

**OSAWATOMIE CITY COUNCIL  
AGENDA**

October 11, 2012

7:00 p.m., Memorial Hall

1. Call to order
2. Roll Call
3. Pledge of Allegiance
4. Consent Agenda
  - Consent Agenda items will be acted upon by one motion unless a Council member requests an item be removed for discussion and separate action*
  - A. Approve Minutes of September 13 and September 27 Council Meetings
  - B. Approve October 11 Agenda
  - C. Appropriation Ordinances 12-17 & 12-18
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. Ward Realignment Ordinance
8. New Business
  - A. Appointments – Fourth Ward Councilmember
  - B. Court Fee Ordinance
9. Council Reports
10. Mayor’s Report
11. City Manager’s Report
12. Executive Session
13. Adjournment

*MEETING/WORK SESSION – October 25, 2012*

REGULAR MEETING – November 14, 2012

Osawatomie, Kansas. **September 13, 2012.** 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, Govea, Hunter, LaDuex, Maichel, and Moon. Absent was Klein. Also present were City Manager Cawby, City Attorney Wetzler, and City Clerk Elmquist. Visitors were Robert Kerr, Webster Hawkins, and Coleen Truelson.

CONSENT AGENDA. Approval of the minutes of August 9 and August 23 Council Meetings, approval of September 13 Agenda, and approval of Appropriation Ordinances 12-15 & 12-16. Motion made by Hunter, seconded by LaDuex to approve the minutes of August 9 and August 23 Council Meetings both as amended, approval of September 13 Agenda as amended, and approval of Appropriation Ordinances 12-15 & 12-16. Yeas: All

Public Participation; Presentations: none

Public Hearing: none

Unfinished Business:

WARD REALIGNMENT. The goal in creating the two maps was to move boundary lines as little as possible and keep current council members in their current wards. When redistricting, case law has been that the new boundaries should be no more than 5% from the average size for all districts. Council agreed on the new boundaries and the City Manager will draw a new map.

New Business:

APPOINTMENTS.

Parks & Recreation Committee

Lisa Farley

The Parks & Recreation Committee selected Lisa Farley to recommend to the Council. Motion made by Hunter, seconded by Govea to approve the appointment. Yeas: Dickinson, Govea, Hunter, LaDuex, Maichel, and Moon. Abstain: Farley. Motion passed. Abstention counted as a prevailing vote.

League of KS Municipalities

delegates: #1 City Manager Cawby and #2 Maichel  
alternates: #1 Govea and #2 Moon

Motion made by LaDuex, seconded by Hunter to approve the appointments of the delegates. Yeas: All.  
Motion made by LaDuex, seconded by Hunter to approve the appointments of the alternates. Yeas: All.

KMIT members representative

City Manager Cawby

Motion made by Maichel, seconded by LaDuex to approve the appointment. Yeas: All.

PROCLAMATION – NATIONAL REHABILITATION AWARENESS WEEK, SEPTEMBER 16–22. Proclamation was to declare the week of September 16<sup>th</sup> as National Rehabilitation Awareness Week and to recognize Miami County Medical Center’s work in the community. Motion made by Dickinson, seconded by Hunter to approve the proclamation. Yeas: All.

RESOLUTION – LIBRARY OPERATIONS. The director of the Northeast Kansas Library System (NEKLS) voiced his displeasure with the “consolidation” of the Library with the City. The primary complaints were that the new arrangement violated the statutory rights and responsibilities of the Library Board and therefore, the relationship put the Osawatomie Library’s state grant funds in jeopardy.

In 2011 the issue was brought before the State Library Board and no action was taken on the Library’s grant funding. However, the Osawatomie Library Board believes that time was given to “fix” the current agreement. While being doubtful that any written agreement or arrangement will completely satisfy the state officials, the Library Board has drafted a revised agreement that they hope will put this issue to rest. The current version of the agreement has been edited by the City Manager and City Attorney from the version provided by the Library Board. The edits were intended to be substantive, but only to update the context of the agreement and to hopefully clarify responsibilities. The Council changed some items for better clarification.

**ORDINANCE – SUMMARY PUBLICATION OF ORDINANCES.** Kansas law has changed so that instead of publishing the entire ordinance in the official newspaper, a city may opt to follow the new law and publish a summary of the ordinance. The ordinance also contains language that allows publication of an entire ordinance, should the Governing Body decide to do so. Motion made by Moon, seconded by Hunter to approve the ordinance changing the printing of ordinances to a summary publication. Yeas: All. The Ordinance was assigned No. 3702.

**2012 STANDARD TRAFFIC ORDINANCE.** Motion made by Moon, seconded by Hunter to approve the ordinance adopting the 2012 Standard Traffic Ordinance. Yeas: All. The Ordinance was assigned No. 3703.

**2012 UNIFORM PUBLIC OFFENSE CODE.** Motion made by Hunter, seconded by Maichel to approve the ordinance adopting the 2012 Uniform Public Offense Code. Yeas: All. The Ordinance was assigned No. 3704.

**APPROVE BIDS FOR SKID TRENCHER.** The 2013 budget includes \$25,000 for a mini-skid trencher. It would allow staff to access hard to reach places and allow the burying of electric lines on the west side of town. When looking at trenching the ball fields for installation of the irrigation system and replacing the electric lines for the outfield lights, the equipment was needed earlier. The equipment was rented for the ball diamonds light project, and bidders were asked that any rental cost be applied to the purchase price. The trencher would also provide flexibility by getting into back yards with a bucket and snow removal on smaller sidewalks and paths.

	skid trencher	backfill blade	trencher attachment	Freight	TOTAL
Ditch Witch Sales, Inc. Olathe, KS	\$19,499.00	\$1,660.00	\$4,807.00	\$0.00	\$25,966.00
Ditch Witch of Omaha Omaha, NE	\$19,849.00	\$1,857.00	\$4,925.00	\$500.00	\$27,131.00
Ditch Witch Sales, Inc. Collinsville, IL	\$20,490.76 \$500.00	\$1,740.03 \$100.00	\$5,222.41 \$160.00	\$760.00	\$28,213.20

The low bid will Motion made by Maichel, seconded by Hunter to approve the purchase of the mini-skid trencher from Ditch Witch Sales of Olathe for \$25,966.00 to be adjusted for machine rental already paid. Yeas: All.

Council Reports:

Maichel: There are homes from the flood in her ward that need to be condemned. City Manager Cawby said there have been six houses identified including those in her ward. The Police Department

needs a decibel meter for noise.

Hunter: The Freedom Festival is Saturday and Sunday.

LaDuex: The Friends of the Library will be having breakfast on the battlefield for a fundraiser.

Govea: This week is the registration deadline for the new horseshoe league. The Parks & Recreation Committee talked about the pool. Will be starting a basketball league.

Farley: Need to be judicious about the summary publication.

Moon: October 13 will be the 10<sup>th</sup> anniversary of the Fire Department's Open House. Met with Union Pacific about the deaths the last few years at the railroad crossings. There was discussion about putting a fence up. Shelagh Wright resigned from the Chamber of Commerce but will continue to do support work until someone is hired.

Mayor's Report: none

City Manager's Report:

Library. There needs to be an amendment to the joint resolution with the Library board to appease the State Library Board that the City's Board still has authority.

*Projects:*

Sewer Plant. The plant continues to have problems. Brian Kingsley, BG Consultants, will be at the work session to discuss the needed repairs.

Swimming Pool. There have already been discussions with BG Consultants on being the pool planners. Their preliminary estimates are significantly lower than what was expected.

*Issues:*

Grant Application. A grant application has been submitted to the Baehr Charitable Trust Foundation for \$35,000 for new playground equipment for the Cole Sports Complex. They have funded playground equipment in the past. If approved, the City would need to provide the installation and any additional money over the \$35,000.

Position Posted. Lynette Mersman will be retiring in the next few months. The Accounting Officer position has been posted and will be open until filled.

Communications Training. Attended the 3CMA conference in Portland Oregon, an organization focused on communications professionals in local governments. Obtained a tremendous amount of new ideas and a real focus on how to portray the community to the world. The first step is needed improvements to the website. Thought also needs to begin about how to change the communication style with the citizens as the way they communicate is rapidly changing. Real insight was gained on getting community feedback and looking for ways to engage citizens in activities. Communication improvements will be crucial to real improvements in the community.

EXECUTIVE SESSION – PERSONNEL MATTER OF NONELECTED PERSONNEL. Motion made by LaDuex, seconded by Hunter to recess into executive session for personnel matters of nonelected

personnel, to include City Manager Cawby and City Attorney Wetzler; and that the Council will resume the open meeting in this room at 8:53 p.m. No action taken.

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

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Ann Elmquist, City Clerk

Osawatomie, Kansas. **September 27, 2012.** 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, Govea, Hunter, LaDuex, Maichel, and Moon. Absent were Farley and Klein. Also present were City Manager Cawby, City Attorney Wetzler, and City Clerk Elmquist. Visitors were Brian Kingsley, Shelagh Wright, Scott Shreve, Web Hawkins, and Coleen Truelson.

**APPROVAL OF AGENDA.** Motion made by Hunter, seconded by Govea to approve the agenda as amended. Yeas: All.

**POOL PLANNING CONTRACT – BG CONSULTANTS.** Tom Arpin, a principal with BG Consultants, is an experienced pool designer for smaller communities. BG met with the Recreation Director and the Parks & Recreation Committee. They had a very productive meeting and there is a comfort level with BG's experience and approach. BG quoted \$17,502 to complete a planning and preliminary design phase. City would have a facility design with detailed cost estimates to be used as the basis for any financial decisions and public vote. Motion made by Maichel, seconded by Govea to authorize the Mayor to sign the contract with BG for pool planning and design for \$17,502. Yeas: All.

