

Osawatomie, Kansas. **August 14, 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, Filipin and Caldwell. City Staff present at the meeting were: City Manager Bret Glendening, City Attorney Jeff Deane, City Clerk Tammy Seamands, Director of Utilities Terry Upshaw and Public Safety Officer Scott Polster. Members of the public were: Brandon Willey, Jacki Glendening, Nicole Henness, Nancy Thompson, Michael McCoy, Woody McDougal, Sam Clinton, Jillie Powell, Doug Huffman, Dale Samuels, Larry Gibbons, Dean Inscore, Polly Inscore, Nikki Chambers, Jodi Keller and John Klein.

INVOCATION. – Pastor Dale Samuels ~ Faith Community Church

CONSENT AGENDA.

- A. August 14, 2025 Agenda
- B. July 24, 2025 Meeting Minutes
- C. Pay Application(s)
 - Pro Design Contractors, LLC – \$121,260.05 (Northland Interceptor Sewer)
 - BG Consultants – Water Treatment Plant Project - \$24,195.00
 - BG Consultants – Water Distribution Project - \$39,750.00
 - BG Consultants – John Brown and So. Levee Loop KDOT/TA - \$20,559.50
 - BG Consultants – City Engineering Services – CMAR Selection - \$2,090.00
 - BG Consultants – Northland Interceptor Sewer - \$15,673.00
 - BG Consultants – Golf Course Clubhouse - \$8,500.00
- D. Special Event Permit(s)
 - Freedom Festival 2025; September 19-21
 - Bikes, BBQ & John Brown; October 11

Motion made Bratton, seconded by Henness to approve the consent agenda without the Special Event Permit – Bikes, BBQ & John Brown. The Special Event Permit – Bikes, BBQ & John Brown will be brought back to the next meeting with more clarification. Yeas: All.

COMMENTS FROM THE PUBLIC.

Pastor Dale Samuels ~ I want to recognize the Close Closet in town. They have been a great donator to the Osawatomie Ministerial Alliance helping families in this community. The Ministerial Alliance received a grant last year but we did not need to apply for it this year because of the help that the Close Closet has provided.

Dean Inscore ~ I am here to get my meters back for my properties. From what I understand, Bret Glendening sent the electric crew down to steal my meters. I have been paying for them for years. It has come to my attention, that there are several structures in town that have not had any utilities. The utilities at 727 Main have not been on since 2022 and people have been living in the house. There are also other structures in town that have not had anyone living in them and their meters are still there. They are allowed to sell them or fix them up. One of the structures owned by Mike Taylor on Lincoln Ave. is across the street from my trailer house and

according to Mike, that house has not had a meter or utilities for ten years. I feel targeted and singled out. I have not had any violations on my property and I am currently working on it. I would like to know that Bret is not going to come down and tear down my trailer house or force me to tear it down. He does seem to have the power to do that if you guys agree to it. I found out from the inspector that he was told not to give me a permit to repair my property. There was no due process. I just want to be treated fairly.

PUBLIC HEARINGS. – None.

PRESENTATIONS, PROCLAMATIONS AND APPOINTMENTS. – None.

UNFINISHED BUSINESS.

RESOLUTION 1318 – AWARD OF CMAR CONTRACT FOR THE WATER TREATMENT PLANT - The preliminary design for the water treatment plant is nearly complete, and we are now moving into the next phase: selecting a Construction Manager at Risk (CMAR). The goal of using the CMAR model is to bring the contractor into the process early so they can offer feedback on constructability, help refine the final design, and begin planning for equipment procurement once the design is approved by the Kansas Department of Health and Environment (KDHE).

To begin the selection process, we hosted a mandatory pre-bid meeting earlier this spring. Four firms submitted Statements of Qualifications. From those, three were invited to submit full proposals, and we received responses from two of the three. We are currently reviewing their proposals, focusing on proposed fees for CMAR services and overall construction timelines. At this stage, we are selecting a CMAR based on qualifications, fee structure, and schedule. The Guaranteed Maximum Price (GMP) for the plant will be set after the design is finalized and will not be determined during this current selection process.

While the treatment plant portion of the project will use the CMAR delivery model, the distribution system improvements will follow a traditional design-bid-build approach. Bowen Engineering has a significant amount of work outside of the State of Kansas. Owensboro, KY (\$40M project); Columbia, MO (\$32M project); and Winchester, IN (\$22M project). Their offices are in Olathe, KS. **Motion** made by Schasteen, seconded by Caldwell to approve Resolution 1318 – Awarding the Construction Manager at Risk (CMAR) contract for the new Osawatomie Water Treatment Plant to Bowen Engineering in an amount not to exceed \$2,506,000. Such award is contingent upon USDA and KDHE's concurrence with said award as presented. Yeas: All.

RESOLUTION 1319 – EXTENSION REQUEST FOR 525 MAIN STREET CDBG GRANT - The work at 525 Main is nearly complete. All that remains is some additional masonry work.

