OSAWATOMIE CITY COUNCIL
AGENDA

June 22, 2023

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. MEETING DATE – June 22, 2023
   B. Meeting Minutes – June 8, 2023
   C. Pay Application(s)
      - Crossland Heavy Contractors – WWTP Improvements - $69,349.99
   D. Special Event Permit(s)
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
9. Unfinished Business
10. New Business
    A. Resolution 1145 – Directing Staff to Send RNR Notification to the Miami County Clerk
    B. Resolution 1146 – Approving Extending Lease to Greater Osawatomie, Inc. for SRS Building
    C. Resolution 1147 – Change order for Killough Construction, LLC and approval of pay application
11. Executive Session
    A. Non-Elected Personnel – K.S.A. 75-4319(b)(1)
12. Council Report
13. Mayor's Report
14. City Manager & Staff Report
15. Adjourn

NEXT REGULAR MEETING – July 13, 2023

Osawatomie, Kansas. **June 8, 2023.** The Council Meeting was held at Memorial Hall located at 411 11th Street. Mayor Nick Hampson called the meeting to order at 6:30 p.m. Council members present were: Schasteen, Macek, Diehm, Dickinson, LaDuex, and Bratton. Council members Filipin and Caldwell was absent. City Staff present at the meeting were City Manager Mike Scanlon, Deputy City Manager Bret Glendening, City Clerk Tammy Seamands, City Attorney Jeff Deane, Utility Director Terry Upshaw, Public Works Director Michele Silsbee, Assistant City Manager Sam Moon, Police Chief David Stuteville and Public Safety Officer Phillip Davis. Members of the public were: Christine Richardson, Vickie Weber, Wendy Curry, Karen Shepherd, Darlene Hadsall, Bernie Hadsall, Eunice Mollett, Kim Handy, Erin Socha, Deana Brim, Jay Hastert, Sandi Chessari, Christine Randall, Matt Randall, Doug Walker, Tamara Ackerman, Hayley Weber, Jake Stone, Nicole Henness, Derek Henness, Julie Packard, Brian McCauley, Karen Daulton, Garron Daulton, Joy Poage, Ron Smith, Ken Richardson, Kimberley Scraggs, Patty Fisher, Michael McClellen, Regina McClellen, Myra, Guion, Georia Johnson, Linda Green, Stacy Schroder, Stephanie Friend, Tabitha Friend, Jillie Powell, Sizie Tosey, Brianna Cummins, Jennifer Dulski, Scott Schneider, Deana Brim, and Sandi Chessari.

INVOCATION. – Ron Smith, 1st Christian Church

CONSENT AGENDA. Approval of June 8, 2023 Agenda, May 25th Council Meeting Minutes, Pay Application – BG Consultants – 2022/2023 Street Projects - $46,977.50, Pay Application –BG Consultants - KDOT/TA Trails Grant - $1,606.50, Pay Application – BG Consultants - WWTP - $28,467.05, Pay Application – Killough Construction – Main Street Terrace/18th/Walnut Ave - $113,995.96, April 2023 Council Report. **Motion** made by Dickinson, seconded by LaDuex to approve the consent agenda as presented. Yeas: All

COMMENTS FROM THE PUBLIC. –

PRESENTATION BY ALWAYS & FUREVER MIDWEST ANIMAL SANCTUARY, INC. – Jennifer Dulski and Scott Schneider thanked the City for partnering with them and discussed some of the terms of the proposed preliminary sales agreement between the City of Osawatomie and Always and Furever.

PRESENTATION AND RECOMMENDATION BY MIKE SCANLON – Mike Scanlon thanked Always and Furever for the work that they have done at the Osawatomie Animal Shelter. They have done a good job maintaining the shelter and taking care of the animals. Scanlon's recommendation is that council pass Resolution 1144 to allow Always and Furever to purchase the Osawatomie Animal Shelter including exhibit A (Letter of Intent to purchase the property commonly known as the Osawatomie Pound) and excluding section three.

RESOLUTION 1144 – PRELIMINARY SALES AGREEMENT/TERMINATION BETWEEN CITY OF OSAWATOMIE AND ALWAYS & FUREVER MIDWEST ANIMAL SANCTUARY – **Motion** made by Bratton, seconded by LaDuex to approve Resolution 1144 - Regarding future ownership and operation of the Osawatomie Animal Shelter excluding section three and including exhibit A (Letter of Intent from Polsinelli on behalf of their client, Always and Furever Midwest Animal Sanctuary, Inc. to purchase the property known as the Osawatomie Pound). Yeas: All.

Members of the public was given time to voice their comments and concerns regarding Resolution 1144, Always and Furever Midwest Animal Sanctuary and the Osawatomie Animal Shelter.

PUBLIC HEARINGS. – None.

PRESENTATIONS, PROCLAMATIONS AND APPOINTMENTS. -none.

UNFINISHED BUSINESS.

RESOLUTION 1140 –AWARDING CITY'S P&C INSURANCE BUSINESS TO ELLIOT INSURANCE GROUP (EMC) - On March 23, 2017 the governing body opted into MPR. On March 23, 2023 the council opted out of MPR and directed city staff to seek additional pricing for the city's insurance needs from Elliott Insurance Group. As a broker, Elliott sought quotes from: Continental Fire, Travelers' and Employers' Mutual. They sought additional quotes from Volunteer Firemen's Insurance Services (VFIS) and comprehensive cyber coverage from Cowbell and Evolve.

We did receive a quote from MPR for P&C coverage, but it was exclusive of power plant coverage (Commercial Output) and comprehensive cyber coverage. These latter lines of insurance as quoted by EMC cost $34,175 and $12,728 respectively, and will need to be added to MPR's accidental quote of: $131,901. This is not a perfect way to get these two quotes "apples to apples" because it would almost certainly be more expensive to purchase a standalone policy for commercial output as opposed to combining it with several other lines (i.e., bundling home and auto).

So, the cost to stay with MPR is: $178,804. ($131,901 + Comm. Output cost, plus cyber cost)
EMC's cost is: $167,674 which includes all lines except the comprehensive cyber coverage of $12,728. The total for both policies is $180,402. This also does not include the credit for the annual dividend they disburse which averages between 10% and 15% (18,040 to $27,060) and should be taken into consideration when awarding this contract.

Last year, we spent $176,381 on P&C coverage, plus $9,699 on comprehensive cyber coverage. Additionally, we have options to remove from EMC's quote, coverage for the volunteer fire department and utilize VFIS' quote which is: $9,439 for a slight savings. The VFIS line is more comprehensive and competitive, and offers some benefits for our firefighters that we do not currently receive from MPR. **Motion** made by Bratton, seconded by Schasteen to approve Resolution 1140 – Awarding the City's property and casualty liability insurance business to Elliott Insurance Group (EIG) as presented. Yeas: All.

NEW BUSINESS.

ORDINANCE 3828 – AUTHORIZING GROUP RATE FEES & HONORARIUMS FOR ADAIR CABIN & CURATOR - The John Brown Museum State Historic Site and Battlefield for the Battle of Osawatomie have been two of the most visited historic destinations in the state of Kansas for many years. The pandemic fueled public interest in close-to-home

attractions and our attendance numbers climbed higher. Speaking requests for staff have also increased, as well as the number of large groups. One of the most recent groups was over 120 students and staff from Paola Middle School.

As a State Historic Site dually controlled by the Kansas State Historical Society and the City of Osawatomie, general admission at the museum will always be free. However, the notable increase in large groups (10+ unrelated persons) and school tours puts a considerable strain on department resources. To help offset these costs, we are proposing nominal tour fees and speaking engagement fees. Previously we have never charged for either of these services other than very small honorariums or mileage for staff who have traveled. Adding fees for larger groups allows the Cabin department to more easily cover costs associated with producing educational materials, expanding personnel availability, upgrading equipment the City is responsible for such as computers and printers, and hosting our own events throughout the year.

