

**OSAWATOMIE CITY COUNCIL
AGENDA**

February 9, 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 January 12 and January 26 Council Meetings
 - B. Approve February 9 Agenda
 - C. Appropriation Ordinances 11-25, 12-1 & 12-2
5. Comments from the Public; Presentations
 - Citizen participation will be limited to 5 minutes. Please stand & be recognized by the Mayor.*
6. Public Hearing –
 - Final Performance Hearing CDBG Sewer Grant
7. Unfinished Business
 - A. Approve Invoice(s) for Pacific, 14th, Brown Streets Project – Request No. 17
 - B. Letter of Engagement for Auditing Services with Jarred, Gilmore & Phillips
8. New Business
 - A. Appointments
 - B. Burn Permit Issues
 - C. Proposed Water Rates
 - D. Discuss LED Lights for City Street Lights
9. Council Reports
10. Mayor's Report
11. City Manager's Report
12. Executive Session - none
13. Adjournment

MEETING/WORK SESSION – February 23, 2012

REGULAR MEETING – March 8, 2012

Osawatomie, Kansas. **January 12, 2012.** The Council meeting was held in Memorial Hall. Mayor Dudley called the meeting to order at 7:00 p.m. Council members present were Dickinson, Farley, Govea, Hunter, LaDuex, and Maichel. Absent were Moon and Klein. Also present were City Manager Cawby, City Attorney Wetzler, and City Clerk Elmquist. Visitors were Dan Macek, Webster Hawkins, Travis Perry, and Kevin Grey.

CONSENT AGENDA. Approval of the minutes of December 8, December 15 and December 28 Council Meetings, approval of January 12 Agenda, and approval of Appropriation Ordinances 11-23 & 11-24. Motion made by Hunter, seconded by Dickinson to approve the minutes of December 15 and December 28 Council Meetings, the January 12 Agenda as amended, and Appropriation Ordinances 11-21 & 11-22. Yeas: All. Motion made by LaDuex, seconded by Maichel to approve the December 8 minutes as amended. Yeas: All.

Public Participation; Presentations: none

Public Hearing: none

Unfinished Business:

APPROVE INVOICE(S) FOR PACIFIC, 14TH, BROWN STREETS PROJECT – REQUEST No. 16. Motion made by Hunter, seconded by Govea to approve Pay Request No. 16. Yeas: All.

PARKS AND RECREATION ORDINANCE. The ordinance addresses 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. Motion made by Govea, seconded by Maichel to approve the ordinance which adopts the statutory measures of converting from a Recreation Commission to a Parks and Recreation Department. Yeas: Dickinson, Govea, Hunter, LaDuex, and Maichel. Nay: Farley. Motion passed. The Ordinance was assigned No. 3691.

SWIMMING ORDINANCE AND ROTARY CLUB LAKE PROJECT. The ordinance would allow swimming at the lakes in designated areas. No such designation would be made by the City Manager until a swimming beach has been built and all of the City's requirements for the swimming area have been met. Motion made by Govea, seconded by Maichel to approve the ordinance permitting swimming in specific areas of the lakes. Yeas: All. The Ordinance was assigned No. 3692.

New Business:

APPOINTMENTS. none

FEES RESOLUTION. Motion made by LaDuex, seconded by Govea to approve the annual fees resolution. Yeas: Dickinson, Govea, Hunter, LaDuex, and Maichel. Nay: Farley. Motion passed. The Resolution was assigned No 646.

BUILDING INSPECTIONS. It has been worked out with Paola that the City will get their building inspector two mornings each week to help with the building inspections. The County agreed to help out on a per inspection basis when the Paola inspector isn't available. Motion made by Hunter, seconded by Farley authorizing the City Manager to enter into an agreement with the County to provide on-call building inspections services.

COUNCIL SALARIES. LaDuex asked the Council to consider forgoing their salary the coming year for chairs and a sound system in Memorial Hall. The Council agreed that they use their salary to help pay for their Council expenses and other such things.

Council Reports:

LaDuex: The Library Board will find out tomorrow if they received the CDBG grant for Phase II expansion.

Hunter: The Tourism Committee has planned Kansas Day for January 28 at the high school. After the President was here the Museum Foundation commissioned a commemorative coin. Economic Development is working on marketing. LaDuex said the City Manager outlined his philosophy about economic development and maintaining, retaining, and growing the retail district.

Mayor's Report:

Received a lot of good comments from out-of-town people. Kansas Lieutenant Governor Jeff Colyer said that Osawatomie did themselves and Kansas proud.

Miami County Economic Development Director Janet McRae talked about a committee she has been asked to serve on. The Southeast Kansas committee is a group of 17 counties called Project 17. Attended a meeting where Sec of Revenue Nick Jordan & Senator Pat Apple talked more about the Project and are very excited. The Governor's State of the State address talked about redoing the tax structure to make Kansas more competitive. Believes Project 17 will mainly be dealing with how to compete being border counties, competing with Missouri effectively.

City Manager's Report:

Projects:

Mold Abatement. On hold until sure there are funds.

Sewer Plant. Staff met with BG Consultants to discuss some of the major repair issues. Will be addressed in the CIP process.

Issues:

2012 Budget Rework. At the next work session would like to go over the internal budget revisions. Will also present utility rates and the general the health of each fund. Will go over major revenues and expenses

1600 Block of Main. The Police Department has forwarded their investigation on 1625 Main Street to the County for prosecution. Will continue to patrol and check speeds on a regular basis in the area.

Brown's Hardware. Talked to Mike Page and came up with a good resolution. Will work on agreement on how to make it work. Paige may or may not be in Municipal Court Wednesday the 16th.

Auditor. Do not have an agreement yet. They have been working on getting the City's information from the previous auditor.

Website. Asked team of staff members and Shelagh Wright to work on redoing the website. Due for an upgrade with Civics Plus that includes needed features.

Recycling. L & K picked up an estimated 53 tons of recycling in the first three months of the program.

Meetings. Visited with Charles Johnson about his facility and expansion plans. 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. Was the moderator for the Osawatomie History Task Force. Had a good meeting with Don Osenbaugh and other managers about KMIT issues.

City Hall Day. It will be February 1 in Topeka.

EXECUTIVE SESSION – PERSONNEL MATTER OF NONELECTED PERSONNEL. At 8:11 p.m. motion was made by Farley, seconded by Govea to recess into executive session for the purpose of discussing personnel matters of nonelected personnel in order to the protect the privacy interest of the

individual(s) to be discussed, with City Manager Cawby and City Attorney Wetzler to be present; and that the Council will reconvene the open meeting in this room at 8:30 p.m. Meeting reconvened at 8:30 p.m. No action taken.

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

Ann Elmquist, City Clerk

Osawatomie, Kansas. **January 26, 2012.** The Council meeting was held in Memorial Hall. Mayor Dudley called the meeting to order at 7:30 p.m. Council members present were Dickinson, Farley, Govea, Hunter, Klein, LaDuex, Maichel, and Moon. Also present were City Manager Glendening, City Attorney Wetzler, and City Clerk Elmquist. Visitors were Nick Hampson, Kirk & Shelagh Wright, Webster Hawkins, DJ Needham, Katie Mitzner, Brad Waggoner, Travis Perry, and Jeff Gulley.

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

APPROVE ORDINANCE TO CREATE A PARKS AND RECREATION COMMITTEE. Motion made by Hunter, seconded by Maichel to approve the ordinance creating a Parks and Recreation Committee. Yeas: Dickinson, Farley, Govea, Hunter, Klein, LaDuex, Maichel, and Moon. Nays: Farley. Motion Passed. The Ordinance was assigned No. 3693.

REVIEW MEMBERSHIP OF CITY BOARDS AND COMMITTEES. The Council will be implementing Resolution No. 299 that includes guidelines for appointments and reappointments. Citizens interested are to fill out the application, including the incumbents.

DISCUSSION OF REFINANCING OPTIONS. The Council directed the City Manager to proceed with developing refinancing options.

**EXECUTIVE SESSION – PERSONNEL MATTER OF NONELECTED PERSONNEL.
EXECUTIVE SESSION – CONSULTATION WITH CITY ATTORNEY WHICH WOULD BE
DEEMED PRIVILEGED IN THE ATTORNEY-CLIENT RELATIONSHIP.**

At 8:11 p.m. motion was made by Hunter, seconded by Moon to recess into executive session for the purpose of discussing personnel matters of nonelected personnel in order to the protect the privacy interest of the individual(s) to be discussed and also consultation with city attorney which would be deemed privileged in the attorney-client relationship, with City Manager Cawby and City Attorney Wetzler to be present; and that the Council will reconvene the open meeting in this room at 8:22 p.m. Meeting reconvened at 8:22 p.m. No action taken.

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

Ann Elmquist, City Clerk

Record of Ordinances

ORDINANCE NO. 11-25

DATE WARRANTS ISSUED:
January 20, 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
Coventry	health insurance	38917	27,579.37
Delta Dental	dental insurance	38918	3,157.97
Vision Service Plan	vision insurance	38919	517.51
Burbach Aquatics, Inc.	phase one swimming pool	39003	1,158.32
Don Cawby	mileage	39004	163.20
City of Osawatomie	utilities	39005	11,869.38
The Home Depot	timer	39006	37.97
Tri County Ice	ice	39007	143.00
Beachner Grain, Inc.	dog food, concrete mix	39017	90.20
Kansas City Wilbert Vault	grave openings	39018	1,250.00
L & K Services, Inc.	refuse	39019	29,086.26
			75,053.18
AT&T	RTU's	39028	221.24
Baker & Taylor	books	39029	152.10
Brewer's Automotive Repair	battery, service call	39030	134.95
Dean Machinery Co.	parts	39031	41.75
Richard M. Fisher Jr. LLC	court appointed attorney	39032	600.00
Kansas Dept of Revenue	sales tax	39033	8,432.80
Kansas Dept of Revenue	compensating use tax	39034	278.75
Kansas Dept of Revenue	water protection, clean drinking water	39035	1,490.60
Kansas Employment Security Fund	unemployment	39036	3,016.61
Kansas Gas Service	services	39037	7,570.39
KelCon Technologies	troubleshooting	39038	90.00
Key Equipment & Supply Co.	tie rod end, pins	39039	431.81
KMEA Nearman	electricity	39040	56,324.45
KMEA Hydro	hydroelectric	39041	3,399.00
KMEA EMP1	electricity, transmission	39042	29,805.10
Lybarger Oil, Inc.	fuel	39043	1,661.46
Martin, Pringle Attorneys At Law	City prosecutor	39044	3,929.00
Miami County Sheriff's Office	prisoner care	39045	1,200.00
Miami County, Kansas	copies	39046	21.00
Moon's IGA	supplies	39047	83.92
Void		39048	-
Nicholson Law Office, LC	court appointed attorney	39049	985.00
NPG Newspapers, Inc.	ads, visitor guide	39050	745.00
Ricoh Americas Corporation	copies	39051	434.92
SFS Architecture	Library addition	39052	770.00
Visa	scubba gear (Baehr grant), supplies	39053	1,497.69
Wal-Mart Community	supplies	39054	266.77

Record of Ordinances

ORDINANCE NO. 12-1

DATE WARRANTS ISSUED:
January 31, 2012

Page No. 1

AN ORDINANCE MAKING APPROPRIATION FOR THE PAYMENT OF CERTAIN CLAIMS.

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

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

CLAIMANT	NATURE OF CLAIM OR SERVICE	CLAIM NUMBER	AMOUNT
Payroll 01/13/12			87,093.54
Payroll 01/27/12			93,536.23
FICA 01/13/12			6,344.77
FICA 01/27/12			6,837.63
KPERS			13,761.99
Kansas Dept. of Commerce	downtown revitalization network comm	38920	300.00
City of Osawatomie	petty cash reimbursement	1269	4,595.38
Crawford Sales	Budweiser	39002	111.60
ASCAP	license fee	39008	320.00
Civic Plus	website	39009	3,279.00
Elliott Insurance Inc.	quarterly premium	39010	40,971.00
Kansas Golf Association	dues	39011	135.00
Void		39012	-
Osawatomie Journal	subscription	39013	17.50
Suddenlink	internet	39014	59.95
Tyler Technologies, Ind.	computer maintenance	39015	4,102.00
KMIT	workman's compensation	39016	67,837.00
Landmark National Bank	golf cart loan	39020	2,178.24
Suddenlink	internet	39021	79.15
Gary Roth	damage to shed	39022	250.00
Bob's Sales & Service	recharge fire extinguishers	39023	326.18
Kansas Sampler Festival	vendor booth	39024	191.00
Kansas Rural Water Assoc.	registration	39025	135.00
Miami County Internet Onramp	internet	39026	19.95
UOM School, Inc.	registration	39027	200.00
Coventry	health insurance	39056	27,814.27
Delta Dental	dental insurance	39057	2,991.52
KGCSA	membership	39058	80.00
Ricoh Americas Corporation	copier lease P.D.	39059	183.90
Ricoh Americas Corporation	copier lease Office	39060	289.00
Suddenlink	internet	39061	59.95
Vision Service	vision insurance	39062	824.10
Kansas City Power & Light	services	39063	1,392.03
CenturyLink	long distance	39064	343.56
CenturyLink	RTU's	39065	236.56
CenturyLink	services	39066	2,207.43
KDIAI	conference	39067	50.00
Lybarger Oil, Inc.	fuel	39068	5,614.89
KMEA GRDA	electricity	39069	81,072.78
KNOA	training	39070	150.00

Record of Ordinances

ORDINANCE NO. 12-2

DATE WARRANTS ISSUED:
February 9, 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
169 Auto Parts, Inc.	tailgate parts	39077	60.00
Americas Computers	computer supplies, batteries	39078	378.46
Analytical Service, Inc.	analytical service	39079	720.16
Baker & Taylor	books	39080	618.80
BG Consultants, Inc.	street improvements	39081	1,349.00
Boresow Chemical Company	commercial vacuum	39082	359.95
Bowes Automotive Products	filters	39083	28.00
Brenntag Mid-South, Inc.	ammonia, polymer	39084	2,642.40
Brewer's Automotive Repair	tires	39085	509.98
C & G Merchants Supply, Inc.	paper goods, candy bars	39086	261.97
Champion Brands, LLC	cleaner, oil	39087	428.04
Coleman Equipment, Inc.	gasket kit, seal kit	39088	468.04
Consolidated Fleet Services, Inc.	truck & rubber gloves tested	39089	1,569.00
Consumer Reports	subscription	39090	44.00
Detroit Industrial Tool	all cut blades	39091	975.34
Diversified Lumber	conduit	39092	150.00
Entersect Police Online	police online	39093	79.00
Family Center	gas blower, conduit, supplies	39094	454.49
First Option Bank	research time	39095	250.00
Fisher Scientific	lab equipment	39096	232.00
Richard M. Fisher, Jr. LLC	court appointed attorney	39097	75.00
Fort Bend Services, Inc.	polymer	39098	1,130.00
Goodyear Wholesale Tire Centers	tires	39099	243.18
Graybar	wire connectors	39100	184.14
Hach Company	water testing chemicals	39101	656.45
K.C. Bobcat	parts	39102	87.27
Ks Dept of Health & Environment	analytical service	39103	370.00
Kansas One Call Concepts	membership fee, locates	39104	51.60
Kansas State Treasurer	training funds	39105	265.50
KelCon Technologies, Inc.	technical support	39106	742.50
Killough Construction, Inc.	asphalt	39107	415.80
Kincaid Ready Mix	concrete	39108	1,411.89
Kriz Davis, Inc.	electric line supplies	39109	5,908.70
Lexington Plumbing & Heating Co.	worked on water lines - City Hall	39110	876.50
Louisburg Ford Sales, Inc.	motor assembly	39111	68.71
Miami County Solid Waste, Inc.	discard tires	39112	75.00
Miami Lumber, Inc.	lumber, concrete mix	39113	113.03
Midwest Industrial Lighting, Inc.	bulbs	39114	373.67
Mississippi Lime	lime	39115	1,799.45
Void		39116	-

CITY OF OSAWATOMIE

December 31, 2011

STATEMENT OF CASH

Municipal Investment Pool	\$0.00
Working Account (Checking)	\$216,973.18
Cash Flow Account	\$11,451,739.76
Bond Security (Savings)	\$0.00
Investments	\$421,556.07
Change Fund for Utility	\$500.00
Petty Cash	<u>\$2,000.00</u>
TOTAL	<u><u>\$12,092,769.01</u></u>

BONDS OUTSTANDING

General Obligation:

Brown & Pacific St. Improvement (9-18)	\$265,000.00
Street Improvement (9-28)	\$2,270,000.00
Sewer Improvement (10-48)	<u>\$3,450,000.00</u>
	\$5,985,000.00

TOTAL **\$5,985,000.00**

CITY OF OSAWATOMIE - CASH FLOW REPORT

Date: December 2011	BEGINNING BALANCE	REVENUE	EXPENDITURES	CASH BALANCE	ENCUMBERANCES (ORD.11-24)	CASH BALANCE 1/12/2012
GENERAL OPERATING	55,979.89	2,362,359.93	2,349,861.59	68,478.23	18,249.92	50,228.31
WATER	1,000.00	778,698.99	712,285.26	67,413.73	9,593.28	57,820.45
ELECTRIC	937,412.19	3,952,674.09	4,211,067.59	679,018.69	2,197.73	676,820.96
EMPLOYEE BENEFIT	1,000.00	530,353.21	523,407.92	7,945.29	-	7,945.29
REFUSE	6,472.05	367,613.39	340,273.88	33,811.56	-	33,811.56
LIBRARY	109,550.06	21,454.74	38,347.26	92,657.54	443.72	92,213.82
RECREATION	1,295.79	80,117.71	80,699.63	713.87	-	713.87
RURAL FIRE	-	38,054.26	38,054.26	-	-	-
INDUSTRIAL	45,539.51	18,526.39	15,842.44	48,223.46	16.50	48,206.96
REVOLVING LOAN	72,485.50	-	-	72,485.50	-	72,485.50
SPECIAL PARKS & REC	9,295.91	3,629.92	233.40	12,692.43	-	12,692.43
STREET IMPROVEMENTS	1,000.00	149,373.42	129,110.42	21,263.00	18,803.83	2,459.17
BOND & INTEREST	64,375.37	409,503.81	412,877.50	61,001.68	-	61,001.68
PUBLIC SAFETY EQUIP.	9,520.05	251.75	-	9,771.80	-	9,771.80
FIRE INS PROCEEDS	0.84	27,888.50	27,888.50	0.84	-	0.84
SEWER	429,785.28	772,114.81	830,338.70	371,561.39	2,659.74	368,901.65
RECREATION BENEFIT	-	12,764.50	12,764.50	-	-	-
GOLF COURSE	2,269.71	282,177.73	278,282.89	6,164.55	401.28	5,763.27
SPECIAL REV. (FIRE EQUIP)	-	-	-	-	-	-
SPECIAL REVENUE (911)	9,897.41	-	-	9,897.41	-	9,897.41
LLEBG GRANT	-	-	-	-	-	-
TOURISM	6,225.25	15,027.78	16,337.88	4,915.15	259.03	4,656.12
DISASTER	-	-	-	-	-	-
CAPITAL - GENERAL	1,074.55	15,000.00	12,620.00	3,454.55	-	3,454.55
CAPITAL IMP. - STREETS	-	-	-	-	-	-
CAPITAL IMP - SEWER	-	-	-	-	-	-
TOTALS	1,764,179.36	9,837,584.93	10,030,293.62	1,571,470.67	52,625.03	1,518,845.64

CITY OF OSAWATOMIE - BUDGET REPORT

DATE: 12/31/2011	BUDGETED	REIMBS	EXPENDITURES	UNEN BALANCE
GENERAL				
Administration	548,476.00	23,782.40	527,294.46	44,963.94
Sports Complex	82,056.00	5,511.73	80,708.79	6,858.94
Public Safety	914,723.00	5,500.00	929,742.22	(9,519.22)
John Brown Cabin	41,781.00		40,725.11	1,055.89
Public Works	283,502.00		282,771.31	730.69
Swimming Pool	37,850.00		37,783.43	66.57
Cemeteries	117,045.00		116,078.49	966.51
Parks & Lakes	9,612.00		8,095.91	1,516.09
Municipal Court	112,469.00	5,244.00	116,249.82	1,463.18
Levees & Storm Water	129,291.00		117,158.35	12,132.65
Library	114,416.00	2.79	111,503.62	2,915.17
TOTAL	2,391,221.00	40,040.92	2,368,111.51	63,150.41
WATER				
Administration	244,533.00		122,682.54	121,850.46
Water Treatment	393,810.00	-	376,785.15	17,024.85
Water Distribution	240,824.00	5,112.66	222,410.85	23,525.81
TOTAL	879,167.00	5,112.66	721,878.54	162,401.12
ELECTRIC				
Administration	1,360,000.00	500.00	1,352,695.12	7,804.88
Electric Production	2,265,523.00		2,218,110.74	47,412.26
Elect Transmission	1,131,320.00	1,346.95	642,459.46	490,207.49
TOTAL	4,756,843.00	1,846.95	4,213,265.32	545,424.63
EMPLOYMENT BENEFIT	572,317.00	-	523,407.92	48,909.08
REFUSE	381,950.00		340,273.88	41,676.12
LIBRARY	46,916.00		38,790.98	8,125.02
RECREATION	176,766.00	300.00	80,699.63	96,366.37
RURAL FIRE	43,161.00		38,054.26	5,106.74
INDUSTRIAL	22,091.00		15,858.94	6,232.06
REVOLVING LOAN	-		-	-
SPECIAL PARKS & REC	12,029.00		233.40	11,795.60
ST IMPROVEMENT	136,489.00		147,914.25	(11,425.25)
BOND & INTEREST	482,519.00		412,877.50	69,641.50
PUBLIC SAFETY EQUIP.	9,817.00		-	9,817.00
FIRE INS PROCEEDS	37,889.00		27,888.50	10,000.50
SEWER	853,642.00	-	832,998.44	20,643.56
REC EMP BENEFITS	13,096.00		12,764.50	331.50
GOLF COURSE	313,307.00		278,684.17	34,622.83
SPECIAL REV (FIRE EQUIP)	-		-	-
SPECIAL REVENUE (911)	11,979.00		-	11,979.00
LLEBG GRANT	-		-	-
TOURISM	26,150.00	63.18	16,596.91	9,616.27
DISASTER	-		-	-
CAPITAL - GENERAL	100,000.00		12,620.00	87,380.00
CAPITAL IMP. - STREET	-		-	-
GRAND TOTAL	11,267,349.00	47,363.71	10,082,918.65	1,231,794.06

