OSAWATOMIE CITY COUNCIL **REVISED** AGENDA

June 8, 2017 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. June 8th Agenda
- B. Council Minutes for May 11 and May 25, 2017
- C. Appropriation Ordinance 2017-05
- D. Fireworks Stand Permit Moon's Fireworks
- 6. Comments from the Public

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

- 7. Presentations & Proclamations
 - A. Proclamation Kansas Business Appreciation Month
- 8. Public Hearings
- 9. Unfinished Business
 - A. Pay Application No. 6 (Final) 7th Street Substation IES Commercial
 - B. Substantial Completion Certificate 7th Street Substation IES Commercial
 - C. Change Order No. $1 9^{th}$ Street Substation NMC
 - D. Pay Application No. 2 Generator Controls & Automation NMC
 - E. Change Order No. 2 7th Street Substation Mid-States Energy
- 10. New Business
 - A. Change of Scope to CDBG Main Street Phase II Project
 - B. Claim Release WWTP Project
 - C. Resolution Special Event John Brown Jamboree
- 11. Council Report
- 12. Mayor's Report
- 13. City Manager & Staff Reports
- 14. Executive Session
- 15. Other Discussion/Motions
- 16. Adjourn

WORK SESSION AGENDA June 8, 2017

Upon Adjournment of Council Meeting, Memorial Hall

- 1. Call to order
- 2. Budget Work Session Continued CIP Review
- 3. Trash Service Discussion
- 4. Adjourn

Osawatomie, Kansas. May 11, 2017. The Council Meeting was held in Memorial Hall. Council President Ted Hunter called the meeting to order at 6:30 p.m. Council members present were Dickinson, Hampson, Hunter, LaDuex, Macek, Maichel, and Wright. Absent was Walmann. Also present was City Clerk Tammy Seamands, City Manager Don Cawby and City Attorney Dick Wetzler. Members of the public were: Dee Leach, Holly Kastler, Kendra Brewer, Amnda Pettibon, Alexis Bunney, Donna Darner, Doug Walker, David Spears, John Klein, Harold Whitley, Jennifer McDaniel and Charity Keitel with Miami County Republic.

INVOCATION. Ted Hunter

CONSENT AGENDA. Approval of May 11th Agenda, Appropriation Ordinance 2017-04, Fireworks Stand Permits (Dale & Jo's Fireworks and Eddie's Fireworks) and Special Event Application – John Brown Jamboree. **Motion** made by LaDuex, seconded by Hampson to Approve the Consent Agenda as presented. Yeas: All.

COMMENTS FROM THE PUBLIC.

Holly Kastler, 39413 W. 387th Lane KS, spoke to the council regarding the Osawatomie Cemetery and Ordinance 3600 pertaining to municipal cemeteries. She expressed her concerns regarding items being removed from her daughter's cemetery space over the last couple of months. This is a place for her to mourn and asks that we look at our ordinance, so that items could be placed on the space.

Kendra Brewer, Virginia Road Greeley KS, spoke regarding the same issues as Mrs. Kastler.

Amanda Pettibon, 1025 Chestnut, spoke regarding items have been removed from her mother's cemetery space as well.

Councilman Dickinson mentioned that prior to this; he had been looking into different cemeteries and their rules/regulations. He will continue to work on this.

PRESENTATIONS.

PROCLAMATION – NATIONAL PUBLIC SERVICE RECOGNITION WEEK - LaDuex read the proclamation for the audience. **Motion** made by Maichel, seconded by Dickinson to Approve the National Public Service Recognition Week. Yeas: All.

***LaDuex mentioned that Edward Jones and Farm Bureau will be providing lunch for all City Employees for National Public Service Week on Friday May 12th.

PUBLIC HEARINGS. None.

UNFINISHED BUSINESS. None.

NEW BUSINESS.

PLANNING COMMISSION RECOMMENDATIONS – KLEIN RV PARK. REZONING, TEXT AMENDMENTS AND CONDITIONAL APPROVAL. City Manager Cawby explained that the Planning Commission met to discuss rezoning, a special use permit

and two text amendments to the Zoning Regulations. These requests were made by John Klein for a possible RV park that would be located at 6th and Kelly. The Planning Commission proposed to rezone from General Business to Agricultural, as this is the only type that will allow a RV park. If the property is rezoned the commission recommends two text amendments to the current regulations; (1) changing the length of stay to 90 days for a single travel trailer park and 180 days for a single travel trailer to be at multiple parks within a 12 month period and (2) to allow gravel surfaces other than dumpster areas and approaches, they will need to be hard surfaced. As long as the rezoning and text amendments pass, they will approve the special use permit. **Motion** made by LaDuex, seconded by Hampson to return the recommendations back to the Planning Commission with the Council's recommendations that the Short Term Occupancy Limits be Removed and a Yearly Permit Policy be Written. Yeas: All.

AUDITORIUM MASONRY REPAIR BIDS. Cawby advised that we received three bids for the auditorium masonry repair. He explained there are three options he believes we can look at; (1) halt and do a little more research (2) move forward and award the bid to MTS and have them look at the chimney part (3) delay until the building official can be present. **Motion** made by Maichel, seconded by Hampson to Come Back to the Auditorium Masonry Repair in Two Weeks. Yeas: All.

COUNCIL REPORTS.

Karen LaDuex – is selling quarter beef raffle tickets for John Brown Foundation and Pancake tickets for Alumni weekend.

Lawrence Dickinson – bulky items still sitting out and not getting picked up and noticing that people are blowing their grass clippings into the streets. Residents need to call their items in for bulk pick up and know they aren't to blow clippings into the streets.

Ted Hunter – the newsletter online was easy to find and looked very nice. Mayor Govea is doing well after his hip surgery, recovering very well. Look over Kansas City's Code of Procedure that was handed out.

MAYOR'S REPORT.

CITY MANAGER'S REPORT.

Main Street CDBG Funds have been released.

Electric Project has been delayed.

Main Street Terrace we started on a water line project caused a water loss.

Library roof walk through was today.

Waste Management bulk pick up, has spoken with Bryce to try and figure this out.

Newsletter did go out.

Broadband survey went out.

Quarterly reports are in packet.

**Harold Whitley, not able to attend the meeting earlier, spoke regarding his daughter being buried at the Osawatomie Cemetery and the rules/regulations. He claimed that two weeks ago his wife put decorations out that didn't violate the ordinance and they were picked up before they could pick them up.

EXECUTIVE SESSION.

Motion made by LaDuex, seconded by Hampson to go into Executive Session for the purpose of Security of a Public Body or Agency, Public Building or Facility, or the Information System of a Public Body or Agency including the City Council, City Attorney, City Manager and City Clerk for 10 minutes ending at 8:40 p.m.

OTHER DISCUSSION/MOTIONS.

Motion made by Maichel, seconded by LaDuex to adjourn. Yeas: All. Hunter declared the meeting adjourned at 8:41 p.m.

/s/ Ashley Kobe
Ashley Kobe, Deputy City Clerk

Osawatomie, Kansas. May 25, 2017. 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, Hampson, Hunter, LaDuex, Macek, Maichel, Walmann and Wright. Absent was City Attorney Dick Wetzler. Also present was City Clerk Tammy Seamands and City Manager Don Cawby. Members of the public were: Virginia Adams, Hailey Dixon, Danny Govea, Lance Kerr, Robert Couture, Assistant Police Chief Dave Stuteville, Chief of Police Dave Ellis, Fire Chief Brian Love, Public Works Director Blake Madden, Building Official Ted Bartlett and David Arteberry with George K. Baum.

INVOCATION. Virginia Adams, Community of Christ

CONSENT AGENDA. Approval of May 25th Agenda and Fireworks Display Permit – City of Osawatomie. **Motion** made by LaDuex, seconded by Hunter to Approve the Consent Agenda as presented. Yeas: All.

COMMENTS FROM THE PUBLIC. None.

PRESENTATIONS. None.

PUBLIC HEARINGS. None.

UNFINISHED BUSINESS.

AUDITORIUM MASONRY REPAIR BIDS. City Manager Don Cawby and Building Official Ted Bartlett went over the masonry bids and recommended MTS Contracting while they are the lowest bidder based on the \$5,000 deduction due to placing a metal cap over the parapet wall. **Motion** made by LaDuex, seconded by Hunter to Accept the Bid from MTS Contracting for \$182,500 with the Understanding the City is Responsible for Purchasing the Cast Stone and Brick. Yeas: All.

NEW BUSINESS.

ORDINANCE – AUTHORIZE STREET IMPOVEMENTS.

RESOLUTION – AUTHORIZATION ISSUANCE OF GENERAL OBLIGATION TEMPORARY NOTES. Cawby explained that we will need to borrow \$1.8 million dollars in temporary notes to complete the Main Street Project. David Arteberry also explained that they have already passed an ordinance with the estimated cost of the project and they will need to adopt an ordinance to amend the original cost. **Motion** made by Maichel, seconded by LaDuex to Amend Ordinance 3720 Authorizing Street Improvements within the City, Pursuant to K.S.A. 12-685 to 12-690, and Issuance of Bonds or Notes of the City to Pay a Portion of the Costs. Yeas: All. **Motion** made by LaDuex, seconded by Hunter Authorizing and Providing for the Sale of the City's Temporary Notes in the amount of \$1,800,000 to Finance the Street Project. Yeas: All.

ASSIGNMENT AND ASSUMPTION AGREEMENT – KANSAS FIBER NET. Cawby advised the Council that Kansas Fiber Net will be borrowing money to do the project. The lender on the project requested an assignment agreement as collateral against the loan. City Attorney Wetzler reviewed the agreement and revised with the lender's attorney. The agreement says that if another company takes over their assets, our franchise agreement cannot be changed without an amendment by both parties. **Motion** made by LaDuex, seconded by Dickinson to Authorize the Mayor to Sight the Agreement to Protect the City. Yeas: All.

HEALTH INSURANCE RENEWAL. Cawby explained that before we received our annual renewal rate from our current insurance broker, he asked Midwest Public Risk to look at our rates to see if they would be competitive with theirs, they reported back that they could not compete. United Healthcare came in with a 9% increase renewal, but had options that would better benefit the City employees. After meeting with the insurance board, that is made up of several city employees, the recommendation would be to (1) eliminate the current buy up plan; (2) keep the \$3,000 deductible plan that comes with a few minor changes; (3) add another \$5,000 deductible PPO plan; (4) add a \$5,000 deductible HSA plan that the City will match up to a \$1,000 match. Other changes would be to decrease the dependent percentage that the city pays from 63% to 60% and vision insurance went up 4% which would result to maybe a dollar per employee. Dental insurance has no increase and the City will continue to offer \$15,000 life insurance coverage for employees. **Motion** made by Hunter, seconded by LaDuex to Approve the Health Insurance as presented. Yeas: All.

ROOF BIDS. Public Works Director, Blake Madden, explained that the Library roof and the west side of City Hall roof were in bad shape, such as leaking water. There were two bids received for the repairs. **Motion** made by LaDuex, seconded by Hunter to Approve \$36,000 for the Library Roof including the Total Tear Off and \$8,600 for the City Hall West Entrance Roof from Premier Contracting. Yeas: All.

