

Osawatomie, Kansas. **October 27, 2022.** The Council Meeting was held at Memorial Hall located at 411 11th Street. Mayor Nick Hampson called the meeting to order at 6:30 p.m. Council members present were: Wright, 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 Attorney Jeff Deane, Building Official Ed Beaudry, Assistant to the City Manager Sam Moon, Nuisance Officer David Ellis and Business Liaison Kari Bradley. Members of the public were: Jennifer McMahon, Charles Johnson, Hyun Ju Gil, Derek Henness, Michael Olsen and Shanna Olsen.

INVOCATION. – Reverend Hyun Ju Gil, First United Methodist Church

CONSENT AGENDA. Approval of October 27th Agenda, October 13th Council Meeting Minutes, Pay Application – Crossland Heavy Construction - \$221,575.35 – WWTP, August 2022 Council Report, September 2022 Council Report. **Motion** made by LaDuex, seconded by Dickinson to approve the consent agenda as presented. Yeas: All.

COMMENTS FROM THE PUBLIC. – David Ellis spoke on the behalf of Reverend Hyun Ju Gil. We have been busy this year at the First United Methodist Church. We have just finished the book of John for bible study. We also just finished a fish fry for the emergency first responder personnel. We are also participating in the community Thanksgiving Dinner sponsored by the Ministerial Alliance. Everyone is also invited to the Christmas Eve service at 11:00 p.m. Sunday from 3:00-5:00 we are also doing Trunk-or-Treat for the kids.

PUBLIC HEARINGS. – None.

PRESENTATIONS, PROCLAMATIONS AND APPOINTMENTS.

CONSIDER THE APPOINTMENT OF JIM STEFFENSMEIER TO THE LIBRARY BOARD – **Motion** made by Dickinson, seconded by Caldwell to approve Jim Steffensmeier to serve on the library board. Yeas: All.

UNFINISHED BUSINESS.

RESOLUTION 1059 – CONDEMNATION OF 127 ROHRER HEIGHTS – Jennifer McMahon spoke on behalf of Charles Johnson. Jennifer assured the council that they can meet the deadline to obtain an occupancy permit on this house in six months. **Motion** made by LaDuex, seconded by Wright to set aside consideration of Resolution 1059 until March 9, 2023 with the property owner given these conditions to be achieved by these dates – 1) an Irrevocable Letter of Credit to be given to the city by November 10, 2022 in the amount of \$15,000, 2) All Real Property taxes must be current by December 31, 2022 on the property located at 127 Rohrer Heights, 3) An Occupancy permit to be issued no later than March 1, 2023. Yeas: All.

RESOLUTION 1060 – CONDEMNATION OF 727 LINCOLN AVE – **Motion** made by Macek, seconded by LaDuex to approve Resolution 1060 – Finding that the structure located at Osawatomie, Block 20, Lot 8, LT 8, BLK 20 Section 11 Township 18 Range 22, in the City of Osawatomie, Miami County, Kansas; commonly known and referred to as 727 Lincoln Avenue,

Osawatombie, KS, is unsafe or dangerous and directing that the structure be removed and the premises made safe and secure as presented. Yeas: All.

RESOLUTION 1061 – CONDEMNATION OF 100 EAST PACIFIC AVENUE – **Motion** made by LaDuex, seconded by Dickinson to approve Resolution 1061 – Finding that the structure located at Youmans Addn. Osawatombie, Block 8, Lot 14, Lt 14 Blk 8 Youmans Addn section 11 Township 18 Range 22, in the city of Osawatombie, Miami County, Kansas; commonly known and referred to as 100 East Pacific Avenue, Osawatombie, Kansas, is unsafe or dangerous and directing that the structure be removed and the premises made safe and secure as presented. Yeas: All.

RESOLUTION 1062 – CONDEMNATION OF 1013 CHESTNUT AVENUE – **Motion** made by Bratton, seconded by Macek to approve Resolution 1062 – Finding that the structure located at Caffery & Sheldons Add. Osawatombie Block 8, Lot 6 & 7, LTS 6 & 7 Blk 8 Caffery Sheldon Addn section 10 Township 18 Range 22, in the City of Osawatombie, Miami County, Kansas; commonly know and referred to as 1013 Chestnut Avenue, Osawatombie, Kansas, is unsafe or dangerous and directing that the structure be removed and the premises made safe and secure as presented. Yeas: All.

RESOLUTION 1063 – CONDEMNATION OF 1103 CHESTNUT AVENUE – Michael Olsen assured the council that they will be able to obtain an occupancy permit within two months. **Motion** made by Wright, seconded by Macek to set aside consideration of Resolution 1063 until March 9, 2022, with the property owner given these conditions to be achieved by these dates – 1) an Irrevocable Letter of Credit to be given to the city by November 10, 2022 in the amount of \$10,000, 2) All Real Property taxes must be current by December 31, 2022 on the property located at 1103 Chestnut Avenue, 3) An Occupancy permit to be issued no later than March 1, 2023. Yeas: All.

NEW BUSINESS.

RESOLUTION 1057 – RESOLUTION TO ACCEPT MARC PSP GRANT– The City of Osawatombie was awarded an Implementation grant earlier this year and is eager to begin the next phase of the Oz Commons Downtown Revitalization proposal with more community engagement, deliberate planning, and implementation activities. **Motion** made by Dickinson, seconded by Macek approve Resolution 1057 – Directing staff to enter into an agreement with the Mid-America Regional Council for the administration of the planning sustainable places implementation grant for the Oz Commons downtown Osawatombie redevelopment projected as presented. Yeas: All.

