

OSAWATOMIE CITY COUNCIL
AGENDA
July 8, 2010
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 June 10, June 24, and June 26 City Council Meetings
 - B. Approve July 8 Agenda
 - C. Appropriation Ordinances 10-11 & 10-12
5. Comments from the Public; Presentations

Citizen participation will be limited to 5 minutes. Please stand & be recognized by the Mayor
6. Public Hearing - none
7. Unfinished Business
 - A. Approve Invoices for Library Improvement Grant – Request No. 12
 - B. Approve Invoice for Streetscape Improvement Grant – Request No. 3
 - C. 2011 Budget
8. New Business
 - A. Appointments – none
9. Council Reports
10. Mayor’s Report
11. City Manager’s Report
12. Executive Session - none
13. Adjournment

REGULAR MEETING – August 12, 2010
MEETING/WORK SESSION – July 26, 2010

Osawatome, Kansas. June 10, 2010. The Council meeting was held in Memorial Hall. Mayor Dudley called the meeting to order at 7:00 p.m. Council members present were Dickinson, Farley, Hunter, LaDuex, Maichel, Ratley, and Walmann. Absent was Moon. Also present were City Manager Glendening, City Attorney Wetzler and City Clerk Elmquist. Visitors were and Travis Perry.

CONSENT AGENDA. Approval of the Minutes of May 13 and May 19 Meetings, approval of June 10 Agenda, and approval of Appropriation Ordinance 10-9 & 10-10. Motion made by Hunter, seconded by Dickinson to approve the Minutes of May 19 Meeting, approval of June 10 Agenda, and approval of Appropriation Ordinance 10-10. Yeas: All.

Motion made by LaDuex, seconded by Maichel to approve the Minutes of May 13 and Appropriation Ordinance 10-9. Yeas: All.

Public Participation; Presentations:

PRESENTATION AND APPROVAL OF 2009 AUDIT. The Council received the 2009. The auditors will be at the June 24 meeting.

Paul Obermeier, 1134 Fourth Street, wants to put a second garage on his property which is 5 lots combined. He would like the ordinance changed to allow two garages in extenuating circumstances since he has more land. Motion made by Maichel, seconded by Farley to evaluate Obermeier's situation at 1134 5th to obtain a second detached garage with extenuating circumstances. Yeas: All.

Public Hearings: None

Unfinished Business:

APPROVE INVOICE FOR LIBRARY IMPROVEMENT GRANT – REQUEST NO. 11. Motion made by Ratley, seconded by Hunter to approve Pay Request No. 11. Yeas: All.

APPROVE INVOICES FOR STREETSCAPE IMPROVEMENT GRANT – REQUEST NO. 2. Motion made by Hunter, seconded by Ratley to approve Pay Request No. 2. Yeas: All.

RESOLUTION NO. 630 CERTIFYING LEGAL AUTHORITY TO APPLY FOR CDBG GRANT AND AUTHORIZE MAYOR TO SIGN ALL NECESSARY DOCUMENTS. Motion made by Hunter, seconded by Ratley to approve Ordinance No. 3676. Yeas: All.

RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN. Motion made by Hunter, seconded by LaDuex to approve the Plan. Yeas: All.

STATEMENT OF ASSURANCES AND CERTIFICATIONS. Motion made by Hunter, seconded by Ratley to approve the Statement. Yeas: All.

APPROVE CONTRACT WITH GAS FOR CDBG ADMINISTRATIVE SERVICES FOR STREET IMPROVEMENT PROJECT CONTINGENT UPON AWARD OF CDBG GRANT. Motion made by Ratley, seconded by Maichel to approve the Mayor to sign the contract with GAS. Yeas: All.

AWARD PROPOSAL FOR TECHNICAL/FEASIBILITY REVIEW OF OSAWATOMIE ELECTRIC UTILITY. Two proposals were received.

Black & Veatch	\$55,000
Sawvel & Associates	\$32,000

The recommendation by staff was to award the bid to Sawvel & Associates. Yeas: All.

New Business:

APPOINTMENTS.

Planning Commission – Growth Area

Dennis Dameron

Motion made by Hunter, seconded by Maichel to authorize the Mayor to approve. Yeas: All.

CONSIDER APPROVAL OF FIREWORKS STANDS. The following vendors requested approval by the Council:

J & C Fireworks

Charles Brand

605 O'Neal

Motion made by Ratley, seconded by Maichel to approve the stand. Yeas: All.

Eddie's Discount Fireworks

Adam Shay

504 Oscar

The application was received after the deadline. Motion made by Maichel, seconded by Farley to approve an exception to the fireworks ordinance one time. Yeas: Dickinson, Farley, LaDuex, and Maichel. Nays: Hunter, Ratley, and Walmann. Motion passed.

COUNCIL PARTICIPATION IN JAMBOREE PARADE. The Council will be participating in the parade July 17.

Council Retreat. The date is June 26 with the location to be determined.

Council Reports:

Ratley: The Recreation Commission will be holding a summer baseball camp for 13-year-olds July 22-28 and looking for volunteers. There will be a number of baseball tournaments this summer, including State and regionals.

Hunter: The John Brown Jamboree is next week.

LaDuex: The Library Pancake Fundraiser brought in \$1,000. Over 400 are enrolled in the summer reading program.

