

OSAWATOMIE CITY COUNCIL  
AGENDA

May 26, 2022

6:30 p.m. | Memorial Hall | 411 11th Street

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Invocation
5. 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. May 26<sup>th</sup>, 2022 Agenda
  - B. Meeting Minutes – May 12<sup>th</sup>, 2022
  - C. Pay Application(s)
  - D. Special Event Permit(s)
    - John Brown Jamboree 2.0 Special Event Permit
6. Comments from the Public

*Citizen participation will be limited to 5 minutes. Stand & be recognized by the Mayor.*
7. Public Hearing
8. Presentations, Proclamations, and Appointments
  - A. Police Department Awards
9. Unfinished Business
10. New Business
  - A. Ordinance 3809 – Extending Camping Time Limit in John Brown Park to Fourteen (14) Consecutive Days
  - B. Resolution 1010 – Authorizing Agreement for Cleanup of Northland Property
  - C. Resolution 1011 – Judge Schultz Pay Raise
  - D. Resolution 1012 – Establishing Calendar for Work Sessions
11. Executive Session – Non-Elected Personnel
12. Council Report
13. Mayor’s Report
14. City Manager & Staff Report
15. Adjourn

*NEXT REGULAR MEETING – June 9, 2022*

Osawatomie, Kansas. **May 12, 2022.** The Council Meeting was held at Memorial Hall located at 411 11<sup>th</sup> Street. Mayor Nick Hampson called the meeting to order at 6:30 p.m. Council members present were Wright, Bratton, LaDuex, Dickinson, Diehm, Caldwell and Filipin. Council member Macek was absent. City Staff present at the meeting were City Manager Mike Scanlon, City Clerk Tammy Seamands, Assistant to the City Manager Samantha Moon, Building Official Ed Beaudry, City Attorney Jeff Deane, and Business Liaison Kari Bradley. Members of the public were: Erica Kriesel, Tiana Wilson, Michele Silsbee, Doug Petroskey, Steve Eichorn, Nicholas Rude, Father Barry Clayton, Shelagh Wright, Tyler Wright, Britnie Wright, Derek Henness, Nicole Henness, Jacki Glendening, Steve Polley, Mike Moon, Lori Moon, Mike Page

**INVOCATION.** – Father Barry Clayton, St. Philip Neri

**CONSENT AGENDA.** Approval of May 12<sup>th</sup> Agenda, April 28<sup>th</sup> Council Minutes, Pay Application – BG Consultants – Wastewater Treatment Plant - \$1,449.56, Pay Application – BG Consultants – Brown Avenue Work - \$1,560.00, Pay Application – BG Consultants – Wastewater Collection \$570.00, Pay Application – BG Consultants – Misc. Street Work - \$11,407.50, Pay Application – BG Consultants – Water Treatment Plant - \$25,993.20, Pay Application – Western Consultants – KDHE Administration - \$2,500.00, 04-2022 Council Report, Sale of Fireworks Permit – Dale and Jo’s, Special Event Permit – Osawatomie Public Library – “Playstreet”. **Motion** made by LaDuex, seconded by Dickinson to approve the consent agenda as presented. Yeas: All.

**COMMENTS FROM THE PUBLIC.** – Father Barry Clayton – The Good Friday prayer service at the Old Stone Church went well and we plan on having it again next year. We are reviewing our policies and procedures. We are completing an audit just to verify that things are good and thing align. We are looking at our structure and finances and are hoping to make some more applications for grants.

**PUBLIC HEARINGS.** – None

**PRESENTATIONS, PROCLAMATIONS AND APPOINTMENTS.**

MARC 50<sup>TH</sup> ANNIVERSARY PROCLAMATION – LaDuex read the proclamation. **Motion** made by Dickinson, seconded by LaDuex to approve the MARC 50<sup>th</sup> Anniversary Proclamation as presented. Yeas: All.

MIAMI COUNTY MEDICAL CENTER 25<sup>TH</sup> ANNIVERSARY PROCLAMATION – LaDuex read the proclamation. **Motion** made by Dickinson, seconded by Filipin to approve the Miami County Medical Center 25<sup>th</sup> Anniversary Proclamation as presented. Yeas: All.

**UNFINISHED BUSINESS.** -None.

**NEW BUSINESS.**

RESOLUTION 1001 – SALE OF CITY PROPERTY AT 707 AND 711 PACIFIC AVENUE – The RFP was posted on the city web site and staff received one bid for 707 Pacific

Avenue. On May 5, 2022 staff had a meeting with the bidder and an offer for 711 Pacific Avenue was made in conjunction with 707 Pacific Avenue. The offer was \$10,000 for both lots. With the purchase of both lots the bidder would combine the lots into one and then split the lots evenly and will build a single-family residence on both lots. **Motion** made by Wright, seconded by Filipin to approve Resolution 1001 – Selling city owned real property located at 707 and 711 Pacific Avenue in the amount of \$10,000 to Ralph Cassone as presented. Yeas: All.

