

**OSAWATOMIE CITY COUNCIL  
AGENDA**

November 13, 2014  
6:30 p.m., Memorial Hall

1. Call to order
2. Roll Call
3. Pledge of Allegiance
4. Invocation – Marvin Halvorsen, Blessed Hope Seventh Day Adventist Church
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. Approve November 13 Agenda
  - B. Approve Minutes of October 9 and October 23 Council Meetings
  - C. Approve Appropriation Ordinance 2014-10
  - D. Approve WWTP Improvements Project Pay App 5
6. Presentations; Comments from the Public

*Citizen participation will be limited to 5 minutes. Please stand & be recognized by the Mayor.*

  - A. Marvin Halvorsen, Blessed Hope Seventh Day Adventist Church
7. Public Hearing –
  - A. Condemnation Hearing
    1. 403 Chestnut
    2. 1006 5<sup>th</sup> Street
    3. 345 Parker
    4. 715 Chestnut
    5. 901 Chestnut
    6. 812 South Street
8. Unfinished Business
  - A.
9. New Business
  - A. Appointments – None
  - B. Abandonment of Alley – Request from E & H Properties, Inc.
  - C. Selection on RFQ and Approval of Contract – Complex Building
  - D. 2014 Standard Traffic Ordinance – *Repealing Previous Ordinance and Adopting Corrected Ordinance*
  - E. PSC Recommendation – Designated Emergency Snow Routes
  - F. PSC Recommendation – Amendment to No Parking at 4<sup>th</sup> & Brown
  - G. Reschedule December 11 Meeting
10. Council Reports
11. Mayor’s Report
12. City Manager’s Report
13. Executive Session(s)
14. Other Discussion/Motions
15. Adjournment

*REGULAR MEETING – November 20, 2014  
REGULAR MEETING – December 11, 2014*

Osawatomie, Kansas. **October 9, 2014.** The Council meeting was held in Memorial Hall. Mayor Govea called the meeting to order at 6:32 p.m. Council members present were Farley, Hampson, Hunter, LaDuex, Maichel and Wright. Absent was Dickinson and Walmann. Also present were City Manager Cawby, City Attorney Wetzler and City Clerk Elmquist. Visitors were Shelagh Wright, Garrett Nordstrom, Gabe Pfeffercorn, Blake Madden, Ken Tyson, Dan Macek and Colleen Truelson.

INVOCATION. Interim Pastor Ken Tyson, Vineyard of Hope.

CONSENT AGENDA. Approval of October 9 Agenda, approval of the minutes of September 11 and September 25 Council Meetings, approval of Appropriation Ordinance 2014-9 and approval of WWTP Improvements Project Pay App 4. **Motion** made by LaDuex, seconded by Hunter to approve the Consent Agenda as presented. Yeas: All.

Presentations, Comments from the Public:

Pastor Ken Tyson, has served as interim for 3½ years. Sunday he will be installed as their full-time pastor. He began his ministry helping eight substance abusers recover. Now the ministry for substance abusers is at a 141 recovery rate. There are several other outreach things they do at the church.

**SHELTER HOUSE CHIMNEYS.** PW Director Blake Madden thought that the chimneys needed to come down. Gabe Pfeffercorn, Pfeffercorn & Baldrige Engineering, was asked to look at the structure. He know it needs to be addressed but being historic it is a sensitive issue. The structure is in good shape except the chimneys are splitting and falling apart. Depending on what is done it will cost between \$5,000 to \$10,000. The options are: 1) take the chimneys down, 2) fill them in using volunteers or 3) complete restoration. There was discussion about how far to take the chimneys down.. Pfeffercorn recommended the most economical option would be to take down the chimneys and put on a wood roof to keep the historical value in the future. The immediate need is the roof has to be put on. Dan Macek says the Rotary Club has the money to do the option of taking the chimneys down and putting the roof on. Pfeffercorn said making the chimneys functional is not an option. Then they need to be filled in or taken down. Motion made by Hampson, seconded by Maichel to take the chimneys down to roof level so they are out of the way of putting the roof up. Yeas: All. The roof will be made of steel with regular wooden trusses.

Public Hearings:

**CONSIDERATION OF CDBG GRANT APPLICATION FOR OSAWATOMIE MAIN STREET IMPROVEMENTS – PHASE 1.** Mayor Govea opened the hearing at 7:09 p.m. The project will cost \$1.1 million. The grant application will request \$400,000. The deadline to file for the grant is November 3. There were no comments from the public. The hearing was closed at 7:11 p.m.

Unfinished Business:

**RESOLUTION CERTIFYING LEGAL AUTHORITY TO APPLY FOR CDBG GRANT AND AUTHORIZE MAYOR TO SIGN ALL NECESSARY DOCUMENTS.** At the June 12 City Council meeting Resolution No. 682 was approved setting a hearing for the August 14 meeting. Since the hearing date was missed, another resolution setting a new hearing date needs to be approved. **Motion** made by LaDuex, seconded by Dickinson to approve the resolution resetting the hearing of the seven condemnations to the November 13 Council meeting. Yeas: All. The Resolution was assigned No. 686.

**RESOLUTION ASSURING OPERATION AND MAINTENANCE OF IMPROVEMENTS.** **Motion** made by Maichel, seconded by Hunter to approve to approve the Resolution. Yeas: All. The Resolution was assigned No. 687.

**RESIDENTIAL ANTI-DISPLACEMENT & RELOCATION ASSISTANCE PLAN.** **Motion** made by Hunter, seconded by Maichel to authorize the Mayor to sign the plan. Yeas: All.

**WASTE WATER TREATMENT PLANT PROJECT – CHANGE ORDER NO. 2.** The

increase of \$735.73 to the contract is to fix a design flaw at the plant. The stop gate style will change and BG Consultants will reduce their bill by the amount of the change order. **Motion** made by LaDuex, seconded by Hunter to approve the change order for an additional \$735.73. Yeas: All.

**WASTE WATER TREATMENT PLANT PROJECT – CHANGE ORDER NO. 3A.** The increase of \$4,615.28 to the contract is due to the additional cost of aluminum covers over the Parshall flume. The change in the contract price including Change order No. 2 and 3A is \$632,473.79 **Motion** made by LaDuex, seconded by Hunter to approve the change order for an additional \$4,615.28. Yeas: All.

New Business:

**APPOINTMENTS:** none

**WEAPONS REGULATION PREEMPTION.** The passage of Resolution 676 exempts the City from HB 2052 on open carry of firearms in public buildings. The Legislature has amended the law with HB 2578 which affects local government operations in several ways. First, cities are prohibited from requiring disclosure by municipal employees who possess concealed carry of handgun licenses. Municipalities cannot terminate, demote, discipline, or otherwise discriminate against an employee based on the employee's refusal to disclose the employee's status as a concealed carry license holder. Second, there are new posting requirements for buildings where the open carrying of firearms can be prohibited. It is a violation of the statute to carry an unconcealed firearm into a building that was conspicuously posted. Third, cities are permitted to adopt a resolution pursuant to the law pertaining to concealed handguns in public buildings relative to the personnel policies governing concealed carry of handguns by city employees, so long as in compliance with this law. The only exceptions to this policy will be: 1) police officers, security guards or other persons who have been given consent by the City Manager to carry a weapon on the property; 2) carrying of a device or tool provided by the City to an employee for the purpose of performing their job duties, which if such device or tool was not provided by the City, might otherwise be considered a weapon; and 3) keeping a legally possessed weapon in a lawful manner in a personal vehicle that is parked on City property. Nothing in this policy shall be construed to create any duty or obligation on the part of the City to take any actions beyond those required of an employer by existing law. **Motion** made by LaDuex, seconded by Wright to authorized the City Attorney and City Clerk to draft a resolution which amends Resolution 676 to include open carry of firearms Yeas: All. **Motion** made by LaDuex, seconded by Farley to amend the City's Personnel Policies to include the following: "The City prohibits all employees who enter City property from carrying a handgun, firearm, knife with blade in excess of four (4) inches in length, or other prohibited weapon of any kind, regardless of whether the person is licensed to carry the weapon or not. Any employee disregarding this policy will be subject to immediate termination and possible prosecution by the City." Yeas: All.

