

Osawatomie, Kansas. **December 9, 2021.** 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: Dale Bratton, Joy Reavis, Virginia Adams, Philip Reavis, Ron Dowd, Donna Koontz, Dale Koontz, Lori Moon, Mike Moon, Wayne Ova, Greg Crouch and Hillary McVay.

INVOCATION. – Pastor Wayne Ova – Faith Baptist

CONSENT AGENDA. Approval of December 9th Agenda, November 18th Council Minutes, November 23, 2021 Special Council Meeting Minutes, Pay Application – BG Consultants - \$12,000 – WWTP Improvements, Pay Application – BG Consultants - \$14960.00 – Wastewater Improvements, Pay Application – BG Consultants - \$3,040.00 – Wastewater Collection System, Pay Application – BG Consultants - \$260.00 – Drinking Water. **Motion** made by Hampson, seconded by Dickinson to approve the consent agenda as presented. Yeas: All.

COMMENTS FROM THE PUBLIC.

Ron Dowd – on behalf of the Committee of Landlords they want to say they appreciate all the hard work that Mike Scanlon, Ed Beaudry, Sam Moon and everyone else that helped work on the Healthy Homes agreement. They feel like they have come up with a resolution that they can all agree on and that will be beneficial to both the City of Osawatomie and the landlords.

Hillary McVay – Opposed to the proposed landlord ordinance and would like to present his reasons why he is opposed.

PUBLIC HEARINGS. – None.

PRESENTATIONS, PROCLAMATIONS AND APPOINTMENTS.

WATER STUDY COMMITTEE PRESENTATION AND RECOMMENDATION – Chairman Mike Moon presented the water study committee presentation and the recommendation of the committee regarding an affordable solution to repair/replace the aging water plant and distribution system.

UNFINISHED BUSINESS.

ORDINANCE 3802 – HEALTHY RENTAL HOMES – Building Official Ed Beaudry reviewed the changes that were made in Ordinance 3802 since the last meeting. The ordinance in the agenda packet does not show those changes. The correct ordinance was displayed on the projector screen. Those changes included a change in board members and a deletion of section b under 17-311. **Motion** made by Walmann, seconded by Hampson 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 title “Healthy Rental Homes” as presented. Yeas: All.

NEW BUSINESS.

RESOLUTION 941 –ACCEPTING RECOMMENDATION OF WATER STUDY COMMITTEE - This resolution will be brought back in January so that council has a chance to review it and to ask questions.

RESOLUTION 942 – SETTING FLOATING HOLIDAY FOR 2022 – City Manager Scanlon recommended that Friday, December 23, 2022 be set as the floating holiday for the calendar year 2022 as presented. **Motion** made by Hampson, seconded by Walmann to accept Resolution 942 – Designating the floating holiday for 2022 as presented. Yeas: All.

RESOLUTION 943 – REPAIR OR RECONSTRUCTION OF THE SANITARY SEWER – This resolution formally approves the Wastewater Treatment Plant project and authorizes the issuance of GO Bonds to finance the current project as well as roll into these bonds, existing sewer bonds from 2013 (also for the sewer plant) into a single issue. **Motion** made by Macek, seconded by Dickinson to approve Resolution 943 – Authorizing and providing for the alteration repair or reconstruction of a sanitary sewer in the City; and providing for the payment of the costs thereof as presented Yeas: All.

RESOLUTION 944 – NEW CONSTRUCTION BUILDING INCENTIVE – This incentive will give new home builders a 40 percent reduction in permit fees and planning fees. This reduction would be based on the total square footage of the primary structure. **Motion** made by Hampson, seconded by Caldwell to approve Resolution 944 – New Housing Construction Incentive Program as presented. Yeas: All. Wright abstained due to conflict of interest.

RESOLUTION 945 – REESTABLISHING THE TOURISM COMMITTEE AND MODIFYING POWERS AND RESPONSIBILITIES. This resolution would implement four organizational and community realignment steps one of which was the creation of four signature events and the reestablishment and appointment of a tourism committee. Those events would be John Brown Jamboree 2.0, Lights on the Lake, Freedom Festival and the Border Wars Barbeque. This resolution will be brought back in January to allow council time to review it and ask questions.

RESOLUTION 946 – ANNUAL REVIEW OF THE CITY COUNCIL POLICIES 101-107 – This resolution will be brought back in January to allow council time to review it and to ask questions.