CITY OF OSAWATOMIE - CASH FLOW REPORT

Date: YEAR END	BEGINNING BALANCE	REVENUE	EXPENDITURES	CASH BALANCE	ENCUMBERANCES (ORD.)	CASH BALANCE YEAR END
GENERAL OPERATING	55,979.89	2,392,162.60	2,389,357.55	58,784.94	-	58,784.94
WATER	1,000.00	778,698.99	732,437.78	47,261.21	-	47,261.21
ELECTRIC	937,412.19	3,952,674.69	4,400,413.01	489,673.87	-	489,673.87
EMPLOYEE BENEFIT	1,000.00	575,353.21	547,521.44	28,831.77	-	28,831.77
REFUSE	6,472.05	367,613.39	369,360.14	4,725.30	-	4,725.30
LIBRARY	109,550.06	21,500.96	39,560.98	91,490.04	-	91,490.04
RECREATION	1,295.79	80,117.71	80,699.63	713.87	-	713.87
RURAL FIRE	-	38,054.26	38,054.26	-	-	-
INDUSTRIAL	45,539.51	18,526.39	15,896.44	48,169.46	-	48,169.46
REVOLVING LOAN	72,485.50	184.62		72,670.12	-	72,670.12
SPECIAL PARKS & REC	9,295.91	3,629.92	233.40	12,692.43	-	12,692.43
STREET IMPROVEMENTS	1,000.00	139,373.42	135,711.16	4,662.26	-	4,662.26
BOND & INTEREST	64,375.37	409,503.81	412,877.50	61,001.68	-	61,001.68
PUBLIC SAFETY EQUIP.	9,520.05	251.75	-	9,771.80	-	9,771.80
FIRE INS PROCEEDS	0.84	27,888.50	27,888.50	0.84	-	0.84
SEWER	429,785.28	772,114.81	838,426.94	363,473.15	-	363,473.15
RECREATION BENEFIT	-	12,764.50	12,764.50	-	-	-
GOLF COURSE	2,269.71	282,177.73	279,554.64	4,892.80	-	4,892.80
SPECIAL REV. (FIRE EQUIP)	-			-	-	-
SPECIAL REVENUE (911)	9,897.41		-	9,897.41	-	9,897.41
LLEBG GRANT	-			-	-	-
TOURISM	6,225.25	15,027.78	17,530.50	3,722.53	-	3,722.53
DISASTER	-			-	-	-
CAPITAL - GENERAL	1,074.55	27,500.00	24,784.26	3,790.29	-	3,790.29
CAPITAL IMP. - STREETS	-	-	-	-	-	-
CAPITAL IMP - SEWER	-			-	-	-
TOTALS	1,764,179.36	9,915,119.04	10,363,072.63	1,316,225.77	-	1,316,225.77

CITY OF OSAWATOMIE - BUDGET REPORT

DATE: YEAR END 2011	BUDGETED	REIMBS	EXPENDITURES	UNEN BALANCE
GENERAL				
Administration	548,476.00	23,782.40	529,030.46	43,227.94
Sports Complex	82,056.00	5,511.73	81,625.84	5,941.89
Public Safety	914,723.00	5,500.00	933,400.99	(13,177.99)
John Brown Cabin	41,781.00		41,407.12	373.88
Public Works	283,502.00		285,080.60	(1,578.60)
Swimming Pool	37,850.00		38,953.83	(1,103.83)
Cemeteries	117,045.00		117,328.49	(283.49)
Parks & Lakes	9,612.00		8,109.95	1,502.05
Municipal Court	112,469.00	5,244.00	120,883.82	(3,170.82)
Levees & Storm Water	129,291.00		121,174.84	8,116.16
Library	114,416.00	2.79	112,361.61	2,057.18
TOTAL	2,391,221.00	40,040.92	2,389,357.55	41,904.37
WATER				
Administration	244,533.00		124,267.58	120,265.42
Water Treatment	393,810.00	-	380,419.75	13,390.25
Water Distribution	240,824.00	5,112.66	227,750.45	18,186.21
TOTAL	879,167.00	5,112.66	732,437.78	151,841.88
ELECTRIC				
Administration	—1,360,000.00	500.00	1,440,392.74	(79,892.74)
Electric Production	—2,265,523.00		2,312,957.43	(47,434.43)
Elect Transmission	—1,131,320.00	1,346.95	647,062.84	485,604.11
TOTAL	4,756,843.00	1,846.95	4,400,413.01	358,276.94
EMPLOYMENT BENEFIT	572,317.00	-	547,521.44	24,795.56
REFUSE	381,950.00		369,360.14	12,589.86
LIBRARY	46,916.00		39,560.98	7,355.02
RECREATION	176,766.00	300.00	80,699.63	96,366.37
RURAL FIRE	43,161.00		38,054.26	5,106.74
INDUSTRIAL	22,091.00		15,896.44	6,194.56
REVOLVING LOAN	-		-	-
SPECIAL PARKS & REC	12,029.00		233.40	11,795.60
ST IMPROVEMENT	136,489.00		135,711.16	777.84
BOND & INTEREST	482,519.00		412,877.50	69,641.50
PUBLIC SAFETY EQUIP.	9,817.00		-	9,817.00
FIRE INS PROCEEDS	37,889.00		27,888.50	10,000.50
SEWER	853,642.00	-	838,426.94	15,215.06
REC EMP BENEFITS	13,096.00		12,764.50	331.50
GOLF COURSE	313,307.00		279,554.64	33,752.36
SPECIAL REV (FIRE EQUIP)	-		-	-
SPECIAL REVENUE (911)	11,979.00		-	11,979.00
LLEBG GRANT	-		-	-
TOURISM	26,150.00	63.18	17,530.50	8,682.68
DISASTER	-		-	-
CAPITAL - GENERAL	100,000.00		24,784.26	75,215.74
CAPITAL IMP. - STREET	-		-	-
GRAND TOTAL	11,267,349.00	47,363.71	10,363,072.63	951,640.08



STAFF AGENDA MEMORANDUM

DATE OF MEETING: February 9, 2012

AGENDA ITEM: Payment Request No. 17 for Brown and Pacific Project

PRESENTER: Don Cawby, City Manager

ISSUE SUMMARY: This is a pay application totaling \$3,847.60 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.

Again, nothing significant has changed on the status of the project since the last Council meeting. We still hold \$160,000 to be paid to Orr Wyatt after we pulled back \$70,000 for the defective top layer of asphalt. Most of the punch list items have been completed, but it is doubtful that the grass that was put down in January will germinate.

One option that has come open on the financial front is that we may look at rolling the financing for this project into our larger bond refinance package instead of going through the Rural Development loan. However, either financing source will require us to know what our final financing costs are, so I don't see financing 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 (02-09-2012)

EXPENSES

		<u>Contract</u>	<u>Estimated C.O.s</u>	<u>Revised Budget</u>	<u>Paid YTD</u>	<u>Remaining To Be Paid</u>
GAS	CDBG Admin	\$ 25,000.00		\$ 25,000.00	\$ 16,944.60	\$ 8,055.40
BG Consultants	Engineering/Design	49,939.00		49,939.00	48,567.75	1,371.25
	Construction Services	82,770.00		82,770.00	25,513.13	57,256.87
Orr Wyatt Streetscapes	Construction	934,450.95	10,000.00	944,450.95	774,203.31	170,247.64
Total		<u>\$ 1,092,159.95</u>	<u>\$ 10,000.00</u>	<u>\$ 1,102,159.95</u>	<u>\$ 865,228.79</u>	<u>\$ 236,931.16</u>

BUDGET

Paid YTD

FUNDING

	<u>GAS</u>	<u>BG</u>	<u>Orr Wyatt</u>	<u>GAS</u>	<u>BG</u>	<u>Orr Wyatt</u>
CDBG Admin	\$ 20,000.00	\$ -	\$ -	\$ 16,927.98	\$ -	\$ -
CDBG Improvements	-	-	480,000.00	-	-	413,702.64
USDA Loan	5,000.00	115,270.00	464,450.95	16.62	71,912.89	360,500.67
City Funds	-	17,439.00	-	-	2,167.99	-
Total	<u>\$ 25,000.00</u>	<u>\$ 132,709.00</u>	<u>\$ 944,450.95</u>	<u>\$ 16,944.60</u>	<u>\$ 74,080.88</u>	<u>\$ 774,203.31</u>



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
February 9, 2012
Payment Request No. 17

Claimant	Description	Document Number	Amount
Governmental Assistance Services 905 Joseph Drive Lawrence, KS 66049	administration	12/31/12 FINAL	\$ 2,498.60
BG Consultants 4806 Vue Du Lac Place Manhattan, KS 66503	design services	1/14/12	\$ -
BG Consultants 4806 Vue Du Lac Place Manhattan, KS 66503	inspector	1/14/12	\$ 1,349.00
Orr Wyatt Streetscapes 9812 E 56th Street Raytown, MO 64133-2804	construction	App #	\$ -
	TOTAL		\$ 3,847.60

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

Philip A. Dudley, Mayor



STAFF AGENDA MEMORANDUM

DATE OF MEETING: February 9, 2012

AGENDA ITEM: **Audit Engagement Letter**

PRESENTER: Don Cawby, City Manager

ISSUE SUMMARY: As I had previously informed you, we received three RFPs for audit services in December and interviewed two firms. I put together a small committee to help me conduct interviews, comprised of Mark Fuchs, Mike Moon, Angela Kline, Ann and myself. While both firms were more than qualified, we selected Gilmore and Phillips, PA from Chanute based upon their work in similar size communities, their experience with electric utilities in other communities, and a comfort level with their approach to auditing.

The attached letter would engage Jared, Gilmore and Phillips, as our auditor for the years 2011-2013. By Thursday night, we will have a letter that will add the timing requirements that we included in the RFP. The fee for the 2011 audit will be \$11,800 and will increase slightly for the next 2 years. This is a reduction of about \$5,000 from last year's audit.

COUNCIL ACTION NEEDED: Authorize the Mayor to sign the Letter of Engagement with JGP.

STAFF RECOMMENDATION TO COUNCIL: Approve JGP and take the above action.



January 24, 2012

City Council
 City of Osawatomie
 PO Box 37
 Osawatomie, KS 66064

We are pleased to confirm our understanding of the services we are to provide for the City of Osawatomie, Kansas, for the year ended December 31, 2011. We will audit the financial statements of the City of Osawatomie, Kansas, as of December 31, 2011 and for the year then ended. It is agreed that the basis of presentation of the financial statements will be in compliance with the cash basis and budget laws of the State of Kansas. It is further agreed that the municipality shall pass, by resolution, a waiver of the requirements of the law relating to the preparation of financial statements and financial reports that conform to generally accepted accounting principles as provided by K.S.A. 75-1120a (c).

Supplementary information accompanies the City of Osawatomie, Kansas's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America and will provide an opinion on it in relation to the financial statements as a whole:

- 1) Schedule of expenditures of federal awards.

Audit Objectives

The objective of our audit is the expression of an opinion as to whether your basic financial statements are fairly presented, in all material respects, in conformity with the accounting practices as prescribed by the State of Kansas to demonstrate compliance with the cash basis and budget laws of the state of Kansas in relation to the basic financial statements taken as a whole. The objective also includes reporting on—

- Internal control related to the financial statements and compliance with laws, regulations, and the provisions of contracts or grant agreements, noncompliance with which could have a material effect on the financial statements in accordance with *Government Auditing Standards*.
- Internal control related to major programs and an opinion (or disclaimer of opinion) on compliance with laws, regulations, and the provisions of contracts or grant agreements that could have a direct and material effect on each major program in accordance with the Single Audit Act Amendments of 1996 and OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*.

Jarred, Gilmore & Phillips, PA
 CERTIFIED PUBLIC ACCOUNTANTS

412 W. MAIN, P.O. BOX 97
 NEODESHA, KANSAS 66757
 (620) 325-3430

1815 S. SANTA FE, P.O. BOX 779
 CHANUTE, KANSAS 66720
 (620) 431-6342

16 W. JACKSON
 IOLA, KANSAS 66749
 (620) 365-3125

www.jgppa.com

The reports on internal control and compliance will each include a statement that the report is intended solely for the information and use of management, the body or individuals charged with governance, others within the entity specific legislative or regulatory bodies, federal awarding agencies, and if applicable, pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.

Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America; the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the Single Audit Act Amendments of 1996; and the provisions of OMB Circular A-133, and will include tests of accounting records, a determination of major program(s) in accordance with OMB Circular A-133, and other procedures we consider necessary to enable us to express such opinions and to render the required reports. If our opinions on the financial statements or the Single Audit compliance opinions are other than unqualified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or to issue a report as a result of this engagement.

Management Responsibilities

Management is responsible for the basic financial statements and all accompanying information as well as all representations contained therein. Management is also responsible for identifying government award programs and understanding and complying with the compliance requirements, and for preparation of the schedule of expenditures of federal awards in accordance with the requirements of OMB Circular A-133. As part of the audit, we will assist with preparation of your financial statements, schedule of expenditures of federal awards, and related notes. You are responsible for making all management decisions and performing all management functions relating to the financial statements, schedule of expenditures of federal awards, and related notes and for accepting full responsibility for such decisions. You will be required to acknowledge in the management representation letter our assistance with preparation of the financial statements and schedule of expenditures of federal awards and that you have reviewed and approved the financial statements, schedule of expenditures of federal awards, and related notes prior to their issuance and have accepted responsibility for them. Further, you are required to designate an individual with suitable skill, knowledge, or experience to oversee any nonaudit services we provide and for evaluating the adequacy and results of those services and accepting responsibility for them.

Management is responsible for establishing and maintaining effective internal controls, including internal controls over compliance, and for evaluating and monitoring ongoing activities, to help ensure that appropriate goals and objectives are met and that there is reasonable assurance that government programs are administered in compliance with compliance requirements. You are also responsible for the selection and application of accounting principles; and for the fair presentation in the financial statements in conformity with the accounting practices as prescribed by the State of Kansas to demonstrate compliance with the cash basis and budget laws of the State of Kansas in relation to the basic financial statements taken as a whole; and for compliance with applicable laws and regulations and the provisions of contracts and grant agreements.

Management is also responsible for making all financial records and related information available to us and for ensuring that management and financial information is reliable and properly recorded. Your responsibilities also include identifying significant vendor relationships in which the vendor has responsibility for program compliance and for the accuracy and completeness of that information. Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud or illegal acts affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud or illegal acts could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the entity complies with applicable laws, regulations, contracts, agreements, and grants. Additionally, as required by OMB Circular A-133, it is management's responsibility to follow up and take corrective action on reported audit findings and to prepare a summary schedule of prior audit findings and a corrective action plan. The summary schedule of prior audit findings should be available for our review on the first day of fieldwork. You are responsible for the preparation of the supplementary information in conformity with the accounting practices as prescribed by the State of Kansas to demonstrate compliance with the cash basis and budget laws of the State of Kansas. You agree to include our report on the supplementary information in any document that contains and indicates that we have reported on the supplementary information. You also agree to [include the audited financial statements with any presentation of the supplementary information that includes our report thereon.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying for us previous financial audits, attestation engagements, performance audits, or other studies related to the objectives discussed in the Audit Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions, for the report, and for the timing and format for providing that information.

Audit Procedures—General

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. We will plan and perform the audit to obtain reasonable rather than absolute assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the entity or to acts by management or employees acting on behalf of the entity. Because the determination of abuse is subjective, *Government Auditing Standards* do not expect auditors to provide reasonable assurance of detecting abuse.

Because an audit is designed to provide reasonable, but not absolute assurance and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements or noncompliance may exist and not be detected by us. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or major programs. However, we will inform you of any material errors and any fraudulent financial reporting or misappropriation of assets that come to our attention. We will also inform you of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential, and of any material abuse that comes to our attention. We will include such matters in the reports required for a Single Audit. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, cash receipts, and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding

to this inquiry. At the conclusion of our audit, we will require certain written representations from you about the financial statements and related matters.

Audit Procedures—Internal Controls

Our audit will include obtaining an understanding of the entity and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

As required by OMB Circular A-133, we will perform tests of controls over compliance to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major federal award program. However, our tests will be less in scope than would be necessary to render an opinion on those controls and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to OMB Circular A-133.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards, *Government Auditing Standards*, and OMB Circular A-133.

Audit Procedures—Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the city of Osawatomie's compliance with applicable laws and regulations and the provisions of contracts and agreements, including grant agreements. However, the objective of those procedures will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

OMB Circular A-133 requires that we also plan and perform the audit to obtain reasonable assurance about whether the auditee has complied with applicable laws and regulations and the provisions of contracts and grant agreements applicable to major programs. Our procedures will consist of tests of transactions and other applicable procedures described in the *OMB Circular A-133 Compliance Supplement* for the types of compliance requirements that could have a direct and material effect on each of the city of Osawatomie's major programs. The purpose of these procedures will be to express an opinion on the city of Osawatomie's compliance with requirements applicable to each of its major programs in our report on compliance issued pursuant to OMB Circular A-133.

Engagement Administration, Fees, and Other

We understand that your employees will assist our staff by locating vouchers, contracts, minutes, and other documentation necessary to complete our audit and help us with the timely preparation of analyses and schedules.

Neil L. Phillips, CPA, is the engagement partner and is responsible for supervising the engagement and signing the reports or authorizing another individual to sign them. We would expect to start the audit for December 31, 2011 in March and to complete the fieldwork and have the exit conference as soon as possible, with a preliminary draft of the financial statements and management letter. The draft audit reports would be available to City no later than the June 1st, and fifteen (15), or more if requested, final copies of the financial statements and management letter would be available to be delivered to the city council no later than June 10, 2012.

At the conclusion of the engagement, we will complete the appropriate sections of the Data Collection Form that summarizes our audit findings. It is management's responsibility to submit the reporting package (including financial statements, schedule of expenditures of federal awards, summary schedule of prior audit findings, auditors' reports, and corrective action plan) along with the Data Collection Form to the federal audit clearinghouse. We will coordinate with you the electronic submission and certification. If applicable, we will provide copies of our report for you to include with the reporting package you will submit to pass-through entities. The Data Collection Form and the reporting package must be submitted within the earlier of 30 days after receipt of the auditors' reports or nine months after the end of the audit period, unless a longer period is agreed to in advance by the cognizant or oversight agency for audits.

The audit documentation for this engagement will be the property of Jarred, Gilmore & Phillips, PA, and constitutes confidential information. However, pursuant to authority given by law or regulation, we may be requested to make certain audit documentation available to your grantors, a federal agency providing direct or indirect funding, or the U.S. General Accounting Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Jarred, Gilmore & Phillips, PA personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of five years after the report release or for any additional period requested by your grantors. If we are aware that a federal awarding agency, pass-through entity, or auditee is contesting an audit finding, we will contact the parties contesting the audit findings for guidance prior to destroying the audit documentation.

It is our understanding that your intent in engaging us is that the financial statements we render to you under this agreement will be made available to the State of Kansas Division of Accounts and Reports. Moreover, as of the time of this engagement, we have not been notified, in writing or otherwise, that the professional accounting services rendered under this agreement will be made available to any other person, firm, or corporation for any purpose not specified hereinabove. Consequently, no other person, firm, or corporation is entitled to rely upon these professional services for any purpose without our express, written agreement. This engagement letter embodies the entire agreement and understanding between the parties hereto and there are no promises, warranties, covenants or conditions made by any of the parties except as herein expressly contained. The terms and conditions of this engagement shall be governed and construed in writing signed by all the parties. It is agreed that venue and jurisdiction involving any matters arising out of this engagement letter is in the State of Kansas.

Disputes arising under this agreement (including the scope, nature, and quality of services to be performed by us, our fees, and other terms of the engagement) shall be submitted to mediation. A competent and impartial third party, acceptable to both parties, shall be appointed to mediate, and each disputing party shall pay an equal percentage of the mediator's fees and expenses. No suit or arbitration proceeding shall be commenced under this agreement until at least 60 days after the mediator's first meeting with the involved parties. If the dispute requires litigation, the court shall be authorized to impose all defense costs against any non-prevailing party found not to have participated in the mediation process in good faith.

Our fees for these services will be based on the actual time spent at our standard hourly rates, plus travel and other out-of-pocket costs such as report production, typing, postage etc. Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Our invoices for these fees will be rendered as work progresses, and are payable on presentation. We will perform the audit services for an amount not to exceed \$8,100.00,

City of Osawatomie
Osawatomie, KS
Page 6

which includes travel and out-of-pocket costs, there will also be an additional fee of \$1,700.00 as you are subject to a Single Audit in 2011.

