

Osawatomie, Kansas. **February 14, 2019.** The Council Meeting was held in Memorial Hall. Mayor Mark Govea called the meeting to order at 6:30 p.m. Council members present were Dickinson, Diehm, Hampson, LaDuex, Macek, Walmann and Wright. City Staff present at the meeting were: City Clerk Tammy Seamands, City Attorney Dick Wetzler, City Manager Don Cawby, Building Official Ed Beaudry, Public Works Director Blake Madden, Police Corporal John Mann and Police Chief David Ellis. Members of the public were: Virginia Adams, Sharon Pride, Ty Butler, Bobbi Butler, Bailey Williams, Mike Williams, Jason Folsom, Angela Folsom, Doug Walker, Danessa Mitzner, Gary Hubbard, John Wastlund, Gary French, Rodney Madden, Katie Mitzner, Jim Mitzner, Hitomi Lamorandi, Jenny Weaver, Donna Darner, Brian King, Lacy Mosely, Brad Weaver and Doug Carder with Miami County Republic.

**INVOCATION.** John Wastlund, The Well Wesleyan Church

**CONSENT AGENDA.** Approval of February 14<sup>th</sup> Agenda; Council Minutes for January 10<sup>th</sup> and 24<sup>th</sup> 2019; Register Report 2019-1; Pay Application – Tyler Technologies – Finance/Utility - \$8,551.85; Special Event Permit – Soap Box Derby – June 1, 2019. **Motion** made by LaDuex, seconded by Dickinson to Approve the Consent Agenda as presented. Yeas: All.

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

Gary Hubbard, 102 Brown, has not had trash and does not need trash. Don't think he needs to pay for something he doesn't need.

Mike Williams, 833 Pacific, has another trash service elsewhere that he goes to everyday. Doesn't think he needs to pay here in town if he is paying somewhere else.

Cheryl Pride, 103 Pacific, don't understand why a church that has one bag of trash per week would be required to pay for trash service. Personally, has not had any issues with waste management, her opinion that the extra fees that waste management charges are too high.

Virginia Adams, 29980 W 341<sup>st</sup> Terrace, has never had to pay for trash and don't feel she needs to. Feels that her area has been ignored after being annexed into the city. Needs chip/seal due to the street being full of potholes and there are tree limbs hanging down.

Jenny Weaver, 501 Brown Circle Drive, speaking on behalf of single moms and elderly by putting a burden on them for having to pay for trash service. Understands there is a problem with people stacking trash, but believes we should take a different approach. Suggests a public dumpster to allow people to take small amounts of trash to.

Katie Mitzner, 1504 Parker, asked to resend the trash ordinance. Understands that it is due to people piling trash, but does not feel as others should be penalized. If it is a nuisance, deal with it under the nuisance ordinances and fine those people.

Danessa Mitzner, 733 Pacific, asked to resend the trash ordinance. Personally, has had issues with waste management, takes her trash to family and burns. Asking to choose another alternative method to help people dispose of their trash and clean things up.

Jim Mitzner, 1504 Parker, doesn't have a problem with the bill. Asks that it gets put back on the city utility bill or resend the ordinance.

Bailey Williams, 833 Pacific, had been notified that she would be issued a fine due to the utility bill being in her name and the trash bill being in her husband's name, she doesn't believe this should be an issue. Asks why she cannot use a different trash company and why her utility bill has not decreased with trash service not being on bill anymore.

Jason Folsom, 310 Main Street, has had issues with waste management. You do not get the service that you pay for.

Lacy Mosley, 217 Lincoln, has received a fine due to her trash. Trash bill was paid prior to photo of her trash and fine. Not happy with waste management or having to have their service. Requests the trash bill be put back on the city utility bill.

Donna Darner, W 387<sup>th</sup> Street Lane KS, wants to find out how to speak to the correct person regarding court issues. Has asked several times to get the street fixed at 5<sup>th</sup> and Brown Ave. People are having issues getting out for church. Yards and streets need to be addressed. Believes we need to look at the way people are being treated within the court system.

## **PRESENTATIONS & PROCLAMATIONS.**

**TRAIL TASK FORCE.** Gary French, member of the Trail Task Force, reported that the committee has met the last three months discussing the trail and how to connect it to Osawatomie. The committee is looking to write grants for the trail, but some are up against a timeline to request funds. The Hawkins grant is due November 1<sup>st</sup> as the Behr grant is due now. Is asking if the committee could work with Mr. Cawby for the City, joining with the school district and recreation commission to apply for grants. **Motion** made by LaDuex, seconded by Dickinson to direct Don Cawby, City Manager, to work on the Behr Grant with the Trail Task Force Committee and not have to bring it back to the Council for Final Approval. Yeas: All.

**PUBLIC HEARINGS.** None.

## **UNFINISHED BUSINESS.**

**CONSIDERATION OF CONDEMNATION RESOLUTIONS.** The Council held a public hearing January 24<sup>th</sup> on condemnation of properties and made determinations on each property. The resolution for each property states that the structure is unsafe or dangerous and directs that the structure be removed and the premises made safe and secure. Unless otherwise amended, owners are to commence the removal of the property within 14 days from the date of publication of the resolution and to have the removal completed within 30 days of the commencement.

736 PARKER AVE. **Motion** made by LaDuex, seconded by Hampson to approve the resolution. Yeas: All. The Resolution was assigned No.759

500 CHESTNUT AVE. **Motion** made by Hampson, seconded by Diehm to approve the resolution. Yeas: All. The Resolution was assigned No.760

337 WALNUT AVE. **Motion** made by LaDuex, seconded by Macek to approve the resolution. Yeas: All. The Resolution was assigned No.761

1134 THIRD STREET. **Motion** made by Hampson, seconded by LaDuex to approve the resolution. Yeas: All. The Resolution was assigned No.762

417 NINTH STREET. **Motion** made by LaDuex, seconded by Hampson to approve the resolution. Yeas: All. The Resolution was assigned No.763

327 LINCOLN AVE. **Motion** made by Hampson, seconded by Diehm to approve the resolution. Yeas: All. The Resolution was assigned No.764

409 FIFTH STREET. **Motion** made by LaDuex, seconded by Hampson to approve the resolution. Yeas: All. The Resolution was assigned No.765

409 FOURTH STREET. **Motion** made by LaDuex, seconded by Hampson to approve the resolution with the amendment giving the property owner 90 days to tear down or remodel. Yeas: All. The Resolution was assigned No.766

711 MAIN STREET. **Motion** made by Hampson, seconded by LaDuex to approve the resolution. Yeas: All. The Resolution was assigned No.767

#### **NEW BUSINESS.**

APPOINTMENTS – PLANNING COMMISSION. **Motion** made by LaDuex, seconded by Dickinson to Appoint Will Cutburth for a three-year term. Yeas: All.

ORDINANCE – REZONING OF 607 PARKER. The Osawatomie Planning Commission held a hearing considering a rezoning change for 607 Parker after they received a rezoning application. After reviewing the property history and parking issues, the commission recommended the change. No protest has been filed during the protest period. **Motion** made by Hampson, seconded by Diehm to Approve the Ordinance for the Rezoning of 607 Parker from C-B to G-B. Yeas: All.

\*Council held a trash discussion due to the number of residents at the meeting regarding waste management and the new trash ordinance. No action taken. \*

REVIEW OF 2018 FINANCIALS. City Manager Cawby briefly reflected on each fund to explain ending balances. Discussion only, no action taken.

