

Osawatomie, Kansas. **August 26, 2021.** The Council Meeting was held at Memorial Hall located at 411 11th Street. Mayor L. Mark Govea called the meeting to order at 6:30 p.m. Council members present were Walmann, Dickinson, LaDuex, Hampson, Wright, Diehm, Macek and Caldwell. City Staff present at the meeting were City Manager Mike Scanlon, City Clerk Tammy Seamands, Assistant to the City Manager Sam Moon, Chief Building Official Ed Beaudry, Utilities Director Terry Upshaw, Police Chief David Stuteville, Public Safety Officer Michael Huggins and City Attorney Richard Wetzler. Members of the public were: Charles Johnson, Garrett Nordstrom, Dale Bratton, Jeff Dorsett, Brigitte Pinneo, Dale Samuels, Renee Slinkard, Kari Bradley, Derek Henness, Shay Hanyasak, Tammy Filipin, Jim Mitzner, Katie Mitzner, Chance Edwards and Donny Blackmon.

INVOCATION. Dale Samuels, Faith Community Church

CONSENT AGENDA. Approval of August 26th Agenda, August 12th Council Minutes, Special City Council Meeting for September 16, 2021 – 2022 Budget, Special Event Permit - Border War BBQ, Special Event Permit – Freedom Festival. **Motion** made by LaDuex, seconded by Dickinson to approve the consent agenda as presented without the August 12th Council Minutes. Yeas: All. **Motion** made by LaDuex, seconded by Dickinson to approve the August 12th Council Minutes with the correction of changing the second Dale Koontz listed under members of the public present to Donna Koontz. Yeas: All.

COMMENTS FROM THE PUBLIC.

Dale Samuels – The Ministerial Association met and talked a little about the idea of a shelter for the extreme heat and cold. Faith Community Church has purchased a building downtown and is in the process of remodeling.

Jeff Dorsett – very pleased with many things that are happening in this community such as homes that are being improved and built. Some of this is due to code enforcement and some from private citizens. Communities that invest, update and promote themselves are growing and those communities that do not are dying. While I do not like higher taxes, I am in favor of investing and promoting in our community and if raising taxes is how to accomplish that then so be it.

PUBLIC HEARINGS.

CDBG-CV GRANT – The purpose of this hearing is to evaluate the performance of Grant No. 20-CV-103 which was for a small business grant program (economic development) and meal program assistance within the city limits of Osawatomie, KS. The scope of work supplied small business grants, meal program funding and associated administrative costs in the amount of \$167,000. All proposed activities were accomplished. This grant was funded, all or in part, from the Kansas Department of Commerce, Small Cities Community Development Block Grant (CDBG). Mayor Govea opened the hearing at 6:38 p.m. The mayor asked three times if there were any comments. Hearing no comments, the hearing was closed at 6:39 p.m.

PRESENTATIONS, PROCLAMATIONS AND APPOINTMENTS.

2020 AUDIT – The auditor requested that we move this presentation to September 23rd due to a scheduling conflict.

PROCLAMATION OF CONSTITUTION WEEK FOR 2021 – Renee Slinkard with Daughters of the American Revolution gave a brief history on how constitution week came about. LaDuex read the proclamation. **Motion** made by LaDuex, seconded by Dickinson to accept the Proclamation setting September 17th through September 23, 2021 as Constitution Week. Yeas: All.

FINAL CITY LOGO PRESENTATION (Res 916) – Scanlon presented the final city logo that Springboard Creative had tweaked from the council preferences at the last city council meeting. **Motion** made by LaDuex, seconded by Hampson to approve Resolution 916 – Accepting the new city logo designed by Springboard Creative for the benefit of the City of Osawatomie, Kansas as presented. Yeas: (5) – Dickinson, LaDuex, Hampson, Wright, and Caldwell. Nays: (3) Diehm, Walmann, and Macek.

UNFINISHED BUSINESS.

RESOLUTION 908 AND 908A – 2022 BUDGETARY POLICIES – Scanlon reminded council of the plan that was proposed to improve streets. The first part requires a tax increase so that we produce the dollars necessary to take care of our streets and the second part would be a sales tax increase. The sales tax portion requires a vote of the citizens. **Motion** made by LaDuex, seconded by Wright to approve Resolution 908 – Establishing budget policies for fiscal year 2022 as presented. Yeas: (7) Walmann, Macek, Dickinson, LaDuex, Hampson, Wright, and Caldwell. Nays: (1) Diehm. **Motion** made by LaDuex, seconded by Hampson to approve Resolution 908A – Authorizing the Miami County Election Official to submit to the electors of the City of Osawatomie, Kansas the question of imposing a special one-half of one percent (0.5%) citywide retailers’ sales tax question on the November 2, 2021 general election ballot.as presented. Yeas: All.

