee, and a few open houses. There are still several businesses that I would like be able to bring back to the chamber that had dropped their membership in the past. Everything we do is to help promote positivity, to be able to help people build business and economic development.

PLANNING COMMISSION - REAPPOINT M. MOON & A. BARENKLAU (ENDS DECEMBER 2028) **Motion** made by Henness, seconded by Filipin to reappoint Mike Moon and Amy Barenklau to Planning & Zoning Commission. Yeas: All.

UNFINISHED BUSINESS.

RESOLUTION 1337 – PRE-DEVELOPMENT AGREEMENT – NORTHLAND DATA CENTERS – Main points of note on the development agreement as it currently stands are below:

1. Parties – City of Osawatomie and Alcove Development
2. Price - \$10,000/acre x approx. 115 acres
3. Exclusive Right to Develop Payment – 3% of purchase price
4. City agrees to abate 50% of property taxes for 10 years and issue Industrial Revenue Bonds (payable by the developer, not a city obligation)
5. City agrees to establish proper zoning (if necessary) and issue special use permits (if required)
6. City must provide 1MGD of water and between 50 and 150MW of power.
7. City must provide 5 MW of renewable energy credits (all are available from the solar array and just this year, gained the right to market the REC's from the WAPA and SPA Hydro PPA's)
8. Term – 3 years
9. Estimated economic impact:
 - a. 250-350 construction jobs paying between \$35 and \$105/hour
 - b. 600,000 SF data center campus, permanent FT EEs between 60 and 90 with salaries between \$70,000 and \$130,000/year.
 - c. Cost of construction and development of the campus - \$900M and \$1.1B
 - i. Based on a \$1B facility, at 25% assessment rate for commercial property and our 2026 mill levy of 76, the total property taxes to Osawatomie would be approximately \$19M.
 - ii. Abating 50% of these taxes still leave the City of Osawatomie with three times the tax revenue we collect from all other properties within our city limits combined.

We presented the developer with the 6-month, no cost, due diligence period and the 3 ½ year option on the subject property. The effective date of the agreement will be January 9, the end of

the 6-month due-diligence period will be July 9, and the first 3% reserve payment will be due on July 10. These terms were acceptable to the developer.

Motion made by Schasteen, seconded by Macek to approve Resolution 1337 –Authorizing the Mayor to execute the preliminary development agreement with Alcove Development as presented. Yeas: All.

RESOLUTION 1334 – AUTHORIZING EVALUATION OF INTERSECTION TRAFFIC CONTROL - On November 13, 2025, the City Council adopted Resolution 1333, amending the official Intersection Control Map to correct field-verified inaccuracies identified during a joint Public Works and Police Department intersection control inventory.

That same inventory also identified additional intersections where changes to traffic control have been requested or recommended based on citizen input, traffic patterns, sight distance limitations, and safety considerations. Many of these intersections are located on main trafficways, involve higher traffic volumes, or include school, pedestrian, or service-related traffic.

While the installation of stop signs may appear straightforward, federal standards under the Manual on Uniform Traffic Control Devices (MUTCD) require that traffic control changes be supported by an engineering evaluation. The city is not permitted to install STOP or YIELD signs arbitrarily without proper analysis.

Why Professional Evaluation Is Required

Under MUTCD standards, engineering judgment is required to determine when an intersection may remain uncontrolled or when YIELD, two-way STOP, or all-way STOP control is appropriate. Factors considered include:

- Sight distance and intersection geometry
- Traffic volumes for vehicles, pedestrians, and bicycles
- Crash history and operational issues
- Roadway classification
- Proximity to schools, pedestrian routes, and activity centers

Installing STOP signs without proper analysis exposes the City to documented safety and liability risks, including:

- Increased rear-end crashes
- Driver non-compliance
- Speeding between unwarranted STOP signs
- Potential negligence claims following crashes

Proposed Professional Services

The City's consulting engineer has proposed the following scope of work:

- Crash data review
- Sight distance and geometry evaluation
- Traffic volume data collection at intersections requesting all-way stop control
- Engineering analysis consistent with MUTCD requirements

- Preparation of an engineering design memorandum with recommendations

Estimated Cost:

- Volume data collection: approximately \$3,000 per intersection
- Engineering analysis and documentation: approximately \$7,500
- **Estimated total cost:** \$13,500
- **Estimated Timeline:** Approximately two weeks following receipt of traffic count data

Requested Intersections

Location	Existing Control	City Desired Control
Leroy St & Brown Ave	None	North/South stop signs (two-way stop)
1st St & Brown Ave	Two-way stop control on 1st Street	**East/West stop signs (all-way stop)
1st St & Carr Ave	T-intersection: Stop control on 1st Street	West stop sign
Pacific Ave & 4th St	Stop control on Pacific Avenue	**North/South stop signs (all-way stop)
Brown Ave & 8th St	None	North/South stop signs (two-way stop)
Brown Ave & 9th St	None	North/South stop signs (two-way stop)
9th St & Lincoln Ave	None	East/West stop signs (two-way stop)
8th St & Chestnut Ave	None	East/West stop signs (two-way stop)
Chestnut St & 12th St	T-intersection: none	East stop sign
18th St & Main St Terrace	T-intersection: none	West stop sign
Hickory Ln & Main St Terr	None	North/South stop signs (two-way stop)
16th St & Main St Terr	T-intersection	East stop sign
Lockhart Ln & Main St	T-intersection: Yield sign on Lockhart	Change yield sign to stop sign

Motion made by Filipin, seconded by Henness to approve Resolution 1334 – Authorizing professional evaluation of intersection controls on intersections throughout the City of Osawatomie as presented. Yeas: (5) Schasteen, Macek, Diehm, Dickinson and Henness. Nays: (3) Bratton, Filipin and Caldwell.

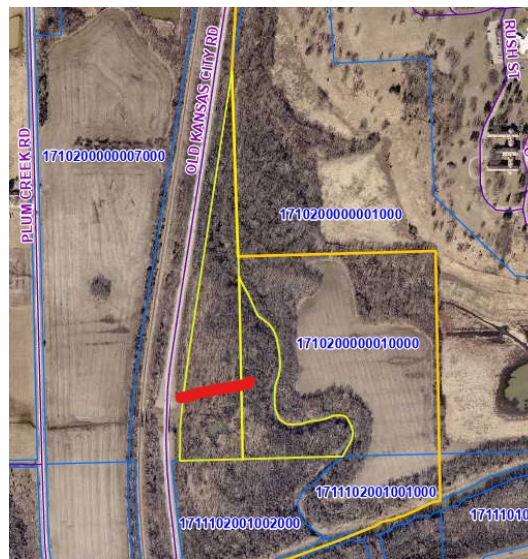
RESOLUTION 1341 – ACCEPTING NORTHLAND INTERCEPTOR SEWER & AUTHORIZING SEWER & AUTHORIZING RELEASE OF RETENTION -The original contract value for this project was: \$1,769,017.23. There were two change orders for the project. One was for an extension of time as granted by the Kansas Department of Commerce and a second change order for an additional seven days to finalize punch list items and reduce the contract value by \$561.60 to account for an exchange of piping, leaving the final contract price at: \$1,768,455.63.

Staff recommend accepting the project as completed and authorizing final payment and release of the remaining retention in the amount of: \$137,514.19. **Motion** made by Henness, seconded by

Dickinson to approve Resolution 1341 – Accepting completed Northland Interceptor Sewer and authorizing the release of retention as presented. Yeas: All.

NEW BUSINESS

RESOLUTION 1339 – GRANTING AN EASEMENT TO MR. KOREY HOLMBERG - Mr. Holmberg purchased the “L” shaped piece of property in 2025 at the county tax sale. It is landlocked. He has requested the city grant him an easement to access the property. The red line below indicates approximately the location of the easement that was surveyed and drafted by Allenbrand Drews. Both the city property and the subject property lie within the floodplain and as such, are not buildable in their current state. Mr. Holmberg plans to utilize the property for camping and bow hunting.



