

Regular Meeting
October 12, 2011, 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, Superintendent and Fire Chief Donnie Allison, Attorney Rick Tucker, Kent Schenker, John Strickland and Scott Riley.

OPENING PRAYER/PLEDGE OF ALLEGIANCE

Attorney Tucker opened the meeting with a prayer and Councilmember Lewis led the Pledge of Allegiance.

PETITIONS AND DELEGATIONS

Fair Board – Designation of Arena Area

City Superintendent Allison and City Clerk Peine met with Fair Board members Ken Foster, John Strickland and Rick McKinzie on Monday, September 26th. The Fair Board members identified the area they would like to have designated for the arena that would also include room for bleachers, vendor booths and cattle & horse chutes.

John Strickland demonstrated on the map where the Fair Board plans to situate the arena and other features. The arena will be turned to run north and south, bleachers will be placed on the east and west sides, permanent cattle/horse chutes will be placed on the north end and vendor booths will be placed around the arena too. Even though the property is owned by the city, the Fair Board will be investing \$80,000 to \$100,000 in these improvements and would like for the area to be designated as being under the Fair Board's control so they could make small improvements and changes as they see fit without coming to the Council every time.

It was noted that the Council had agreed last month to have Attorney Tucker work on an agreement designating the grounds as use for the Fair Board as long as the fair remains in Oswego. Clerk Peine will gather information on the property and the buildings at the fairgrounds and send it to Attorney Tucker. John Strickland said that he would have Rod Landrum get in touch with Tucker.

Golf Course – Refinancing of Golf Course Bonds

Scott Riley, President of the Golf Assn., informed the Council that there were only two annual bond payments left on the golf course. The re-payment schedule has the payment amount increasing every year. Riley noted that it is difficult for the golf course to make the payment amount now let alone a higher one. The Golf Assn. would like to extend the re-payment out to 4 years in order to lower the payment amount thus allowing them to also afford to hire an employee in the summer time to help with some of the duties that are now being taken care of (on a daily basis) by volunteers. These volunteers (many who work out of town) are putting in many hours at the golf course every week.

There are a couple of options for making the change to the bond payment. Either the bond could be refinanced changing the 2 payments to 4 (at the cost of about \$3,000) or the city could make the annual payment and allow the golf course to repay the city over a 4 year period at their current rate of 3% interest. This would be a significant drop in the annual payment amount for the golf course and an increase in the amount of interest the city is earning.

Brown made a motion and Lewis seconded to approve having the city make the last two payments and the golf course repaying the city in 4 annual payments at 3% interest. Motion carried.

Water Distribution Loan

An ordinance entitled “AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF \$2,487,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS, SERIES 2011, OF THE CITY OF OSWEGO, KANSAS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID BONDS AS THEY BECOME DUE; AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION HEREWITH; AND MAKING CERTAIN COVENANTS WITH RESPECT THERETO” was presented. Clerk Peine explained that the loan funds have now been dispensed and the city has begun drawing from the grant funds. This ordinance will implement the issuing of a 40 year general obligation bond. October 20, 2011 has been set for the bond closing.

Rea made a motion and Brown seconded to approve the ordinance as presented. Motion carried unanimously. Clerk assigned it Ordinance #1280.

Resolution #10-12-11A, prescribing the form and details of the G.O. bond, as authorized in the previous ordinance, makes certain covenants and agreements to provide for the payment and security thereof. Rea made a motion and Owens seconded to approve Resolution #10-12-11A as presented. Motion carried unanimously.

Mowing Ordinance

An ordinance entitled “AN ORDINANCE MAKING AND LEVYING A SPECIAL TAX UPON ALL LOTS AND PARCELS OF GROUND IN THE CITY OF OSWEGO, KANSAS LIABLE FOR THE COST AND EXPENSE OF MOWING IN SAID CITY DURING THE PERIOD OF JULY 13, 2011 THROUGH OCTOBER 5, 2011” was presented. These are mowing charges that have been billed to the property owner but remain unpaid.

Brown made a motion and Edwards seconded to approve the ordinance. Motion carried. Clerk assigned it Ordinance #1281.

Tennis Courts Lawsuit Update

Attorney Tucker reported that he has finished the Amended Order of Petition. Crossland will be served and then the discovery process will begin.

City vs. Turner

Attorney Tucker has no update on the lawsuit.

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.

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

OLD BUSINESS

Dangerous Structures – 612 Illinois & 1802 5th St.

B-3 Construction will be demolishing the houses at 612 Illinois and 1802 5th Street toward the end of the month. This is part of the Illegal Dump Program. The city will be reimbursed 75% of our costs for clean-up done by city workers and for the demolition of the houses.

Oswego Planning Commission

The Planning Commission will be holding a public hearing in conjunction with their regular meeting on October 17th to discuss possible changes to the current zoning regulations on animals.

Airport

Airport Entrance Road

Sproul's Construction has removed the remaining pavement as required by KDOT.