RESOLUTION 1002 – SALE OF CITY PROPERTY AT 831 PACIFIC AVENUE–The RFP was posted on the city web site. Staff received one bid for 831 Pacific Avenue. The offer was \$11,050.00 for the lot. A single-family residence will be built on the lot. **Motion** made by LaDuex, seconded by Wright to approve Resolution 1002 – Selling city owned real property located at 831 Pacific Avenue in the amount of \$11,050.00 to Ralph Cassone as presented. Yeas: All.

RESOLUTION 1003 – PREDEVELOPMENT AGREEMENT WITH WRIGHT WAY HOMES LLC – Resolution 1003 permits Wright Way Homes LLC 180 days to look at the purchase of property from the city to develop “Housing of all Types” and “Economic Development”. **Motion** made by LaDuex seconded by Bratton to approve Resolution 1003 – Directing the city manager to sign a predevelopment agreement with Wright Way Homes for the potential purchase and development of 10 acres as presented. Yeas: All. Wright abstained due to conflict of interest.

RESOLUTION 1004 – CONTRACT WITH CANYON RESEARCH SW FOR A HOUSING NEEDS ASSESSMENT (HNA)-Resolution 1004 and the housing needs analysis that it contemplates completing is the first step in the formation of RHID’s in the City of Osawatomie. RHID’s has become a very common tool in the development of residential housing in rural Kansas. **Motion** made by LaDuex, seconded by Dickinson to approve Resolution 1004 – Directing the city manager to enter into a contact with Canyon Research Southwest Inc. in an amount not to exceed \$5,5500 for the completion of a housing needs analysis (HAN) necessary to create a rural housing incentive district (RHID)as presented. Yeas: All.

RESOLUTION 1005 – EXTENSION OF A PREDEVELOPMENT AGREEMENT WITH DOUG PETROSKEY – Resolution 1005 extends the period of the predevelopment agreement and is a companion to the original resolution, Resolution 926 which gave Doug Petroskey 180 days to look at the purchase of property from the city and expansion of his business on the property he is currently using for Shoot House Paintball. **Motion** made by Diehm, seconded by Caldwell to approve Resolution 1005 – Extending the period of the predevelopment agreement with Doug Petroskey for the potential purchase and development of Northland Property Phase 1B to September 1, 2022 as presented. Yeas: All.

RESOLUTION 1006 – RESOLUTION SUPPORTING THE APPLICATION FOR THE KANSAS DEPARTMENT OF TRANSPORTATIONS (KDOT) TRANSPORTATION ALTERNATIVES PROGRAM -The Kansas Department of Transportations (KDOT) Transportation Alternative (TA) Program funds various bike and pedestrian projects throughout the state of Kansas. We are making application to this program to tie our Levee Loop and John Brown historic sites to the Flint Hills trail and to our downtown corridor. This is an 80/20 program

which means 80% of the eligible reimbursable costs are born by the state through federal funds they receive and 20 % of the eligible expenses are born by the City. We are seeking approximately \$1,925,000 for this project. Resolution 1006 is the first step in attempting to secure funds for this project. **Motion** made by Dickinson, seconded by Wright to approve Resolution 1006 – Declaring the eligibility of the City of Osawatomie to submit an application to the Kansas Department of Transportation for use of Transportation Alternatives Program Funds for the John Brown and Levee Loop project in the City of Osawatomie as presented. Yeas: All.

**RESOLUTION 1007 – ESTABLISHING A WORK SESSION CALENDAR FOR CONSIDERATION OF ANNEXATION AND DE-ANNEXATION OF CERTAIN PROPERTIES IN THE CITY OF OSAWATOMIE** - Resolution 1007 builds off Resolution 921 and is tied to our goal of promoting economic development. There are various annexations and de-annexations we should consider as a community if we want to increase pull factor and limit our cost of services in certain areas over time. The goal is to have a discussion that includes the public and sets up a sequential set of actions should the City Council want to annex or de-annex certain properties within the City. **Motion** made by Caldwell, seconded by Bratton to approve Resolution 1007 – Prescribing the development of a work session calendar to discuss with the public possible annexations and de-annexations to be considered by the City of Osawatomie as presented. Yeas: All.

**RESOLUTION 1008 – MID-YEAR UPDATE ON THE 2022 WORK PLAN (List of 55 Projects)** – Scanlon updated council on the progress of the projects on the list of the 55 projects. **Motion** made by LaDuex, seconded by Filipin to approve Resolution 1008 – Updating the List of 55 Projects for 2022 as presented by City Staff as presented. Yeas: All.

**RESOLUTION 1009 – CONSIDERATION OF AN ARTS COMMISSION TO ASSIST IN DIRECTING THE INSTALLATION OF PUBLIC ART IN THE CITY OF OSAWATOMIE** – As public art becomes more attainable for rural communities, such as through programs offered by the Kansas Department of Commerce’s Kansas Creative Art Industries Commission (KCAIC) and the Office of Rural Prosperity, Arts Commissions are becoming more important for successful introduction and execution of public art initiatives. Arts Commissions function in much the same way as a Tourism Committee or a Trail Commission – a body of appointed residents with a vested interest in the subject matter working with staff and council liaisons to initiate projects, developments, or events that benefit the community and culture. Projects for this commission could include, but not limited to: public art grant application and administration, mural project administration (we have current funding from the Hawkins Foundation for more murals), facilitating sculpture installations or other interactive displays, encouraging or developing temporary displays in public spaces like a student gallery walk or entertainer/speaker series, coordinating community events from outside sources based in art, music, theater, or dance, etc. **Motion** made by Bratton, seconded by Caldwell to approve Resolution 1009 – Directing city staff to produce material establishing an arts commission for the City of Osawatomie as presented. Yeas: All.

