

Osawatomie, Kansas. **January 13, 2022.** The Council Meeting was held at the Memorial Hall located at 411 11th Street. Pro Tem Mayor Karen LaDuex called the meeting to order at 6:30 p.m. Council members present were Dickinson, LaDuex, Macek, Diehm, Wright, Walmann, Hampson and Caldwell. Mayor Govea 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, and City Attorney Richard Wetzler. Members of the public were: Philip Coffelt, Jolene Coffelt, Angela Hampson, Craig Filipin, Dale Bratton, Brian Love, Tammy Filipin, Doug Carder, Dale Koontz, Donna Koontz, Mitch Walter, Matt Long, Tamara Maichel, Derek Henness, Joe File and John Wastlund.

INVOCATION. –Pastor John Wastlund – Well Wesleyan

CONSENT AGENDA. Approval of January 13th Agenda, December 9th Council Minutes, December 30th Council Minutes, Pay Application – Western Consultants - \$3,514.00 – WWTP Improvements, Pay Application – BG Consultants - \$17,400.00 – WWTP Improvements, Pay Application – BG Consultants - \$2,090.00 – Wastewater Collection System, 2021-11 Council Report. **Motion** made by Dickinson, seconded by Hampson to approve the consent agenda as presented. Yeas: All.

COMMENTS FROM THE PUBLIC. - None.

PUBLIC HEARINGS. – None.

PRESENTATIONS, PROCLAMATIONS AND APPOINTMENTS.

OATH OF OFFICE – NICK HAMPSON, MAYOR – was given the oath of office by City Clerk Tammy Seamands. Hampson then took his seat as Mayor at the council table.

OATH OF OFFICE – KENNY DIEHM, KIRK WRIGHT, DALE BRATTON AND TAMMY FILIPIN. – was given the oath of office by City Clerk Tammy Seamands. Diehm, Wright, Bratton and Filipin then took their seats at the council table.

LEEVE CERTIFICATION STATUS UPDATE – Joe File with Wood Environment & Infrastructure Solutions, Inc. gave an overview of what a levee certification is, why we have to do it and why the process has taken so long. Within a couple of weeks, Wood Environment will submit a signed sealed levee certification document to FEMA that certifies that all of the criteria for certifying the levee have been met. They expect it will then take about two months to receive the levee certification from FEMA.

UNFINISHED BUSINESS.

RESOLUTION 956 – ADOPTON OF LEEVE EPP AND EVACUATION MAPS – This Emergency Preparedness Plan is a new requirement from FEMA. It details all of the critical parties that needs to be notified, notifications that need to be sent to public at various times during a flood event and outlines the evacuation routes for people. This will be included in the final certification

packet that Wood Environment will submit to FEMA. **Motion** made by LaDuex, seconded by Caldwell to approve Resolution 956 – Adopting the Osawatomie Levee Emergency Preparedness Plan and evacuation maps for levee certification with the federal emergency management agency as presented. Yeas: All.

RESOLUTION 941 – CONSIDERATION OF WATER STUDY RECOMMENDATION
–The water study committee met multiple times, reviewed a significant amount of information, toured multiple facilities, and weighed all the options carefully. The committee drafted their recommendation and presented it at the December 9, 2021 council meeting for council review. **Motion** made by Macek, seconded by Bratton to approve Resolution 941 – Accepting the recommendations of the Water Study Committee as presented. Yeas: All.

RESOLUTION 946 – ANNUAL REVIEW OF THE CITY COUNCIL POLICIES 101-109 – Council policies are reviewed at the end of every calendar year so that City Council has an annual opportunity to review, amend, or rescind previously passed policies. **Motion** made by LaDuex, seconded by Dickinson to approve Resolution 946 – Relating to the review and acceptance of the City Council Policies 101 through 109 as presented. Yeas: All.

NEW BUSINESS.

RESOLUTION 951 – CONTRACT MOWING OF CITY MAINTAINED PROPERTY – Contracting out the mowing of city properties will save the city at a minimum, \$130,000 a year and free up time to focus on our streets and our utilities. The only properties that we are not contracting out is the Osawatomie Golf Course and the levees. With the passage of this resolution, it will change our personnel counts in public works. We will have fewer summer part-time positions and other positions will be eliminated with one absorbed. The goal is to see how well this works, assess the performance, create as much efficiency as we can and lessen what the taxpayer is paying for this service. **Motion** made by LaDuex, seconded by Filipin to approve Resolution 951 – Directing the city manager to enter into a contract for mowing services with the Ground Guys for city owned and maintained properties as presented. Yeas: All.

