

Osawatomie, Kansas. **February 23, 2023.** The Council Meeting was held at Memorial Hall located at 411 11 Street. Mayor Nick Hampson called the meeting to order at 6:30 p.m. Council members present were: Schasteen, 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, Utilities Director Terry Upshaw, Public Works Director Michele Silsbee and Business Liaison Kari Bradley. Members of the public were: Dale Samuels, Derek Henness and Michael Olsen.

INVOCATION. – Dale Samuels, Faith Community Church

CONSENT AGENDA. Approval of February 23rd Agenda, February 9th Council Meeting Minutes, Pay Application – Crossland Heavy Contractors - WWTP Improvements - \$108,426.35, Pay Application – Western Consultants – WWTP Improvements - \$6,000.00. **Motion** made by Dickinson, seconded by LaDuex to approve the consent agenda as presented. Yeas: All

COMMENTS FROM THE PUBLIC. – Dale Samuels – things are going well for us downtown. I am looking forward to some warmer weather.

PUBLIC HEARINGS. – None.

PRESENTATIONS, PROCLAMATIONS AND APPOINTMENTS.

APPOINTMENT OF PATTY HENNESS MARQUEZ TO TOURISM COMMITTEE – With Kevin Schasteen appointment to the city council it left a vacancy on the tourism committee. **Motion** made by LaDuex, seconded by Schasteen to appoint Patty Henness Marquez to the tourism committee. Yeas: (7) Schasteen, Diehm, Dickinson, LaDuex, Bratton, Filipin and Caldwell. Nays: (1) Macek

UNFINISHED BUSINESS.

RESOLUTION 1105 – ADOPTING PROCUREMENT REGULATIONS FOR USDA LOAN/GRANT - As we move through the underwriting process with the USDA, they identify items that they require to have in their file prior to approving the loan and issuing the letter of conditions which KDHE needs in order to finalize their review of the state revolving loan fund application and issue the loan documents for us to execute. The procurement procedures detailed in Resolution 1105 are an example of this. **Motion** made by Dickinson, seconded by Macek to approve Resolution 1105 – Adopting and providing for standards for procurement, bidding and contract awards as presented. Yeas: All.

RESOLUTION 1112 – AUTHORIZING A (15) FIFTEEN DAY EXTENSION FOR RESOLUTION 1063 FOR THE DEMOLITION - The City of Osawatomie identified 1103 Chestnut Avenue as a candidate for condemnation and demolition in October of 2022. A hearing date for the property was set for October 13th, 2022. At that hearing, the owner on record, Michael Olsen, presented his plan for the complete remodel of the structure and asked for the Council to consider granting a delay in condemnation. Council approved this request with stipulations, as stated in Resolution 1063.

Mr. Olsen has made significant progress on this property including appropriate permitting and inspections through City officials. He is requesting an additional 15 days to complete the remodel due to unforeseen delays in supplies and utility connections. City staff estimates that the remodel is approximately 85-90% completed as of February 23, 2023. Mr. Olsen reaffirmed to City staff that he would have the entire project completed within the 15-day extension, if granted. **Motion** made by Macek, seconded by Schasteen to approve Resolution 1112 – Authorizing a (15) fifteen day extension for Resolution 1063, for the demolition of 1103 Chestnut Avenue as presented. Yeas: All.

NEW BUSINESS.

RESOLUTION 1099 –AUTHORIZING A MEMORANDUM OF UNDERSTANDING (MOU) WITH KANSAS DEPARTMENT OF WILDLIFE AND PARKS FOR MARC - The city working with the KDWP has submitted a grant application for a PSP grant to study three possible connection corridors from Osawatomie to the Katy Trail. KDWP would like to have a MOU in place should we receive the grant outlining their contribution and role in administering the grant. **Motion** made by Macek, seconded by LaDuex to approve Resolution 1099– Authorizing staff to finalize a memorandum of understanding with the Kansas Department of Wildlife and Parks (KDWP) for the funding of a planning sustainable places grant with the Mid-America Regional Council (MARC) as presented. Yeas: All

RESOLUTION 1106 – AUTHORIZING APPLICATION TO KANSAS MIH GRANT PROGRAM FOR PROPOSED 10-ACRES DEVELOPMENT– This resolution continues our search for MIH grant dollars to help fund the overall development of the 10-Acre housing project. The current grant request we are asking the Kansas Housing Resource Center to consider is for \$1.3 million and would allow for up to 26 homes to be built with the funds. The project being proposed also includes a down payment assistance program that would help those in our community that might not have the resources available to make a down payment. **Motion** made by Dickinson, seconded by Bratton to approve Resolution 1106 Ratifying the City of Osawatomie’s application to the Kansas moderate income housing grant for the proposed development of the 10-acres site as presented. Yeas: All.

