

Osawatomie, Kansas. **December 8, 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: Macek, Diehm, LaDuex, Bratton, Filipin and Caldwell. Council members Wright and Dickinson were absent. City Staff present at the meeting were City Manager Mike Scanlon, City Clerk Tammy Seamands City Attorney Jeff Deane, Assistant to the City Manager Sam Moon, Director of Utilities Terry Upshaw, Public Works Director Michele Silsbee, Building Official Ed Beaudry and Business Liaison Kari Bradley. Deputy City Manager Bret Glendening arrived at 7:25 p.m. Members of the public were: Virginia Adams, Kevin Schasteen, Teri Auten and Brett Waggoner.

INVOCATION. – Virginia Adams, Community of Christ Church

CONSENT AGENDA. Approval of December 8th Agenda, November 10th Council Meeting Minutes, November 17th Council Meeting Minutes, Pay Application – Western Consultants - \$8,283.00 – WWTP, Pay Application – BG Consultants - \$11,797.50 – WWTP, Pay Application – BG Consultants - \$95,752.80 – Water Distribution Improvements, Pay Application BG Consultants - \$87,315.80- Water Treatment Plant Improvements, Pay Application - BG Consultants - \$774.00 – Ghost Structure Staking, Pay Application – BG Consultants – \$1,406.50 - Brown 16th – 18th Closeout, Pay Application – BG Consultants - \$49,432.50 – Pave the Way Design Costs , Special Event Permit – John Brown Half Marathon and 2022-10 Council Report. **Motion** made by LaDuex, seconded by Diehm to approve the consent agenda as presented. Yeas: All.

COMMENTS FROM THE PUBLIC. – Virginia Adams -there has been an offer made on our church.

PUBLIC HEARINGS.

CDBG APPLICATION – 525 MAIN STREET – Brett Waggoner read the public hearing notice that was published in the paper regarding this hearing. The mayor opened the hearing at 6:36 p.m. and asked if there were any comments from the public. The mayor asked a second time if there were any comments. The mayor asked a third time if there were any comments. Hearing no comments, the mayor closed the hearing at 6:37 p.m.

PRESENTATIONS, PROCLAMATIONS AND APPOINTMENTS. – None.

UNFINISHED BUSINESS.

RESOLUTION 1073 – ADOPTING THE EVENT OPERATING PROCEDURES FOR TOURISM COMMITTEE – At the beginning of 2022, the City Council took action to reestablish the city’s tourism committee. Part of that action was to direct the tourism committee to establish a set of event operating procedures (EOP’s). A set of EOP’s was provided to the council as well as the tourism committee to serve as a template to work from and over the course of the last year and having been through the four signature events, the committee has taken the sample EOP’s and modified them to suit our needs. The committee voted to forward these procedures to the governing body for formal adoption. Kevin Schasteen was representing the tourism committee and was there

to answer any questions. **Motion** made by LaDuex, seconded by Caldwell to approve Resolution 1073 – Formalizing the Event Operating Procedures for the City of Osawatomie’s Tourism Committee as presented. Yeas: All.

RESOLUTION 1078 – KDHE LOAN ADMINISTRATION AGREEMENT WITH GAS
– The water treatment plant improvements project is expected to span approximately 50 months from the 1st Request for Payment which should be by the end of this December.

This agreement will cover all administration activities and costs associated with the KDHE loan including the monthly/bi-monthly requests for payment in addition to the required Davis Bacon Wage Compliance Monitoring. The Wage Compliance piece is the real bulk of the work as it will require monthly interviews on site while reviewing each contractor's payroll on a weekly basis to assure the companies are paying the Davis Bacon Wage. There will most likely be 1 general and 10 subs for compliance.

The monthly/bi-monthly requests for payments requires us to account for the expenditures and keep the project’s finances “audit ready” at all times for KDHE. Lastly, the administration of the loan has already been included in the budget so the price of the project is not going to increase from what has already been submitted.

Motion made by LaDuex, seconded by Diehm to approve Resolution 1078 – Authorizing staff to enter into an agreement with Governmental Assistance Services for the Administration of a Kansas Department of Health and Environment loan from the Kansas Public Water Supply Loan Fund for the design and construction of a new water treatment plant and distribution improvements as presented. Yeas: All.

NEW BUSINESS.