**EXECUTIVE SESSION** – **Motion** made by Dickinson, seconded by Wright that the City Council recess into closed, executive meeting, for the purpose of discussing personnel matters of nonelected personnel pursuant to the exception in K.S.A. 75-4319(b)(1). The closed meeting will

last 30 minutes and will resume here in Memorial Hall at 8:22 p.m. Also attending will be Deputy City Manager Bret Glendening and City Attorney Jeff Deane. Yeas: All.

The council meeting resumed to open session at 8:22 p.m. with no action taken.

**Motion** made by Dickinson, seconded by Bratton that the City Council recess into closed, executive meeting, for the purpose of discussing personnel matters of nonelected personnel pursuant to the exception in K.S.A. 75-4319(b)(1). The closed meeting will last 15 minutes and will resume here in Memorial Hall at 8:39 p.m. Also attending will be Deputy City Manager Bret Glendening and City Attorney Jeff Deane. Yeas: All

The council meeting resumed to open session at 8:39 p.m. with no action taken.

## **COUNCIL REPORTS**

Cathy Caldwell ~ The tourism committee met last Thursday. They will not meet in June because of all of the events that are taking place. They are still working on event procedures. 10 acres is fourteen inches tall.

Karen LaDuex ~ The trail commission met Monday and selected the levee loop. Don't forget to purchase your tickets to breakfast on Memorial Day weekend for the Library Fundraiser.

**MAYOR'S REPORT** – Thank you Sam Moon, Bill Roseberry and the public works staff for all the work they put in to designing and finishing off the bike rack and the sidewalk repair. For Sam spearheading our mural application and getting us selected and then weaving through all the time constraints and requirements to get us to the point we are about ready to begin the mural.

Great job by the police department in apprehending the person who broke into the upper floor of the Masonic Lodge – he has been apprehended and charged.

Just a reminder that on May 26<sup>th</sup> we will be doing ground breaking on repairs and upgrades to the sanitary sewer plant – I believe we've received a letter saying we have complied with KDHE procurement requirements in the awarding of the bid to Crossland Heavy Contractors, Inc. and we are ready to get rolling. Now on May 26<sup>th</sup> we'll be having a ground breaking event at 5:30 p.m. before the City Council meeting – so make sure you put the 26<sup>th</sup> at 5:30 p.m. on your calendar.

I want to thank all the volunteers on the John Brown Jamboree and the Lights on the Lake event for all the time they have put in and will be putting in over the next months. We only go as far as our volunteers can carry us – we are much appreciative.

**CITY MANAGER & STAFF REPORTS.** – Scanlon passed out a copy of the signed Joint Resolution establishing the Kansas Association of Trail Towns. Osawatomie was the 1<sup>st</sup> to sign the resolution and Council Grove was the last to sign. Now other communities are wanting to get involved.

**OTHER DISCUSSION/MOTIONS.**

**Motion** made by Dickinson, seconded by LaDuex to adjourn. Yeas: All. The mayor declared the meeting adjourned at 8:48 p.m.

/s/ Tammy Seamands  
Tammy Seamands, City Clerk



City of Osawatometie  
439 Main Street; P.O. Box 37  
Osawatometie, KS 66064  
(913) 755-2146

# SPECIAL EVENTS PERMIT APPLICATION

Department Use Only

Date Filed: \_\_\_\_\_  
Event Deposit \_\_\_\_\_  
Date Paid: \_\_\_\_\_  
\$50 Permit Fee \_\_\_\_\_  
Date Paid: \_\_\_\_\_  
\$25 State Permit \_\_\_\_\_  
Date Paid: \_\_\_\_\_

1. NAME OF APPLICANT AND/OR ORGANIZATION:

Gordon L. Schrader SEDO

2. CONTACT PHONE # AND EMAIL (OPTIONAL):

913-285-3559 schrader@classicnet.net

3. TYPE OF SPECIAL EVENT APPLICANT IS APPLYING FOR:

John Brown Jamboree 2.0 - Signature Event

4. MAILING ADDRESS OF APPLICANT/ORGANIZATION:

P.O. Box 310  
Osawatometie, KS  
66064-0310

5. ADDRESS/LOCATION OF SPECIAL EVENT:

Main Street - Parade  
John Brown Memorial Park  
(Saturday Events)  
11th Street - Carnival

6. DATE(S) AND TIME(S) FOR PERMIT, INCLUDING SET UP AND TEAR DOWN:

Thursday, June 16, 2022 - Commencing 7:00 AM thru  
Saturday, June 18, 2022 - 12 midnight

7. ENTRY TO EVENT: FEE YES ☐ NO ☒

PUBLIC ☒ OR PRIVATE ☐

8. STREET CLOSURE: YES ☒ NO ☐

IF YES, TIME OF CLOSURE REQUIRED:

