

OSAWATOMIE CITY COUNCIL
REVISED AGENDA
September 13, 2012
7:00 p.m., Memorial Hall

1. Call to order
2. Roll Call
3. Pledge of Allegiance
4. Consent Agenda
 - Consent Agenda items will be acted upon by one motion unless a Council member requests an item be removed for discussion and separate action*
 - A. Approve Minutes of August 9 & August 23 Council Meetings
 - B. Approve September 13 Agenda
 - C. Appropriation Ordinances 12-15 & 12-16
5. Comments from the Public; Presentations
 - Citizen participation will be limited to 5 minutes. Please stand & be recognized by the Mayor.*
6. Public Hearing – None
7. Unfinished Business
 - A. Ward Realignment
8. New Business
 - A. Appointments
 - i. Parks & Recreation Committee
 - ii. League Voting Delegates & Alternates
 - B. Proclamation – National Rehabilitation Awareness Week, September 16-22
 - C. Resolution – Library Operations
 - D. Ordinance – Summary Publication of Ordinances
 - E. 2012 Standard Traffic Ordinance
 - F. 2012 Uniform Public Offense Code
 - G. Approve Bids for Skid Trencher
9. Council Reports
10. Mayor’s Report
11. City Manager’s Report
12. Executive Session – Non-elected Personnel
13. Adjournment

MEETING/WORK SESSION – September 27, 2012
REGULAR MEETING – October 11, 2012

Osawatome, Kansas. **August 9, 2012.** The Council meeting was held in Memorial Hall. Mayor Dudley called the meeting to order at 7:00 p.m. Council members present were Dickinson, Farley, Govea, Hunter, LaDuex, Maichel, and Moon. Absent was Klein. Also present were City Manager Cawby and City Attorney Wetzler. Visitors were Kirk and Shelagh Wright, Robert Kerr, Webster Hawkins, Amanda Perry, and Travis Perry.

CONSENT AGENDA. Approval of the minutes of July 11, July 19, and July 26 Council Meetings, approval of August 14 Agenda, and approval of Appropriation Ordinances 12-13 & 12-14. Motion made by Hunter, seconded by LaDuex to approve the minutes of July 11, July 19, and July 26 Council Meetings, approval of August 14 Agenda, and approval of Appropriation Ordinances 12-13 & 12-14. Yeas: Dickinson, Farley, Govea, Hunter, LaDuex, and Maichel. Abstained: Moon. Motion passed.

Public Participation; Presentations:

Public Hearing:

PROPOSED 2013 BUDGET. Mayor Dudley opened the public hearing at 7:04 p.m. There were no comments from the public. Hearing was closed at 7:05 p.m.

Unfinished Business:

APPROVE INVOICE(S) FOR PACIFIC, 14TH, BROWN STREETS PROJECT – none.

New Business:

APPOINTMENTS. none

PROCLAMATION – BLACK TIES TO OSAWATOMIE–HONORING 100-YEARS. Proclamation was to declare the second weekend of August as Black Ties to Osawatome – a Legacy of Reunions. Motion made by Moon, seconded by Hunter to approve the proclamation. Yeas: All.

PRESENTATION OF THE OSAWATOMIE CHAMBER ANNUAL REPORT. The Council reviewed and acknowledged receipt of the Chamber’s annual report July 2012.

City Clerk Elmquist arrived at 7:13 p.m.

PROCLAMATION – HONORING RUTH WRENCH. Proclamation was to declare August 11 as “Grandma Ruth” Wrench Day. Motion made by Hunter, seconded by Govea to approve the proclamation. Yeas: All.

2012 AUDIT AGREEMENT WITH JARRED, GILMORE & PHILLIPS. The cost of the 2012 audit is \$8,350, plus \$1,900 if a single audit is required. Motion made by Maichel, seconded by LaDuex to authorize the Mayor to sign the Letter of Engagement with JGP. Yeas: All.

ADOPT RESOLUTION FOR 2012 GAAP WAIVER. Motion made by Hunter, seconded by LaDuex to approve the resolution for the 2012 GAAP Waiver. Yeas: All. The Resolution was assigned No. 653.

ADOPTION OF THE PROPOSED 2013 BUDGET. Motion made by Maichel, seconded by Hunter to approve the budget as presented. Yeas: All.

2013 BUDGET ORDINANCE. Motion made by Hunter, seconded by LaDuex to approve the ordinance approving the increase of tax revenues for the 2013 Budget year. Yeas: All. The Ordinance was assigned No. 3700.

STREET SIGNS. The old City street signs were the four-sided concrete posts but no longer meet safety standards. Since then the signs have had black letters on a white background and placed on a post. The downtown streetscape project, because of new sign standards, has street signs that are green with white letters and placed on top of the stop signs. There has been a respite in the requirements, with some of the issues that existed being scrapped. The options now are to continue with the white signs (or any other color scheme) on separate posts, or implement the new design standard by placing street signs on top of traffic control signs, which would mean lack of uniformity for some time. The City will stay with black on white signs but will go to a 9" sign with 6" letters.

Council Reports:

Hunter: The Freedom Festival is September 16-18.

LaDuex: The Library hours have changed. On Tuesdays it is now open until 7:00 p.m.

Govea: August 29 the Parks & Recreation Committee will be interviewing candidates for the vacancy on the Committee. Baseball is over and the City hosted 5 district tournaments. Youth soccer, football, and flag football signups will begin after school starts.

Moon: The PSAB meetings will begin next month. Forgot and arrived late to the Chamber of Commerce meeting. The work on the bridge south of town is moving along faster than planned. It should be done in a few weeks.

Mayor's Report:

The historical museum was toured by a radio reporter with Radio Netherlands. He had come to Kansas due to the drought.

The Golf Course was hit by a microburst. Fifty-two trees were downed with 82 damaged. The City crews went to work and everything was cleaned up in a few days. There are a few trees that will be removed during the winter.

Black Ties to Osawatomeie will meet and greet Friday at Tailgators. Saturday 10:00-10:30 a.m. there will be prayers and recognitions. The concert is 6:00-8:00 p.m. Saturday in the Auditorium.

Attended the County Candidates Forums. There was discussion about Mill Street bridge and the feasibility of reopening it.

City Manager's Report:

Library. There needs to be an amendment to the joint resolution with the Library board to pacify the State Library Board that the City's board still has authority.

Big Brothers and Sisters. Their golf tournament will be next Saturday and he will be barbequing.

Trees and Bushes. They have taken a hit without the rain. Chief Stiles will have his officers help with some of the watering.

Projects:

Brown & Pacific. Public Works Director Steve Coffelt and he checked the final work project and will sign off on it. A maintenance warranty with a bond has been received. The project should be wrapped up at the next Council meeting.

Issues:

Planning & Zoning Updates. At the next meeting, Scott Michie, the City's on-call planner, will present his proposal for managing the updates to planning and zoning regulations. The cost is around \$13,000 and his ideas for a finished product will make administering the process much simpler and efficient.

Sunday Sales. The election for upholding the prohibition of Sunday liquor sales was defeated. The ordinance passed in April will go into effect as of the certification of the votes on August 15. [Note: The certification of the votes by the County Clerk shows that it was defeated 466-239]

Ward Realignment. This issue is planned for discussion at the first meeting in September so that it can be passed and in effect before the end of the year.

Criminal Defense. An RFP is being developed which would establish one contract attorney to provide court-appointed criminal defense for municipal court.

Mutual Aid. KMEA has joined with KMU to partner in the Kansas Mutual Aid Program. The program is designed for public and private utilities to assist each other in times of emergency.

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

Ann Elmquist, City Clerk

Osawatomie, Kansas. **August 23, 2012.** The Council meeting was held in Memorial Hall. Mayor Dudley called the meeting to order at 7:30 p.m. Council members present were Dickinson, Farley, Hunter, LaDuex, Maichel, and Moon. Absent were Govea and Klein. Also present were City Manager Cawby, City Attorney Wetzler, and City Clerk Elmquist. Visitors were Robert Kerr, Shelagh Wright, Garrett Nordstrom, Web Hawkins, and Coleen Truelson.

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

Appointment to the Parks & Recreation Committee. Tabled.

FINAL PERFORMANCE HEARING – CDBG PACIFIC, 14TH, BROWN STREETS PROJECT GRANT. Mayor Dudley opened the hearing at 7:31 p.m. The proposed upgrades were for the reconstruction of Pacific Ave from 12th to 14th, 14th from Pacific to Main, and Brown Ave from 14th to 18th Street. The purpose of the hearing was to evaluate the performance of the project and the completion of the work so the closeout packet could be submitted. The original project was approved at \$1,702,700. The Council determined to borrow not more than \$750,000 for the project. The project was scaled back to around \$1.25 million by removing the reconstruction of Brown Ave from 16th to 18th. After the contractor's bid was awarded, the project budget was changed to \$1,102,160. The funding was \$500,000 from CDBG funds and \$600,000 from USDA loan funds. Ultimately, the City went with general bonds in lieu of a USDA loan. According to the City's CDBG administrator, the final project cost was \$1,017,290 million, with \$500,000 from our CDBG grant and \$517,290 from loan funds. There being no comments from the public the hearing was closed at 7:40 p.m.

