

Osawatomie, Kansas. **April 13, 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: Virginia Adams, Dennis Blanton, Liz Dean, Mrs. Delvalle, Ken Davis, Michelle Burroughs, Leigh Ann McLean, Andria Seymour, Kelly Behnke, Anna Norman and Dean Inscore.

INVOCATION. – Virginia Adams

CONSENT AGENDA. Approval of March 13th Agenda, March 23rd Council Meeting Minutes, Pay Application – Killough Construction – Street Project - \$118,005.90, Pay Application – Western Consultants – WWTP - \$2,510.00, Pay Application – Crossland Heavy – WWTP - \$467,248.95, Pay Application – BG Consultants – WWTP - \$34,219.38, Pay Application – BG Consultants – Water Distribution (Brown Ave) - \$5,524.20, Pay Application – BG Consultants – John Brown and South Levee Loop - \$214.20, Pay Application – BG Consultants – Pay the Way Design - \$36,596.10, Special Event Permit – Fireworks Display, Special Event Permit – Oz Triathlon (Trailhead and John Brown Park), 2023-02 Council Report **Motion** made by LaDuex, seconded by Dickinson to approve the consent agenda as presented. Yeas: All

COMMENTS FROM THE PUBLIC. – Ken Davis – There is all kinds of progress on Main Street and I ask about the building at 565 Main that is crumbling on the sidewalk. What is the process or remedy to get this fixed and how are you addressing this issue? There was also a city owned side by side on the sidewalk downtown. It shouldn't be there it tears up the sidewalk.

PUBLIC HEARINGS. – None.

PRESENTATIONS, PROCLAMATIONS AND APPOINTMENTS.

ARBOR DAY PROCLAMATION – Karen LaDuex read the proclamation. **Motion** made by Dickinson, seconded by Schasteen to accept the Arbor Day 2023 Proclamation as presented. Yeas: All.

UNFINISHED BUSINESS.

RESOLUTION 1128 – FINALIZING TRANSFER OF EVERGY ASSETS FOR STATE HOSPITAL – On July 14, 2022, the council approved Resolution 1021 authorizing city staff to take the necessary steps to assume the Osawatomie State Hospital into the City of Osawatomie's electric service territory. The city's line crew has procured the necessary materials and equipment and constructed the distribution line to the State Hospital. This resolution will allow staff to purchase the Evergy assets in the area in order to complete the transfer of the Osawatomie State Hospital to a city customer. The cost of the Evergy assets is \$4,649. The State Hospital's electric bill is expected to be approximately \$40,000 per month. **Motion** made by Caldwell, seconded by Bratton to approve Resolution 1128 – Directing staff to complete the transfer of Evergy electric

distribution assets to the City of Osawatomie for the Osawatomie State Hospital as presented. Yeas: All. Dickinson abstained due to conflict of interest.

NEW BUSINESS.

RESOLUTION 1120 – TRANSITION OF RESPONSIBILITIES FOR CITY MANGER/DEPUTY CITY MANAGER. – Resolution 1120 begins the transition of the City Manager to a contractual service role and contemplates the appointment of the Deputy City Manager to the position of City Manager at the June 22, 2023 city council meeting becoming effective June 25, 2023. This resolution also amends the City's 2022-2023 Salary Schedule for City Managers Pay Range – Pay Grade 35 from (90,000 to \$126,000) to (\$103,500 to \$160,000) and adjust the range multipliers for all pay grades down by 5% and adjust the ranges tops/bottoms accordingly. An employment agreement with Mr. Glendening was provided to council so that they could review the agreement. The agreement will be acted on at the April 27th council meeting. Also attached to this resolution is an agreement for consulting services with Our City Planning, LLC owned by -Mr. Scanlon. **Motion** made by Bratton, seconded by LaDuex to approve Resolution 1120 – Authorizing the transition of the city manager and deputy city manager positions, establishing a new pay grade for the city manager position and authorizing the mayor to enter into a contract with Our City Planning, LLC for planning and economic development services at the rate presented to the city council in the fall of 2022 as presented. Yeas: All.

