

Osawatomie, Kansas. **September 12, 2019.** The Council Meeting was held at Memorial Hall. Mayor Mark Govea called the meeting to order at 6:30 p.m. Council members present were Dickinson, Diehm, Hampson, LaDuex, Caldwell, Macek, Walmann and Wright. City Staff present at the meeting were: City Manager Don Cawby, Assistant to the City Manager Meagan Borth, City Clerk Tammy Seamands, City Attorney Richard Wetzler, Building Official Ed Beaudry, Police Chief David Ellis, Assistant Police Chief David Stuteville, Fire Chief Brian Love, Fire Captain Lance Kerr, Fire Lieutenant Aaron Sharp, Information Technology Director Bill Justesen. Members of the public were: Doug Carder, Shane Lamb, Mike Smith, Nikki Harrison, Barbara Hohenstein, Ron Hohenstein, Wayne Ova, Cindy Govea, Danny Govea, Scott Shreve, Jamie Wilson, Keith Oakley, Tisha Oakley, Roy Seicheine, Teresa Seicheine and Michelle Chester.

**INVOCATION.** Wayne Ova, Faith Baptist Church

**CONSENT AGENDA.** Approval of September 12th Agenda; August 8<sup>th</sup> Council Minutes, August 22<sup>nd</sup> Council Minutes, Register Report 2019-08, Pay Application – Hall’s Bobcat Service – Trail Project - \$16,660.74, Pay Application – JEO – Electric Project Consulting - \$760.00, Pay Application – Wood PLC – Levee Project - \$32,530.00. **Motion** made by LaDuex, seconded by Dickinson to Approve the Consent Agenda minus the Register Report 2019-08. Yeas: All. Hampson abstained.

**COMMENTS FROM THE PUBLIC.**

Roy Seicheine stated that “10 acres” was mowed but still imposes a safety hazard This property is zoned residential and does not meet city code 8-301 article (h), 8-301 article (o) and 8-302. Seicheine presented pictures to the council of the property and states that he hopes to get a resolution so that this property meets city code.

Teresa Seicheine stated that she has brought the issue of “10 acres” to the council before and there was not a resolution.

City Manager, Don Cawby replied that there is other undeveloped property in the City that is zoned residential and has some of the same issues. As a compromise with “10 acres” the owners were to maintain a buffer zone. Cawby agrees that this has not been done. The City is going through the process of asking the owner of “10 acres” to come into compliance with this property.

Barbara Hohenstein presented the council with photos of her alley. She stated there is trash, snakes and possums in the alley. There were also photos of yards that are not mowed around town.

Ron Hohenstein used his personal sprayer and weed killer to spray the entire downtown area from 7<sup>th</sup> street to City Hall on both sides of the street. Hohenstein stated he did this because he just didn’t want to complain and is willing to help make things better. There is also a lot of dead and dying trees around town and nuisance properties.

Keith Oakley stated that “10 acres” was mowed on Labor Day but they did not mow all of it. The mosquitoes are also bad there. Oakley stated that Osawatomie has a lot of rental properties and believes that there should be more ordinances to protect tenants. The City should also do home inspections on rental properties. Oakley also has concerns about the old Swenson school and would like to know why it has not been maintained or addressed.

Tisha Oakley wanted to bring attention to furniture that is left on porches collect bacteria and make people sick.

City Manager Don Cawby reported that the resident agent for the old Swenson school property came into City Hall today to discuss the issues.

### **PRESENTATIONS & PROCLAMATIONS.**

Nikki Harrison with the League of Kansas Municipalities presented the LEAPS program. This program assists cities in filling city executive positions. The League offers a multi-faceted program that can be tailor-made to fit the needs of our city.

**PUBLIC HEARINGS.-** None.

### **UNFINISHED BUSINESS.**

LEAPS AGREEMENT - **Motion** made by Hampson, seconded by Macek to sign the Leaps Agreement. Yeas: All.

PROPOSED LEASE-PURCHASE TERMS – NORTHLAND TIRE RECYCLING – Earlier this summer, Shane Lamb with United Tire Recycling inquired about purchasing/leasing 40 acres located in the NW section of 335<sup>th</sup> and Osawatomie Road. The City then developed a lease-purchase agreement based on those conversations. Lamb has submitted a counter offer requesting a purchase price of \$1.00. Staff will work with Northland Tire Recycling on drafting a purchase agreement that would require performance guarantees and “claw-back” restrictions.

2019-2020 CIP RECOMMENDED BUDGET – **Motion** made by Hampson, seconded by Dickinson to adopt the 2019-2020 CIP Budget. Yeas: All.

TRAIL EASEMENT – ROSEBERRY PROPERTY AGREEMENT – **Motion** made by LaDuex, seconded by Hampson to approve the Roseberry property agreement as presented with the addition of adding language to put a cap on the maximum size of land tract under section 1.4, and to allow maintenance vehicles to be permitted on the trail. Yeas: All.

EMP1 & KMEA APPOINTMENTS – **Motion** made by LaDuex, seconded by Hampson to appoint Chief Power Plant Operator, Will Butcher as our EMP1 Representative and Electric Superintendent, Terry Upshaw as our EMP1 Alternate and KMEA Director #1. Yeas: All.

## **NEW BUSINESS.**

INTERIM CITY MANAGER AGREEMENT- MICHAEL SMITH - **Motion** made by LaDuex, seconded by Walmann to approve the Interim City Manager Agreement to hire Michael Smith. Yeas: All.

ENERGY MANAGEMENT CONSULTING AGREEMENT – PRIORITY POWER MANAGEMENT – **Motion** made by LaDuex, seconded by Hampson to approve the consulting agreement with Priority Power Management, LLC. Yeas: All.

ASPHALT REPAIR DISCUSSION- **Motion** made by LaDuex, seconded by Caldwell to approve the purchase of the KM 4000TEDD 2 Ton Trailer Mount hot box from KM International in the amount of \$20,425.00. Yeas: All.

## **COUNCIL REPORTS.**

Dan Macek ~ would like to have a few council members to sit in on the final meeting in September for the Lights on the Lake.

Cathy Caldwell ~ the hot box will be a great asset. Caldwell has mowed part of “10 acres” to keep it away from their property. Caldwell has also noticed brush, trees and water standing on the property and would request that the nuisance on “10 acres” be looked into further and taken care of according to the city codes.

Jeff Walmann ~ Hall’s has started building the trail. The trail is ready to have gravel put onto it. Miami County is giving the taskforce \$10,000 for the trail and they are looking at installing a bridge.

**MAYOR’S REPORT** - None

## **CITY MANAGER & STAFF REPORTS.**

Brian Love ~ FIRE STATION PLANS - the fire station currently has the entire building and they are adding a 2<sup>nd</sup> floor. Staff is doing most of the work for the remodel. There will be an Emergency Operations Center in the building that will be able to provide duplicate dispatch capabilities in the case of an emergency. The Fire Department open house will be held in the building October 12<sup>th</sup> even though construction will not be complete.

Ed Beaudry ~409 5<sup>TH</sup> STREET UPDATE – a certified letter was sent to Ron Shade and Darby Lindsey giving them until September 12, 2019 to show progress on the house or there would be a request to the council to revoke and withdraw the stay that was previously granted on the demolition of the property. Neither signed for the letter and there is no response to emails. **Motion** made by Walmann, seconded by Hampson to move forward with the demolition of 409 5<sup>th</sup> Street on October 25, 2019. Yeas: All.