Mayor's Report:

Attended Alumni Weekend activities. The alumni commented on all the improvements that the City has done and is doing.

City Manager's Report:

There is a GIS company that has been giving discounts to KMEA-EMP members for electric systems. Engaged their services, as allowed by the purchasing policy, as part of the technical/feasibility review.

EXECUTIVE SESSION – CONSULTATION WITH CITY ATTORNEY WHICH WOULD BE DEEMED PRIVILEGED IN THE ATTORNEY-CLIENT RELATIONSHIP. Motion made by Hunter, seconded by LaDuex at 8:23 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 15 minutes. Yeas: All. The City Manager and City Attorney were present. Meeting reconvened at 8:44 p.m. No action taken.

EXECUTIVE SESSION – PERSONNEL MATTER OF NONELECTED PERSONNEL. Motion made by Ratley, seconded by Maichel at 8:24 p.m. to recess into executive session for personnel matter of nonelected personnel for a period of 30 minutes. Yeas: All. The City Attorney was present. Meeting reconvened at 9:16 p.m. No action taken.

Motion made by Ratley, seconded by Dickinson to adjourn. Yeas: All.

Ann Elmquist, City Clerk

Osawatomie, Kansas. June 24, 2010. The Council meeting was held in Memorial Hall. Mayor Dudley called the meeting to order at 7:34 p.m. Councilmembers present were Dickinson, Farley, Hunter, LaDuex, Maichel, Moon, Ratley, and Walmann. Also present were City Manager Glendening, City Attorney Wetzler, and City Clerk Elmquist. Visitors were Penny Evans, George Pretz, Lyle Wobker, Robert Kerr, Webster Hawkins, and Travis Perry.

APPROVAL OF AGENDA. Added was GAS Contract for Services for the Library Phase II Improvement Project Grant Application. Motion made by Hunter, seconded by LaDuex to approve the agenda as amended. Yeas: All.

ORDINANCE TO APPROVE SPECIAL USE PERMIT AT 312 LINCOLN AVENUE TO OPERATE A CHILD CARE CENTER IN AN R-1 SINGLE FAMILY RESIDENTIAL DISTRICT. The Planning Commission was unable to hold a public hearing March 31 since there was not a quorum. Previously the lack of a recommendation from the Planning Commission was considered a negative recommendation. Motion made by Hunter, seconded by Moon to approve Ordinance No. 3677. Yeas: Dickinson, Farley, Hunter, LaDuex, Maichel, Moon, Ratley and Walmann. Motion passed by a 2/3 majority.

CONSIDER AMENDMENT TO PERSONNEL POLICIES TO BAN SMOKING IN PUBLIC FACILITIES. Motion made by Hunter, seconded by Dickinson to approve Resolution No. 631. Yeas: All.

GAS CONTRACT FOR SERVICES FOR THE LIBRARY PHASE II IMPROVEMENT PROJECT GRANT APPLICATION. Motion made by Moon, seconded by Maichel to authorize the Mayor to sign the contract with GAS for a fee of \$6,250. Yeas: All.

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

Ann Elmquist, City Clerk

Osawatomie, Kansas. June 26, 2010. The Special Council meeting was held in the Public Library basement. Mayor Dudley called the meeting to order at approximately 8:00 a.m. The purpose of the meeting was: Council Leadership Retreat. Councilmembers present were Dickinson, Farley, Hunter, LaDuex, Maichel, Moon, and Ratley. Absent was Walmann. Also present were City Manager Glendening, City Attorney Wetzler, and former Mayor Tom Speck.

COUNCIL LEADERSHIP RETREAT. The purpose of the retreat was to learn their role as an elected official and prioritization of City projects to give the City Manager a direction of which projects to pursue and which projects have the most interest.

Mayor Tom Speck presented the League of Kansas Municipalities power point presentation and facilitated the discussion.

An overview of a Strategic Plan in regard to economic development was presented and discussed.

Kansas Open Meetings Act (KOMA) and Kansas Open Record Act (KORA) were presented by City Attorney Wetzler.

The Council ended with planning and the prioritization of projects goals.

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

Philip A. Dudley, Mayor

Osawatomie, Kansas. July 1, 2010. The Special Council meeting was held in the City Manager's Office. Mayor Dudley called the meeting to order at approximately 7:00 p.m. The purpose of the meeting was: Approve Change in Venue for City Fireworks Display and Executive Session – Personnel Matters of Nonelected Personnel. Councilmembers present were Dickinson, Farley, Hunter, LaDuex, Maichel, Moon, and Walmann. Absent was Ratley. Also present were City Manager Glendening, City Attorney Wetzler, and former Mayor Tom Speck. Visitors were Doug Carder and Travis Perry.

APPROVE CHANGE IN VENUE FOR CITY FIREWORKS DISPLAY. Motion made by Hunter, seconded by Moon to have the fireworks display in the 100 block of 11th Street. Yeas: All.

EXECUTIVE SESSION – PERSONNEL MATTER OF NONELECTED PERSONNEL. Motion made by Hunter, seconded by LaDuex at 7:06 p.m. to recess into executive session for personnel matter of nonelected personnel for a period of 30 minutes. Yeas: Dickinson, Farley, Hunter, LaDuex, Maichel, Moon, and Walmann. Nay: Maichel. The City Manager and City Attorney were present. Meeting reconvened at 7:38 p.m. No action taken. Motion made by Hunter, seconded by LaDuex at 7:38 p.m. to recess into executive session for personnel matter of nonelected personnel for a period of 30 minutes. Yeas: All. The City Manager and City Attorney were present. Meeting reconvened at 8:12 p.m. No action taken.

