

Monthly Council Meeting
May 13, 2013 6:30 p.m.
City of Oswego, KS

Present: Councilmembers Dee Brown, Jane Rea, Bill Owens, Darren Tynan, Susan Bringle, Kelly Vance and Ty Lewis, with Mayor Glenn Fischer presiding.

Also Present: Tom Bringle, Roger Vance, Bill Cunningham, Wilma Ruttgen, Lula Mae Villegas, Lacy O'Neal, Steve McBrien, Peggy Strickland, Rena Russell, Cindy Dean, Police Chief George Elliott, Fire Chief and City Superintendent Donnie Allison, Attorney Rick Tucker, City Clerk Cheri Peine and Deputy City Clerk Carol Eddington.

OPENING PRAYER & PLEDGE OF ALLEGIANCE

Pastor Steve McBrien, Assembly of God Church, opened the meeting with a prayer. Council President Ty Lewis led the Pledge of Allegiance.

RECOGNITION TO OUTGOING COUNCILMEMBERS

Mayor Fischer presented Ty Lewis with a gift of appreciation for Lewis' dedicated service to the City of Oswego as Councilman for the past eight years and Council President for the past two years. The Mayor said it had been an honor to serve with Lewis on the Council and that he has enjoyed having him serve in the President's position.

Outgoing Councilmember, Terry Edwards, was not present to receive her gift of appreciation.

OATH OF OFFICE FOR NEW COUNCILMEMBERS

City Clerk Peine administered the oath of office to the newly elected councilmembers, Kelly Vance and Susan Bringle and to re-elected councilmember, Jane Rea.

CERTIFICATES OF RECOGNITION – RESIGNING COMMITTEEMEMBERS

Mayor Fischer had Certificates of Recognition for individuals who resigned from serving on various boards and committees: Chris Brown, Tree Board, Alicia Spradling, Planning & Zoning Commission, Bill Minor, Airport Board and Susan Bringle, Planning & Zoning Commission.

Susan Bringle was the only one in attendance. Mayor Fischer noted that Susan had served on the Planning & Zoning Commission for the past six years and had to resign since she was elected to serve on the Council. Fischer expressed his appreciation for her dedicated service.

STAFF APPOINTMENTS

The Mayor presented a list of staff appointments as follows for Council approval:

City Clerk	Cheri R. Peine
City Superintendent	
Police Chief	George Elliott
Fire Chief	Donnie Allison
City Treasurer	Peggy Strickland
City Attorney	Rick Tucker
Municipal Judge	Fred Johnson
Enforcing Officer	City Supt. & George Elliott
Zoning Officer	City Supt.

Monthly Council Meeting
May 13, 2013 6:30 p.m.
City of Oswego, KS

Owens made a motion and Brown seconded to approve the appointments as presented. Motion carried. Mayor Fischer administered the Oath of Office to the staff.

BREAK

Mayor Fischer called for a five minute break.

ELECTION OF COUNCIL PRESIDENT

Each year, the Council elects a president. The president fills in for the Mayor at meetings when he is unable to attend and would fill in the remaining term of the Mayor if he is unable to do so. Mayor Fischer said that he tries to keep the President of the Council informed in order to be better prepared.

Councilmember Bringle nominated Jane Rea for Council President. There were no other nominations. Brown made a motion and Tynan seconded to accept the nomination and appoint Rea as Council President. Motion carried.

ANNUAL APPOINTMENTS – BANK AND NEWSPAPER

Mayor Fischer appointed Labette Avenue as the Official Newspaper, Labette Bank as the official depository for General and Special Grant Accounts, and Commercial Bank as the official depository for the Petty Cash Account. Individuals eligible to sign the checks for these accounts were also listed on the appointment sheet. Brown made a motion and Tynan seconded to approve the Mayor's appointments for bank, bank signers and official newspaper. Motion carried.

PETITIONS AND DELEGATIONS

Biking Across Kansas Celebration – Beer Garden

Cindy Dean, Chamber President, said that the Biking Across Kansas group will be here on June 14th. That night will be the last night of their trip. Dean said that the Chamber is putting together a party for that night including a concert and they were hoping to have a beer garden as well. The concert and beer garden would be held at the fairgrounds arena. The Fair Board is fine with allowing them to use the space but they did not want to run the beer garden. Dean said that Nick Phillips would run it for them. Chief Elliott said he did not know whether Phillips could or not, due to his liquor license through the State. He will have to check into it. Elliott told Dean that anyone of the group putting the event together could apply for the special event license.