RESOLUTION 952 –BACKWASH PUMP & TURBIDIMETERS FOR WATER TREATMENT PLANT– The backwash pump at the water treatment plant is an original piece of equipment to the facility when it was built. The pump does not have a backup unit in the event it goes down and backwashing of the filters must occur on a daily basis. A new pump can be salvaged for incorporation into the new water treatment plant or utilized as a backup at the new plant. The turbidimeters need to communicate with the SCADA system that the plant currently utilizes. These units typically have a useful life of approximately 5-7 years. The units in our plant are twice as old. **Motion** made by Macek, seconded by Bratton to approve Resolution 952 – Authorizing the lease/purchase of a new backwash pump from JCI in the amount of \$71,635.00 and turbidimeters from R.E. Pedrotti Company, Inc. in the amount of \$19,625.00 for the water treatment plant as presented Yeas: All.

RESOLUTION 953 – FIRST CONSIDERATION OF SOLAR DEVELOPMENT AGREEMENT – City Staff has been operating under the MOU approved by the city council back in October 2021. Staff has drafted and negotiated a solar development agreement with Evergy.

This agreement lays out who is responsible for what portions of this project as well as sets a target date by which to have a power purchase agreement (PPA) negotiated and ready for execution. Everygy. This resolution will be brought back at the January 27th council meeting.

RESOLUTION 954 – AUTHORIZE PUB WORKS FOR ENTERPRISE MANAGEMENT SOFTWARE. – City staff has researched asset management software options to aid staff in the management of the multiple projects that are forthcoming which include: wastewater treatment plant enhancements, potentially a new water treatment plant, replacement of a majority of the water distribution lines, electrical distribution upgrades, as well as a solar array and general operational and maintenance activities for these facilities as well as the city's fleet of vehicles. **Motion** made by LaDuex, seconded by Wright to approve Resolution 954 – authorizing the city to subscribe to Pubworks for its enterprise/asset management software as presented. Yeas: All.

ORDINANCE 3807 – RENEWAL OF KANSAS GAS SERVICE FRANCHISE AGREEMENT – Changes from the existing franchise agreement (Ordinance 3623) to the new franchise agreement are as follows: 1.) franchise fee will now be 6% as opposed to the current 5% (change in state law subsequently occurred after May 7, 2007 allowing up to 6%); 2.) Volumetric Rate charge to large volume (transportation) users has changed based on market conditions; 3.) The city will continue to be a named additional insured on KGS' insurance policies. However, KGS has agreed to add the city to its automobile coverage with a limit of \$2,000,000 (previously we were not a named additional insured on their auto policy), and they agreed to increase the coverage limit on their commercial general liability (CGL) policy from \$1,000,000 to \$5,000,000. Workers' Compensation insurance will also be provided, but coverage limits are statutorily dictated. Motion made by Caldwell, seconded by Filipin to approve Ordinance 3807 – granting to Kansas Gas Service, A Division of One Gas, Inc., and its successors and assigns, a natural gas franchise, prescribing a franchise fee, providing terms and conditions for the use of public rights-of-way, requiring advance notice of work and duty to repair, providing for indemnification and a hold harmless agreement, providing for rules and regulations, prescribing insurance requirements, reserving certain rights, providing for revocation and termination, providing for an acceptance of the terms of the franchise providing for a reopener, providing for notice of annexations, prescribing relevant governing law, providing for transfer and assignment of the franchise providing for points of contact and notifications providing for an agreement to renegotiate, and repealing all ordinances or parts of ordinances inconsistent with or in conflict with the terms hereof as presented. Yeas: All.

RESOLUTION 955 – MUNICIPAL INVESTMENT POOL. The State of Kansas created the Municipal Investment Pool (MIP) to allow cities to have an alternative to local banks to place excess funds. The city currently has two MIP accounts. This resolution updates the authorized users on these accounts. **Motion** made by Macek, seconded by Caldwell to approve Resolution 955 – Consenting to the participation of the City of Osawatomie, Kansas in the Municipal Investment Pool, a Kansas public funds investment pool; and designating whom is authorized to execute documents and make deposits and withdrawals as presented. Yeas: All.

