

**OSAWATOMIE CITY COUNCIL
AGENDA**

September 11, 2008
7:00 p.m., Memorial Hall

1. Call to order
2. Roll Call
3. Pledge of Allegiance
4. Consent Agenda

Consent Agenda items will be acted upon by one motion unless a Council member requests an item be removed for discussion and separate action

 - A. Approve Minutes of August 14 and August 28 City Council Meetings
 - B. Approve September 11 Agenda
 - C. Appropriation Ordinances 08-15 & 08-16
5. Comments from the Public; Presentations

Citizen participation will be limited to 5 minutes. Please stand & be recognized by the Mayor

 - A. Water Rate Analysis & Recommendation – Jerry McKenzie
6. Public Hearings - none
7. Unfinished Business
 - A. Ordinance Designating Trafficway Connector Streets & Authorizing Improvements
 - B. Resolution Authorizing Sale of Bonds and Preliminary Official Statement
 - C. Approve Bids for Additional Street Improvements
 - D. Approve Change Order No. 10 & No. 11 for Sewer Improvement Grant
 - E. Approve Invoices for Sewer Improvement Grant – Request No. 28
 - F. Approve Pay Request No. 3 For Street Improvement Project
 - G. Approve Pay Request No. 1 for Housing Development Grant Program
8. New Business
 - A. Appointments
 - B. Proclamation – National Rehabilitation Awareness Week
 - C. Engineering Contract Amendment – Sewer Improvements
 - D. Approve Woodland Hills Estates Preliminary & Final Plats
 - E. Rural Water District #3 Providing Water to City of Fontana
9. Council Reports
10. Mayor's Report
11. City Manager's Report
12. Executive Session – Personnel matter of nonelected personnel (City Manager annual evaluation)
13. Adjournment

COUNCIL MEETING & WORK SESSION – September 25, 2008
REGULAR MEETING – October 9, 2008

Osawatome, Kansas. August 14, 2008. The Council meeting was held in Memorial Hall. Mayor Dudley called the meeting to order at 7:00 p.m. Council members present were Dalton, Hunter, Kaempfe, Klein, LaDuex, and Maichel. Absent were Moon and Walmann. Also present were City Manager Glendening, City Attorney Wetzler and City Clerk Elmquist. Visitors were Ruby Law, Tom & Linda Chancellor, Grady & Cinda Atwater, Robert Kerr, Mark Fuchs, Joe Lilley, Donna Darner, Brian Kingsley, Nancy Thompson, Neisa Daulton, Gary Elmquist, Ed Bridges, and Dustin Kass.

CONSENT AGENDA. Approval of the Minutes of July 10 and July 24 Meetings, approval of August 14 Agenda, approval of Appropriation Ordinances 08-13 & 08-14. Motion made by Hunter, seconded by LaDuex to approve the Minutes of July 10 and July 24 Meetings and approval of Appropriation Ordinances 08-13 & 08-14. Yeas: All.

Approval of August 14 Agenda. Added an additional executive session for consultation with City Attorney which would be deemed privileged in the attorney-client relationship. Motion made by Hunter, seconded by LaDuex to approve minutes as amended. Yeas: All.

Public Participation; Presentations:

RECOGNITION OF OSAWATOMIE STATE HOSPITAL FLOOD ASSISTANCE. Osawatome State Hospital stepped up with help from their employees and allowing use of their facility. Donna Darner, Director of Nursing, accepted a plaque from Mayor Dudley in recognition of OSH's outstanding service during the flood of 2007.

Public Hearings:

CONDEMNATION OF 1120 THIRD STREET. Hearing opened at 7:08 p.m. No one with an interest in the property was present. Building Official Bridges said that Wells Fargo wanted to know what it would take to fix up. The house has been abandoned and locked since the flood. Hearing closed at 7:10 p.m. Motion made by Hunter, seconded by LaDuex to approve Resolution No. 603. Yeas: All.

CONDEMNATION OF 1140 FOURTH STREET. Hearing opened at 7:13 p.m. No one with an interest in the property was present. Hearing closed at 7:14 p.m. Motion made by Hunter, seconded by Dalton to approve Resolution No. 604. Yeas: All.

BUDGET HEARING FOR 2009 BUDGET. The public hearing was opened at 7:16 p.m. There being no comments, the hearing was closed at 7:24 p.m.

Unfinished Business:

ADOPTION OF 2009 BUDGET. Motion made by Hunter, seconded by Maichel to approve the budget as presented. Yeas: All.

APPROVAL OF ORDINANCE INCREASING TAX LEVY. Motion made by LaDuex,

seconded by Maichel to approve Ordinance NO. 3649. Yeas: All.

APPROVE CHANGE ORDER NO. 9 FOR SEWER IMPROVEMENT GRANT. Change Order No. 9 reflects an increase of \$44,771.88. The increase is due to several point repairs and other additional, unplanned work. Motion made by Maichel, seconded by LaDuex to approve Change Order No. 9 in the amount of \$557,743.45. Yeas: All.

APPROVE INVOICES FOR SEWER IMPROVEMENT GRANT – REQUEST NO. 27. Motion made by LaDuex, seconded by Hunter to approve Request No. 27. Yeas: All.

APPROVE CHANGE ORDER NO. 2 FOR STREET IMPROVEMENT PROJECT. Change Order No. 2 add the six additional blocks of work as prioritized by the City Council this past spring. Motion made by Hunter, seconded by LaDuex to go out for bid for the additional six blocks. Yeas: All.

APPROVE PAY REQUEST NO. 2 FOR STREET IMPROVEMENT PROJECT. Motion made by LaDuex, seconded by Dalton to approve Pay Request No. 2. Yeas: All.

New Business:

APPOINTMENTS. None.

TEXT AMENDMENT ON SIGNS. The Planning Commission continued its public hearing on LED signs and amendment of Chapter 21 of the City's zoning regulations to allow for this new sign technology. The Planning Commission recommended the adoption of these new regulations. Motion made by Maichel, seconded by Hunter to approve Ordinance No. 3650. Yeas: All.

CONSIDER PAVING PLAN FOR SHIPWRECK TAVERN. The Planning Commission recommended approval of Mickey Ramsey's parking lot paving plan. Motion made by LaDuex, seconded by Hunter to approve the paving plan. All spaces required to be paved in accordance with the city's zoning regulations will be paved in no more than four years according to the plan. Yeas: All.

ORDINANCE ADOPTING 2008 STANDARD TRAFFIC ORDINANCE. Motion made by LaDuex, seconded by Maichel to approve Ordinance No. 3651. Yeas: All.

ORDINANCE ADOPTING 2008 UNIFORM PUBLIC OFFENSE CODE. Motion made by Hunter, seconded by Dalton to approve Ordinance No. 3652. Yeas: All.

CONTRACT FOR COMPREHENSIVE PLAN UPDATE. Mid-America Regional Council will provide the City with approximately 200 hours of planning labor, at no cost, to help update the comprehensive plan. A planning firm needs to be hired to oversee the work. City Manager recommended Ochnser, Hare, & Hare of Kansas City, Missouri. The cost will be less than \$10,000. Motion made by LaDuex, seconded by Dalton to allow the City Manager to engage the services of Ochnser, Hare, & Hare. Yeas: All.

LKM ANNUAL CONFERENCE. If any governing body members are interested in attending, let the city clerk know.

Council Members' Concerns/Issues:

LaDuex: Congratulated Grady Atwater on the workshop for reenactors.

Maichel: There is a small boys club with the Osawatomie 4H. Has heard good things.

Mayor's Report:

Attended Black Ties to Osawatomie reunion August 9.

City Manager's Report:

2007 AUDIT UPDATE. The auditors are nearing completion of their audit work for the year ending December 31, 2007.

MUNICIPAL CODE UPDATE. The Osawatomie Municipal Code is nearing completion. The codification incorporates all ordinances changing law in Osawatomie since the last code was approved in the 1970's. The League of Kansas Municipalities will host a "code conference" to discuss the updated code with the Governing Body.

STORM DAMAGE RECEIVED AT CITY OWNED PROPERTY. Received an initial report of damages from the wind and hail event on June 2. Of the items considered "closed", there is approximately \$57,000 in actual cash value damage to structures and infrastructure. The items still open are the larger portions of the claim filed.

WOODLAND HILLS UPDATE. August 27, 2008 the Planning Commission will hold a required public hearing for the preliminary plat. Provided there are no changes or concerns in the preliminary plat, their recommendation will be made to the Council of both the preliminary and final plats.

EXECUTIVE SESSION. Motion made by Hunter, seconded by Dalton at 8:36 p.m. to recess into executive session for matters relating to employer-employee negotiations for a period of 5 minutes and consultation with the City Attorney which would be deemed privileged in the attorney-client relationship for a period of 10 minutes. Yeas: All. The City Manager and City Attorney were present. Meeting reconvened at 8:51 p.m. No action taken.

Motion made by Hunter, seconded by LaDuex to adjourn. Yeas: All.

Ann Elmquist, City Clerk

Osawatomie, Kansas. August 28, 2008. The Council meeting was held in Memorial Hall. Mayor Dudley called the meeting to order at 7:30 p.m. Council members present were Hunter, Kaempfe, Klein, LaDuex, Maichel, Moon and Walmann. Absent was Dalton. Also present were City Manager Glendening, City Attorney Wetzler and City Clerk Elmquist. Visitors were Grady & Cinda Atwater, Willard Maichel, Robert Kerr, Web Hawkins, and Dustin Kass.

APPROVAL OF AGENDA. Motion made by Hunter, seconded by LaDuex to approve the agenda. Yeas: All.

ADDITIONAL LEASE AGREEMENT – SRS PARKING LOT. Motion made by Kaempfe, seconded by Hunter to authorize the Mayor to signed the lease agreement. Yeas: All.

EXECUTIVE SESSION – CONSULTATION WITH CITY ATTORNEY WHICH WOULD BE DEEMED PRIVILEGED IN THE ATTORNEY-CLIENT RELATIONSHIP. Motion made by LaDuex, seconded by Hunter at 7:34 p.m. to recess into executive session for consultation with city attorney which would be deemed privileged in the attorney-client relationship for a period of 10 minutes. Yeas: All. The City Manager, City Attorney, and City Clerk were present. Meeting reconvened at 7:46 p.m. No action taken.

EXECUTIVE SESSION – PERSONNEL MATTER OF NONELECTED PERSONNEL (CITY MANAGER ANNUAL EVALUATION). Motion made by Hunter, seconded by LaDuex, at 7:46 p.m. to recess into executive session for personnel matter of nonelected for a period of 30 minutes. Yeas: All. The City Attorney was present. Meeting reconvened at 8:19 p.m. No action taken.

Motion made by Moon, seconded by Hunter to adjourn. Yeas: All.

Ann Elmquist, City Clerk

Record of Ordinances

ORDINANCE NO. 8-15

DATE WARRANTS ISSUED:
August 31, 2008

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AN ORDINANCE MAKING APPROPRIATION FOR THE PAYMENT OF CERTAIN CLAIMS.

Be it ordained by the Governing Body of the City of Osawatomie, Kansas

Section 1. That in order to pay the claims hereinafter stated which have been properly audited and approved, there is hereby appropriated out of the respective funds in the city treasury the sum required for each claim.