These fees are based upon anticipated cooperation from your personnel, and the assumption that unexpected circumstances will not be encountered during the audit. The following are examples of circumstances which could result in an increase in fees:

- a significant change in the amount or type of accounting records maintained,
- change in personnel with a corresponding change in level and quality of work performed,
- additional significant state and/or federal grants not identified previously,
- issuance of long-term debt not identified previously for the purposes of new financing or refunding of previously issued long-term debt, or
- new GASB pronouncements that require additional compliance work.
- a greater than expected risk of material misstatement due to fraud.

We would like to point out that we expect the proposal fee to be a maximum charge. As can be seen above, the additional charges would only be necessary due to unusual circumstances not foreseen when the audit proposal was prepared. If significant additional time is necessary, we would discuss it with you and arrive at a new fee estimate.

Our audit engagement ends on delivery of our audit report. Any follow-up services that might be required will be a separate, new engagement. The terms and conditions of that new engagement will be governed by a new, specific engagement letter for that service.

Government Auditing Standards require that we provide you with a copy of our most recent external peer review report and any letter of comment, and any subsequent peer review reports and letters of comment received during the period of the contract. Our 2009 peer review report accompanies this letter.

We appreciate the opportunity to be of service to the City of Osawatomie, Kansas, and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Sincerely,



JARRED, GILMORE & PHILLIPS, PA
Certified Public Accountants

RESPONSE:

This letter correctly sets forth the understanding of the **City of Osawatomie, Kansas**.

Signature _____

Title _____

BMG**Certified Public Accountants, LLP**

211 South 84th Street
Suite 100
Lincoln, NE 68510

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- Retirement Planning
- Auditing and Accounting
- Business Consulting
- Business Valuations
- Computer Consulting

System Review Report

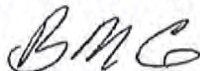
To **Jarred, Gilmore & Phillips, P.A.**
and the Peer Review Committee of the Kansas Society of CPAs

We have reviewed the system of quality control for the accounting and auditing practice of **Jarred, Gilmore & Phillips, P.A.** (the firm) in effect for the year ended December 31, 2009. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants. The firm is responsible for designing a system of quality control and complying with it to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Our responsibility is to express an opinion on the design of the system of quality control and the firm's compliance therewith based on our review. The nature, objectives, scope, limitations of, and the procedures performed in a System Review are described in the standards at www.aicpa.org/prsummary.

As required by the standards, engagements selected for review included engagements performed under *Government Auditing Standards* and audits of employee benefit plans.

In our opinion, the system of quality control for the accounting and auditing practice of **Jarred, Gilmore & Phillips, P.A.** in effect for the year ended December 31, 2009, has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass*, *pass with deficiency(ies)* or *fail*. **Jarred, Gilmore & Phillips, P.A.** has received a peer review rating of *pass*.

BMG Certified Public Accountants, LLP



Lincoln, Nebraska
May 4, 2010



STAFF AGENDA MEMORANDUM

DATE OF MEETING: February 9, 2012

AGENDA ITEM: Boards and Committees

PRESENTER: Don Cawby, City Manager

ISSUE SUMMARY: Attached are the state statutes, ordinances, resolutions, or other documents that authorize the boards and committees of the City. Below is each one body, with any applicable notes.

- **Board of Health.** Still in ordinance but may be superseded by county and state.
- **Building Code Board of Appeals.** The Board is mentioned numerous times in ordinance, but is not created.
- **Convention and Tourism Committee.** We call it the Tourism Committee. Authorized by Charter Ordinance.
- **Golf Course Advisory Board.** Established by resolution.
- **Housing Authority.** Established long ago by resolution. Probably state statutes govern as well.
- **Housing Rehabilitation Advisory Committee.** This is authorized in ordinance, but isn't currently operable.
- **Library Board.** Attached the applicable state statute and the joint resolution currently governing its operations.
- **Parks and Recreation Committee.** I put the two ordinances together to make it easier to read.
- **Planning Commission and Board of Zoning Appeals.** Both in ordinance.
- **Neighborhood Improvement Advisory Committee.** Established by resolution.
- **Economic Development Committee.** There is no ordinance or resolution I could find creating this body. The reference on the sheet does not seem to apply and neither do any other state statutes.
- **Public Safety Advisory Board.** There is not authorizing action for the existence of this body.

COUNCIL ACTION NEEDED: Provide direction.

STAFF RECOMMENDATION TO COUNCIL: Clean up the ordinances to put into writing those boards and committees in place and still in use.

CHAPTER VIII. HEALTH AND WELFARE

- Article 1. Board of Health
- Article 2. Health Nuisances
- Article 2A. Environmental Code
- Article 3. Junked Motor Vehicles on Private Property
- Article 4. Weeds
- Article 5. Property Maintenance Code
- Article 6. Rodent Control
- Article 7. Insurance Proceeds Fund
- Article 8. Emergency Actions: Threatened
Releases of Material

ARTICLE 1. BOARD OF HEALTH

8-101. **BOARD OF HEALTH CREATED.** The board of health shall consist of a city health officer, who shall be a practicing doctor of medicine and two additional members who shall be members of the governing body. The city health officer and the two additional members of the board of health shall be appointed annually by the mayor at the first regular meeting of the governing body in April of each year, to serve for one year terms subject to confirmation by the city council; provided, that a member of the governing body appointed to the board of health shall have no right to vote for or against his or her own confirmation. The board shall adopt such rules and regulations as may be necessary to guide its operations. The city clerk shall be secretary of the board but shall have no vote. He or she shall preserve its records, rules and regulations and shall issue all orders and notices which may be required by ordinance or order of the board. (Code 1977, 8-101; Code 1998)

8-102. **CITY HEALTH OFFICER; DUTIES.** The city health officer shall:

- (a) Cause health investigations and inspections to be made as required by the laws of Kansas and of the city;
- (b) Make recommendations to the board respecting the improvement of health of the inhabitants of the city;
- (c) Make all health reports required by the State Department of Health and Environment, Division of Health;
- (d) Prepare an annual health report of the city for submission to the governing body;
- (e) Perform such other duties as may be required of him or her under the laws of the State of Kansas or of the city. (Code 1998)

permits, issuing of building permits and inspecting of buildings and building works.
(Code 2008)

- 4-207. SAME; DUTIES. The building inspector shall have the following duties:
- (a) To enforce all regulations relating to construction, alteration, repair, removal and demolition of building and structures;
 - (b) May permit, on the basis of duly authenticated reports from recognized sources, the use of new materials or modes of construction, not provided for in this article, and may, for the purpose of carrying out the intent of this article adopt an accepted standard of material or workmanlike practices of federal or state bureaus, national, technical organizations or fire underwriters;
 - (c) To examine all buildings in the process of erection, construction, alteration or relocation in the city for the purpose of determining whether the work is in compliance with the permit given and in compliance with the regulations of the city pertaining to such work, including zoning regulations; and;
 - (d) To keep comprehensive records of applications, of permits or certificates issued, of inspections made, of reports rendered, and of notices or orders issued. All such records shall be open to public inspection during stated office hours, but shall not be removed from the office of the building official without his or her written consent. (Code 2008)
- 4-208. SAME; POWERS. The building inspector shall have the following powers:
- (a) To enter any building or structure or premises at any reasonable hour, whether complete or in the process of erection, to perform the duties contained in this chapter;
 - (b) To adopt and enforce all such prudent emergency measures as he or she may deem necessary and expedient for the public safety under the laws of the city;
 - (c) May cause any work done in violation of this chapter to be discontinued until he or she shall have satisfactory evidence that the work will be done in accordance with the building regulations of the city, subject to the right of any builder or owner to appeal to the **building code board of appeals**. (Code 2008)
- 4-209. SAME; RIGHT OF ENTRY. The building inspector, or his or her agent, upon proper identification, shall have authority to enter any building, structure or premises at any reasonable hour to perform his or her duties as set out in this chapter. (Code 2008)
- 4-210. CLARIFICATION; MODIFICATION. (a) The **building code board of appeals** shall be the final determiner of the scope and meaning of all provisions of the building code which may be unclear, ambiguous, or requiring interpretation.
- (b) The building inspector shall have power to modify any of the provisions of the building code upon application in writing by the owner or lessee or his or her authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the code. In approving modifications, the building inspector shall see that the spirit of the code is observed, public safety secured and substantial justice done. The particulars of a modification when granted or allowed and the decision

registered to perform work within the City of Osawatomie. The applicant shall only be permitted to perform that work within the City of Osawatomie as is permitted by the class of license issued to them under the Miami County Contractors Licensing Code.

(B) Exceptions. Any individual who makes application for a permit to perform work on any residential or commercial structure that is owned by that individual shall not be required to register as a contractor with the City of Osawatomie to perform the permitted work. (Ord. 3577, Sec. 2; Ord. 3634, Secs. 1:2; Code 2008)

4-220.

LICENSE SUSPENSION; REVOCATION; APPEAL; UNLAWFUL ACTS.

(a) The license of any builder or building contractor may be suspended temporarily, for a period of not to exceed 30 days at any one time, by the chief building official upon his or her own motion or upon a complaint of the city building inspector. Notice shall be given in writing to such builder or building contractor giving reasonable notice of a time of hearing of the complaint or the matter alleged against such builder or building contractor involving any one or more of the following:

- (1) Misrepresentation of a material fact by applicant in obtaining a license;
- (2) Use of license to obtain a building permit for another;
- (3) Failure or neglect to observe conditions of permit authorizing encumbering of streets or sidewalks for safety of public;
- (4) Performance of any building or construction work without a permit where one is required by law; or
- (5) Willful disregard of any violation of the building and construction laws, or failure to comply with any lawful order of the city building inspector.

(b) Any licensee may within 15 days appeal in writing to the building code board of appeals from any order of the chief building official suspending his or her license for its final decision thereon. The building code board of appeals may upon such hearing terminate such suspension within not more than 30 days thereafter, or may revoke such license. If any license shall be revoked, the builder or building contractor shall not be eligible for a new license during a period of six months thereafter. No fee shall be refunded in event of the suspension or revocation of any contractor's license.

(c) It shall be unlawful to engage in the occupation or trade of builder or building contractor during the time any license of such builder or building contractor has been suspended or revoked within the City of Osawatomie. (Code 2008)

4-221.

WORK BY PROPERTY OWNERS. Nothing herein contained shall prohibit any property owner from personally performing any building or construction work within and upon his or her own residence and intended for his or her personal use and permanent occupancy; provided, the owner shall satisfy the building inspector as to his or her ability to perform such work, secure a permit, pay required fees, do work in accordance with this article, and apply for an inspection and receive a certificate of approval. Personal building or construction performed by an owner under this section shall be by himself, herself, for himself or herself on his or her own residence, without compensation and no person shall be employed to assist

ARTICLE 5. PROPERTY MAINTENANCE CODE

8-501. INCORPORATION OF INTERNATIONAL PROPERTY MAINTENANCE CODE; AMENDMENTS AND DELETIONS. There is incorporated by reference, for the purpose of adopting regulations, provisions, terms, and specifications, for the control of property maintenance within the City and growth areas of Osawatomie; the 2006 "International Property Maintenance Code", dated January 2006, as published by the International Code Council, Inc., excepting only such parts or portions thereof as are specifically deleted or amended and including such new and additional provisions added to said code herein after referred to as the 2006 Property Maintenance Code. Not less than one (1) copy of said 2006 Property Maintenance Code shall be marked "Official Copy as Adopted by Ordinance No.3 637", to which shall be attached a copy of the ordinance codified herein, and filed with the City Clerk to be open to inspection and available to the public at all reasonable business hours. (Ord. 3637, Sec. 1; Code 2008)

8-502. ADDITIONS, DELETIONS AND AMENDMENTS TO THE 2006 INTERNATIONAL PROPERTY MAINTENANCE CODE. The following additions, deletions and amendments to the 2006 International Property Maintenance Code are hereby made:

(a) Additions to the 2006 IPMC:

(1) Section 106.4 Violation penalties. Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense. Per day fines for violating any section of this code shall be not less than \$50.00 and not more than \$100.00.

(2) Section 111.1 Application for appeal. Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the **Building Code Board of Appeals**, provided that a written application for appeal is filed within 20 days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not frilly apply, or the requirements of this code are adequately satisfied by other means. Applications for appeal shall be accompanied by a non-refundable fee of \$50.00.

(b) Deletions to the 2006 IPMC:

(1) Section 304.14 - Insect Screens is hereby deleted. The relevant section(s) of Osawatomie's building codes shall take precedence.

(2) Section 306 - Handrails and Guardrails is hereby deleted. The relevant section(s) of Osawatomie's building codes shall take precedence.

(3) Section 404.6 - Efficiency Unit is hereby deleted. The relevant section(s) of Osawatomie's building codes shall take precedence.

(4) Section 602.4 - Occupiable work spaces is hereby deleted. The relevant section(s) of Osawatomie's building codes shall take precedence.

(5) Section 704 - Fire Protection Systems is hereby deleted. The relevant section(s) of Osawatomie's building codes shall take precedence.

(c) Amendments to the 2006 IPMC:

CHARTER ORDINANCE NO. 4

A CHARTER ORDINANCE EXEMPTING THE CITY OF OSAWATOMIE, KANSAS, FROM THE PROVISIONS OF 12-4112, KANSAS STATUTES ANNOTATED, PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT, ASSESSING COURT COSTS FOR THE MUNICIPAL COURT, AND REPEALING ALL ORDINANCES, OR PARTS OF ORDINANCES, IN CONFLICT HEREWITH.
(Repealed by C.O. No. 11)

ORDINANCE NO. 6

A CHARTER ORDINANCE EXEMPTING THE CITY OF OSAWATOMIE, KANSAS, FROM THE PROVISIONS OF K.S.A. 1992 SUPP. 79-5028, AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT INCREASING THE RATE LEVY LIMIT.

Section 1. The City of Osawatomie, by the power vested in it by Article 12, Section 5 of the constitution of the State of Kansas and as provided by K.S.A. 1992 Supp. 79-50336(a), hereby elects to exempt itself from the provisions of K.S.A. 1992 Supp. 79-5028. K.S.A. 1992 Supp. 79-5028 is part of an enactment commonly known as the Kansas property tax lid law, which enactment applies to this city but does not apply uniformly to all cities.

Section 2. The following is hereby substituted for the provisions of K.S.A. 1992 Supp. 79-5028. The provisions of K.S.A. 1992 Supp. 79-5021 to 79-5033, inclusive, and amendments thereto, shall not limit the levy of taxes by the governing body of the City of Osawatomie for the recreation commission as authorized by K.S.A. 12-1927.
(05-13-93)

CHARTER ORDINANCE NO. 7

AN ORDINANCE EXEMPTING THE CITY OF OSAWATOMIE, KANSAS, FROM THE PROVISIONS OF K.S.A. 12-1695.

Section 1. The City of Osawatomie, Kansas, is a city of the second class and, by the power invested in it by Article 12, Section 5, of the constitution of the State of Kansas, hereby elects to exempt itself from, and make inapplicable to it, K.S.A. 12-1695, a statute which is not of uniform application to all cities in Kansas.

Section 2. In lieu of the provisions set forth in K.S.A. 12-1695, the **Convention and Tourism Committee** shall consist of 10 members, all of whom, to qualify and maintain membership, must be residents of the City of Osawatomie, Kansas. Terms of appointment shall not exceed four years for each member.

Section 3. The committee shall, from time to time, make recommendations to the governing body concerning programs and expenditures for promotion of conventions and tourism.
(08-14-97)

CHARTER ORDINANCE NO. 8

A CHARTER ORDINANCE EXEMPTING THE CITY OF OSAWATOMIE, KANSAS, FROM THE PROVISIONS OF K.S.A. 1995 SUPP. 79-5028, AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT INCREASING THE RATE LEVY LIMIT.

Section 1. The City of Osawatomie, by the power vested in it by Article 12, Section 5 of the constitution of the State of Kansas and as provided by K.S.A. 1995 Supp. 79-5036(a), hereby elects to exempt itself from the provisions of K.S.A. 1995 Supp. 79-5028. The provisions of the above mentioned statutes apply to the city, but do not apply uniformly to all cities in Kansas.

Section 2. The following is added to the provisions of K.S.A. 1995 Supp. 779-5028 and amendments thereto: (h) the levy of taxes by the governing body of the City of Osawatomie for the library fund as authorized by K.S.A. 12-1220 not to exceed the three mills authorized by K.S.A. 79-1952.
(01-08-98)

CHARTER ORDINANCE NO. 10

A CHARTER ORDINANCE EXEMPTING THE CITY OF OSAWATOMIE, KANSAS, FROM THE PROVISIONS OF K.S.A. 12-1696, 12-1697(a), 12-1698(e) AND 12-16,101 WHICH RELATE TO THE LEVY OF A TRANSIENT GUEST TAX, TO THE MAXIMUM RATE THEREOF, AND TO THE PURPOSES FOR WHICH TRANSIENT GUEST TAX REVENUES MAY BE SPENT; PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECTS RELATING TO THE LEVYING OF A TRANSIENT GUEST TAX.

Section 1. The City of Osawatomie, Kansas, a Kansas municipal corporation, by the power vested in it by Article XII, Section 5 of the Constitution of the State of Kansas, hereby elects to exempt itself from and make inapplicable to it K.S.A. 12-1696, 12-1697(a), 12-1698(e) and 12-16,101, and any amendments thereto, which apply to the City, but are part of an enactment which does not apply uniformly to all cities, and provide substitute and additional provisions therefor as hereinafter provided.

Section 2. As used in this ordinance, the following words and phrases have the meaning respectively ascribed to them herein:

(a) "Person" - means an individual firm, partnership, corporation, joint venture or other association of persons;

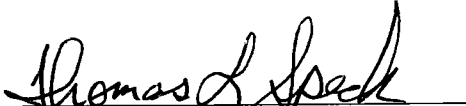
RESOLUTION NO. 546

A RESOLUTION CREATING A COMMITTEE OF THE CITY DESIGNATED AS THE **OSAWATOMIE GOLF COURSE ADVISORY COMMITTEE TO THE CITY MANAGER** OF THE CITY OF OSAWATOMIE, KANSAS, DELEGATING POWERS AND RESPONSIBILITIES.


BE IT RESOLVED by the Board of Commissioners of the City of Osawatomie, Kansas:

1. There is hereby created a committee of the City to be known as the **OSAWATOMIE GOLF COURSE ADVISORY COMMITTEE TO THE CITY MANAGER** hereinafter called the COMMITTEE.
2. The City Manager shall appoint five (5) members to the COMMITTEE from the membership and patrons of the Golf Course and the Mayor shall appoint one (1) Council Member as liaison.
 - a. Each member appointed by the City Manager shall be reappointed each year in December and the names of the committee members presented to the Mayor and City Council at the first meeting in January
3. The Committee is hereby delegated the power to advise the City Manager on Golf Course operations as requested by the City Manager and to assist in developing recommendations as necessary for Council approval

PASSED AND APPROVED by the Board of Commissioners of the City Of Osawatomie, Kansas, on this 12th day of January, 2006.


Thomas L. Speck, Mayor

ATTEST:


Ann Elmquist, City Clerk

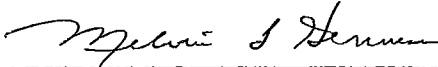
RESOLUTION NO. 68

A RESOLUTION CREATING AN AGENCY OF THE CITY DESIGNATED AS "HOUSING AUTHORITY OF THE CITY OF OSAWATOMIE, KANSAS", DELEGATING POWERS THERETO AND AUTHORIZING EMPLOYMENT OF PERSONNEL; AND REPEALING RESOLUTION NO. 22A.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF OSAWATOMIE, KANSAS:

1. There is hereby created as an agency of the City of Osawatome, Kansas, an authority to be known and designated as "Housing Authority of the City of Osawatome, Kansas" (herein called the "Authority").
2. The Mayor shall appoint five (5) persons as Commissioners of the Authority herein created. The Commissioners who are first appointed shall be designated to serve one for one year, one for two years, one for three years and two for four years each, from the date of their appointment, but thereafter Commissioners shall be appointed by the Mayor for a term of office of four years.
3. The Authority is hereby delegated (a) the power to plan, construct, maintain, operate and manage any housing project or projects of the City of Osawatome, Kansas; (b) all other powers conferred on the City of Osawatome, Kansas, by the Municipal Housing Law, including the power to execute contracts with an agency of the Government, borrow money, issue bonds (as defined in the Municipal Housing Law) and acquire or dispose of real property when approved by the Board of Commissioners of the City of Osawatome, Kansas.
4. The Authority is hereby authorized to employ an executive director, technical experts and such other officers, agents and employees, permanent and temporary, as the Authority may require, and to delegate to one or more of them such powers or duties as the Authority may deem proper.
5. Resolution No. 22A passed and approved by the Board of Commissioners of the City of Osawatome, Kansas, on the 20th day of February, 1967 is hereby repealed and the Authority established by virtue of that resolution is hereby abolished.

Passed and approved by the Board of Commissioners of the City of Osawatome, Kansas, on this the 3rd day of September, 1974.