RESOLUTION 1129 – AUTHORIZING GRANT AGREEMENT NO. 22-CR-005 BETWEEN THE STATE OF KANSAS DEPARTMENT OF COMMERCE AND THE CITY OF OSAWATOMIE FOR THE RENOVATION OF COMMERCIAL PROPERTY OWNED BY SSGK LLC (SUCCESSORS AND ASSIGNS) LOCATED AT 538-544 MAIN STREET – Resolution 1129 allows the city to work as a conduit for the financing of \$250,000 in CDBG improvements for the properties located at 538-544 Main Street. The attached agreement also includes the current budget for the project and the contribution required of the property owner. **Motion** made by LaDuex, seconded by Filipin to approve Resolution 1129 – Authorizing grant agreement No. 22-CR-005 between the State of Kansas Department of Commerce and the City of Osawatomie for the renovation of commercial property owned by SSGK LLC (Successors and Assigns) located at 538-544 Main Street as presented. Yeas: All.

RESOLUTION 1126 – AUTHORIZE PURCHASE OF NEW SOUTH WASTEWATER LIFT STATION PUMP – Several weeks ago City staff noticed, through our monitoring system that #2 pump in the south lift station was not pumping. Staff pulled the pump and determined it was not plugged, at that time it was sent in for evaluation, that evaluation determined that it was not repairable. Staff then requested quotes from 3 vendors for a replacement. JCI, Alliance Pump, and Fluid Equipment. After receiving the quotes staff recommends purchasing a pump from Alliance. Fluid Equipment is the cheapest, but they will not warranty their pump unless their tech, or a tech they deemed qualified checks and or adjust all settings on the lift station to best benefit their pump. Over the past 10 years many techs have made what they deemed to be appropriate adjustments to the PLC in the south lift stations. Over the course of the last 2-years we have finally restored the lift station to operate the way it was originally designed; we do not want any settings changed. For this reason, we recommend Alliance Pump. We currently have a pump Alliance installed in the lift station, they are aware of the current settings and will warranty

the new pump. **Motion** made by Schasteen, seconded by Bratton to approve Resolution 1126– Authorizing the purchase of a new pump for the south lift station as presented. Yeas: All.

RESOLUTION 1127 – AUTHORIZE PURCHASE OF WATER METER SETTERS FOR BROWN AVE. WATER MAIN - In order to maintain the schedule for Brown Ave. Street project the city needs to purchase water meter setters, that currently have a 20 plus week lead time. The city will provide these setters to the contractor that gets selected to perform the relocation of water utilities. City staff requested quotes from 3 vendors (Core & Main, Fortiline, and Ferguson Waterworks). Of the 3, Core & Main is the cheapest and possible the shortest lead times. **Motion** made by LaDuex, seconded by Caldwell to approve Resolution 1127 – Authorizing the purchase of water meter settings for the Brown Ave. Street Project as presented. Yeas: All.

ORDINANCE 3825 – PROHIBITION OF DUMPSTERS ON PUBLIC STREETS – Dumpsters on public streets pose significant safety and health hazards to the community. Dumpsters take up valuable space on the road, making it difficult for drivers and pedestrians to navigate safely. They can also obstruct emergency vehicles, making it harder for them to respond to calls quickly. In addition, placing dumpsters on public streets and moving them around can cause damage to the surface material of the street. **Motion** made by LaDuex, seconded by Diehm to approve Ordinance 3825-Amending Chapter 13 of the City of Osawatomie Municipal Code for the purpose of prohibiting dumpsters from being placed on public streets within the City of Osawatomie Except for the temporary placement of dumpsters upon the approval of the city for purposes of repairs, construction, or maintenance activities. Yeas: All.

ORDINANCE 3826 – ESTABLISHING RIGHT – OF-WAY ORDINANCE AND PERMITTING PROCESS - The purpose of the proposed addition of Article 10 under Chapter 12: Public Property would provide guidelines regarding the use of the right-of-way within the City of Osawatomie and add a permitting process. The proposed amendment requires that utility companies notify the city of their intent to move utilities or perform any utility work. Additionally, a permit with detailed plans of work and permit fee would be obtained before any work could be performed giving city staff time to review any conflicts with existing infrastructure, planned street projects, or planned infrastructure upgrades/relocations. This would allow city staff to direct where utility companies place or relocate non-city owned infrastructure and ensure that in that process no damage is done to city infrastructure in and above city right-of-way.

