

Regular Meeting
07/11/11, 6:30 p.m.
City of Oswego, Kansas

Present: Councilmembers Ty Lewis, Jane Rea, Dee Brown, Darren Tynan, Bill Owens and Terry Edwards with Mayor Glenn Fischer presiding.

Also present: City Clerk Cheri Peine, Deputy Clerk Carol Eddington, Police Chief George Elliott, Bill Cunningham, Interim Superintendent and Fire Chief Donnie Allison, Attorney Rick Tucker, Steve Denton, David Landis, Randy Snider, Phil Hays and Karyn Carpenter.

OPENING PRAYER

Rev. Phil Hays, First Christian Church, gave the opening prayer.

PETITIONS AND DELEGATIONS

Randy Snider, Rural Development – City Hall, Police & Fire Renovation Project

Snider explained to the Council that Rural Development has approved the project application. The Letter of Conditions is to formalize the approval process and secure funding for the project: \$275,000 in loan at 4 ¼ % for 30 years fixed; \$25,000 in grant funds and \$21,400 in match from the city.

Even though signing this does not commit the city to a loan for the project, it will secure the grant funding whereas the grant funding may not be available next year. With the signing of the Letter of Conditions, the city has 120 days (from the date of the letter) to move forward and make some progress on the project. He reported that the preliminary architect's drawing has been approved. Now, the final plans and specs would have to be approved.

Mayor Fischer asked about changing the location of the project and Snider said that could be a problem since they have already done the Environmental Study at this location. If the city were to switch gears now, he is not sure what Rural Development would do. They would have to take a look at it.

Clerk Peine explained that the city needs to find out about the floor of the City Hall building before finishing the architect's estimate of costs. Changes can be made within the scope of the project.

Brown made a motion and Rea seconded to continue with the process and approve the Letter of Conditions. Motion carried. Snider reiterated that the next step for the city is to formalize the scope of the project - and to begin that within the next 120 days.

Karyn Carpenter - Riverside Park - KS Historical Registry Application

Karyn Carpenter, daughter of Robert and Janet Carpenter, has prepared an application and a map, on Riverside Park, to submit to the State Historical Society to begin the process of having the park placed on their historical registry. This designation would not

only bring increased recognition to the park, but also funding opportunities. Karyn volunteered to do the application process for the city when she found out that the city had recently contacted the state for information on being placed on the registry.

Carpenter presented the Governing Body an overview of the process. Since the park and its buildings are for the use of the whole community, grant possibilities are greater than those of a private entity. Carpenter has been advised that changes can be made to an historical site as long as they are in keeping with the historical integrity of the building.

Rea made a motion and Owens seconded to have Carpenter proceed with the application process. Motion carried.

David Landis – Inoperable Vehicles

David Landis was notified about inoperable vehicles on his property. All but one have been moved or have current registration and are operable. He has one inoperable vehicle but it is behind his privacy fence. Landis expressed irritation that someone from the city went (or looked) behind his privacy fence. He would have rather had someone come and talk to him about it. Council told him that there were over 100 letters sent out on inoperable vehicles.

Landis said that he wants to restore the two vehicles that he has and has wanted to build a garage for years but has not been able to do so yet. His privacy fence is enclosed on three sides and the side that is open faces a pasture. It was determined that as long as it is in compliance with the city's Code Book, there is no problem with the vehicle being kept behind his privacy fence. Interim Supt. Allison will follow up with David at his house tomorrow evening to make sure that the conditions there fall within the auspices of the Code Book.

Dottie Preston – Inoperable Vehicles

Dottie Preston's husband used to make a living driving the semi that now sits in their yard. He has been ill and they had not given up hope that he would be able to return to work, however, they realize now that is not going to happen and they are going to sell the truck. In order to sell the truck, they have to make some repairs to it. She is the only one working and it will take more time for them to be able to do the necessary repairs. They keep the area around the truck mowed and trimmed.