When we consider what we (the City) pay for other experts/historians to speak or perform at our events, like the Freedom Festival or other programming, we believe these fees are very reasonable. **Motion** made by Schasteen, seconded by Macek to approve Ordinance 3828 – Amending Chapter 12 Article 4 Section 417 of the Municipal code of the City of Osawatomie, Kansas as presented. Yeas: All.

ORDINANCE 3829 – AMENDING SECTION 15-105 OF CITY CODE, TAMPERING WITH METER - City staff has noticed an increase in maintenance of meter reading equipment due to damage. The City is incurring cost of material and labor to fix this damage. With the additional subsection (d) the city will be able to recover this cost, and hopefully prevent future damage. **Motion** made by Dickinson, seconded by Diehm to approve Ordinance 3829 – Amending Chapter 15, Article 1 Section 105 of the Municipal code of the City of Osawatomie, Kansas as presented. Yeas: All.

RESOLUTION 1141 – ADOPTING THE ANNUAL FEE RESOLUTION FOR 2023 – **Motion** made by Dickinson, seconded by LaDuex to approve Resolution 1141 – Amending the Annual Fee Table as presented. Yeas: All.

RESOLUTION 1142 – MIH-ARPA GRANT APPLICATION – The City continues to apply for grant funding for use in the development of the 5th Street Terrace Addition. The Moderate-Income Housing (MIH) grant program is funded through the Kansas Housing Resource Corporation (KHRC). The specific grant we are going for is coming out of American Rescue Plan Act (ARPA) dollars dedicated to housing and the State of Kansas. Part of the application process is passing a Resolution showing the continued support of the local Governing Body. This is simply a part of the application package that we will continue to submit. Understand these are highly competitive grants and this is our third (3rd) attempt at securing dollars. This is likely a program that we will continue to apply for as we look to develop residential areas in our community. The grant can be used for everything from down payment assistance to infrastructure costs. Our application asks that the grant be used for the following,

- Down payment assistance.
- Land acquisition (reimbursement)

- Infrastructure
- Administrative costs associated with the project.

The total request for the 5th Street Terrace Addition is approximately $1.4 million. **Motion** made by LaDuex, seconded by Dickinson to approve Resolution 1142 – Ratifying the City's application to the Moderate-Income Housing Program for the Fifth Street Terrace Addition as presented. Yeas: All.

RESOLUTION 1143 – ESTABLISHING BUDGET POLICIES FOR THE CITY OF OSAWATOMIE FOR FISCAL YEAR 2024. In December of 2008, the city council at the time, approved a set of comprehensive financial policies to guide the city in making financial decisions fairly and equitably, and they are still in effect today.

The intent of this resolution is to pull certain parts of those financial policies out and emphasize them as we work through the 2024 budget process. Key among these policies is the Policy on Interfund Transfers. Of particular concern are transfers OUT of our enterprise or utility funds. For years the city has relied on transfers from utilities to keep property taxes down. The effect of this as we have all seen, is neglect of the utilities themselves and a myopic view of what the true costs of this municipal government are.

We are wrapping up a $3.2M project at the wastewater treatment plant. We have spent $1.2M on design services for the water treatment plant and distribution project. We are spending hundreds of thousands of dollars annually on either debt retirement of generators and converting the distribution system to 12470/7200kV, and we are in the early stages of design for a 5MW solar array.

Property taxes on the other hand, while not popular, are a necessary evil. All of our street projects are financed with debt that is retired by property taxes. Employee benefits for employees that are not working for an enterprise fund are also financed by property taxes. Police, Fire, Municipal Court, Administration, Public Works, the Library and Cabin are all financed by property taxes. Property taxes comprise approximately 20% of the total city budget. The rest of the budget is covered with sales taxes, franchise fees, utility rate charges, and other miscellaneous revenues.

In order to facilitate a turn towards reducing the mill levy, we must continue to broaden our tax base. This includes selling more electricity and water. It also involves bringing in more sales tax dollars and increasing the number of commercial and residential properties within the city. As was discussed in our preliminary budget presentations, it is ill-advised to "stop on a dime". If we are to continue to improve, we must continue to move forward…taking into consideration that "Rome wasn't built in a day" and therefore "Osawatomie does not need to be rebuilt overnight."

This is why we are working towards a slight reduction in the mill levy – somewhere in the 2-3% range. **Motion** made by Bratton, seconded by Schasteen to approve Resolution 1143 – Establishing budget policies for the City of Osawatomie for fiscal year 2024 as presented. Yeas: All.

EXECUTIVE SESSION – Motion made by Dickinson, seconded by Schasteen that the City Council recess into closed, executive session for the purpose of discussing personnel matters of nonelected personnel pursuant to the exception K.S.A. 75-4319 (b)(1). The closed meeting will last 20 minutes and will resume here in Memorial Hall at 7:56 p.m. Also attending will be City Manager Mike Scanlon, Deputy City Manager Bret Glendening, City Clerk Tammy Seamands and City Attorney Jeff Deane. Yeas: All.

The council meeting resumed to open session at 7:56 p.m. with no action taken.

COUNCIL REPORTS

Dale Bratton ~ A citizen asked about a bed/breakfast and wanted to know if they need to be licensed/permitted? Also, I was working in the garden in the park and a bicyclist from Lawrence stopped by. I am not sure where he got on the trail at but he said he was impressed with the town. The trail is being used.

Lawrence Dickinson ~ Doesn't the bed/breakfast have to be in certain zoned areas? Is the council doing anything for the parade this year?

Kenny Diehm ~ I see we have a message that there is a water main break at 1600 block of Parker.

Dan Macek ~ Sorry, I missed the council meetings in May. One of the trips that Christle and I took was to Indiana to Cobra-Con. It is a fireworks training session. They emphasized on Pyro musicals. We took a class on how to choose your product for your entire musical. They talked about the color wheel and what colors and music bring out what emotions and how to coordinate that. We learned a lot.

Kevin Schasteen ~ It is nice to see progress down by my area.

MAYOR'S REPORT

Thank you to Public Works and our Utility Depts for all the work they have done and will be doing for the various community celebrations we will be hosting over the coming weeks. They have done an incredible amount of work and our events truly depend on their work and efforts.

Next Thursday, June 15th at 5:00 p.m. Doggone Dog will be here at the John Brown earthwork. Stan Herd will be doing a talk about his earthwork and how it was conceived and brought to life. He'll also be in the final stages of finishing it and he'll be looking for some of us to volunteer to finish it off. So if you want to be an earthwork artist join us at 5:00. We will then transport City Council to their parade rides at about 6:30 so we can get you in line.

Then on Saturday, June 17th at 12:00 we'll have BBQ and Dedication of the finished earthwork. This will kick off our journey to National Park status…..you only get to John Brown

National Historic Park Status – if you embrace and tell the story. Next Saturday will be about us beginning to tell our story.

With that I believe this just might be Mr. Scanlon's last meeting. At the next meeting he will be at the FHLB Topeka conference in Colorado … so many thanks for the work you've done….and the good work I know we've signed up for you to take on.

CITY MANAGER & STAFF REPORTS.

Mike Scanlon - Karen and Mary Kay have agreed to get a lawyer. They have the quit claim deeds as well as the indemnification for the property across from Victory Chevrolet. We have hooked them up with Pete because he knows the Department of Transportation. We also have an appraiser so that he can give us a new number on what the property is worth.

The Kansas Government Journal has published the City of Osawatomie's community profile. It should be coming out soon.

Michele Silsbee – The concrete on Main Street Terrace got started and then we received 4 inches of rain that evening. The rain was not in the forecast when they started the concrete so it was a little bit of a surprise. The combination of that and late saw cuts or the air in the concrete caused us to reject 50% of the concrete that was laid because it did not meet our specs. The contractor did rip that out and repoured it. We are working through some issues regarding heights of driveways but I don't expect to have vey much concrete need to come back out for that.

Sam Moon – We will have an artist open house with Stan Herd on Thursday, June 15th at 5:00 p.m. Also, the Arts Commission has met and selected an artist for the Main Street Plaza mural.