APPROVE CHANGE ORDER NO. 1 ON PACIFIC, 14TH, BROWN STREETS PROJECT. Motion made by Moon, seconded by Hunter to approve Change Order No. 1 for a net decrease of \$14,150.10 to the original contract price. Yeas: All.

APPROVE INVOICE(S) FOR PACIFIC, 14TH, BROWN STREETS PROJECT – No. 22. Motion made by Moon, seconded by Hunter to approve Pay Request No. 22. Yeas: All.

AUTHORIZE MAYOR TO SIGN CDBG STREETS PROJECT GRANT CLOSEOUT DOCUMENTS. Motion made by Moon, seconded by Hunter to authorize the Mayor to sign the necessary closeout documents. Yeas: All.

ORDINANCE AMENDING RETAIL LIQUOR HOLIDAY SALES TO COMPLY WITH KANSAS STATUTES. The petition and the ballot question both were accurately written to follow state statutes. This ordinance corrects the language regarding retail liquor holidays to allow sales on Memorial Day, Independence, and Labor Day. Motion made by Hunter, seconded by Maichel to approve the ordinance to fix the drafting error in the original ordinance. Yeas: All. The Ordinance was assigned No. 3701.

ZONING REGULATIONS UPDATE PROPOSAL FROM SCOTT MICHIE. Scott Michie has been serving as the City's on-call planner. The City Manager asked Michie to put together a proposal for a rework of the zoning regulations. This process would include input from the codes staff, the Planning Commission and the Governing Body. The proposal for the several-month project is \$13,960. Motion made by Maichel, seconded by Hunter to approve the contract addendum with Scott A. Michie Planning Services for a fee of \$13,960 to update the zoning and subdivision regulations. Yeas: All.

KANSAS MUTUAL AID PROGRAM (KSMAP) AGREEMENT. The City is currently a member of a mutual aid program with the Kansas Municipal Energy Agency (KMEA). KMEA decided

that the Kansas Mutual Aid Program (KSMAP) offers a better and more streamlined service. It is designed primarily for public and private utilities including electric, gas, water and wastewater utilities. Motion made by Hunter, seconded by LaDuex to approve the resolution authorizing the Mayor and City Manager to execute the necessary documents to participate in the KSMAP. Yeas: All. The Resolution was assigned No. 654.

City Manager Updates:

Projects:

Streets. The Street Crew has completed chip-sealing almost the entire east side of the City. They have gotten very busy with fixing water leak cuts

Cabin Windows. The work on the windows has been completed. The final inspection by the Kansas Historical Society architect is tomorrow.

Internet Upgrade. An offer was received from Civics Plus to upgrade the City's website to a newer software version for \$2,000. There are only a few Civics Plus clients still on the old version. It is cheaper for them to offer the upgrade at their cost for their time to convert it, rather than support the old version. The website committee will be meeting next week to review the upgrades and to find new ways to improve the City's communication with the public.

Issues:

Library CDBG. The Department of Commerce decided to require a community survey to be conducted in order to submit an application for a CDBG grant this year. The cost of this survey would be about \$20,000 because the Library serves serves the entire community. It would be next to impossible to complete it within the time limits required. Therefore, the City will not have a CDBG application this year. The City will likely submit the Library application in 2013.

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

Ann Elmquist, City Clerk

Record of Ordinances

ORDINANCE NO. 12-15

DATE WARRANTS ISSUED:
August 31, 2012

Page No. 1

AN ORDINANCE MAKING APPROPRIATION FOR THE PAYMENT OF CERTAIN CLAIMS.

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

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

CLAIMANT	NATURE OF CLAIM OR SERVICE	CLAIM NUMBER	AMOUNT
Payroll 08/10/12			88,922.62
Payroll 08/24/12			94,447.10
FICA 08/10/12			6,448.06
FICA 08/24/12			6,874.84
KPERS			13,380.67
KMEA Nearman	electricity	1283	22,538.72
City of Osawatomie	petty cash reimbursement	1284	1,930.14
Suddenlink	internet	39981	59.95
Coventry	health insurance	39982	28,976.50
Crawford Sales	Budweiser	39983	299.40
Midwest Distributors	Miller	39984	204.60
KMEA GRDA	electricity	1285	89,398.73
KMEA Hydro	hydroelectric	1286	2,631.58
Ace Pest Control LLC	pest control	40176	475.00
Airgas	oxygen cylinder	40177	85.10
BG Consultants, Inc.	street improvements	40178	430.50
City of Osawatomie	utilities	40179	15,382.35
First Option Bank	overpaid on restitution	40180	36.00
Joshua Gettino	overpaid on fine	40181	200.00
KS Assoc of Chiefs of Police	training conference	40182	125.00
Kansas Wilbert Vault	grave openings	40183	6,074.75
Ramada	lodging Butters	40184	251.22
Suddenlink	internet	40185	59.95
Beth Vandeventer	lodging - ball tournament	40186	122.46
Crawford Sales	Budweiser	40187	370.90
Analytical Services, Inc.	analytical service	40188	530.16
AT&T	RTU's	40189	221.15
Beachner Grain	concrete, supplies	40190	69.87
Dish	service	40191	94.01
Hasty Awards	awards for Jamboree	40192	476.85
KS Assoc.. For Court Management	fall conference	40193	50.00
Kansas Gas Service	power plant	40194	27.50
L & K Services, Inc.	dumpster, refuse	40195	30,757.01
Suddenlink	internet	40196	74.24
Visa	computer, DVD's, supplies	40197	885.92
KMEA - EMP	electricity, transmission	1287	110,800.96
Indelco Plastics Corp.	PVC pipe	40198	212.99
KDHE Bureau of Water	wastewater permit	40199	185.00
Kansas Dept. of Revenue	sales tax	40200	11,054.11
Kansas Dept. of Revenue	compensating use tax	40201	241.59

Record of Ordinances

ORDINANCE NO. 12-16

DATE WARRANTS ISSUED:
September 13, 2012

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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
AES Lawn Parts	gear assembly	40267	66.56
Altec Industries	replace interlock cable	40268	728.22
Am. Safety Utility Corp.	muletape	40269	266.80
Apparatus Services	test pumps	40270	355.25
Arctic Glacier Premium Ice	ice - Golf Course	40271	185.00
ASC Pumping Equipment	float switch	40272	50.00
Atco International	bullseye	40273	158.40
Baker & Taylor	books	40274	843.45
Bearing Headquarters Company	bearings, parts	40275	1,585.50
Bollings Bargain Bonanza	paper, supplies	40276	87.35
Boresow Chemical Company	belt	40277	46.45
Brenntag Mid-South, Inc.	alum, chemicals	40278	21,881.17
Brewer's Automotive Repair	tires	40279	438.68
BSN Sports	mouth guards	40280	147.51
C & G Merchants Supply, Inc.	chips, candy bars, misc.	40281	393.70
Champion Brands, LLC	cleaner, oil. Supplies	40282	418.66
Coleman Equipment, Inc.	parts for backhoe	40283	293.72
Cross-Midwest Tire Co.	tires	40284	1,646.40
Cullum & Brown, Inc.	oil	40285	220.03
DEMCO	albums, sleeves	40286	111.15
Easton Sod	sod	40287	201.60
Elliott Insurance, Inc.	insurance	40288	182.00
EMG	energy consulting agreement	40289	1,000.00
Entersect	police online	40290	158.00
Environmental Compliance Solutions	PCB compliance audit	40291	775.00
Environmental Laboratories, Inc.	analytical service	40292	292.00
Evco Wholesale Food Corp.	Gatorade, hotdogs, supplies	40293	688.76
Family Center	parts	40294	273.30
Richard M. Fisher, Jr. LLC	Court Appointed Attorney	40295	900.00
Gerken Rental	portable restrooms, pumping	40296	203.00
Grainger	batteries, solenoid	40297	1,113.65
Graybar	supplies	40298	147.47
Hach	chemicals, colorimeter assembly	40299	821.17
Helena Chemical Co.	fertilizer	40300	211.50
Holliday Sand & Gravel Co.	sand	40301	169.37
JCI Industries, Inc.	multitrode	40302	1,531.00
John Deere Landscapes	grass seed, fertilizer	40303	1,065.01
KS Dept. of Health & Environment	water & wastewater permit	40304	60.00
Kansas One Call	locates	40305	46.20
Kansas State Treasurer	training funds	40306	492.00

KC Golf Cart Company, LLC	tournament	40307	450.00
KelCon Technologies, Incl.	troubleshooting	40308	202.50

