

The Board of Commissioners met in regular session at 4:00 p.m., on Wednesday, February 25, 2026, in the Commission Room at City Hall with Vice-Mayor Banzet presiding and Commissioner Truelove present. Mayor Johnson was absent from the meeting. The meeting was recorded via Zoom platform.

Commissioner Truelove moved to approve the agenda as presented. Seconded by Vice-Mayor Banzet. Motion carried.

Civic organization reports were invited and heard.

Commission reports were heard.

City Administrator comments were heard.

Community Development Director reports were heard.

Financial reports were distributed.

Public Comments were invited and heard.

Commissioner Truelove moved to approve the consent agenda as presented consisting of minutes from the February 11, 2026 Meeting; and Appropriation (2026) 03. Seconded by Vice-Mayor Banzet. Motion carried.

Administrator Jones addressed the Commission regarding a resolution that would amend the City's Procurement Policy related to spending limits for the City Administrator, City Clerk and Assistant City Clerk. Discussion held.

#### **RESOLUTION NO. 26-02**

### **A RESOLUTION AMENDING THE CITY OF NEODESHA PROCUREMENT POLICY; ESTABLISHING AND CREATING A PURCHASE AND BIDDING PROCEDURE FOR THE PROCUREMENT OF GOODS AND/OR SERVICES BY THE CITY OF NEODESHA.**

#### **NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF NEODESHA, KANSAS.**

**Section 1.** The governing body of the City of Neodesha, Kansas hereby adopts a procurement procedure policy to read as follows:

#### **PURPOSE**

The purpose of this Procurement Policy is to provide a complete source of purchasing information and detailed procedures for the centralized purchasing of all commodities, contractual services, and equipment, and that such purchases be obtained efficiently and economically, in compliance with local, state and federal laws. The policy serves as a guide to those who are granted purchasing privileges on behalf of the City of Neodesha. City employees/elected officials will follow established ethical and conflict of interest policies as set forth in the Code of the City of Neodesha.

#### **APPLICATION**

This policy applies to the procurement of all supplies, equipment, construction, and services of and for the City of Neodesha.

#### **POLICY**

##### **1. General**

A. The following Department Directors and staff are authorized to make purchases for the city up to \$2,000.

Assistant to the City Administrator

Electric Superintendent

Fire Chief

Police Chief

Public Works Superintendent

Water/Wastewater Superintendent

Any purchase exceeding \$2,000 or for professional services, telecommunications, computers and technology, or fixed assets must be approved either by the City Administrator or City Commission prior to making the purchase. Quotes received for purchases \$1,000 and under can be accomplished via phone, in person, in writing or via fax, but need to be recorded on the purchase order. When practical, Department Directors should obtain three quotes prior to making purchases. Department Directors have the responsibility to remain within annual budget limitations.

B. The City Clerk and Assistant City Clerk are authorized to make purchases for the City of Neodesha up to \$7,500.

C. The City Administrator is authorized to make purchases for the City of Neodesha up to \$15,000. Any purchase exceeding \$15,000 must be approved by the City Commission prior to making the purchase. Bids and the purchases of fixed equipment \$15,000 or more, not included in the budget, require City Commission approval.

D. The City of Neodesha utilizes a formal purchase order system, requiring a purchase order number, for all purchases over \$500. Once an item is received, the Department Director who purchased the item verifies that the city is being invoiced for the correct item. The Department Director reviews the purchase order, initials it and codes it for payment. The Administration Department enters the invoices for payment into the accounting system. Once the warrant register is printed, the warrant register is reviewed by the City Clerk, City Administrator, and a Commission member. The warrant register is taken to the City Commission for approval.

E. Upon approval of the warrant register by Commission, the checks are printed and mailed the following day. The City Administrator and the City Clerk must sign the checks. In the absence of the City Administrator and/or City Clerk, a Commission member and/or City Treasurer must sign the checks.