CLAIMANT	NATURE OF CLAIM OR SERVICE	CLAIM NUMBER	AMOUNT
Payroll 08/01/08			87,450.77
Payroll 08/15/08			89,096.64
Payroll 08/29/08			84,861.14
FICA 08/01/08			6,463.82
FICA 08/15/08			6,809.06
FICA 08/29/08			6,270.83
KPERS			12,545.06
Five A Farm	bush hog	31673	9,600.00
Champion Publishing	ad - Tourism	31674	250.00
Lesco	chemicals, flags	31675	1,169.82
Ted Bartlett	food - house fire	31676	110.73
Crawford Sales	Budweiser	31677	120.05
LDF Sales	Miller Lite	31678	96.60
Ride into History	Historical characters program	31806	3,500.00
Rock Haven Guesthouse	Historical characters program-lodging	31807	540.60
Locker Room	Black Ties shirts-150th appropriation	31808	675.00
Aetna - POS	health insurance	31809	27,909.40
Delta Dental	dental insurance	31810	2,831.01
KACM Treasurer	membership	31811	50.00
KACM Treasurer	conference	31812	50.00
Kansas City Wilbert Vault	grave opening	31813	600.00
Suddenlink	internet	31814	59.95
Vision Service Plan	vision insurance	31815	787.12
Crawford Sales	Budweiser	31816	168.75
AT&T	RTU's	31817	216.06
Beachner Grain, Inc.	chemicals, supplies	31818	337.83
City of Osawatomie	utilities	31819	16,018.24
Courtney Construction Company	wtr line project-9th & Main, 9th & Pac	31820	11,600.00
Environmental Compliance Solutions	reissued check 31716	31821	695.00
L & K Services, Inc.	refuse	31822	28,846.67
Lybarger Oil, Inc.	fuel	31823	8,220.55
Miller Paving & Construction	Street Improvements Project	31824	250,327.16
OMB's Express Police Supply	shirts, trousers, supplies	31825	160.96
Suddenlink	internet	31826	78.90
Brad Waggoner	Pro Shop	31827	925.20
Crawford Sales	Budweiser	31828	155.25
Miami County Treasurer	2nd half property taxes - 1010 6ht	31829	246.72
Dollar General	paper goods, supplies	31830	99.79
Kansas City Power & Light	services	31831	1,891.89
Kansas Dept of Revenue	sales tax	31832	10,553.39

Record of Ordinances

DATE WARRANTS ISSUED:
August 31, 2008

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CLAIMANT	NATURE OF CLAIM OR SERVICE	CLAIM NUMBER	AMOUNT
Kansas Gas Service	power plant	31833	25.01
KMEA-Nearman	electricity	31834	39,353.78
S & R Enterprise	mowing weed lot - 325 Martin	31835	50.00
Brad Waggoner	internet, cable	31836	315.00
CIT Technology Fin. Service, Inc.	copier lease	31837	315.28
First Option Bank	bucket truck	31838	1,798.99
John Deere Credit	equipment lease	31839	2,043.12
Kansas Gas Service	services	31840	290.76
KMEA - EMP1	electricity, transmission	31841	79,662.66
Suddenlink	internet	31842	59.95
T-Mobile	cell phones	31843	368.50
Brad Waggoner	purchased lawn mower	31844	200.00
Reserve Account	postage meter	31845	1,200.00
Crawford Sales	Budweiser	31846	137.20
LDF Sales	Miller Lite	31847	96.60
Dollar General	supplies	31848	102.84
EMBARQ	services	31849	2,217.92
EMBARQ	long distance	31850	430.91
KDHE Bureau of Water	annual permits	31851	245.00
KMEA - Hydro	hydroelectric	31852	5,358.36
KMEA - GRDA	electricity, transmission	31853	93,791.93
Lybarger Oil, Inc.	fuel	31854	5,181.02
OZ Mart	fuel	31855	50.00
Sprint	services	31856	27.78
Wal-Mart Community	supplies	31857	252.36
City of Osawatomie	petty cash reimbursement	808	4,404.32
Kansas State Treasurer	bond principal & interest	wire	157,643.75
			1,068,013.00
GO	195,706.46		
WT	41,332.48		
EL	343,873.49		
Emp Bn	45,481.43		
Refuse	28,921.67		
Library	4,021.62		
Rec	8,485.42		
RF	1,640.86		
St Imp	1,037.42		
B & I	80,686.25		
Sewer	17,235.60		
GC	32,584.58		
Trsm	5,078.56		
Cap St	261,927.16		
	1,068,013.00		

Record of Ordinances

ORDINANCE NO. 8-16

DATE WARRANTS ISSUED:
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Page No. 1

AN ORDINANCE MAKING APPROPRIATION FOR THE PAYMENT OF CERTAIN CLAIMS.

Be it ordained by the Governing Body of the City of Osawatomie, Kansas

Section 1. That in order to pay the claims hereinafter stated which have been properly audited and approved, there is hereby appropriated out of the respective funds in the city treasury the sum required for each claim.

CLAIMANT	NATURE OF CLAIM OR SERVICE	CLAIM NUMBER	AMOUNT
Airgas Mid South, Inc.	oxygen cylinder	31858	35.97
American Safety Utility Corp.	cushion pads	31859	209.66
Arlan Company, Inc.	lid w/oaring, o'rings	31860	70.78
Asphalt Sales Company, Inc.	asphalt	31861	398.40
Auten Pharmacy	first aid supplies	31862	25.79
Beckman Motors, Inc.	repaired idle	31863	72.00
BG Consultants, Inc.	street improvements	31864	38,203.50
Board of Police Commissioners	alert user charges	31865	39.86
Bollings Bargain Bonanza	golf balls, supplies	31866	315.40
Brewer's Automotive Repair, Inc.	replace AC line, compressor	31867	848.45
Void		31868	-
Void		31869	-
Void		31870	-
Brown's Hardware	supplies	31871	602.88
C & G Merchants	supplies	31872	680.16
Calendars	2009 calendar	31873	23.29
Cart-Parts	voltage regulator	31874	43.00
Certifion Corporation	entersect police online	31875	79.00
Champion Brands, LLC	cable ties	31876	853.50
Chief State Boiler Inspector	boiler certification	31877	30.00
Coleman Equipment, Inc.	mower parts	31878	450.59
Comet Industrial Products	generator repairs - lightning strike	31879	1,139.50
Copy Products, Inc.	freight for toner	31880	10.00
Corrosion Products, Inc.	pipe	31881	127.73
Crash Technology Group	troubleshooting, memory module	31822	742.04
Cummins Central Power, LLC	fuel pump	31883	275.16
Electronically Speaking	CD's, batteries	31884	50.92
Evco Wholesale Food Group	gatorade, condiments	31885	397.60
Family Center	dog food, supplies	31886	742.12
Five A Farm & Lawn LLC	parts	31887	124.37
Four State Maintenance Supply	paper goods, supplies	31888	105.26
Galls	drug testing kits	31889	184.71
Gerken Rental Paola	sod cutter, portable restrooms	31890	302.00
GNC Enterprises, Inc.	red grease	31891	447.52
Goodyear Wholesale Tire Centers	tires	31892	150.00
Governmental Assistance Services	disaster grant submission	31893	550.00
Grainger	thermal units, fixture, supplies	31894	776.49
Hach Company	water test	31894	454.50
Hall's Safety Equipment Corp.	pole climbing kit	31896	995.00
Heritage Tractor, Inc.	V-belt, isolator	31897	143.00

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CLAIMANT	NATURE OF CLAIM OR SERVICE	CLAIM NUMBER	AMOUNT
Holderman Printing	business cards, plaque	31898	185.50
Holman Hansen & Colville, P.C.	Attorney fees	31899	4,027.76
Hunt Martin Materials	rock	31900	232.45
JCI	repair AC drive, troubleshooting	31901	4,245.00
K & T Auto	battery	31902	134.06
K-State University	soil test	31903	8.00
KC Bobcat	coupling kit	31904	199.21
Kansas City Wilbert Vault	grave openings	31905	2,150.00
KDHE	sanitary sewer permit	31906	60.00
Kansas State Treasurer	training funds	31907	693.00
Killough Construction, Inc.	asphalt	31908	1,628.29
Kincaid Ready Mix	concrete	31909	810.38
Kriz Davis Co.	electric line supplies	31910	2,630.16
Lacal Equipment, Inc.	deflector assy	31911	391.84
Laser Labs, Inc.	recertify tint meter	31912	83.00
League of KS Municipalities	conference, standard traffic ord.	31913	1,106.08
Louisburg Tractor Boyz	pulleys, blade, belt	31914	324.76
Mid America Regional Council	dues	31915	1,031.00
Maximus, Inc.	water forecasting model	31916	2,500.00
Mi County Internet Onramp, Inc.	internet	31917	19.95
Mi County Register of Deeds	copies	31918	14.00
Mi County Sheriff's Office	prisoner care	31919	160.00
Miami Lumber, Inc.	treated lumber	31920	117.55
Void		31921	-
Moon's IGA	supplies	31922	793.45
MRWAD No. 2	water assurance fees	31923	6,053.86
N.J.A.T.C.	lineman books	31924	287.84
Navrat's Office Products	office supplies	31925	103.69
Navrat's	utility bills	31926	635.88
NPG Newspapers	ads	31927	752.32
Olathe Winwater Works	water line supplies - St. project	31928	381.50
OMB Express Police Supply	ticket book holder	31929	15.99
Osawatomie Pet Clinic	euthasol, dhip vaccine	31930	162.00
Pepsi Cola	Pepsi	31931	419.61
Quill	office supplies	31932	227.47
RDJ Specialties, Inc.	stickers	31933	81.11
Read It Free	ad - Police Officer	31934	70.00
G.S Robins and Company	chemicals	31935	6,436.71
Royal Metal Industries, Inc.	flat bar, pipe	31936	275.30
Rural Water District No. 3	ETI Water	31937	15.00
Schendel Pest Services	pest control	31938	196.68
Sensus Metering Systems	support	31939	1,419.66
Glen E. Sharp II	court appointed attorney	31940	100.00
Simmons Gun Specialties, Inc.	ammo	31941	828.70
GK Smith & Sons	A/C drain problems	31942	150.98

ORDINANCE ____

AN ORDINANCE DESIGNATING AND ESTABLISHING CERTAIN STREETS AND PORTIONS THEREOF AS MAIN TRAFFICWAYS AND TRAFFICWAY CONNECTIONS AND AUTHORIZING CERTAIN IMPROVEMENTS THERETO IN THE CITY OF OSAWATOMIE, KANSAS, UNDER THE AUTHORITY OF K.S.A. 12-685 ET SEQ.

WHEREAS, the governing body of the City of Osawatomie, Kansas, (the "City") is empowered pursuant to K.S.A. 12-685 et seq. (the "Act") to designate as main trafficways and trafficway connections certain existing or proposed streets, boulevards or avenues, or parts thereof, the primary function of which is, or shall be, the movement of through traffic between areas of concentrated activity within the City or between such areas within the City and traffic facilities outside the City performing the function of main trafficways and to provide adequate connections with and between such main trafficways; and

WHEREAS, 9th Street between Pacific and Walnut; 10th Street between Main and Walnut; and 11th Street between Main and Pacific presently carry significant vehicular traffic with and between certain designated main trafficways of the City which move traffic in areas of concentrated activity within the City; and

WHEREAS, in the judgment of the governing body of the City, such streets, as hereinafter designated, qualify for designation as main trafficway connections in the City; and

WHEREAS, the Governing Body of the City has determined it necessary and advisable to improve said main trafficway connections.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF OSAWATOMIE, KANSAS:

Section 1. That 9th Street between Pacific and Walnut; 10th Street between Main and Walnut; and 11th Street between Main and Pacific be, and they are hereby, designated as main trafficway connections within the City of Osawatomie, Kansas, all in accordance with the provisions of the Act.

