

**OSAWATOMIE CITY COUNCIL
AGENDA**

December 9, 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. Minutes of November 10 and November 18 Meetings
 - B. Approve December 9 Agenda
 - C. Appropriation Ordinances 10-21 & 10-22
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 Invoice(s) for Library Improvement Grant – Request No. 17 - none
 - B. Streetscape Presentation by BG Consultants
 - C. Approve Streetscape Change Order #6
 - D. Approve Invoice(s) for Streetscape Improvement Grant – Request No. 8
 - E. Approval of Streetscape’s Completion of Work Certification
 - F. Approve Invoice(s) for Pacific, 14th, Brown Streets Project – Request No. 2
 - G. Agreement for Services with Chamber of Commerce
8. New Business
 - A. Appointments
 - B. Approve Cereal Malt Beverage Licenses for 2011
 - C. Consider Special Use Permit for 1312 6th Street
9. Council Reports
10. Mayor’s Report
11. City Manager’s Report
12. Executive Session – none
13. Adjournment

PUBLIC HEARING – Budget/MEETING/WORK SESSION – December 16, 2010

REGULAR MEETING – January 13, 2011

Osawatomie, Kansas. **November 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, Moon, and Ratley. Absent was Walmann. Also present were City Attorney Wetzler and City Clerk Elmquist. Visitor was Travis Perry.

CONSENT AGENDA. Approval of the Minutes of October 14 and October 28 Meetings, approval of November 10 Agenda, and approval of Appropriation Ordinances 10-19 & 10-20. Motion made by Hunter, seconded by LaDuex to approve the November 10 Agenda and approval of Appropriation Ordinances 10-19 & 10-20. Yeas: All.

Motion made by Maichel, seconded by Ratley to approve the Minutes of October 14 and October 28 Meetings. Yeas: All.

Public Participation; Presentations: None.

Public Hearing: None.

Unfinished Business:

APPROVE INVOICES FOR LIBRARY IMPROVEMENT GRANT – REQUEST NO. 16. Motion made by Ratley, seconded by Hunter to approve Pay Request No. 16. Yeas: All.

APPROVE INVOICES FOR STREETScape IMPROVEMENT GRANT – REQUEST NO. 7. Motion made by Hunter, seconded by LaDuex to approve Pay Request No. 7. Yeas: All.

APPROVE INVOICES FOR PACIFIC, 14TH, BROWN STREETS PROJECT – REQUEST NO. 1. Motion made by Ratley, seconded by Hunter to approve Pay Request No. 1. Yeas: All.

New Business:

APPOINTMENTS. None.

Council Reports:

LaDuex: Library held an open house November 7.

Hunter: Tourism Committee along with the Chamber of Commerce lining up the Christmas Lighting/Opening.

Ratley: Recreation Facilities Steering Committee has added Randy Kitchen and Jeff Gulley.

Maichel: The Corps of Engineers will be providing assistance on the City's flood plain management. They will develop a hydraulic model for the Marais des Cygnes and the Pottawatomie Creek for this area. The model is a key tool needed for effective floodplain management.

Mayor's Report:

The annual Miami County Elected Officials and Leadership Dinner will be held November 16.

City Manager's Report: Absent.

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

Ann Elmquist, City Clerk

Osawatomie, Kansas. **November 18, 2010.** The Council meeting was held in Memorial Hall. Mayor Dudley called the meeting to order at 7:30 p.m. Council members 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 Amanda Perry, Grady Atwater, Tito Del Valle, Web Hawkins, Diana Neal, Cameron Hodge, Donna Darner, Kirk & Shelagh Wright, Jeff Gulley, and Travis Perry.

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

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

Ann Elmquist, City Clerk

Record of Ordinances

ORDINANCE NO. 10-21

DATE WARRANTS ISSUED:
November 30, 2010

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
Payroll			87,176.66
Payroll			96,848.26
FICA			6,346.95
FICA			7,097.75
KPERS			12,049.71
Void		36643	-
City of Osawatomie	petty cash reimbursement	1244	5,644.05
Suddenlink	internet	36644	119.90
Quality Tree Service	removed tree for Brown St. project	36737	1,200.00
City of Osawatomie	utilities	36738	10,567.04
ICMA	membership	36739	760.00
Suddenlink	internet	36740	210.00
USA Mechanical, Inc.	install unit heater	36741	1,699.00
KS Dept of Agriculture	pesticide renewal certification	36742	100.00
Osawatomie Journal	ads	36743	400.00
AT&T	RTU's	36744	222.21
Beachner Grain, Inc.	grass seed	36745	117.50
Bradley A/C & Heating	checked for gas leak	36746	69.00
Void		36747	-
KMEA - Nearman	electricity	36748	58,628.45
L & K Services, Inc.	refuse	36749	30,113.12
Miami County Internet OnRamp	internet	36750	19.95
Orr Construction Management	streetscape claim	36751	360.00
Visa	lodging, supplies	36752	2,705.64
Brad Waggoner	Pro-Shop	36753	588.00
KMEA - EMP	electricity, transmission	36754	26,455.02
Quality Tree Service	trim tree branches from lines	36755	5,000.00
Carrothers Construction Company LLC	repair skimmer arm	36756	13,377.00
City of Admire	workshop meeting room	36757	150.00
City of Osawatomie	professional services	36758	2,573.00
Crash Technology Group	virus filtering	36759	264.00
Kansas City Power & Light	services	36760	835.90
Kansas City Wilbert Vault	grave openings	36761	1,594.58
Kansas Dept. of Revenue	sales tax	36762	10,000.74
Kansas Gas Service	services	36763	26.21
KMEA - Nearman	electricity	36764	39,266.21
Ricoh Americas Corporation	copier lease	36765	289.00
Kansas Gas Service	services	36766	1,385.42
Sprint	services	36767	21.92
Suddenlink	internet	36768	59.95

Record of Ordinances

ORDINANCE NO. 10-22

DATE WARRANTS ISSUED:
December 9, 2010

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
AAF International	oil	36790	740.71
Advance Pipe Lining, LLC	camera work on levee system	36791	1,600.00
Airgas Mid South, Inc.	oxygen cylinder	36792	73.54
Alliance Pump & Mechanical Service	replace control board	36793	2,930.69
American Boiler & Mechanical	yearly maintenance	36794	1,233.88
Analytical Services, Inc.	analytical service	36795	527.78
Asphalt Sales Company, Inc.	asphalt	36796	352.17
Baker & Taylor	books	36797	1,199.81
Bearing Headquarters Company	couplers, bearings	36798	2,983.22
BG Consultants, Inc.	streetscape, street improvements	36799	15,326.51
Board of Police Commissioners	alert system user charges	36800	29.58
Bollings Bargain Bonanza	goggles, hooks	36801	22.80
Bridgewell Resources, LLC	poles	36802	6,771.60
Void		36803	-
Void		36804	-
Brown's Hardware	supplies	36805	242.60
C & G Merchants Supply, Inc.	chips	36806	75.91
Carrothers Construction Co. LLC	repaired clarifier	36807	671.60
Certifion Corporation	entersect police online	36808	79.00
Champion Brands, LLC	safety glasses	36809	508.65
Clay Center Publishing Company	ads - Lineman	36810	89.50
Coleman Equipment	steering arms	36811	489.78
Country Dirt Delivery	top soil for cemetery	36812	200.00
Crash Technology Group	repaired printer, troubleshooting	36813	905.49
Demco	craft paper, supplies	36814	135.30
Donna & Viola's Shirts	shirts	36815	22.00
Drake-Scruggs Equipment, Inc.	mileage to repair warranty equipment	36816	72.80
Electric Shop, Inc.	alarm light	36817	16.76
Electronically Speaking	digital photo frame, supplies	36818	116.45
Environmental Laboratories, Inc.	analytical service	36819	217.00
Exline Inc.	gasket, o'ring	36820	294.65
The Family Center	dog food, tarp, supplies	36821	292.91
Richard M. Fisher Jar LLC	court appointed attorney	36822	150.00
Gerken Rental	portable restroom, pressure washer	36823	250.00
Graybar	wire, cutouts	36824	747.66
Hanes Florist & Greenhouse	plants	36825	175.00
Hunt Martin Materials	rock	36826	517.34
J.P. Cooke Co.	dog tags	36827	45.97
K.C. Bobcat	tires	36828	640.00
KS Dept of Agriculture	food service license - Bogeys	36829	200.00

Record of Ordinances

DATE WARRANTS ISSUED:
December 9, 2010

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CLAIMANT	NATURE OF CLAIM OR SERVICE	CLAIM NUMBER	AMOUNT
Kansas Municipal Utilities	ad - Lineman	36830	25.00
Kansas One Call Concepts	locates - Aug. Sept.	36831	80.40
Kansas State Treasurer	training funds	36832	588.50
Killough Construction, Inc.	asphalt	36833	754.14
Kincaid Ready Mix	concrete	36834	3,182.00
Void		36835	-
Kriz-Davis Co.	wire, supplies	36836	23,534.67
Lacal Equipment, Inc.	rocker switch, plow blade	36837	346.62
Landmark National Bank	golf carts	36838	2,178.24
Louisburg Ford Sales, Inc.	parts for explorer	36839	325.11
Maceks, Inc.	headlamp assembly	36840	50.00
Martin Pringle Attorneys at Law	City Attorney	36841	4,618.50
Miami County Sheriff's Office	prisoner care - Sept, Oct.	36842	3,626.74
Miami Lumber, Inc.	insulation, lumber	36843	40.16
Mid-States Energy Works, Inc.	repaired breaker	36844	2,198.68
Void		36845	-
Void		36846	-
Moon's IGA	supplies	36847	332.64
Nicholson Law Office, LC	court appointed attorney	36848	150.00
O'Reilly Auto Parts	wire brushes	36849	38.46
Oil Patch Pump & Supply, Inc.	coupling, bushing, parts	36850	110.26
Olathe Winwater Works	repair clamps, fittings	36851	2,541.75
OMB Express Police Supply	tactical shirts, pants	36852	259.94
Osawatomie Journal	ads	36853	259.02
Peterson Industrial Engine Service, Inc	parts for Nordberg engine	36854	5,644.18
Praxair Distribution, Inc.	oxygen cylinder	36855	77.57
Protective Equipment Testing Labs	tested gloves	36856	328.13
Read It Free	ad	36857	67.50
Reeves-Wiedeman Company	closet kit	36858	12.95
Ricoh Americas Corp.	copies - BW, color	36859	765.67
GS Robins	carbon, fluoride	36860	4,366.75
Rural Water District #3	ETI water	36861	16.50
Russell County News	ad - Lineman	36862	61.00
Star Printing	letter head	36863	160.00
Superior Signals, Inc.	strobe light	36864	72.86
Debbie Talley	Memorial Hall janitorial	36865	375.00
TFMComm, Inc.	radio repair	36866	295.93
Tri County Ice	ice machine, car wash tokens	36867	250.00
USA BlueBook	atomic clock	36868	97.73
Viking Industrial Supply	trash bags, paper goods	36869	260.00
Wade Quarries	rock	36870	1,520.20
Westfall GMC Truck, Inc.	air brake hose	36871	112.89
Wilson & Company	levee assessment - phase II	36872	5,504.44
Wingfoot Commercial Tire Systems	tires	36873	574.50
Winkler, Domoney & Schultz	Municipal Court Judge	36874	2,000.00



Memorandum

Project Number: 10-1036L

Date: November 22, 2010

To: Bret Glendening **From: Brian Kingsley, P.E.**
City Manager **Principal**
City of Osawatomie **BG Consultants, Inc.**

Re: 2009 Streetscape Improvements

The purpose of this memorandum is to summarize the completion of the 2009 Streetscape Improvements project in Downtown Osawatomie, Kansas. As you are aware, this project was funded by KDOT through the Transportation Enhancement (TE) program. The TE program uses federal funds to reimburse for eligible construction and construction administration expenses. The City's 2009 Streetscape Improvements Project was selected by KDOT in a special round of projects using federal funds allocated through the American Recovery and Reinvestment Act (ARRA), commonly known as the Economic Stimulus bill.

The table below summarizes the amount budgeted and the actual expense for the main categories of expenditures the City realized on this project. The construction and construction administration costs shown on Line 1 and 2 are expenses that were reimbursed with federal funds at a rate of 100% up to, but not exceeding, the maximum federal funding cap of \$649,940.00. All other expenses were the City's responsibility. As you can see, the City was able to utilize all of the federal funds allocated to this project while incorporating several additional items such as replacement of the pavement in the parking areas along with resurfacing the driving lanes on Main Street. The ability to accomplish so much on this project and remain under the project budget is due in large part to four factors; a well planned project, an efficient Contractor, City Staff involvement from start to finish, and bidding/constructing the project during a period when construction prices were lower than average.