RESOLUTION 1107 – AUTHORIZING APPLICATION FOR A STATE PARK REVITALIZATION AND INVESTMENT IN NOTABLE TOURISM (SPRINT) GRANT FROM KANSAS DEPARTMENT OF COMMERCE – The City desires to increase the economic vitality of the community through strategic investments in the Flint Hills trail. In 2022, working with the City’s Architect for the Flint Hills Trail station the city designed a set of cabins that could be considered for a campsite at Mile Zero. Last year the City Council through Resolution 983 supported a similar grant application in 2022 for the Tourism Attraction Sub-grants for Kansas (TASK) for camp MOPAC. We have expanded on the idea and are submitting it for SPRINT grant consideration. Additionally, city staff has been contacted by an interested developer who is willing to consider an investment in building out camp MOPAC. This resolution also authorizes city staff to work with the current developer on a Predevelopment Agreement. **Motion** made by Dickinson, seconded by Macek to approve Resolution 1107 –Directing staff to complete the application for a

state park revitalization and investment in notable tourism (SPRINT) grant for 2023 for Camp Mopac as presented. Yeas: All.

RESOLUTION 1108 – AUTHORIZING APPLICATION FOR AN ATTRACTION DEVELOPMENT GRANT FROM KANSAS TOURISM - In 2021, the city began working with OSH on a possible mountain bike course on their campus. It's taken two years and moving the course once but we have a final location and late in 2022 we submitted the project for grant consideration through the Recreation Trails Program (RTP) at KDWP. City staff believes this project qualifies under both programs (Attraction Development and Recreation Trails Program) and is deserving of consideration when viewed in a larger trail context. We believe this Mountain Bike course will create an amenity that supports the Flint Hills trail and increase our chances of getting the Asylum Bridge replaced as part of a larger regional trail and connectivity plan. **Motion** made by LaDuex, seconded by Schasteen to approve Resolution 1108 – Directing staff to complete the application for the attraction development grant for 2023 for Osawatomie State Hospital (OSH) Mountain Bike Course as presented. Yeas: All.

RESOLUTION 1109 – APPOINTING MAYOR HAMPSON AND A MEMBER OF CITY COUNCIL TO THE OZCOMP INTERVIEW PANEL AND ADVISORY GROUP FOR THE 2022/2023 PLANNING SUSTAINABLE PLACES PROJECT KNOWN AS “THE HUB” IN DOWNTOWN OSAWATOMIE – In the fall of 2022, staff submitted and was awarded an “Implementation” phase grant through Mid-America Regional Council’s Planning Sustainable Places program to build on the success of 2021’s first round project “Oz Commons.” The second-round project, known as “The Hub,” narrows focus to the empty lots in the downtown district and will utilize many of the same successful engagement techniques and exercises to gather resident input and preferences for a transportation-based community hub in the heart of downtown. Select members of OzCOMP will serve on the interview panel, and the full OzCOMP group will be tasked with advisory elements and assisting staff with coordinating community engagement exercises. **Motion** made by Schasteen, seconded by Bratton to approve Resolution 1109 – Appointing Mayor Hampson and Dan Macek to the OZCOMP interview panel and advisory group for the 2022/2023 planning sustainable places project known as “The Hub” in downtown Osawatomie as presented. Yeas: All.

RESOLUTION 1110 – BUDGET CALENDAR – Setting a budget calendar for 2023 based on what is displayed on Exhibit 1 of Resolution 1110. **Motion** made by Lawrence, seconded by Filipin to approve Resolution 1110 – Establishing a 2023 budget calendar for the City of Osawatomie as presented. Yeas: All.

RESOLUTION 1111 – AUTHORIZING IMPROVEMENTS TO THE CITY PUBLIC WATER SUPPLY SYSTEM AND PROVIDING FOR THE PAYMENT OF THE COSTS THEROF – In January of 2022, the council accepted the recommendation of the Water Study Committee. In March/April of 2022, the council entered into an agreement with BG Consultants to design a new water treatment plant and make certain improvements to the distribution system.

Over the course of the summer, application was made to the State of Kansas Revolving Loan Fund for interim financing of the costs associated with the design and construction of the project. We have also applied to USDA for a partial loan and grant for permanent financing.