Mayor Fischer suggested that Dean get in touch with Chief Elliott to discuss it further and then after they submit the application, the Council can have a special meeting to approve the application since the next regular Council meeting is not until just 4 days prior to the event.

Senior Citizens Building – Roof

Two bids to replace the north half of the roof were received:

Elliott Roofing - \$8,200

Kenny Bittner - \$5,700

Monthly Council Meeting
May 13, 2013 6:30 p.m.
City of Oswego, KS

Clerk Peine contacted Bittner since his bid did not include the amount of warranty for the materials to be used but Bittner never provided the warranty information. The material Elliott Roofing included in the bid has a 25 year warranty.

A delegation from the Senior Citizen's building was in attendance. Discussion was held on the condition of the roof and the fact that it is also leaking on the South side. Individuals have been patching the roof for years, however, it has become increasingly difficult for them to do so themselves. They have been advised by Boyce Boulware that the whole roof needs to be replaced. Wilma Ruttgen said that the Senior Citizen's Center can only spare \$2,500 (the amount in their savings) to go towards the repair of the roof.

After further discussion, Owens made a motion and Tynan seconded to replace the whole roof of the Senior Citizen's Building by eliminating the proposed new Council table. He said that the Senior Center needs to contribute their \$2,500 and the city should solicit quotes from all three individuals who have previously submitted bids. Motion carried with Bringle voting no.

Order to Vacate Alley – Rick Cook

An Order to Vacate a Platted Alley between Oregon & Union Streets and 6th & 7th Streets was included in the Council packets. Clerk Peine said that the city will retain an easement on the property. Supt. Allison said that all of the utilities run along 7th St. The alley lies between properties owned by Rick Cook, Barbara Goodnight and Pam Green. All three property owners are in favor of the vacation.

Owens made a motion a Rea seconded to approve vacating the alley. Motion carried.

CITY ATTORNEY ITEMS

Executive Session

Rea made a motion and Brown seconded to go into executive session for 30 minutes to discuss acquisition of land with the Mayor, City Attorney, City Clerk, Council, Police Chief and City Superintendent in attendance. Motion carried. Executive session began at 7:15 p.m. and ended at 7:45 p.m.

Rea made a motion and Brown seconded to go into executive session for 10 minutes to discuss acquisition of land with the Mayor, City Attorney, City Clerk, Council, Police Chief and City Superintendent in attendance. Motion carried. Executive session began at 7:48 p.m. and ended at 7:58 p.m.

CONSENT AGENDA

The Consent Agenda includes minutes from regular and any special meetings since the last regular meeting, accounts payables for the month (copies of the warrants were available for review), and appointments to the Library Board for four year terms, expiring April 2016 (Paula Kern and Nancy Korinek). There was also a list of accounts payables for the golf course that was handed out to the Council for approval.

Monthly Council Meeting
May 13, 2013 6:30 p.m.
City of Oswego, KS

Councilman Owens had a couple of corrections to the minutes. In the discussion of the Senior Citizen's roof, he said that he did not say just the north half in his motion to move forward with bids for the roof. Also, under Individual Reports, he asked whether the Housing Committee could purchase land, not houses.

Rea made a motion and Brown seconded to approve the consent agenda with the corrections to the minutes. Motion carried.

OLD BUSINESS

Airport Project Update

Airport Development Group, Inc. (ADG) contacted the city about making a change to their contract to where the city would only make payments to ADG instead of several different vendors, such as the surveyor, appraiser, etc. ADG is the one hiring these individuals and felt they should run the charges through them. ADG will submit the invoices from the individual vendors along with their invoice so the city can see where the money will be going to but the city will only have to make up one check. Clerk Peine pointed out that it will be much easier for both parties to keep track of the individual expenses on the project and that this does not change the cost of the project.

Discussion was held on the wording of the addendum in that it makes it sound like there is a change to the amount of the contract. Clerk Peine said it was clear in the email the engineer sent to her. Council felt the amendment should be changed to more reflect the wording in the email from the engineer.

Rea made a motion and Bringle seconded to accept the amendment to the contract with the changing in the wording as noted previously to make it clear that the contract amount for ADG is not to exceed \$25,000 and the amount for other expenses is not to exceed \$20,000. Motion carried with Owens and Tynan voting no.