Record of Ordinances

DATE WARRANTS ISSUED:
September 13, 2012

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CLAIMANT	NATURE OF CLAIM OR SERVICE	CLAIM NUMBER	AMOUNT
Killough Construction, Inc.	asphalt	40309	2,796.21
Kincaid Ready Mix	concrete	40310	1,731.38
Kriz Davis Co.	electric line supplies	40311	2,811.47
Kustom Signals, Inc.	shipping	40312	68.00
Lacal Equipment	drag shoes	40313	371.32
The Law Office of Bryan Meyer	Court Appointed Attorney	40314	440.00
Louisburg Ford	bushing, parts	40315	14.82
Martin, Pringle Attorneys at Law	City Attorney	40316	16,201.04
Miami County Sheriff's Office	prisoner care	40317	920.00
Miami County Solid Waste	tires	40318	75.00
Miami County, Kansas	regional bikeway plan	40319	300.00
Miami Lumber, Inc.	lumber, supplies	40320	195.34
Mid American Signal, Inc.	green stop light	40321	158.00
Mississippi Lime Company	hydrated lime	40322	1,812.50
Void		40323	-
Moon's IGA	supplies	40234	1,046.23
National Sign Company, Inc.	signs	40325	396.35
Navrat's	A/P checks	40326	334.38
ND&H	Court Appointed Attorney	40327	600.00
NEKLS	books	40328	33.00
Northern Tool & Equipment	trash pump	40329	1,542.85
NPG Newspapers	ads	40330	908.42
Oil Patch	bushings, pipe	40331	64.39
Olathe Tractor & Equipment	gear case assembly	40332	179.69
Olathe Winwater works	pipe, meter pit	40333	165.00
Orscheln Farm & Home	anchors	40334	7.74
Paola Hardware	scrapers, adapter set	40335	45.14
Pat's Signs	yard signs - Freedom Festival	40336	87.50
Pepsi Beverages Company	Pepsi	40337	642.86
Quill	copy paper, supplies	40338	64.25
R&R Products, Inc.	bearings, washers	40339	169.36
Read It Free	ad - Golf Course	40340	67.50
Rejis Commission	web subscription service	40341	30.00
Ruan Logistics Corp.	freight for lime	40342	1,441.28
Rural Water Dist. #1	service	40343	172.64
Rural Water Dist. #3	ETI	40344	16.50
Scott A. Michie Planning Services	zoning	40345	517.45
Sensus	software support	40346	1,654.96
Smitty's Lawn & Garden Equipment	tire, wheel bearings	40347	69.10
State Industrial Products	deodorizers, cleaning supplies	40348	298.53
Superior Lamp	electric line supplies	40349	911.78
T&R Electric Supply Company	transformers	40350	4,715.00
Debbie Talley	Memorial Hall janitorial	40351	375.00



STAFF AGENDA MEMORANDUM

DATE OF MEETING: September 13, 2012

AGENDA ITEM: Ward Realignment

PRESENTER: Don Cawby, City Manager

ISSUE SUMMARY: Last year you asked about the process for realigning the wards based upon the newest census data. At the first presentation in November there was some confusion about the boundary between the wards. Since that time, I have investigated the issue and discovered the root of the problem. I have also provided two new scenarios which comply with state statutes on precincts so that the County should be able to adjust to our ward boundaries to match.

Current Boundaries. Currently, by our ordinance, the boundary between the Second Ward and the Third Ward on the west end is Main Street extended and not Parker. Also, the boundary on the east end between the First and Second Wards is Mill Street extended to the City limits, without a jog on O'Neal Street up to Main Street. I have attached a copy of the code for reference. I traced this ordinance back to the 1970s and what is in our code is correct.

The confusion seems to have begun in 1989 when the County changed our voting precincts, apparently because some of the lines went through a census blocks instead of around it. State statute requires that precinct lines follow census blocks. At that time, the county voting precincts were changed to what we now observe. However, there was no ordinance passed to incorporate those changes to our wards so they would sync with the precincts. No matter how it occurred, since then the current precincts have been used for ward elections.

Methodology. My goal in creating these maps was to move boundary lines as little as possible and to try to keep current councilmembers in their current wards. Originally, I had hoped to keep 6th & Main as my center point, but that proved to be difficult. For any ward, I tried to make boundaries as clear a line as possible. Also, when redistricting, case law has been that the new boundaries should be no more than 5% from the average size for all districts.

Also, attached to this memo is a table showing the current population breakdown between our wards. The numbers shown are based upon the current map (red lines) in the packet.

Purple Map. On the purple map, no ward deviates more than 3.7% from the average size. The only ward that increases size is the Fourth, where it gains 175 people (noted by the areas shaded in purple)

Orange Map. On the orange map, all the wards change slightly; however, the center point for all wards is close to the downtown area. In this scenario, Councilwoman LeDeux's residence would move to the 2nd ward. If you were to choose this map, we would have to consider the implications of that change on the next election.

Implementation. In order to get this change in place for the next election cycle in early 2013, we need to pass an ordinance and provide these changes to the County Clerk in the next couple of months. I will ask the clerk to review them to make sure the precincts can be synced with the wards to avoid any election issues.

COUNCIL ACTION NEEDED: Review and discuss.

STAFF RECOMMENDATION TO COUNCIL: Review, discuss and provide direction to staff. Should you favor one scenario over another, we can begin drafting the ordinance for a future meeting.

