

OSAWATOMIE CITY COUNCIL  
AGENDA  
May 10, 2018  
6:30 p.m., Memorial Hall

1. Call to order
2. Roll Call
3. Pledge of Allegiance
4. Invocation
5. Consent Agenda
  - Consent Agenda items will be acted upon by one motion unless a Council member requests an item be removed for discussion and separate action.*
  - A. May 10<sup>th</sup> Agenda
  - B. Council Minutes for April 12 and April 26, 2018
  - C. Fireworks Stand Permits: (a) Eddie's Fireworks LLC, (b) Dale & Jo's Fireworks
  - D. Fireworks Display Permit – City of Osawatomie
  - E. Special Event Permit – Lights on the Lake
  - F. Pay Application #2 – Kansas Heavy Construction – Main Street Phase II – \$277,490.97
6. Comments from the Public
  - Citizen participation will be limited to 5 minutes. Stand & be recognized by the Mayor.*
7. Presentations & Proclamations
8. Public Hearings
9. Unfinished Business
  - A. Special Vehicles Ordinance
  - B. Resolution - Sales Tax Ballot Question
10. New Business
  - A. Resolution – Street Closing for Alumni Dance
11. Council Report
12. Mayor's Report
13. City Manager & Staff Reports
14. Executive Session
15. Other Discussion/Motions
16. Adjourn

*NEXT REGULAR MEETING – May 24, 2018*

Osawatomie, Kansas. **April 12, 2018.** The Council Meeting was held in Memorial Hall. Mayor Govea called the meeting to order at 6:30 p.m. Council members present were Dickinson, Diehm, Hampson, LaDuex, Macek, Maichel (left at 7:10), Walmann and Wright. City Staff present at the meeting were: City Attorney Dick Wetzler, City Clerk Tammy Seamands, City Manager Don Cawby, Public Works Director Blake Madden, Chief of Police Dave Ellis, K-9 Unit Christopher White/Thor, Corporal John Mann and Corporal Ed Beaudry. Members of the public were Dave Troxel, Fred Heintz, John Blessing with Waste Management, Jeff Gulley, Brian King, Bryce Smith with Waste Management, Bill Hall, George Feebeck, Angela White, Kevin White, Deanne White, Barbara White and Tiarra Mann.

**INVOCATION.** Jeff Gulley with The Well Wesleyan Church

**CONSENT AGENDA.** Approval of April 12<sup>th</sup> Agenda, March 22<sup>nd</sup> Minutes, Pay Application #1 – Legacy Contractors – City Hall Renovation - \$64,139.00 , Pay Application #1 – Kansas Heavy Construction – Phase II Main Street - \$327,995.46 , Pay Application #4 – MTS – Auditorium Façade - \$49,700.00 , Pay Applications #5 – MTS – Auditorium Façade - \$33,300.00 and Pay Application – JEO – Electric Generation Project Engineering - \$4,677.50 **Motion** made by LaDuex, seconded by Dickinson to Approve the Consent Agenda as presented. Yeas: All.

#### **COMMENTS FROM THE PUBLIC.**

Jeff Gulley announced that the church was given the name officially this week, so it is now The Well Wesleyan Church. They have purchased the previous Nazarene Church and plan on working hard on the building. This summer they will be having several events and being involved in the community.

Bill Hall and George Feebeck, owners of the Bait & Tackle Shop, explained that their business has tripled inventory in the year they have been open. As one of the owners works full time, that leaves one to haul the water needed for the bait. They have been using well water from Bill Hall's residence, 4 blocks from the business. They need to haul around two times per week and the lifting has been hard for one person. They purchased a John Deere gator with a pump to help haul the water easier. They are asking permission to drive the UTV on city streets this 4 blocks. **Motion** made by LaDuex, seconded by Maichel to Add UTV for Business Purposes to Unfinished Business Item B to the Agenda. Yeas: All.

John Blessing and Bryce Smith with Waste Management brought donuts for the council and wanted to thank them for the billing transitions. Hoping that waste management can put together an offer for the renewal, this will be coming up at the end of the year. Also, wanted to mention a green grant program that is being offered and handed out flyers.

Fred Heintz, 331 Parker, wanted to address his neighbor's new fence. He stated that it looks bad and we need to look into changing rules as to what we allow.

Dave Troxel, 411 Pacific, wanted to talk about trash, but waste management answered his question during their comments to the public. Also, said there are abandoned/unlicensed cars in yards and loose dogs in his neighborhood.

Brian King, 1004 Brown, is representing the Osawatomie Theater Company and wanted to propose the Theater Company taking over the old recreation office in the auditorium in trade for them cleaning the room out. They would clean it and sell all items such as trophies. They would also like to use the two rooms above the stage area.

### **PRESENTATIONS.**

**CHILD ABUSE PREVENTION MONTH PROCLAMATION.** Councilwoman, Karen LaDuex, read the full proclamation. **Motion** made by Dickinson, seconded by Hampson to Approve the Child Abuse Prevention Month Proclamation. Yeas: All.

**OATH OF OFFICE – POLICE CORPORAL’S ED BEAUDRY AND JOHN MANN.** City Clerk, Tammy Seamands, administered the oath of office to Ed Beaudry and John Mann.

**OATH OF OFFICE – K9 UNIT CHRISTOPHER WHITE AND THOR.** City Clerk, Tammy Seamands, administered the oath of office to Christopher White and Thor.

Chief of Police, Dave Ellis, also wanted to mention that the fundraiser for Thor’s vest has reached its goal.

**PUBLIC HEARINGS.** None.

### **UNFINISHED BUSINESS.**

**ORDINANCE – CODIFICATION.** City Manager Cawby explained that the codification is all of our current codes, ordinances that have been passed, state law changes and other changes to make the code current. **Motion** made by Hampson, seconded by Dickinson to Adopt the Proposed Codification Ordinance. Yeas: All.

**UTV FOR BUSINESS PURPOSES.** Cawby reviewed previous discussions regarding UTV’s. Council discussed and asked that Cawby and staff research and to bring back to council. **Motion** made by Walmann, seconded by Hampson for City Staff to Research UTV for Business Purposes. Yeas: 6 Naes: 1

### **NEW BUSINESS.**

**RESOLUTION – CONTINGENCY CONTRACT FOR PROPERTY SALE.** Cawby explained that there is a developer that is inquiring property for a senior housing project. They had previously looked at the use of 10 acres, but KHRC did not approve the project due to the property. After looking at the property just north of the Osawatomie State Hospital, they are interested in that property for the housing project and would like to get the property under a contingent contract. **Motion** made by LaDuex, seconded by Walmann to Authorize a Motion to

Approve the Resolution to enter into a Contingent Contract Sale of Approximately 10 Acres in the Northland to Dean Development for \$90,000 to Construct a Senior Apartments Tax Credit Project. Yeas: All.

**APPOINTMENT – LIBRARY BOARD.** **Motion** made by Dickinson, seconded by Macek to re-appoint Judy Reinecker to the Library Board. Yeas: All.

**CAPACITY SALES AGREEMENT.** Cawby explained that KMEA approached the City with an agreement to sell 4 MW of capacity from 6/1/19 to 5/31/20. This would generate \$48,000 during this period. **Motion** made by LaDuex, seconded by Hampson to Authorize the Mayor to Sign the Capacity Transaction Confirmation Letter with KMEA to Sell 4 MW of Capacity as Proposed. Yeas: All.

