

Osawatomie, Kansas. **February 13, 2025.** 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: Schasteen, Macek, Diehm, Dickinson, Henness, Bratton, Caldwell and Filipin. City Staff present at the meeting were: City Manager Bret Glendening, Director of Utilities Terry Upshaw, City Clerk Tammy Seamands and Building Official Daniel Deleon. Members of the public were: Jacob Ginsberg, Kate Shaub, Mark Goddard, Pastor Matthew Jackson and Bret Summers.

INVOCATION. – Pastor Matthew Jackson, New Day Church

CONSENT AGENDA. Approval of February 13, 2025 Agenda, January 13, 2025 Council Minutes, Pay Application – Killough Construction – 6th Street Construction - \$522,841.05, Pay Application – BG Consultants – 6th Street Construction - \$5,044.00, Pay Application – BG Consultants – KDOT/TA Design - \$1,799.28, Pay Application – BG Consultants – Water Distribution Project- \$65,000.00 and Pay Application – Water Treatment Project- \$22,288.00. **Motion** made by Dickinson, seconded by Schasteen to approve the consent agenda as presented. Yeas: All.

COMMENTS FROM THE PUBLIC.

Pastor Matthew Jackson ~ We are happy to be here in Osawatomie and thankful for the opportunity. We have been here for a year as of next month at the New Day Church. We started out leasing the building and we are now working on purchasing it. This summer we will be bringing Upwards Sports to Osawatomie. It is the largest Christian sports program in America. We will be offering flag football and soccer. This is not a fundraiser; it is a way to gather children and families and groups together. Keep us in your prayers, we are excited to be here.

Jacob Ginsberg ~ On January 14th per David Ellis I received a couple of violations on how I keep my lawn. The violations were that I parked my motorcycle on my front walkway (off of city property), a bedframe on the side of my house and a lawnmower in my driveway. I did not receive this letter until January 28th. Which is 14 days after it was issued. You have 10 days to contest or fix the issue otherwise you will get fined per day. On January 28th, I called David Ellis afterhours and left a voicemail. On January 29th, he called me back and we talked. I asked where do I find the code book and how do we know that this has not been a designated place to be allowed to park in the past. He then directs me to Daniel Deleon. I then call Mr. Deleon and I don't get a call back until February 3rd. On February 11th, I have an officer knock on my door and he gives me a notice to appear in court on March 19th. I am not mad about the rules. I welcome the rules. My problem is with the way they are handled. We shouldn't have to learn about a rule after we have already broken it.

Bret Summers ~ I have talked to a lot of people here in town about the fowl permit. I called around to the different cities around us to talk to them about their fowl permits. I talked to Paola, Louisburg, Spring Hill, Olathe, Overland Park, Gardner, Edgerton, Ottawa, Baldwin and Wellsville. The current initial cost for a fowl permit of \$250 is a financial burden for me and others especially since the price of eggs are increasing. You have to pay \$250 for the initial permit, the building inspector has to inspect the coop and we have to have a signed affidavit from our

neighbors. I checked with the other communities and some don't even require a permit to have chickens and are cheaper than us. I am asking that you make a change to make it more affordable.

PUBLIC HEARINGS. -None.

PRESENTATIONS, PROCLAMATIONS AND APPOINTMENTS.

UNFINISHED BUSINESS.

ORDINANCE 3867 – AMENDING COUNCIL MEETING SCHEDULE - The city code currently states that the city council shall meet on the second and fourth Thursdays of each month at 6:30.

Two things happen every year. The second meeting in November is either canceled or moved and the second meeting in December is either canceled, moved, or left alone, and in the event, it is not canceled or moved, it is typically an abbreviated meeting with limited action items on the agenda.

If we have studied the calendar close enough, 3 out of every 6 years the second meeting in December will fall on either the day after Christmas, Christmas Day or Christmas Eve. We would propose that we amend the city code to eliminate the second meeting in November and December.

The second item to consider is the time of the meetings. Would the council consider moving the time of the meetings to 6:00? **Motion** made by Bratton, seconded by Filipin to approve Ordinance 3867 – Amending Chapter 1. Administration, Article 2, Governing Body Meetings as presented. Yeas: All.

NEW BUSINESS.

RESOLUTION 1277 – REPEAL OF RESOLUTION 1048, AUTHORIZATION OF LONG-TERM LEASE- In the early part of September of 2022, Mark Goddard approached the city and inquired about our willingness to trade 3 city properties (attached) hereto with him in exchange for full ownership of the gravel road (i.e. city owned right of way) that is currently only built as a result of easements that the city has obtained over the course of the years, beginning in 1974. Resolution 1048 authorized that land swap. However, in the years that have passed, it has become more apparent to us that we need to retain ownership of these parcels and allow them to be used as they have been for the past 2+ years.

