Agenda
City Commission of the City of Neodesha, KS
April 22, 2020 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 April 8, 2020 Minutes
- Appropriation (2020) 07
- Raw Water Project Bond Appropriation No. 70
- Gas Line Project Appropriation No. 06

Item 4: Business Items to Consider

A. Resolution: Neodesha Plastics (20-06)
B. Dangerous Structures: 609 Mill (cont.)
C. EBH Engineering Services Agreement: Sidewalk and Trails Master Plan
D. Approve Raw Water Intake Change Order No. 6
E. Consider Purchase of Electric Meters
F. Consider Purchase of an Ambulance
G. COVID-19 and the Coronavirus
H. City Administrator Contract

Item 5: Date/Time of Next Regular Meeting

Wednesday, May 13, 2020 at 2:00 p.m. – Regular Meeting, City Hall

Item 6: Executive Session: Non-Elected Personnel

Item 7: Adjournment

4/20/2020 1:00 PM
AGENDA COMMENTS
CITY COMMISSION MEETING
April 22, 2020

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: Resolution: Neodesha Plastics

Neodesha Plastics has completed the terms of their Industrial Revenue Bonds with the City of Neodesha. Due to their real estate being placed into the City’s name during the IRBs, this Resolution will return the property to Neodesha Plastics now that the terms have been completed.

RECOMMENDED MOTION: I move to adopt Resolution 20-06 regarding Neodesha Plastics IRBs.

4.B: Dangerous Structures: 609 Mill (Cont.)

Resolution 19-10, approved by the Commission August 29, 2019, declared the property located at 609 Mill as dangerous and unsafe. The Commission allowed 180 days for the property to be cleaned up and/or made safe. The property, and structures, have not been cleaned up and made safe. Shirley Shafer, however, has purchased the property and has stated she will clean up the property.

RECOMMENDED MOTION: I move to terminate the abatement process for 609 Mill Street.

4.C: EBH Engineering Services Agreement: Sidewalk and Trails Master Plan

The Commission is asked to consider approving an engineering services agreement with EBH Engineering, for a Sidewalk and Trails Master Plan. The agreement will be paid for through a grant received by Wilson Medical Center and is expected to cost $10,000. The grant is identified as the Chronic Disease Risk Reduction grant (CDRR).

RECOMMENDED MOTION: I move to approve the engineering services agreement with EBH Engineering, at a cost of $10,000, to be paid from the Wilson Medical Center CDRR grant.

4.D: Approve Raw Water Intake Change Order No. 6

The Commission has been briefed on the need for placing rip-rap rock in the area of the new Raw Water Intake. Change Order No. 6 was held pending approval from the Corps of Engineers and Division of Water Resources.
RECOMMENDED MOTION: I move to approve Change Order No. 6, for the Raw Water Intake Project, at a cost of $11,000.

4.E: Consider Purchase of Electric Meters

For this agenda item, the Commission is asked to approve the purchase of electric meters for the Advanced Metering Infrastructure (AMI) project. This purchase is necessary to advance the change-over to automated metering.

RECOMMENDED MOTION: I move to approve the bid from Border States for the purchase of electric meters, at a cost not to exceed $230,000.

4.F: Consider Purchase of an Ambulance

Fire Chief Duane Banzet will brief the Commission on the proposed cost for acquiring a lease-purchase ambulance.

RECOMMENDED MOTION: I move to direct staff to obtain quotes for the lease-purchase of an ambulance.

4.G: COVID-19 and the Coronavirus

The Commission is asked to discuss the ongoing impact of the Coronavirus to Neodesha and Wilson County.

RECOMMENDED MOTION: TBD

4.H: City Administrator Contract

The current contract with the City Administrator will expire April 30, 2020. 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, 2020 through April 30, 2021 with a salary increase of ____.

Item 6: Executive Session

EXECUTIVE SESSION: Non-Elected Personnel

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.

I move to recess to an Executive Session including the Governing Body, City Administrator, City Clerk, and Fire Chief 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 8, 2020

The Board of Commissioners met in regular session at 2:00 p.m. in the great room at City Hall, practicing social distancing, on Wednesday, April 8, 2020 with Mayor Johnson presiding and Commissioners Moffatt and Nichol present.

Commissioner Moffatt moved to approve the agenda as presented. Seconded by Commissioner Nichol. Motion carried.

Commission and Administrator Reports were heard.