**SEWER PLANT PROJECT & CONTRACT – BG CONSULTANTS.** The main area of concern is the headworks, which has numerous operational issues from a spiral screen that is falling apart, a grit chamber that continues to break down, and concrete that is in advanced disrepair because of modifications to the original design. BG Consultants did preliminary reviews and looked at a couple of cost effective options. BG ran these repairs by the Kansas Bureau of Water of KDHE to make sure they would be well received and they have responded. Kingsley generated cost estimates based on the only reasonable option. He is also reviewing optimization for ways to reduce operational costs and fix some of the issues with peak flows and low flows. A sludge press needs to be looked at because it has become difficult to find land to apply the sludge and the disrepair of the sludge truck. The consideration of these additional items needs to be a part of any discussion when looking at potential funding mechanisms and sewer rates. Motion made by Hunter, seconded by LaDuex to approve the contract with BG Consultants for the headworks reconstruction for \$132,300. Yeas: All.

**RICE CONVERSION CONTRACT – EXLINE.** Completed negotiations with Exline, Inc. of Salina, Kansas for contract of \$242,036 for the installation of catalytic converters on the three generators at the Power Plant, includes a performance bond. Motion made by Maichel, seconded by LaDuex to approve the contract with Exline, Inc. for the RICE conversion of the generating units for \$242,036. Yeas: All.

**POLICE CAR PURCHASE.** Found a 2010 Dodge Charger from Joe Watt Police Cars in Vinita, Oklahoma, who specializes in used police vehicles. City Manager suggested considering a change in the financial policies to allow for the purchase of used vehicles up to a certain amount or possibly just on police vehicles. Motion made by Moon, seconded by Hunter to approve the purchase of a used police car not to exceed \$14,000. Yeas: All.

**RESIGNATION OF COUNCILMEMBER JOHN KLEIN.** Mayor Dudley met with Council President Hunter, Vice-President LaDuex, and Councilmember Maichel to have their recommendation to fill the vacancy. Their recommendation was Nick Hampson. Motion made by Hunter, seconded by Moon to accept the resignation of Councilmember John Klein. Since Klein's resignation was only received a few days ago, the Council wanted to give time for other people to step forward if they were interested. Will be handled at the next Council meeting.

City Manager Updates: none

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

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Ann Elmquist, City Clerk

# Record of Ordinances

ORDINANCE NO. 12-17

DATE WARRANTS ISSUED:  
September 30, 2012

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 09/07/12			85,690.35
Payroll 09/21/12			94,886.77
FICA 09/07/12			6,205.00
FICA 09/21/12			6,897.42
KPERS			13,624.04
KMEA - GRDA	electricity	1290	98,342.28
Crawford Sales	Budweiser	40237	213.90
Midwest Distributors	Miller	40238	167.40
Terry Long	installed door	40239	1,575.00
KMEA - Hydro	hydroelectric	1291	2,754.71
Dell Marketing	toner cartridge	40240	208.99
City of Osawatomie	petty cash reimbursement	1292	3,410.54
Bob's Sales	recharge fire extinguishers	40241	171.90
Void		40242	-
Dylan Hill	overpaid on Police fine	40243	200.00
Kansas City Wilbert	grave openings	40244	950.00
Suddenlink	internet	40245	59.95
Trojan Times USD 367	ad	40246	80.00
Brad Waggoner	Pro Shop	40247	1,115.85
Kerry Altenbernd	historical preformance	40248	75.00
Philip Barbour	frontier artisan demonstration	40249	75.00
Deb Bisel	historical presentation	40250	200.00
Kansas River Gang	historical performace	40251	300.00
KWJP Radio	advertising - Freedom Fistical	40252	75.00
Lewis Case	frontier artisan demonstration	40253	75.00
The Lecompton Reenactors	historical performace	40254	75.00
Doug McGovern	historical performace	40255	130.00
Old Cowtown Vintage Baseball Team	baseball team	40256	250.00
Void		40257	-
Crawford Sales	Budweiser	40258	149.15
Beachner Grain	cat food, weed killer	40259	166.93
Bradley A/C & Heating	repair air conditioners	40260	376.92
City of Osawatomie	utilities	40261	16,223.00
The Cow Palace	stew meat for Freedom Festival	40262	48.75
Dish	service	40263	88.50
Freedom Festival	horse bounty, powder bounty	40264	500.00
KDHE	wastewater operator exam	40366	25.00
L & K Services	refuse, lids for dumpsters	40367	32,161.19
Miami County Extension	soil test	40368	16.00
Suddenlink	internet	40369	74.24

TFMComm, Inc.	damaged tower antenna	40370	859.00
Reserve Account	postage meter	40371	1,200.00

## Record of Ordinances

DATE WARRANTS ISSUED:  
September 30, 2012

Page No. 2

CLAIMANT	NATURE OF CLAIM OR SERVICE	CLAIM NUMBER	AMOUNT
Ditch Witch Sales	mini skid steer	40372	25,966.00
AT&T	RTU's	40373	221.15
BGF Consultants	street improvements	40374	2,531.04
Don Cawby	airline tickets for conference	40375	308.20
Discover Mid-America	ad - Freedom Festival	40376	192.00
Elliott Insurance Inc. Paola	quarterly premium	40377	43,210.00
International Code Council, Inc.	membership	40378	125.00
Kansas Dept. of Revenue	compensating use tax	40379	548.48
Kansas Dept. of Revenue	sales tax	40380	14,340.17
Kansas Gas Service	power plant	40381	27.50
Ricoh Americas Corp.	copier lease	40382	183.90
Kelsey Schlesener	Council scholarship	40383	200.00
Tahirkheli & Farley, LLC	court appointed attorney	40384	150.00
Visa	DVD's, conference, misc	40385	1,632.99
KMEA - EMP1	electricity, transmission	1293	56,725.97
Donna & Viola's Shirts	recreation shirts	40386	1,089.00
Crawford Sales	Budweiser	40387	182.40
Kansas City Power & Light	service	40388	1,933.24
KDHE - Bureau of Water	water operator certificate	40389	20.00
Kansas Gas Service	services	40390	237.52
Osawatomie Rotary Club	membership dues	40391	120.00
S & R Enterprise	mowing weed lots	40392	340.00
Suddenlink	internet	40393	59.95
Osa. Chamber of Commerce	balance of appropriation	40394	20,000.00
Delta Dental	dental insurance	40395	2,745.06
Surrency	vision insurance	40396	450.26
Coventry	health insurance	40397	18,543.52
Vision Service Plan	vision insurance	40398	852.07
Century Link	long distance	40399	366.98
Century Link	services	40400	2,193.91
Century Link	RTU's	40401	236.56
First Option Bank	loan Golf Course irrigation	40402	17,290.32
Kansas Agri Business Expo	certification	40403	140.00
Lybarger Oil	fuel	40404	12,826.67
Northern Tool & Equipment	shop equipment	40405	270.98
Postmaster	utility billing	40406	1,000.00
Ricoh USA, Inc.	copies	40407	587.25
Sprint	service	40408	24.25
Wal-Mart Community	soccer balls, food	40409	248.46
City of Osawatomie	petty cash reimbursement	1294	1,186.73
			599,005.31



# Record of Ordinances

ORDINANCE NO. 12-18

DATE WARRANTS ISSUED:  
October 11, 2012

Page No. 1

AN ORDINANCE MAKING APPROPRIATION FOR THE PAYMENT OF CERTAIN CLAIMS.

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

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

CLAIMANT	NATURE OF CLAIM OR SERVICE	CLAIM NUMBER	AMOUNT
Airgas USA	oxygen cylinder	40413	87.80
American Textile Mills	grease rags, supplies	40414	419.05
ASC Pumping Equipment	repair station controls	40415	910.00
Baker & Taylor	books	40416	1,232.21
Bearing Headquarters Company	shaft, repair seal	40417	5,040.00
Bernie Electric Wholesale, Inc.	fuses	40418	65.65
Blue Valley Tractor & Supply	mower parts	40419	128.51
Bollings Bargain Bonanza	screws, tape	40420	12.95
Brenntag Mid-South, Inc.	hypochlorite	40421	1,635.00
Brewer's Automotive Repair	tires	40422	268.56
BSN Sports	shoulder pads, mask	40423	784.15
C & G Merchants Supply, Inc.	trash bags, chips, candy bars	40424	322.18
Champion Brands, LLC	oil, paint, supplies	40425	462.46
Civic Plus	website upgrade	40426	6,700.00
Diamond Vogel Paint Center	glass beads for stripping paint	40427	58.00
EMG	energy consulting fees	40428	1,088.80
Entersect	police online	40429	158.00
Environmental Laboratories, Inc.	analytical service	40430	367.00
Evco Wholesale Food Corp.	gatorade, hot dogs	40431	311.86
Family Center	parts	40432	890.33
Fastenal	stainless steel bolts	40433	109.95
Richard M. Fisher, LLC	court appointed attorney	40434	1,000.00
Galls	trousers, stinger lamps	40435	464.43
Gerken Rental	portable restrooms, misc. for FF	40436	1,556.00
GNC Enterprises, Inc.	oil	40437	269.87
Goodyear Wholesale Tire	tire	40438	107.17
Grainger	switch	40439	242.07
Graybar	wire, supplies	40440	288.06
H & H Administrators	administration fees	40441	1,269.00
Helena Chemical Co.	grass seed, fertilizer	40442	1,190.50
J.P. Cooke Co.	animal tags	40443	56.07
John Deere Landscapes	fertilizer, grass seed	40444	1,081.85
Kansas One Call Concepts	locates	40445	44.80
KelCon Technologies, Inc.	troubleshooting	40446	112.50
Killough Construction, Inc.	asphalt	40447	706.95
Kincaid Ready Mix	concrete	40448	769.13
Kriz Davis Co.	electric line supplies	40449	2,592.83
The Law Office of Bryan Meyer	court appointed attorney	40450	340.00
League of Kansas Municipalities	std traffic ord. uniform offense code	40451	266.99
Martin Pringle Attorney at Law	city attorney	40452	4,910.30

Menu Advertising & Design	ad	40453	100.00
Miami County Sheriff's Office	prisoner care	40454	1,200.58