**BIDS FOR NEW ELECTRIC SHOP BUILDING.** City Manager Cawby and Public Works Director Blake Madden presented RFP's for the new electric shop building. **Motion** made by Hampson, seconded by Walmann to Accept the Bid from CS Cunningham Construction, LLC. Yeas: All.

**PROPOSAL FOR PARKER FROM 8<sup>TH</sup> TO PARK.  
EAST LAKE ROAD CHIP SEAL.**

Cawby and Madden explained the reason for proposal on both of these projects. No Action Taken at the request of staff.

**DRAFT OF SALES TAX BALLOT QUESTION.** Cawby reviewed the draft of the sales tax ballot question for the quarter cent sales tax for public safety equipment and public safety/municipal court software. No Action Taken.

**COUNCIL REPORTS.** None.

**MAYOR'S REPORT.** None.

**CITY MANAGER & STAFF REPORTS.**

City Manager Report

The City received a check for \$60,000 from the federal government regarding the Maring case.

The trophies in the old recreation office, we will notify the school district to make sure they do not want any of them prior to selling them.

**EXECUTIVE SESSION.** None.

**OTHER DISCUSSION/MOTIONS.**

**Motion** made by Hampson, seconded by Dickinson to adjourn. Yeas: All. Mayor declared the meeting adjourned at 8:27 p.m.

/s/ Ashley Kobe  
Ashley Kobe, Deputy City Clerk

DRAFT

Osawatomie, Kansas. **April 26, 2018.** The Council Meeting was held in Memorial Hall. Council President Karen LaDuex called the meeting to order at 6:30 p.m. Council members present were Dickinson, Hampson, LaDuex, Macek, Maichel and Wright. City Staff present at the meeting were: City Attorney Dick Wetzler, City Clerk Tammy Seamands, Chief of Police Dave Ellis and Library Director Elizabeth Trigg. Members of the public were Jamie Wilson, Bob Hamilton, Jennifer Haugh, Angelica Gray and Chamber Director Hitomi Warren.

**INVOCATION.** Wayne Ova with Faith Baptist Church

**CONSENT AGENDA.** Approval of April 26<sup>th</sup> Agenda, Special Event Permit – Osawatomie Alumni Association, Pay Application – JEO Consultants – Electric Generation Project - \$862.50 and Register Report 2018-03. **Motion** made by Maichel, seconded by Dickinson to Approve the Consent Agenda as presented. Yeas: All.

**COMMENTS FROM THE PUBLIC.**

Wayne Ova, Faith Baptist Church, brought cookies from the church for the council.

**PRESENTATIONS.**

**ARBOR DAY PROCLAMATION.** Councilwoman, Karen LaDuex, read the full proclamation. **Motion** made by Maichel, seconded by Dickinson to Approve the Arbor Day Proclamation. Yeas: All.

**AAA AWARD PRESENTED TO THE OSAWATOMIE POLICE DEPARTMENT BY KDOT.** Jennifer Haugh with AAA presented the award to Chief of Police Dave Ellis.

**PUBLIC HEARINGS.** None.

**UNFINISHED BUSINESS.**

**LIBRARY LAYOUT REDESIGN PROPOSAL.** Elizabeth Trigg, Library Director, presented the redesign layout for the library and cost estimate from Legacy Contractors. **Motion** made by Maichel, seconded by Dickinson to Approve the Bid from Legacy Contractors LLC for \$32,513. Yeas: All.

**DISORDERLY PREMISES DISCUSSION.** Police Chief, Dave Ellis, explained to the council there are a few residences in town they are responding to numerous times. Example in 2017 there were 105 calls to one residential property and 86 calls in 2016. These calls are 75 percent are civil disputes or disturbances. Ellis is asking for discussion and review for possible solutions. No Action Taken.

**IMPLEMENTS OF HUSBANDRY DISCUSSION.** Police Chief Ellis discussed the issues the police department has with modifying the allowances of utility vehicles. Council discussed their opinions and concerns. Asked staff to create an ordinance for the next meeting. No Action Taken.

**NEW BUSINESS.**

JARRED, GILMORE & PHILLIPS ENGAGEMENT LETTER. **Motion** made by Maichel, seconded by Dickinson to Approve the Mayor to sign the Engagement Letter with Jarred, Gilmore & Phillips. Yeas: All.

**COUNCIL REPORTS.**

Lawrence Dickinson ~ Monday night will be the scholarship banquet for the high school.

Tamara Maichel ~ First United Methodist Church had an appreciation dinner for emergency personnel and city staff, it was very nice. Thinks that the council should do something such as a card, to acknowledge and thank the individual for raising money for Thor's vest.

**MAYOR'S REPORT.** None.

**CITY MANAGER & STAFF REPORTS.**

Staff Report - none

City Manager Report - none

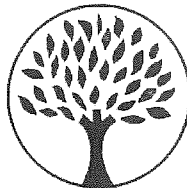
**EXECUTIVE SESSION.** None.

**OTHER DISCUSSION/MOTIONS.**

**Motion** made by Maichel, seconded by Hampson to adjourn. Yeas: All. Mayor declared the meeting adjourned at 7:53 p.m.

/s/ Ashley Kobe  
Ashley Kobe, Deputy City Clerk

# CITY OF OSAWATOMIE



439 Main Street  
P.O. Box 37  
Osawatome, Kansas 66064

913.755.2146 (p)  
913.755.4146 (f)  
ozcity@osawatomeks.org  
www.osawatomeks.org

*L. Mark Govea, Mayor*

## 2018

### APPLICATION FOR FIREWORKS STAND PERMIT

Name of Stand: Eddie's Fireworks LLC

Location of Stand: 504 Oscar St. of Storage: \_\_\_\_\_

Applicant's Name: Adam Shay

Address: \_\_\_\_\_

Home #: \_\_\_\_\_ Cell #: \_\_\_\_\_ Email: \_\_\_\_\_

Fed ID #: \_\_\_\_\_ State of KS Tax ID #: 004-812706598 F-01

I understand and agree to follow the laws of the State of Kansas and the Ordinances of the City of Osawatome. I have received a copy of the City of Osawatome Code 2010, Chapter 7, Article 3. The application fee does not guarantee issuance of a permit. Final approval is subject to inspection approval at the time of setup.

Applicant's Signature: \_\_\_\_\_ Date: May 1, 2018

Applications for the sale of fireworks shall be filed with the City Clerk between January 1 & May 31 of the year in which the permit is to be effective. Upon submittal of the application with the permit fee, the City Council will consider the application for approval at their next regularly scheduled meeting. However, all necessary documents must be received by the Deputy City Clerk at least 5 working days before a Council meeting if wanting approval before the May 31<sup>st</sup> deadline. Those documents are listed below in bold.