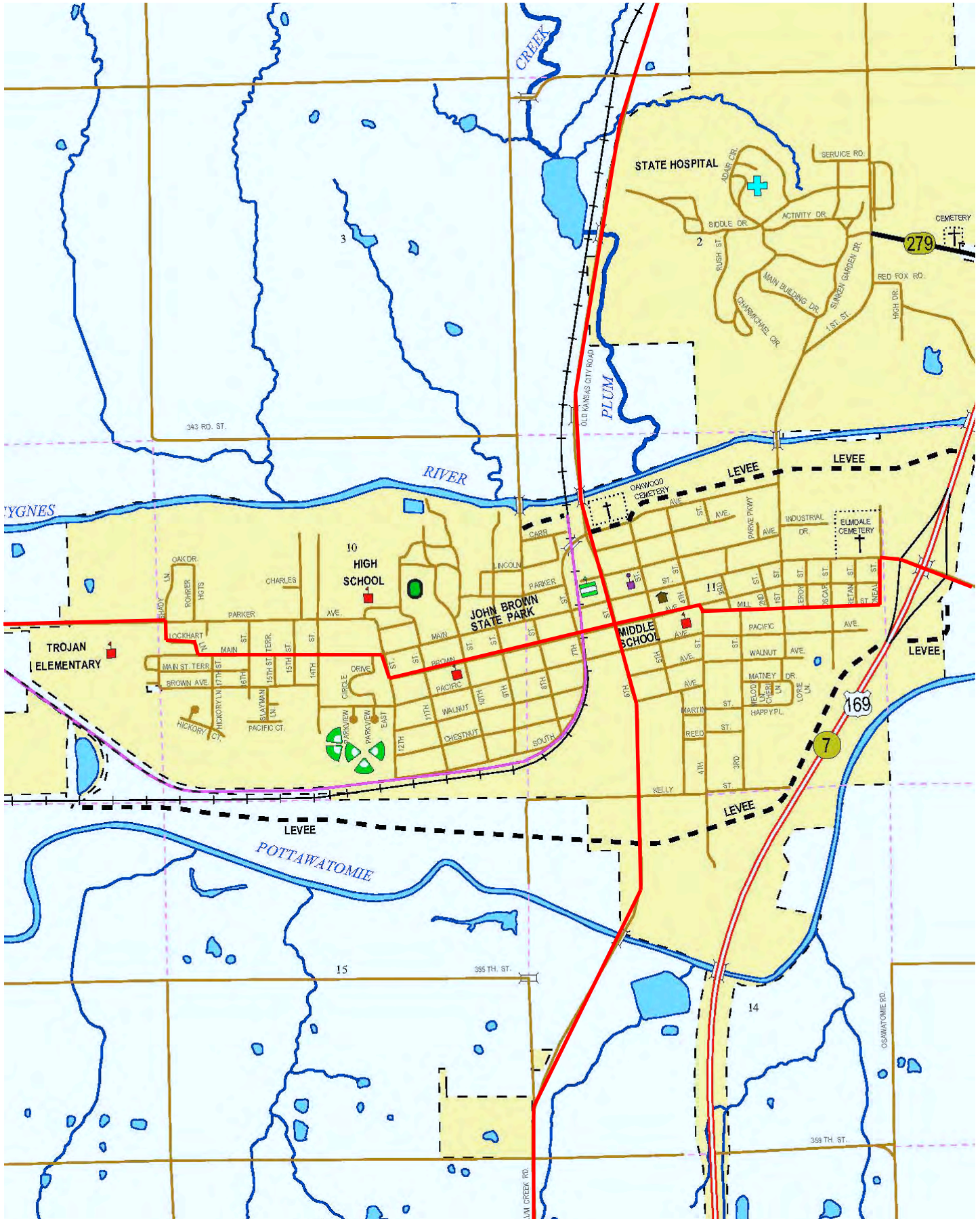
ARTICLE 2. WARDS

- 6-201. WARDS. The city is hereby divided into four wards, to be designated the First Ward, Second Ward, Third Ward and Fourth Ward. (Code 1977, 6-201)
- 6-202. FIRST WARD. The First Ward shall consist of that part of the city lying east of the centerline of Sixth Street and north of the centerline of Brown Avenue between Sixth Street and Fourth Street and north of the centerline of Mill Street between Fourth Street and the east city limits. (Code 1977, 6-202)
- 6-203. SECOND WARD. The Second Ward shall consist of that part of the city lying west of the centerline of Sixth Street and north of the centerline of Brown Avenue between Sixth Street and Twelfth Street and north of the centerline of Main Street between Twelfth Street and north of the centerline of Main Street between Twelfth Street and the west city limits. (Code 1977, 6-203)
- 6-204. THIRD WARD. The Third Ward shall consist of that part of the city lying west of the centerline of Sixth Street and south of the centerline of Brown Avenue between Sixth Street and south of the centerline of Main Street between Twelfth Street and the west city limits. (Code 1977, 6-204)
- 6-205. FOURTH WARD. The Fourth Ward shall consist of that part of the city lying east of the centerline of Sixth Street and south of the centerline of Brown Avenue between Sixth Street and Fourth Street and south of the centerline of Mill Street between Fourth Street and the east city limits. (Code 1977, 6-205)

Census By Ward

<u>Ward</u>	<u>Population</u>	<u>Difference from Avg</u>	<u>%</u>
1	1,131	19	1.71%
2	1,078	(34)	-3.06%
3	1,276	164	14.75%
4	962	(150)	-13.49%
Total	4,447	Avg	1,112

Current Ward Boundaries



Purple Proposal

CHANGES

<u>Ward</u>	<u>1&2</u>	<u>2&3</u>	<u>3&4</u>	<u>4&1</u>	<u>Total</u>
1	-	-	-	(52)	(52)
2	-	-	-	-	-
3	-	-	(123)	-	(123)
4	-	-	123	52	175

<u>Ward</u>	<u>Pop. Change</u>	<u>New Population</u>	<u>Difference from Avg</u>	<u>Percent from Avg</u>
1	(52)	1,079	(33)	-2.97%
2	-	1,078	(34)	-3.06%
3	(123)	1,153	41	3.69%
4	175	1,137	25	2.25%
Total	-	4,447	-	-

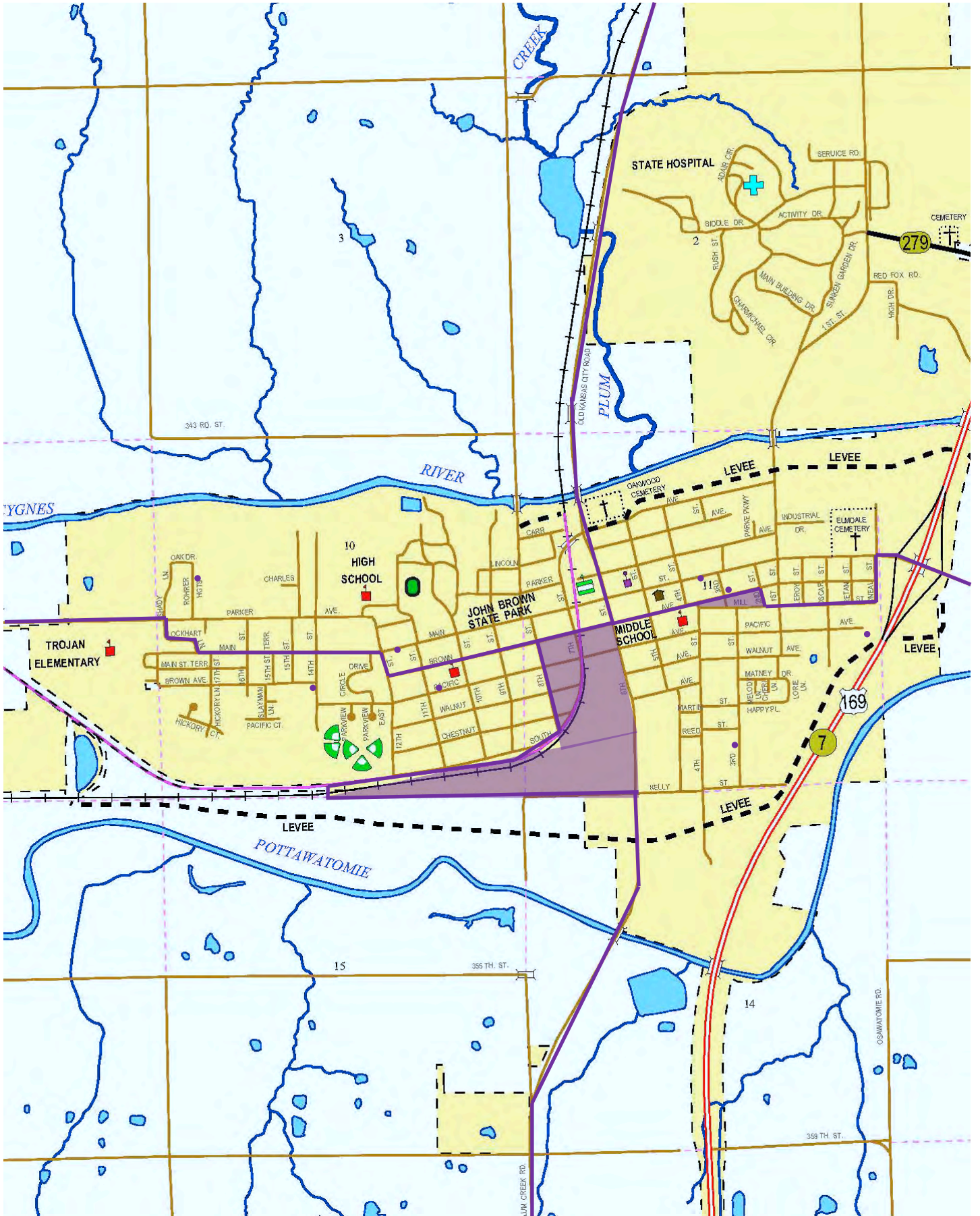
Orange Proposal

CHANGES

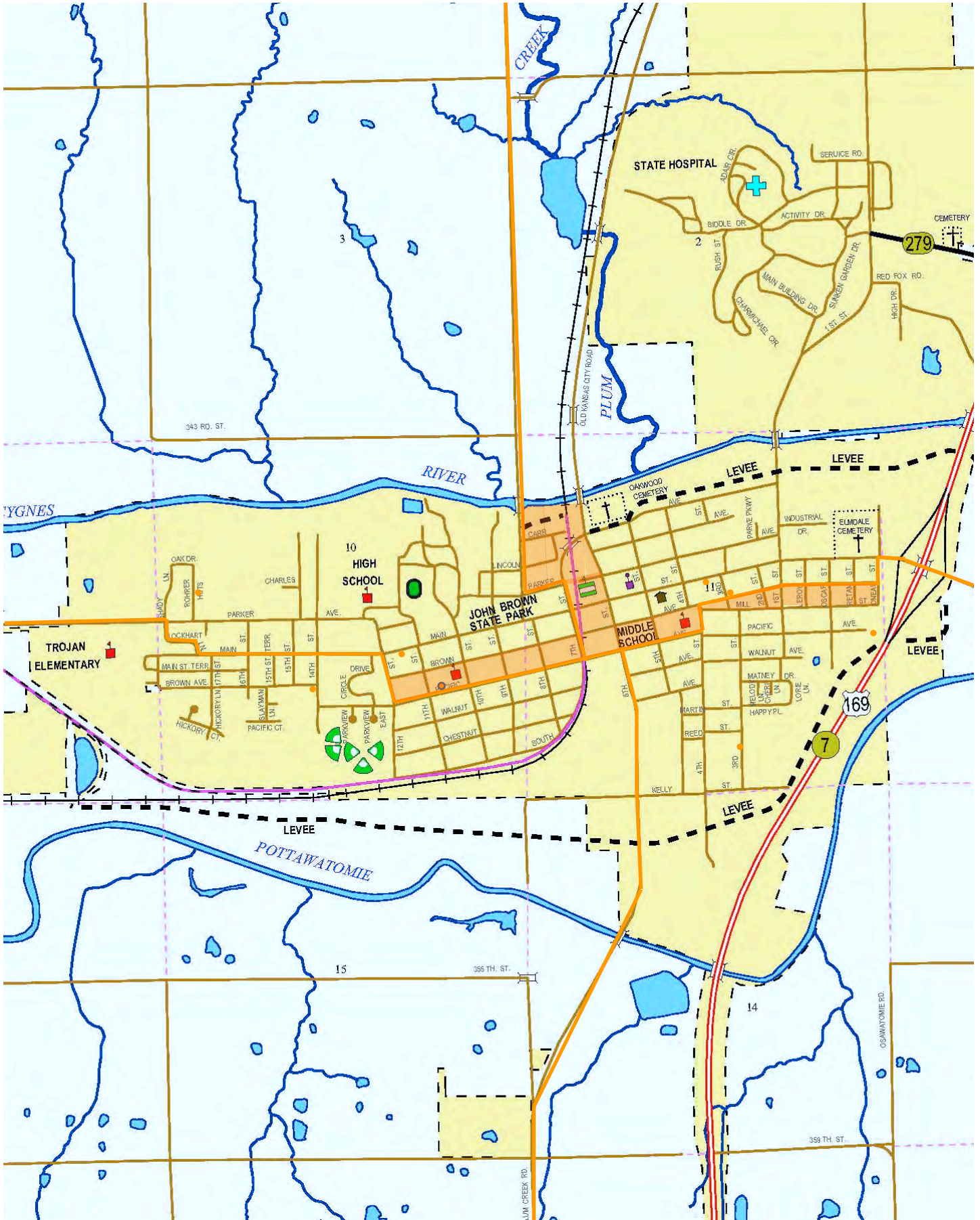
<u>Ward</u>	<u>1&2</u>	<u>2&3</u>	<u>3&4</u>	<u>4&1</u>	<u>Total</u>
1	71			(106)	(35)
2	(71)	144			73
3		(144)	-		(144)
4			-	106	106

