

Kranz of Kansas City \$19,729.00

Motion made by Walmann, seconded by LaDuex to approve the bid from Knapheide for \$18,617.00. Yeas: All.

BUILDING AT SEWER PLANT BID. Tabled until next meeting.

Motion made by Hunter, seconded by LaDuex to adjourn. Yeas: All.

Ann Elmquist, City Clerk

Osawatome, Kansas. March 13, 2008. The Council meeting was held in Memorial Hall. Mayor Dudley called the meeting to order at 7:00 p.m. Council members present were Dalton, Hunter, LaDuex, Maichel, McGee, and Walmann. Absent were Kaempfe and Klein. Also present were City Manager Glendening, City Attorney Wetzler, and City Clerk Elmquist. Visitors were Mike Firley, Ruby Law, Claude & Kathy Light, Dean Spears, Dewain & Linda Crouch, Monte Draper, Robert Kerr, Grady & Cinda Atwater, Greg Crouch, Tom & Linda Chancellor, Ben Maimer, Marty Gish, Brian Kingsley, Steve Coffelt, and Dustin Kass.

CONSENT AGENDA. Approval of the Minutes of February 14 and February 28 Meetings, approval of March 13 Agenda, and approval of Appropriation Ordinances 08-03 & 08-04, and approval of CDBG #06-PF-536 Pay Request No. 22. Motion made by Hunter, seconded by LaDuex to approve March 13 Agenda as amended, Appropriation Ordinances 08-03 & 08-04 and approve CDBG #06-PF-536 Pay Request No. 22. Yeas: All.

Approval of the Minutes of February 14 and February 28 Meetings. Motion made by Maichel, seconded by LaDuex to approve minutes as amended. Yeas: All.

Public Participation; Presentations:

A. KANSAS ASSISTING RECOVERY EFFORTS (KARE). Marty Gish explained that KARE (Kansas Assisting Recovery Efforts) has been providing support to those affected by the flood. Their services are free and provide confidential individual support, education/information, resource referrals, group support, public education, community support and networking, and development and distribution of educational materials. It is a partnership between FEMA and several other agencies. KARE will be in the community through July 2008.

B. BRIAN KINGSLEY WILL DISCUSS THE FOLLOWING ITEMS:

a. STREET IMPROVEMENT PROJECT BID RECOMMENDATION. Bids were opened March 6.

APAC	\$1,367,552.70
Bazin Excavation	\$1,302,223.70
D.F. Freeman	\$1,314,824.90
Killough Construction	\$1,498,158.95
Meadows Construction	\$1,427,690.85
Millers Paving & Construction	\$1,222,120.20

Kingsley then discussed the bids with the Council. He recommended Miller Paving and Construction LLC.

Linda Crouch, Plum Creek Properties and Country Vintage Inn, and lives at 37265 Plum Creek Road said she was very disappointed in the City Manager. Received letter saying that the hotel parking lot needed to be paved. Said the parking lot was not a part of the Neighborhood Revitalization Program and that the City Manager was singling out one business. Asked why this wasn't addressed earlier, they signed up for it five years ago. Informed the Council that Country Vintage Inn would be closing Monday.

John Kline arrived during Linda Crouch's grievance.

Greg Crouch, 37570 Plum Creek Road, said that the Council needs to consider that the City Manager was being charged with discrimination and malicious prosecution. Said he had convinced his parents to sell the motel. On July 5, 2007 the hotel was supposed to be sold but the flood was July 1 and the buyer backed out. It is going to cost \$100,000 to \$150,000 for paving.

City Manager Glendening said that there were three options in regard to the parking lot. It could be paved, could apply to the Planning Commission and Council for phasing, or could request to be dropped from the program.

Mike Firley, 937 Brown, said that most unattractive is City property. Rebar showing in streets, etc. Talked to Steve Benner about how the closing of the hotel would affect The Whistle Stop Cafe. The City is going to lose a huge chunk of money.