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- F. Ethics In Purchasing: Any attempt to realize personal gain through public employment is a breach of public trust and grounds for disciplinary action up to and including termination. It shall be a breach of ethical standards for any employee or public official to knowingly use confidential information or the City's purchasing ability for personal gain, or the personal gain of others. It shall be a breach of public ethics to reap personal gain through City purchasing decisions such as cash, goods, gifts, or discounts. It is unacceptable for one Department Director to negotiate on behalf of another Department Director without his or her consent.
2. Methods of Procurement
- A. Small Purchases – This method is used when goods or services do not cost in the aggregate more than \$15,000.
- (1) Price or rate quotes are obtained from an adequate number of qualified sources. (Generally, three). Written specifications are provided, normally 30 days in advance, to assure all responders are bidding on the same product or service. Bid requests will be published at a minimum in the City of Neodesha Official Newspaper, at a minimum 30 days prior to bid date, except with approval of the City Commission. All bids shall be opened publicly at the time and place stated in the Invitation for Bids.
  - (2) Documentation regarding the businesses contacted and the prices submitted shall be maintained in the project folder or procurement file.
  - (3) Written documentation regarding basis for selection and cost shall be maintained.
  - (4) The City of Neodesha has the right to accept or reject any or all bids with or without cause in the discretion of the Governing Body. All unsuccessful bidders must be notified in writing.
- B. Competitive Sealed Bids – Competitive sealed bids are initiated by publishing an Invitation for Bids (IFB) when the cost is estimated to be over \$25,000, and two or more responsible suppliers are willing and able to compete effectively for the City of Neodesha business. Invitation to Bid notices will be published once, at a minimum, in the City of Neodesha Official Newspaper and the publications at a minimum of 30 days prior to bid date, except with approval of the City Commission. The City Commission is the approving authority for all competitive sealed bids. All bids shall be opened publicly at the time and place stated in the Invitation for Bids.
- (1) Detailed specifications for the goods or services to be procured shall be approved by City Commission prior to advertising.
  - (2) All bids received are tabulated and reviewed according to the written criteria given to prospective bidders. The primary basis for award shall be cost.
  - (3) A firm-fixed-price contract award shall be made by written notice to the responsible bidder whose bid, conforming to the Invitation for Bids, is lowest. Where specified in the bidding documents, factors such as discounts, transportation costs and life cycle costs shall be considered in determining which bid is lowest.
  - (4) Preparation and signing of a contract formalizing a scope of work and the terms of compensation is required after confirming the contractor is not on the Federal Debarred List.
  - (5) Any and all bids may be rejected with or without cause in the discretion of the Governing Body. All unsuccessful bidders must be notified in writing.
  - (6) A bid guarantee equal to at least five percent (5%) of the proposed contract amount and should be secured through a bid loan or a certified check. A 100 percent (100%) "performance bond" on the part of the contractor to secure fulfillment of all the contractor's obligations under the contract; and a 100 percent (100%) "payment bond on the part of the contractor to assure payment, as required by law, of all persons supplying labor and materials as part of work provided under the contract. In the discretion of the Governing Body the requirement of a performance bond and/or payment bond may be waived in writing.
  - (7) Bonds shall be from a surety company registered and licensed to do business in Kansas and countersigned by a Kansas agent.
- C. Competitive Negotiations – Competitive Negotiations are initiated by publishing a Request for Proposals (RFP) or Request for Qualifications (RFQ). Responses shall be solicited from an adequate number of qualified sources to permit reasonable competition consistent with the nature and requirements of the procurement. The RFP is used when price is a factor in selection; the RFQ is used when price is considered after selection (this is usually applicable only for architectural and engineering services). Adequate time is allowed for preparation of RFP or RFQ for at least 30 days.
- (1) In both the RFP and RFQ, the services to be procured are clearly defined, as are the factors to be used in evaluation and selection. A written basis of selection must be prepared.
  - (2) All proposals received are to be reviewed according to the written criteria given to prospective bidders and the review should be in writing. The basis of selection must be documented.
  - (3) For RFQ's, an invitation is made to one or more respondents to negotiate a price or fee.
  - (4) Awards may be made to the responsible bidder whose proposal will be most advantageous to the City, with price and other factors considered.

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(5) Preparation and signing of a contract formalizing a scope of work and the terms of compensation is required.

(6) All unsuccessful bidders must be notified in writing.

D. Non-Competitive Negotiations – Non-competitive negotiations are used only when 1) the use of competitive negotiations is not feasible, such as having only one supplier; 2) there is a public emergency; or 3) the results of the competitive negotiations are inadequate.

(1) Negotiations are conducted with the selected company regarding a scope of work and price.

(2) Preparation and signing of a contract formalizing a scope of work and the terms of compensation is required.