<u>Ward</u>	<u>Pop. Change</u>	<u>New Population</u>	<u>Difference from Avg</u>	<u>Percent from Avg</u>
1	(35)	1,096	(16)	-1.44%
2	73	1,151	39	3.51%
3	(144)	1,132	20	1.80%
4	106	1,068	(44)	-3.96%
Total	-	4,447	-	-

Purple Proposal - Ward Boundaries



Orange Proposal - Ward Boundaries





Proclamation

Issued by the Mayor of Osawatomie

WHEREAS, the Miami County Medical Center Rehabilitation professionals' promise of excellence to patients is "Great Recoveries, Great People;" and

WHEREAS, Miami County Medical Center, is observing and celebrating National Rehabilitation Awareness Week to recognize those professionals whose caring, empathetic and motivating attributes help guide patients through recovery; and

WHEREAS, Miami County Medical Center rehabilitation professionals, including Physical Therapists, Physical Therapist Assistants, Occupational Therapists, Speech Language Pathologists, Certified Athletic Trainers and support staff work with citizens of all ages to provide services in the hospital, in outpatient settings, at home and at school to help restore citizens to independent, productive and fulfilling lives; and

WHEREAS, the City of Osawatomie is proud and honored to have Osawatomie Rehabilitation and Miami County Medical Center Rehabilitation Services serving the community; and

NOW, THEREFORE, I, Philip A. Dudley, Mayor of the City of Osawatomie, on behalf of its citizens, do hereby proclaim the week of September 16 through September 22, 2012 as

National Rehabilitation Awareness Week

and encourage all citizens to recognize the significant contributions of rehabilitation professionals and to renew their commitment to people with disabilities and to the efforts of rehabilitative medicine to improve quality of life.

Proclaimed this 9th day of September, 2012.

Philip A. Dudley, Mayor



STAFF AGENDA MEMORANDUM

DATE OF MEETING: September 13, 2012

AGENDA ITEM: **Joint Resolution with the Library**

PRESENTER: Don Cawby, City Manager

ISSUE SUMMARY: Early in 2011, the director of the Northeast Kansas Library System (NEKLS) voiced his displeasure with the “consolidation” of the Library with the City in 2010. The primary complaints were that the new arrangement violated the statutory rights and responsibilities of the Library Board and therefore, the relationship put the Osawatomie Library’s state grant funds in jeopardy. Late in 2011 the issue was brought before the State Library Board and no action was taken on our grant funding. However, the Osawatomie Library Board believes that time was given to “fix” our current agreement.

While I am doubtful that any written agreement or arrangement will completely satisfy the state officials, the Library Board has drafted a revised agreement that they hope will put this issue to rest. The current version of the agreement has been edited by me and the city attorney from the version provided by the Library Board. However, none of those edits were intended to be substantive, but only to update the context of the agreement and to hopefully clarify responsibilities.

COUNCIL ACTION NEEDED: Review, discussion and consider options.

STAFF RECOMMENDATION TO COUNCIL: None at this time.

RESOLUTION NO. _____

A JOINT RESOLUTION REPEALING RESOLUTION 617 AND CREATING A NEW OPERATON AGREEMENT BETWEEN THE OSAWATOMIE PUBLIC LIBRARY AND THE CITY OF OSAWATOMIE PURSUANT TO K.S.A. 12- 3903.

WHEREAS, the Governing Body of the City of Osawatomie, Kansas and the Osawatomie Public Library Board each agreed in Resolution 617 passed on June 11th, 2009, that it was their mutual desire to consolidate their operations, procedures and functions so as to provide for operational efficiency and the best possible library service to the Osawatomie community; and

WHEREAS, for many years, both before and after the adoption of Resolution 617, the City of Osawatomie and the Osawatomie Public Library have operated cooperatively to serve the interests of the residents of the City of Osawatomie; and

WHEREAS, the Northeast Kansas Library System and the Kansas State Library have relayed their concerns over some of the language in Resolution 617 where the governance of the library is concerned; and

WHEREAS, it is the intent of both parties to comply with state statutes concerning the operation of the Osawatomie Public Library, and

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

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

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

SECTION 2. The parties agree to the following:

A. The Executive Director of the Library and other staff shall be employees of the City of Osawatomie and shall be subject to all personnel regulations of the City, except where otherwise specifically stated by this resolution.

B. The City shall provide for personnel administration of library employees, including payroll, benefits administration, personnel record keeping, and other related human resources functions.

C. The City shall provide for the financial administration of operations of the Osawatomie Public Library and the Library agrees to abide by the financial policies except where otherwise specifically stated by this resolution.

D. The City of Osawatomie shall accept assignment of such duties and responsibilities specified herein to be performed under the supervision and direction of the City Manager.

E. The Library shall be considered and operate as a department of the City of Osawatomie and shall have adequate funds budgeted for it.

F. The Library Board will directly supervise the Library Director. Supervision of all other employees will be performed by the Library Director with the approval of the Library Board.

G. The Library Board agrees, except as provided in this agreement, to exercise the duties and powers set forth in K.S.A. 12-1225, including but not limited to maintaining the library board's status as a body corporate and politic with authority to adopt library policies and regulations; employ and set compensation of a librarian; accept, administer, and invest gifts received; approve disbursement of grant monies; approve payment of funds collected for the operation of the library, and other board authorities as provided in statutes.

H. The Library Board shall operate within the budget established by the City of Osawatomie.

SECTION 3. This resolution may be reviewed from time to time as the Library Board and the Governing Body of the City of Osawatomie deem necessary. This resolution may be repealed at any time by either party, in its sole discretion, at such time as it may determine that such termination would benefit the community as a whole. Any such termination shall be in writing and shall be given no later than June 15 of any calendar year, so that the City may have adequate time to include such changes in the adopted budget for the upcoming fiscal year. Furthermore, the dissolution of this agreement will not take effect until the following year in which the notification of termination is given.

SECTION 4. Resolution 617, passed jointly by both the Governing Body of the City of Osawatomie and the Governing Body of the Osawatomie Public Library Board, is hereby repealed.

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

PASSED AND APPROVED by the Governing Body of the City of Osawatomie, Kansas, this 13th day of September, 2012.

APPROVED AND SIGNED by the Mayor.

By: _____
Phil Dudley, Mayor

Attest: _____
Ann Elmquist, City Clerk

PASSED AND APPROVED by the Osawatomie Public Library Board, Osawatomie, Kansas, this ____ day of September, 2012.

APPROVED AND SIGNED by the Chairman of the Board.

By: _____
Sarah Dorsett, Chairwoman

Attest: _____
Jan Sanders, Secretary



STAFF AGENDA MEMORANDUM

DATE OF MEETING: September 13, 2012

AGENDA ITEM: Summary Publication of Ordinances

PRESENTER: Don Cawby, City Manager

ISSUE SUMMARY: On July 1, 2012 HB 2166 went into effect. It amends K.S.A. 12-3007, the law that required cities to publish ordinances before they are effective. Instead of publishing the full ordinance in the local newspaper, cities have another option... a city may opt to publish a summary of the ordinance so long as:

1. The publication is identified as a “summary” and contains notice that the complete text of the ordinance may be obtained or viewed free of charge at the office of the city clerk;
2. the city attorney certifies the summary of the ordinance prior to publication to ensure that the summary is legally accurate and sufficient; and
3. the publication contains the city’s official website address where a reproduction of the original ordinance is available for a minimum of one week following the summary publication in the newspaper.