See Attached

9. # OF EXPECTED

ATTENDING:

5,000+

10. WILL ALCOHOL OR CMB FOR PERSONAL CONSUMPTION BE ALLOWED AT THE EVENT? YES ☐ NO ☒

WILL CMB BE SOLD AT THE EVENT? YES ☐ NO ☒

WILL THERE BE AN ENTRY FEE TO THE AREA WHERE CMB IS PROVIDED BY A THRID PARTY? YES NA NO ☐

IF YES TO ANY OF THE ABOVE, APPLICANT DATE OF BIRTH IS REQUIRED \_\_\_\_\_

11. IS THERE LIABILITY INSURANCE COVERAGE FOR THE EVENT: YES ☒ NO ☐

IF YES, NAME OF INSURANCE COMPANY, AGENT AND AMOUNT OF COVERAGE:

Provided by the City of Osawatometie, KS

## STATEMENT OF APPLICANT

I HAVE REVIEWED THIS APPLICATION COMPLETELY AND EVERYTHING CONTAINED HEREIN IS TRUE AND CORRECT. I AGREE TO HOLD THE CITY OF OSAWATOMIE HARMLESS FROM AND AGAINST ANY LOSS, COST OR DAMAGE OF ANY NATURE ARISING OUT OF ANY ACTION OR CLAIM AGAINST THE CITY OF OSAWATOMIE OR ITS EMPLOYEES, IN CONNECTION WITH THE EVENT. I ACKNOWLEDGE THAT I HAVE RECEIVED A COPY OF ALL ORDINANCES AND ATTACHMENTS AND I FULLY UNDERSTAND THAT I WILL BE HELD RESPONSIBLE FOR ANY VIOLATIONS OF STATE LAWS, CITY OF OSAWATOMIE ORDINANCES, AND ANY RESTRICTIONS OR REQUIREMENTS ASSOCIATED WITH THIS PERMIT AT THE LOCATION AND TIME SPECIFIED ON THIS PERMIT.

SIGNATURE

Gordon L. Schrader

DATE

5/19/2022

PERMIT APPLICATION:

APPROVED \_\_\_\_\_

DENIED \_\_\_\_\_

DECISION BY: \_\_\_\_\_

DATE OF DECISION: \_\_\_\_\_

COMMENTS: \_\_\_\_\_



City of Osawatomie

<b>ACTION ITEM SUMMARY</b>	Item Number:	
Ordinance 3809	Date:	May 19, 2022
Deputy City Manager	From:	Bret Glendening

**RE: Modifying permissible camping duration in John Brown Park.**

**RECOMMENDATION:** Osawatomie City Council approve extending camping duration at JB Park to 14 days.

**DETAILS:** Over the years, the city has received requests to extend the permitted camping duration to 14 days in John Brown Park. For as long as I am aware, the duration has always been 7 days. The most recent request has come from Dr. Jeff Dorsett on behalf of a couple from Lawrence who are working at the state hospital (one is a traveling nurse) for the summer. They are alternating between camping in John Brown Park and in Paola. The couple has purchased a membership at the Ozone and frequent it daily and are utilizing the trail as well. With the emphasis on selling our community's history as well as Mile Zero on the Flint Hills Trail, we believe the time has come for the council to consider a minor modification to the municipal code and allow for 14-day camping permits in the park. Currently, as the ordinance is drafted, all other areas where camping is permitted on city property will remain at 7 days.



**ORDINANCE NO. 3809**

**AN ORDINANCE OF THE CITY OF OSAWATOMIE, KANSAS, AMENDING CHAPTER 12 ARTICLE 4 OF THE CODE FOR THE CITY OF OSAWATOMIE, KANSAS REGARDING CAMPING IN JOHN BROWN PARK AND DURATIONS THEREOF.**

**WHEREAS**, Chapter 12, Article 4, relates to the usage of John Brown Park and the rules and regulations for its use and specifically in Section 12-416 regulating the duration of camping permits in John Brown Park; and

**WHEREAS**, current code allows for a seven (7) consecutive day duration for camping provided a permit is obtained from the city; and

**WHEREAS**, city staff has received requests to amend this duration to fourteen (14) consecutive days; and

**WHEREAS**, city staff believes this request to be a benefit to the city and will help with achieving more than one of its goals of increasing visitors to the city in general as well as the Cabin and the Flint Hills Trail.

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

**Section 1. Amendment.** Section 12-416 is hereby amended and shall read as follows:

**12-416: CAMPING.** Camping at John Brown Memorial Park ~~shall be limited to fourteen (14) days per camping site, per reservation. and~~ All other designated areas in the city are permitted providing that a camping limit of seven (7) consecutive days be imposed. Residents must obtain a permit prior to camping at City Hall or the Osawatomie Police Department for a fee established by the annual fee schedule. ~~To provide for a cleanup period,~~ campers must vacate their equipment from the park premises for not less than seven (7) days before returning after being on the park premises for the maximum time allowed. All campers, tent or travel trailer, must camp in the designated camping areas at the park, if available. Each overnight camping permit shall be valid only for the state park for which the permit is purchased and shall expire at 12:00 p.m. on the day following its effective date.