**PURCHASE OF CRACK SEALING MACHINE.** Two bids were received for the purchase of a new crack sealing machine.

Logan Contractors Supply, Inc.	Cimline 150DH	\$40,400.00
Paving Maintenance Supply Inc.	Crafco SS 125	\$38,575.00
	Crafco SS 125DC	\$51,435.00

Staff is recommending the Crafco SS 125 Melter for \$38,575. Staff used the Crafco machine which was borrowed from the City of Ottawa. Funding for the machine will come out of the savings from not doing chip sealing this year. The use of the machine will provide more value for the longevity of streets than will chip sealing. **Motion** made by LaDuex, seconded by Hunter to approve the purchase of the Crafco SS 125 for \$38,575.00. Yeas: All.

Council Reports:

Hampson: The Parks & Recreation Committee's fall sports are finishing up. There was good representation. The Committee is getting ready for the winter sports.

Maichel: Said that Hampson is one of the new Chamber of Commerce board members.

Mayor's Report:

He was asked to lead a round table discussion on chickens and farm animals at the LKM's annual conference in October along with the animal control officer from Newton and someone from the Humane Society.

The LKM

City Manager's Report:

**Cash Flow Report.** Informed the Council the reason there is a negative amount in the CIP-Sewer Fund is that the City has to pay the contractor and then KDHE reimburses the City.

**Sports Complex concession stand and Police Station sally port.** Did an RFQ to see the interest and then do the designs with the contractor.

**5<sup>th</sup> Street Waterline.** The work is not going as quickly as they thought. They've had to deal with abandoned water lines and the rain.

**Street Patching.** Work is being done where the water leaks have occurred.

**Meter Reader/Nuisances Officer.** Kyle Glaser has started work. He is learning the meter reading. Also, he's learning about nuisances from the Police Department's former nuisances officer.

**Power Supply Task Force.** A meeting is scheduled for October 31.

**Planning Commission.** A meeting is scheduled at the end of the month. They are also dealing with a vacancy.

**Interim Public Works Director/Assistant City Manager.** With the new Public Works Director on board Andy Haney has been working on projects for City Manager Cawby. Haney put together a draft of the personnel regulations with City Manager Cawby's direction. They have been meeting with an employee committee to review. An RFP for operation of the Golf Course was desired by the Golf Course Committee. They want to know if there really is a desire out there for someone to lease the Golf Course. By the end of the month Haney will be transitioning out. He may be asked for assistance on a task in the future.

**EXECUTIVE SESSION – CONSULTATION WITH CITY ATTORNEY WHICH WOULD BE DEEMED PRIVILEGED IN THE ATTORNEY-CLIENT RELATIONSHIP.** At 7:42 p.m. **motion** was made by LaDuex, seconded by Farley to recess into executive session for the purpose of consultation with City Attorney which would be deemed privileged in the attorney-client relationship, with City Manager Cawby and City Attorney Wetzler present; and that the Council will reconvene the open meeting in this room at 7:53 p.m. Yeas: All. Meeting reconvened at 7:53 p.m. No action taken.

OTHER DISCUSSION/MOTIONS: none

At 7:54 p.m. **motion** was made by Hunter, seconded by LaDuex to adjourn. Yeas: All.

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Ann Elmquist, City Clerk

Osawatomie, Kansas. **October 23, 2014.** 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, Farley, Hunter, LaDuex, Maichel, Ramirez and Walmann. Absent was Hampson. Also present were City Manager Cawby, City Attorney Wetzler and City Clerk Elmquist. Visitors were Fr. Regie Saldanha and Cindy Govea.

INVOCATION. Father Regie Saldanha, St. Philip Neri Church delivered the invocation.

CONSENT AGENDA. Approval of the October 23 Agenda. **Motion** made by LaDuex, seconded by Hunter to approve the Consent Agenda. Yeas: All.

Presentations, Comments from the Public:

Father Regie Saldanha was a missionary priest in New Guinea for six years. After he was installed as a permanent priest, he came to St. Philip Neri Catholic Church for his first assignment where he has pastored for the past six years. St. Philip Neri's first permanent church was established in 1889 and in 1970 a new church was built on the same site. Over the Church's 125 years he is the 18<sup>th</sup> pastor. The church provides a lot of assistance locally and globally. They work with the Ministerial Alliance to provide food and help at the Food Pantry and also do community outreach to Life Care Center and Osawatomie State Hospital. Immediate assistance is provided when there is a fire or other natural disaster. They have held the basketball free-throw contest for 14 years. Everyone joined in reading St. Francis of Assisi's "Make Me an Instrument of Your Peace."

Public Comment: none

Public Hearings: none

Unfinished Business: none

New Business:

**APPOINTMENTS:** none

**2014 STANDARD TRAFFIC ORDINANCE.** **Motion** made by Farley, seconded by LaDuex to approve the ordinance. Yeas: All. The Ordinance was assigned No. 3721.

**2014 UNIFORM PUBLIC OFFENSE CODE ORDINANCE.** **Motion** made by Hunter, seconded by Dickinson to approve the ordinance. Yeas: All. The Ordinance was assigned No. 3722.

Council Reports:

Walmann: Boy Scout Troop 106 hosted the District's Camporee last weekend in John Brown Park. A flag retirement ceremony was part of the Camporee event.

LaDuex: The 2<sup>nd</sup> annual Border War BBQ contest is this Friday and Saturday. Forty-one teams have registered.

Maichel: Attended the League of Kansas Municipality's Annual Conference. The information needs to be brought to the Council from those that attended.

Mayor's Report:

At this year's League Conference the Mayor, Newton's animal control officer, and a Humane Society representative led 3 different roundtable discussion groups on "Backyard Chickens & Other Animal Issues." The Mayor gained a lot of information from the discussions and will be forming a chicken committee.

City Manager's Report:

**Nuisances.** Nuisance Officer Kyle Glaser is working on strategies for dealing with nuisances. The focus will be one issue at a time. Glaser has prepared a press release informing everyone that in November the concentration will be on vehicles and junk vehicles. Some nuisance violation letters have already been sent out. Violators have 10 days to abate the nuisance. An appeal can be made to the Hearing Officer, the Mayor. Very happy that someone has stepped up to the plate.

**Workers' Compensation.** A gold star rating was received on the City's workers' compensation for 2015. The City had slipped out of the discount and had only previously gotten a 1% discount. With the changes made by the City employees' Safety Committee, the City jumped to the top level and will receive a 5% discount for next year. Most importantly, the Committee's continued work should reduce claims and issues over time, also helping the rates drop.

**Police Department and Sports Complex buildings.** An RFQ was distributed for construction of the PD's sally port and the Sports Complex concession stand.

**Golf Course.** An RFP was distributed for management of the Golf Course or working with the City. A hybrid may be created.

**Rezoning 400 block of Brown.** The Planning Commission will be meeting to further discuss the rezoning since the City Council sent it back to them.

**Power Supply.** The Power Supply Task Force will be having another meeting.

**Park Fountain.** The fountain in John Brown Park needs to be brought up to Code. Quotes will be obtained from contractors or the staff may be able to do the work.

At 8:06 p.m. **motion** was made by Hunter, seconded by Maichel to adjourn. Yeas: All.