Section 2. That the City hereby authorizes that the main trafficway connections designated as such in Section 1 hereof be improved by the full removal of the existing streets and replacing the same with a new fly-ash treated base, grading the same and constructing and otherwise completing storm drainage, concrete curb and gutter, asphaltic pavement and entrances and other necessary items (the “Project”) at a total estimated cost of \$500,000 which the City expects to finance either in whole or in part with the proceeds of its general obligation bonds to be issued under the authority of the requirements of the Act with the balance of such costs, if any, of the Project to be paid by the City from other legally available and unencumbered funds of the City.

Section 3. That the City both reasonably expects and intends to finance a portion of the costs of the Project from the proceeds of its general obligation bonds. The City does hereby express its official intent to reimburse any such capital expenditures made or obligations incurred by it on or after the date which is 60 days before the date of this Ordinance from the proceeds of such bonds in the estimated maximum principal amount of \$500,000 plus temporary financing and issuance costs. The City will issue such bonds for such purposes and make the reimbursements within eighteen (18) months after the date the expenditure to be reimbursed was paid or, if later, eighteen (18) months after the date on which the property resulting from the expenditure was placed in service. Provided, that, in any event, the City must make the reimbursement allocation within three (3) years after the date the expenditure was paid. This Ordinance, as the expression of the governing body’s official intent regarding the matters described herein, will be available for public inspection in the City Clerk’s office at City Hall during regular business hours of the City.

Section 4. That the plans and specifications for the Project are hereby approved.

Section 5. That this ordinance shall be of force and effect from and after its passage and approval by the governing body of the City and the publication thereof in the official paper of the City.

PASSED AND APPROVED THIS 11th day of September, 2008.

CITY OF OSAWATOMIE, KANSAS

Mayor

ATTEST:

City Clerk

(SEAL)

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING AND PROVIDING FOR THE PUBLIC SALE OF GENERAL OBLIGATION BONDS, SERIES 2008B OF THE CITY OF OSAWATOMIE, KANSAS; SETTING FORTH THE DETAILS OF SAID SALE; AND PROVIDING FOR THE GIVING OF NOTICE THEREOF.

BE IT RESOLVED by the Governing Body of the City of Osawatomie, Kansas:

Section 1. That it is hereby determined to be necessary and it is hereby authorized, directed and ordered, that General Obligation Bonds, Series 2008B, of the City of Osawatomie, Kansas, shall be sold at public sale and in the manner provided by law, on Thursday, October 9, 2008, at 11:00 a.m. C.D.T. Such bonds shall be in the maximum principal amount of Two Million Four Hundred Ninety Thousand Dollars (\$2,490,000) and shall be dated October 15, 2008 (the "Bonds").

Section 2. That it is hereby further authorized, ordered and directed that the Summary Notice of Bond Sale, which is attached hereto and made a part hereof by reference as though fully set out herein, shall be published one time not more than 30 days and not less than 6 days prior to the date of said sale as required by law, one time in the Osawatomie Graphic, the official newspaper of the City of Osawatomie, Kansas (the "City"), and one time in the Kansas Register, as provided by law.

Section 3. That the Mayor and other officers of the City are hereby authorized to provide for the preparation of a Preliminary Official Statement, to be "deemed final" except for the omission of certain information as provided in the Securities and Exchange Commission Rule 15c2-12, and the Mayor and Clerk are hereby authorized to execute such Preliminary Official Statement, with such changes thereto as such officials shall deem appropriate, and to use such document in connection with the offering of the Bonds.

Section 4. That the officers and representatives of the City are hereby authorized and directed to take such action as may be necessary, after consultation with George K. Baum & Company, as Financial Advisor and Nichols and Wolfe Chartered, as Bond Counsel, to carry out the offering for sale of the Bonds.

Section 5. That it is hereby further authorized, ordered and directed that copies of the Preliminary Official Statement, Official Notice of Bond Sale and the City's bid form for this issue of Bonds, be distributed to prospective bidders of the Bonds.

ADOPTED THIS 11th day of September, 2008.

CITY OF OSAWATOMIE, KANSAS

(SEAL)

Philip A. Dudley, Mayor

ATTEST:

Ann Elmquist, City Clerk

SUMMARY NOTICE OF BOND SALE
\$2,490,000
CITY OF OSAWATOMIE, KANSAS
GENERAL OBLIGATION BONDS
SERIES 2008B

**(General obligation bonds payable from
unlimited ad valorem taxes)**

Bids. Subject to the Official Notice of Bond Sale and Preliminary Official Statement dated September 11, 2008, sealed, facsimile and electronic bids will be received by the City Clerk of the City of Osawatomie, Kansas, (the "Issuer") on behalf of the governing body of the City in the case of sealed bids, at City Hall, 439 Main Street, Osawatomie, Kansas 66064, via facsimile at (913) 755-4164 and in the case of electronic bids, through BIDCOMP/PARITY electronic bid submission system, until 11:00 a.m. C.D.T. on Thursday, October 9, 2008, for the purchase of \$2,490,000 principal amount of General Obligation Bonds, Series 2008B (the "Bonds"). No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details. The Bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The Bonds will initially be registered in the name of Cede & Co., as nominee of the Depository Trust Company, New York, New York, to which payments of principal of and interest on the Bonds will be made. Individual purchases of bonds will be made in book-entry form only. Purchasers will not receive certificates representing their interest in bonds purchased. The Bonds will be dated October 15, 2008, and will become due on September 1, in the years as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2009	\$_____	2017	\$_____
2010	_____	2018	_____
2011	_____	2019	_____
2012	_____	2020	_____
2013	_____	2021	_____
2014	_____	2022	_____
2015	_____	2023	_____
2016	_____		

The Bonds will be subject to optional redemption prior to maturity as provided in the Official Notice of Bond Sale.

The Bonds will bear interest from the date thereof at rates to be determined when the Bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning on March 1, 2009.

Paying Agent and Bond Registrar. The Paying Agent and Bond Registrar will be the Treasurer of the State of Kansas, Topeka, Kansas.

Good Faith Deposit. Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America or a qualified financial surety bond in the amount of \$42,800 (2 percent of the principal amount of the Bonds).

Delivery. The Issuer will pay for printing the Bonds and will deliver the same properly prepared, executed and registered to the facilities of the Depository Trust Company, New York, New York, without cost to the successful bidder within 45 days after the date of sale.

Assessed Valuation and Indebtedness. The total assessed valuation of taxable tangible property in the city for the year 2008 is \$_____. The total general obligation indebtedness of the Issuer, following the concurrent issuance of the Bonds and the Issuer's General Obligation Bonds, Series 2008A in the aggregate principal amount of \$3,550,000 (the "Series 2008A Bonds") is \$_____ (which excludes temporary notes outstanding in the principal amount of \$5,550,000 which will be retired out of the proceeds of the Bonds and the Series 2008A Bonds).

Approval of Bonds. The Bonds will be sold subject to the legal opinion of Nichols and Wolfe Chartered, Topeka, Kansas, bond counsel, whose approving legal opinion as to the validity of the Bonds, will be furnished and paid for by the Issuer and delivered to the successful bidder as and when the Bonds are delivered.

Additional Information. Additional information regarding the Bonds may be obtained from the City Clerk, (913)755-2146, or from the City's Financial Advisor, George K. Baum & Company, 4801 Main Street, Suite 500, Kansas City, MO 64112 (800) 821-7195.

Dated September 11, 2008.

CITY OF OSAWATOMIE, KANSAS
Ann Elmquist, City Clerk
City Hall
439 Main Street
Osawatomie, Kansas 66064
(913) 755-2146

Bates Utility Company, Inc.
841 Westwood Industrial Park Drive
Weldon Spring, MO 63304
(636) 939 - 5628
Fax (636) 939 - 5615

Date: 8-30-08
Owner: City of Osawatomie
Project: 2007 Sanitary Sewer Improvements
CDBG No. 06-PF-536

Description of Work: **Change Order 10**
Summary page of completed force account work.

Labor

Sub-Total	\$6,450.59
Mark up (55% per KDOT)	\$3,547.82
Total Labor	\$9,998.41

Material

Sub-Total	\$1,511.74
Mark up (15% per KDOT)	\$226.76
Total Material	\$1,738.50

Equipment

Sub-Total	\$4,673.10
Mark up (15% per KDOT)	\$700.97
Total Equipment	\$5,374.07

Subcontractor

Sub-Total	\$3,528.75
Mark up (15% per KDOT)	\$529.31
Total Sub	\$4,058.06

Other

Sub-Total	\$0.00
Mark up (0%)	\$0.00
Total Other	\$0.00

Misc.

Sub-Total	\$0.00
Mark up (2%)	\$0.00
Total Other	\$0.00

Total Cost **\$21,169.04**

Contractor: Bates Utility Company, Inc.

By: _____ Date: _____

Engineer: BG Consultants, Inc.

By: _____ Date: _____

Owner: City of Osawatomie

By: _____ Date: _____

Bates Utility Company Inc.
841 Westwood Industrial Park Drive
Weldon Spring, MO 63304

August 21, 2008

BG Consultants
1405 Wakarusa Drive
Lawrence, KS 66049

Attn: Mr. Brian Kingsley

RE: City of Osawatomie Sewer Rehabilitation

The following is the detail of the adjustment to the contract amount by change order to authorize the rehabilitation of the "V" line sewer by pipe reaming in lieu of pipe bursting.

The reason for the change is the poor condition of the existing sewer will require numerous point repairs to facilitate the pipe burst method. The open-cut replacement method would require removing seven trees, which the homeowners object to.

The adjustment to the contract amount will be:

Pipe Reaming Subcontract	\$81,690.00 (See Attached)
Bates Utility Mark-up 5%	\$4,084.50
8" HDPE Sewer - 392.42' @ \$113.41	<\$44,504.35>
Manhole - 1 @ \$1,529.00	<\$1,529.00>
Connect to Existing Manhole - 1 @ \$338.47	<\$338.47>
Extra Depth of Manhole - 1.38' @ \$50.66	<\$69.91>
4" Lateral - 60' @ \$18.12	<\$1,087.20>
8" x 8" x 4" Wye - 12 @ \$173.42	<\$2,081.00>
Add	\$36,164.53

Issue a change order at your earliest convenience so we may proceed with this work.

Sincerely



Pat Bates

Nowak Construction Co., Inc.
Utility Contractors

Date: July 29, 2008

Attn: Pat

V-line

Re: City of Osawatomic
Work associated with Line V

Phone: 636-939-5628

Fax: 636-939-5615

Nowak Construction Company proposes a Lump Sum pricing to complete all work associated with Line V.

Included in price:

- 1. Mobilization & Demobilization
- 2. Pre TV
- 3. Pipe replacement- approximately 400 LF
- 4. One (1) new manhole
- 5. One (1) connect to existing manhole
- 6. Fourteen (14) service connections
- 7. Restoration

TOTAL LUMP SUM: \$81,690.00

If you have any questions please call John Nowak @ 316-794-8898.