	Expense Item	PROJECT BUDGET	ACUTAL EXPENSE
1.	Construction	\$684,150.00	\$643,599.58
2.	Construction Administration	\$102,622.50	\$69,000.00
3.	Total TE Eligible Expenses (<i>Lines 1 + 2</i>)	\$786,772.50	\$712,599.58 (91% of Budgeted Cost)
4.	<i>Federal Funding from ARRA</i>	\$649,940.00	\$649,940.00
5.	City Construction Phase Expense (<i>Lines 3 - 4</i>)	\$136,832.50	\$62,659.58
6.	City Engineering Phase Expense	\$78,678.00	\$78,650.00
7.	Total City Expense (<i>Lines 5 + 6</i>)	\$215,510.50 (25% of Project Budget)	\$141,309.58 (18% of Actual Expense)

BG Consultants, Inc. appreciates the opportunity to work with the City of Osawatomie on this successful project and looks forward to future opportunities to assist the community with capital improvement projects. Included with this memo is the final paperwork for the 2009 Streetscape Improvements project. These documents consist of:

- Change Order No. 6 in the deduct amount of \$6,544.55 (*requires City Approval*)
- Completion of Work Certificate (*requires City Approval*)
- Contractor's Affidavit (*for City Records*)
- Release of Final Estimate by Surety (*for City Records*)

Attachments

CHANGE ORDER NO. 6

KDOT Project No. 61 TE-0354-01

Engineer's Project No. 09-1114L

Project: 2009 Streetscape Improvements

Contractor Orr Construction Management, Inc.

Contract Date February 3, 2010

Contract For 2009 Streetscape Improvements

Nature of the Change: This Change Order adjusts the increases/decreases in actual quantity of bid items constructed (see attached). This item decreases the contract amount by \$9,887.60. This item does not result in a change to the number of working days.

Item	Description	Compensation/(Deduction)
7	Aggregate Base (AB-3)(6")	\$153.40
10	Planter Curb	\$551.04
11	Concrete Curb & Gutter (A.E.)	(\$204.60)
12	Concrete Sidewalk (A.E.)(4")	(\$3,197.70)
13	6" Structural Concrete Sidewalk (A.E.)	(\$1,023.00)
14	8" Structural Concrete Sidewalk (A.E.)	(\$1,206.00)
15	10" Structural Concrete Sidewalk (A.E.)	(\$1,335.20)
16	12" Structural Concrete Sidewalk (A.E.)	(\$1,486.00)
18	Concrete Trough for Brick Pavers	(\$1,378.24)
19	Brick Paver Installation	(\$263.62)
21	3.0 S.F. Storm Sewer (RCP)	(\$280.02)
22	Connect to Existing Storm Sewer	(\$323.04)
23	Flowable Fill	\$947.54
29	Light Pole Footing (6'-0")	\$484.56
33	Permanent Sign	(\$206.74)
34	Permanent Sign Post (1 3/4" PSST with Anchor)	\$284.28
35	Pavement Marking Removal	(\$212.16)
36	Pavement Marking (IG)(White)(4")	(\$33.88)
37	Pavement Marking (IG)(White)(24")	\$90.44
38	Pavement Marking (IG)(White)(12")	\$343.00
39	Pavement Marking (IG)(White)(Handicap)	\$290.74
40	Remove and Replace Water Meter Ring & Lid	(\$581.49)
AA1-2	Asphalt Surface Course (BM-2)	\$2,574.82
AA1-3	Asphalt Base Course (Patching)(BM-2B)	(\$1,000.44)
AA1-4	Pavement Marking (IG)(Yellow)(4")	\$389.62
AA2-1	Unclassified Excavation	\$21.52
AA2-2	6" Concrete Pavement (Reinf.)(A.E.)	\$503.88
AA2-3	Aggregate Base (AB-3)(6")	\$214.76
AA4-2	Concrete Based for Brick Pavers (A.E.)(6")	(\$339.22)
AA4-3	Brick Paver Installation	(\$322.80)
TOTAL PRICE ADJUSTMENT =		(\$6,544.55)

Enclosures:

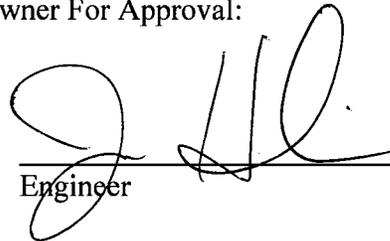
1. Summary Sheet of Over-runs/Under-runs for Change Order No. 6

The changes result in the following adjustment of Contract Price and Contract Time:

Contract Price Prior to this Change Order	<u>\$650,144.13</u>
Net Increase (Decrease) Resulting From This Change Order	<u>(\$6,544.55)</u>
Current Contract Price Including This Change Order	<u>\$643,599.58</u>
Contract Time Prior To This Change Order	<u>95</u> Working Days
Net Increase (Decrease) Resulting From This Change Order	<u>0</u> Working Days
Current Contract Time Including This Change Order	<u>95</u> Working Days

The Above Changes Are Recommended To The Owner For Approval:

11/17/10
Date


Engineer

The Above Changes Are Accepted:

11/12/10
Date


Contractor

Contractor: You are directed to make the changes noted herein for the subject contract.

Date

City of Osawatomie

Summary Sheet of Over-runs/Under-runs for Change Order No. 6

Bid Item #7 – Aggregate Base (AB-3)(6"):

- Plan Quantity = 5,369 S.Y.
- Over/Under: 20 S.Y. over-run
 - 12.2 S.Y. over on extra filling for bottom grade on curb return SE corner 5th and Main.
 - 34.0 S.Y. over on extra sidewalk work on SE corner 6th and Main.
 - 26 S.Y. under for the two additional ADA parking stalls at mid-block that were added after the public meeting.
- **Compensation/(Deduction): 20 S.Y. @ \$7.67 per S.Y. = \$153.40**

Bid Item #10 – Planter Curb:

- Plan Quantity = 307 L.F.
- Over/Under: 64 L.F. over-run
 - 28.9 L.F. extra for planter on NW corner 5th and Main.
 - 35.0 L.F. extra for planter on SW corner 6th and Main.
- **Compensation/(Deduction): 64 L.F. @ \$8.61 per S.Y. = \$551.04**

Bid Item #11 – Concrete Curb & Gutter (A.E.):

- Plan Quantity = 1,877 L.F.
- Over/Under: 10 L.F. under-run
 - 10 L.F. under for the 8.5' x 8.5' sawtooth triangle that was removed and designed with a 12' straight section of curb and gutter for each mid-block ADA parking stall that was added after the public meeting. This equates to 5 L.F. less curb and gutter for each of the two ADA stalls added after the bid letting.
- **Compensation/(Deduction): (10 L.F.) @ \$20.46 per S.Y. = (\$204.60)**

Bid Item #12 – Concrete Sidewalk (A.E.)(4"):

- Plan Quantity = 1,756 S.Y.
- Over/Under: -110 S.Y. under-run
 - 261 S.Y. under for the City's selection of Add Alternate #3 & #4.
 - 13.3 S.Y. over for extra work on NW corner 5th and Main.
 - 29.4 S.Y. over for extra work on SW corner 6th and Main.
 - 5.5 S.Y. over for shortening the length of brick paver trough on west end of north side and east end of south side.
 - 7 S.Y. under for not replacing the concrete walkway noted in Addendum #1
 - 7 S.Y. over for extra sidewalk access at the 2 additional mid-block ADA stalls added after the public meeting.
 - 103 S.Y. over for extra sidewalk by City Hall
- **Compensation/(Deduction): (110 S.Y.) @ \$29.07 per S.Y. = (\$3,197.70)**

Bid Item #13 – 6" Structural Concrete Sidewalk (A.E.):

- Plan Quantity = 20 S.Y.
- Over/Under: 20 S.Y. under-run
 - No 6" Structural Concrete Sidewalk was required on the project to span unforeseen basements extending out under the sidewalk.
- **Compensation/(Deduction): (20 S.Y.) @ \$51.15 per S.Y. = (\$1,023.00)**

Bid Item #14 – 8” Structural Concrete Sidewalk (A.E.):

- Plan Quantity = 20 S.Y.
- Over/Under: 20 S.Y. under-run
 - No 8” Structural Concrete Sidewalk was required on the project to span unforeseen basements extending out under the sidewalk.
- **Compensation/(Deduction): (20 S.Y.) @ \$60.30 per S.Y. = (\$1,206.00)**

Bid Item #15 – 10” Structural Concrete Sidewalk (A.E.):

- Plan Quantity = 20 S.Y.
- Over/Under: 20 S.Y. under-run
 - No 10” Structural Concrete Sidewalk was required on the project to span unforeseen basements extending out under the sidewalk.
- **Compensation/(Deduction): (20 S.Y.) @ \$66.76 per S.Y. = (\$1,335.20)**

Bid Item #16 – 12” Structural Concrete Sidewalk (A.E.):

- Plan Quantity = 20 S.Y.
- Over/Under: 20 S.Y. under-run
 - No 12” Structural Concrete Sidewalk was required on the project to span unforeseen basements extending out under the sidewalk.
- **Compensation/(Deduction): (20 S.Y.) @ \$74.30 per S.Y. = (\$1,486.00)**

Bid Item #18 – Concrete Trough for Brick Pavers:

- Plan Quantity = 314 S.Y.
- Over/Under: 16 S.Y. under-run
 - The paver trough on the north side of Main Street was reduced in length to start at Sta. 11+58.47, Left. The paver trough on the south side of Main Street was also reduced in length to stop Sta. 16+06.74, Right. Each location resulted in 70 S.F. of paver trough eliminated from the Work.
- **Compensation/(Deduction): (16 S.Y.) @ \$86.14 per S.Y. = (\$1,378.24)**

Bid Item #19 – Brick Paver Installation:

- Plan Quantity = 1,011 S.F.
- Over/Under: 49 S.F. under-run
 - The brick pavers on the north side of Main Street were reduced in length to start at Sta. 11+58.47, Left. The brick pavers on the south side of Main Street were also reduced in length to stop Sta. 16+06.74, Right. Each location resulted in 24.6 S.F. of brick paver installation eliminated from the Work.
- **Compensation/(Deduction): (49 S.F.) @ \$5.38 per S.F. = (\$263.62)**

Bid Item #21 – 3.0 S.F. Storm Sewer (RCP):

- Plan Quantity = 27 L.F.
- Over/Under: 13 L.F. under-run
 - 13 L.F. pipe not installed on SE corner 6th and Main.
- **Compensation/(Deduction): (13 L.F.) @ \$21.54 per Each = (\$280.02)**

Bid Item #22 – Connect to Existing Storm Sewer:

- Plan Quantity = 2 Each
- Over/Under: 1 Each under-run
 - No storm sewer connection to existing on the SE corner 6th and Main.
- **Compensation/(Deduction): (1 Each) @ \$323.04 per Each = (\$323.04)**

Bid Item #23 – Flowable Fill:

- Plan Quantity = 18 C.Y.
- Over/Under: 11 C. Y. over-run
 - Extra Flowable Fill over-run for storm sewer work on east leg of 6th and Main.
- **Compensation/(Deduction): 11 C.Y. @ \$86.14 per Each = \$947.54**

Bid Item #29 – Light Pole Footing (6'-0"):

- Plan Quantity = 8 Each
- Over/Under: 1 Each over-run
 - 4 footings at 6th and Main were increased in depth 1.5 feet
- **Compensation/(Deduction): 1 Each @ \$484.56 per Each = \$484.56**

Bid Item #33 – Permanent Sign:

- Plan Quantity = 32 Each
- Over/Under: 2 Each under-run
 - 2 Each over for the additional stalls added at mid-block after public meeting.
 - 4 Each under for reducing the number of street name signs at 6th and main.
- **Compensation/(Deduction): (2 Each) @ \$103.37 per Each = (\$206.74)**

Bid Item #34 – Permanent Sign Post (1 ¾" PSST with Anchor):

- Plan Quantity = 7 Each
- Over/Under: 4 Each over-run
 - 2 Each over for the additional stalls added at mid-block after public meeting.
 - 2 Each over for handicap signs relocated from originally specified light poles.
- **Compensation/(Deduction): 4 Each @ \$71.07 per Each = \$284.28**

Bid Item #35 – Pavement Marking Removal:

- Plan Quantity = 208 L.F.
- Over/Under: 208 L.F. under-run
 - No pavement marking removal was performed due to selection of add alternates
- **Compensation/(Deduction): (208 L.F.) @ \$1.02 per L.F. = (\$212.16)**

Bid Item #36 – Pavement Marking (IG)(White)(4"):

- Plan Quantity = 1,038 L.F.
- Over/Under: 14 L.F. under-run
 - 1,024 L.F. was measured in the field for the parking lines and the handicap aisles
- **Compensation/(Deduction): (14 L.F.) @ \$2.42 per L.F. = (\$33.88)**

Bid Item #37 – Pavement Marking (IG)(White)(24”):

- Plan Quantity = 146 L.F.
- Over/Under: 7 L.F. over-run
 - 153 L.F. was measured in the field to account for narrower intersection curb & gutter
- **Compensation/(Deduction): 7 L.F. @ \$12.92 per L.F. = \$90.44**

