

Regular Council Meeting
July 13, 2015 6:30 p.m.
City of Oswego, KS 67356

Present: Councilmembers, Bill Owens, Jane Rea, Darren Tynan, Caleb Strickland and David Newby with Mayor Bill Cunningham presiding.

Absent: Kelly Vance

Also present: City Attorney Rick Tucker, City Clerk Carol Eddington, Police Chief George Elliott, Deputy Clerk Renee Cochran, Brandon Conrad, Heather Brown, Larry Richardson, Carole McKinley, Pat Hendrickson, Rocco Mallardi, Paula Kern, Trevor Blankinship, Brenda Richardson, Delinda White, Whitney Strickland, Marna George, Bill Trotnic and Larry Frogley.

OPENING PRAYER AND PLEDGE OF ALLEGIANCE

Rocco Mallardi, Lutheran Church, gave the opening prayer and Councilmember Tynan led the Pledge of Allegiance.

PETITIONS AND DELEGATIONS

County Appraiser- Delinda White

Delinda White, County Appraiser attended the meeting to address the Council on what building maintenance and repair items will or will not cause a rise in property taxes as well as other factors that are involved in making these determinations. White stated that basic maintenance such as painting and replacing the shingles on the roof will not increase property taxes. However, there could be a change in property tax if you changed the type of roofing such as going from shingles to metal roofing. She said it is a matter of “redecorating” verses “restoration”. Most redecorating projects won’t increase taxes but a major restoration project will unless the work is only done inside the home. White stated that they are not allowed to go inside a home unless there is a hearing (such as due to an appeal) and they are invited inside the home. The county does an inspection of 17% of the county each year. They do an actual physical inspection of each property every six years.

Property owners of downtown buildings were invited to attend the meeting and Mayor Cunningham asked if they would like to ask questions or make comments. A comment was made that you can do nothing to your property and your taxes can still be raised if several neighboring property owners make improvements to their property. White said that was true based on the CDU, (how desirable your home is) since this a factor they consider. Improvements in the neighborhood can raise the values of all the homes in the area and property taxes are based on the value of the homes. Another thing they look at is the purchase price when a property sells. The county is required to be within 10% of the sale price of a “valid” sale. They do not consider selling property between relatives (parents to a child, etc.) to be a valid sale. A question was asked if there was a difference between commercial and residential property. White said they did not differentiate between the two.

CITY ATTORNEY

Ordinance – Mowing Assessment

AN ORDINANCE MAKING AND LEVYING A SPECIAL TAX UPON ALL LOTS AND PARCELS OF GROUND IN THE CITY OF OSWEGO, KANSAS FOR THE COST AND

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EXPENSE OF MOWING IN SAID CITY THROUGH MAY 21, 2015 was presented for approval. The ordinance covers unpaid mowing charges through May 21, 2015. Owens made a motion and Newby seconded to approve the ordinance. Motion carried. Clerk assigned the ordinance number 1345.

CONSENT AGENDA

The Consent Agenda including minutes from regular and any special meetings, accounts payables check registers for the month, payroll checks and utility deposit refund checks for the month were presented. (Copies of the warrants were available for review).

Appointment – Housing Committee

Mayor Cunningham submitted the appointment of Steve Lewis to the Housing Committee to fill a vacant position that expires October 1, 2016.

City Fees Resolution

A revised resolution was included to update the fees the city charges after Council approved changes to the swimming pool admissions and pass prices. No other fees were changed.

Mayor Cunningham asked if there were any objections or corrections. After some discussion Rea made a motion and Tynan seconded to approve the consent agenda. Motion carried.

OLD BUSINESS

Airport Apron Grant – Bid Opening

Clerk Eddington reported that since the bids came in over the engineer's estimates, the scope of the project was altered to stay within the budget already set. The FAA then required that the project be re-bid. These bids were received June 30th; Sprouls Construction bid - \$167,430 and Hucke Construction bid -\$131,943.50. After checking the required bid documents and references, ADG recommended awarding the bid to Hucke Construction.

Strickland asked if the city had received the grant. Eddington said that the FAA was preparing the grant documents now and she is working with them to get everything signed and finalized. Rea made a motion and Owens seconded to approve the bid to Hucke Construction. Motion carried with Tynan opposing.

Stone Hill Estates

The Council met with the Housing Committee on June 25th to get their perspective on the project. Those minutes were included in the Council Packet. Clerk Eddington said she had finally reached the individual at Westar that was to answer some questions about providing electricity for the development. However, he referred her to another individual who was out of the office for medical leave.