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

Ann Elmquist, City Clerk

Record of Ordinances

ORDINANCE NO. 10-11

DATE WARRANTS ISSUED:
June 30, 2010

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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 06/04/10			101,468.21
Payroll 06/18/10			109,090.86
FICA 06/04/10			7,417.69
FICA 06/18/10			8,000.73
KPERS			11,408.53
CenturyLink	service	35786	242.87
Crawford Sales	Budweiser	35787	178.30
Suddenlink	internet	35788	119.90
City of Osawatomie	petty cash reimbursement	1234	5,781.09
League of Kansas Municipalities	booth	35886	350.00
Crawford Sales	Budweiser	35887	319.50
Midwest Distributors	Miller, Coors	35888	168.00
Osawatomie Recreation Commission	tax appropriation	35889	46,595.62
Bradley A/C & Heating	repaired A/C at substation	35890	71.37
CenturyLink	alarm loop to City Hall	35891	2.77
City of Osawatomie	uilities	35892	14,172.53
The Home Depot	supplies	35893	166.82
Orr Construction	2nd pay request	35894	83,808.38
The Osawatomie Journal	ad - Police Officer	35895	60.00
Suddenlink	internet	35896	130.85
AT&T	RTU's	35897	216.85
Beachner Grain, Inc.	grass seed, pesticides	35898	315.95
KS Animal Health Dept.	license	35899	250.00
Kansas Gas Service	power plant	35900	26.21
L & K Services, Inc.	dumpster for park, refuse	35901	30,737.20
Miami County Internet OnRamp	internet	35902	19.95
Suddenlink	internet	35903	79.11
Unemployment insurance	unemployment insurance	35904	300.00
Brad Waggoner	pro-shop	35905	955.68
Lisa Barton	food for Lee Brice	35906	200.00
Asylum Bridge	entertainment - Jamboree	35907	250.00
B Scott Studio	dash plaques	35908	493.01
Sue Corbett	entertainment - Jamboree	35909	400.00
Tammy Kimery	entertainment - Jamboree	35910	50.00
Peace At War	entertainment - Jamboree	35911	200.00
Phonogenics Productions	entertainment - Jamboree	35912	900.00
Tony Rustki	A-Z Trion and Silver Bullet	35913	500.00
Steve Schad	lighting	35914	475.00
City of Prairie Village	2008 Crown Vic partol car	35915	6,000.00
360 Artist Agency	entertainment - Jamboree	35916	1,750.00

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DATE WARRANTS ISSUED:
June 30, 2010

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CLAIMANT	NATURE OF CLAIM OR SERVICE	CLAIM NUMBER	AMOUNT
Bradley A/C & Heating	maintenance on A/C	35917	103.50
Elliott Insurance Inc.	quarterly premium	35918	39,013.00
Kansas City Wilbert Vault	grave openings	35919	630.00
Kansas Dept of Revenue	sales tax	35920	7,068.82
King's Construction	refund for hydrant meter less water	35921	1,403.40
Ricoh Americas Corporation	copier lease	35922	289.00
S & R Enterprise	mowing weed lots	35923	380.00
Tobys Carnival	carnival tickets	35924	1,740.00
Visa	lodging, summer reading program	35925	1,574.51
City of Osawatomie	Library - admin & engineering	35926	4,016.22
Miami County Treasurer	title 2008 police car	35927	25.50
Crawford Sales	Budweiser	35928	255.10
Cigna	health insurance	35929	31,423.70
Main St Liquor	liquor for Lee Brice	35930	80.80
Delta Dental	dental insurance	35931	3,188.74
Extreme Collision & Custom	repaired 2005 Ford Explorer	35932	3,397.18
GCSAA	dues	35933	320.00
Kansas City Power & Light	services	35934	1,567.59
KMEA - EMP	electricity, transmission	35935	14,502.21
KMEA - Nearman	electricity	35936	33,402.50
Suddenlink	internet	35937	59.95
Vision Service	vision insurance	35938	909.45
Governmental Assistance Services	Library phase 2 grant app. Services	35939	6,250.00
Kansas Gas Service	services	35940	476.30
Crawford Sales	Budweiser	35941	87.05
MidWest Distribution	Coors, Miller	35942	151.21
Boy Scout Troop 106	cleaned & stacked bricks	35943	2,750.00
Bradley A/C & Heating	repaired beer cooler	35944	187.00
CenturyLink	RUT's	35945	236.56
CenturyLink	long distance	35946	391.64
CenturyLink	services	35947	2,088.67
Kansas Rural Water Assoc.	membership fee	35948	720.00
KMEA - GRDA	electricity	35949	97,305.63
KMEA - Hydro	hydroelectric	35950	2,870.98
Lybarger Oil, Inc.	fuel	35951	8,218.91
Miami County Treasurer	real estate taxes	35952	615.68
Pitney Bowes	postage machine rental	35953	299.00
Sprint	service	35954	18.52
Suddenlink	internet	35955	119.90
Wal-Mart Community	supplies	35956	277.77
City of Osawatomie	petty cash reimbursement	1235	1,463.62
			703,552.59

