## OSAWATOMIE CITY COUNCIL AGENDA

January 12, 2012 7:00 p.m., Memorial Hall

- 1. Call to order
- 2. Roll Call
- 3. Pledge of Allegiance
- 4. Consent Agenda

Consent Agenda items will be acted upon by one motion unless a Council member requests an item be removed for discussion and separate action

- A. Approve Minutes of December 8, December 15, & December 28 Council Meetings
- B. Approve January 12 Agenda
- C. Appropriation Ordinances 11-23 & 11-24
- 5. Comments from the Public; Presentations

Citizen participation will be limited to 5 minutes. Please stand & be recognized by the Mayor

- 6. Public Hearing none
- 7. Unfinished Business
  - A. Approve Invoice(s) for Pacific, 14th, Brown Streets Project Request No. 16
  - B. Parks and Recreation Ordinance
  - C. Swimming Ordinance and Rotary Club Lake Project
- 8. New Business
  - A. Appointments
  - B. Fee Resolution
- 9. Council Reports
- 10. Mayor's Report
- 11. City Manager's Report
- 12. Executive Session none
- 13. Adjournment

MEETING/WORK SESSION – January 26, 2012 REGULAR MEETING – February 9, 2012 Osawatomie, Kansas. **December 8, 2011.** Council meeting was held in Memorial Hall. Mayor Dudley called the meeting to order at 7:00 p.m. Council members present were Dickinson, Farley, Hunter, LaDuex, and Moon. Absent were Govea and Klein. Also present were City Manager Cawby, City Attorney Wetzler, and City Clerk Elmquist. Visitors were Robert Kerr, Webster Hawkins, Sophia Edelbrock, Cindy Govea, Jerry Bechtel, Travis Perry, and Kevin Grey.

CONSENT AGENDA. Approval of the minutes of November 14 and November 17 Council Meetings, approval of December 8 Agenda, and approval of Appropriation Ordinances 11-21 & 11-22. Motion made by Moon, seconded by Hunter to approve the minutes of November 14 and November 17 Council Meetings and approval of Appropriation Ordinances 11-21 & 11-22. Yeas: All. Motion made by Hunter, seconded by Moon to approve the December 8 Agenda as amended. Yeas: All.

#### Public Participation; Presentations:

Sophia Edelbrock, 1535 Main, complained that the speed limit is not being enforced on her street.

Public Hearing: none

<u>Unfinished Business</u>:

APPROVE INVOICE(S) FOR PACIFIC, 14TH, BROWN STREETS PROJECT – REQUEST No. 15. Motion made by Maichel, seconded by Dickinson to approve Pay Request No. 15. Yeas: All.

REVIEW PROPOSED PARKS AND RECREATION ORDINANCE. No action taken.

APPROVE 2012 CEREAL MALT BEVERAGE LICENSES. Cereal Malt Beverage licenses expire December 31, 2011. The following renewals were considered:

Casey's General Store – East Main Osawatomie Golf Course

Casey's General Store – 6<sup>th</sup> & Parker Pizza Hut Hayden & Hayden, LLC (Oz Mart) Tailgators

Motion made by Hunter, seconded by Moon to approve the licenses. Yeas: All.

Moon's Hometown Market

Motion made by Maichel, seconded by Hunter to approve the license. Yeas: Dickinson, Farley, Hunter, LaDuex, and Maichel. Abstained: Moon. Motion passed. Abstention counted as a prevailing vote.

New Business:

APPOINTMENTS. none

REVIEW AND SET PUBLIC HEARING FOR 2011 BUDGET AMENDMENT. City Manager Cawby presented spreadsheets and outlined the major issues in each of the funds requiring a budget

amendment or transfer to balance out the City's finance by December 31. The hearing will be held December 28 during a special Council meeting.

Motion made by Moon, seconded by Farley to cancel the December 15 work session/meeting. Yeas: All.

WINDOW REPAIR AT THE JOHN BROWN MUSEUM. The Executive Director of the Kansas State Historical Society contacted the City about the windows. The State can put in \$60,000 towards the project. However, the lowest bid came in \$68,000. The City has been asked to consider paying the \$8,000. The consensus of the Council was that the windows need to be fixed.

#### **Council Reports:**

Hunter: Tourism Committee is having the Vespers service December 10 at 7:00 p.m.

Moon: The Public Safety Advisory Board did not meet. The Golf Course Committee met and discussed the operations of the Golf Course.

LaDuex: On January 13 will learn if the CDBG grant was awarded to the Library.

[City Clerk's note: President Barack Obama came to town December 6. The City worked closely with the Secret Service, especially the Public Safety Department. His speech at the Osawatomie High School was about the same issues in Teddy Roosevelt's speech given in Osawatomie 101 years ago.]

Councilmembers commented about how the employees responded with President Obama coming to town:

LaDuex – praised the employees for their great job, they were where they needed to be.

Farley – impressed by the City staff, the volunteers, the school district, and the County. The employees don't get their due.

Moon – The employees got the city there with the star showing very bright. Everybody had some responsibility and the employees got us there to help make us shine.

Hunter - pleased with people of Osawatomie. Especially pleased with the City employees, but not surprised.

Dickinson – the City looked very well. Standing in line people said the nicest things about the community. It made him proud.

Maichel – impressed with everyone's efforts. There is more history that's not been said.

#### Mayor's Report:

Spoke about his role leading up to President Obama's arrival and also what happened the day of the speech, including meeting with the President. Very pleased and indebted to the City employees for their roles in this event.

#### City Manager's Report:

Read a letter he had written that was to be sent out to the employees expressing his appreciation for the hard work they had done.

#### Projects:

Mold Abatement. An RFP was issued last month. The problem is even worse than thought. Will have an inspection done by a Certified Mold Inspector.

Issues:

Building Inspector/Code Officer. Examining how to proceed in filling the position.

Airport Appeals Board. The County is creating an Airport Appeals Board to deal with new height restriction regulations that will affect much of the western half of the city, the Northland area, and the Golf Course. A representative of the city will need to be appointed.

Kansas Association of City/County Managers (KACM). Was appointed to their Governing Body and will serve as chairman.

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

Ann Elmquist, City Clerk	

Osawatomie, Kansas. **December 15, 2011**. The Council voted at the previous meeting to cancel the December 15 meeting.

Osawatomie, Kansas, **December 28, 2011**. The Special Council meeting was held in Memorial Hall. President Hunter called the meeting to order at 7:00 p.m. in the absence of the Mayor. The purpose of the meeting was to: 2011 Budget Amendment Hearing, Adopt 2011 Budget Amendment, and Letter of Engagement for Audit Services with Jarred, Gilmore & Phillips, P.A. Council members present were Dickinson, Farley, Govea, LaDuex, and Moon. Absent were Klein and Maichel. Also present were City Manager Cawby, City Attorney Wetzler, and City Clerk Elmquist. Visitors were Webster Hawkins, Kirk and Shelagh Wright, and Travis Perry.

2011 BUDGET AMENDMENT HEARING. President Hunter opened the public hearing at 7:00 p.m. Published amendments were:

	<u>Original</u>	Proposea
General	2,270,767	2,391,221
Industrial	12,000	22,091
Employee Benefits	546,408	572,317
Library	0	46,916
Street Improvements	134,400	136,489
Fire Insurance Proceeds	15,500	37,889
Electric	3,642,451	4,756,843
Sewer	838,990	853,642
Rural Fire	35,000	43,161

There were no comments from the public. The President closed the hearing at 7:01 p.m.

ADOPT 2011 BUDGET AMENDMENT. Motion made by Moon, seconded by LaDuex to adopt the 2011 budget amendment. Yeas: All.

LETTER OF ENGAGEMENT FOR AUDIT SERVICES WITH JARRED, GILMORE & PHILLIPS, P.A. Three proposals were received and two of the firms were interviewed. The committee recommended Jarred, Gilmore & Phillips, P.A. of Chanute, Kansas. Their fees for the regulatory basis audit with a three-year contract are: Year 2011 - \$8,100, Year 2012 - \$8,350, and Year 2013 - \$8,650. Motion made by Moon, seconded by Govea to approve the award and select the auditing firm Jarred, Gilmore & Phillips, P.A. for the years 2011-2013. Yeas: Dickinson, Govea, Hunter, LaDuex, and Moon. Nay: Farley. Motion passed.

Motion made by Moon, seconded by Govea to adjourn. Yeas: All.
Ann Elmquist, City Clerk

# **Record of Ordinances**

#### **ORDINANCE NO. 11-23**

DATE WARRANTS ISSUED: December 30, 2011 Page No. 1

AN ORDINANCE MAKING APPROPRIATION FOR THE PAYMENT OF CERTAIN CLAIMS.

