

Agenda

City Commission of the City of Neodesha, KS
April 24, 2019 2:00 p.m.

Item 1: Opening Session

- Call to Order
- Roll Call
- Invocation
- Pledge of Allegiance
- Additions/Deletions to the Agenda
- Mayor's Report
- Commissioners' Reports
- City Administrator's Comments

Item 2: Public Comments

Item 3: Consent Agenda (Routine agenda items can be approved with unanimous consent of the City Commission. Any item can be removed and placed in items of business.)

- Approval of the April 10, 2019 Commission minutes
- Appropriation (2019) 07
- Raw Water Project Bond Appropriation 52

Item 4: Business Items to Consider

- A. Ordinance: Active Transportation Advisory Board; Membership
- B. Access Agreement; BP Products
- C. Appointments to W.A. Rankin Library Board
- D. 2019 G&W CMB License
- E. Use of Amphitheater for Concert and Car Show
- F. City Administrator Contract

Item 5: Date/Time of Next Regular Meeting

- Wednesday, May 8, 2019, 2:00 p.m. – Regular Meeting, City Hall

Item 6: Executive Session:

Item 7: Adjournment

AGENDA COMMENTS

CITY COMMISSION MEETING

April 24, 2019

Additions to the Agenda

RECOMMENDED MOTION: *I move to approve the agenda as presented.*

Consent Agenda

RECOMMENDED MOTION: *I move to approve the consent agenda as presented.*

Business Items to Consider

4.A Ordinance: Active Transportation Advisory Board; Membership

Staff has been working with Erica Johnson to establish an Active Transportation Advisory Board (ATAB). The ATAB was established November 14, 2018 under Ordinance 1708. Ms. Johnson has requested that the board membership be increased from 7 to 9.

RECOMMENDED MOTION: *I move to approve Ordinance 1718, increasing the ATAB membership to nine board members.*

4.B Access Agreement; BP Products

Staff has been contacted by Mary Wojciechowski, BP Operations Manager, with a request to approve an Access Agreement for monitoring well sampling activity, scheduled to begin May 6, 2019.

RECOMMENDED MOTION: *I move to approve the Access Agreement with BP for monitoring well sampling, and authorize the City Administrator to sign the agreement.*

4.C Appointments to W.A. Rankin Library Board

Mary Meckley, Library Director, has provided her valuable input on library board volunteers. As a reminder to the Commission, library board appointments are classified as "City," with 4-year terms, or "Rural," with 2-year terms. The library board is somewhat unique, in that board members have a two-term limit. Leaving the board due to term limits are Lacy Kerr (Rural), John Mills (City), and Cheryl Bly (City). The Commission is asked to reappoint Janie Steele (City), and appoint Wanda Haynes (City), Treva Scott (City), and Stacy Jensen (Rural).

RECOMMENDED MOTION: *I move to reappoint Janie Steele to the W.A. Rankin Library Board for a four-year term, ending May 31, 2023, and*

Appoint Wanda Haynes and Treva Scott to the W.A. Rankin Library Board for four-year terms, ending May 31, 2023, and

Appoint Stacy Jensen to the W.A. Rankin Library Board for a two-year term, ending May 31, 2021.

4.D 2019 G&W CMB License

The Commission is asked to approve a 2019 Cereal Malt Beverage license for G&W Foods.

RECOMMENDED MOTION: *I move to approve the 2019 Cereal Malt Beverage License for G&W Foods.*

4.E Use of Amphitheater for Concert and Car Show

For this agenda item, the Commission is asked to approve the use of the Waterworks Amphitheater for a musical concert and a car show event to be held on June 1, 2019.

RECOMMENDED MOTION: *I move to approve the use of City property, known as the Waterworks Amphitheater, for a concert and car show event on June 1st, 2019.*

4.F City Administrator Contract

The current contract with the City Administrator will expire April 30, 2019. The Governing Body will review the contract and make any changes desired, or to renew it for one year. (Note: You will want to do the Executive Session before making any motions.)

RECOMMENDED MOTION: *I move to approve the contract with Eddy R. Truelove as City Administrator for a term from May 1, 2019 through April 30, 2020 with a salary increase of ____.*

EXECUTIVE SESSION – Non Elected Personnel

This Executive Session will allow the Commission an opportunity to discuss the City Administrator's performance evaluation and contract renewal.