OTHER DISCUSSION/MOTIONS.

Motion made by Bratton, seconded by Schasteen to adjourn. Yeas: All. The mayor declared the meeting adjourned at 08:21 p.m.

/s/ Tammy Seamands
Tammy Seamands, City Clerk

Contractor's Application for Payment

Owner:	City of Osawatomie, KS	**Owner's Project No.:**	
Engineer:	BG Consultants	**Engineer's Project No.:**	20-1414L
Contractor:	Crossland Heavy Contractors	**Contractor's Project No.:**	22K05SP
Project:	2022 Osawatomie WWTF Improvements		
Contract:			

Application No.: 9 **Application Date:** 6/7/2023

Application Period: **From** 5/1/2023 **to** 5/31/2023

1. Original Contract Price				$	2,538,564.00
2. Net change by Change Orders				$	16,111.00
3. Current Contract Price (Line 1 + Line 2)				$	2,554,675.00
4. Total Work completed and materials stored to date (Sum of Column G Lump Sum Total and Column J Unit Price Total)				$	2,472,731.00
5. Retainage					
a.	5%	X	$ 2,427,811.50 Work Completed	$	121,390.58
b.	5%	X	$ 44,919.50 Stored Materials	$	2,245.98
c. Total Retainage (Line 5.a + Line 5.b)				$	123,636.56
6. Amount eligible to date (Line 4 - Line 5.c)				$	2,349,094.44
7. Less previous payments (Line 6 from prior application)				$	2,279,744.45
8. Amount due this application				$	69,349.99
9. Balance to finish, including retainage (Line 3 - Line 4)				$	81,944.00

Contractor's Certification

The undersigned Contractor certifies, to the best of its knowledge, the following:

(1) All previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with the Work covered by prior Applications for Payment;

(2) Title to all Work, materials and equipment incorporated in said Work, or otherwise listed in or covered by this Application for Payment, will pass to Owner at time of payment free and clear of all liens, security interests, and encumbrances (except such as are covered by a bond acceptable to Owner indemnifying Owner against any such liens, security interest, or encumbrances); and

(3) All the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

Contractor: Crossland Heavy Contractors

Signature: **Date:** 6/7/2023

Recommended by Engineer		**Approved by Owner**	
By:		**By:**	
Title:	Project Engineer	**Title:**	
Date:	06/08/2023	**Date:**	
Approved by Funding Agency			
By:		**By:**	
Title:		**Title:**	
Date:		**Date:**	

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Progress Estimate - Lump Sum Work

Contractor's Application for Payment

Owner:	City of Osawatomie, KS	**Owner's Project No.:**	
Engineer:	BG Consultants	**Engineer's Project No.:**	20-1414L
Contractor:	Crossland Heavy Contractors	**Contractor's Project No.:**	22K05SP
Project:	2022 Osawatomie WWTF Improvements		
Contract:			

Application No.: 9 **Application Period:** **From** 05/01/23 **to** 05/31/23 **Application Date:** 06/07/23

A	B	C	D	E	F	G	H	I
			Work Completed					
Item No.	Description	Scheduled Value ($)	(D + E) From Previous Application ($)	This Period ($)	Materials Currently Stored (not in D or E) ($)	Work Completed and Materials Stored to Date (D + E + F) ($)	% of Scheduled Value (G / C) (%)	Balance to Finish (C - G) ($)
			Original Contract					
1	General Conditions	107,542.00	107,542.00	-	-	107,542.00	100%	-
2	Sitework	24,500.00	24,500.00	-	-	24,500.00	100%	-
3	Concrete	43,300.00	43,300.00	-	-	43,300.00	100%	-
4	Metals	367,800.00	367,800.00	-	-	367,800.00	100%	-
5	Thermal & Moisture Protection	4,100.00	-	-	-	-	0%	4,100.00
6	Openings	15,000.00	15,000.00	-	-	15,000.00	100%	-
7	Coatings	14,000.00	5,000.00	-	-	5,000.00	36%	9,000.00
8	Electrical	345,000.00	296,000.00	20,000.00	-	316,000.00	92%	29,000.00
9	Earthwork	122,622.00	116,500.00	5,000.00	-	121,500.00	99%	1,122.00
10	Utilities	152,600.00	152,600.00	-	-	152,600.00	100%	-
11	Conveying Systems	10,100.00	10,100.00	-	-	10,100.00	100%	-
12	Process Gas & Liquid Handling Equipment	350,000.00	269,658.50	6,000.00	44,919.50	320,578.00	92%	29,422.00
13	Water & Wastewater Equipment	982,000.00	930,700.00	42,000.00	-	972,700.00	99%	9,300.00
						-		-
						-		-
						-		-
						-		-
						-		-
						-		-
						-		-
	Original Contract Totals	**$ 2,538,564.00**	**$ 2,338,700.50**	**$ 73,000.00**	**$ 44,919.50**	**$ 2,456,620.00**	**97%**	**$ 81,944.00**

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Progress Estimate - Lump Sum Work

Contractor's Application for Payment

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Engineer:	BG Consultants	**Engineer's Project No.:**	20-1414L
Contractor:	Crossland Heavy Contractors	**Contractor's Project No.:**	22K05SP
Project:	2022 Osawatomie WWTF Improvements		
Contract:			

Application No.: 9 **Application Period:** **From** 05/01/23 **to** 05/31/23 **Application Date:** 06/07/23

A	B	C	D	E	F	G	H	I
			Work Completed					
Item No.	Description	Scheduled Value ($)	(D + E) From Previous Application ($)	This Period ($)	Materials Currently Stored (not in D or E) ($)	Work Completed and Materials Stored to Date (D + E + F) ($)	% of Scheduled Value (G / C) (%)	Balance to Finish (C - G) ($)
			Change Orders					
14	CO-02 Clarifier Wall Demo	6,574.00	6,574.00	-	-	6,574.00	100%	-
15	CO-02 12" Overflow Line	11,133.00	11,133.00	-	-	11,133.00	100%	-
16	CO-03 Misc Electrical	2,798.00	2,798.00	-	-	2,798.00	100%	-
17	CO-03 4" Forcemain Removal	(4,394.00)	(4,394.00)	-	-	(4,394.00)	100%	-
						-		-
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	Change Order Totals	**$ 16,111.00**	**$ 16,111.00**	**$ -**	**$ -**	**$ 16,111.00**	**100%**	**$ -**
			Original Contract and Change Orders					
	Project Totals	**$ 2,554,675.00**	**$ 2,354,811.50**	**$ 73,000.00**	**$ 44,919.50**	**$ 2,472,731.00**	**97%**	**$ 81,944.00**

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Stored Materials Summary

Contractor's Application for Payment

Owner:	City of Osawatomie, KS	**Owner's Project No.:**	
Engineer:	BG Consultants	**Engineer's Project No.:**	20-1414L
Contractor:	Crossland Heavy Contractors	**Contractor's Project No.:**	22K05SP
Project:	2022 Osawatomie WWTF Improvements		
Contract:			

Application No.: 9 **Application Period:** **From** 05/01/23 **to** 05/31/23 **Application Date:** 06/07/23