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Ann Elmquist, City Clerk

# Record of Ordinances

ORDINANCE NO. 2014-10

DATE WARRANTS ISSUED:  
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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
KMEA	SPA Hydro Electricity	1526	3,523.07
KMEA	WAPA Hydro Electricity	1527	9,456.34
KMEA	GRDA Electricity	1528	90,080.63
American Safety Utility Corporation	Denim Dungaree, Jeans	44533	433.15
Hanna Anderson	Scholarship	44534	250.00
Jacob Anderson	Soccer Official	44535	37.50
Applied Maintenance Supplies	Impact Driver Set	44536	101.43
Batteries Plus Bulbs	Batteries	44537	105.80
Beachner Grain, Inc.	Fescue	44538	40.00
Blue Valley Tractor & Supply	PTO Shield	44539	39.15
Sheldon Booe	Soccer Official	44540	82.00
Brenntag Mid-South, Inc.	Alum Ground	44541	14,832.92
C&G Merchants Supply, Inc.	Towels, Cups, Candy	44542	222.15
California Contractors Supplies, Inc.	Winged Wire Connectors	44543	239.97
Thomas Callahan	Soccer Official	44544	22.00
CenturyLink	Services	44545	1,607.36
CenturyLink	Long Distance	44546	173.28
City of Osawatomie	Utilities	44547	11,348.32
Comm-Tronix	Keypad	44548	31.00
Computers & More	Laptop, Keyboard, Router	44549	1,640.35
The Cow Palace	Stew Meat-Freedom Festival	44550	32.50
Cullum & Brown of KC	Blower Oil	44551	210.14
Demco	Jacket Covers, Label Protectors	44552	233.14
Donna & Viola's Shirts	Soccer & Football Shirts	44553	914.00
Employee Screening Services	Drug Testing	44554	330.00
Evco Wholesale Food Corp.	Gatorade, Hot Dogs, Coffee	44555	280.56
Farwest Line Specialties	Sweatshirts	44556	469.74
Richard Fisher, Jr. LLC	Attorney Fees	44557	1,500.00
Jorge Flores	Soccer Official	44558	60.00
Fort Bend Services, Inc.	Polymer	44559	792.00
G.K. Smith & Sons, Inc.	Bulk Water Electrical Wiring	44560	570.00
Hadley Gibbons	Soccer Official	44561	40.00
Grainger	Hand Pump	44562	47.16
Grass Pad	Sports Field Symposium Fee	44563	98.00
Hach Company	Ammonia Cyanurate, Electrode Comb	44564	629.69
Hawkins, Inc.	Aluminum Sulfate Iron	44565	882.00
JP Cooke	Animal Tags	44566	82.60
John Deere Landscapes	Lesco Wet Plus, Double Eagle Blend	44567	1,161.78
Kansas City Wilbert	Grave Openings	44568	1,151.50
Kansas Department of Commerce	JTC Oil Lease-Nov 2014	44569	1,000.00

CLAIMANT	NATURE OF CLAIM OR SERVICE	CLAIM NUMBER	AMOUNT
Kansas Dept. of Health & Environmental	Water Operator Certificate	44570	20.00
Kansas State Treasurer	Training Funds	44571	707.00
Killough Construction, Inc.	Asphalt	44572	1,906.00
Brian King	Soccer Official	44573	30.00
KS State Surplus Property	Computer Server Tower	44574	31.00
League of Kansas Municipalities	City Attorney Assoc Meeting, Bag	44575	138.71
Miami Lumber	Breaker, Paint, Masking Tape, Brush	44576	104.93
Northeast Kansas Library System	Dell Monitors, Video Cards, Keyboard	44577	1,379.64
Northern Tool & Equipment	Single Lid Cross, 3 Ton Jack	44578	667.46
Olathe Winwater Works	5th Street Water Project, Clamps	44579	25,540.81
Pace Analytical	Analytical Services	44580	311.00
Paola Do It Best Hardware	Padlock	44581	26.98
Pat's Signs	Metal Frames	44582	135.00
Praxair	Oxygen, Acetylene, Contact Tip	44583	334.37
Michael Pursley	Scholarship	44584	250.00
Quill	Ink Cartridge, Correction Tape	44585	129.32
Read It Free	Freedom Festival	44586	170.00
Redwood Toxicology Laboratory	Drug Testing Supplies	44587	224.00
Ricoh	Copies	44588	231.36
Riverside Manufacturing Company	Dungarees	44589	4.19
Rural Water District #1	Services	44590	306.81
Brody Russell	Soccer Official	44591	67.50
Morgan Soucie	Soccer Official	44592	30.00
Stanion Wholesale Electric	Lighting Contractor	44593	3,506.00
Suddenlink	Internet	44594	302.24
Superior Bowen Asphalt Co.	Asphalt	44595	554.45
USA Blue Book	Hach PH Buffers, Wire Flags	44596	159.59
USD #367	Pool Shuttle	44597	1,235.03
Zep Sales & Service	Cherry Bomb, Zep Liner, Flat Blue	44598	607.40
KMEA	Emp Electricity	1529	12,568.41
KMEA	Nearman Electricity	1530	30,119.20
Midland Contractors, Inc.	WWTP Imp. - Application 4	44599	86,076.54
Crawford Sales	Budweiser	44600	171.50
Ace Pest Control	Pest Control	44601	475.00
Aero-Mod, Inc.	Tritan Belt Filter Press	44602	20,800.00
Jacob Anderson	Soccer Official	44603	110.00
AT&T	RTU'S	44604	221.96
Baker & Taylor	Books	44605	1,434.14
BG Consultants, Inc.	Consulting Services	44606	22,464.12
Bob's Sales and Service	Void	44607	-
Bollings Bargain Bonanza	Stapler, Tent Stakes, Nails, Gloves	44608	45.40
Sheldon Booe	Soccer Official	44609	172.00
Travis Brewer	Soccer Official	44610	30.00
BSN Sports	Bats	44611	419.97
California Contractors Supplies	Bloodborne Pathogen Protection Kits	44612	209.95



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CLAIMANT	NATURE OF CLAIM OR SERVICE	CLAIM NUMBER	AMOUNT
Don Cawby	Reimburse Mileage, Meals - Meeting	44613	370.23
Cengage Learning	Books	44614	60.00
Century 21, Pool Realty, Inc.	Commission	44615	1,500.00
Chris' Café	Inter County Governmental Breakfast	44616	247.50
City of Osawatomie	Golf Course Fees	44617	116.00
Computers & More, LLC	Windows Pro, Upgrade Laptop	44618	271.90
Dish Network	Service	44619	100.12
Division of Environment	Wastewater Permit	44620	245.00
Douglas Pump Service, Inc.	Repair Pump Shaft on Water Pump	44621	2,374.50
Emg, Inc.	Energy Consulting	44622	1,504.00
Family Center	Pliers, Shovels, Vests, Hole Saw, Pins	44623	1,035.68
Jorge Flores	Soccer Official	44624	90.00
Galls	Badges, Handcuffs, Badge Holder	44625	392.06
Gallagher Benefit Services, Inc.	Administration Fee	44626	372.00
Hadley Gibbons	Soccer Official	44627	86.00
Grainger	First Aid Kits, Ethernet Cables	44628	184.32
HD Supply Waterworks	Fire Hydrant, Clamps, Lead Pak	44629	3,467.42
Holliday Sand & Gravel Company	Commercial Asphalt Sand	44630	62.69
Inland Truck Parts	Rebuild Transmission	44631	3,635.66
John Deere Financial	Eyebolt	44632	10.35
John Deere Landscapes	Fescue Seed Mix, Fawn Tall Fescue	44633	1,528.61
Kincaid Ready Mix	Concrete	44634	459.25
Brian King	Soccer Official	44635	15.00
Kriz-Davis, Co.	Quazite Stackable Covers	44636	2,547.21
L&K Services	Refuse, Empty Dumpster, Sludge	44637	33,974.39
Louisburg Firefighters Association	Fire Extinguishers	44638	110.00
Lybarger Oil	Fuel	44639	9,099.50
Madden Rental	Portable Toilet Rental	44640	565.00
Mayer Specialties Service	Vacuum Sludge Basin	44641	3,231.25
Menu Advertising & Design	Ad-Golf Course	44642	100.00
Miami County Health Department	Hepatitis B	44643	165.00
Miami County Solid Waste	Tire Disposal	44644	75.00
Mid-States Energy Works, Inc.	Replace Relay	44645	1,671.84
Moon's Hometown Market	Rib Eyes, Dog Food, Buns, Water	44646	551.45
National Sign Company, Inc.	Batteries	44647	99.90
Northeast Kansas Library System	NEKLS Bus Tour, DVD/CD Cases	44648	80.25
NPG Newspapers	Ads-Condemnations, Freedom Fest.	44649	893.90
O'Reilly Auto Parts	Led Light, Pry Bar Set, Mini Fusehol	44650	63.69
Oil Patch Pump & Supply	Elbow, Plug, Compression	44651	43.38
Olathe Medical Services	Physical	44652	43.00
Osawatomie Chamber of Commerce	Appropriation, Annual Dinner Tickets	44653	10,045.00
Osawatomie Pet Clinic	Examinations, Boarding	44654	109.00
The Ottawa Herald	Ad-Freedom Festival	44655	204.65
Pace Analytical	Analytical Services	44656	50.00
Pioneer Manufacturing Company	Field Painter	44657	1,950.00