Record of Ordinances

ORDINANCE NO. 10-12

DATE WARRANTS ISSUED:
July 8, 2010

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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 Osawatimie, 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
ACS Firehouse Software	support contract renewal	35957	625.00
Agrium Advanced Technologies	pesticides	35958	2,192.62
Airgas Mid South	oxygen cylinder	35959	71.94
American Safety Utility Corp.	electric line supplies	35960	512.10
Arlan Company, Inc.	rescue tube	35961	142.65
Asphalt Sales Company, Inc.	rock	35962	783.84
Auten Pharmacy	gloves, mineral oil	35963	18.66
Baker & Taylor	books	35964	110.82
Bearing Headquarters Company	couplers	35965	1,256.18
BG Consultants, Inc.	streetscape, sewer easement	35966	16,115.09
Board of Police Commissioners	alert system user charges	35967	30.46
Bollings Bargain Bonanza	paper	35968	30.00
Bowes Automotive Products	filters, clamps, parts	35969	64.75
Void		35970	-
Void		35971	-
Brown's Hardware	supplies	35972	627.39
C & G Merchants	parade candy, supplies	35973	587.90
Certifion Corporation	entersect Police online	35974	87.95
Champion Brands, LLC	oil, supplies	35975	1,001.21
Coleman Equipment, Inc.	switch, windshield washer, parts	35976	261.24
Copy Products, Inc.	overage	35977	305.05
Cross Midwest Tire Co.	tire, repair kit	35978	202.10
Electronically Speaking	batteries, routers, supplies	35979	216.10
Elliott Insurance, Inc	treasurers bond	35980	68.00
Evco Wholesale Food Corp.	gatorade, meat	35981	546.39
Family Center	dog food, dehumidifier, supplies	35982	931.40
Feld Fire	function test & repairs	35983	788.20
Richard M. Fisher, Jr. LLC	court appointed attorney	35984	175.00
Fort Bend Services, Inc.	polymer	35985	990.00
Gerken Rental	portable restrooms, tents	35986	1,595.00
Grainger	pressure transducer	35987	294.30
Graybar	wire, line supplies	35988	1,696.82
Heritage Tractor, Inc.	parts	35989	203.53
Holman Hansen & Colville, PC	municipal matters, city prosecutor	35990	3,611.00
The Home Depot	supplies	35991	75.96
Huber & Associates	enterpol operating system	35992	630.00
Inland Truck Parts Company	transmission, parts, labor	35993	1,323.41
Jay's Uniforms	shirt, flags, supplies	35994	111.50
KS for Court Management	fall conference	35995	50.00
Kansas Municipal Utilities	dues	35996	2,192.00

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CLAIMANT	NATURE OF CLAIM OR SERVICE	CLAIM NUMBER	AMOUNT
Kansas State Treasurer	training funds	35997	585.00
Kansas State University	soil test	35998	8.00
Mitch Kerr	Library janitorial	35999	160.00
Killough Construction, Inc.	asphalt	36000	1,878.72
Kincaid Ready Mix	concrete	36001	163.00
Kraus Electric LLC	repaired generator	36002	323.50
Kriz Davis Co.	bulbs, supplies	36003	229.27
Landmark National Bank	golf cart payment	36004	2,178.24
League Of Kansas Municipalities	leadership summit, ad	36005	200.00
Lesco	pesticides	36006	839.83
Logan Contractors Supply, Inc.	drain spade	36007	44.95
Miami Co. Road & Bridge Dept.	tack oil	36008	285.95
Miami Lumber, Inc.	lumber	36009	268.43
Mid America Hydraulic Repair, Inc.	sweeper parts	36010	38.80
Mississippi Lime Company	hydrated lime	36011	1,659.15
Void		36012	-
Void		36013	-
Void		36014	-
Moon's IGA	supplies	36015	1,048.20
Navrat's Office Products	paper, supplies	36016	71.17
Navrat's	keyboard drawer, paper	36017	1,127.95
NEKLS	library cards	36018	130.00
NPG Newspapers	ads	36019	476.96
Oil Patch Pump & Supply, Inc.	v-belt, valve ball	36020	80.81
Olathe Winwater Works	saddles, curb stop	36021	540.02
OMB's Express Police Supply	trousers, shirts, strobe tube	36022	1,188.85
Orscheln Farm & Home	plastic	36023	190.16
Osawatomie Journal	ads	36024	118.50
Pat's Signs	banner for Jamboree	36025	40.00
Pepsi	pepsi, water	36026	697.13
Praxair Distribution, Inc.	oxygen, acetylene	36027	271.73
Quill	gavel, supplies	36028	274.06
R.M.I. Golf Carts	cart rental, parts	36029	667.45
Read It Free	ad	36030	25.00
Recorded Books	books	36031	103.05
G.S. Robins	chemicals	36032	17,795.28
Ron's Small Engine	bulb	36033	5.45
Ruan Logistics Corporation	freight for lime	36034	1,325.27
Rural Water District #3	ETI	36035	16.50
Simmons Gun Specialties, Inc.	ammo	36036	1,998.45
Smitty's Lawn & Garden Equipment	belt, idler pulley, parts	36037	163.84
Stanion Wholesale Electric Co.	electric line supplies	36038	1,049.56
State Industrial Products	striping tape	36039	75.74
T & R Electric, Inc.	transformers	36040	300.00
Debbie Talley	Memorial Hall janitorial	36041	375.00



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

**Streetscape Improvements
KDOT TE GRANT
PROJECT NO. 61 TE-0345-01
ARRA-T034(501)**

**PAYMENT REQUEST
July 8, 2010
Payment Request No. 3**

Claimant	Description	Document Number	Amount
Orr Construction Management 9812 East 56th Street Raytown, MO 64133	construction	ACP #4 7/2/10	\$ 168,663.34
BG Consultants 4806 Vue Du Lac Place Manhattan, KS 66503	engineering design	6/17/10	\$ 15,379.59
		TOTAL	\$ 184,042.93

Approved for payment by the Osawatomie City Council this 8th day of July, 2009.