Swimming Pool Update

ADA requires two forms of entry to the pool that meet ADA specifications. Council asked Staff to obtain quotes on a ramp and stairs for the pool to meet these new ADA regulations. Clerk Peine reported that during researching the ramps, it was discovered that our pool will not facilitate a ramp. To meet ADA requirements, the ramp cannot be placed in the water at a depth of more than 30". The minimum depth of the city's pool is 36".

Staff obtained quotes for lifts and stairs that meet ADA regulations. Two companies provided quotes:

	Stairs	Lifts
G. Farney	\$3,784	\$3,661 (lag bolt anchor) \$4,278.50 (quick-set anchor)
Energy Center	\$4,100	\$4,155

Clerk Peine said that the lifts are battery operated and can be operated from the deck as well as in the water. She also noted that they can and should be removed for winter storage. Discussion

Monthly Council Meeting
May 13, 2013 6:30 p.m.
City of Oswego, KS

was held on the differences between the lag bolt anchor and the quick set anchor. Consensus was that the lag bolt anchor would probably serve the city's needs the best.

When asked about the number of steps on the stairs, Clerk Peine said that the one from G. Farney has 5 steps and the one from Energy Center has 3 steps. Vance noted that 5 steps would be easier for individuals to use.

Brown made a motion and Owens seconded to purchase the 5-step stairs, for \$3,784, and the lift with the lag bolt anchor, for \$3,661, from G. Farney and Associates. Motion carried.

Supt. Allison noted that his crew is working on patching the pool now and will try to fill the pool Monday or Tuesday of next week.

Water Project – GPS Water Lines & Purchase GIS System

Staff is recommending that the city hire Shafer, Kline & Warren to GPS the water lines not included in the last water line project, build GIS for the city, clean up and organize data, install the GIS software and provide staff with the necessary training (including on-call support services). Deb Smith, SKW, provided a quote of \$10,410.00 for these services. This price includes the city purchasing the ArcGIS software.

Clerk Peine noted that there is a Kansas Water Grant in the amount of \$4,000 that the city could apply for to put toward this cost. She recommended that the city pay for this project through the water and sewer funds. Maps for water and sewer lines will be generated as well as mapping other city property – street signs, tracking water main breaks, tracking locations of vehicle accidents, etc. She said the city would work with the mapping department at the county and SKW would do the training. Individuals from every affected department will be trained on the system.

Brown made a motion and Rea seconded to approve the purchase of the system and the training for \$10,400. Motion carried with Tynan voting no.

City Hall Renovation

Problems Hearing at Counter

Clerk Peine noted that customers are having a hard time hearing the girls at the front window. The covers in the holes in the windows to speak through were removed, however, they still cannot hear the girls - especially the elderly. Peine received information from another city that had the same problem. That city has purchased some speakers for their windows. Three window intercoms would cost the city \$4,395 through that same company. The city may only need two since she has not talked to the Police Dept. yet as to whether they need one.

Councilman Owens said that the new window set up is not very inviting, especially for people new to town. He would like to see a window up front that could be opened when necessary. Mayor Fischer said he has received complaints that people cannot see through the tinted windows. After further discussion, it was determined for staff to check prices of intercoms with some other companies.

Monthly Council Meeting
May 13, 2013 6:30 p.m.
City of Oswego, KS

Blinds

When sheet rock was put over the existing walls in the building, the windows were also boxed in with sheet rock and new window ledges. Therefore, the existing blinds no longer fit the windows. Staff has obtained a quote from Mister C's in Joplin for new blinds for the Council room and the police offices. The quote for the blinds is \$2,403 without installation. The installation charge is only \$250 for all of the blinds. Staff recommends the company do the installation.

Rea made a motion and Vance seconded to proceed with the purchase and installation of the blinds through Mister C's. Motion carried with Owens voting no.

NEW BUSINESS

The Professional Building

Mayor Fischer said that he met with Craig VanWey, Phil Blair and Jim Stephens to take a look at the building. He said that they feel there is part of the building that is salvageable. The front end where the School Board offices were looks pretty sound. George Elliott is going to go into the building and take a look around. The item will be back on the agenda next month.

