

**CITY OF OSAGE CITY**  
**COUNCIL MEETING**  
**October 24, 2023**

**ROLL CALL:** Now on this 24th day of October 2023, the Governing Body of the City of Osage City, Kansas, met at the Osage City Council Chamber in said City. The following members being present and participating to wit: Mayor Bruce Schoepflin. Council Members: Cathryn Houghton, Brian Stromgren, Mike Gilliland, Shirley Bausman, Jeff Tice, Eric Tincher, Sharon Larson and Jeanette Swarts. Officials present: Rick Godderz, City Attorney; Rod Willis, City Manager; Katie Hodge, Deputy City Manager /City Treasurer; Dale Schwieger, Utilities Director; and Sadie Boos, City Clerk (online). Others: Robert Aldrine and Fred Hallowell.

**APPROVAL OF THE AGENDA:**

*Motion by Tincher, second by Houghton to approve the agenda. The motion was declared carried.*

**RECOGNITION OF VISITORS:** None

**APPROVAL OF THE CONSENT AGENDA:**

1. Approval of September 26, 2023 Regular Meeting Minutes

*Motion by Stromgren, second by Swarts to approve the consent agenda. The motion was declared carried.*

**BUSINESS BEFORE THE COUNCIL:**

1. **Approval of Moderate Income Housing (MIH) proposal by Joseph and Amber Thomas of Heartland Design Build, LLC of Ottawa, Kansas to submit a multi-pronged application due November 15, 2023 to the Kansas Housing Resources Corporation with the municipality sponsor being the City of Osage City. The contact with Joseph Thomas has resulted from the Housing Committee being formed, the Housing Assessment by QRC Consulting and subsequent Housing Assessment Tool (HAT) being accepted by the Kansas Department of Commerce – Joseph and Amber Thomas, Owners of Heartland Design Build, LLC**

Joseph Thomas of Heartland Design Build, LLC presented the Moderate Income Housing proposal for Osage City utilizing a mix of new construction rental and owner occupied housing units and requests the City of Osage City be the sponsor for the MIH application due November 15, 2023. Joseph Thomas described the current MIH awarded housing grant in Ottawa to construct new housing on a former school site by Heartland Design Build LLC. Joseph Thomas utilized Susan Galemore of Southeast Kansas Regional Planning Commission as the consultant to prepare the MIH application and to administrate the awarded MIH grant.

*Motion by Tincher, second by Gilliland for approval of the Moderate Income Housing (MIH) proposal by Heartland Design Build LLC with the City of Osage City as sponsor to submit a multi-pronged application by November 15, 2023. The motion was declared carried.*

**2. Approval of Resolution No. 1111 Supporting the Preparation and Submission of an Application to the Kansas Housing Resources Corporation (KHRC) for the Kansas Housing Investor Tax Credit (HITC) Program for the Osage City Housing Project – Joseph and Amber Thomas of Heartland Design Build, LLC**

Joseph Thomas explained the Kansas Housing Investor Tax Credit Program is applied for by the developer/contractor as further economic development funding to allow MIH housing to be constructed with affordable monthly rental and ownership costs for the residents.

*Motion by Stromgren, second by Gilliland for approval of Resolution No. 1111 Supporting Preparation and Submission of an Application by Heartland Design Build, LLC to the Kansas Housing Resources Corporation for the Kansas Housing Investor Tax Credit Program for the Osage City Housing Project. The motion was declared carried.*

City Manager Rod Willis presented the Agreement for Consultant Services between the City of Osage City and Southeast Kansas Regional Planning Commission (SEKRPC) provided by Susan Galemore in the amount of \$2,500.00 for the pre-award MIH application preparation and submittal fee paid by the City, and the post-award fee of \$18,000.00 for the MIH grant administration to be paid as part of the MIH grant funds.

*Motion by Gilliland, second by Larson to approve the Agreement for Consultant Services between the City of Osage City and Southeast Kansas Regional Planning Commission for the MIH application preparation in the amount of \$2,500.00 paid by the City and for the MIH administration in the amount of \$18,000.00 from MIH grant funds if awarded. The motion was declared carried.*

**3. Discussion on maintenance of properties regarding environmental nuisance issues not covered by existing nuisance and condemnation ordinances, i.e. inability to condemn properties still structurally sound, but inhabitable due to interior conditions that are addressed in the International Property Maintenance Code – Code Administrator Jim Welch**

City Manager Rod Willis gave background on the issues of properties that are abandoned and unlivable, but still structurally sound enough to avoid condemnation proceedings on the exterior conditions of the property. The other major issue is with rental properties that have unsafe living conditions with the tenants unable to resolve with the landlords. The tenants contact Code Administrator Jim Welch to show the unsafe conditions of the property, only to be told the Code Administrator has no authority to enforce the abatement of unsafe living conditions. City Attorney Rick Godderz detailed the difficulty of enforcing the International Property Maintenance Code on the interiors of structures. During discussion a vacant or abandoned structure ordinance was proposed instead of adopting the International Property Maintenance Code.