**FOR OFFICE USE ONLY (Stand Fee \$1,000)**

Date of Application: 05-03-18 Receipt #: 59012 Check #: 1118

- On File  **Drawing**
- X  **Certificate of Insurance - City of Osawatome MUST be named as ADDITIONAL INSURED**
- On File  **If located in a tent, proof of flame retardant.**
- X  **Letter of permission from property owner (if applicable).**
- X  **Letter of permission from property owner of structures, etc. within 50' (if applicable).**
- X  **Electricity Temporary Hookup \$100 Rcpt #: 59012 Check #: 1118**

\_\_\_\_\_  
Council Approval Date  
\_\_\_\_\_  
Endorsement of Chief of Police, Fire Chief, Utility Distribution Supervisor & Building Official  
(Inspection sheet attached)  
\_\_\_\_\_  
Permit Approved by Deputy City Clerk Signature: \_\_\_\_\_



# CITY OF OSAWATOMIE



439 Main Street  
P.O. Box 37  
Osawatome, Kansas 66064

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ozcity@osawatomeks.org  
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L. Mark Govea, Mayor

## 2018 APPLICATION FOR FIREWORKS STAND PERMIT

Name of Stand: Dale & Jo's Fireworks

Location of Stand: 1306 6th Street of Storage: Same

Applicant's Name: Jo Shay

Address: [REDACTED]

Home #: [REDACTED] Cell #: [REDACTED] Email: [REDACTED]

Fed ID #: F481037214 State of KS Tax ID #: 004-K13351241F-01

I understand and agree to follow the laws of the State of Kansas and the Ordinances of the City of Osawatome. I have received a copy of the City of Osawatome Code 2010, Chapter 7, Article 3. The application fee does not guarantee issuance of a permit. Final approval is subject to inspection approval at the time of setup.

Applicant's Signature: [REDACTED] Date: 04.11.18

Applications for the sale of fireworks shall be filed with the City Clerk between January 1 & May 31 of the year in which the permit is to be effective. Upon submittal of the application with the permit fee, the City Council will consider the application for approval at their next regularly scheduled meeting. However, all necessary documents must be received by the Deputy City Clerk at least 5 working days before a Council meeting if wanting approval before the May 31<sup>st</sup> deadline. Those documents are listed below in bold.

FOR OFFICE USE ONLY (Stand Fee \$1,000)

Date of Application: 04-11-18 Receipt #: 58892 Check #: 5281

\*on file\*

n/a

n/a

n/a

n/a

### Drawing

**Certificate of Insurance - City of Osawatome MUST be named as ADDITIONAL INSURED  
If located in a tent, proof of flame retardant.**

**Letter of permission from property owner (if applicable).**

**Letter of permission from property owner of structures, etc. within 50' (if applicable).**

**Electricity Temporary Hookup** Rcpt #: n/a Check #: n/a

\_\_\_\_\_

Council Approval Date

\_\_\_\_\_

Endorsement of Chief of Police, Fire Chief, Utility Distribution Supervisor & Building Official  
(Inspection sheet attached)

\_\_\_\_\_

Permit Approved by Deputy City Clerk

Signature: \_\_\_\_\_

*Have a great day!*

CITY OF OSAWATOMIE

439 Main Street  
PO Box 37  
Osawatomie, KS 66064

Phone: (913) 755-2146  
Fax: (913) 755-4164  
[ozcity@osawatomi.ks.org](mailto:ozcity@osawatomi.ks.org)

2018

APPLICATION FOR FIREWORKS DISPLAY PERMIT

Chapter 7, Article 3, Subsection 306 of 2010 Municipal Code

Purpose of Event Annual City of Osawatomie Public Fireworks Display

Applicant's Name City of Osawatomie

Address PO Box 37, Osawatomie, KS 66064

Phone Number 913-755-2146 Emergency Number 913-755-2101

Name of Public Fireworks Display Operator Dan Macek

Kansas State Fire Marshal License Number MIFDO001

Date & Time of Discharge July 4, 2018 at dusk

Site Address Osawatomie City Lake

Supplier Name Aerial FX, Inc. Phone Number 816-238-2800

Address 121 SE Turner Road, St. Joseph, MO 64504

Anticipated Need for Police, Fire or other City services \_\_\_\_\_  
Tanker truck, firemen, police officers

Copies of the following, when applicable, are part of the application and must be received at least 30 days prior to the date of the display to be eligible for consideration:

- Certificate of Insurance
- Detailed Site Plan
- Display Operators License
- Type and Number of Fireworks - detailed list
- Payment of Permit Fee

Applicant's Signature \_\_\_\_\_ Date \_\_\_\_\_

FOR OFFICE USE ONLY

Date of Application 4-May-18

Receipt Number NA Cash NA Check # NA

NA Certificate of Insurance NA Display Operators License

NA Detailed Site Plan NA Type & Number of Fireworks - detailed list

NA Council Approval Date

NA Fire Chief Approval Date Signature NA

NA Utility Distribution Supervisor Approval Signature NA

Permit Approved by City Clerk Signature NA



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

# SPECIAL EVENTS PERMIT APPLICATION

Department Use Only

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

1. NAME OF APPLICANT AND/OR ORGANIZATION: <p style="font-size: 1.2em; margin-left: 20px;">Lights on the Lake</p>	
2. CONTACT PHONE # AND EMAIL (OPTIONAL): <p style="font-size: 1.2em; margin-left: 20px;">Don Cowby 913-755-2146</p>	

3. TYPE OF SPECIAL EVENT APPLICANT IS APPLYING FOR:  
Annual City Celebration

4. MAILING ADDRESS OF APPLICANT/ORGANIZATION: <p style="font-size: 1.2em; margin-left: 20px;">P.O. Box 37 Osawatomie, KS 66064</p>	5. ADDRESS/LOCATION OF SPECIAL EVENT: <p style="font-size: 1.2em; margin-left: 20px;">John Brown Park Osawatomie City Lake</p>
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6. DATE(S) AND TIME(S) FOR PERMIT, INCLUDING SET UP AND TEAR DOWN:  
6/30/18      \* attached schedule of events

7. ENTRY TO EVENT: FEE YES ___ NO <input checked="" type="checkbox"/> PUBLIC <input checked="" type="checkbox"/> OR PRIVATE ___	8. STREET CLOSURE: YES <input checked="" type="checkbox"/> NO ___ IF YES, TIME OF CLOSURE REQUIRED: <span style="font-size: 1.2em; margin-left: 20px;">9 a.m. - 11:30 a.m. Main St. during parade</span>	9. # OF EXPECTED ATTENDINGS: <span style="font-size: 1.2em; margin-left: 20px;">1,500</span>
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10. WILL ALCOHOL OR CMB FOR PERSONAL CONSUMPTION BE ALLOWED AT THE EVENT? YES  NO \_\_\_  
 WILL CMB BE SOLD AT THE EVENT? YES  NO \_\_\_  
 WILL THERE BE AN ENTRY FEE TO THE AREA WHERE CMB IS PROVIDED BY A THRID PARTY? YES \_\_\_ NO   
 IF YES TO ANY OF THE ABOVE, APPLICANT DATE OF BIRTH IS REQUIRED 09/01/1970

11. IS THERE LIABILITY INSURANCE COVERAGE FOR THE EVENT: YES  NO \_\_\_  
 IF YES, NAME OF INSURANCE COMPANY, AGENT AND AMOUNT OF COVERAGE:  
Midwest Public Risk      \$2,000,000

**STATEMENT OF APPLICANT**

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

SIGNATURE \_\_\_\_\_ DATE 5-4-2018

PERMIT APPLICATION: APPROVED  DENIED \_\_\_\_\_  
 DECISION BY: \_\_\_\_\_ DATE OF DECISION: \_\_\_\_\_

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

Contractor's Application for Payment No. <u>2</u>	
3-31-18 - 5-3-18	Application Date: 5/3/2018
To (Owner): City of Osawatomie, KS	Via (Engineer): BG Consultants, Inc.
Project: 2017 Main Street Improvements	From (Contractor): Kansas Heavy Construction LLC
CDBG Project No.: 17-PF-025	Project: 2017 Main Street Improvements
	Contractor's Project No.: 1000
	Engineer's Project No.: 15-1493L