(a) ~~With the exception of John Brown Park,~~ all campers shall be limited to a stay of not more than seven consecutive days in any city campground unless otherwise established by posted notice or as otherwise authorized by the city.

(b) Upon completing seven consecutive days in a campground, each person and all property of each person shall be absent from all city campgrounds for at least seven days.

(c) All campers must camp within only the designated camping areas of the John Brown Park, if available.

(d) Each overnight camping permit shall be valid only for the city park for which the permit is purchased and shall expire at 12:00 p.m. on the day following its effective date.

(e) Unless authorized by the city, camping units or personal property shall not be left unoccupied in a campground for more than 24 hours.

(f) Except as authorized by the city, any property unoccupied or unattended for more than 48 hours, shall be subject to removal by the city and may be reclaimed by the owner upon contacting the city hall.

**Section 2. Conflicts.** All ordinances and resolutions and parts thereof in conflict herewith are hereby expressly repealed in so far as they conflict herewith.

**Section 3. Modification to Fee Resolution.** City staff is hereby directed to modify the fee schedule so as to reflect the distinction between permitted camping durations at John Brown Park versus permitted camping durations at all other designated camp sites on public property only. Camping fees, as listed in the fee resolution shall remain unchanged.

**Section 4. Effective Date.** This Ordinance shall take effect and be in full force from and after its passage by the governing body of the City and publication (or publication of a summary thereof) in the official City newspaper.

**PASSED** by the governing body of the City on May 26, 2022 and signed and **APPROVED** by the Mayor.

(SEAL)

\_\_\_\_\_  
Nick Hampson, Mayor

ATTEST:

\_\_\_\_\_  
Tammy Seamands, City Clerk



City of Osawatomie

<b>ACTION ITEM SUMMARY</b>	Item Number:	
Resolution 1010	Date:	May 20, 2022
Deputy City Manager	From:	Bret Glendening

**RE: Authorizing Agreement with Gowing's Construction, LLC**

**RECOMMENDATION:** Osawatomie City Council approve contracting to remove debris on Northland Property.

**DETAILS:** This issue arose during the May 12<sup>th</sup> council meeting regarding past city use of the northland property as a place to take demolition debris. If the debris had been properly disposed of at the time, this would not be an issue. City crews could clean this up, but with the amount of work that is on our plates with utility relocations and pothole patching, doing so only pushes these other activities further into the future and they need to be addressed as soon as possible or we risk putting other projects on hold.

**RESOLUTION NO. 1010**

**A RESOLUTION AUTHORIZING STAFF TO ENTER INTO AN  
AGREEMENT TO CLEAN UP NORTHLAND PROPERTY NEXT TO  
SHOOT HOUSE PAINTBALL, LLC**

**WHEREAS**, the City of Osawatomie, Kansas currently owns land north of the Marais Des Cygnes River and generally along US 169 and adjacent to the Osawatomie State Hospital; and

**WHEREAS**, the city has used this property, commonly referred to as “the Northland”;

**WHEREAS**, the city has extended a predevelopment agreement with Shoot House Paintball, LLC and Shoot House Paintball, LLC desires to expand their operation and ultimately purchase this property; and

**WHEREAS**, the owners of Shoot House Paintball, LLC have requested the city remove the materials that were placed on the property prior to their occupancy of the land.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the City of Osawatomie, Kansas, in regular meeting duly assembled this 26<sup>th</sup> day of May, 2022 that the Governing Body authorizes staff to enter into an agreement with Gowing’s Construction, LLC in the amount of \$21,500 to remove and properly dispose of the refuse.

**PASSED AND ADOPTED** by the Governing Body of the City of Osawatomie, Kansas this 26<sup>th</sup> day of May, 2022, a majority being in favor thereof.