Philip A. Dudley, Mayor



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

June 10, 2010

UPDATE ON DOWNTOWN STREETSCAPE PROJECT:

As of now, the contractor is anticipating completion of the streetscape project by the middle to end of July. Milling of the street has been done, as has at a minimum the wiring for the street lights has been pulled through the conduit. Landscaping is scheduled to begin (if it has not already begun) this week. The crosswalks will be the most labor intensive portion of the project that remains and the intention is to close half of Main Street through the project boundaries to allow for the construction of half of the crosswalks that cross Main Street and the entire crosswalks across 5th and 6th streets one side at a time. The final step in the project will be the paving and striping which will likely require the closure of the entire project for approximately one day (estimated). Of course, the caveat is that the weather continues to cooperate. Lastly, a plaque commemorating the project has been ordered and a structure upon which to mount the plaque will be constructed somewhere in the project. A sample of the plaque is attached to this City Manager's report.

DESIGN STANDARDS FOR DOWNTOWN:

At a previous council work session, an architect with our city engineering firm, BG Consultants discussed in general, design standards for the downtown. After that meeting, I requested a sample of design standards, which he provided me from the City of Tonganoxie, Kansas. This document was subsequently copied and provided to each councilmember at that time. I am attaching those standards and suggest that it be placed on the July work session for further discussion by the council.

PACIFIC/14TH/BROWN STREET PLANS:

We anticipate learning the fate of our CDBG application for this project on or about August 15, 2010. Once we know whether we were successful or not in being awarded this grant, we will need to begin redesign of Pacific and Brown Avenues through the project boundaries to take the street width from 36' to 32'. Once that is accomplished, the project will be brought back to the council for official authorization to seek bids for the construction work. In the event we do not get the grant award, our advice would be to bid the project with three alternates so we can construct the most streets with the funds that are available.

UPDATE ON OSAWATOMIE LIBRARY EXPANSION PROJECT:

As I typed the update on the streetscape project, it dawned on me that I have not provided the council with frequent updates on this project. As of now, we are awaiting the delivery of the

elevator, but until that time, construction continues to occur on the inside of the building. The entire upstairs will now be furnished with new carpet as opposed to what was originally planned which was to carpet only what needed to be removed to facilitate the construction project. The cost of the additional carpet was \$5,000. The Library Advisory Board will also need to determine the type of signage it wishes to have in the front of the library. As of now, the contractor is still anticipating completion of the project within the allotted working days in the contract.

TECHNICAL/FEASIBILITY REVIEW OF OSAWATOMIE SWIMMING POOL:

The last word we received from Burbach Aquatics (firm evaluating the Osawatome Swimming Pool) is that the first step in the contract is nearly complete and upon its completion, will be reviewed and presented to the council. They anticipate approximately two weeks to finish this step and then they will begin the second step of the evaluation process.

TECHNICAL/FEASIBILITY REVIEW OF OSAWATOMIE ELECTRIC UTILITY:

Information is being gathered to provide to Sawvel & Associates on the electric utility. As progress is made with this study, I will provide the council with updates.

SCHEDULE FOR LEVEE CERTIFICATION STUDY PHASE II:

The USDA LIDAR aerial photos have been taken and are currently being evaluated. Once those are completed (current estimate was for delivery to be made on or around April 1, 2010. That has since been pushed back to Julyish?), Wilson & Co. can begin performing their interior drainage studies and identifying elevations as part of the levee certification requirements. In a nutshell, everything is being held up due to the LIDAR data not being delivered at this point in time.

RECYCLING PROGRAM UPDATE:

Larry Smith contacted me some time ago and I told him I would check with the council but believed that the recycling program would be easily acceptable provided it was going to result in no additional cost to the customer. With regard to yard waste, an alternative must be found for the disposal of yard waste. The city's KDHE permitted burn pile might be an option (we would first want to check with KDHE), but we would have to monitor dumping at the site rigorously to ensure that trash is not disposed of. A couple of hours every day during the week might be acceptable since during those times, we almost always have two employees on duty at the water plant. One could remain at the water plant while the other monitors the dumping of yard waste. I believe council authorization would be necessary for this to occur, but could be incorporated into a larger recycling program. As of now and through the end of the year however, L & K can continue to dispose of yard waste.

2011 BUDGET PREPARATION:

Now that I have the assessed valuation figures for the 2011 budget, I will be working on fine tuning the document to present at the July work session. However, as we progress towards the August 25 deadline, please be sure to communicate any questions or concerns you may have.

