

Osawatomie, Kansas. **March 13, 2025.** The Council Meeting was held at Memorial Hall located at 411 11th Street. Mayor Nick Hampson called the meeting to order at 6:00 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, Deputy City Manager Michele Silsbee, City Clerk Tammy Seamands and Building Official Daniel Deleon. Members of the public were: Ron Smith, Joe Moreland, Jimmy Dennis, Gina Dennis, JorJenna Dennis, Derick Noskowiak, Hayley Barrett, Mitch Walter, Sharon Joles and Jimmy Dennis

INVOCATION. – Pastor Ron Smith -1st Christian Church

CONSENT AGENDA. Approval of March 13, 2025 Agenda, February 27, 2025 Council Minutes, Pay Application – BG Consultants – Northland Interceptor Sewer - \$10,950.00, Pay Application – BG Consultants – Water Treatment Plant - \$21,507.00, Pay Application – BG Consultants – Water Distribution Project - \$39,000.00, Pay Application – BG Consultants – Joh Brown & S. Levee Loop KDOT/TA - \$4,605.30, Pay Application – BG Consultants – 6th Street Improvements - \$375.00. **Motion** made by Dickinson, seconded by Schasteen to approve the consent agenda as presented. Yeas: All.

COMMENTS FROM THE PUBLIC.

Pastor Ron Smith – As spring and summer rolls around we are going to get busy and get back out into the community. Hopefully, we will be doing some things with the youth this summer. We greatly appreciate all the support that the city has given us in the past. The event that we had in the park in October had about 200 people in attendance.

PUBLIC HEARINGS.

CONDEMNATION HEARING – *223 E MILL* – Building Official Daniel Deleon presented the city's position regarding the condition of the structure to the council and public. The mayor opened the hearing at 6:33 p.m. The mayor asked if there were any comments regarding this property. The mayor asked a second time if there were any comments. The mayor asked a third time if there were any comments regarding 223 E. Mill. Hearing no comments the mayor closed the condemnation hearing at 6:34 p.m.

Motion made by Schasteen, seconded by Macek to approve Resolution 1282 – Finding that the structure located on Lot 2 Block 8, of the Youman's addition to the City of Osawatomie, Miami County, Kansas, Section 11, Township 18, Range 22 as designated on the recorded plat thereof commonly known as 223 E. Mill, Osawatomie, Kansas, is unsafe or dangerous and directing that the structure be removed and the premises made safe and secure as presented. Yeas: All.

CONDEMNATION HEARING – *1041 Walnut* – Building Official Daniel Deleon presented the city's position regarding the condition of the structure to the council and public. The mayor opened the hearing at 6:41 p.m. The mayor asked if there were any comments regarding this property. The mayor asked a second time if there were any comments. The mayor asked a

third time if there were any comments regarding 1041 Walnut. Hearing no comments the mayor closed the condemnation hearing at 6:42 p.m.

Motion made by Bratton, seconded by Filipin to approve Resolution 1283 – Finding that the structure located on Lot 1 Block 5, Caffery & Sheldon’s addition to the City of Osawatomie, Miami County, Kansas, section 10, Township 18, Range 22 as designated on the recorded plat thereof; commonly know as 1041 Walnut, Osawatomie, Kansas, is unsafe or dangerous and directing that the structure be removed and the premises made safe and secure as presented. Yeas: All.

CONDEMNATION HEARING – *1033 Walnut* – Building Official Daniel Deleon presented the city’s position regarding the condition of the structure to the council and public. The mayor opened the hearing at 6:45 p.m. The mayor asked if there were any comments regarding this property. The mayor asked a second time if there were any comments. The mayor asked a third time if there were any comments regarding 1033 Walnut. Hearing no comments the mayor closed the condemnation hearing at 6:45 p.m.

Motion made by Filipin, seconded by Schasteen to approve Resolution 1284 – Finding that the structure located on Lot 2 Block 5, Caffery & Sheldon’s addition to the City of Osawatomie, Miami County, Kansas, Section 10, Township 18. Ramage 22 as designated on the recorded plat thereof; commonly known as 1033 Walnut, Osawatomie, Kansas, is unsafe or dangerous and directing that the structure be removed and the premises made safe and secure as presented. Yeas: All.