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CLAIMANT	NATURE OF CLAIM OR SERVICE	CLAIM NUMBER	AMOUNT
Pitney Bowes	Postage Meter Lease	44658	199.00
Professional Turf Products	Bushing	44659	21.35
Psychological Resources	Psychological Evaluation	44660	110.00
Quill	Printer, Ink Cartridge, File Folders	44661	579.80
Reflective Group	Service	44662	168.23
Rejis Commission	Leweb Subscription	44663	31.50
Ricoh	Copier Lease	44664	280.78
Ricoh	Copier Lease-PD	44665	183.90
Brody Russell	Soccer Official	44666	120.00
Scott A. Michie Planning Services	Consulting Services	44667	379.94
Smitty's Lawn & Garden Equipment	Air Cleaner Band, Plug, Cable, Clamp	44668	111.80
Morgan Soucie	Soccer Official	44669	150.00
Sprint	Service	44670	29.03
Suddenlink	Internet	44671	193.80
Superior Lamp	Bulbs	44672	1,544.26
Tri County Ice Co., Inc.	Car Wash Tokens	44673	200.00
Triplett, Woolf & Garretson	Bond Counsel	44674	4,582.94
UPS Store	Copies	44675	11.56
USA Blue Book	Solenoid Valve, Blind Flanges	44676	629.99
Van Wall Equipment	Install Float, Neutral St.	44677	337.55
Viking Industrial Supply	Paper Goods	44678	442.74
Visa	Conference Registration, X Box	44679	1,224.57
Visa	Inspector Course and Exam, Lodging	44680	2,118.77
Wade Quarries	Gravel	44681	4,205.60
Brad Waggoner	Proshop	44682	400.21
Wallis Lubricant, LLC	Chamber Oil	44683	112.84
Winkler, Domoney & Schultz	Municipal Court Judge	44684	2,060.00
Winterscheid Auto Parts	Paint, Adapter, Filters, Socket, Battery	44685	-
Winterscheid Auto Parts	Paint, Adapter, Filters, Socket, Battery	44686	843.06
Zep Sales	Water Wand	44687	47.00
Kansas Department of Revenue	Sales Tax	1531	12,752.28
Kansas Department of Revenue	Sales Tax	1532	941.89
Kansas Department of Revenue	Compensating Use Tax	1533	96.75
KMEA	SPA Hydro Electricity	1534	2,790.74
Kansas State Treasurer	Bond Principal & Interest	1535	193,830.00
City of Osawatomie	Petty Cash Reimbursement	1536	3,636.12
Crawford Sales Company	Budweiser	44688	98.90
Jacob Anderson	Soccer Official	44689	30.00
Applied Maintenance Supplies	Ear Plugs, Slide Rack	44690	294.53
Sheldon Booe	Soccer Official	44691	30.00
Bradley A/C & Heating	Clean Filters, Drain Plug	44692	75.00
Brenntag	Sodium Hypochlorite	44693	3,435.62
Brewer's Automotive Repair	Tire, Wheel, Ball Joints	44694	1,696.55
Century Link	RTU'S	44695	236.56
Century Link	Services	44696	1,667.37

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CLAIMANT	NATURE OF CLAIM OR SERVICE	CLAIM NUMBER	AMOUNT
Century Link	Long Distance	44697	171.73
Champion Brands, LLC	Gloves, Wiper Blades, Chain Oil	44698	533.04
Chemquest, Inc.	Polymer	44699	1,332.00
CNH Capital	Cross, Yokes	44700	201.51
Coleman Equipment, Inc.	Relay, Rebuilt Cylinder and Valve	44701	7,341.63
Country Vintage Inn	Lodging-BBQ Wars	44702	-
Delta Dental of Kansas, Inc.	Dental Insurance	44703	3,255.50
Ditch Witch	Oil	44704	111.42
Richard Fisher, Jr. LLC	Attorney Fees	44705	650.00
Jorge Flores	Soccer Official	44706	30.00
Foremost Promotions	Teaching Aid Kit, Stadium Cups	44707	243.25
Generator Services, Inc.	Inspection, Oil Change	44708	420.00
Kansas City Power & Light Co.	Services	44709	1,731.66
Kansas Dept. of Health & Environment	Analytical Services	44710	1,060.00
Kansas Department of Revenue	Water Protection & Clean Water	44711	1,905.32
Kansas Employment Security Fund	3rd Qtr. Unemployment	44712	4,173.37
Kansas Gas Service	Services	44713	570.28
Kansas Municipal Utilities	4th Quarter Dues	44714	2,292.00
Killough Construction, Inc.	Asphalt	44715	758.00
Lang Chevrolet	Handle	44716	34.23
Laser Impressions, Inc.	Engraved Book Spine	44717	91.52
Logan Contractors Supply, Inc.	Cut All, Locate Paint	44718	319.80
Lynette Mersman	Contract Labor	44719	150.00
Miami County Medical Center	Drug Test	44720	83.50
Miami Lumber, Inc.	Concrete Mix, Concrete Blocks	44721	60.65
Mission Communications, LLC	Alarm Monitoring	44722	1,258.20
Lee Nitcher	Work Ground, Seed Brome	44723	450.00
Ozonia	Ballast	44724	1,102.64
Paola Glass Company	Window	44725	91.50
Pepsi Beverages Company	Pop	44726	690.41
Praxair	Welding Rod, Safety & Environment	44727	26.67
R& J Trucking	Topsoil	44728	300.00
Ricoh Americas Corp.	Copies	44729	287.49
Royal Metal Industries, Inc.	Basin Repair, Cage Repair	44730	249.60
Brody Russell	Soccer Official	44731	30.00
Scott A Michie	Consulting Services	44732	198.00
Morgan Soucie	Soccer Official	44733	30.00
Suddenlink	Internet	44734	264.90
Superior Vision	Vision Insurance	44735	736.50
T&R Electric	PCB Lab Testing	44736	45.00
Debbie Talley	Memorial Hall Janitorial	44737	375.00
United Healthcare	Health Insurance	44738	34,658.42
USA Blue Book	Drum Pump, Porcelain Crucible	44739	165.75
Walmart	Vests, Phone, Cleaning Supplies	44740	371.48
Payroll 10/03/14			92,447.65



# APPLICATION AND CERTIFICATE FOR PAYMENT

AIA Document G702

PAGE ONE OF 1 PAGES

TO OWNER: City of Osawatomie, Kansas  
P.O. Box 37  
439 Main Street  
Osawatomie, Kansas 66064

PROJECT: Wastewater Treatment Facility Imps.  
Osawatomie, Kansas

APPLICATION NO.: 5  
 PERIOD TO: 10/31/2014  
 PROJECT NOS.: 2014-058

Distribution to:  
 OWNER  
 ARCHITECT  
 CONTRACTOR

FROM  
 CONTRACTOR: Midland Contractors, Inc.  
835 NE Hwy 24  
Topeka, Kansas 66608

VIA ARCHITECT: BG Consultants, Inc  
4806 Vue Du Lac Place  
Manhattan, Kansas 66503

CONTRACT DATE: 4/24/2014

CONTRACT FOR:

## CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract.  
 Continuation Sheet, AIA Document G703, is attached.

1. ORIGINAL CONTRACT SUM.....	\$626,000.00
2. Net change by Change Orders.....	\$6,473.79
3. CONTRACT SUM TO DATE (Line 1 ± 2).....	\$632,473.79
4. TOTAL COMPLETED & STORED TO DATE.....	\$441,956.61

(Column G on G703)

### 5. RETAINAGE:

a. <u>5</u> % of Completed Work	<u>\$21,556.04</u>
(Columns D + E on G703)	
b. <u>5</u> % of Stored Material	<u>\$541.79</u>
(Column F on G703)	