**APPROVED AND SIGNED** by the Mayor.

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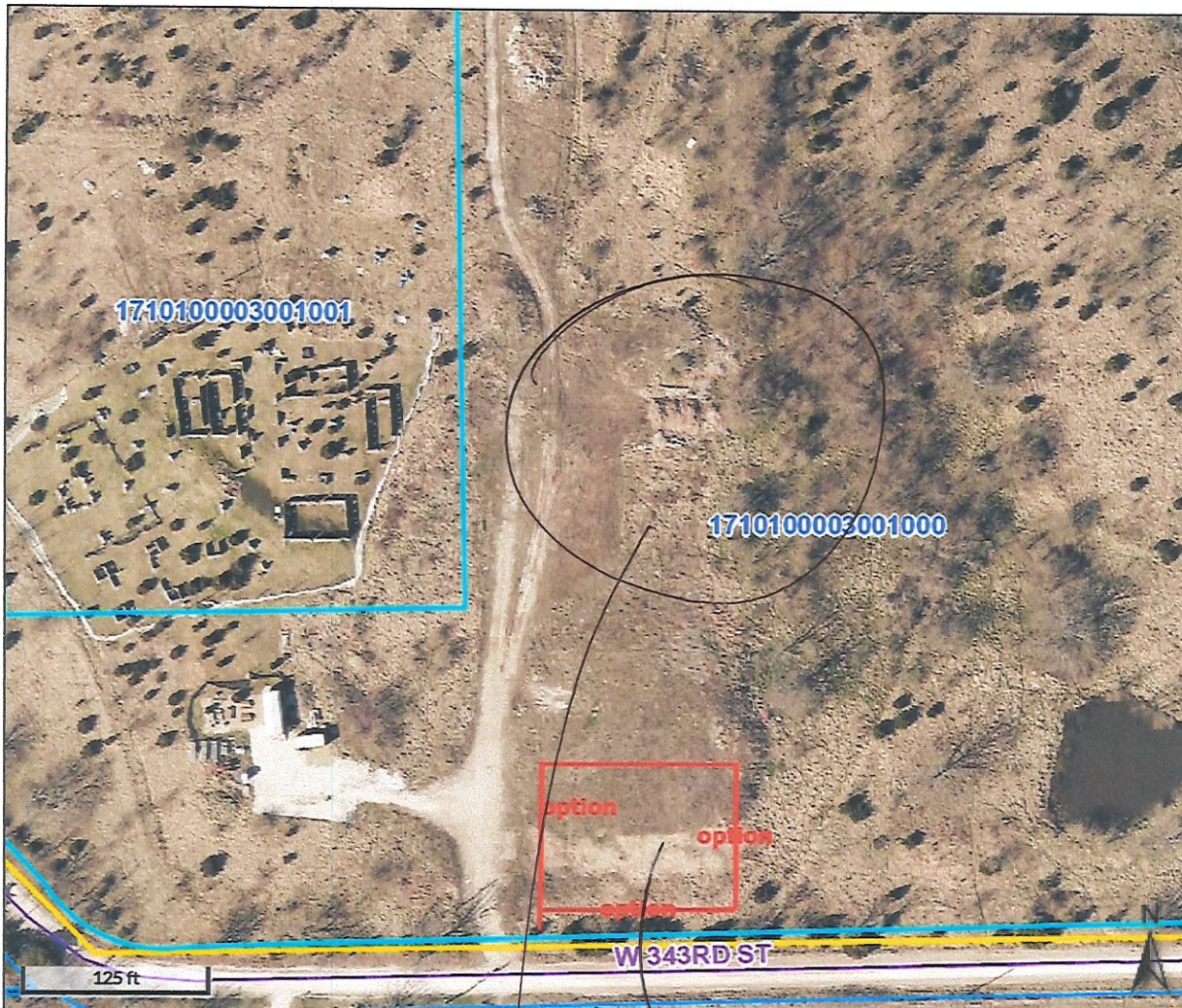
Nick Hampson, Mayor

(SEAL)

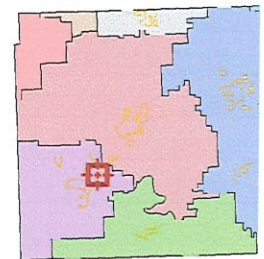
ATTEST:

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Tammy Seamands, City Clerk



**Overview**



**Legend**

-  City Limits
-  Centerlines
-  Parcels
-  Lakes

Parcel ID= 1710100003001000  
Acres= 33.088107800000003

Date created: 5/19/2022  
Last Data Uploaded: 5/18/2022 9:28:26 PM

Developed by  **Schneider**  
**GEOSPATIAL**

*Debris from Main St  
1st to 5th.*

*\$12,000*

*\$9,500*



# GOWING'S CONSTRUCTION, LLC



24569 Devlin Rd, Lane, KS 66042  
(913) 898-3626 • Fax (913) 898-2272  
Cell (913) 731-3379

"We Dig Kansas"

Excavating • General Contracting  
Site Preparation • All Types of Demolition  
Sidewalk/Driveway Tear Outs  
Concrete Work • Rough Hauling  
Top Soil Delivery and Spread

## PROPOSAL

# 134

Date: 5-19-22

### Proposal Submitted To (Owner):

Name City of Olathe  
Street \_\_\_\_\_  
City Olathe State KS Zip \_\_\_\_\_  
Home # \_\_\_\_\_  
Work # \_\_\_\_\_ Cell # 913-731-7418

### Work To Be Performed At:

Street By the Paint Ball Park  
City NE of Town  
State KS Zip \_\_\_\_\_  
Date of Plans North Land  
Architect \_\_\_\_\_

We (Gowing's Construction, LLC) hereby propose to furnish all the materials and perform all the labor necessary for the completion of:

Pile up Brush - Level down Mulch Piles  
- Haul Concrete & Dirt Piles off

Notes: Alt Bid Haul off Bg Pile along road concrete & dirt  
add. \$12,000.00

Estimated Date of Completion (weather permitting): \_\_\_\_\_

All material is guaranteed to be as specified, and the above work to be performed in accordance with the drawings and specifications submitted for above work and completed in a substantial workmanlike manner for the sum of

Dollars (\$) 9,500.00

with payments to be made as follows:

Any alteration or deviation from above specifications involving extra costs, will be executed only upon written orders and will become an extra charge over and above this proposal. Owner to carry fire, tornado and other necessary insurance upon above work. Workmen's Compensation and General Liability Insurance on above work to be taken out by Gowing Construction, LLC.