Councilman Owens said that he had talked to 30 individuals and most of them felt the city should sell the property. Owens said he believes that the taxpayers were going to be the ones to end up paying for the project. There was additional discussion on the development's funding. .

Strickland said he did not feel the development is a feasible project and believes it would have been better if the project would have started on a smaller scale. Newby felt that there is a need for housing in Oswego but just couldn't see how the city could afford to develop the subdivision.

Tynan made a motion and Strickland seconded to terminate the Stone Hill Housing project. Motion carried with Rea opposing. Clerk Eddington said that they would need to go through the process to vacate the plats if they plan to sell the property. After some discussion Attorney Tucker said that he would look into the process and report at the next Council Meeting.

Downtown Demolition Project

Clerk Eddington reported that the demolition contractor, G&G Dozer, has finished the demolition and submitted an invoice for \$77,800. However, Grant Administrator Galemore reports she still needs some documentation turned in to her before she can approve payment. Newby made a motion and Owens seconded to approve the payment to G&G contingent upon Administrator Galemore's release. Motion carried.

Clerk Eddington reported that Galemore has received the recommendations from the State Historical Preservation Office (SHPO) on skinning of the remaining shared walls.

- *Building on Commercial St* – “has exterior grade brick. SHPO recommends removing the existing paint per their specifications”
- *Newspaper Office* – “also has exterior grade brick and is ok as is, or a stucco treatment with a new roof cap could be applied for aesthetic purposes”
- *Apartment Building* – “wall needs repaired by removing all excess materials, rebuilding any areas of masonry that are unstable and repointing mortar joints. Stabilize the wall, as needed, by perhaps infilling unused openings and repointing brick. For the new covering, the stucco can be applied or a metal covering can be installed. However, they only want the new covering to be installed up to where the now demolished adjacent building went to (just below the 3rd floor) and they somehow want the top of the new covering to be protected from water infiltration.

Council discussed the questionable condition of the apartment building. Galemore would need an engineer to inspect the wall and develop the necessary scope of work to ensure the wall is properly stabilized. Galemore isn't sure the building is worth what it will cost to skin and stabilize. Council agreed. When Galemore discussed the appearance of the apartment building with CDBG, they said that the city would need to determine whether the building should be condemned. Eddington said she is checking in to see if the Building Inspector for the City of Parsons could come and take a look at the condition of the building to give us idea on whether it is worth spending money on it or whether we should consider condemnation. It was the consensus of the Council that Mayor Cunningham should contact the owner to see what her plans are for the building. Attorney Tucker said if the city considers purchasing the building or condemnation they will need to check on asbestos which can be very costly.

Condition of Downtown Buildings

Mayor Cunningham reported to Council that he had spoken to the owners of some of the downtown buildings in need of repairs. He said Mr. Eisenbrandt plans to get the repairs to his building taken care of but was concerned about the power lines in front of his building being in the way of getting the work done. Mayor Cunningham asked Newby to let Eisenbrandt know he has spoken to Westar and that will be taken care of.

Mr. Kelly, owner of the building the Rec Commission uses, has repaired the deteriorating board on the front of the building. Mayor Cunningham said he has also spoken to the owner of the Ball & Claw Building who plans to get some repairs made and hopes to restore the neon sign.

NEW BUSINESS

2016 Preliminary Budget

The Council was provided copies of the preliminary budget along with supporting information. Clerk Eddington went over the budget form and told Council the information came from the previous budget, the County Clerk and League. Also current and expected expenditures and revenues for 2015 and 2016 were considered when putting together the budget. Eddington provided some additional background for the new members. She said that the city had not raised taxes but 2.21 mils over the previous 11 years until last year. In order to avoid raising taxes all those years, the city eliminated jobs, some pay increases, transfers and any cushion that was in the budget. This caused the Capital Improvement and Municipal Equipment Funds to dwindle down to a critical level. Last year, in order to be able to start funding these accounts for future improvements and equipment purchases, the Council was forced to increase the mil levy by 9 mils.

At 8:43 p.m. the Mayor called for a 10 minute break. The meeting resumed at 8:53 p.m.

Police Chief Elliott stated that the department needs a new vehicle now. He said they had previously purchased a used vehicle and it has not held up and required costly repairs. He said they will also need another vehicle in 2017 or 2018. Supt. Jurgensen said there were some mandated expenses his department is expecting as well. After further discussion, Owens made a motion and Strickland seconded to set a special meeting for July 27th at 6:00 p. m. to continue discussing the budget. Motion carried.

Owens said that he would like to see a committee of Council members and the public set up to work on the budget for next year. David Newby, Caleb Strickland and Paula Kern volunteered. Owens made a motion and Strickland seconded to approve a Budget Committee consisting of Owens, Strickland, Newby, Paula Kern and one other member of the public to work on next year's budget. Motion carried. Clerk Eddington said that all meetings will be subject to KOMA and therefore the public will need to be notified when they meet.