I am proposing that we consider an ordinance that allows for the summary publication of ordinances pursuant to state statute. I have also inserted language that allows us to publish an entire ordinance, should the governing body decide direct the City Clerk to do so.

Also, as a matter of procedure and to make sure the governing body is not surprised by a notice, I would recommend that the summary statement to be published be included in the packet when the ordinance is being considered. I don’t believe this provision needs to be in ordinance, but I think it would be a smart practice to use.

I have attached the League’s notice to City Clerks for reference and information.

COUNCIL ACTION NEEDED: Review and discussion.

STAFF RECOMMENDATION TO COUNCIL: Adopt the ordinance.

(Published in the Osawatomie Graphic, Sept 19, 2012) 1t

ORDINANCE NO. ____

AN ORDINANCE ALLOWING FOR SUMMARY PUBLICATION OF ORDINANCES; AMENDING AND REPEALING CHAPTER I, ARTICLE 1, SECTION 110 OF THE CITY OF OSAWATOMIE MUNICIPAL CODE.

WHEREAS, K.S.A. 12-3001 and 12-3007 address consideration and publication of ordinances of a city, respectively; and

WHEREAS, the 2012 Kansas Legislature enacted House Bill No. 2166 amending K.S.A. 12-3001 and 12-3007; and

WHEREAS, House Bill 2166 amended K.S.A. 12-3001 to make it uniformly applicable to all cities; and

WHEREAS, House Bill No. 2166 amended K.S.A. 12-3007 to allow for publication of summaries of regular ordinances in the official city newspaper as long as the summary explains: (1) that it is a “summary” and that the full text of the ordinance may be obtained from the office of the city clerk; (2) the city attorney certifies that the summary is legal accurate and sufficient; and (3) the publication includes the city’s official website address where a copy of the of the original ordinance is available to the public for a minimum of one week following the summary publication in the newspaper; and

WHEREAS, House Bill No. 2166 is intended to reduce publication costs incurred by cities; and

WHEREAS, the Governing Body desires to provide for the consideration and publication of ordinances consistent with state law as amended by House Bill No. 2166 enacted by the 2012 Kansas Legislature.

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

SECTION ONE: CODE AMENDED. Pursuant to K.S.A. 12-3001 AND 12-3007, as amended by 2012 House Bill No. 2166, Section 1-110 of the Code of the City of Osawatomie is hereby amended to read as follows:

1-110 SAME; PUBLICATION. No ordinance, except those appropriating money, shall be in force until the ordinance, or its summary as prescribed in this section, is published in the official city newspaper by the city clerk.

- a. The city clerk shall cause to be published in their entirety and for the number of times required by state law, all charter ordinances or other ordinances required by state law to be published in their entirety and for a specified number of times. The publisher of the newspaper shall prefix such published ordinance by a line in brackets stating the month, day and year of such publication.
- b. In the case of all other ordinances, except appropriation ordinances which shall take effect upon passage or upon other specific direction of the governing body, the city clerk shall cause to be published a summary of the ordinance as soon as practicable after it has been passed and signed by the mayor, so long as:
 1. The ordinance includes a section setting forth the summary to be published in the following format:

Ordinance No. _____ Summary
“On (date), the City of Osawatomie, Kansas, passed Ordinance No. _____. The ordinance (description) _____. A complete copy of the ordinance is available at www.osawatomieks.gov or in the office of the city clerk, 439 Main Street, free of charge. This summary is certified by the city attorney.”

2. The publication is identified as a “summary” and contains notice that the complete text of the ordinance may be obtained or viewed free of charge at the office of the city clerk;
3. The city attorney certifies the summary of the ordinance prior to publication to insure that the summary is legally accurate and sufficient;
4. The publication contains the city’s official website address where a reproduction of the original ordinance is available for a minimum of one week following the summary publication in the newspaper; and
5. If the ordinance is subject to petition pursuant to state law, then the summary shall contain a statement that the ordinance is subject to petition.

SECTION TWO. REPEALED. Section 1-110 of the Code of the City of Osawatomie, Kansas as adopted prior to the passage of this Ordinance is hereby repealed.

SECTION THREE. EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its passage and one publication in the official City newspaper.

PASSED AND APPROVED by the Governing Body of the City of Osawatomie, Kansas, a majority being in favor thereof, this 13th day of September, 2012.

APPROVED and signed by the Mayor.

Philip A. Dudley
Mayor

(SEAL)

ATTEST:

Ann Elmquist
City Clerk



STAFF AGENDA MEMORANDUM

DATE OF MEETING: September 13, 2012

AGENDA ITEM: **Standard Offense Code and Uniform Public Offense Code**

PRESENTER: Don Cawby, City Manager

ISSUE SUMMARY: The *Standard Traffic Ordinance (STO)* for Kansas Cities and the *Uniform Public Offense Code (UPOC)* for Kansas Cities have been published by the League of Kansas Municipalities for decades. They are designed to provide a comprehensive traffic code (STO) and criminal code (UPOC) for Kansas Cities.

The STO, in large part, parallels the state traffic act, just as the UPOC parallels the state criminal code. They do not take effect in a city until the governing body has passed and published an ordinance incorporating each of them by reference. The incorporating ordinance may delete articles or sections which the governing body considers unnecessary or may change language as long as it does not conflict with state statute.

For public records purposes, there must be at least three official copies of each on file with the City Clerk. We also make sure that enforcing officers each have a copy.

The following represent the changes in the STO from the 2011 edition to the 2012 edition:

- Section 1. Definitions.
- Section 30. Driving Under the Influence of Intoxicating Liquor or Drugs; Penalties.
- Section 30.1. Driving Commercial Motor Vehicle Under the Influence of Intoxicating Liquor or Drugs; Penalties.
- Section 30.2.1 Refusal to Submit to Alcohol or Drug Test.
- Section 194. Driving While License Canceled, Suspended or Revoked; Penalty.
- Section 195.1 Operation of a Motor Vehicle When a Habitual Violator.

The following represents the changes in the UPOC from the 2011 edition to the 2012 edition:

- Section 1.1 Definitions.
- Section 2.2 Conspiracy.
- Section 3.1.1 Domestic Battery.
- Section 3.8 Violation of Protection From Abuse Order.
- Section 3.8.1 Violation of a Protective Order.
- Section 5.6 Purchase or Possession of Cigarettes or Tobacco products By a Minor.
- Section 5.7 Selling, Giving or Furnishing Cigarettes or Tobacco Products to a Minor.
- Section 6.25 Unlawfully Buying Scrap Metal.
- Section 7.2 Interference With a Law Enforcement Officer.
- Section 7.3 Escape From Custody.
- Section 7.7 Simulating Legal Process.
- Section 10.9 Carrying Concealed Explosives.
- Section 10.10 Endangerment.
- Section 10.20 Unlawfully Obtaining a Prescription-Only Drug.
- Section 10.24 Smoking Prohibited.
- Section 10.26 Smoking Prohibited, Penalties.

COUNCIL ACTION NEEDED: Vote on the ordinances to adopt the 2012 STO and the 2012 UPOC.

STAFF RECOMMENDATION TO COUNCIL: Adopt both ordinances to incorporate the STO and the UPOC by reference.

ORDINANCE NO. _____

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF OSAWATOMIE, KANSAS; INCORPORATING BY REFERENCE THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES” EDITION OF 2012; AMENDING AND REPEALING CHAPTER XIV, ARTICLE 1, SECTIONS 101-103 OF THE CITY OF OSAWATOMIE MUNICIPAL CODE; AND REPEALING ORDINANCE NO. 3683.

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

SECTION ONE: CODE AMENDED. Sections 14-101 to 14-103 of the City of Osawatomie Municipal Code are hereby amended to read as follows:

14-101. INCORPORATING STANDARD TRAFFIC ORDINANCE. There is hereby incorporated by reference for the purpose of regulating traffic within the corporate limits of the City of Osawatomie, Kansas, that certain standard traffic ordinance known as the “Standard Traffic Ordinance for Kansas Cities,” Edition of 2012, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas, save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed. No fewer than three copies of said Standard Traffic Ordinance shall be marked or stamped “Official Copy as Incorporated by the Code of the City of Osawatomie,” with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours. The Police Department, Municipal Judge and all administrative departments of the City charged with the enforcement of the ordinance shall be supplied, at the cost of the City, such number of official copies of such Standard Traffic Ordinance similarly marked, as may be deemed expedient.

14-102. SAME; AMENDMENTS. Section 33 of the Standard Traffic Ordinance as adopted is amended to read as follows:

Sec. 33. Maximum Speed Limits.

