

Osawatomie, Kansas. **April 10, 2025.** The Council Meeting was held at Memorial Hall located at 411 11<sup>th</sup> Street. Mayor Nick Hampson called the meeting to order at 6:00 p.m. Council members present were: Macek, Diehm, Dickinson, Henness, Bratton, Filipin and Caldwell. Council member Schasteen was absent. City Staff present at the meeting were: City Manager Bret Glendening, Deputy City Manager Michele Silsbee and City Clerk Tammy Seamands. Members of the public were: Ricky Daulton and Dustin Brinkerhoff.

**INVOCATION.** – Pastor Dustin Brinkerhoff, Victory Baptist Church

**CONSENT AGENDA.** Approval of April 10, 2025 Agenda and March 27, 2025 Council Minutes, Pay Application – BG Consultants – Water Treatment Plant Design - \$32,259.00, Pay Application – BG Consultants – Water Distribution Design - \$13,000.00, Pay Application – BG Consultants – John Brown & South Levee Loop - \$7,801.00, Pay Application – Northland Interceptor Sewer - \$2,774.00, Pay Application – BG Consultants – On Call Engineer - \$4,729.75, Pay Application – BG Consultants – Mill/Overlay - \$2,716.00, Pay Application – BG Consultants – Golf Course Clubhouse Design - \$3,200.00, Special Event Permit – Ultrapalooza-Mile Zero, Special Event Permit – Stereo Competition-City Lake, Special Event Permit – Alumni Parade and Street Dance, Special Event Permit – John Brown Jamboree, Special Event Permit – Lights on the Lake, Special Event Permit – Stomp out Suicide Walk, 2025-02 Council Report. **Motion** made by Dickinson, seconded by Macek to approve the consent agenda as presented. Yeas: All.

**COMMENTS FROM THE PUBLIC.** – None.

**PUBLIC HEARINGS.** – None.

**PRESENTATIONS, PROCLAMATIONS AND APPOINTMENTS.**

2025 JUNIOR POET LAUREATE – JUNIOR WINNER, MARWA RAHRMAN – Lawrence Dickinson read the proclamation – **Motion** made by Dickinson, seconded by Macek to approve the 2025 Junior Poet Laureate winner proclamation as presented. Yeas: All.

2025 ADULT POET LAUREATE – ADULT WINNER, GABRIELLE MARTIN – Lawrence Dickinson read the proclamation – **Motion** made by Henness, seconded by Filipin to approve the 2025 Adult Poet Laureate winner proclamation as presented. Yeas: All.

**UNFINISHED BUSINESS.** – None.

**NEW BUSINESS**

RESOLUTION 1292 – AWARDING 5<sup>TH</sup> STREET TERRACE PUBLIC INFRASTRUCTURE CONTRACT- These are the main points of the development agreement that was approved in November of last year:

1. City Infrastructure Improvements (our obligation): water, sewer, electricity, stormwater, street, sidewalk, and grading to “pad ready” (see Exhibit E). The date infrastructure is complete, becomes the Project Benchmark Date, unless builder applies for permits before

infrastructure is complete, in which case, the date the building permits are submitted to the city becomes the Project Benchmark Date.

2. The Project Benchmark Date is important because it is what defines “performance” of the developer in Exhibit C, the Project Milestones. Failure to meet a milestone date requires developer to report to governing body as to why. Any lots not owned by, and/or developed by the developer after five years from the Project Benchmark Date triggers the city’s right to sell any undeveloped lots to other builders.
3. Developer will provide a letter of credit to the city in the event there is not sufficient “critical mass” to retire the debt when bond payments come due. There is still debate on what that amount should be. The LOC obligation begins four years after the benchmark date and coincides with the maturity of the four-year temporary notes that will be issued to pay for the city infrastructure improvements.
4. Developer has exclusive right to pursue MIH/KHITC for two years. Developer also has the right to sell lots to other builders if there is a benefit to do so. If the builder sells lots, 50% of the proceeds of those lots gets deposited into an escrow fund for use by the city in the event that there are additional funds (above and beyond the LOC) needed to make a bond payment. Anyone who may purchase and plan to build on one of the lots (other than the builder) must have their house plans reviewed and approved by an “Architectural Control Committee”. This is to ensure the character of the neighborhood is maintained throughout all 23 lots.

