

Osawatomie, Kansas. **July 27, 2023.** 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: Schasteen, Macek, Diehm, Dickinson, LaDuex, Bratton, Filipin and Caldwell. City Staff present at the meeting were: City Manager Bret Glendening, City Clerk Tammy Seamands, City Attorney Jeff Deane, Utility Director Terry Upshaw, Public Works Director Michele Silsbee, Assistant to the City Manager Sam Moon and Building Official Keith Myers. Members of the public were: Dennis Blanton, Mitch Walter, Caleb Sampson, Josh Sampson, Michelle Chester, Dustin Brinkerhoff, Brian McCauley and Derek Henness.

INVOCATION. – Assistant Pastor Dustin Brinkerhoff, Victory Baptist Church

CONSENT AGENDA. Approval of July 27, 2023 Agenda, July 8th Council Meeting Minutes, Special Event Permit – Stomp Out Suicide Fundraiser Walk, Register Report 2023-06. **Motion** made by Dickinson, seconded by LaDuex to approve the consent agenda with removal of Ordinance 3831 from the agenda. Yeas: All

COMMENTS FROM THE PUBLIC.

Dennis Blanton – I addressed the council at the July 8th meeting in regards to a street light at East Mill and Retan. After the meeting Mr. Upshaw spoke with me and said that he would get with me later on this issue. The next morning Mr. Upshaw stopped by my house to speak with me and said that it would be addressed. The street light was taken care of by noon on July 19th. I want to thank Mr. Upshaw and the electric crew for the work that they did on this.

Pastor Dustin Brinkerhoff – I am the assistant pastor of Victory Baptist Church. We do have a few events coming up. Next week a big group from our church is going to go down to Branson to Sight and Sound. August 19th, we have a Back-to-School event for all the kids in the community. There will be bounce house, snacks and games outside. August 20th is our church's 42nd anniversary in town. We are excited to celebrate that.

PUBLIC HEARINGS. – None.

PRESENTATIONS, PROCLAMATIONS AND APPOINTMENTS.

EAGLE SCOUT SERVICE PROJECT PROPOSAL – Caleb Sampson is with Scout Troop 106 and presented his idea for an Eagle Scout project at Memorial Hall. His objectives would be to repaint all the wood trim, wood covers, metal bars and exterior doors, replace the front exterior door, clean out the flower beds, put in mulch and stone beds, clean up picnic tables and install benches.

RESOLUTION 1153 – AUTHORIZING THE REHABILITATION AND IMPROVEMENTS TO THE EXTERIOR AND LANDSCAPING OF MEMORIAL HALL AS AN EAGLE SCOUT SERVICE PROJECT – **Motion** made by Dickinson, seconded by Caldwell to approve Resolution 1153 – Authorizing the rehabilitation and improvements to the exterior and landscaping of Memorial Hall as and Eagle Scout Service Project as presented. Yeas: All.

UNFINISHED BUSINESS.

RESOLUTION 1154 – AWARDING 2023 TEMPORARY NOTES TO LOOP CAPITAL MARKETS – Mitch Walter with Gilmore Bell discussed the process leading up to the award of the temporary notes to Loop Capital Markets. The council has previously approved resolutions authorizing the issuance of Temporary Notes for the following projects: The John Brown & South Levee Loop Trail project funded largely by KDOT Transportation Alternative grant dollars; water line replacements along Brown Avenue and 6th Street funded in part by USDA-RD grant and loan, and the 6th Street project which is funded partially with a KDOT Cost Share grant. **Motion** made by LaDuex, seconded by Schasteen to approve Resolution 1154 – Authorizing and directing the issuance, sale and delivery of general obligation temporary notes, series 2023-1, of the City of Osawatomie, Kansas; providing for the levy and collection of an annual tax, if necessary, for the purpose of paying the principal of and interest on said notes agreements to provide for the payment and security thereof; and authorizing certain other documents and actions connected therewith as presented. Yeas: All.

Q&A SESSION FOR 2024 BUDGET – Bret Glendening gave an overview of the state budget form and gave the council an opportunity to ask questions regarding the proposed 2024 budget.

NEW BUSINESS.

