

Osawatomie, Kansas. **April 28, 2022.** The Council Meeting was held at Memorial Hall located at 411 11th Street. Mayor Nick Hampson called the meeting to order at 6:30 p.m. Council members present were Wright, Macek, Bratton, LaDuex, Dickinson, Diehm, Caldwell and Filipin. City Staff present at the meeting were City Manager Mike Scanlon, City Clerk Tammy Seamands, Assistant to the City Manager Samantha Moon, Building Official Ed Beaudry, City Attorney Jeff Deane, Fire Chief Brian Love and Business Liaison Kari Bradley. Members of the public were: Ron Fritts, Brett Henderson, Loree Love, Rhett Love, Coree Hariis, Michael Kriesel, Tiana Wilson, Misty Polly, Krysti Hunsperger, Erica Kriesel, Kristi Moss, Ashley Kobe, Shannon Blanton, Tamara Jackson, Jerome Mitzner, and Ron Smith.

INVOCATION. – Ron Smith, 1st Christian Church

CONSENT AGENDA. Approval of April 28th Agenda, April 14th Council Minutes, April 18th Special Meeting Minutes, 2022-03 Register Report. **Motion** made by LaDuex, seconded by Lawrence to approve the consent agenda as presented. Yeas: All.

COMMENTS FROM THE PUBLIC. – Ron Smith - has been paster at 1st Christian Church for a year and a half. The church as started an outreach program called Jesus Loves You. The church has been serving the motel on Sixth street helping with food and other things. They have also partnered with the Plum Creek Methodist Church to offer laundry vouchers so that they can go do laundry for free. They are also offering clothing vouchers. The Good Friday service that the association held was a big success.

Brian Love –talked about the 136 years of history of the fire department and the growth of the fire department over that time. Love asked that investigation be completed quickly and the findings be given.

Tamara Jackson – believes that a taskforce has been formed about childcare. Jackson is against a city owned daycare – it would push small daycare out of business. She suggested instead a summer camp for older children. She is also in support of the fire chief.

Jerome Mitzner – is a volunteer firefighter in LaCygne and is in support of the fire chief.

Brett Henderson – is volunteering to be questioned in the investigation.

PUBLIC HEARINGS. – None

PRESENTATIONS, PROCLAMATIONS AND APPOINTMENTS.

ARBOR DAY 2022 PROCLAMATION – Karen LaDuex read the proclamation. **Motion** made by Dickinson, seconded by Diehm to accept the Arbor Day 2022 Proclamation as presented. Yeas: All.

CONSIDER THE APPORINTMENT OF KELLY CALLAHAN TO THE LIBRARY BOARD OF DIRECTORS – **Motion** made by Filipin, seconded by Dickinson to approve Kelly Callahan to serve on the Library Board. Yeas: All.

UNFINISHED BUSINESS. -None.

NEW BUSINESS.

RESOLUTION 994 –AMENDNG FARMLAND LEASE BID – Jerod Ryckert (Rycket Farms) discovered that the lease amount was incorrect as listed on Resolution 986 and the lease contract. **Motion** made by LaDuex, seconded by Bratton to approve Resolution 994 – Amending Resolution 986 to include the corrected amount for the farmland lease agreement as presented. Yeas: All.

RESOLUTION 995 – SALE OF CITY PROPERTY–Building Official Ed Beaudry reminded council that in November 2021 Resolution 938 was passed authorizing the sale of 121 East Walnut Avenue to SSGK. The property abutting this address (located at the northeast corner of Matney Drive and Lori Lane) is an unbuildable lot. SSGK would like to purchase this lot and join it to their lot, and utilize it for stormwater drainage and a retention pond. **Motion** made by Macek, seconded by Bratton to approve Resolution 995 – Deeding city owned real property located at the intersection of 1st Street and Lori Lane to SSGK/Wrightway Homes as presented. Yeas: All. Wright abstained due to conflict of interest.

RESOLUTION 996 – AMENDING CITY OF OSAWATOMIE FEE TABLE–The biggest item of note is the meter charge for the water utility. The \$16.64 increase was initially proposed back in December of 2021 as part of the recommendation of the water study committee. Additionally, we have commissioned the design of a new water treatment plant and distribution system enhancements. We are currently applying for USDA long term financing to pay for the improvements. In the meantime, we have existing work on the water distribution system that is being driven by the street projects and we have a meter at the bulk water dispenser that needs replaced. Council should be aware that this will be the first of 3 fee resolutions. The city’s electric and sewer utilities are also undergoing rate studies and if those studies come back recommending modifications to those utility fees, we will be bringing back subsequent resolutions to incorporate those recommendations into the fees table. **Motion** made by Dickinson seconded by Macek to approve Resolution 996 – Revising the annual fee Resolution 868 to take effect on May 2, 2022 and included on the utility bill that is mailed out at the end of May as presented. Yeas: All.

RESOLUTION 997 – AUTHORIZING PURCHASE OF NEW HIGH SERVICE PUMP #3.- High service pump #1 is one year old and high service pump #2 is operating at about half of its capacity and high service pump #3 is nonexistent. Redundancy is a necessity in water treatment and having one pump that is worn out does not satisfy that need. Andrew Burkhart has taken quotes from multiple suppliers for bids to not only rebuild high service pump #2, but also replace high service pump #3. It is staff’s recommendation to replace high service pump #3 because rebuilding pump #2 is only slightly less expensive than replacing #3 and the new #3 will be incorporated into the new water treatment plant, thus reducing the need to purchase another new pump in 2 years. High service pump #1 will also be moved to the new water treatment plant, as will the new backwash pump that is currently on order and scheduled for delivery in mid-June. **Motion** made by Filipin, seconded by Bratton to approve Resolution 997 –

Authorizing the purchase of a new high service pump for the water treatment plant from ACEs Pumping in the amount of \$20,575 as presented. Yeas: All.