Thank You,

John Nowak



CITY OF OSAWATOMIE
 439 Main Street
 PO Box 37
 Osawatomie, KS 66064
 913-755-2146

SEWER IMPROVEMENTS PROJECT
CDBG GRANT # 06-PF-536
PAYMENT REQUEST
September 11, 2008
Payment Request No. 28

Claimant	Description	Document Number	Amount
Governmental Assistance Services 905 Joseph Drive Lawrence, KS 66049	administration	8/31/08	\$ 860.70
BG Consultants, Inc. 1405 Wakarusa Drive Lawrence, KS 66049	engineering inspection	8/15/08	\$ 19,460.59
Bates Utility Company, Inc. 841 Westwood Ind. Park Dr. Weldon Spring, MO 63304	construction	App #10 08/31/08	\$ 283,811.99
BG Consultants, Inc. 1405 Wakarusa Drive Lawrence, KS 66049	Northland Sanitary Sewer PER for USDA RD funding submittal	8/15/08	\$ 2,801.50
	TOTAL		\$ 304,133.28

Approved for payment by the Osawatomie City Council this 11th day of September, 2008.

Philip A. Dudley, Mayor

City of Osawatimie, Kansas
Quantities for Pay Estimate # 3
2007 Street Improvements
29-Aug-08

<u>Item #</u>	<u>Item Description</u>	<u>Approx. Quantity</u>	<u>Unit Measure</u>	<u>Actual Quantities</u>	<u>Unit Price</u>	<u>Cost to Date</u>
1	Contractor Construction Staking	1	L.S.	100%	11,525.00	11,525.00
2	Mobilization	1	L.S.	95%	10,000.00	9,500.00
3	Removal of Existing Structures	1	L.S.	95%	5,500.00	5,225.00
4	Clearing and Grubbing	1	L.S.	95%	150,000.00	142,500.00
5	Excavation (Unclassified)	6,586	C.Y.	6,586	3.25	21,404.50
6	Common Excavation (Contractor Furnished)	377	C.Y.	377	18.10	6,823.70
7	Compaction of Earthwork (Type B) (MR-90)	1,274	C.Y.	1,274.0	2.75	3,503.50
8	Fly Ash Treated Subgrade	16,181	S.Y.	16,181.0	6.20	100,322.20
9	Adjust Valve Box (Water)	10	Each	3	425.00	1,275.00
10	Adjust Manhole	11	Each	11	550.00	6,050.00
11	Inlet (Setback) (Precast)	6	Each	6	3,900.00	23,400.00
12	Curb and Gutter (Combined) (AE)	10,947	L.F.	10,238.00	10.45	106,987.10
13	Storm Sewer Pipe (24") (RCP)	78	L.F.	78	76.75	5,986.50
14	Storm Sewer Pipe (36") (RCP)	59	L.F.	59	85.00	5,015.00
15	Storm Sewer Pipe (1.5 Sq.Ft.) (RCPHE)	83	L.F.	83	125.00	10,375.00
16	Sidewalk Construction (4") (AE)	4,648	S.Y.	2,500.8	26.00	65,020.80
17	Sidewalk Ramp	162	S.Y.	-	128.25	-
18	Concrete Pavement (6") (Uniform) (AE)	1,809	S.Y.	1,846.00	40.05	73,932.30
19	Concrete Pavement (8") (Uniform) (AE)	917	S.Y.	901.40	49.95	45,024.93
20	Concrete Pavement (10") (Uniform) (AE)	246	S.Y.	99.60	57.60	5,736.96
21	Concrete Steps	12	C.Y.	-	235.00	-
22	Reinforcing Steel	600	Lbs	-	0.65	-
23	Temporary Surfacing Material (Set)	1	C.Y.	-	27.00	-
24	Temporary Seeding and Pollution Control	1	L.S.	1	5,500.00	2,750.00
25	Permanent Seeding	1	L.S.	-	15,500.00	-
26	Bituminous Surface Course (BM-2)	1,819	Tons	-	56.50	-
27	Bituminous Base Course (BM-2)	5,327	Tons	4,475.00	51.45	230,238.75
28	Aggregate Base (AB-3) (6")	732	S.Y.	27.23	6.75	183.80
29	Traffic Control	1	L.S.	100%	8,500.00	8,500.00
30	Milling	2,966	S.Y.	-	3.05	-
31	Retaining Wall (Keystone)	170	S.F.	-	37.50	-
	Bituminous Surface Course (BM-2)-Price Index Increase from February 1 through August 1, 2008	1,819	Tons	-	-	-
32	Bituminous Base Course (BM-2)-Price Index Increase from February 1 through August 1, 2008	4,175	Tons	4,175	14.00	58,450.00
33	Bituminous Base Course (BM-2)-Price Index Increase from August 1 through August 29, 2008	300.00	Tons	300.00	18.00	5,400.00
34						
	Total Completed Base Bid					<u>949,730.04</u>

The Price Index increase for items 33 was based upon the monthly asphalt price as of July 1, 2008 of \$586 per ton.
Per Addendum No. 3 the change in Price of Asphalt Index = \$28.00 * .50 cents per ton. (\$14.00 per ton).
The Price Index increase for items 34 was based upon the monthly asphalt price as of August 1, 2008 of \$666 per ton.
Per Addendum No. 3 the change in Price of Asphalt Index = \$36.00 * .50 cents per ton. (\$18.00 per ton).

Alternate No. 1.

1	Contractor Construction Staking	1	L.S.	-	1,500.00	-
2	Mobilization	1	L.S.	-	2,500.00	-
3	Removal of Existing Structures	1	L.S.	-	4,500.00	-
4	Clearing and Grubbing	1	L.S.	-	35,000.00	-
5	Excavation (Unclassified)	218	C.Y.	-	3.25	-
6	Common Excavation (Contractor Furnished)	636	C.Y.	-	18.10	-
7	Compaction of Earthwork (Type B) (MR-90)	488	C.Y.	-	2.75	-
8	Fly Ash Treated Subgrade	1018	S.Y.	-	6.20	-
9	Inlet (Curb) (Precast)	6	Each	-	3,400.00	-
10	Junction Box	3	Each	-	3,200.00	-
11	Curb and Gutter (Combined) (AE)	635	L.F.	-	10.45	-
12	Storm Sewer Pipe (24") (RCP)	12	L.F.	-	100.00	-
13	Storm Sewer Pipe (1.5 Sq.Ft.) (RCPHE)	114	L.F.	-	90.75	-
14	Storm Sewer Pipe (4.0 Sq.Ft.) (RCPHE)	28	L.F.	-	165.00	-
15	Storm Sewer Pipe (7.0 Sq.Ft.) (RCPHE)	423	L.F.	-	155.25	-
16	End Sections (24") (RC)	1	Each	-	775.00	-
17	End Sections (1.5 Sq.Ft.) (RCHE)	1	Each	-	725.00	-
18	Sidewalk Construction (4") (AE)	349	S.Y.	-	26.00	-
19	Sidewalk Ramp	11	S.Y.	-	128.25	-
20	Concrete Pavement (6") (Uniform) (AE)	20	S.Y.	-	40.00	-
21	Temporary Seeding and Pollution Control	1	L.S.	-	4,200.00	-
22	Permanent Seeding	1	L.S.	-	2,000.00	-
23	Bituminous Surface Course (BM-2)	78	Tons	-	56.50	-
24	Bituminous Base Course (BM-2)	287	Tons	-	51.45	-
25	Aggregate Base (AB-3) (6")	21	Tons	-	20.25	-
26	Traffic Control	1	L.S.	-	2,500.00	-

Alternative Bid Total

-

Total Completed to Date

949,730.04

Less: 10% Retainage

94,973.00

Less: Previous Payment

711,645.92

Amount due this pay estimate

143,111.12

Contractor

Project Engineer

City Inspector

Owner



CITY OF OSAWATOMIE
 439 Main Street
 PO Box 37
 Osawatomie, KS 66064
 913-755-2146

**HOUSING DEVELOPMENT
 KHRC HOUSING DEVELOPMENT GRANT PROGRAM
 PAYMENT REQUEST
 September 11, 2008
 Payment Request No. 1**

Claimant	Description	Document Number	Amount
Woodco, Inc. PO Box 350 Republic, MO 65738	Public infrastructure for Appenfeller Drive	ACP #1 8/30/08	\$ 20,340.40
Woodco, Inc. PO Box 350 Republic, MO 65738	Infrastructure for Woodland Hills apts.	ACP #1 8/30/08	\$ 19,437.42
	TOTAL		\$ 39,777.82

Approved for payment by the Osawatomie City Council this 11th day of September, 2008.

Philip A. Dudley, Mayor

NEW BUSINESS

8.A. Appointments

League of KS Municipalities	2 delegates
	2 alternates



Proclamation

Issued by the Mayor of Osawatomie

WHEREAS, the Miami County Medical Center Rehabilitation professionals' promise of excellence to patients is "Great Recoveries, Great People;" and

WHEREAS, Miami County Medical Center, is observing and celebrating National Rehabilitation Awareness Week to recognize those professionals whose caring, empathetic and motivating attributes help guide patients through recovery; and

WHEREAS, Miami County Medical Center rehabilitation professionals, including Physical Therapists, Physical Therapist Assistants, Occupational Therapists, Speech Language Pathologists, Certified Athletic Trainers and support staff work with citizens of all ages to provide services in the hospital, in outpatient settings, at home and at school to help restore citizens to independent, productive and fulfilling lives; and

WHEREAS, the City of Osawatomie is proud and honored to have Osawatomie Rehabilitation and Miami County Medical Center Rehabilitation Services serving the community; and

NOW, THEREFORE, I, Philip A. Dudley, Mayor of the City of Osawatomie, on behalf of its citizens, do hereby proclaim the week of September 21 through September 27, 2008 as

National Rehabilitation Awareness Week

and encourage all citizens to recognize the significant contributions of rehabilitation professionals and to renew their commitment to people with disabilities and to the efforts of rehabilitative medicine to improve quality of life.

Proclaimed this 11th day of September, 2008.

Philip A. Dudley, Mayor

**ADDENDUM NO. 1
TO
AGREEMENT FOR ENGINEERING SERVICES**

This Addendum No. 1 amending the Agreement for Engineering Services dated *September 22, 2005* and titled *Sanitary Sewer Replacement and Rehabilitation and Lift Station Improvements* between the City of Osawatomie, Kansas, party of the first part, hereinafter referred to as the “City”, and the firm of BG Consultants, Inc., located in Lawrence, Kansas, party of the second part, hereafter referred to as the “Consultant”.

WITNESSETH:

That the City requests that BG Consultants, Inc. provide additional design services to add a **sanitary sewer main along the North side of Chestnut Street between 11th Street and 10th Street.**

That the City requests that BG Consultants, Inc. provide additional design services to for **Sanitary Sewer Force Main Improvements (Section 1) as described in the Preliminary Engineering Report titled Preliminary Sanitary Sewer Analysis – Northland Development and dated July 25, 2008.**

These improvements will be hereinafter referred to as the “IMPROVEMENT”.

That the City has selected BG Consultants, Inc. to perform these services;

NOW, THEREFORE, in consideration of these premises and the mutual covenants herein contained, the Parties hereto agree as follows:

**ARTICLE I
SCOPE OF SERVICES
TO BE PROVIDED BY THE CONSULTANT**

1. The Engineer shall commence from the date of this agreement to provide the services required under this section.
2. The Engineer will provide design services in accordance with the original contract *Section A – Engineering Services* for the additional **IMPROVEMENT**.
3. In the event the scope of work described in this contract changes, the scope of work and compensation paid to the Engineer will be renegotiated.
4. The Engineer will prepare contract documents using the English language and English Units.

**ARTICLE II
RESPONSIBILITY OF THE CITY**

The City shall provide information, assistance and compensation as follows:

1. To reimburse the Consultants as follows:
 - a) For additional services set forth in this Article I, Items 1 through 4 above, a lump sum fee.
 - b) The lump sum amount for this Article I, Items 1 through 4, shall not exceed \$54,360.00, unless specifically authorized by the City. The original maximum contract amount for section B shall be increased to \$389,460.00.
2. To provide compensation to the CONSULTANT as follows:
 - a) Payment will be in accordance with the original contract *Section B - 3*.