Bid Item #38 – Pavement Marking (IG)(White)(12”):

- Plan Quantity = 590 L.F.
- Over/Under: 49 L.F. over-run
 - 639 L.F. measured in the field
- **Compensation/(Deduction): 49 L.F. @ \$7.00 per L.F. = \$343.00**

Bid Item #39 – Pavement Marking (IG)(White)(Handicap):

- Plan Quantity = 4 Each
- Over/Under: 2 Each over-run
 - 2 Each over for the additional stalls added at mid-block after public meeting
- **Compensation/(Deduction): 2 Each @ \$145.37 per Each = \$290.74**

Bid Item #40 – Remove and Replace Water Meter Ring & Lid:

- Plan Quantity = 33 Each
- Over/Under: 9 Each under-run
 - 24 water meter lids were replaced in the field. The other 9 that were tabulated were curb stop valve boxes that were adjusted during construction.
- **Compensation/(Deduction): (9 Each) @ \$64.61 per Each = (\$581.49)**

Bid Item #AA1-2 – Asphalt Surface Course (BM-2):

- Plan Quantity = 273 Tons
- Over/Under: 35.5 Ton over-run
 - 309 Tons were measured and placed during the overlay. Crown was re-established in the street
 - 0.5 Ton under agreed upon at Final Walk-thru to account for unfinished area at the north-east limits of the project.
- **Compensation/(Deduction): 35.5 Tons @ \$72.53 per Ton = \$2,574.82**

Bid Item #AA1-3 – Asphalt Base Course (Patching)(BM-2B):

- Plan Quantity = 50 Tons
- Over/Under: 14 Ton under-run
 - 36 Tons of pavement patching was measured.
- **Compensation/(Deduction): (14 Tons) @ \$71.46 per Ton = (\$1,000.44)**

Bid Item #AA1-4 – Pavement Marking (IG)(Yellow)(4”):

- Plan Quantity = 938 L.F.
- Over/Under: 161 L.F. over-run
 - 1,099 L.F. measured in the field
- **Compensation/(Deduction): 161 L.F. @ \$2.42 per L.F. = \$389.62**

Bid Item #AA2-1 – Unclassified Excavation:

- Plan Quantity = 493 C.Y.
- Over/Under: 4 C.Y. over-run
 - 4 C.Y. extra excavation for the additional ADA parking stalls added at mid-block after public meeting.
- **Compensation/(Deduction): 4 C.Y. @ \$5.38 per C.Y. = \$21.52**

Bid Item #AA2-2 – 6" Concrete Pavement (Reinf.)(A.E.):

- Plan Quantity = 985 S.Y.
- Over/Under: 13 S.Y. over-run
 - 13 S.Y. extra concrete pavement for the additional ADA parking stalls added at mid-block after public meeting.
- **Compensation/(Deduction): 13 S.Y. @ \$38.76 per S.Y. = \$503.88**

Bid Item #AA2-3 – Aggregate Base (AB-3)(6"):

- Plan Quantity = 1,970 S.Y.
- Over/Under: 26 S.Y. over-run
 - 26 S.Y. extra AB-3 base for the additional ADA parking stalls added at mid-block after public meeting.
- **Compensation/(Deduction): 26 S.Y. @ \$8.26 per S.Y. = \$214.76**

Bid Item #AA4-2 – Concrete Base for Brick Pavers (A.E.)(6"):

- Plan Quantity = 124 S.Y.
- Over/Under: 7 S.Y. under-run
 - 7 S.Y. less brick pavers installed in the mid-block due to the additional ADA parking stalls added at mid-block after public meeting.
- **Compensation/(Deduction): (7 S.Y.) @ \$48.46 per S.Y. = (\$339.22)**

Bid Item #AA4-3 – Brick Paver Installation:

- Plan Quantity = 1,116 S.F.
- Over/Under: 60 S.F. under-run
 - 60 S.F. less brick pavers installed in the mid-block due to the additional ADA parking stalls added at mid-block after public meeting.
- **Compensation/(Deduction): (60 S.F.) @ \$5.38 per S.F. = (\$322.80)**



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
December 9, 2010
Payment Request No. 8**

Claimant	Description	Document Number	Amount
Orr Construction Management 9812 East 56th Street Raytown, MO 64133	construction		\$ 15,931.85
BG Consultants 4806 Vue Du Lac Place Manhattan, KS 66503	construction administration	11/14/10	\$ 1,533.26
		TOTAL	\$ 17,465.11

Approved for payment by the Osawatomie City Council this 9th day of December, 2010.

Philip A. Dudley, Mayor

APPLICATION AND CERTIFICATION FOR PAYMENT

AIA DOCUMENT G702

PAGE ONE OF 4

PAGES

TO OWNER:

The City of Osawatomie
439 Main St., P. O. Box 37
Osawatomie, KS 66064

PROJECT:

2009 Streetscape Improvements
Osawatomie, Kansas

FROM CONTRACTOR:

Orr Construction Management, Inc.
9812 East 56th Street
Raytown, Missouri 64133

VIA ARCHITECT:

BG Consultants, Inc.
1405 Wakarusa Drive
Lawrence, Kansas 66049

CONTRACT FOR:

General Construction

APPLICATION NO 06

Distribution to:

- OSAWATOMIE
- BG CONSULTANTS
- OCM PM
- OCM ACCTG
- OTHER

PERIOD TO: 11/10/2010

PROJECT NOS: #129 OCM

ARRA-TO34 (510)

CONTRACT DATE 2/3/2010

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract. Continuation Sheet, AIA Document G703, is attached.

1. ORIGINAL CONTRACT SUM	\$ 633,792.74
2. Net change by Change Orders	\$ 9,806.84
3. CONTRACT SUM TO DATE (Line 1 ± 2)	\$ 643,599.58
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703)	\$ 643,599.58

5. RETAINAGE:

- a. 0 % of Completed Work (Column D + E on G703) \$
- b. 0 % of Stored Material (Column F on G703) \$

Total Retainage (Lines 5a + 5b or

Total in Column I of G703)	\$ 0.00
6. TOTAL EARNED LESS RETAINAGE (Line 4 Less Line 5 Total)	\$ 643,599.58

7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate)

8. CURRENT PAYMENT DUE	\$ 627,667.73
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6)	\$ 15,931.85
	0.00

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$16,351.39	
Total approved this Month (CO 6)		\$6,544.55
TOTALS	\$16,351.39	\$6,544.55
NET CHANGES by Change Order		\$9,806.84

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: Orr Construction Management, Inc.

By: 

Date: 11-10-2016

State of Missouri

County of

Jackson County

day of

Subscribed and sworn to before me this

Notary Public: 

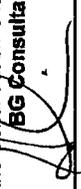
My Commission expires: July 27, 2014
Commission Number: 10999394

ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED \$ 15,931.85

(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified.)

ARCHITECT: 

Date: 11/22/10

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

CONTINUATION SHEET

ORR CONSTRUCTION MANAGEMENT

2009 Streetscape Improvements
Osawatomie, Kansas

APPLICATION NUMBER: 6
APPLICATION DATE: 11/10/2010
PERIOD TO: 11/10/2010
PROJECT NO: OCM #129

A COST CODE	B DESCRIPTION OF WORK	C SCHEDULED VALUE	C-1 SCHEDULED QUANTITY	Unit price	D COMPLETED FROM PREV APPLICATION (D+E)	E COMPLETED THIS APPLICATION	F MATERIALS PRESENTLY STORED	G TOTAL COMPLETED AND STORED TO DATE (D + E + F)	G-1 % (H/C2)	H BALANCE TO FINISH (C2-G)	I RETAINAGE
	Base Bid										
1	Contractor Construction Staking	5,384.00	1 L.S.		5,384.00			5,384.00	100%	0.00	538.40
2	Mobilization	26,920.00	1 L.S.		26,920.00			26,920.00	100%	0.00	2,692.00
3	Removal of Existing Structures	8,614.40	1 L.S.		8,614.40			8,614.40	100%	0.00	861.44
4	Unclassified Excavation	6,751.90	1,255 C.Y.		6,751.90			6,751.90	100%	0.00	675.19
5	Compaction of Earthwork (Type B) MIR-90)	706.02	82 C.Y.		706.02			706.02	100%	0.00	70.60
6	Select Soil (contractor Furnished)	1,412.86	82 C.Y.		1,412.86			1,412.86	100%	0.00	141.29
7	Aggregate Base (AB-3) (6") -rev quantities per BG email 9-2-10	41,180.23	5,369 S.Y.	7.67	41,180.23			41,180.23	100%	0.00	4,118.02
8	6" Concrete Pavement (Fiber-Reinf.)(A.E.)	1,895.08	44 S.Y.		1,895.08			1,895.08	100%	0.00	189.51
9	8" Concrete Pavement (Reinf.)(A.E.)(Colored)(Stamped)	13,954.68	162 S.Y.		13,954.68			13,954.68	100%	0.00	1,395.47
10	Planter Curb -rev quantities per BG email 9-2-10	2,643.27	307 L.F.	8.61	2,643.27			2,643.27	100%	0.00	264.33
11	Concrete Curb & Gutter (A.E.) -rev quantities per BG email 9-2-10	38,403.42	1,877 L.F.	20.46	38,403.42			38,403.42	100%	0.00	3,840.34
12	Concrete Sidewalk (A.E.)(4") -rev quantities per BG email 9-2-10	51,046.92	1,756 S.Y.	29.07	51,046.92			51,046.92	100%	0.00	5,104.69
13	6" Structural Concrete Sidewalk (A.E.)	1,023.00	20 S.Y.			1,023.00		1,023.00	100%	0.00	102.30
14	8" Structural Concrete Sidewalk (A.E.)	1,206.00	20 S.Y.			1,206.00		1,206.00	100%	0.00	120.60
15	10" Structural Concrete Sidewalk (A.E.)	1,335.20	20 S.Y.			1,335.20		1,335.20	100%	0.00	133.52
16	12" Structural Concrete Sidewalk (A.E.)	1,486.00	20 S.Y.			1,486.00		1,486.00	100%	0.00	148.60
17	Sidewalk Ramp (A.E.)	3,682.62	18 Each		3,682.62			3,682.62	100%	0.00	368.26
18	Concrete Trough for Brick Pavers	27,047.96	314 S.Y.		27,047.96			27,047.96	100%	0.00	2,704.80

CONTINUATION SHEET

ORR CONSTRUCTION MANAGEMENT

2009 Streetscape Improvements
Osawatomie, Kansas

APPLICATION NUMBER: 6
APPLICATION DATE: 11/10/2010
PERIOD TO: 11/10/2010
PROJECT NO: OCM #129

A	B	C	C-1	Unit price	D	E		F	G	G-1	H	I
						COMPLETED	THIS APPLICATION					
COST CODE	DESCRIPTION OF WORK	SCHEDULED VALUE	SCHEDULED QUANTITY		FROM PREV APPLICATION (D+E)	COMPLETED		MATERIALS PRESENTLY STORED	TOTAL COMPLETED AND STORED TO DATE (D + E + F)	% (H/C2)	BALANCE TO FINISH (C2-G)	RETAINAGE
	-rev quantities per BG email 9-2-10		(16) SY	86.14	(1,378.24)							
19	Brick Paver Installation	5,439.18	1,011 S.F.		5,439.18				5,439.18	100%	0.00	543.92
	-rev quantities per BG email 9-2-10		(49) SY	5.38	(263.62)							
20	5X4' Precast Inlet (Type 22)	5,168.64	2 Each		5,168.64				5,168.64	100%	0.00	516.86
21	3.0 S.F. Storm Sewer (RCP)	581.58	27 L.F.		581.58				581.58	100%	0.00	58.16
	-rev quantities per BG email 9-2-10		(13) LF	21.54	(280.02)							
22	Connect to Existing Storm Sewer	646.08	2 Each		646.08				646.08	100%	0.00	64.61
	-rev quantities per BG email 9-2-10		(1) EA	325.04	(325.04)							
23	Flowable Fill	1,550.52	18 C.Y.		1,550.52				1,550.52	100%	0.00	155.05
	-rev quantities per BG email 9-2-10		11 CY	86.14	947.54							
24	Park Bench	5,257.50	6 Each		5,257.50				5,257.50	100%	0.00	525.75
25	Trash Receptacle	3,811.86	6 Each		3,811.86				3,811.86	100%	0.00	381.19
26	Intersection Light Pole (SL-6 Pole)	39,410.88	4 Each		39,410.88				39,410.88	100%	0.00	3,941.09
27	Intersection Light Pole (SL-8 Pole)	53,840.00	4 Each		53,840.00				53,840.00	100%	0.00	5,384.00
28	Mid Block Light Pole	30,150.40	10 Each		30,150.40				30,150.40	100%	0.00	3,015.04
29	Light Pole Footing (6'-0")	3,876.48	8 Each		3,876.48				3,876.48	100%	0.00	387.65
	-rev quantities per BG email 9-2-10		1 EA	484.56	484.56							
30	Light Pole Footing (4'-6")	4,307.20	10 Each		4,307.20				4,307.20	100%	0.00	430.72
31	Electrical	48,456.00	1 L.S.		48,456.00				48,456.00	100%	0.00	4,845.60
32	Traffic Signal	30,150.40	1 L.S.		30,150.40				30,150.40	100%	0.00	3,015.04
33	Permanent Sign	3,307.84	32 Each		3,307.84		1,025.84		3,307.84	100%	0.00	330.78
34	Permanent Sign Post (1 3/4" PSST with Anchor)	497.49	7 Each		497.49				497.49	100%	0.00	49.75
	-rev quantities per BG email 9-2-10		4 EA	71.07	284.28							