Application For Payment  
Change Order Summary

Approved Change Orders	Additions	Deductions
Number		
TOTALS		
NET CHANGE BY		
CHANGE ORDERS		

1. ORIGINAL CONTRACT PRICE..... \$ \$1,545,338.74
2. Net change by Change Orders..... \$
3. Current Contract Price (Line 1 ± 2)..... \$ \$1,545,338.74
4. TOTAL COMPLETED AND STORED TO DATE  
(Column F on Progress Estimate)..... \$ \$672,762.70
5. RETAINAGE:
  - a. 10% X \$672,762.70 Work Completed..... \$ \$67,276.27
  - b. 10% X          Stored Material..... \$
  - c. Total Retainage (Line 5a + Line 5b)..... \$ \$67,276.27
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5c)..... \$ \$605,486.43
7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application)..... \$ ~~\$627,997.46~~ \$327,995.46 **DL**
8. AMOUNT DUE THIS APPLICATION..... \$ ~~\$677,486.97~~ \$277,490.97 **DL**
9. BALANCE TO FINISH, PLUS RETAINAGE  
(Column G on Progress Estimate + Line 5 above)..... \$ ~~\$919,276.31~~ \$939,052.31 **DL**

**Contractor's Certification**  
The undersigned Contractor certifies that to the best of its knowledge: (1) all previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with Work covered by prior Applications for Payment; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to Owner at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to Owner indemnifying Owner against any such Liens, security interest or encumbrances); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

By: Mary A. L. Date: 5-3-18

Payment of: \$ 277,490.97  
(Line 8 or other - attach explanation of the other amount)

is recommended by: Diane Forbaugh (Engineer) 5/7/18 (Date)

Payment of: \$ \_\_\_\_\_  
(Line 8 or other - attach explanation of the other amount)

is approved by: \_\_\_\_\_ (Owner) \_\_\_\_\_ (Date)

Approved by: \_\_\_\_\_ Funding Agency (if applicable) \_\_\_\_\_ (Date)

Endorsed by the Construction Specifications Institute.

Contractor's Application

Progress Estimate

2017 Main Street Improvements		Application Number: 2		5/3/2018							
For (contract):		Application Date:									
3-31-18 - 5-3-18											
A		B		C		D		E		F	
Bid Item No.	Description	Bid Quantity	Unit Price	Bid Value	Estimated Quantity Installed	Value	Materials Presently Stored (not in C)	Total Completed and Stored to Date (D + E)	% (F) B	Balance to Finish (B - F)	
1.	Contractor Construction Staking	1	\$ 9,500.00	\$9,500.00	0.75	\$7,125.00		\$7,125.00	75.0%	\$2,375.00	
2.	Removal of Existing Structures	1	\$ 30,000.00	\$30,000.00	1	\$30,000.00		\$30,000.00	100.0%		
3.	Cleaning and Grubbing	1	\$ 35,000.00	\$35,000.00	1	\$35,000.00		\$35,000.00	100.0%		
4.	Traffic Control	1	\$ 25,600.00	\$25,600.00	0.75	\$19,200.00		\$19,200.00	75.0%	\$6,400.00	
5.	Inlet Sediment Barrier	9	\$ 20.00	\$180.00						\$180.00	
6.	Gutterbuddy	121	\$ 5.00	\$605.00						\$605.00	
7.	Sediment Trap	164	\$ 5.00	\$820.00						\$820.00	
8.	Slope Barrier	500	\$ 2.00	\$1,000.00						\$1,000.00	
9.	Temp Gravel Const. Entrance	1	\$ 2,600.00	\$2,600.00	1	\$2,600.00		\$2,600.00	100.0%		
10.	Concrete Washout	1	\$ 1,000.00	\$1,000.00	1	\$1,000.00		\$1,000.00	100.0%		
11.	Temporary Seeding	1	\$ 6,600.00	\$6,600.00	1	\$6,600.00		\$6,600.00	100.0%		
12.	Curb Inlet Sediment Barrier Temp	9	\$ 75.00	\$675.00	9	\$675.00		\$675.00	100.0%		
13.	Curb Inlet Sed. Barrier Long Term	126	\$ 5.50	\$693.00						\$693.00	
14.	Seed, Fertilizer, Mulch	1	\$ 8,500.00	\$8,500.00						\$8,500.00	
15.	Unclassified Excavation	4,982	\$ 20.00	\$99,640.00	4484	\$89,680.00		\$89,680.00	90.0%	\$9,960.00	
16.	Pavement Removal	13,852	\$ 7.00	\$96,964.00	12352	\$86,464.00		\$86,464.00	89.2%	\$10,500.00	
17.	Compaction of Earthwork	612	\$ 10.00	\$6,120.00	500	\$5,000.00		\$5,000.00	81.7%	\$1,120.00	
18.	Adjustment of Manholes	1	\$ 750.00	\$750.00	1	\$750.00		\$750.00	100.0%		
19.	Adjustment of Water Meters	4	\$ 750.00	\$3,000.00	4	\$3,000.00		\$3,000.00	100.0%		
20.	Adjustment of Valve Boxes	3	\$ 250.00	\$750.00						\$750.00	
21.	Conc. Pvmnt 6" Uniform AE Drives	1,435	\$ 56.00	\$80,360.00	180	\$10,440.00		\$10,440.00	12.5%	\$72,790.00	
22.	Conc. Pvmnt 8" Uniform Intersection	1878	\$ 64.00	\$120,192.00	202	\$12,928.00		\$12,928.00	10.8%	\$107,254.00	
23.	Conc. Pvmnt 8" Reinforced AE	35	\$ 85.00	\$2,975.00	35	\$2,975.00		\$2,975.00	100.0%		
24.	Aggregate Base AB-3	5616	\$ 8.40	\$47,174.40	3880	\$32,592.00		\$32,592.00	69.1%	\$14,582.40	
25.	Curb and Gutter	6866	\$ 19.00	\$130,454.00	3300	\$62,700.00		\$62,700.00	48.1%	\$67,754.00	
26.	SW Ramp	252	\$ 190.00	\$47,880.00						\$47,880.00	
27.	CI 10"x2.5'	2	\$ 4,200.00	\$8,400.00	3	\$12,600.00		\$12,600.00	150.0%		
28.	CI 10"x3'	6	\$ 5,000.00	\$30,000.00	6	\$30,000.00		\$30,000.00	100.0%		
29.	CI 5'x4'	1	\$ 5,000.00	\$5,000.00	2	\$10,000.00		\$10,000.00	200.0%		
30.	CI 5'x5'	1	\$ 4,725.00	\$4,725.00	1	\$4,725.00		\$4,725.00	100.0%		
31.	JB 4' Dia	1	\$ 3,750.00	\$3,750.00	1	\$3,750.00		\$3,750.00	100.0%		
32.	JB 5' Dia	1	\$ 4,250.00	\$4,250.00	1	\$4,250.00		\$4,250.00	100.0%		
33.	12" PVC Storm	81	\$ 42.00	\$3,402.00	81	\$3,402.00		\$3,402.00	100.0%		
34.	15" HDPE/RCP	153	\$ 40.00	\$6,120.00	153	\$6,120.00		\$6,120.00	100.0%		
35.	15" RCP	120	\$ 44.00	\$5,280.00	120	\$5,280.00		\$5,280.00	100.0%		
36.	18" RCP	262	\$ 52.00	\$13,624.00	260	\$13,520.00		\$13,520.00	99.2%	\$104.00	
37.	18" HDPE/RCP	225	\$ 48.00	\$10,800.00	225	\$10,800.00		\$10,800.00	100.0%		
38.	24" RCP	115	\$ 65.00	\$7,475.00	115	\$7,475.00		\$7,475.00	100.0%		