**ARTICLE III
RESPONSIBILITY OF THE CONSULTANT**

The Consultant Agrees to provide the following Amended professional services as part of the overall scope of services for this project:

1. The Engineer will provide design services in accordance with the original contract *Section A – Engineering Services* for the additional **IMPROVEMENT**.
2. To accept compensation for the herein Amended work, described in such amounts and at such periods as indicated in Article II.

**ARTICLE IV
MUTUAL AGREEMENTS**

It is Mutually-Agreed by the Parties Hereto:

1. This agreement amendment shall become part of the original agreement dated September 22, 2005.
2. The City further agrees that this agreement amendment and all contracts entered into under the provisions of the agreement shall be binding upon the present governing body of said City and their successors, in conformity with the applicable sections of current statutes of the State of Kansas.

IN WITNESS WHEREOF, said parties have caused this Agreement to be signed by their only authorized officers in four counterparts, each of which shall be deemed an original, on the day and year first written.

ATTEST:

CITY OF OSAWATOMIE, KS

City Clerk

Mayor

ATTEST:

BG CONSULTANTS, INC.

Brian P. Kingsley, P.E.
Principal

APPROVED:

RURAL DEVELOPMENT

Randy Stone, P.E.
State Engineer



CITY OF OSAWATOMIE
439 Main Street
P.O. Box 37
Osawatomie, Kansas 66064
913-755-2146
FAX: 913-755-4164

To: Board of Directors, Miami County Rural Water District #3
RWD #3 Water Sales Contract File

From: Bret Glendening; City Manager

Re: Written Permission to RWD #3 Request to Serve City of Fontana with Water

Date: September 12, 2008

The City of Osawatomie's contract with RWD #3 stipulates under Paragraph 3 – Restriction of Number of Users and Service by Water District that:

“The water district shall not, without first having obtained the written permission of the City: (B) – Serve any one customer by a water meter larger than one inch (1”).”

The Governing Body of the City of Osawatomie met on September 11, 2008 in regular session and approved the addition of the City of Fontana as a customer for Rural Water District #3. Should you have any questions, please feel free to contact me.

It is our opinion that no addendum to our contract is necessary based on the above captioned excerpt from the contract and this memo shall serve as the described “written permission”. Please keep the City of Osawatomie advised as to the progress and status of this project and certainly notify us when connection to the City of Fontana is made.



CITY OF OSAWATOMIE
439 Main Street
P.O. Box 37
Osawatomie, Kansas 66064
913-755-2146
FAX: 913-755-4164

CITY OF OSAWATOMIE

CITY MANAGER'S REPORT

September 11, 2008

2007 AUDIT UPDATE:

The audit is complete and we will be working to schedule the auditors to present it to the council in the near future.

PLANNING COMMISSION RECOMMENDATION PLATS FOR WOODLAND HILLS:

The Osawatomie Planning Commission held a public hearing on the preliminary and final plats for Woodland Hills Estates. The plats were both approved for recommendation unanimously. The plats need to be approved and once they are, can be taken to the Register of Deeds to be filed. The approval of the plat permits Dean Development, LLC to sell the 5 lots on the west side of the property to the adjoining property owners on Rohrer Heights and also formally accepts the dedication of rights of way and easements for the public infrastructure.

MUNICIPAL CODE UPDATE:

We are nearing completion of the Osawatomie Municipal Code update. This update (ten years in the making) incorporates all ordinances changing law in Osawatomie since the last code was developed in the 1970's. This update was begun in the mid to late 90's. Once the staff is satisfied that the code incorporates everything properly, the League of Kansas Municipalities will host a "code conference" for the Governing Body to discuss the code with you.

2008 SEWER PROJECT:

Work continues to move forward on the sewer project. On this agenda is Change Order #10 & #11 that reflects a combined increase of: \$57,333.57. As our City Engineer will be present at this meeting to discuss bids on the additional street work, he will go into more detail at the meeting as to their purpose, but they primarily involve finalizing the last of the point repairs and changing one line from a pipe burst line to a reamed/CIPP line. This line needs to be changed because the existing line rests on a fair amount of rock, with no bedding, and if the line were to be fully replaced, several trees would need to be removed. We believe this is the best approach to address the needed line repairs. Once the Change Order is approved, the pay request should be approved.

2008 STREET PROJECT:

Work continues on the street project. While progress is not moving as fast as what anyone would like, or would hope, it is steady progress. As of this writing, most of the concrete work has been completed on 1st street and on Walnut, and the first layer of asphalt has been laid on 9th street. Additionally, the 1100 block of Parker has been removed, and fly ash treatment applied for the base. Additionally, bids will be presented and hopefully a recommendation made to the Council on an award for the six additional blocks of work that need to be made.

UPDATE TO OSAWATOMIE COMPREHENSIVE PLAN:

Data continues to be gathered and compiled for our comprehensive plan update. At least one public meeting will need to take place and we hope to have that scheduled in the near future.

APPROVAL OF RWD #3'S REQUEST TO SUPPLY WATER TO FONTANA:

Included in this packet is a copy of the letter that will be sent to RWD #3 approving their request to add the City of Fontana as a customer, if that is the council's desire. Based on the city's estimated usage as provided previously (approximately, 6,250,000 gallons per year), and the water rates charged to our rural water districts, we estimate approximately \$14,669.88 of revenue will be realized.

RENEWAL OF SOLID WASTE CONTRACT WITH L&K:

The proposed contract with solid waste is before the council for consideration. Larry Smith, L&K services will be in attendance at the September 25, 2008 work session for presentation and discussion of the contract. Major changes include: building in a 3% cost escalator, a fuel adjustment clause, and elimination of the bi-annual white goods pick up. The reason for this latter change is that scrap metal prices are such that most (if not all) 'white goods' are being picked up prior to L&K being able to collect them. Thus, L&K has requested the elimination of this clause from the contract.

WOODLAND HILLS PAY REQUEST:

The first pay requests for the infrastructure at Woodland Hills have been received. Since this is a new program, the reporting mechanisms have not all been fine tuned. We've confirmed with the state that they prefer to see some formal document signed off on by the council. Therefore, we'll use the same form we use for CDBG/RD grant expenditures. This first pay request is approximately \$40,000. You will remember that the grant award was nearly \$1,000,000.

CONTRACT WITH BG CONSULTANTS FOR NORTHLAND SEWER:

As a requirement of the USDA – Rural Development office, we need to sign a separate agreement with our City Engineer, BG Consultants to access the additional sewer grant dollars to begin the construction of the northland sewer force main. Design must still be accomplished as well as easements acquired. The hours are comparable, and the rates are the same as those we have in our general city engineering contract. This is merely a formality.

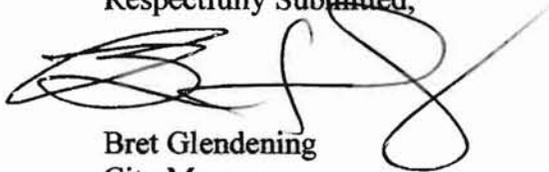
RESOLUTION AMENDING RATES FOR ELECTRIC AND WATER UTILITIES:

Included in this council packet is a resolution and attachment to amend water and electric rates. While water rates are in need of being increased, electric rates are being decreased and the net impact to the end customer is a reduction in monthly utility rates.

COMMERCIAL FOR OSAWATOMIE, KANSAS:

Miami County obtained a grant for marketing itself and its communities in Missouri. This commercial will (is) running in Missouri. It has a definite time it will end. We have received one copy, albeit in a format we cannot utilize. Miami County has requested on behalf of everyone, new copies in formats that we can use to upload to our websites. Once we have received that copy we will post the commercial on our website.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Bret Glendening', written over the typed name.

Bret Glendening
City Manager



Osawatomi Police Department

Monthly Report August 2008

Page 1

	<u>Current Month</u>	<u>Year to Date</u>
Escorts	5	60
Warrant attempts/arrests	7	78
Traffic Stops/investigation	74	656
Investigate Person	0	10
DUI	6	26
Non-Injury Accident	12	124
Injury Accident	1	14
Assist EMS	27	210
Fire	4	31
Fights	3	45
Prowler	0	5
Domestic Violence	4	32
911 Misdeal	5	39
Animal at large	29	348
Animal Bite	4	21
Animal Missing	6	83
Animal Welfare	18	108
Assist Outside Agency	10	122
Bank Alarm	0	9
Burn Permit	7	152
Business Alarm	4	38
Burglary	1	23
Criminal Damage to Property	10	79
Child In need of Care	6	39
Carbon Monoxide Check	0	6
Civil Stand By	13	56
Citizen Complaint	77	759
Citizen Inquiry	56	531
City Services	21	232
Drug Cases	3	34
Disturbance	13	142
Deliver Message	3	24
Extra Patrol Request	5	71
Forgery	2	17



Osawatomi Police Department

Monthly Report August 2008

Page 2

	<u>Current Month</u>	<u>Year to Date</u>
Fine Payment to Dispatch	22	145
Found Property	12	50
Finger Print (employment)	5	10
Gas Drive Off	2	18
HAZMAT	0	2
K9 Training Event	0	10
K9 Deployment	0	11
Loud Music Complaint	2	71
Murder	0	1
Motorist Assist	7	79
Medical Alarms	1	5
Missing Child	1	9
Missing Person	1	3
Open Door (Building Check)	3	33
Pedestrian Checks	1	16
Residential Alarms	0	2
Reckless Driver	1	6
Repossessions (notifications)	0	11
Runaway	1	5
Sexual Assault/Sex Crimes	1	19
Suspicious Activity	18	181
State Hospital Walk Away	2	8
Theft	19	164
Telephone Harassment	2	45
Unattended Death	1	1
Vehicle Lock Out	15	193
Violation of Protective Order	0	9
Verbal Dispute	0	2
Check Welfare	18	95
Incidents cleared by Arrest	14	105
Total Citations Issued for the Month	61	410
Nusciance Issues addressed <i>30 - Grass 5 - Junk</i>		N/A
Last Case # assigned in August: 08-4850. 529 Numbers assigned.		



Osawatomie Police Department

Monthly Report for August 2008

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Miles driven (Patrol Units)

	<u>Miles</u>	<u>Mileage Total</u>
Unit 1 (2007 Crown Victoria)	2,074	53612
Unit 3 (2004 Blazer)	238	96977
Unit 4 (2003 Crown Victoria)	2,142	147777

Notes:

* Statistics based on dispatch entries, not final investigation decisions.

** Some duplication has been detected, error at this time believed to be less than 5% of total.

L & K SERVICES, INC.



510 S. FIRST STREET
LOUISBURG, KANSAS 66053
(913) 837-4637
TOLL FREE (888) 837-4640
FAX (913) 837-5214

August 21, 2008

City of Osawatomie
439 Main
P.O. Box 37
Osawatomie, KS 66064
Attn: Bret Glendening, City Manager

Dear Bret,

Per your request, the following is a list of changes that have been made to the existing contract:

1. In line #3, Consideration. Changes have been made to explain the fuel surcharge and how we arrive at the percentage to be added to or taken away from the rate. You will also see the 3% annual increase built into the contract.
2. In line #4, Bulky Item Pickup. This information was in the addendum dated November 2005, simply providing for and defining the bulky item and tire pickup.
3. In line #9, Compliance with Law. This is a minor change but I have renamed the Miami County Sanitary Landfill to the Miami County Transfer Station.
4. In line #12, Billing. This is really no change. This provides for the 50 cent deduction per customer for the City's billing and collection services.
5. In line #13, Assignment. The wording has been changed to say that consent for the assignment of this Contract cannot be reasonably withheld by the City if the proposed assignee is acceptable to the City.