CONTINUATION SHEET

ORR CONSTRUCTION MANAGEMENT

2009 Streetscape Improvements
Osawatimie, Kansas

APPLICATION NUMBER: 6
APPLICATION DATE: 11/10/2010
PERIOD TO: 11/10/2010
PROJECT NO: OCM #129

A COST CODE	B DESCRIPTION OF WORK	C SCHEDULED VALUE	C-1 SCHEDULED QUANTITY	Unit price	D FROM PREV APPLICATION (D+E)	E COMPLETED THIS APPLICATION	F MATERIALS PRESENTLY STORED	G TOTAL COMPLETED AND STORED TO DATE (D + E + F)	G-1 % (H/C2)	H BALANCE TO FINISH (C2-G)	I RETAINAGE
35	Pavement Marking Removal	212.16	208 L.F.			212.16		212.16	100%	0.00	21.22
36	Pavement Marking (IG)(White)(4") -rev quantities per BG email 9-2-10	2,511.96	1,038 L.F. (14) LF	2.42	2,511.96 (33.88)			2,511.96	100%	0.00	251.20
37	Pavement Marking (IG)(White)(24") -rev quantities per BG email 9-2-10	1,886.32	146 L.F. 7 LF	12.92	1,886.32 90.44			1,886.32	100%	0.00	188.63
38	Pavement Marking (IG)(White)(12") -rev quantities per BG email 9-2-10	4,130.00	590 L.F. 49 LF	7.00	4,130.00 343.00			4,130.00	100%	0.00	413.00
39	Pavement Marking (Sumbal)(G)(White)(Handicap) -rev quantities per BG email 9-2-10	581.48	4 Each 2 EA	145.37	581.48 290.74			581.48	100%	0.00	58.15
40	Remove & Replace Water Meter Ring & Lid -rev quantities per BG email 9-2-10	2,132.13	33 Each (9) EA	61.61	2,132.13 554.49			2,132.13	100%	0.00	213.21
41	Traffic Control	4,307.20	1 L.S.		4,307.20			4,307.20	100%	0.00	430.72
42	Temporary Traffic Signal	10,768.00	1 L.S.		10,768.00			10,768.00	100%	0.00	1,076.80
Add Alternate #1: 2" Mill and Overlay Driving Lanes											
AA1-1	Milling	5,282.86	2,183 S.Y.		5,282.86			5,282.86	100%	0.00	528.29
AA1-2	Asphalt Surface Course (MB-2B) -rev quantities per BG email 9-2-10	19,800.69	273 Tons 36 Tons	72.53	19,800.69 2,611.08			19,800.69	100%	0.00	1,980.07
AA1-3	Asphalt Base Course (Patching)(MB-2B) -rev quantities per BG email 9-2-10	3,573.00	50 Tons (14) Tons	71.46	3,573.00 (1,000.44)			3,573.00	100%	0.00	357.30
AA1-4	Pavement Marking (IG)(Yellow)(4") -rev quantities per BG email 9-2-10	2,269.96	938 L.F. 161 LF	2.42	2,269.96 389.62			2,269.96	100%	0.00	227.00

Add Alternate #2: Reconstruct Parking and Valley Gutter

CONTINUATION SHEET

ORR CONSTRUCTION MANAGEMENT

2009 Streetscape Improvements
Osawatimie, Kansas

APPLICATION NUMBER: 6
APPLICATION DATE: 11/10/2010
PERIOD TO: 11/10/2010
PROJECT NO: OCM #129

A COST CODE	B DESCRIPTION OF WORK	C SCHEDULED VALUE	C-1 SCHEDULED QUANTITY	Unit price	D COMPLETED FROM PREV APPLICATION (D+E)	E COMPLETED THIS APPLICATION	F MATERIALS PRESENTLY STORED	G TOTAL COMPLETED AND STORED TO DATE (D + E + F)	G-1 % (H/C2)	H BALANCE TO FINISH (C2-G)	I RETAINAGE
AA2-1	Unclassified Excavation	2,652.34	493 C.Y.		2,652.34			2,652.34	100%	0.00	265.23
	-rev quantities per BG email 9-2-10		4 CY	5.38	21.52						
AA2-2	6" Concrete Pavement (Reinf.)(A.E.)	38,178.60	985 S.Y.	38.76	38,178.60			38,178.60	100%	0.00	3,817.86
	-rev quantities per BG email 9-2-10		13 SY		503.88						
AA2-3	Aggregate Base (AB-3)(6")	16,272.20	1,970 S.Y.		16,272.20			16,272.20	100%	0.00	1,627.22
	-rev quantities per BG email 9-2-10		26 SY	8.26	214.76						
	Add Alternate #3: Brick Pavers in Triangles for "Saw Tooth Parking"										
AA3-1	Unclassified Excavation	123.74	23 C.Y.		123.74			123.74	100%	0.00	12.37
AA3-2	Concrete Base for Brick Pavers (A.E.)(6")	4,573.06	137 S. Y.		4,573.06			4,573.06	100%	0.00	457.31
AA3-3	Brick Paver Installation	6,606.64	1,228 S.F.		6,606.64			6,606.64	100%	0.00	660.66
	Add Alternate #4: Brick Pavers in Mid-block "Bulb Out"										
AA4-1	Unclassified Excavation	112.98	21 C.Y.		112.98			112.98	100%	0.00	11.30
AA4-2	Concrete Base for Brick Pavers (A.E.)(6")	6,009.04	124 S.Y.		6,009.04			6,009.04	100%	0.00	600.90
	-rev quantities per BG email 9-2-10		(7) SY	48.46	(339.22)						
AA4-3	Brick Paver Installation	6,004.08	1,116 S.F.		6,004.08			6,004.08	100%	0.00	600.41
	-rev quantities per BG email 9-2-10		(60) SF	5.38	(322.80)						
	Add Alternate #5: Landscaping										
AA5-1	Tree (Capitol Pear)	3,902.32	8 Each		3,902.32			3,902.32	100%	0.00	390.23
AA5-2	Tree (Autumn Purple Ash)	3,188.43	7 Each		3,188.43			3,188.43	100%	0.00	318.84
AA5-3	Knockout Rose Bush (2 Gal.)	2,674.62	54 Each		2,674.62			2,674.62	100%	0.00	267.46
AA5-4	Cedar Mulch (4" thick)	6,446.02	82 S.Y.		6,446.02			6,446.02	100%	0.00	644.60
	Add Alternate #6: Potted Planters										
AA6-1	Planter	8,447.30	17 Each		8,447.30			8,447.30	100%	0.00	844.73

CONTINUATION SHEET

ORR CONSTRUCTION MANAGEMENT

2009 Streetscape Improvements
Osawatomie, Kansas

APPLICATION NUMBER: 6
APPLICATION DATE: 11/10/2010
PERIOD TO: 11/10/2010
PROJECT NO: OCM #129

A	B	C	C-1	Unit price	D	E		F	G	G-1	H	I
						COMPLETED	THIS APPLICATION					
COST CODE	DESCRIPTION OF WORK	SCHEDULED VALUE	SCHEDULED QUANTITY		FROM PREV APPLICATION (D+E)	COMPLETED THIS APPLICATION	MATERIALS PRESENTLY STORED	TOTAL COMPLETED AND STORED TO DATE (D + E + F)	% (H/C2)	BALANCE TO FINISH (G2-G)	RETAINAGE	
	Change Order #1											
CCI 01	Additional temporary signage	989.23	1 L.S.		989.23			989.23	100%	0.00	98.92	
CCI 02	Add 2 HOA switches and 1 timer	476.10	1 L.S.		476.10			476.10	100%	0.00	47.61	
	Change Order #2											
CCI 04	Add empty 2" conduit	1,428.30	1 L.S.		1,428.30			1,428.30	100%	0.00	142.83	
CCI 05	Caulk pavement joints on north side	2,750.80	1 L.S.		2,750.80			2,750.80	100%	0.00	275.08	
	Change Order #3											
CCI 06	Revised storm sewer per PR E-2	7,469.48	1 L.S.		7,469.48			7,469.48	100%	0.00	746.95	
	Change Order #4											
CCI 07	Revised species of trees	1,174.38	1 L.S.		1,174.38			1,174.38	100%	0.00	117.44	
	Change Order #5											
CCI 09	Caulk pavement joints on south side	2,063.10	1 L.S.		2,063.10			2,063.10	100%	0.00	206.31	
	Change Order #6											
	Revised quantities per CO 6 breakdown	(6,544.55)	1 L.S.			(6,544.55)		(6,544.55)	100%	0.00	-654.46	
	TOTAL	643,599.58			640,477.28	(256.35)	0.00	643,599.58	100%	0.00	64,359.96	

COMPLETION OF WORK CERTIFICATE

KDOT Project No. 61 TE-0354-01

Engineer's Project No. 09-1114L

Project: 2009 Streetscape Improvements

To: City of Osawatomie
Owner

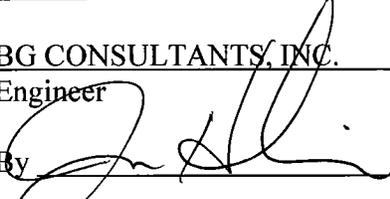
In compliance with the General Conditions of this Project, Article 14, Paragraph 7, on the basis of my observations and review of the Work, Final Inspection, and Review of the Final Payment, I am satisfied that the Work has been completed and the Contractor has fulfilled all of his obligations under the Contractor Documents.

I hereby recommend that the Final Completion Date of this Project be set as October 7, 2010 and that the Final Payment be approved.

Dated this 17th day of November, 2010.

BG CONSULTANTS, INC.

Engineer

By 

Title Project Engineer

The Final Completion Date as set in this Certificate is hereby approved.

Orr Construction Management, Inc.

Contractor

By 

Title PRESIDENT

Approved by Owner:

City of Osawatomie

By _____

Title _____

CONTRACTOR'S AFFIDAVIT

KDOT Project No. 61 TE-0354-01

Engineer's Project No. 09-1114L

Project: 2009 Streetscape Improvements

To: City of Osawatomie
Owner

The Contractor, represented by the undersigned, hereby declares that all indebtedness, whether incurred by me as Principal Contractor, or by a Subcontractor or otherwise, for supplies, materials, or labor furnished, used, or consumed in connection with or in or about the construction of the above mentioned Project, including gasoline, lubricating oils, fuel oils, greases, coal and other items used or consumed in furtherance of the said improvement have been paid in full, and I further declare that the Owner has been paid in full for all loss, cost damage or expense which it has been held responsible for by reason of any negligence, defective condition, default, failure or miscarriage in the performance of said Contract, either by me as Principal Subcontractor, or otherwise.

Dated this 17 day of November, 2010.

Orr Construction Management, Inc.
Contractor

Kenneth B. Orr
By
President
Title

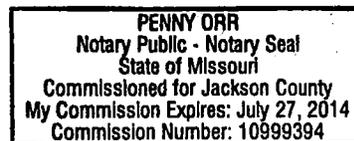
State of Missouri)ss.

County of Jackson

On this 17 day of November, 2010, before me personally appeared Kenneth B. Orr, known by me to represent the Contractor on the above Project, and being duly sworn stated that the above statement is true and correct.

Penny Orr
Notary Public

My Commission Expires July 27, 2014.



RELEASE OF FINAL ESTIMATE BY SURETY

KDOT Project No. 61 TE-0354-01

Engineer's Project No. 09-1114L

Project: 2009 Streetscape Improvements

To: City of Osawatomie
Owner

In compliance with the General Conditions of this Project, Article 14, Paragraph 7, the
Western Surety Company, PO Box 5077, Sioux Falls, SD 57117-5077 800/331-6053
(Name of Bonding Company)

as surety, hereby releases for payment, the Final Estimate on the above Project. The bonding
company shall maintain bonding of the project until October 7, 2012.