CAPITAL IMPROVEMENT PLAN – REVIEW STAFF REQUESTS. City Manager Don Cawby, Fire Chief Brian Love, Police Chief Dave Ellis and Building Official Ted Bartlett reviewed the Department Director requests in the C.I.P. No action taken.

RURAL FIRE TRUCK PURCHASE. Fire Chief Love told the Council that Miami County Rural Fire District 1 has an E-One pumper truck in storage that he believes is a better truck than they are currently renting from the Fire District 1. He is requesting that we purchase the truck and opt out of renting the current truck. The Fire District 1 has agreed in principle to cancel the current rental agreement. **Motion** made by LaDuex, seconded by Hampson to Approve the Purchase of the 1995 E-One Pumper Truck from Miami County Rural Fire District 1 for \$10,000. Yeas: All.

NEW FIRE TRUCK PURCHASE. Fire Chief Love returned with a bids of approximately \$800,000 for a new fire truck. City Manager Cawby reported that would be equal to about a 5.0 mil increase in the property tax levy. The Council discussed the impact of this increase and the need for the new truck. Motion by Walmann, seconded by Hampson to direct the City Manager to Start the Process of Borrowing to Purchase a New Truck. During discussion City Manager Cawby advised that there were several places in the process where the decision

has to be affirmed. Both when issuing the debt, purchasing the truck and raising the mil levy. Yeas: 5, Nays: 3.

COUNCIL REPORTS.

Jeff Walmann – Wanted to make a statement regarding the fire truck. If you took the fire truck dollar amount and divided it out between the 4,000 people in Osawatomie, it would be \$208.50 per person.

Karen LaDuex – Reminder that the Osawatomie Library Pancake Feed is this Saturday in the Auditorium from 8 to 11, please come out and support.

Ted Hunter – School is out so kids are going to be around town more, so please watch for them and be careful. Reminder that Alumni is this coming weekend.

Lawrence Dickinson – Asked if the street sweeper is working.

Tamara Maichel – Would like to prepare now for the purchase of future big items.

MAYOR'S REPORT.

Read a letter from Bethany Shotten to the Council regarding receiving the Council Sponsorship.

Reminder that the filing deadline is noon on June 1st at the County.

CITY MANAGER'S REPORT.

We were not accepted for the LIHTC grant for 10 acres.

Working with Waste Management on bulk item issues and they will be putting out a letter to customers regarding the matter. Would like to put on the agenda at a later meeting to discuss different options for the Council to discuss options that could eventually be taken to Waste Management for consideration.

EXECUTIVE SESSION. None.

OTHER DISCUSSION/MOTIONS.

Motion made by Hunter, seconded by LaDuex to adjourn. Yeas: All. Hunter declared the meeting adjourned at 9:29 p.m.

/s/ Ashley Kobe
Ashley Kobe, Deputy City Clerk

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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
CITY OF OSAWATOMIE	PETTY CASH REIMBURSEMENT	1876	5,486.14
PARADIGM TALENT AGENCY	DEPOSIT-JAMBOREE PERFORMANCE	1877	3,000.00
KMEA	EMP ELECTRICITY	1878	16,417.55
KMEA	SPA ELECTRICITY	1879	2,663.59
KMEA	WAPA ELECTRICITY	1880	8,774.69
KMEA	GRDA ELECTRICITY	1881	78,543.90
KANSAS DEPT OF REVENUE	SALES TAX	1882	11,056.50
KANSAS DEPT OF REVENUE	SALES TAX	1883	638.78
KANSAS DEPT OF REVENUE	COMPENSATING USE TAX	1884	668.28
FIRST OPTION BANK	GOLF COURSE IRRIGATION LOAN	1885	12,740.00
UNITED HEALTHCARE	HEALTH INSURANCE	1886	42,490.09
CITY OF OSAWATOMIE	PETTY CASH REIMBURSEMENT	1887	634.84
US BOATWORKS, INC.	MOTOR FOR ZODIAK BOAT	49526	1,590.93
DAVID DOSSEY	WORK ON SERVER	49527	3,010.00
LOUISBURG FORD SALES INC.	2017 FORD EXPLORER	49529	27,100.00
AT&T	RTU'S	49531	222.67
CENTURYLINK	SERVICES	49532	755.41
CENTURYLINK	LONG DISTANCE	49533	44.41
CNH CAPITAL	MUFFLER	49534	290.85
KANSAS CITY WILBERT	FINANCE CHARGE	49535	2,693.25
KANSAS DEPT OF REVENUE	WATER PROTECTION & CLEAN	49536	3,115.00
KC BOBCAT	SLIDING FORWARD LH M SERIES	49537	84.12
MC CONNELL MACHINERY CO. INC.	ROLLER BEAR, SLEEVE	49538	93.36
NAPA AUTO PARTS	DRILL BITS	49539	1,199.93
NICHOLSON, DASENBROCK &	ATTORNEY FEES	49540	1,400.00
R & J TRUCKING	GRAVEL HAULING	49541	584.10
	WATERPROOF BREATHABLE PARKA	49542	87.90
REJIS COMMISSION	LEWEB SUBSCRIPTION	49543	34.07
RICOH AMERICAS CORP.	COPIES	49544	264.34
SCOTT A. MICHIE PLANNING SERV	CONSULTING SERVICES	49545	449.65
SUDDENLINK COMMUNICATIONS	INTERNET	49546	119.90
T2 HOLDINGS, LLC	SHREDDING	49547	180.00
TFMCOM, INC	ANT CONVERTER, CONNECTOR	49548	1,269.50
WADE QUARRIES	GRAVEL	49549	1,929.06
WAL-MART COMMUNITY BRC	DVD	49550	653.60
CRAWFORD SALES COMPANY	BUDWEISER	49551	270.75
MIDWEST DISTRIBUTORS	MILLER	49552	78.30
L & K SERVICES, INC.	REFUSE	49553	31,327.73
DISH NETWORK	SERVICE	49554	109.02
A TO Z POWERSPORTS	CART REPAIR	49555	625.00
AMATEUR SPORTS PROMOTION	AD	49556	90.00
ANIXTER, INC.	WIRE SOCKET, LINE SPLICE	49557	813.55
APPLIED MAINTENANCE SUPPLIES	PAINT, GUN SPRAYER	49558	193.38
BAKER & TAYLOR	BOOKS	49559	483.64
BEACHNER GRAIN, INC.	AMINE	49560	398.00
BILL'S SEPTIC TANK CLEANING	CLEANED SEPTIC TANK	49561	225.00
BOOKS & BUCKETS	PERFORMANCE	49562	201.36
BREWER'S AUTOMOTIVE REPAIR	TIRES	49563	328.00
C & G MERCHANTS SUPPLY	CHIPS	49564	53.69
CARTER WATERS	ASPHALT	49565	717.74
CASCADE SUBSCRIPTION SERV.	SUBSCRIPTION-GOLF WEEK, GOLF D	49566	213.77

May 31, 2017

Claimant	Nature of Claim or Service	Claim Number	Amount
CHAMPION BRANDS, LLC	CONTAINER REFUND	49567	461.18
CITY OF OSAWATOMIE	UTILITIES	49568	18,559.78
COMPUTERS & MORE, LLC	DELL SERVER, CACHE HARD DRIVE	49569	1,408.49
CONRAD FIRE EQUIPMENT, INC.	BUNKER COATS	49570	7,141.88
DEFFENBAUGH INDUSTRIES	SLUDGE HAUL OFF	49571	1,611.07
DEMCO, INC.	JACKET COVERS, TAPE, SCISSORS	49572	189.73
DESIGN MECHANICAL, INC.	SHUT DOWN BOILERS	49573	400.00
DETROIT INDUSTRIAL TOOL	DIAMOND BLADE	49574	683.61
JOHN DIXON	SOUND & STAGE-DEPOSIT JAMBOREE		495.00
DONNA & VIOLA'S SHIRTS & ETC.	CAPS	49576	75.00
DAVID DOSSEY	WORK ON SERVER	49577	2,665.00
DREXEL TECHNOLOGIES, INC.	PRINT PLANS	49578	368.50
EMG, INC.	ENERGY CONSULTING	49579	3,724.01
EXTREME COLLISION & CUSTOM	REMOVE OLD COATING-ROLLER TANK		1,086.00
FAMILY CENTER FARM & HOME	KEY	49581	807.41
FIRST PLACE TROPHIES	NAMEPLATES	49582	40.00
GALLAGHER BENEFIT SERVICES	ADMINISTRATION FEE	49583	457.00
GCSAA	2017 MEMBERSHIP DUES-DRAPER	49584	380.00
GERKEN RENT-ALL, INC.	AIR COUPLER	49585	13.00
GOLDEN WEST INDUSTRIAL	TOWELS, BALL WASH, BUNGEE	49586	256.76
HALL'S BOBCAT SERVICE	MULCH	49587	442.80
HANES FLORIST & GREENHOUSE	PLANT	49588	35.00
HAWKINS, INC.	AQUA HAWK, AZONE CLAMP	49589 49590	2,953.12
HD SUPPLY WATERWORKS, LTD HOMESTEAD FOLK TOYS	QUILTING KIT, TATTING KIT,	49590	255.86
	MEMBERSHIP	49591	369.32
INTERNATIONAL INSTITUTE OF JIVE COMMUNICATIONS, INC.	SERVICE	49592	260.00 914.85
JMK SPORTS, INC.	PROXIMITY CARDS	49594	82.05
·	KACP AWARDS FOR VALOR PROGRAM		100.00
KANSAS DEPT OF COMMERCE	JTC OIL LEASE-MAY 2017	49596	1,000.00
KANSAS DEPT OF HEALTH &	WASTEWATER PERMIT	49597	320.00
KANSAS ONE CALL SYSTEM, INC	LOCATES	49598	36.00
KILLOUGH CONSTRUCTION, INC	ASPHALT	49599	849.30
KINCAID READY MIX	CONCRETE	49600	15,551.25
MARK LANE	BED KNIVES, SHARPEN REELS	49601	150.00
LANG CHEVROLET BUICK GMC, INC.		49602	141.53
LOGAN CONTRACTORS SUPPLY,	PAINT	49603	142.20
LYBARGER OIL, INC.	DYED DIESEL	49604	8,766.07
MADDEN RENTAL	PORTABLE TOILET RENTAL	49605	370.00
MICHAEL MALLORY	GREENS AERATION	49606	1,400.00
MARTIN, PRINGLE, OLIVER,	CITY PROSECUTOR	49607	5,347.67
MIAMI COUNTY MEDICAL CENTER	DRUG TEST	49608	96.70
NPG NEWSPAPERS, INC.	ORDINANCE 3747	49609	219.43
OIL PATCH PUMP & SUPPLY, INC.	COUPLING	49610	36.08
OLATHE HEALTH PHYSICIANS, INC.	PHYSICAL-BRANDT JOHNSON	49611	43.00
OLATHE WINSUPPLY CO.	CONDUIT FOR 9TH STEET SUB	49612	4,775.21
OLATHE WINWATER WORKS	DI MJ 45	49613	344.00
ORSCHELN FARM AND HOME	GLOVES	49614	19.99
PACE ANALYTICAL SERVICES, INC.	ANALYTICAL SERVICES	49615	50.00
PAOLA DO IT BEST HARDWARE	KEYS	49616	88.78
PAT'S SIGNS	DOOR DECALS	49617	1,494.00
PEPSI	POP	49618	302.55
PRAXAIR DISTRIBUTION, INC.	GLASSES	49619	19.23
R & J TRUCKING	GRAVEL HAULING	49620	1,300.20
REINDERS, INC.	SHAKEDOWN LIQUID, TURF MARK	49621	900.30
RURAL WATER DIST. #1	SERVICE	49622	154.55
SPRAYER SPECIALTIES, INC.	DIAPHRAGM PUMP	49623	167.09
SUDDENLINK COMMUNICATIONS	INTERNET	49624	402.09
US 25/07/4076/W80/H3/4x/16/a IPN4/Cket v1	BOAT GEAR REPAIR LOWER UNIT	49625	1,864.90