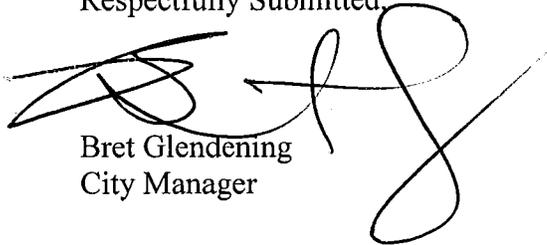
UPDATE ON REALIGNMENT OF WARD BOUNDARIES:

At the request of the City Council, I checked with the County Clerk's Office regarding the redrawing of ward boundaries. Currently, each ward in the city corresponds to a voting precinct in the city. They subsequently checked with the Secretary of State's office and the recommendation from both offices is to hold off on redrawing the boundaries until after the 2010 Census data is released. This should be priority number one however, once that information is received.

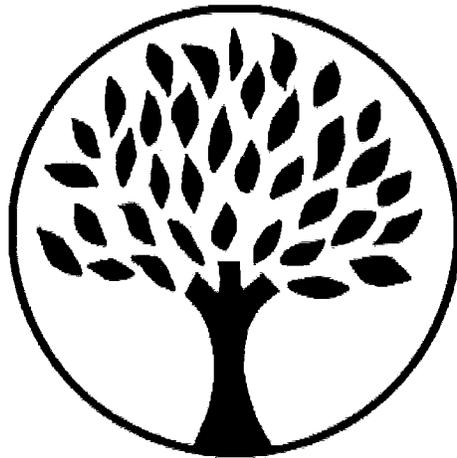
UPDATE TO OSAWATOMIE COMPREHENSIVE PLAN:

I have spoken with Diane Binkley of Ochsner, Hare & Hare (OHH), regarding the update to the comprehensive plan. You will remember, that we received assistance from the Mid-America Regional Council (MARC) with a planning intern to gather all of the required information and do a lot of the "leg work" so we could save significant dollars on the professional review fees with OHH. No interns are available from MARC for the current year, which leaves us in a position of holding out completion of the comprehensive plan until additional resources are available to assist in the cost or contracting with OHH to complete the plan. I have received a proposal from OHH and the cost to complete the plan at this time is: \$18,607. Absent any opportunity to significantly reduce the fee, it is my recommendation to hold off on this process until we dispose of some other, more pressing issues (i.e. levee certification).

Respectfully Submitted,



Bret Glendening
City Manager



CITY OF OSAWATOMIE
2010 STREETScape PROJECT
DEDICATED AUGUST, 2010

MAYOR – PHILIP A. DUDLEY

COUNCIL MEMBERS

TED HUNTER & LAWRENCE DICKINSON
MIKE MOON & JOHN FARLEY
JEFF WALMANN & KAREN LADUEX
TAMARA MAICHEL & LARRY RATLEY
TROY DALTON & BRENT KAEMPFE

CITY MANAGER – BRET GLENDENING

DIRECTOR OF PUBLIC WORKS – STEVE COFFELT

ENGINEER – BG CONSULTANTS – LAWRENCE, KS

GENERAL CONTRACTOR
ORR CONSTRUCTION MANAGEMENT, INC.



Osawatimie Police Department

Monthly Report June 2010

Page 1

	<u>Current Month</u>	<u>Year to Date</u>
Escorts	4	46
Warrant attempts/arrests	19	66
Traffic Stops/investigation	103	705
Investigate Person	2	18
DUI	4	12
Non-Injury Accident	16	94
Injury Accident	0	16
Assist EMS	14	133
Fire	2	51
Fights	9	36
Prowler	0	3
Domestic Violence	5	19
911 Misdial	9	37
Animal at large	30	201
Animal Bite	0	12
Animal Missing	9	43
Animal Welfare	18	106
Assist Outside Agency	10	92
Bank Alarm	0	2
Burn Permit	6	167
Business Alarm	3	29
Burglary	3	14
Criminal Damage to Property	4	30
Child In need of Care	3	33
Carbon Monoxide Check	0	1
Civil Stand By	26	64
Citizen Complaint	85	388
Citizen Inquiry	73	293
City Services	46	204
Drug Cases	7	22
Disturbance	15	104
Deliver Message	5	21
Extra Patrol Request	3	24
Forgery	2	6





Osawatomie Police Department

Monthly Report June 2010

Page 2

	<u>Current Month</u>	<u>Year to Date</u>
Fine Payment to Dispatch	20	117
Found Property	7	19
Finger Print (employment)	2	8
Gas Drive Off	4	11
HAZMAT	0	0
K9 Training Event	1	14
K9 Deployment	0	11
Loud Music Complaint	2	36
Murder	0	0
Motorist Assist	14	68
Medical Alarms	0	0
Missing Child	1	12
Missing Person	0	0
Open Door (Building Check)	3	28
Pedestrian Checks	1	7
Residential Alarms	0	2
Reckless Driver	0	3
Repossessions (notifications)	1	7
Runaway	0	1
Sexual Assault/Sex Crimes	0	5
Suspicious Activity	28	141
State Hospital Walk Away	0	2
Theft	18	86
Telephone Harassment	4	38
Unattended Death	0	1
Vehicle Lock Out	25	135
Violation of Protective Order	2	4
Verbal Dispute	0	0
Check Welfare	13	81
Incidents cleared by Arrest	27	112
Total Citations Issued for the Month	54	358

Last incident # assigned in May: 10-3684. 657 #s assigned



Osawatomie Police Department

Monthly Report for June 2010

Page 3

Miles driven (Patrol Units)

	<u>Miles</u>	<u>Mileage Total</u>
Unit 1 (2007 Crown Victoria)	2,393	108584
Unit 3 (2004 Blazer)	708	121797
Unit 4 (2007 Chevy Impala)	2,170	39424

Nuisance Information

	<u>Current</u>	<u>Year to Date</u>
Nuisance Totals	35	178
Debris	9	81
Vehicle	1	13
Grass	25	90
Tickets	0	5
Cleared	32	155

Misc. Notes

Sgt. Ober and Officer Bradshaw attended streetside interview training

* 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.