RESOLUTION 1079 – CITY COUNCIL MEETING FRAMEWORK AND DEPARTMENT ASSIGNMENTS– As we get busier as a staff it’s going to be critically important that we continue to refine and make our City Council meetings both efficient and effective. Staff is proposing that we assign departments to each of our monthly City Council meeting to both save on time but also save on money that we spend with the various with the consulting services we are using. **Motion** made by Caldwell, seconded by LaDuex to approve Resolution 1079 – Accepting Council Policy 110 establishing a city council meeting framework and department meeting assignments as presented. Yeas: All

RESOLUTION 1080 – ANNUAL REVIEW OF THE CITY COUNCIL POLICIES 101 - 109 – Council Policies should be reviewed at the end of every calendar year so that the City Council has an opportunity to review, amend, or rescind previously passed policies. The routine we have set is to start review at the first December meeting take any recommended changes and comments and bring suggested changes back for City Council consideration at the first meeting in January of the following year. **Motion** made by LaDuex, seconded by Filipin to approve Resolution 1080 –Relating to the review and acceptance of city council policies 101 through 109 as presented. Yeas: All.

RESOLUTION 1076 – CHANGE ORDER CROSSLAND HEAVY CONSTRUCTIONS WWTP –The demo of the old clarifier wall and rerouting of the overflow line was necessary to continue progress on the subsurface work for the foundation of the UV Structure. The rerouting of the overflow line cleans up the area below the surface and west of the existing overflow and SBR basins. Additionally, the city has left over pipe from the boring project under the river a couple of years ago to replace the force main that leaves the North lift station. This leftover pipe is appropriate to use in this application and is a gravity main that will carry waste in the event of a bypass in the future. The total cost of this change order is \$17,707.00. **Motion** made by Macek, seconded by Diehm to approve Resolution 1076 –Authorizing a change order request to modify work for subsurface obstructions uncovered during the 2022 wastewater treatment plant project for the City of Osawatomie as presented. Yeas: All.

RESOLUTION 1082 – GOLF CART LEASE PURCHASE AGREEMENT – Council approved Resolution 1082 - authorizing the purchase of fifty (50) 2022 Yamaha Golf Carts on November 10th along with the trade in of 38 golf cars. The City currently still owes \$59,037.10 for the carts that were traded in. Resolution 1082 – Authorizing the execution of a lease purchase agreement by the City for the acquisition of the fifty (50) golf carts from Yamaha golf cars and the Great Life Loan payoff. **Motion** made by LaDuex, seconded by Filipin to approve Resolution 1082 – Authorizing the execution of a lease purchase agreement by the city for the acquisition of fifty golf carts from Yamaha (Masek Golf Car Company) and retiring the financial obligation related to certain carts that will be used for trade-in value in connection with such acquisition as presented. Yeas: All.

RESOLUTION 1083 – STATE OF KANSAS SMALL CITIES CDBG APPLICATION FOR 525 MAIN ST – **Motion** made by LaDuex, seconded by Bratton to approve Resolution 1083 – Certifying Legal Authority to apply for the 2023 Kansas Small Cities Community Development Block Grant Program from the Kansas Department of Commerce and authorizing the mayor to sign and submit such an application as presented. Yeas: All.

Motion made by Bratton, seconded by LaDuex authorizing the mayor to execute the Statement of Assurances and Certifications. Yeas: All.

Motion made by Filipin, seconded by Bratton authorizing the mayor to execute the City Attestation Statement. Yeas: All.

Motion made by Caldwell, seconded by LaDuex to authorize the mayor to execute the Residential Anti-displacement and Relocation Assistance Plan. Yeas: All.

Motion made by Macek, seconded by Diehm to authorize the mayor to execute the HUD applicant/recipient Disclosure Report. Yeas: All.

Motion made by Diehm, seconded by Bratton to authorize the mayor to execute the Environmental Determination of Level of Review. Yeas: All.

Motion made by LaDuex, seconded by Filipin to authorize the mayor to execute the contract (contingent on grant award) with Western Consultants dba GAS for CDBG grant administration. Yeas: All.

RESOLUTION 1084 – NEW HOUSING CONSTRUCTION INCENTIVE PROGRAM - It's important for the City, in order to ensure future growth to establish some incentives to bring in new homes, and the possibilities for new businesses. This new construction building incentive will give new home builders a 40% reduction in permit fees and planning fees. **Motion** made by Caldwell, seconded by Bratton to approve Resolution 1084 – New housing construction program as presented. Yeas: All.

ORDINANCE 3819 – EXTENSION OF THE EXISTING NEIGHBORHOOD REVITALIZATION PROGRAM - The Osawatomie Neighborhood Revitalization Plan is set to expire at the end of 2022. Currently, the plan offers an incremental tax rebate for new construction with a minimum increase of \$15,000 in appraised value. The original plan was approved and passed by Ordinance 3659 at the end of 2008. **Motion** made by LaDuex, seconded by Filipin to approve Ordinance 3819 – Extending the current neighborhood revitalization plan for a period for a period of one year from and after January 1, 2023 as presented. Yeas: All.