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Claimant	Nature of Claim or Service	Claim Number	Amount
VAN WALL EQUIPMENT	REELS	49626	1,489.85
VERIZON WIRELESS	INTERNET	49627	80.02
VISA	EARPIECE, TOTE LOCKERS, WIPES	49628	135.29
VISA	ELECTRIC SAFETY CODE BOOK, BAT	49629	658.35
VISA	FURNITURE, BRISKET, WATER, FRI	49630	906.76
VISA	TSHIRTS, CRAFT SUPPLIES, DVD'S	49631	1,527.90
VISA	LODGING, HAMMER DRILL, GRAPHIC	49632	3,481.58
WEX BANK	FUEL	49633	4,064.34
WICHITA STATE UNIVERSITY	KGFOA MEMBERSHIP	49634	50.00
WINKLER, DOMONEY & SCHULTZ	MUNICIPAL COURT JUDGE	49635	4,120.00
WYCOFF'S LOCKSMITHING	RCI ELECTRIC STRIKE	49636	388.20
CRAWFORD SALES COMPANY	BUDWEISER	49637	629.80
MIDWEST DISTRIBUTORS	MILLER	49638	183.15
KANSAS CITY POWER & LIGHT CO.	SERVICE	49639	1,263.22
KANSAS GAS SERVICE	SERVICES	49640	1,012.48
RICOH AMERICAS CORP.	COPIES	49641	349.96
APPARATUS SERVICES LLC	PUMP TEST	49642	179.40
APPLIED MAINTENANCE SUPPLIES	NYLON HX	49643	465.20
AT&T	RTU'S	49644	223.79
BG CONSULTANTS, INC.	CONSULTING SERVICES	49645	2,387.50
BREWER'S AUTOMOTIVE REPAIR	TIRE	49646	395.98
C & G MERCHANTS SUPPLY	CHIPS	49647	60.75
CARROT TOP INDUSTRIES, INC.	FLAGS	49648	998.17
CENTURYLINK	LONG DISTANCE	49649	47.02
CENTURYLINK	SERVICES	49650	765.60
CENTURYLINK	RTU'S	49651	236.56
CITY ATTORNEYS ASSOC OF KS	CITY ATTORNEY SPRING MEETING	49652	65.00
CONRAD FIRE EQUIPMENT, INC.	ADAPTER	49653	3,936.40
DEFFENBAUGH INDUSTRIES	SLUDGE HAUL OFF	49654	1,037.38
DIVE RESCUE INTERNATIONAL, IN.	DIVER RECERTIFICATION	49655	80.00
DONNA & VIOLA'S SHIRTS & ETC.	T-Shirts	49656	20.00
EVCO WHOLESALE FOOD CORP.	CUPS, FOIL, BURGERS, HOT DOGS	49657	373.47
W.W. GRAINGER INC	LAMP, TAPE, SEALANT	49658	852.05 5.035.00
HAWKINS, INC.	AZONE, AQUA HAWK, CARBON	49659	5,035.99
HESCO	FLOOD BARRIERS	49660	6,273.00
HI-VIZ SAFETY WEAR, LLC	SHIRTS	49661	1,228.25
HOME DEPOT CREDIT SERVICES	NON SHRINK GROUT	49662	117.27
HOOVERS UPHOLSTERY	TRUCK SEAT REPAIR	49663	320.00
JEO CONSULTING GROUP, INC.	CONSULTING SERVICES	49664	10,296.50
JERRY'S SPORTS CENTER	AMMO	49665	1,249.35
JIVE COMMUNICATIONS, INC.	PHONE	49666	229.45
K & M TIRES	TIRES	49667	369.24
	MEMBERSHIP	49668	80.00
KANSAS FIBER NETWORK, LLC	INFRASTRUCTURE PLANNING SERVIC	49669	44,641.00
KEY EQUIPMENT & SUPPLY CO.	PARTS MANUAL, VALVE	49670	150.30
KILLOUGH CONSTRUCTION, INC	ASPHALT	49671	1,690.35
KRIZ-DAVIS COMPANY	CLAMP	49672	868.22
LESO DISTRIBUTION DOCUMENT	RIFLE	49673	13.80
LOGAN CONTRACTORS SUPPLY,	CHALK, SHOVEL	49674	42.89
LYBARGER OIL, INC.	DYED DIESEL	49675	2,568.86
JENNIFER MCDANIEL	COMUNICATION SERVICES	49676	1,200.00
MIAMI LUMBER INC.	CONCRETE BLOCK, CONCRETE MIX	49677	272.39
MID STATES ENERGY WORKS, INC	TROUBLESHOOTING BREAKER	49678	650.00
MIDWEST POOL MANAGEMENT	DAY CAMP 2017	49679	187.50
MIDWEST PUMP & MECHANICAL	PUMP REPAIR	49680	2,675.00
NAPA AUTO PARTS	FUEL FILTER	49681	353.33
O'REILLY AUTO PARTS	GREASE	49682	4.29
OLATHE WINWATER WORKS	FINANCE CHARGE	49683	54.83

RECORD OF ORDINANCES

Dave Varants Issured:

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Claimant	Nature of Claim or Service	Claim	Amount
		Number	
PACE ANALYTICAL SERVICES, INC.	ANALYTICAL CHARGES	49684	316.00
PAOLA DO IT BEST HARDWARE	CABLE TIE	49685	2.98
PAT'S SIGNS	METAL SIGNS	49686	669.50
PROTECTIVE EQUIP. TESTING LAB.	ARC FLASH KIT	49687	2,024.35
QUILL CORPORATION	CALENDAR	49688	165.52
R & J TRUCKING	GRAVEL HAULING	49689	1,150.80
RAMSEY PRINTING CO.	CART ASSIGNMENT CARDS	49690	80.00
RED BUD SUPPLY, INC.	SUNGLASSES	49691	61.92
REJIS COMMISSION	LEWEB SUBSCRIPTION	49692	34.07
RICOH AMERICAS CORP.	COPIER LEASE	49693	311.30
RICOH AMERICAS CORP.	COPIER LEASE	49694	280.78
ROYAL METAL INDUSTRIES, INC.	METAL PIECES	49695	274.75
RURAL WATER DIST. #1	SERVICES	49696	135.93
SEA LIFE KANSAS	LEGO LAND TRIP	49697	257.00
SHERWIN WILLIAMS	PAINT, FRAME	49698	790.35
SHI INTERNATIONAL CORP	EDGESWITCH	49699	2,381.60
SITE ONE LANDSCAPE SUPPLY	HOLE CUTTER, BLADE, BALL WASHE	49700	379.79
SMITTYS LAWN & GARDEN EQUIP	SEAL OIL, RING, GASKET	49700	11.45
SOLARWINDS	MAILBOX FILTERING	49701	98.60
	CONEJET TIP		30.03
SPRAYER SPECIALTIES, INC.		49703	
SUDDENLINK COMMUNICATIONS	INTERNET	49704	119.90
T & R ELECTRIC SUPPLY CO., INC	TRANSFORMERS	49705	5,590.00
T2 HOLDINGS, LLC	SHREDDING	49706	60.00
DEBBIE TALLEY	MEMORIAL HALL JANITORIAL	49707	375.00
TEMCOM, INC	REPLACE OLD RADIO	49708	9,444.55
TURFWERKS	VALVE KEY, FREIGHT	49709	99.77
UNEMPLOYMENT INS. SERVICE	UNEMPLOYMENT INSURANCE	49710	400.00
UPS STORE	COPIES	49711	245.00
USD 367 SPORT & FITNESS ZONE	MEMBERSHIP	49712	80.00
VIKING INDUSTRIAL SUPPLY	PAPER PRODUCTS	49713	403.55
WAL-MART COMMUNITY BRC	CANDY, MEAT, PICKLES, POTATOES	49714	1,173.98
THE WORK ZONE, INC	DIVERTER	49715	790.00
ZEP SALES & SERVICE	DUAL FORCE PP AERO	49716	130.99
Payroll 05/12/17			96,482.94
Fica 05/12/17			6795.99
Payroll 05/26/17			103373.3
Fica 05/26/17			7317.98
KPERS			15321.37
Total			729,701.90
			-,
		GO	199,371.53
		WTR	40,631.06
		EL	
			195,860.32
		Emp Ben	63,658.95
		RF	31,327.73
		LIB	2,051.83
		IND	45,641.00
		SP&R	699.00
		St Imp	19,759.59
		Safety Eq	
		Sewer	28,374.54
		Golf	40,048.52
		TRSM	5,078.53
		CIP-Gen	2,102.76
		CIP-St	2,387.50
		El Bond	4,775.21
		Caf	457.00
			729,701.90

CITY OF OSAWATOMIE

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



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

L. Mark Govea, Mayor

2017 APPLICATION FOR FIREWORKS STAND PERMIT

Name of Stand: MOON'S FIREWORKS
Applicant's Name: NE CORNER 67H1 WACNUT of Storage: SAME MOON'S/ROWS PAGEING LOT MIKE MOON
Applicant's Name: MOON'S/KONS PACKING TO MIKE MOON
Address: ROHRER HTS DE
Home #: Novie Cell #: 913 731 4/144 Email: MOON@CLASSICNET. NET
Fed ID #: State of KS Tax ID #:
I understand and agree to follow the laws of the State of Kansas and the Ordinances of the City of Osawatomie. I have received a copy of the City of Osawatomie 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:
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 31st deadline. Those documents are listed below in bold.
FOR OFFICE USE ONLY (Stand Fee \$1,000)
Date of Application: 05-31-17 Receipt #: 55615 Check #: 1300
Drawing Certificate of Insurance – City of Osawatomie 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 #: Check #:
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



PROCLAMATION

ISSUED BY THE MAYOR AND CITY COUNCIL

WHEREAS, the businesses of Osawatomie are vital to our state's economic health; and

WHEREAS, Osawatomie's existing businesses are the key to a prosperous future; and

WHEREAS, these businesses provide the most important components of growth as their expansion accounts for the majority of new jobs created for the citizens of Osawatomie; and

WHEREAS, public awareness of the contributions made by businesses is the key to sustaining a healthy business – community relationship; and

WHEREAS, the people of Osawatomie are grateful to the businesses of Osawatomie for their generous contributions to the quality of life we all enjoy;

WHEREAS, over 200 private sector businesses have chosen Osawatomie as their place of business; and

WHEREAS, those businesses employ more than 1,375 people, with over 1,500 being employed within our school district boundaries;

NOW, THEREFORE, I, L. Mark Govea, Mayor of Osawatomie, do hereby proclaim

June, 2017 Kansas Business Appreciation Month

in Osawatomie, and urge all citizens to salute their local businesses and their employees for their outstanding contributions and commitment to our community.