A	B	C	D	E	F	G	H	I	J	K	L	M
						Materials Stored			Incorporated in Work			
Item No. (Lump Sum Tab) or Bid Item No. (Unit Price Tab)	Supplier Invoice No.	Submittal No. (with Specification Section No.)	Description of Materials or Equipment Stored	Storage Location	Application No. When Materials Placed in Storage	Previous Amount Stored ($)	Amount Stored this Period ($)	Amount Stored to Date (G+H) ($)	Amount Previously Incorporated in the Work ($)	Amount Incorporated in the Work this Period ($)	Total Amount Incorporated in the Work (J+K) ($)	Materials Remaining in Storage (I-L) ($)
4	22K05SP-01	054400-001 Steel Trusses	Steel Trusses		1	16,000.00	-	16,000.00	16,000.00	-	16,000.00	-
4	22K05SP-01	074113-001 Metal Building Panel	Metal Panels		1	15,000.00	-	15,000.00	15,000.00	-	15,000.00	-
11	110898-2	412223-001 Chain Hoist & Motorized Trolly	Chain Hoist		1	2,353.00	-	2,353.00	2,353.00	-	2,353.00	-
12	5544700	433269-001 Chemical Feed Equipment	Chem Feed Skid		1	38,739.00	-	38,739.00	38,739.00	-	38,739.00	-
4	22K05SP-02	061600-001 Plywood Sheathing	Plywood Sheathing		2	5,000.00	-	5,000.00	5,000.00	-	5,000.00	-
4	22K05SP-02	081113-001 Hollow Metal Doors & Hardware	HM Doors & Windows		2	12,000.00	-	12,000.00	12,000.00	-	12,000.00	-
13	901894572	466601-001 UV Equipment	UV Equipment		4	189,550.00	-	189,550.00	189,550.00	-	189,550.00	-
12	5551607	431133-001A Rotary Lobe Blowers	Process Blowers		4	199,642.00	-	199,642.00	109,803.00	44,919.50	154,722.50	44,919.50
13	3556C55038	466601-001 SBR Equipment	SBR Mechanical Equipment		4	199,959.00	-	199,959.00	199,959.00	-	199,959.00	-
11	3R02190	462363-001A Grit Screw Conveyor	Grit Equipment		7		68,922.00	68,922.00	68,922.00	-	68,922.00	-
								-			-	-
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					Totals	**$ 678,243.00**	**$ 68,922.00**	**$ 747,165.00**	**$ 657,326.00**	**$ 44,919.50**	**$ 702,245.50**	**$ 44,919.50**

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Osawatomie WWTF Improvements Schedule of Values

ITEM	DESCRIPTION	QTY	CONTRACT ITEMS UNIT	PRICE	TOTAL PRICE	Work Previous Applications	Work Completed this Period	Material Presently Stored	Completed and Stored to Date		Balance to Finish	Retention to Date
						Amount	Amount	Amount	%	Amount	Amount	Amount
	General Conditions											
001	Mobilization/Bonds/Insurance	1	LS	$ 107,542.00	$ 107,542.00	$ 107,542.00	$ -	$ -	100%	$107,542	$0.00	$5,377
	General Conditions Total				**$ 107,542.00**	**$ 107,542.00**	**$ -**	**$ -**	**100%**	**$107,542**	**$0.00**	**$ 5,377.10**
	Division 02 - Sitework											
002	Bypass Pumping	1	LS	$ 4,000.00	$ 4,000.00	$ 4,000.00	$ -	$ -	100%	$ 4,000.00	$ -	$ 200.00
003	UV Structure Demo	1	LS	$ 2,700.00	$ 2,700.00	$ 2,700.00	$ -	$ -	100%	$ 2,700.00	$ -	$ 135.00
004	SBR Basin Demo	1	LS	$ 11,000.00	$ 11,000.00	$ 11,000.00	$ -	$ -	100%	$ 11,000.00	$ -	$ 550.00
005	Sludge Basin Demo	1	LS	$ 3,100.00	$ 3,100.00	$ 3,100.00	$ -	$ -	100%	$ 3,100.00	$ -	$ 155.00
006	Grit Classifier Demo	1	LS	$ 2,500.00	$ 2,500.00	$ 2,500.00	$ -	$ -	100%	$ 2,500.00	$ -	$ 125.00
007	SWPPP	1	LS	$ 1,200.00	$ 1,200.00	$ 1,200.00	$ -	$ -	100%	$ 1,200.00	$ -	$ 60.00
	Sitework Total				**$ 24,500.00**	**$ 24,500.00**	**$ -**	**$ -**	**100%**	**$ 24,500.00**	**$0.00**	**$ 1,225.00**
	Division 03 - Concrete											
008	UV Structure Concrete	1	LS	$ 33,000.00	$ 33,000.00	$ 33,000.00	$ -	$ -	100%	$ 33,000.00	$0.00	$ 1,650.00
009	Chemical Feed Concrete	1	LS	$ 6,200.00	$ 6,200.00	$ 6,200.00	$ -	$ -	100%	$ 6,200.00	$0.00	$ 310.00
010	Sludge Basin Concrete	1	LS	$ 4,100.00	$ 4,100.00	$ 4,100.00	$ -	$ -	100%	$ 4,100.00	$0.00	$ 205.00
	Concrete Total				**$ 43,300.00**	**$ 43,300.00**	**$ -**	**$ -**	**100%**	**$ 43,300.00**	**$0.00**	**$ 2,165.00**
	Division 05 - Metals											
011	Install UV Structure Metals	1	LS	$ 5,000.00	$ 5,000.00	$ 5,000.00	$ -	$ -	100%	$ 5,000.00	$ -	$ 250.00
012	Install Sludge Basin Metals	1	LS	$ 8,800.00	$ 8,800.00	$ 8,800.00	$ -	$ -	100%	$ 8,800.00	$ -	$ 440.00
013	UV Building Complete	1	LS	$ 354,000.00	$ 354,000.00	$ 354,000.00	$ -	$ -	100%	$ 354,000.00	$ -	$ 17,700.00
	Metals Total				**$ 367,800.00**	**$ 367,800.00**	**$ -**	**$ -**	**100%**	**$ 367,800.00**	**$0.00**	**$ 18,390.00**
	Division 07 -Thermal & Moisture Protection											
014	Joint Sealants Complete	1	LS	$ 4,100.00	$ 4,100.00	$ -	$ -	$ -	0%	$ -	$ 4,100.00	$ -
	Thermal & Moisture Protection Total				**$ 4,100.00**	**$ -**	**$ -**	**$ -**	**0%**	**$ -**	**$4,100.00**	**$ -**
	Division 08 - Openings											
015	Install Overhead Door	1	LS	$ 15,000.00	$ 15,000.00	$ 15,000.00	$ -	$ -	100%	$ 15,000.00	$ -	$ 750.00
	Openings Total				**$ 15,000.00**	**$ 15,000.00**	**$ -**	**$ -**	**100%**	**$ 15,000.00**	**$0.00**	**$ 750.00**
	Division 09 - Coatings											
016	Coatings	1	LS	$ 14,000.00	$ 14,000.00	$ 5,000.00	$ -	$ -	36%	$ 5,000.00	$ 9,000.00	$ 250.00
	Coatings Total				**$ 14,000.00**	**$ 5,000.00**	**$ -**	**$ -**	**36%**	**$ 5,000.00**	**$9,000.00**	**$ 250.00**
	Division 26 - Electrical											
017	Electrical Work Complete	1	LS	$ 345,000.00	$ 345,000.00	$ 296,000.00	$ 20,000.00	$ -	92%	$ 316,000.00	$ 29,000.00	$ 15,800.00
	Electrical Total				**$ 345,000.00**	**$ 296,000.00**	**$ 20,000.00**	**$ -**	**92%**	**$ 316,000.00**	**$29,000.00**	**$ 15,800.00**
	Division 31 - Earthwork											
018	UV Structure Earthwork	1	LS	$ 4,000.00	$ 4,000.00	$ 4,000.00	$ -	$ -	100%	$ 4,000.00	$ -	$ 200.00