## Record of Ordinances

DATE WARRANTS ISSUED:  
October 11, 2012

Page No. 2

CLAIMANT	NATURE OF CLAIM OR SERVICE	CLAIM NUMBER	AMOUNT
Miami Lumber, Inc.	ceiling tile	40455	40.00
Void		40456	-
Moon's IGA	supplies	40457	1,021.54
National Sign Company, Inc.	signs	40458	809.90
ND&H	court appointed attorney	40459	265.00
NEKLS	DVD's	40460	78.40
NPG Newspapers, Inc.	ads	40461	1,041.66
O'Donnell & Sons Construction	asphalt	40462	160.23
Oil Patch Pump & Supply, Inc.	supplies	40463	99.52
Olathe Winwater Works	poly inserts, saddles	40464	338.70
Oldcastle Architectural	mulch	40465	161.33
The Ottawa Herald	ad - Freedom Festival	40466	237.15
Paola Hardware	supplies	40467	31.52
Pepsi Beverages Company	Pepsi	40468	238.85
Quill	office supplies	40469	123.31
Read It Free	ad - Freedom Festival	40470	85.00
Red Bud Supply, Inc.	gloves	40471	58.89
Rejis Commission	web subscription	40472	31.50
R/S Electric Motor Services	repair electric motor	40473	950.00
Rural Water #1	service	40474	207.25
Rural Water #3	ETI	40475	16.50
Scott S. Michie Planning Services	zoning	40476	1,973.50
Smith & Loveless, Inc.	replace pista seal	40477	1,041.63
Smitty's Lawn & Garden Equipment	saddle, blade	40478	99.40
Stanion Wholesale Electric	electric line supplies	40479	971.63
Debbie Talley	Memorial Hall janitorial	40480	375.00
Tech Air	stainless steel strips	40481	60.00
Tri County Ice	ice machine	40482	50.00
UPS Store	mail packages	40483	41.32
UZ Engineered Products	chrome spot lamp	40484	210.98
Van Wall Equipment	replace engine	40485	3,084.76
Vernon's Electric & Repair	rebuilt alternator	40486	185.00
Wade Quarries	rock	40487	434.17
Westfall GMC Truck, Inc.	element	40488	65.61
Winfield Solutions, LLC	home plate clay	40489	520.00
Winkler, Domoney & Schultz	Municipal Court Judge	40490	2,000.00
Winterscheid Auto Parts	parts	40491	602.05
WinWholesale	conduit, electric cover	40492	299.00
Wycoff's Locksmithing	switch lock	40493	150.36
YMCA	City share wellness program	40494	22.50
Zep Sales & Service	cleaning supplies	40495	110.73
			57,915.45





## STAFF AGENDA MEMORANDUM

**DATE OF MEETING:** October 11, 2012

**AGENDA ITEM:** Ward Realignment

**PRESENTER:** Don Cawby, City Manager

**ISSUE SUMMARY:** At the September 13 meeting the City Council reached consensus on a proposal for realignment. That proposal has been provided to the County Clerk for comments and has been put into ordinance format for your adoption.

The County Clerk responded that she and her staff saw no problems with the proposed Ward changes and they should be able to be legally adopted as new precincts if the County Commission agrees. The new Wards are all within 5% of the new average ward size, based on the 2010 Census.

The attached map and table shows the change which would occur, moving 123 people (noted by the areas shaded in purple) from the 3rd Ward to the 4th Ward.

In order to get this change in place for the next election cycle in early 2013, we need to pass an ordinance and provide these changes to the County Clerk.

**COUNCIL ACTION NEEDED:** Review and vote on the ordinance as presented.

**STAFF RECOMMENDATION TO COUNCIL:** Approve the ordinance.

(Published in the Osawatomie Graphic, October 17, 2012) 1t

ORDINANCE NO. \_\_\_\_

AN ORDINANCE DESIGNATING THE ELECTION WARDS OF THE CITY OF OSAWATOMIE; AND AMENDING CHAPTER SIX, ARTICLE TWO, SECTIONS 6-202, 6-203, 6-204 AND 6-205 OF THE CODE OF THE CITY OF OSAWATOMIE, KANSAS.

WHEREAS, the City has four wards established by the City Code from which the City's Councilmembers are elected to the Governing Body; and

WHEREAS, the 2010 Census determined the population of the City of Osawatomie to be 4,447 persons and the optimal ward size to be 1,112 persons; and

WHEREAS, the Third Ward population was determined to be 1,276 persons, which is 14.75 percent above the optimal size, and the Fourth Ward population was determined to be 962 persons, which is 13.49 percent below the optimal size, and the First Ward and Second Ward were less than 5.0 percent variance from the optimal size; and

WHEREAS, the Governing Body believes that all persons of the community should be represented as equally and fairly as possible, and that the City should strive to keep all Ward sizes within 5.0 percent deviation from the optimal size; and

WHEREAS, the City does hereby amend Chapter Six, Article Two of the Code of the City of Osawatomie to establish new boundaries for its Wards to create more even and balanced distribution among its Wards.

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

**Section 1.** That existing Sections 202, 203, 204 and 205 of Chapter Six, Article Two of the Code of the City of Osawatomie is hereby amended to read as follows:

**6-202. First Ward.** The First Ward shall consist of that part of the city lying east and north of a line extending from the centerline of Old Kansas City Road from the north becoming Sixth Street extending south to Brown Avenue and then extending east along the centerline of Brown Avenue to Fourth Street and then extending on east along the centerline of Mill Street to O'Neal Street and extending north along the center line of O'Neal Street to Main Street and then extending east along the centerline of Main Street.

**6-203. Second Ward.** The Second Ward shall consist of that part of the city lying west and north of a line extending from the centerline of Old Kansas City Road from the north becoming Sixth Street extending south to Brown Avenue and then extending west along the centerline of Brown Avenue to Twelfth Street and then extending north along the centerline of

Twelfth Street to Main Street and then extending west along the centerline of Main Street to Lockhart Lane and then extending north and west along the centerline of Lockhart Lane to Parker Avenue and then extending to the west along the centerline of Parker Avenue.

**6-204. Third Ward.** The Third Ward shall consist of that part of the city lying south and west of a line extending from the centerline of Plum Creek Road from the south extending north to W 359<sup>th</sup> Street which becomes Sixth Street and extending north to Kelly Avenue and extending to the west along the centerline of Kelly Avenue to Plum Creek Road and continuing on west along the city limits line to the point at which the main line of the Union Pacific Railroad tracks intersect with the city limits and extending back to the north and east along the mainline of the Union Pacific Railroad tracks to Eighth Street and extending north along the centerline of Eighth Street to Brown Avenue and extending west along the centerline of Brown Avenue to Twelfth Street and extending north along the centerline of Twelfth Street to Main Street and extending west along the centerline of Main Street to Lockhart Lane and then extending north and west along the centerline of Lockhart Lane to Parker Avenue and then extending to the west along the centerline of Parker Avenue.

**6-205. Fourth Ward.** The Fourth Ward shall consist of that part of the city lying south and east of a line extending from the centerline of Plum Creek Road from the south extending north to W 359<sup>th</sup> Street which becomes Sixth Street and extending north to Kelly Avenue and extending to the west along the centerline of Kelly Avenue to Plum Creek Road and continuing on west along the city limits line to the point at which the main line of the Union Pacific Railroad tracks intersect with the city limits and extending back to the north and east along the mainline of the Union Pacific Railroad tracks to Eighth Street and extending north along the centerline of Eighth Street to Brown Avenue and then extending east along the centerline of Brown Avenue to Fourth Street and then extending on east along the centerline of Mill Street to O'Neal Street and extending north along the center line of O'Neal Street to Main Street and then extending east along the centerline of Main Street.

**Section 2. EXISTING SECTION REPEALED.** Sections 6-202, 6-203, 6-204, and 6-205 of the Code of the City of Osawatomie as adopted prior to the passage of this Ordinance is hereby repealed.

**Section 3. EFFECTIVE DATE.** 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, Kansas, a majority being in favor thereof, this 11th day of October, 2012.

APPROVED AND SIGNED by the Mayor.

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Philip A. Dudley  
Mayor

(SEAL)

ATTEST:

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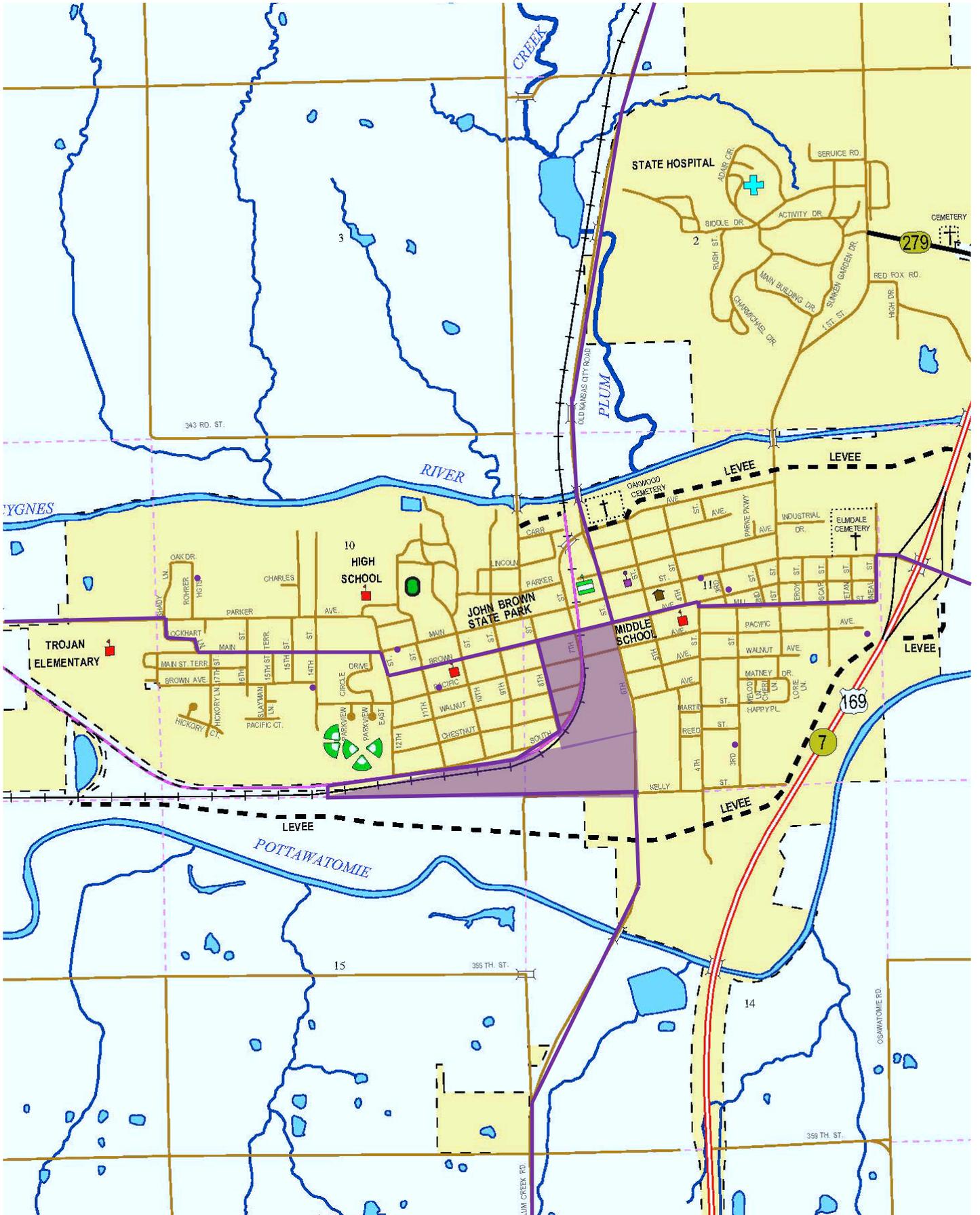
Ann Elmquist  
City Clerk

