

Osawatomie, Kansas. **November 18, 2021.** The Council Meeting was held at the Memorial Hall located at 411 11<sup>th</sup> Street. Mayor L. Mark Govea called the meeting to order at 6:30 p.m. Council members present were Dickinson, LaDuex, Macek, Diehm, Wright, Walmann and Caldwell. Council Member Macek was absent. City Staff present at the meeting were City Manager Mike Scanlon, Deputy City Manager Bret Glendening, City Clerk Tammy Seamands, Chief Building Official Ed Beaudry, Assistant to the City Manager Samantha Moon, Police Chief David Stuteville, Deputy Police Chief William Bradshaw, Public Safety Officer Nick Gazzano, Public Safety Officer Chris Perkins, Public Safety Officer Nina Coleman, Public Safety Officer John Johnson, Public Safety Officer Michael Huggins, Public Safety Officer Curtis Isle, Public Safety Officer Grant Sparks, Public Safety Officer Jim Herman, Public Safety K9 Ricky, Court Clerk Lisa Hastings, Clerk Misty Ballard and City Attorney Richard Wetzler. Members of the public were: Kalyn Petzold, Mitch Walter, Robin Stuteville, Crystal Perkins, Philip Reavis, Joy Reavis, Harold Shelton, Sue Shelton, Claud Shelton, John Wastlund, Jim Wilson, Donna Wilson, Dylan Shelton, Rachel Bowman, Derek Henness, SuAnne Herman, Christian Herman, Sarah Dorsett, Kenzie Sparks, Diane Sparks, Todd Sparks, Drake Sparks, Josh Leon, Kari Bradley and Dale Bratton.

**INVOCATION.** – Pastor John Wastlund – Well Wesleyan Church

**CONSENT AGENDA.** Approval of November 18<sup>th</sup> Agenda, October 28<sup>th</sup> Council Minutes, Pay Application – BG Consultants - \$12,000 – WWTP Improvements, Pay Application – BG Consultants - \$456 – Wastewater Collection System PER, Special Event Permit – Miracle on Main Street, Appointment of Bret Glendening to MRWAD #2 Board. **Motion** made by Walmann, seconded by Dickinson to amend the agenda by moving Charter Ordinance 20 to be considered after the Osawatomie Police Departments – Promotions and Awards. Yeas: All. **Motion** made by LaDuex, seconded by Dickinson to approve the consent agenda as amended. Yeas: All.

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

Pastor John Wastlund – There is a community Thanksgiving Dinner in the City Auditorium on Sunday November 21<sup>st</sup> at 5:00 p.m. The Band of Oz will play and there will be a community choir. This event is open to the public.

**PUBLIC HEARINGS.** – None.

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

**BADGE PINNING** – Nicholas Gazzano introduced public safety officers Chris Perkins, Curtis Isele, Jim Herman and K9 Ricky and the family members for each officer had the privilege of pinning the Osawatomie Police badge onto their uniform.

**OATH OF OFFICE** – Curtis Isele, Chris Perkins, Jim Herman and K9 Ricky were given the Oath of Office by City Clerk Tammy Seamands.

Sergeant Promotions – Nicholas Gazzano introduced public safety officers Grant Sparks and Nina Coleman. These two officers were promoted to Sergeant and the family members for each officer had the privilege of pinning the Osawatome Police badge and stripes onto their uniform.

OSAWATOMIE 4.0 RESIDENTIAL (AFFORDABLE HOUSING/AFFORDABLE LIVING)- City Manager Scanlon reviewed some of the economic and housing changes in Osawatome over 50-year increments. Scanlon thinks the next step is to inventory all of the housing properties and surrounding properties that would make good candidates for residential development. We can then figure out how to put them into larger pieces to see how many residential units we can yield and that fit the area in which we are building. We create possible work/home opportunities in our downtown as a way to attract entrepreneurs and small business owners to open places up. We develop housing of all types, continue to redevelop our downtown and connection to our history and trails. We need to create sidewalk connections to create a work/live/play opportunity.

#### **UNFINISHED BUSINESS.**

CHARTER ORDINANCE 20 – EXEMPTING THE CITY OF OSAWAOTMIE, KANSAS, FROM THE PROVISIONS OF K.S.A. 14-570 AND K.S.A. 14-571 – In order to issue as much street debt as possible to take advantage of low interest rates and avoid construction inflation, we need to exempt ourselves from the debt limit calculation currently in state statutes. This ordinance has been written to limit this authority to only the year 2022 to ensure that we are only using this additional authority for the 10-year Street Program. **Motion** made by LaDuex, seconded by Wright to approve Charter Ordinance 20 – Exempting the City of Osawatome Kansas, from the provisions of K.S.A. 14-570 and K.S.A. 14-571 and providing substitute and additional provisions on the same subject relating to public improvements and the issuance of bonds for the purpose of paying for said improvements as presented. Yeas: All.

RESOLUTION 931 – IDENTIFYING STREETS IN CIP PRIORITY PLAN – During the 2022 budget the city began the process of investing in and repairing streets in the community. This resolution identifies future street projects and the priority they have been assigned. **Motion** made by Walmann, seconded by LaDuex to approve Resolution 931 – Directing city staff to follow the CIP street priority plan presented for the coming year as presented. Yeas: All.