Total retainage (Line 5a + 5b or

Total in Column I of G703)..... \$22,097.83

6. TOTAL EARNED LESS RETAINAGE.....	\$419,858.78
-------------------------------------	--------------

(Line 4 less Line 5 Total)

### 7. LESS PREVIOUS CERTIFICATES FOR PAYMENT

(Line 6 from prior Certificate)..... \$322,869.20

8. CURRENT PAYMENT DUE.....	<del>-\$86,076.54</del>
-----------------------------	-------------------------

9. BALANCE TO FINISH, INCLUDING RETAINAGE	<u>\$96,989.58</u>
(Line 3 less Line 6)	<u>\$212,615.01</u>

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: **MIDLAND CONTRACTORS, INC.**

By: [Signature] Date: 10-31-14

State of: Kansas  
 County of: Shawnee  
 Subscribed and sworn to before  
 me this          day of         



Notary Public: [Signature]  
 My Commission expires: 4-9-2015

### APPROVALS

City of Osawatomie Kansas Date

[Signature] 11-4-14  
 BG Consultants, Inc. Date

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$1,858.51	\$0.00
Total approved this Month	\$4,615.28	\$0.00
TOTALS	\$6,473.79	\$0.00
NET CHANGES by Change Order	\$6,473.79	

## Original List

1. 812 South Street – trailer and land owned by the same person, I think. – The trailer recently sold and new owner states he does intend to remove the trailer. He does live next door to the east. Currently being considered for condemnation.
2. 212 7<sup>th</sup> Street – a trailer not owned by the real property owner. This trailer is on an odd lot with 4 other structures. I think the lot is addressed as 700 Lincoln. – Trailer has been removed.
3. 110 Brown – Great Southern has the home listed for sale.
4. 136 Pacific – Great Southern has the home listed for sale.
5. 1111 Main Street – No Change
6. 1006 5<sup>th</sup> Street – Currently being considered for condemnation.
7. 1002 5<sup>th</sup> Street – No change
8. 512 5<sup>th</sup> Street – No change
9. 805 Chestnut – No change
10. 501 Walnut – No change
11. 907 Pacific – Owner, Plum Creek Properties have made several improvements to the home and garage and have plans to continue with repairs.
12. 523 Chestnut – The home sold recently and the part damaged by fire has been torn down & new owner has started with rebuilding.
13. 909 Chestnut – a trailer not owned by the real property owner. – Trailer was recently removed by owner.
14. 715 Chestnut – a trailer not owned by the real property owner. – Currently being considered for condemnation.
15. 1635 Main Street – No change
16. 403 Chestnut – Currently being considered for condemnation.
17. 906 Walnut – No change
18. 908 Walnut – Owner has the home torn down and the lot has been cleared.
19. 1003 Chestnut – trailer and land owned by the same person, I think. – Staff recently secured the property.
20. 716 Main – No change
21. 901 Chestnut – trailer and land owned by the same person, I think. – Currently being considered for condemnation.
22. 704 Carr – trailer and land owned by the same person, I think. – No change
23. 334 Main – Recently nuisance letter has been sent to owner to clean the property up.
24. 345 Parker – Currently being considered for condemnation.

# MODEL CONDEMNATION RESOLUTION

(Published in the Osawatomie Graphic, November \_\_, 2014) 1t

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION FINDING THAT THE STRUCTURE LOCATED AT *legal description* COMMONLY KNOWN AND REFERRED TO AS *street address*, OSAWATOMIE, KANSAS, IS UNSAFE OR DANGEROUS AND DIRECTING THAT THE STRUCTURE BE REMOVED AND THE PREMISES MADE SAFE AND SECURE.

WHEREAS, the Enforcing Officer of the City of Osawatomie, Kansas, did on the 11th day of September, 2014, file with the Governing Body of said City a statement in writing that a certain structure, hereinafter described was abandoned or unsafe and dangerous; and

WHEREAS, the Governing Body did by Resolution No. 685, dated the 11<sup>th</sup> day of September, 2014, fix the time and place of a hearing at which the owner, his or her agent, and lienholders, any occupants and all other parties in interest of such structure would appear and show cause why such structure should not be condemned and ordered repaired or demolished and provided for giving notice thereof as provided by law; and,

WHEREAS, Resolution No. 685 was published in the official City newspaper on the 17th day of September, 2014 and on the 24<sup>th</sup> day of September, 2014, and a copy of said resolution was served upon all persons entitled thereto as provided by law; and,

WHEREAS, on the 13<sup>th</sup> day of November, 2014, the Governing Body did conduct the hearing scheduled in Resolution No. \_\_\_ and took evidence from the following: the Enforcing Officer on behalf of the City, *any other*. The following parties in interest failed to appear or appeared and did not present evidence: Miami County Kansas, the owner.

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

1. The Governing Body hereby finds that the structure located at *legal description* and commonly known and referred to as **345 Parker Street**, Osawatomie, Kansas, is unsafe and dangerous based on the following findings:

a. *List reasons.*

2. The owner of such structure is hereby directed to commence the removal of the property within **14** days from the date of publication of this resolution (not later than the **\_\_th** day of December, 2015), and to have the removal completed within **30** days of the commencement. Provided, that upon due application by the owner and for good cause shown, the Governing Body, in its sole discretion, may grant the owner additional time to complete the removal of the property.

## MODEL CONDEMNATION RESOLUTION

3. If the owner fails to commence the repair of the structure within the time stated herein, or any additional time granted by the Governing Body, or fails to diligently prosecute the same until the work is completed, the Governing Body will cause the structure to be razed and removed and the costs of razing and removing, less salvage if any, shall be collected in the manner provided by K.S.A. 12-1755, and amendments thereto or shall be assessed as a special assessment against the lot or parcel of land upon which the structure is located or by both, all as provided by law.

BE IT FURTHER RESOLVED, that the City Clerk shall cause this Resolution to be published once in the official city paper and a copy mailed to the owners, agents, lienholders, occupants and other parties of interest.

PASSED AND ADOPTED by the Governing Body of the City of Osawatomie, Kansas this   *th* day of November, 2014, a majority being in favor thereof.

APPROVED AND SIGNED by the Mayor.

---

L. Mark Govea  
Mayor

(SEAL)

ATTEST:

---

Ann Elmquist  
City Clerk





**STAFF AGENDA MEMORANDUM**

**DATE OF MEETING:** November 13, 2014

**AGENDA ITEM:** **Vacation of Existing Alley**

**PRESENTER:** Don Cawby, City Manager

**ISSUE SUMMARY:** We received a request from E & H Properties to vacate the east-west alley between the 600 blocks of Mulberry and Cedar. The request with a map is attached. When an alley is vacated, the property will revert to the adjacent landowners. In this case, E & H Properties own all but one parcel on each side of the property. The other owners will gain half of the alley adjacent to his/her property.

We have received written permission from the owners of the other parcel. We have also reached out to Kansas Gas Service to make sure there were no utilities in the alley before it was vacated. They have provided us with documentation and have no problem with the vacation. In the future, if necessary, the property to the west of the alley can be served by both Mulberry and Cedar.

On the attached map from the Miami County GIS (Beacon), the alley being considered is outlined in yellow.

**COUNCIL ACTION NEEDED:** Review and if favorable, approve the ordinance to vacate.

**STAFF RECOMMENDATION TO COUNCIL:** Approve the ordinance to vacate the alley.

(Published in the Osawatomie Graphic, November 19, 2014) **1t**

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

AN ORDINANCE VACATING A CERTAIN ALLEY LOCATED IN THE  
1100 BLOCK OF SIXTH STREET IN THE CITY OF OSAWATOMIE,  
MIAMI COUNTY, KANSAS.

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

SECTION ONE: That the City of Osawatomie, Kansas, a city of the second class, under and by virtue of the provisions of K.S.A. 14-423, for good cause, does hereby declare that the following described alley, situated in the City of Osawatomie, Miami County, Kansas, be vacated to-wit:

All of the 12-foot alley running east-west and adjoining the South side of Lot 7, 8, and 9, Block 4, Newman's Addition to the City of Osawatomie, and adjoining the north side of Lots 10, 11, and 12, Block 4, Newman's Addition to the City of Osawatomie, Miami County, Kansas.