APPROVED AS TO FORM:

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Richard S. Wetzler, City Attorney

# Purple Proposal - Ward Boundaries



## Census By Ward

<u>Ward</u>	<u>Population</u>	<u>Difference from Avg</u>	<u>%</u>
1	1,131	19	1.71%
2	1,078	(34)	-3.06%
3	1,276	164	14.75%
4	962	(150)	-13.49%
<b>Total</b>	<b>4,447</b>	<b>Avg</b>	<b>1,112</b>

## Purple Proposal

### CHANGES

<u>Ward</u>	<u>1&amp;2</u>	<u>2&amp;3</u>	<u>3&amp;4</u>	<u>4&amp;1</u>	<u>Total</u>
1	-	-	-	-	-
2	-	-	-	-	-
3	-	-	(123)	-	(123)
4	-	-	123	-	123

<u>Ward</u>	<u>Pop. Change</u>	<u>New Population</u>	<u>Difference from Avg</u>	<u>Percent from Avg</u>
1	-	1,131	19	1.71%
2	-	1,078	(34)	-3.06%
3	(123)	1,153	41	3.69%
4	123	1,085	(27)	-2.43%
<b>Total</b>	-	<b>4,447</b>	-	-



## STAFF AGENDA MEMORANDUM

**DATE OF MEETING:** October 11, 2012

**AGENDA ITEM:** Charter Ordinance for Court Costs and Sentencing Fees

**PRESENTER:** Richard Wetzler, City Attorney  
Bob Butters, Assistant Police Chief

**ISSUE SUMMARY:** In May, the Council passed a Charter Ordinance to allow the City to establish court fees for alternative sentencing, probation, prisoner care and other costs areas that weren't allowed by our current ordinances. This is something that many jurisdictions have been doing to offset the cost of court operations.

The Charter Ordinance passed without protest, so we are following the charter ordinance with a regular ordinance to allow the judge to impose these new court fees. This ordinance is written to allow those fees to be set by the judge with a monetary limit. Originally we considered placing the fees in the Council's fee ordinance. However, to do so, would likely create an administrative headache as the costs tied to them, such as probation and alternative sentencing programs, will fluctuate. This ordinance seems like a simpler and easier solution.

**COUNCIL ACTION NEEDED:** Consider the proposed ordinance.

**STAFF RECOMMENDATION TO COUNCIL:** Approve the ordinance.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING CHAPTER IX, ARTICLE 1. SECTION 111 AND 112 OF THE CODE OF THE CITY OF OSAWATOMIE PERTAINING TO COURT COSTS AND FEES OF THE MUNICIPAL COURT.

WHEREAS, Chapter IX, Article 1, of the Code of the City of Osawatomie, Kansas sets forth provisions for the operation of the municipal court of the City of Osawatomie.

WHEREAS, the Governing Body has by Charter Ordinance Number 12 exempted itself from the provisions of K.S.A. 12-4112, and provided substitute and additional provisions which authorize the Governing Body to establish fees and costs for the Municipal Court.

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

Section 1. Code Amended. Section 9-111 of the Code is hereby amended to read as follows:

1-203. COURT FEES AND COSTS. The Municipal Judge shall not less than annually establish a schedule of fees and costs to be imposed by the court in connection with processing and handling of matters in the Municipal Court of the City of Osawatomie. Such fees and costs are hereby set in an amount not to exceed \$500 in the sound discretion of the municipal judge. Further such fees and costs shall be in addition to any assessments which the Court is obligated to impose pursuant to applicable statutes of the State of Kansas and in addition to the basic Court Cost fee, which will be established by the City Council in its annual fee ordinance. Such fees and costs shall include, but are not limited to, additional court costs, imprisonment fees, medical reimbursement fees, warrant fees, probation or parole supervision fees program fees and such other and additional fees and costs as are necessary for the administration of the Court's services.

Section 2. Existing Sections of Code Repealed. Section 9-111 and section 9-112 of the Code of the City of Osawatomie, Kansas are hereby repealed.

Section 3. Take effect. This ordinance shall be in full force and effect from and after its adoption and publication in the official city newspaper.

ADOPTED AND APPROVED by the Governing Body this 11<sup>th</sup> day of October, 2012.

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Philip A. Dudley  
Mayor

(SEAL)

ATTEST:

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Ann Elmquist  
City Clerk



## MEMORANDUM

**To:** Mayor and City Council  
**From:** Don Cawby, City Manager  
**Re:** **Projects & Issues Update**  
**Date:** October 11, 2012

### Projects

**Sewer Rates.** At the next meeting we will continue our discussion on sewer rates as it relates to the proposed project and the continued operation. As you might recall, during the sewer plant improvement discussion I suggested about a \$0.40 per thousand rate increase over current rates. I will bring you a couple of scenarios for the next meeting, but it will be a discussion between what portion of the rate should be in the base and what should be built into the usage rate.

**Swimming Pool.** The Parks & Recreation Committee met Tuesday night to go over some preliminary plans and to start prioritizing features. I have suggested that Ryan and I, along with any Committee members that can make it, do a day tour of 4-5 like sized pools in the area to look at all aspects of the pool operation.

**Zoning Regulations Update.** On Wednesday, October 24, Scott Michie will be presenting to a joint meeting of the City Council and the Planning Commission on a first rough draft of zoning regulation updates. Scott has been feeding this to me in pieces and I am commenting as I go along. Our plan is to have this completed this Saturday and for Scott to make the necessary adjustments or note the issues for discussion at the meeting. I really like the format changes he has made. There are some policy implications to some of the simplification suggestions he has made and my task is to highlight those for both the Council and the Commission for discussion in two weeks.

**Mold.** A few weeks ago I completed a RFP for remediation. However, after walking through the RFP it raised a number of additional questions. We need to make some operational and timing decisions about the gymnasium, the evidence room and other portions of the proposal before we put it out to bid. I also think I need to have a discussion with our insurance company about coverage on this that most likely isn't linked to a single event.

### Issues

**Fuel Card Changes.** Staff recently came to me with a proposal to help me solve a couple of issues. For the past several months, I was pushing for a fueling system to accurately account for fuel usage and to track vehicle consumption. Staff is proposing moving from City owned tanks to using Lybarger Fuel's fueling system at the Co-Op. This proposal would allow us to track fuel for each vehicle, to enter

odometer or hour meter readings, and to track each purchase by employee. We would no longer be paying a delivery surcharge for fuel delivered to our shop and would receive a discount of about 3% on their fleet program. There is no cost to change to the system and the City will be able to better track fuel costs without putting in an expensive tracking system. I also believe that becoming a fueling customer will help keep this 24-hour fueling station in our community.

**ETI Building.** Tomorrow I am meeting with representatives from the Department of Commerce, our realtor and a prospective tenant for the ETI building. The proposal that is on the table is a short term lease with a purchase option at the end of the lease. I would expect that there will be some requests for the City to take on a portion of the costs during the lease period. Most likely those would be repairs and maintenance, property taxes and possibly some insurance. I will come back to you with a proposal, but I want you to be aware that this conversation is occurring.

**LKM.** I discovered some good ideas and vendors at the LKM meeting this year, as I am sure the Mayor and Councilwoman Maichel did as well. My areas of interest after this meeting are liability and property insurance reviews, improving our utility billing operations, taking better advantage of our county's GIS resources and building trust within our community.

**Soldier's Monument.** As you probably read in the newspaper, the Soldier's Monument received National Historic Register designation. Currently staff and volunteers are working on improving the site and we hope to see some improvements next spring. Margaret Hays indicates we should hear about the Old Stone Church before too long.

**Accounting Position.** Last week we interviewed eight individuals for our Accounting Officer position. We are currently checking references and hope to have an offer made tomorrow. Lynette has agreed to hang around a couple extra weeks to help with the transition.

### **Recognition**

I missed my chance at the last meeting, but I wanted to recognize William Bradshaw for his excellent timing and courage while delivering a baby a few weeks ago. It is especially cool because he and his wife had a baby of their own only a few months ago.

### **Upcoming Meetings/Dates**

October 24      Joint City Council/Planning Commission Worksession  
October 25      City Council Meeting  
November 8     City Council Meeting

### **Manager's Out-of-town Schedule**

October 19-21   Weekend Trip to Illinois

**OSAWATOMIE CITY COUNCIL**  
**WORK SESSION / MEETING AGENDA**  
October 25, 2012  
7:00 p.m., Memorial Hall

WORK SESSION

- A. Call to Order
- B. Roll Call
- C. Work Session Items
  - 1. Condemnation Presentation
- D. Adjournment of Work Session

REGULAR MEETING – 7:30 p.m.

