

Osawatomie, Kansas. **SEPTEMBER 12, 2013.** The Council meeting was held in Memorial Hall. Mayor Govea called the meeting to order at 6:30 p.m. Council members present were Dickinson, Farley, Hampson, Hunter, LaDuex, Maichel, Martin, and Walmann. Also present were City Manager Cawby, City Attorney Wetzler, and City Clerk Elmquist. Visitor was Coleen Truelson.

CONSENT AGENDA. Approval of the minutes of August 8 and August 22 Council Meetings, approval of September 12 Agenda, and approval of Appropriation Ordinance 2013-8. Motion made by LaDuex, seconded by Hunter to approve the minutes of August 8 as amended and August 22 Council Meeting, approval of September 12 Agenda, and approval of Appropriation Ordinance 2013-8. Yeas: All.

Public Participation; Presentations: none

Public Hearings: none

Unfinished Business:

RESOLUTION AUTHORIZING TEMPORARY NOTES. The temporary notes are to be issued for \$590,000. Motion made by Maichel, seconded by Hunter to approve the resolution. Yeas: All. The Resolution was assigned No. 674.

NOTE PURCHASE AGREEMENT. The three local banking institutions were asked to bid on the temporary notes. Received a bid from Great Southern Bank for 1.85% and one from First Option Bank for 2.85%. The agreement is with Great Southern bank for \$590,000 at 1.85%. Motion made by Maichel, seconded by Hampson to authorize the Mayor to sign the note purchase agreement and any other required documents necessary to issue the \$590,000 in temporary notes. Yeas: All.

RESOLUTION TO AUTHORIZE STATE REVOLVING LOAN APPLICATION. The loan has not been finalized with KDHE. With the City moving forward with the sludge press, the recommendation is to reapply for the loan to include both the head works project and the sludge press. The reauthorization prevents any confusion with KDHE. Motion made by Hunter, seconded by LaDuex to approve the resolution. Yeas: All. The Resolution was assigned No. 675.

New Business:

APPOINTMENTS.

League Voting Delegates and Alternates

Delegate #1 Tamara Maichel
Delegate #2 Amanda Martin

#1 Alternate Don Cawby
#2 Alternate Mark Govea

Motion made by Hunter, seconded by LaDuex to approve the appointments. Yeas: All.

PROCLAMATION – NATIONAL REHABILITATION AWARENESS WEEK, SEPTEMBER 16-22. Motion made by LaDuex, seconded by Martin to approve the proclamation. Yeas: All

2013 STANDARD TRAFFIC ORDINANCE. Motion made by LaDuex, seconded by Martin to approve the ordinance. Yeas: All. The Ordinance was assigned No. 3713.

2013 UNIFORM PUBLIC OFFENSE CODE ORDINANCE. Motion made by Maichel, seconded by LaDuex to approve the ordinance. Yeas: All. The Ordinance was assigned No. 3714.

BIDS FOR LIBRARY FOUNDATION REPAIR. Bids were solicited for piecing the foundation of the library. Significant settlement was discovered after the conclusion of the renovation two years ago. The work needs to be done in order to eliminate further damage to the building. Attached are three estimates received for the work:

8 Interior and 4 Exterior Piers	\$18,000	
Redo Area Drain System	\$ 4,550	
Taylor Brothers Construction, Ottawa, KS		\$22,300
8 Exterior Piers; Reset Aluminum Threshold		
Pier Masters, Grandview, MO		\$35,000
23 Interior Piers; 5 Exterior Piers;		
Option 1: 9 additional piers	\$1,250	
Option 2: mudjacking basement slab and stairs	\$4,600	

Funding for the project was budgeted at \$35,000. If Pier Masters was selected, the Library would fund the additional costs from the Library Fund, along with any other renovations that need to take place to make the interior safe for kids. Staff recommended Pier Masters because of the thoroughness of the bid, the number of piers installed, the use of interior piers because of OSHA concerns, and the recommendation of mudjacking to prevent future settling. Motion made by LaDuex, seconded by Hunter accepting Pier Masters' bids for repair of the Library basement for \$35,000, and referring Options 1&2 to the Library Board to make decisions and determination to proceed by the City Manager. Yeas:

DISCUSSION OF INVOCATION AT COUNCIL MEETINGS. Mayor Govea would like an invocation at the beginning of the meeting with the ministers in the area taking turns. Also, would like the ministers to talk about what their church does in the community. There was discussion about if it was legal to have a prayer. The Constitutionality has been questioned and the US Supreme Court will hear arguments during this current session. There was discussion on having the invocation before the Council meeting. Then the question was raised about non-Christians and that if the Council opens it up, have to open to everyone. LaDuex said that there has been division in the Council before and this issue divides the Council. It opens up criticism from citizens and the political practicality needs to be considered. Motion made by Dickinson, seconded by Hunter to table the issue to October 10. Yeas: Dickinson, Farley, Hampson, Hunter, LaDuex, Maichel, and Martin. Nay: Walmann.

Council Reports:

Farley: Expressed concerns from citizens about the chip and seal work and the dust it caused. City Manager Cawby said it has settled down and in two weeks it will go back to normal. The residual is taken care from cars breaking the rocks down.

LaDuex: The pergola over John Brown Cabin has been refurbished.

Hunter: The Economic and Community Development Committee met. County Commissioner George Pretz was persistent about the City putting themselves out there and campaign for the new jail. September 19 at 7:00 p.m. the County Commission will be taking comments from the public. The Freedom Festival is September 21 and 22.

Hampson: Unable to attend the Golf Committee and the Parks & Recreation Committee meetings. The fall programs going on are youth soccer, flag football, indoor table tennis, and this year fall baseball was added.

Mayor's Report:

Still waiting on some City Manager reviews from Council members. First Baptist Church has a new program called Keenagers. It provides ministry and fellowship for seniors 55 years of age and older.

Hampson reminded everyone of the tailgating starting at 5:00 before the Friday night football game.

Walmann informed everyone of the Boy Scouts' Spaghetti Feed on Friday, September 27. Attended Greeley's BBQ event. Osawatomie will be holding their first BBQ contest October 25 and 26th.

City Manager's Report:

Projects:

Zoning Regulations. The Planning Commission approved new Zoning Regulations, Subdivision Regulations, and Floodplain Regulations. They will be forward to the Council for their approval.

Bridge in the Park. Staff completed a new walking bridge in John Brown Park that looks fabulous.

Issues:

Trash Contract. A draft of the contract with L&K Services will be ready for the September 26 meeting.

UV Lights at the Sewer Plant. There continue to be issues with the UV disinfecting lights at the Sewer Plant. After failing a lab test, a KRWA representative to come down and helped figure out the problem. The lightning strike earlier this summer seems to be at the root of most of this.

Real Estate Transactions. The City has closed on 509 1st Street (Kastler Property). At the tax sale on September 6, three properties were purchased for protecting drainage areas or to provide opportunity to create easements and then re-mark the property fr private use. The properties purchased for \$500 each were: 101 Happy Place, the west half f the Indian Ridge Development; 820 3rd Street, the ~~ereek~~ **drainage ditch** to the west of Lom Vista; and 121 E. Walnut, the property directly north of Matney Estates.

Electric Discussion. Met with City consultant, Scott Shreve about KMEA looking at long term planning options for purchasing generation. They discussed the City's options and responses. Also, when reviewing the year-to-date expenses and revenue, they agreed there should be betters results for the new contracts this year. However, there are some issues with KMEA power that still needs to be investigated. Discussed Shreve coming in October to begin to craft an electric incentive and also to get rolling on the Energy Savings Initiative.

Surplus Property. The City has been getting quite a few phone calls from people wanting to buy items from the City such as the old white street posts, rocks and bricks, and pool equipment. Has adhered by the policy that unless it is an unusual or large item, the offers are not considered until the City is ready to auction off surplus property.

EXECUTIVE SESSION: none

Motion made at 8:17 p.m. by Hunter, seconded by LaDuex to adjourn. Yeas: All.

/s/ Ann Elmquist
Ann Elmquist, City Clerk