Mark has been using the properties to harvest hay. They have been fenced off and periodically he has utilized them to allow cattle to graze (no more than 20 cow/calf pairs, but on average 12-15 pair).

The upper left parcel is just under 4 acres (3.81), the parcel adjacent to it is just under 8 acres (7.94), and the southernmost parcel is slightly over 8 acres (8.33). Nothing can be built on these parcels. The highest and best use for them would be for an agricultural purpose and currently the city is mowing these three parcels approximately once a month when we mow the levee.

Finally, the property is zoned Agricultural and the proposed use is permissible under the city's zoning regulations and is not otherwise prohibited in the Osawatimie City Code. (No action taken)

ORDINANCE 3866 – AMENDING SECTION 14-28 – NO PARKING AREAS (NO ACTION) – The proposed amendment to Section 14-208 of the City Code seeks to prohibit on-street parking along 6th Street, Main Street (from the east city limits to 12th Street), and Parker Avenue (from 12th Street to the west city limits) while maintaining existing parking restrictions on 7th Street. This proposal reflects the unique needs and characteristics of these corridors. The recent reconstruction of 6th Street significantly altered its roadway configuration, narrowing lanes and creating designated parking zones. To ensure safe and efficient traffic flow, on-street parking must be prohibited on 6th Street, as the narrower lanes cannot safely accommodate parked vehicles alongside moving traffic. Additionally, Main Street and Parker Avenue are also key arterial streets that regularly experience heavier traffic volumes, including larger vehicles such as delivery trucks, school buses, and emergency vehicles. To maintain the safety and efficiency of these three critical corridors, on-street parking must be prohibited to avoid congestion and potential hazards.

Proposed amendment to Chapter 14, Article 2, Section 208:

14-208. Prohibited parking.

It shall be unlawful to park any motor vehicle ~~on the following streets:~~

(a) On the following streets except where parking stalls have been built and designated by the City:

- 1) Seventh Street, between Main and Parker;
- 2) Sixth Street, from city limits to city limits;
- 3) Main Street, from the east city limits to 12th Street;
- 4) Parker Avenue, from 12th Street to the west city limits.

(b) On any street under the following circumstances:

- 1) In front of a public or private driveway;
- 2) Within 15 feet of a fire hydrant;
- 3) Within 20 feet of a crosswalk at an intersection;
- 4) Within 30 feet upon the approach to any flashing signal, stop sign, yield sign or traffic control signal located at the side of a roadway;
- 5) Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of said entrance

(c) The Chief of Police or their designee is authorized to enact regulations and erect signs indicating “no parking” upon both sides of any street when the width of the roadway is 20 feet wide or less, or upon one side of a street when the width of the roadway does not exceed 30 feet.

(d) Where parking is prohibited on one side of a street, it shall be unlawful to park any motor vehicle:

- 1) Within 5 feet of a public or private driveway;
- 2) On the side of a street directly opposite a public or private driveway.

EXECUTIVE SESSION – None.

COUNCIL REPORTS

Cathy Caldwell ~ I suggest that we take another look at the fowl permit to try to make it more consistent with other areas and to look into the timing of the nuisance letters.

Kenny Diehm ~ The Trail Commission met last week. They are working on getting some signage for the primitive camping. They are also working on the pump track down by first street. It is coming along pretty good.

Dan Macek ~ When are we going to change the speed limit on 6th Street?

MAYOR’S REPORT

Nick Hampson ~ We had another snow event. Thankfully it wasn’t like the last one. The streets are looking good after a little sun on them today.

CITY MANAGER & STAFF REPORTS.

Bret Glendenning ~ Department heads are in the process of evaluations. We are trying to have those done by March 1st. Merit raise increases will go into effect April 1st.

I went to Topeka a couple of weeks ago and requested legislation on the Northland Property. It has been assigned to the Federal/State Committee and has been assigned Senate Bill 146.

There is some land that we need to acquire from the school district. It is about $\frac{3}{4}$ acre by the pool for the water treatment facility.

I have a meeting with Greg Clark to discuss the SRO position since Donnie Basore will be retiring at the end of the school year.

March 13th is the condemnation hearing.

The Interceptor Sewer project is designed and out for bid.

500/510 Main – Tyler Wright looked at 510 Main on Tuesday.

OTHER DISCUSSION/MOTIONS.

Motion made by Dickinson, seconded by Schasteen to adjourn. Yeas: All. The mayor declared the meeting adjourned at 07:40 p.m.

/s/ Tammy Seamands
Tammy Seamands, City Clerk