- E. Call to Order
- F. Roll Call
- G. Approval of Agenda
- H. Council Items
  - 1. Resolution Setting Hearings for Condemnations
  - 2. Holiday Discussion
- I. City Manager Updates
- J. Executive Session
- K. Adjournment of Regular Meeting



## STAFF AGENDA MEMORANDUM

**DATE OF MEETING:** October 25, 2012

**AGENDA ITEM:** **Condemnations and Securing Abandoned Structures**

**PRESENTER:** Richard Wetzler, City Attorney  
Ted Bartlett, Building Inspector  
Don Cawby, City Manager

**ISSUE SUMMARY:** The City staff has put together 7 properties for the City Council to consider for condemnations. The report on each property is included and photos will be shown at the meeting to demonstrate the problems with each property. Once it is determined which properties should be provided notice, the City Council must pass a resolution which will set the time and place for a hearing on the proposed condemnations.

I have included the following to help explain how a non-emergency condemnation occurs.

### **Procedure for Condemnations**

1. First step is to have the enforcing officer file a written statement that is presented to the governing body that describes the property, where the property is located and that the property is unsafe or dangerous or is abandoned. Often these reports are accompanied by photos of the property to help illustrate why the property is abandoned, unsafe or dangerous.
2. Governing Body passes a Resolution that fixes a time and place at which the owner, the owner's agent, any lienholders of record and any occupant of such structure may appear and show cause why such structure should not be condemned and ordered repaired or demolished in the case of unsafe or dangerous structures or rehabilitated in the case of abandoned property.
3. Resolution is published once each week for two consecutive weeks on the same day of each week.

4. The matter is set for hearing before the Governing Body at least thirty days after the date of the last publication.
5. A copy of the Resolution is mailed by certified mail within three days after its first publication to each such owner, agent, lienholder and occupant at the last known address with the letter marked as "deliver to addressee only."
6. At the date set for the hearing the Governing Body hears all evidence submitted by the owner, the owner's agent, lienholders of record and occupants having an interest in the structure as well as evidence submitted by the enforcing officer filing the statement.
7. Governing Body makes findings. If the Governing Body finds that the structure is unsafe or dangerous such resolution shall direct the structure to be repaired or removed and the premises made safe and secure. If the Governing Body finds that the property is abandoned, the governing body may authorize the rehabilitation of the property as provided by K.S.A. 12 1756a.
8. Resolution containing findings is published once in the official city paper and a copy mailed to the owners, agents, lienholders of record and occupants in the same manner provided for the notice of hearing, i.e., certified mail within three days of the publication of the Resolution to last known address marked as "deliver to addressee only."
9. Resolution should fix a reasonable time within which the repair or removal of the structure shall be commenced and a statement that if the owner of such structure fails to commence the repair or removal of such structure within the time stated or fails to diligently prosecute the same until the work is completed, the governing body will cause the structure to be repaired or razed and removed in the case of unsafe or dangerous structures or rehabilitated in the case of abandoned property.
10. If the owner fails to commence the repair or removal of the structure within the time stated in the resolution or has failed to diligently prosecute the same thereafter, the city may proceed to raze and remove such structure, make the premises safe and secure, or let the same to contract. The City shall keep an account of the cost of such work and may sell the salvage from such structure and apply the proceeds or any necessary portion thereof to pay the costs of removing such structure and making the premises safe and secure. Any money in excess of the costs shall be paid to the owner of the premises upon which the structure was located.
11. The City shall give notice to the owner of the structure by restricted mail of the total costs incurred by the city in removing the structure and making the premises safe and secure and providing notice. The notice shall state that payment of such cost is due and payable within 30 days following receipt of such notice. If the cost is not paid with the

thirty-day period and if there is not salvageable material or if money received from the sale, the balance shall be collected in the manner provided by K.S./A 12-1,115 or assessed as a special assessment against the lot or parcel. See 12-1755 for procedure.

### **Proposed Condemnations**

In the packet I have included inspection reports for each of the proposed properties.

149 E Pacific	301 Reed	709 Parker	1201 4 <sup>th</sup> Street
1205 4 <sup>th</sup> Street	1635 Main	1701 Main	

### **Securing Abandoned Properties**

As part of this discussion, I would like the Council to consider the City taking a more active role in securing abandoned properties. I believe that if a structure has been abandoned and has broken windows, open doors or other unsecured openings, that the City should take the initiative to secure the building under our nuisance provisions.

This process would work just like the mowing process. We notify the owner they need to secure all openings to the property or the City will do it and charge them for the time and materials to do so. I also believe the letter should state that failure to do so will most likely trigger the condemnation process as an abandoned structure. Once that time has passed, the City will take action to secure the property and bill the owners through our tax assessments.

Furthermore, if there is a property that is deemed “unfit or dangerous” because of squatting, drug use, or it would be dangerous for any adult or child to be inside of the home, we would have the right to board up the home without prior notice. We would then follow-up with a notice of our action and that they will be billed responsible for the cost. Such an action should also trigger us putting together the documentation to move forward with condemnation if the owner does not take action in a reasonable amount of time.

We currently have the authority to take these actions, but I want to make sure that the City Council is comfortable with City staff taking a more proactive approach to these nuisances.

**COUNCIL ACTION NEEDED:** Vote on the proposed resolution.

**STAFF RECOMMENDATION TO COUNCIL:** Approve the resolution and provide direction to staff on securing abandoned structures.



## BUILDING INSPECTION REPORT

September 18, 2012

By: Ted Bartlett, Building Inspector

Property: **149 E Pacific**

Owner: Donnis M Paden

County 2012 Appraised Value: Building \$4,330; Land \$7,840.

Taxes: Last Paid in 2007

Mortgage Lien: Yes

Legal Description: *Lot One (1), Block Five (5), of Youman's Addition to the City of Osawatomie, Miami County, Kansas as shown on the recorded plat thereof.*

**Background:** This is a 1996 - 76' X 16' (1,216 square feet) single wide trailer on a block foundation that was nearly submerged by the flood of 2007. The water level got to as high as or near the roof line of the home.

The home was cited in January 2010 for violations of the Property Maintenance Code. The registered letter with the violation was returned by the post office as it was unable to be forwarded. The file indicates no further action was taken. In March 2012 the property was posted as an unfit structure and flagged for condemnation. The City has mowed the lot since 2007 and has assessed mowing costs of \$1,350 through 2011.

### Findings:

1. It appears that the people living in the home at the time of the flood removed very little belongings before the home flooded. Most, if not all of their belongings including some furnishings still remain in the home. It appears that nothing has been done to the home since the flood.
2. There are several windows broken or missing panes. The back/west door is missing. The house smells very strongly of mold and mildew. The furnace is missing as well as all of the circuit breakers from the electrical panel.

3. It looks as though people have been in the home either to remove items or to use it for shelter or a place to play. The floor feels weak in several areas under windows that are open.

**Inspector's Opinion:** It is my opinion that this home is damaged beyond repair and needs to be torn down or hauled off. Given the construction used in trailers, I can only assume that the insulation under the home is molded and would be nearly impossible to remove.



## BUILDING INSPECTION REPORT

October 15, 2012

By: Ted Bartlett, Building Inspector

Property: **301 Reed**

Owner: Daniel & Jennifer Henry

County 2012 Appraised Value: Building \$34,300; Land \$8,900.

Taxes: Last Paid in 2007

Mortgage Lien: Yes

Legal Description: *The North Eighty (80) feet of Lots One (1) and Two (2), Block "C", County Clerk's Addition to the City of Osawatomie, Miami County, Kansas.*

**Background:** This home is a split level 2,594 square foot home, including the attached garage. The home was built in 1974. The home was extensively damaged by the flood of 2007.

The home was cited in May 2010 and August 2010 for violations of the Property Maintenance Code. The letter started a series of letters where both the owners and the mortgage holders argued over the ownership of the property because the property was at one time involved in a bankruptcy and foreclosure. The owners currently do not claim the property, but documentation on file seems to indicate the original owners remain as the current owners of the property. Our files indicate that no action was taken on the property after communications in September 2010. In March 2012 the property was posted as an unfit structure and flagged for condemnation. The City has mowed the lot since 2007 and has assessed mowing costs of \$1,350 through 2011.

### Findings:

1. I visited the home with Chief Stiles on Oct 15, 2012 and all exterior doors were locked including the overhead garage doors. Until recently the home was unlocked. One garage door has a hole in it where someone could crawl through.

2. Although we did not enter the house on this visit, I have been in the home in the past. At that time there was a slight odor in the home and the lower basement level was damp with a small area with standing water.
3. Since the flood, the home has been gutted except for the upstairs ceiling. The interior stud walls are still in place.
4. The City has received complaints in the past concerning cats living in the home and the odor of mildew/mold coming from the home. On this visit, I did see one cat run from the backyard. We did not notice a mildew odor outside of the home.

**Inspector's Opinion:** It is my opinion that this home could be rebuilt as it is now. The basement in the past has not appeared to be leaking and the walls seem to be in good shape. The floors, ceiling, roof and walls seem to be in good structural shape. If the deterioration continues for an extended period, it may become too far gone to be financially feasible to be rebuilt.



## BUILDING INSPECTION REPORT

October 17, 2012

By: Ted Bartlett, Building Inspector

Property: **709 Parker**

Owner: Richard & Nancy Dutcher

County 2012 Appraised Value: Building \$30,400; Land \$ 7,600.

Taxes: Current

Mortgage Lien: Yes

Legal Description: *Lot 3, Block 21, in the City of Osawatome, Miami County, Kansas, according to the recroded plat thereof.*

**Background:** This is a single story 1,168 square foot home including a deck. The county lists the foundation as rock. There is a 640 square foot detached garage in the backyard. The home was built in 1920. Miami County records do not show if the garage was built at the same time or not.

The home was cited in June 2011 for violations of the Property Maintenance Code. In July of 2011 a permit was issued to demo and replace the roof over the front porch, although more violations were cited than just the roof. Demolition was started but was not completed. The permit is now expired. In 2012, the City paid a contractor to mow the yard one time.

### Findings:

1. I visited the home with Chief Stiles on October 17, 2012 and took numerous photos of the home. We found the back door unlocked and entered the home.
2. The roof has apparently been leaking for some time. The roof leaks badly in several locations and the floor is weak in these areas. There is mold growing on walls and the ceiling.
3. The front porch is partially torn off and the remaining section is not structurally safe.

