

Osawatomie, Kansas. **August 25, 2022.** 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 6:30 p.m. Council members present were: Macek, Diehm, Dickinson, LaDuex, Bratton and Caldwell. Council members Wright and Filipin were absent. City Staff present at the meeting were City Manager, Mike Scanlon, Deputy City Manager Bret Glendening, City Clerk Tammy Seamands, City Attorney Jeff Deane, Director of Utilities Terry Upshaw, Building Official Ed Beaudry, Public Works Director Michele Silsbee, Assistant to the City Manager Sam Moon, Assistant Police Chief William Bradshaw, Public Safety Officer Grant Sparks, Information Technology Director William Justesen and Business Liaison Kari Bradley. Members of the public were: Donna Darner, Bill Coffelt, Ron Smith, Perry Underwood, Jessie Underwood, Doris Ware, Sulema Robertson, Gale Matson, Robert Matson, Derek Henness, Jacinda White, Jed White and Jason Hoskinson.

**INVOCATION.** – Pastor Ron Smith, 1<sup>st</sup> Christian Church

**CONSENT AGENDA.** Approval of August 25<sup>th</sup> Agenda, August 11<sup>th</sup> Council Meeting Minutes. **Motion** made by LaDuex, seconded by Dickinson to approve the consent agenda as presented. Yeas: All.

#### **COMMENTS FROM THE PUBLIC.**

Doris Ware – Doesn't understand why there is a \$51 fuel adjustment on her utility bill when she is paying for utilities. I looked over the budget and the Revenue Neutral Rate and my property taxes are going to also go up. My problem isn't that I can't pay my taxes because I can. I worry about the lady down the street that rents. She doesn't know that her rent is going to go up or those with a mortgage that their payments are going to go up because Osawatomie is going to exceed the Revenue Neutral Rate.

Pastor Ron Smith – Our monthly outreach is on Saturday. We will be there from 9 – 10 a.m. at 1<sup>st</sup> Christian Church. Then at 10:30 a.m. we will go down and serve at Country Vintage Inn. If someone has a need, come down and see us.

Donna Darner – having a problem that they have closed the flower shop downtown for people to get flowers. I know that she moved and its pitiful where she is at now.

Bill Coffelt – recently a statement was mailed out a statement on the Revenue Neutral Rate. This is the first time that I have seen anything like it. It was very helpful. This reappraisal thing is really skewed. If this continues it will drive people out of their homes.

William Justesen – discussed the issues that he has with Resolution 1040 – Establishing the 2022-2023 Salary Schedule.

Jed White – What is going on with the taxes in this town. I am about to be taxed out of my home. I live on one income with my wife and these property taxes are about to make me homeless. What is RNR? Are the citizens going to get to vote on this?

## **PRESENTATIONS, PROCLAMATIONS AND APPOINTMENTS.**

LEAGUE OF KANSAS MUNICIPALITIES – VOTING DELEGATES – The League of Kansas Municipalities will hold their annual business meeting and policy session of city voting delegates on Monday, October 10, 2022. Based on the population, we need to elect two voting delegates and two alternate voting delegates to represent the city in the conduct and management of the affairs of the League of Kansas Municipalities. **Motion** made by LaDuex, seconded by Dickinson to appoint Karen LaDuex and Tammy Seamands as the voting delegates and Sam Moon and Kari Bradley as the alternate voting delegates for the League of Kansas Municipalities annual business meeting. Yeas: All.

2023 BUDGET PRESENTATION – Michael Scanlon presented the 2023 Budget.

## **PUBLIC HEARINGS.**

HEARING TO EXCEED THE REVENUE NEUTRAL RATE (RNR) – The Mayor opened the public hearing at 7:54 p.m. The mayor asked if there are any comments. Donna Darner – this town was one of the best towns to grow up in. The mayor asked a second time if there were any comments on exceeding the revenue neutral rate. The mayor asked a third time if there were any comments on the hearing to exceed the revenue neutral rate. Hearing no other comments, the mayor closed the hearing at 7:58 p.m.

RESOLUTION 1039 – ACTION TO EXCEED THE RNR FOR THE CITY OF OSAWATOMIE– **Motion** made by LaDuex, seconded by Macek to approve Resolution 1039 – Regarding the governing body levying a property tax in excess of the revenue neutral rate as presented. Yeas: All.