CONDEMNATION HEARING – *318 E. Pacific (trailer)* - Building Official Daniel Deleon presented the city’s position regarding the condition of the structure to the council and public. The mayor opened the hearing at 6:49 p.m. The mayor asked if there were any comments regarding this property. The mayor asked a second time if there were any comments. The mayor asked a third time if there were any comments regarding the trailer at 318 E. Pacific. Hearing no comments the mayor closed the condemnation hearing at 6:49 p.m.

Motion made by Schasteen, seconded by Caldwell to approve Resolution 1285 – Finding that the structure located on lots 12, 13, and 14, Block 7 Youman’s addition to the City of Osawatomie, Miami County, Kansas, Section 11, Township 18, Range 22 as designated on the recorded plat thereof; commonly known as 318 E. Pacific #1 (trailer), Osawatomie, Kansas, is unsafe or dangerous and directing that the structure be removed and the premises made safe and secure as presented. Yeas: All.

CONDEMNATION HEARING – *300 4th Street* - Building Official Daniel Deleon presented the city’s position regarding the condition of the structure to the council and public. The mayor opened the hearing at 6:55 p.m. Joe Moreland and Gina Dennis spoke on behalf of the property. Joe Moreland said that he has had a family that has approached him about buying the trailer for their daughter. The trailer was occupied until November 2024. Gina Dennis said that she is interested in purchasing the trailer and asked what would need to be done to bring the trailer up to the 2018 building codes so that it could be lived in. The mayor asked if there were any comments regarding this property. The mayor asked a second time if there were any comments.

The mayor asked a third time if there were any comments regarding the trailer at 300 4th Street. Hearing no comments the mayor closed the condemnation hearing at 7:20 p.m.

Motion made by Filipin, seconded by Caldwell to approve Resolution 1286 – Finding that the structure located on the North 50 feet of Lots 1, 2 and 3 in Block 18, Section 11, Township 18, Range 22, Osawatomie addition to the City of Osawatomie, Miami County, Kansas, as the same is designated on the recorded plat thereof; commonly known as 300 4th Street, Osawatomie, Kansas, is unsafe or dangerous and directing that the structure be removed and the premises made safe and secure as presented. Yeas: (7) Schasteen, Macek, Dickinson, Henness, Bratton, Filipin and Caldwell. Nays: (1) Diehm.

CONDEMNATION HEARING – *841 Chestnut* - Building Official Daniel Deleon presented the city's position regarding the condition of the structure to the council and public. The mayor opened the hearing at 7:24 p.m. The mayor asked if there were any comments regarding this property. Sharon Joles spoke on behalf of the property. Sharon Joles asked for help on obtaining a demolition permit for the property. The mayor asked a second time if there were any comments. The mayor asked a third time if there were any comments regarding the trailer at 841 Chestnut. Hearing no comments the mayor closed the condemnation hearing at 7:30 p.m.

Motion made by Schasteen, seconded by Filipin to approve Resolution 1287 – Finding that the structure located on Lot 1 and 2, Block 4, of J.C. Chestnut's second addition, to the City of Osawatomie, Miami County, Kansas, Section 10, Township 18, Range 22, According to the recorded plat thereof; commonly known as 841 Chestnut, Osawatomie, Kansas, is unsafe or dangerous and directing that the structure be removed and the premises made safe and secure as presented. Yeas: All.

PRESENTATIONS, PROCLAMATIONS AND APPOINTMENTS.

UNFINISHED BUSINESS.

RESOLUTION 1279 – AMENDING PERSONNEL POLICIES – ALLOWANCES FOR REQUIRED OUTERWEAR - City staff are seeking to update the City of Osawatomie's employee clothing and dress policy to address the needs of field employees requiring durable and professional work attire and modernize office staff dress guidelines. Two options are being considered for addressing field staff work attire. First, an annual clothing stipend for eligible field employees or second a contract with a uniform service. This resolution also seeks to revise the existing appearance policy to align with contemporary workplace standards.