Now that we have been awarded the MIH and the tax credits, and we have received acceptable bids from construction companies, it is time for the city to perform its obligations under the agreement.

We received 4 bids for this project. The bids, plus the engineer’s estimate are as follows:

Bidder	Base Bid
Engineer’s Estimate	\$1,348,090.00
Koehn Const. Services	\$1,328,212.12
Pro Design Contractors, LLC	\$1,776,371.75
Dirk’s Heavy Contractors	\$1,550,576.00
Killough Construction	\$1,239,237.16

**Motion** made by Bratton, seconded by Henness to approve Resolution 1292 – Accepting the recommendations of Lamp Rynearson for the award of the 5<sup>th</sup> Street Terrace Construction project to Killough Construction in the amount of \$1,239,237.16 as presented. Yeas: (6) Macek, Diehm, Dickinson, Henness, Bratton and Filipin. Nays: (1) Caldwell

RESOLUTION 1293 – AWARDING 2025 MILL & OVERLAY CONTRACT– A street assessment that was completed by the Public Works department in 2021 indicated that the

subject streets were candidates for a mill and overlay project. The condition of these streets (curbs and gutters, as well as base asphalt) indicates that the useful life of these streets can be extended with a new surface of clean asphalt and some minor repairs to the base course of asphalt.

The city advertised for bids and received a surprising, nine (9) bids. All but one bid was below the engineer's estimate of \$256,150. The bids are shown below. A completed bid tabulation and recommendation will be brought to the council meeting. If the awarded contractor is agreeable to a change order at their bid rates, we would like the contractor to add the library parking lot as well as a 2" to 3" cap of asphalt on 7th Street from Pacific to the fire station as well as on 9th Street from Chestnut to Pacific.

Engineer's Estimate	\$256,150
All Pro Asphalt	\$134,015
Advanced Asphalt Paving	\$140,300
Phillips Paving	\$166,090
Barkley Asphalt	\$168,625
Killough Construction	\$181,210
McConnell	\$192,326
McAnaney Construction	\$207,000
Sunflower	\$251,213
Bettis	\$262,215

**Motion** made by Macek, seconded by Henness to approve Resolution 1293 – Accepting the bid for resurfacing of Parker Ave. from 12<sup>th</sup> Street to the city limits to All Pro Asphalt & Maintenance, LLC in the amount of \$134,014.80 as presented. Yeas: All.

RESOLUTION 1294 – ADOPTING 2026-2030 CAPITAL IMPROVEMENTS PLAN – The Capital Improvement Plan (CIP) is a multi-year planning tool used to prioritize major infrastructure and facility projects within the City of Osawatomie. The 2026-2030 CIP was developed through a collaborative process involving all city department heads. The CIP outlines planned investments equipment, facilities, infrastructure, and technology.

The CIP serves as a planning document and does not constitute an immediate budgetary commitment. Funding sources for CIP projects may include general fund allocations, grants, bonds, and special revenue funds. Annual budget approvals will determine the specific allocation of funds for individual projects. **Motion** made by Dickinson, seconded by Filipin to approve Resolution 1294 – Adopting the 2026-2030 capital improvement plan (CIP) as a guide for future infrastructure and development projects as presented. Yeas: All.

RESOLUTION 1295 – ADOPTING 2025 FEMA HAZARD MITIGATION PLAN – The City of Osawatomie is part of the State of Kansas, Region J Hazard Mitigation Plan area. The purpose of the plan is to help prepare all staff for known hazards and is required in order to receive FEMA funding. Because of its size we have not included it in the packet.