Western Surety Company

(Seal)

By *Linda L. Nutt*
Linda L. Nutt Attorney-in-Fact

Bond No: 58670872

Western Surety Company

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

Linda L. Nutt

of Kansas City, MO, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

Surety Bond Number: 58670872
Principal: Orr Construction Management, Inc.
Obligee: City of Osawatomie KS
Amount of Bond: See Bond Form

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Senior Vice President and its corporate seal to be hereto affixed on this 19th day of September, 2006

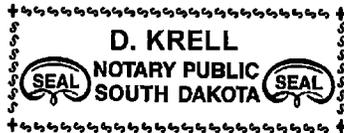


WESTERN SURETY COMPANY
Paul T. Bruflat
Paul T. Bruflat, Senior Vice President

State of South Dakota }
County of Minnehaha } ss

On this 19th day of September, 2006, before me personally came Paul T. Bruflat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Senior Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires
November 30, 2012



D. Krell
D. Krell, Notary Public

CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 11th day of November, 2010



WESTERN SURETY COMPANY
L. Nelson
L. Nelson, Assistant Secretary

Authorizing By-Law

ADOPTED BY THE SHAREHOLDERS OF WESTERN SURETY COMPANY:

This Power of Attorney is made and executed pursuant to and by authority of the following By-Law duly adopted by the shareholders of the Company.

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

AGREEMENT FOR SERVICES

This agreement, made and entered into this _____ day of _____, 2011, by and between the City of Osawatomie, hereinafter referred to as CITY and the Osawatomie Chamber of Commerce, hereinafter referred to as CHAMBER.

Witnesseth:

Whereas, the City and Chamber recognize that the chamber provides an integral set of functions to the community; and

Whereas, the City and Chamber also recognize the needs of the business community to have a viable chamber; and

Whereas, the City finds a significant public purpose in providing financial assistance for the sole intent of ensuring the services to the citizens and business community continue to be available; ad

Whereas, the Chamber is better suited to provide these services in a more cost effective way than the City can;

Therefore, both parties agree that the City will provide the following:

- 1.) City will provide in fiscal year 2011: \$20,000 to Chamber, 50% payable at the end of the first quarter and 50% payable at the end of the third quarter. City will also make available to the Chamber, an additional \$10,000 in fiscal year 2011 which will be appropriated based on the Chamber's 2011 membership dues income received as of July 1st, 2011 in a dollar for dollar match. No more than \$10,000 is available to the Chamber under this program and will be payable upon the Chamber presenting to the City, evidence of the dues income received. (#10 on list provided by Chamber board)

Both parties further agree that the Chamber will provide the following:

- 1.) Serve as a community information resource, as well as assist in gathering demographic data on an as needed basis; (#1 and #6 on list provided by Chamber board)
- 2.) Produce a weekly newsletter that keeps members and citizens informed about community events as well as maintain a website containing community information and links to the City of Osawatomie and USD #367 websites-; (#4, #16, and #17 on list provided by Chamber board)
- 3.) Print an annual community resource guide that is used for new residents (new resident packets); (#2 and #3 on list provided by Chamber board)
- 4.) Assist in the promotion of special events of the city, as well as recreational functions and municipal resources; (#9 on list provided by Chamber board)

- 5.) Serve as an information resource for businesses about training courses offered throughout the region; (#11 on list provided by Chamber board)
- 6.) Connect local charitable organizations with business leaders.
- 7.) Chamber Board members and the Director shall represent area businesses in developing sound public policy at the State level that is good for business and good for the citizens of our community when these opportunities present themselves; (#11 and #12 on list provided by Chamber board)
- 8.) The Chamber will host at a minimum, the following events: an annual Legislative Breakfast (on or about the beginning of each state legislative session), Back to School Picnic (August), Annual Dinner (October), and Spook Parade (Halloween event), that gives our State delegation the opportunity to interact with members of the Chamber, as well as members of Osawatimie's governing body; (Item #7 on list provided by Chamber board)
- 9.) The Chamber shall represent the community at local, county, regional, and state economic development functions; (#8 and #12 on list provided by Chamber board)
- 10.) The Chamber will engage in business recruitment and retention activities; (#5 and #8 on list provided by Chamber board)
- 11.) The Chamber will provide opportunities for business owners to be more successful by offering training classes on a variety of topics including hiring, networking, and local economic conditions. These programs will also be available to members and the community at large; (#11 on list provided by Chamber board)
- 12.) Supports commerce in the area by providing networking opportunities for local business owners each month where they can meet other area business owners to exchange business cards and ideas; (#13 and #14 on list provided by Chamber board)
- 13.) Provide annually, a report to the governing body at the July work session a report detailing the prior year's activities, membership details including percentages of individual members versus business members, percentages of out of town business members versus in town business members, the treasurer's report depicting revenues received and expenditures made, and any other information that may be requested by the City from time to time; (#10 on list provided by Chamber board)
- 14.) The Chamber further agrees to periodically review its dues structure to ensure charges are adequately set to cover expenses of the chamber;

The parties recognize jointly that:

- 1.) The Kansas Open Records Act and the Kansas Open Meetings Act shall apply to the Chamber in the same manner they apply to the City due to the Chamber's receipt of public monies.

- 2.) The monies provided under this contract are subject to annual appropriation by the city council during the budget process which is typically completed no later than August 25 of each calendar year.
- 3.) Each party agrees to provide the other at least 60 days notice of any intent to terminate. Each party may terminate for any reason.
- 4.) The Director of the Chamber is not an employee of the city and as such is not eligible for any benefits afforded to employees of the City.

5.) Chamber shall indemnify and hold the City harmless from any and all liability, loss, damage, expenses, causes of action, suits, claims or judgments, including City's reasonable attorney fees arising from injury to person or property resulting from or based upon the City's appropriation to the Chamber, at its own cost and expense, defend any and all suits which may be brought against City, either alone or in conjunction with others upon any such liability or claim or claims and shall satisfy, pay and discharge any and all judgments and fines that may be recovered against City in any such action or actions, provided, however, that City shall give Lessee written notice of any such claim or demand.

5.) ~~The Chamber agrees to hold the City harmless in the event of any claim made against the Chamber at any function the Chamber carries out. As such, the Chamber shall maintain all the proper insurance coverage necessary to protect itself as well as the assets of any owner of any facility they may utilize in providing these functions.~~

6.) This contract shall be renewed annually.

WITNESS our hands the day and year first above written.

Philip A. Dudley, Mayor
City of Osawatomie

_____, President
Osawatomie Chamber of Commerce

Attest:

Approved as to Form:

Ann Elmquist, City Clerk
City of Osawatomie

Richard Wetzler, City Attorney
City of Osawatomie

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**The following services will be provided on behalf of the City of Osawatomi by the
Osawatomi Chamber of Commerce:
"Building connections builds communities"**

- ~~1.~~ Serve as an information resource for the community ✓
- ~~2.~~ Serve as a point of contact for new residents seeking information about the community ✓
- ~~3.~~ Provide "welcome bags" to the city that can be given out to new residents. These will include information on local businesses and services ✓
- ~~4.~~ Maintain a website containing community information and links to the City of Osawatomi's and USD #367's websites ✓
- ~~5.~~ Meet with representatives of prospective new businesses ✓
- ~~6.~~ Assist the City of Osawatomi in gathering demographic data, as needed ✓
- ~~7.~~ Produce Chamber events each year that are open to the community, including the Back to School Picnic, the Chamber's Annual Dinner, and the Spook Parade ✓
- ~~8.~~ Work closely with Miami County Economic Development to support current businesses, and assist in attracting new ones ✓
- ~~9.~~ Assist local and county tourism directors with projects that will attract visitors (and potential residents/businesses) to our community ✓
- ~~10.~~ Work to expand membership each year ✓
- ~~11.~~ Help local business owners to be more successful by keeping them informed of business services and classes offered by Kansas Small Business Development Center (KSBDC), and Johnson County Community College (JCCC). These trainings are available to the Membership as well as the community at large ✓
- ~~12.~~ Maintain relationships with Kansas Department of Commerce Representatives in order to be an information source to local and potential businesses ✓
- ~~13.~~ Provide monthly networking opportunities for business owners, where they can exchange ideas and contact information ✓
- ~~14.~~ Network with other area Chambers to share ideas and brainstorm how to promote our respective communities and the county as a whole ✓
- ~~15.~~ Serve as a liaison between developers, business owners, residents, and the city, on issues, as they may arise
- ~~16.~~ Produce a weekly newsletter with the purpose of sharing community news and business information with the Membership ✓
- ~~17.~~ Produce a monthly newsletter, for the Membership, that highlights Chamber activities and local business news ✓

already covered?

NEW BUSINESS

8.A. Appointments

TERMS EXPIRING 12/31/10 and vacancies:

		<u>Recommendation:</u>
Economic Development	Dan Macek	reappoint
Planning Commission	Chris Troxel	reappoint
	Tony Savage – growth area	reappoint
	Dennis Dameron – growth area	reappoint
	Doug Whitney	recommend Mike Gorman
	Claude Light	resigned
Board of Zoning Appeals	Vacant – growth area	
Recreation Commission	Alan Neal	reappoint
Tourism Committee	Pam Barker	reappoint
	Cheryl Miller	reappoint
	Kimi Wilson	reappoint

8.B. Approve Cereal Malt Beverage Licenses for 2011

Cereal Malt Beverage licenses will expire December 31, 2010. The following renewals need to be considered:

- | | | |
|----|--|------------------------|
| a. | Casey's General Store – East Main | Osawatomie Golf Course |
| | Casey's General Store – 6 th & Parker | Pizza Hut |
| | Hayden & Hayden, LLC (Oz Mart) | Tailgators |
| b. | Moon's Hometown Market | |

ORDINANCE NO. ____

AN ORDINANCE PERTAINING TO THE SPECIAL USE PERMIT TO OPERATE A CHILD CARE CENTER IN A C-3 HIGHWAY COMMERCIAL DISTRICT

WHEREAS, Tammy Gaikowski, is requesting a Special Use Permit to operate a Child Care Center in a C-3 Highway Commercial District, and

WHEREAS, the property is located at 1312 6th Street, Osawatomie, Kansas, and

WHEREAS, the current zoning of the property is the City's C-3 Highway Commercial District, and

WHEREAS, the Osawatomie Planning Commission held a public hearing on this proposed Special Use Permit on November 24, 2010, in accordance with City and State zoning laws. The Planning Commission recommends approval with conditions for the Special Use Permit.

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

SECTION ONE: A special use permit is granted to Tammy Gaikowski to operate a child care center at 1312 6th Street, Osawatomie, Kansas, subject to the following conditions:

1. The Special Use Permit will be issued to Tammy Gaikowski, not the property. At any time the Child Care Center would close or move, the special use permit would be void and not be transferable.
2. Approval of the State Licenses for the Child Care Center.
3. Approval of the fencing by the state and city codes.
4. Approval of the City parking requirements.
5. Approval of the Site Plan by the City.

SECTION TWO: The special use permit will be operated on the following described real estate, situated in Osawatomie, Miami County, Kansas, to-wit:

TR BEG 1320E & 350S, NW/C, NW4, E300, S73.5, W300, N73.5 TO POB

SECTION THREE: This ordinance shall take effect and be in force from and after its passage and one publication in the official City newspaper.

PASSED AND APPROVED by the Governing Body of the City of Osawatomie, Miami County, Kansas, a majority being in favor thereof, this 9th day of December, 2010.

APPROVED and signed by the Mayor.

(SEAL)

Philip A. Dudley
Mayor

ATTEST:

Ann Elmquist
City Clerk



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

December 9, 2010

2010 BUDGET AMENDMENT:

Included with this packet, but not on the December 9, 2010 agenda is the draft 2010 budget amendment. Be aware that while revenues are down somewhat, we have also tackled some very ambitious projects without adding to our debt. Additionally, I want to caution the council that while the amount of the amendment looks significant, over half of it is related to simply accounting for many of the increases twice: once as an expense to the electric fund as a transfer out, and a second time in the fund from which the expense was actually incurred. Additionally, not every dollar is expected to be spent. The actual need is estimated high in order to ensure we do not incur a budget violation. Barring any unforeseen expenses, I believe these amendments will suffice. These funds along with reasons why the amendment to that fund is necessary are as follows:

- 1.) General Fund – Partial streetscape expenses not covered by the grant, public works salaries originally planned for expenditure from the Street Improvement Fund, and levee certification expenses. Additionally, the 2011 budget planned for approximately a \$100,000 beginning fund balance in the general fund and that fund balance needs to be preserved;
- 2.) Electric Fund – To allow for transfers from the electric fund to the general fund, golf course, recreation (this one will be repaid in January), employee benefits, and street improvement;
- 3.) Refuse – Increase due to revenue received beyond what was anticipated and owed to L & K Services. The city bills for and collects revenue on behalf of the contracted service and remits those monies at the end of each month.
- 4.) Library – This amendment is necessary to cover transfer of taxes collected to the general fund as well as expenditure of donations for work on Phase I and planning/preparation expenses for Phase II;
- 5.) Employee Benefits Fund – To cover increased health insurance costs;
- 6.) Public Safety Improvement Fund – To cover the cost of a used police car purchased from the City of Prairie Village (\$6,000);
- 7.) Street Improvement Fund – Partial streetscape expenses as well as design work for the Pacific/14th/Brown street project;

2010 FEE RESOLUTION:

Also at the work session next week, the council will need to consider the 2010 fee resolution. The proposed/requested changes are as follows:

- 1.) Old Stone Church – Change from a simple \$50 deposit and free usage to a \$50 rental fee and a refundable \$50 deposit;
- 2.) Building Permit Fees – The square footage charge for new construction and remodels increases annually and automatically by \$.03 per square foot;
- 3.) Golf Course Fees – All membership fees have been increased on average by approximately \$20 as well as we are recommending the implementation of a formal group rate and tournament rates based on number of participants in the tournament.

