

Osawatomie, Kansas. **August 22, 2024.** 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: Schasteen, Macek, Diehm, Dickinson, Henness, Bratton and Caldwell. Council member Filipin was absent. City Staff present at the meeting were: City Manager Bret Glendening, City Attorney Jeff Deane, City Clerk Tammy Seamands, Utilities Director Terry Upshaw and Assistant to the City Manager Samantha Moon. Members of the public were: John Wastlund, Bernie Hadsall, Darlena Hadsall, Brian McCauley, Robert Matson and Tina Chrisjohn.

**INVOCATION.** – Pastor John Wastlund – The Well Wesleyan Church

**CONSENT AGENDA.** Approval of August 22, 2024 Agenda, August 8, 2024 Council Meeting Minutes, Pay Application – Killough Construction – 6<sup>th</sup> Street - \$834,232.90, Special Event Permit – First Christian Church-Outreach Event. **Motion** made by Dickinson, seconded by Schasteen to approve the consent agenda as presented. Yeas: All.

**COMMENTS FROM THE PUBLIC.** – None.

**PUBLIC HEARINGS.**

**HEARING TO EXCEED THE REVENUE NEUTRAL RATE (RNR)** – The mayor opened the public hearing at 6:32 p.m. Bret Glending discussed the 2025 RNR & Budget Hearing presentation that he passed out. The mayor asked if there were any comments. Robert Matson asked why is the library thinking of moving & why do they want an increase. He also asked what the three percent merit increase is and do we have a maintenance plan for our facilities and equipment? What is it going to take to put the Asylum Bridge back so that it is at least a walkable bridge again? The mayor asked a second time if there were any comments on the Revenue Neutral Rate. The mayor asked a third time if there were any comments. **Motion** made by Henness, seconded by Schasteen to approve Resolution 1252 – Regarding the governing body levying a property tax in excess of the revenue neutral rate as presented. Yeas: All. Hearing no other comments, the mayor closed the hearing at 7:10 p.m.

**HEARING TO ADOPT THE 2025 BUDGET FOR THE CITY OF OSAWATOMIE, KANSAS** – The mayor opened the public hearing at 7:10 p.m. The mayor asked if there were any comments. The mayor asked a second time is there any comments on the 2025 annual budget. The mayor asked a third time if there were any comments on the 2025 annual budget. Hearing no comments the mayor closed the hearing at 7:11 p.m.

**PRESENTATIONS, PROCLAMATIONS AND APPOINTMENTS.** -None.

**UNFINISHED BUSINESS.**

**ORDINANCE 3855 – ADOPTION OF THE 2025 BUDGET & LEVYING A TAX FOR THE PURPOSE THEREOF** – **Motion** made by Schasteen, seconded by Dickison to approve Ordinance 3855 – adopting the 2025 budget of the City of Osawatomie, Kansas as presented. Yeas: All.

## **NEW BUSINESS.**

**ORDINANCE 3856 – AMENDING CHAPTER VIII ARTICLE 3 PERTAINING TO NUISANCES** – Chapter 8 of the city code address matters regarding health and public welfare...i.e. nuisance codes. Since the 1960's the City of Osawatomie had the League of Kansas Municipalities manage the codification of its city ordinances. In the "old" version of the city code, there was a requirement that property owners were responsible for maintaining control of vegetation in curbs and gutters, including from the "property line to the middle of the adjacent street." This included sidewalks as well.

This section of code did not make it into the recodification effort that was done in 2018 and absent a court case stating that the language is too "vague", this language needs to be written back into our code. We have invested a significant amount of money in streets and sidewalks in the last 18 years to let adjacent property owners neglect the curbs and gutters in front of their properties. This will only lead to a shortened lifespan on our investment which is detrimental to everyone.

Enforcement of this new code will initially be done by utility bills (insert) and I would suggest that everyone receiving a utility bill be afforded a one-year grace period before the city begins enforcing **THIS PROVISION** as a standalone nuisance code. Obviously, if we are already mowing yards in accordance with the nuisance codes and this code is also in need of attention, this section will also be taken care of and billed along with the yard maintenance. **Motion** made by Bratton, seconded by Schasteen to approve Ordinance 3856 – Amending Chapter VIII Health & Property Nuisances Article 1 and 3, Redefining responsibilities for vegetation control in curbs, gutters and public sidewalk as presented. Yeas: All.

**EXECUTIVE SESSION** – None.

## **COUNCIL REPORTS**

Lawrence Dickinson ~ In regards to Ordinance 3856, it is everyone's responsibility because you are paying for the street so why wouldn't you want to keep it up.

Dale Bratton ~ We attend meetings every now and again at the cabin and the windows in the cabin need to be addressed soon. We have to get something done with them.

## **MAYOR'S REPORT**

Nick Hampson ~ They have removed the east lanes on 6<sup>th</sup> Street from Pacific to Kelly and about half of the storm boxes are in place. Equipbid has removed the fence and will be replacing it with a wrought iron fence. That will really improve the look on that end of town.

We had a Pride meeting this week and we are looking at undertaking some projects to help out a little bit.

We need some of the Christmas Wreaths that are not lighted to replace the Christmas decorations that we will not be able to use on the new poles on 6<sup>th</sup> Street.

#### **CITY MANAGER & STAFF REPORTS.**

Bret Glendening ~ Morgan Menefee has stepped down as Library Director. Samantha Moon is going to take her place but with a few modifications. That position will be more like a community affairs/community outreach position which will oversee the Library and the Cabin. She will also still be the Public Information Officer.

The Alcove Development and Heartland Housing Partners interview for the 5<sup>th</sup> Street Terrace Addition is tomorrow.

I touched base with KMEA this afternoon. As you are aware our solar array is scheduled for commercial operation November 20<sup>th</sup>. We will be under construction power for the better part of October with a planned ribbon cutting at the end of October. We need to have a generation interconnection agreement with Evergy so that any excess power produced from the array can be pushed back into SPP and sold.

#### **OTHER DISCUSSION/MOTIONS.**

**Motion** made by Diehm, seconded by Macek to adjourn. Yeas: All. The mayor declared the meeting adjourned at 07:39 p.m.

/s/ Tammy Seamands  
Tammy Seamands, City Clerk