RESOLUTION 1065 – CHANGE ORDER TO WWTP CONTRACT-EXTENSION ON TIME – On April 4, 2022, the city entered into an agreement with Crossland Heavy Contractors to perform certain improvements at the wastewater treatment facility. These improvements are to comply with a consent decree issued by the Kansas Dept. of Health and Environment. The funding agency approved construction contract requires issuance of a Notice to Proceed within 60 days of the bid letting. There are longer than normal lead times for equipment and this change order is a direct result of those long lead times. By adding an additional 98 days, this would move the original Substantial Completion date from October 8, 2022 to January 13, 2023 and the final

completion date from November 7, 2022 to February 13, 2023. Both dates are still within our compliance requirements of the consent decree. The consent decree must be complied with by February 28, 2023 and currently these dates are achievable. **Motion** made by LaDuex, seconded by Filipin to approve Resolution 1065 –Authorizing a change order request to grant schedule relief for the 2022 wastewater treatment plant project for the City of Osawatomie as presented. Yeas: All.

RESOLUTION 1066 – ACCEPTING CONTRACT OVERAGE AND FINAL PAYMENT FOR BROWN FROM 16TH TO 18TH – On September 8th, the council approved change order #1 in the amount of \$17,520 to deal with drainage issues at the intersection of 18th and Brown. As work progressed, certain portions of the subgrade required additional AB3 in order to get the base prepared for asphalt. Additionally, due to changes in grade in certain yards compared to the elevation of the sidewalk on the south side of Brown, some additional topsoil needed to be brought in to soften the grade from the sidewalk to the residential yards. This additional material cost \$11,281. There was sufficient underrun of materials that we also received credit for, and when you deduct the underruns from the original contract value and add back in the two change orders, the net impact on the final contract price is \$4,857.88 for a final contract value of \$735,254.23. The original contract value that was awarded was \$730,396.35. **Motion** made by Caldwell, seconded by Filipin to approve Resolution 1066 – Accepting the recommendation of BG Consultants for the award of the contract for Brown Avenue from 16th to 18th Street and authorizing the final payment to Killough Construction in the amount of \$463,695.23 as presented. Yeas: All.

EXECUTIVE SESSION – None.

COUNCIL REPORTS

Cathy Caldwell ~ Happy Anniversary to Mr. and Mrs. Scanlon. I don't know if any has noticed but the levy is looking beautiful. It is mowed everywhere. 10 Acres also has been mowed and they took some extra time and cleaned out some brush from a fence line.

Karen LaDuex ~ We had the 9th Annual Border War BBQ this past week end and it went smoothly. A lot of the credit goes to the Electric Department and the Public Works Department that helped with getting the park ready and providing the electricity and the amenities that was needed for the contest. I also want to thank Pride for going down and picking up trash right before the event. They also helped to pick up trash after the event. Our sponsors where wonderful this year.

Lawrence Dickinson ~ I drove down Main Street this afternoon and it looked nice. The Community Thanksgiving dinner is Sunday, November 20th.

Kenny Diehm ~ Tonight before the meeting, I walked around Memorial Hall and it looks really nice.

Kirk Wright ~ I have had a couple of people from out of town ask me about the bikes that Jeff and Sarah Dorsett have done. They thought that they were really neat.

MAYOR'S REPORT – This Saturday is shaping up as a big day in Osawatomie – I want to encourage as many of the City Councilmembers to attend that can. We will be welcoming people to our community, our Trails Taskforce will be receiving and award, Congresswoman Sharice Davids will be in town as well as the Secretary of the Kansas Department of Wildlife and Parks. Sam will get you out a full agenda and it's really shaping up to be a BIG DEAL. We will have a big breakfast and a small breakfast. We have over 80 Bike signed up for a Trail Ride to Ottawa that ends in with a BBQ.

As you see we were notified about a KDOT Cost Share Grant we received – and a little later Bret will talk about that.

I believe Mr. Scanlon passed on a list of items we're trying to finish out by the end of the year. The amount of work our staff is putting out is beyond impressive. So many thanks to Michele, Ed, Kari, Sam, Tammy, Bret, Terry, Trevor and our Attorney Jeff Deane – we don't get to where we are without them. Mr. Scanlon what do you have to share.

CITY MANAGER & STAFF REPORTS.

Scanlon - There are three grants that we want to get out the door in the next 45-60 days. A CDBG-Business Heal Grant that we will hold a hearing on November 10th, CDBG-Blight Heal and a Kansas Department of Wildlife and Parks Grant for a Mountain Bike Tail on the east side of the State Hospital.

Glendening – On the November 10th agenda there is a couple of resolutions and one ordinance. One identifies the 2024 streets. A lot of those center around the middle school because those streets are really bad.

Cost Share Grant – We applied for this grant this last spring and we were not successful. We applied again in the fall after talking with the KDOT administrator. We were awarded the \$1.5 million maximum.

Each department head will do a 15–30-minute presentation at staff meeting on organizational development. Kari Bradley - selected her subject because she attended the LKM conference and there was a breakout on generational differences in the workplace. She found a Ted talk where a woman was questioning putting each generation in a box to classify their work ethic and way of thinking. Other countries do not categorize people in the same way. No one can agree where the generational line divide is. I think that we should be careful labeling based on age or generation and focus more on work performance.

OTHER DISCUSSION/MOTIONS.

Motion made by Dickinson seconded by LaDuex to adjourn. Yeas: All. The mayor declared the meeting adjourned at 7:57 p.m.

/s/ Tammy Seamands
Tammy Seamands, City Clerk