

Osawatomie, Kansas. **March 11, 2021.** The Council Meeting was held at Memorial Hall. Mayor L. Mark Govea called the meeting to order at 6:30 p.m. Council members present were Wright, Macek, Walmann, LaDuex, Dickinson, Diehm, Hampson and Caldwell. City Staff present at the meeting were City Manager Mike Scanlon, City Clerk Tammy Seamands, Assistant to the City Manager Sam Moon, Director of Utilities Terry Upshaw, Police Chief David Stuteville and City Attorney Richard Wetzler. Members of the public were: Donna Koontz, Dale Koontz, Ron Smith, Woody McDougal, Franklin Houdashelt, Mike Williams and Kari Bradley.

**INVOCATION.** Ron Smith, 1<sup>st</sup> Christian Church

**CONSENT AGENDA.** Approval of March 11<sup>th</sup> Agenda; February 11<sup>th</sup> Council Minutes, February 25<sup>th</sup> Special Council Minutes, March 3<sup>rd</sup> Special Council Minutes, Pay Application – Zingre and Associates - \$245.00 - Trail, Pay Application – BG Consultants - \$8,190.00 – Wastewater, Pay Application -MARC - \$25,000.00 – Planning Sustainable Places, Pay Application – Triangle Builders - \$14,850.00 - Trail. **Motion** made by LaDuex, seconded by Dickinson to Approve the Consent Agenda as presented. Yeas: All.

#### **COMMENTS FROM THE PUBLIC.**

Ron Smith –Good Friday is coming up at the end of this month. God is doing a lot of good things at 1<sup>st</sup> Christian Church and they are looking forward to working with the City on some things.

Donna Koontz – At a previous meeting a person that lives in the Northland requested to be able to have chickens. The Northland was annexed even though a lot of people did not want it. It has not been developed in 10 years and it should be de-annexed and put back to the county and then they could have chickens. Did the council read this before voting on chickens?

**PRESENTATIONS & PROCLAMATIONS.** – None.

#### **PUBLIC HEARINGS.**

USDA RURAL DEVELOPMENT COMMUNITY FACILITIES GRANT/LOAN APPLICATION – The City of Osawatomie has filed a pre-application with the U.S. Department of Agriculture, Rural Development for financial assistance to acquire 800 megahertz (MHz) radios. These radios will allow all of our public safety departments of the City of Osawatomie to communicate with each other, as well as, the other agencies in the County that are already on the 800 MHz radio system. Mayor Mark L. Govea opened the public hearing at 6:36 p.m. for discussion and objections related to the 800 MHz radio system and application to the USDA Rural Development Facilities Grant/Loan Application. Govea asked for comments from the public three times. Hearing no further comments Govea closed the public hearing at 6:37 p.m.

#### **PRESENTATIONS, PROCLAMATIONS AND APPOINTMENTS**

Appointment of EMP 1 and KMEA Representatives - **Motion** made by LaDuex, seconded by Wright to appoint Terry Upshaw as EMP 1 Representative and Mike Scanlon as

EMP 1 alternate. Yeas: All. **Motion** made by LaDuex, seconded by Dickinson to appoint Terry Upshaw as KMEA Director 1, Mike Scanlon as KMEA Director 2 and L. Mark Govea as KMEA Alternate. Yeas: All

#### **UNFINISHED BUSINESS.**

PUBLIC WORKS ROOF BIDS –**Motion** made by Macek, seconded by Caldwell to accept the bid from Legacy Contractors in the amount of \$107,170 as presented. Yeas: All.

#### **NEW BUSINESS.**

RESOLUTION 851 - ESTABLISHING A FRAMEWORK FOR THE FUEL ADJUSTMENT ON CUSTOMER ELECTRIC BILLS CAUSED BY THE WEATHER EVENT OF MID-FEBRUARY 2021. The goal is to establish the framework for the fuel adjustment for the period of the weather event in February without passing on a huge price spike. **Motion** made by LaDuex, seconded by Dickinson to approve Resolution 851 – Establishing a framework for the fuel adjustment on customer electric bills caused by the weather event of mid – February as presented. Yeas: All.

RESOLUTION 852 - AUTHORIZING THE CITY OF OSAWATOMIE, KANSAS TO APPLY FOR THE CITY UTILITY LOW-INTEREST LOAN PROGRAM FOR THE PURPOSE OF OBTAINING A LOAN FROM THE STATE OF KANSAS TO FINANCE EXTRAORDINARY ELECTRIC AND/OR NATURAL GAS COSTS INCURRED DURING THE EXTREME WINTER WEATHER EVENT OF FEBRUARY 2021. This application must be submitted by March 15, 2021. **Motion** made by Macek, seconded by LaDuex to approve Resolution 852 – Authorizing the City of Osawatome, Kansas to apply for the City Utility Low-Interest Loan Program for the purpose of obtaining a loan from the State of Kansas to finance extraordinary electric costs incurred during the extreme winter weather event of February 2021 as presented. Yeas: All.