RESOLUTION 957 – CAPITAL IMPROVEMENT PLAN AUTHORIZATION– Mitch Walter with Gilmore and Bell discussed the CIP street projects and emergency radio equipment

that will be included in the bond issuance. Also included in the bond issuance is a sewer project loan with KDHE that will be refinanced. **Motion** made by LaDuex, seconded by Dickinson to approve Resolution 957 – Authorizing and providing for improvements included in the multi-year capital improvement plan for the City of Osawatomie, Kansas: and providing for the payment of the costs thereof as presented. Yeas: All.

RESOLUTION 958 – PUBLIC OFFERING – GO BONDS SERIES 2022A-PAVING THE WAY – **Motion** made by Dickinson, seconded by Diehm to approve Resolution 958 – Authorizing the offering for sale of general obligation bonds, series 2022A, of the City of Osawatomie, Kansas as presented. Yeas: All.

RESOLUTION 959 – DIRECTING STAFF TO POST RFP FOR THE DEVELOPMENT OF COMMUNITY HOUSING ON CITY OWNED PARCELS – This is the first step in our mission to achieve the goal of “Creating and building housing of all types” in our community. It is anticipated that the larger parcels will need to be incentivized using Rural Housing Investment Districts (RHIDs). **Motion** made by LaDuex, seconded by Dickinson to approve Resolution 959 – Directing staff to post a request for proposals (RFP) for the development of community housing on City-Owned Parcels as presented. Yeas: All.

RESOLUTION 960 – ADOPTING THE LIST OF 55 PROJECTS FOR 2022 – City Staff will use this list to prioritize our work and make sure these 55 items get priority to other items that some people in the community might bring up or want us to consider. This list also updates the community on items undertaken that they might not be aware of. **Motion** made by Bratton, seconded by Dickinson to approve Resolution 960 – Adopting the list of 55 projects for 2022 as presented by city staff as presented. Yeas: All.

RESOLUTION 961– FRAMEWORK FOR INVESTMENT – OSAWATOMIE DOWNTOWN DISTRICT – As we begin to work on the revitalization of the Downtown District, it’s important that we start building a framework that guides our investments and investment goals. Resolution 961 is the start of that conservation and the initial framework that City Council and staff will follow. **Motion** made by LaDuex, seconded by Caldwell to approve Resolution 961 – Adopting a framework for the investment and revitalization of the downtown district as presented. Yeas: All.

COUNCIL REPORTS. – None.

MAYOR’S REPORT – Thank you to the City Council for hanging in there tonight. There were a lot of items and a lot of information. Thank you to Mr. Glendenning. He was like the energizer bunny tonight. He kept going and going and I don’t think his batteries ever wore down. Thank you to Terry and the water crew for all their work on getting the line ran to the middle school. They are not done yet but they are making progress. Thank you to the police chief for the new reports he’s been putting out this year. It’s nice to know what our Police Department is doing to keep the community safe. Mike, Bret and I have been invited to a meeting next Wednesday of Mayor and Managers with the Miami County Commission – it appears there’s more ARPA money to distribute and they want to get our take on it. I want to also thank you all for your support tonight

and helping me make the transition to Mayor. I love this community and I love working with all of you. We have a long project list and I can't wait to get working on it.

CITY MANAGER & STAFF REPORTS. – Scanlon passed out the roadmap for creating good public policy. He reminded council how and why we do resolutions. Resolutions leave bread crumbs so that future generation can get an insight into why and how we established priorities. Scanlon passed out a housing study that was done by the state. It is more of an implementation study that talks about things the communities should be doing to help. Local Government Day is the 26th. Bret, Sam, Tammy and myself will be going to Topeka to meet our representatives if you would like to join us. We will be ordering Chromebooks for council to use so that we can move to an electronic format to save on printing. The first week of February we will have headshots taken of the City Council by the Goff's.

EXECUTIVE SESSION. - None

OTHER DISCUSSION/MOTIONS.

Motion made by Filipin, seconded by Dickinson to adjourn. Yeas: All. The mayor declared the meeting adjourned at 8:44 p.m.

/s/ Tammy Seamands
Tammy Seamands, City Clerk