Tree Board – Memorial Tree Program

Tree Board Chairman Jane Rea addressed the Council on the proposed changes to the Memorial Tree Program. Rea said they currently have 117 Memorial trees in the park and around the

Community Building with name plates. The Tree Board would like to make a display stand in the middle of the park. All future name plates (aluminum plaques) would be placed on this structure rather than at a particular tree. This would also allow the fee charged to be used for other landscaping items instead of just trees. In addition, they would like to send a letter to existing plaque owners to let them know about the changes to the program, suggest that they upgrade their plaque and have it moved to the display area. Rea said they were also looking in to increasing the fee but had not settled on an amount yet. Strickland made a motion and Owens seconded to approve the proposed changes to the Memorial Tree Program. Motion carried.

Mayor Cunningham said that someone had removed the plaque from the light pole that had Marvin Wahl's name plate on it. He felt the city should replace the plaque. Council agreed. Tynan made a motion and Owens seconded to have the city replace the plaque. Motion carried.

INDIVIDUAL REPORTS

Strickland – thanked Supt. Jurgensen for getting the shrubs cut down around the electric poles near Diamond Coach.

Jurgenson– said the 80th Anniversary pool party was a huge success. Mayor Cunningham commended Supt. Jurgensen and Pool Manager, Heather Duke, for doing a great job.

Elliott - said the building the city uses to garage the van needs repaired. He is going to check with Jim Bozone to see about getting it wrapped with metal.

- said that the employees that work at the museum asked for a handicapped parking spot in front of their building but in speaking with them, they just need a designated parking spot by their front door. A handicapped parking space would not work there due to the ADA requirements for the spot and the sidewalk access. However, Elliott would like to close the alley entrance between the museum and Realty and keep that available for the museum staff to park in. Elliott said he will speak to neighboring businesses about it.

- said he would like to add the computers the Police Officers and the Police Secretary use to the Network Managed Services. He said reports provided by McCarty's show that 1,333 malware files had already been removed by the program after it was installed. The cost would be an additional \$10 each per month. Strickland made a motion and Owens seconded to approve adding these two computers to the service for the rest of 2015 and 2016. Motion carried.

- said a walkie-talkie would not work for use at the water plant. You can hear but not transmit. Supt. Jurgensen said once you get in the metal building, most cellphones will not work, however, one of the city employees has AT&T cell service and he is able to use his cellphone down there. Clerk Eddington said she would check in to getting an AT&T cellphone for them.

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Eddington - asked Council to let her know if they would like to receive the League news that comes by email?

- Said there is a USDA Community workshop in Winfield on July 29th on funding availability that she will be attending.

- said that President Obama and the DOL have proposed changes to the overtime laws that would require paying overtime to salaried personnel if they make less than \$50,440 beginning January 2016. Council will discuss this at the special budget meeting.

– said the League is doing a KOMA/KORA training in Columbus on August 8th and recommended the Council attend, especially the new members. If anyone is interested in attending, they need to let her know so she can get them registered.

- reported that there were no extra charges from McCartys for the Networked Managed Services but there have been some problems with emails.

- said she had been chosen to serve on the League Governing Body Nominating Committee. She was commended on the honor.

Cunningham – said he would like to look in to selling the pit that the city purchased years ago for a possible alternate water supply source. Supt. Jurgensen said with the extension of water services in a couple of areas, the city is now close to a couple of rural lines fed by other water sources that the city could be connected to if needed.

- asked if there was a rule against employees wearing shorts to work. Clerk Eddington said there were safety concerns with them wearing shorts, especially while mowing or weed eating as well as using some equipment. She will check with the current workcomp carried as the city participates in their safety program in order to receive a discount (up to 10%) on the workcomp premium. Their requirements would need to be followed or the city would not be eligible for this discount. Supt. Jurgensen asked to see if they could at least wear shorts while reading meters.

PUBLIC DISCUSSION

Mayor Cunningham asked if there were any comments from the public.

Brenda Richardson – asked if the council could elaborate when asking questions or talking about projects so the public will know what they are talking. She also said a lady using the pool commented on appreciating the lower admission price.

Larry Richardson – thought the new sign at Schmoker Park looked nice and was easy to read.

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ADJOURNMENT

There being no more comments or further business Owens made a motion and Strickland seconded to adjourn the meeting at 10:05 p.m. Motion carried.

Mayor F. W. Cunningham, Jr.

Attest:

Deputy City Clerk Renee Cochran