RESOLUTION 947 – CALLING FOR A CITY COUNCIL MEETING ON DECEMBER 30, 2021. **Motion** made by Dickinson, seconded by Diehm to approve Resolution 947 – Setting a city council meeting for December 30, 2021 to close out city business and make the appropriate budget adjustment for the 2021 budget year as presented. Yeas: All.

RESOLUTION 948 – ESTABLISHING NEXT STEPS IN OZCOMMONS PLAN IMPLEMENTATION – City Manager Scanlon outlined eight steps for the implementation of the

OZCommons plan. **Motion** made by Caldwell, seconded by Dickinson to approve Resolution 948 Establishing implementation steps for OZCommons plan as presented. Yeas: All.

RESOLUTION 949 – OPT-IN OPIOID RESOLUTION – This resolution is intended to capture the minimum requirements of the Act; authorizing the city to enter into an agreement to release and assign any and all current and future opioid claims and certifying city costs associated with opioid abuse treatment and mitigation in excess of \$500. It also authorizes the city manager or administrator and/or the mayor to execute the agreements necessary for the city to have access to the settlement funds on behalf of the city. **Motion** made by Wright, seconded by Caldwell to approve Resolution 949 – Approving the execution and delivery of an agreement to release and assign the city’s opioid claims to the Kansas Attorney General and certifying costs attributable to substance abuse and addiction mitigation in excess of \$500 as presented. Yeas: (7) Caldwell, Hampson, Diehm, Dickinson, LaDuex, Macek and Wright. Nays: (1) Walmann.

ORDINANCE 3804 – NEIGHBORHOOD REVITALIZATION PLAN EXTENSION – **Motion** made by Macek, seconded by Diehm to approve Ordinance 3804 – Extending the current neighborhood revitalization plan for a period of one year from and after January 1, 2022 as presented. Yeas: All. Wright abstained due to conflict of interest.

ORDINANCE 3805 – ADOPTING THE 2022 BUDGET FOR THE CITY OF OSAWATOMIE, KANSAS – **Motion** made by Wright, seconded by Hampson to approve Ordinance 3805 – Adopting the 2022 Budget of the City of Osawatomie, Kansas as presented. Yeas: All.

ORDINANCE 3806 – AUTHORIZATION TO SPEND ACCORDING TO THE APPROVED 2022 ANNUAL BUDGET – **Motion** made by Hampson, seconded by Caldwell to approve Ordinance 3806 – Authorizing expenditures by the City Manager from the 2022 Budget as presented. Yeas: All.

COUNCIL REPORTS.

Jeff Walmann – Thank you for the nice reception. I have enjoyed working with all of you.

MAYOR’S REPORT – Thanks to Mr. Beaudry and Mr. Ellis for all their hard work on the landlord licensing. Thank you to Kari Bradley and Sam Moon for the good job on Miracle on Main Street. Thanks to Bret Glendening for working on the Water Committee. Congratulations to Dee Roehl who won the 2nd Annual Chili Cook Off two years in a row. Dave Ellis won the peoples choice and Best Presentation. Just as a reminder there is a meeting on December 30th to close out the year. Thank you to Richard Wetzler and Jeff Walmann for their service.

CITY MANAGER & STAFF REPORTS. – We will be looking for a city attorney and city prosecutor. We have a request for qualifications that we will be sending out. Bret Glendening is working on a Evergy solar agreement. Osawatomie Growth and Attractions – we are looking at possible annexations to be brought before you that would allow for possible growth to the north. Bret Glendening continues to meet with BG Consultants regarding Paving the Way. We will start

slow the first year to make sure that we can get things done. Scanlon played a year in review video.

EXECUTIVE SESSION. - Motion made by Walmann, seconded by Caldwell to recess into executive session for 10 minutes for the discussion of the acquisition of real property. We will reconvene the open meeting at 8:48 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 8:48 p.m. with no action taken.

Motion made by Hampson, seconded by Dickinson to recess into executive session for 10 minutes for the discussion of the acquisition of real property. We will reconvene the open meeting at 9:00 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 9:00 p.m. with no action taken.

OTHER DISCUSSION/MOTIONS.

Motion made by Hampson, seconded by Walmann to adjourn. Yeas: All. Mayor Pro Tem declared the meeting adjourned at 9:03 p.m.

/s/ Tammy Seamands
Tammy Seamands, City Clerk