Annual Fly-In

The fly-in was held October 8th and attended by approximately 25 planes. Clerk Peine reported receiving many good comments from the pilots on all of the improvements made out at the airport.

Water Project Updates

Phase I – Distribution Repairs (Rural Development)

Supt. Allison reported that the water project is going well. When asked about whether the water loss relates to the project, Allison said that some of it was. He has been reading the raw water meter and those readings show there has been much less water use recently. The project has not been flushing so many fire hydrants and there have not been as many leaks as they were having.

LaForge Construction pay Estimate #5 in the amount of \$431,874.77 was presented for payment approval. Also, two bills from Shafer, Kline & Warren in the amounts of

\$20,346.73 and \$18,651.18 were also presented. SKW did not get their bill in on time last month to be approved at the September meeting. Rea made a motion and Brown seconded to approve these pay requests from LaForge and Shafer, Kline & Warren. Motion carried.

Dirt Around Trees at Kamp Siesta

Supt. Allison reported that LaForge said they would work on clearing the dirt from around the trees at Kamp Siesta as soon as they finished using their trackhoe down by the water plant.

Sidewalk South of Courthouse

LaForge was unable to place the water line south of the sidewalk like the plans called for due to a water line already being there. They had to remove a portion of the sidewalk in order to install the new main. LaForge is required to replace the portion of the sidewalk that was destroyed, however, the entire sidewalk is not in very good condition and just a portion of it being new would not look very nice, especially in such a visible area – right along the highway.

Clerk Peine said she is going to discuss the issue with the County Commissioners to see if the county would be interested in paying for part of the cost of replacing the whole sidewalk. The sidewalk will need to meet ADA requirements. Clerk Peine will check with the Engineer for those requirements. She also plans to discuss the sidewalk replacement estimate with Kenny LaForge during the construction meeting tomorrow. The issue was tabled until more information is available.

Housing

HOME

The Kansas Housing Resource Corp. has notified the city of a \$100,000 award to be used toward the rehabilitation of homes. This project is city-wide. The maximum that can be used per home is \$25,000. A representative from the city, and the grant administrator, will have to attend a meeting in November that will define guidelines for applications and other pertinent information.

CDBG

A site visit by the Kansas Dept. of Commerce is scheduled on October 13th. This grant will not be awarded until after the first of the year.

Golf Course

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

City Hall, Police & Fire Dept. Rehab

The Committee, consisting of Dee Brown, Darren Tynan and Jane Rea met with Mayor Fischer and Clerk Peine. Mayor Fischer asked the Department Heads to address the Council on the needs for their respective departments:

Police Chief Elliott said he needed an evidence room, an interview room, security for his office staff and more office space so his employees are not on top of one another.

City Supt./Fire Chief Allison said that the Fire Dept. needs an office space, that there is no room to add a truck at the fire barn as the space is laid out now. The State requires the fire dept. to fill out reports for every fire now. Therefore, more office space is necessary. Having the desk, files and computer covered in dust and grit is not a good office environment. He also noted the easy access to the police offices when the fire dept. is on a run since they leave the barn doors open.

Clerk Peine said she needs to have a more efficient layout of her offices. The offices being split up is not conducive to good office management, especially now that her office is short-handed. Her office staff needs more efficient storage space so items do not have to sit out in the way. She needs a separate office space away from interruptions. As far as this building, this building needs new electrical work done, heat and air redirecting and the cracks in the floor in the back of the building need to be addressed.

The Committee discussed different ideas for the building. Councilmember Brown made it clear she felt the city should address as many of the department needs and building issues now. That it would be a more prudent use of the city's money to have the work done all at once instead of some now and then have to do another project down the road to address things that are issues now. Clerk Peine said there would be no need for a tax increase of any kind. Taking out the added entrance on the east side that was on the initial drawings will lower the cost estimate considerably. Also there was a sizeable amount set aside to fix the floor that may not all be needed. The Mayor stated that problems with the floor and what it will take to fix the floor need to be established before doing any work in the large room. Mayor Fischer asked each Councilmember for their opinion and the general consensus was to proceed with plans for the renovation to address the needs of all three departments but that the city needs to find out about the cracks in the floor first.

Supt. Allison said that they plan to fix a drain from the roof out to the street to get the water away from the building.

Swimming Pool Update

Clerk Peine prepared year end information on the swimming pool financials. It was noted that the pool management was excellent this year. Salaries were up due to a couple of different factors. The Committee will take a look at changes that can be made to the hiring policy before next year's season to help alleviate some of these costs and then make recommendations to the Council.

Follow-up List

Mayor Fischer asked that a list be made of items that have not been officially completed or taken care of. This list will be included in the Council packet each month. These items from the list were discussed:

City Video Tours - Shawn Carter, Labette Bank, is working on this. The Chamber met today and discussed what is important to include in the video. There will be a separate video done on parks and historical places and one for economic development.