SECTION TWO: That upon the effective date of this Ordinance, the land so vacated shall revert to the owners of the respective lots adjacent to the vacated alley. The property vacated shall be divided equally between lots on the north side and south side of the vacated alley and in proportion to the current alley frontage of the respective lots. After the effective date, a certified copy shall be filed with the Miami County Clerk and the Miami County Register of Deeds.

SECTION THREE: EFFECTIVE DATE. This Ordinance shall be effective thirty (30) days after the publication hereof in the official City newspaper, unless one or more interested parties files a written protest in the Office of the City Clerk of the City of Osawatomie, Kansas, before the expiration of such time.

PASSED AND APPROVED by the Governing Body of the City of Osawatomie, Kansas, this 13th day of November, 2014, a majority of the members being in favor thereof.

APPROVED AND SIGNED by the Mayor.

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

(SEAL)

ATTEST:

\_\_\_\_\_  
Ann Elmquist, City Clerk



**CITY OF OSAWATOMIE**  
439 Main Street  
P.O. Box 37  
Osawatomie, Kansas 66064  
913-755-2146  
FAX: 913-755-4164

09/29/14

Don Cawby

1100 block of 6<sup>th</sup> Street

Osawatomie, KS 66064

**RE: Request for alley abatement**

I have reviewed the request to abandon the alley made by E & H Properties, Inc... The request concerns an alley south of a business, "The Rock Yard" owned by E & H. The alley is south of lots 7, 8 and 9 Block 4, Newman's addition, see attached Certificate of Survey.

I have spoken with the surrounding property owners, E & H Properties who own lots 7, 8, 9, 10 and 11 and with Russell Davis who owns lot 12. Both would accept the property if we were to give a portion of the alley to them. Mr. Davis made it clear he has no interest in paying for any survey work or any fee to do so. He did state that the minimum potential increase to the property value and possible increase to property taxes were not of a concern to him.

I do not see any concerns for the City abandoning this alley. I don't see that it would "land lock" any properties. The City has never opened this alley and does no maintenance to it at all.

I do think it would be a good time for us to consider the other alleys in this area as possible abandoning them as we have never opened them or maintained them.

Sincerely,

Ted Bartlett

Building Official

**Request:**

*E & H Properties, Inc. would like to ask the City of Osawatomie to abandon and deed over the adjoining East/West alley (12' wide) to E & H Properties, Inc. owners, Travis and Shane Hall. The location of the East/West alley is South of "The Rock Yard" - 607 Mulberry, (Lot 7, 8, & 9 Block 4, Newman's addition).*

*This described alley has never been opened as an alley only plotted. This would give our business more square footage of space for additional retail material. All consideration for this request would be greatly appreciated.*

*President*



*Shane Hall*

**NOTE:** See attached drawing for alley location.





<b>Parcel ID</b>	1711103021002000	<b>Alternate ID</b>	n/a	<b>Owner Address</b>	E & H PROPERTIES INC
<b>Sec/Twp/Rng</b>	11-18-22	<b>Class</b>	V - Vacant		37528 CRESCENT HILL RD
<b>Property Address</b>	607 MULBERRY ST Osawatomie	<b>Acreage</b>	n/a		OSAWATOMIE, KS 66064

**District** 004 Osawatomie  
**Brief Tax Description** NEWMAN ADDN OSAWATOMIE , LTS 7-8-9 BLK 4 NEWMANS ADDN SECTION 11 TOWNSHIP 18 RANGE 22  
 (Note: Not to be used on legal documents)

Last Data Upload: 11/12/2014 6:31:08 AM



## STAFF AGENDA MEMORANDUM

**DATE OF MEETING:** November 13, 2014

**AGENDA ITEM:** **Concessions / Restrooms Building at Karl E. Cole Sports Complex**

**PRESENTER:** Ryan Crowley, Parks & Recreation Director  
Blake Madden, Public Works Director

**ISSUE SUMMARY:** Near the end of September, the City issued a request for qualifications for construction services to construct a new concessions and bathroom building at the Sports Complex which would allow the City to meet the requirements for a food service license from the Kansas State Department of Agriculture. In mid-October, two contractors, Triangle Builders, LLC and Wendt Construction, were shortlisted for interviews and discussion about the project. Proposals and bids were then received from the two contractors which were strictly for construction of and finish work within the new building. A majority of the site and utility work for the building will be performed by City staff in an effort to reduce costs. The bids received were as follows:

Triangle Builders, LLC	\$150,000
Wendt Construction	\$105,000

The selection committee, which included Ryan Crowley, Ted Bartlett, Blake Madden, and Don Cawby, reviewed each proposal and is recommending that the City enter into a contract with Wendt Construction for construction of the new building. In addition to the lower cost, the committee feels that Wendt Construction will be more accommodating to the City by allowing City staff to perform work in conjunction with their work and alongside their crew. Attached are proposals submitted by each contractor.

**COUNCIL ACTION NEEDED:** Review the submittals and bids of the new concession stand & bathroom structure.

**STAFF RECOMMENDATION TO COUNCIL:** Approve the selection of Wendt Construction and approve the City to draft a contract with Wendt Construction based upon this bid.

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 2014; AMENDING CHAPTER 14, ARTICLE 1, OF THE CITY OF OSAWATOMIE MUNICIPAL CODE; AND REPEALING ORDINANCE NO. 3721.

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

SECTION ONE: Article 1 of Chapter 14 of the City of Osawatome Municipal Code is 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 Osawatome, Kansas, that certain standard traffic ordinance known as the “Standard Traffic Ordinance for Kansas Cities,” Edition of 2014, 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. One copy of said Standard Traffic Ordinance shall be marked or stamped “Official Copy as Incorporated by the Code of the City of Osawatome,” 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 hours;
  - (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)

**14-104. TRAFFIC INFRACTIONS AND TRAFFIC OFFENSES.** (a) An ordinance traffic infraction is a violation of any section of this ordinance that prescribes or requires the same behavior as that prescribed or required by a statutory provision that is classified as a traffic infraction in K.S.A. 8-2118.

(b) All traffic violations which are included within this article, and which are not ordinance traffic infractions as defined in subsection (a) of this section, shall be considered traffic offenses. (Ord. 3632, Sec. 5; Code 2008)

**14-105. PENALTY FOR SCHEDULED FINES.** The fine for violation of an ordinance traffic infraction or any other traffic offense shall be established by the Municipal Judge. (Code 2008)

**14-106. AMENDMENTS.** Section 23 of the Standard Traffic Ordinance as adopted is amended to read as follows:

**Sec. 23. Accident Involving Death or Personal Injuries; Penalties.**

- (a) The driver of any vehicle involved in an accident resulting in injury *to*, great bodily harm to or death of any person or damage to any attended vehicle or property shall immediately stop such vehicle at the scene of such accident, or as close thereto as possible, but shall then immediately return to and in every event shall remain at the scene of the accident until the driver has fulfilled the requirements of Section 25.
- (b) A person who violates subsection (a) when an accident results in:
  - (1) Total property damages of less than \$1,000 shall be punished as provided in Section 201.
  - (2) Injury to any person or total property damages in excess of \$1,000 or more shall be punished by imprisonment for not more than one year or by a fine of not more than \$2,500, or by both such fine and imprisonment.
- (c) The driver shall comply with the provisions of section 26.1. (K.S.A. Supp. 8-1602)

**14-107. AMENDMENTS.** Section 200 of the Standard Traffic Ordinance as adopted is amended to read as follows:

**Sec. 200. Motor Vehicle Liability Insurance.**

- (a) Every owner shall provide motor vehicle liability insurance coverage in accordance with the provisions of the Kansas Automobile Injury Reparations Act, K.S.A. 40-3101, *et seq.*, for every motor vehicle owned by such person, unless such motor vehicle:
  - (1) Is included under an approved self-insurance plan as provided in K.S.A. 40-3104(f);
  - (2) is used as a driver training motor vehicle, as defined in K.S.A. 72-5015, and amendments thereto, in an approved driver training course by a school district or an accredited nonpublic school under an agreement with a motor vehicle dealer, and such motor vehicle liability insurance coverage is provided by the school district or accredited nonpublic school;
  - (3) is included under a qualified plan of self-insurance approved by an agency of the state in which such motor vehicle is registered and the form prescribed in subsection (b) of K.S.A. 40-3106, and amendments thereto, has been filed; or
  - (4) is expressly exempted from the provisions of the Kansas Automobile Injury Reparations Act.
- (b) An owner of an uninsured motor vehicle shall not permit the operation thereof

upon a highway or upon property open to use by the public, unless such motor vehicle is expressly exempted from the provisions of the Kansas Automobile Injury Reparations Act. of any such prior conviction shall be guilty of a violation of this ordinance and subject to a fine of not less than \$800 nor more than \$2,500 or by imprisonment for a term not to exceed one year, or both such fine and imprisonment. (K.S.A. Supp. 40-3104)

SECTION THREE: EXISTING SECTION REPEALED. Chapter 14, Article 1 of the Code of the City of Osawatomie as adopted prior to the passage of this Ordinance is hereby repealed.