Safe Routes to School

Clerk Peine said the City and the School are partnering on this project. Safe Routes to School is a grant program, through the Kansas Dept. of Transportation, to provide sidewalks for students to walk and bicycle to school and get them out of the streets. The sidewalks will be 5' wide to provide for both bicycling and walking. Phase I is a \$12,000 grant with a \$3,000 match. The school has agreed to pay for half of the match. Peine said that the grant application is due June 7th so it is important to move forward soon if the city wants to seek funds for the 2013 round. Phase I will require gathering information and determining the cost for the project in order to make application for the construction phase – Phase II. Phase II of the grant is up to \$200,000 and the match is 25%. The city has Neighborhood Revitalization Program funds that have been set aside for sidewalks that can be used as the city's match.

Clerk Peine has sent out Request for Qualifications from three firms to assist in preparing the grant application:

Land Plan Engineering (Alan Mackey) - \$6,000

BG Consultants (Bruce Boettcher) - \$2,000

Shafer, Kline & Warren (Holly Powers) - \$650

When Peine called for references, she received all good references on Holly Powers with SKW and all good but one on Bruce Boettcher (they said they didn't feel the project progressed like it should have). SKW also said that their fee of \$650 would be absorbed within the grant if awarded the grant. Holly with SKW is doing a Safe Routes to School grant for the City of Erie right now.

Brown noted that the letter from the School does not say that they would pay for half of the match for Phase I. It says that they will participate in the activities to help develop the Phase I

Monthly Council Meeting
May 13, 2013 6:30 p.m.
City of Oswego, KS

Plan for the program. Peine said that an email she had received from Supt. LaTurner said that the school would pay for half of the match.

When asked whether the School had said they would pay for half of the construction phase, Peine said it had not been discussed. They will have to discuss the project further with the school.

Owens made a motion and Rea seconded to approve hiring Shafer, Kline & Warren and moving forward with the Phase I Plan as long as the School pays their half (\$1,500) of the grant match. Motion carried.

Safe Routes to School Resolution

A Resolution of Support and Administration, required by the Kansas Dept. of Transportation for the Safe Routes to School Program, was presented. It was noted that the name of the Mayor in the title is incorrect. The Resolution entitled "A RESOLUTION DECLARING THE ELIGIBILITY OF THE CITY OF OSWEGO TO SUBMIT AN APPLICATION TO THE KANSAS DEPARTMENT OF TRANSPORTATION FOR THE USE OF SAFE ROUTES TO SCHOOLS FUNDS SET FORTH BY MAP-21 FOR THE SRTS PROJECT IN OSWEGO AND AUTHORIZING QUINTIN ROBERT, MAYOR TO SIGN THIS APPLICATION" was numbered 05-13-13A.

Brown made a motion and Rea seconded to pass Resolution 05-13-13A with the name of the Mayor changed to Glenn Fischer. Motion carried.

Security System – Chief Elliott

Chief Elliott said that the city needs to set aside funds for a security system to be used in various places but especially now that the airport will have fuel. The city could really use cameras set up at the water plant, parks and downtown areas where multiple crimes against property have occurred. Elliott and Peine reported that other cities who have installed security cameras have reported the number of closed cases of crimes increasing and the number of crimes decreasing.

Elliott said the cost for 36 cameras would be approximately \$36,000. He will get prices on the initial set up as well and check to see if the system can start at a smaller size and be added to over time.

Police Car Purchase

Chief Elliott is putting the 2008 Dodge Charger on Purple Wave for sale. He said that the vehicle has been quite a money pit and the department needs to get rid of it. Elliott wishes to purchase a 2013 Ford Explorer for \$26,027 off of the State bidding process through Shawnee Mission Ford.

The vehicle will be paid for out of Municipal Equipment – partly with Police Dept. funds on hand and the rest to be paid back to the Municipal Equipment Fund over the next few years with budgeted amounts within the Police Dept. Owens made a motion and Brown seconded to approve the purchase. Motion carried.

City Code Revision

Clerk Peine said that City Code has completed the draft revision of the city's code book. She sent out an email to the Governing Body with a link to view the code online. She recommends scheduling a special meeting to review the code with Larry Kleeman, City Code. She will contact the Council with dates after speaking with Kleeman.

Tax Exempt Financing Compliance Procedure

Any tax exempt bonds issued by the city in open markets now are required to comply with post issuance compliance procedures. The city has two bond issues that fall under these regulations. Gilmore & Bell, who did these bond issues, has provided a Bond Compliance Services Agreement for Council consideration. The total annual fee for these services would be \$1,000, as noted in the agreement.