**Inspector's Opinion:** It is my opinion that this home is beyond repair. The leaking roof has caused roof, ceilings and floor supports to become compromised and I suspect that most, if not all, structural members need to be replaced. The house appears to have been added onto more than once leaving the roof with a series of valleys and points where they meet. This would make it difficult to keep the roof from leaking even if replaced. The house has what appears to be black mold growing on interior walls and ceilings.



## BUILDING INSPECTION REPORT

September 18, 2012

By: Ted Bartlett, Building Inspector

Property: **1201 4<sup>th</sup> Street**

Owner: James & Patricia Roberts/William G Smith Living Trust

County 2012 Appraised Value: Building \$5,990; Land \$10,330.

Taxes: Last Paid in 2007

Mortgage Lien: No

*Legal Description: A tract of land in the Northeast Quarter (NE 14) of Section Fourteen (14), Township Eighteen (18) South, Range Twenty-two (22) East, Miami County, Kansas, more particularly described as follows: Beginning at the Northwest corner of the Northeast Quarter of Section 14, Township 18 South, Range 22 East, Miami County, Kansas; thence along the North line of said Section 14 on a bearing of North 88 degrees 38'45" East a distance of 30.86 feet; thence South 5 degrees 14'22" East a distance of 153 feet; thence North 88 degrees 38'45" East 120 feet; thence North 150 feet to a point 191.86 feet East of the Northwest corner of said Northeast Quarter; thence Westerly along the North line of said Section 14 a distance of 161 feet, to the point of beginning.*

**Background:** This is a 1.5 story, 1,056 square foot home built in 1923. There is a large outbuilding on the property. The home and outbuilding was extensively damaged by the flood of 2007. Since that time the home has had a new electrical service installed and demo work has been done. Two permits were issued in August and October of 2007. Another permit was issued in April of 2010. The permits that have been issued are expired. In March 2012 the property was posted as an unfit structure and flagged for condemnation. The City has mowed the lot since 2010 and has assessed mowing costs of \$600 through 2011.

### Findings:

1. Most interior walls and floor joists have been removed. The north wall is braced along the rim joist from the outside.

2. Foundation and roof are failing. A load bearing wall is failing because there is no floor underneath it.
3. Several windows are broken and both the front and rear door are not locked.

**Inspector's Opinion:** It is my opinion that this home could be rebuilt as it is now, but it is not likely to be financially feasible. The partial demolition work that was completed has been left partially open to the elements for several years. The foundation would need repairs and the roof is sagging because of problems with the load bearing wall. There is still demolition work that needs to be completed. The larger-out building is also in poor condition.



## BUILDING INSPECTION REPORT

September 18, 2012

By: Ted Bartlett, Building Inspector

Property: **1205 4<sup>th</sup> Street**

Owner: William B & Annie Kennedy

County 2012 Appraised Value: Building \$4,920; Land \$15,540.

Taxes: Current

Mortgage Lien: No

*Legal Description: Beginning at the Northwest corner of the Northeast Quarter of Section 14, Township 18 South, Range 22 East, Miami County, Kansas, thence along the North line of said Section 14 on a bearing of North 88°38'45" East a distance of 30.86 feet; thence South 5°14'22" East a distance of 153 feet to the place of beginning; thence North 88°38'45" East 120 feet; thence South 0°07'26" West 245.75 feet to the North line of the levee; thence South 74°09'45" West 99.02 feet; thence North 5°14'22" West 265.72 feet, more or less, to the place of beginning; subject to a 20 foot road easement along the North line of said described tract;*

**Background:** This property was covered by water during the flood of 2007. The property sits against the levy and the water was deep on this property. At the time of the flood there was a double wide mobile home and a detached two car garage on the property. Miami County shows that the garage was built in 1993.

This property was issued a condemnation order in late July 2007, based on an immediate hazard. The resulting action was that the home was demolished but the garage remained based upon the owner's statement on a July 2007 building permit application that he was going to rebuild.

In September 2007 a second permit application was received by the owner with the intent to place a double-wide home back on the lot. A hand written note on this application reads "Waiting on site plan house plans schedule of construction and duration contractors." Another note also reads "In court might be a while." A drawing from January 2008 shows the desired layout for the lot. However, no permit is on file and apparently was never issued. Other homes with detached garages that were affected by the flood were required to remove

the garage when the home was not replaced. The owner has continued to mow the property and there is no record of the City having every mowed or assessed mowing costs to the property.

**Findings:** I visited the site on September 18, 2012 with Chief Stiles. There is not an overhead door on the garage as it was removed some time after the flood. The garage is in fair structural shape. Cosmetically it is in bad repair. The wiring in the garage also is in need of repair or replacement.

**Inspector's Opinion:** This garage could easily be cleaned up and repairs made. The garage appears to be in need of a re-roof soon but shows no sign of leaking at this time. However, the issue of a stand-alone garage is a zoning violation and should be dealt with.



## BUILDING INSPECTION REPORT

October 15, 2012

By: Ted Bartlett, Building Inspector

Property: **1635 Main**

Owner: Dennis & Joyce McGuire

County 2012 Appraised Value: Building \$20,200; Land \$7,200.

Taxes: Last paid in 2009

Mortgage Lien: No

Legal Description: *The North 93.25 feet of the West one-half (1/2) of Lot Eighteen (18) and the North 93.25 feet of Lots Nineteen (19) and Twenty (20), in Block Two (2), in Lowe's Addition to the West Highlands Addition in the City of Osawatomie, Miami County, Kansas.*

**Background:** This home is a 1-story, 1,178 square foot home, including the attached garage & covered porches. The home was built in 1951. A notice of hearing resolution for condemnation was issued in August 2005. The home was removed from the condemnation list by the City Council in November 2005.

A building permit was issued in July 2009 to re-roof the home, only after being issued a stop work order for working without a permit. The last time this home had utilities was March of 2012, as they were turned on for a family member of the owner for a short time to access the home. Based on our records, we have had difficulty finding someone to assume responsibility for the home. The City has mowed the lot since at least 2007 and has assessed mowing costs of \$1,200 from 2008 through 2011. Of the total, \$750 still remains unpaid.

### Findings:

1. Since the owners have passed away it appears that someone has been intermittently staying in the home or possibly squatting in the home.
2. Almost all of the wiring has been removed from the home. The breaker panel in the garage has been stripped and all wiring from the panel in the garage has been removed.

3. The inside of the home has a strong smell of cat urine. There is human waste, trash and personal items scattered all over the home and is a health hazard at this time.

**Inspector's Opinion:** It is my opinion that this home could be rebuilt as it is now. The home cosmetically is in bad shape and there is a lot of personal property still in the home. The foundation, floors, ceiling, roof and walls seem to be in good structural shape. I should state that I did not inspect under the home. Our staff does remember that the home at one time had a significant water leak under the home and leaving the crawl space full of water. If the deterioration continues much longer, it may no longer be financially feasible to rebuild it.



## BUILDING INSPECTION REPORT

October 15, 2012

By: Ted Bartlett, Building Inspector

Property: **1701 Main**

Owner: Georgia Slyter Living Trust

County 2012 Appraised Value: Building \$26,730; Land \$ 6,390.

Taxes: Current

Mortgage Lien: No

Legal Description: *Lot 56, Smith's Subdivision II, to the City of Osawatomie, Miami County, Kansas.*

**Background:** This home is 1.5 story, 1,316 square foot home. The garage that was added onto sometime after the home was built has also had a second floor living area added to it. I have been unable to determine when the garage was enclosed and when this upper level was added. Miami County does show that the home was remodeled in 1964. The original home was built in 1952. The home as many others in the area are commonly referred to as a "flood house".

A permit for roof, windows and siding was issued in October 2009. This permit expired with none of the work being inspected as being completed. The City of Osawatomie has paid a contractor to mow the yard for some time, but the county records show no assessments. We do not have any record of any inspections ever being conducted at this address.

### Findings:

1. I visited the home on October 17, 2012 with Chief Stiles. We found the house locked. A neighbor said that the home has been unlocked in the past and that local children have played in the back yard and in the home.
2. From looking into windows it appears that someone had started to work on the inside of the home, I am unsure if this is old or recent work. Some walls have had the sheet rock removed. The few rooms I could see into had the floor covering removed.

3. The exterior walls have several areas that feel rotten under the siding. The entire bay window on the north side of the home can be moved by pushing on it.
4. I do not know if the roof leaks but it does not appear to be very old. I was unable to check the floors and ceilings. What I did see from looking in windows they did not appear to be in bad structural condition.
5. The foundation seems to be intact.

**Inspector's Opinion:** Although the foundation is intact, I think that it is questionable if this home could be rebuilt as it is now. The financial feasibility makes it even less likely. I do feel that if the deterioration continues for an extended period the home would not be able to be rebuilt.

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION FIXING A TIME AND PLACE AND PROVIDING FOR NOTICE OF A HEARING BEFORE THE GOVERNING BODY OF THE CITY OF OSAWATOMIE, KANSAS, AT WHICH THE OWNERS, THE OWNERS' AGENT, ANY LIENHOLDERS OF RECORD, AND ANY OCCUPANT AND OTHER PARTIES IN INTEREST OF STRUCTURES LOCATED WITHIN SAID CITY AND DESCRIBED HEREIN MAY APPEAR AND SHOW CAUSE WHY SUCH STRUCTURE SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED OR DEMOLISHED IN THE CASE OF UNSAFE OR DANGEROUS STRUCTURES.