Respectfully Submitted Gowing Const.  
Print Name

Signature Danell G. Gowing Date 5-19-22

Note - This proposal may be withdrawn by Gowing's Construction, LLC if not accepted within \_\_\_\_\_ days.

### ACCEPTANCE OF PROPOSAL

The above prices, specifications, and conditions are satisfactory and are hereby accepted. Gowing's Construction, LLC, is authorized to perform the work as specified. Payment will be made as outlined above.

Accepted \_\_\_\_\_ Signature \_\_\_\_\_  
Print Name

Date \_\_\_\_\_ 13



City of Osawatomie

<b>ACTION ITEM SUMMARY</b>	Item Number:	
Resolution 1011	Date:	May 20, 2022
Deputy City Manager	From:	Bret Glendening

**RE: Approving pay raise for the municipal court judge**

**RECOMMENDATION:** Osawatomie City Council approve increasing compensation to Judge Schultz.

**DETAILS:** I hired Judge Schultz in 2007 at a rate of \$2,000/month. Compensation was subsequently increased by \$30/month in 2013 and an additional \$30/month in 2014 and these are the only two raises that have been budgeted for this position. We request the council authorize an increase for 2022 of \$4,000 and an additional \$4,000 in the 2023 budget. This change will take Judge Schultz's compensation to \$32,720.

Paola also uses Judge Schultz and they currently pay approximately \$1,400/bi-weekly, or \$36,400/year.

**RESOLUTION NO. 1011**

**A RESOLUTION APPROVING PAY RAISE FOR JUDGE SCHULTZ**

**WHEREAS**, the City of Osawatomie, Kansas operates a municipal court; and

**WHEREAS**, Judge Schultz has been the municipal judge for Osawatomie since she was hired in 2007; and

**WHEREAS**, the city initially paid Judge Schultz \$2,000 per month and it was subsequently increased to \$2,030 in 2013 and \$2,060 in 2014; and

**WHEREAS**, Judge Schultz has not had an increase in pay since 2014 but the case load in municipal court continues to increase and she has requested a modest increase in compensation.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the City of Osawatomie, Kansas, in regular meeting duly assembled this 26<sup>th</sup> day of May, 2022 that the Governing Body authorizes staff to increase compensation for the municipal judge by \$4,000/year for the balance of 2022 and an additional \$4,000 for the 2023 fiscal year.

**PASSED AND ADOPTED** by the Governing Body of the City of Osawatomie, Kansas this 26<sup>th</sup> day of May, 2022, a majority being in favor thereof.

**APPROVED AND SIGNED** by the Mayor.

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Nick Hampson, Mayor

(SEAL)

ATTEST:

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Tammy Seamands, City Clerk





<b>ACTION ITEM SUMMARY</b>	Item Number:	
	Date:	May 24, 2022
City Manager	From:	Mike Scanlon

**RE:** Resolution 1012 sets the calendar for a series of Work Sessions to discuss annexation deannexation of certain properties by the City of Osawatomie.

**RECOMMENDATION:** That the City Council approve Resolution 1012 establishing a series of Work Sessions to discuss the possible annexation and deannexation of properties to be considered by the City of Osawatomie.

**DETAILS:** The City Council hereby establishes the following Work Session Calendar.

Item	Date	Time	Location
Deannexation of Certain Properties	June 9, 2022	5:00 p.m.	Memorial Hall
Annexation of Certain Properties	June 23, 2022	5:00 p.m.	Memorial Hall
City Council Direction	July 14, 2022	5:00 p.m.	Memorial Hall
City Council Resolution	July 28, 2022	5:00 p.m.	Memorial Hall

Related Statute / City Ordinances	Resolution 1007
Line Item Code/Description	N/A
Available Budget:	N/A

## RESOLUTION 1012

### CITY OF OSAWATOMIE, KANSAS

#### **A RESOLUTION OF THE CITY OF OSAWATOMIE, KANSAS ESTABLISHING A WORK SESSION CALENDAR TO DISCUSS WITH THE PUBLIC POSSIBLE ANNEXATIONS AND DEANNEXATIONS TO BE CONSIDERED BY THE CITY OF OSAWATOMIE.**

**WHEREAS**, the City of Osawatomie continues to explore avenues of economic development that will benefit the community through increases in pull factor; and

**WHEREAS**, consideration of both annexations and deannexations play a part in both increasing and decreasing economic activity; and

**WHEREAS**, it's important that the community be brought into the discussion of the long-term ramifications of these choices.

**NOW, THEREFORE**, be it resolved by the Governing Body of the City of Osawatomie:

**Section 1.** The Governing Body hereby sets the following dates and times for annexation and deannexation discussion

Item	Date	Time	Location
Deannexation of Certain Properties	June 9, 2022	5:00 p.m.	Memorial Hall
Annexation of Certain Properties	June 23, 2022	5:00 p.m.	Memorial Hall
City Council Direction	July 14, 2022	5:00 p.m.	Memorial Hall
City Council Resolution	July 28, 2022	5:00 p.m.	Memorial Hall

**PASSED AND APPROVED** by the Governing Body of the City of Osawatomie, Kansas, this  
\_\_\_\_ day of \_\_\_\_\_, 2022, a majority voting in favor of.