The need for the temporary notes is twofold. First, we need to pay ourselves back for the \$1.2M in design costs that we have incurred since March of last year. These costs will be reimbursed by the SRF ONCE that loan application is completed and approved. The second reason for the temporary notes is to finance the construction of the new water mains on 6th Street and Brown Avenue from 7th to 12th. These lines need to be replaced prior to construction beginning on the streets themselves. These costs can also be rolled into the SRF loan once that loan agreement is in place.

The SRF loan is still a couple of months out from getting approved. USDA is in the process of underwriting the permanent financing and the SRF loan cannot be approved until the USDA has completed their letter of conditions which is also a couple of months out. Motion made by Dickinson, seconded by Diehm to approve Resolution 1111-Authorizing improvements to the city public water supply system and providing for the payments of the costs thereof as presented. Yeas: All.

EXECUTIVE SESSION – Motion made by Dickinson, seconded by Diehm that the City Council recess into closed, executive session for the purpose of discussing personnel matters of nonelected personnel pursuant to the exception K.S.A. 75-4319 (b)(1). The closed meeting will last 10 minutes and will resume here in Memorial Hall at 7:31 p.m. Also attending will be City Manager Mike Scanlon, Deputy City Manager Bret Glendening, City Attorney Jeff Deane and City Clerk Tammy Seamands. Yeas: All.

The council meeting resumed to open session at 7:31 p.m. with no action taken.

COUNCIL REPORTS

Kenny Diehm ~ The library is seeking personal stories from anyone in the community related to floods, growing up along the riverbanks, or simply the unique ways that rivers have impacted our daily lives.

Dale Bratton ~ I attended the Chamber coffee at the Osawatomie State Hospital. They have a greenhouse and are willing to grow what the plants that we want for downtown.

Cathy Caldwell ~ I would like to step down from the tourism committee as the council representative and I would recommend that Kevin Schasteen take my place. He has been very helpful and would make a great council representative. **Motion** made by Caldwell, seconded by Filipin to appoint Kevin Schasteen as council representative to fill the open position. Yeas: All.

MAYOR'S REPORT – I want to thank Terry and his crew for the new lights in the Auditorium. That really brightens the place up...so thank you.

I want to thank Karen for all her work with the Trail Commission. To thank she got almost her entire commission to show up in Topeka for trail days is outstanding. So thank you Karen for doing that.

To Michele, Terry and Bret for riding herd on our engineers and getting trails, streets, wastewater plant, water plant designs – going and on their way.

There's lots of stuff coming up in the weeks/months ahead and Mike wanted be to remind you that he's still working on the calendar for

- a. Groundbreaking on sixth
- b. Ribbon cutting at the Wastewater Plant
- c. Stan Heard art unveiling in Brown Park on June 17th at John Brown Park
- d. Easter Egg hunts / Alumni Weekend / John Brown Jamboree / Lights on the Lake
- e. Arbor Day and Hot Dog Festival at the Elementary School (Something we are expanding from last year).
- f. Ribbon Cuttings on building remodels downtown.
- g. Ground breaking for 10-Acres.

Just to name a few....

CITY MANAGER & STAFF REPORTS.

Mike Scanlon ~ Resolution 1059 was set aside by City Council for the condemnation for 127 Rohrer Heights and given three stipulations – All property taxes must be current by December 31, 2022, an occupancy permit is to be issued no later than March 1, 2023, and an irrevocable letter of credit to be given to the city by November 10, 2022 in the amount of \$15,000. As of this date the only permitted work done to this address since Resolution 1059 was set aside, has been a gas pressure test which was performed by South County Heating and Cooling on February 22, 2023. There has been no communication between the owner Charles Johnson and/or the property manager Jennifer McMahan and city staff as to any permitted work that may be happening to the property nor any inspections.

Bret Glendening ~ The buildout of the electricity at the State Hospital will pay for itself in four months.

Construction on Sixth Street will probably be moved to 2024 because of the waterline. We don't want it to sit open over the winter.

Terry Upshaw ~ passed out a project cost comparison summary reflecting costs for the 2023 State Hospital Electric Line Construction and the Walnut water line relocation.

OTHER DISCUSSION/MOTIONS.

Motion made by LaDuex seconded by Schasteen to adjourn. Yeas: All. The mayor declared the meeting adjourned at 07:54 p.m.

/s/ Tammy Seamands
Tammy Seamands, City Clerk