Proclaimed this 8th day of June, 2017.

L. Mark Govea, Mayor City of Osawatomie



June 1, 2017

City of Osawatomie, KS Attn: Don Cawby, City Manager PO Box 37 Osawatomie, KS 66064

RE: Osawatomie, Kansas

12 MW Generation Capacity Improvements

JEO Project No. 141554

Dear Don:

JEO Consulting Group, Inc. (JEO) is pleased to submit this letter of recommendation for the following five items to be discussed at the next regularly scheduled City council meeting:

- 1. JEO received a request for payment from IES Commercial, Inc. (IES) for the retainage on the '7TH Street Substation Phase II' project. The amounts for which IES is requesting has been completed to date and JEO recommends to approve Contractor's Application for Payment No. 6 (Final), included, in the amount of \$16,365.47. Please print out three copies and execute upon council approval. Keep one copy for your file, return one to IES with the payment and the final copy to JEO for our records.
- 2. Upon receipt of IES's request for final payment, JEO completed the Certification of Substation Completion on the '7TH Street Substation Phase II' project. The execution of the Certificate of Substation Completion marks the commencement of the one-year warranty period. JEO recommends to approve said document, included. Please print out three copies and execute upon council approval. Keep one copy for your file, return one to IES with the payment and the final copy to JEO for our records.
- 3. JEO received a request for change order from NMC Power Systems (NMC) for the installation of 480V sensing potential transformers (PT's) for each generator and to fully automate the '9TH Street Substation' project controls. The addition of the 480V sensing PT's were required to allow the generator(s) to sync across the 480V circuit breaker(s). The full automation of the 9TH Street Substation will allow the generators to start and pick up the City's load without any City staff on-site during an outage. The amount for which NMC is requesting is reasonable and JEO recommends to approve Contractor's Change Order No. 1, included, in the amount of \$29,780.00. Please print out three copies and execute upon council approval. Keep one copy for your file, return one to NMC with the payment and the final copy to JEO for our records.
- 4. JEO received a request for payment from NMC for the work completed on the 'Osawatomie Generator Automation Phase III' project thru the 30th day of April 2017. The amounts for which NMC is requesting has been completed to date and JEO recommends to approve Contractor's Application for Payment No. 2, included, in the amount of \$55,226.65. Please print out three copies and execute upon council approval. Keep one copy for your file, return one to NMC with the payment and the final copy to JEO for our records.

JEO CONSULTING GROUP INC ■ JEO ARCHITECTURE INC

City of Osawatomie, KS June 1, 2017 Page 2

5. JEO received a request for change order from Mid-States Energy Works, Inc. (Mid-States) for the installation of revenue grade metering for the three generators at the 7TH Street Substation. The addition of the revenue grade meters will allow Kansas City Power and Light to meter each unit per the Southwest Power Pool guidelines. The amount for which Mid-States is requesting is reasonable and JEO recommends to approve Contractor's Change Order No. 2, included, in the amount of \$31,092.00. Please print out three copies and execute upon council approval. Keep one copy for your file, return one to Mid-States, and the final copy to JEO for our records.

If you have any questions and/or concerns do not hesitate to contact me at (402) 371-6416 Ext. 1114 or (402) 360-0217.

Respectfully submitted,

Matt & Hale

Matt E. Kalin, PE Project Engineer

MEK:skw Enclosure

		Period:		5/25/2017	
To City of Osawatomie, Kansas (Owner):	ınsas	From IES Commercial, Inc. (Contractor):	Via (Engineer):	JEO Consulting Group, Inc.	
Project: 7th Street Substation Phase II	iase II	Contract: 7th Street Substation Phase II	hase II		
Owner's Contract No.:		Contractor's Project No.:	Engineer's Project No.:	ct No.: 141554	
	Application For Payment Change Order Summary				
Approved Change Orders			1. ORIGINAL CONTRACT PRICE		
Number	Additions	Deductions	2. Net change by Change Orders	, s	\$11,605,00
1	\$13,120.00		3. Current Contract Price (Line 1 ± 2)		
2		\$1,515.00	4. TOTAL COMPLETED AND STORED TO DATE	то рате	
			(Column F total on Progress Estimates)	s)	\$158,428.00
			×	\$158,428.00 Work Completed \$	
			b. 10% X		
			c. Total Retainage (Line 5.	c. Total Retainage (Line 5.a + Line 5.b)	
TOTALS	\$13 120 00	01 515 00	6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5.c)	ne 4 - Line 5.c) \$	\$158,428.00
TOTAL	010,120,00	\$1,515.00	7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application)	6 from prior Application) \$	\$142,062.53
CHANGE ORDERS	\$11,605.00	05.00	8. AMOUNT DUE THIS APPLICATION	Ns	\$16,365.47
			(Column G total on Progress Estimates + Line 5.c above)	+ Line 5.c above) \$	
Contractor's Certification The undersigned Contractor certifies, to the best of its knowledge, the following: (1) All previous progress payments received from Owner on account of Worle do.	, to the best of its knowledge, t	Contractor's Certification The undersigned Contractor certifies, to the best of its knowledge, the following: (1) All previous progress payments received from Owner on account of Worle done under the Contract	Payment of:	\$16,365.47	
e been applied on account to discl	harge Contractor's legitimate o	have been applied on account to discharge Contractor's legitimate obligations incurred in connection	(Line 8 or	(Line 8 or other - attach explanation of the other amount)	rer amount)
will the work covered by prior Applications for Payment; While the Work, meterials and equipment incorporated in said Work, or otherwise listed in or covered by this Amilication for purpose will more to Conserve the Conserved by this Amilication for purpose will more to Conserve the Conserved to the Conserved t	lications for Payment; quipment incorporated in said	Work, or otherwise listed in or	is recommended by:	the fall	6-1-17
Liens, security interests, and encumbrances (except such as are covered by a bond acc indemnifying Owner earlist any such 1 iens eventive interest or encumbrances).	rances (except such as are covered to liens security interest or en	Liens, security interests, and encumbrances experts to a security interests, and encumbrances experts to the more indemnifying Owner against any such Liens, evenify interest or a promote against any such Liens, evenifying the promote or an encountry and acceptable to Owner indemnifying Owner against any such Liens, evenifying the promote or an encountry and acceptable to one of the promote of		(Engineer)	(Date)
(3) All the Work covered by this Appl and is not defective.	dication for Payment is in acco	(3) All the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.	Payment of: \$	\$16,365.47	
			(Line 8 or	(Line 8 or other - attach explanation of the other amount)	ner amount)
			is approved by:		
Contractor Signature				(Owner)	(Date)
Saly		Date: 5-17-17	Approved by:		

EJCDC® C-620 Contractor's Application for Payment © 2013 National Society of Professional Engineers for EJCDC. All rights reserved. Page 1 of 2

Contractor's Application

Progress Estimate - Lump Sum Work

For (Contract):	7th Street Substation Phase II			Application Number:	6 (Final)			
Application Period:	2/6/2017			Application Date:	5/25/2017			
			Work Co	Work Completed	丑	F		Ð
	A	В	C	D	Materials Presently	Total Completed	ò	Balance to Finish
Specification Section No.	Description	Scheduled Value (\$)	From Previous Application (C+D)	This Period	Stored (not in C or D)	and Stored to Date $(C + D + E)$	% (F / B)	(B - F)
1	Generator Enclosure Re-Assembly Work: Complete with intake/discharge louvers, discharge scoops, exhaust catalyst/cabling/stacks/monitoring, stands/stairs/railings, exterior/interior lighting, motorized damper operation and all incidentals for a complete assembly.	\$24,341.00	\$24,341.00			\$24,341.00	100.0%	
2	Fencing	\$11,615.00	\$11,034.25	\$580.75		\$11,615.00	100.0%	
3	Grounding: Complete with equipment, fencing and all incidentals for a complete product.	\$20,200.00	\$20,200.00			\$20,200.00	100.0%	
4	Switchgear Building: New entry door	\$1,515.00	\$1,515.00			\$1,515.00	100.0%	
5	Switchgear Building Electrical: Complete with exit/outdoor lighting, switching, conductors, conduit and all incidentals for a complete product.	\$12,291.00	\$12,291.00			\$12,291.00	100.0%	
9	Generator Electrical: Complete with conductors, connections and all incidentals for a complete product from each 4000/3 circuit breaker to the 1200/3 circuit breaker.	\$76,861.00	\$76,861.00			\$76,861.00	100.0%	
7	Final Grading/Rock Surfacing							
8	Change Order No. 1	\$13,120.00	\$13,120.00			\$13,120.00	100.0%	
8	Change Order No. 2	(\$1,515.00)	(\$1,515.00)			(\$1,515.00)	100.0%	
	Totals	\$158,428.00	\$157,847.25	\$580.75		\$158,428.00		

EJCDC® C-620 Contractor's Application for Payment © 2013 National Society of Professional Engineers for EJCDC. All rights reserved. Page 2 of 2

Appli Appli	Application Number: 6 Application Date: 1/31/2017					IES COMMERCIAL INC	SCIAL INC.		
Perio Perio	od From: Start					PO BOX 27			
7-06	To: 1/27/2017					HOLDREGE,	HOLDREGE, NE 68949-0027		
Project Projec	Oğawatamie 7th St. Substation - Phase 2 522064020 Pgeject No. 141554	4020				(308) 995-4462	Ç,		
jend						QUANTITY			
Σ UP L		ESTIMATED		LIND	CONTRACT	CONTRACT COMPLETED	TOTAL	STORED	TOTAL COMPLETED
<u>ğ</u>	DESCRIPTION OF WORK	QUANTITY	UNIT	PRICE	AMOUNT	TO DATE	COMPLETED	TO DATE	& STORED TO DATE
cet									
v1	PHASE 2								
	1 Generator Enclosure Re-Assembly Work	1	ST	24,341.00	24,341.00	1.00	24,341.00	00.00	24.341.00
	2 Fencing	1	rs	11,615.00	11,615.00	1.00	11,615.00	00:00	11,615.00
	3 Grounding	1	ST	20,200.00	20,200.00	1.00	20,200.00	0.00	20.200.00
_	4 Switchgear Building: New Entry Door	1	ST	1,515.00	1,515.00	1	00.0	0.00	00.00
. ,	5 Switchgear Building Electrical	1	ST	12,291.00	12,291.00	1.00	12,291.00	00.00	12.291.00
	6 Generator Electrical	1	ST	76,861.00	76,861.00	1.00	76.861.00	00.0	76.861.00
	7 Final Grading/Rock Surfacing	1	FS	FBO					
	8 Change Order #1	1	ST	13,120.00	13,120.00	1.00	13,120.00	00.0	13.120.00
	9 Change Order #2	1	ST	-1,515.00	-1,515.00	-	00.0		0.00
							i		
TOTA	TOTAL BID FOR ALL UNIT PRICES				158,428.00		158.428.00	00.0	158 428 00