EXECUTIVE SESSION – **Motion** made by LaDuex, seconded by Bratton to recess into closed, executive session for the purpose of discussing of company recruitment pursuant to the financial affairs or trade secrets of corporations, partnerships, trusts and individual proprietorships exception in K.S.A. 75-4319 (b)(4). The closed meeting will last 20 minutes and will resume here in Memorial Hall at 7:34 p.m. Also attending will be City Manager Mike Scanlon, Deputy City Manager Bret Glendening, City Clerk Tammy Seamands and Business Liaison Kari Bradley. Yeas: All.

The council meeting resumed to open session at 7:34 p.m. with no action taken.

Motion made by LaDuex, seconded by Bratton that the City Council recess into closed, executive meeting for the purpose of discussing personnel matters of nonelected personnel pursuant to the exception in K.S.A. 75-4319(b)(1). The closed meeting will last 20 minutes and will resume here in Memorial Hall at 7:55 p.m. Also attending will be City Manager Mike Scanlon, Deputy City Manager Bret Glendening and City Attorney Jeff Deane. Yeas: All.

The council meeting resumed to open session at 7:55 p.m. with no action taken.

COUNCIL REPORTS

Tammy Filipin ~ I like all of the lights on city hall. The tree looks great.

Dale Bratton ~ I see that there was a photo taken at Memorial Hall accepting the money from the Hawkins Foundation that does not have a council member in the photo. Council did not receive an email that this was going to happen.

Karen LaDuex ~ I heard nothing but good comments about Miracle on Main Street. I attended the mayors tree lighting and it was really nice. The tree also looks really nice. Thanks to Kari, Sam, Michele and Terry for all of their work on making that a success. The ghost structure is up and in place and Michele has a plan for smoothing out the lawn and finishing the interior floor section of the structure. We are working on the signage. I just couldn't be happier. It is a dream come true.

Kenny Diehm ~ I agree that Christmas lights look great on the building and the tree is amazing.

Cathy Caldwell ~ I want to thank Tammy Filipin for all of the decorations that she has been contributing to the John Brown Cabin area.

MAYOR'S REPORT – We have had a whole lot going on since our 11/17/2022 meeting...eco devo project, Christmas on Main Street. Many thanks to all the staff, contractors and merchants who have all chipped in to turn our downtown into its own little Christmas Village. There are people posing for Christmas Card pictures according to Mr. Scanlon. Thank you to the Ground Guys and Sam Inscore that helped with the lights.

I want to thank Terri Auten for her commitment to our community I think the project she is helping to underwrite will bring even more people into our downtown.

I know we held the Annual Chili Contest at City Hall after our last meeting so I'm going to have Sam give us an update on the money raised and who the 1st and 2nd place chili makers were.

Sam Moon – We raised about \$400 and that went to the school district for their random acts of kindness program. The 1st place winner was Bill Justesen and the 2nd place winner was Mike Scanlon.

Our last City Council meeting of the year will be December 22nd – so if you're not going to be able to make that date, please tell Mike and I. We want to ensure we have a quorum because we have a budget that needs amended and a grant request to approve.

I believe tonight is Mike's end of year video – and I want to thank all of you for making this first year as the City's Mayor so enjoyable. I enjoyed working with you -- the City Council and Staff and I'm looking forward to 2023

CITY MANAGER & STAFF REPORTS. - Mike Scanlon shared his year-end video. Just the general vibe of getting people to volunteer and help has become easier in the last year. I think its because they are seeing the city having some success and the leadership of the city council and what it is doing to change the community. All of a sudden you start believing and before you know it you have more volunteers than you ever realized.

Bret Glendenning – Terry and myself are working on three grant applications to the Department of Energy to help with various aspects of our electric utility. If we are successful in all three it will amount to about \$7 – 8 million dollars.

Resolution 1075 -the joint agreement with Rural Water District #1 to service the 327 acres of Northland will be on the December 22nd agenda. The district has already signed it and they have voted on it twice.

Sam Moon – Wednesday is the City’s Christmas party.

OTHER DISCUSSION/MOTIONS.

Motion made by Bratton seconded by Diehm to adjourn. Yeas: All. The mayor declared the meeting adjourned at 8:16 p.m.

/s/ Tammy Seamands
Tammy Seamands, City Clerk