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

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

CLAIMANT	NATURE OF CLAIM OR SERVICE	CLAIM NUMBER	AMOUNT
Payroll 12/02/11			102,385.63
Payroll 12/17/11			93,980.73
Payroll 12/30/11			94,944.64
FICA 12/2/211			7,503.03
FICA 12/17/11			7,156.02
FICA 12/30/11			6,946.44
KPERS			21,106.77
City of Osawatomie	petty cash reimbursement	1267	4,477.35
Ace Pest Control, LLC	pest control	38858	475.00
City of Osawatomie	utilities	38869	11,486.61
Design Mechanical. Inc.	repaired boilers	38860	500.50
Home Depot Credit Services	bulbs	38861	38.11
Kansas City Wilbert Vault	grave openings	38862	900.00
Louisburg Ford	inspection on Police car	38863	210.82
The Osawatomie Journal	subscription	38864	10.00
Amanda Perry	cookies	38865	25.00
Rural Water District #1	services	38866	122.28
Suddenlink	internet	38867	59.95
Reserve Account	postage	38868	1,200.00
Beachner Grain	tordon	38869	29.00
Correct Care Solutions, LLC	inmate health care services repricing	38870	17.50
KS Association of Chiefs of Police	memberships	38871	100.00
L & K Services	refuse	38872	29,839.98
Landmark National Bank	golf cart lease	38873	2,178.24
Mi County Internet OnRamp	internet	38874	19.95
Mi County Medical Center	medical treatment for prisoner	38875	114.42
Moon's IGA	catering for Christmas party	38876	300.00
Professional Service Industries, Inc.	geotechnical services - Library	38877	2,550.00
Suddenlink	internet	38878	79.15
City of Osawatomie	Golf Course CMB license	38879	75.00
KMEA Nearman	reissue check 38603	38880	34,030.19
AT&T	RTU's	38881	221.24
Kansas Dept of Revenue	sales tax	38882	6,706.38
Kansas Gas Service	power plant	38883	57.57
KelCon Technologies, Inc.	new file server, technical support	38884	10,187.00
KMEA - EMP1	electricity, transmission	38885	25,491.17
Laborers Local Union 1290	tow service-told to park in wrong place	38886	45.00
Miami County Treasurer	property taxes	38887	1,644.62
Visa	lodging, books, computer equipment	38888	1,180.38
Void		38889	-

DATE WARRANTS ISSUED: December 30, 2011

CLAIMANT	NATURE OF CLAIM OR SERVICE	CLAIM NUMBER	AMOUNT
City of Osawatomie	Street Grant - Loan	38890	45,000.00
American Library Association	membership dues	38891	130.00
Kansas City Power & Light	services	38892	1,219.49
Kansas Gas Service	services	38893	6,336.09
KMEA - Nearman	electricity	38894	45,418.97
Martin, Pringle Attorneys At Law	Osa Housing Auth. Transfer of owner	38895	262.50
Pitney Bowes	postage meter lease	38896	299.00
Postmaster	P.O. box fee	38897	176.00
Suddenlink	internet	38898	59.95
Ricoh Americas Corporation	copier lease P.D.	38899	183.90
Ricoh Americas Corporation	staples	38900	85.49
Ricoh Americas Corporation	copier lease	38901	289.00
Elliott Insurance Inc.	notary bond	38902	115.00
Brad Waggoner	Pro Shop	38903	318.53
CenturyLink	services	38904	2,244.76
CenturyLink	long distance	38905	359.01
Wanda Chisam	cleaning Old Stone Church 2011	38906	455.00
CenturyLink	RTU's	38907	236.56
The Dive Shop	scubba gear - Baehr grant	38908	4,718.00
First Option Bank	safe deposit box fee	38909	31.90
KMEA - GRDA	electricity	38910	84,844.04
KMEA - Hydro	hydroelectric	38911	2,741.61
Lybarger Oil, Inc.	fuel	38912	7,559.03
Sprint	service	38913	17.71
Suddenlink	internet	38914	119.90
Wal-Mart Community	hard drive, supplies	38915	501.45
Postmaster	utility bills	38916	1,000.00
City of Osawatomie	petty cash reimbursement	1268	1,151.52
			674,270.08
GO 230,747.08			
WT 34,277.33			
EL 305,754.59			
Emp Bn 31,852.98			
Refuse 29,839.98			
Library 2,550.00			
Rec 138.46			
RF 1,976.90			
Ind 1,649.34			
St Imp 1,386.55			
Sewer 14,447.45			
GC 19,076.17			
Trsm 573.25			
674,270.08			

# **Record of Ordinances**

#### **ORDINANCE NO. 11-24**

DATE WARRANTS ISSUED: January 12, 2012 Page No. 1

AN ORDINANCE MAKING APPROPRIATION FOR THE PAYMENT OF CERTAIN CLAIMS.

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

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

CLAIMANT	NATURE OF CLAIM OR SERVICE	CLAIM NUMBER	AMOUNT
Airgas Mid South, Inc.	oxygen cylinder	38921	79.14
Americas Computers	backup batteries	38922	119.98
Analytical Services, Inc.	analytical service	38923	452.38
Asphalt Sales Company, Inc.	asphalt	38924	4,471.28
Auten Pharmacy	first aid supplies	38925	8.64
Baker & Taylor	books	38926	779.12
Bearing Headquarters Company	set screw collar	38927	93.74
BF Consultants, Inc.	street improvements	38298	12,164.26
Bolling bargain Bonanza	zip ties	38929	10.90
Bowes Automotive Products	filters	38930	16.30
Brenntag Mid-South, Inc.	polymer, hypochlorite	38931	7,219.19
Brewer's Automotive Repair	battery, seal tires	38932	94.76
California Contractors Supplies, Inc.	plastic ties	38933	259.96
Comet Industrial Products	semi annual contract services	38934	683.00
Copy Center	receipts - occupation tax	38935	40.02
Crash Technology Group	adobe software installation	38936	280.00
DanCo Systems, Inc.	inspect & evaluate influent meters	38937	400.00
Design Mechanical, Inc.	boilers repaired	38938	352.00
Electric Shop, Inc.	removed broken fixture & repaired	38939	220.83
Employee Screening Services	administrative fees, drug screening	38940	383.40
Entersect Police Online	police online	38941	79.00
Environmental Laboratories, Inc.	analytical service	38942	217.00
Family Center	post, cable ties, supplies	38943	405.20
Richard M. Fisher, Jr LLC	court appointed attorney	38944	475.00
Grainger	heater, blower motor, supplies	38945	897.20
Hach Company	water testing chemicals	38946	184.17
Jay's Uniforms	tie bars, keepers	38947	53.70
Ka-Comm, Inc.	video system installed	38948	393.85
KACM	membership dues	38949	70.00
Kansas Mayors Association	membership dues	38950	50.00
Kansas One Call Concepts	locates	38951	100.80
Kansas State Treasurer	Nov. Dec. training funds	38952	797.50
KelCon Technologies, Inc.	setup server, support	38953	1,166.50
Killough Construction, Inc.	asphalt	38954	1,848.90
Knapheide Truck Equipment Center	solenoid starter, switches	35955	42.03
Kriz-Davis Co.	wire, supplies	38956	748.18
Lang Chevrolet	switch	38957	199.00
Laser Impressions, Inc.	engraved book spines	38958	128.70
Logan Contractors Supply, Inc.	fence	38959	479.40
Louisburg Ford	replaced sensor	38960	105.84

CLAIMANT	NATURE OF CLAIM OR SERVICE	CLAIM NUMBER	AMOUNT
Martin, Pringle Attorneys At Law	City Prosecutor	38961	4,931.50
Miami County Sheriff's Office	prisoner care	38962	1,520.00
Miami Lumber, Inc.	paint, supplies	38963	176.78
Midway-Ford Truck Center	dip stick tube	38964	115.65
Void		38965	-
Void		38966	-
Moon's IGA	supplies	38967	554.69
Navrat's Office Products	ink cartridges, supplies	38968	108.55
Navrat's	utility bills, shut off notices	38969	1,175.05
NEKLS	thermal rolls	38970	14.00
Void		38971	-
Nicholson Law Office LC	court appointed attorney	38972	705.00
O'Reilly Auto Parts	gasket adhesive	38973	12.38
Oil Patch Pump & Supply, Inc.	parts for gas line repair	38974	20.04
OMB's Express Police Supply	trousers, shirts, supplies	38975	320.47
Osawatomie Journal	ads	38976	98.65
Paola Hardware	spray paint, pipe	38977	59.51
R.E. Pedrotti Co. Inc.	engineer, labor	38978	240.00
Praxair Distribution, Inc.	oxygen cylinder	38979	128.66
Quill	calendars, office supplies	38980	462.83
Read It Free	ads	38981	232.50
Reeves-Wiedeman Company	door assy.	38982	71.93
Rejis Commission	web subscription service	38983	30.00
Ricoh Americas Corporation	copies	38984	252.04
Rural Water District #1	service	38985	139.54
Rural Water District #3	ETI water	38986	16.50
SFS Architecture	Library addition	38987	443.72
Siemens	heater for bioxide tank	38988	168.67
Smith & Loveless, Inc.	seal	38989	197.00
Stanion Wholesale Electric Co.	timer	38990	69.68
Debbie Talley	Memorial Hall janitorial	38991	375.00
Tri County Ice	ice machine	38992	50.00
USA Blue Book	gloves, stir rods	38993	131.96
Viking Industrial Supply	paper goods, trash bags	38994	226.47
Water Products, Inc.	fitting	38995	287.20
Mike Weaver	bag leaves, winterize	38996	40.00
John A. Wilson	court appointed attorney	38997	300.00
Winkler, Domoney & Schultz	Municipal Court Judge	38998	2,000.00
Void		38999	-
Winterscheid Auto Parts	brake pads, supplies	39000	340.69
YMCA	City share wellness program	39001	37.50
			52,625.03
		+ +	
		+ +	

DATE WARRANTS ISSUED: January 12, 2011

CLA	MMANT	NATURE OF CLAIM OR SERVICE	CLAIM NUMBER	AMOUNT
GO	18,249.92			
VT	9,593.28			
L	2,197.73			
ibrary	443.72			
nd	16.50			
St Imp	18,803.83			
Sewer	2,659.74			
GC	401.28			
rsm	259.03			
	52,625.03		+ +	
	32,020.03		+	
			+	



Osawatomie City Hall 439 Main Street • PO Box 37 Osawatomie, KS 66064 Phone: (913)755-2146

Fax: (913)755-4164

#### STAFF AGENDA MEMORANDUM

**DATE OF MEETING:** January 12, 2012

AGENDA ITEM: Payment Request No. 16 for Brown and Pacific Project

**PRESENTER:** Don Cawby, City Manager

**ISSUE SUMMARY:** This is a pay application totaling \$14,015.36 for Governmental Assistance Services and BG Consultants. Attached is a spreadsheet which details this payment and another which outlines the financial status of this project.