The hearing board recommended allowing her another 60 days to make repairs and sell the truck. Owens made a motion and Brown seconded to pass a resolution allowing her until October 15th to have the truck moved. Motion carried.

Mary Shields – Inoperable Vehicles

Attorney Tucker reported that Shields wants to sell the vehicles and has requested time to do so. The hearing Board recommended giving Shields an extension of 6 months. The firm that was representing Mrs. Shields called Tucker and said that she had agreed to the 6 months time frame.

Owens made a motion and Rea seconded to pass a resolution allowing Shields 6 months to get the vehicles sold and moved. Motion carried.

Tennis Courts Lawsuit

Attorney Tucker said the lawsuit was filed today against Crossland Heavy and their bonding company, Fidelity Deposit Company of Maryland. The suit is for \$138,810.99 and consequential damages of \$100,000.

City vs Turner

Attorney Tucker reported that J.B. said he had not heard back from Rex Heape.

CONSENT AGENDA

The Consent Agenda includes minutes from last month's regular meeting and any special meetings held since then, accounts receivables report, monthly revenue report for all funds, monthly expense reports (accounts payable and payroll), petty cash listing, fund balance, revenue and expense reports for water, sewer, refuse and golf course, water loss report, expense report for general fund by department breakdown and total budget used, and monthly reports on franchise fee, sales tax receipts (both city & county sales tax), overtime, vacation, water, growth (households in/out), building permits, and municipal court.

Lewis made a motion and Rea seconded to approve the Consent Agenda. Motion carried.

OLD BUSINESS

Building Permits/Zoning Amendment – 523 Pennsylvania

Odessa Farrow, the property owner, was sent a letter in regards to construction of building without acquiring building permits and notified them that they were not in compliance with zoning regulations for running a business. Building permits were submitted to the city but they lacked the required information so they were returned to Farrow for completion.

The deadline Farrow had been given to submit the information to the City was July 1st. Clerk Peine said if the information is not received in her office tomorrow, she will file a complaint through Municipal Court.

Airport Update

Entrance Road Construction

The final walk-through for the project will be held this Wednesday at 1:00.

Slurry Seal Runway Project

Interim Supt. Allison reported that the crews are working on the runway now and should be done laying the slurry seal Wednesday or Thursday, weather permitting.

Annual Fly-In – October 8

The annual Fly-In is set for October 8th. The need for a nice sign at the airport entrance was discussed.

Water Projects Update

Phase I – Rural Development – Distribution Repairs

Four crews continue to work in various locations. Interim Supt. Allison said the project is going well. The contractor hopes to begin the installation of service lines in a couple of weeks. They have already started clean-up work on 3rd St.

Mayor Fischer noted that previous Superintendent, Kevin Frogley, went to work for Shafer, Kline & Warren as an inspector on the project.

LaForge Construction's pay Estimate #3, in the amount of \$361,767.28 and Shafer, Kline & Warren's pay request, in the amount of \$27,781.10, were submitted. SKW has approved LaForge's pay request. Rea made a motion and Lewis seconded to approve both pay requests from SKW & Laforge Constr. Motion carried.

Phase II – Rural Development – Intake, Streambank and Dam Repairs

Engineer Mike Hall, plans to be here in the next few weeks and will be addressing questions the Council had in regards to the scope of the project soon.

Sewer Rates

The Sewer Committee, consisting of Councilmembers Rea and Brown, along with Mayor Fischer, reviewed the financial information for the sewer department. The Committee is recommending an increase of \$1.00 per month to the base rate for all city customers and \$1.50 to the base rate for rural customers.