HEARING TO ADOPT THE 2023 ANNUAL BUDGET FOR THE CITY OF OSAWATOMIE – The Mayor opened the public hearing at 7:59 p.m. The mayor asked if there were any comments. The mayor asked for a second time is there any comments on the 2023 annual budget. The mayor asked for a third time if there were any comments on the 2023 annual budget. Hearing no comments, the mayor closed the hearing at 8:00 p.m.

## **UNFINISHED BUSINESS.**

ORDINANCE 3814 – ADOPTION OF THE 2023 CITY OF OSAWATOMIE BUDGET – Motion made by Macek, seconded by Caldwell to approve Ordinance 3814 – Adopting the 2023 Budget for the City of Osawatomie, Kansas as presented. Yeas: All.

## **NEW BUSINESS.**

RESOLUTION 1038 – UPHOLDING THE VIOLATIONS AND FINDINGS OF THE CODE ENFORCEMENT OFFICER – On August 11, 2022, Mr. Gaikowski appeared before the City Council and presented evidence that he believed should allow for non-enforcement of the City's Property Code. Mr. David Ellis, the city's code enforcement official presented evidence to the contrary. It's the responsibility of the City Manager based on the evidence presented and

discussion to deliver to the City Council a recommendation for either upholding or denying the appeal. This resolution requests denial of the appeal. **Motion** made by LaDuex, seconded by Dickinson to approve Resolution 1038 – Upholding the violations and finding of the code enforcement officer for the property located at 305 Pacific Avenue, Osawatomie, Kansas and denying the appeal as presented. Yeas: All.

RESOLUTION 1037 – PAVE THE WAY AWARD – 18<sup>TH</sup> STREET, MAIN STREET TERRACE AND WALNUT FROM 4<sup>TH</sup> TO 6<sup>TH</sup> STREET – We received four bids for Brown Avenue from 16<sup>th</sup> to 18<sup>th</sup> Street. BG Consultants recommends awarding the bid to Killough Construction out of Ottawa, KS. Intended timeframe is to begin as soon as Brown from 16<sup>th</sup> to 18<sup>th</sup> is completed. Our window for street construction is going to start closing soon, so there is a very good chance that not all of these will get built in 2022. What doesn't get built in 2022 will roll over to 2023. Additionally, with the savings we have realized, we are able to realign the 4<sup>th</sup> and Walnut intersection which will help with traffic flow. We are also able to get some mill/overlay work done hopefully this year as well. Those bids also came in in better than we expected. The streets scheduled for mill and overlay under this letting are as follows: 12<sup>th</sup> street from Pacific to Mile Zero Trailhead Entrance, 7<sup>th</sup> Street from Overpass to Main Street, Slayman Heights, and 11<sup>th</sup> Street from Main to approximately the Ozone. **Motion** made by Macek, seconded by Bratton to approve Resolution 1037 – Accepting the recommendations of BG Consultants for the award of one contract for 18<sup>th</sup> St, Main Street Terrace and Walnut from 4<sup>th</sup> to 6<sup>th</sup> Street and one contract for a street resurfacing project on certain city streets as presented. Yeas: All.

RESOLUTION 1040 – ESTABLISHING THE 2022-2023 SALARY SCHEDULE – On August 11, 2022 the City Manager presented to the governing body the concepts behind the development of a City-wide Salary Schedule. The goal in the development was to create a pay structure that took into account the education, responsibilities and supervision required of each position and then assign it to a percentage compared to the City Manager. The goal was to make sure there was both internal equity (positions with the city) and external equity (comparing the pay of the city manager to similar communities). All pay and salaries are “keyed off” the City Managers’ salary range. If the City Manager’s range increased so do all employees. **Motion** made by Bratton, seconded by Diehm to approve Resolution 1040 –Establishing the 2022-2023 salary schedule for the City of Osawatomie, Kansas as presented. Yeas: All.

RESOLUTION 1041 – ACCEPTING SUNFLOWER FOUNDATION GRANT– This resolution directs the City Manager to accept and administer the grant from the Sunflower Foundation for the purpose of generating an Economic Impact Report for Destination Trails in Kansas, including the Flint Hills Trail. This grant is for \$53,400 to study the impact of trails on communities in Kansas, specifically looking at “Destination Trails”. **Motion** made by Dickinson, seconded by Bratton to approve Resolution 1041 – Directing the City Manager to accept and administer the grant from the Sunflower Foundation for the purpose of generating an economic impact report for destination trails in Kansas including the Flint Hills Trail as presented. Yeas: All.