*Motion by Tincher, second by Swarts to table the discussion until the November 28<sup>th</sup> City Council meeting when Code Administrator Jim Welch is available to attend. The motion was declared carried.*

- 4. Authorize Mayor Schoepflin to execute the Kent Fence Company contract for installation of the Solar Field perimeter fence contract prepared by City Attorney Rick Godderz. The \$74,558.81 contract price was approved September 26, 2023 by City Council – City Attorney Rick Godderz, Utilities Director Dale Schwieger**

*Motion by Tincher, second by Houghton to authorize Mayor Schoepflin to execute the Kent Fence Company contract. The motion was declared carried.*

- 5. State Historic Register request by Robert Aldrine to have the South 9<sup>th</sup> Street Cemetery placed on the State Historic Register. The South 9<sup>th</sup> Street Cemetery was quit-claim deeded from Superior Township to the City of Osage City on August 23, 2002. Tabled on September 12, 2023 for further information**

City Manager Rod Willis presented information provided by National & State Register Coordinator Jamee Fiore Krivenko at the Kansas Historical Society on the requirements and obligations of the City of Osage City as the owner if the cemetery were placed on the State Historic Register.

Robert Aldrine addressed the City Council on making the cemetery more secure with a gate and fence on the east side, making the cemetery more presentable, repair deteriorated grave stones, using ground sonar to locate unmarked graves to develop a map, with improvement funds received by utilizing possible historic grants and family donations. City Council by consensus requested Robert Aldrine to research possible grants and to visit directly with the Kansas Historical Society in Topeka.

- 6. Approval of additional cost in the amount of \$8,525.09 to Killough Construction from the original contract amount of \$70,248.00 increasing to \$78,773.09 total for additional patching and asphalt at the parking lots – Street Superintendent Fred Hollowell**

Street Superintendent Fred Hollowell explained the parking lots were in worse condition than expected requiring more patching and asphalt material than originally estimated.

*Motion by Tincher, second by Stromgren to approve the \$8,525.09 additional cost to Killough Construction for \$78,773.09 total parking lot repairs. The motion was declared carried.*

- 7. Approval to purchase a used 2020 Dodge Charger Pursuit vehicle in the amount of \$22,250.00 from the Kansas Highway Patrol – Chief of Police Fred Nech**

Chief of Police Fred Nech explained the purchase of a replacement vehicle was planned in 2024, but the used 2020 Dodge Charger Pursuit vehicle became available from the Kansas Highway Patrol before year end with the price increasing substantially in 2024 for Kansas Highway Patrol vehicles.

*Motion by Swarts, second by Larson to purchase the 2020 Dodge Charger Pursuit vehicle in the amount of \$22,250.00 from the Kansas Highway Patrol. The motion was declared carried.*

**8. Osage City Chamber of Commerce updates by Executive Director Jeanette Swarts**

Executive Director Jeanette Swarts presented a summary handout of the Osage City Chamber events and activities for 2023. Council Members expressed their appreciation for all the time and hard work the Chamber contributes to the community and businesses.

**9. Kansas Main Street Director Scott Sewell is presenting a Bringing Back Main Street Workshop on Wednesday November 8, 2023 from 1:00-3:00 p.m. at the Santa Fe Depot. Please register for the free workshop by November 3<sup>rd</sup> at 5:00 p.m. – Colleen Mendoza, Osage County Economic Development Director**

City Manager Rod Willis gave some background on the Kansas Main Street program and how being a Kansas Main Street community is beneficial to revitalizing the downtown heart of member cities. Council Members are encouraged to attend the presentation.

**10. Project updates**

Flint Hills Trail project continues to make progress on laying the concrete corridor.

Mill and overlay of Medical Center parking lot and swimming pool parking lot have been completed along with chip seal streets.

Police Department, USD 420, and City met about safety issues on crossing Ellinwood Street in the dark before sunup and in the evenings after school activities, games, etc. USD 420 requested the trees be removed along the north parking area to increase visibility from the parking lot lights being allowed to shine across the street. Student was hit in the dark by a car while crossing the street, but was not injured requiring any treatment.

Joseph Thomas of Heartland Design Build LLC met with City staff to explain his Moderate Income Housing proposal to build rental and owned property before the City Council meeting.

City staff participated in the Kansas Department of Commerce HIAC virtual meeting regarding the Housing Assessment Tool submitted by consultant Quintin Robert.

**ADJOURNMENT:**

*At the request of Council Member Tincher and on his motion, seconded by Council Member Tice and carried unanimously, the meeting adjourned.*

**APPROVED:** \_\_\_\_\_  
**Bruce E. Schoepflin, Mayor**

**ATTESTED:** \_\_\_\_\_  
**Sadie Boos, City Clerk**