“AN ORDINANCE AMENDING THE CODE OF THE CITY OF OSWEGO, KANSAS, 2003 RELATING TO MAINTENANCE, MANAGEMENT, CONDUCT AND CONTROL OF THE SEWER UTILITY OF SAID CITY OF OSWEGO BY AMENDING SECTION 15-334 OF SAID CODE AND REPEALING ORDINANCES NO. 1170 AND 1173 RELATING TO THE RATES CHARGED CONSUMERS IN SAID CITY” was presented. Rea made a motion and Brown seconded to approve the Ordinance as presented. Motion carried with Owens and Tynan voting no. Clerk assigned it Ordinance #1273.

Housing Update

HOME Grant

The HOME Grant application has been sent to the KS Housing Resource Corporation. They expect to notify applicants by the end of August of the outcome.

CDBG Housing Rehab & Demolition Grant

Susan Galemore will be here this week to begin collecting detailed information on homes proposed for the grant application through receipt of applications from property owners and tenants.

Hillcrest Addition

Council asked staff to acquire a written statement from the State regarding the city being able to utilize the grant funds to build houses in places other than Hillcrest Addn.

Golf Course

Included in the packet are: a financial report for the month of June, a revenue/expense comparison report for previous years and year to date as well as a cash report showing cash on hand as of June 30, 2011.

City Hall, Police & Fire Dept. Rehab Project

Mayor Fischer said he was opposed to the plan for the building. Councilman Lewis said he was all for the project but was concerned about the timing due to the economy. Clerk Peine noted that this project would not require a raise in taxes; that funds have already been (and continue to be) set aside for rehab projects on existing city buildings. The item will be on the agenda next month.

Refuse – Large Item Pick-up

Since the problem lies mainly with one residence, the city is dealing with that property owner before making any changes to this policy.

Councilman Owens asked about the city picking up farm tires during clean-up week. Interim Supt. Allison said that some of them were from the city's backhoe and there were a couple picked up that people had been using as flower beds.

Sale of Diving Boards and Stands

Mayor Fischer has not been able to speak to the Mayor from Chetopa to see if they are still interested in the diving boards. A couple of the Councilmembers noted that in the newspaper, the picture of the Chetopa pool showed diving boards so they have probably already purchased some. Clerk Peine volunteered to place the diving boards on the Clerk's list serve to try to sell them but thought it would be better to try next spring.

Flag Etiquette

Clerk Peine spoke with VFW Auxiliary's Jeanne Dalton and she said that as long as the street light is illuminating the flag, it is fine. Councilmember Rea noted that the flag needs to be an all weather flag.

Branson Building Work

The overhang at the front of the building has been repaired. Chief Elliott reported that they tore off the sheet rock on the underneath part, shored up the overhang roof and shingled it.

Mayoral Annual Appointments

The Mayor submitted the following appointments:

Official City Newspaper – Labette Avenue

Official City Depositories – Labette Bank – 4 checking accounts with the Mayor, Council President, City Clerk, Deputy City Clerk and Treasurer on the signature cards.

- Commercial Bank – Petty Cash Account with the City Clerk, Deputy City Clerk, Payroll Clerk, Utility Clerk, Assistant Clerk, Swimming Pool Manager and Golf Course representatives Jessie McDonough and Duane Strickland on the signature card.

Council Meetings Twice a Month

Consensus of the Council is to continue holding only one regular meeting a month.

Park Signs

During the Governing Body's tour of the city properties, it was noted that there is a need for signs advertising Riverside Park at various places in town such as the entrances to town, Schmoker Park and the entrance to Riverside Park. Mayor Fischer appointed a committee consisting of Councilmembers Edwards and Rea to look into the issue and make a recommendation.

Swimming Pool Policy

Mayor Fischer reported that the Committee has not had a chance to meet yet, but will try to hold a meeting in the near future.

2012 Proposed Budget Meeting

A budget meeting was set for Thursday, July 14th, at 6:00 p.m.

E-Waste Pick-up

Keith Martin, the County Extension Agent, would like to hold an electronic waste pick-up in Oswego that would be free to the public. The idea is to hold it in conjunction with the fall city-wide garage sale to be held on October 8th – which is also the day of the fly-in at the airport. Peine will discuss it with the Chamber Board.

