

Osawatomie, Kansas. **January 26, 2023.** The Council Meeting was held at Memorial Hall located at 411 11th Street. Mayor Nick Hampson called the meeting to order at 6:30 p.m. Council members present were: Macek, Diehm, Dickinson, LaDuex, Bratton, Filipin and Caldwell. City Staff present at the meeting were City Manager Mike Scanlon, Deputy City Manager Bret Glendening, City Clerk Tammy Seamands, City Attorney Jeff Deane, Police Chief David Stuteville, Deputy Police Chief William Bradshaw, Fire Chief Brian Love, Public Works Director Michele Silsbee, Fire Fighter Michael Kriesel, Fire Fighter Michael Kriesel, Fire Fighter Justin Browning, Public Safety Officer Scott Polster, Public Safety Officer John Johnson, Public Safety Officer Paris Sills, Public Safety Officer Grant Sparks, Public Safety Officer Nick Gazzano and Business Liaison Kari Bradley. Members of the public were: Robin Stuteville, Erica Kriesel, Joshua Blick, Keven Schasteen, Loree Love, Justin Browning, and Father Barry Clayton.

INVOCATION. – Father Barry Clayton, St. Philip Neri Church

CONSENT AGENDA. Approval of January 26th Agenda, January 12th Council Meeting Minutes, Pay Application Crossland Heavy Contractors –\$660,938.75- WWTP, 2022-12 Council Report **Motion** made by LaDuex, seconded by Bratton to approve the consent agenda as presented. Yeas: All.

COMMENTS FROM THE PUBLIC. – Father Barry Clayton – The Ministerial Association Group hopes to be an added support to the community. They met this week and are continuing to discuss how they can coordinate and structure the best way to better facilitate their helping and offering assistance. They are making progress and it is coming along. They also discussed having a Good Friday service again this year.

PUBLIC HEARINGS. – None.

PRESENTATIONS, PROCLAMATIONS AND APPOINTMENTS. – The mayor presented awards to staff for their selection in the 2022 “Best of Miami County” contest sponsored by the Miami County Republic. Mike Kriesel – Osawatomie Fire – Gold for Best Emergency Responder, Justin Browning-Osawatomie Fire – Silver for Best Emergency Responder, and Chief David Stuteville – Osawatomie Police Department – Silver for Best Law Enforcement Agent.

UNFINISHED BUSINESS.

RESOLUTION 1080 – ANNUAL REVIEW OF THE CITY COUNCIL POLICIES 101-109 – Council policies should be reviewed at the end of every calendar year so that the City Council has an opportunity to review, amend, or rescind previously passed policies. The routine we have set is to start review at the First December meeting take and recommended changes and comments and bring suggested changes back for City Council consideration at the first meeting in January of the following year. **Motion** made by Dickinson, seconded by LaDuex to approve Resolution 1080 – Relating to the review and acceptance of city council policies 101 through 109 as presented. Yeas: All.

NEW BUSINESS.

ORDINANCE 3822 – AMENDING THE CITY CODE TO CAP COURT APPOINTED ATTORNEY FEES – On January 24, 2008, the city council adopted Ordinance 3636 which capped court appointed attorneys to a rate of \$50/hr. or \$500 in total if the case went to trial. While the city had at some point entered into a contractual relationship with Geri Hartley to be retained on a monthly stipend to provide these services, this cap has not been updated and is now grossly behind what surrounding municipal and district courts are paying attorneys to take on indigent defense. Ordinance 3822 increases the hourly rate to \$85 and the cap for trials at \$850. It also codifies the rates in Chapter IX Municipal Court. **Motion** made by LaDuex, seconded by Dickinson to approve Ordinance 3822 –Amending Chapter IX of the Osawatomie Municipal Code to limit fees charged by court appointed attorneys in the City of Osawatomie, Kansas as presented. Yeas: All

RESOLUTION 1098 – AUTHORIZING THE EXECUTION OF A MUTUAL AIDE AGREEMENT THROUGH MARC - This mutual aid agreement provides for interstate aid and is authorized under KSA 12-16,117 . This statute states that any governing body of any municipality may establish a policy by adoption of an ordinance OR resolution. As this effort is being put forth by MARC, there is a possibility that we could be asked to provide assistance if we are able to do so, to Missouri members of MARC, and as with all mutual aid agreements, providing assistance to any signatory to the agreement is not binding. Upon adoption, this agreement will need to be filed with Miami County’s Emergency Management Coordinator. **Motion** made by Caldwell, seconded by Filipin to approve Resolution 1098 – Authorizing participation in the Regional Resource Sharing Agreement through the Mid-America Regional Council as presented. Yeas: All.