Public Comments were invited and heard.

Commissioner Nichol moved to approve the Consent Agenda consisting of the minutes from the March 25, 2020 Commission Meeting; minutes from the April 3, 2020 Special Call Meeting; Appropriation (2020) 06; Raw Water Bond Project Pay Application 69; and Gas Line Project Appropriation 05. Seconded by Commissioner Moffatt. Motion carried.

Mayor Johnson read a proclamation designating April 7, 2020 as National Service Recognition Day in the City of Neodesha.

Mayor Johnson read a proclamation designating April 18, 2020 as National Lineman Appreciation Day in the City of Neodesha. The proclamation was then presented to Brandon Hearn, Electric Superintendent.

RESOLUTION NO. 20-05
A RESOLUTION WAIVING ALL PENALTIES FOR LATE UTILITY PAYMENTS MADE TO THE CITY OF NEODESHA, KANSAS, FOR THE BILLING MONTHS OF MARCH AND APRIL, 2020
WHEREAS, the United States of America and the State of Kansas have declared states of emergency in their respective jurisdictions resulting from the worldwide pandemic of COVID-19; and
WHEREAS, Executive Order No. 20-05, signed by Governor Kelly on March 17, 2020, temporarily prohibits utility and internet disconnects; and
WHEREAS, the City of Neodesha Governing Body has determined that the COVID-19 pandemic has caused a negative impact on employment, such as employee workshare, furloughs, lay-offs, and other employment income hardships during the months of March and April, 2020;

THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF NEODESHA:
That any and all utility penalties for late payments shall be waived for the March and April, 2020 billing months. The penalty waiver dates shall be April 15th and May 15th, 2020.

Commissioner Moffatt moved to approve Resolution No. 20-05 regarding the Waiver of Utility Penalties. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding the purchase of two new 6” check valves for the Water Treatment Plant. Discussion held.

Commissioner Nichol moved to approve the bid from B & B Services, for check valve equipment and installation at the Water Treatment Plant, in an amount not to exceed $10,900. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding the purchase of two new 6” check valves for the Water Treatment Plant. Discussion held.

Commissioner Nichol moved to approve the bid from Fort Dem Enterprises, for painting the City Pool, in an amount not to exceed $39,341. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding the approval of a Zoning Variance at the property located at 1030 Walnut. Discussion held.

Commissioner Nichol moved to approve the Zoning Variance for 1030 Walnut as presented. Seconded by Commissioner Moffatt. Motion carried.

Commissioner Moffatt moved to convene as the Neodesha Land Bank to consider the donation of property at 1316 N 4th Street. Seconded by Commissioner Nichol. Motion carried.

Commissioner Moffatt moved to approve accepting the property located at 1316 N 4th Street into the Neodesha Land Bank. Seconded by Commissioner Nichol. Motion carried.

Commissioner Moffatt moved to adjourn as the Neodesha Land Bank Board and re-convene as the City of Neodesha Governing Body. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding the current COVID-19 and Coronavirus situation. Extensive discussion was held amongst Administrator Truelove, the Governing Body, Fire Chief Duane Banzet, Jeri Hammerschmidt, Community Development Director and Dennis Shelby, CEO of Wilson Medical Center.

Commissioner Moffatt moved to extend the work share plan involving the employees of the City of Neodesha until further review at the April 22, 2020 Commission meeting. Seconded by Commissioner Nichol. Motion carried.

(continued on next page)
At 3:30 p.m. Commissioner Moffat moved to recess the Commission meeting awaiting the availability of Dr. Moorhead for an executive session. The open meeting will resume in the great room at City Hall at 3:50 p.m. Seconded by Commissioner Nichol. Motion carried.

At 3:50 p.m. the regular meeting of the Governing Body reconvened in the great room at City Hall.

Commissioner Moffatt moved to recess to an Executive Session including the Governing Body, City Administrator, City Clerk, Fire Chief Duane Banzet and Dr. F.A. Moorhead, Jr. by telephone conference in the Commission Room to discuss an individual employee’s performance pursuant to the non-elected personnel matter exception KSA 75-4319(b)(1) because if this matter were discussed in open session it might invade the privacy of those discussed. The open meeting will resume in the great room at City Hall at 4:20 p.m. Seconded by Commissioner Nichol. Motion carried.

At 4:20 p.m. the regular meeting of the Governing Body reconvened in the Commissioner Room. No action taken.

