OSAWATOMIE CITY COUNCIL AGENDA

October 10, 2019 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. October 10th Agenda
- B. Council Minutes for September 12, 2019
- C. Pay Application Hall's Bobcat Service Trail Construction \$10,336.20
- 6. Comments from the Public

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

- 7. Presentations & Proclamations
- 8. Unfinished Business
- 9. New Business
 - A. Municipal Investment Pool Authorization
- 10. Council Report
- 11. Mayor's Report
- 12. City Manager & Staff Reports
 - A. Trail Easement Update Assistant Meagan Borth
 - B. Tablets for Council Meetings City Manager Mike Smith & Assistant Meagan Borth
 - C. Waste Management City Manager Mike Smith
 - D. Noise Ordinance City Manager Mike Smith
 - E. Nuisance Officer City Manager Mike Smith
 - F. Fix-It Form Assistant Meagan Borth
- 13. Executive Session Data relating to the financial affairs or trade secrets of corporations, partnerships, trusts, and individual proprietorship (Economic Development)
- 14. Other Discussion/Motions
- 15. Adjourn

Osawatomie, Kansas. **September 12, 2019.** The Council Meeting was held at Memorial Hall. Mayor Mark Govea called the meeting to order at 6:30 p.m. Council members present were Dickinson, Diehm, Hampson, LaDuex, Caldwell, Macek, Walmann and Wright. City Staff present at the meeting were: City Manager Don Cawby, Assistant to the City Manager Meagan Borth, City Clerk Tammy Seamands, City Attorney Richard Wetzler, Building Official Ed Beaudry, Police Chief David Ellis, Assistant Police Chief David Stuteville, Fire Chief Brian Love, Fire Captain Lance Kerr, Fire Lieutenant Aaron Sharp, Information Technology Director Bill Justesen. Members of the public were: Doug Carder, Shane Lamb, Mike Smith, Nikki Harrison, Barbara Hohenstein, Ron Hohenstein, Wayne Ova, Cindy Govea, Danny Govea, Scott Shreve, Jamie Wilson, Keith Oakley, Tisha Oakley, Roy Seicheine, Teresa Seicheine and Michelle Chester.

INVOCATION. Wayne Ova, Faith Baptist Church

CONSENT AGENDA. Approval of September 12th Agenda; August 8th Council Minutes, August 22nd Council Minutes, Register Report 2019-08, Pay Application – Hall's Bobcat Service – Trail Project - \$16,660.74, Pay Application – JEO – Electric Project Consulting - \$760.00, Pay Application – Wood PLC – Levee Project - \$32,530.00. **Motion** made by LaDuex, seconded by Dickinson to Approve the Consent Agenda minus the Register Report 2019-08. Yeas: All. Hampson abstained.

COMMENTS FROM THE PUBLIC.

Roy Seicheine stated that "10 acres" was mowed but still imposes a safety hazard This property is zoned residential and does not meet city code 8-301 article (h), 8-301 article (o) and 8-302. Seicheine presented pictures to the council of the property and states that he hopes to get a resolution so that this property meets city code.

Teresa Seicheine stated that she has brought the issue of "10 acres" to the council before and there was not a resolution.

City Manager, Don Cawby replied that there is other undeveloped property in the City that is zoned residential and has some of the same issues. As a compromise with "10 acres" the owners were to maintain a buffer zone. Cawby agrees that this has not been done. The City is going through the process of asking the owner of "10 acres" to come into compliance with this property.

Barbara Hohenstein presented the council with photos of her alley. She stated there is trash, snakes and possums in the alley. There were also photos of yards that are not mowed around town.

Ron Hohenstein used his personal sprayer and weed killer to spray the entire downtown area from 7th street to City Hall on both sides of the street. Hohenstein stated he did this because he just didn't want to complain and is willing to help make things better. There is also a lot of dead and dying trees around town and nuisance properties.

Keith Oakley stated that "10 acres" was mowed on Labor Day but they did not mow all of it. The mosquitoes are also bad there. Oakley stated that Osawatomie has a lot of rental properties

and believes that there should be more ordinances to protect tenants. The City should also do home inspections on rental properties. Oakley also has concerns about the old Swenson school and would like to know why it has not been maintained or addressed.

Tisha Oakley wanted to bring attention to furniture that is left on porches collect bacteria and make people sick.

City Manager Don Cawby reported that the resident agent for the old Swenson school property came into City Hall today to discuss the issues.

PRESENTATIONS & PROCLAMATIONS.