RESOLUTION 998 – AUTHORIZING USE OF ARPA FUNDS - Since the inception of the ARPA relief funds for local governments there has been an ongoing debate on uses of funds. The easiest way is to allow for the funds to reimburse losses in revenues. The interim rules presented by the Treasury Department were so complex and cumbersome that cities/counties throughout the US began complaining. As the complaints rose the rule changes and under the final rules Non-Entitlement Units of government like us could take the *\$10,000,000 Revenue Loss Standard Deduction* and that would be all the reporting required. Resolution 998 takes advantage of that rule and we will be reporting the \$636,777.60 that we received as Revenue Loss Standard Deduction. This approach was endorsed by our Auditors when they completed their auditing visit in late March. **Motion** made by Macek, seconded by Wright to approve Resolution 998 – Authorizing use of ARPA funds as presented. Yeas: All.

RESOLUTION 999 – ESTABLISHING PUBLIC MEETING DATE FOR 2018 BUILDING CODE ADOPTION - City Council voted and approved the hiring of Mike Davis to facilitate the review and update of the 2018 International Building Codes. City Staff intend to hold a meeting and hear testimony from all interested parties desiring to be heard as required by state law. This Resolution sets a date for a public meeting regarding its intention to adopt the 2018 International Building Codes for May 18th, 2022 at 6:30 p.m. to be held at Memorial Hall, 411 11th St, Osawatomie Ks. and directs that notice of the public meeting be given as required by state law. **Motion** made by LaDuex, seconded by Dickinson to approve Resolution 999 – Regarding a public meeting to discuss the 2018 International Building Codes adoption as presented. Yeas: All.

RESOLUTION 1000 – SALE OF CITY PROPERTY - Resolution 1000, authorizes city staff to enter into an agreement for the sale of Lots 26 and 27 of the Hickory Valley Sub Division for the purpose of building a single-family residence. The requirements for the property being sold are as follows: 1.) A single-family or multi-family residence shall be built to the 2006 International Residential Code standards within 12 months (with an additional three [3] month administrative extension possible) of conveyance of the property to Buyer or the land will revert back to the City of Osawatomie. 2.) Prior to conveyance of the described property, Buyer shall demonstrate to the reasonable satisfaction of the City Manager or his/her designees, that he/she has adequate financial means in place or committed to ensure that the construction of the residence on the property can be commenced and completed according to the time line established by this resolution. 3.) All utilities shall be installed (electric, water, wastewater, and gas as applicable). 4.) Should Buyer fail to comply with the terms of the agreement, Buyer agrees to give the Seller a Quit Claim Deed reverting the property back to the Seller, Buyer releases any further claim or interest in property including any partial construction. 5.) No refund of monies will be given if the Buyer fails to comply with any terms of the agreement.

Motion made by Caldwell, seconded by Bratton to approve Resolution 1000 – Agreeing to the sale of city owned property located at Lot 26, and Lot 27 of Hickory Valley, subject to certain contingencies to Cooper Family Trust in the amount of \$20,000 as presented. Yeas: All.

EXECUTIVE SESSION – Motion made by Dickinson, seconded by Diehm that the City Council recess into closed, executive meeting, for the purpose of preliminary discussion of the acquisition of real property pursuant to the exception in K.S.A. 75-4319(b)(6). The closed meeting will last 20 minutes and will resume here in Memorial Hall at 7:55 p.m. Also attending will be City Manager Mike Scanlon and City Attorney Jeff Deane. Yeas: All.

The council meeting resumed to open session at 7:55 p.m. with no action taken.

COUNCIL REPORTS

Kirk Wright ~ Appreciates staff taking the time for the tour of the wastewater and water plant.

Dan Macek ~ Andrew showed a lot of enthusiasm at the water plant. Ticket sales for Lights on the Lakes has grossed \$6,000 in sales.

Kenny Diehm ~ Inquired about council scholarships.

Lawrence Dickinson ~ asked if there was work done on Memorial Hall with the wind. He noticed that some of the guttering had been removed.

Karen LaDuex ~ tickets are available for the annual Library Board Fundraiser. The tickets are for the Alumni Breakfast. They will be serving biscuits and gravy and the cost is \$10. Yesterday Mike and Jeff Dorsett made presentations at the Sunflower Health Foundation. They came back with some goof information and there is more money available from the foundation.

Tammy Filipin ~ appreciates staff taking the time for the tour of the wastewater and water plant. Andrew was great.

Cathy Caldwell ~ It was interesting to listen to Andrew. The cemetery was mowed and it looks good. Caldwell was impressed by how it was mowed and asked who provides the waste receptacles at the cemetery. The tourism committee will meet next week.

MAYOR'S REPORT – Great job Trevor Ballou, David Ellis, Sam Moon, Kari Bradley, Bill Roseberry, Terry Upshaw, Brian Mersman, Jason Rone and Bret Glendening for helping Midwest Endurance with their race. It had great coverage in the paper and a very cool first big event for our trailhead.

Great job by the public works crew digging up and repouring the concrete pads on 5th Street south side of Main – Thank you Bill and the Public Works crew.