I move to recess to an Executive Session including the Governing Body, City Administrator, and City Clerk to discuss an individual employee's performance pursuant to the non-elected personnel matter exception, KSA 75-4319(b)(1). The open meeting will resume in the Commission Room at ____ p.m.

Neodesha, Kansas

April 10, 2019

The Board of Commissioners met in regular session at 2:00 p.m. on Wednesday, April 10, 2019 with Mayor Harper presiding and Commissioners Moffatt and Johnson present.

Commissioner Johnson moved to approve the agenda adding item 4B, Proclamation: Child Abuse Prevention Month with Aimee Daniels from Casa and item 4C, Proclamation: Fair Housing Month. Seconded by Commissioner Moffatt. Motion carried.

Commission and Administrator Reports were heard.

Public Comments were invited and heard.

Commissioner Moffatt moved to approve the Consent Agenda consisting of the minutes from the March 27, 2019 meeting; Appropriation (2019) 06; and Raw Water Project Bond Appropriation 51. Seconded by Commissioner Johnson. Motion carried.

Mayor Harper read a proclamation designating April 18, 2019 as National Lineman Appreciation Day in Neodesha. Brandon Hearn, Electric Superintendent was in attendance.

Mayor Harper read a proclamation designating April 2019 as Child Abuse Awareness and Prevention Month. Aimee Daniels from CASA was in attendance.

Mayor Harper read a proclamation designating the month of April 2019 as Fair Housing Month and to express the hope that this year's observance will promote fair housing practices throughout the City.

RESOLUTION NO. 19-03

A RESOLUTION OF THE CITY OF NEODESHA, KANSAS AUTHORIZING THE EXECUTION OF THE SWPA PROJECT AGREEMENT BETWEEN THE CITY AND THE KANSAS MUNICIPAL ENERGY AGENCY; AND AUTHORIZING ANY OTHER ACTIONS OF THE CITY RELATED THERETO.

WHEREAS, the Kansas Municipal Energy Agency ("KMEA") consists of members (the "Members") which are (i) cities organized and existing under the laws of the State, and (ii) authorized by such laws to engage in the local distribution and sale of electric power and energy; and

WHEREAS, KMEA is authorized by K.S.A. 12-885 *et seq.*, as amended, to plan, finance and construct projects for the purchase, sale, generation and transmission of electricity for the purpose of securing an adequate economical and reliable supply of electricity and other energy for its Members; and

WHEREAS, the City of Neodesha, Kansas (the "City") owns and operates a municipal electric system and is a Member in good standing of KMEA; and

WHEREAS, K.S.A. 12-825j authorizes the City to contract to buy from KMEA for the purchase of capacity and energy and related products to meet City's present and future requirements for a period not in excess of forty (40) years; and

WHEREAS, City has received allocations of Federal hydroelectric power and associated energy pursuant to the terms and conditions of the Southwestern Power Administration Final Power Allocations (1980-1988) 45 F.R. 19032 (1980); and

WHEREAS, KMEA intends to enter into a power sales contract to acquire hydroelectric power and energy from the United States of America, represented by the Secretary of Energy, acting by and through the Administrator, Southwestern Power Administration ("SWPA") for a period of fifteen (15) years commencing on June 1, 2019 (the "KMEA-SWPA PSC"), whereunder KMEA will purchase, on a combined basis and on behalf of certain cities in the State of Kansas, including the City (collectively, the "Participants"), the Participants' allocations of hydroelectric power and energy from reservoir projects, constructed and operated by the U.S. Corps of Engineers, as such power and energy become available; and

WHEREAS, the SWPA Project Agreement (the "Project Agreement") is intended to enable KMEA to pass through a share of the benefits and obligations of the KMEA-SWPA PSC to City, such that neither KMEA nor City obtains a benefit or incurs a burden or obligation due to a drafting or other difference between the Project Agreement and the KMEA-SWPA PSC; and

WHEREAS, City desires to utilize its allocation of federal hydroelectric power from SWPA by participating in the SWPA Project, pursuant to the terms and conditions set forth herein;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the City of Neodesha, Kansas, as follows:

Section 1. Approval of Project Agreement. The City hereby finds and determines it to be advisable and in the best interests of the City and its inhabitants to enter into the Project Agreement with KMEA regarding the City's allocation of federal hydroelectric power and associated energy from SWPA.