Nikki Harrison with the League of Kansas Municipalities presented the LEAPS program. This program assists cities in filling city executive positions. The League offers a multi-faceted program that can be tailor-made to fit the needs of our city.

PUBLIC HEARINGS.- None.

UNFINISHED BUSINESS.

LEAPS AGREEMENT - **Motion** made by Hampson, seconded by Macek to sign the Leaps Agreement. Yeas: All.

PROPOSED LEASE-PURCHASE TERMS – NORTHLAND TIRE RECYCLING – Earlier this summer, Shane Lamb with United Tire Recycling inquired about purchasing/leasing 40 acres located in the NW section of 335th and Osawatomie Road. The City then developed a lease-purchase agreement based on those conversations. Lamb has submitted a counter offer requesting a purchase price of \$1.00. Staff will work with Northland Tire Recycling on drafting a purchase agreement that would require performance guarantees and "claw-back" restrictions.

2019-2020 CIP RECOMMENDED BUDGET – **Motion** made by Hampson, seconded by Dickinson to adopt the 2019-2020 CIP Budget. Yeas: All.

TRAIL EASEMENT – ROSEBERRY PROPERTY AGREEMENT – **Motion** made by LaDuex, seconded by Hampson to approve the Roseberry property agreement as presented with the addition of adding language to put a cap on the maximum size of land tract under section 1.4, and to allow maintenance vehicles to be permitted on the trail. Yeas: All.

EMP1 & KMEA APPOINTMENTS – **Motion** made by LaDuex, seconded by Hampson to appoint Chief Power Plant Operator, Will Butcher as our EMP1 Representative and Electric Superintendent, Terry Upshaw as our EMP1 Alternate and KMEA Director #1. Yeas: All.

NEW BUSINESS.

INTERIM CITY MANAGER AGREEMENT- MICHAEL SMITH - **Motion** made by LaDuex, seconded by Walmann to approve the Interim City Manager Agreement to hire Michael Smith. Yeas: All.

ENERGY MANAGEMENT CONSULTING AGREEMENT – PRIORITY POWER MANAGEMENT – **Motion** made by LaDuex, seconded by Hampson to approve the consulting agreement with Priority Power Management, LLC. Yeas: All.

ASPHALT REPAIR DISCUSSION- **Motion** made by LaDuex, seconded by Caldwell to approve the purchase of the KM 4000TEDD 2 Ton Trailer Mount hot box from KM International in the amount of \$20,425.00. Yeas: All.

COUNCIL REPORTS.

Dan Macek ~ would like to have a few council members to sin in on the final meeting in September for the Lights on the Lake.

Cathy Caldwell ~ the hot box will be a great asset. Caldwell has mowed part of "10 acres" to keep it away from their property. Caldwell has also noticed brush, trees and water standing on the property and would request that the nuisance on "10 acres" be looked into further and taken care of according to the city codes.

Jeff Walmann ~ Hall's has started building the trail. The trail is ready to have gravel put onto it. Miami County is giving the taskforce \$10,000 for the trail and they are looking at installing a bridge.

MAYOR'S REPORT - None

CITY MANAGER & STAFF REPORTS.

Brian Love ~ FIRE STATION PLANS - the fire station currently has the entire building and they are adding a 2^{nd} floor. Staff is doing most of the work for the remodel. There will be an Emergency Operations Center in the building that will be able to provide duplicate dispatch capabilities in the case of an emergency. The Fire Department open house will be held in the building October 12^{th} even though construction will not be complete.

Ed Beaudry ~409 5TH STREET UPDATE – a certified letter was sent to Ron Shade and Darby Lindsey giving them until September 12, 2019 to show progress on the house or there would be a request to the council to revoke and withdraw the stay that was previously granted on the demolition of the property. Neither signed for the letter and there is no response to emails. **Motion** made by Walmann, seconded by Hampson to move forward with the demolition of 409 5th Street on October 25, 2019. Yeas: All.

	Meagan	Borth~ P	olice Chie	ef Ellis s	sent a	text 1	messa	ge say	ing tha	at the n	number	of call	ls at
the sta	ate hospita	l average	between	120-200	calls	per y	ear. T	hat ha	s num	ber has	gone d	own f	rom
300 ca	alls in 201	6.											

EXECUTIVE SESSION.

OTHER DISCUSSION/MOTIONS.

Motion made by Caldwell, seconded by Dickinson to adjourn. Yeas: All. Mayor declared the meeting adjourned at 9:02 p.m.