Options for field staff attire:

1. Annual Clothing Stipend for Field Employees
 - Eligible departments: Electric, Water and Wastewater Treatment, Water Distribution and Collections, and Public Works
 - Stipend amounts vary based on job role and will be determined annually

- Employees are responsible for purchasing required branded uniforms and outerwear
- The stipend is taxable and will not cover additional reimbursements for lost or damaged items

2. Contracted Uniform Services

- Eligible departments: Electric, Water and Wastewater Treatment, Water Distribution and Collections, and Public Works
- The service will provide employees with a set number of uniforms, outerwear, and safety gear based on job role requirements. Uniforms will be laundered and replaced as necessary under the contract terms by the contracted company.
- Provides Hi-Vis for eligible departments and FR for eligible departments.
- Employees must wear the provided uniforms during working hours and maintain them in good condition.
- CINTAS estimated yearly contract - \$19,200
- Does not cover misc. PPE

Updated Office Staff Dress Policy

- Removes outdated language and gender-based distinctions
- Establishes clear guidelines on acceptable and unacceptable attire
- Allows for field-appropriate adjustments as needed

Motion made by Schasteen, seconded by Bratton to approve Resolution 1279 – Updating the City of Osawatomie’s employee clothing and dress policy to include an annual stipend for eligible field employees and modernized office staff appearance standards as presented. Yeas: All.

CHARTER ORDINANCE 22 – EXEMPTING AND SUBSTITUTING LANGUAGE FOR 12-1736 & 12-1737- Kansas is a Home Rule state. As such, municipalities in Kansas are afforded great latitude to adopt legislation that best suits its needs and not be constrained by “one size fits all” statutes passed by the legislature and as is the nature of municipal business in states where Dillon’s Rule is prevails.

This charter ordinance exempts the city from KSA 12-1736 and 12-1737 and rewrites the statute to suit the city’s needs. Section two and section three of this ordinance are by and large, word for word, KSA 12-1736 KSA 12-1737 which authorizes the city to acquire, modify, erect or construct public buildings and issue debt for that purpose.

Paragraph two of section three is where the significant changes reside. In a nutshell, this change allows the City to issue general obligation bonds for public building projects (which is not a change), but in the resolution authorizing the bonds, the City may, but is not required, to make the issuance of the bonds subject to notice and protest (which is a change). **Motion** made by Caldwell, seconded by Filipin to approve Charter Ordinance 22 – Exempting the City of Osawatomie,

Kansas, from the provisions of K.S.A. 12-1736 ET. SEQ. and providing substitute and additional provisions on the same subject relating to public building improvements and the issuance of bonds for the purpose of paying for said improvements as presented. Yeas: All.

NEW BUSINESS

ORDINANCE 3868 – AMENDING CHAPTER XIV, ART. 6, REGULATION OF E-BIKES - In August of last year, the city modified our code to allow for electric assisted scooters on city streets. We've always allowed, but never regulated, electric assisted bikes. This ordinance was requested by the police department as well as our city prosecutor(s). **Motion** made by Filipin, seconded by Bratton to approve Ordinance 3868 – Amending Chapter XIV. Traffic, Article 6 Special Purpose Vehicles with the change of adding or electric-assisted bicycle to 14-605 (o) at the end. Yeas: All.

ORDINANCE 3869 – AMENDING CHAPTER 1, ARTICLE 8 – MAIN TRAFFIC WAYS AND CONNECTORS – As part of the 5th Street Terrace project, the city committed to be responsible for the construction of the public infrastructure and all RHID proceeds (tax increment) would go towards the retirement of the debt required to be issued to build the infrastructure. These temporary notes are general obligations of the city and as such, certain steps need to be followed in order to issue the bonds.

First, 5th Street Terrace needs to be designated as a main trafficway connector and Kelly Avenue needs to be designated as a main trafficway (Chestnut is already designated as such).

Second, the new storm water infrastructure needs to be authorized. By statute, this requires an ordinance.