Section 2. Execution of Documents. The Mayor and the City Clerk are hereby authorized and directed to execute and affix the seal of the City to the Project Agreement with KMEA in substantially the form presented with this Resolution and to execute any other ancillary documents related thereto for and on behalf of, and as the act and deed of, the City.

Section 3. Further Authority. The officials, officers, agents and employees of the City are authorized and directed to take whatever action and execute whatever other documents or certificates as may be necessary or desirable to carry out the provisions of this Resolution and to carry out and perform the duties of the Issuer with respect to the Project Agreement.

Section 4. Effective Date. This Resolution shall take effect and be in full force immediately after its adoption by the governing body of the City.

Commissioner Johnson moved to adopt Resolution 19-03, and authorize the Mayor to sign the Southwest Power Administration agreement with KMEA. Seconded by Commissioner Moffatt. Motion carried.

RESOLUTION NO. 19-04

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 105 N. 11TH STREET, LEGAL DESCRIPTION: THE SOUTH 39.7 FEET OF THE NORTH 96 FEET OF LOTS 6, 7, 8, 9 AND 10, BLOCK 29, LESS RAILROAD RIGHT OF WAY, CITY OF NEODESHA, MAY APPEAR AND SHOW CAUSE WHY SUCH STRUCTURE SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED OR DEMOLISHED AS AN UNSAFE OR DANGEROUS STRUCTURE.

WHEREAS, Ed Truelove, the Enforcement Officer of the City of Neodesha, did on the 10th of April, 2019, file with the Governing Body of said City a statement in writing that certain unoccupied structures hereinafter described are unsafe and dangerous;

NOW, THEREFORE, BE IT RESOLVED by the Governing body of the City of Neodesha that a hearing will be held on the 22nd day of May, 2019, before the Governing Body of the City at 2:00 p.m. in the Commission Room of City Hall, 1407 N. 8th; at which time the owner, his agent, any lien holder of record and any occupant of the structure located at 105 N. 11th St. may appear and show cause why such structure should not be condemned as an unsafe or dangerous structure and ordered repaired or demolished.

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 Moffatt moved to adopt Resolution 19-04, setting a public hearing for 105 N. 11th Street on May 22, 2019 as presented. Seconded by Commissioner Johnson. Motion carried.

Administrator Truelove addressed the Commission regarding the Management Representation Letter from Jarred, Gilmore & Phillips, PA referencing the 2018 audit that was conducted.

Commissioner Johnson move to authorize the Mayor to sign the Management Representation Letter for the 2018 Audit. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding appointments to the Senior Citizens Board. Discussion held.

Commissioner Moffatt moved to approve the following appointments to the Senior Citizen's Board: Juanita Erickson to fill the unexpired term of Mary Compton, with a term ending date of December 31, 2021; Pam Eury to fill the unexpired term of Patty Chalfant, with a term ending date of December 31, 2019; and Bill Sexton to fill the unexpired term of Sue Rowden, with a term ending date of December 31, 2019. Seconded by Commissioner Johnson. Motion carried.

Administrator Truelove addressed the Commission regarding the consideration of the sale of property from the Land Bank. Discussion held.

Commissioner Johnson moved to convene as the Neodesha Land Bank to consider the sale of property. Seconded by Commissioner Moffatt. Motion carried.

Commissioner Moffatt moved to approve the sale of property located at 15 Timber Ridge Estates, with a sale price of \$2,500. Seconded by Commissioner Johnson. Motion carried.

Commissioner Johnson moved to adjourn as the Neodesha Land Bank Board and re-convene as the City of

Neodesha Governing Body. Seconded by Commissioner Moffatt. Motion carried.

The next regular meeting of the Governing Body will be held at City Hall on Wednesday, April 24, 2019 at 2:00 p.m.

Commissioner Moffatt moved to recess to an Executive Session including the Governing Body, City Administrator and Assistant City Clerk to discuss an individual employee's performance pursuant to the non-elected personnel matter exception, KSA 75-4319(b)(1). The open meeting will resume in the Commission Room at 3:00 p.m. Seconded by Commissioner Johnson. Motion carried.

At 3:00 p.m. the regular meeting of the Governing Body reconvened in the Commission Room. No action.

At 3:20 p.m. Commissioner Johnson moved to adjourn. Seconded by Commissioner Moffatt. Motion carried.