ORDINANCE 3823- FINALIZING THE DEANNEXATION OF THE NORTHLAND PROPERTIES – (to be considered 02/02/23)

RESOLUTION 1099 – SUPPORTING MOU WITH KANSAS DEPARTMENT OF WILDLIFE AND PARKS FOR MARC– (to be considered 02/02/23).

RESOLUTION 1100– RESOLUTION APPOINTING _____ TO FILL THE UNEXPIRED TERM OF COUNCILMEMBER KIRK WRIGHT (to be considered 02/02/23) and Oath of office for _____.

RESOLUTION 1101 – ENTERING INTO A PREDEVELOPMENT AGREEMENT WITH WRIGHT WAY LLC TO CONSIDER RESIDENTIAL PROPERTY DEVELOPMENT ON OTHER NORTHLAND PROPERTIES (to be considered 02/02/23)

RESOLUTION 1102 – SUPPORTING THE DEVELOPMENT OF THE ALWAYS AND FUREVER PROJECT IN SPRING HILL, KS (to be considered 02/02/23)

RESOLUTION 1103 – ADOPTING THE “LIST OF 55 PROJECTS” FOR 2023 (to be considered on 02/02/23)

EXECUTIVE SESSION – **Motion** made by Lawrence, seconded by Bratton that the City Council recess into closed, executive meeting for the purpose of discussing personnel matters of nonelected

personnel pursuant to the exception in K.S.A. 75-4319(b)(1). The closed meeting will last 20 minutes and will resume here in Memorial Hall at 7:05 p.m. Also attending will be City Manager Mike Scanlon, Deputy City Manager Bret Glendening and City Attorney Jeff Deane. Yeas: All.

The council meeting resumed to open session at 7:05 p.m. with no action taken

Motion made by Lawrence, seconded by LaDuex to recess into closed, executive session for the purpose of discussing of company recruitment pursuant to the financial affairs or trade secrets of corporations, partnerships, trusts and individual proprietorships exception in K.S.A. 75-4319 (b)(4). The closed meeting will last 20 minutes and will resume here in Memorial Hall at 7:25 p.m. Also attending will be City Manager Mike Scanlon, Deputy City Manager Bret Glendening, City Clerk Tammy Seamands, Business Liaison Kari Bradley and City Attorney Jeff Deane. Yeas: All.

The council meeting resumed to open session at 7:25 p.m. with no action taken.

COUNCIL REPORTS

Cathy Caldwell ~ Asked who took care of the snow removal in the Northland?

Dan Macek ~ the fireworks show is 95% done by using a computer. There is a convention in May in Indiana that I am going to attend to learn more about putting music to the fireworks.

MAYOR'S REPORT – Thank you to Bret, Kari, Michele and Janet McCrae and anyone else that had a part in getting ready for the visit and for presenting today.

Thank you again to everyone that recognized in the Best of Miami County awards.

As a reminder, this council meeting will be continued until next Thursday.

We have two interviews set up for the vacant council seat. We should be able to make a recommendation next Thursday to fill that spot.

CITY MANAGER & STAFF REPORTS.

Mike Scanlon – On Tuesday the Kansas Department of Commerce toured 525 and 545 Main for the blight grant and bring jobs to Kansas grant. The Wrights and Teri Auten did a great job presenting their buildings and their vision for the buildings.

I also have a call with the Kansas Department of Commerce tomorrow related to getting their support for the Flint Hills to Katy connection.

Monday is Trails Day at the State Capital and we have four tables. We have the Kansas Association of Trail Towns, City of Osawatimie, Jeff from Ottawa Bike, and the trail commission.

We are getting a lot of attention. If you go to page 22 in the Kansas Government Journal, I coauthored an article with Jenna Znamena from Metropolitan Energy Center on Building an Electric Vehicle Strategy for your city.

We will be applying for more residential, solar and EV piolet projects.

I will be in Austin, Texas tomorrow and Saturday. I have been invited by ICMA to set on a conference planning committee.

You might not realize you have some great staff doing some amazing things.

Bret Glendening – The base grant is half way completed.

Kari Bradley – February 11th is the Osawatomie Legislative Breakfast.

OTHER DISCUSSION/MOTIONS.

Motion made by Dickinson seconded by Macek that the governing body adjourn the January 26, 2023 meeting until February 2, 2023, at 6:30 p.m. here in Memorial Hall to take up the action on the items identified with “(to be considered on 02/02/23).” Yeas: All.

/s/ Tammy Seamands
Tammy Seamands, City Clerk