*** Includes nuisance issues addressed by phone w/o letters

Building Permit Activity for the Month of June 2010

Category	Total Permits	Total Value	Revenue received by City G.F.
New Single Family Dwellings	0	0	0
Re-roofs	9	\$32,501.00	\$270.00
Remodels	1	\$2,500.00	0
Accessory Buildings	4	\$14,800.00	\$168.84
Concrete	1	\$2,500.00	\$50.00
Mechanical	4	\$4,900.00	\$140.00
Repairs	3	\$1,550.00	0
Decks & Porches	3	\$7,665.00	\$90.00
Additions	0	0	0
Com. Buildings	0	0	0
Demolishing	1	0	\$50.00
Fences	3	\$3,080.00	0
Plumbing	5	\$1,350.00	\$170.00
Electrical	2	\$2,000.00	\$100.00
Ag. Buildings	1	\$3,600.00	\$30.00
Penalties	1	\$587.68	\$587.68
Plan Review	0	0	0
Zoning	0	0	0
Totals	37	\$77,033.68	\$1,656.52
Sewer Taps	0	0	0
Water Meters	0	0	0
Electric Meters	0	0	0

Accessory list includes detached accessory structures, storage sheds, signs and carports.

Concrete list includes driveways, sidewalks, concrete pads, porches, basements foundations & patios.

Terry E. Anderson
Building Official

Building Permit Activity for the Second Quarter 2010

Category	Total Permits	Total Value	Revenue received by City G.F.
New Single Family Dwellings	1	\$126,000.00	\$295.68
Re-roofs	27	\$80,455.00	\$810.00
Remodels	8	\$125,700.00	\$364.00
Accessory Buildings	5	\$30,800.00	\$456.84
Concrete	4	\$8,520.00	\$110.00
Mechanical	9	\$12,500.00	\$330.00
Repairs	7	\$10,750.00	\$80.00
Decks & Porches	11	\$14,615.00	\$300.00
Additions	0	0	0
Com. Buildings	1	\$7,500.00	\$182.40
Demolishing	3	0	\$110.00
Fences	5	\$3,280.00	0
Plumbing	17	\$10,030.00	\$1,330.00
Electrical	7	\$3,930.00	\$270.00
Ag. Buildings	1	\$3,600.00	\$30.00
Penalties	2	\$647.68	\$647.68
Plan Review	1	\$150.00	\$150.00
Zoning	0	0	0
Totals	106	\$438,477.68	\$5,466.60
Sewer Taps	0	0	0
Water Meters	0	0	0
Electric Meters	1	\$500.00	\$500.00

Accessory list includes detached accessory structures, storage sheds, signs and carports.

Concrete list includes driveways, sidewalks, concrete pads, porches, basements foundations & patios.

Terry E. Anderson
Building Official

OSAWATOMIE CITY COUNCIL
WORK SESSION / MEETING AGENDA
July 22, 2010
7:00 p.m., Memorial Hall

WORK SESSION

1. 2011 Budget Workshop
2. Stormwater Utility Fee
3. Design Guidelines for Downtown
4. Stormwater Utility Fee Charter Ordinance

REGULAR MEETING – 7:30 p.m.

- A. Call to Order
- B. Roll Call
- C. Approval of Agenda
- D. Adjournment of Regular Meeting

REGULAR MEETING & *BUDGET HEARING*
August 12, 2010

CHARTER ORDINANCE NO. 12

A CHARTER ORDINANCE PARTIALLY EXEMPTING THE CITY OF OSAWATOMIE, KANSAS FROM THE PROVISIONS OF THE WATER POLLUTION ACT AS CONTAINED IN KSA 12-3101 ET SEQ. BY PROVIDING ADDITIONAL PROVISIONS RELATING TO THE ESTABLISHMENT, OPERATION, AND MAINTENANCE OF A STORMWATER UTILITY THEREBY ADDING CHAPTER 15, ARTICLE 9 TO THE OSAWATOMIE MUNICIPAL CODE.

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

SECTION ONE: There is hereby established a Stormwater Utility, the purpose of which is to assist the City in its responsibility for the operation, construction, maintenance, and repair of stormwater drainage system facilities to provide adequate systems of collection, conveyance, detention, treatment, and release of stormwater and the reduction of potential hazards to property and life resulting from stormwater runoff.