ATTEST:

Terry M. Harper, Mayor

Stephanie Fyfe, Assistant City Clerk

APPROPRIATION REPORT

ORDINANCE NO 7

4/24/2019

<u>VENDOR</u>	<u>REFERENCE</u>	<u>AMOUNT</u>	<u>CHECK NO</u>	<u>CHECK DATE</u>
A T & T	PHONE CHARGES	214.64	52931	4/24/2019
A T & T	PHONE CHARGES	80.13	52932	4/24/2019
ALTEC INDUSTRIES INC	WRENCH KIT, SOCKETS	1,295.84	52933	4/24/2019
APIA COMMUNICATIONS INC	FIBER OPTIC SYSTEM	313.23	52934	4/24/2019
ARROW INTERNATIONAL INC	NEEDLE SET	677.50	52935	4/24/2019
AUTO ZONE	DISTRIBUTOR KIT	96.99	52936	4/24/2019
BLUBOOTS	UNIFORMS	823.00	52937	4/24/2019
BORDER STATES INDUSTRIES INC	ELECTRIC METERS	946.08	52938	4/24/2019
BOUND TREE MEDICAL LLC	MEDICAL SUPPLIES	900.63	52939	4/24/2019
CARROT-TOP INDUSTRIES	CUSTOM FIRE DEPT FLAG	185.73	52940	4/24/2019
CINTAS FIRST AID & SAFETY	FIRST AID SUPPLIES	39.24	52941	4/24/2019
CLEAVER FARM & HOME	CULVERT TUBING	1,388.61	52942	4/24/2019
CONSOLIDATED FLEET SERVICES INC	LADDER INSPECTIONS	1,175.00	52943	4/24/2019
CONSTELLATION NEWENERGY	MARCH BILLING	64,014.52	52944	4/24/2019
CORE & MAIN	COUPLINGS	384.29	52945	4/24/2019
ECX SYSTEMS LLC	BARRACUDA SECURITY	50.00	52946	4/24/2019
EMG	MARCH BILLING	1,014.50	52947	4/24/2019
FASTENAL COMPANY	ARBOR, CUPS	31.61	52948	4/24/2019
FED EX	SHIPPING CHARGES	74.93	52949	4/24/2019
FREDONIA NAPA PARTS & SERVICE	BARs, CHAINS	123.13	52950	4/24/2019
FREDONIA TRUE VALUE HARDWARE	NUTS, BOLTS, WASHERS, BITS	44.00	52951	4/24/2019
G & W FOODS	PROPANE EXCHANGE	52.32	52952	4/24/2019
GERKEN RENT-ALL	SANITATION UNITS	556.20	52953	4/24/2019
GFOA	MEMBER DUES - BOBBY BUSCH	160.00	52954	4/24/2019
HUGO'S INDUSTRIAL SUPPLY, INC	TRASH BAGS, CLEANING SUPPLIES	828.93	52955	4/24/2019
JERRY INGRAM FIRE & RESCUE	BOOTS	366.67	52956	4/24/2019

KANSAS DEPARTMENT OF REVENUE	WATER PROTECTION FEE	1,185.13	52957	4/24/2019
KANSAS MUNICIPAL UTILITIES	2ND QTR DUES	1,999.00	52958	4/24/2019
KC 24 HOUR TRUCK REPAIR	DRAIN PLUG	13.50	52959	4/24/2019
KANSAS DEPT OF HEALTH & ENV	WATER ANALYSIS - Q9000	378.00	52960	4/24/2019
LINN'S AIR COOLED ENGINES	OIL	17.00	52961	4/24/2019
MATCO TOOLS	FOAM, SCREWDRIVER SET	220.50	52962	4/24/2019
MELS PRINTING	ENVELOPES, MANUALS, CARDS	377.20	52963	4/24/2019
MERLE KELLY FORD, INC	WHEEL ALIGNMENT	107.99	52964	4/24/2019
MIDWEST COMPUTER SALES	IT SERVICES	568.00	52965	4/24/2019
NEODESHA AUTO SUPPLY	AUTO PARTS & SUPPLIES	844.82	52967	4/24/2019
NEW BEGINNINGS ENTERPRISES INC	DOCUMENT DESTRUCTION	2.40	52968	4/24/2019
PENMAC PERSONNEL SERVICES INC	TEMPORARY PERSONNEL SERVICE	3,087.97	52969	4/24/2019
PITNEY BOWES	BAL DUE POSTAGE METER	58.69	52970	4/24/2019
PROTECTIVE EQUIPMENT TESTING L	LINE COVERS, GLOVES	2,665.92	52971	4/24/2019
SHALOM TREE SERVICE	TREE REMOVAL	700.00	52972	4/24/2019
SOLOMON CORPORATION	TRANSFORMERS	18,070.00	52973	4/24/2019
SOUTHERN STAR CENTRAL GP INC	MARCH BILLING	27,805.28	52974	4/24/2019
TWIGS FLORAL & GIFTS	SYMPATHY PLANT	54.90	52975	4/24/2019
VISION CARE DIRECT	TRUE UP STATEMENT BILLING	34.06	52976	4/24/2019
WILSON COUNTY TREASURER	2ND HALF PROPERTY TAXES	1,261.24	52977	4/24/2019
ZOLL MEDICAL CORPORATION GPO	ELECTRODES	225.00	52978	4/24/2019