Nothing has changed on the status of the project since the last Council meeting. We is still \$160,000 in total to be paid to Orr Wyatt after we pulled back \$70,000 for the defective top layer of asphalt. Also, several punch list items have not been completed and it looks like that will still remain until the spring as well.

Again, at this time, we will not be able to close on the Rural Development loan until the final bills are paid. Unless something drastic happens in the next two months, I don't see this loan getting closed until the asphalt issue is resolved in early spring.

**COUNCIL ACTION NEEDED**: Approve the payment request.

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

#### **Brown & Pacific Project Summary (01-12-2012)**

Total

EXPENSES				E	stimated	Revised	Paid	Remaining	
		<u>C</u>	<u>Contract</u>		<u>C.O.s</u>	<u>Budget</u>	<u>YTD</u>	To Be Paid	
GAS	CDBG Admin	\$	25,000.00			\$ 25,000.00	\$ 14,446.00	\$ 10,554.00	
BG Consultants	Engineering/Design		49,939.00			49,939.00	48,567.75	1,371.25	
	<b>Construction Services</b>		82,770.00			82,770.00	24,164.13	58,605.87	
Orr Wyatt Streetscapes	Construction	!	934,450.95		10,000.00	 944,450.95	 774,203.31	170,247.64	
Total		\$ 1,0	092,159.95	\$	10,000.00	\$ 1,102,159.95	\$ 861,381.19	\$ 240,778.76	
					BUDGET			Paid YTD	
FUNDING					BUDGET			Paid YTD	
FUNDING			GAS		BUDGET  BG	Orr Wyatt	GAS	Paid YTD  BG	Orr Wyatt
FUNDING  CDBG Admin		\$	GAS 20,000.00			\$ Orr Wyatt -	\$ <b>GAS</b> 14,429.38	\$	Orr Wyatt
		\$			<u>BG</u>	\$ Orr Wyatt - 480,000.00	\$	\$ <u>BG</u>	Orr Wyatt \$ - 413,702.64
CDBG Admin		\$			<u>BG</u>	\$ -	\$	\$ <u>BG</u>	\$ -

\$ 132,709.00

944,450.95

\$ 14,446.00 \$

72,731.88 \$ 774,203.31

25,000.00



#### **CITY OF OSAWATOMIE**

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

# PACIFIC, 14TH, BROWN STREETS PROJECT

# CDBG GRANT # 10-PF-045 PAYMENT REQUEST January 9, 2012

Payment Request No. 16

		Document	
Claimant	Description	Number	Amount
Governmental Assistance Services			
905 Joseph Drive	administration	11/30/11	\$ 2,281.60
Lawrence, KS 66049			
BG Consultants			
4806 Vue Du Lac Place	design services	11/14/11	\$ -
Manhattan, KS 66503			
BG Consultants			
4806 Vue Du Lac Place	inspector	11/14/11	\$ 8,065.68
Manhattan, KS 66503			
BG Consultants			
4806 Vue Du Lac Place	concrete cylinder testing	11/14/11	\$ 88.00
Manhattan, KS 66503			
BG Consultants			
4806 Vue Du Lac Place	design services	12/14/12	\$ 492.00
Manhattan, KS 66503			
BG Consultants			
4806 Vue Du Lac Place	inspector	12/14/11	\$ 3,088.08
Manhattan, KS 66503			
Orr Wyatt Streetscapes			
9812 E 56th Street	construction	App#	\$ -
Raytown, MO 64133-2804			
	TOTAL		\$ 14,015.36

Approved by the Osawatomie City Council this 9th day of December, 2012 contingent upon approval by the funding agencies.

Philip A.	Dudley,	Mayor



Osawatomie City Hall 439 Main Street • PO Box 37 Osawatomie, KS 66064 Phone: (913)755-2146

Fax: (913)755-4164

#### STAFF AGENDA MEMORANDUM

**DATE OF MEETING:** January 8, 2012

**AGENDA ITEM: Proposed Parks and Recreation Ordinance** 

PRESENTER: Don Cawby, City Manager

On September 28, 2011 the Osawatomie Recreation Commission **ISSUE SUMMARY:** recommended that the City Council assume financial and operational control of the Recreation Commission and begin the process for the permanent transition to a City operated Parks and Recreation Department. On the same evening, the City Council accepted that recommendation and approved the City Manager to assume financial and operational control until a permanent ordinance is adopted for an official transition. On October 27, you approved the publication of you began the formal process by approving the publishing a notice of intent which subsequently appeared in the Osawatomie Journal on November 16<sup>th</sup> and 23<sup>rd</sup>. In accordance with K.S.A. 12-1929 there was a 30-day protest period from the second publication to allow for a petition to place the item on the ballot. That protest period ended on December 23<sup>rd</sup>, 2011.

Now that the protest period has ended, the City Council will need to pass an ordinance to adopt these changes and address some outstanding issues, such as transition of funds and assets, establishing a Parks and Recreation advisory body, and to clarify the role of the Parks and Recreation Director and the advisory board. On October 27 and December 8, I presented you with draft ordinances which addressed those issues. Attached is the proposed ordinance that adopts the statutory transition from Recreation Commission to a Parks and Recreation Department.

Also, as was discussed at the December 8 meeting, I have attached a draft of a "follow-up" ordinance that makes changes to the statutory structure as presented. This ordinance would change the name of the advisory body from a Board to Committee. Typically a Committee is an advisory body created solely by the Governing Body. That fits in this case.

The 'follow-up" ordinance accomplishes two major changes. First, it abolishes the Board created by the ordinance and allows the Mayor, with Council approval, the ability to appoint all new members to the Committee. Second, the Committee would have seven members, with the Council liaison being a voting member of the seven. In the first ordinance, the liaison is not a voting member, which mirrored the relationship that existed when there was a Recreation Commission. However, as was in the first ordinance, the liaison would not be allowed to serve as the Chairman or Vice-Chairman on the Committee.

All other changes are minor and merely change the reference from Advisory Board to Committee.

While I believe you could pass the ordinance whenever you like, I suggest waiting until the first ordinance is adopted and published before amending it. By doing this, you have formally followed the process and t has been completed. Then, you are completely free to make any changes you wish with the new ordinance.

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

**STAFF RECOMMENDATION TO COUNCIL:** Approve the proposed ordinance which adopts the statutory measures of converting from a Recreation Commission to a Parks and Recreation Department. Recommend placing the "follow-up" ordinance on the agenda for the next Council meeting.

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

AN ORDINANCE PERTAINING TO THE CREATION OF A PARKS AND RECREATION DEPARTMENT IN THE CITY OF OSAWATOMIE AND THE TRANSITION OF THE OSAWATOMIE RECREATION COMMISSION TO THE OSAWATOMIE PARKS AND RECREATION

WHEREAS, the City Council of the City of Osawatomie, Kansas, and the Osawatomie Recreation Commission have agreed to combine the recreation programs administered by the Recreation Commission into a City park and recreation department; and

WHEREAS, a notice of intention to combine the programs was duly prepared and published and there being no protest filed to the combining of the programs and creation of the Osawatomie City Parks And Recreation Department, the governing body of the City by this ordinance hereby combines the programs of the Osawatomie Recreation Commission with the City's park system creating a Parks and Recreation Department.

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

Section 1. <u>Code Amended</u>. The Code of the City of Osawatomie is hereby amended by adding a new Article 9 to Chapter XII which shall read as follows:

#### ARTICLE 9. PARKS AND RECREATION DEPARTMENT.

- 9-101. <u>Osawatomie Recreation Commission and Parks Department Combined</u>. The recreation programs previously established by the City of Osawatomie, Kansas, through the Osawatomie Recreation Commission are hereby combined with the City's parks department and thereby creating a the Osawatomie Parks and Recreation Department.
- 9-102. Operation and Budget. The department may operate a system of parks, playgrounds and public recreation facilities and supervise and administer recreation programs within the city. The department may purchase and own equipment and hire personnel as deemed necessary and within a budget as established by the City.
- 9-103. <u>Director of Parks and Recreation</u>. The Parks and Recreation Department shall be under the supervision of a Parks and Recreation Director. Such Director shall have a background or education in the operation of recreation programs for adults and youth, the promotion and marketing of such programs, and the development and maintenance of parks and recreation facilities. The Parks and Recreation Department will operate under the authority of the City Manager and the City Manager will have the authority to hire and dismiss or terminate the employment of the Parks and Recreation Director.

The Director shall be responsible for the daily operations of the Parks and Recreation Department and shall, with the approval of the City Manager, hire the staff necessary to operate the programs. The Director shall operate the Department's programs within the budget provided and the funds available to the program through the approved budget. The Department will be subject to the same City ordinances, regulations and policies as are the other City Departments.