SECTION TWO: The City Manager shall be empowered to administer the Stormwater Utility and may delegate such duty and responsibility as is necessary to carry out the provisions of this chapter within the limits of the budget, directives, and storm drainage regulations adopted by the City Council for this utility, the City Manager or his designee shall have the following responsibilities:

- a. To develop a plan for construction, operation, reconstruction, repair and maintenance of the various facilities that make up the City's storm drainage system including but not limited to curbs and gutters, storm drain inlets, storm drain pipes, ditches, culverts, canals, detention basins, berms and levees;
- b. To develop a recommended five (5) year capital plan for needed improvements to existing facilities or new facilities;
- c. To carry out a program of work as adopted by the City Council;
- d. To enforce all regulations pertaining to stormwater including the retention of or discharge from private property;
- e. Review private systems as necessary to determine the compliance of such systems with this chapter;
- f. Advise the Mayor, City Council and staff on matters relating to this utility;
- g. Prepare and review a comprehensive drainage plan for the City;
- h. Review plans and approve, deny, inspect and accept extensions and connections to the system;

SECTION THREE: The City shall adopt an operating budget for each fiscal year. The operating budget shall set for each fiscal year the estimated revenues and the estimated costs for operations and maintenance extension, replacement, and debt service. The initial operating budget shall be for the fiscal year commencing January 1, 2010.

SECTION FOUR:

- a. The Governing Body hereby imposes a Stormwater Utility Fee to be charged to all Customers of the Stormwater Utility.
- b. The City Council shall annually, on recommendation of the City Manager, establish by resolution of the governing body the Stormwater Utility Fee to be charged to all customers of the Stormwater Utility. The governing body shall establish such fees in such amount as is deemed necessary to support the operation, maintenance, extension, replacement, improvement and debt service of the Stormwater Utility. The annual fees Annual fees to be paid by residential and nonresidential customers shall be established by separate resolution of the Governing Body or may be included as a part of the Osawatomie annual fee resolution.
- c. Any subsequent fee adjustments as are deemed necessary, by the Governing Body on recommendation of the City Manager shall be made annually in December during the annual review of the City of Osawatomie's fee resolution.
- d. All accounts payable to the City for Stormwater Utility shall be included within the monthly billing for water and other services provided by the City; the bill is due and payable upon receipt. Those accounts not paid within fifteen (15) days shall be deemed delinquent and a penalty as prescribed by the City Council shall be assessed; the amount thereof shown on the face of the initial bill. For those accounts not paid in full on or before the twenty-fifth day of the month following the billing date, all accounts and charges currently owed shall become immediately due and shall be deemed delinquent.
- e. Service at other locations or new service to any address may be refused by the City until the previous delinquent account, as indexed against the new customer are paid in full; should officials of the City become aware of service to an existing account which is delinquent for nonpayment at another address, existing service may be terminated, upon compliance with the sections of the code pertaining to notice and opportunity for hearing.

SECTION FIVE:

- a. All Stormwater Utility fees collected shall be paid into an Enterprise Fund which is created to be known as the Stormwater Utility Fund. Such funds shall be used for the purpose of paying the costs of operation, construction, reconstruction, repair and maintenance of the stormwater facilities of the City and to carry out all other purposes of this utility. To the extent that the Stormwater Utility fees collected are insufficient to construct the needed stormwater drainage facilities, the costs of same may be paid from such funds as may be determined by the City Manager, but the City may order reimbursement of such fund if additional fees are thereafter collected. When the fund has surplus dollars on hand in excess of current needs, the surplus dollars shall be invested in accordance with any investment policies that may be in place, or put in place subsequent

to the adoption of this ordinance, to return the highest yield consistent with proper safeguards. Any interest earned on invested surplus dollars shall be placed in the Stormwater Utility Fund.

- b. The fees and charges paid and other income received shall not be used for general or other governmental or proprietary purposes of the City.
- c. Nothing in this chapter shall be so construed as to limit or restrict the planning, engineering, construction, reconstruction, repair, operation, or maintenance of stormwater facilities through other means including but not limited to other City fees and taxes, grants, special improvement districts, contributions from other agencies, interlocal cooperation agreements or private contributions.

SECTION SIX: This Charter Ordinance shall be published once each week, for two consecutive weeks in the Osawatomie Graphic, the official city newspaper.

SECTION SEVEN: This is a Charter Ordinance and shall take effect sixty-one (61) days after its final publication, but should a petition, signed by a number of electors of the city equal to not less than ten percent (10%) of the number of electors who voted at the last preceding regular city election, be filed in the office of the City Clerk, demanding that such ordinance be submitted to a vote of the electors, it shall not take effect until submitted to a referendum and approved by a majority of the electors voting thereon, as provide by Article 12, Section 5, of the Constitution of the State of Kansas.

PASSED AND ADOPTED by the Governing Body of the City of Osawatomie, Kansas, not less than two-thirds (2/3rds) of the members thereof voting in favor of said ordinance this 11th day of December, 2008.

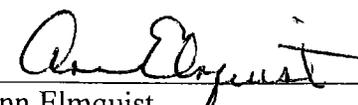
APPROVED AND SIGNED by the Mayor.



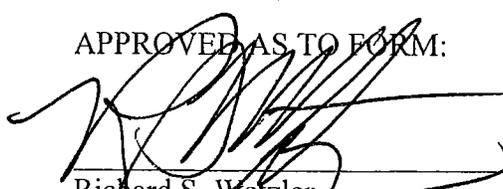
 Philip A. Dudley
 Mayor

(SEAL)

ATTEST:



 Ann Elmquist
 City Clerk

APPROVED AS TO FORM:


 Richard S. Wetzler
 City Attorney