2017 Main Street Improvements												Application Number: 2	
For (contract):												Application Date:	
Application Period: 3-31-18 - 5-3-18												5/3/2018	
A												F	
Bid Item No.	Item Description	Bid Quantity	Unit Price	Bid Value	Estimated Quantity Installed	Value	Materials Presently Stored (not in C)	Total Completed and Stored to Date (D + E)	% (F) B	Balance to Finish (B - F)			
										B	C		
39.	15" ES	1	\$ 960.00	\$960.00	1	\$960.00		\$960.00	100.0%				
40.	18" ES	1	\$ 750.00	\$750.00	1	\$750.00		\$750.00	100.0%				
41.	Flow Fill Low Strength	17	\$ 145.00	\$2,465.00	36.5	\$5,292.50		\$5,292.50	214.7%				
42.	Aggregate Ditch Lining D50=6"	12	\$ 90.00	\$1,080.00									
43.	4" White Multi-component	112	\$ 6.60	\$739.20									
44.	4" Yellow Multi Component	5448	\$ 1.38	\$7,518.24									
45.	24" White Intersection Grade PTP	478	\$ 18.70	\$8,938.60									
46.	Alt 1 8" NRDJ Concrete Pvmnt	9859	\$ 57.50	\$566,892.50	1182	\$67,965.00		\$67,965.00	12.0%				
47.	Alt 1 Agg Base AB-3	9752	\$ 8.40	\$81,916.80	9413	\$79,069.20		\$79,069.20	96.5%				
48.	Alt 1 Mobilization	1	\$ 9,350.00	\$9,350.00	0.5	\$4,675.00		\$4,675.00	50.0%				
49.													
50.													
<b>Totals</b>				<b>\$1,545,338.74</b>		<b>\$672,762.70</b>		<b>\$672,762.70</b>	<b>43.5%</b>		<b>\$872,576.04</b>		

# CITY OF OSAWATOMIE



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## STAFF AGENDA MEMORANDUM

**DATE OF MEETING:** May 10, 2018

**AGENDA ITEM:** Special Use Vehicles - UTVs

**PRESENTER:** Don Cawby, City Manager

**ISSUE SUMMARY:** At the April 24 meeting a motion was made to allow for staff to develop an ordinance which allows UTVs on the streets with the proper equipment, registration, insurance and operating requirements.

The attached draft allows this change to be implemented as of July 1, 2018. In between the passage of this ordinance staff will need to do the following to implement it.

1. Create internal procedures for the registration and licensing of vehicles
2. Create a database that can be accessed by the Police and City Hall for administration
3. Create an original application
4. Make a determination on the length of the effective registration before renewal
5. Determine fees and have the Council update the fee resolution
6. Create a decal/license for the UTVs

Six weeks may not be enough time for us to get everything put together, but there is no time limit in the ordinance for staff to issue the registration, so we can delay it a few weeks if problems arise.

**COUNCIL ACTION NEEDED:** Review and discuss.

**STAFF RECOMMENDATION TO COUNCIL:** No recommendation on the policy. However, staff recommends that any changes to this ordinance consider the time it will take to put this in place and do whatever possible to reduce the administrative burden.

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

AN ORDINANCE AUTHORIZING THE OPERATION OF WORK-SITE UTILITY VEHICLES, MICRO UTILITY TRUCKS, AND ALL TERRAIN VEHICLES ON THE STREETS WITHIN THE CORPORATE CITY LIMITS OF THE CITY OF OSAWATOMIE AND PROVIDING FOR RELATED MATTERS, INCLUDING PENALTIES FOR VIOLATION THEREOF; BY AMENDING CHAPTER 14, ARTICLE 6, OF THE MUNICIPAL CODE OF THE CITY OF OSAWATOMIE, AND REPEALING ALL EXISTING SECTIONS THEREIN;

WHEREAS, the City of Osawatomie, Kansas has adopted the current version of the “Standard Traffic Ordinance for Kansas Cities” as published by the League of Kansas Municipalities; and

WHEREAS, said Standard Traffic Ordinance prohibits the operation of golf carts, work-site utility vehicles, micro-utility trucks, and all-terrain vehicle on city streets; and

WHEREAS, the City of Osawatomie wishes to specifically allow the operation of golf carts, work-site utility vehicles, micro-utility trucks and all-terrain vehicles on city streets under certain conditions;

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

**Section 1.** Article 6 of Chapter 14 of the Code of the City of Osawatomie is hereby amended to read as follows:

**ARTICLE 6. SPECIAL PURPOSE VEHICLES**

**14-601. Definitions.**

As used in this ordinance, the following words and phrases shall have the meanings respectively ascribed to them in this section, except when the context requires otherwise.

(a) “Multipurpose Off-Highway Utility Vehicle, or UTV” means any vehicle designed for off-highway use which has: a width no less than 48 inches; an overall length, including the bumper, of not more than 135 inches; four or more wheels; low-pressure tires; side by side seating; a steering wheel; non-straddle seating; manufacturer provided foot controls for throttle and braking, excluding any modifications for use by handicapped persons; occupant restraints, and rollover protective structures.

(b) “Pocket bike” means every device having two tandem wheels, or three wheels, which may be propelled by a gasoline engine and on which the headlights are lower than 24 inches from the ground, its tailpipe is lower than 15 inches, and no vehicle identification



number is located on the vehicle nor can ownership of the vehicle be registered.

(c) “Motorized scooter” means a vehicle consisting of a footboard between two small end wheels, controlled by an upright steering handle attached to the front wheel, propelled by an electric or gasoline motor, and no vehicle identification number is located on the vehicle nor can ownership of the vehicle be registered.

#### **14-602. Operation of a UTV in City Limits.**

It shall be unlawful for any person to operate, or for the owner thereof knowingly to permit the operation, any UTV, upon any street or alley within the City limits of Osawatomie, Kansas or upon any City owned or leased property within or without the City limits of the City of Osawatomie, Kansas, except as provided for in this article.

(a) A UTV, may be operated upon the public highways, streets, roads and alleys within the corporate limits of the city as provided:

(1) No UTV may be operated upon U.S. Highway-169, Osawatomie Road, Plum Creek Road, Old Kansas City Road, 343<sup>rd</sup> Street, 335<sup>th</sup> Street, or any public highway, street, road and alley with a posted speed limit in excess of 40 miles per hour, however, that the provisions of this subsection shall not prohibit a UTV from crossing any public highway, street, road or alley unless otherwise prohibited by state law.

(2) No UTV shall be operated upon any public highway, street, road or alley between sunset and sunrise unless such vehicle is equipped with lights and reflectors as required for motor vehicles under Article 17 of Chapter 8 of the Kansas Statutes Annotated (K.S.A), and amendments thereto.