- 9-104. <u>Parks and Recreation Advisory Board</u>. There is hereby established a Parks and Recreation Advisory Board which shall be comprised of the members of the current Recreation Commission. Current members of the Commission will maintain their position on the Parks and Recreation Advisory Board until the completion of their current terms or resignation from the Board.
  - a. The City Council shall appoint one member of the City Council to serve as a council liaison and will serve as an ex-officio member of the Board, and therefore may not be eligible to serve as the Chairperson or Vice-Chairperson of the Board and shall not have a vote in matters of the Board, but shall be included in any and all deliberations and discussions of the Board.
  - b. Appointments to the Board shall be made so that all members appointed after the passage of this ordinance shall have terms expiring on December 31. All members shall serve a term of two years beginning on January 1 of the appointed year. The Mayor shall make appointments such that three members shall have terms expiring in an odd year and two members have terms expiring in an even year.
  - c. When a vacancy occurs on the Board, a new member shall be appointed by the Mayor, with the approval of the City Council to fill the unexpired term of that member.
  - d. Appointments made to replace those members that carried over from the Recreation Commission shall be made with lengths of individual terms to be determined by the Mayor upon appointment, with the approval of the City Council, to bring such terms in accordance with this ordinance. No such appointment shall create a term that is longer than two years.
  - e. Members may not serve upon the Board for more than two consecutive two-year terms. A member shall not be eligible for reappointment until they have vacated the position for one full term.
  - f. All members must be residents of the City of Osawatomie.
  - g. Upon the first meeting of the Board after the passage of this ordinance, and at the first meeting of the Board after January 1 in each subsequent year, the Board shall elect from among its members a Chairperson and Vice-Chairperson. The Chairperson shall be responsible for conducting the meetings, and the Vice-Chairperson shall conduct meetings in the Chairperson's absence.
  - h. The City Manager may provide a Board secretary on a part-time basis to take minutes of the meeting and to publish them in accordance with the Kansas Open Meetings

- Act. Should a Board secretary not be provided to the Board by the City Manager, the Board may elect a secretary from among the Board Members.
- 9-105. All meetings of Parks and Recreation Advisory Board to be Public Meetings. All meetings of the Parks and Recreation Advisory Board shall be subject to the Kansas Open Meetings Act. The Parks and Recreation Advisory Board is encouraged to meet monthly, or more often as needed, but no less than once in each quarter in a place to be determined by the Board. Any change in such meeting must be published according to the Kansas Open Meetings Act and sufficient notice shall be provided to all interested parties.
- 9-106. <u>Responsibilities of the Parks and Recreation Advisory Board</u>. The Parks and Recreation Advisory Board is only an advisory board and can take no binding action. The Board is responsible for the following:
  - a. making recommendations to assist in operation and planning of parks and recreation facilities, including facility use policies and the development of a parks master plan for presentation to the City Council;
  - b. making recommendations on the recreation programs to be offered, both current and new, the rules for operation of those programs, and user fees or participation fees for programs and facilities;
  - c. making recommendations on the capital improvements plan and the annual budget for the parks and recreation department;
- 9-107. <u>Additional Duty of Parks and Recreation Director</u>. The Parks and Recreation Director shall provide information to the Board as requested and will make recommendations and presentations as deemed necessary. The Board will work with the Parks and Recreation Director to provide the programs needed in the community for both children and adults.
- 9-108. <u>City Manager Authority</u>. The City Manager shall retain the final authority for the operation of the Parks and Recreation Department.
- 9-109. <u>City Council Not Obligated To Act On Recommendations.</u> Nothing in this ordinance shall be construed to require the City Council to act upon any recommendations by the Parks and Recreation Advisory Board.
- 9-110 Assets and Liabilities of Recreation Commission Transferred. Upon the passage of this ordinance, all assets and liabilities of the Osawatomie Recreation Commission shall become the property and responsibility of the City of Osawatomie, Kansas. All funds in the accounts of the Recreation Commission on the date of this ordinance shall be transferred to and placed under the authority of the City of Osawatomie and placed in the Special Parks and Recreation Fund for the operation of the Parks and Recreation Department. All funds received by the City for the property taxes or other outstanding amounts due to the Recreation Commission, on and after the date of this act, shall be placed in the Special Parks and Recreation Fund for the operation of the Parks and Recreation Department, except that all funds received by the City for the property

taxes or other outstanding amounts due to the Recreation Employee Benefits Fund, on and after	er
the date of this act, shall be placed in the Employee Benefits Fund of the City for the payment of	ρf
the benefits of Parks and Recreation Department employees.	

Ann Elmquist City Clerk

#### **DRAFT**

(Published in the Osawatomie Journal, January \_\_\_\_\_, 2012) 1t

ORDINANCI	E NO.			
ABOLISHING	THE	PARKS	AND	RECREATION

AN ORDINANCE ABOLISHING THE PARKS AND RECREATION ADVISORY BOARD AND CREATING A NEW PARKS AND RECREATION COMMITTEE FOR THE CITY OF OSAWATOMIE.

WHEREAS, the operations of the City of Osawatomie Parks Department and the Recreation programs of the Osawatomie Recreation Commission were combined by Ordinance No. \_\_\_\_\_\_; and

WHEREAS, the City Council of the City of Osawatomie believes that the representation of the newly created Parks and Recreation Advisory Board drafted in accordance with Kansas statutes governing the transition of a Recreation Commission to a Parks and Recreation Advisory Board should be expanded and reconstituted to provide for a more diverse group of interests that include general parks facilities and adult recreation programs, in addition to youth sports programs; and

WHEREAS, the term "Board" is reserved for City bodies that have decision making power given to it by statute or ordinance and the term "Committee" is reserved for those City bodies providing non-binding direction or serving in an advisory capacity.

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

Section 1. <u>Code Amended.</u> Sections 9-104, 9-105, 9-106, 9-107 and 9-109 of the Code of the City of Osawatomie is hereby amended to read as follows:

#### 9-104. Parks and Recreation Committee.

There is hereby established a new Parks and Recreation Committee, consisting of seven members to be appointed by the governing body of the City. Each member shall be of an adult age and shall be selected and meet the following qualifications:

- a. One member shall be a current member of the Osawatomie City Council and shall serve for a term concurrent with the term as member of the city council. This member shall be a council liaison and therefore may not be eligible to serve as the Chairperson or Vice-Chairperson of the Committee. However, the council liaison shall have a vote in matters of the Committee and shall be included in any and all deliberations and discussions of the Committee.
- b. Six members shall be appointed at large by the Mayor, with the approval of the City Council. All members must be residents of the city of Osawatomie.
- c. The initial terms of such Parks and Recreation Committee members shall be for terms

## **DRAFT**

- to be determined by the Mayor upon appointment, with the approval of the City Council, such that three members shall have terms expiring in an odd year and three members have terms expiring in an even year. No initial appointment shall create a term that is longer than two years.
- d. Following initial appointment, members shall serve a term of two years beginning on January 1 of the appointed year.
- e. Members may not be appointed to the Committee for more than two consecutive twoyear terms. A member shall not be eligible for reappointment until they have vacated the position for one full term.
- f. Upon the first meeting of the Committee after the passage of this ordinance, and at the first meeting of the Committee after January 1 in each subsequent year, the Committee shall elect from among its members a Chairperson and Vice-Chairperson. The Chairperson shall be responsible for conducting the meetings, and the Vice-Chairperson shall conduct meetings in the Chairperson's absence.
- g. The City Manager may provide a Committee secretary on a part-time basis to the take minutes of the meeting and to publish them in accordance with the Kansas Open Meetings Act. Should a Committee secretary not be provided to the Committee by the City Manager, the Committee may elect a secretary from among the Committee members.
- 9-105. <u>All meetings of Parks and Recreation Committee to be Public Meetings</u>. All meetings of the Parks and Recreation Committee shall be subject to the Kansas Open Meetings Act. The Parks and Recreation Committee may meet as often as needed, but no less than once in each quarter in a place to be determined by the Committee. Any change in such meeting must be published according to the Kansas Open Meetings Act and sufficient notice shall be provided to all interested parties.
- 9-106. <u>Responsibilities of the Parks and Recreation Committee</u>. The Parks and Recreation Committee is only an advisory body and can take no binding action. The Committee is responsible for the following:
  - a. making recommendations to assist in operation and planning of parks and recreation facilities, including facility use policies and the development of a parks master plan for presentation to the City Council;
  - b. making recommendations on the recreation programs to be offered, both current and new, the rules for operation of those programs, and user fees or participation fees for programs and facilities;
  - c. making recommendations on the capital improvements plan and the annual budget for the Parks and Recreation Department;

# **DRAFT**

- 9-107. Additional Duty of Parks and Recreation Director. The Parks and Recreation Director shall provide information to the Parks and Recreation Committee as requested and will make recommendations and presentations as deemed necessary. The Committee will work with the Parks and Recreation Director to provide the programs needed in the community for both children and adults.
- 9-108. <u>City Manager Authority</u>. The City Manager shall retain the final authority for the operation of the Parks and Recreation Department.
- 9-109. <u>City Council Not Obligated To Act On Recommendations.</u> Nothing in this ordinance shall be construed to require the City Council to act upon any recommendations by the Parks and Recreation Committee.
- SECTION 2. <u>Existing Section Repealed</u>. Sections 9-104, 9-105, 9-106, 9-107 and 9-109 of the Code of the City of Osawatomie as adopted prior to the passage of this Ordinance is hereby repealed.
- <u>SECTION 3.</u> <u>Take Effect</u>. This ordinance shall take effect and be in force from and after its passage and one publication in the official City newspaper.

PASSED AND APPROVED by the Governing Body of the City of Osawatomie, Miami County, Kansas, a majority being in favor thereof, this \_\_\_\_\_ day of \_\_\_\_\_\_, 2012.

APPROVED and signed by the Mayor.

AT I KOVED and signed by the I	viayor.	
	Philip A. Dudley	
	Mayor	
(SEAL)		
ATTEST:		
Ann Elmquist City Clerk		
L IIV C JETK		



Osawatomie City Hall 439 Main Street • PO Box 37 Osawatomie, KS 66064 Phone: (913)755-2146 Fax: (913)755-4164

#### STAFF AGENDA MEMORANDUM

**DATE OF MEETING:** January 8, 2012

AGENDA ITEM: Swimming Ordinance and Rotary Lake Project

**PRESENTER:** Dan Macek, Osawatomie Rotary Club

**ISSUE SUMMARY:** Since August, the Osawatomie Rotary Club has been working on a lake improvement project that would include a swimming beach area and several other amenities. The group has made several presentations to the City Council over the past six months.