019	Chemical Feed Earthwork	1	LS	$ 4,000.00	$ 4,000.00	$ 4,000.00	$ -	$ -	100%	$ 4,000.00	$ -	$ 200.00
020	Final Clean & Grading	1	LS	$ 6,122.00	$ 6,122.00	$ -	$ 5,000.00	$ -	82%	$ 5,000.00	$ 1,122.00	$ 250.00
021	SBR Sludge Transfer	1	LS	$ 5,000.00	$ 5,000.00	$ 5,000.00	$ -	$ -	100%	$ 5,000.00	$ -	$ 250.00
022	Sludge Removal & Disposal	1	LS	$ 103,500.00	$ 103,500.00	$ 103,500.00	$ -	$ -	100%	$ 103,500.00	$ -	$ 5,175.00
	Earthwork Total				**$ 122,622.00**	**$ 116,500.00**	**$ 5,000.00**	**$ -**	**99%**	**$ 121,500.00**	**$1,122.00**	**$ 6,075.00**
	Division 33 - Utitlities											
023	UV Structure Piping Complete	1	LS	$ 51,000.00	$ 51,000.00	$ 51,000.00	$ -	$ -	100%	$ 51,000.00	$ -	$ 2,550.00
024	Sludge Basin Piping Complete	1	LS	$ 30,000.00	$ 30,000.00	$ 30,000.00	$ -	$ -	100%	$ 30,000.00	$ -	$ 1,500.00
025	WAS Piping Complete	1	LS	$ 30,000.00	$ 30,000.00	$ 30,000.00	$ -	$ -	100%	$ 30,000.00	$ -	$ 1,500.00
026	Chemical Feed Piping	1	LS	$ 39,000.00	$ 39,000.00	$ 39,000.00	$ -	$ -	100%	$ 39,000.00	$ -	$ 1,950.00
027	Pipe Testing	1	LS	$ 2,600.00	$ 2,600.00	$ 2,600.00	$ -	$ -	100%	$ 2,600.00	$ -	$ 130.00
	Utilities Total				**$ 152,600.00**	**$ 152,600.00**	**$ -**	**$ -**	**100%**	**$ 152,600.00**	**$0.00**	**$ 7,630.00**
	Division 41 - Convyeying Systems											
028	Install Motorized Hoist	1	LS	$ 10,100.00	$ 10,100.00	$ 10,100.00	$ -	$ -	100%	$ 10,100.00	$ -	$ 505.00
	Conveying Systems Total				**$ 10,100.00**	**$ 10,100.00**	**$ -**	**$ -**	**100%**	**$ 10,100.00**	**$0.00**	**$ 505.00**
	Division 43 - Process Gas & Liquid Handling Equipment											
029	Install SBR Basin Blowers	1	LS	$ 112,000.00	$ 112,000.00	$ 44,919.50	$ 6,000.00	$ 44,919.50	86%	$ 95,839.00	$ 16,161.00	$ 4,791.95
030	Install Sludge Basin Blowers	1	LS	$ 156,000.00	$ 156,000.00	$ 156,000.00	$ -	$ -	100%	$ 156,000.00	$ -	$ 7,800.00
031	Install Chemical Feed Equipment	1	LS	$ 82,000.00	$ 82,000.00	$ 68,739.00	$ -	$ -	84%	$ 68,739.00	$ 13,261.00	$ 3,436.95
	Process Gas & Liquid Handling Equipment Total				**$ 350,000.00**	**$ 269,658.50**	**$ 6,000.00**	**$ 44,919.50**	**92%**	**$ 320,578.00**	**$29,422.00**	**$ 16,028.90**
	Division 46 - Water & Wastewater Equipment											
032	Install Grit Equipment	1	LS	$ 91,000.00	$ 91,000.00	$ 91,000.00	$ -	$ -	100%	$ 91,000.00	$ -	$ 4,550.00
033	SBR Basin 1 Equipment Install	1	LS	$ 302,000.00	$ 302,000.00	$ 302,000.00	$ -	$ -	100%	$ 302,000.00	$ -	$ 15,100.00
034	SBR Basin 2 Equipment Install	1	LS	$ 302,000.00	$ 302,000.00	$ 302,000.00	$ -	$ -	100%	$ 302,000.00	$ -	$ 15,100.00
035	Install UV Equipment	1	LS	$ 252,000.00	$ 252,000.00	$ 200,700.00	$ 42,000.00	$ -	96%	$ 242,700.00	$ 9,300.00	$ 12,135.00
036	Install Parshall Flume	1	LS	$ 35,000.00	$ 35,000.00	$ 35,000.00	$ -	$ -	100%	$ 35,000.00	$ -	$ 1,750.00
	Water & Wastewater Equipment Total				**$ 982,000.00**	**$ 930,700.00**	**$ 42,000.00**	**$ -**	**99%**	**$ 972,700.00**	**$9,300.00**	**$ 48,635.00**
	Change Orders											
037	CO-02 Clarifier Wall Demo	1	LS	$ 6,574.00	$ 6,574.00	$ 6,574.00	$ -	$ -	100%	$ 6,574.00	$ -	$ 328.70
038	CO-02 12" Overflow Line	1	LS	$ 11,133.00	$ 11,133.00	$ 11,133.00	$ -	$ -	100%	$ 11,133.00	$ -	$ 556.65
039	CO-03 Misc Electical	1	LS	$ 2,798.00	$ 2,798.00	$ 2,798.00	$ -	$ -	100%	$ 2,798.00	$ -	$ 139.90
040	CO-03 4" Forcemain Removal	1	LS	$ (4,394.00)	$ (4,394.00)	$ (4,394.00)	$ -	$ -	100%	$ (4,394.00)	$ -	$ (219.70)
	Water & Wastewater Equipment Total				**$ 16,111.00**	**$ 16,111.00**	**$ -**	**$ -**	**100%**	**$ 16,111.00**	**$0.00**	**$ 805.55**
	Project Totals				**$ 2,554,675.00**	**$ 2,354,811.50**	**$ 73,000.00**	**$ 44,919.50**	**97%**	**$ 2,472,731.00**	**$ 81,944.00**	**$ 123,636.55**

KILLOUGH CONSTRUCTION, INC.
P.O. BOX 810
OTTAWA, KANSAS 66067

WORK PROGRESS ESTIMATE

ESTIMATE FOR: OSAWATOMIE

DATE: 06/15/2023

KILLOUGH JOB #: 22304

ESTIMATE #: change order #1

WORK THROUGH: 06/15/2023

PROJECT: PHASE 2

ITEM #	PHASE	DESCRIPTION	ORIGINAL ESTIMATED QUANTITIES	QTY COMPLETE TO DATE	UNITS	UNIT PRICE	DOLLARS COMPLETE TO DATE	PREVIOUS AMOUNT	NEW AMOUNT
		change order #1							
60	115	interax geogrid(with freight)	15.00	15.00	roll	1,770.00	26,550.00		26,550.00
61	115	extra labor/equipment to install geogrid	1.00	1.00	lsum	1,100.00	1,100.00		1,100.00
62	121	extra AB-3 for subgrade	983.00	764.17	sqyd	11.25	8,596.91		8,596.91

CONTRACT EARNED TO DATE		36,246.91	36,246.91
RETAINAGE	5.00%	1,812.35	
AMOUNT DUE TO DATE		34,434.56	
LESS PREVIOUS APPLICATIONS			
AMOUNT DUE THIS ESTIMATE		34,434.56	

ACTION ITEM SUMMARY	Item Number:	10.A.
	Date:	June 12, 2023
Deputy City Manager	From:	Bret Glendening

RE: Resolution 1145 – Directing Staff to provide Revenue Neutral Rate notification to the Miami County Clerk

RECOMMENDATION: That the City Council approve Resolution 1145

DETAILS: This resolution does two things. First, it directs staff to notify the county clerk that the city's intention is to exceed the revenue neutral rate (this is a new addition to the state budget law as of the 2021 legislative session). Secondly, it directs the city manager to finalize the 2024 budget and prepare the notice of public hearing for both the RNR hearing as well as the budget itself (also a requirement of state law).

More importantly however, we expand on the 2024 budget policy resolution that was adopted at the last city council meeting specifically as it relates to the property tax levy.

In the bond and interest fund, we are levying property taxes sufficient only to retire the obligations due in 2024, but after we account for portions of that debt that are being retired by the utility funds (primarily, Sewer). The bond & interest fund does not meet the 25% goal for fund balance, and the 2024 budget does not get us closer to that 25% goal. Required mill levy is: 21.822.