SECTION FOUR: 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 13<sup>th</sup> day of November, 2014.

APPROVED AND SIGNED by the Mayor.

---

L. Mark Govea, Mayor

(SEAL)

ATTEST:

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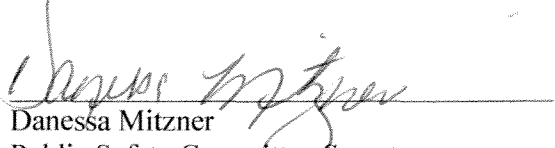
Ann Elmquist, City Clerk

OFFICIAL PUBLIC SAFETY COMMITTEE REQUEST FOR DESIGNATION OF  
SNOW ROUTES  
November 3, 2014

This letter will serve as an official Osawatomi Public Safety Committee Recommendation for designation of emergency snow routes during hazardous conditions. This recommendation will include a request to post signs along the snow routes that advise residences that parking will only be allowed on one side of the street. In addition, Committee recommends additional communications in the forms of code red warnings, letters to residences, notices in the newspaper, etc., to inform residents of these changes, where to park and results if there is no compliance. Committee recommends the following routes be designated as snow routes:

Main Street: Beginning at exit from 169 hwy., to 18<sup>th</sup> Street.  
12<sup>th</sup> Street: Beginning at 12<sup>th</sup> and Main to Parker (in front of OHS)  
Parker Ave.: Beginning at 12<sup>th</sup> and Parker to Trojan Elementary School  
Brown Ave.: Beginning at Oneal St., to 12<sup>th</sup> Street  
1<sup>st</sup> Street: Beginning at Carr Ave., to Chestnut Ave.  
4<sup>th</sup> Street: Beginning at Carr Ave., to the end of 4<sup>th</sup> Street past Kelly Ave.  
6<sup>th</sup> Street: Beginning at Derrick Jensen Dr. to Kelly Ave.  
8<sup>th</sup> Street: Beginning at the Marais Des Cygnes bridge to Main Street.  
9<sup>th</sup> Street: Beginning at Main Street to South St.

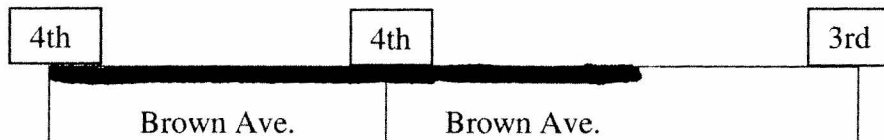
  
Jim Mitzner  
Public Safety Committee Chairman

  
Danessa Mitzner  
Public Safety Committee Secretary

OFFICIAL PUBLIC SAFETY COMMITTEE REQUEST FOR ADDITION OF NO  
PARKING SECTION AT THE INTERSECTION OF 4<sup>th</sup> STREET AND BROWN  
AVENUE

AMENDED November 3, 2014

This letter will serve as an official Osawatomie Public Safety Committee Request for a No Parking section to be added on the North Side of Brown Avenue where it intersects with 4<sup>th</sup> Street. The no parking section should be the same distance on the east and west side of the desired intersection (diagram below, no parking section outlined by the thick line above Brown Ave from 4<sup>th</sup> to 4<sup>th</sup> and halfway between 4<sup>th</sup> and 3<sup>rd</sup>). This recommendation is being based on feedback from school employees and residents regarding the difficulties of buses and other vehicles not being able to maneuver through this intersection when there are cars parked on the north side of Brown. Alleviating the congestion will help to improve traffic flow and visibility. In addition, there may be State statutes prohibiting parking in an intersection, which is another reason for the Committee's proposal.



  
Jim Mitzner  
Public Safety Committee Chairman

  
Danessa Mitzner  
Public Safety Committee Secretary

**CITY OF OSAWATOMIE - BUDGET REPORT**

<b>DATE: September 2014</b>	<b>BUDGETED</b>	<b>REIMBS</b>	<b>EXPENDITURES</b>	<b>UNEN BALANCE</b>
<b>GENERAL</b>				
Administration	593,694.00		342,688.44	251,005.56
Codes Enforcement	77,729.00		42,875.20	34,853.80
Police	886,135.00	3,450.00	639,171.89	250,413.11
John Brown Cabin	38,828.00		25,029.21	13,798.79
Public Works	253,291.00		188,616.61	64,674.39
Swimming Pool	3,000.00		1,049.98	1,950.02
Properties & Maintenance	146,936.00		134,955.10	11,980.90
Fire	39,935.00		55,769.05	(15,834.05)
Municipal Court	116,974.00		74,176.55	42,797.45
Levees & Storm Water	12,050.00		7,910.56	4,139.44
Library	141,368.00		94,848.86	46,519.14
<b>TOTAL</b>	<b>2,309,940.00</b>	<b>3,450.00</b>	<b>1,607,091.45</b>	<b>706,298.55</b>
<b>WATER</b>				
Administration	285,176.00		207,584.36	77,591.64
Water Treatment	388,388.00		221,389.63	166,998.37
Water Distribution	242,529.00		240,206.92	2,322.08
<b>TOTAL</b>	<b>916,093.00</b>	<b>-</b>	<b>669,180.91</b>	<b>246,912.09</b>
<b>ELECTRIC</b>				
Administration	1,065,141.00		767,529.69	297,611.31
Electric Production	2,349,401.00		1,716,418.28	632,982.72
Elect Transmission	512,324.00		370,920.88	141,403.12
<b>TOTAL</b>	<b>3,926,866.00</b>	<b>-</b>	<b>2,854,868.85</b>	<b>1,071,997.15</b>
EMPLOYMENT BENEFIT	657,477.00	92,147.02	597,005.18	152,618.84
REFUSE	388,582.00		262,754.72	125,827.28
LIBRARY	10,900.00		8,723.33	2,176.67
RECREATION	1,000.00		3,705.53	(2,705.53)
RURAL FIRE	79,003.00		46,334.24	32,668.76
INDUSTRIAL	25,285.00		13,628.68	11,656.32
REVOLVING LOAN	-			-
SPECIAL PARKS & REC	245,554.00	770.00	195,555.46	50,768.54
ST IMPROVEMENT	184,880.00	-	54,889.59	129,990.41
BOND & INTEREST	778,495.00		559,665.00	218,830.00
PUBLIC SAFETY EQUIP.	-		-	-
FIRE INS PROCEEDS	15,500.00		-	15,500.00
SEWER	934,760.00		737,688.35	197,071.65
REC EMP BENEFITS	250.00		458.46	(208.46)
GOLF COURSE	251,650.00	3,404.62	209,029.58	46,025.04
SPECIAL REV (FIRE EQUIP)			-	-
SPECIAL REVENUE (911)	-		-	-
LLEBG GRANT			-	-
TOURISM	44,079.00	707.50	40,678.44	4,108.06
EVIDENCE LIABLITIY			1,461.50	(1,461.50)
CAPITAL - GENERAL	332,422.00		158,960.80	173,461.20
CAPITAL IMP. - STREET	319,164.00		1,044.89	318,119.11
CAPITAL IMP - SEWER	997,461.00		507,107.66	490,353.34
CAPITAL IMP - GRANTS	-		643,764.65	(643,764.65)
CAFETERIA 125 #50	47,000.00		22,598.16	24,401.84
COURT ADSAP #51	3,000.00		-	3,000.00
COURT BONDS #52	15,000.00		6,325.10	8,674.90
FOREITURES #53	-		-	-
OLD STONE CHURCH #54	1,000.00		-	1,000.00
PAY PAL #55	186.00		-	186.00
<b>GRAND TOTAL</b>	<b>12,485,547.00</b>	<b>100,479.14</b>	<b>9,202,520.53</b>	<b>3,383,505.61</b>