At this time, the Rotary Club is seeking a change in the ordinance that will allow swimming in designated areas. Of course, no such designation will be made until a swimming beach has been built and all of the City's requirements for the swimming area have been met.

The Rotary Club would also like to discuss the possibility of a Resolution of support to be drafted and approved for use in future grant applications.

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

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

AN ORDINANCE AMENDING SECTION 12-218 OF ARTICLE 2 OF CHAPTER XII OF THE CODE OF THE CITY OF OSAWATOMIE RELATING TO SWIMMING AT CITY LAKES.

#### BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF OSAWATOMIE:

SECTION 1. <u>Code amended</u>. Section 12-218 of Article 2 of Chapter XII of the Code of the City of Osawatomie is hereby amended to read as follows:

- 12-218 WADING, BATHING, AND SWIMMING. (a) Wading, bathing and swimming are prohibited at Osawatomie City Lakes, except as provided in subsections (b) and (c) hereinafter.
  - (b) Wading by Fishermen. Wading with boots during open fishing season is permitted unless the area is posted by the City as a "No Fishing Permitted Area."
  - (c) Swimming is permitted in specific areas of Osawatomie City Lakes that are posted by the City as "Swimming Areas." Where a swimming area is posted pursuant to this ordinance use of such area shall be subject to restrictions established by the City Manager or his or her designee and may include among other terms, specific times, locations and conditions for use of such posted area.

SECTION 2. <u>Existing Section Repealed</u>. Section 12-218 of the Code of the City of Osawatomie as adopted prior to the passage of this Ordinance is hereby repealed.

SECTION 3. <u>Take Effect</u>. This ordinance shall take effect and be in force from and after its passage and one publication in the official City newspaper.

PASSED AND APPROVED by the Governing Body of the Kansas, a majority being in favor thereof, thisthe day of the control o	
APPROVED and signed by the Mayor.	
	Philip A. Dudley Mayor

(SEAL)

ATTEST:

Ann Elmquist City Clerk



Osawatomie City Hall 439 Main Street • PO Box 37 Osawatomie, KS 66064 Phone: (913)755-2146

Fax: (913)755-4164

#### STAFF AGENDA MEMORANDUM

**DATE OF MEETING:** January 12, 2012

AGENDA ITEM: Fee Resolution

**PRESENTER:** Don Cawby, City Manager

**ISSUE SUMMARY:** This is fee resolution will repeal Resolution 637 which established the fees

for 2011.

In 2003, the City Council passed Ordinance 3552 that established the golf course fees and allows the fees to be amended in future years by City Resolution. For 2012, I met with the Golf Course Director and members of the Golf Course Committee to review proposed changes. In summary, cart related fees were increased from \$2 per round for daily use, 2.5% for members annual use, and 4.0% for storage and trail fees. Also, the per round fee for members was eliminated and added to the membership fees. That change created a 10% - 18% increase in the membership fees. The end result should be an small increase the amount of the fee collected, as the fee is collected upfront from all members based on the average number of rounds.

In 2004, Ordinance 3577 was passed which set the permit fee schedule to allow the per square foot residential and commercial fees for new construction and additions by \$.03/ft<sup>2</sup> per year and remodels and alterations to increase \$.02/ft<sup>2</sup> per year. However, the fee resolution has changed those original amounts since 2004, and many of the building permit fees were increased over the previous year. For the 2012 proposed resolution, I increased the fee by the same amount over the previous year.

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

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

RESOLUTION NO.	
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# A RESOLUTION REVISING THE ANNUAL FEE RESOLUTION NO. 639

**WHEREAS**, a "comprehensive fee listing" promotes efficiency and expediency regarding City fees and charges; and

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

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

**SECTION ONE:** Resolution No. 639 and all fees that are in conflict with this Resolution regarding fees and charges are hereby repealed.

**SECTION TWO:** This Resolution shall take effect the 1<sup>st</sup> day of January, 2012.

**PASSED AND APPROVED** by the Governing Body of the City of Osawatomie, Kansas this 12<sup>th</sup> day of January, 2012, a majority being in favor thereof.

**APPROVED AND SIGNED** by the Mayor.

	Philip A. Dudley Mayor
(SEAL)	
ATTEST:	
Ann Elmquist City Clerk	

# OSAWATOMIE FEE SCHEDULE Adopted 01/12/12; Resolution No. \_\_\_\_ Effective Date - January 1, 2012

DESCRIPTION	PREVIOUS FEE(S)	CURRENT FEE(S)
ADMINISTRATIVE:		
ALCHOHOL & CEREAL MALT BEVERAGE		
Alcoholic Consumption on Public Property	\$100.00 deposit	\$100.00 deposit
Cereal Malt Beverage general retailer/consumption	\$100.00*	\$50.00 per calendar year *
limited retailer/retail sales	\$50.00*	\$50.00 per calendar year *
* plus any state assessed costs/taxes		
change location application fee		\$25.00
Occupational Tax – Retail Liquor sales off premises consumption	\$300.00	\$300.00 per year
Private Club License - Class A Club		\$250.00 per year
Private Entertainment Event		\$100.00
Drinking Establishment License - Class B Club	\$100.00	\$250.00 per year
Special Event Cereal Malt Beverage Permit		\$50 + \$25 State Fee
Temporary Liquor License - by the drink		\$50.00 per day + state license

DE	SCRIPTION	PREVIOUS FEE(S)	CURRENT FEE(S)
BUILDING RENTALS			i i
Auditorium			
per day		\$125.00	\$150.00
deposit		\$100.00	\$100.00
microphone deposit		\$25.00	\$25.00
Memorial Hall			
Monday - Friday	7:00 a.m 3:00 p.m.	\$35.00	\$40.00
•	4:00 p.m midnight	\$45.00	\$50.00
	all day	\$55.00	\$60.00
Saturday, Sunday, Holidays	7:00 a.m 3:00 p.m.	\$40.00	\$50.00
, ,	4:00 p.m midnight	\$50.00	\$60.00
	all day	\$60.00	\$70.00
Grandfathered organizations	•	\$25.00 per year	\$35.00 per year
deposit		\$100.00	\$100.00
Old Stone Church		\$50 deposit only	\$50 rent + \$50 deposit
Golf Course Clubhouse			
winter rental		\$125.00 + salary	\$250.00 + salary
USD #367 & Chamber of Comme.	rce	no rent/no deposit	no rent/no deposit
Osawatomie Alumni Association			no rental charge
Benefit for someone with severe il	lness		no rental charge
CEMETERY SERVICES			
Opening & closing grave, reopening	ng or disinterment	contractor's cost	contractor's cost
Single grave space	resident	\$100.00	\$150.00
	growth area	\$0.00	\$250.00
	non-resident	\$200.00	\$400.00
Permit for setting monument	single/double/corner markers	\$30.00	\$40.00
	reset	\$0.00	\$40.00
	repair	no charge	no charge
Burial Permit	during business hours	\$25.00	\$30.00
	after business hours	\$75.00	\$80.00
Permit for disinterment		$$10 + \cos t + 10\%$	\$80.00
Stone Setting Bond		\$300.00	\$300 w/liability ins of \$1M

DESCRIPTION	PREVIOUS FEE(S)	CURRENT FEE(S)
FIREWORKS		
Permit for sale of fireworks	\$750.00	\$1,000.00
Permit for public display	none	none
MISCELLANEOUS/OTHER  Insufficient check charge for checks returned unpaid by a bank KSA 21-3707(b)(1)		\$30.00
MUNICIPAL COURT		
Court Cost - plus any state assessed costs	\$40.00	\$55.50 + State costs
Court Fines		fine schedule determined by Judge
OPEN RECORDS FEES		
Copies	\$0.20	\$.60 per page
Research fee per employee	\$13/hr.	\$20.00 hr. w/ \$20.00 minimum
Utility Histories	150% of cost	\$25.00 + \$.60 per page
Letters of Credit	150% of cost	\$25.00
Maps, postage, manuals, misc.	manuals - \$10	150% of City cost including labor
SOLICITORS, CANVASSERS, PEDDLERS (ETC. City Code 5-201)		
License fee per person	\$10/day/person	\$30.00 per day per person

DESCRIPTION	PREVIOUS FEE(S)	CURRENT FEE(S)
BUILDING, ZONING & NUISANCES:		
BUILDING PERMITS		
Residential Structure - NEW, ADDITIONS, REMODELS or Accessory Structures over 120 sfall Square footages including unfinished basements & garages	\$.27/sq ft (annual increase of \$.03/yr)+ Utilities as required	\$.30 per sq. ft., minimum \$40 + UTILITIES as required
ALL NON-RESIDENTIAL & PUBLIC PROJECTS (OTHER THAN CITY) NEW, ALTERATIONS, OR ADDITIONS CONSTRUCTION VALUE LESS THAN \$300,000	\$.22 per sq. ft., \$100 minimum + UTILIITES as required	
ALL NON-RESIDENTIAL & PUBLIC PROJECTS (OTHER THAN CITY) NEW, ALTERATIONS, OR ADDITIONS CONSTRUCTION VALUE \$300,000 AND OVER		ADOPTED BUILDING CODE RATES
Residential Accessory Structures		
Residential/Commercial 120 sf and greater	\$.27/sq ft (\$40 min)	\$.30 per sq. ft min of \$40
Agricultural All square footage	\$25.00	\$30.00
Other Classifications		
Re-roof/New Roof/fences over 6' in height	\$25.00	\$30.00
Demolition	\$25.00	\$30.00
Demolition (building with shared wall)		\$100.00
Electric Wiring		
replacement (of existing wiring only)	\$25.00	\$30.00
new structures (expansion of existing system)	\$40.00	\$50.00
Plumbing		
replacement (of existing plumbing only)	\$25.00	\$30.00
new structures (expansion of existing system)	\$40.00	\$50.00
Mechanical, Heating, Venting & AC		
replacement (of existing HVAC only)	\$25.00	\$30.00
new structures (expansion of existing system)	\$40.00	\$50.00
Earthwork excavation or fill 18" or more	\$40 + actual cost	\$50 plus actual City cost
Towers, Generating Stations, & Generating Plants	Adopted Bldg.	ADOPTED
	Code Rates	BUILDING CODE RATES