This is a multi-hazard, multi-jurisdictional mitigation plan combination and update covering Kansas Homeland Security Region J. Region J is comprised of seven participating counties and is located in the center of the eastern region of the State. This plan was prepared to meet the requirements of the Disaster Mitigation Act of 2000 (DMA 2000), as defined in regulations set forth by the Interim Final Rule (44 Code of Federal Regulation (CFR) Part 201.6). **Motion** made by Caldwell, seconded by Hennessy to approve Resolution 1295 – Adopting the Kansas Homeland Security Region J Hazard Mitigation Plan as presented. Yeas: All

**RESOLUTION 1296 – APPROVE MOWING CONTRACTS FOR BRADFORD LAWNS AND SCARECROW LAWN CARE** - City of Osawatomie issued a bid request for the contract mowing of approximately 121 acres of city-owned land. Three bids were received.

Scarecrow Farm Lawn Care	\$160,196.00
Bradford Lawns	\$208,065.00
Asplundh Tree Expert	\$316,291.98

City staff recommends splitting the mowing contract between Scarecrow Farm Lawn Care, Bradford Lawns, and city parks crews to ensure adequate coverage and to maximize cost efficiency. Additionally, City crews will continue to mow parcels that require maintenance but were not originally included in the bid. **Motion** made by Macek, seconded by Caldwell to approve Resolution 1296 – Accepting the 2025 city property mowing bid results and authorizing the division of contract mowing services between Scarecrow Farm Lawn Care and Bradford Lawns with city crews to manage a portion of additional acreage as presented. Yeas: All.

**RESOLUTION 1297 – AWARDING NORTHLAND INTERCEPTOR SEWER-** In January 2023, we applied for a BASE Grant to help extend sewer to the Northland properties. We were notified in the spring of 2023 that we were successful in receiving a portion of what we had applied for. Since the amount we were awarded was less than the amount we applied for, we worked with our engineer to understand how far the amount of money we were awarded would go and it was determined that we could get sewer underneath US 169. This has been one of the biggest hurdles to getting any development started in this area.

We have completed design and we have bid this project twice. As I communicated a couple of weeks ago, the bids for a gravity sewer were almost twice as much as our engineer’s estimate and our budget. We revised the plans slightly to include a lift station on the west side of the highway and rebid the project. Those bids were opened on April 7th and they were more in line with our budget.

Bidder	Base Bid	Alternate
Engineer’s Estimate	\$1,826,359.50	\$45,847.50
Timco	\$3,984,297.68	\$143,260.50
Site Rite	\$2,011,575.00	\$39,290.38
Pro Design Contractors	\$1,769,018.88	\$32,897.14
Nowak Construction	\$2,116,680.40	\$48,817.80
Dirks Heavy	\$2,487,389.43	\$34,340.00

Staff recommends awarding to the low bidder, Pro Design Contractors in the amount of \$1,769,017.23. Of the original project budget of \$2,000,000 (\$1.5M BASE Grant, \$250,000 each from the City of Osawatomie and Miami County), we have \$1,880,059 remaining. We will have some inspection expenses as well, and our budget for inspection is approximately \$148,000. We will need to manage that budget to ensure that we do not exceed the amount of available funds. **Motion** made by Macek, seconded by Bratton to approve Resolution 1297 – Accepting the recommendations of BG Consultants for the award of the Northland Interceptor Sewer Project to Pro Design Construction in the amount of \$1,769,018.88 as presented. Yeas: All.

**EXECUTIVE SESSION** – None.

### **COUNCIL REPORTS**

Dale Bratton ~ I have had some complaints about the train blocking the tracks while the kids are trying to get to school.

### **MAYOR’S REPORT**

Nick Hampson ~ Pride will be doing mulch the 1<sup>st</sup> Saturday in May.

### **CITY MANAGER & STAFF REPORTS.**

Bret Glendening ~ I have a party interested in looking at consenting to annexation up by Victory Chevrolet. Some of the property would be residential and some commercial.

### **OTHER DISCUSSION/MOTIONS.**

**Motion** made by Macek, seconded by Henness to adjourn. Yeas: All. The mayor declared the meeting adjourned at 07:01 p.m.

/s/ Tammy Seamands  
Tammy Seamands, City Clerk