Please take a look at these changes and call me with any questions or concerns you may have. Thank you for your help with this and for allowing us to provide the City with trash removal. I will look forward to speaking with you soon.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry W. Smith". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Larry W. Smith, President
L. & K. Services, Inc.

CONTRACT FOR COLLECTION OF SOLID WASTE

This contract is made and entered into this 1st day of January 2009 by and between L.& K. Services, Inc. ("Contractor") and the City of Osawatomie, Kansas ("City").

WITNESSETH:

WHEREAS, the City desires Contractor to assume citywide collection of its municipal solid waste in accordance with the terms and conditions of this Contract and Contractor desires to provide said notice.

NOW, THEREFORE, Contractor, for and in consideration of the compensation to be paid by the City in the manner set forth herein, hereby agrees and binds itself and its successors as follows.

1. **Term.** The term of this Contract will commence January 1, 2009, and terminate at midnight December 31, 2013. The City may, in its sole discretion, renew this contract for one successive five-year (5) term upon ninety (90) days written notice to Contractor.

2. **Collection.** Contractor will collect solid waste from each residential curbside or alley as designated by the City and commercial location in accordance with the current collection schedule designed by the City. Operating hours for solid waste pickup shall be 7:00 a.m. until the completion of the route. The City will adjust this schedule monthly, adding and/or deleting location and/or increasing and/or decreasing frequency of collection at locations. Should Contractor deem it advisable to revise this schedule, Contractor will first seek the consent of the City. During the term of this Contract collection practices, schedules and services may be modified under mutual consent and in writing.

3. **Consideration.** Contractor will be paid for its services by the City. The total compensation paid Contractor will fluctuate in relation to the monthly receipts for services. Payment to Contractor will be made by the City by the 15th of the month for the previous month's receipts. Prices are guaranteed for the first year of the Contract with the exception of a review of the fuel surcharge semi-annually. Every six (6) months from the date of this Contract, an average cost of the actual per gallon charge will be figured. Using the base price of three dollars (\$3.00) per gallon, a one percent (1%) adjustment, up or down, will be made for every twenty (20) cent change in fuel prices. Thereafter, prices will be increased 3% annually

with the addition of the fuel surcharge reviewed semi-annually.

4. **Bulky Item Pickup.** Contractor will add one additional pickup per residential household per month for bulky items. Collection shall be provided for all residential refuse customers. Bulky item pickup shall not include bags or boxes of regular trash, loose or scattered materials, construction debris, and liquid waste or hazardous materials. Residents will be required to put all items for bulky item pickup at curbside regardless of their regular trash pickup location. Once each year tires will be picked up with a limit of six (6) per household. This service will not be included in the price for bulky item pickup. The City will be responsible for payment for this service.

5. **Collection Schedule.** Contractor will adhere to the City's existing collection schedule to the greatest extent possible. Should schedule change be required, Contractor shall publish notice of the change in the Osawatomie Graphic at the Contractor's expense.

6. **Collection Misses.** Contractor will notify the City Clerk or City Manager by noon, of any assigned pickup date, if a breakdown of equipment will prevent pickup on that day. In that event, the Contractor must immediately make such pickup, upon the proper repair of equipment, within twenty-four (24) hours thereafter, but in no event later than forty-eight (48) hours from the assigned collection time.

Failure to pickup trash and refuse at a service pickup point shall not be grounds for termination of this Contract, unless prior written notice shall be given to the Contractor and the Contractor shall fail to service said pickup point within twenty-four (24) hours after receipt of said notice. A representative of Contractor shall report to City Hall at anytime requested by the City. The City will encourage the public to contact City Hall or L.& K. Services, Inc. whenever a pickup is missed.

7. **Equipment.** Contractor shall use proper and suitable equipment and employees to perform the duties hereunder and shall perform same in a competent manner. Contractor shall keep all equipment clean and in a condition so that the equipment will not emit noxious odors. The Contractor will operate solely using single-axle equipment to remove residential solid waste from the City. For non-single axle equipment usage, Contractor must receive prior approval and consent from the City.

8. **Holidays.** In the event that Contractor will not provide pickup service on

the scheduled collection date due to any Federal or State holiday, Contractor will notify residential and business customers by publication, at Contractor's expense, of that revised collection date at least three (3) business days prior to said Federal or State holiday. See Schedule A for schedule.

9. **Compliance with Law.** Contractor will at all times comply with all Federal, State and local laws, ordinances, orders and regulations. Waste collected by Contractor shall only be disposed of at the Miami County Transfer Station or at an approved Subtitled D landfill or an approved transfer station approved by the City. All disposal costs are the responsibility of the Contractor. The Contractor shall observe all City ordinances relating to obstructing streets and keeping passageways open. The Contractor is granted the privilege of using the streets for the purpose of doing work specified in the Contract, but is not granted the exclusive use of the streets. The Contractor shall perform all work in a manner that will cause the least inconvenience and annoyance to the general public and to the property owners.

10. **Indemnification.** Contractor will indemnify and hold harmless the City, its representatives, agents and employees from all loss, damages, suits, claims and other actions whatsoever arising from acts, omission and negligence of Contractor, its employees, servants and agents. Further, the Contractor will indemnify and hold harmless the City, its representatives, agents and employees from all loss, damages, suits and claims for injury or damage received, sustained or allegedly received or sustained by the Contractor, its employees, servants and agents, including any claim made by virtue of Worker's Compensation.

11. **Insurance.** Contractor will maintain, at all times during the term of this Contract, employer's liability, automobile liability and general liability insurance in the amount of one million dollars (\$1,000,000.00), single limit coverage. The insurance coverage shall list the City as an additional insured under the provisions of the policy or policies. Such insurance coverage shall protect Contractor and the City against all claims for the operations of all motor vehicles by Contractor or its employees, whether they are owned or non-owned. Such coverage shall protect Contractor and the City against all claims arising from injuries to any person or damage to property of others arising out of any act or omission of Contractor, its agents or employees. Contractor shall provide and maintain insurance with a minimum limit of one million dollars (\$1,000,000.00) to protect the City against any

and all claims for damages for personal injury, including accidental death, as well as claims under this contract, whether such operations be by the Contractor or by any of its agents or employees or by anyone directly or indirectly employed by the Contractor. Such insurance policy shall name the City as an additional insured under the provisions of the policy. The policies of insurance referred to in this paragraph shall provide that no cancellation or change shall be made with regard to said policy unless the insurance company first gives the City ten (10) days written notice by certified mail prior to the cancellation or change. The lapse of any insurance coverage required under this Contract shall result in immediate termination of this Contract. Further, Contractor shall maintain Worker's Compensation Insurance to fully protect Contract. Contractor shall file with the City a certificate from the insurer that the policy or policies are in full force and effect and that the same will not be altered, amended or terminated without a thirty (30) day prior written notice having been given the City.

12. **Billing.** The City will bill and collect for services for which the City will deduct fifty (50) cents per customer per month from the monthly compensation earned by the Contractor. The Contractor compensation will be based solely on gross receipts from payments of services performed.

13. **Assignment.** This agreement is binding upon the parties hereto and their successors, legal representatives and assigns; provided, however, that Contractor may not assign this Contract without express consent of the City, and such consent will not be reasonably withheld by the City if the proposed assignee is acceptable to the City.

14. **Default.** In the event the Contractor shall fail or refuse to perform his duties and obligation, or shall become insolvent, or shall become the subject of a proceeding of bankruptcy, or shall become the subject of any proceeding for the appointment of a receiver or in the event of an assignment by Contractor for the benefit of its creditors, or the taking of trucks, equipment, vehicles and other facilities used in connection with the performance of the work under any execution against Contractor, in any such event, City may at its option, upon five (5) days written notice, declare the Contractor to be in breach of this Contract. City may terminate the Contract and declare same cancelled and terminated and shall, in addition, be entitled to recover damages and take such other actions and seek such other remedies as may be permitted by law.

EXHIBIT A
FEES - Adopted 12/13/07; Resolution No. 592
Effective Date - January 1, 2008

CODE	ORD. #	DESCRIPTION	PREVIOUS FEE(S)	CURRENT FEE(S)	CHANGED
		ADMINISTRATIVE:			
3-101	Code 1977	ALCOHOL & CEREAL MALT BEVERAGE			
		Alcoholic Consumption on Public Property	\$100.00 deposit	\$100.00 deposit	7/28/05
		Cereal Malt Beverage general retailer/consumption	\$100.00*	\$50.00 per calendar year *	12/13/07
		limited retailer/retail sales	\$50.00*	\$50.00 per calendar year *	
		* plus any state assessed costs/taxes			
		change location application fee		\$25.00	
		Occupational Tax – Retail Liquor sales off premises consumption	\$300.00	\$300.00 per year	
		Private Club License - Class A Club		\$250.00 per year	
		Private Entertainment Event		\$100.00	
		Ord 3254	Drinking Establishment License - Class B Club	\$100.00	\$250.00 per year
	Temporary Liquor License - by the drink		\$50.00 per day + state license	7/28/05	
Governing Body 11/10/05		BUILDING RENTALS			
		Auditorium			
		per day	\$100.00	\$125.00	12/14/06
		deposit	\$100.00	\$100.00	
		microphone deposit	\$25.00	\$25.00	12/8/05
		Memorial Hall			
		Monday - Friday 7:00 a.m. - 3:00 p.m.	\$35.00	\$40.00	12/13/07
		4:00 p.m. - midnight	\$45.00	\$50.00	"
		all day	\$55.00	\$60.00	"
		Saturday, Sunday, Holidays 7:00 a.m. - 3:00 p.m.	\$40.00	\$50.00	"
		4:00 p.m. - midnight	\$50.00	\$60.00	"
		all day	\$60.00	\$70.00	"
		Grandfathered organizations	\$25.00 per year	\$35.00 per year	
		deposit	\$100.00	\$100.00	
		Old Stone Church - Deposit Only	--	\$100.00	
		Golf Course Clubhouse			12/13/07
		winter rental	\$125.00 + salary	\$250.00 + salary	
		USD #367 & Chamber of Commerce	no rent/no deposit	no rent/no deposit	12/14/06
		Osawatomie Alumni Association		no rental charge	
		Benefit for someone with severe illness		no rental charge	