Claude Light, 425 6th and Grand Loft, has an interest in all the town. Interested also in the general direction town is being led to. What City Manager has done has improved the town. The City has rules. Believes Glendening is the best City Manager. This needs to come to a resolution.

B. KINGSLEY'S PRESENTATIONS – continued.

a. Public Works Director Steve Coffelt has said he would do the inspection of the streets and BG Consultants has an inspector in town already involved with the sewer improvements. There is between \$400,000 and \$500,000 remaining from the street temporary notes as the bids were under the engineers estimated cost. Could devote to those streets that were proposed for the next street improvement project.

b. SEWER PROJECT UPDATE. Went through and discussed another change order that included value engineering. One of the common items was changing sections from open cut to cured-in-place pipe point repairs. The contractor is running into a lot of 6” service lines rather than 4” service lines and would like paid for the 6” lines. Also there are some sections changing from pipe bursting to open cut. The contract gives two options for point repairs. Can ask for a lump sum from the contractor or use time and materials; will use time and materials. There are a few things also being done to help the City in some difficult situations.

c. KDOT TE & STREETSCAPE. Kingsley said that this was not a grant, it is a KDOT reimbursement. The City would have to pay 20% of the construction costs. It is a competitive process and there is less money than a few years ago. Applicants have been showing 70/30 to show their city was very committed to get funded. Kingsley would want to get to know the stakeholders.

Public Hearings: None

Unfinished Business:

AWARD BID ON SEWER BUILDING. The following bids were received:

Dave Alexander	\$18,541.54
Cleary Building Corp.	\$13,999.00
Diversified Construction	\$10,385.00
ESH Quality Structures	\$10,670.00

There was discussion that the building should be built right. Consensus was to spend between \$3,500 and \$4,000 to do the foundation and floor. Motion made by LaDuex, seconded by Hunter to accept the bid from Diversified Construction for \$10,385. Yeas: All.

New Business:

APPOINTMENTS.

Library Board Tammy Walmann

Motion made by Maichel, seconded by LaDuex to approve the appointment. Yeas: All.

AWARD BID ON STREET IMPROVEMENT PROJECT. Motion made by Maichel, seconded by LaDuex to award the bid to Miller’s Paving & Construction for \$1,222,120.20, not to include Oscar Street. Yeas: All.

COUNCIL ACTION FOR CITY MANAGER’S REQUEST. City Manager Glendening has formally requested permission to serve on the Chamber of Commerce Board of Directors. Motion made by Maichel, seconded by LaDuex to allow City Manager Glendening to serve on the Chamber Board of Directors. Yeas: All.

Council Members’ Concerns/Issues:

Maichel: In hospital for a few days and received calls. As this was the last meeting before the elections said she has missed only a few meetings. The City is working toward the future. Has learned so much. It has been a privilege and honor to work with Bret and the Council.

Klein: Hates when people have a disagreement. Looked like everybody trying to move forward. Hoped with savings from tax break that the Crouch's do what they signed. Liked what Light had to say; it was positive. Best City Manager and smartest. Hates seeing him and the Crouch's going back and forth.

Dalton: A vital citizen of the community passed away. Dick Booe, a retired teacher, suffered from cancer. Conveyed the Council's condolences to the family.

Hunter: A local person stopped him on his walk through downtown whom he had received a complaint about a month ago. Thanked Hunter for it being taken care of. Also wanted to thank the Council as he liked the process/steps the Council was going. The Tourism Committee will be having railroad days April 19. March 29 is the next concert.

McGee: Very difficult meeting; so hard to be on the other side of the table. Has been in the military and is now a project manager. This has been the hardest job she's had. Thrilled everybody on this side is working together. Hope the Council can move forward together in a positive way.

Mayor's Report:

Introduced the *Osawatome Graphic's* new editor Dustin Kass.

Street Project. Former Mayor Chic Heckart once told him that the City didn't have enough money to fix all the problems. Recently received a comment from retired Public Works Director Marion Maxwell last year. Asked how the Council was finally getting rid of the brick streets. Glad there is a new vision for the community.