PACIFIC/14TH/BROWN STREET PROJECT:

City crews are working on relocating utilities to accommodate the new street. Additionally, we are nearly finished obtaining easements for storm water infrastructure and these will need to be accepted by the council. As was the case with the last street projects, these areas will be returned to a state at least equal to, if not better than they were found. Finally, Miami County has been authorized by the County Commission to build the box culvert for the city.

AGREEMENT FOR SERVICES WITH CHAMBER OF COMMERCE:

After the council work session on the 18th, I made adjustments to the Agreement for Services with the Chamber. Those changes have been tracked and included in this council packet for your review and discussion.

DOWNTOWN STREETScape CLOSEOUT:

Brian Kingsley and/or Jason Hoskinson will be in attendance at this week's council meeting to discuss the streetscape project as well as provide an overview of final costs, savings achieved, etc. The Council will need to approve the final change order which is a reduction in cost to the city as well as the final pay request and accept the project.

TECHNICAL/FEASIBILITY REVIEW OF OSAWATOMIE SWIMMING POOL:

With the delivery of the first step in the review process of the pool, the consultants now move to the second report and as soon as a draft of that document is available, I will provide it to the council.

TECHNICAL/FEASIBILITY REVIEW OF OSAWATOMIE ELECTRIC UTILITY:

All information requested by Sawvel and Associates to begin the study has been provided. Additionally, the GPS mapping of the electric system has been completed and is currently being reviewed for accuracy. As progress is made with this study, I will provide the council with updates.

SCHEDULE FOR LEVEE CERTIFICATION STUDY PHASE II:

Representatives from Wilson & Co. and I will be meeting with FEMA in December to review progress being made on levee certification. I will update the council on the status of certification once this meeting is complete.

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.

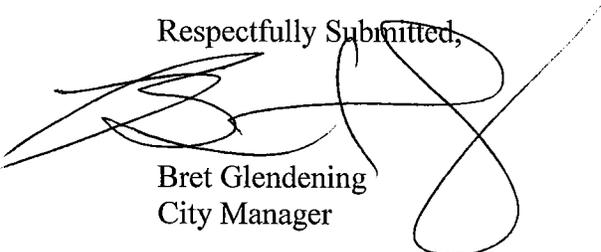
UPDATE ON REALIGNMENT OF WARD BOUNDARIES:

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

Building Permit Activity for the Month of November 2010

Category	Total Permits	Total Value	Revenue received by City G.F.
New Single Family Dwellings	1	\$160,000.00	\$853.68
Re-roofs	7	\$25,985	\$240.00
Remodels	1	\$3,000.00	0
Accessory Buildings	4	\$14,900.00	\$293.28
Concrete	1	\$19,000.00	\$30.00
Mechanical	3	\$3,500.00	\$110.00
Repairs	1	\$2,100.00	\$30.00
Decks & Porches	3	\$3,500.00	\$90.00
Additions	0	0	0
Com. Buildings	1	\$1,100.00	\$51.84
Demolishing	0	0	0
Fences	1	\$6,000.00	0
Plumbing	4	\$500.00	\$140.00
Electrical	5	\$215.00	\$210.00
Ag. Buildings	1	\$21,000.00	\$30.00
Penalties	1	\$60.00	\$60.00
Plan Review	1	\$150.00	\$150.00
Zoning	0	0	0
Totals	35	\$261,010.00	\$2,288.80
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



Osawatome Police Department

Monthly Report Nov 2010

Page 1

	<u>Current Month</u>	<u>Year to Date</u>
Escorts	4	73
Warrant attempts/arrests	33	186
Traffic Stops/investigation	88	1324
Investigate Person	0	35
DUI	4	36
Non-Injury Accident	16	154
Injury Accident	2	22
Assist EMS	20	246
Fire	10	95
Fights	5	71
Prowler	0	4
Domestic Violence	4	35
911 Misdeal	7	70
Animal at large	23	362
Animal Bite	6	34
Animal Missing	9	96
Animal Welfare	19	180
Assist Outside Agency	17	175
Bank Alarm	1	4
Burn Permit	9	208
Business Alarm	5	53
Burglary	1	32
Criminal Damage to Property	15	85
Child In need of Care	3	55
Carbon Monoxide Check	0	2
Civil Stand By	11	154
Citizen Complaint	60	791
Citizen Inquiry	81	721
City Services	23	378
Drug Cases	6	44
Disturbance	13	172
Deliver Message	4	49
Extra Patrol Request	9	60
Forgery	1	15



Osawatomi Police Department

Monthly Report Nov 2010

Page 2

	<u>Current Month</u>	<u>Year to Date</u>
Fine Payment to Dispatch	16	201
Found Property	3	49
Finger Print (employment)	1	18
Gas Drive Off	5	27
HAZMAT	0	0
K9 Training Event	9	43
K9 Deployment	0	17
Loud Music Complaint	2	71
Murder	0	0
Motorist Assist	7	124
Medical Alarms	0	2
Missing Child	1	23
Missing Person	2	7
Open Door (Building Check)	3	66
Pedestrian Checks	2	18
Residential Alarms	0	3
Reckless Driver	1	5
Repossessions (notifications)	2	18
Runaway	0	1
Sexual Assault/Sex Crimes	5	17
Suspicious Activity	29	293
State Hospital Walk Away	0	7
Theft	20	195
Telephone Harassment	2	78
Unattended Death	1	8
Vehicle Lock Out	22	220
Violation of Protective Order	4	13
Verbal Dispute	0	0
Check Welfare	8	153
Incidents cleared by Arrest	21	242
Total Citations Issued for the Month	50	654
Last incident # assigned in Aug: 10-7268. 635#s assigned		



Osawatomie Police Department

Monthly Report for Nov 2010

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Miles driven (Patrol Units)

	<u>Miles</u>	<u>Mileage Total</u>
Unit 3 (2004 Blazer)	345	123988
Unit 4 (2007 Chevy Impala)	3,050	54609
Unit 8 (2008 Crown Victoria)	2,320	81980

Nuisance Information

	<u>Current</u>	<u>Year to Date</u>
Nuisance Totals		297
Debris		113
Vehicle		30
Grass		158
Tickets		7
Cleared		257

Misc. Notes

Officer Polster attended radar/LIDAR instructor training
A.C. Butters attended NIMS 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

Nov. 23

Osawatomie GC
Osawatomie, Kans.

Dear Club Manager ~

I am putting together a display of scorecards featuring the best courses in Kansas. The cards will be artfully arranged and presented at a new golf-theme restaurant & grill near Sebring, Florida.

The owners (from Kans.) would like to include and recognize Osawatomie GC as one of their personal favorites.

Would you be kind enough to provide us with (2) scorecards from your fine course?
(We will want to show both sides of the card.)

Your help with this request will be most appreciated and acknowledged.

Regards to your pro -
Brad Waggoner

Sincerely,
William K. Roach



Mr. William K. Roach
106 77th St.
Holmes Beach, FL 34217-1042

enc. \$1.00 for postage

OSAWATOMIE CITY COUNCIL

PUBLIC HEARING WORK SESSION / MEETING AGENDA December 16, 2010 7:00 p.m., Memorial Hall

PUBLIC HEARING – 7:00 p.m. per public notice

1. 2010 BUDGET AMENDMENT

WORK SESSION

1. Discuss 2010 Fee Schedule
2. Discuss Amending Municipal Code Pertaining to Meetings

REGULAR MEETING – 7:30 p.m.

- A. Call to Order
- B. Roll Call
- C. Approval of Agenda
 1. Adopt 2010 Budget Amendment
 2. Approval of Chamber of Commerce Agreement for Services
 3. Adopt 2010 Fee Schedule
- D. Adjournment of Regular Meeting

2010

**Amended
Certificate**

To the Clerk of Miami, State of Kansas
We, the undersigned, duly elected, qualified, and acting officers of
City of Osawatomie
certify that: (1) the hearing mentioned in the attached publication was held;(2) after the Budget Hearing this Budget was duly approved and adopted as the maximum expenditure for the various funds for the year.

			2010 Amended Budget		
Table of Contents:			Amount of 2009 Tax that was Levied	Adopted 2010 Expenditures	Proposed Amended 2010 Expenditures
Fund	K.S.A.	Page No.			
General	12-101a	2	547,642	2,242,958	2,459,987
Electric		3		3,691,860	3,984,084
Refuse		4		352,150	380,500
Library	12-1220	5		15,000	65,000
Employee Benefits	12-16,102	6	489,515	542,260	619,760
Public Safety Equip.	12-110b	7			6,000
Street Improvement		8		155,600	195,750
Totals		xxxxxxx	1,037,157	6,999,828	7,711,081
Summary of Amendments		9			

Attested date: _____

County Clerk

Assisted by: _____

Address: _____

State Use Only
Received _____
Reviewed by _____
Follow-up: Yes _____ No _____

Governing Body

City of Osawatomie

2010

Adopted Budget

General	2010 Adopted Budget	2010 Proposed Budget
Unencumbered Cash Balance January 1	101,018	54,598
Receipts:		
Ad Valorem Tax	547,642	547,642
Delinquent Tax	16,000	16,000
Motor Vehicle Tax	45,859	45,859
Recreational Vehicle Tax	682	682
16/20M Vehicle Tax	401	401
Compensating Use Tax	80,000	80,000
Local Alcoholic Liquor	4,920	4,920
City Sales Tax	260,000	260,000
County Sales Tax	340,000	340,000
Franchise Fees	285,000	285,000
Licenses & Permits	60,000	60,000
Charges for Services	48,000	48,000
Fines & Fees	103,000	110,000
Interest	30,000	30,000
Miscellaneous	25,000	25,000
Sale of Fixed Assets	0	0
Transfer In (from Electric)	287,676	461,425
Transfer In (from Water)	45,000	80,500
Transfer In (from Sewer)	39,500	78,100
Transfer In (from Refuse)	0	0
Transfer In (from Library)	15,000	15,000
John Brown Cabin	2,500	2,500
Library Miscellaneous	18,000	26,600
Grant Receipts (Non CDBG)	0	0
Total Receipts	2,254,180	2,517,629
Resources Available:	2,355,198	2,572,227
Expenditures:		
General Administration	532,075	532,075
Sports Complex	81,177	81,177
Police & Fire	929,555	979,555
John Brown Cabin	45,051	45,051
Streets & Alleys	225,078	300,178
Swimming Pool	34,350	34,350
Cemeteries	114,188	114,188
Parks & Lakes	16,500	16,500
Municipal Court Services	81,884	106,884
Levees & Stormwater	54,150	121,079
Library	128,950	128,950
Total Expenditures	2,242,958	2,459,987
Unencumbered Cash Balance December 31	112,240	112,240

City of Osawatomie

2010

Adopted Budget

Electric	2010 Adopted Budget	2010 Proposed Budget
Unencumbered Cash Balance January 1	762,044	1,036,152
Receipts:		
Charges for Services	3,300,000	3,600,000
Interest	6,000	6,000
Utility Deposits	50,000	50,000
Sales Tax	100,000	100,000
Customer Late Charges	40,000	80,000
Miscellaneous	118,250	118,250
Sale of Fixed Assets	0	0
Total Receipts	3,614,250	3,954,250
Resources Available:	4,376,294	4,990,402
Expenditures:		
Administration		
Personnel Services	2,500	2,500
Contractual	71,000	71,000
Commodities	3,650	3,650
Capital Outlay	0	0
Transfer Out (to GO)	287,676	461,425
Transfer Out (to Cap. Projects - General)	75,000	75,000
Transfer Out (to Golf)	0	65,000
Transfer Out (to Recreation)	0	20,000
Transfer Out (to Employee Benefits)	0	77,000
Transfer Out (to Street Improvement)	0	50,000
Other Expenses	332,000	174,700
TOTAL	771,826	1,000,275
Electric Production		
Personnel Services	6,000	112,775
Contractual	2,366,000	2,366,000
Commodities	68,600	25,600
Capital Outlay	0	0
TOTAL	2,440,600	2,504,375
Electric Distribution		
Personnel Services	248,988	248,988
Contractual	84,500	84,500
Commodities	88,750	88,750
Capital Outlay	57,196	57,196
Debt Retirement	0	0
TOTAL	479,434	479,434
Total Expenditures	3,691,860	3,984,084
Unencumbered Cash Balance December 31	684,434	1,006,318