	PREVIOUS	CURRENT
DESCRIPTION	FEE(S)	FEE(S)
Temporary Occupancy Permit		\$25.00
Decks	\$25.00	\$30.00
Signs	\$25.00	\$30.00
Structure moving fee - does not include all cost of required new structure	\$40 + cost	\$50 + cost of City labor - \$500
permits	- \$300	in escrow prior to permit -
		total cost = actual City cost
Street excavation fee per occurrence or street/curb damage fee	\$300 escrow	\$1,000 escrow held up to 1 year
(permit required for each occurrence)		48 hr response to trigger escrow
Oil or gas drilling permit fee	\$100.00	\$1,000.00
Plan Review Fee - non-residential & public building - may include (but not	\$250.00	
limited to) all plans such as utility site plans, storm water plans, traffic		\$250 or adopted building code rates
flow plans, outside lighting plans, landscaping plans, building plans,		if value is over \$300,000
etc.		
Plan Review Fee - residential homes and accessory structures	\$50/hour w/1 hour	\$50/hour w/1 hour min./3 hour max.
	min./3 hour max.	or Adopted Building Code Rate for
		Buildings valued over \$300,000
Working without building permit	double permit fee	triple permit fee
CONTRACTOR REGISTRATION FEES		
All must present proof of required insurance		
General Builder or Limited Building Contractor - who shall engage in	\$30.00	\$50.00 per calendar year
general contract work, except house moving		
General Electrician or Electrical Contractor - who shall engage in more	\$30.00	\$50.00 per calendar year
than one kind of electrical construction work		
General Plumber or Plumbing Contractor - who shall engage in more	\$30.00	\$50.00 per calendar year
than one kind of plumbing work		
Mechanical Contractor - who shall engage in more than one kind of	\$30.00	\$50.00 per calendar year
mechanical work		
Tree Trimmers	\$30.00	\$50.00 per calendar year
House Movers	\$30.00	\$50.00 per calendar year
Sign Hangers and Panel Posters	\$30.00	\$50.00 per calendar year
Operating without being registered		maximum \$500.00
MOWING ASSESSMENT		
each occurrence	\$150/hour	\$200.00/hr, 1 hr minimum
		(round up to next hour)

	PREVIOUS	CURRENT
DESCRIPTION	FEE(S)	FEE(S)
ZONING		
All zoning requests will be fees plus actual City costs for publication, notifications, legal costs		
Rezoning – All districts		
0 - 5 acres	\$150.00 + \$5.00	\$250.00
5.1 - 50 acres	per owner	\$300.00
50.1 and up		\$400.00
Special Use Permit – Initial Application		
0 - 5 acres	\$100.00 + \$5.00	\$200.00
5.1 - 50 acres	per owner	\$300.00
50.1 and up		\$400.00
Land use permit		\$400.00
Board of Zoning Appeals Variances	\$300.00	\$150.00
Appeals	\$150.00	\$300.00
Subdivision Application		
Per lot, 10 or less	\$75 + \$5/lot	\$200.00 + \$5.00 per lot
Per lot, 11 or more	\$75 + \$3.50/lot	\$200.00 + \$3.50 per lot
Preliminary Plat	\$600.00	\$300.00
Final Plat - not combined with preliminary plat		\$300.00
Lot Splits	\$75.00	\$150.00

D	ESCRIPTION	PREVIOUS FEE(S)	CURRENT FEE(S)
PUBLIC SAFETY:			
ADMINISTRATIVE			
Fee for Police Responses to Party	y - including but not limited to:		Actual cost (may include but not limited to: Officer salaries, pro rate cost of equipment, cost of repairing City equipment or property, officer medical treatment, reasonable attorney fees, etc.
Adult entertainment licenses - plu	us investigation costs		
Business license		\$500.00 per year	\$1,000.00 per year
Manager's license		\$100.00 per year	\$250.00 per year
Entertainer's license		\$250.00 per year	\$1,000.00 per year
Server's license		\$50.00 per year	\$50.00 per year
ANIMALS			
Dog or Cat License	sexually altered	\$6.00	\$7.00 per animal per year
	unalterted	\$10.00	\$10.00 per animal per year
	duplicate tag	\$2.00	\$2.50
Impoundment fee	1st impoundment	\$50.00	\$60.00
(within 24 months of 1 <sup>st</sup> )	2nd impoundment	\$75.00	\$85.00
(within 24 months of 1 <sup>st</sup> )	3rd impoundment	\$100.00	\$110.00
(within 24 months of 1 <sup>st</sup> )	4th impoundment & subsequent	\$200.00	\$210.00
Pickup fee		\$20.00	\$25.00
Boarding fee		\$15.00 per day	\$20.00 per day
Euthanize		\$20.00	\$50.00
Vaccination fee		\$10.00	\$15.00 per animal
Small Dead Animal Removal from private property (commercial operation)			\$30.00 per animal
Small Dead Animal Removal from private property			\$25.00
Large Dead Animal Removal from private property			Actual cost of removal
Animal Adoption, dog or cat	license fee		Same as above
	Adoption fee	\$20.00 per animal	\$25.00 per animal
	Spay/neuter fee		\$100.00
	Vaccination fee	Same as above	Same as above

DESCRIPTION		CURRENT FEE(S)
		actual cost to City
Senior citizen - 65 years or older	\$2.00 per year	No charge
residents	\$5.00 per year	\$7.50 per calendar year
non-residents	\$7.50 per year	\$20.00 per calendar year
Senior citizen - 65 years or older	\$2.00 per year	No charge
residents	\$5.00 per year	\$10.00 per calendar year
non-residents	\$7.50 per year	\$30.00 per calendar year
Senior citizen - 65 years or older	not allowed	No charge
residents		\$20.00 per calendar year
non-residents		\$60.00 per calendar year
		Î
no hook-up	\$7.00	\$10.00 per day with 7-day
electric		limit combined with all City parks
air conditioning or heat		
·	\$7.00	\$10.00 per day with 7-day
		limit combined with all City parks
<u> </u>		
older	\$2.00 per year	No charge
Senior citizen - 65 years or older Residents		\$10.00 per year
		\$25.00 per year
d by adult		free
		\$2.00
Daily Weekend (Friday - Sunday)		\$4.00
		, , , , , , , , , , , , , , , , , , , ,
if paid before 1/15 of each year)		
Single		\$490.00
Single with cart privileges		\$890.00
Couple		\$645.00
Couple with cart privileges		\$1,140.00
Family		\$820.00
Family with cart privileges		\$1,505.00
Students (under 18 & living at home)		\$190.00
Youth (12 & under) Monday - Friday only		\$190.00
	Senior citizen - 65 years or older residents non-residents Senior citizen - 65 years or older residents non-residents Senior citizen - 65 years or older residents non-residents non-residents  no hook-up electric air conditioning or heat no hook-up electric air conditioning or heat  older  d by adult  if paid before 1/15 of each year)	Senior citizen - 65 years or older residents   \$5.00 per year   \$5.00 per year   \$7.50 per year   \$2.00 pe

	PREVIOUS	CURRENT
DESCRIPTION	FEE(S)	FEE(S)
Green Fees for non-members		
Osawatomie Residents		
Monday through Thursday - 9 holes	\$13.00	\$14.00
Monday through Thursday - 18 holes	\$19.00	\$20.00
Friday through Sunday & Holidays - 9 holes	\$16.00	\$17.00
Friday through Sunday & Holidays - 18 holes	\$22.00	\$23.00
Non-Residents		
Monday through Thursday - 9 holes		\$16.00
Monday through Thursday - 18 holes		\$22.00
Friday through Sunday & Holidays - 9 holes		\$18.00
Friday through Sunday & Holidays - 18 holes		\$25.00
All Persons		
Twilight Rate - walking (M-Th after 4 / weekends after 5)	\$13.00	\$14.00
Twilight Rate with cart (M-Th after 4 / weekends after 5)	\$24.00	\$25.00
Winter Rate - walking	\$15.00	\$14.00
Winter Rate with cart	\$23.00	\$25.00
Winter Rate with cart, after 2:00 p.m.	\$18.00	\$19.00
Senior Rate (Over 62)(M-Th, Fri-Sun after noon),(no 9 hole rate)	\$16.00	\$17.00
Winter Rate - walking	\$12.00	\$15.00
Winter Rate with cart	\$22.00	\$23.00
Winter Rate after 2:00 p.m.	\$18.00	\$19.00
Supplemental green fee per round (maximum 18 holes per round)		
Members	\$1.50 per round	included in membership fees
Non-members	included in green fees	included in green fees
Golf Carts		
Cart Storage Rentals in the City Building	\$125.00 annual	\$130.00 annual
Electricity Charge	\$155.00 annual	\$165.00 annual
Private Cart Trail Fee	\$125.00 annual	\$130.00 annual
Hauled Private Cart Trail Fee Annually	\$180.00 annual	\$190.00 annual
Hauled Private Cart Trail Fee per Round	\$15.00 per time	\$16 per time
Rental - 9 holes per player	\$7.00 per player	\$8.00 per player
Rental - 18 holes per player	\$14.00 per player	\$16.00 per player
Group Membership Rates - minimum of 10		
without cart privileges	\$400 per player	\$445 per player
with cart privileges	\$800 per player	\$865 per player