Website - Clerk Peine reported that Bill and Renee Cochran have made recent changes and updates to the website.

Zebra Muscles – They are reportedly in Kanopolis Lake now. These muscles multiply rapidly and cause problems with clogging water intakes. This issue will be discussed during the Streambank Project.

NEW BUSINESS

Councilmember Attendance

Mayor Fischer asked all of the councilmembers to please let the clerk's office know when they cannot attend a meeting, whether it is a regular meeting or a special meeting. At the recent Budget Hearing (which by law must be held within a certain amount of time after the publication of the notice), only two councilmembers showed up and only one that said they would not be able to attend. The Mayor asked that all Governing Body members show respect for one another and the staff.

City Administrator Position

Mayor Fischer asked each Councilmember what they thought of hiring an administrator now that they have had time to consider it. A majority of the Councilmembers felt that the city would have to pay more money than what is currently budgeted for salaries in order to get a good individual. They also felt that the current department heads were doing a good job. The Mayor agreed and commended the department heads for doing an excellent job. He said that an administrator would coordinate the departments and attend committee meetings, being the liaison between the city and the committees. Cheri attends many evening meetings a month and has been doing so for a number of years, with no extra pay.

Clerk Peine said it is extremely difficult for her staff to keep up with everything and meet necessary deadlines while short staffed – even working overtime. After further discussion, the Mayor said that the Council will decide something at the November meeting.

Strategic Planning Meeting

The sessions will be held on Saturday, November 12th at Claythorne Lodge. Invitations were mailed to approximately 50 citizens, business owners, committee members and members of various entities – healthcare, school, county, etc. The open meeting will be held in the morning and just the Council and Department Heads will meet in the afternoon. Meals will be provided and RSVP's have been requested.

Leak Adjustment Policy

A leak adjustment policy was proposed. Clerk Peine based it upon what the city used to have and language from the cities of Osage City and Paola. After some discussion, it was decided to amend the policy to allow up to "6 equal monthly payments" instead of 4.

Brown made a motion and Owens seconded to adopt the policy with the amendment. Motion carried.

The new leak policy cannot be automatically retroactive in order to be applied to Virginia Nunley's water bill. Owens made a motion and Rea seconded to allow the new leak policy to be applied to Nunley's bill. Motion carried.

Sale of Oil Distributor

Supt. Allison said that the city's oil distributor, used for chipping and sealing streets, has not been used for a number of years. He would like permission to sell it on Purple Wave. Tynan made a motion and Owens seconded to allow the city to sell the oil distributor on Purple Wave. Motion carried.

Tree Board Membership

Bill Cunningham said the Tree Board is having a hard time finding members to serve on their board. He was wondering if they could go outside the city limits to find board members. Councilmember Rea said she would serve on the Board. That leaves only one position open at this time. Attorney Tucker said he was not prepared to give an official opinion as to whether someone from outside the city limits could serve on a city committee such as this but he will check on it. Clerk Peine said that they would post the opening on the website, in the paper and on Facebook to see if that would spark some interest.

INDIVIDUAL REPORTS

Cunningham – reported the Lion's Club has asked if they could paint the middle shelter house bathrooms in Riverside Park. Cunningham figured they meant as long as the city supplies the paint but he will check on that to be sure. Mayor Fischer said the city would be happy to purchase the paint if that was not their intent.

Owens – asked about who visited the Correctional Camps today. Mayor Fischer said it was representatives from the Juvenile Justice Authority. He didn't feel they would be using the facility, however, the person that was here serves on an advisory board for the Governor and said he would bring the issue of the camps not being utilized into the discussion.

Lewis – Google shows John Mathews Park much larger than Riverside Park and he was wondering if there was a way to make corrections to that. Clerk Peine will ask Bill Cochran about it.

Peine – reported that there had been an inspection of the city's open burn site.
- reported there may be some small trees that need to be trimmed at the airport.
- informed the Council that the League of Kansas Municipalities will be hosting their annual Regional Suppers in November. The Regional Suppers inform the cities of the legislative issues now and the Leagues' legislative priorities for 2012. The closest one to Oswego will be held in Iola on November 2nd. Peine asked for anyone wishing to attend, please let her know by October 26th so she can send in the RSVP.

Mayor Fischer – would like to see a 20’x30’ shelter built at Schmoker Park and a gravel strip made along the south side of the street for parking along the park. These would greatly improve the experience for the Farmers Market individuals and their customers as well as people using the park as a rest stop or lunch spot. A fund raiser through the Parks and Community Foundation may be a possibility. Art Ferguson, with the Farmer’s Market, has volunteered time for a fund raiser. Supt. Allison said there would be no problem adding electric and water service there.

ADJOURN

Owens made a motion and Brown seconded to adjourn the meeting at 9:16 p.m. Motion carried.

Glenn Fischer, Mayor

Attest:

Carol J. Eddington, Deputy City Clerk