With this amendment, the city would also have the ability to inspect and confirm that the work is completed as planned, does not create conflicts, and that street or right-of-way is returned to a condition that is equal to or better than when the work began. As City Utilities and Public Works Departments continue to upgrade infrastructure and complete street rehab projects, right-of-way permits would allow us to better work with other utilities to ensure efficient use of right-of-way space and reduce future conflicts.

This section of the code would not require a property owner to get a right-of-way permit to complete work within the boundaries of their own property. **Motion** made by Schasteen, seconded by Filipin to approve Ordinance 3826 – Managing the use and occupancy of public

right-of-way for the City of Osawatomie, Kansas; adding new Osawatomie Municipal Code Chapter 12, Article 10, Sections 1001-1013 as presented. Yeas: All.

ORDINANCE 3827 – TRUCK AND SEMI-TRAILER TRAFFIC ON MAIN STREET - Main Street is the primary east/west arterial street in Osawatomie. As such, many residents, contractors, and companies use it to conduct business, including the use of trucks and semi-trailers, to access highways and various areas of town. Considering Main Street’s connection with US 169 Hwy there is not a secondary east/west arterial that could provide this same level of access. Additionally, the planned reconstruction of Sixth Street will require detours from truck and semi-trailer traffic onto Main Street while under construction. **Motion** made by Bratton, seconded by LaDuex to approve Ordinance 3827 – Repealing Section 14-205 of the Municipal Code of the City of Osawatomie as presented. Yeas: All.

EXECUTIVE SESSION – None.

COUNCIL REPORTS

Cathy Caldwell ~ I walk with my dog daily and I have concerns about the number of dogs running around loose in my neighborhood. Sometimes they come up to us and some are friendly but others are not. It takes away from the police to constantly be called out for a loose animal. I would like for us to work on a solution for this problem. What is going on with the 10 acres predevelopment agreement? Third Saturday is coming up and it sounds like it is going to be a lot of fun.

Tammy Filipin ~ I agree with Cathy that there are a lot of dogs running loose.

Karen LaDuex ~ Sam, Kari and I attend the citizens advisory committee meeting. Sam and Kari presented information about what’s going on in the city. Thank you for promoting our town. I will be bringing pancake tickets in if you would like to purchase any.

MAYOR’S REPORT – There is a whole lot of construction equipment and people moving in and around the city and a whole lot going on. I really appreciate the “heads up” that Michele gave to the downtown merchants in regards to the hub pocket park demolition and rebuild. And thanks to Terry for running down all the utility issues tied to the site. Michele and Terry make a terrific team and we are so fortunate to have them.

I want to thank Mike for his work on the CDBG grants one of which we have received notification for and entered into an agreement with the State of Kansas tonight. I believe there’s another one on its way. I can’t help but feel so appreciative of all the work our staff has done and continues to do. Do you realize from last September to now we have received over \$3.25 million in direct grants, we have received notification of loan forgiveness of at least \$1,000,000 and we entertained the inquiries of two international companies looking at our community for new US location, we also put in for another \$3-\$4 million in additional grants and tonight took over being the electrical provider for the State Hospital. These are huge accomplishments if done in a ten-year period—now shrink that down and that 6 months – that

hovers in the area of a MIRACLE. We really need to thank and be appreciated of our staff – thank you so much you are making a difference in our community!!

I believe Mike will tell you about the quarterly meetings he and Bret will be setting up with the City Council over the next 2-3 weeks in anticipation of the 2024 budget. This year's going to be tough – but I know we can get through it and do what's right for the community – just look at what we've done in the last six months. We can achieve even more!

CITY MANAGER & STAFF REPORTS. – None.

OTHER DISCUSSION/MOTIONS.

Motion made by Bratton, seconded by Schasteen to adjourn. Yeas: All. The mayor declared the meeting adjourned at 08:13 p.m.

/s/ Tammy Seamands
Tammy Seamands, City Clerk