Melvin L. Henness
Mayor

ATTEST:



Thomas J. Crozier
City Clerk

ARTICLE 5. HOUSING REHABILITATION ADVISORY COMMITTEE

- 4-501. HOUSING REHABILITATION ADVISORY COMMITTEE CREATED. There is hereby created and established a Housing Rehabilitation Advisory Committee (hereinafter called the committee) to serve the governing body of the city which committee shall have the functions, duties and authority prescribed herein. (Ord. 3340, Sec. 1)
- 4-502. MEMBERSHIP AND VACANCIES. The board shall consist of five members to be appointed by the mayor, with the consent of the governing body. All members shall be residents of the city and shall serve the duration of the city's Community Development Grant from the Kansas Department of Economic Development. Any vacancies which occur during the term of the grant may be filled for the remaining term by appointment by the mayor, with the consent of the governing body. All members of the committee shall serve without pay. (Ord. 3340, Sec. 2)
- 4-503. FUNCTIONS, DUTIES, AND AUTHORITY. The committee shall have the following functions, duties, and authority:
- (a) Serve as a citizens' advisory group for community development activities related to housing rehabilitation.
 - (b) Receive and process applications for housing rehabilitation grants.
 - (c) Receive bids and recommend contract awards for housing rehabilitation.
 - (d) Approve final inspections of housing rehabilitation work and recommend payments to be made to the contractor by the city.
 - (d) Establish policy where not otherwise specified.
 - (e) Recommend housing rehabilitation program guidelines to the governing body of the city.
 - (f) Authorize change orders to work in progress, which authorization shall be subject to appeal in the manner hereinafter set forth in subsection (g).
 - (g) Have decision-making authority concerning repair of existing housing; provided, however, that the owner of any house who disputes any such decision made by the committee may appeal such decision to the governing body of the city, if such appeal is made in writing and filed with the city clerk within 10 days after the committee's decision is made. Upon receipt of such notice of appeal, the governing body of the city shall set a time and place for a hearing on the appeal and shall give the owner written notice thereof. At such hearing, the owner shall be given an opportunity to be heard and to show cause why the committee's decision should be modified or overruled. Upon hearing the evidence and testimony presented at such hearing, the governing body of the city shall issue its order either sustaining, modifying or overruling the committee's decision, which order shall be reduced to writing and mailed to the owner, at his or her last known address, within 10 days after the date of the hearing. The only decisions which shall be subject to appeal by any owner shall be those decisions made by the committee, pursuant to this subsection and subsection (f) above. (Ord. 3340, Sec. 3)

4-504. OFFICERS. The committee shall elect a chairperson and vice-chairperson, who shall serve for the duration of the grant. (Ord. 3340, Sec. 4)

4-505. MEETINGS AND RECORDS. The committee shall determine meeting times and places. Special meetings may be held on call of the chairperson. A majority of the committee shall constitute a quorum for the transaction of business. The committee shall cause a proper record to be kept of its proceedings. (Ord. 3340, Sec. 5)

LIBRARY

12-1222. City, county and township libraries; board; appointment; terms; eligibility; vacancies; expenses. Subject to the provisions of K.S.A. 2011 Supp. 12-16,128, and amendments thereto, upon the establishment of a library under this act the official head of a municipality shall appoint, with the approval of the governing body, a library board for such library. In the case of a county, except for Johnson county, or township library five members shall be appointed, one for a term expiring the first April 30 following date of appointment, one for a term expiring the second April 30, following date of appointment, one for a term expiring the third April 30 following date of appointment, and two for terms expiring the fourth April 30 following date of appointment. In the case of a city library seven members shall be appointed, one for a term expiring the first April 30 following date of appointment, two for terms expiring the second April 30 following date of appointment, two for terms expiring the third April 30 following date of appointment, and two for terms expiring the fourth April 30 following date of appointment. The governing body of any city may, as an alternative to the membership hereinabove provided for, appoint 10 members to the city library board, which members shall have terms as follows: Six of such members first appointed shall serve for terms of four years and four of such members first appointed shall serve for terms of two years; thereafter, upon the expiration of the terms, successors shall be appointed in each odd-numbered year to fill the vacancies created, and thereafter each member shall serve for a term of four years. In addition to the appointed members of the board the official head of the municipality shall be ex officio a member of the library board with the same powers as appointed members, but no person holding any office in the municipality shall be appointed a member while holding such office.

Seven members shall be appointed to the Johnson county library board. Such members, when first appointed, shall have terms as follows: One for a term expiring the first April 30 following date of appointment, two for terms expiring the second April 30 following date of appointment, two for terms expiring the third April 30 following date of appointment, and two for terms expiring the fourth April 30 following date of appointment.

Upon the expiration of the terms of members first appointed succeeding members shall be appointed in like manner for terms of four years. Members of library boards holding office at the effective date of this act shall continue to hold their offices until April 30 following the expiration of the terms for which appointed, and on or before May 1 following the first expiration of a term a sufficient number shall be appointed by the official head of the municipality with the approval of the governing body for terms of four years to constitute a library board of the number of members prescribed by this act.

All members appointed to a library board shall be residents of the municipality. Vacancies occasioned by removal from the municipality, resignation or otherwise, shall be filled by appointment for the unexpired term. No person who has been appointed for two consecutive four-year terms to a library board shall be eligible for further appointment to such board until one year after the expiration of the second term. Appointments made prior to the effective date of this act shall not be counted in determining eligibility for appointment hereunder. Members of library boards shall receive no compensation for their services as such but shall be allowed their actual and necessary expenses in attending meetings and in carrying out their duties as members.

History: L. 1951, ch. 485, § 5; L. 1975, ch. 62, § 1; L. 1985, ch. 72, § 1; L. 2005, ch. 17, § 1; L. 2008, ch. 163, § 5; July 1.

LIBRARY

12-1224. Same; officers of board; meetings; notice. The members of a library board shall, immediately after their appointment and annually thereafter, meet and organize by the election of a chairman, a secretary and a treasurer and such other officers as they may deem necessary. The board shall fix the date and place of its regular meetings and special meetings may be called by the chairman or upon written request of a majority of the members. Written notice, stating the time and place of any special meeting and the purpose for which called, shall, unless waived, be given each member of the board at least two (2) days in advance of such meeting, and no business other than that stated in the notice shall be transacted at such meeting.

History: L. 1951, ch. 485, § 7; July 1.

LIBRARY

12-1225. Powers and duties of board. Library boards shall have the following powers and duties: (a) To make and adopt rules and regulations for the administration of the library;

(b) with the approval of the governing body of the municipality, to purchase or lease a site or sites and to lease or erect a building or buildings for the use of the library;

(c) to acquire by purchase, gift or exchange, books, magazines, papers, printed materials, slides, pictures, films, projection equipment, phonograph records and other material and equipment deemed necessary by the board for the maintenance and extension of modern library service;

(d) to employ a librarian and such other employees as the board deems necessary and to remove them and to fix their compensation, except as provided in K.S.A. 12-1225b;

(e) to establish and maintain a library or libraries and traveling library service within the municipality or within any other municipality with which service contract arrangements have been made;

(f) to contract with other libraries established under the provisions of this act or with the governing body of a municipality not maintaining a public library for the furnishing of library service to the inhabitants of such municipality to the extent and upon such terms as may be agreed upon, and to contract with any school board to furnish library service to any school library or to use the library facilities of the public school to supplement the facilities of the public library;

(g) to receive, accept and administer any money appropriated or granted to it by the state or the federal government or any agency thereof for the purpose of aiding or providing library service;

(h) to receive and accept any gift or donation to the library and administer the same in accordance with any provisions thereof. If no provisions are specified, the board shall have the power to hold, invest or reinvest the gift and any dividends, interest, rent or income derived from the gift in the manner the board deems will best serve the interests of the library;

(i) to make annual reports to the state librarian and the governing body of the municipality on or before January 31 of each year for the preceding calendar year, showing receipts and disbursements from all funds under its control, and showing such statistical information relating to library materials acquired and on hand, number of library users, library services available, and other information of general interest as the governing body requires;

(j) as to money received from sources other than a tax levy for library purposes, in its discretion, to place such money in a separate fund or funds, or to place the money in the fund to which the tax levy money is credited unless the grantor or donor directs how and for what purpose the money shall be handled and spent.

History: L. 1951, ch. 485, § 8; L. 1953, ch. 65, § 1; L. 1965, ch. 103, § 1; L. 1965, ch. 104, § 1; L. 1984, ch. 69, § 7; L. 1984, ch. 69, § 2; Jan. 1, 1985.

RESOLUTION NO. 617

A JOINT RESOLUTION CONSOLIDATING THE OPERATIONS, PROCEDURES AND FUNCTIONS OF THE OSAWATOMIE PUBLIC LIBRARY AND THE CITY OF OSAWATOMIE PURSUANT TO K.S.A. 12-3903.

WHEREAS, the Governing Body of the City of Osawatomie, Kansas and the Osawatomie Public Library Board have each agreed that it is their mutual desire to consolidate their operations, procedures and functions so as to provide the best possible library service to the Osawatomie community; and

WHEREAS, for many years the City of Osawatomie and the Osawatomie Public Library have operated cooperatively to serve the interests of the residents of the City of Osawatomie; and

WHEREAS, the City of Osawatomie and the Osawatomie Public Library have determined that duplication exists in the operations, procedures and functions relating to the operation of the Library and that certain operations, procedures or functions of the Library can be more efficiently and effectively exercised or provided as a consolidated activity performed as set forth hereinafter; and

WHEREAS, it is desirable and in the best interests of both entities to allocate responsibility for operations efficiently; and

WHEREAS, K.S.A. 12 -3903(a) authorizes consolidation of operations, procedures and functions of the two entities;

NOW, THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF OSAWATOMIE, KANSAS and by the BOARD OF THE OSAWATOMIE PUBLIC LIBRARY:

SECTION 1. The parties agree that in order to provide the best possible service to the citizens of the City of Osawatomie, it is necessary for the parties to consolidate the management and operation of the Osawatomie Public Library. Furthermore, both parties acknowledge that the current arrangement and relationship of the Library Board to the City of Osawatomie should be more clearly defined.

SECTION 2. The parties further agree that the City shall provide for the financial management and supervision of all employees of the Osawatomie Public Library. The Library Board agrees, except as provided by this agreement, to relinquish the duties and powers set forth in K.S.A. 12-1225 and by this agreement assigns such duties to the City of Osawatomie. The City of Osawatomie by this agreement accepts assignment of such duties and assumes responsibility for performing such duties which are to be performed by the City under the supervision and direction of the City Manager. The Executive Director of the Library and other staff shall be employees of the City of Osawatomie. The Library Board, from the date of

execution of this resolution will act in an advisory capacity to the Executive Director of the Osawatomie Public Library but shall retain the right to repeal this resolution at the time and in the manner specified herein if it shall determine that the best interests of the citizens of the City of Osawatomie are not being served by continuation of this consolidation.

SECTION 3. This resolution may be reviewed from time to time as the Library Board and the Governing Body of the City of Osawatomie deem necessary. This resolution may be repealed at any time by either party, in its sole discretion, at such time as it may determine that such termination would benefit the community as a whole. Any such termination shall be in writing and shall be given not less than six months before the end of the then current fiscal year of the City.

SECTION 4. All funds currently held by the Osawatomie Library Board shall, upon the execution of this agreement, be deposited in the City of Osawatomie's Library Fund, to be spent on the operation of the Osawatomie Public Library only. Beginning immediately upon approval of this resolution, the City Manager shall be responsible for all revenues and expenditures of the Osawatomie Public Library. During the term of this agreement, the Library shall be considered and operate as a department of the City of Osawatomie and shall have adequate funds budgeted for it, as recommended by the City Manager who shall balance the needs of other departments and the availability of adequate resources when recommending future budgets to the Governing Body of the City of Osawatomie.

SECTION 5. This Resolution shall take effect on approval by both of the parties.

PASSED AND APPROVED by the Governing Body of the City of Osawatomie, Kansas, this 11th day of June, 2009.

APPROVED AND SIGNED by the Mayor.

By: Philip A. Dudley
Philip Dudley, Mayor

Attest: Ann Elmquist
Ann Elmquist, City Clerk

PASSED AND APPROVED by the Osawatomie Public Library Board, Osawatomie, Kansas, this 15th day of June, 2009.

APPROVED AND SIGNED by the Chairman of the Board.

By: Sarah J Dorsett
Sarah Dorsett, Chairwoman

Attest: Jan Sanders
Jan Sanders, Secretary

ARTICLE 9. PARKS AND RECREATION DEPARTMENT.

12-901. OSAWATOMIE RECREATION COMMISSION AND PARKS DEPARTMENT COMBINED. 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 the Osawatomie Parks and Recreation Department.

12-902. 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.

12-903. DIRECTOR OF PARKS AND RECREATION. 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.

12-904. 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 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 two-year 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.

12-905. ALL MEETINGS OF PARKS AND RECREATION COMMITTEE TO BE PUBLIC MEETINGS. 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.

12-906. RESPONSIBILITIES OF THE PARKS AND RECREATION COMMITTEE. 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 and maintenance 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;

12-907. 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.

12-908. CITY MANAGER AUTHORITY. The City Manager shall retain the final authority for the operation of the Parks and Recreation Department.

12-909. CITY COUNCIL NOT OBLIGATED TO ACT ON RECOMMENDATIONS. Nothing in this ordinance shall be construed to require the City Council to act upon any recommendations by the Parks and Recreation Committee.

12-910 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 the date of this act, shall be placed in the Employee Benefits Fund of the City for the payment of the benefits of Parks and Recreation Department employees.

(Ord 3691, Ord 3693)

CHAPTER XVI. ZONING AND PLANNING

Article 1. City Planning Commission/
Board of Zoning Appeals

Article 2. Zoning Regulations

Article 3. Subdivision Regulations

ARTICLE 1. CITY PLANNING COMMISSION/ BOARD OF ZONING APPEALS

16-101. COMMISSION RE-ESTABLISHMENT. There is hereby established the Osawatomie City Planning Commission which is composed of seven members of which five members shall be residents of the city and two members shall reside outside the city, but within the designated planning area of the city which is within at least three miles of the corporate limits of the city. (Code 2008)

16-102. MEMBERSHIP, TERMS, INTEREST AND COMPENSATION. The members of the planning commission shall be appointed by the mayor with the consent of the governing body at the first regular meeting of the governing body in May of each year and take office at the next regular meeting of the commission. All members shall be appointed for staggered terms of three years each. The appointments shall be so made that the terms of office of the members residing outside of the corporate limits of the city do not expire within the same year. By the re-establishment of the commission, all current members continue to serve their present terms of office. In case of death, incapacity, resignation or disqualification of any member, appointment to such a vacancy on the commission shall be made of the unexpired term of the member leaving the membership. Should any member have a conflict of interest, either directly or indirectly, in any matter coming before the commission, he or she shall be disqualified to discuss or vote on the matter. The governing body may adopt rules and regulations providing for removal of members of the commission. Members of the commission shall serve without compensation, but may be reimbursed for expenses actually incurred in the performance of their duties as deemed desirable by the governing body. (Code 2008)

16-103. MEETINGS, OFFICERS AND RECORDS. The members of the planning commission shall meet at such time and place as may be fixed in the commission's bylaws. The commission shall elect one member as chairperson and one member as vice-chairperson who shall serve one year and until their successors have been elected. A secretary shall also be elected who may or may not be a member of the commission. Special meetings may be called at any time by the chairperson or in the chairperson's absence by the vice-chairperson. The commission shall adopt bylaws for the transaction of business and hearing procedures. All actions by the commission shall be taken by a majority vote of the entire membership of the commission; except that, a majority of the members present and voting at the

hearing shall be required to recommend approval or denial of an amendment to the zoning regulations, a rezoning amendment or a special use permit. A proper record of all the proceedings of the commission shall be kept. The commission, from time to time, may establish subcommittees, advisory committees or technical committees to advise or assist in the activities of the commission. (Code 2008)

16-104. POWERS AND DUTIES. The governing body and planning commission shall have all the rights, powers and duties as authorized in K.S.A. 12-741 et seq., and amendments thereto, which are hereby incorporated by reference as part of this section and shall be given full force and effect as if the same had been fully set forth. The commission is hereby authorized to make or cause to be made, adopted and maintained a comprehensive plan for the city and any unincorporated territory lying outside of the city but within Miami County in which the city is located, which in the opinion of the commission forms the total community of which the city is a part. The commission shall also cause to be prepared, adopted and maintained zoning and subdivision regulations on all land within the jurisdiction designated by the governing body. The comprehensive plan and zoning and subdivision regulations are subject to final approval of the governing body by ordinance. Periodically, the governing body may request the commission to undertake other assignments related to planning and land use regulations. (Code 2008)

16-105. BOARD OF ZONING APPEALS. The planning commission is hereby designated to also serve as the city's board of zoning appeals with all the powers and duties as provided for in K.S.A. 12-759. The board shall adopt rules in the form of bylaws for its operation which shall include hearing procedures. Such bylaws shall be subject to the approval of the governing body. Public records shall be kept of all official actions of the board which shall be maintained separately from those of the commission. The board shall keep minutes of its proceedings showing evidence presented, findings of fact, decisions and the vote upon each question or appeal. A majority of the members of the board present and voting at the hearing shall be required to decide any appeal. Subject to subsequent approval of the governing body, the board shall establish a scale of reasonable fees to be paid in advance by the appealing party. (Code 2008)

16-106. BUDGET. The governing body shall approve a budget for the planning commission and make such allowances to the commission as it deems proper, including funds for the employment of such employees or consultants as the governing body may authorize and provide, and shall add the same to the general budget. Prior to the time that moneys are available under the budget, the governing body may appropriate moneys for such purposes from the general fund. The governing body may enter into such contracts as it deems necessary and may receive and expend funds and moneys from the state or federal government or from any other resource for such purposes. (Code 2008)

RESOLUTION NO. 578

A RESOLUTION ESTABLISHING THE NEIGHBORHOOD IMPROVEMENT ADVISORY COMMITTEE AND SETTING FORTH RESPONSIBILITIES THEREOF.

WHEREAS, the City Council recognizes the value in establishing citizen advisory committees to make recommendations to the City Council for the betterment of the city and its residents; and

WHEREAS the City Council further recognizes the need for such a committee in the fields of planning, zoning, and nuisance code enforcement of Osawatomie's City Government.

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

SECTION ONE: There is hereby created the "Neighborhood Improvement Advisory Committee" which said Committee is charged with the following:

1. Review all neighborhoods in all zoning classifications of the City of Osawatomie and make recommendations to the City Council for ways in which to improve these neighborhoods. Such recommendations shall be accompanied by any recommended changes in the zoning and subdivision regulations or other city ordinances to effect these changes.
2. Assess the availability of grant programs which may be available to aid the city in achieving any recommendations made which may have a financial impact on the city and assist in compiling any grant applications as needed.
3. Serve at the pleasure of the City Council and engage in any other project that the City Council or City Manager may assign to it, provided however, that said project promotes the mission of the Neighborhood Improvement Advisory Committee.

SECTION TWO: The mission of the Neighborhood Improvement Advisory Committee shall be: "to explore courses of action to increase the appeal of, improve the appearance of, and enhance the quality of life in the established neighborhoods of the City of Osawatomie and to make recommendations toward that end".

SECTION THREE: This Committee shall make its recommendations to the City Council.

SECTION FOUR: This Committee will be reviewed on an annual basis.

SECTION FIVE: This Resolution shall be in full force and effect from and after its adoption.

PASSED AND APPROVED by the Governing Body of the City of Osawatomie, Kansas
this 8th day of February, 2007.

APPROVED AND SIGNED by the Mayor.

Thomas L. Speck
Mayor

(SEAL)

ATTEST:

Ann Elmquist
City Clerk

ECONOMIC DEVELOPMENT

12-1617h. Securing industries in or near cities; tax levy, use of proceeds; election required; resubmission, when; use of general fund or other revenue sources. Cities are hereby authorized to levy annually upon all the taxable tangible property within the city a tax for the purpose of creating a fund to be used in securing or retaining industries or manufacturing institutions for such city or near its environs and to pay a portion of the principal and interest on bonds issued by such city under the authority of K.S.A. 12-1774, and amendments thereto. No such levy shall be made until the governing body is instructed to do so by a majority of all the votes cast on this proposition at an election held at any city or general election.

Such election shall be held as provided by law for bond elections. If any such city shall not make such tax levy in any year, after the third year following the approval of such tax levy by the voters, then it shall be necessary to resubmit the issue to the voters before any such tax levy shall be imposed again.

Nothing in this section shall be construed as restricting the authority of cities to utilize the general fund or other revenue sources for the purpose of promoting or securing the location or expansion of business and industry.

History: L. 1923, ch. 90, § 1; R.S. 1923, § 13-1441; L. 1925, ch. 105, § 1; L. 1939, ch. 109, § 1; L. 1955, ch. 102, § 1; L. 1961, ch. 91, § 1; L. 1970, ch. 69, § 15; L. 1972, ch. 89, § 3; L. 1979, ch. 52, § 45; L. 1988, ch. 75, § 1; L. 1999, ch. 154, § 32; May 27.

8.A. Appointments

2/2/12

TERMS EXPIRED 12/31/11 and vacancies:

	<u>Members</u>	<u>Apps Received</u>
Economic Development	Wes Cole Ben Maimer	Thomas Burgin Ben Maimer
Golf Course Advisory Board	John David Cole Gregg Lewis Vacant - 3	----
Planning Commission	Mark Marquez Doug Singer	Tom Burgin Jim Mitzner
Tourism Committee	Lewis Case Amanda Perry Phyllis Sharp	Lewis Case Brian King Amanda Perry Jolene Stewart

Housing Authority

determination of terms – all appointed 6/9/11 then 4 year terms expiring 12/31 of each year

Ben Maimer	2012	1 year	_____
Jim Mitzner			
Larry Ratley	2013	2 years	_____
Doug Singer			
Jeff Walmann	2014	3 years	_____
	2015	4 years	_____

Parks & Recreation

Richard Alonzo
Kelly Callahan
Kenny Foulk, Jr.
Dave French
Jeff Gulley
Kenneth Harper
Brian King
James King
Keith McReynolds
Allen Neal
Brandon Olson

Odd years – 2012

Even years - 2013

Councilmember – concurrent with their term

Recreation Commission

Allen Neal
DJ Needham
Vacant (Bart Needham)
Remaining: Joe Booe & Marilyn Cook

City of Osawatomie Public Service Application

Name: THOMAS BURGIN

Home Phone: 913-755-1800

Address: 1301 MAIN ST.