ORDINANCE 3794 – AUTHORIZING THE EXECUTION OF A LOAN AGREEMENT BETWEEN THE CITY OF OSAWATOMIE, KANSAS AND THE STATE OF KANSAS, ACTING BY AND THROUGH THE KANSAS STATE TREASURER, FOR THE PURPOSE OF OBTAINING A LOAN PURSUANT TO THE CITY UTILITY LOW-INTEREST LOAN PROGRAM TO FINANCE EXTRAORDINARY ELECTRIC AND/OR NATURAL GAS COSTS INCURRED DURING THE EXTREME WINTER WEATHER EVENT OF FEBRUARY 2021; ESTABLISHING A DEDICATED SOURCE OF REVENUE FOR REPAYMENT OF SUCH LOAN; AUTHORIZING AND APPROVING CERTAIN DOCUMENTS IN CONNECTION THEREWITH; AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION WITH THE LOAN AGREEMENT –Proceeds from the loan will first be applied to the No Funds Warrants that was issued. **Motion** made by LaDuex, seconded by Dickinson to approve Ordinance 3794 – Authorizing the execution of a loan agreement between the City of Osawatome, Kansas and the State of Kansas, acting by and through the Kansas State Treasurer for the purpose of obtaining a loan pursuant to the City Utility Low-Interest Loan Program to finance extraordinary electric costs incurred during the extreme winter weather event of February 2021; establishing a dedicated source of revenue for repayment of

such loan; authorizing certain other actions in connection with the loan agreement as presented.  
Yeas: All.

**RESOLUTION 853 –UPGRADING TO 800 MHZ RADIOS FOR POLICE AND FIRE DEPARTMENTS–** Miami County began upgrading all public safety radios in 2019. The total system cost was estimated at \$6.8 million. The portion attributable to the City of Osawatomie is \$83,367.75. **Motion** made by Caldwell, seconded by LaDuex to approve Resolution 853 – Directing the City Manager to complete the upgrading of the public safety radio system to 800 mhz and identifying the funding to be used to pay for the radio system upgrade as presented.  
Yeas: All.

**RESOLUTION 854 – AUTHORIZING THE EXECUTION OF THE CONTRACT AND OTHER DOCUMENTATION FOR A CDBG GRANT RELATED TO THE REPAIR OF THE WASTEWATER TREATMENT PLANT.** **Motion** made by LaDuex, seconded by Caldwell to approve Resolution 854 – Authorizing the execution of the contract and other documentation for a CDBG grant related to the repair of the wastewater treatment plant as presented. Yeas: All.

**RESOLUTION 855 – LICENSING AGREEMENT WITH OSWATOMIE STATE HOSPITAL -** Working with the Osawatomie State Hospital the City would like to develop a Mountain Trail Bike course on the southwestern edges of the OSH Campus. Exhibit A shows the proposed outline of the course and Exhibit B shows some of the proposed course elements. **Motion** made by LaDuex, seconded by Walmann to approve Resolution 855 – Directing the city manager to work with the Osawatomie State Hospital on a licensing agreement for an outdoor mountain bike course to be located on Hospital property. Yeas: All. Dickinson abstained due to conflict of interest.

### **COUNCIL REPORTS.**

Jeff Walmann ~ Triangle Builders is getting ready to pour the foundation for the kiosk at the trail. Doug Walker has cleared out the ditch between the ballpark and the parking lot. It is possible that the bridge could be in by April 1<sup>st</sup>. The taskforce is working on a monument sign that will look like a miniature kiosk.

Karen LaDuex ~ Morgan Crabtree has been appointed as library director. She has assumed her duty's part time for now until she gets finished with school. She will then move to full-time. The Chamber is holding a coffee at the library on Thursday at 11:00.

Kenny Diehm ~ Last November a young family moved in across the street. Last week their five-year-old daughter went out to explore. She did not tell anyone that she was going anywhere. The police were called and within minutes the police, city employees and community members were out looking for the little girl. The sheriff's department was also dispatched. Diehm would like to commend the police and the community for doing this. It just shows that it does take a village.

**MAYOR'S REPORT** – We need to thank LKM for taking the lead in trying to get us assistance with the large utility bills. Within a twenty-four hours span there was a hearing and

the city utility low interest loan bill passed both houses and was signed into law. There were several people making calls, sending texts and letters of support. Govea has never heard of anything like this happening so quickly before.

The Soap Box Derby is coming back to Osawatomie April 24<sup>th</sup> and 25<sup>th</sup>.

Janet McCrae has given us amazing support. We are looking at some Northland property development.

The water investigation committee will meet on March 25<sup>th</sup>. Thank you, council member Hampson, and Diehm for stepping up to be on the committee.

Also, a special thanks to our City Manager Mike Scanlon for being ahead of the game on the utility billing crisis.

There are 12 scholarship applications that have been submitted for the \$500 council scholarship. Council members Diehm, LaDuex and Walmann will help Govea review that applications.

**CITY MANAGER & STAFF REPORTS.** – Scanlon passed out an updated work calendar. The calendar will be updated quarterly. Scanlon has started doing a weekend video update and Sam Moon does a written weekend update. We are trying to create different ways for the public to get information from us.

Scanlon passed out a utility dashboard that shows the receipts and expenses along with the cash balances for the electric, water and sewer funds over the last five years. On the back is a list of things that we are working on. Terry Upshaw is in charge of all of our utilities. Upshaw gave a report and answered questions regarding the update on the electric, water and sewer utilities.

Dave Stuteville gave an update on the police department. It has been about 15 days since dispatch changed to the sheriff's office. So far things are going smoothly but there are a few things they are still working out. The department is changing their records management system. The sheriff's department will now host this. This will also save the City some money. They are trying to get laptops in their cars similar to the sheriff's office. The storm sirens need to have some upgrades down to allow the sheriff's office to turn them on. The department is hoping to be online with the 800 mhz radios by July.

**EXECUTIVE SESSION.** - None

**OTHER DISCUSSION/MOTIONS.**

**Motion** made by Hampson, seconded by Macek to adjourn. Yeas: All. Mayor declared the meeting adjourned at 8:24 p.m.

/s/ Tammy Seamands  
Tammy Seamands, City Clerk