**** PAID TOTAL ****

135,514.32

**RAW WATER PROJECT BOND
APPROPRIATION 52
April 24, 2019**

[illegible]

Approved the day above written.

Terry M. Harper, Mayor

Attest

Bobby Busch, City Clerk

Invoice

Ed Truelove
City Administrator
City of Neodesha
bbusch@ci.neodesha.ks.us



December 28, 2018
Project No: 180004-001
Invoice No: 519071

Project 180004-001 Neodesha Raw Water Intake
Neodesha, KS

Professional Services through November 24, 2018

Level 1 03 Bidding

Fee

Total Fee	7,260.00		
Percent Complete	88.00	Total Earned	6,388.80
		Previous Fee Billing	4,646.40
		Current Fee Billing	1,742.40
		Total Fee	1,742.40

Reimbursable Expenses

Travel & Subsistence - Reimbursable			
10/3/2018	EAN Services, LLC	Ryan Glessner	85.98
	Total Reimbursables		85.98

Total this Level 1 \$1,828.38

Level 1 04 Construction Admin

Fee

Total Fee	14,822.00		
Percent Complete	13.00	Total Earned	1,926.86
		Previous Fee Billing	0.00
		Current Fee Billing	1,926.86
		Total Fee	1,926.86

Total this Level 1 \$1,926.86

Total Current Invoice \$3,755.24

*****PLEASE NOTE*****

Total Due includes Current and Outstanding invoices.

Payment Terms are Net 30 days
If you have questions regarding your outstanding invoices please call 316-206-1351.

303 SOUTH TOPEKA WICHITA, KS 67202 316-262-2691 FAX 316-262-3003 www.pec1.com

Remit to PO Box 92, Wichita KS 67201

Invoice

Ed Truelove
City Administrator
City of Neodesha
bbusch@ci.neodesha.ks.us

December 28, 2018
Project No: 180004-004
Invoice No: 519072

Project 180004-004 Neodesha 12 inch Waterline
Neodesha, KS

Professional Services through November 24, 2018

Level 1 02 Final Design

Fee

Total Fee	56,397.82		
Percent Complete	5.00	Total Earned	2,819.89
		Previous Fee Billing	0.00
		Current Fee Billing	2,819.89
		Total Fee	2,819.89

Reimbursable Expenses

Travel & Subsistence - Reimbursable			
10/30/2018	EAN Services, LLC	Ryan Glessner	69.40
	Total Reimbursables		69.40

Total this Level 1 \$2,889.29

Total Current Invoice \$2,889.29

*******PLEASE NOTE*******

Total due "may" include current and outstanding invoices.

Payment Terms are Net 30 days

If you have questions regarding your outstanding invoices please call 316-206-1351.

Invoice

Ed Truelove
City Administrator
City of Neodesha
bbusch@ci.neodesha.ks.us

December 28, 2018
Project No: 180004-007
Invoice No: 519073

Project 180004-007 Neodesha Additional Services
Neodesha, KS

Professional Services through November 24, 2018

Level 1 01 Funding Assistance

Professional Personnel

	Hours	Rate	Amount
Principal 1	.50	140.00	70.00
Totals	.50		70.00
Total Labor			70.00
Total this Level 1			\$70.00

Total Current Invoice \$70.00

*****PLEASE NOTE*****

Total due "may" include current and outstanding invoices.

Payment Terms are Net 30 days

If you have questions regarding your outstanding invoices please call 316-206-1351.