Motion made by Filipin, seconded by Henness to approve Resolution 1339 –Granting an easement across city owned property to Mr. Korey Holmberg as presented. Yeas: All.

Mr. Korey Holmberg also purchased two city lots in Osawatomie on the tax sale that are buildable lots. He is open to trading the parcel that we are granting the easement across for those two lots that he purchased. The city would then list those lots for sale later this year and encourage the current five or six home builders that are operating in Osawatomie to offer proposals to purchase the lots. **Motion** made by Schasteen, seconded by Filipin to authorize the city manager to negotiate a land swap with Mr. Korey Holmberg for 727 Lincoln and 736 Parker for the parcel the city owns that he was just granted an easement for. Yeas: All.

RESOLUTION 1340 – RESOLUTION OF SUPPORT FOR WEST ELEMENTARY SCHOOL LIHTC APPLICAITON – The old Swenson Building (West Elementary School) has been through a lot since the school district sold it to a developer several years ago. Alcove

Development, purchased the property from that initial developer, has gone through the site plan review process with the city's planning commission and has had it rezoned to from R-1 to R-3.

They have successfully got the property listed on the state and federal registry of historic places and have been awarded historic tax credits for the restoration project. The one piece they are lacking is the Low-Income Tax Credits which will complete the project's financial puzzle and allow the project to move forward. Alcove Development applied for but were not successful in receiving LIHTCs from the Kansas Housing Resources Corporation last year.

This application needs to be successful for the project to proceed. Absent these credits, we will be looking at demolishing the structure, which would be unfortunate. **Motion** made by Dickinson, seconded by Caldwell to approve Resolution 1340 - A resolution of support for Alcove Development's application to the Kansas Housing Resources Corporation for low-income housing tax credits and the restoration of the historic "West Elementary School" in Osawatomie, Kansas as presented. Yeas: All.

ORDINANCE 3878 – INCREASING THE NUMBER OF CHICKENS PERMITTED IN CITY LIMITS – This ordinance reflects the action the council took at the last council meeting, directing me to draft an ordinance that increases the number of chickens allowed in Osawatomie from 5 to 10.

We have removed the <1 acre tier so any owner of residential property that is 2 acres or less in size and provided the owner complies with every other requirement in this section of the code, could house up to 10 hens on their property. **Motion** made by Caldwell, seconded by Schasteen to approve Ordinance 3878 – Amending Osawatomie Municipal Code Chapter II, Article 1 Section 2-105 pertaining to the animal control code and the keeping of fowl as presented. Yeas: All.

RESOLUTION 1342 – AUTHORIZE AGREEMENT WITH SFS ARCHITECTURE FOR THE LIBRARY EXPANSION - Osawatomie Public Library was last renovated in 2010 with the addition of the expanded front lobby, elevator, improved restrooms, "Kansas" room, and improved ADA accessibility. The project was made possible by \$400,000 in CDBG funding and City/Library matching funds. Subsequent planned phases to expand and renovate the main service areas were not awarded anticipated funding and were deferred. In the 15 years since, library usage has increased and services have evolved beyond what was imagined in the original plans. To address these critical space limitations and changing service demands, we have developed a long-term Building for the Future initiative to evaluate facility options. Since 2021, the Library Board has explored expansion, renovation, and relocation scenarios to support increased usage, modern technology, programming, and community partnerships.

SFS Architecture, the firm that designed the library's original multi-phase expansion plan in 2009/2010, has been re-engaged to assist with updating and advancing a potential on-site expansion concept and facility renovation. The attached resolution authorizes the City Manager to enter into agreement with SFS Architecture for initial expansion planning and design services. Fiscal Impact:

Initial planning and design costs will be defined within the agreement with SFS Architecture and

dedicated funds are available within the Library Fund (Fund 06). Years of fundraising have prepared the library to begin this process without adversely impacting operating funds. Approval of this action does not commit the City to construction or future phases of the project. **Motion** made by Schasteen, seconded by Henness to approve Resolution 1342 – Authorizing the city manager to enter into agreement with SFS Architecture for expansion planning for Osawatomie Public Library as presented. Yeas: (7) Schasteen, Macek, Diehm, Dickinson, Henness, Bratton and Filipin. Nay: (1) Caldwell.