NEW BUSINESS.

RESOLUTION 913 – AGREEMENT WITH USD 367 SCHOOL DISTRICT FOR THE LICENSING OF PROPERTY AT MILE ZERO (TRAILHEAD PARKING) –As the Flint Hills trail was developed a portion of land was needed to create a parking lot and access point on land owned by the Osawatomie School District (USD 367). This agreement says that we will only use this property for a parking lot. **Motion** made by LaDuex, seconded by Dickinson to approve Resolution 913 – Directing the City Manager to work with the Osawatomie School District (usd-367) on a licensing agreement for the Flint Hills Trail parking lot and access point located on school district property as presented. Yeas: All.

RESOLUTION 914 — AMENDING THE UNIFORM PERSONNEL POLICIES AND GUIDELINES FOR THE CITY OF OSAWATOMIE, KANSAS – Scanlon discussed the changes that are requested to the personnel policies that relate to the following five areas; definition of employee and excluding contract economic development employees, calculation of overtime based

solely on hours worked, elimination and sunseting of compensatory time off, shift differential pay, and changes to residency requirements. **Motion** made by LaDuex, seconded by Caldwell to approve Resolution 914 – Making the following changes to the uniform personnel policies and guidelines for the city of Osawatome, Kansas as presented. Yeas: (7) Walmann, Macek, Dickinson, LaDuex, Hampson, Wright and Caldwell. Nays: (1) Diehm

RESOLUTION 915 – AMENDING THE APRIL 9, 2020 EMPLOYMENT AGREEMENT OF MR. MICHAEL J. SCANLON, CITY MANAGER - Scanlon entered into an employment agreement with the City of Osawatome on April 8, 2020. This resolution is to make changes to that agreement for both residency and compensation. **Motion** made by Caldwell, seconded by Dickinson to approve Resolution 915 – Amending the employment agreement of the City Manager as presented. Yeas: All.

ORDINANCE 3798 – ADOPTING THE 2021 STANDARD TRAFFIC ORDINANCE – The Standard Traffic Ordinance (STO) for Kansas Cities have been published by the League of Kansas Municipalities. They are designed to provide a comprehensive traffic code for Kansas Cities. **Motion** made by LaDuex, seconded by Dickinson to approve Ordinance 3798 – Regulating traffic within the corporate limits of the City of Osawatome, Kansas; incorporating by reference the “Standard Traffic Ordinance for Kansas Cities” edition of 2021, with certain omissions, changes and additions; prescribing additional regulations; amending Chapter 14, Article 1, of the City of Osawatome Municipal Code; and repealing existing provisions as presented. Yeas: All.

ORDINANCE 3799 –ADOPTING THE 2021 UNIFORM PUBLIC OFFENSE CODE- The Uniform Public Offense Code (UPOC) for Kansas Cities have been published by the League of Kansas Municipalities. They are designed to provide a comprehensive criminal code for Kansas Cities. **Motion** made by LaDuex, seconded by Hampson to approve Ordinance 3799 – Regulating public offenses within the corporate limits of the City of Osawatome, Kansas; incorporating by reference the “Uniform Public Offense code for Kansas Cities” edition of 2021; amending and repealing Chapter 11, Article 2, Section 201 of the City of Osawatome Municipal Code; and repealing existing provisions as presented. Yeas: All.

RESOLUTION 917 –ACCEPTING THE 2020 ANNUAL ELECTRIC REPORT– The City is required as a condition of our power purchase agreements to provide an Annual Electrical Report. **Motion** made by LaDuex, seconded by Dickinson to approve Resolution 917 – Accepting the 2020 Annual Electric Report as submitted by staff as presented. Yes: All.

ORDINANCE 3800 – AMENDING PORTIONS OF THE SOLID WASTE CODE – This is a cleanup of Ordinance 3874 that eliminated a section on proper storage of containers and incorporates the appropriate reference for the fee and administrative charge that is included in all utility bills. **Motion** made by LaDuex, seconded by Hampson to approve Ordinance 3800 – Replacing section 15-506 regarding storage of solid waste and recyclable materials and amending section 15-523 schedule of fees and charges. Yeas: All.

SELECTING VOTING DELEGATES FOR THE LEAGUE OF KANSAS MUNICIPALITIES ANNUAL CONFERENCE – The League of Kansas Municipalities will hold their annual business meeting and policy session of city voting delegates on Monday, October 11,