Excess Banquet Tables to Sell

The city purchased some light weight banquet tables for the Community Center and held back some of the nicer old tables for renting purposes. Staff research showed tables had only been rented nine times during the last three years. Clerk Peine proposes to go ahead and sell the tables to free up space in the garage. Tynan made a motion and Owens seconded to sell the tables. Motion carried.

Eastside Junior High School Memorial

When the Black History Museum (Eastside Jr. High at 3rd & Iowa) was deeded to the city, it was with the agreement that a memorial for the school would be made with the brick and date stone from the building. Interim Supt. Allison stated that the city still has the brick that was set aside for this purpose. Mayor Fischer will get in touch with previous Mayor Bringle to discuss ideas for the memorial.

City Video Tour (for business prospects, Legislative members, New Residents, etc)

After a recent visit from Congresswoman Jenkins staff, discussion began about having a video tour available to provide business prospects, visitors, potential residents, etc. Clerk Peine contacted Bill Cochran to see what he would charge to prepare such a video with

narrations and he advised it would be \$250. Rea made a motion and Brown seconded to approve the expense. Motion carried.

Great Plains Industrial Park

Mayor Fischer would like for all city boards and committees to discuss the Industrial Park at their next meeting and have Clerk Peine bring information back to the Council at a future Council meeting

INDIVIDUAL REPORTS

Police Chief Elliott – has spoken with the Sheriff about trading a couple of the city's old police vehicles for a 4-wheel drive 2005 Expedition that they have for sale. The police dept. has had trouble navigating in the ice and snow the past few years. Elliott reported this vehicle would be much easier to use to pick up large dogs in. He plans to have a mechanic check out the vehicle first to see if there are any major repairs needed before he agrees to the deal. Owens made a motion and Tynan seconded to approve the trade if Elliott feels it is a good deal. Motion carried.

- reported that he will be placing the shingles on the Little Town Well soon.

Fire Chief Allison – reported that the fireworks on the 4th were shot off despite the rain.

Brown – asked if there is a trash receptacle at Danny Elliott Park? Allison said there should be a polycart there. He will check it out and make sure there is something there for people to use. Elliott suggested a sign be placed there that says no fish parts are to be placed in the trash and that it is for camper use only.

- received a report that the windows at the back of the Library need to be re-glazed. Peine said she will mention it to the Librarian.

Rea – asked for an update on the status of an email she had sent to Clerk Peine on sending out a nuisance letter to 224 2nd. Peine said she will discuss it with Interim Supt. Allison.

- there is a sight triangle problem at 8th & Michigan. Elliott will check into it.

Peine – Jon Eck and Scott Wheeler has asked for permission to shoot off fireworks in conjunction with the fair events during two nights of the fair. They want to shoot off at the West end of Riverside Park around 9:30 p.m. Allison said that they would have a fire truck out there. Chief Elliott will discuss with Allison and Eck where the fireworks will be shot off and where barricades need to be.

Lewis made a motion and Rea approved allowing the fireworks displays for two nights of the fair. Motion carried.

Mayor Fischer – reported that School Supt. Karlin had asked him and Interim Supt. Allison about getting 8,000 cubic yards of dirt for the ballfields from the bluff area between the park and the water plant. Mayor Fischer told him no.

Rea made a motion and Brown seconded to go into executive session for 5 minutes, with the Mayor, City Attorney, City Clerk and Council to discuss acquisition of land. Motion carried. Executive session began at 9:11 p.m. and ended at 9:16 p.m.

- reported that Councilwoman Rea has been power-washing the buildings in the park and they look really nice! She has volunteered to also do the City Hall building now. Rea received a round of applause.

ADJOURNMENT

Lewis made a motion and Rea seconded to adjourn the meeting at 9:22 p.m. Motion carried.

Mayor Glenn Fischer

Attest:

Carol J. Eddington, Deputy City Clerk