(b) In addition to any equipment required by this ordinance, a UTV operating upon any public highway, street, road or alley shall be equipped with at least one rear view mirror.

(c) All UTV shall comply with noise and muffler requirements as set forth in K.S.A. 8-1739, and amendments thereto.

#### **14-603. Operator Requirements; Owner Duties; Insurance; Penalty.**

(a) All persons are required to wear seatbelts in a UTV if originally equipped by the manufacturer.

(b) Every person operating a UTV on the public highways, streets, roads and alleys of the city shall be subject to all of the duties applicable to a driver of a vehicle imposed by law.

(c) No person shall operate a UTV on any public highway, street, road or alley within the corporate limits of the city unless such person has a valid, unrestricted, driver’s license.

Violation of this section is punishable by a fine of not more than \$1,000 or by imprisonment for not more than six months or by both such fine and imprisonment.

(d) All provisions of the most current adopted Standard Traffic Ordinance with regards to liability insurance for motor vehicles, and amendments thereto, including penalty provisions, shall be applicable to all owners and operators of a UTV.

**14-604. Registration; Fee; Application; Inspection; Penalty.**

(a) Before operating any UTV on any public highway, street, road or alley within the corporate limits of the city, the UTV shall be registered with the city and display a valid registration decal or tag affixed and displayed in such a manner as to be clearly visible from the rear of the vehicle.

(b) Application for registration of a UTV shall be made by the owner, or owner's agent, in the office of the Police Department. All applications shall be made upon forms provided by the city and each application shall contain the name of the owner, the owner's residence address, or bona fide place of business, a brief description of the UTV to be registered (including make, model and serial number).

(c) An initial registration fee and any registration renewal for a UTV shall be established by the annual fee resolution, but shall not be less than twenty-five dollars (\$25.00).

(d) Proof of insurance, as required in this article, shall be furnished at the time of application for registration or any renewal of the registration.

(e) The registration decal or tag issued hereunder is not transferrable. In the event of sale or other transfer of ownership of a UTV licensed under the provision of this section, the existing registration decal or tag and the right to use the numbered decal or tag shall expire, and the decal or tag shall be removed by the owner. It is unlawful for any person other than the person to whom the license was originally issued to have the same in his possession.

(f) In the event a registration decal or tag is lost, stolen or destroyed, it is the responsibility of the owner and must be re-registered with a full initial registration fee before the UTV may be operated on a public road.

(g) It is unlawful for any person to willfully or maliciously remove, destroy, mutilate or alter such registration decal or tag during the time in which the same is operative.

(h) It shall be unlawful for any person to:

- (1) Operate, or for the owner thereof knowingly to permit the operation, upon a public highway, street, road or alley within the corporate limits of the city a UTV which is not registered and which does not have attached thereto and

displayed thereon the registration decal or tag assigned thereto by the city.

- (2) Display, cause or permit to be displayed, or to have in possession, any registration receipt, registration license or registration decal knowing the same to be fictitious or to have been canceled, revoked, suspended or altered. A violation of this subsection (2) shall constitute an unclassified misdemeanor punishable by a fine of not less than \$100.00 and forfeiture of the item. A mandatory court appearance shall be required of any person violating this subsection.
- (3) Lend to or knowingly permit the use by one not entitled thereto any registration receipt, registration license plate or registration decal issued to the person so lending or permitting the use thereof.
- (4) Remove, conceal, alter, mark or deface the license number plate, plates or decals or any mark of identification upon any UTV. Licenses shall be kept clean and placed as required by law so as to be plainly visible and legible.
- (5) Carry or display a registered number plate or plates or registration decal upon any UTV not lawfully issued for such vehicle.
- (6) Any person convicted of a violation of any provision of this section, shall for the first conviction thereof be punished by a fine of not less than \$250.00. .

#### **14-605 Pocket Bikes and Motorized Scooters Prohibited.**

The operation of pocket bikes, and motorized scooters on the streets, roads, alleys or public property within the corporate limits of the City of Osawatomie is prohibited, unless specifically authorized for a City sponsored event or City permitted special event.

#### **14-606 Penalty.**

Unless specifically provided for herein, a violation of this section shall be deemed an ordinance traffic infraction. Upon an entry of a plea of guilty or no contest or upon being convicted of such violation, the penalty imposed shall be in accordance with Article 20 of the Standard Traffic Ordinance as currently adopted by the city, and amendments thereto, or such other similar provision as the city may then have in effect.

#### **14-607 Exemptions.**

(a) UTVs which are owned, leased or operated by the City or other governmental entities that are being operated for the purpose of maintaining roads, right of ways or for other specific purpose as required in the performance of a job other than general transportation, are exempt from the restrictions of this article, except for insurance and operator requirements in Section 14-603.

**Section 3. EXISTING ARTICLES AND SECTIONS REPEALED.** Chapter 14, Article 6 in its entirety of the Code of the City of Osawatomie as adopted prior to the passage of this Ordinance is hereby repealed.

**Section 4. EFFECTIVEDATE.** This ordinance shall take effect and be in force from and after July 1, 2018 and one publication in the official City newspaper.

**PASSED AND APPROVED** by the Governing Body of the City of Osawatomie, Kansas, a majority being in favor thereof, this 10th day of May, 2018.

**APPROVED AND SIGNED** by the Mayor.

—  
L. Mark Govea  
Mayor

(SEAL)

ATTEST:

—  
Tammy Seamands  
City Clerk

# CITY OF OSAWATOMIE



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## STAFF AGENDA MEMORANDUM

**DATE OF MEETING:** May 10, 2018

**AGENDA ITEM:** Sales Tax Ballot Question

**PRESENTER:** Don Cawby, City Manager

**ISSUE SUMMARY:** In March, the council directed me to move forward with a ballot question to pass a quarter-cent (0.25) sales tax which would be used for public safety equipment and public safety and municipal court software. Should the ballot initiative not pass, the City would be required to increase the budget by approximately 4.0 mills to pay off the debt on the lease-purchase for the fire truck. Attached is a copy of the financing breakdown approved at the March meeting.

In April, the Council reviewed the proposed ballot language and agreed with draft as presented.

The resolution includes that language for approval.

**COUNCIL ACTION NEEDED:** Review and discuss.

**STAFF RECOMMENDATION TO COUNCIL:** Approve the resolution as presented in order for there be sufficient time for it to be submitted to the County Clerk and placed on the August primary ballot.

RESOLUTION NO. \_\_\_\_

A RESOLUTION AUTHORIZING THE COUNTY ELECTION OFFICIAL TO PLACE A ONE-QUARTER OF ONE PERCENT (.25%) CITY RETAILERS' SALES TAX QUESTION ON THE AUGUST 7, 2018 PRIMARY ELECTION BALLOT

WHEREAS, the Governing Body of the City of Osawatomie has identified a levy of a retailers' sales tax in the City in the amount of one-quarter of one percent (.25%) for a period of eight (8) years as the most prudent means of financing a long overdue replacement of the City's primary fire fighting vehicle, as well as other needed replacements and improvements to the City's public safety equipment and municipal court software and related hardware; and

WHEREAS, the City has identified August 7, 2018 as the election date which allows the ballot question to be placed before the electorate, prior to finalizing the final 2019 operating budget which, should the ballot initiative not pass, would require the City's mil levy to increase as much as an estimated four (4) mills in order to fund the payments required to finance the City's lease-purchase obligations for a fire truck, police hardware and software, and municipal court hardware and software.