(3) Sole source purchases must be approved by the City Administrator or City Commission.

3. Emergency or Urgent Situations

A. It is recognized that emergency or urgent situations occasionally arise in City operations. In emergency or urgent situations, it is up to the judgment of the City Administrator to make a responsible decision regarding obtaining required goods and services.

B. These emergency or urgent situations arise when an immediate decision may preclude excessive costs at a later date and in some situations even prevent injuries or the loss of life. The City Administrator is charged with the responsibility to determine if an emergency or urgent situation exists and to make necessary decisions if higher authority is unavailable.

C. All purchases outside the normal purchasing procedures must be reported to the Governing Body as soon as possible.

4. Contracts

A. Preparation and signing of a contract formalizing a scope of work and the terms of compensation is required for all contracts over \$5,000.

B. The City Commission shall be the approving authority for all formal contracts exceeding \$5,000. For all other contracts, the City Administrator shall be the approving authority.

C. At the discretion of the City Administrator, formal contracts may be drafted, or reviewed, by the City Attorney.

D. Contract Pricing – The cost plus a percentage of cost and percentage of construction cost method of contracting shall not be used.

E. Contracts must include the following:

(1) Effective date of contract;

(2) Name and addresses of the locality and firm;

(3) Names of representatives of locality and firm who will act as liaison for administration of the contract;

(4) Citation of the authority of the city under whom the contract is entered into and source of funds.

(5) Conditions and terms under which the contract may be terminated by either party, both termination for cause and termination for convenience, and remedies for violation/breach of contract.

5. Miscellaneous Financial Issues

A. Procedures for claiming of travel related expenditures are identified in the City of Neodesha Personnel Policy Handbook.

B. The City of Neodesha shall perform some form of cost/price analysis for every procurement action, including modifications or change orders.

C. The City Staff shall make every reasonable effort to purchase goods and services from suppliers located within the City of Neodesha if the goods or services needed by the City are available from such suppliers at a competitive price, and if the goods and services are of the level of quality expected by the City. Local bids will be considered reasonable if they are no greater than 15% above the lowest bid.

D. All procurements will be reviewed to avoid unnecessary and duplicate purchases and to ensure costs are “reasonable.”

E. The City of Neodesha will make every effort to ensure small, minority and/or female-owned businesses are included in the bid process.

F. Invitation for Bids or Requests for Proposals must be clearly written and describe the technical requirements of the equipment or services.

G. The City of Neodesha is exempt from all local and state sales taxes or federal excise taxes. Purchases made for any of the Utility Departments other than the Water Utility, however, are subject to all local and state sales taxes or federal excise taxes. For these tax reasons, it is not acceptable to purchase personal items through the City’s purchasing system. A W-9 must be sent to vendors along with the purchase order for any purchase over \$500.

H. Formal bids will contain the following language: The Governing Body of the City of Neodesha reserves the right to waive irregularities in bids, to reject any and all bids with or without cause in the discretion of the Governing Body, and to award the bid that it determines to be in the best interest of the City of Neodesha. The City of Neodesha does not discriminate on the basis of race, color, national origin, sex, religion, age, or handicapped status in employment or provision of service.

**Section 2.** The Governing Body of the City of Neodesha, Kansas, by majority vote, may waive any provisions of this Resolution when deemed in the best interest of the City. *(continued on next page)*

**Section 3.** Nothing in this Procurement Policy shall exempt the City from the requirements of K.S.A. 10-1101 et seq., the Kansas Cash Basis Law.

**Section 4.** This Resolution shall take effect and be in force from and after its passage and adoption.

Commissioner Truelove moved to approve Resolution 26-02 as presented. Seconded by Vice-Mayor Banzet. Motion carried.

Administrator Jones along with Building Inspector Tommy John addressed the Commission regarding a resolution to set a public hearing that addresses a yard abatement for the property located at 1318 N 8<sup>th</sup> Street. The homeowner's sister, Michelle Smith, was in attendance for the discussion.