City of Osawatomie

2010

Adopted Budget

Refuse	2010 Adopted Budget	2010 Proposed Budget
Unencumbered Cash Balance January 1	721	6,024
Receipts:		
Charges for Services	360,000	380,000
Miscellaneous	0	0
Total Receipts	360,000	380,000
Resources Available:	360,721	386,024
Expenditures:		
Contractual	351,650	380,000
Commodities	500	500
Transfer Out (to GO)	0	0
Total Expenditures	352,150	380,500
Unencumbered Cash Balance December 31	8,571	5,524

City of Osawatomie

2010

Adopted Budget

Library	2010 Adopted Budget	2010 Proposed Budget
Unencumbered Cash Balance January 1	0	42,852
Receipts:		
Ad Valorem Tax	7,844	7,844
Delinquent Tax	6,991	6,991
Motor Vehicle Tax	104	104
Recreational Vehicle Tax	61	61
Donations	0	100,000
Total Receipts	15,000	115,000
Resources Available:	15,000	157,852
Expenditures:		
Appropriation	0	0
Personnel Services	0	0
Contractual Services	0	45,000
Transfer Out (to General Fund)	15,000	20,000
Neighborhood Revitalization	0	0
Total Expenditures	15,000	65,000
Unencumbered Cash Balance December 31	0	92,852

City of Osawatomic

2010

Adopted Budget

Employee Benefits	2010 Adopted Budget	2010 Proposed Budget
Unencumbered Cash Balance January 1	0	563
Receipts:		
Ad Valorem Tax	489,515	489,515
Delinquent Tax	8,000	8,000
Motor Vehicle Tax	43,713	43,713
Recreational Vehicle Tax	650	650
16/20M Vehicle Tax	382	382
Transfer In (from Electric)	0	77,000
Total Receipts	542,260	619,260
Resources Available:	542,260	619,823
Expenditures:		
Personnel Services	534,760	619,760
Contractual	7,500	0
Total Expenditures	542,260	619,760
Unencumbered Cash Balance December 31	0	63

City of Osawatomie

2010

Adopted Budget

Public Safety Equip.	2010 Adopted Budget	2010 Proposed Budget
Unencumbered Cash Balance January 1	0	9,085
Receipts:		
Ad Valorem Tax	0	0
Delinquent Tax	0	0
Motor Vehicle Tax	715	715
Recreational Vehicle Tax	11	11
16/20M Vehicle Tax	6	6
Total Receipts	732	732
Resources Available:	732	9,817
Expenditures:		
Contractual Services	0	0
Commodities	0	0
Capital Outlay	0	6,000
Neighborhood Revitalization	0	0
Total Expenditures	0	6,000
Unencumbered Cash Balance December 31	732	3,817

City of Osawatomie

2010

Adopted Budget

Street Improvement	2010 Adopted Budget	2010 Proposed Budget
Unencumbered Cash Balance January 1	56,623	14,074
Receipts:		
State of Kansas Gas Tax	131,430	131,430
County Transfers Gas	1,275	1,275
Reimbursed Expense	0	0
Miscellaneous	0	0
Transfer In (from Electric)	0	50,000
Total Receipts	132,705	182,705
Resources Available:	189,328	196,779
Expenditures:		
Personnel Services	70,000	0
Contractual Services	14,250	124,400
Commodities	71,350	71,350
Capital Outlay	0	0
Transfer Out (to GO)	0	0
Total Expenditures	155,600	195,750
Unencumbered Cash Balance December 31	33,728	1,029

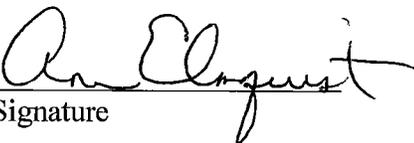
**Notice of Budget Hearing for Amending the
2010 Budget**

The governing body of
City of Osawatomie
will meet on the 16th day of December, 2010 at 7:00 p.m. at Memorial Hall for the purpose of
hearing and answering objections of taxpayers relating to the proposed amended use of funds.

Detailed budget information is available at City Hall
and will be available at this hearing.

Summary of Amendments

Fund	2010 Adopted Budget			2010 Proposed Amended Expenditures
	Actual Tax Rate	Amount of Tax that was Levied	Expenditures	
General	22.721	547,642	2,242,958	2,459,987
Electric			3,691,860	3,984,084
Refuse			352,150	380,500
Library			15,000	65,000
Employee Benefits	20.309	489,515	542,260	619,760
Public Safety Equip.			0	6,000
Street Improvement			155,600	195,750


Signature

RESOLUTION NO. ____

**A RESOLUTION REVISING THE ANNUAL
FEE RESOLUTION NO. 625.**

WHEREAS, a “comprehensive fee listing” promotes efficiency and expediency regarding City fees and charges; and

WHEREAS, the Governing Body shall at least annually review prior to the next fiscal year’s budget all fees and charges.

BE IT RESOLVED BY THE CITY OF OSAWATOMIE, KANSAS, that the fees and charges in Exhibit A attached be established.

SECTION ONE: Resolution No. 625 and all fees that are in conflict with this Resolution regarding fees and charges are hereby repealed.

SECTION TWO: This Resolution shall take effect the 1st day of January, 2011.

PASSED AND APPROVED by the Governing Body of the City of Osawatomie, Kansas this 16th day of December, 2010, a majority being in favor thereof.

APPROVED AND SIGNED by the Mayor.

Philip A. Dudley
Mayor

(SEAL)

ATTEST:

Ann Elmquist
City Clerk

OSAWATOMIE FEE SCHEDULE

Adopted 12/16/10; Resolution No. _____

Effective Date - January 1, 2011

CODE	ORD. #	DESCRIPTION	PREVIOUS FEE(S)	CURRENT FEE(S)	CHANGED
		ADMINISTRATIVE:			
		ALCOHOL & CEREAL MALT BEVERAGE			
		Alcoholic Consumption on Public Property	\$100.00 deposit	\$100.00 deposit	7/28/05
		Cereal Malt Beverage	\$100.00* general retailer/consumption \$50.00* limited retailer/retail sales * plus any state assessed costs/taxes	\$50.00 per calendar year * \$50.00 per calendar year *	12/13/07
		change location application fee	\$25.00	\$25.00	
3-101	Code 1977	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
		BUILDING RENTALS			
	Governing Body 11/10/05	Auditorium			
		per day	\$125.00	\$150.00	12/17/09
		deposit	\$100.00	\$100.00	
		microphone deposit	\$25.00	\$25.00	12/8/05
		Memorial Hall			
		Monday - Friday	\$35.00	\$40.00	12/13/07
		7:00 a.m. - 3:00 p.m.	\$45.00	\$50.00	"
		4:00 p.m. - midnight	\$55.00	\$60.00	"
		all day	\$40.00	\$50.00	"
		Saturday, Sunday, Holidays	\$50.00	\$60.00	"
		7:00 a.m. - 3:00 p.m.	\$60.00	\$70.00	"
		4:00 p.m. - midnight	\$25.00 per year	\$35.00 per year	
		all day	\$100.00	\$100.00	
		Grandfathered organizations	\$50 deposit only	\$50 rent + \$50 deposit	
		deposit			
		Old Stone Church			
		Golf Course Clubhouse			
		winter rental	\$125.00 + salary	\$250.00 + salary	12/13/07
		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	\$100.00	\$150.00	12/14/06
		resident	\$0.00	\$250.00	"
		growth area	\$200.00	\$400.00	"
		non-resident	\$30.00	\$40.00	"
		Permit for setting monument	\$0.00	\$40.00	"
		single/double/corner markers	no charge	no charge	"
		reset	\$25.00	\$30.00	"
		repair	\$75.00	\$80.00	"
		during business hours	\$10 + cost + 10%	\$80.00	"
		after business hours	\$300.00	\$300 w/liability ins of \$1M	"
		Permit for disinterment			
		Stone Setting Bond			
		FIREWORKS			
	Ord 3582	Permit for sale of fireworks	\$750.00	\$1,000.00	12/11/08
		Permit for public display	none	none	
		MISCELLANEOUS/OTHER			
		Insufficient check charge for checks returned unpaid by a bank		\$30.00	
		KSA 21-3707(b)(1)			
		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	12/14/06
		Utility Histories	150% of cost	\$25.00 + \$.60 per page	12/14/06
		Letters of Credit	150% of cost	\$25.00	
		Maps, postage, manuals, misc.	manuals - \$10	150% of City cost including labor	
		SOLICITORS, CANVASSERS, PEDDLERS (ETC. City Code 5-201)			
		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 -	\$.24/sq ft	\$.27 per sq. ft., minimum \$40	12/16/10
		NEW, ADDITIONS, REMODELS or Accessory Structures over 120 sf	(annual increase of \$.03/yr)	+ UTILITIES as required	
		--all Square footages including unfinished basements & garages			
		ALL NON-RESIDENTIAL & PUBLIC PROJECTS (OTHER THAN CITY)	\$.19 per sq. ft.	\$.22 per sq. ft.	
		NEW, ALTERATIONS, OR ADDITIONS	MIN OF \$100	MINIMUM OF \$100 +	
		CONSTRUCTION VALUE LESS THAN \$300,000	+ \$40/UTILITY	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			
		Residential/Commercial 120 sf and greater	\$40 + \$.24/sq ft	\$.27/sq ft (minimum \$40)	12/16/10
		Agricultural All square footage	\$25.00	\$30.00	12/13/07
		Other Classifications			
		Re-roof/New Roof/fences over 6' in height	\$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	
		Earthwork excavation or fill 18" or more	\$40 + actual cost	\$50 plus actual City cost	
		Towers, Generating Stations, & Generating Plants	Adopted Bldg. Code Rates	ADOPTED BUILDING CODE RATES	
		Temporary Occupancy Permit			
		Decks	\$25.00	\$25.00	12/17/09
		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	
		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 homes and accessory structures	\$ 1.00 per \$ 1,000-value	\$50/hour w/1 hour min./3 hour max.	12/17/09
		Working without building permit	double permit fee	triple permit fee	12/13/07

Ord. 3577

Ord 3320

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	
		Operating without being registered		maximum \$500.00	12/14/06
		MOWING ASSESSMENT			
		each occurrence	\$150/hour	\$200.00/hr, 1 hr minimum (round up to next hour)	12/17/09
		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	\$6.00	\$7.00 per animal per year	12/13/07
		sexually altered	\$10.00	\$10.00 per animal per year	
		unaltered	\$2.00	\$2.50	
		duplicate tag	\$50.00	\$60.00	
		Impoundment fee	\$75.00	\$85.00	
		(within 24 months of 1 st)	\$100.00	\$110.00	
		(within 24 months of 1 st)	\$200.00	\$210.00	
		(within 24 months of 1 st)	\$20.00	\$25.00	12/13/07
		Pickup fee	\$15.00 per day	\$20.00 per day	12/13/07
		Boarding fee	\$20.00	\$50.00	
		Euthanize	\$10.00	\$15.00 per animal	
		Vaccination fee		\$30.00 per animal	12/14/06
		Small Dead Animal Removal from private property (commercial operation)		\$25.00	12/14/06
		Small Dead Animal Removal from private property		Actual cost of removal	
		Large Dead Animal Removal from private property		Same as above	
		Animal Adoption, dog or cat	\$20.00 per animal	\$25.00 per animal	12/14/06
		Adoption fee		\$100.00	12/14/06
		Spay/neuter fee		Same as above	
		Vaccination fee		Same as above	
		RECREATION:			
		BOAT FEES			
		Abandoned Boat Storage Fee		actual cost to City	
Ord 3394		Non-motorized	\$2.00 per year	No charge	7/28/05
		Senior citizen - 65 years or older			

CODE	ORD. #	DESCRIPTION	PREVIOUS FEE(S)	CURRENT FEE(S)	CHANGED
		residents	\$5.00 per year	\$7.50 per calendar year	
		non-residents	\$7.50 per year	\$20.00 per calendar year	
		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	
		non-residents	\$7.50 per year	\$30.00 per calendar year	
		Senior citizen - 65 years or older	not allowed	No charge	12/13/07
		residents		\$20.00 per calendar year	
		non-residents		\$60.00 per calendar year	
		CAMPING FEES			
	Ord. 3277	Individuals	\$7.00	\$10.00 per day with 7-day limit combined with all City parks	12/13/07
		electric	--		
		air conditioning or heat	--		
		Organizations	\$7.00	\$10.00 per day with 7-day limit combined with all City parks	
		electric	--		
		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	
		Non-residents	\$20.00 per year	\$25.00 per year	12/14/06
		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	\$430.00	\$445.00	12/16/10
		Single with cart privileges	\$800.00	\$825.00	"
		Couple	\$540.00	\$560.00	"
		Couple with cart privileges	\$995.00	\$1,030.00	"
		Family	\$680.00	\$700.00	"
		Family with cart privileges	\$1,300.00	\$1,350.00	"
		Students (under 18 & living at home)	\$175.00	\$190.00	"
		Youth (12 & under) Monday - Friday only	\$125.00	\$135.00	"
		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)	\$13.00	\$14.00	12/16/10
		Twilight Rate with cart (M-Th after 4 / weekends after 5)	\$23.00	\$24.00	"
		Senior Rate (M-Th)(no 9 hole rate)	\$16.00	\$17.00	12/13/07