WHEREAS, the enforcing officer of the City of Osawatomie, Kansas, did on the 25th day of October, 2012, file with the Governing Body of said City, a statement in writing that the structures hereinafter described, are either abandoned, or unsafe and dangerous.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF OSAWATOMIE, KANSAS, as follows:

That a hearing will be held on the 13th day of December, 2012, before the Governing Body of the City at 7:00 p.m., at Memorial Hall, 411 11<sup>th</sup> Street, Osawatomie, Kansas at which the owners, the owners' agents, any lienholders of record, any occupants and other parties in interest, as that term is defined by law, of the following described structures:

1. Lot One (1), Block Five (5), of Youman's Addition to the City of Osawatomie, Miami County, Kansas, commonly known as **149 East Pacific Avenue**;
2. The North Eighty (80) feet of Lots One (1) and Two (2), Block "C", County Clerk's Addition to the City of Osawatomie, Miami County, Kansas, commonly known as **301 Reed Street**;
3. Lot 3, Block 21, in the City of Osawatomie, Miami County, Kansas, commonly known as **709 Parker**;
4. A tract of land in the Northeast Quarter (NE 14) of Section Fourteen (14), Township Eighteen (18) South, Range Twenty-two (22) East, Miami County, Kansas, more particularly described as follows: Beginning at the Northwest corner of the Northeast Quarter of Section 14, Township 18 South, Range 22 East, Miami County, Kansas; thence along the North line of said Section 14 on a bearing of North 88 degrees 38'45" East a distance of 30.86 feet; thence South 5 degrees 14'22" East a distance of 153 feet; thence North 88 degrees 38'45" East 120 feet; thence North 150 feet to a point 191.86 feet East of the Northwest corner of said Northeast Quarter; thence Westerly along the North line of said Section 14 a distance of 161 feet, to the point of beginning, commonly known as **1201 Fourth Street**;

5. Beginning at the Northwest corner of the Northeast Quarter of Section 14, Township 18 South, Range 22 East, Miami County, Kansas, thence along the North line of said Section 14 on a bearing of North 88°38'45" East a distance of 30.86 feet; thence South 5°14'22" East a distance of 153 feet to the place of beginning; thence North 88°38'45" East 120 feet; thence South 0°07'26" West 245.75 feet to the North line of the levee; thence South 74°09'45" West 99.02 feet; thence North 5°14'22" West 265.72 feet, more or less, to the place of beginning; subject to a 20 foot road easement along the North line of said described tract; commonly known as **1205 Fourth Street**;

6. The North 93.25 feet of the West one-half (1/2) of Lot Eighteen (18) and the North 93.25 feet of Lots Nineteen (19) and Twenty (20), in Block Two (2), in Lowe's Addition to the West Highlands Addition in the City of Osawatomie, Miami County, Kansas, commonly known as **1635 Main Street**; and

7. Lot 56, Smith's Subdivision II, to the City of Osawatomie, Miami County, Kansas, commonly known as **1701 Main Street**;

may appear and show cause why such structures should not be condemned and ordered repaired or demolished in the case of unsafe or dangerous structures.

BE IT FURTHER RESOLVED, that the City Clerk shall cause this resolution to be published once each week for two consecutive weeks on the same day of each week with at least thirty days between the last publication and the date set for the hearing herein.

BE IT FURTHER RESOLVED, that a copy of this resolution shall be mailed by certified mail within three days after its first publication to each owner, owners' agent, lienholder and occupant and other party in interest at the last known address marked "deliver to addressee only."

PASSED AND ADOPTED by the Governing Body of the City of Osawatomie, Kansas this 25th day of October, 2012, a majority being in favor thereof.

APPROVED AND SIGNED by the Mayor.

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Philip A. Dudley, Mayor

(SEAL)

ATTEST:

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Ann Elmquist, City Clerk



**STAFF AGENDA MEMORANDUM**

**DATE OF MEETING:** October 25, 2012

**AGENDA ITEM:** **Holiday Discussion**

**PRESENTER:** Don Cawby, City Manager

**ISSUE SUMMARY:** There are two issues which I would like the City Council to consider concerning our holiday schedule. The first is the more immediate issue of 2012 and the second is a longer term discussion of some technical and a few slight amendments to the schedule.

**2012 Holiday Schedule.** Last year we gave our employees a skeleton day to be used during the Christmas-New Year’s week off. That was done in part as an appreciation measure because we didn’t provide any increases for our employees. That worked alright for last year, but we already had several people taking time off that week anyway.

For this year, I would like to just close offices on Christmas Eve. In my experience, when Christmas Eve falls on a Monday City Halls are like a museum. Not only does a majority of staff take off (or want to take off), but there is usually no foot traffic. I would also argue that very little work gets accomplished on that day because crews are so minimal that they can do very little. For the police or call out purposes, we would treat it like a normal holiday.

**Ongoing Schedule.** The City Council has adopted personnel regulations that establish the following holidays:

New Year’s Day	Martin Luther King Birthday	Washington’s Birthday
Memorial Day	Fourth of July	Labor Day
Veteran’s Day	Thanksgiving Day	Friday after Thanksgiving
Christmas Day	Employee’s Birthday (after completing 1 year of service)	

I would like the Council to approve a modification to the holiday schedule to fix some wording of days and to put the skeleton day concept in place permanently. As I understand it, the City

in the past has given this kind of holiday on a regular basis. It is also one that organizations will provide at the last minute for employees. However, I believe that it would be better for employees to know what the schedule will be months in advance so they can plan for the best use of their time off. For these reasons, the following is the new language I would like to adopt.

**D-8. Holiday Compensation.** *All regular full time employees will receive (8) eight hours of pay for holidays in addition to any compensation they might receive for hours worked on that holiday. Departments whose duties require that employees work holidays may grant compensatory time off or pay their employees for the holiday at the prerogative of the City. Compensation for actual hours worked on holidays will be made at the rate of one and one half times the employee's regular hourly rate of pay.*

*The following days or days observed as such shall be paid holidays at straight time pay, if the employee is not required to work.*

<i>New Year's Day</i>	<i>January 1</i>
<i>Martin Luther King, Jr. Day</i>	<i>Third Monday of January</i>
<i>President's Day</i>	<i>Third Monday in February</i>
<i>Memorial Day</i>	<i>Last Monday of May</i>
<i>Independence Day</i>	<i>July 4</i>
<i>Labor Day</i>	<i>First Monday of September</i>
<i>Veterans Day</i>	<i>November 11</i>
<i>Thanksgiving Break</i>	<i>Fourth Thursday in November and the Friday following</i>
<i>Christmas Day</i>	<i>December 25</i>
<i>Holiday Flex Day</i>	<i>See Definition Below</i>
<i>Personal Holiday</i>	<i>See Definition Below</i>

*Personal Day. A Personal Day will be awarded to each employee annually once they have completed one year's service to the City. The Personal Day must be used within the calendar year or it will be lost. Personal Days will be treated the same as annual leave for purposes of overtime and holiday pay.*

*Holiday Flex Day. A Holiday Flex Day will be established each year by the City Council. The Holiday Flex Day may either be set as:*

- 1. a day which City Hall offices will be closed to create a four-day weekend; or*

2. *a floating day off for each employee to occur between December 21st and January 5<sup>th</sup> which supervisors would manage to keep adequate staffing levels during the holidays.*

*A Holiday Flex Day where offices would be closed will be treated as a set holiday for overtime and holiday pay purposes. A floating Holiday Flex Day would be treated as a personal day for overtime and holiday pay purposes.*

*Any holiday falling on a Saturday will be observed on Friday, a holiday falling on Sunday will be observed on Monday, except for shift workers. They will observe the holiday on the day it falls. In order to be eligible for holiday pay, the employee must work on the last working day preceding the holiday and the first working day after the holiday, unless absent on paid leave. There shall be no pyramiding of overtime pay.*

*When an employee is scheduled or required to work on any of the above named holidays, or days observed as such, they will receive their regular holiday pay plus one and one half times their normal rate of pay for each hour worked during their basic work day.*

**COUNCIL ACTION NEEDED:** Discuss.

**STAFF RECOMMENDATION TO COUNCIL:** Provide direction to staff for a formal amendment to be presented.



## MEMORANDUM

**To:** Mayor and City Council  
**From:** Don Cawby, City Manager  
**Re:** **Projects & Issues Update**  
**Date:** October 25, 2012

### Projects

**Zoning Regulations Update.** We need to reschedule the joint Planning Commission meeting for November. I still have been unable to complete the review because of other issues. Scott has given me three dates for November that will work for him, Tuesday the 13<sup>th</sup>, Tuesday the 27<sup>th</sup> and Thursday the 29<sup>th</sup>. If we were to choose the 29<sup>th</sup>, I would suggest that we cancel the 15<sup>th</sup> Council meeting and move our meeting to the 29<sup>th</sup>. That way we could do one or two small items and have the rest of the meeting as a joint work session with the Planning Commission. Your direction of this matter would be appreciated.

**RFP for Defense Services.** On Monday, I issued an RFP for Public Defense Services for our Municipal Court. This was a measure that we identified in February as a way to keep our case costs down and to also provide more continuity and efficiency in managing the court docket and caseloads.

An example of how we could expect to save money is the increase in our cost per case for public defenders. Currently our assigned counsel caseloads have been dropping. From 2010 to 2011 our caseloads dropped from 514 cases to 439 cases and we are on pace to be below 300 for 2012. However, the cost for public defender services has increased dramatically over the same time. The average public defender cost from 2010 to 2011 has increased from \$26 to \$43 per case. In 2012, it has almost doubled over 2011 at \$80 per case.

We have asked for responses to be returned by November 5<sup>th</sup> and will have a vendor for you to approve at the November 8 Council meeting. We hope to have an approved contract by the 2<sup>nd</sup> meeting in November for your approval as the draft contract was included with the RFP.

**Baehr Grant.** We received notification from the Baehr Foundation Charitable Trust that we received the \$35,000 grant which we requested for the new playground equipment at the Karl E. Cole Sports Complex. The Parks & Recreation Committee and staff will immediately begin working on getting bids for the proposed equipment and working on layout to work with any future building replacement at the site. I have also asked staff to develop a timeline for me so we can make sure the project is completed by early spring.

**Library Building.** Dick Wetzler, Elizabeth Trigg and I have been working on the issues surrounding the settling of foundation of a portion of the Library Building. We have spoken with the contractor,

architect and their legal counsel concerning the issue and are pursuing discussions concerning the possible causes of this problem. Any further discussion of this matter should be done in executive session as a matter of Attorney-Client privilege.

**Levees.** This week we received the Corp of Engineers' levee inspection report. While I haven't had time to absorb any of it, I am using this as the jumping off point for getting our Engineers, the Corp and hopefully FEMA to come together to discuss where we go from here. I will be working with Wilson and Company to lead this effort so we can form a plan for both funding and certification.