- (a) Except as provided in subsection (b) and except when a special hazard exists that requires lower speed for compliance with K.S.A. 8-1557, and amendments thereto, the limits specified in this subsection or established as authorized by law shall be maximum lawful speeds, and no person shall operate a vehicle at a speed in excess of such maximum limits:
 - (1) In any business district, 20 miles per hour;
 - (2) In any urban district, 30 miles per hour;
 - (3) On any separated multilane highway, as designated and posted by the secretary of transportation 70 miles per hour;
 - (4) On any county or township highway, 55 miles per hour; and
 - (5) On all other highways, 65 miles per hour.
- (b) No person shall drive a school bus to or from school, or interschool or intra-school functions or activities, at a speed in excess of the maximum speed limits provided in subsection (a), except that the board of education of any school district may establish by board policy lower maximum speed limits for the operation of such district’s school buses. The provisions of this subsection relating to school buses shall apply to buses used for the transportation of students enrolled in community colleges or

area vocational schools, when such buses are transporting students to or from school, or functions or activities. (K.S.A. Supp. 8-1558)

- (c) The maximum speed limits in this section may be altered as authorized in K.S.A 8-1559 and K.S.A 8-1560, and amendments thereto.
- (d) The governing body having determined upon the basis of a traffic investigation that the speed limits permitted under state law and Section 33 of the Standard Traffic ordinance are less than reasonable and safe on some streets and are more than reasonable and safe on other streets, and does determine and declare that the speed limit (except when a special hazard exists that requires lower speed for compliance with Section 32) on the streets hereinafter set forth be the limits specified in this section, and no person shall drive a vehicle at a speed in excess of such maximum limits:
 - (1) Speed not in excess of 20 miles per hour shall be lawful on the following streets:
 - (A) Main Street between 15th Street and 18th Street.

14-103. SAME; AMENDMENTS. Section 93 of the Standard Traffic Ordinance as adopted is amended to read as follows:

Sec. 93. Parking Disabled and Other Vehicles.

- (a) No person shall park or store any farm machinery, trailer or semi-trailer of any kind, or parts of the same, or any dead, damaged or disabled motor vehicle or farm machinery, trailer or semi-trailer of any kind, in the roadway of any highway, or between the property line or sidewalk and the curb line of any street. No person shall park or store any operable motor vehicle between the property line or sidewalk and the curb line of any street except on a designated driveway.
- (b) A person shall not use the public highway to abandon vehicles or use the highway to leave vehicles unattended in such a manner as to interfere with public highway operations. When a person leaves a motor vehicle on a public highway or other property open to use by the public, the city having jurisdiction of such highway or other property open to use by the public, after 48 hours or when the motor vehicle interferes with public highway operations, may remove and impound the motor vehicle. (K.S.A. 8-1102)

SECTION TWO: EXISTING SECTIONS OF CODE REPEALED. Sections 14-101 to 14-103 of the Code of the City of Osawatomie, Kansas are hereby repealed.

SECTION THREE: EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its publication in the official City Newspaper.

PASSED AND APPROVED by the Governing Body of the City of Osawatomie, Kansas, this 13th day of September, 2012.

APPROVED AND SIGNED by the Mayor.

Philip A. Dudley, Mayor

(SEAL)

ATTEST:

Ann Elmquist, City Clerk

ORDINANCE NO. _____

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF OSAWATOMIE, KANSAS; INCORPORATING BY REFERENCE THE “**UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES**” EDITION OF 2012; AMENDING AND REPEALING CHAPTER XI, ARTICLE 2, SECTION 201 OF THE CITY OF OSAWATOMIE MUNICIPAL CODE; AND REPEALING ORDINANCE NO. 3684.

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

SECTION ONE: CODE AMENDED. Section 11-201 of the City of Osawatomie Municipal Code is hereby amended to read as follows:

11-201. INCORPORATING UNIFORM PUBLIC OFFENSE CODE. There is hereby incorporated by reference for the purpose of regulating public offenses within the corporate limits of the City of Osawatomie, Kansas, that certain code known as the "Uniform Public Offense Code," Edition of 2012, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas, save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed. No fewer than three copies of said Uniform Public Offense Code shall be marked or stamped "Official Copy as Incorporated by the Code of the City of Osawatomie, Kansas," with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this section, and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours.

SECTION TWO: EXISTING SECTION OF CODE REPEALED. Section 11-201 of the Code of the City of Osawatomie, Kansas and Ordinance No. 3684 are hereby repealed.

SECTION THREE: EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its publication in the official City Newspaper.

PASSED AND APPROVED by the Governing Body of the City of Osawatomie, Kansas, this 13th day of September, 2012.

APPROVED AND SIGNED by the Mayor.

Philip A. Dudley, Mayor

(SEAL)

ATTEST:

Ann Elmquist, City Clerk



STAFF AGENDA MEMORANDUM

DATE OF MEETING: September 13, 2012

AGENDA ITEM: Skid Trencher

PRESENTER: Don Cawby, City Manager

ISSUE SUMMARY: When we approved the 2013 budget we included \$25,000 for a mini-skid trencher which would allow our staff to access some hard to reach places and allow us to undertake burying electric lines on the west side of town. However, as we started looking at doing our trenching at the ball fields for our installation of the irrigation system and replacing the electric line for the outfield lights at the ball diamonds, we realized that we needed this piece of equipment earlier.

Because of this time line change, I asked our line crew to go ahead and get bids for a new trencher. I also approved rental of a trencher for the ball diamond light project, but asked them to make sure that any rental cost would be applied to our purchase price. Ditch Witch was willing to do that and it is the piece of equipment we used to spec the cost for our budget.

I am recommending that we move the purchase of the mini-skid steer, with a bucket and trencher, forward to 2012 so that we can take advantage of the price reduction for rental. Also, it will let our staff get started on work trenching work as early next year as the weather allows.

Finally, this piece of equipment will provide us with some flexibility. It will let us get into back yards with a bucket to smooth out yards and areas where we have trenched. It can be used for snow removal on smaller sidewalks and paths. With this mini-skid steer trencher, we have the option of purchasing attachments in the future, such as an auger, blade, broom, rake or many other attachments.

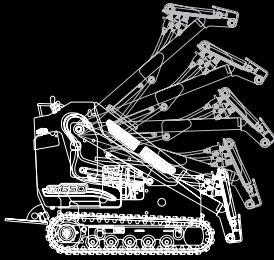
COUNCIL ACTION NEEDED: Review the bids.

STAFF RECOMMENDATION TO COUNCIL: Approve the low bid, which will be adjusted for machine rental already paid.

DITCH WITCH SK650 Mini Skid Steer

The SK650's powerful 31.5-hp (23.5-kW) Kubota diesel engine and hydraulic system give it more power for its size than any machine in its class—in a compact package that's easy to tow and easy to maneuver. And with a formidable 20 net horsepower (15 kW) to the front end, attachments are more productive, too.





SPECIFICATIONS

DIMENSIONS	U.S.	METRIC
Overall Length	82 in	2.08 m
Overall Height	53 in	1.35 m
Width, min. to max.	35 in - 42 in	889 mm - 1.07 m



A



B



KEY FEATURES

- (Photograph A) Auxiliary valve contains a float section for better performance of attachments that follow the contour of the ground.
- Pilot-operated ground drive controls provide highly responsive steering with little or no vibration feedback, increasing operator comfort and productivity.
- Equipped with quick-disconnect manifold so attachments can be changed easily and quickly.
- (Photograph B) The stand-on platform keeps operators out of mud and debris and reduces fatigue.
- Available with your choice of aggressive tracks for better traction or turf-friendly tracks for reduced jobsite restoration.
- Like all members of the SK line, the SK650's controls are simple and easy to use.
- Greater lift and dump heights than competitors, so it can dump into vehicles that others can't, increasing its versatility.
- Diesel and hydraulic tanks are on either side of the machine frame, so you don't have to raise the hood to refuel or top off the hydraulic fluid.

Mini Skid Trencher Bids

	mini-skid with bucket	backfill blade	trencher attachment	Freight	TOTAL
Ditch Witch Sales, Inc. Olathe, KS	\$19,499.00	\$1,660.00	\$4,807.00	\$0.00	\$25,966.00
Ditch Witch of Omaha Omaha, NE	\$19,849.00	\$1,857.00	\$4,925.00	\$500.00	\$27,131.00
Ditch Witch Sales, Inc. Collinsville, IL	\$20,490.76 \$500.00	\$1,740.03 \$100.00	\$5,222.41 \$160.00	\$760.00	\$28,213.20



Ditch Witch Sales, Inc

Authorized Ditch Witch® Dealer
 web site@www.ditchwitchsales.com

Olathe

HOME OFFICE:

1617 S. Service Rd.
 P.O. Box 429
 Sullivan, MO 63080
 (573) 468-8012
 (800) 392-3633
 FAX (573) 468-8016

1355 S. Enterprise
 Olathe, KS 66061
 (913) 782-5223
 (800) 468-0148
 FAX (913) 782-7977

107 Troy Road
 Collinsville, IL 62234
 (618) 345-6262
 (800) 356-3165
 FAX (618) 345-2823

2801 Farmers Market Road
 Springfield, IL 62707
 (217) 789-1220
 (800) 372-2085
 FAX (217) 789-1223

SERVICE CENTER
 1084 County Road 2710
 Moberly, MO 65270
 (660) 263-6420
 (800) 630-3857
 FAX (660) 263-0205

PRICE QUOTATION

City of Osawatomie
 PO Box 37, 439 Main St.
 Osawatomie, KS 66064
 Attn: Terry Upshaw

DATE	8/20/12	TERMS	
INQUIRY DATED	8/20/12	SALES REP	Joel Hardy
PROPOSED SHIPPING DATE	TBA	SHIPPED VIA	

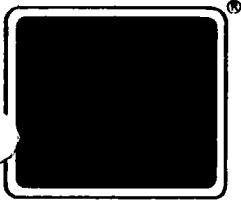
QUANTITY	DESCRIPTION	PRICE
1	New SK650 mini-skid w/bucket	\$ 19,499.00
1	Backfill blade w/hydraulic conversion	\$ 1,660.00
1	SK5Tr trencher attachment with 36" boom; 50/50 dirt/rock combo chain	\$ 4,807.00
		<u>\$ 25,966</u>

THANK YOU FOR THE OPPORTUNITY TO PROVIDE THE ABOVE QUOTE. SHOULD YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CONTACT ME.