Work Phone: — 0 —

City, State, Zip: OSAWATOMIE, KS 66064

Email: TBURGIN@HOTMAIL.COM

Place of Employment: RETIRED

Position: _____

Product or service rendered by employer: _____

Brief description of job duties/responsibilities: _____

Spouse's place of employment: RETIRED Position: _____

Product or Service rendered by spouse's employer: _____

Council, Committee, Board, Task Force and position to which you wish to be appointed:

ECONOMIC DEVELOPMENT COMMITTEE

Why do you wish to serve in this position? _____

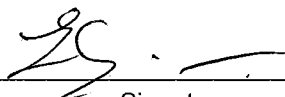
TO CONTRIBUTE MY SERVICES TO THE CITY AND ITS RESIDENTS. SHARE MY MANY YEARS OF EXPERIENCE TO HELP BENEFIT THE CITY.

Have you served on any other board or committee or in an elected position with the city? NO

If yes, please state your experience: _____

Do you or your spouse have any monetary interest, direct or indirect, in any pending or incomplete transaction or contract to which the city is, or is to be, a party? _____ If yes, please explain: _____

"DISCLOSURE" I AM THE FATHER OF CITY CLERK ANN ELINQVIST.


Signature

02-02-12
Date

City of Osawatomie Public Service Application

Name: Benjamin C. Maimer

Home Phone: 913-765-3504

Address: 230 Main St.

Work Phone:

City, State, Zip: Osawatomie, Ks 66064

Email: ben.maimer@hotmail.com

Place of Employment: Retired

Position: Retired

Product or service rendered by employer: Honeywell, International

Brief description of job duties/responsibilities:

Spouse's place of employment: Position: N/A

Product or Service rendered by spouse's employer: N/A

Council, Committee, Board, Task Force and position to which you wish to be appointed: Member - Osawatomie Economic Development Comm.

Why do you wish to serve in this position? I have been involved in numerous volunteer organizations since 1971 when I moved to Osawatomie, including 14 1/2 years on Our City Council. I am committed to improving and helping the City of Osawatomie and it's people.

Have you served on any other board or committee or in an elected position with the city?

If yes, please state your experience: See above

Do you or your spouse have any monetary interest, direct or indirect, in any pending or incomplete transaction or contract to which the city is, or is to be, a party? No If yes, please explain:

Benjamin C. Maimer Signature

January 23, 2012 Date

City of Osawatomie Public Service Application

Name: THOMAS BURGIN

Home Phone: 913-755-1800

Address: 1301 MAIN ST.

Work Phone: — — —

City, State, Zip: OSAWATOMIE, KS 66064

Email: TB BURGIN@HOTMAIL.COM

Place of Employment: RETIRED

Position: _____

Product or service rendered by employer: _____

Brief description of job duties/responsibilities: _____

Spouse's place of employment: RETIRED Position: _____

Product or Service rendered by spouse's employer: _____

Council, Committee, Board, Task Force and position to which you wish to be appointed:

PLANNING COMMISSION

Why do you wish to serve in this position? _____

TO CONTRIBUTE MY SERVICES TO THE CITY AND ITS RESIDENTS. SHARE MY MANY YEARS OF EXPERIENCE TO HELP BENEFIT THE CITY.

Have you served on any other board or committee or in an elected position with the city? NO

If yes, please state your experience: _____

Do you or your spouse have any monetary interest, direct or indirect, in any pending or incomplete transaction or contract to which the city is, or is to be, a party? _____ If yes, please explain: _____

"DISCLOSURE" I AM THE FATHER OF CITY CLERK ANN ELMQWIST.



Signature

02-06-2012

Date

PLEASE RETURN TO CITY CLERK

City of Osawatomie Public Service Application

Name: Jim Mitzner Home Phone: 913-755-3580
Address: 1516 Main Work Phone: 913-731-9505
City, State, Zip: Osawatomie KS, 66064 Email: Mitzner@Centurylink.net
Place of Employment: Self/Retired Law Enforcement Position: _____
Product or service rendered by employer: Rental Housing
Brief description of job duties/responsibilities: _____

Spouse's place of employment: Self Position: _____
Product or Service rendered by spouse's employer: Independent Contractor - Medical Staffing

Council, Committee, Board, Task Force and position to which you wish to be appointed:
Planning and Zoning Commission

Why do you wish to serve in this position? To provide unbiased advice to the city council to help improve the quality of life of Osawatomie by short and long range planning and regulations.

Have you served on any other board or committee or in an elected position with the city? yes
If yes, please state your experience: Police and Fire Advisory Board

Do you or your spouse have any monetary interest, direct or indirect, in any pending or incomplete transaction or contract to which the city is, or is to be, a party? No If yes, please explain: _____

Jim Mitzner
Signature

2-2-12
Date

City of Osawatomie Public Service Application

Name: Lewis W. Case Home Phone: (913) 755-2727
Address: 1009 Main St. Work Phone: (913) 755-7300
City, State, Zip: Osawatomie, KS 66064 Email: ljcase@cebridge.net
Place of Employment: Osawatomie State Hospital Position: Safety & Security Officer
Product or service rendered by employer: state mental hospital
Brief description of job duties/responsibilities: provide safety & security for both patients and staff, to include fire fighting.

Spouse's place of employment: N/A Position: _____
Product or Service rendered by spouse's employer: _____

Council, Committee, Board, Task Force and position to which you wish to be appointed:

Tourism Committee

Why do you wish to serve in this position? Approx 12 yrs experience on Tourism Committee and for providing 1950's-era living history demonstrations at John Brown Park, and assisting Grady Atwater in organizing and managing reenactors for annual Freedom Fest. This is my way of giving something back to my community.
Have you served on any other board or committee or in an elected position with the city? Yes

If yes, please state your experience: Tourism Committee, as above.

Do you or your spouse have any monetary interest, direct or indirect, in any pending or incomplete transaction or contract to which the city is, or is to be, a party? No If yes, please explain: _____

Lewis W. Case Signature 21 Jan 2012 Date

PLEASE RETURN TO CITY CLERK

City of Osawatomie Public Service Application

Name: Brian M. King Home Phone: 913-731-4379
 Address: 161 15th St. Work Phone: 913-755-7115
 City, State, Zip: Osawatomie, KS 66064 Email: Kbrian751@yahoo.com
 Place of Employment: Osawatomie State Hospital Position: Peer Specialist
 Product or service rendered by employer: Mental Health Care Services
 Brief description of job duties/responsibilities: Meet with patients and being their support during their hospital stay.

Spouse's place of employment: Not Married Position: _____

Product or Service rendered by spouse's employer: _____

Council, Committee, Board, Task Force and position to which you wish to be appointed:

Tourism Committee

Why do you wish to serve in this position? I would like to be involved in the promotion and growth of Osawatomie and its resources.

Have you served on any other board or committee or in an elected position with the city? No

If yes, please state your experience: _____

Do you or your spouse have any monetary interest, direct or indirect, in any pending or incomplete transaction or contract to which the city is, or is to be, a party? No If yes, please explain: _____

Brian M. King
Signature

2-2-12
Date

PLEASE RETURN TO CITY CLERK

City of Osawatอมie Public Service Application

Name: Amanda Perry

Home Phone: 316-250-5172

Address: 110 Mill Street

Work Phone: 913-755-3033 ext 2422

City, State, Zip: Osawatอมie, KS 66501

Email: amanda.bakery.creation@gmail.com

Place of Employment: Landmark National Bank

Position: Teller

Product or service rendered by employer: Bank

Brief description of job duties/responsibilities: Handling money, opening accounts, solving customer problems

Spouse's place of employment: Osawatอมie Graphic Position: News Editor

Product or Service rendered by spouse's employer: Newspaper

Council, Committee, Board, Task Force and position to which you wish to be appointed:

Tourism Committee

Why do you wish to serve in this position? I have been heavily involved in the Tourism Committee and it's events since I joined and feel the committee can benefit further from my involvement.

Have you served on any other board or committee or in an elected position with the city? Yes

If yes, please state your experience: I have been on the Tourism Committee since 2009.

Do you or your spouse have any monetary interest, direct or indirect, in any pending or incomplete transaction or contract to which the city is, or is to be, a party? No If yes, please explain: _____

Amanda Perry
Signature

1-20-12
Date

PLEASE RETURN TO CITY CLERK

City of Osawatomie Public Service Application

Name: Jolene Stewart

Home Phone: 913-731-9792

Address: 515 1/2 Parker Ave., Apt. A

Work Phone: 913-385-7990 x 310

City, State, Zip: Osawatomie, KS 66064

Email: jolenestewart35@yahoo.com

Place of Employment: Tomes & Dvorak, Chartered

Position: Paralegal

Product or service rendered by employer: Legal services

Brief description of job duties/responsibilities: Meet with clients, draft legal documents, correspond with attorneys and judges regarding cases, attend court events with my supervising attorney.

Spouse's place of employment: Marley SPX Cooling Tech. Position: Thermoplastic Machine Operator

Product or Service rendered by spouse's employer: Produce large cooling towers

Council, Committee, Board, Task Force and position to which you wish to be appointed:

Tourism Committee

Why do you wish to serve in this position? I have made Osawatomie "my town" over the last few years since marrying my husband Mike, a life-long resident of Osawatomie. I love the small-town, tight knit community feeling that I have about my town and I want others to experience that feeling and also to share in the history of Osawatomie.

Have you served on any other board or committee or in an elected position with the city? No

If yes, please state your experience: _____

Do you or your spouse have any monetary interest, direct or indirect, in any pending or incomplete transaction or contract to which the city is, or is to be, a party? No If yes, please explain: _____

Jolene N. Stewart
Signature

January 25, 2012
Date

PLEASE RETURN TO CITY CLERK

City of Osawatomie Public Service Application

Name: Richard Alonzo

Home Phone: 913755-3010

Address: 732 Walnut

Work Phone: ---

City, State, Zip: Osawatomie KS

Email: ---

Place of Employment: Retired 66064

Position: Recreation Board

Product or service rendered by employer: _____

Brief description of job duties/responsibilities: None

Spouse's place of employment: None

Position: ~~Recreation Board~~

Product or Service rendered by spouse's employer: NA

Council, Committee, Board, Task Force and position to which you wish to be appointed:

Why do you wish to serve in this position? I want to make sure that kids can enjoy playing ball here in Osawatomie. I want to make sure it is run like it should be run.

Have you served on any other board or committee or in an elected position with the city? NO

If yes, please state your experience: _____

Do you or your spouse have any monetary interest, direct or indirect, in any pending or incomplete transaction or contract to which the city is, or is to be, a party? NO If yes, please explain: _____

Richard Alonzo
Signature

1-25-2020
Date

PLEASE RETURN TO CITY CLERK

City of Osawatomie Public Service Application

Name: Kelly Callahan

Home Phone: 913-731-1804

Address: 1137 Brown Ave.

Work Phone: 913-294-2303

City, State, Zip: Osawatomie, KS 66004

Email: ckcallahan@embargo.com

Place of Employment: USD 368

Position: MIS Clerk

Product or service rendered by employer: Special Education

Brief description of job duties/responsibilities: data entry of special education paperwork for submission to the State of Kansas.

Spouse's place of employment: Kiewit

Position: Electrical Designer
Department Head

Product or Service rendered by spouse's employer: Electrical design work for Power Plants.

Council, Committee, Board, Task Force and position to which you wish to be appointed:

Recreation Committee

Why do you wish to serve in this position? My children grew up playing sports under the Osawatomie Recreation System. It was an enjoyable activity in their youth. I would like to see the programs continue and to grow in the future.

Have you served on any other board or committee or in an elected position with the city? NO

If yes, please state your experience: _____

Do you or your spouse have any monetary interest, direct or indirect, in any pending or incomplete transaction or contract to which the city is, or is to be, a party? NO If yes, please explain: _____

Kelly Callahan
Signature

1-23-12
Date

PLEASE RETURN TO CITY CLERK

City of Osawatomi Public Service Application

Name: Kenny Foulk Jr Home Phone: 913-406-5765
Address: 524 Lincoln Ave Work Phone: 913-755-3622
City, State, Zip: Osawatomi KS 66064 Email: KennyFoulk@kansascityymca.org
Place of Employment: Miami County YMCA Position: Program Assistant
Product or service rendered by employer: Health and well being
Brief description of job duties/responsibilities: Program Assistant over membership and Program Assistant over Sports Planning and running the sport programs

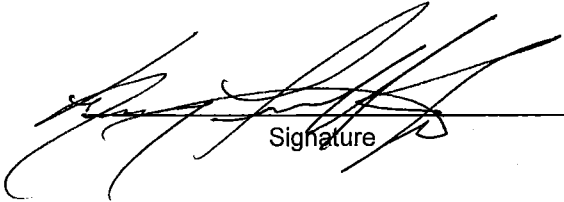
Spouse's place of employment: Saint Lukes South Position: HTM
Product or Service rendered by spouse's employer: _____

Council, Committee, Board, Task Force and position to which you wish to be appointed:
Parks and Rec Board

Why do you wish to serve in this position? I would like to see that the Osawatomi Parks and Rec Department be a great part of the community. I believe in the City I live in and would be in honor to be a part of it. I have pride in sports and believe I would bring a lot of positive ideas to this department.

Have you served on any other board or committee or in an elected position with the city? NO
If yes, please state your experience: _____

Do you or your spouse have any monetary interest, direct or indirect, in any pending or incomplete transaction or contract to which the city is, or is to be, a party? NO If yes, please explain: _____


Signature

2-2-17
Date

City of Osawatomie Public Service Application

Name: Dave French

Home Phone: 913-755-2532

Address: 1613 Brown Ave.

Work Phone: 913-755-4155

City, State, Zip: Osawatomie, Ks. 66064

Email: Frenchd@usd367.org

Place of Employment: USD #367

Position: Teacher/Coach

Product or service rendered by employer: Education

Brief description of job duties/responsibilities: I teach middle school Physical Education and coach the following sports, Football, Basketball, and track.

Spouse's place of employment: USD 367 Position: 2nd Grade Kansas History

Product or Service rendered by spouse's employer: Education

Council, Committee, Board, Task Force and position to which you wish to be appointed:

Advisory Board (Parks & Recreation)

Why do you wish to serve in this position? ① I have a strong background and history of Recreation. ② Youth need strong successful programs for their own growth - I have worked with youth for over thirty-plus years in the YMCA, Recreation Programs, & Education/Coaching. ③ This is an opportunity to build/develop trust in our community.

Have you served on any other board or committee or in an elected position with the city? No

Howewer

If yes, please state your experience: I have served on two different occasions with the Miami County K (Advisory Board)

Do you or your spouse have any monetary interest, direct or indirect, in any pending or incomplete transaction or contract to which the city is, or is to be, a party? No If yes, please explain: _____

David C. French
Signature

2/5/2012
Date

City of Osawatomie Public Service Application

Name: JEFF GULLEY

Home Phone: 913-938-2215

Address: 608 12th STREET

Work Phone: 913-755-2536

City, State, Zip: OSG. KS 66064

Email: jjgulle@yahoo.com

Place of Employment: OSG Journal

Position: Publisher

Product or service rendered by employer: Newspaper

Brief description of job duties/responsibilities:

Spouse's place of employment: USD 367 Position: PRO

Product or Service rendered by spouse's employer: works in Special Ed Level 1

Council, Committee, Board, Task Force and position to which you wish to be appointed:

Recreation

Why do you wish to serve in this position? I have kids in the program and want to make sure program continue and grow

Have you served on any other board or committee or in an elected position with the city?

If yes, please state your experience: Coach youth baseball, softball, basketball, football. Work for Raymore Parks & Rec. Department for two years.

Do you or your spouse have any monetary interest, direct or indirect, in any pending or incomplete transaction or contract to which the city is, or is to be, a party? If yes, please explain:

Jeff Gulley
Signature

1/25/12
Date

PLEASE RETURN TO CITY CLERK

City of Osawatomie Public Service Application

Name: Kenneth Harper

Home Phone: 913-731-8966

Address: 252 1st St.

Work Phone: _____

City, State, Zip: Osawatomie, Ks, 66064

Email: Kennyharper74@hotmail.com

Place of Employment: Oil Field 1

Position: _____

Product or service rendered by employer: _____

Brief description of job duties/responsibilities: running & pulling unit to fix oil wells

Spouse's place of employment: City of Paola Position: Court Clerk

Product or Service rendered by spouse's employer: _____

Council, Committee, Board, Task Force and position to which you wish to be appointed:

Rec

Why do you wish to serve in this position? To help build and improve on the staff the rec oversees

Have you served on any other board or committee or in an elected position with the city? no

If yes, please state your experience: _____

Do you or your spouse have any monetary interest, direct or indirect, in any pending or incomplete transaction or contract to which the city is, or is to be, a party? no If yes, please explain: _____

Kenneth Harper
Signature

2-3-12
Date

City of Osawatomi Public Service Application

Name: Brian M. King Home Phone: 913-731-4379
 Address: 161 15th St. Work Phone: 913-755-7115
 City, State, Zip: Osawatomi, KS. 66064 Email: Kbrian751@yahoo.com
 Place of Employment: Osawatomi State Hospital Position: Peer Specialist
 Product or service rendered by employer: Mental Health Care
 Brief description of job duties/responsibilities: Meet with new patients - be support for patients during their hospital stay - Chart on patients as necessary.

Spouse's place of employment: Not Married Position: _____
 Product or Service rendered by spouse's employer: _____

Council, Committee, Board, Task Force and position to which you wish to be appointed:
Recreation Commision

Why do you wish to serve in this position? I have children involved in rec sports and I feel it is important to build up the sports program in Osawatomi. I also enjoy the park, lakes and pool with my children. I would like to be involved in decisions made about these facilities.

Have you served on any other board or committee or in an elected position with the city? No
 If yes, please state your experience: _____

Do you or your spouse have any monetary interest, direct or indirect, in any pending or incomplete transaction or contract to which the city is, or is to be, a party? No If yes, please explain: _____

Brian M. King
 Signature

1-30-12
 Date

PLEASE RETURN TO CITY CLERK

City of Osawatomie Public Service Application

Name: James King Home Phone: 417-439-2781
Address: 1800 Parker Ave Work Phone: 294-8040
City, State, Zip: Osawatomie, KS 66064 Email: james-king@usd368.org
Place of Employment: Paola USD 368 Position: teacher

Product or service rendered by employer: Public School

Brief description of job duties/responsibilities: Physical Education teacher,
Coach of boys and girls basketball at Paola Middle School.
Driver's Education teacher at PHS.

Spouse's place of employment: Home Position: Mom

Product or Service rendered by spouse's employer:

Council, Committee, Board, Task Force and position to which you wish to be appointed:

Recreation Commission

Why do you wish to serve in this position? I believe that I have the
knowledge + skills to serve in this capacity and
have a vested interest with young children who will
one day play in Oz Rec.

Have you served on any other board or committee or in an elected position with the city? No

If yes, please state your experience:

Do you or your spouse have any monetary interest, direct or indirect, in any pending or incomplete trans-
action or contract to which the city is, or is to be, a party? No If yes, please explain:

James King
Signature

1/31/12
Date

PLEASE RETURN TO CITY CLERK

City of Osawatomie Public Service Application

Name: Keith McReynolds

Home Phone: (913) 731-6689

Address: 1515 Parker

Work Phone: (913) 755-7331

City, State, Zip: Osawatomie, KS. 66064

Email: keithmcreeynolds@hotmail.com

Place of Employment: Osawatomie State Hospital

Position: MHDDT

Product or service rendered by employer: Mental health services

Brief description of job duties/responsibilities: Transport patients to appointments + education of both staff and patients

Spouse's place of employment: N/A Position: N/A

Product or Service rendered by spouse's employer: N/A

Council, Committee, Board, Task Force and position to which you wish to be appointed:
Recreation

Why do you wish to serve in this position? I grew up in Osawatomie + came up through the rec. program. I have three daughters who continue to benefit from these programs and I wish to see them continue to thrive and even expand.

Have you served on any other board or committee or in an elected position with the city? NO

If yes, please state your experience: N/A

Do you or your spouse have any monetary interest, direct or indirect, in any pending or incomplete transaction or contract to which the city is, or is to be, a party? NO If yes, please explain: N/A

Keith McReynolds
Signature

2-2-2012
Date

City of Osawatomie Public Service Application

Name: Allen Neal Home Phone: (913) 731-0759
Address: 1700 OAK DRIVE Work Phone: (913) 755-6863
City, State, Zip: Osawatomia, Ks. 66064 Email: aneal@usd367.org
Place of Employment: USD #367 Position: Transportation Director

Product or service rendered by employer: Education

Brief description of job duties/responsibilities: In charge of vehicles and busses for school district including maintenance, fuel, and bus drivers.