Third, the balance of the project, the water, sewer and street portions need to be authorized by resolution.

The final resolution, #1281 authorizes staff to offer the temporary notes for sale. We will accept bids through a certain date and once those bids are received, we will be back before the council to make a recommendation for award.

Mitch Walter with our bond counsel, Gilmore & Bell was present to discuss these items. **Motion** made by Schasteen, seconded by Henness to approve Ordinance 3869 – Designating certain streets in the City of Osawatomie, Kansas as main trafficways/main trafficway connections as presented. Yeas: All.

ORDINANCE 3870 – AUTHORIZING STORM WATER IMPROVEMENTS – 5TH STREET TERRACE IMPROVEMENTS – **Motion** made by Dickinson, seconded by Filipin to approve Ordinance 3870 - Authorizing and providing for the construction of stormwater drainage improvements in the City; and authorizing the issuance of general obligation bonds of the City to pay the costs thereof (5th Street Terrace Stormwater Improvements) as presented. Yeas: All.

RESOLUTION 1280 – AUTHORIZING 5TH STREET TERRACE PUBLIC IMPROVEMENTS PROJECT – **Motion** made by Bratton, seconded by Dickinson to approve Resolution 1280 – Authorizing certain infrastructure improvements in the City and providing for the payment of the costs thereof as presented. Yeas: All.

RESOLUTION 1281 – AUTHORIZING THE OFFERING OF TEMPORARY NOTES – 5TH STREET TERRACE IMPROVEMENTS – **Motion** made by Schasteen, seconded by Filipin to approve Resolution 1281 – Authorizing the offering for sale of general obligation notes, Series 2025-1, of the City of Osawatomie, Kansas as presented. Yeas: All.

EXECUTIVE SESSION – None.

COUNCIL REPORTS

Kevin Schasteen ~ Thanks to Bret for giving us the Easter Egg hunt looking at the condemnation properties. Going out looking at these places ahead of time was nice. Some of the new development that is happening was surprising and not really that far from me. Pride has received a grant to be used to make improvements downtown at the Hub. That will be a nice improvement.

Dan Macek ~ I don't know a lot about the building codes but I wonder if it would be helpful if the building inspector could make some bullet points on the difference between the building codes from the 1980's to 2018 code.

Kenny Diehm ~ The street lights that are going in on 6th Street look really nice.

Derek Henness ~ What is going on with the construction on Main Street?

Cathy Caldwell ~ What is happening with the stop light on 6th and Pacific?

MAYOR'S REPORT

Nick Hampson ~ We received the scholarship applications. Cathy Caldwell and Kenny Diehm will help with the selection process.

Can we do a pedestrian crossing stop sign at 6th and Pacific? There is a lot of kids that cross at that intersection.

CITY MANAGER & STAFF REPORTS.

Bret Glendening ~ We sat in on a phone call today with our engineer and USDA Rural Development. They told us to proceed with procurement of the CMAR for our water treatment plant. Next week we will issue a request for qualifications for CMAR.

We issued bids on 5th Street Terrace public infrastructure improvements. Those bids are due April 9th.

Senate bill 146 – the extension of the City’s ownership of the Northland Property has a hearing set for Monday at 10:30 a.m.

I mentioned a couple of years ago that there were 118 properties listed on the Miami County property tax sale and out of those there were 48 Osawatomie properties. The property tax owed on those Osawatomie properties were approximately \$465,000. There have been 73 properties redeemed which leaves 45 properties left. Out of the 45, there are still 30 Osawatomie properties and almost all of them are vacant lots. The total outstanding taxes on those 30 properties total about \$436,000.

I want to say thank you to the council for the actions that you took tonight on these six properties. It is not easy to tell someone that their property needs to be removed but it is a necessary process.

We are working on a mill and overlay project and that will be going out to bid.

OTHER DISCUSSION/MOTIONS.

Motion made by Schasteen, seconded by Bratton to adjourn. Yeas: All. The mayor declared the meeting adjourned at 08:02 p.m.

/s/ Tammy Seamands
Tammy Seamands, City Clerk