The CDBG grant required that all work be completed within one year of the award of the contracts. There is some work that remains to be done and while we expect the extension will not be necessary, we would prefer to have the authority to apply for an extension in the event there are unforeseen circumstances. **Motion** made by Schasteen, seconded by Macek to approve

Resolution 1319 – Authorizing the application for an extension for CDBG project No. 23 CR 005 at 525 Main Street as presented. Yeas: All.

NEW BUSINESS

RESOLUTION _____ - AMENDING PERSONNEL POLICIES PERTAINING TO NEPOTISM (No Action) - Two weeks ago we received an application from LJ Kerr. He is Deputy Fire Chief Lance Kerr's son. The city's personnel policies have prohibited nepotism within departments for at least 20 years. We have had situations where family members have worked for the city in various capacities, but there has been only one instance that we can think of, where we had this happen within the same department. That issue was corrected. The biggest problem with that situation was that it does not appear that the council was ever brought into the discussion and asked to amend the personnel policies for that exception.

Our Fire Chief Aaron Sharp has requested that the council consider amending the city's personnel policies as it pertains to nepotism. We have interest by both Chief Sharp's son and Deputy Chief Kerr's son in serving on the department.

EXECUTIVE SESSION

Motion made by Dickinson, seconded by Schasteen that the City Council recess into closed, executive session for the purpose of consultation with the city attorney for matters privileged in the attorney-client relationship pursuant to the exception in K.S.A. 75-4319(b)(2). The closed meeting will last 10 minutes and will resume here in Memorial Hall at 6:32 p.m. Also attending will be the City Manager, Deputy City Manager, City Clerk, and the City Attorney. Yeas: All.

The council meeting resumed to open session at 6:32 p.m. with no action taken.

COUNCIL REPORTS

Cathy Caldwell ~ Work is being done at "10 Acres". The workers are very considerate and it looks like it is going well.

Tammy Filipin ~ There have been a lot of trucks on our street lately with the work at "10 Acres".

Kenny Diehm ~ The Flint Hills Trail State Park has been named a 2025 Hall of Fame Trail by the Rails to Trails Conservancy.

MAYOR'S REPORT – None.

CITY MANAGER & STAFF REPORTS.

Bret Glendening ~ I have nothing more to add beyond what was in the written manager's report in the packet. But I do want to address the allegations that Mr. Inscore's meters were stolen. Mr. Inscore's trailer was last occupied by Darlene Barbosa in May of 2021. It has not been used as a residential property since. Per our zoning regulations, nonconforming structures and uses, once abandoned for the approved use, must be removed from the community and the use cannot be restarted. Mr. Inscore and another individual who owns a trailer in the 1000 block of walnut both received letters explaining the zoning violations created by these vacant trailers on June 5th. Both electric meters were removed from both trailers. No one is singling out Mr. Inscore. I know nothing about a three-phase meter, but I can check with our Director of Utilities tomorrow. There are crimes against persons, there are crimes against property and there are crimes against property values. manufactured, single wide trailers that are unmaintained are a drag on everyone's property values. Everyone complains about taxes, but increased values allow us to reduce our mill levy over time. These goals are not my goals. These are not Scanlon's goals. They are not the council's goals or the mayor's goals. They are the community's goals, and we are going to continue to enforce our codes. We cannot like city codes, but we are not going to ignore codes we do not like. If we do not like the codes, we change the codes. We do not ignore them.

Michele Silsbee ~ Box culvert on Main St was delayed first due to weather and then due to Old Castle getting behind on building the structure. The structure is now complete and Killough is waiting for the piece of equipment that is large enough to lift those structures into place to finish on another job. Last update was that they should be ready to begin that project in the next couple weeks. This project will require closing Main St between Brown Circle Dr and 14th Street and is expected to take 2-3 days, weather permitting.

TA project trail realignment through John Brown Memorial Park. Two options are possible while maintaining the existing southern bridge. There are no workable options to maintain the north bridge due to its condition and inability to handle the current stormwater flow. The two options include either getting a variance from KDOT for the width and slope down to the south bridge so that it can be part of the shared use path or to take the shared use path through the park south of Memorial Hall. The second option would require the demolition of the old fountain site so that the path could be built through that area. If KDOT does not give a variance, then the second option is the option that we will move forward with.

Tammy Seamands ~ The League of Kansas Municipalities conference is October 9-11 this year. The governing body of each member city may elect city delegates from among the city's officers to represent the city in the conduct and management of the affairs of the League of Kansas Municipalities.

Based on the population, we need to elect two voting delegates and two alternate voting delegates. In 2024, our voting delegates were 1) Nick Hampson and 2) Bret Glendening. The Alternate voting delegates were 1) Kevin Schasteen 2) Tammy Filipin. The conference will be in Overland Park this year. We need to know who would like to attend so we can get registrations made. This will be brought back to the next meeting.

OTHER DISCUSSION/MOTIONS.

Motion made by Schasteen, seconded by Filipin to adjourn. Yeas: All. The mayor declared the meeting adjourned at 06:46 p.m.

/s/ Tammy Seamands
Tammy Seamands, City Clerk