Bonds issued through private placement, such as Rural Development or a bank, do not fall under the compliance requirements. Staff recommends entering into the agreement with G&B. The fee would be paid with water and sewer funds. Brown made a motion and Tynan seconded to approve the Bond Compliance Services Agreement with Gilmore & Bell. Motion carried.

Health Insurance 2013-2014

The two plans that the city currently offers came in at different rates of an increase in renewal premium – one at 18.5% and the other at 4.65%. Taking into consideration the number of employees on both plans, the overall increase to the city is 14%. The city had budgeted for an increase of 10%.

Clerk Peine has checked with other cities to see what increases they are encountering this year and they have ranged anywhere from 7.2% to 22%. Staff recommends that the city take on 10% of the increase, as budgeted, and pass along the remaining 4% of the increase to the employees. Tynan made a motion and Vance seconded to approve the recommendation. Motion carried.

CDBG Housing Program

A Housing Plan was handed out to the Governing Body to review. Peine reported that in order to participate in the CDBG program, a Housing Plan must be in place by June 1st. Bringle made a motion and Rea seconded to approve the housing plan. Motion carried.

INDIVIDUAL REPORTS

Allison – informed the Council that Craw Kan may be coming to them to ask if they could use the old mains for their internet service to the schools. Bringle asked if there was any way that the city could get better internet service available in town? Vance noted that the city needs a company that can provide T1 and T2 lines (like Cable One).

- stated that the resurfacing work started at the tennis courts today.

- stated the Amish is getting started on the building at Schmoker Park and he had been asked to check with them to see whether they had liability insurance. Bill Cunningham said that the

Monthly Council Meeting
May 13, 2013 6:30 p.m.
City of Oswego, KS

Amish were volunteering their time and he was afraid they would walk away from the project if they were required to spend money on insurance. Mayor Fischer suggested staff check with the city's insurance carrier to find out if they can be covered under our policy.

Elliott – stated that he has had an officer at the Academy for many weeks now and he hasn't had a chance to take off enough vacation days to keep under the maximum of 96 hours that can be carried over on his anniversary date. He is requesting a 60 day extension in order to take vacation days so he doesn't lose them. Owens made a motion and Tynan seconded to approve the extension. Motion carried.

Cunningham – reported that the city has lost 27 trees (some of them memorial trees) in the park and feels there needs to be a program put into place to begin replacing them. Mayor Fischer agreed that at least the memorial trees needed to be replaced.

Brown – reported that at 2nd & Merchant, the individuals seem to be running a scrap metal business. Also, at the property on the northeast corner of 4th & Wisconsin, there are piles of tires.

Rea – asked for a correction to the Airport Board minutes – she attended the meeting but was not listed.

Bringle – stated that there is a bush at Pennsylvania & 6th that needs to be trimmed for traffic line of sight. Elliott said he will speak to the owner of the property as he has done in the past to have them trim it up again.

- asked if the Mayor and Clerk Peine had been able to speak to the County about placing rip-rap along the river at the bridge area (Albert Strickland owns the property and the County owns the bridge). The Mayor said that they had not had a chance to do so yet but they still plan on it.

Owens – said that he met with the Library Board who appointed Karyn Carpenter and Paula Kern to work with him to do the audit and generate a one sheet report.

- asked if the city was still using the expense of a storage unit? Clerk Peine said yes, they were still using it and would not be able to get rid of it immediately since there were things that had to be stored until it was determined what all was needed by the different departments as they set up their offices.

- expressed his thanks to Supt. Allison for his service to the city since he was quitting.

Peine – reported that the city received a dividend check from our property and liability insurance carrier.

- said that staff has been talking to a representative from the Energy Office in Topeka. He performed a preliminary energy audit and felt that the city has done a good job but he does have

Monthly Council Meeting
May 13, 2013 6:30 p.m.
City of Oswego, KS

some suggestions for improvements. Bringle asked if staff would check with him to see if there may be any money available for housing.

Mayor Fischer – reported that the LKM Governing Body Institute was a good meeting with pertinent information.

- thanked Supt. Allison for the good job that he has been doing as City Superintendent and hated to see him go. He wished him the best.

ADJOURN

Owens made a motion and Vance seconded to adjourn the meeting at 9:35 p.m. Motion carried.

Mayor Glenn Fischer

Attest:

Deputy City Clerk Carol Eddington