Spouse's place of employment: USD #367 Position: High School Secretary

Product or Service rendered by spouse's employer: Education

Council, Committee, Board, Task Force and position to which you wish to be appointed:

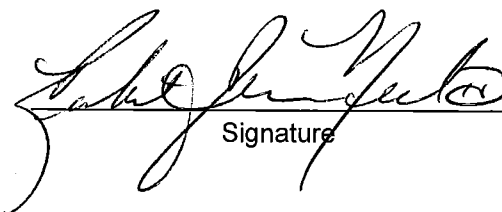
Parks and Recreation Advisory Board

Why do you wish to serve in this position? Having served on the committee before, I still have great interest in seeing the recreation program go in a positive direction. I have coached and worked with youth for many years. I would like to continue to do what I can to help.

Have you served on any other board or committee or in an elected position with the city? Yes

If yes, please state your experience: Recreation Commission - Appointed by city councilman, Brent Kaempfe

Do you or your spouse have any monetary interest, direct or indirect, in any pending or incomplete transaction or contract to which the city is, or is to be, a party? No If yes, please explain: _____


Signature

Feb. 1, 2012
Date

PLEASE RETURN TO CITY CLERK

City of Osawatomie Public Service Application

Name: Brandon Olson Home Phone: 785 304 0189
Address: 1721 MAIN St. Work Phone: 913 592 2214
City, State, Zip: Osawatomie, KS 66064 Email: brandono@Springhillrec.org

Place of Employment: Spring Hill Recreation Comm. Position: Program Supervisor

Product or service rendered by employer: Recreation Programming

Brief description of job duties/responsibilities: Developing, implementing and supervising a variety of recreation activities for the community of Spring Hill.

Spouse's place of employment: Olathe Medical Center Position: CMA

Product or Service rendered by spouse's employer: Health Care

Council, Committee, Board, Task Force and position to which you wish to be appointed:

Osawatomie Parks and Recreation Advisory Committee

Why do you wish to serve in this position? I can provide valuable insight for the committee with my experience in the recreation field. I have experience in programming, budgeting, and implementing a variety of recreational programs for youth, adults, seniors, and facilities.

Have you served on any other board or committee or in an elected position with the city? N/A

If yes, please state your experience: _____

Do you or your spouse have any monetary interest, direct or indirect, in any pending or incomplete transaction or contract to which the city is, or is to be, a party? N/A If yes, please explain: _____

Brandon J. Olson
Signature

1/31/12
Date



STAFF AGENDA MEMORANDUM

DATE OF MEETING: February 9, 2012

AGENDA ITEM: Burn Permit Issues

PRESENTER: Don Cawby, City Manager

ISSUE SUMMARY: On January 17, we were contacted by KDHE's regional air permit staff asking how we got rid of grass and leaves at our Forestry Site. I was surprised by this because we have been operating under the assumption that we could burn the material at our facility. We were provided with our attached copy of the burn permit on January 31 and have since learned that the state does not allow anyone to burn these materials as part of a burn permit. Since that time, we have stopped accepting these materials at the site, but have not made it public until now. We have been scrambling to find other options for these materials.

I have met with L&K about the possibility of them doing a yard waste service. The preliminary cost presented to us was \$3.00 per household. Another option we have looked into was buying an air curtain. However this option is very expensive and EPA has since declared these devices incinerators, which creates a whole other set of issues. This leaves landfilling and composting. Both may require permitting, but surprisingly enough, composting may be the least restrictive of the two. I am looking at both internal and external opportunities related to composting and hope to have more information in the next weeks.

If we don't come up with any other options between now and spring, we may just have to direct citizens to haul all of their yard waste to the county transfer station, or find a way for us to do that and charge for the service.

COUNCIL ACTION NEEDED: None.

STAFF RECOMMENDATION TO COUNCIL: Review and discuss.

State of Kansas

Bill Graves



Governor

Department of Health and Environment

James J. O'Connell, Secretary

December 17, 1996

The Honorable Mayor and City Council
City of Osawatomie
City Hall
Osawatomie, KS 66064

RE: Tree and Brush Open Burning Operation Approval No. 04-97-051 NEDO

Dear Mayor and City Council:

The Kansas Department of Health and Environment hereby issues this approval for continued operation of your tree and brush site, in accordance with K.A.R. 28-19-647(b). This exception is valid for an indefinite time period. However, the Department may revoke any approval upon thirty (30) days notice [K.A.R. 28-19-647(e)(9)] if ongoing issues of non-compliance are identified.

The Operation is subject to the Open Burning Operation Conditions [K.A.R. 28-19-647(e)] which are attached. All burning shall be confined to the area designated on the Application and shall be initiated and conducted under the direct control of the Applicant. Representatives from the Department will make inspections of the site to determine compliance with the Open Burning Operation Conditions.

In granting this approval, the Department assumes no liability for personal injury or property damage resulting from such burning. If you have any questions concerning this matter, please contact the Northeast District Office at (913) 842-4600.

Sincerely,

A handwritten signature in cursive script that reads "Julie Coleman".

Julia M. Coleman
District Environmental Administrator
Bureau of District Operations

C File



OPEN BURNING OPERATION CONDITIONS

Each open burning operation for which the department issues approval shall be subject to the following conditions, except as provided [K.A.R. 28-19-647(e)]:

- (1) The person conducting the burning shall stockpile the material to be burned, dry it to the extent possible before it is burned, and assure that it is free of matter that will inhibit good combustion.
- (2) A person shall not burn heavy smoke-producing material including heavy oils, tires, and tarpaper.
- (3) A person shall not initiate burning during the nighttime, which for the purposes of this regulation is defined as the period from two hours before sunset until one hour after sunrise. A person shall not add material to a fire after two hours before sunset.
- (4) A person shall not burn during inclement or foggy conditions or on very cloudy days, which are defined as days with more than 0.7 cloud cover and with a ceiling of less than 2,000 feet.
- (5) A person shall not burn during periods when surface wind speed is less than 5 mph or more than 15 mph.
- (6) A person shall not burn within 1,000 feet of any occupied dwelling, unless the occupant of that dwelling has been notified before the burn.
- (7) A person shall not conduct a burn that creates a traffic or other safety hazard. If burning is to take place within 1,000 feet of a roadway, the person conducting the burn shall notify the highway patrol, sheriff's office, or other appropriate state or local traffic authority before the burning begins. If burning is to take place within one mile of an airport, the person conducting the burn shall notify the airport authority before the burning begins.
- (8) The person conducting the burn shall insure that the burning is supervised until the fire is extinguished.
- (9) The Department may revoke any approval upon 30 day notice.



STAFF AGENDA MEMORANDUM

DATE OF MEETING: February 9, 2012

AGENDA ITEM: Proposed Water Rate Changes

PRESENTER: Don Cawby, City Manager

ISSUE SUMMARY: Estimated revenues from the current water rates for 2012 are insufficient to sustain the water fund for the remainder of the year. To determine what is needed for this and future years, I used several models and scenarios based on the information and data I had available. I also looked at rates of communities that are situated similarly to us and also in the same size range.

In the first attached table, I have provided comparisons of these peer cities and their current rates. I have also provided our current rates and those that I am recommending. The major thing that stands out in this comparison is that most of these communities have moved away from a heavily tiered rate system and from treating residential customers different from commercial customers. Also, it is becoming the trend to remove minimum usage from rate calculations and instead go with a fixed meter charge and base the rest on usage.

Another obvious difference is that our water rates are well below our peer cities. I have heard that we have held the line on these rates because we had such a major increase in sewer rates a few years ago. For that reason, I have also included the peer sewer rates as well. Based upon those rates, we are the lowest of these cities as well, but much closer to the average.

While I would like to make a wholesale change to get us to a simpler water billing system as is being done in our peer communities, I also realize that a drastic change can have a major shift on certain rate payers. Therefore, I have recommended the first step in what is hopefully a two – three step process of flattening our rates, getting the revenue increase we need, and not overburden one segment of rate payers.

The goal of this rate proposal is to increase rates by about 7.0 percent to gain a minimum total 6.0 percent increase after reduced usage. This proposal would increase the minimum bill by \$.92 cents (7.6 percent) for residential customers and \$.59 (3.3 percent) for commercial customers. The proposal doesn't increase the first per gallon rate from the current \$.40 per 100 gallons, but instead increase the size of the first tier from 2,200 gallons to 15,000. (*See attached fee table*). The result is that the average

household rate will be around 6.0 to 7.0 percent or about \$1 to \$2 per month. On heavier commercial users (25,000 gallons and over) the rate will vary from 5 to 12 percent, but the average bill for these heavier users will be about \$10 more per month. I kept the lower rate on the very highest of users because the impact without it would be a significant jump in the 20 percent area for high usage customers.

For an understanding of how the new rates compare to the old rates, I have prepared the following table to help explain the issues.

Gallons of Usage	Current Rate	Proposed New Rate	Weighted % Increase
1,500 to 3,700	0.40	0.40	-
3,700 to 7,400	0.34	0.40	8.1%
7,400 to 15,000	0.32	0.40	16.1%
15,000 to 65,000	0.32	0.34	8.6%
65,000 to 74,800	0.32	0.30	6.7%
over 74,800*	0.27	0.30	7.7%
<i>*weighted at 100,000 gallons</i>			

Also, to help put this in some perspective, I have given some estimates of bills for the different rate categories. I have also taken real utility bills for the months of March and July of 2011 for several different types of customers and have estimated the impact of these changes on those bills.

Finally, I have attached the detailed information for the water budget for 2012 and projected expenses for 2013 and 2014. These numbers are misleading because I have built into this equation a major reduction in salaries for 2012-2014 based upon reorganizing the operations of the sewer, water and power plants. This change may save the water plant some money, but I expect the actual salaries to be higher than what is budgeted. As part of this reorganization, I also expect some upgrades at the plant to better automate the water operations. There are some capital improvements funds built into this budget, but definitely not enough to make some headway on valve and line replacement.

COUNCIL ACTION NEEDED: Vote on the proposed rate increases.

STAFF RECOMMENDATION TO COUNCIL: Approve the increases effective for bills due in March 2012.

Water & Sewer Rate Comparisons

	Gardner	Paola	Spring Hill	Baldwin	Eudora	Current Oz - Res	Current Oz - Com	Proposed Oz - Res	Proposed Oz - Com
Water									
Customer Charge min included	\$ 10.40	\$ 14.00	\$ 8.00	\$ 6.50	\$ 13.21	\$ 12.08 1,500	\$ 17.66 1,500	\$ 13.00 1,500	\$ 18.25 1,500
Charge / 100 gal other tiers	\$ 0.465 40,000/\$.38	\$ 0.500	\$ 0.725	\$ 1.007	\$ 0.507	\$ 0.400 1,500/\$.34 3,700/\$.32	\$ 0.400 1,500/\$.34 37,00/\$.32 74,000/\$.27	\$ 0.400 15,000/\$.34 65,000/\$.30	\$ 0.400 15,000/\$.34
<i>Bill w/ 3500 gal</i>	\$ 26.68	\$ 31.50	\$ 33.38	\$ 41.73	\$ 30.96	\$ 20.08	\$ 25.66	\$ 21.00	\$ 26.00
Sewer									
Customer Charge min included	\$ 10.20	\$ 22.94	\$ 24.15 2,000.00	\$ 16.00	\$ 20.93	\$ 24.08	\$ 24.08	No changes	
Charge / 1000 gal	\$ 6.50	\$ 2.90	\$ 7.75	\$ 5.15	\$ 3.94	\$ 2.39	\$ 2.39		
<i>Bill w/ 3000 gal</i>	\$ 29.70	\$ 31.64	\$ 31.90	\$ 31.45	\$ 32.75	\$ 29.45	\$ 29.45		

PROPOSED

CODE REF.	ORD. #	DESCRIPTION	PREVIOUS FEE(S)	LAST CHANGED	CURRENT FEE	Proposed Changes
SEWER SERVICE CHARGES						
	Ord 3481	Inside City Limits <i>Volume charge based on metered water used during preceding December & January</i>		12-Nov-99		
		User charge	\$1.55	14-Dec-06	\$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	\$.24 per 100 gallons
		Outside City limits		14-Dec-06	50% over rates listed above	
		Service to the State Hospital				
		User charge	\$1.55	14-Dec-06	\$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	\$.24 per 100 gallons
		Extra Strength Sewage Surcharge	No charge	28-Jul-05	S=Vs x 0.00624 [\$.2364 (BOD-300) + \$.1734 (SS-350)]	
		BOD			\$0.2364 per pound	
		Suspended Solids			\$0.1734 per pound	
	Ord 3496	Service Connection		13-Dec-07		
		connection within existing districts	\$250.00		\$350.00	
		reconnection	\$50.00		\$50.00	
	Ord 3457	Amortization Assessment fee - outside the bounds of an assessed improvement district	\$1,000.00	14-May-98	\$1,000.00	
		Private system inspection & permit fee - does not include regular plumbing permit fee		28-Jul-05	\$50.00	

PROPOSED

CODE REF.	ORD. #	DESCRIPTION	PREVIOUS FEE(S)	LAST CHANGED	CURRENT FEE	Proposed Changes
WATER SERVICE RATES						
	Res 557	Residential First 1,500 gallons per month Next 2,200 gallons per month Next 3,700 gallons per month Over 7,400 gallons per month	\$11.62 \$.38/hundred gal \$.33/hundred gal \$.31/hundred gal	11-Dec-08	\$12.08 minimum per housing unit \$.40 per hundred gallons \$.34 per hundred gallons \$.32 per hundred gallons	\$13.00 min. per housing unit \$.40 per 100 gal over 1,500 \$.34 per 100 gal over 15,000
		Commercial First 1,500 gallons per month Next 2,200 gallons per month Next 3,700 gallons per month Next 67,400 gallons per month Over 74,800 gallons per month	\$16.98 \$.38/hundred gal \$.33/hundred gal \$.31/hundred gal \$.26/hundred gal		\$17.66 minimum \$.40 per hundred gallons \$.34 per hundred gallons \$.32 per hundred gallons \$.27 per hundred gallons	\$18.25 minimum \$.40 per 100 gal over 1,500 \$.34 per 100 gal over 15,000 \$.30 per 100 gal over 65,000
		Outside City Limits		14-Dec-06	50% over rates listed above	
		State Hospital and Rural Water Districts First 7,500 Gallons, Minimum Excess	\$32.71 \$2.35		\$34.99 \$2.51 per thousand gallons	\$35.00 \$2.69 per thousand
		Bulk Water Sales Per Thousand Gallons Per 100 Gallons Hydrant Meter Fee	\$4.40 \$0.44 \$0.00	11-Dec-08 11-Dec-08 17-Dec-09	\$4.58 \$0.46 \$25.00	\$4.90 \$0.49 \$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 meter larger than 3/4 inch	\$350.00 time & material		\$750.00 time & material + \$750.00	
		Temporary Water Service rate installation deposit fire hydrant water meter deposit	bulk water \$1,200.00		bulk water rate \$25 + installation cost \$500 meter deposit \$1,200.00	

Water Rate Examples

		<u>Usage</u>	<u>Old Bill</u>	<u>New Bill</u>	<u>% change</u>	<u>\$ change</u>
Residential						
	Low User	800	12.11	13.03	7.60%	0.92
	Medium User	2,200	14.98	15.90	6.14%	0.92
	High User	5,500	27.19	29.19	7.36%	2.00
Commercial						
	Low User	2,500	21.76	22.35	2.71%	0.59
	Medium User	25,000	96.16	107.05	11.32%	10.89
	High User	118,000	375.14	405.03	7.97%	29.89
State Hospital		1,091,000	2,757.12	2,939.86	6.63%	182.74

Residential		<u>Usage</u>	<u>Old Bill</u>	<u>New Bill</u>	<u>% change</u>	<u>\$ change</u>
Res A	Mar	4,000	22.03	23.13	4.99%	1.10
	July	4,500	23.76	25.16	5.89%	1.40
Res B	Mar	7,900	35.32	38.86	10.02%	3.54
	July	15,400	59.57	68.87	15.61%	9.30
Res C	Mar	800	12.11	13.03	7.60%	0.92
	July	1,300	12.14	13.06	7.58%	0.92
Res D	Mar	5,100	25.83	27.59	6.81%	1.76
	July	5,400	26.85	28.79	7.22%	1.94
Res E	Mar	6,400	30.28	32.82	8.39%	2.54
	July	12,800	51.16	58.62	14.58%	7.46

Business		<u>Usage</u>	<u>Old Bill</u>	<u>New Bill</u>	<u>% change</u>	<u>\$ change</u>
OHS	Mar	81,200	274.62	293.87	7.01%	19.25
	July	42,200	151.78	166.11	9.44%	14.33
Trojan	Mar	97,800	319.96	344.39	7.64%	24.43
	July	73,200	251.97	269.62	7.00%	17.65
Bus A	Mar	28,400	107.17	118.74	10.80%	11.57
	July	25,400	97.47	108.44	11.25%	10.97
Bus B	Mar	20,900	82.91	92.98	12.15%	10.07
	July	107,000	345.08	371.67	7.71%	26.59
Bus C	Mar	118,000	375.14	405.03	7.97%	29.89
	July	36,100	132.06	145.17	9.93%	13.11
Bus D	Mar	1,300	17.72	18.31	3.33%	0.59
	July	2,800	22.96	23.55	2.57%	0.59

Fund # 02

Water

	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>
	<u>ACTUAL</u>	<u>ACTUAL</u>	<u>ACTUAL</u>	<u>ACTUAL</u>	<u>Revised</u>	<u>Est</u>	<u>Est</u>
BEGINNING CASH BALANCE	\$ 32,117	\$ 3,847	\$ 25,873	\$ 1,001	\$ 26,448	\$ 36,461	\$ 41,059
REVENUE							
511 Water Sales	\$ 727,075	\$ 738,137	\$ 748,638	\$ 741,505	\$ 778,580	\$ 789,925	\$ 793,874
512 Bulk Water Sales	14,564	11,877	11,693	17,128	15,000	16,000	17,000
513 New Utility Services	18,750	5,250	-	800	1,000	1,000	1,000
801 Miscellaneous Revenue	1,200	2,565	2,866	76	1,000	1,000	1,000
802 Reimbursed Expense	5,867	4,994	591	-	4,000	4,000	4,000
808 Water Protection Tax	3,543	3,436	4,338	4,313	3,504	3,555	3,572
813 Tower Lease	15,345	7,695	11,592	11,592	11,592	11,592	11,592
852 Loan Proceeds	15,000	-	5,967	-	-	-	-
901 Sale of Fixed Assets	-	-	-	-	-	-	-
TOTAL REVENUE	\$ 801,344	\$ 773,954	\$ 785,685	\$ 775,413	\$ 814,675	\$ 827,072	\$ 832,039
TOTAL RESOURCES AVAILABLE	\$ 833,461	\$ 777,801	\$ 811,558	\$ 776,414	\$ 841,124	\$ 863,532	\$ 873,098
EXPENSES							
By Program							
Administration							
Salaries	\$ 195	\$ 231	\$ 252	\$ 202	\$ 250	\$ -	\$ -
Debt Service	64,983	64,983	64,983	64,983	64,983	64,983	64,983
Water Assurance Fees	6,053	6,364	31,464	30,640	32,500	34,125	35,831
Water Protection Tax	7,597	7,374	7,363	7,253	7,786	7,899	7,939
Transfers Out	-	85,000	12,000	-	38,000	40,000	40,000
Administrative Fees	-	-	-	-	73,700	74,900	76,100
All Other Expenses	34,488	17,495	17,726	21,189	22,498	25,234	23,728
Subtotal - Administration	\$ 113,316	\$ 181,447	\$ 133,788	\$ 124,268	\$ 239,716	\$ 247,141	\$ 248,581
Treatment							
Salaries	\$ 206,182	\$ 153,895	\$ 130,771	\$ 134,825	\$ 86,332	\$ 65,799	\$ 67,902
Utilities	48,049	43,166	39,157	36,716	40,000	41,200	42,436
Chemicals	133,004	130,089	171,308	136,366	155,716	165,884	166,714
All Other Expenses	43,312	29,021	56,044	80,798	48,457	50,845	54,746
Subtotal - Treatment	\$ 430,547	\$ 356,171	\$ 397,280	\$ 388,704	\$ 330,505	\$ 323,729	\$ 331,797
Distribution							
Salaries	99,470	97,837	111,162	112,338	107,506	107,519	111,024
Building Materials/Supplies	40,787	53,442	77,962	42,440	30,000	30,000	30,000
Meters Lease	59,217	-	-	-	-	-	-
All Other Expenses	86,277	63,031	90,365	82,215	96,935	114,085	116,320
Subtotal - Distribution	\$ 285,751	\$ 214,310	\$ 279,489	\$ 236,994	\$ 234,441	\$ 251,603	\$ 257,344
TOTAL EXPENSES	\$ 829,614	\$ 751,928	\$ 810,557	\$ 749,966	\$ 804,663	\$ 822,473	\$ 837,722
ENDING BALANCE	\$ 3,847	\$ 25,873	\$ 1,001	\$ 26,448	\$ 36,461	\$ 41,059	\$ 35,376
<i>as a percentage of expenses</i>	<i>0.5%</i>	<i>3.4%</i>	<i>0.1%</i>	<i>3.5%</i>	<i>4.5%</i>	<i>5.0%</i>	<i>4.2%</i>