### Issues

**Sewer Rates.** I have postponed this discussion to November 8.

**ETI Building.** A couple of weeks ago, I met with representatives from the Department of Commerce, our realtor Ken Attebery, and a prospective tenant for the ETI building. We came to verbal terms on a contract for a three year lease with a purchase option at the end of the three years. The agreement would be for the taxes and lease payments to go to the Department of Commerce over the three years and the tenant would be responsible for the taxes and maintenance and improvements to the property. The agreement would require the City to continue to provide insurance coverage on the building, but the tenant would have renter's insurance to cover personal property, contents and liability. The City currently covers the building at a cost of approximately \$1,200 per year. The City would also be responsible for a septic inspection at a cost of a few hundred dollars. I believe this to be a really good contract and we will have a property on the tax rolls. Once a written contract is approved I will be able to release the name of the proposed tenant.

Should the contract be approved, we will need to work with Ken Attebery for how to handle the commission on the building. Depending on how the purchase is worded, as an option or as a balloon, it will probably affect how we structure a settlement with our realtor. They have indicated they will work with us to structure whatever will work for us.

**Website.** We have begun the website update process which requires several meetings for our staff on the committee. We have a "Go-Live" date of February 22, but hope to be able to move that up by a few weeks if everything goes smoothly. **Also, we are asking all of our citizens to submit electronic photos from the community for inclusion on the website.** Those pictures can be of landmarks, community events, school activities, or general pictures of structures or nature. However, we would really like to have some pictures of the people of our community to demonstrate to the world what a vibrant and active community we are. Photos should be submitted by November 13 via email or dropped off in electronic format, so we have time to get them all uploaded to our on-line worksite.

**Accounting Position.** We offered the job to Tammy Seamands and she accepted. She is scheduled to begin on November 1. We will have some overlap with Lynette, but not as much as we would have liked. However, Tammy has a good work history as both an accountant and office manager in the private sector. We believe that the skills she brings with her will help her rapidly assume the duties of the position and will allow her to help us grow as an organization.

### Recognition

I would like to recognize the efforts of our Fire Department and all the volunteers that make it work. They did a tremendous job at their recent open house despite the much needed rain. This week they

also dealt with a fire that seriously burned the occupant and destroyed the structure. Their efforts in saving the life of the burned individual is appreciated and worthy of recognition.

**Upcoming Meetings/Dates**

Nov 8	City Council Meeting
Nov 12	Veterans Day Observed (Office Closed) & Celebration at High School
Nov 15	Potential City Council Meeting
Nov 17	Christmas Opener and Lighting Ceremony
Nov 22-23	Thanksgiving Break (Offices Closed)
Nov 26	Miami County Elected Officials Dinner in Paola
Nov 29	Potential City Council Meeting / Joint Planning Commission Work Session

**Manager's Out-of-town Schedule**

October 26	East Central Kansas Pool Tour
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## CITY OF OSAWATOMIE - CASH FLOW REPORT

Date: September 2012	BEGINNING BALANCE	REVENUE	EXPENDITURES	CASH BALANCE	ENCUMBERANCES (ORD.12-18)	CASH BALANCE 10/11/2012
GENERAL OPERATING	30,824.04	1,751,142.21	1,522,086.50	259,879.75	18,654.89	241,224.86
WATER	43,575.36	638,900.63	539,561.82	142,914.17	8,656.87	134,257.30
ELECTRIC	296,090.62	3,268,621.78	2,812,670.90	752,041.50	6,288.36	745,753.14
EMPLOYEE BENEFIT	28,831.77	548,149.33	438,059.06	138,922.04	-	138,922.04
REFUSE	4,725.30	281,098.50	248,917.44	36,906.36	-	36,906.36
LIBRARY	91,625.55	17,596.78	5,612.86	103,609.47	-	103,609.47
RECREATION	713.87	99,962.37	99,945.87	730.37	16.50	713.87
RURAL FIRE	3,387.12	27,411.41	27,780.64	3,017.89		3,017.89
INDUSTRIAL	48,169.46	21,801.89	1,420.00	68,551.35	4,000.00	64,551.35
REVOLVING LOAN	72,670.12	43.90		72,714.02		72,714.02
SPECIAL PARKS & REC	12,692.43	285,079.25	191,433.95	106,337.73	4,428.32	101,909.41
STREET IMPROVEMENTS	4,662.26	151,755.23	75,850.94	80,566.55	2,652.66	77,913.89
BOND & INTEREST	61,001.68	457,675.18	374,013.32	144,663.54		144,663.54
PUBLIC SAFETY EQUIP.	9,771.80	69.21	(900.00)	10,741.01	900.00	9,841.01
FIRE INS PROCEEDS	0.84	-	-	0.84		0.84
SEWER	361,440.35	557,504.28	562,174.57	356,770.06	2,148.02	354,622.04
RECREATION BENEFIT	-	12,514.95	12,514.95	-		-
GOLF COURSE	3,328.34	207,165.85	199,092.72	11,401.47	6,878.11	4,523.36
SPECIAL REVENUE (911)	9,897.41		-	9,897.41		9,897.41
LLEBG GRANT	-			-		-
TOURISM	3,722.53	45,913.15	42,461.02	7,174.66	2,022.72	5,151.94
EVIDENCE LIABILITY	-	14,361.29		14,361.29		14,361.29
CAPITAL - GENERAL	3,790.29	327,164.26	2,640.00	328,314.55		328,314.55
CAPITAL IMP. - STREETS	-	567,710.04	539,860.30	27,849.74	-	27,849.74
CAPITAL IMP - SEWER	-			-		-
CAPITAL IMP - GRANTS	0.02			0.02		0.02
CAFETERIA 125 # 50	137.54	33,801.24	20,142.14	13,796.64	1,269.00	12,527.64
COURT ADSAP # 51	5,001.00	1,610.00		6,611.00		6,611.00
COURT BONDS # 52	5,658.54	2,633.83	671.00	7,621.37		7,621.37
FORFEITURES # 53	19.09	38.20		57.29		57.29
OLD STONE CHURCH # 54	13.10		13.10	-		-
PAYPAL # 55	-	0.35		0.35		0.35
<b>TOTALS</b>	<b>1,101,750.43</b>	<b>9,319,725.11</b>	<b>7,716,023.10</b>	<b>2,705,452.44</b>	<b>57,915.45</b>	<b>2,647,536.99</b>

**CITY OF OSAWATOMIE - BUDGET REPORT**

<b>DATE: SEPT 2012</b>	<b>BUDGETED</b>	<b>REIMBS</b>	<b>EXPENDITURES</b>	<b>UNEN BALANCE</b>
<b>GENERAL</b>				
Administration	523,875.00	682.00	397,729.91	126,827.09
Sports Complex	78,940.00		39.95	78,900.05
Public Safety	952,725.00	50.00	622,799.57	329,975.43
John Brown Cabin	44,750.00		30,141.87	14,608.13
Public Works	261,050.00		181,274.27	79,775.73
Swimming Pool	37,600.00		27,793.67	9,806.33
Cemeteries	117,239.00		89,310.17	27,928.83
Parks & Lakes	17,450.00		186.33	17,263.67
Municipal Court	101,784.00	4,603.00	84,318.87	22,068.13
Levees & Storm Water	27,000.00		26,745.67	254.33
Library	129,130.00	190.85	80,401.11	48,919.74
<b>TOTAL</b>	<b>2,291,543.00</b>	<b>5,525.85</b>	<b>1,540,741.39</b>	<b>756,327.46</b>
<b>WATER</b>				
Administration	239,333.00	35,195.36	163,282.05	111,246.31
Water Treatment	377,189.00	-	242,126.38	135,062.62
Water Distribution	215,503.00		142,810.26	72,692.74
<b>TOTAL</b>	<b>832,025.00</b>	<b>35,195.36</b>	<b>548,218.69</b>	<b>319,001.67</b>
<b>ELECTRIC</b>				
Administration	950,050.00	900.26	905,427.44	45,522.82
Electric Production	2,295,256.00		1,548,298.35	746,957.65
Elect Transmission	519,706.00	200.00	365,233.47	154,672.53
<b>TOTAL</b>	<b>3,765,012.00</b>	<b>1,100.26</b>	<b>2,818,959.26</b>	<b>947,153.00</b>
EMPLOYMENT BENEFIT	521,318.00	4,400.00	438,059.06	87,658.94
REFUSE	376,700.00		248,917.44	127,782.56
LIBRARY	109,551.00		5,612.86	103,938.14
RECREATION	174,829.00		99,962.37	74,866.63
RURAL FIRE	35,000.00		27,780.64	7,219.36
INDUSTRIAL	12,000.00		5,420.00	6,580.00
REVOLVING LOAN	-		-	-
SPECIAL PARKS & REC	13,674.00	1,058.63	195,862.27	(181,129.64)
ST IMPROVEMENT	120,500.00		78,503.60	41,996.40
BOND & INTEREST	544,658.00		374,013.32	170,644.68
PUBLIC SAFETY EQUIP.	9,520.00		-	9,520.00
FIRE INS PROCEEDS	15,000.00		-	15,000.00
SEWER	837,988.00	-	564,322.59	273,665.41
REC EMP BENEFITS	12,629.00		12,514.95	114.05
GOLF COURSE	282,892.00		205,970.83	76,921.17
SPECIAL REV (FIRE EQUIP)	-		-	-
SPECIAL REVENUE (911)	9,897.00		-	9,897.00
LLEBG GRANT	-		-	-
TOURISM	17,750.00		44,483.74	(26,733.74)
DISASTER	-		-	-
CAPITAL - GENERAL	-		2,640.00	(2,640.00)
CAPITAL IMP. - STREET	-		539,860.30	(539,860.30)
CAPITAL IMP - SEWER				-
CAPITAL IMP - GRANTS				-
CAFETERIA 125 #50			21,411.14	(21,411.14)
COURT ADSAP #51				-
COURT BONDS #52			671.00	(671.00)
FOREITURES #53				-
OLD STONE CHURCH #54	-		13.10	(13.10)
PAY PAL #55	-		-	-
<b>GRAND TOTAL</b>	<b>9,982,486.00</b>	<b>47,280.10</b>	<b>7,773,938.55</b>	<b>2,255,827.55</b>