ORDINANCE 3832 – AMENDING SECTION 4-105 AND 4-202 OF CHAPTER IV OF THE CITY CODE– In June of 2022, the city council adopted Ordinance 3811 which incorporated the 2018 IBC and 2017 NEC and replaced the 2006 IBC and 2005 NEC. That ordinance adopted certain appendices deemed beneficial to the city as well as deleted certain sections of those codes that present undue burdens, including additional cost on remodels and new home construction. One of those areas deals with Arc Fault Circuit Interrupters (AFCI's). In section 4-202 (b), Ordinance 3811 deleted the sections pertaining to AFCI's in their entirety. However, when you get down into section 4-202 (c), Ordinance 3811 amended certain "exceptions" into the code which creates a great deal of ambiguity.

Additionally, there is a requirement in the code that states new construction with unfinished basements shall require the basement of the ceiling to be enclosed with ½" sheetrock. We are proposing that this be removed.

The code as adopted also identified several areas of work that were "exempt from permit". These exceptions should have been removed when the code was adopted last summer but were overlooked. Everything that is stricken in Ordinance 3832 has always required permits in the past and we should continue to do so. **Motion** made by Schasteen, seconded by Filipin to approve Ordinance 3832 – Amending Chapter IV buildings and construction, 4-105, 4-202 of the code of the City of Osawatomie, Kansas as presented. Yeas: All.

PROPOSED CHANGES TO FOOD TRUCK POLICY – Sam Moon stated that she would like to see the food trucks transitioned from 5th & Main to the Main Street Plaza and to make that work they will need to be some tweaks to the food truck policy. If you have any questions or recommendations to these changes, please contact Sam Moon. There was no action taken on this item.

PENDING MAIN STREET CLOSURE – Michele Silsbee – Construction of storm sewer as part of the Brown Avenue, 7th Street to 12th Street reconstruction project will require the temporary closure of Main Street from 7th Street to 12th Street beginning on August 2nd. This closure is expected to last 2 – 3 weeks, weather permitting, and is essential to connect the new storm sewer for Brown Avenue into the existing storm sewer on Main Street. There was no action taken on this item.

UPCOMING SPECIAL USE PERMITS – We have a couple of special use permits coming up. The big one is the Every Solor Array on the property across from the state hospital. The hearing has not been set for that yet. The goal is to have this to the planning commission in September and to the council in October.

There is a couple of parcels in the 300 block of Walnut that applied six months ago for “Echo housing” also known as a “Mother in Laws quarters”. It is a secondary residential structure located on one parcel. The old zoning regulations you could only have one primary residential structure on a parcel. These zoning regulations you can have two but the second one has to be set in the back yard. The applicant has had their property surveyed and applied for the special use permit. This will be before the planning commission as well.

Next week the planning commission will hold the final public hearing on the “10 acres” project. If the planning commission would approve the final plat, they would then forward that to the council.

There was not action taken on this item.

EXECUTIVE SESSION – none.

COUNCIL REPORTS

Karen LaDuex ~ I attended the Landmark celebration of the 100th anniversary of Bob Dole’s birth on Saturday. I ran into Chad Tenpenny who is working on our national historical park application. He mentioned to me that Senator Marshall has decided to sign our letter of support for the application. Chad was able to get me a minute with Senator Marshall to thank him personally.

MAYOR’S REPORT

Our former city manager, Mike Scanlon has written an article for the Kansas Government Journal about the Kansas Association of Trail Towns. I encourage you all to read it.

Main Street as we heard will be closed, please urge your constituents to be patient and know that if there were a way to avoid closing Main Street, we would have done it that way.

Staff will always meet with council members and their constituents simultaneously, if need be, to discuss questions or concerns with the budget.

Lastly, I want to thank our building inspector, Keith Myers. You're already making an impact on the community in a positive way. It may be a tough go for a bit, but keep it up and know that the city manager and the council have your back.

CITY MANAGER & STAFF REPORTS. – None.

OTHER DISCUSSION/MOTIONS.

Motion made by Schasteen, seconded by Macek to adjourn. Yeas: All. The mayor declared the meeting adjourned at 07:43 p.m.

/s/ Tammy Seamands
Tammy Seamands, City Clerk