The Mayor's for Meals day is March 19. Looking for volunteers to help the Senior Center deliver meals to those people that can't get out of their house. If interested, contact the Senior Center.

Unfortunately not everyone agrees 100% of the time. Made an offer that he would be happy to listen to the Crouch's concerns. Doesn't know every single fact of the case. Perhaps a solution can be worked out.

City Manager's Report:

Final Flood Cleanup. The time for property owners to file a plan to rehabilitate their property or bring it into compliance has passed. Approximately five citations were issued for nuisance violations and two citations were issued for zoning violations.

Levee Repair and Upgrade. The Army Corps of Engineers received the go ahead to proceed with the project. They have agreed to where the City is getting the dirt.

City Zoning Maps and Zoning Regulations. Last week received notification that the City's new flood insurance rate maps were approved. Recommended adopting the floodplain management regulations provided by FEMA and the Kansas Department of Agriculture instead of making required minor changes to the City's current regulations.

Northland. Received the proposals for design services; more expensive than anticipated. Will go to the respondents and request them to fine tune their proposals. Has three meetings with prospects scheduled.

Building Inspection Department. Ed Bridges passed his ICC inspectors test. Congratulated him for passing, without prior building experience, the general contractor's test and the inspector's test after only starting to study three to four months ago.

Felt compelled to address in part some of the issues brought up. After the flood, had the great single-wide trailer controversy. Several individuals were upset about. Feels the City has done quite a bit to give the flood victims as much leeway and assistance as possible. The fact that someone was a flood victim, or the fact that they have a business in town, does not exempt from the rules of the program they agreed to follow when they signed up to participate in the program. Has heard from a number of individuals that there were people running around town saying that he needed to be run out of town, he was bad for business. Took great personal offense as he felt he has done nothing but bend over backwards to try to move this community forward. He did not make the decision to shut down the motel.

Motion made by Hunter, seconded by LaDuex to adjourn. Yeas: All.

Ann Elmquist, City Clerk

Osawatome, Kansas. March 27, 2008. The Council meeting was held in Memorial Hall. Mayor Dudley called the meeting to order at 7:32 p.m. Council members present were Dalton, Hunter, Kaempfe, Klein, LaDuex, McGee and Walmann. Absent was Maichel. Also present were City Attorney Wetzler and City Clerk Elmquist. Visitors were Mike Firley, Ruby Law, Jerry McKenzie, Robert Kerr, Grady Atwater, and Dustin Kass.

APPROVAL OF AGENDA. Added an executive session. Motion made by Hunter, seconded by LaDuex to approve the agenda as amended. Yeas: All.

APPROVE ENGINEERING INSPECTION AGREEMENT FOR STREET PROJECT. Motion made by LaDuex, seconded by Hunter to authorize the Mayor to sign the agreement. Yeas: All.

APPROVE STREETS TO BE REPLACED. Motion made by LaDuex, seconded by Walmann to use the excess money from the Street Project to follow staff recommendation of beginning with 11th Street and work way east with 10th, 9th, and 8th streets, generally between Main and Walnut, being repaired as money allows. Yeas: All.

CONSIDER/APPROVE MOVING CITY'S WORKERS' COMPENSATION INSURANCE FROM EMC TO KMIT. The City's current provider has a \$1,000 deductible per claim. The Kansas Municipal Insurance Trust is a group funded workers' compensation pool that is managed by the League of Kansas Municipalities which emphasizes workplace safety from the top down. EMC 's renewal premium is \$63,805. KMIT's quote is \$68,255 with no deductible. Motion made by LaDuex, seconded by Dalton to allow City Manager to move workers' compensation from EMC to KMIT. Yeas: All.

EXECUTIVE SESSION. Motion made by LaDuex, seconded by Walmann at 7:35 p.m. to recess into executive session for consultation with City Attorney which would be deemed privileged in the attorney-client relationship for a period of 10 minutes. The City Attorney and City Clerk were present. Meeting reconvened at 7:45 p.m. No action taken.

Motion made by Hunter, seconded by LaDuex to adjourn. Yeas: All.

Ann Elmquist, City Clerk