CERTIFICATE OF SUBSTANTIAL COMPLETION

Owner: Contractor:	City of Osawato : IES Commercial,			Owner's Cont Contractor's F			
Engineer:	JEO Consulting G			Engineer's Pro		141554	
Project:	7 th Street Substa			Contract Nam			Substation
This final	Certificate of Subs	tantial Comp	letion applies to:			22.44	
⊠ AII	Work			The following spo	ecified portio	ons of the W	ork:
			May 12, 2017				
			of Substantial Comp				
designated The date of contractual	above is hereby ending to be sulfabored is hereby ending in Substantial Componential Comp	bstantially co stablished, su pletion in the and applicable	has been inspected by mplete. The Date of S bject to the provisions final Certificate of Sub e warranties required orrected is attached to	Substantial Comples of the Contract postantial Completion by the Contract.	etion of the pertaining to on marks th	Work or po Substantial e commence	rtion thereo Completion ement of the
the failure t	to include any iten with the Contract.	ns on such lis	it does not alter the re	esponsibility of the	This list may Contractor	not be all-i to complet	nclusive, and e all Work in
amended as	ind warranties upo follows: [Note: Ai	on Owner's u mendments o	Contractor for secu se or occupancy of the f contractual responsib tor; see Paragraph 15.	e Work shall be as pilities recorded in	s provided in this Certification	the Contra	ct except a
	ts to Owner's	None □ As follow					
Amendment Contractor's	s to responsibilities:	None □ As follow	s:				
The followin	g documents are a	ittached to ar	nd made a part of this (Certificate:			
This Certifica release of Co	ate does not const ontractor's obligati	titute an acce on to comple	eptance of Work not in te the Work in accorda	accordance with	the Contractract.	ct Document	s, nor is it a
EXECUT	ED BY ENGINEER:		RECEIVED:		O RE	CEWED:	
By: <u>Ma</u> (Auth	norized signature)	Ву:	Owner (Authorized Sigr	By:	Contractor	Muthorized S	Signature)
	eut Engineer	Title:		Title:	5 5 5 5 5 5 5 5 5 5 5 5 5	L MANAGER	
Title: Proj	The state of the s	0-1-		Deter	5-17-17	7	
Title: <u>Prod</u> Date: <u>6-1</u> -	-17	Date:		Date:	7 17 17		

Date of Issuance:	June 1, 2017	Efective Date:	June 8, 2017
Owner:	City of Osawatomie, Kansas	Owner's Contract No.:	74114 6, 2027
Contractor:	NMC Power Systems	Contractor's Project No.:	
21.44.46.45.57.	JEO Consulting Group, Inc.	Engineer's Project No.:	141554
ingineer:	Osawatomie Generator	Liigineer 3 Project No.:	Osawatomie Generator
Project:	Automation - Phase III	Contract Name:	Automation - Phase III
	odified as follows upon execution of	of this Change Order	
	1. New 480V sensing potential tr		r 2 Fully automate
Description:	9 TH Street substation controls.	ansionners for each generator	1. 2. Fully automate
	9 Street substation controls.		
Attachments:	NMC Power Systems change orde	er letter	
CHAN	NGE IN CONTRACT PRICE	CHANGE IN	CONTRACT TIMES
		(note changes in N	Ailestones if applicable]
Original Contract F	Price:	Original Contract Times:	
		Substantial Completion:	
	614,258.00	Ready for Final Payment:	
			days or dates
Increase] [Decrea	se] from previously approved	[Increase] [Decrease] fro	m previously approved Change
hange Orders No	to No:	Orders No	to No:
		Substantial Completion:	
San III		Ready for Final Payment:	
			days
Contract Price price	or to this Change Order:	Contract Times pri	or to this Change Order:
		Substantial Completion:	
	614,258.00	Ready for Final Payment:	
			days or dates
Increase] [Decrea	se] of this Change Order:	[Increase] [Decreas	se] of this Change Order:
		Substantial Completion:	
	29,780.00	Ready for Final Payment:	
			days or dates
Contract Price inco	orporating this Change Order:	Contract Times with a	Il approved Change Orders:
		Substantial Completion:	
	644,038.00	Ready for Final Payment:	
			days or dates
RECOM	MENDED:	ACCEPTED:	ACCEPTED:
y: Matt	Kal By:	By:	Alles
		ner (Authorized Signature)	Contractor (Authorized Signature)
		Title:	Sevier Project Men
itle: Project	L' noi neel		

EJCDC® C-941, Change Order.

Prepared and published 2013 by the Engineers Joint Contract Documents Committee.

Date:

Page 1 of 1

By:

Title:

Vork
Sun
Lump Sum
nate -
Estimate
Order]
Change (

O			
JEO Project Name:	Osawatomie Generator Automation - Phase	JEO Project Number: 141554	
Owner:	City of Osawatomie, Kansas	Change Order Number: 1	
Contractor:	NMC Power Systems	Effective Date: June 8, 2017	
	ltem		Change Order Information
Specification Section No.	Desc	Description	Scheduled Value
	7TH Street Substation 480V S	7TH Street Substation 480V Sensing Potential Transformers	\$5,765.00
	9TH Street Substation 480V §	9TH Street Substation 480V Sensing Potential Transformers	\$5,765.00
	Full Automation of 9TH	Automation of 9TH Street Substation Controls	\$18,250.00
			\$0.00
			\$0.00
			\$0.00
			\$0.00
			\$0.00
			\$0.00
			\$0.00
			\$0.00
			\$0.00
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			\$0.00
			\$0.00
			\$0.00
			\$0.00
			\$0.00
			\$0.00
			\$0.00
			\$0.00
	TC TC	Total:	\$29,780.00



April.28.2017

Mr. Matt JEO Consulting Group, Inc. 803 W. Norfolk P.O. Box 1424 Norfolk, NE 68702-1424

Re: Osawatomie, KS – Change Order to Caterpillar Generator Automation

Change order #1: Sensing PT's on Substation Addition Controls

This change order is for all parts, labor and material in adding sensing PT's to both the 7th street and 9th street substations. This work has been completed on the 7th street substation. In ordering the needed PT's and associated parts we included the 9th street substation. When the commissioning of the 9th street substation is taking place the PT's will be added at that time and no further change order submitted for that work.

7th Street Substation Sensing PT's \$5,765.00 9th Street Substation Sensing PT's \$5,765.00

Change order #1: Sensing PT's on Substation Addition Controls Total: \$11,530.00

Change order #2: Automation of 9th Street Substation Controls

This change order is for all parts, labor, material and programing to automate the 9th street substation controls. This work will take place when commissioning the 9th street substation.

Change Order #2 Automation of 9th Street Substation Controls: \$18,250.00

Any applicable sales tax is <u>not</u> included in the above prices. If tax is needed on parts please add \$225.00.

Thank you for considering NMC Power Systems for your service needs. Feel free to contact me if you have any questions concerning this proposal.

Pat Henry

NMC Power Systems
Pat Henry, Advanced Electrical Systems Sales

Direct: 402-891-7510 Cell: 402-658-3479





NOTES, TERMS AND CONDITIONS

This quotation is valid for a firm; written order for the equipment described herein and is valid for 30 days from the original date of quotation.

This project may be impacted by commodity surcharges.

Generators, transfer switches and switchgear will be invoiced at the time of delivery. Payment terms are net 30 days from the date of invoice and are subject to the approval of our credit department at the time an order is placed. NMC Power Systems does not approve or acknowledge any other terms with express written confirmation.

11002 Sapp Bros. Dr. Omaha, NE 68138

4918 F St. Omaha, NE 68117

10608 Sapp Bros. Dr. Omaha, NE 68138

10808 S. 156th St. Omaha, NE 68136

2705 N. 10th St. Gering, NE 69341

3501 S. Jeffers St. North Platte, NE 69101

10501 S. US Hwy. 281 Doniphan, NE 68832

622 23rd St. Columbus, NE 68601

2514 S. 13th St. Norfolk, NE 68701

1717 Chiefs Way Wayne, NE 68787

925 280th Rd. Seward, NE 68434

930 West O St. Lincoln, NE 68528

401 NW 56th St. Lincoln, NE 68528

5601 NE 22nd St. Des Moines, IA 50313

11332 265th St. Mason City, IA 50401

	Application 5/8/2017 Period:	Application Date:	6/8/2017	
To City of Osawatomie, Kansas (Owner):	From NMC Power Systems (Contractor):	Via (Engineer):	JEO Consulting Group, Inc.	6
Project: Osawatomie Generator Automation - Phase III	Contract: Osawatomie Generator Automation - Phase III	n - Phase III		
Owner's Contract No.:	Contractor's Project No.: PRI000204	Engineer's Project No.:	0.: 141554	
Application For Payment Change Order Summary	ii ti			
Approved Change Orders		1. ORIGINAL CONTRACT PRICE	S	\$ \$614,258.00
Number Additions	Deductions 2: Net ch	2. Net change by Change Orders	· 6	
1 \$29,780.00		3. Current Contract Price (Line 1 ± 2)	\$	
	4, TOTA	4. TOTAL COMPLETED AND STORED TO DATE (Column F total on Progress Estimates)		\$ \$354,860.00
	S. RETA	RETAINAGE:		
		a. 5% X \$354,860		\$ \$17,743.00
		Total	епа!	2 517 742 00
	OWA &	AMOUNT ELICIBLE TO DATE (Line 4- Line 5.)		
TOTALS \$29,780.00	7. LESS	7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application)	ication)	
NET CHANGE BY	8. AMOI	8. AMOUNT DUE THIS APPLICATION		
	Colum	(Column G total on Progress Estimates + Line 5.c above)	5.c above)	S S306,921.00
Contractor's Certification The undersigned Contractor certifies, to the best of its knowledge, the following: (1) All previous progress payments received from Owner on account of Work done under the Contran have been applied on account to discharge Contrator's legitimate obligations incurred in connection with the Work covered by prior Applications for Payment; (2) Title to all Work, materials and equipment incorporated in said Work, or otherwise listed in or	ne under the Contract urred in connection ravise listed in or	S S deed by:	S55,226.65 (Line 8 or other - attach explanation of the other amount)	other amount)
covered by this Application for Fayment, will pass to Owner at time of payment tree and clear of all Liens, security interests, and encumbrances (except such as are covered by a bond acceptable to Owner	ind clear of all eptable to Owner		(Engineer)	(Date)
indemnitying Cwirer against any such Liens, security interest, or encumbrances); and (3) All the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.	or encumbrances); and accordance with the Contract Documents Payment of:	nt of: \$	\$55,226.65	
	orde si	(Line 8 or c Line 8 or c	(Line 8 or other - attach explanation of the other amount)	other amount)
Contractor Signature			(Owner)	(Datc)
By:	Date: 6-5-17 Approved by:	Ţ	Funding or Financing Entity (if annlicable)	(Second