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

**SECTION ONE:** the City Council hereby authorizes the County Clerk of Miami County Kansas, who is also the County's Election Official, to place the following sales tax ballot question on the primary election ballot to be held August 7, 2018:

*Shall the following be adopted?*

*Shall the city of Osawatomie, Kansas levy a retailers' sales tax in the amount of one quarter of one percent (.25%), to take effect on January 1, 2019, and to be levied for eight years until December 31, 2026, on retail sales consummated within the city of Osawatomie, with revenues of such tax to be used to help finance the purchase and installation of equipment for the City's fire and police operations, and the purchase and installation of any new, replacement or updated computer software for the City's fire, police and municipal court operations, and any such related computer hardware for the operation thereof, and to pay obligations of the City issued to finance purchases for these same purposes, all in accordance with the provisions of K.S.A. 12-187 et seq., and amendments thereto?*

Resolution No. \_\_\_\_

**SECTION TWO:** This Resolution shall be in full force and effect from and after its adoption and a copy of which shall be provided to the County Clerk as soon as reasonably possible.

**PASSED AND APPROVED** by the Governing Body of the City of Osawatomie, Kansas this 10<sup>th</sup> day of May, 2018, a majority being in favor thereof.

**APPROVED AND SIGNED** by the Mayor.

\_\_\_\_\_  
L. Mark Govea  
Mayor

(SEAL)

ATTEST:

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

DRAFT

RESOLUTION NO. \_\_\_\_

A RESOLUTION AUTHORIZING TEMPORARY CLOSING OF PORTIONS OF CERTAIN STREETS IN OSAWATOMIE ON MAY 26, 2018, TO PERMIT THE CONSUMPTION OF ALCOHOLIC BEVERAGES IN DESIGNATED AREAS DURING THE OSAWATOMIE ALUMNI CELEBRATION.

WHEREAS, the 2018 Osawatomie Alumni Celebration will be held at various locations within the City of Osawatomie and having approved the Special Event Permit for the Osawatomie Alumni Street Dance at its April 26, 2018 meeting, which would allow the possession and consumption of alcoholic liquor in the areas designated in the permit.

WHEREAS, pursuant to state law, alcoholic liquor may be consumed at a special event to be held on designated public streets, alleys, and sidewalks when a temporary permit has been issued by the Kansas Division of Alcohol Beverage Control (ABC) and the governing body has approved the event as required by K.S.A. 41-719 and 41-2645 and amendments thereto; and

WHEREAS, the Kansas Division of ABC has requested a formal resolution approved by the governing body to affirm the permit that was issued;

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

**SECTION ONE:** The City Council hereby approves the event to be held on May 26, 2018, from 9:00 p.m. to 12:00 a.m. provided the Osawatomie Alumni Association secures a temporary permit from ABC and complies with all state laws and ordinances regulating alcoholic liquor.

**SECTION TWO:** A portion or all of the following streets/alleys shall be closed to motor vehicle traffic during the dates and times identified in Section One: Main Street from 5<sup>th</sup> to 6<sup>th</sup> Streets. Pursuant to K.S.A. 41-719 and 41-2645, the sponsor shall ensure that the area in which alcoholic liquor is possessed or consumed is clearly marked by signs, a posted map or other means ("Designated Barricaded Area").

**SECTION THREE:** Event attendees may purchase, possess and consume alcoholic beverages within the Designated Barricaded Area. Pursuant to K.S.A. 41-719, no alcoholic liquor may be removed from Designated Barricaded Area or consumed inside vehicles while on public streets or alleys at the event.

**SECTION FOUR:** 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 10<sup>th</sup> day of May, 2018, a majority being in favor thereof.



Resolution No. \_\_\_\_

**APPROVED AND SIGNED** by the Mayor.

---

L. Mark Govea  
Mayor

(SEAL)

ATTEST:

---

Tammy Seamands  
City Clerk

DRAFT

Osawatomie Police Department  
Apr-18 Activity Report

		Prior Month	Change	Prior Year	Change
27	Warrant Arrests	22	5	23	4
48	Other Arrest and /or Charges filed	26	22	24	24
218	Traffic Stops	161	57	138	80
113	Suspicious Activ., Inv. Persons, Ped Checks, Prowlers	159	(46)	83	30
11	Traffic Accidents	15	(4)	10	1
47	Assist EMS	52	(5)	42	5
51	Fights , Disturbance, Assaults, Domestic, Harras, Violation of Protection Orders	29	22	47	4
1	Sex crimes	1	0	7	-6
26	Damage to Prop., Thefts, Burglarys,	25	1	30	-4
3	Drug Case or Calls	5	(2)	10	-7
12	Drug Cases Cleared	13	(1)	3	9
47	Animal calls	46	1	56	-9
8	Child in Need of Care, Runaways, Missing Children	5	3	11	(3)
15	Vehicle Lock outs	13	2	17	(2)
49	Escorts, Civil Stand-bys, 911 Misdiags, Motor Assist, X-Patrol, Alarm Calls, Welfare Checks	80	(31)	56	(7)
73	Citizen Inquires	114	(41)	66	7
65	Calls for service otherwise not classified	95	(30)	108	(43)
108	Assist Out Side Agency, Loud Music, , Traffic Haz, Driving Complaints, Drug Testing Finger Printing, Open Doors, Follow-ups, Found Property, Warrant Attempts, etc..	96	12	95	13
862	Calls handled by Officers	918	(56)	802	63
<b>1160</b>	<b>Totals occurrences for the month</b>	<b>1295</b>	<b>(135)</b>	<b>1071</b>	<b>89</b>
91	Traffic Citations		91	70	21
68	Other Citations		68	20	48
<b>159</b>	<b>Total Citations</b>		<b>159</b>	<b>90</b>	<b>69</b>

\* Total occurrences for the month include calls for service and dispatch activity, such as the issuance of burn permits, accepting fine payments, logging vehicle fuel, county fire calls, and other public assistance.