In the employee benefits fund, we are only levying for benefits for those employees who are not working in either one of the utility funds or the golf course. Those funds pay for the benefits of those employees. We have no where near the 25% fund balance as required in our financial policies and in order to achieve that necessary fund balance, the levy would need to be increased by 6.50. To reduce the demand for property taxes in the employee benefit fund, we have eliminated three full time positions, one intern and one part-time position. As other positions become vacant, we ask ourselves the following questions: 1. Is this position required in order to fulfill our obligations as a municipality under state law? 2. Is this position critical to achieving our five goals? Additionally, any full-time, non-enterprise fund vacancies are currently frozen. So, if a vacancy occurs, we will not fill it immediately. As we stand today, the levy requirement just to meet the obligations for 2024 and is at: 24.961.

Our general fund catches nearly everything else that this municipality does. From administrative staff to manage the day-to-day operations, to code enforcement, police, fire, public works, to the library and the cabin, the departments in the general fund interact with the public in some way, shape, or form, on a daily basis and with that in mind, we built the budgets in the general fund with our five goals in focus:

1. Clean the community up;
2. Repair & maintain Streets;

3. Invest in hard infrastructure;
4. Invest in soft infrastructure;
5. Renew focus on economic development, including housing of all types.

We also continue to focus our efforts on expanding the tax base. Whether it is property taxes, sales taxes, utility revenues or all the other user charges and fees for services that we have in place, we cannot solely depend on locally collected property taxes to finance our efforts. The more outside dollars we can collect to help rebuild this community, the better. Property taxes currently comprise just under 20% of the total 2024 general fund expenditures. The fund balance is 25% of where it needs to be. While we are working towards building fund balances in all of our budgeted funds, we cannot do so over night nor can we do so in one budget year. The mill levy for the general fund in 2024 is forecasted to be: 31.217.

If we are to rebuild this community and do so in a fiscally responsible and sustainable way, we must continually keep not only these goals in mind, but also our comprehensive financial policies that the council adopted almost 15 years ago.

Related Statute / City Ordinances	1110, 1143
Line Item Code/Description	N/A
Available Budget:	N/A

RESOLUTION NO. 1145

A RESOLUTION OF THE CITY OF OSAWATOMIE, KANSAS REGARDING THE GOVERNING BODY'S INTENT TO LEVY A PROPERTY TAX EXCEEDING THE REVENUE NEUTRAL RATE

WHEREAS, the Revenue Neutral Rate for the City of Osawatomie was calculated as 71.321 mills by the Miami County Clerk; and

WHEREAS, the budget proposed to the Governing Body of the City of Osawatomie will require us to levy of a property tax rate exceeding the Revenue Neutral Rate; and

WHEREAS, the Governing Body's intent is to *reduce* the mill levy, but not in an amount sufficient to meet the revenue neutral rate; and

WHEREAS, the Governing Body intends to use the property taxes generated by these mills for specific purposes.

WHEREAS, the Governing Body intends to hold a hearing and hear testimony from all interested taxpayers desiring to be heard as required by state law.

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

Section 1. The Governing Body of the City of Osawatomie, Kansas having directed staff to budget for a reduction in the city's mill levy and in so doing, identify what the property tax dollars we levy for the 2024 Fiscal Year will be spent on. Those areas are identified as follows:

- *Debt retirement*. One hundred percent (100%) of the debt currently being retired with property taxes is related to street improvements. The mill levy associated with the Bond & Interest Fund is **21.822**.
- *Employee Benefits*. Statutory and contractual obligations to cover benefits of employees include: KPERS and KP&F, Health Insurance, FICA, SUTA, and Workers' Compensation. The way to reduce these obligations is to reduce the number of employees and when positions become vacant, the question always becomes: "Is this position critical to the city providing what we are obligated to provide under state law or is it critical in achieving our five goals? If the answer to both of those questions is "no", then the position will not be filled. The mill levy associated with the Employee Benefits Fund only covers those positions that are not employed in an enterprise (utility or golf course) fund and is: **24.961**.
- *General Fund*. We should not pass governance of this city to the next generation if we are not continually planning for and executing the next phase of Osawatomie's reconstruction and rebirth. So, in keeping with our pledge of adherence to the Athenian Oath, we have budgeted in the general fund to provide those services that we are required to provide under state law. We have also provided for continued pursuit of achieving the five goals that were outlined by the community and the Governing Body a little more than three years ago. The mill levy associated with doing both of these through the General Fund is: **31.217**.
- *Utility Fund Revenues*. Outside of the debt obligations of any of our utilities, we are not going to budget transfers from our utility funds that exceed 5% of that utility fund's revenues. Our utilities must continue to be in a position that they can reinvest in themselves and relying on utility funds to artificially keep property taxes low prevents them from doing so.
- *Other Revenue Sources*. Property taxes in the 2024 Budget as it currently stands and under the aforementioned constraints is 19% of the total budget. We will continue to seek out ways to expand our sales tax base, encourage new residential home construction, work to recruit commercial development, and otherwise identify other revenue enhancements that can help finance this community's goals, but do so with outside (non-resident) dollars.

Section 2. The Governing Body of the City of Osawatomie hereby directs staff to notify the Miami County Clerk that the City of Osawatomie intends to levy a mill that DOES NOT exceed: 78.000.

Section 3. The Governing Body of the City of Osawatomie further directs the City Manager to finalize the 2024 Budget and provide the required Notices of Public Hearing to the Miami County Republic for publication no later than August 9, 2023, all in accordance with existing state law.

Section 4. This resolution shall take effect and be in force immediately upon its adoption and shall remain in effect until future action is taken by the Governing Body.

PASSED AND APPROVED by the Governing Body of the City of Osawatomie, Kansas, this 22nd day of June, 2023, a majority voting in favor of.

APPROVED and signed by the Mayor.

_____
Nick Hampson, Mayor

(SEAL)

ATTEST:

_____
Tammy Seamands, City Clerk

Notice of Revenue Neutral Rate Intent

THE GOVERNING BODY OF Osawatomie, Kansas **, HEREBY NOTIFIES THE** Miami **COUNTY CLERK OF INTENT TO EXCEED THE REVENUE NEUTRAL RATE;**

☑ Yes, we intend to exceed the Revenue Neutral Rate and our proposed mill levy rate is 80.000. The date of our hearing is August 25 at 6:30 PM and will be held at Memorial Hall in Osawatomie, Kansas.

☐ No, we do not plan to exceed the Revenue Neutral Rate and will submit our budget to the County Clerk on or before August 25, 2022.

WITNESS my hand and official seal on June 23, 2022.

(Seal)

_____

Clerk or Officer of Governing Body

NOTE: Notice required to be sent to County Clerk on or before 5 p.m. on July 20, otherwise Revenue Neutral Rate cannot be exceeded. Signed notice may be scanned and sent electronically.

ACTION ITEM SUMMARY	Item Number:	10.B.
	Date:	June 16, 2023
Deputy City Manager	From:	Bret Glendening

RE: Resolution 1146 – Authorizing Extending Lease with Greater Osawatomie, Inc. for SRS Building

RECOMMENDATION: That the City Council approve Resolution 1146

DETAILS:
In 2000, the City of Osawatomie entered into a lease agreement with Greater Osawatomie, Inc. for land the city owned adjacent to the railroad on Brown Ave. In 2008, we purchased some additional property from the railroad, anticipating that with the closure of a couple of other SRS offices in neighboring counties, the state would consolidate services into the Osawatomie location. Both lease agreements ran through December 31, 2029.

Just recently, Greater Osawatomie, Inc. and the State of Kansas signed a new, 10/5 lease for the property. The amendment being requested by GO, Inc. is for 10 years, and runs through December 31, 2037. In the event the state exercises its right to extend, the lease would need to have a 5 year option through 12/31/2042.

Some facts about Greater Osawatomie, Inc.:
There are 36 Stockholders. 25 Stockholders own only 1 share. 7 Stockholders own 2 shares. 3 Stockholders own 3 shares or more. Ted E. Lewis Trust owns 10 shares.

No stockholder CAN own more than 10 shares. All shares were purchased at $100 per share.

No new stock is being issued -- shares must be purchased from a shareholder who wants to or is willing to sell. No dividend has ever been paid and no officer or director has ever been paid any compensation.