**APPROVED** and signed by the Mayor.

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Nick Hampson, Mayor

(SEAL)

ATTEST:

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Tammy Seamands, City Clerk

# CITY OF OSAWATOMIE

439 Main Street  
PO Box 37  
Osawatomie, Kansas 66064



913.755.2146 (p)  
913.755.4164 (f)  
ozcity@osawatomieks.org  
www.osawatomieks.org

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*Nick Hampson, Mayor*

## CITY OF OSAWATOMIE

### DEPUTY CITY MANAGER'S REPORT ON OPERATIONS

May 26, 2022

#### **Water Treatment Plant Status:**

We met with RWD #2 on May 3<sup>rd</sup>. We have begun to finalize discussions on routing and estimated cost for the interconnect line between the water district and the City of Osawatomie and will keep the council informed of the progress. The route has been modified to avoid the congested areas along KDOT right of way down US 169. The new route starts at the same point along Hedge Lane, just north of Paola, but now follows Hedge Lane down to 327<sup>th</sup>. The line then follows 327<sup>th</sup> West, goes under US 169 and then stops at roughly just north of the Evergy simple cycle power plant. At that location, we will have a master meter and the line will continue to Osawatomie Road and then travel south to the Osawatomie State Hospital. Currently the schedule for the interconnect taking into account preliminary engineering, easement acquisition, permitting, and construction, the latest the interconnect line could be completed is March/April of 2024, which if you recall last month's report on this topic, is also the point in time that we advertise for the construction of the new water treatment plant.

With regard to the new treatment plant, the preliminary application to the State of Kansas Revolving Loan Fund has been made as of May 4<sup>th</sup>. At the May 26<sup>th</sup> council meeting, we will have a public hearing for the full application to the State of Kansas/USDA for financing. We anticipate the environmental assessment reports will be completed by the end of May as well with a letter of conditions being issued by the Agency(ies) by the end of June.

#### **Wastewater Treatment Plant Status:**

Our ongoing battle with inflow and infiltration (I&I) continues to be an issue. BG Consultants issued an RFP for CCVT companies to bid to in order to identify sewer lines in the city that have not been part of the previous sewer main rehabilitation phases 1, 2 or 3. Unfortunately, we only received one bid, but they are the most reputable firm that provides this kind of service. Their price was \$110,250. This covers approximately 60,000 LF (<11 miles) of sewer mains. We have requested the bid validity to be extended for an additional forty-five (45) days, or July 5<sup>th</sup>.

**Middle School Water Line Update:** The middle school water line main as well as all of the residential service lines in the 400 and 500 blocks of Pacific Avenue have been completed. There is one small stretch of the line that we need to complete, which takes the line from the NW corner of 4<sup>th</sup> and Pacific Ave., North to roughly Mill St. (approx. 100' or so). This short addition will then allow the new line to be tied (looped) into the lines on both Brown Avenue and Mill St. which will improve our abilities to isolate certain segments of lines if there were to be a break that needed

repaired, and keep water on for more residents. The cost to date is \$93,780.66 (material, labor and equipment). Estimated cost for work yet to be completed (i.e., extending the line to existing mains on Mill St. and Brown Ave., final grading and seeding, and replacement of sidewalk and street surfaces) is approximately \$10,000. Originally, when we expected to contract this project out, we estimated cost to be no more than \$300,000.

**Evergy Solar Array Development:**

On March 10<sup>th</sup>, I provided the council with the current redlined draft of the PPA (Resolution 979). This resolution will be back before the council to vote on once the PPA, final cost per MWh, and the purchase price of the facility can be known. This is dependent unfortunately, on other municipalities catching up with where we are in this process and while a good deal of progress has been made on the part of the other municipalities, Evergy's latest roadblock prohibiting them from locking in prices for materials is a result of a domestic panel manufacturer filing a complaint with the US Department of Commerce. The DOC has since opened an investigation into foreign (i.e. Chinese) panel manufacturers dumping their product on the US market. Initially, Evergy estimated the process to finalize cost would take as long as three months, the investigation into the importation of foreign panel manufacturers has made it extremely difficult to even obtain pricing for this critical component of the solar array. We have accordingly pushed our estimate to finalize the PPA to July of 2022.

**Levee Certification Update:**

Our consulting engineer, Wood should have the second submission prepared and ready to send to FEMA this week, which if you recall, last month we advised that FEMA has made the administrative decision to allow the city to finish its certification process under the same requirements we began this process under. While this change in approach will cause us to have fewer modifications to make to the flood rate map, we will still need to note the reasoning behind not mapping ponding areas that would otherwise be shown.

**2022 and 2023 Street Improvements:**

Design on 6<sup>th</sup> Street from Kelly Ave. to Lincoln Ave. as well as Brown Ave. from 7<sup>th</sup> to 12<sup>th</sup> continues. On May 24<sup>th</sup>, we learned that we were not awarded during the Spring round in our application to KDOT's Cost Share Grant program. We will reapply this fall. Our application was one of 62 applications received and all told, these applications were seeking \$35 million in funding. I have requested feedback from the program administrator on our application. Eleven projects were funded, totaling \$7 million in cost share dollars awarded.