EJCDC® C-620 Contractor's Application for Payment © 2013 National Society of Professional Engineers for EJCDC. All rights reserved. Page 1 of 2

Contractor's Application

Progress Estimate - Lump Sum Work

For (Contract):	Osawatomie Generator Automation - Phase III		7	Application Number:	2			
Application Period:	5/8/2017		7	Application Date:	6/8/2017			
			Work Completed	mpleted	Ħ	Ħ		Ð
	A	В	С	D	Materials Presently	Total Completed	ò	Balance to Finish
Specification Section No.	n Description	Scheduled Value (\$)	From Previous Application (C+D)	This Period	Stored (not in C or D)	and Stored to Date $(C + D + E)$	(F / B)	(B - F)
	7th Street Substation Addition Controls	\$301,185.00	\$271,066.50	\$30,118.50		\$301,185.00	100.0%	
	9th Street Substation Controls to include: (1) refurbished 4000A circuit breaker, cabinet and breaker structure	\$42,145.00	\$42,145.00			\$42,145.00	100.0%	
	9th Street Substation Controls	\$270,928.00						\$270,928.00
	Change Order No. 1 - 480V Sensing PT's and Full Automation of 9TH Street Substation Controls	\$29,780.00		\$11,530.00		\$11,530.00	38.7%	\$18,250.00
	Totals	\$644,038.00	\$313,211.50	\$41,648.50		\$354,860.00		\$289,178.00

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		Ch	ange Order No. 2
Date of Issuance:	June 1, 2017	Effective Date:	June 8, 2017
Owner:	City of Osawatomie, Kansas	Owner's Contract No.:	
Contractor:	Mid-States Energy Works, Inc.	Contractor's Project No.:	1719
Engineer:	JEO Consulting Group, Inc.	Engineer's Project No.:	141554
Project:	7th Street Substation - Phase IV Switchgear Addition	Contract Name:	7th Street Substation - Phase IV Switchgear Addition
The Contract is m	odified as follows upon execution of	this Change Order:	
Description:	Furnish & install revenue grade m Street Substation.	etering for the three general	tors at the 7TH
Attachments:	Mid-States proposal letter		
CHAN	NGE IN CONTRACT PRICE	CHANGE IN	CONTRACT TIMES
		[note changes in	Milestones if applicable]
Original Contract F	Price:	Original Contract Times:	
		Substantial Completion:	
\$	182,761.00	Ready for Final Payment:	
			days or dates
Increase) [Decrea	se) from previously approved	[increase] [Decrease] from	previously approved Change
Change Orders No	. <u>1</u> to No. <u>1</u> :	Orders No to No:	
		Substantial Completion:	
S	585.00	Ready for Final Payment:	
1 1			days
Contract Price price	or to this Change Order:	Contract Times prior to thi	s Change Order:
	The state of the s	Substantial Completion:	
\$	183,346.00	Ready for Final Payment:	
			days or dates
Increasel (Decrea	se) of this Change Order:	[Increase] [Decrease] of th	is Change Order:
	2	Substantial Completion:	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
\$	31,092.00	Ready for Final Payment:	
			days or dates
Contract Price inco	orporating this Change Order:	Contract Times with all app	proved Change Orders:
	A STATE OF THE STA	Substantial Completion:	
\$	214,438.00	Ready for Final Payment:	
•			days or dates
RECOM	MENDED: A	CCEPTED:	ACCEPTED()//
By: Matt	E. Kale By:	By:	Michael (Schmal
		er (Authorized Signature)	Contractor (Authorized Signature
	Engineer Title:	Title	: PRESIDENT
Date: 6-5-17	- Agrice	Date	
6-3-17			-14.1
Approved by Fund	ling Agency (if		
applicable)			
Ву:		Date	2:
Title			

EJCDC® C-941, Change Order.

Prepared and published 2013 by the Engineers Joint Contract Documents Committee.

Page 1 of 1

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Order]
Change (

	¥	-	
JEO Project Name:	7th Street Substation - Phase IV Switchgear Addition	JEO Project Number: 141554	
Owner:	City of Osawatomie, Kansas	Change Order Number: 2	
Contractor:	Mid-States Energy Works, Inc.	Effective Date: June 8, 2017	
	ltem		Change Order Information
Specification Section No.	Desc	Description	Scheduled Value
	Furnish & install three Landis+Gyr Elite switchboard meters, nine revenue grade current transformers, conduit to KCPL RTU panel, communications cable to KCPL RTU panel, and incidentals for a complete operational revenue grade metering on each generator.	ndis+Gyr Elite switchboard meters, nine revenue grade current KCPL RTU panel, communications cable to KCPL RTU panel, and all e operational revenue grade metering on each generator.	\$31,092.00
			\$0.00
			\$0.00
			\$0.00
			\$0.00
			\$0.00
			\$0.00
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			\$0.00
			\$0.00
			\$0.00
	Te	Total:	\$31,092.00



SALINA, KS 67402-1098 • 618 NORTH SANTA FE • P. O. BOX 1098 • PHONE 785-827-3631 • FAX 785-827-3633

April 29, 2017, 2017

City of Osawatomie Attn: Stewart Kasper 439 Main St. Osawatomie, KS 66064

Re: Proposal to add revenue grade metering for three generators at the 7th Street Substation

Stewart,

Mid-States appreciates the opportunity to provide the City of Osawatomie with the following proposal to add revenue grade metering to the three generators at the 7th Street Substation.

Mid-States would purchase and install three L+G Elite switchboard meters, one for each generator. Mid-States would also purchase and install nine revenue grade current transformers, three for each generator. The existing bus potential transformers are already revenue grade. Mid-States will wire the new current transformers and the existing bus potential to each of the meters.

Mid-States will also install conduit and communications cable from the meters to KCP&L's RTU.

If the City would prefer to have socket meters installed on the north wall adjacent to the tie meter rather than installing switchboard meters in the gear, we can do that instead for the same price as quoted below.

The cost for the work described above would be \$31,092 plus any applicable taxes.

Let me know if you have any questions.

Sincerely,

Mike Schmaderer, P.E.

President, Mid-States Energy Works, Inc.

CITY OF OSAWATOMIE



STAFF AGENDA MEMORANDUM

DATE OF MEETING: June 8, 2017

AGENDA ITEM: CDBG Change in Scope for Main Street Phase 2

PRESENTER: Don Cawby, City Manager

ISSUE SUMMARY: Since we have approved the CDBG project on February 23rd, this project has seen several delays and changes from the state and federal level. Without dwelling on how we got here, what we now need is to submit to the Kansas Department of Commerce an official statement of scope of work for Main Street – Phase 2. They see this as a revision. We see it as the plan all along.

Included is a letter to be sent to CDBG to "revise" the scope of work which will allow the revised environmental certifications to begin to be collected. Once these are submitted and approved, the City will be able to bid the project, except that sidewalk replacement will not be allowed to be part of the project.

As background, I have submitted the important emails and letters between us/BG Consultants and the Department of Commerce which have led up to this situation.

COUNCIL ACTION NEEDED: Review proposed letter.

STAFF RECOMMENDATION TO COUNCIL: Motion to authorize the mayor to sign the letter on behalf of the City Council.

Don Cawby

Vice President

From: Salih Doughramaji [KDC] <Salih.Doughramaji@ks.gov> Sent: Monday, April 17, 2017 8:29 AM To: **Brian Kingsley** Cc: Diane Rosebaugh; Don Cawby; Blake Madden; GAS Garrett Nordstrom **Subject:** RE: Osawatomie Main Street Improvements - 2017 CDBG CF Grant Brian, The city cannot bid the project out prior to clearing the environmental review. By bidding the project out prior to ER clearance you are limiting the city's choices if the ER shows something that needs to be addressed. So, hold off on bidding the project till after you know the budget situation, and the grant administrator has cleared the environmental review. Salih **From:** Brian Kingsley [mailto:brian.kingsley@bgcons.com] **Sent:** Friday, April 14, 2017 3:09 PM To: Salih Doughramaji [KDC] Cc: Diane Rosebaugh; Osa Manager Don Cawby; Osawatomie Blake Madden; GAS Garrett Nordstrom **Subject:** Osawatomie Main Street Improvements - 2017 CDBG CF Grant Salih: I believe I understand correctly that the commencement date for the 2017 CF projects is May 1, 2017. The funding is in question until confirmation or a favorable continuing resolution is put in place at the federal level for DOC funding. During the Grant workshop you stated that the potential recipients of 2017 grants could "proceed with activities at their own risk" (or something to that effect). I want to ask for clarification on what activities are acceptable. The City hired BG Consultants, Inc. to perform the design prior to applying for the grant for this project. I don't believe the design activities are a part of the CDBG project budget and are not included as matching funds. Question: Can the City advertise the project for bids prior to the May 1st commencement date? The City will consider options regarding how to proceed with the project if the CDBG is not able to be awarded to the City for the project. The City is also concerned that the continuing resolution could be delayed. The sooner contractors are aware of the project the better, contractor schedules are filling up. The City wants to maximize the opportunity for competition and maximize the opportunity for summer 2017 construction. Thank you, Brian Brian Kingsley, P.E.

Business and Community Development 1000 S.W. Jackson St., Suite 100 Topeka, KS 66612-1354



Phone: (785) 296-5298 Fax: (785) 296-3490 TTY: 711 KansasCommerce.com

Sam Brownback, Governor

Antonio J. Soave, Secretary

May 10, 2017

The Honorable Mark Govea Mayor, City of Osawatomie PO Box 37 Osawatomie, KS 66064-0037

RE: CDBG 17-PF-025 City of Osawatomie Procurement and Bidding

Dear Mayor Govea:

CDBG staff has been in discussion with Brian Kingsley, Project Engineer with BG Consultants concerning the city's street project.

The discussion centered around procurement and bidding of the project, specifically to include storm drainage and sidewalks plus an additional half city block of street improvements to the current scope of work. CDBG staff met to discuss this proposal and we have concluded that storm drainage and sidewalks cannot be a part of this project.

The CDBG project was awarded based on a project description that encompassed the improvement of five city blocks. Storm drainage was not part of the project description and sidewalks are a completely separate activity.

Therefore, the Advertisement for Bids and procurement must be for five city blocks as the base bid. The City may elect to include an add alternate for the additional half city block, if funds are still available after the five city blocks are completed.

A reminder that the half city block add alternate will need an Environmental Review clearance.

The activities of storm drainage and sidewalks are not part of the CDBG project and must not be included in any publication or documents including the construction contract.

If the City has any questions regarding this guidance, please feel free to contact your CDBG Project Manager, Le Ann Thurman at (785) 296-4100 or email at <u>LeAnn.Thurman@ks.gov</u>.