Officers/Directors:
Doug Walker -- Chairman of the Board of Directors
Sarah Dorsett -- Director
Gary French -- Director
Marilyn Shipley -- Secretary/Treasurer
Gordon Schrader --President

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

RESOLUTION NO. 1146

A RESOLUTION AMENDING THE TERMS OF THE LEASE AGREEMENT BETWEEN THE CITY OF OSAWATOMIE AND GREATER OSAWATOMIE, INC.

WHEREAS, the City of Osawatomie entered into a lease agreement with Greater Osawatomie, Inc to lease land; and

WHEREAS, Greater Osawatomie, Inc. agreed to construct a building which became the regional State of Kansas Social and Rehabilitation Services office; and

WHEREAS, in 2007/2008, Kansas SRS closed other regional offices and it was anticipated that those closures would result in the consolidation of services into the Osawatomie office; and

WHEREAS, in 2008, the City of Osawatomie purchased property from the Union Pacific Railroad which was situated between the railroad's existing right of way and the SRS facility and leased that land to Greater Osawatomie, Inc. as well; and

WHEREAS, Greater Osawatomie, Inc. recently signed a lease extension with the Kansas Department of Children and Family Services.

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

SECTION 1. The Governing Body of the City of Osawatomie, Kansas approves the amendment to the Lease Agreement dated January 13th, 2000 by extending the Term of the lease to December 31, 2037.

SECTION 2. Greater Osawatomie, Inc. may in its sole discretion, extend said lease by a period of five (5) years to December 31, 2042.

PASSED AND APPROVED by the Governing Body of the City of Osawatomie, Kansas, this 22nd day of June, 2023, a majority voting in favor of.

APPROVED and signed by the Mayor.

_____
Nick Hampson, Mayor

(SEAL)

ATTEST:

_____
Tammy Seamands, City Clerk

GREATER OSAWATOMIE, INC.

Mr. Michael Scanlon
City Manager
City of Osawatomie
Osawatomie, Ks 66064

May 15, 2023

Dear Mr. Scanlon:

Greater Osawatomie, Inc. was established in 1972 as a community development corporation to benefit the community and not for the economic benefit of the stockholders.

In 2000, we built an office building for lease to the State of Kansas on land owned by the City of Osawatomie. The City lease was for thirty (30) years ending on December 31, 2029.

Since the building has been paid for, the corporation has donated/pleadged some of the profit to the City including $60,000 for development of the trail, $25,000 as matching funds for 544 Main Street, $25,000 as matching funds for 525 Main Street, $10,000 for the city "pocket park" in the 500 block of Main Street and $10,000 for the Stan Herd earth work portrait of John Brown.

We recently signed a 10/5year lease extension with the State of Kansas which would run thru 2037. We respectfully request that the City of Osawatomie extend our lease on the city property to December 21, 2037 with a five (5) year option to extend the lease to December 31, 2042. Thank you for your consideration.

Yours very truly,

Gordon L. Schrader
President

ACTION ITEM SUMMARY	Item Number:	10.C.
	Date:	January 18, 2023
Director of Public Works	From:	Michele Silsbee

RE: Authorization of change order to Killough Construction

RECOMMENDATION: That the City Council approve Resolution 1147.

DETAILS:

Last month we informed the council of the issues we were running into with the base preparation on Main Street Terrace. We consulted with a geotechnical engineer whose recommendation was to remove certain portions of the native soil underneath Main Street Terrace and replace it with AB3. Additionally, he recommended utilizing geogrid to further stabilize the base in order for construction to progress.

If we did nothing, the chances of the street failing prematurely would increase exponentially and we are spending a significant amount of money reinvesting in our streets to not ensure we get the most life out of them as possible.

The original contract price was: $1,734,521.07. This change order adds $36,246.91 to the contract value. Keep in mind, this does not include the deduct which will be forthcoming for the Walnut Ave./6th Street intersection.

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

RESOLUTION NO. 1147

A RESOLUTION AUTHORIZING A CHANGE TO THE 2023 STREET PROJECT TO ADD GEOGRID AND ADDITIONAL AB3 FOR ROAD STABILIZATION ON MAIN STREET TERRACE

WHEREAS, the City of Osawatomie, Kansas, entered into an agreement with Killough Construction, Inc. on September 6, 2022; and

WHEREAS, Killough Construction is currently constructing this project; and

WHEREAS, the course of demolishing the old street, inadequate base material was identified; and

WHEREAS, the upon consulting with a geotechnical engineer, it was determined that the best and most cost-effective solution was to remove portions of the subgrade that were inadequate, replace with AB3, install a layer of geogrid, and then continue with additional AB3 as initially designed.

WHEREAS, this solution will preserve the investment the city is making in this street for years to come.

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

Section 1. The Governing Body of the City of Osawatomie, Kansas, hereby approves Change Order #1, effective June 15, 2023, to install geogrid in the amount of: $34,246.91 (Thirty-Four Thousand, Two Hundred, Forty-Six Dollars and Ninety-One Cents) from the current contract value of: $1,734,521.07.

Section 2. The Governing Body further authorizes the disbursement of funds for this change order.

Section 3. No other terms or conditions of the contract, including changes to the schedule are included in this Change Order #1.

PASSED AND ADOPTED by the Governing Body of the City of Osawatomie, Kansas this 22nd day of June, 2023, a majority being in favor thereof.

APPROVED AND SIGNED by the Mayor.

_____

(SEAL) Nick Hampson, Mayor

_____

Tammy Seamands, City Clerk

KILLOUGH CONSTRUCTION, INC.
P.O. BOX 810
OTTAWA, KANSAS 66067

WORK PROGRESS ESTIMATE

ESTIMATE FOR: OSAWATOMIE

DATE: 06/15/2023

KILLOUGH JOB #: 22304

ESTIMATE #: change order #1

WORK THROUGH: 06/15/2023

PROJECT: PHASE 2

ITEM #	PHASE	DESCRIPTION	ORIGINAL ESTIMATED QUANTITIES	QTY COMPLETE TO DATE	UNITS	UNIT PRICE	DOLLARS COMPLETE TO DATE	PREVIOUS AMOUNT	NEW AMOUNT
		change order #1							
60	115	interax geogrid(with freight)	15.00	15.00	roll	1,770.00	26,550.00		26,550.00
61	115	extra labor/equipment to install geogrid	1.00	1.00	lsum	1,100.00	1,100.00		1,100.00
62	121	extra AB-3 for subgrade	983.00	764.17	sqyd	11.25	8,596.91		8,596.91

CONTRACT EARNED TO DATE		36,246.91	36,246.91
RETAINAGE	5.00%	1,812.35	
AMOUNT DUE TO DATE		34,434.56	
LESS PREVIOUS APPLICATIONS			
AMOUNT DUE THIS ESTIMATE		34,434.56	

Arbor Day Foundation®
211 N. 12th St. • Lincoln, NE 68508 • 888-448-7337 • arborday.org

We inspire people to plant, nurture, and celebrate trees.

Mayor Nick Hampson
PO Box 37
Osawatomie, KS 66064

Dear Tree City USA Community Member,

On behalf of the Arbor Day Foundation, I'm thrilled to congratulate Osawatomie on earning recognition as a 2022 Tree City USA. Residents of Osawatomie should be proud to live in a community that makes the planting and care of trees a priority.

Founded in 1976, Tree City USA is a partnership between the Arbor Day Foundation, the U.S. Forest Service, and the National Association of State Foresters. Osawatomie is part of an incredible network of more than 3,600 Tree City USA communities nationwide, with a combined population of 155 million.

Over the last few years, the value and importance of trees has become increasingly clear. Cities and towns across the globe are facing issues with air quality, water resources, personal health and well-being, and energy use. Osawatomie has taken steps to create to a brighter, greener future.

We hope you are as excited as we are to share this accomplishment with your local media and your residents. Enclosed in this packet is a press release for you to distribute at your convenience.