CODE	ORD. #	DESCRIPTION	PREVIOUS FEE(S)	CURRENT FEE(S)	CHANGED
		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	"
		Group Membership Rates - minimum of 10			12/16/10
		without cart privileges		\$400 per player	"
		with cart privileges		\$800 per player	"
		Tournament Rates (includes cart)			"
		Under 20 Players in Tournament - Monday through Thursday		\$34 per player	"
		Under 20 Players in Tournament - Friday through Sunday		\$37 per player	"
		21 - 40 Players - M - Th		\$33 per player	"
		21 - 40 Players - F - Sun		\$36 per player	"
		41 - 60 Players - M - Th		\$32 per player	"
		41 - 60 Players - F - Sun		\$35 per player	"
		61 + Players - M - Th		\$31 per player	"
		61 + Players - F - Sun		\$34 per player	"
		SWIMMING POOL FEES			
		Punch Card (20 punches)	\$15.00	\$25.00 AT GATE	12/13/07
		Children under 5 years old		free	"
		Children 5-13 years old	1 ticket	1 punch \$1.50	"
		14 & older	2 tickets	2 punches \$2.50	"
		Pool rental (weekend only)	\$35.00 + \$.50 ...	\$50.00 + \$.50 per swimmer	"
		UTILITIES:			
		ADMINISTRATIVE			
		Customer utility service fee (connections & transfers)	\$15.00	\$20.00 + tax	12/13/07
		Utility Deposits			12/13/07
		Residential	\$100.00	\$200.00	
		Commercial - average of previous 12 mos or similar business	\$150.00 min	\$300.00	

CODE	ORD. #	DESCRIPTION	PREVIOUS FEE(S)	CURRENT FEE(S)	CHANGED
		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	3%	7% of amount billed	12/11/08
		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	
		after business hours	\$40 + tax	NO AFTER HOURS RECONNECT	
		ELECTRIC SERVICE RATES			
	Ord 3422	Residential			9/25/08
		Customer charge	\$10.00	\$10.00	
		First 100 kwh per month	\$0.156	0.150/kwh	
		Next 400 kwh per month	\$0.100	\$0.096/kwh	
		Next 1,000 kwh per month	\$0.079	\$0.076/kwh	
		All over 1,500 kwh per month	\$0.077	\$0.074/kwh	
				(Plus Energy Cost Adjustment charge)	
		Small General			9/25/08
		Customer Charge	\$15.00	\$15.00	
		First 100 kwh per month	\$0.137	\$0.126/kwh	
		Next 400 kwh per month	\$0.121	\$0.111/kwh	
		Next 1,500 kwh per month	\$0.103	\$0.095/kwh	
		Next 3,000 kwh per month	\$0.100	\$0.092/kwh	
		Next 5,000 kwh per month	\$0.088	\$0.081/kwh	
		All over 10,000 kwh per month	\$0.082	\$0.075/kwh	
				(Plus Energy Cost Adjustment charge)	
		Large General			9/25/08
		Demand	\$5.81	\$5.35	
		First 150 kwh per month	\$0.068	\$0.063/kwh	
		Next 150 kwh per month	\$0.062	\$0.057/kwh	
		All additional kwh	\$0.053	\$0.049/kwh	
		Customer Charge	\$75.00	\$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)	

CODE	ORD. #	DESCRIPTION	PREVIOUS FEE(S)	CURRENT FEE(S)	CHANGED
		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	
		Padmount transformer		cost + labor + 10%	
		Temporary Electric Hookup			
		rate	as applicable	as applicable	
		installation		\$100.00	
		deposit	as applicable	\$100.00	
		Security/Yard Lights			
		monthly rate	\$7.50	\$9.50 per month	12/14/06
		175 watt		\$20.00 per month	12/14/06
		400 watt		\$100 per light	
		installation	\$60.00	\$100 per pole	
		pole	\$60.00	\$125/hr equipment charge +	
		after hours repair		\$75/hour per employee	
		REFUSE SERVICE RATES			
	Ord 3533	Residential	\$15.04	\$15.48 per family unit	12/17/09
		Business		2x 4x 5x 6x	
		Class 1	\$14.96/---	\$15.39 ---	
			\$34.73/---	\$35.77 ---	
		Class 2	\$27.42/---	\$28.23 ---	
			\$66.66/---	\$68.66 ---	
		Class 3	\$37.46/---	\$38.58 ---	
			\$91.77/---	\$94.52 ---	
		Class 4	\$53.95/\$88.09	\$55.56 \$88.09	
			\$109.80/\$131.51	\$109.80 \$131.51	
		Class 5	\$85.53/\$169.82	\$88.09 \$174.90	
			\$211.96/\$254.10	\$218.31 \$261.72	
		Class 6	\$127.69/\$254.10	\$131.51 \$261.72	
			\$316.32/\$380.50	\$325.80 \$391.91	
		Class 7	\$169.82/\$338.38	\$174.90 \$348.52	
			\$422.64/\$506.92	\$435.31 \$522.11	
		Fuel Surcharge - NOT included in rates - adjusts every 6 mos. Per contract	--	3% for ea. \$0.20 inc. in fuel over \$3	
		Collection outside City limits	no additional chg	50% over rates listed above	
		Customers hauling own refuse	\$1.00	\$1.22 per month	
		Rates include billing charge	Administrative fee \$.50	\$0.50	
		Residential rate includes monthly bulky item pickup fee	\$1.00	\$1.22	

CODE	ORD. #	DESCRIPTION	PREVIOUS FEE(S)	CURRENT FEE(S)	CHANGED
		SEWER SERVICE CHARGES			
	Ord 3481	Volume charge based on metered water used during preceding December & January			11/12/99
		User charge	\$1.55	\$2.33 per month	12/14/06
		Net capital charge	\$14.50	\$21.75 per month	"
		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=V's 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			12/11/08
		First 1,500 gallons per month	\$11.62	\$12.08 minimum per housing unit	
		Next 2,200 gallons per month	\$.38/hundred gal	\$.40 per hundred gallons	
		Next 3,700 gallons per month	\$.33/hundred gal	\$.34 per hundred gallons	
		Over 7,400 gallons per month	\$.31/hundred gal	\$.32 per hundred gallons	
		Commercial			
		First 1,500 gallons per month	\$16.98	\$17.66 minimum	
		Next 2,200 gallons per month	\$.38/hundred gal	\$.40 per hundred gallons	
		Next 3,700 gallons per month	\$.33/hundred gal	\$.34 per hundred gallons	
		Next 67,400 gallons per month	\$.31/hundred gal	\$.32 per hundred gallons	
		Over 74,800 gallons per month	\$.26/hundred gal	\$.27 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	\$32.71	\$34.99	
		Excess	\$2.35	\$2.51 per thousand gallons	
		Bulk Water Sales (at City Warehouse)			
		Per Thousand Gallons	\$4.40	\$4.58	12/11/08
		Per 100 Gallons	\$0.44	\$0.46	12/11/08
		Hydrant Meter Fee	\$0.00	\$25.00	12/17/09
		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	

AGREEMENT FOR SERVICES

This agreement, made and entered into this _____ day of _____, 2011, by and between the City of Osawatomie, hereinafter referred to as CITY and the Osawatomie Chamber of Commerce, hereinafter referred to as CHAMBER.

Witnesseth:

Whereas, the City and Chamber recognize that the chamber provides an integral set of functions to the community; and

Whereas, the City and Chamber also recognize the needs of the business community to have a viable chamber; and

Whereas, the City finds a significant public purpose in providing financial assistance for the sole intent of ensuring the services to the citizens and business community continue to be available; ad

Whereas, the Chamber is better suited to provide these services in a more cost effective way than the City can;

Therefore, both parties agree that the City will provide the following:

- 1.) City will provide in fiscal year 2011: \$20,000 to Chamber, 50% payable at the end of the first quarter and 50% payable at the end of the third quarter. City will also make available to the Chamber, an additional \$10,000 in fiscal year 2011 which will be appropriated based on the Chamber's 2011 membership dues income received as of July 1st, 2011 in a dollar for dollar match. No more than \$10,000 is available to the Chamber under this program and will be payable upon the Chamber presenting to the City, evidence of the dues income received. (#10 on list provided by Chamber board)

Both parties further agree that the Chamber will strive to provide the following:

- 1.) Serve as a community information resource, as well as assist in gathering demographic data on an as needed basis; (#1 and #6 on list provided by Chamber board)
- 2.) Produce a weekly newsletter that keeps members and citizens informed about community events as well as maintain a website containing community information and links to the City of Osawatomie and USD #367 websites-; (#4, #16, and #17 on list provided by Chamber board)
- 3.) Print an annual community resource guide that is used for new residents (new resident packets); (#2 and #3 on list provided by Chamber board)
- 4.) Assist in the promotion of special events of the city, as well as recreational functions and municipal resources; (#9 on list provided by Chamber board)

- 5.) Serve as an information resource for businesses about training courses offered throughout the region; (#11 on list provided by Chamber board)
- 6.) Connect local charitable organizations with business leaders.
- 7.) Chamber Board members and the Director shall represent area businesses in developing sound public policy at the State level that is good for business and good for the citizens of our community when these opportunities present themselves; (#11 and #12 on list provided by Chamber board)
- 8.) The Chamber will host at a minimum, the following events: an annual Legislative Breakfast (on or about the beginning of each state legislative session), Back to School Picnic (August), Annual Dinner (October), and Spook Parade (Halloween event). In the event that the Chamber Board determines that one of these events is no longer serving the community as it was originally intended, or participation in the event(s) has not met expectations, the Chamber Board may, in its sole discretion, substitute these events for other events that gives our State delegation the opportunity to interact with members of the Chamber, as well as members of Osawatomie's governing body; (Item #7 on list provided by Chamber board)
- 9.) The Chamber shall represent the community at local, county, regional, and state economic development functions; (#8 and #12 on list provided by Chamber board)
- 10.) The Chamber will engage in business recruitment and retention activities; (#5 and #8 on list provided by Chamber board)
- 11.) The Chamber will provide opportunities for business owners to be more successful by offering training classes on a variety of topics including hiring, networking, and local economic conditions. These programs will also be available to members and the community at large; (#11 on list provided by Chamber board)
- 12.) Supports commerce in the area by providing networking opportunities for local business owners each month where they can meet other area business owners to exchange business cards and ideas; (#13 and #14 on list provided by Chamber board)
- 13.) Provide annually, a report to the governing body at the July work session a report detailing the prior year's activities, membership details including percentages of individual members versus business members, percentages of out of town business members versus in town business members, the treasurer's report depicting revenues received and expenditures made, and any other information that may be requested by the City from time to time; (#10 on list provided by Chamber board)
- 14.) The Chamber further agrees to periodically review its dues structure to ensure charges are adequately set to cover expenses of the chamber;

The parties recognize jointly that:

- 1.) The Kansas Open Records Act and the Kansas Open Meetings Act shall apply to the Chamber in the same manner they apply to the City due to the Chamber's receipt of public monies.
- 2.) The monies provided under this contract are subject to annual appropriation by the city council during the budget process which is typically completed no later than August 25 of each calendar year.
- 3.) Each party agrees to provide the other at least 60 days notice of any intent to terminate. Each party may terminate for any reason.
- 4.) The Director of the Chamber is not an employee of the city and as such is not eligible for any benefits afforded to employees of the City.

5.) Chamber shall indemnify and hold the City harmless from any and all liability, loss, damage, expenses, causes of action, suits, claims or judgments, including City's reasonable attorney fees arising from injury to person or property resulting from or based upon the City's appropriation to the Chamber, at its own cost and expense, defend any and all suits which may be brought against City, either alone or in conjunction with others upon any such liability or claim or claims and shall satisfy, pay and discharge any and all judgments and fines that may be recovered against City in any such action or actions, provided, however, that City shall give Chamber written notice of any such claim or demand.

~~5.) The Chamber agrees to hold the City harmless in the event of any claim made against the Chamber at any function the Chamber carries out. As such, the Chamber shall maintain all the proper insurance coverage necessary to protect itself as well as the assets of any owner of any facility they may utilize in providing these functions.~~

6.) This contract shall be renewed annually.

WITNESS our hands the day and year first above written.

Philip A. Dudley, Mayor
City of Osawatomie

_____, President
Osawatomie Chamber of Commerce

Attest:

Approved as to Form:

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Ann Elmquist, City Clerk
City of Osawatomie

Richard Wetzler, City Attorney
City of Osawatomie