RESOLUTION 1343 – AWARDING SANITARY SEWER MAIN REPLACEMENT FOR PARKVIEW EAST -In late November staff became aware of a section of sewer main that was blocked and backing up, after rodding/cleaning and then visual inspection with a camera, two spots were identified as the problem. First there appears to be some sort of rods protruding into the main from a tap, these rods prevent staff from rodding the entire section of main. Second a small section of the main is full of tree roots which is preventing flow. This main is an older Vitrified Clay Pipe, which is known for roots growing through the joints. The city received 3 bids for both spot repairs and total replacement.

<u>Bidders</u>	<u>Spot Repair</u>	<u>Total Replacement</u>
1. Matador Construction	\$12,000.00	\$28,000.00
2. Essary Plumbing	\$15,000.00	\$45,000.00
3. Blue Bill Plumbing	\$ 7,066.90	\$37,670.57

Motion made by Filipin, seconded by Schasteen to approve Resolution 1343 – Awarding bid for replacement of 180 Feet of sewer main to Matador Construction in the amount of \$28,000.00 as presented. Yeas: All.

EXECUTIVE SESSION – None.

COUNCIL REPORTS

Derek Henness ~ Bret I have a question on your city managers report. Are we still wanting to push the 2026 Steet Improvements back to 2027 or do we think that we will be able to do those this year? Bret responded that if we can get the design money together, we would like to get them designed this year.

Kenny Diehm ~ Whoever did the alleyway on Ted’s “pond” did a good job. It is nice and smooth now.

MAYOR’S REPORT

Nick Hampson ~ I appreciate everyone that helped put together the city Christmas party. I felt like it was well attended this year and everyone had a good time. I am looking forward to seeing the Memorial Hall restoration progress over the next few months.

CITY MANAGER & STAFF REPORTS.

Bret Glendening ~ Tuesday, the mayor and I went to speak at the Rural Water #3 board meeting. The board was receptive and asked a lot of good questions. I think it went well. The board is looking forward to the continued progress and updates on the water treatment plant designs. We will go to another meeting in July after we have 60% on the design process completed. We are finished with our preliminary design period and 30% complete with the final design.

We have also met with KDHE and USDA Rural Development to further explain the construction manager at risk contract model. The regulatory agencies and the funding authority have agreed to allow us to do early procurement. A big reason why we use CMAR is to lock in our engineered equipment and permanent materials like iron and steel. The cost of the plant is between \$30-\$35 million. There are still some unknowns like electrical. Overall, once we can procure it and lock the pricing in it will eat up almost 50% of the water treatment plant cost. This insulates us from half of the cost of inflation. Once the equipment and permanent materials are locked in the only thing that we would be exposed to is labor, fuel, equipment, and consumables.

At the end of the first quarter or start of the second quarter, we should be issuing an RFP for the distribution portion. In June, we are anticipating getting our guaranteed maximum price on the water treatment plant. That will then initiate an amendment to the CMAR contract that will lock that price. Then the contractor cannot exceed that price or it will be on them.

We have some structures that are slated for condemnation. At the January 22nd meeting we will have a resolution that will establish a hearing date for those in March.

They have put in the first footing yesterday at 5th Street Terrace.

Michele Silsbee ~ We are in the permitting process of the TA project. We need to get our storm water permit approved before we have a bid. We have three easements outstanding.

OTHER DISCUSSION/MOTIONS.

Motion made by Bratton, seconded by Schasteen to adjourn. Yeas: All. The mayor declared the meeting adjourned at 07:36 p.m.

/s/ Tammy Seamands
Tammy Seamands, City Clerk