We're excited to celebrate your commitment to the people and trees of Osawatomie. Thank you, again, for your efforts.

Best Regards,

Dan Lambe
Arbor Day Foundation Chief Executive

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FOR IMMEDIATE RELEASE
Contact:
Jasmine Putney
Arbor Day Foundation
402-216-9307
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Arbor Day Foundation Names Osawatomie a 2022 Tree City USA®

LINCOLN, Nebraska (5/10/2023) – Osawatomie was named a 2022 Tree City USA by the Arbor Day Foundation to honor its commitment to effective urban forest management.

Osawatomie achieved Tree City USA recognition by meeting the program's four requirements: maintaining a tree board or department, having a tree care ordinance, dedicating an annual community forestry budget of at least $2 per capita, and hosting an Arbor Day observance and proclamation.

The Tree City USA program is sponsored by the Arbor Day Foundation, in partnership with the U.S. Forest Service and the National Association of State Foresters.

"Tree City USA communities see the positive effects of an urban forest firsthand," said Dan Lambe, chief executive of the Arbor Day Foundation. "The trees being planted and cared for by Osawatomie are ensuring that generations to come will enjoy to a better quality of life. Additionally, participation in this program brings residents together and creates a sense of civic pride, whether it's through volunteer engagement or public education."

If ever there was a time for trees, now is that time. Communities worldwide are facing issues with air quality, water resources, personal health and well-being, energy use, and extreme heat and flooding. Osawatomie is doing its part to address these challenges for residents both now and in the future.

More information on the program is available at arborday.org/TreeCityUSA.

About the Arbor Day Foundation
Founded in 1972, the Arbor Day Foundation has grown to become the largest nonprofit membership organization dedicated to planting trees, with more than one million members, supporters and valued partners. Since 1972, almost 500 million Arbor Day Foundation trees have been planted in neighborhoods, communities, cities and forests throughout the world. Our vision is to lead toward a world where trees are used to solve issues critical to survival.

As one of the world's largest operating conservation foundations, the Arbor Day Foundation, through its members, partners and programs, educates and engages stakeholders and communities across the globe to involve themselves in its mission of planting, nurturing and celebrating trees. More information is available at arborday.org.

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CITY OF OSAWATOMIE

DEPUTY CITY MANAGER'S REPORT ON OPERATIONS

June 22, 2023

Water Treatment Plant Status:
The FONSI was published on June 2, 2023. The 30-day comment period has begun. We are still working towards securing the letter of conditions from USDA as well. These are the last couple of pieces that need to be in place in order to move forward with the financing.

Wastewater Treatment Plant Status:
The UV System has been moved and rechecked by the manufacturer. After having exposed the source of the leak. This tank has a double wall (tank within a tank). The exterior tank is what was leaking and based on where the leak is located, the only way we discovered it was the contractor overfilled the inner tank. In consultation with our engineers, they do agree that a field repair would be acceptable in this instance. If you're curious, ferric chloride is used to remove impurities in the water and can also help in reducing odors. The contractor has submitted pay application #9 in the amount of roughly $69,000. They are 97% billed out and we are still holding retainage in the amount of 5% of earned value (97%). Additionally, they have provided us with a schedule and according to that schedule, we have provided Crossland Heavy Contractors with a list of items that we need in order to process the substantial certificate, which as of June 14th, we are still waiting on a response to. Once that is issued, and all punch list items have been completed, we will issue the final completion certificates.

Our next issue will be to finish solving the inflow and infiltration (I&I) 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. Once the Sewer Rate study is complete, we will be in a better position to make a recommendation as to what the best path forward is to address the balance of the collections system.

Evergy Solar Array Development:
At this point, the only remaining item to address is the land lease with Evergy which I have finally started to work on. I will hopefully have that before the council in July. We have been working with Evergy to plan a groundbreaking ceremony which will be October 12. Additionally, we are having monthly progress meetings with Evergy for the engineering and construction process. Construction is set to begin late this year with energization occurring in 2024 as well.

Levee Certification / Flood Insurance Rate Map Revisions – Status Update:
The flood hazard determination notice was published in the Federal Register on April 3. Pending FEMA approval, the local notices will be published in the Miami County Republic on May 31 and June 7, which starts the 90-day appeal period and we received word via email from the Kansas Department of Agriculture that we are now in that 90-day appeal period.
Anyone who would like to view the current flood insurance rate maps can view them here:

https://gis2.kda.ks.gov/gis/osawatomie/

~~August 8, 2022~~	~~Kickoff Meeting~~
~~September 8, 2022~~	~~Provide Review Comments to Certification Data~~
~~November 29, 2022~~	~~Distribute Preliminary Flood Insurance Rate Maps (FIRMs)~~
~~January/February 2023~~	~~Community Coordination & Outreach (CCO) meetings~~
~~February 2023~~	~~End CCO Meetings~~
Spring 2023	Appeals Period (90 days from date of last publication)
Winter 2023	Letter of Final Determination
Summer 2024	Final FIRMs established and effective

2023 Street Improvements:
Concrete work has finished on Main Street Terrace and 18th Street. Asphalt operations start mid-week (roughly June 21st, weather permitting). Additionally, demolition of Walnut will begin around this same time frame. Once Killough Construction is finished with demolition and concrete work on Walnut, they will move over to Brown and work from east to west, following the water line contractor. iSolutions, which is the contractor installing the new water main on Brown Avenue, began work on Monday, June 12th. Their portion of the $2.7M contract for the Brown Avenue project is approximately $600,000.

Unfortunately, one of the issues we are going to have to address on the Brown Avenue project is stormwater and how it ties into the stormwater system on Main Street. The storm system on main street was undersized during design and when pressed for an answer as to why stormwater from Brown wasn't taken into account, this was BG Consultants' response:

> *From what I have reviewed, the correspondence indicates the storm sewer improvements were confined to Main Street. All of the drainage areas were sent to Blake for review. I see some discussions where Blake realigned some of the storm sewer along Main Street after it was initially designed as well. I could not find any discussion that had anticipated the reconstruction of Brown Avenue and designing the systems for future expansion. The system on Main Street was designed to pick up water from Brown with the assumption that water was sheet-flowing through yards and down side streets. This means we worked through design with water moving "slower," if you will, through yards and down side streets, with little to no existing storm sewer along Brown Avenue. Our current design of Brown Avenue has water being collected more efficiently through storm sewer pipes and the concentrated flow is being carried north more quickly through the pipes. This concentrated flow and increased velocity is what is requiring the larger pipes under Main Street.*

I am communicating this now because later this summer (maybe as early as mid July), we are going to have to replace storm pipe under Main Street and it will be anything but a convenient

operation. I can all but guarantee that each of you will hear about it, and I want you to be prepared with information. Any questions can be directed to either Michele or myself as well.

Stormwater design on 6th Street continues as well, and as you are aware, we have held our second of four meetings earlier this evening on the project. The next meeting is scheduled for June 22nd. A fourth meeting will be held at the public library on a date that does not coincide with a council meeting. That meeting will be held at the Osawatomie Public Library and be from 6 to 7 pm.

As a reminder, in 2024, the only street that will get reconstructed will be 6th Street and we will need to design the streets around Osawatomie Middle School.

AMI Meter Update:
On June 15th Terry Upshaw and I met with the company the council awarded under Resolution 1090 back in January. We continue to seek grant opportunities to help offset the cost and the meter supplier is assisting in this effort as well. The lead time on meters is one year so we will be moving forward with paperwork in order to get the meters ordered.

2023 Temporary Notes:
Over the course of the last few months, the council has adopted authorizing resolutions as well as a notice of sale resolution on temporary notes for the KDOT TA grant, the 6th Street project, as well as the water project. On July 27th, our financial advisor Bruce Kimmel with Ehlers will be here to review bids that we received as well. There will be a couple of resolutions that the council will need to adopt awarding the temp. notes to the successful bidder.

2023 Mid-Year Evaluations:
Over the 3-4 weeks, each department head and each employee will receive a mid-year evaluation.