	<u>2008</u> <u>ACTUAL</u>	<u>2009</u> <u>ACTUAL</u>	<u>2010</u> <u>ACTUAL</u>	<u>2011</u> <u>ACTUAL</u>	<u>2012</u> <u>Revised</u>	<u>2013</u> <u>Est</u>	<u>2014</u> <u>Est</u>
WATER ADMINISTRATION							
7100. PERSONNEL SERVICES							
101 Salaries	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
106 Workers' Compensation	195	231	252	202	250		
TOTAL PERSONNEL SERVICES	\$ 195	\$ 231	\$ 252	\$ 202	\$ 250	\$ -	\$ -
7200. CONTRACTUAL SERVICES							
201 Communications	\$ 6,513	\$ 6,282	\$ 6,048	\$ 6,128	\$ 6,189	\$ 6,251	\$ 6,313
202 Utilities	5,197	2,776	1,166	1,228	1,500	1,500	1,500
203 Dues & Memberships	720	660	720	2,915	3,000	3,000	3,000
204 Insurance	3,865	3,067	4,032	4,191	4,359	4,533	4,714
205 Education, Meetings & Travel	100	-	-	-	-		
206 Professional Services	6,790	238	3,683	2,365	3,750	4,000	4,000
207 Rentals	140	120	120	120	150	150	150
208 Printing & Advertising	198	124	542	474	500	500	500
209 Maintenance of Machinery & Eq	1,137	784	797	808	1,000	1,250	1,500
210 Maintenance of Buildings/Groun	423	281	20	250	250	250	250
220 Other Contractual	6,454	(380)	-	535	500	500	500
TOTAL CONTRACTUAL SERVICES	\$ 31,537	\$ 13,952	\$ 17,128	\$ 19,013	\$ 21,198	\$ 21,934	\$ 22,428
7300. COMMODITIES							
301 Office Supplies	\$ 1,144	\$ 655	\$ 449	\$ 665	\$ 750	\$ 750	\$ 750
304 Machine Parts & Supplies	-	199	-	-	-		
305 Building Materials & Supplies	141	-	149	-	150	150	150
307 Apparatus & Tools	155	75	-	62	150	150	150
320 Other Commodities	11	-	-	-	250	250	250
TOTAL COMMODITIES	\$ 1,451	\$ 929	\$ 598	\$ 727	\$ 1,300	\$ 1,300	\$ 1,300
7400. CAPITAL OUTLAY							
403 Office Furniture & Equipment		\$ 2,614	\$ -	\$ -	\$ -		
413 Computer Equipment & Softwar	1,500	-	-	1,740	-	2,000	-
TOTAL CAPITAL OUTLAY	\$ 1,500	\$ 2,614	\$ -	\$ 1,740	\$ -	\$ 2,000	\$ -
7500. DEBT SERVICE							
511 Note Principal	\$ 34,426	\$ 35,891	\$ 37,418	\$ 39,009	\$ 39,009	\$ 39,009	\$ 39,009
512 Note Interest	28,016	26,673	25,273	23,814	23,682	23,682	23,682
513 Note Service Fee	2,541	2,419	2,292	2,159	2,292	2,292	2,292
TOTAL DEBT SERVICE	\$ 64,983	\$ 64,983	\$ 64,983	\$ 64,983	\$ 64,983	\$ 64,983	\$ 64,983
7600. TRANSFERS							
603 Transfer Out - To General Fund	\$ -	\$ 45,000	\$ 30,000	\$ -	\$ 38,000	\$ 40,000	\$ 40,000
614 Transfer Out - To Employee Benefits		22,000	-	-	-		
TOTAL TRANSFERS	\$ -	\$ 67,000	\$ 30,000	\$ -	\$ 38,000	\$ 40,000	\$ 40,000
7700. OTHER EXPENSES							
703 Water Protection Tax	\$ 7,597	\$ 7,374	\$ 7,363	\$ 6,963	\$ 7,786	\$ 7,899	\$ 7,939
730 Water Assurance Fee - Rights	6,053	6,364	31,464	30,640	32,500	34,125	35,831
Administrative Fee					58,700	59,900	61,100
Mechanic/Repair Fee					15,000	15,000	15,000
907 Loan to Recreation		12,000	(12,000)		-		
918 Loan to Golf Course		6,000	(6,000)		-		
TOTAL OTHER EXPENSES	\$ 13,650	\$ 31,738	\$ 20,827	\$ 37,603	\$ 113,986	\$ 116,924	\$ 119,870
TOTAL WATER ADMINISTRATION	\$ 113,316	\$ 181,447	\$ 133,788	\$ 124,268	\$ 239,716	\$ 247,141	\$ 248,581

	<u>2008</u> <u>ACTUAL</u>	<u>2009</u> <u>ACTUAL</u>	<u>2010</u> <u>ACTUAL</u>	<u>2011</u> <u>ACTUAL</u>	<u>2012</u> <u>Revised</u>	<u>2013</u> <u>Est</u>	<u>2014</u> <u>Est</u>
WATER TREATMENT							
7100. PERSONNEL SERVICES							
101 Salaries	\$ 132,258	\$ 113,438	\$ 70,773	\$ 85,365	\$ 61,069	\$ 46,154	\$ 47,538
102 Salaries (Overtime)	28,946	6,548	12,122	9,346	3,570	2,305	2,374
103 FICA	12,041	8,560	9,668	6,969	4,945	3,707	3,818
104 KPERS	9,555	6,363	9,126	7,086	5,229	3,920	4,038
105 Health Insurance	18,067	16,239	22,469	18,980	8,585	7,290	7,654
106 Workers' Compensation	4,605	2,475	5,981	4,898	2,657	2,191	2,235
107 Unemployment Insurance	710	272	632	350	278	233	244
110 Standby	-	-	-	-	-	-	-
TOTAL PERSONNEL SERVICES	\$ 206,182	\$ 153,895	\$ 130,771	\$ 132,994	\$ 86,332	\$ 65,799	\$ 67,902
7200. CONTRACTUAL SERVICES							
201 Communications	\$ 2,632	\$ 2,412	\$ 2,953	\$ 3,477	\$ 3,500	\$ 3,570	\$ 3,641
202 Utilities	48,049	43,166	39,157	36,439	40,000	41,200	42,436
203 Dues & Memberships	-	68	37	-	-	-	-
204 Insurance	5,948	4,718	6,204	6,449	6,707	6,975	7,254
205 Education, Meetings & Travel	367	714	900	1,102	1,200	1,250	1,300
206 Professional Services	1,969	4,078	9,536	9,851	7,500	8,000	8,500
207 Rentals	-	-	38	-	250	250	250
208 Printing & Advertising	431	468	-	-	250	250	250
209 Maintenance of Machinery & Eq	-	35	8,224	342	1,500	1,500	2,000
210 Maintenance of Buildings/Groun	13,116	745	1,959	203	2,000	2,000	2,500
220 Other Contractual	140	65	249	160	500	500	500
TOTAL CONTRACTUAL SERVICES	\$ 72,652	\$ 56,469	\$ 69,257	\$ 58,023	\$ 63,407	\$ 65,495	\$ 68,632
7300. COMMODITIES							
301 Office Supplies	\$ 94	\$ 161	\$ 306	\$ 92	\$ 250	\$ 250	\$ 250
302 Clothing & Personal Supplies	52	11	31	-	150	150	150
303 Chemicals/Seed/Fertilizer/Food	133,004	130,089	171,308	138,701	155,716	165,884	166,714
304 Machine Parts & Supplies	8,685	4,609	10,645	10,895	10,000	11,000	12,500
305 Building Materials & Supplies	1,659	1,894	5,873	3,540	4,000	4,500	5,000
307 Apparatus & Tools	2,250	297	346	1,011	500	500	500
308 Unanticipated Rate Increase	-	-	-	-	-	-	-
309 Motor Fuels & Lubricants	209	343	91	139	150	150	150
320 Other Commodities	-	-	32	213	-	-	-
TOTAL COMMODITIES	\$ 145,953	\$ 137,404	\$ 188,632	\$ 154,590	\$ 170,766	\$ 182,434	\$ 185,264
7400. CAPITAL OUTLAY							
401 Building & Fixed Equipment	\$ -	\$ 8,403	\$ -	\$ 7,572	\$ -	\$ -	\$ -
402 Improvements Other than Buildi	5,760	-	-	-	-	-	-
403 Office Furniture & Equipment	-	-	8,620	-	-	-	-
405 Operational/Construction Equipr	-	-	-	27,241	10,000	10,000	10,000
TOTAL CAPITAL OUTLAY	\$ 5,760	\$ 8,403	\$ 8,620	\$ 34,813	\$ 10,000	\$ 10,000	\$ 10,000
TOTAL WATER TREATMENT	\$ 430,547	\$ 356,171	\$ 397,280	\$ 380,420	\$ 330,505	\$ 323,729	\$ 331,797

	<u>2008</u> <u>ACTUAL</u>	<u>2009</u> <u>ACTUAL</u>	<u>2010</u> <u>ACTUAL</u>	<u>2011</u> <u>ACTUAL</u>	<u>2012</u> <u>Revised</u>	<u>2013</u> <u>Est</u>	<u>2014</u> <u>Est</u>
WATER DISTRIBUTION							
7100. PERSONNEL SERVICES							
101 Salaries	\$ 64,537	\$ 69,965	\$ 75,337	\$ 77,997	\$ 74,066	\$ 74,235	\$ 76,462
102 Salaries (Overtime)	7,173	670	7,117	3,957	2,956	2,117	2,180
103 FICA	5,191	5,039	6,016	5,911	5,892	5,841	6,016
104 KPERS	3,225	3,201	5,717	6,132	6,231	6,177	6,362
105 Health Insurance	15,406	14,403	11,808	13,600	14,463	15,331	16,098
106 Workers' Compensation	3,643	4,350	4,730	3,791	3,566	3,452	3,521
107 Unemployment Insurance	295	209	437	417	331	366	385
TOTAL PERSONNEL SERVICES	\$ 99,470	\$ 97,837	\$ 111,162	\$ 111,805	\$ 107,506	\$ 107,519	\$ 111,024
7200. CONTRACTUAL SERVICES							
201 Communications	\$ 1,102	\$ 715	\$ 493	\$ 538	\$ 500	\$ 500	\$ 500
202 Utilities	46,664	31,761	45,935	43,816	46,445	48,303	50,235
203 Dues & Memberships	-	-	-	-	-	-	-
204 Insurance	6,465	5,223	6,744	7,010	7,290	7,582	7,885
205 Education, Meetings & Travel	2,246	1,204	822	478	1,000	1,000	1,000
206 Professional Services	415	179	282	264	250	250	250
207 Rentals	-	50	-	2,257	-	-	-
208 Printing & Advertising	27	53	-	-	-	-	-
209 Maintenance of Machinery & Eq	426	13,206	-	18	1,000	1,000	1,000
210 Maintenance of Buildings/Groun	12,926	398	12,480	12,200	12,500	12,500	12,500
220 Other Contractual	276	-	330	772	500	500	500
TOTAL CONTRACTUAL SERVICES	\$ 70,547	\$ 52,789	\$ 67,086	\$ 67,355	\$ 69,485	\$ 71,635	\$ 73,870
7300. COMMODITIES							
301 Office Supplies	\$ -	\$ -	\$ 71	\$ 4	\$ 100	\$ 100	\$ 100
302 Clothing & Personal Supplies	144	131	50	170	100	100	100
303 Chemicals/Seed/Fertilizer/Food	-	43	70	-	150	150	150
304 Machine Parts & Supplies	3,026	2,188	3,808	8,426	4,000	4,000	4,000
305 Building Materials & Supplies	40,787	53,442	77,962	31,225	30,000	30,000	30,000
307 Apparatus & Tools	232	247	405	19	500	500	500
309 Motor Fuels & Lubricants	10,893	5,470	7,436	8,747	7,500	7,500	7,500
320 Other Commodities	961	18	70	-	100	100	100
TOTAL COMMODITIES	\$ 56,043	\$ 61,539	\$ 89,872	\$ 48,591	\$ 42,450	\$ 42,450	\$ 42,450
7400. CAPITAL OUTLAY							
401 Building & Fixed Equipment	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
402 Improvements Other than Buildi	-	2,145	11,369	-	15,000	30,000	30,000
403 Office Furniture & Equipment	474	-	-	-	-	-	-
405 Operational/Construction Equipr	-	-	-	-	-	-	-
407 Other Equipment	-	-	-	-	-	-	-
421 Meters Lease	59,217	-	-	-	-	-	-
TOTAL CAPITAL OUTLAY	\$ 59,691	\$ 2,145	\$ 11,369	\$ -	\$ 15,000	\$ 30,000	\$ 30,000
TOTAL WATER DISTRIBUTION	\$ 285,751	\$ 214,310	\$ 279,489	\$ 227,750	\$ 234,441	\$ 251,603	\$ 257,344

RESOLUTION NO. _____

**A RESOLUTION REVISING THE ANNUAL
FEE RESOLUTION NO. 646.**

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. 646 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 15th day of February, 2012.

PASSED AND APPROVED by the Governing Body of the City of Osawatomie, Kansas this 9th day of February, 2012, a majority being in favor thereof.

APPROVED AND SIGNED by the Mayor.

Philip A. Dudley
Mayor

(SEAL)

ATTEST:

Ann Elmquist
City Clerk

PROPOSED

OSAWATOMIE FEE SCHEDULE
Adopted 02/09/12; Resolution No. _____
Changes Effective - February 15, 2012

CODE REF.	ORD. #	DESCRIPTION	PREVIOUS FEE(S)	LAST CHANGED	CURRENT FEE
ADMINISTRATIVE:					
ALCOHOL & CEREAL MALT BEVERAGE					
3-101	Code 1977 Ord 3254	Alcoholic Consumption on Public Property	\$100.00 deposit	28-Jul-05	\$100.00 deposit
		Cereal Malt Beverage			
		general retailer/consumption	\$100.00*	13-Dec-07	\$50.00 per calendar year *
		limited retailer/retail sales	\$50.00*	13-Dec-07	\$50.00 per calendar year *
		change location application fee		13-Dec-07	\$25.00
		* plus any state assessed costs/taxes			
		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		12-Jan-12	\$50 + \$25 State Fee		
Temporary Liquor License - by the drink		28-Jul-05	\$50.00 per day + state license		
BUILDING RENTALS					
	Governing Body Nov-05	Auditorium per day deposit microphone deposit	\$125.00	17-Dec-09	\$150.00 \$100.00 \$25.00

PROPOSED

CODE REF.	ORD. #	DESCRIPTION	PREVIOUS FEE(S)	LAST CHANGED	CURRENT FEE
		Memorial Hall			
		Monday - Friday	7:00 a.m. - 3:00 p.m. \$35.00 4:00 p.m. - midnight \$45.00 all day \$55.00	13-Dec-07 13-Dec-07 13-Dec-07	\$40.00 \$50.00 \$60.00
		Saturday, Sunday, Holidays	7:00 a.m. - 3:00 p.m. \$40.00 4:00 p.m. - midnight \$50.00 all day \$60.00	13-Dec-07 13-Dec-07 13-Dec-07	\$50.00 \$60.00 \$70.00
		Grandfathered organizations deposit	\$25.00 per year \$100.00		\$35.00 per year \$100.00
		Old Stone Church	\$50 deposit only	16-Dec-10	\$50 rent + \$50 deposit
		Golf Course Clubhouse winter rental	\$125.00 + salary	13-Dec-07	\$250.00 + salary
		Rental Waivers USD #367 & Chamber of Commerce Osawatomie Alumni Association Benefit for someone with severe illness	no rent/no deposit	14-Dec-06	no rent/no deposit no rental charge no rental charge
CEMETERY					
		Opening & closing grave, reopening or disinterment	contractor's cost		contractor's cost
	Ord 3395	Single grave space			
		resident	\$100.00	14-Dec-06	\$150.00
		growth area	\$0.00	14-Dec-06	\$250.00
		non-resident	\$200.00	14-Dec-06	\$400.00
		Permit for setting monument			
		single/double/corner markers	\$30.00	14-Dec-06	\$40.00
		reset	\$0.00	14-Dec-06	\$40.00
		repair			no charge
		Burial Permit			
		during business hours	\$25.00	14-Dec-06	\$30.00
		after business hours	\$75.00	14-Dec-06	\$80.00
		Permit for disinterment	\$10 + cost + 10%	14-Dec-06	\$80.00
		Stone Setting Bond	\$300.00	14-Dec-06	\$300 w/liability ins of \$1M

PROPOSED

CODE REF.	ORD. #	DESCRIPTION	PREVIOUS FEE(S)	LAST CHANGED	CURRENT FEE
FIREWORKS					
	Ord 3582	Permit for sale of fireworks	\$750.00	11-Dec-08	\$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					
	Ord 3627	Court Cost - plus any state assessed costs	\$40.00	14-Jun-07	\$55.50 + State costs
		Court Fines			fine schedule determined by Judge
OPEN RECORDS FEES					
		Copies	\$0.20	28-Jul-05	\$.60 per page
		Research fee per employee	\$13/hr.		\$20.00 hr. w/ \$20.00 min.
		Utility Histories	150% of cost	14-Dec-06	\$25.00 + \$.60 per page
		Letters of Credit	150% of cost	14-Dec-06	\$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	14-Dec-06	\$30.00 per day per person

PROPOSED

CODE REF.	ORD. #	DESCRIPTION	PREVIOUS FEE(S)	LAST CHANGED	CURRENT FEE
BUILDING, ZONING & NUISANCES:					
BUILDING PERMITS					
		Residential Structures			
	Ord 3577	New, Additions, Remodel, or Accessory Structures over 120 ft ² , including unfinished basements & garages	\$.27/sq ft (annual increase of \$.03/yr)+ UTILITIES as required	12-Jan-12	\$.30 per sq. ft., minimum \$40 + UTILITIES as required
		Non-Residential & Public Projects (Other than City)			
		New, Alterations or Additions with a Construction Value less than \$300,000	\$.22 per sq. ft., \$100 minimum + UTILITIES as required	12-Jan-12	\$.25 per sq. ft., \$100 minimum + UTILITIES as required
		New, Alterations or Additions with a Construction Value of \$300,000 or greater			Adopted Building Code Rates
		Accessory Structures			
		Residential/Commercial 120 sf and greater	\$.27/sq ft (\$40 min)	12-Jan-12	\$.30 per sq. ft. - min of \$40
		Agricultural All square footage	\$25.00	13-Dec-07	\$30.00
		Re-roof/New Roof/fences over 6' in height	\$25.00	13-Dec-07	\$30.00
		Demolition			
		Free Standing	\$25.00		\$30.00
		Building with Shared Wall		12-Jan-12	\$100.00
		Electric Wiring			
		replacement (of existing wiring only)	\$25.00	13-Dec-07	\$30.00
		new structures (expansion of existing system)	\$40.00		\$50.00
		Plumbing			
		replacement (of existing plumbing only)	\$25.00	13-Dec-07	\$30.00
		new structures (expansion of existing system)	\$40.00		\$50.00
		Mechanical, Heating, Venting & AC			
		replacement (of existing HVAC only)	\$25.00	13-Dec-07	\$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
	Ord. 3577	Towers, Generating Stations, & Generating Plants			Adopted Building Code Rates
		Temporary Occupancy Permit		17-Dec-09	\$25.00

PROPOSED

CODE REF.	ORD. #	DESCRIPTION	PREVIOUS FEE(S)	LAST CHANGED	CURRENT FEE
		Decks	\$25.00		\$30.00
		Signs	\$25.00		\$30.00
		Structure Moving Fee <i>* does not include all cost of required new structure permits</i>	\$40 + cost - \$300 ...	13-Dec-07	\$50 + cost of City labor - \$500 in escrow prior to permit - total cost = actual City cost*
		Street excavation fee per occurrence or street/curb damage fee <i>(permit required for each occurrence)</i>	\$300 escrow ...		\$1,000 escrow held up to 1 year, 48 hr response to trigger escrow
	Ord 3320	Oil or gas drilling permit fee	\$100.00	13-Dec-07	\$1,000.00
		Plan Review Fee Non-Residential & Public Housing* <i>* may include (but not limited to) all plans such as utility site plans, storm water plans, traffic flow plans, outside lighting plans, landscaping plans, building plans, etc.</i>	\$250.00	12-Jan-12	\$250 or adopted building code rates if value is over \$300,000
		Residential Homes and Accessory Structures	\$50/hour w/1 hour min./3	12-Jan-12	\$50/hour w/1 hour min./3 hour max.
		Working without building permit	double permit fee	13-Dec-07	triple permit fee
CONTRACTOR REGISTRATION FEES*					
	Ord 3577	<i>* All must present proof of required insurance</i>			
		General Builder or Limited Building Contractor Engages in general contract work, except house moving	\$30.00	13-Dec-07	\$50.00 per calendar year
		General Electrician or Electrical Contractor Engages in more than one kind of electrical construction work	\$30.00	13-Dec-07	\$50.00 per calendar year
		General Plumber or Plumbing Contractor Engages in more than one kind of plumbing work	\$30.00	13-Dec-07	\$50.00 per calendar year
		Mechanical Contractor Engages in more than one kind of mechanical work	\$30.00	13-Dec-07	\$50.00 per calendar year
		Tree Trimmers	\$30.00	13-Dec-07	\$50.00 per calendar year
		House Movers	\$30.00	13-Dec-07	\$50.00 per calendar year
		Sign Hangers and Panel Posters	\$30.00	13-Dec-07	\$50.00 per calendar year
		Operating without being registered		14-Dec-06	maximum \$500.00