Sincerely,
Dula Pmu

Darla Price

Director, Business & Community Development

Cc: Brian Kingsley, Garret Nordstrom, file

From: LeAnn Thurman [KDC] [mailto:LeAnn.Thurman@ks.gov]

Sent: Wednesday, May 24, 2017 9:17 AM

To: Ashley Kobe; 'Brian Kingsley'; 'GAS Garrett Nordstrom'

Cc: Darla Price [KDC]

Subject: RE: Osawatomie 17 PF 025

Hello.

We received more information from HUD and will be providing more guidance about this project very soon. Until then, please **Do Not Advertise for Bid** for any aspect of this project.

I will provide further guidance here shortly.

Thank you for your patience,

Le Ann

The Community Service Tax Credit Application Deadline has been extended to July 1^{st} . See the website for more information.

Le Ann W. Thurman M.M.

Business and Community Development: Community and Economic Development Representative Kansas Department of Commerce

1000 SW Jackson St., Suite 100 Topeka, KS 66612-1354

(785) 296-4100

(785) 296-3490 fax

<u>LeAnn.Thurman@ks.gov</u> New Email Address

www.kansascommerce.com

From: LeAnn Thurman [KDC] [mailto:LeAnn.Thurman@ks.gov]

Sent: Thursday, May 25, 2017 4:25 PM

To: 'GAS Garrett Nordstrom'; Ashley Kobe; 'Brian Kingsley'

Cc: Darla Price [KDC]; Salih Doughramaji [KDC]

Subject: Osawatomie 17 PF 025 Second letter concerning Procurement

Importance: High

Hello,

This letter will go out in the morning mail run. This is the <u>final</u> <u>decision</u> concerning Procurement for this project. Please retain and copy this email for your project files.

Sincerely,

Le Ann

Le Ann W. Thurman M.M.

Business and Community Development: Community and Economic Development Representative

Kansas Department of Commerce

1000 SW Jackson St., Suite 100

Topeka, KS 66612-1354

(785) 296-4100

(785) 296-3490 fax

LeAnn.Thurman@ks.gov New Email Address

www.kansascommerce.com

Business and Community Development 1000 S.W. Jackson St., Suite 100 Topeka, KS 66612-1354



Phone: (785) 296-5298 Fax: (785) 296-3490 TTY: 711 KansasCommerce.com

Sam Brownback, Governor

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Antonio J. Soave, Secretary

May 25, 2017

The Honorable Mark Govea Mayor, City of Osawatomie PO Box 37 Osawatomie, KS 66064-0037

RE: CDBG 17-PF-025 City of Osawatomie Procurement and Bidding

Dear Mayor Govea:

After further consideration of the events and numerous discussions about this particular CDBG project, the Kansas Department of Commerce CDBG program will allow storm drainage, a street related activity to the above referenced project. However, certain steps must be done to allow this to occur.

- 1. A Request for a change in Scope of Work on official city letterhead must be submitted to Commerce, along with City Council minutes that show the City approves the change in Scope of Work.
- 2. Once the City receives an approval of the change in Scope of Work, the Environmental Review process must start over. This includes a project description revision of the Determination of Level of Review form.
- 3. When the City receives Environmental Clearance from Commerce, procurement can begin. The procurement process must NOT include any mention or activity concerning sidewalks.
- 4. Procurement of any sidewalk activity must NOT occur until after the CDBG project is completed and officially closed. This includes advertising for bids for sidewalk construction. No exceptions.

As a reminder, a specific project description remains a requirement on the CDBG Application Summary Page. No exceptions will be made for any future application where the project description is vague and does not clearly detail the full intent of the CDBG project Scope of Work. Furthermore, the CDBG budget remains the same and any extra expenses incurred will be on the local side.

Lastly, please be advised that this will be the only change in Scope of Work and Change Order allowed for this project. All program and original contractual terms and deadlines apply, including obtaining an Environmental Clearance within six (6) months and having a verified construction contract within one year of the contract start date

If you have any questions, please contact Le Ann Thurman at (785) 296-4100 or email at <u>LeAnn.Thurman@ks.gov</u>.

Sincerely,

Darla Price, CDBG Manager

Business and Community Development

Cc: Garret Nordstrom, grant administrator Brian Kinglsey, project engineer

CITY OF OSAWATOMIE



STAFF AGENDA MEMORANDUM

DATE OF MEETING: June 8, 2017

AGENDA ITEM: WWTP Claim Release

PRESENTER: Don Cawby, City Manager

ISSUE SUMMARY: After two years of arguing with the bond company that is responsible for the contractor's bond on the sewer project, we have finally got them to agree to what we wanted 18 months ago. They will let us keep the remainder of the retainage in lieu of fixing the improperly installed heater unit. We will use the money to offset the cost of the unit replacement.

The release has been reviewed by staff and the City attorney.

COUNCIL ACTION NEEDED: Review proposed claim release.

STAFF RECOMMENDATION TO COUNCIL: Approve the claim release as presented.

<u>SETTLEMENT AGREEMENT AND MUTUAL RELEASE</u>

This Settlement Agreement and Mutual Release (the "Agreement") is made and entered into on this _____ day of June, 2017, by and between the City of Osawatomie, Kansas ("City") and The Ohio Casualty Insurance Company ("Surety"), collectively referred to as the Parties.

WHEREAS, Midland Contractors, Inc. ("Midland") entered into a contract with the City ("Contract") to construct the Wastewater Treatment Facility Improvements Phase I project ("Project"); and

WHEREAS, Surety provided a Performance Bond and a Payment Bond, No. 674020648 ("Bonds") for the Project; and

WHEREAS, work on the Project was substantially complete by January 23, 2015 and the City issued a Completion of Work Certificate setting January 4, 2016 as the Final Completion Date of the Project; and

WHEREAS, on December 29, 2015, Surety submitted Pay Application No. 10 seeking final payment in the amount of \$10,000, which to date has not been paid;

WHEREAS, Surety has advised City that Midland is no longer in business and Surety is unable to provide certain insurance coverage required of Midland by the Contract; and

WHEREAS, the City has made a warranty claim with respect to a heater which Surety has disputed.

NOW, THEREFORE, in consideration of the foregoing recitals and the mutual releases set forth herein, the Parties agree as follows:

- 1. Release of Claims Against City. Surety hereby fully and forever releases City, as well as its present and former officials, representatives, consultants, agents, and employees from and against all actions, causes of action, obligations, duties, liabilities, rights, damages, claims, and demands of whatsoever kind or nature, at law or in equity, whether known or unknown, arising from or relating to the Contract, Project, and the Bonds.
- 2. Release of Claims Against Midland and Surety. City hereby fully and forever releases Midland and Surety, as well as their respective present and former officers, directors, shareholders, subsidiaries, principals, affiliates, partners, parent companies, successors, representatives, agents, consultants, and employees from and against all actions, causes of action, obligations, duties, liabilities, rights, damages, claims, and demands of whatsoever kind or nature, at law or in equity, whether known or unknown, arising from or relating to the Contract, Project, and the Bonds.
- 3. <u>No Admission of Liability.</u> The Parties recognize that this Agreement is a compromise of disputed claims between City and Surety, and that any covenants, promises, agreements and representations herein made and provided are not to be construed as an admission of any liability or responsibility for, or of the correctness of, any claims or defenses,

but is made solely for purposes of avoiding the costs of and risks involved in litigating the remaining issues between the Parties.

- 4. <u>Authority and Capacity to Execute.</u> Each of the persons signing this Agreement represents, warrants, and guarantees that he or she has the full and complete authority and capacity to execute the Agreement and to bind the party for whom said person is signing.
- 5. <u>Binding Effect.</u> This Agreement shall be binding upon and inure to the benefit of each of the Parties and their respective successors, assigns, agents and representatives.
- 6. <u>Entire Agreement.</u> This Agreement constitutes the full, complete, and entire agreement between and among the Parties with respect to the matters set forth herein. There are no representations, promises, or agreements, whether expressed or implied, oral or written, that are not set forth herein. Nothing in the Agreement is intended to or does affect any agreements between Surety and Midland.
- 7. <u>Contractual Nature.</u> The terms of this Agreement are contractual and not a mere recitals.
- 8. Review of Agreement and Understanding Thereof. The Parties represent that they have carefully read this Agreement and understand its terms and conditions without reservation. The Parties further acknowledge that in entering into this Agreement, they are relying wholly upon their own judgment, belief, and knowledge, and that they have not been influenced, to any extent whatsoever, by any representations or statements made by any other Party to this Agreement or the persons, firms, or corporations who are hereby released. The Parties have had the opportunity to receive the advice of legal counsel before entering into this Agreement and are doing so freely and voluntarily.
- 9. <u>Governing Law.</u> This Agreement was made in and shall be governed by and construed in accordance with the laws of the State of Kansas, without regard to its conflict of law rules.
- 10. Execution of Additional Documents. The Parties agree to cooperate fully and to execute any and all supplementary documents, and to take all additional actions and proceedings, whether legal, procedural, or otherwise, that may be necessary, advisable, or appropriate to give full force and effect to the terms and intent of this Agreement.
- 11. <u>Counterparts.</u> This Agreement may be signed in counterparts, each of which shall be deemed an original, but all of which, taken together, shall constitute the same instrument. A signature made on a faxed copy of the Agreement, or a signature transmitted by facsimile or electronic mail, will have the same effect as the original signature.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement on the dates identified below.

CITY OF OSAWATOMIE, KANSAS

By:		
THE OHIO COMPANY	CASUALTY	INSURANCE
Ву:		
Date:		

RESOLUTION NO.

A RESOLUTION AUTHORIZING TEMPORARY CLOSING OF PORTIONS OF CERTAIN STREETS IN OSAWATOMIE ON JUNE 17 TO PERMIT THE CONSUMPTION OF ALCOHOLIC BEVERAGES IN DESIGNATED AREAS DURING THE JOHN BROWN JAMBOREE.

WHEREAS, the 2017 John Brown Jamboree will be held at various locations within the City of Osawatomie and having approved the Special Event Permit for the 2017 John Brown Jamboree at its May 5, 2017 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 June 17, 2017, from 7:00 a.m. to 12:00 p.m. provided the Jamboree Committee 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 6th to 3rd Streets, 5th Street from Brown Avenue to Pacific Avenue, and portions of the park roads within John Brown Park. 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").

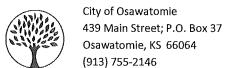
SECTION THREE: Event attendees may purchase, possess and consume alcoholic beverages within the Designated Barricaded Area. Pursuant to K.S.A. 41-719, no alcoholic liquor may be removed from Designated Barricaded Area or consumed inside vehicles while on public streets or alleys at the event.

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 8th day of June, 2017, a majority being in favor thereof.