CASH TRANSACTIONS REPORT

YEAR: THROUGH MARCH  
City of Osawatomie

Page: 1  
4/25/2018  
1:59 pm

Account Number		Beginning Balance	Debit	Credit	Ending Balance
<b>100.101 CASH &amp; INVESTMENTS</b>					
100.101 CASH & INVESTMENTS					
01-000-100.101	CASH & INVESTMENTS	359,414.51	947,850.01	676,652.03	630,612.49
02-000-100.101	CASH & INVESTMENTS	214,466.04	277,390.02	228,056.20	263,799.86
03-000-100.101	CASH & INVESTMENTS	435,765.21	1,002,847.95	904,690.93	533,922.23
04-000-100.101	CASH & INVESTMENTS	167,293.43	401,269.64	241,664.83	326,898.24
05-000-100.101	CASH & INVESTMENTS	13,817.59	40,117.48	40,809.61	13,125.46
06-000-100.101	CASH & INVESTMENTS	142,919.70	11,970.00	2,049.80	152,839.90
07-000-100.101	CASH & INVESTMENTS	0.00	18.27	18.27	0.00
08-000-100.101	CASH & INVESTMENTS	0.00	0.00	0.00	0.00
09-000-100.101	CASH & INVESTMENTS	91,669.73	4,682.16	4,500.00	91,851.89
10-000-100.101	CASH & INVESTMENTS	0.00	0.00	0.00	0.00
11-000-100.101	CASH & INVESTMENTS	82,338.03	7,071.80	0.00	89,409.83
12-000-100.101	CASH & INVESTMENTS	184,943.24	30,660.68	7,210.63	208,393.29
13-000-100.101	CASH & INVESTMENTS	193,896.28	326,763.79	130,640.00	390,020.07
14-000-100.101	CASH & INVESTMENTS	22,442.51	29,835.60	21,362.65	30,915.46
15-000-100.101	CASH & INVESTMENTS	0.84	40,300.50	35,300.50	5,000.84
16-000-100.101	CASH & INVESTMENTS	222,860.37	246,514.74	228,484.11	240,891.00
17-000-100.101	CASH & INVESTMENTS	0.00	2.28	2.28	0.00
18-000-100.101	CASH & INVESTMENTS	11,035.48	69,189.22	57,027.35	23,197.35
19-000-100.101	CASH & INVESTMENTS	0.00	0.00	0.00	0.00
20-000-100.101	CASH & INVESTMENTS	9,897.41	0.00	0.00	9,897.41
21-000-100.101	CASH & INVESTMENTS	0.00	0.00	0.00	0.00
22-000-100.101	CASH & INVESTMENTS	35,772.24	15,225.72	6,345.56	44,652.40
23-000-100.101	CASH & INVESTMENTS	12,899.79	0.00	0.00	12,899.79
24-000-100.101	CASH & INVESTMENTS	132,645.97	32,500.00	40,000.00	125,145.97
25-000-100.101	CASH & INVESTMENTS	1,730,623.32	0.00	6,957.79	1,723,665.53
26-000-100.101	CASH & INVESTMENTS	4,000.00	0.00	0.00	4,000.00
27-000-100.101	CASH & INVESTMENTS	269,023.13	1.20	28,674.01	240,350.32
28-000-100.101	CASH & INVESTMENTS	0.00	0.00	0.00	0.00
30-000-100.101	CASH & INVESTMENTS	0.00	1,555,596.73	1,555,596.73	0.00
33-000-100.101	CASH & INVESTMENTS	951,631.80	4,330.40	140,824.57	815,137.63
43-000-100.101	CASH & INVESTMENTS	149,992.60	108,931.26	100,362.50	158,561.36
50-000-100.101	CASH & INVESTMENTS	62,520.36	13,749.10	8,751.92	67,517.54
51-000-100.101	CASH & INVESTMENTS	7,401.00	0.00	0.00	7,401.00
52-000-100.101	CASH & INVESTMENTS	15,251.54	6,292.50	9,869.50	11,674.54
53-000-100.101	CASH & INVESTMENTS	1,918.17	7,111.94	890.51	8,139.60
54-000-100.101	CASH & INVESTMENTS	0.00	0.00	0.00	0.00
55-000-100.101	CASH & INVESTMENTS	0.01	0.00	0.00	0.01
56-000-100.101	CASH & INVESTMENTS	0.00	0.00	0.00	0.00
Total for 100.101		5,526,440.30	5,180,222.99	4,476,742.28	6,229,921.01
<b>Total for 100.101</b>		<b>5,526,440.30</b>	<b>5,180,222.99</b>	<b>4,476,742.28</b>	<b>6,229,921.01</b>
Grand Totals:		5,526,440.30	5,180,222.99	4,476,742.28	6,229,921.01

# CITY OF OSAWATOMIE



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## MEMORANDUM

**To:** Mayor and City Council  
**From:** Don Cawby, City Manager  
**Re:** **Projects & Issues Update**  
**Date:** May 10, 2018

### Projects

**Main Street.** This past weekend, we had a private contractor enter the area, without permission, and drive over the new concrete with equipment. The contractor was removing a home owner's driveway and left it piled on the berm in front of the house. Needless to say, both our DPWU Director and our contractor Kansas Heavy were livid. We filed a complaint with the police and I have suspended the contractor's ability to pull new permits, work on this project or work in the right of way. I also asked the contractor to resolve the with Director Madden, which I will have to approve and sign.

**Fiber.** KwiKom has indicated that it wants to look at in-the-air distribution of fiber. They are reviewing the pole options and will reach out to us shortly to negotiate a pole attachment agreement. I would expect that we will look at some trade-offs to help us off-set costs of the City implementation of fiber as well. They have indicated that they are having a good response in hooking up wireless services in town.

**Water Plant.** Several issues with the water plant have arisen in the past couple of months. One issue is that the City will have to begin bi-weekly testing for cryptosporidium for one year. The cost of that testing will be over \$8,000 for that period. After the testing is finished, KDHE will work with the City to determine what, if anything, should be done for this issue.

We have also lost our high-service pump and motor again. We are in the process of fixing these which will run over \$20,000. This is something we budget for each year. To exacerbate the problem, we learned that the blowout pump (which removes sediment in the intake pit) has not been functional for years. This is likely the reason we keep having problems with our pumps. We need to reinstall the pump and also have the pit vacuumed out. Bids on vacuuming have ranged from \$18,000 to \$25,000. Finally, we will have to fix and replace the blow-out pump. Our staff believes this is something they can do themselves, but it may also cost additional money. I am treating all of these as emergency repairs, so I will not hold off until the council has approved. However, I thought you should know we are getting hit hard in this fund for 2018.

**City Auditorium/City Hall.** The block work on the City Auditorium is complete. MTS is now in the process of putting the metal cap around the top of the building. Scaffolding should be removed soon. The only item left will be reconstructing the marquee and putting roof on it.

City Hall work for the front section is continuing. Most of the cabinets are finished and countertops have been installed. Painting is continuing. Flooring should be in right after Memorial Day, so we are hoping a move the 2<sup>nd</sup> week of June. We are getting new lettering for the West entrance and we will be putting up permanent letter on the doors. However, we have noticed that the Utility Billing Office doors are letting in a lot of heat in the late afternoon. The change to the air handling is not cutting the heat enough. I believe we will need to look at some higher quality double-pane windows and doors to the Utility Billing Office to stop this problem.

**Issues**

**Departures.** In the past two weeks, two employees have given us their notice. One was our Meter Reader/Code Enforcement Officer. That departure is requiring us to quite a bit of shifting around as the middle of May is typically the busiest week of the year for this position. The other position was a Maintenance Worker in Public Works. We expect some internal interest in the code enforcement position, so the vacancy we end up posting may not be these exact positions.

**Health Benefits Broker Change.** We have agreed to move to Bukaty Companies to be our broker for the 2018-2019 plan year. The City had previously used Bukaty in the past and we feel they will be able to do a good job for us while we consider our path forward. Because of a compressed time frame, we did not bid this out, but brokers all receive the same amount of compensation from brokerage fees, so the issue for us was support and quality service.

**Trash Services RFP.** We will put putting out an RFP for trash services sometime in the next two weeks. This is a rather complicated RFP to write, as different providers have different services. Ultimately, we are trying to make sure we have all the services we require for trash, recycling, bulk, and other services. We hope to be evaluating the RFPs in July.

**Paintball Park.** Ted is performing the final inspection this afternoon, so we should soon hear news about them being up and operating and open to the public.

**CIP.** We will begin talking about updating the 5-year CIP plan at the next meeting. Budget time is upon us.

**Upcoming Meetings/Dates**

- May 24                    City Council Meeting
- May 26-27              Alumni Weekend
- May 28                    City Offices Closed (Memorial Day)