**RESOLUTION NO. 26-03**

**A RESOLUTION FIXING A TIME AND PLACE AND PROVIDING FOR NOTICE OF A HEARING BEFORE THE GOVERNING BODY OF THE CITY OF NEODESHA, KANSAS AT WHICH TIME THE OWNER, HIS AGENT, LIENHOLDERS OF RECORD AND OCCUPANTS OF THE STRUCTURE LOCATED AT 1318 North 8<sup>th</sup> Street, LEGAL DESCRIPTION: Lot (9) and Lot (10), Block (9), Northlawn Addition, City of Neodesha, MAY APPEAR AND SHOW CAUSE WHY SUCH PROPERTY SHOULD NOT BE CONSIDERED UNSAFE OR CAUSING A BLIGHTING INFLUENCE AND DIRECTING THE VIOLATION TO BE ABATED OR REMOVED AND THE PREMISES MADE SAFE AND SECURE.**

**WHEREAS**, the Enforcement Officer of the City of Neodesha, did on the 28th day of January, 2026, file with the Governing Body of said City a statement in writing that the property was found to be unsafe and/or causing a blighting influence;

**NOW, THEREFORE, BE IT RESOLVED** by the Governing body of the City of Neodesha that a hearing will be held on the 22<sup>nd</sup> day of April, 2026 before the Governing Body of the City at 4:00 p.m. in the Commission Room of City Hall, 1407 N. 8<sup>th</sup>; at which time the owner, his agent, any lien holder of record and any occupant of the structure located at **1318 N 8<sup>th</sup>** may appear and show cause why such property should not be considered a blighting influence and/or an unsafe property and be ordered to abate the property and be made safe and secure.

**BE IT FURTHER RESOLVED** that the City Clerk shall cause this Resolution to be published two consecutive times and shall give notice of the aforesaid hearing in the manner provided by law.

Commissioner Truelove moved to approve Resolution 26-03 as presented with noted changes and to set a public hearing for April 22, 2026 at 4:00 p.m. at City Hall. Seconded by Vice-Mayor Banzet. Motion carried.

Administrator Jones addressed the Commission regarding the ratification of the approval to repair an issue with one of the City's sewer mains. This ratification to approve above spending authority falls under the City's Procurement Policy for an emergency. Discussion held.

Commissioner Truelove moved to approve the payment to Tri-Star Utilities for the emergency sewer main repair in the amount not to exceed \$9,630. Seconded by Vice-Mayor Banzet. Motion carried.

Administrator Jones addressed the Commission regarding an engagement letter and agreement with Midwest Construction & Utility Law. This move follows the City's attorney for franchise licensing agreements, Penny Speake. Discussion held.

Commissioner Truelove moved to approve the engagement letter with Midwest Construction & Utility Law as presented. Seconded by Vice-Mayor Banzet. Motion carried.

Administrator Jones addressed the Commission regarding the purchase of a mower for the cemetery. Discussion held.

Commissioner Truelove moved to approve the purchase of the cemetery mower from Fredonia Outdoor Power Equipment in an amount not to exceed \$14,772.50. Seconded by Vice-Mayor Banzet. Motion carried.

Administrator Jones addressed the Commission regarding the approval of garage door and equipment replacement at the Electric Shop. Discussion held.

Commissioner Truelove moved to approve the quote from SEK Garage Doors in the amount not to exceed \$11,700. Seconded by Vice-Mayor Banzet. Motion carried.

Administrator Jones addressed the Commission regarding the appointment for a Director 2 Position for KMEA. Discussion held.

Commissioner Truelove moved to appoint the City Administrator as Director 2 for KMEA. Seconded by Vice-Mayor Banzet. Motion carried.

Administrator Jones addressed the Commission regarding the appointment for an Alternate Position with KMEA. Discussion held.

Commissioner Truelove moved to appoint the City Clerk as the Alternate Director for KMEA. Seconded by Vice-Mayor Banzet. Motion carried.

Administrator Jones addressed the Commission regarding a new state funded project for curb extensions along Main Street. Discussion held. No action taken.

Administrator Jones addressed the Commission regarding the future of the partnership between the City and Priority Power Management. Discussion held. No action taken.

Public Comments were again invited and heard.

Neodesha, Kansas  
February 25, 2026

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The next regular meeting of the Governing Body will be held at City Hall on Wednesday, March 11, 2026, at 4:00 p.m.  
At 5:11 p.m. Commissioner Truelove moved to adjourn. Seconded by Vice-Mayor Banzet. Motion carried.

ATTEST:

/s/ Duane Banzet

Duane Banzet, Vice-Mayor

/s/ Stephanie Fyfe

Stephanie Fyfe, City Clerk