CODE	ORD. #	DESCRIPTION	PREVIOUS FEE(S)	CURRENT FEE(S)	CHANGED	
		CEMETERY SERVICES				
	Ord 3395	Opening & closing grave, reopening or disinterment	contractor's cost	contractor's cost		
		Single grave space	resident	\$100.00	\$150.00	12/14/06
			growth area	\$0.00	\$250.00	"
			non-resident	\$200.00	\$400.00	"
		Permit for setting monument	single/double/corner markers	\$30.00	\$40.00	"
			reset	\$0.00	\$40.00	"
			repair	no charge	no charge	"
		Burial Permit	during business hours	\$25.00	\$30.00	"
			after business hours	\$75.00	\$80.00	"
			Permit for disinterment	\$10 + cost + 10%	\$80.00	"
		Stone Setting Bond	\$300.00	\$300 w/liability ins of \$1M	"	
		FIREWORKS				
	Ord 3582	Permit for sale of fireworks	\$500.00	\$750; \$1,000 - 2009; \$1,500 - 2010	12/13/07	
		Permit for public display	none	none		
		MUNICIPAL COURT				
	Ord 3627	Court Cost - plus any state assessed costs	\$40.00	\$55.50 + State costs	6/14/07	
		Court Fines		fine schedule determined by Judge		
		OPEN RECORDS FEES				
		Copies	\$0.20	\$.60 per page	7/28/05	
		Research fee per employee	\$13/hr.	\$20.00 hr. w/ \$20.00 minimum		
		Utility Histories	150% of cost	\$25.00 + \$.60 per page	12/14/06	
		Letters of Credit	150% of cost	\$25.00	12/14/06	
		Maps, postage, manuals, misc.	manuals - \$10	150% of City cost including labor		
		SOLICITORS, CANVASSERS, PEDDLERS				
		License fee per person	\$10/day/person	\$30.00 per day per person	12/14/06	
		BUILDING, ZONING & NUISANCES:				
		BUILDING PERMITS				
	Ord 3577	Residential Structure - NEW OR ADDITIONS or Accessory Structures over 192 sq. ft. --all Square footages including unfinished basements & garages	\$.15/sq ft (annual increase of \$.03/yr)	\$.18 per sq. ft., minimum \$40 + UTILITIES as required	12/13/07	
		Residential Structure - REMODEL	\$.15 per sq. ft., \$40 MIN + \$40 PER UTILITY	\$.18 per sq. ft., \$40 MINIMUM + UTILITIES as required	12/13/07	
		ALL NON-RESIDENTIAL & PUBLIC PROJECTS (OTHER THAN CITY) NEW, ALTERATIONS, OR ADDITIONS CONSTRUCTION VALUE LESS THAN \$300,000	\$.10 per sq. ft. MIN OF \$100 + \$40/UTILITY	\$.13 per sq. ft. MINIMUM OF \$100 + UTILITIES as required		

CODE	ORD. #	DESCRIPTION	PREVIOUS FEE(S)	CURRENT FEE(S)	CHANGED
		ALL NON-RESIDENTIAL & PUBLIC PROJECTS (OTHER THAN CITY) NEW, ALTERATIONS, OR ADDITIONS CONSTRUCTION VALUE \$300,000 AND OVER		ADOPTED BUILDING CODE RATES	
		Residential Accessory Structures 192 SQ. FT. OR LESS			
		Residential/Commercial Less than 96 sq ft	\$40.00	\$30.00	12/13/07
		96 - 192 sq ft	\$40 + \$.15/sq ft	\$40 + \$.18/sq ft over 96 sq ft	12/13/07
		Agricultural All square footage	\$25.00	\$30.00	12/13/07
		Other Classifications			
		Re-roof/New Roof	\$25.00	\$30.00	
		Demolition	\$25.00	\$30.00	
		Electric Wiring			
		replacement (of existing wiring only)	\$25.00	\$30.00	12/13/07
		new structures (expansion of existing system)	\$40.00	\$50.00	
		Plumbing			
		replacement (of existing plumbing only)	\$25.00	\$30.00	12/13/07
		new structures (expansion of existing system)	\$40.00	\$50.00	
		Mechanical, Heating, Venting & AC			
		replacement (of existing HVAC only)	\$25.00	\$30.00	12/13/07
		new structures (expansion of existing system)	\$40.00	\$50.00	
		Fences	\$25.00	\$30.00	
		Concrete	\$25.00	\$30.00	
		Earthwork excavation or fill 18" or more	\$40 + actual cost	\$50 plus actual City cost	
	Ord. 3577	Towers, Generating Stations, & Generating Plants	Adopted Bldg. Code Rates	ADOPTED BUILDING CODE RATES	
		Reinspection		Same price as original permit	
		Decks	\$25.00	\$30.00	
		Signs	\$25.00	\$30.00	
		Structure moving fee - does not include all cost of required new structure permits	\$40 + cost - \$300 ...	\$50 + cost of City labor - \$500 in escrow prior to permit - total cost = actual City cost	12/13/07
		Street excavation fee per occurrence or street/curb damage fee (permit required for each occurrence)	\$300 escrow ...	\$1,000 escrow held up to 1 year 48 hr response to trigger escrow	
	Ord 3320	Oil or gas drilling permit fee	\$100.00	\$1,000.00	12/13/07
		Plan Review Fee - non-residential & public building - may include (but not limited to) all plans such as utility site plans, storm water plans, traffic flow plans, outside lighting plans, landscaping plans, building plans, etc.	5% of total cost in escrow - bldg permit - cost = actual City cost	\$250.00	
		Plan Review Fee - residential	\$ 1.00 per \$ 1,000 value	\$150	

CODE	ORD. #	DESCRIPTION	PREVIOUS FEE(S)	CURRENT FEE(S)	CHANGED
		Working without building permit	double permit fee	triple permit fee	12/13/07

CODE	ORD. #	DESCRIPTION	PREVIOUS FEE(S)	CURRENT FEE(S)	CHANGED
		CONTRACTOR REGISTRATION FEES			
	Ord 3577	All must present proof of required insurance			12/13/07
		General Builder or Limited Building Contractor - who shall engage in general contract work, except house moving	\$30.00	\$50.00 per calendar year	
		General Electrician or Electrical Contractor - who shall engage in more than one kind of electrical construction work	\$30.00	\$50.00 per calendar year	
		General Plumber or Plumbing Contractor - who shall engage in more than one kind of plumbing work	\$30.00	\$50.00 per calendar year	
		Mechanical Contractor - who shall engage in more than one kind of mechanical work	\$30.00	\$50.00 per calendar year	
		Tree Trimmers	\$30.00	\$50.00 per calendar year	12/13/07
		House Movers	\$30.00	\$50.00 per calendar year	
		Sign Hangers and Panel Posters	\$30.00	\$50.00 per calendar year	
		Optional Advertising Privilege (placement on contractor's list available at City Hall)		\$250.00 per calendar year	
		Operating without being registered		maximum \$500.00	12/14/06
		MOWING ASSESSMENT			
		each occurrence	varied charges	\$150.00/hr, 1 hr minimum (round up to next hour)	12/14/06
		ZONING			
	Ord 3577	All zoning requests will be fees plus actual City costs for publication, notifications, legal costs			7/28/05
		Rezoning – All districts			
		0 - 5 acres	\$150.00 + \$5.00	\$250.00	
		5.1 - 50 acres	per owner	\$300.00	
		50.1 and up		\$400.00	
		Special Use Permit – Initial Application			
		0 - 5 acres	\$100.00 + \$5.00	\$200.00	
		5.1 - 50 acres	per owner	\$300.00	
		50.1 and up		\$400.00	
		Land use permit		\$400.00	
		Board of Zoning Appeals Variances	\$300.00	\$150.00	2/9/06
		Appeals	\$150.00	\$300.00	
		Subdivision Application			
		Per lot, 10 or less	\$75 + \$5/lot	\$200.00 + \$5.00 per lot	12/14/06
		Per lot, 11 or more	\$75 + \$3.50/lot	\$200.00 + \$3.50 per lot	
		Preliminary Plat	\$600.00	\$300.00	
		Final Plat - not combined with preliminary plat		\$300.00	
		Lot Splits	\$75.00	\$150.00	

CODE	ORD. #	DESCRIPTION	PREVIOUS FEE(S)	CURRENT FEE(S)	CHANGED
		PUBLIC SAFETY:			
		ADMINISTRATIVE			
		Fee for Police Responses to Party - including but not limited to:		Actual cost (may include but not limited to: Officer salaries, pro rate cost of equipment, cost of repairing City equipment or property, officer medical treatment, reasonable attorney fees, etc.	7/28/05
	Ord 3482	Adult entertainment licenses - plus investigation costs			12/13/07
		Business license	\$500.00 per year	\$1,000.00 per year	
		Manager's license	\$100.00 per year	\$250.00 per year	
		Entertainer's license	\$250.00 per year	\$1,000.00 per year	
		Server's license	\$50.00 per year	\$50.00 per year	
		ANIMALS			
	Ord 3393	Dog or Cat License			12/13/07
		sexually altered	\$6.00	\$7.00 per animal per year	
		unaltered	\$10.00	\$10.00 per animal per year	
		duplicate tag	\$2.00	\$2.50	
		Impoundment fee			
		1st impoundment	\$50.00	\$60.00	
		(within 24 months of 1 st)			
		2nd impoundment	\$75.00	\$85.00	
		(within 24 months of 1 st)			
		3rd impoundment	\$100.00	\$110.00	
		(within 24 months of 1 st)			
		4th impoundment & subsequent	\$200.00	\$210.00	
		Pickup fee	\$20.00	\$25.00	12/13/07
		Boarding fee	\$15.00 per day	\$20.00 per day	12/13/07
		Euthanize	\$20.00	\$50.00	
		Vaccination fee	\$10.00	\$15.00 per animal	
		Small Dead Animal Removal from private property (commercial operation)		\$30.00 per animal	12/14/06
		Small Dead Animal Removal from private property		\$25.00	12/14/06
		Large Dead Animal Removal from private property		Actual cost of removal	
		Animal Adoption, dog or cat		Same as above	
		license fee			
		Adoption fee	\$20.00 per animal	\$25.00 per animal	12/14/06
		Spay/neuter fee		\$100.00	12/14/06
		Vaccination fee	Same as above	Same as above	
		RECREATION:			
		BOAT FEES			
		Abandoned Boat Storage Fee		actual cost to City	

CODE	ORD. #	DESCRIPTION	PREVIOUS FEE(S)	CURRENT FEE(S)	CHANGED
	Ord 3394	Non-motorized Senior citizen - 65 years or older	\$2.00 per year	No charge	7/28/05
		residents	\$5.00 per year	\$7.50 per calendar year	12/13/07
		non-residents	\$7.50 per year	\$20.00 per calendar year	
		Motors up to 2 horsepower Senior citizen - 65 years or older	\$2.00 per year	No charge	12/13/07
		residents	\$5.00 per year	\$10.00 per calendar year	12/13/07
		non-residents	\$7.50 per year	\$30.00 per calendar year	
		Motors over 2 horsepower residents	not allowed	\$20.00 per calendar year	12/13/07
		non-residents		\$60.00 per calendar year	
		CAMPING FEES			
	Ord. 3277	Individuals no hook-up	\$7.00	\$10.00 per day with 7-day	12/13/07
		electric	--	limit combined with all City parks	
		air conditioning or heat	--		
		Organizations no hook-up	\$7.00	\$10.00 per day with 7-day	12/13/07
		electric	--	limit combined with all City parks	
		air conditioning or heat	--		
		FISHING LICENSES			
	Ord 3394	Senior citizen - 65 years or older	\$2.00 per year	No charge	7/28/05
		Residents	\$7.50 per year	\$10.00 per year	12/14/06
		Non-residents	\$20.00 per year	\$25.00 per year	
		Under 16 years accompanied by adult	free	free	
		Daily	\$1.50	\$2.00	12/13/07
		Weekend (Friday - Sunday)	\$3.00	\$4.00	"
		GOLF COURSE FEES			
	Ord 3552	Membership Dues (5% discount if paid before 1/15 of each year)			12/8/05
		Single	\$425.00	\$430.00	
		Single with cart privileges	\$780.00	\$800.00	12/13/07
		Couple	\$525.00	\$540.00	12/13/07
		Couple with cart privileges	\$980.00	\$995.00	"
		Family	\$655.00	\$680.00	"
		Family with cart privileges	\$1,275.00	\$1,300.00	
		Students (under 18 & living at home)	\$165.00	\$175.00	
		Youth (12 & under) Monday - Friday only	\$100.00	\$125.00	
		Green Fees for non-members			
		Monday through Thursday - 9 holes	\$13.00	\$14.00	12/13/07
		Monday through Thursday - 18 holes	\$19.00	\$20.00	"
		Friday through Sunday & Holidays - 9 holes	\$16.00	\$17.00	"
		Friday through Sunday & Holidays - 18 holes	\$22.00	\$23.00	"
		Twilight Rate - walking (M-Th after 4 / weekends after 5)	\$12.00	\$13.00	"