SINCERELY,

SALES REP. Joel Hardy
 OFFICE 913-782-5223
 CELL 816-289-6832

PRICES AND CONDITIONS QUOTED WILL BE HONORED UNTIL
 Ditch Witch Sales, Inc. Olathe, KS DITCH WITCH DEALER
 City of Osawatomie PROSPECTIVE CUSTOMER



Authorized Ditch Witch Dealer

Ditch Witch of Omaha

1-80 and Hwy. 50 • P. O. Box 37532
Omaha, Nebraska 68137
(402) 895-2444 (800) 967-1644
FAX (402) 895-5183

PRICE QUOTATION

City of Omatomic

DATE	
YOUR INQUIRY DATED	
PROPOSED SHIPPING DATE	
TERMS	F.O.B.
SALESMAN	
TO BE SHIPPED VIA	PPD OR COLL.

THIS IS A QUOTATION ONLY AND SUBJECT TO THE CONDITIONS NOTED

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
1	<i>New Ditch Witch Model SK650 w/ bucket</i>		
	<i>Purchase Price</i>	<i>\$19,849</i>	
1	<i>New Backfill blade w/ hydraulics</i>		
	<i>Purchase Price</i>	<i>\$1,857</i>	
1	<i>New SK51R trencher w/ 36" boom & 50/50 chain</i>		
	<i>Purchase Price</i>	<i>\$4,925</i>	
		<i>\$26,631</i>	
	<i>Add for freight \$500</i>	<i>+ \$500</i>	
	<i>Add for applicable sales tax</i>	<i>27,131</i>	

TERMS AND CONDITIONS QUOTED WILL BE

HONORED UNTIL _____, 19____

Ditch Witch of Omaha
Greg Medlin

Ditch Witch Dealer

Authorized Signature

DITCH WITCH SALES, INC.

107 TROY ROAD
COLLINSVILLE, IL 62234-5503
Phone 618-345-6262
Fax 618-345-2823

Ossawatomie, City of

PO Box 37
439 Main St.
Ossawatomie, KS 66064

Quote: 50050203
Ext. Ref.: SK650
Description: Mini Skid Steer
Date: 08/20/2012
Salesperson: Larry Vogel
Mobile Phone: 618-407-2813
Email: lvogel@ditchwitchsales.com

Price Quote

Quote valid for: 41 days, until 09/30/2012

SK650 Mini Skid Steer

The Ditch Witch® Model SK650 mini skid steer basic power unit includes the following: Kubota D1105-T liquid-cooled diesel engine, Tier 4i (32.8 hp gross,, 31.5 hp estimated net @ 3,000 rpm), Infinitely, variable-speed hydrostatic ground drive through, independently driven tracks, Mechanical service brake,, Multi-tach attachment plate, Hydraulic power beyond and, 650 lb. rated operating capacity (35% of total tip, capacity)..

<u>Qty</u>	<u>Part Number</u>	<u>Description</u>
1	SK650	SK650 Mini Skid Steer
1	SK650-5	Base Unit: Wide Aggressive Tracks 42"
1	300-5564	BUCKET, 44"

Equipment Subtotal \$ 20,490.76

Subtotal Before Tax \$ 20,490.76

Total Tax \$ 0.00

Total Amount \$ 20,490.76
U.S. Dollars

PLUS FREIGHT SETUP \$500⁰⁰

\$27,453.20
freight 760.00

\$28,213.20

DITCH WITCH SALES, INC.

107 TROY ROAD
COLLINSVILLE, IL 62234-5503
Phone 618-345-6262
Fax 618-345-2823

Ossawatomie, City of
PO Box 37
439 Main St.
Ossawatomie, KS 66064

Quote: 50050205
Ext. Ref.: SK5BFB
Description: Backfill Blade
Date: 08/20/2012
Salesperson: Larry Vogel
Mobile Phone: 618-407-2813
Email: lvogel@ditchwitchensales.com

Price Quote

Quote valid for: 41 days, until 09/30/2012

Backfill Blade

<u>Qty</u>	<u>Part Number</u>	<u>Description</u>
1	322-630	Backfill Blade
1	104-033	HYD BLADE CONVERSION KIT

Equipment Subtotal \$ 1,740.03

Subtotal Before Tax \$ 1,740.03

Total Tax \$ 0.00

Total Amount \$ 1,740.03
U.S. Dollars

PLUS FRET & SETUP \$ 100.00

DITCH WITCH SALES, INC.

107 TROY ROAD
COLLINSVILLE, IL 62234-5503
Phone 618-345-6262
Fax 618-345-2823

Ossawatomie, City of
PO Box 37
439 Main St.
Ossawatomie, KS 66064

Quote: 50050208
Ext. Ref.: SK5TR
Description: Trencher
Date: 08/20/2012
Salesperson: Larry Vogel
Mobile Phone: 618-407-2813
Email: lvogel@ditchwitchsales.com

Price Quote

Quote valid for: 41 days, until 09/30/2012

SK5TR Utility Attachment

SK5TR Compact Utility Trenching Attachment

<u>Qty</u>	<u>Part Number</u>	<u>Description</u>
1	SK5TR	SK5TR Utility Attachment
1	104-040-1	Mat. Var.: SK5TR Utility Att. Base Unit
1	141-791	ROLLER BOOM ASS'Y (36")
1	141-755	RESTRAINT BAR
1	133-040	33K 4P DURA 68P 4.4

Equipment Subtotal \$ 5,222.41

Subtotal Before Tax \$ 5,222.41

Total Tax \$ 0.00

Total Amount \$ 5,222.41
U.S. Dollars

PLUS FREE SETUP 160.00



MEMORANDUM

To: Mayor and City Council
From: Don Cawby, City Manager
Re: **Projects & Issues Update**
Date: September 13, 2012

Projects

Sewer Plant. At the next meeting, Brian Kingsley from BG Consultants will be here to discuss the proposed sewer plant upgrades. Our plant continues to have problems and couple pieces of equipment we have are being held together with bailing wire. I have asked Brian to come to the work session so we can have plenty of time for discussion.

Swimming Pool. We have already had discussions with BG Consultants on being our pool planners. They have given us preliminary estimates significantly lower than what we expected. Tom Arpin, BG's pool planner has already met with BG on Wednesday night and I will plan on having the contract ready for your to sign at the next meeting.

Issues

Grant Application. Today I submitted a grant application to the Baehr Charitable Trust Foundation for \$35,000 for new playground equipment for the Cole Sports Complex. I would have rather requested money for new buildings or to improve our basketball courts and tennis courts, but we have yet to complete a master plan and playground equipment seems to be something the Baehr Foundation has funded in the past. If the grant application is approved we would need to provide the installation and any additional money over the \$35,000. Based upon some estimates, I believe this is the right amount of money to provide a better play area at the complex.

Position Posted. We have posted an Accounting Officer position for the City to replace Lynette Mersman when she retires in the next couple of months. We posted the position open until filled, but will begin resume review in the next couple of weeks.

Communications Training. Last week I attended the 3CMA conference in Portland Oregon. 3CMA is an organization focused on communications professionals in local governments. I came back with tons of new ideas and a real focus on how we portray our community to the world. Obviously improvements to our website is a big step in that direction, but I also think we need to start thinking about how we need to change our communication style with our citizens as the way they communicate is rapidly changing. I also gained some real insight on getting community feedback and looking for some ways to engage our

citizens in our activities. I am praying for some time to develop these ideas as I think communication improvements are going to be crucial to real improvements in our community.

Upcoming Meetings/Dates

Sept 15-16 Freedom Festival
Sept 27 City Council Meeting
October 11 City Council Meeting

Manager's Out-of-town Schedule

Sept 14 KACM Board Meeting - Salina
Oct 6-8 LKM Annual Conference in Topeka