## CITY OF OSAWATOMIE - CASH FLOW REPORT

Date: September 2014	BEGINNING BALANCE	REVENUE	EXPENDITURES	CASH BALANCE	ENCUMBERANCES (ORD.)	CASH BALANCE 9/30/2014
GENERAL OPERATING	202,578.56	1,915,364.22	1,603,641.45	514,301.33		514,301.33
WATER	206,189.85	618,958.76	669,180.91	155,967.70		155,967.70
ELECTRIC	509,131.80	3,058,428.99	2,854,868.85	712,691.94		712,691.94
EMPLOYEE BENEFIT	20,523.22	665,613.07	504,858.16	181,278.13		181,278.13
REFUSE	5,510.67	295,279.26	262,754.72	38,035.21		38,035.21
LIBRARY	98,394.18	13,590.47	8,723.33	103,261.32		103,261.32
RECREATION	-	3,705.53	3,705.53	-		-
RURAL FIRE	4,173.60	42,919.25	46,334.24	758.61		758.61
INDUSTRIAL	35,121.46	30,404.52	13,628.68	51,897.30		51,897.30
REVOLVING LOAN	72,758.43	-	-	72,758.43		72,758.43
SPECIAL PARKS & REC	88,220.50	176,782.84	194,785.46	70,217.88		70,217.88
STREET IMPROVEMENTS	122,076.34	89,322.73	54,889.59	156,509.48		156,509.48
BOND & INTEREST	88,616.74	759,427.15	559,665.00	288,378.89		288,378.89
PUBLIC SAFETY EQUIP.	9,068.46	9.01	-	9,077.47		9,077.47
FIRE INS PROCEEDS	0.84	-	-	0.84		0.84
SEWER	383,947.55	617,762.81	737,688.35	264,022.01		264,022.01
RECREATION BENEFIT	-	458.46	458.46	-		-
GOLF COURSE	26,038.37	181,430.31	205,624.96	1,843.72		1,843.72
SPECIAL REVENUE (911)	9,897.41	-	-	9,897.41		9,897.41
LLEBG GRANT	-	-	-	-		-
TOURISM	7,979.00	55,855.30	39,970.94	23,863.36		23,863.36
EVIDENCE LIABILITY	14,361.29	-	1,461.50	12,899.79		12,899.79
CAPITAL - GENERAL	210,479.32	115,900.00	158,960.80	167,418.52		167,418.52
CAPITAL IMP. - STREETS	19,158.54	99,964.26	1,044.89	118,077.91		118,077.91
CAPITAL IMP - SEWER	(301,209.31)	583,022.41	507,107.66	(225,294.56)		(225,294.56)
CAPITAL IMP - GRANTS	260,004.80	640,722.01	643,764.65	256,962.16		256,962.16
CAFETERIA 125 # 50	14,098.88	41,918.42	22,598.16	33,419.14		33,419.14
COURT ADSAP # 51	7,661.00	-	-	7,661.00		7,661.00
COURT BONDS # 52	5,883.86	4,761.10	6,325.10	4,319.86		4,319.86
FORFEITURES # 53	257.29	1,096.13	-	1,353.42		1,353.42
OLD STONE CHURCH # 54	-	-	-	-		-
PAYPAL # 55	95.65	-	-	95.65		95.65
<b>TOTALS</b>	<b>2,121,018.30</b>	<b>10,012,697.01</b>	<b>9,102,041.39</b>	<b>3,031,673.92</b>	<b>-</b>	<b>3,031,673.92</b>

	A	E	F	H	I	J
1	<b>Nuisance Violations</b>					
2	<b>Address</b>	<b>Date of 1st Contact</b>	<b>Delivery Method</b>	<b>Date to Comply</b>	<b>Nuisance Issue</b>	<b>Case Status</b>
3	100 E. Pacific	10/23/2014	Certified Mail	11/3/2014	8-303- Junk Vehicles	Resolved
4	334 Main	10/24/2014	Certified Mail	11/3/2014	8-2A08 & 8-401 Trash and Weeds	No
5	327 Parker	10/28/2014	Posted	11/7/2014	8-2A08 & 8-303-Household Debris and Vehicle	Resolved
6	1101 4th	10/31/2014	Posted	11/10/2014	8-2A08 & 8-303- Household Debris, Vehicles	Progress
7	300 Main	10/31/2014	Hand Delivery	11/10/2014	8-2A08 & 8-303- Household Debris and vehicles	No
8	311 Walnut	10/31/2014	Hand Delivery	11/10/2014	8-2A08- Household Debris	Resolved
9	315 Walnut	10/31/2014	Hand Delivery	11/10/2014	8-2A08, 8-401-Household Debris	Progress
10	732 Lincoln	10/31/2014	Posted	11/10/2014	8-2A08- Household Debris	Resolved
11	130 Walnut	11/4/2014	Posted	11/14/2014	8-303- Vehicles	Resolved
12	500 Lincoln	11/4/2014	Hand Delivery	11/14/2014	8-303-Vehicles	No
13	520 Chestnut	11/4/2014	Hand Delivery	11/14/2014	8-303- Vehicles	No
14	815 Pacific	11/4/2014	Hand Delivery	11/14/2014	8-2A408 & 8-303-Vehicles,household debris, trash	No
15	103 Pacific	11/5/2014	Hand Delivery	11/15/2014	8-2A08 & 8-303- Household Debris and vehicles	No
16	210 7th	11/5/2014	Hand Delivery	11/15/2014	8-303- Vehicles	No
17	700 Brown	11/5/2014	Hand Delivery	11/15/2014	8-303- Vehicles	No
18	733 Brown	11/5/2014	Hand Delivery	11/15/2014	8-303 & 8-2A08- Vehicles and debris	No
19	433 Pacific	11/6/2014	Hand Delivery	11/16/2014	8-303- Vehicles	No
20	704 Parker	11/6/2014	Posted	11/16/2014	8-303- Vehicles	No
21	737 Brown	11/6/2014	Hand Delivery	11/16/2014	8-303- Vehicles	No
22	815 Main	11/6/2014	Hand Delivery	11/16/2014	8-303- Vehicles	No
23	1310 Pacific	11/6/2014	Posted	11/16/2014	8-303- Vehicles	No
24	1320 Pacific	11/6/2014	Hand Delivery	11/16/2014	8-303 & 8-2A08- Vehicles and debris	No
25	1535 Main	11/6/2014	Hand Delivery	11/16/2014	8-303- Vehicles	No
26	162 15th	11/6/2014	Hand Delivery	11/16/2014	8-303- Vehicles	No
27	804 South Street	11/6/2014	Hand Delivery	11/16/2014	8-303- Vehicles	No
28	913 Chestnut	11/6/2014	Hand Delivery	11/16/2014	8-303 & 8-2A08- Vehicles and debris	No
29	240 1st	11/6/2014	Hand Delivery	11/16/2014	8-303 & 8-2A08- Vehicles and debris	No
30	1105 Walnut	11/6/2014	Posted	11/16/2014	8-303 & 8-2A08- Vehicles and debris	No
31	206 5th	11/7/2014	Certified Mail	11/17/2014	8-303 & 8-2A08-Vehicles and Debris	No
32	320 E Pacific	11/7/2014	Certified Mail	11/17/2014	8-303- Vehicles	No
33	430 Walnut	11/7/2014	Certified Mail	11/17/2014	8-303- Vehicles	No
34	223 E Mill	11/7/2014	Verbal Contact	11/17/2014	8-303 and 8-2A08- Trash and vehicles	No
35	407 Martin	11/10/2014	Verbal Contact	11/20/2014	8-201-Trash	No
36	427 Walnut	11/10/2014	Investigated based on complaint			