/s/ Tammy Seamands
Tammy Seamands, City Clerk

Hall's Bobcat Service

607 Mulberry Ave. Osawatomie, KS 66064

Invoice

Date	Invoice #				
9/27/2019	3452				

Division of E & H Properties, Inc.

Bill To	
City of Osawatomie 439 Main Street Osawatomie, Ks 66064	

Excavation - Residential & Commercial Rock Yard - Landscape & Supplies (located 607 Mulberry, Osawatomie)

Office Hours: Mon.-Fri. 8-5 Sat. 8-Noon Office Phone #: 1-913-245-4089

Vous Decidental on Communical Contract	40-4	P.O. No.		Terms	Project		
Your Residental or Commercial Contrac	tor!			Net 10 days			
Description	Qty		U/M	Rate	Amount		
Day 21(Removed and burnt trees proposed bridge site/large							
crossing)9/24/2019		5.0		150.00	700.00		
Excavator/40,000 lbs. Machine		5.2	hr				
Excavator/8,000 lbs Machine Bobcat T630		1.2 2.6	hr				
		2.45	hr				
Excavation per hour		2.45	hr	60.00	147.00		
Day 22(Continue removing and burning trees on proposed bridge site)9/25/2019							
Excavator/40,000 lbs. Machine		3.1	hr	150.00	465.00		
Excavator/8,000 lbs Machine		4.1	hr				
Bobcat T630		3.6	hr		•		
Excavation per hour		3.7	hr				
Day 23(Remove and burn trees from marker #1500-#2000)9/26/2019 Excavator/8,000 lbs Machine Bobcat T630 Excavation per hour Day 24(Remove and burn trees from marker #1600-#2300)9/27/2019 Excavator/8,000 lbs Machine Bobcat T630 Excavation per hour Day 25(Lay-Out next section of trail from #1365-#2300)9/30/2019 Excavation per hour		4.2 4.7 2.1 4.4 4.8 1.7	hr hr hr hr hr	110.00 60.00 110.00 60.00	517.00 126.00 126.00 126.00 102.00		
Please make check payable to: Hall's Bobca	Sa	⊥ iles Tax (0.0%)	L				
Term: Cash - Accounts not paid within 10 days of the date invoiced are subject to a 1.5% monthly finance.							
email: hallsbobcatservice@gmail.com				Total Payments/Credits			
THANK YOU FOR YOUR BUSINESS				Balance Due			

Hall's Bobcat Service

607 Mulberry Ave. Osawatomie, KS 66064

Invoice

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Office Hours: Mon.-Fri. 8-5 Sat. 8-Noon Office Phone #: 1-913-245-4089

W P II A I G		P.O. No.		Terms	Project		
Your Residental or Commercial Contractor	or!			Net 10 days			
Description	Qty		U/M	Rate	Amount		
Day 26(Installed Culvert #2000 now at #2053 and upsize to a 24" instead of 12" discovered natural spring in ditch built up trail from #1900-#2000 and cut north ditch from #1850-#2053)10/1/2019 3/4" Clean Gravel per scoop = about 1 cu. yd 1 1/4" Road Rock per scoop = about 1 cu. yd. Gravel Hauling-6 Cu. Yd. per load Excavator/8,000 lbs Machine Bobcat T630 Excavation per hour Day 27(Installed 4" Ditch Liner @ culvert due to natural spring, complete fill from #1800-#2053)10/202019 4" Ditch Liner(per ton) 1 1/4" Road Rock(per ton) Gravel Hauling (per ton) Excavator/8,000 lbs Machine #82 Versitile 835 tractor Bobcat T630 #86 Case 2290 tractor Excavation per hour		12 12 4 5.1 5.7 8.5 16.77 16.89 33.66 3.2 1.4 5.1 1.4 3.9	hr hr hr hr hr	110.00 60.00 18.80 8.55 6.67 110.00 110.00 110.00	456.00T 60.00T 561.00 627.00 510.00 315.28T 144.41T 224.51T 352.00 154.00 561.00 154.00		
Please make check payable to: Hall's Bobcat	Service		Sa	Sales Tax (0.0%) \$0.00			
Term: Cash - Accounts not paid within 10 days of the date invoiced are subject to	a 1.5% monthly finan	ce charge.	Тс	tal	\$10,336.20		
email: ha	allsbobcatserv	ice@gma	iil.com Pa	Payments/Credits \$0.00			
THANK YOU FOR YOUR BUSINESS			В	Balance Due \$10,336.20			

CITY OF OSAWATOMIE



STAFF AGENDA MEMORANDUM

DATE OF MEETING: October 10, 2019

AGENDA ITEM: Municipal Investment Pool Authorization

PRESENTER: Tammy Seamands, City Clerk

ISSUE SUMMARY: The State of Kansas created the Municipal Investment Pool (MIP) to allow cities to have an alternative to local banks to place excess funds. The City currently has two MIP accounts. One account is a temporary account that we are using for the bond proceeds from the generation project. The second account is an investment account for the general fund. The MIP funds is offering a higher return on our investments and allows us to easily access or transfer the money.