RESOLUTION 1042 – CONDEMNATION OF CERTAIN RESIDENTIAL STRUCTURES DEEMED UNSAFE– City Staff has identified five properties for the City Council

to consider for condemnations. This resolution sets the hearing on the proposed condemnations for 127 Rohrer Heights, 727 Lincoln Avenue, 1103 Chestnut Avenue, 100 East Pacific Avenue and 1013 Chestnut Avenue on October 13, 2022. **Motion** made by LaDuex, seconded by Bratton to approve Resolution 1042 – Fixing a time and place and providing for notice of a hearing before the governing body of the City of Osawatomie, Kansas. At which the owners, the owners’ agent, any lienholders of record, and any occupant and other parties in interest of structures located within said city and described herein may appear and show cause why such structure should not be condemned and ordered repaired or demolished in the case of unsafe or dangerous structures for 1013 Chestnut Avenue, 100 East Pacific Avenue, 1103 Chestnut Avenue, 727 Lincoln Avenue and 127 Rohrer Heights on October 13, 2022 as presented. Yeas: All.

**RESOLUTION 1043 –ALLOCATION OF MIAMI COUNTY ARPA DOLLARS** – The City received an unanticipated allocation of ARPA dollars (federal grant dollars) from Miami County for the purpose of creating Economic Development opportunities in the community. Resolution 1043 outlines specific uses for these dollars. **Motion** made by Macek, seconded by Dickinson to approve Resolution 1043 – Accepting and allocating ARPA dollars for specific uses in the city’s 2022 budget as presented. Yeas: All. LaDuex abstained due to conflict of interest.

**CHARTER ORDINANCE 21 – EXEMPTING THE CITY OF OSAWATOMIE FROM THE PROVISIONS OF K.S.A. 12-5250 RURAL HOUSING INCENTIVES DISTRICTS (RHID)** – This Charter Ordinance allows the city to include varying levels of mill rates from other taxing jurisdictions to the payment of improvements made in Rural Housing Incentive Districts. **Motion** made by Dickinson, seconded by Bratton to approve Charter Ordinance 21 – Exempting the City of Osawatomie, Kansas from the provisions of K.S.A. 12-5250 and providing substitute and additional provisions on the same subject relating to rural housing incentive districts as presented. Yeas: All.

**EXECUTIVE SESSION** – None.

## **COUNCIL REPORTS**

Dale Bratton ~ I am seeing a lot of flags around town. It means that we are moving forward and there is a progress. Keep up the good work.

Karen LaDuex ~ Thanked council for their support on the ghost house project. Doherty Steel is wonderful to work with. Thanked Mike for all the work and time that he has put in helping with the project.

Lawrence Dickinson ~ asked what the construction schedule is for the roof repair on Memorial Hall.

**MAYOR’S REPORT** – I want to thank Bret and Michele for all their hard work both tonight and getting to tonight for all the street projects started, about to be started and in our future.

I want to thank Tammy and Sam for getting all the employees Health Insurance converted and navigating all the rate changes and plan changes. There's a whole lot that happens behind the scenes that we as a City Council don't see – that makes a huge difference. Thank you both.

I want to thank Terry Upshaw for dropping everything to get water lines moved so that the street projects can proceed.

Reminder to City Council that Mr. Scanlon is going to be meeting with Northland neighbors on September 1<sup>st</sup> – we are going to notice the meeting but I would caution against talking about how you're going to vote until you've seen all the information and heard all the concerns of the residents. They will be at the September 8<sup>th</sup> meeting.

**CITY MANAGER & STAFF REPORTS.** – Tammy passed out information about the City Officials Fundamentals class that the League of Kansas Municipalities is offering on September 14<sup>th</sup>.

Bret will be the acting City Manager while I am out of the area between August 26<sup>th</sup> and August 29<sup>th</sup>.

We had the first meeting in August of Kansas Association of Trail Towns and the we have been working on bi-laws for the association.

My City My Home contest is an essay contest for 7<sup>th</sup> graders through the League of Kansas Municipalities. I will be presenting to four classes in a row and we hope to have several entries into the contest.

Bret apologized that he did not include an operations report in this packet.

**OTHER DISCUSSION/MOTIONS.**

**Motion** made by LaDuex, seconded by Dickinson to adjourn. Yeas: All. The mayor declared the meeting adjourned at 8:47 p.m.

/s/ Tammy Seamands  
Tammy Seamands, City Clerk