DESCRIPTION	PREVIOUS FEE(S)	CURRENT FEE(S)	
Tournament Rates (includes cart)			
Under 20 Players inTournament - Monday through Thursday		\$34 per player	
Under 20 Players in Tournament - Friday through Sunday	\$37 per player	\$39 per player	
21 - 40 Players - M - Th		\$33 per player	
21 - 40 Players - F - Sun	\$36 per player	\$37 per player	
41 - 60 Players - M - Th		\$32 per player	
41 - 60 Players - F - Sun	\$35 per player	\$36 per player	
61 + Players - M - Th		\$31 per player	
61 + Players - F - Sun	\$34 per player	\$35 per player	
SWIMMING POOL FEES			
Punch Card (20 punches)	\$15.00	\$25.00 AT GATE	
Children under 5 years old		free free	
Children 5-13 years old	1 ticket	1 punch \$1.50	
14 & older	2 tickets	2 punches \$2.50	
Pool rental (weekend only)	\$35.00 + \$.50	\$50.00 + \$.50 per swimmer	
UTILITIES: ADMINISTRATIVE			
Customer utility service fee (connections & transfers)	\$15.00	\$20.00 + tax	
Utility Desposits			
Residential	\$100.00	\$200.00	
Commercial - average of previous 12 mos or similar business \$150.00 min \$300.00		\$300.00	
Rental Units - residential \$100.00		\$200.00	
Senior citizen housing \$50.00 \$75.00		\$75.00	
Tavern	\$250.00	\$300.00	
Restaurant	\$1,000.00	\$1,000.00	
Late charge for delinquent utility bills	3%	7% of amount billed	
Ŭ Î		\$25 during business hours	
		\$75 after business hours	
Reconnection charge for services disconnected for non-payment			
during business hours	\$20 + tax	\$25.00 + tax	
after business hours \$40 + tax NO AFTER HOUR		NO AFTER HOURS RECONNECT	

DESCRIPTION	PREVIOUS FEE(S)	CURRENT FEE(S)	
ELECTRIC SERVICE RATES			
Residential			
Customer charge	\$10.00	\$10.00	
First 100 kwh per month	\$0.156	0.150/kwh	
Next 400 kwh per month	\$0.100	\$0.096/kwh	
Next 1,000 kwh per month	\$0.079	\$0.076/kwh	
All over 1,500 kwh per month	\$0.077	\$0.074/kwh	
•	(Plus Ener	rgy Cost Adjustment charge)	
Small General			
Customer Charge	\$15.00	\$15.00	
First 100 kwh per month	\$0.137	\$0.126/kwh	
Next 400 kwh per month	\$0.121	\$0.111/kwh	
Next 1,500 kwh per month	\$0.103	\$0.095/kwh	
Next 3,000 kwh per month	\$0.100	\$0.092/kwh	
Next 5,000 kwh per month	\$0.088	\$0.081/kwh	
All over 10,000 kwh per month	\$0.082	\$0.075/kwh	
•	(Plus Energy Cost Adjustment charg		
Large General			
Demand	\$5.81	\$5.35	
First 150 kwh per month	\$0.068	\$0.063/kwh	
Next 150 kwh per month	\$0.062	\$0.057/kwh	
All additional kwh	\$0.053	\$0.049/kwh	
Customer Charge	\$75.00	\$75.00/mo	
Minimum bill	demand + cc	demand + customer chg	
	(Plus Ener	nergy Cost Adjustment charge)	
Outside City limits	50% over rates listed above		
City Use			
First 100 kwh per month	\$0.115	\$0.115 per kwh	
All over 100 kwh per month	\$0.083	\$0.083 per kwh	
	(Plus Ener	rgy Cost Adjustment charge)	
Energy Cost Adjustment Charge - weighted average of 3 most recent months	Same	Add 0.1 mill/kwh for each	
		0.1 mill over 50.0 mills or	
		subtract for under 50.0 mills	

	PREVIOUS	CURRENT	
DESCRIPTION	FEE(S)	FEE(S)	
Service Connection			
Regular meter - residential & small commercial - 200 amps & less		\$500.00	
Demand meter - 400 amps & more		\$750.00	
Padmount transformer		cost + labor + 10%	
Temporary Electric Hookup			
rate	as applicable	as applicable	
installation		\$100.00	
deposit	as applicable	\$100.00	
Security/Yard Lights			
monthly rate 175 watt	\$7.50	\$9.50 per month	
400 watt		\$20.00 per month	
installation	\$60.00	\$100 per light	
pole	\$60.00	\$100 per pole	
after hours repair		\$125/hr equipment charge +	
		\$75/hour per employee	
REFUSE SERVICE RATES			
Residential	\$15.04	\$15.48 per family unit	
Business		2x 4x 5x 6x	
Class 1	\$14.96/	\$15.39 \$35.77	
	\$34.73/		
Class 2	\$27.42/	\$28.23 \$68.66	
	\$66.66/		
Class 3	\$37.46/	\$38.58 \$94.52	
	\$91.77/		
Class 4	\$53.95/\$88.09	\$55.56 \$88.09 \$109.80 \$131.51	
	\$109.80/\$131.51		
Class 5	\$85.53/\$169.82	\$88.09 \$174.90 \$218.31 \$261.72	
	\$211.96/\$254.10		
Class 6	\$127.69/\$254.10	\$131.51 \$261.72 \$325.80 \$391.91	
	\$316.32/\$380.50		
Class 7	\$169.82/\$338.38	\$174.90 \$348.52 \$435.31 \$522.11	
	\$422.64/\$506.92		
Fuel Surcharge - NOT included in rates - adjusts every 6 mos. Per contract		3% for ea. \$0.20 inc. in fuel over \$3	
Collection outside City limits	no additional chg	50% over rates listed above	
Customers hauling own refuse	\$1.00	\$1.22 per month	
Rates include billing charge	Administrative fee \$.50	\$0.50	
Residential rate includes monthly bulky item pickup fee \$1.00 \$1.22		\$1.22	

	PREVIOUS	CURRENT	
DESCRIPTION	FEE(S)	FEE(S)	
SEWER SERVICE CHARGES			
Volume charge based on metered water used during preceding			
December & January			
User charge	\$1.55	\$2.33 per month	
Net capital charge	\$14.50	\$21.75 per month	
Minimum monthly charge (user charge + net capital charge)	\$16.05	\$24.08 per month/housing unit	
Volume charge per 748 gallons of metered water	\$1.19	\$1.79 per month	
Outside City limits		50% over rates listed above	
Service to the State Hospital			
User charge	\$1.55	\$2.33 per month	
Net capital charge	\$5,953.37	\$8,930.06 per month	
Minimum monthly charge (user charge + net capital charge)	\$5,954.92	\$8,932.39 per month	
Volume charge per 748 gallons of metered water	\$1.19	\$1.79 per month	
Extra Strength Sewage Surcharge	No charge	S=Vs x 0.00624 [\$.2364	
		(BOD-300) + \$.1734	
		(SS-350)	
BOD		\$0.2364 per pound	
Suspended Solids		\$0.1734 per pound	
Service Connection			
connection within existing districts	\$250.00	\$350.00	
reconnection	\$50.00	\$50.00	
Amortization Assessment fee - outside the bounds of an assessed	\$1,000.00	\$1,000.00	
improvement district			
Private system inspection & permit fee - does not include regular plumbing permit fee		\$50.00	

DESCRIPTION	PREVIOUS FEE(S)	CURRENT FEE(S)	
WATER SERVICE RATES	122(8)	122(0)	
Residential			
First 1,500 gallons per month	\$11.62	\$12.08 minimum per housing unit	
Next 2,200 gallons per month	\$.38/hundred gal	\$.40 per hundred gallons	
Next 3,700 gallons per month	\$.33/hundred gal	\$.34 per hundred gallons	
Over 7,400 gallons per month	\$.31/hundred gal	\$.32 per hundred gallons	
Commercial			
First 1,500 gallons per month	\$16.98	\$17.66 minimum	
Next 2,200 gallons per month	\$.38/hundred gal	\$.40 per hundred gallons	
Next 3,700 gallons per month	\$.33/hundred gal	\$.34 per hundred gallons	
Next 67,400 gallons per month	\$.31/hundred gal	\$.32 per hundred gallons	
Over 74,800 gallons per month	\$.26/hundred gal	\$.27 per hundred gallons	
Outside City Limits		50% over rates listed above	
State Hospital and Rural Water Districts			
First 7,500 Gallons, Minimum	\$32.71	\$34.99	
Excess	\$2.35	\$2.51 per thousand gallons	
Bulk Water Sales (at City Warehouse)			
Per Thousand Gallons	\$4.40	\$4.58	
Per 100 Gallons	\$0.44	\$0.46	
Hydrant Meter Fee	\$0.00	\$25.00	
State Water Protection Fee - State mandated	\$0.032	\$0.032 per thousand gallons	
New Service Connection - tap, service line & meter			
3/4 inch meter or 5/8 inch meter	\$350.00	\$750.00	
meter larger than 3/4 inch	er than 3/4 inch time & material time & material + \$		
Temporary Water Service			
rate	bulk water	bulk water rate	
installation		\$25 + installation cost	
deposit		\$500 meter deposit	
fire hydrant water meter deposit	\$1,200.00	\$1,200.00	



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#### STAFF AGENDA MEMORANDUM

**DATE OF MEETING:** January 12, 2012

AGENDA ITEM: Building Inspection

**PRESENTER:** Don Cawby, City Manager

**ISSUE SUMMARY:** With the retirement of Terry Anderson, I decided to look at our options with the Building Inspector position to see if there was a more efficient and equally effective way to provide the same service. I investigated job sharing an inspector with Paola, contracting with the County, and finding part-time help. After several weeks of working through scenarios, we were able to find a short-term solution until we can find a more permanent solution.

