

Osawatomie, Kansas. **September 28, 2023.** The Council Meeting was held at Memorial Hall located at 411 11th Street. Pro Tem Mayor Lawrence Dickinson called the meeting to order at 6:30 p.m. Council members present were: Schasteen, Macek, Diehm, Dickinson, LaDuex, Bratton, and Filipin. Mayor Hampson and Council member Caldwell were absent. City Staff present at the meeting were: City Manager Bret Glendening, City Clerk Tammy Seamands, Attorney Madison Touchstone, Utility Director Terry Upshaw, Public Works Director Michele Silsbee, Building Official Keith Myers and Assistant to the City Manager Samantha Moon. Members of the public were: Ron Smsith, Charissa Gibbons, Larry Gibbons, Shay Hanysak, George Pretz, John Littleton, and Derek Henness.

INVOCATION. – Pastor Ron Smith, 1st Christian Church

CONSENT AGENDA. Approval of September 28, 2023 Agenda, September 14th Council Meeting Minutes, Pay Application – Killough Construction – Main St. Terr/18th/Walnut - \$80,467.51, Pay Application – Killough Construction – Brown Avenue - \$337,442.83. **Motion** made by LaDuex, seconded by Schasteen to approve the consent agenda as presented. Yeas: All

COMMENTS FROM THE PUBLIC.

Pastor Ron Smith –we had a Ministerial Alliance Association meeting on Tuesday and they are going to be moving forward of becoming a part of the Miami County Foundation 501(c)3 to help with grants. There are a few concerns regarding things that are going on with the needs of the community. Something that we have identified is the hotel on 6th Street-there are a lot of families living out there and it is quite expensive for them. Most of their weekly earnings go to paying rent.

County Commissioner George Pretz – The Miami County Courthouse is in dire need of renovation and the addition of two courtrooms. There will be a one-quarter of one percent (0.25%) sales tax question on the November 7th ballot for this.

PUBLIC HEARINGS. -None.

PRESENTATIONS, PROCLAMATIONS AND APPOINTMENTS.

PRESENTATION OF POWER PLANT GRADUATION CERTIFICATE TO ANDREW BURKHART – John Littleton, Director of Energy Services with Kansas Municipal Utilities presented Andrew Burkhart his Bronze level Certificate of Graduation from KMU’s Power Plant Program.

UNFINISHED BUSINESS. – None.

NEW BUSINESS.

RESOLUTION 1171 – CONDEMNATION OF CERTAIN PROPERTIES IN OSAWATOMIE–The City of Osawatomie has identified the following properties as candidates for condemnation and demolition. Each property is currently vacant.

700 Pacific Ave. - This property is currently vacant, and the utilities have not been active since October 2011. The wall on the east side of the structure appears to be separating from the rest of the structure, causing potential structural issues. The property is in a state of decay and is in violation of multiple adopted ordinances. Note the owner of the property has obtained a demolition permit for this property and is expecting to remove it in the next month.

904 Chestnut - This property is currently Vacant. City staff received report the interior of the property is not in a habitable condition due to deterioration and the report of vermin in the property. This property also is in violation with multiple adopted ordinances, including but not limited to, broken/missing windows, deteriorating wood and uncontrolled roof drainage. The City purchased this property today and we will get this demolished and then sell the four lots.

719 5th St. - This property is currently vacant, and the utilities have not been active since August 2023. The south side of the structure has siding removed with the interior plaster and insulation exposed. This issue, along with the soffits and the rest of the structure being in disrepair is allowing excessive deterioration to the structure.

321 Mill St.- This property is currently vacant. The structural stability of this home has been removed due to the owners intending on remodeling the structure. The structure has been stripped down to the studs, removing all the windows, plaster, and other misc. items. The owners were intending on remodeling the structure and was advised to stop work in August of 2023 due to not having the proper permitting or licensed contractors. Permitting and Contractor licensing has not been filed for on this property since the stop work order was placed.

1116 4th St. - This property is currently vacant, and the water is not turned on. The north side of the structure has siding removed with the interior walls being exposed. This issue, along with the rest of the structure being in disrepair is allowing excessive deterioration to the structure. Speaking with the owner of the property, he advised he is aware of the issue and is currently fixing other dwellings he currently owns in the City of Osawatomie. He advised he intends on fixing the structure as soon as possible.

This resolution sets a hearing date for December 14, 2023 at 6:30 p.m. at Memorial Hall at which the owners, the owner's agents, any lien holders of record, any occupants and other parties in interest may appear and show cause why such structures should not be condemned and ordered repaired or demolished. **Motion** made by Macek, seconded by Bratton to approve Resolution 1171 – 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 owner's agent, any lien holders 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 structures should not be condemned and ordered repaired or demolished in the case of unsafe or dangerous structures as presented. Yeas: All.

ORDINANCE 3837 – CONSENT ANNEXATION OF KDOT PROPERTY, VICTORY & CITY - OWNED PROPERTY– We have received KDOT's consent for annexation and confirmed with Victory Chevrolet that they are still willing to move forward with the annexation. Due to this proposed annexation's proximity to election day, the ordinance will not take effect

until the day after the election. **Motion** made by Bratton, seconded by Macek to approve Ordinance 3837 – Including, incorporating and annexing certain land into the limits and boundaries of the City of Osawatomie, Kansas as presented. Yeas: All.

