

Osawatomie, Kansas. **September 11, 2014.** The Council meeting was held in Memorial Hall. Mayor Govea called the meeting to order at 6:32 p.m. Council members present were Dickinson, Hampson, Hunter, LaDuex, Maichel and Walmann. Absent was Farley. Also present were City Manager Cawby, City Attorney Wetzler and City Clerk Elmquist. Visitors were Doug Jenkins, Linda Hay, Renee Slinkard, Marti McDougal and Colleen Truelson.

INVOCATION. Councilmember Hunter delivered the invocation.

CONSENT AGENDA. Approval of September 11 Agenda, approval of the minutes of August 14 and August 28 Council Meetings, approval of Appropriation Ordinance 2014-8 and approval of WWTP Improvements Project Pay App 3. Motion made by LaDuex, seconded by Hunter to approve the Consent Agenda as presented. Yeas: All.

Presentations, Comments from the Public:

Reverend Marti McDougal, United Methodist Church, gave her presentation later in the meeting.

Public Hearings: none

Unfinished Business:

RESOLUTION – SET HEARING FOR CONDEMNATIONS. At the June 12 City Council meeting Resolution No. 682 was approved setting a hearing for the August 14 meeting. Since the hearing date was missed, another resolution setting a new hearing date needs to be approved. Motion made by LaDuex, seconded by Dickinson to approve the resolution resetting the hearing of the seven condemnations to the November 13 Council meeting. Yeas: All. The Resolution was assigned No. 685.

New Business:

APPOINTMENTS – none

VACANCY COUNCIL. Mayor Govea said the nominating committee had selected Kirk Wright to fill the Council vacancy in Ward 2. Motion made by Hunter, seconded by LaDuex to authorize the appointment of Wright as Council member to Ward 2. Yeas: All.

PROCLAMATION – CONSTITUTION WEEK. The proclamation proclaims September 17 through 23, 2014 as Constitution Week asking the citizens to reaffirm the ideals the Framers of the constitution had by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained. The Marais des Cygnes Chapter of the Daughters of the American Revolution requested the proclamation with two members present. Motion made by Hunter, seconded by LaDuex to approve the proclamation. Yeas: All.

PROCLAMATION – REHABILITATION WEEK. The proclamation proclaims the week of September 21 through September 27, 2014 as Rehabilitation Week to honor Osawatomie Rehabilitation and Miami County Medical Center Rehabilitation Services and to encourage all citizens to recognize the significant contributions of rehabilitation professionals and to renew their commitment to people with disabilities and to the efforts of rehabilitative medicine to improve quality of life. Motion made by Hunter, seconded by LaDuex to approve the proclamation. Yeas: All.

Reverend Marti McDougal, United Methodist Church, said their after school program will start up in October and is every Tuesday. There was success in the summer feeding program serving 30-35 people. The Ministerial Alliance now has 10 churches involved. Their annual Thanksgiving community event will be held November 13. Her church will be the host but this year it will be held at the High School instead of at one of the churches. The Alliance is working on a new program. Hands On Oz will have the churches doing work in the community such as working on the parks, winterization & other

small jobs. September 27 and September 28 the United Methodist Church will be celebrating their 160th anniversary.

Farley arrived during the presentation at 6:44 p.m.

**CONSIDER RECOMMENDATION TO REZONE 412 BROWN.
CONSIDER RECOMMENDATION TO REZONE THE 400 BLOCK OF BROWN,
NORTH SIDE.**

Doug Jenkins requested his property at 412 Brown be rezoned from R-1 (Single Family) to R-2 (Two-Family and Higher Density Single Family) to allow his current 3,200 sq. ft. home to become a duplex. The Osawatomie Planning Commission held a public hearing February 27 to consider the above request and on June 11 the hearing was continued. The Planning Commission voted 4-0 to send a recommendation of denial of the request to the City Council. The reason for the denial was to not allow spot zoning as it would essentially nullify any future denial of spot zoning and render the City's zoning map useless. Motion made by Hunter, seconded by LaDuex to approve the Planning Commission's recommendation to deny the rezoning of 412 Brown. Yeas: All. Immediately following the denial of the motion on June 11, the Planning Commission recommended that a hearing be set to consider a proposal, by the Commission, to rezone the entire north side of the 400 block of Brown Avenue from R-1 (Single Family) to R-2 (Two-Family and Higher Density Single Family). This was recommended to accommodate the ability of some of the larger homes being turned into duplexes in this block. The Commission held the public hearing on August 20, 2014. All Commission members indicated that the City's zoning map needed to be redrawn. Staff indicated that redrawing the map without a plan would be counter-productive. Separate motions were made to approve and reject, with all ending in a 2-2 tie. By the Commission not passing a motion to approve, the recommendation is deemed to be considered a denial. Motion made by Hunter, seconded by LaDuex to approve the Planning Commission's recommendation to reject the rezoning of the 400 block of Brown. Yeas: All. The Planning Commission was remanded to evaluate the 400 and 500 block of Brown, north side, and the 400 and 500 block of Parker, south side.

Council Reports:

LaDuex: The Kansas Anthropological Association will be returning tomorrow to do follow up work at the Adair Cabin dig site. They will be working through Sunday. The second in the series of medallions honoring the city's national historic sites are available. This one recognizes the five persons killed at the battle of Osawatomie and the Soldiers' monument.

Hunter: The cost of the medallion is \$10. The All For You community event is September 13.

Dickinson: The Boy Scouts Chili Feed is tomorrow night before the football game.

Hampson: The Parks & Recreation Committee discussed having additional activities. They will be doing another skate night and will again have table tennis. Should have bids on the building at the Sports Complex by the end of September.

Maichel: The Public Safety Committee met. Mayor Govea attended to give direction as to what their duties are. The Chamber of Commerce's Annual Dinner meeting is October 16. The Council members decided they would pay for a table.

Mayor's Report:

He was asked to lead a round table discussion on chickens and farm animals at the League's annual conference in October.

The first football tailgate party had a good response on sponsors.

City Manager's Report:

Projects:

5th Street Waterline. Crews are to begin replacing the water line on 5th Street from Kelly to Reed There have been too many leaks there lately.

Sports Complex concession stand and Police Station sally port. Public Works Director Blake Madden has done design work on the two buildings which has helped moved the project along. Staff is waiting for the last bid to come in.

Issues: none

A code officer/meter reader has been hired and will begin September 22.

LaDuex reminded the Council of the Freedom Festival September 20.

EXECUTIVE SESSION: none

OTHER DISCUSSION/MOTIONS: none

Motion made at 8:44 p.m. by Maichel, seconded by LaDuex to adjourn. Yeas: All.

/s/ Ann Elmquist

Ann Elmquist, City Clerk