Staff is requesting the approval of a new resolution to reauthorize the MIP and to update the authorized users on the account.

COUNCIL ACTION NEEDED: Review and discuss the proposed resolution.

STAFF RECOMMENDATION TO COUNCIL: Approve the proposed resolution as presented.

RESOLUTION NO. 773

BY THE CITY OF OSAWATOMIE, KANSAS

A RESOLUTION CONSENTING TO THE PARTICIPATION OF THE CITY OF OSAWATOMIE, KANSAS IN THE MUNICIPAL INVESTMENT POOL, A KANSAS PUBLIC FUNDS INVESTMENT POOL; AND DESIGNATING WHOM IS AUTHORIZED TO EXECUTE DOCUMENTS AND MAKE DEPOSITS AND WITHDRAWALS.

WHEREAS, the undersigned is a municipality (the "Depositor"), as defined in K.S.A. 12-1675, as amended, and from time to time has funds on hand in excess of current needs, and

WHEREAS, it is the best interest of the Depositor and its inhabitants to invest funds in investments that yield a favorable rate of return while providing the necessary liquidity and protection of the principal; and

WHEREAS, the Pooled Money Investment Board (the "PMIB"), operates the Municipal Investment Pool (MIP), a public funds investment pool, pursuant to Chapter 254 of the 1996 Session Laws of Kansas, and amendments thereto,

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

SECTION ONE: The municipality designated below approves the establishment of an account in its name in the MIP for the purpose of transmitting funds for investment, subject to the MIP Participation Policy adopted by the Pooled Money Investment Board, and municipality acknowledges it has received a current copy of such Participation Policy. The Depositor's taxpayer identification number assigned by the Internal Revenue Service is 48-6037846.

SECTION TWO: The following individuals, whose signatures appear directly below, are officers or employees of the Depositor and are each hereby authorized to transfer funds for investment in the MIP and are each authorized to withdraw funds, to issue letters of instruction, and to take all other actions deemed necessary or appropriate for the investment of funds:

List officers or employees authorized to execute documents and make deposits and withdrawals:

Mayor:	Signature __		
·	-	L. Mark Govea	
City Manager:	Signature		
		Michael Smith	
City Clerk:	Signature _		
•	-	Tammy Seamands	

SECTION THREE: Notice required by the PMIB's Municipal Investment Pool Participant Policy shall be provided to:

Contact Person: Tammy Seamands, City Clerk

Address: PO Box 37, Osawatomie, KS 66064

Telephone: 913-755-2146 Fax No.: 913-755-4164

Email: tseamands@osawatomieks.org

SECTION FOUR: That this Resolution and its authorization shall continue in full force and effect until amended or revoked by the Participant and until the PMIB receives a copy of any such amendment or revocation, the PMIB is entitled to rely on same.

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

PASSED AND APPROVED by the Governing Body of the City of Osawatomie, Kansas, this 10th day of October, 2019, a majority voting in favor of.

APPROVED and signed by the Mayor.