Invoice

Ed Truelove
City Administrator
City of Neodesha
bbusch@ci.neodesha.ks.us



December 28, 2018
Project No: 180004-008
Invoice No: 519074

Project 180004-008 Neodesha SCADA System Improvements
Neodesha, KS

Professional Services through November 24, 2018

Level 1 02 Final Design

Fee

Total Fee 4,600.00

Percent Complete

96.00 Total Earned 4,416.00
Previous Fee Billing 2,300.00
Current Fee Billing 2,116.00

Total Fee 2,116.00

Total this Level 1 \$2,116.00

Total Current Invoice \$2,116.00

*******PLEASE NOTE*******

Total due "may" include current and outstanding invoices.

Payment Terms are Net 30 days

If you have questions regarding your outstanding invoices please call 316-206-1351.

Invoice

Ed Truelove
City Administrator
City of Neodesha
bbusch@ci.neodesha.ks.us



April 1, 2019

Project No:

Invoice No:

180004-001
519477

Project
Neodesha, KS 180004-001

Neodesha Raw Water Intake

Professional Services through February 23, 2019

Level 1 06 RPR Services

Professional Personnel

Project Manager 1
Field Engineer
Inspector
Laboratory Supervisor Manager
Senior Engineering Technician
Engineering Technician
Totals
Total Labor

Hours	Rate	Amount
1.25	135.00	168.75
1.00	155.00	155.00
145.00	95.00	13,775.00
1.75	100.00	175.00
4.00	70.00	280.00
10.75	65.00	698.75
163.75		15,252.50
		15,252.50

Reimbursable Expenses

Per Diem - Reimbursable
Lodging - Reimbursable
PFS Truck Mileage - Reimbursable

Total Reimbursables

662.20
1,036.64
153.40
1,852.24
1,852.24

Nuclear Gauge
2/5/2019

WorkOrderID: PEC-W17700
Date: 02/05/201

Truck Mileage

1/28/2019
1/29/2019
1/30/2019
1/31/2019
2/1/2019
2/4/2019
2/5/2019
2/5/2019
2/8/2019
2/11/2019

Includes trip from Wichita.
PU 313
PU 313
PU 313
Includes trip back to Wichita
PU 313 Includes trip to project.
PU 313
PU 313 Includes trip to Wichita.
PU 313 Includes trip from Wichita, Ks.

1.0 Each @ 11.57

125.0 Miles @ 0.65	81.25
40.0 Miles @ 0.65	26.00
30.0 Miles @ 0.65	19.50
25.0 Miles @ 0.65	16.25
120.0 Miles @ 0.65	78.00
140.0 Miles @ 0.65	91.00
202.0 Miles @ 0.65	131.30
45.0 Miles @ 0.65	29.25
145.0 Miles @ 0.65	94.25
130.0 Miles @ 0.65	84.50

Invoice

Ed Truelove
City Administrator
City of Neodesha
bbusch@ci.neodesha.ks.us

April 1, 2019
Project No: 180004-006
Invoice No: 519478

Project 180004-006 Neodesha WTP VFD Replacement
Neodesha, KS

Professional Services through February 23, 2019

Level 1 02 Final Design

Fee

Total Fee	625.00		
Percent Complete	100.00	Total Earned	625.00
		Previous Fee Billing	247.50
		Current Fee Billing	377.50
		Total Fee	377.50

Total this Level 1 \$377.50

Total Current Invoice \$377.50

*****PLEASE NOTE*****

Total due "may" include current and outstanding invoices.

Payment Terms are Net 30 days
If you have questions regarding your outstanding invoices please call 316-206-1351.

Invoice

Ed Truelove
City Administrator
City of Neodesha
bbusch@ci.neodesha.ks.us

April 1, 2019

Project No: 180004-008

Invoice No: 519479

Project 180004-008 Neodesha SCADA System Improvements
Neodesha, KS

Professional Services through February 23, 2019

Level 1 02 Final Design

Fee

Total Fee 8,600.00

Percent Complete	100.00	Total Earned	8,600.00
		Previous Fee Billing	4,416.00
		Current Fee Billing	4,184.00

Total Fee 4,184.00

Total this Level 1 \$4,184.00

Total Current Invoice \$4,184.00

Outstanding Invoices

Number	Date	Balance
519074	12/28/2018	2,116.00
Total Outstanding Invoices		2,116.00

Total Due \$6,300.00

*******PLEASE NOTE*******

Total due "may" include current and outstanding invoices.

