

Osawatomie, Kansas. **December 8, 2016.** The Council Meeting was held in Memorial Hall. Mayor Govea called the meeting to order at 6:30 p.m. Council members present were Hampson, Hunter, LaDuex, Maichel, Walmann and Wright. Absent were Dickinson and Farley. Also present was City Manager Don Cawby, City Attorney Dick Wetzler and City Clerk Tammy Seamands. Members of the public were: Interim Police Chief David Ellis, Charity Keitel with the Miami County Republic, Building Official Ted Bartlett, Brett Henderson, Amy Barenklau, Amanda Moon, Loree Love, Angela Hillman, Erica Kriesel, Lance Kerr, Ed Beaudry, Aaron Sharp, Michael Kriesel, Travis Brewer, Garret Hunsperger, David Gibbs, Loren McCrea, Lloyd McCrea, Alex Cochrane, Donald Blackman, Travis Funk, Michelle Burroughs, Tyler Kriesel, Sam Kriesel, Anita Goodall, Robert Couture, Brian Love and Brian Mersman.

INVOCATION. Councilman Ted Hunter.

CONSENT AGENDA. Approval of December 8th Agenda, Council Minutes for November 10th & November 17th, Appropriations Ordinance 2016-11, 2017 CMB Permits and Pay Application No. 2 – McConnell – CDBG Sports Complex. **Motion** made by Hunter, seconded by Hampson to approve the Consent Agenda as presented excluding the GasMart CMB License. Yeas: All.

COMMENTS FROM THE PUBLIC. None.

PRESENTATIONS. None.

PUBLIC HEARINGS.

PROPOSED 2016 BUDGET AMENDMENTS. Opened at 6:36 p.m. and closed at 6:37 p.m. No comments from the public.

UNFINISHED BUSINESS.

PROPOSED 2016 BUDGET AMENDMENTS. City Manager Cawby went over the three amendments for the 2016 Budget Amendments. Public Safety Equipment Fund is needed due the receiving over \$100,000 in grant money in 2016. Golf Course Fund is needed because both expenses and revenues exceeded expectations in 2016. Electric Debt Service Fund is needed due to Electric Bonds issued last December. **Motion** made by Hunter, seconded by LaDuex to approve the 2016 Budget Certificate with the Amendments. Yeas: All.

PAY APPLICATION NO. 6 – KANSAS HEAVY, CDBG MAIN STREET. **Motion** made by LaDuex, seconded by Maichel to Approve the Pay Application for Kansas Heavy in the amount of \$59,983.01 Yeas: All

CDBG MAIN STREET PROJECT ACCEPTANCE. **Motion** made by LaDuex, seconded by Hunter to Accept the Project as Completed. Yeas: All.

PAY APPLICATION NO. 3 – KANSAS HEAVY, CDBG MAIN STREET SIDEWALK. **Motion** made by LaDuex, seconded by Maichel to Approve the Pay Application for Kansas Heavy in the amount of \$9,988.39. Yeas: All.

CDBG MAIN STREET SIDEWALK PROJECT ACCEPTANCE. **Motion** made by LaDuex, seconded by Hunter to Accept the Project as Completed. Yeas: All.

NEW BUSINESS.

RURAL FIRE CONTRACT – PROPOSED AMENDMENT. City Manager Don Cawby, Fire Chief Brian Love, Building Official (Retired Fire Chief) Ted Bartlett and Firefighter Robert Couture spoke to the council regarding the fire department and concerns that the Miami County Rural Fire Board have had with the department. The Fire Board in September opted out of renewing the contract with the City due to these concerns. In October, the City Manager Cawby and Chief Love met with Fire Board President Miller and board member Cole to address these concerns. The City left the meeting believing all major concerns had been addressed. On November 29, the City received a copy of a proposed contract from the Board with proposed changes that were not part of the previously stated Board concerns and did not address the expected clarification on officer salaries. The City Manager, with the permission of the Mayor, on December 29 invited President Miller or any representative of the Board to attend this meeting to explain the needed changes. The Board declined to attend stating that it wasn't enough notice. As of the meeting, no contract has been renewed, leaving the contract to end on 12/31/16. Cawby, with the help of County Administrator Krull, drafted a short term contract (extension) for 60 days to be able to get matters worked out. No one from the Fire Board was able to be present at the council meeting, therefore, with the timing, Cawby is asking the Council to approve the proposed extension of the current contract that he drafted. **Motion** made by Hampson, seconded by Maichel to Approve the Extension for the Rural Fire Contract. Yeas: All.

CONDEMNATION DEMOLITION BIDS. City Manager Cawby explained to the council that we only received one (1) bid for the Condemnation Demolitions. The bid was over the 2016 budget for condemnations but most of the work will probably be done in 2017. **Motion** made by Walmann, seconded by Farley to approve \$34,579 to Remco Demolition LLC for the Condemnation Demolitions. Yeas: All.

UTILITY BILLING POLICY & ORDINANCE. City Manager Cawby reviewed the Utility Billing Policy recommendations. He highlighted a few of the major changes:

- 1) Extensions – No longer require paper copies of extensions, customers will automatically get an extension if not paid by the due date.
- 2) Late fee – Late penalties will be applied if not paid by the due date, Termination fees will be applied if not paid by the termination date, Interest rate will be applied per month on all outstanding bills.
- 3) Deposits – High risk deposits may be applied to customers that are terminated multiple times within 12 months, More than two (2) returned checks in that time.

Councilman Farley and Maichel asked a few questions regarding the cold weather policy and deposits. Council is asked to review the policy draft and provide any feedback for the next meeting. No Action Taken.

COUNCIL REPORTS.

Karen LaDuex reported she loved that the crosswalks were painted.

Ted Hunter mentioned he passed out the calendars at the last meeting.

MAYOR'S REPORT.

*Reminder that the Employee Breakfast was on the 16th at 8a.m.

*November 30th the Mayor's Tree Lighting happened at the last minute, had a pretty good turn-out for last minute. Would like to see it considered again.

*Santa box in City Hall for the kids to drop off their Santa letters.

CITY MANAGER'S REPORT.

Police Department parking lot is completed.

Federal Court granted an injunction on the new federal salary rules, so for now we have left the few employees as salaried.

Sewer heater is still in process.

City Managers will be meeting with the county regarding Economic Development issues.

Reminder of Employee Breakfast.

Court Software problems.

STAFF REPORTS.

Dave Ellis reported that little 'elves' came in and set up a Christmas tree at the department. The department has had major cases this month. He provided the council with the monthly report.

EXECUTIVE SESSION. None.

OTHER DISCUSSION/MOTIONS.

Motion made by Hunter, seconded by Wright to adjourn. Yeas: All. Hunter declared the meeting adjourned at 8:24 p.m.

/s/ Ashley Kobe
Ashley Kobe, Deputy City Clerk