CODE	ORD. #	DESCRIPTION	PREVIOUS FEE(S)	CURRENT FEE(S)	CHANGED
		Twilight Rate with cart (M-Th after 4 / weekends after 5)	\$22.00	\$23.00	"
		Senior Rate (M-Th)(no 9 hole rate)	\$16.00	\$17.00	"
		Winter Rate - walking	\$12.00	\$15.00	"
		Winter Rate with cart	\$22.00	\$23.00	"
		Winter Rate after 2:00 p.m.	\$18.00	\$19.00	"
		Supplemental green fee per round (maximum 18 holes per round)			
		Members	\$1.00	\$1.50 per round	12/14/06
		Non-members	\$2.00	included in green fees	
		Golf Carts			
		Cart Storage Rentals in the City Building	\$120.00	\$125.00 annual	
		Electricity Charge	\$150.00	\$155.00 annual	
		Private Cart Trail Fee	\$120.00	\$125.00 annual	
		Hauled Private Cart Trail Fee Annually	\$175.00	\$180.00 annual	
		Hauled Private Cart Trail Fee per Round	\$15.00	\$15.00 per time	
		Rental - 9 holes per player	\$6.50 per player	\$7.00 per player	12/13/07
		Rental - 18 holes per player	\$13.00 per player	\$14.00 per player	"
		SWIMMING POOL FEES			
		Tickets (book of 25)	\$15.00	\$25.00	12/13/07
		Children under 5 years old		free	"
		Children 5-13 years old		1 ticket	"
		14 & older		2 tickets	"
		Pool rental (weekend only)	\$35.00 + \$.50 ...	\$50.00 + \$.50 per swimmer	"
		UTILITIES:			
		ADMINISTRATIVE			
		Customer utility service fee (connections & transfers)	\$15.00	\$20.00	12/13/07
		Utility Desposits			12/13/07
		Residential	\$100.00	\$200.00	
		Commercial - average of previous 12 mos or similar business	\$150.00 min	\$300.00	
		Rental Units - residential	\$100.00	\$200.00	
		Senior citizen housing	\$50.00	\$75.00	
		Tavern	\$250.00	\$300.00	
		Restaurant	\$1,000.00	\$1,000.00	
		Late charge for delinquent utility bills	2%	3% of amount billed	7/28/05
		Customer requested utility turn off or turn on - leaks/repairs		\$25 during business hours	
				\$75 after business hours	
		Reconnection charge for services disconnected for non-payment			
		during business hours	\$20 + tax	\$25.00 + tax	

CODE	ORD. #	DESCRIPTION	PREVIOUS FEE(S)	CURRENT FEE(S)	CHANGED
		after business hours	\$40 + tax	STOP AFTER HOURS	
		Insufficient check charge for checks returned unpaid by a bank	\$30.00	\$40.00	
	Ord 3422	ELECTRIC SERVICE RATES			
		Residential			9/25/08
		Customer charge	\$10.00	\$10.00	
		First 100 kwh per month	\$0.156/kwh	\$0.150/kwh	
		Next 400 kwh per month <i>New equalized billing to be effective</i>	\$0.100/kwh	\$0.096/kwh	
		Next 1,000 kwh per month <i>on the June billing (first bill when old</i>	\$0.079/kwh	\$0.076/kwh	
		All over 1,500 kwh per month <i>summer rates would be effective)</i>	\$0.077/kwh	\$0.074/kwh	
			(Plus Energy Cost Adjustment charge)		
		Small General			
		Customer Charge	\$15.00/\$15.00	\$15.00	9/25/08
		First 100 kwh per month	\$0.137/kwh	\$0.126/kwh	
		Next 400 kwh per month	\$0.121/kwh	\$0.111/kwh	
		Next 1,500 kwh per month	\$0.103/kwh	\$0.095/kwh	
		Next 3,000 kwh per month	\$0.100/kwh	\$0.092/kwh	
		Next 5,000 kwh per month	\$0.088/kwh	\$0.081/kwh	
		All over 10,000 kwh per month	\$0.082/kwh	\$0.075/kwh	
			(Plus Energy Cost Adjustment charge)		
		Large General			
		Demand	\$5.81/kwh	\$5.35/kwh	9/25/08
		First 150 kwh per month	\$0.068/kwh	\$0.063/kwh	
	Next 150 kwh per month	\$0.062/kwh	\$0.057/kwh		
	All additional kwh	\$0.053/kwh	\$0.049/kwh		
	Customer Charge	\$75.00/mo	\$75.00/mo		
	Minimum bill	demand + cc	demand + customer chg		
		(Plus Energy Cost Adjustment charge)			
	Outside City limits		50% over rates listed above	12/14/06	
	City Use				
	First 100 kwh per month	\$0.115	\$0.115 per kwh	10/12/95	
	All over 100 kwh per month	\$0.083	\$0.083 per kwh		
		(Plus Energy Cost Adjustment charge)			
	Energy Cost Adjustment Charge - weighted average of 3 most recent months	Same	Add 0.1 mill/kwh for each 0.1 mill over 50.0 mills or subtract for under 50.0 mills	7/28/05	
	Service Connection				
	Regular meter - residential & small commercial - 200 amps & less		\$500.00		
	Demand meter - 400 amps & more		\$750.00		

CODE	ORD. #	DESCRIPTION	PREVIOUS FEE(S)	CURRENT FEE(S)	CHANGED			
		Padmount transformer		cost + labor + 10%				
		Temporary Electric Hookup						
		rate	as applicable	as applicable				
	CM Memo	installation		\$100.00	12/14/06 12/14/06			
		deposit	as applicable	\$100.00				
		Security/Yard Lights						
		monthly rate	175 watt	\$7.50		\$9.50 per month		
			400 watt			\$20.00 per month		
		installation		\$60.00		\$100 per light		
		pole		\$60.00		\$100 per pole		
		after hours repair				\$125/hr equipment charge + \$75/hour per employee		
	Ord 3533	REFUSE SERVICE RATES			12/13/07			
		Residential	\$13.50	\$14.62 per family unit				
		Business		2x		4x	5x	6x
		Class 1	\$13.43/--- \$31.35/---	\$14.54		---	\$33.74	---
		Class 2	\$24.73/--- \$60.29/---	\$26.64		---	\$64.74	---
		Class 3	\$33.83/--- \$83.05/---	\$36.39		---	\$89.12	---
		Class 4	\$48.77/\$77.40 \$96.50/\$115.60	\$52.40		\$83.06	\$103.53	\$123.99
		Class 5	\$77.40/\$153.79 \$191.98/\$230.17	\$83.06		\$164.89	\$205.81	\$246.72
		Class 6	\$115.60/\$230.17 \$286.57/\$344.74	\$123.99		\$246.72	\$307.13	\$369.44
		Class 7	\$153.79/\$306.55 \$382.93/\$459.31	\$164.89		\$328.54	\$410.35	\$492.17
		Collection outside City limits	no additional chg	50% over rates listed above				
		Customers hauling own refuse	\$1.00	\$1.15 per month				
		Rates include billing charge	Administrative fee \$.50	\$0.50				
		Residential rate includes monthly bulky item pickup fee	\$1.00	\$1.15				
	Ord 3481	SEWER SERVICE CHARGES			11/12/99 12/14/06 "			
		Volume charge based on metered water used during preceding December & January						
		User charge	\$1.55	\$2.33 per month				
		Net capital charge	\$14.50	\$21.75 per month				

CODE	ORD. #	DESCRIPTION	PREVIOUS FEE(S)	CURRENT FEE(S)	CHANGED
		Minimum monthly charge (user charge + net capital charge)	\$16.05	\$24.08 per month/housing unit	"
		Volume charge per 748 gallons of metered water	\$1.19	\$1.79 per month	"
		Outside City limits		50% over rates listed above	"

CODE	ORD. #	DESCRIPTION	PREVIOUS FEE(S)	CURRENT FEE(S)	CHANGED
		Service to the State Hospital			
		User charge	\$1.55	\$2.33 per month	12/14/06
		Net capital charge	\$5,953.37	\$8,930.06 per month	"
		Minimum monthly charge (user charge + net capital charge)	\$5,954.92	\$8,932.39 per month	"
		Volume charge per 748 gallons of metered water	\$1.19	\$1.79 per month	"
		Extra Strength Sewage Surcharge	No charge	S=Vs x 0.00624 [\$.2364 (BOD-300) + \$.1734 (SS-350)]	7/28/05
		BOD		\$0.2364 per pound	
		Suspended Solids		\$0.1734 per pound	
	Ord 3496	Service Connection			12/13/07
		connection within existing districts	\$250.00	\$350.00	
		reconnection	\$50.00	\$50.00	
	Ord 3457	Amortization Assessment fee - outside the bounds of an assessed improvement district	\$1,000.00	\$1,000.00	5/14/98
		Private system inspection & permit fee - does not include regular plumbing permit fee		\$50.00	7/28/05
		WATER SERVICE RATES			
	Res 557	Residential			9/25/08
		First 1,500 gallons per month	\$11.28	\$11.62 minimum per housing unit	
		Next 2,200 gallons per month	\$.37/hundred gal	\$.38 per hundred gallons	
		Next 3,700 gallons per month	\$.32/hundred gal	\$.33 per hundred gallons	
		Over 7,400 gallons per month	\$.30/hundred gal	\$.31 per hundred gallons	
		Commercial			
		First 1,500 gallons per month	\$16.49	\$16.98 minimum	
		Next 2,200 gallons per month	\$.37/hundred gal	\$.38 per hundred gallons	
		Next 3,700 gallons per month	\$.32/hundred gal	\$.33 per hundred gallons	
		Next 67,400 gallons per month	\$.30/hundred gal	\$.31 per hundred gallons	
		Over 74,800 gallons per month	\$.25/hundred gal	\$.26 per hundred gallons	
		Outside City Limits		50% over rates listed above	12/14/06
		State Hospital and Rural Water Districts			
		First 7,500 Gallons, Minimum	\$28.44	\$32.71 per thousand gallons	
		Excess	\$2.04	\$2.35 per thousand gallons	
		Bulk Water Sales (at City Warehouse)			
		Per Thousand Gallons	\$4.27	\$4.40	9/25/08
		Per 100 Gallons	\$0.43	\$0.44	9/25/08
		State Water Protection Fee - State mandated	\$0.032	\$0.032 per thousand gallons	

CODE	ORD. #	DESCRIPTION	PREVIOUS FEE(S)	CURRENT FEE(S)	CHANGED
		New Service Connection - tap, service line & meter			
		3/4 inch meter or 5/8 inch meter	\$350.00	\$750.00	
		meter larger than 3/4 inch	time & material	time & material + \$750.00	
		Temporary Water Service			
		rate	bulk water	bulk water rate	
		installation		\$25 + installation cost	
		deposit		\$500 meter deposit	
		fire hydrant water meter deposit	\$1,200.00	\$1,200.00	