RESOLUTION 937 – COMPLETE PURCHASE OF REAL PROPERTY – “HAYS HILL” – The goal of this purchase is to allow for the assemblage of property to be used in a small-scale residential development just south of the dam at Osawatome Lake including the camping grounds found to the north. **Motion** made by LaDuex, seconded by Wright to approve Resolution 937 – to finalize the purchase of real property known as “Hays Hill” and hereby identified by Miami County as parcel id’s (1493200000001010, 1493200000009000) as presented. Yeas: All.

ORDINANCE 3801 — AMENDMENTS TO MAIN TRAFFICWAY DESIGNATIONS - This will expand the number of named “main trafficways” to facilitate issuing GO debt for reconstruction of streets as identified in Resolution 931. – **Motion** made by LaDuex, seconded by Walmann to approve ORDINANCE 3801 – Designating certain additional streets as main

trafficways and extending portions of existing main trafficways within the City of Osawatomie, Kansas, under the authority of K.S.A. 12-685 ET SEQ.; for bond financing purposes of the municipal code of the City of Osawatomie of Kansas as presented. Yeas: All.

**ORDINANCE 3802– CREATING CHAPTER XVII – HEALTHY RENTAL HOMES – Motion** made by Macek, with no seconded to approve Ordinance 3802 – Creating Chapter 17 of the city’s codified ordinances for the purpose of regulating and ensuring the safety of residential rental property in the City of Osawatomie, Kansas and to be titled “Healthy Rental Homes.” Motion failed due to lack of second. This Ordinance will be brought back to council on December 9, 2021.

**ORDINANCE 3803 – PASSAGE OF .50% SALES TAX AT 11/02/2021 GENERAL ELECTION**–In August, 2021 the city Council forwarded to the City Clerk Resolution 908A that set the language for a sales tax question to be submitted to Osawatomie voters. We have received certification from the Miami County that the sales tax question passed. We now need to pass this ordinance to put it in place. **Motion** made by LaDuex, seconded by Caldwell to approve Ordinance 3803 – Levying and additional one-half percent (0.50%) retailers’ sales tax in the City of Osawatomie, for the purpose of repairing, rebuilding, rehabilitating, upgrading and improving streets, sidewalks, and all related street infrastructure and any short- or long-term financing required for such purpose as presented. Yeas: All.

### **NEW BUSINESS.**

**RESOLUTION 939 –GAAP Waiver 2022 -** This resolution allows all financial statements and financial reports of the municipality to be prepared on the basis of cash receipts and disbursements, as adjusted to show compliance with the cash-basis and budget laws of Kansas. **Motion** made by LaDuex, seconded by Caldwell to approve Resolution 939 – Waiving the GAAP requirements of K.S.A. 75-1120A(a) for the year ended 2022 as presented. Yeas: All.

**RESOLUTION 938 – SALE OF CITY PROPERTY** –An RFP was posted on the city web site for the sale of 121 Est Walnut Avenue. City staff received only one bid showing interest in the purchase of this property. Motion made by Caldwell, seconded by LaDuex to approve Resolution 938 – Accepting the bids for city owned real property and authorizing the city to enter into a contract sale of 121 East Walnut Avenue, subject to certain contingencies as presented. Yeas: All. Wright abstained due to conflict of interest.

### **COUNCIL REPORTS.**

Cathy Caldwell ~ excited to see the level of police officers that we are attracting to the community.

Lawrence Dickinson ~ It was a really good Veterans’ Day Celebration at the school. The scouts did a great job collecting 1600 lbs. of food that went to the food pantry.

Dan Macek ~ asked where we are at for getting KP&F for the police officers.

**MAYOR'S REPORT** – Thanks to Mr. Beaudry and Mr. Ellis for all their hard work. Thanks to Shay, Kari, Trevor and Wes for the bench ceremony today and all that was involved in putting the project together. Thank you to the citizens of Osawatomie. The sales tax question that was on the ballot passed 64% to 36% which is an overwhelming success. Thank you to Miami County for their support and providing us money. It is a blessing to have them as a partner. Thanks to Bret for taking on the water committee. We will have an executive session tonight that will take about 20 minutes.

**CITY MANAGER & STAFF REPORTS.** – Scanlon announced that there will be a special council meeting on Tuesday, November 23<sup>rd</sup> to discuss the proposed changes of the police departments retirement benefit from KPERS to KP&F. Sometimes a little change can make a big difference. Same changed where the beginning of the flint hills trail showed on google maps and place it where it should be with a picture. There have been 30,000 views since March.

**EXECUTIVE SESSION.** - **Motion** made by LaDuex, seconded by Dickinson to recess into executive session for 20 minutes for the discussion of the acquisition of real property. We will reconvene the open meeting at 9:04 p.m. The City Manager, Deputy City Manager and City Attorney to join the Mayor and Council. Yeas: All.

The council meeting resumed to open session at 9:04 p.m. with no action taken.

**OTHER DISCUSSION/MOTIONS.**

**Motion** made by Dickinson, seconded by Diehm to adjourn. Yeas: All. Mayor declared the meeting adjourned at 9:04 p.m.

/s/ Tammy Seamands  
Tammy Seamands, City Clerk