Resolution No		
APPROVED AND SIGNED by the Mayor.		
	L. Mark Govea Mayor	_
(SEAL)		
ATTEST:		

Tammy Seamands City Clerk



SPECIAL EVENTS PERMIT APPLICATION

Department Use Only	,
---------------------	---

		Event Deposit
NAME OF APPLICANT AND/OR ORGANIZATION:		Date Paid:
John Brown Jamboree	>	\$50 Permit Fee Date Paid:
2. CONTACT PHONE # AND EMAIL (OPTIONAL): 4wright Shelagh Wight 913-73	its1232gnail.com	\$25 State Permit Date Paid:
3. TYPE OF SPECIAL EVENT APPLICANT IS APPLYING FOR: POPULAL CITY CELEBORATION -	Car Show	and ent
4. MAILING ADDRESS OF APPLICANT/ORGANIZATION:	5. ADDRESS/LOCATION O	F SPECIAL EVENT:
P.O. Box 63	John Brow	on Park and
Osawatomie, KS Woloy	300 blK-	600 DIK
6. DATE(S) AND TIME(S) FOR PERMIT, INCLUDING SET UP A	ND TEAR DOWN:	
06/17/17 ~ 7a.m. to	midnight	
7. ENTRY TO EVENT: FEE YES * NO 8. STREET PUBLIC * OR PRIVATE NO ON YES T		
10. WILL ALCOHOL OR CMB FOR PERSONAL CONSUMPTION WILL CMB BE SOLD AT THE EVENT? YES NO WILL THERE BE AN ENTRY FEE TO THE AREA WHERE CM IF YES TO ANY OF THE ABOVE, APPLICANT DATE OF BIR	 B IS PROVIDED BY A THRID F	
11. IS THERE LIABILITY INSURANCE COVERAGE FOR THE EVE		NO
IF YES, NAME OF INSURANCE COMPANY, AGENT AND AN		
STATEMENT O	•	A second state of the second s
I HAVE REVIEWED THIS APPLICTION COMPLETELY AND EVERYTHIN THE CITY OF OSAWATOMIE HARMLESS FROM AND AGAINST ANY ACTION OR CLAIM AGAINST THE CITY OF OSAWATOMIE OR ITS EN THAT I HAVE RECEIVED A COPY OF ALL ORDINANCES AND ATT RESPONSIBLE FOR ANY VIOLATIONS OF STATE LAWS, CITY OF REQUIREMENTS ASSOCIATED WITH THIS PERMIT AT TO	G CONTAINED HEREIN IS TRUE LOSS, COST OR DAMAGE OF A IPLOYEES, IN CONNECTION W ACHMENTS AND I FULLY UNDE FOSAWATOMIE ORDINANCES	NY NATURE ARISING OUT OF ANY ITH THE EVENT. I ACKNOWLEDGE ERSTAND THAT I WILL BE HELD , AND ANY RESTRICTIONS OR
SIGNATURE SIGNATURE	DATE 4-4-1"	1
	DENIED TE OF DECISION:	
COMMENTS:	-	
		A39

Osawatoime Police Department - 2017

	Jan	Fh	N.4	1st Qtr Totals	A I	N.4
Warrant Arrests	24	Feb 26	Mar 21	71	Apl 23	Мау 27
Other Arrest / Charges filed	43	31	20	94	24	56
Traffic Stops	137	145	125	407	138	359
Suspicious Activ., Inv. Persons, Ped Checks, Prowlers	86	75	92	253	83	121
Traffic Accidents	16	8	12	36	10	22
Assist EMS	56	42	56	154	42	47
Fights , Disturbance, Assualts, Domestics, Harras, Violation of Protection Orders, Trespass	17	22	27	66	47	46
Sex crimes	1	0	2	3	7	2
Damage to Prop., thefts, Burglarys,	31	19	24	74	30	33
Drug Case or Calls	2	2	2	6	10	3
Animal calls	47	36	41	124	56	59
Child in Need of Care, Runaways, Missing Children	4	4	3	11	11	7
Vehicle Lock outs	25	13	23	61	17	17
Escorts, Civil Stand-bys, 911 Misdials, Motor Assist, X-Patrol, Alarm Calls, Welfare Checks	51	43	53	147	56	61
Citizen Inquires	51	53	61	165	66	66
Calls for service otherwise not classified	78	80	113	271	108	115
Assist Out Side Agency, Loud Music, , Traffic Haz, Driving Complaints, Drug Testing Finger Printing, Open Doors, Follow-ups, Found Property, etc	74	70	68	212	95	92
Calls handled by Officers	700	638	723	2061	799	1133
**Totals occurrences for the month	1037	917	1047	3001	1071	1389
Traffic Citations *	54	55	46	155	70	257
Other Citations	19	10	9	38	20	27
Total Citations	73	65	55	193	90	284

^{*}Approx. 128 of the citations were \$10.00 Seatbelt tickets. Officers participated in the KDOT Safety Grant.

^{**} Total occurances 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.



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The 10 Best Public Golf Courses in Kansas!

By Cindy Lockstone (/author/cindy-lockstone)



(/public-golf-courses)
Sycamore Ridge Golf Club - Facebook

(https://www.facebook.com/SycamoreRidgeGolfClub/)

Playing golf on a good, well-conditioned golf course is a blessing to all golfers, at all skill levels. There's a plethora of well-maintained golf courses across Kansas that are open to the public to experience. Great fairways and perfect greens are what most of these municipal golf courses share, and here are our 10 favorites!

1. Sycamore Ridge Golf Course, Spring Hill, KS (http://www.sycamoreridgegolf.com/)



(http://www.sycamoreridgegolf.com/)

Sycamore Ridge Golf Club - Facebook

(https://www.facebook.com/SycamoreRidgeGolfClub/)

Sycamore Ridge Golf Course in Spring Hill is a challenging par 72, 18-hole golf course that plays as smooth as it looks. Well maintained and beautiful. This is a must play golf course for green fee players and membership holders.

2. Auburn Hills Golf Course, Wichita, KS (/place/auburn-hills-golf-course-wichita-ks.html)

Auburn Hills Golf Course in Wichita is designed by expert golf course designer Perry Day and is set in the scenic wetlands of a residential development. The rolling hills provide beauty to this par 72, 18-hole golf course, but the narrow corridors offer challenges to players.

3. Mariah Hills Golf Course, Dodge City, KS (/place/mariah-hills-golf-course-dodge-city-ks.html)



(/place/mariah-hills-golf-course-dodge-city-ks.html)

Mariah Hills Golf Course

(http://mariahhillsgolf.com/)

Designed by Frank Hummel, the Mariah Hills Golf Course in Dodge City is a challenging municipal course. A par 71, 18-hole course that offers golfers a reasonable green fee and beautifully manicured greens and fairways.

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Dentists (/osawatomie-ks/yp/dentists/)

Health Care Clinics (/osawatomie-ks/yp/health-care-clinics/)

Insurance Agents and Brokers (/osawatomie-ks/yp/insurance-agents-brokers/)

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Auto Repair (/osawatomie-ks/yp/auto-repair/)

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Attorneys (/osawatomie-ks/yp/attorneys/)

Cleaning Services (/osawatomie-ks/yp/cleaning-services/)

Hotels and Lodging (/osawatomie-ks/yp/hotels-lodging/)

4. Turkey Creek Golf Course, McPherson, KS (/place/turkey-creek-golf-course-mcpherson-ks.html)

Turkey Creek Golf Course in McPherson, is a par 70, 18-hole course that will challenge golfers of all skill levels. Built in 1990 with bluegrass fairways and bent grass greens, this course offers golfers a well-maintained course and great conditions for great round of golf.

5. Forbes Golf Course, Topeka, KS (/place/forbes-golf-course-topeka-ks.html)



(/place/forbes-golf-course-topeka-ks.html)

Forbes Public Golf Course

(http://www.forbesgc.com/aboutus/coursephotos/)

The Forbes Golf Course is a par 71, 18-hole golf course and was designed by Bob E. Baldock. This golf course offers challenges for both the beginner and experienced golfer on its links-style course, which offers allowances for both the beginner and the more experienced golfer.

6. Woodland Hills Golf Course, Fort Scott, KS (http://fscity.org/160/Golf-Course)

Woodland Hills Golf Course in Fort Scott is a par 72, 18-hole course that has reasonable rates and is a much-improved course. After the city of Fort Scott took over possession of the course, the golf course has become a much better manicured and cared for course which provides many skill challenges.

7. Hidden Lakes Golf Course, Derby, KS (/place/hidden-lakes-golf-course-derby-ks.html)



(/place/hidden-lakes-golf-course-derby-ks.html)

Hidden Lakes Golf Course

(http://www.hiddenlakesgolfcourse.com/index.htm)

Hidden Lakes Golf Course in Derby is a par 72, 18-hole golf course, that was designed by Floyd Farley and offers a challenging round of golf to any skill level of golfer. Bluegrass fairways and tee boxes, bent grass greens and scattered bunkers allows this course to keep golfers sharp.

8. Salina Municipal Golf Course, Salina, KS (/place/salina-municipal-golf-course-salina-ks.html)

The Salina Municipal Golf Course in Salina has bluegrass fairways and bent grass greens. The greens are fast and the fairways are in great condition, both which provide golfers a good opportunity for a winning round of golf. Four tee boxes offer any skill level of golfer a better chance to play an even match.

9. Sugar Hills Golf Club, Goodland, KS (/place/sugar-hills-golf-club-goodland-ks.html)



(/place/sugar-hills-golf-club-goodland-ks.html)

Sugar Hills Golf Club - Facebook

(https://www.facebook.com/SugarHillsGC/)

The Sugar Hills Golf Club in Goodland is an 18-hole golf course and known to be the finest course between Hays and Denver. Plush fairways and beautiful bent grass greens provide golfers an enjoyable, relaxing golf match. Locals refer to this golf course as the "Gem of the Prairie."

10. Osawatomie Golf Course, Osawatomie, KS (/place/osawatomie-golfcourse-osawatomie-ks.html)

The Osawatomie Golf Course in Osawatomie is a great 18-hole golf course designed with two distinct nines. The front nine was built in 1941 and the back nine was built in 1972. Bent grass greens and improved zoysia greens complete this beautiful golf course.

Top Searches for Osawatomie

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Hotels and Lodging (/osawatomie-ks/yp/hotels-lodging/)

Properties For Sale



725 Pacific Ave **OSAWATOMIE, KS 66064** Foreclosure: \$93,035.00 3 bd / 2 ba, 6969 sqft

(http://www.zillow.com/homedetails/725-Pacific-Ave-Osawatomie-KS-66064/91221240 zpid/?

utm_source=American+Towns&utm_medium=referral&utm_campaign=P300_RHS&cbpartner=American+Town



709 Parker Ave Osawatomie, KS 66064 For Sale: \$3,500.00 0 bd / 0 ba, 924 sqft

(http://www.zillow.com/homedetails/709-Parker-Ave-Osawatomie-KS-66064/77234170_zpid/? utm source=American+Towns&utm medium=referral&utm campaign=P300 RHS&cbpartner=American+Town

324 Reed Ave Osawatomie, KS 66064 no photos For Sale: \$4,900.00

-1 bd / 0 ba, 14200 sqft

Q Search more properties (http://www.zillow.com/search/WidgetHomeSearch.htm?searchbox=Osawatomie, KS&town id=Osawatomie,

KS&price=&bed=&bath=®ionId=25659&ga_utm_content=map&utm_source=American+Towns&utm_medium=refe