RESOLUTION 1172 – ACCEPT WORK AND AUTHORIZE FINAL PAYMENT MAIN ST TERR/18TH/WALNUT AVE – The original contract value for this project was: \$1,734,521.07. The council has approved two change orders to this project totaling \$21,029.61 making the final contract value is: \$1,755,550.68.

Final value of work completed for this project is \$1,717,092.59; approximately \$39,000 under the amended contract value.

City staff recommends accepting the project as completed, releasing of retention and approving the final payment in the amount of: \$80,467.51. **Motion** made by Schasteen, seconded by Filipin to approve Resolution 1172 – Accepting completed work on Main Street Terrace, 18th Street and Walnut Avenue, authorizing final payment and release of retention as presented. Yeas: All.

RESOLUTION 1173 – DIRECT STAFF TO DEVELOP ECONOMIC DEVELOPMENT POLICIES - As we have been both approached and explored Economic Development projects in our community one of the emerging trends is to simplify how economic incentives are given. For the most part local government incentives are based various state statutes. Attached to this resolution is a Memorandum from Gilmore Bell in regards to Economic Development Grants (EDGs). We believe this a far simpler and more transparent approach and one that can be repeated for various types of companies. But for these EDGs to be effective and beneficial to the community there needs to be an agreed upon set of policies that outlines, where, when, in what amount and for whom they can be granted. There also needs to be reporting requirements and other terms and conditions that should be considered when a unique situation presents.

City staff recommends that we begin work on an EDG City Council Policy that can be considered at the October 12, 2023 City Council meeting. We anticipate this will require a couple of council meetings for questions and consideration, so the agendas for the meetings in October reflect presentations of these resolutions/ordinances at the first meeting with votes on them at the second meeting. **Motion** made by Bratton, seconded by Filipin to approve Resolution 1173– Directing staff to develop a city council policy for economic grants as presented. Yeas: All.

RESOLUTION 1174 – DIRECT STAFF TO NEGOTIATE A DEVELOPMENT AGREEMENT WITH NEWLY ANNEXED PROPERTY OWNER(S) – As indicated on the September 28, 2023 Agenda there are property owners that have agreed to be annexed into the City of Osawatomie. This annexation will yield the addition of a large commercial property owner (business owner) that would like to consider the expansion and redevelopment of their facilities and properties.

City staff needs to begin discussions and negotiations on the potential economic development opportunity with this property owner and build a framework and possible Economic Development Grant that the City Council can consider. At the same time, as contemplated in

Resolution 1173, city staff will begin working on City Council policies that will set the parameters for future negotiations with future business partners in our community. For this first opportunity, our goal is to be done by the end of October. Which, may be difficult to achieve since we are simultaneously crafting the policies that development agreement will follow. **Motion** made by Bratton, seconded by Macek to approve Resolution 1174 – Directing staff to begin negotiations with newly annexed properties for economic development purposes as presented. Yeas: All.

ORDINANCE TBD – AMENDING ZONING REGS TO ALLOW FOR RESTORATION OF ORINIGAL PLATS (NO ACTION) – We would like to allow lots that have been previously purchased and combined to be able to split those lots back up into 50-foot lots to allow for additional homes to be built.

EXECUTIVE SESSION – None.

COUNCIL REPORTS

Kevin Schasteen ~ Thanks to those that come out to Freedom Festival and thank you to all of those that helped out at the event.

MAYOR’S REPORT

We hosted a luncheon for Potawatomie Trail 1838 commemorative caravan on Saturday. The event was excellent and it went very well. We should be proud that we can host this event every five years.

We still have street work going on and I am glad that Michelle is on top of it.

CITY MANAGER & STAFF REPORTS.

Bret Glendening – We received the appraisal back on the KDOT property. There are a couple of things (typographical errors) that need to be tweaked. Victory has been provided with that appraisal and they are alright with it. As soon as I get it cleaned up, I will send it to KDOT and we will start the conversation.

The lead and copper test results all came back good. None of the ones tested came back with any action required by the city or the homeowner. They were all well below the action threshold.

The Wrights have respectively declined the CDBG money that was awarded to them for the building next to the hub. We are working with the Department of Commerce to see if we can keep that \$250,000 inside of Osawatomie for the 500 Block of Main. We are hoping to apply it to 510 Main Street to help shore it up, fix the roof and fix the backside of the building. This is all still pending the approval from the State but they do sound receptive to that.

Yesterday, Mr. Scanlon and myself were at the county commissioners meeting and Mike requested \$7,500 from their park fund (liquor tax). Part of their money has to be spent on parks.

We have discovered a house at 324 Main Street that was built in 1850. We would like to purchase the property and apply for a Patterson grant to help shore it up. The state has expressed interest in helping us with historic preservation money and to get it listed on the national historic register. We could then incorporate it into the John Brown National Park Site that we are working on.

The solar array ground breaking is October 12th.

Sam Moon – The Arts Commission has embarked on their next contract for the plaza mural that should begin next week. If you see him working, stop by, say hello and welcome him to our community.

OTHER DISCUSSION/MOTIONS.

Motion made by Bratton, seconded by Filipin to adjourn. Yeas: All. The Pro Tem mayor declared the meeting adjourned at 07:37 p.m.

/s/ Tammy Seamands
Tammy Seamands, City Clerk