Currently, we have worked it out to get Bill Trout, the City Inspector from Paola, two mornings each week to pick up the building inspection work. Bill will also do some on-call inspections as he is available. However, Bill is working for us while taking vacation from Paola, so this is not a long-term solution.

At the same time I was trying to work out an arrangement with Paola, I also, I spoke to the County about providing inspection services for us on contract. The County wasn't interested in taking it over wholesale, but they did seem interested in providing some of the work on a temporary basis. After a couple of discussions we were able to come to the agreement for the County to help us out on a per inspection basis when Bill isn't available. The attached agreement is what both the County Administrator and I have agreed to. My hope is to get this agreement extended past the May 1 date, so we can have backup should problems arise in the future.

Through the process of revising the budget, I know that I will be seeking either a certified parttime person to provide building inspections on a permanent basis or I will be looking to combine a couple of jobs into one full-time position. With the loss of the growth area, the amount of work does not justify a full-time building inspector. **COUNCIL ACTION NEEDED**: Review and authorize the City Manager to enter into an agreement with the County.

**STAFF RECOMMENDATION TO COUNCIL:** Authorize the City Manager to enter into an agreement with the County to provide on-call building inspection services.

AN AGREEMENT BY AND BETWEEN MIAMI COUNTY, KANSAS, AND THE CITY OF OSAWATOMIE, KANSAS FOR PLAN REVIEW FOR BUILDING APPLICATIONS AND INSPECTIONS FOR ALL CONSTRUCTION UNDER BUILDING PERMITS ISSUED BY THE CITY OF OSAWATOMIE

This Agreement, made and entered this 17th day of January, 2012, by and between **Miami County, Kansas** ("County") and **The City of Osawatomie, Kansas** ("City"), each Party duly having been organized and now existing under the laws of the State of Kansas (hereinafter the "Parties")

## **RECITALS**

WHEREAS, it is the desire of the City to have the County provide plan review for building permit applications and inspections for all construction under building permits issued by the City, and

WHEREAS, this Agreement has been reached in accordance with K.S.A. 12-2908, and any amendment thereto, which permits any municipality to contract with any other municipality to perform any governmental service, activity or undertaking, which each contracting municipality is authorized by law to perform, and

WHEREAS, the Board of County Commissioners of Miami County has duly authorized the County Administrator to enter into such an agreement with the City, and

WHEREAS, the Governing Body of the City of Osawatomie has duly authorized the City Manager to enter into such an agreement with the County

#### **AGREEMENT**

NOW THEREFORE, in consideration of the above and foregoing recitals, the mutual covenants, conditions and promised hereafter contained, and for other good and valuable consideration, the Parties hereto agree as follows

## 1 Provision of Services

- (a) On an as needed basis and when requested by the City, the County will review permit application plans for compliance to applicable building codes, to advise the City in writing when deficiencies on the plans are discovered, and to inspect all construction under building permits issue by the City upon request by the permit holder within a reasonable time and provide copies of the inspection reports to the City.
- (b) The County will bill the City quarterly in accordance with the applicable fee schedule as set forth in this document. The bill shall include an itemized list of services provided.

## 2 **Compensation**

For services to be provided by the County under this Agreement, the City agrees to pay the County on a quarterly basis as billed for services as follows

- (a) Plan Review Fees \$45 per hour
- (b) Inspection Fees \$35 per hour at each location
- (c) Trip Fees \$15 per inspection location visited
- (d) Consultation with permit holders No charge for short calls or visits under 5 minutes, charge at \$45 per hour for all other consultations.

## 3 Effective Date and Term

This agreement shall become effective upon its adoption by each of the Parties, and shall inure to the benefit of and be binding upon the Parties hereto, their respective successors and assigns, and remain effective until May 1, 2012.

## 4 Termination

This agreement can be terminated by either party by giving 7 days written notice of such intent.

## 5 **Modification**

The provisions of this Agreement shall not be changed except by writing duly signed by representatives of the City and County, however, the Agreement is subject to valid orders of legally constituted regulatory bodies having jurisdiction over the subject matter of this Agreement.

## 6 **Personnel**

That the inspections and plans examiners of the County, in the performance of any governmental service, activity or undertaking on behalf of the City, are authorized with all the privileges as provide for by the Kansas Tort Claims Act and the 2006 International Building Code, Chapter 1, Section 104 8, Liability.

## 7 Nonappropriation

Notwithstanding anything contained in this Agreement to the contrary, it is understood and agreed by the Parties hereto that the obligations expressed herein are subject to funds budgeted and appropriated for such purpose or from funds made available from any lawfully operated, revenue producing source.

## 8 Liability

City will hold County harmless from liability for damages caused by the County while providing services to City pursuant to this Agreement.

## 9 **Governing Law**

This Agreement shall be governed by and subject solely to the laws of the State of Kansas applicable to agreements made and to be wholly performed within such state.

## 10 **Severability**

If any provision, or portion thereof, contained in this Agreement is held to be unconstitutional, in violation of Kansas Statutes or otherwise invalid or unenforceable, that provision or portion thereof shall be excused here from and the remainder of this Agreement shall remain in full force and effect.

## 11 Entire Agreement

The text herein shall constitute the entire Agreement by and between the Parties hereto, and supersedes any and all prior understandings, agreements or promises, whether oral or written, by and between the Parties pertaining to, or in connection with, the subject matter of this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first above written

# By \_\_\_\_\_ Date By \_\_\_\_ Date By \_\_\_\_ County Clerk Date By \_\_\_\_ City Clerk Date City Clerk Date City Clerk Date

DRAFT

By			By	By	
,	County Counselor	Date	Ci	ity Attorney	Date

Address: 201 S. Pearl, Suite 200, Paola, KS 66071 Phone: 913-294-9500

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## **MEMORANDUM**

To: Mayor and City Council

From: Don Cawby, City Manager

Re: Projects & Issues Update

**Date:** January 12, 2012

#### **Projects**

**Mold Abatement.** This is still on hold. I am waiting on getting an inspection done until I can be sure we have some funds to do the remediation.

**Sewer Plant.** Last week Bruce Hurt, Dennis Davey and I met with representatives from BG Consulting to go over some of the major repair issues we have at the plant. We need to replace our spiral screen and we are having advanced deterioration in our headworks because of covering pits that were not designed to be covered. This will probably be addressed in the CIP process, but I wanted you to know we have some ongoing issues at the plant that will need to be addressed later this year or next.

## <u>Issues</u>

**2012 Budget Rework.** At the next meeting, I would like to do a work session on the internal budget revisions. There is nothing you will have to do to formally adopt or approve the budget, so I think this is a good work session topic. I hope to have a complete budget revision package to you, but if I am unable to get the necessary changes and reductions to bring us back into balance, I will have two or three decision items on which we will need to find consensus. Also, as part of this process I have been doing some detailed evaluation of our utility funds and their structural balance, I will have the results of that information to you as well.

**1600 Block of Main.** In November, a group of upset citizens approached the City Council about problems with the house at 1625 Main Street and also complained about the traffic and speeding in the area. Police have followed up on this petition and have forwarded their investigative files to the County for prosecution. We expect drug related charges to be filed against one or more individuals in the home. Just this week we received additional complaints about the area and some new information. Our officers are already looking into those complaints as well. We did over 12 hours of surveillance in the area and were not able to find traffic to and from the home. Also, our patrols have reported slower traffic in the area, but we will continue to patrol and check speeds on a regular basis in the area.

**Brown's Hardware.** I am still working with Mike Page to come to a resolution on getting the building fixed. Currently, they are still scheduled to be in municipal court on Wednesday the 16<sup>th</sup>.

2012-01-12 Update Memo.doc

**Auditor Selection.** We did not receive the official Letter of Engagement (contract) from the Auditor to put on this agenda. It should be ready for the next meeting.

**Website.** I have created an internal team to work on getting the website updated. The team of DuWayne Tewes, Brad Wagner, Ryan Crowley, Ashley Smith and Shelagh Wright will look to create a more unified community calendar, integrate Facebook with the website, and make it easier for the entire site to be maintained by the different departments. We hope to have Civics Plus in to visit over the next couple of weeks to kick off this process.

**Recycling.** L & K reported to me that they picked up an estimated 53 tons of recycling in the three months we had the program in 2011.

**Meetings.** Since the end of the year, I have had numerous meetings. 'Tis the season, I guess. I wanted to report that I visited with Charles Johnson about his facility and expansion plans. I attended a Northland Advisory Committee meeting and got to meet Superintendent Ashcraft and to reconnect with Craig Van Wey our Department of Commerce regional representative. I was the moderator for the Osawatomie History Task Force and also had a good meeting with Don Osenbaugh and other managers one evening in Ottawa about KMIT issues.

**City Hall Day.** If any of you are interested in attending City Hall Day in Topeka, please let me know. Right now, I am not planning on attending, but if several of you wanted to go we could run up and back. The formal part of the event runs from 2 to 6 p.m.

## **Recognition**

**City Food Drive.** City employees collected two large boxes of food and over \$150 in cash for the Osawatomie Food Pantry.

#### **Upcoming Meetings/Dates**

Jan 16	City Hall Closed – MLK Day
Jan 26	City Council Meeting/Work Session
Jan 28	Kansas Day Arts & Crafts Vendor Fair at OHS
Feb 1	City Hall Day at the Statehouse
Feb 9	City Council Meeting
Feb 18	Legislative Breakfast at OHS
Feb 23	City Council Meeting/Work Session
March 3	Osawatomie Home & Business Expo – Municipal Auditorium

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

Jan 17	EMP1 Meeting in Overland Park (10:30)
Feb 10	KACM Winter Meeting – Wichita State University
Feb 23-27	Vacation

2012-01-12 Update Memo.doc