Payment Terms are Net 30 days

If you have questions regarding your outstanding invoices please call 316-206-1351.

ORDINANCE NO. 1718

AN ORDINANCE AMENDING ARTICLE VIII, SECTION 2-236 OF CHAPTER 2 OF THE NEODESHA CITY CODE REGARDING MEMBERSHIP OF THE ACTIVE TRANSPORTATION ADVISORY BOARD.

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

Section One: Article VIII, Section 2-236 of Chapter 2 of the City of Neodesha Code shall be amended to read as follows:

Sec. 2-236 Membership.

The ATAB shall consist of nine members who shall serve without compensation. The members shall be appointed by the governing body; three of whom shall be appointed to four year terms; three of whom shall be appointed to three year terms; and three who shall be appointed to two year terms. Thereafter all appointees shall be appointed to four year terms.

Section Two: Old Section 2-236 of the Neodesha City Code and all ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section Three: EFFECTIVE DATE. This ordinance shall be in full force and effect after publication in the official city newspaper.

Passed by the Governing Body of the City of Neodesha, Kansas and signed by the Mayor this 24th day of April, 2019.

ATTEST:

Terry M. Harper, Mayor

Bobby Busch, City Clerk



Remediation Management Services Company

150 West Warrenville Road
MC-200-1N
Naperville, IL 60563
Phone: (331) 702-3252
Fax: (630) 420-3738
mary.wojciechowski@bp.com

April 4, 2019

Mr. Ed Truelove
City Administrator
City of Neodesha
P.O. Box 336
Neodesha, KS 66757

Dear Mr Truelove

I am writing you on behalf of BP Products North America Inc. related to the former refinery site in Neodesha KS. Notification is hereby given of BP's intent to sample wells on City property covered by the License and Restrictive Covenants. The sampling event is currently scheduled to begin on May 6 2019.

I am also enclosing an updated Access Agreement for existing wells on City property to cover the upcoming sampling events in 2018. If you have any questions, please feel free to contact me at 331 702 3252.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Mary' followed by a stylized surname.

Mary Wojciechowski
Operations Project Manager
Remediation Management Services Company
An affiliate of BP Products North America Inc.

ACCESS AGREEMENT

On this ____ day of _____ 2019, BP Products North America Inc., ("BP") and City of Neodesha ("Owner"), as owner of property located in Neodesha, Kansas, specifically City right-of-way property ("Property"), with existing monitoring wells previously installed by BP and located outside the Twin Rivers Industrial Park, hereby agree as follows:

1. Owner grants to BP, its consulting firms, and their subcontractors ("BP's contractors") access to, and a license to use equipment on, the Property for the purpose of performing maintenance/repair and environmental sampling and monitoring activities of existing monitoring wells ("Activities"). The Activities shall be specifically limited to the well repair/maintenance activities and semi-annual groundwater sampling events. The Activities may include the collection of soil and groundwater samples. BP's contractors will provide Owner with copies of the results of any samples conducted on the property.

2. BP's contractors will conduct themselves in a business-like, professional manner and will use reasonable efforts to avoid or minimize any interruption to the business or use of the Property as a result of the Activities.

3. After the Activities on the Property are completed, BP's contractors will return the Property to substantially the same condition as prior to the Activities. BP's contractors will be responsible for the proper management, removal and disposal of all materials generated as the result of the Activities at the Property, and will ensure that any such materials are removed from the Property within a reasonable time after their generation. After the useful life of any monitoring wells installed on the Property, the wells will be properly abandoned and/or removed in accordance with Kansas Department of Health and Environment ("KDHE") standards, and the Property will be restored to substantially the same condition as before the wells were installed.

4. BP will defend, indemnify, and hold harmless Owner from third-party causes of action which arise out of the negligence of BP's contractors in their performance of the Activities on the Property.

5. BP's contractors shall have the right to permit representatives of KDHE to accompany them as appropriate during the Activities on the Property.

6. This Agreement shall expire on December 31 2019, but may be extended by mutual written consent of the parties. Nothing in this Agreement shall be deemed an admission, or used as evidence, on any issue of law or fact in any dispute, proceeding or litigation.

City of Neodesha

BP Products North America Inc.

By: _____

By: _____

Title: City Administrator

Title _____