PROPOSED

CODE REF.	ORD. #	DESCRIPTION	PREVIOUS FEE(S)	LAST CHANGED	CURRENT FEE
MOWING ASSESSMENT					
		Mowing of Nuisance Lots - each occurrence	\$150/hour	17-Dec-09	\$200.00/hr, 1 hr minimum (round up to next hour)
ZONING*					
	Ord 3577	<i>* All zoning requests will be fees plus actual City costs for publication, notifications, legal costs</i>		28-Jul-05	
		Rezoning – All districts			
		0 - 5 acres	\$150.00 + \$5.00		\$250.00
		5.1 - 50 acres	per owner		\$300.00
		50.1 and up			\$400.00
		Special Use Permit – Initial Application			
		0 - 5 acres	\$100.00 + \$5.00		\$200.00
		5.1 - 50 acres	per owner		\$300.00
		50.1 and up			\$400.00
		Land use permit			\$400.00
		Board of Zoning Appeals			
		Variances	\$300.00	9-Feb-06	\$150.00
		Appeals	\$150.00		\$300.00
		Subdivision Application			
		Per lot, 10 or less	\$75 + \$5/lot	14-Dec-06	\$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

PROPOSED

CODE REF.	ORD. #	DESCRIPTION	PREVIOUS FEE(S)	LAST CHANGED	CURRENT FEE
PUBLIC SAFETY:					
ADMINISTRATIVE					
		Fee for Police Responses to Party* <i>* Fees including 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.</i>		28-Jul-05	Actual Cost*
	Ord 3482	Adult entertainment licenses Business license Manager's license Entertainer's license Server's license <i>* plus investigation costs</i>	\$500.00 per year* \$100.00 per year* \$250.00 per year* \$50.00 per year* \$50.00 per year*	13-Dec-07 13-Dec-07 13-Dec-07 13-Dec-07 13-Dec-07	\$1,000.00 per year* \$250.00 per year* \$1,000.00 per year* \$50.00 per year* \$50.00 per year*

PROPOSED

CODE REF.	ORD. #	DESCRIPTION	PREVIOUS FEE(S)	LAST CHANGED	CURRENT FEE
ANIMALS					
	Ord 3393	Dog or Cat License sexually altered	\$6.00	13-Dec-07	\$7.00 per animal per year
		unaltered	\$10.00		\$10.00 per animal per year
		duplicate tag	\$2.00		\$2.50
		Impoundment fee			
		1st impoundment	\$50.00		\$60.00
		2nd impoundment (within 24 months of 1st)	\$75.00		\$85.00
		3rd impoundment (within 24 months of 1st)	\$100.00		\$110.00
		4th & subsequent impoundment (within 24 months of 1st)	\$200.00		\$210.00
		Pickup fee	\$20.00	13-Dec-07	\$25.00
		Boarding fee	\$15.00 per day	13-Dec-07	\$20.00 per day
		Euthanize	\$20.00		\$50.00
		Vaccination fee	\$10.00		\$15.00 per animal
		Dead Animal Removal			
		Small animal from private property (commercial operation)		14-Dec-06	\$30.00 per animal
		Small animal from private property		14-Dec-06	\$25.00
		Large animal from private property			Actual cost of removal
		Animal Adoption, dog or cat			
		License Fee			Same as above
		Adoption fee	\$20.00 per animal	14-Dec-06	\$25.00 per animal
		Spay/neuter fee		14-Dec-06	\$100.00
		Vaccination fee	Same as above		Same as above

PROPOSED

CODE REF.	ORD. #	DESCRIPTION	PREVIOUS FEE(S)	LAST CHANGED	CURRENT FEE
RECREATION:					
BOAT FEES					
		Abandoned Boat Storage Fee			actual cost to City
	Ord 3394	Non-motorized Senior citizen - 65 years or older residents non-residents	\$2.00 per year \$5.00 per year \$7.50 per year	28-Jul-05	No charge \$7.50 per calendar year \$20.00 per calendar year
		Motors up to 2 horsepower Senior citizen - 65 years or older residents non-residents	\$2.00 per year \$5.00 per year \$7.50 per year	13-Dec-07	No charge \$10.00 per calendar year \$30.00 per calendar year
		Motors over 2 horsepower Senior citizen - 65 years or older residents non-residents	not allowed	13-Dec-07	No charge \$20.00 per calendar year \$60.00 per calendar year
CAMPING FEES					
	Ord. 3277	Individuals no hook-up electric air conditioning or heat	\$7.00 -- --	13-Dec-07	\$10.00 per day with 7-day limit combined with all City parks
		Organizations no hook-up electric air conditioning or heat	\$7.00 -- --	13-Dec-07	\$10.00 per day with 7-day

PROPOSED

CODE REF.	ORD. #	DESCRIPTION	PREVIOUS FEE(S)	LAST CHANGED	CURRENT FEE	
FISHING LICENSES						
	Ord 3394	Annual Fishing License				
		Senior citizen - 65 years or older	\$2.00 per year	28-Jul-05	No charge	
		Residents	\$7.50 per year		\$10.00 per year	
		Non-residents	\$20.00 per year	14-Dec-06	\$25.00 per year	
		Under 16 years accompanied by adult	free		free	
		Daily Fishing License				
		Weekdays (Monday - Thursday)	\$1.50	13-Dec-07	\$2.00	
		Weekend (Friday - Sunday)	\$3.00	"	\$4.00	
		Under 16 years accompanied by adult	free		free	
GOLF COURSE FEES						
	Ord 3552	Memberships				
			<i>(5% discount if paid before January 15 of each year)</i>			
			Single	\$445.00	12-Jan-12	\$490.00
			Single with cart privileges	\$825.00	"	\$890.00
			Couple	\$560.00	"	\$645.00
			Couple with cart privileges	\$1,030.00	"	\$1,140.00
			Family	\$700.00	"	\$820.00
			Family with cart privileges	\$1,350.00	"	\$1,505.00
			Students (under 18 & living at home)	\$190.00	"	\$190.00
			Youth (12 & under) Monday - Friday only	\$135.00	"	\$125.00
			Greens Fees - Osawatomie Residents			
			Monday through Thursday - 9 holes	\$13.00	13-Dec-07	\$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
			Greens Fees - Non-Osawatomie Residents			
		Monday through Thursday - 9 holes		12-Jan-12	\$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	

PROPOSED

CODE REF.	ORD. #	DESCRIPTION	PREVIOUS FEE(S)	LAST CHANGED	CURRENT FEE
		Greens Fees - All Persons			
		Twilight Rate - walking (M-Th after 4 / weekends after 5)	\$13.00	16-Dec-10	\$14.00
		Twilight Rate with cart (M-Th after 4 / weekends after 5)	\$24.00	12-Jan-12	\$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 age 62 (M-Th, Fri-Sun after noon)* * (no 9 hole rate)	\$16.00	13-Dec-07	\$17.00
		Golf Carts			
		Cart Storage Rentals in the City Building	\$125.00 annual	12-Jan-12	\$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		16-Dec-10	
		without cart privileges	\$400 per player	12-Jan-12	\$445 per player
		with cart privileges	\$800 per player	"	\$865 per player

PROPOSED

CODE REF.	ORD. #	DESCRIPTION	PREVIOUS FEE(S)	LAST CHANGED	CURRENT FEE
		Tournament Rates (includes cart)			
		Weekdays (Monday - Thursday)			
		Under 20 Players		16-Dec-10	\$34 per player
		21 - 40 Players		16-Dec-10	\$33 per player
		41 - 60 Players		16-Dec-10	\$32 per player
		61 + Players		16-Dec-10	\$31 per player
		Weekend (Friday - Sunday)			
		Under 20 Players	\$37 per player	12-Jan-12	\$39 per player
		21 - 40 Players	\$36 per player	12-Jan-12	\$37 per player
		41 - 60 Players	\$35 per player	12-Jan-12	\$36 per player
		61 + Players	\$34 per player	12-Jan-12	\$35 per player
SWIMMING POOL FEES					
		Punch Card (20 punches)	\$15.00	13-Dec-07	\$25.00
		Children under 5 years old		"	free
		Children 5-13 years old	1 ticket	"	1 punch
		14 & older	2 tickets	"	2 punches
		Pool rental (weekend only)	\$35.00 + \$.50 ...	"	\$50.00 + \$.50 per swimmer

PROPOSED

CODE REF.	ORD. #	DESCRIPTION	PREVIOUS FEE(S)	LAST CHANGED	CURRENT FEE
UTILITIES:					
ADMINISTRATIVE					
		Customer utility service fee (connections & transfers)	\$15.00	13-Dec-07	\$20.00 + tax
		Utility Desposits		13-Dec-07	
		Residential	\$100.00		\$200.00
		Commercial - average of previous 12 mos or similar business	\$150.00 min		\$300.00
		Rental Units - residential	\$100.00		\$200.00
		Senior citizen housing	\$50.00		\$75.00
		Tavern	\$250.00		\$300.00
		Restaurant	\$1,000.00		\$1,000.00
		Late charge for delinquent utility bills	3%	11-Dec-08	7% of amount billed
		Customer requested utility turn off or turn on - leaks/repairs			
		during business hours			\$25
		after business hours			\$75
		Reconnection charge for services disconnected for non-payment			
		during business hours	\$20 + tax		\$25.00 + tax
		after business hours	\$40 + tax		NO AFTER HOURS RECONNECT
ELECTRIC SERVICE RATES					
	Ord 3422	Residential*		25-Sep-08	
		Customer charge	\$10.00		\$10.00
		First 100 kwh per month	\$0.156		0.150/kwh
		Next 400 kwh per month	\$0.100		\$0.096/kwh
		Next 1,000 kwh per month	\$0.079		\$0.076/kwh
		All over 1,500 kwh per month	\$0.077		\$0.074/kwh

PROPOSED

CODE REF.	ORD. #	DESCRIPTION	PREVIOUS FEE(S)	LAST CHANGED	CURRENT FEE
		Small General*			
		Customer Charge	\$15.00	25-Sep-08	\$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
		Large General*			
		Demand	\$5.81	25-Sep-08	\$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
		City Use*			
		First 100 kwh per month	\$0.115	12-Oct-95	\$0.115 per kwh
		All over 100 kwh per month	\$0.083		\$0.083 per kwh
		Outside City Limits		14-Dec-06	50% over rates listed above
		Energy Cost Adjustment (ECA) Charge weighted average of 3 most recent months <i>* ECA applied to all electric rates</i>		28-Jul-05	Add 0.1 mill/kwh for each 0.1 mill over 50.0 mills or subtract for under 50.0 mills
		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

PROPOSED

CODE REF.	ORD. #	DESCRIPTION	PREVIOUS FEE(S)	LAST CHANGED	CURRENT FEE	
		Security/Yard Lights				
		Monthly Rate	175 watt 400 watt	\$7.50	14-Dec-06 14-Dec-06	\$9.50 per month \$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

	Ord 3533	Residential*		\$15.04	17-Dec-09	\$15.48 per family unit
		Business*				
		Class 1	2x 4x	\$14.96/--- \$34.73/---		\$15.39 --
		Class 2	2x 4x	\$27.42/--- \$66.66/---		\$28.23 --
		Class 3	2x 4x	\$37.46/--- \$91.77/---		\$38.58 --
		Class 4	2x 4x	\$53.95/\$88.09 \$109.80/\$131.51		\$55.56 \$88.09
		Class 5	2x 4x	\$85.53/\$169.82 \$211.96/\$254.10		\$88.09 \$174.90
		Class 6	2x 4x	\$127.69/\$254.10 \$316.32/\$380.50		\$131.51 \$261.72
		Class 7	2x 4x	\$169.82/\$338.38 \$422.64/\$506.92		\$174.90 \$348.52
		Fuel Surcharge				3% for each \$0.20 increase in fuel over \$3
		Adjusts every 6 months per contract				
		* Fuel Surcharge applied to all electric rates				
		Billing Charge - Administraton fee included in rates				\$0.50
		Bulky Item Pickup Fee - included in rate		\$1.00		\$1.22
		Collection outside City limits		no additional chg		50% over rates listed above
		Customers hauling own refuse		\$1.00		\$1.22 per month

PROPOSED

CODE REF.	ORD. #	DESCRIPTION	PREVIOUS FEE(S)	LAST CHANGED	CURRENT FEE
SEWER SERVICE CHARGES					
	Ord 3481	Inside City Limits <i>Volume charge based on metered water used during preceding December & January</i>		12-Nov-99	
		User charge	\$1.55	14-Dec-06	\$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	\$1.79 per month	9-Feb-12	\$0.24 per 100 gallons
		Outside City limits		14-Dec-06	50% over rates listed above
		Service to the State Hospital			
		User charge	\$1.55	14-Dec-06	\$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	\$1.79 per month	9-Feb-12	\$0.24 per 100 gallons
		Extra Strength Sewage Surcharge	No charge	28-Jul-05	S=Vs x 0.00624 [\$.2364 (BOD-300) + \$.1734 (SS-350)]
		BOD			\$0.2364 per pound
		Suspended Solids			\$0.1734 per pound
	Ord 3496	Service Connection connection within existing districts reconnection	\$250.00 \$50.00	13-Dec-07	\$350.00 \$50.00
	Ord 3457	Amortization Assessment fee - outside the bounds of an assessed improvement district	\$1,000.00	14-May-98	\$1,000.00
		Private system inspection & permit fee - does not include regular plumbing permit fee		28-Jul-05	\$50.00

PROPOSED

CODE REF.	ORD. #	DESCRIPTION	PREVIOUS FEE(S)	LAST CHANGED	CURRENT FEE
WATER SERVICE RATES					
	Res 557	Residential First 1,500 gallons per month Next 2,200 gallons per month Next 3,700 gallons per month Over 7,400 gallons per month	\$12.08 minimum per housing unit \$.40 per hundred gallons \$.34 per hundred gallons \$.32 per hundred gallons	9-Feb-12	\$13.00 min. per housing unit \$.40 per 100 gal over 1,500 \$.34 per 100 gal over 15,000
		Commercial First 1,500 gallons per month Next 2,200 gallons per month Next 3,700 gallons per month Next 67,400 gallons per month Over 74,800 gallons per month	\$17.66 minimum \$.40 per hundred gallons \$.34 per hundred gallons \$.32 per hundred gallons \$.27 per hundred gallons	9-Feb-12	\$18.25 minimum \$.40 per 100 gal over 1,500 \$.34 per 100 gal over 15,000 \$.30 per 100 gal over 65,000
		Outside City Limits	50% over rates listed above	14-Dec-06	50% over rates listed above
		State Hospital and Rural Water Districts			
		First 7,500 Gallons, Minimum	\$34.99	9-Feb-12	\$35.00
		Excess	\$2.51 per thousand gallons	9-Feb-12	\$2.69 per thousand
		Bulk Water Sales			
		Per Thousand Gallons	\$4.58	9-Feb-12	\$4.90
		Per 100 Gallons	\$0.46	9-Feb-12	\$0.49
		Hydrant Meter Fee	\$25.00	17-Dec-09	\$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 meter larger than 3/4 inch	\$750.00 time & material + \$750.00		\$750.00 time & material + \$750.00
		Temporary Water Service rate installation deposit fire hydrant water meter deposit	bulk water rate \$25 + installation cost \$500 meter deposit \$1,200.00		bulk water rate \$25 + installation cost \$500 meter deposit \$1,200.00

Ottawa testing new LED lights

By DOUG CARDER, Herald Staff Writer

Motorists' outlooks might be a little brighter as they travel down a stretch of Main Street.

The City of Ottawa recently outfitted some of the street lights on Main, between 17th and 21st streets, with new LED lights, Jeff Oleson, the city's assistant utilities director, said. Oleson said the lights along the southbound lanes have been replaced with LEDs (light-emitting diodes), as well as a portion of the northbound lights.

Oleson said the city replaced the lights along that stretch of Main Street as a limited test to gauge their effectiveness in an area with high traffic volume. LED lights already illuminate some of the city's walking trails, downtown traffic lights and crosswalk signals, as well as City Hall and the Ottawa fire station, Oleson said.

"If the lights prove to be as energy efficient as we think they will be, we may expand to other locations," he said.

Oleson said part of the reason for the limited test involves the cost of the lights.

"The LEDs cost about \$500 each, which is three or four times more than the other bulbs," Oleson said. "But the LED lights are supposed to last five to 10 years, which is longer than a conventional bulb, and they are supposed to use about 80 percent less energy than the previous bulbs. The longer lifetime and the reduction in kilowatt usage could result in a significant savings in maintenance and energy costs."

"Our line crews came up with this idea, and we decided to try this test and see how the lights perform," he said.

Oleson said the city had leftover funds in its electric distribution budget to pay for the test project.

The city's experience with LED lights up to this point has been positive, he said.

"The traffic lights have resulted in fewer calls to change out the bulbs, and the number of kilowatts we use at the fire station has dropped dramatically," Oleson said.

Oleson said the LED lights will be easy for motorists to spot.

"You can really tell the difference. The old lights have a curved lens with a yellowish tint, and the LED lights have a flat lens that produces a clear, white light," Oleson said.

For those who might cringe at the city paying more for the LEDs, Oleson offers the advice that the cheapest light isn't necessarily the best bargain.

"Street lights are on nine to 13 hours per day," Oleson said, depending on the time of year and weather conditions. "That's a lot of energy. We may pay more for the LED lights up front, but if it's a more efficient product, we will save money in the long run."



MEMORANDUM

To: Mayor and City Council
From: Don Cawby, City Manager
Re: **Projects & Issues Update**
Date: February 9, 2012

Projects

Mold Abatement. I hope to be moving forward with our mold inspection by the end of the month. As we discussed before, I have set aside tens of thousands to deal with this problem. Hopefully, we will come in under budget and be able to put those funds to good use with other projects.

Sewer Plant. In the next month or two, I will have representatives of BG Consulting come in to talk about the sewer plant upgrades that are needed. They are currently working on a general cost proposal and timeline.

Debt Issuance/Refinancing. We are still moving forward with this project, but have hit some significant snags. We may be unable to refinance any of our KDHE revolving loan fund debt. However, we are examining the possibility of rolling the Rural Development loan on Brown and Pacific into this issuance and a savings of about 1 point. Dave Arteberry, our Financial Advisor, has provided us with a calendar for proceeding with the refinancing, but we still have some of these issues to work out. Of course, the major holdup is the Brown and Pacific final numbers.

Street Rating. Steve Coffelt told me today that he is done with the east side of town and is moving to the west side. We should have this information ready for CIP discussions to begin in March.

Issues

CIP Plan/2013 Budget. While I have absolutely no desire to start budget issues again, we need to start talking about the CIP Plan and coming up with priorities. In March, I we will start talking about CIP issues and will come up with a budget calendar for the 2013 budget.

Reorganization. During this month, I am going to be implementing a reorganization of staffing to become more efficient, created staffing savings and improve communications. I informed supervisors in December that some changes would be coming and I also stated that we would have to make some operational changes to meet our budget challenges. These changes are internal, and should not change how the public or the Council interacts with our staff. Instead I will be consolidating some duties and expanding the roles of others to cover all of our core services. Once this reorganization is finalized by

the end of the month, I will issue an organization chart which will provide you with a formal outline of how we operate.

As a part of this reorganization, I have offered a retirement incentive to help reduce our higher salaries and to create some room for more temporary help when we need it during our busy times of the year. To do this, I have offered a retirement incentive that was accepted by only two individuals. However, those individuals came back to me with some modifications to my original plan that works better for both of us. Essentially those plans will offer health insurance coverage for around three years past retirement for each. I estimate the net savings from each to be upwards of \$30,000 for this year and much more for next year. Next week we will be officially signing agreements with those two individuals and then we will announce their retirement dates.

Planning & Zoning. I have asked Scott Michie to provide planning and zoning consulting services for the city on an on-call basis. Scott has 34 years in experience with municipal planning and was a former Vice President with Bucher, Willis & Ratliff Corp. and has also served as the Community Development Director in Newton, Kansas.

I have asked Scott to help us with a couple activities in the next few months. The first is to conduct a training session on the role of planning and zoning boards and an overview of some of the more important issues. With new members coming on, I believe this is a good time to go through this process. Scott has conducted this training for many years with the League of Kansas Municipalities and I think that having him help with this process will set the groundwork for a good relationship. As part of this training, I would like to invite the City Council and some City staff to sit on this training as well. I think it would be beneficial for all.

Second, I would like Scott to staff the Planning Commission and Board of Zoning Appeals meetings as he is available to help us work on a “refresh” of our current zoning regulations to take into account the elimination of the growth area and to tackle some of the issues that have changed in the last 10 years, such as home-based businesses. As a part of that, I would like Scott to help us with a future land use plan to replace the growth area zoning that we had.

Our arrangement with Scott is completely on-call so there is no binding contract with him. He will help us as deemed necessary, similar to our City Attorney’s arrangement. On a day to day basis, I will be directly responsible for zoning issues as they arise.

Work Sessions. There have been a few topics mentioned for discussion at future work sessions. I wanted to make sure we had the order set, so I could do the research and preparation in the right order. Those topics were: (1) an in-depth review of the utility and other major funds, spread over 2-3 months; (2) discussion of CIP and future street projects and planning; (3) presentation by BG consulting on the sewer needs; (4) street rating discussion; and probably others I have forgotten. I would like some feedback on what should be in the queue for the next couple of meetings.

Recognition

Police Department. I wanted to give some public praise to our Police Department that in the past month has made two busts on drug houses in town. Also, they have written many letters and some tickets for general property cleanup and abandoned vehicle violations. Their efforts are appreciated and making a Osawatomie a safer and cleaner community.

Upcoming Meetings/Dates

Feb 18	Legislative Breakfast at OHS
Feb 20	City Hall Closed – Presidents Day
Feb 23	City Council Meeting/Work Session
March 3	Osawatomie Home & Business Expo – Municipal Auditorium
March 8	City Council Meeting
March 22	City Council Meeting/Work Session

Manager's Out-of-town Schedule

Feb 10	KACM Winter Meeting – Wichita State University
Feb 24-27	Vacation