	L. Mark Govea, Mayor
(SEAL)	
ATTEST:	
Tammy Seamands, City Clerk	

4-08-2019 06:05 PM CITY OF OSAWATOMIE PAGE: 1 YTD TREASURERS REPORT

YTD TREASURERS REPORT AS OF: FEBRUARY 28TH, 2019

FUND	BEGINNING CASH BALANCE	Y-T-D REVENUES W/ACCRUAL	Y-T-D EXPENSES W/ACCRUAL	ACCRUAL ENDING CASH BALANCE	NET CHANGE OTHER ASSETS		ET CHANGE ABILITIES	ENDING CASH BALANCE
01 -GENERAL OPERATING	380,726.69	582,527.81	319,638.56	643,615.94	0.00	(25,070.37)	618,545.57
02 -WATER	286,565.26	175,394.92	81,178.74	380,781.44	0.00	(9,603.69)	371,177.75
03 -ELECTRIC	470,999.15	633,250.41	304,436.39	799,813.17	0.00	(79,314.68)	720,498.49
04 -SEWER	226,028.83	124,317.82	74,059.56	276,287.09	0.00	(13,849.40)	262,437.69
05 -REFUSE	6,485.72	210.00	905.49	5,790.23	0.00	(1,383.05)	4,407.18
06 -LIBRARY	104,505.74	352.10	550.59	104,307.25	0.00	(89.76)	104,217.49
07 -RECREATION	0.00	0.00	0.00	0.00	0.00		0.00	0.00
08 -RURAL FIRE	0.00	0.00	0.00	0.00	0.00		0.00	0.00
09 -INDUSTRIAL PROMOTION	102,181.83	4,502.61	13,294.78	93,389.66	0.00		0.00	93,389.66
10 -REVOLVING LOAN	0.00	0.00	0.00	0.00	0.00		0.00	0.00
11 -SPECIAL PARK & RECREATION	34,674.20	0.00	0.00	34,674.20	0.00		0.00	34,674.20
12 -STREET IMPROVEMENTS	244,185.16	30,571.32	4,672.68	270,083.80	0.00	(437.85)	269,645.95
13 -TOURISM	47,849.20	3,879.77	1,711.26	50,017.71	0.00	(765.34)	49,252.37
14 -PUBLIC SAFETY EQUIPMENT	89,459.54	16,753.06	35,368.18	70,844.42	0.00	(1,050.00)	69,794.42
15 -SPECIAL 911 REVENUE	9,897.41	0.00	0.00	9,897.41	0.00		0.00	9,897.41
17 -RECREATION EMPLOYEE BENEF	0.00	0.00	0.00	0.00	0.00		0.00	0.00
18 -GOLF COURSE	18,672.52	7,688.90	25,252.65	1,108.77	0.00	(810.66)	298.11
21 -CIP - GENERAL	174,072.57	0.00	40,000.00	134,072.57	0.00		0.00	134,072.57
22 -CIP -WATER	0.00	0.00	0.00	0.00	0.00		0.00	0.00
23 -CIP - ELECTRIC	194,622.89	881.31	26,064.20	169,440.00	0.00	(1,837.50)	167,602.50
24 -CIP - SEWER	0.00	0.00	0.00	0.00	0.00		0.00	0.00
25 -CIP - STREET PROJECT	771,652.38	0.00	220,944.38	550,708.00	0.00		0.00	550,708.00
27 -CIP - GRANTS	24,466.42	0.00	4,234.16	20,232.26	0.00	(35.00)	20,197.26
29 -CIP - SPECIAL PROJECTS	0.00	0.00	0.00	0.00	0.00		0.00	0.00
31 -EMPLOYEE BENEFITS	203,007.31	283,862.09	100,345.70	386,523.70	0.00		0.00	386,523.70
32 -CAFETERIA 125	80,319.46	3,653.88	6,758.81	77,214.53	0.00		0.00	77,214.53
35 -TECHNOLOGY FUND - CIP	133,103.19	0.00	8,651.85	124,451.34	0.00	(7,479.69)	116,971.65
41 -BOND & INTEREST	201,266.98	216,014.58	125,040.00	292,241.56	0.00		0.00	292,241.56
43 -ELECTRIC DEBT SERVICE	149,988.39	72,620.84	96,250.00	126,359.23	0.00		0.00	126,359.23
51 -COURT ADSAP	7,401.00	0.00	0.00	7,401.00	0.00		0.00	7,401.00
52 -COURT BONDS	14,864.54	2,626.00	1,025.00	16,465.54	0.00		0.00	16,465.54
53 -FORFEITURES	2,562.35	4,190.42	0.00	6,752.77	0.00		0.00	6,752.77
54 -EVIDENCE LIABILITY	12,899.79	0.00	0.00	12,899.79	0.00		0.00	12,899.79
57 -FIRE INSURANCE PROCEEDS	0.84	0.00	0.00	0.84	0.00		0.00	0.84
93 -PAYPAL CLEARING FUND	0.01	0.00	0.00	0.01	0.00		0.00	0.01
95 -CLEARING ACCOUNT	0.00	0.00	0.00	0.00	0.00		0.00	0.00
GRAND TOTAL	3,992,459.37	2,163,297.84	1,490,382.98	4,665,374.23	0.00	,	141,726.99)	4,523,647.24

*** END OF REPORT ***