Commissioner Moffatt moved to extend the Executive Session until 4:45 p.m. inviting in Landon Woodward, City employee, to attend and Dr. Moorhead leaving the meeting. Seconded by Commissioner Nichol. Motion carried.

At 4:45 p.m. the regular meeting of the Governing Body reconvened in the great room at City Hall. No action taken.

The next regular meeting of the Governing Body will be held at City Hall on Wednesday, April 22, 2020 at 2:00 p.m.

At 4:47 p.m. Commissioner Nichol moved to adjourn. Seconded by Commissioner Moffatt. Motion carried.

ATTEST: __________________________

Devin Johnson, Mayor

______________________________

Stephanie Fyfe, City Clerk
## APPROPRIATIONS REPORT

### ORDINANCE NO 7  
4/22/2020

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### TOTAL  
5,542.82
## RAW WATER PROJECT BOND
### APPROPRIATION 70
#### April 22, 2020

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<td>Construction</td>
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**GRAND TOTAL**

|                     |            |          | 126,481.35 |

Approved the day above written.

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Devin Johnson, Mayor

Attest

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Stephanie Fyfe, City Clerk
Contractor's Application for Payment No. 15

Application Period: 3/24/20 - 3/27/20
Application Date: 03-Apr-20

To: City of Neodesha
From (Contractor): Crossland Heavy Contractors
Via (Engineer): Professional Engineering Consultants, P.A.

Project: Neodesha River Intake Improvements
Contract: Neodesha River Intake Improvements
Owner's Contract No.: 
Contractor's Project No.: 1RK10WP
Engineer's Project No.: 331-15E65-001-2005

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Application For Payment:

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1. ORIGINAL CONTRACT PRICE.......................................................... $1,812,031.23
2. Net change by Change Orders.......................................................... $217,202.23
3. Current Contract Price (Line 1 + 2)............................................... $2,029,233.46
4. TOTAL COMPLETED AND STORED TO DATE
   (Column F total on Progress Estimates)........................................ $2,029,233.46
5. RETAINAGE:
   a. X $2,029,233.46 Work Completed.......................................... $2,029,233.46
   b. X Stored Material............................................................... $0
   c. Total Retainage (Line 5.a + Line 5.b):...................................... $2,029,233.46
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5.c)................................ $1,902,752.11
7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application).................. $126,481.35
8. AMOUNT DUE THIS APPLICATION.......................................................... $1,776,270.76
9. BALANCE TO FINISH, PLUS RETAINAGE
   (Column G total on Progress Estimates + Line 5.c above).................... $1,776,270.76

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Contractor's Certification
The undersigned Contractor certifies, to the best of its knowledge, the following:
(1) All previous progress payments received from Owner on account of Work done under the Contract shall have been applied on account to discharge Contractor's legitimate obligations incurred in connection with the Work covered by prior Applications for Payment.
(2) Title to all Work, materials and equipment incorporated in said Work, or otherwise listed in or covered by this Application for Payment, will pass to Owner at time of payment free and clear of all Liens, security interests, and encumbrances (except such as are covered by a bond acceptable to Owner indemnifying Owner against any such Liens, security interest, or encumbrances), and
(3) All the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

Contractor Signature
By: Stetson Beck
Date: 4/0/2020

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Payment of: $126,481.35
(Line 8 or other - attach explanation of the other amount)
is recommended by: [Signature] 4/16/2020
(Engineer) (Date)

Payment of: $126,481.35
(Line 8 or other - attach explanation of the other amount)
is approved by: [Signature] 4/0/2020
(Owner) (Date)

Approved by: [Signature] 4/0/2020
Funding or Financing Entity (if applicable) (Date)

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EJCDC© C-520 Contractor's Application for Payment
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Page 1 of 4
## Progress Estimate - Lump Sum Work

**For (Contract):** Neosho River Intake Improvements  
**Application Number:** 15  
**Application Date:** 04-Apr-20

### Work Completed

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<th>D: This Period</th>
<th>E: Materials Previously Stored (set in C or D)</th>
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**Totals:** $1,687,413.46 | $1,685,478.96 | $28,934.50 | $1,687,413.46

**Contractor's Application for Payment**

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Page 2 of 8
## Progress Estimate - Unit Price Work

**For (Contract):**
Neodesh River Intake Improvements

**Application Period:**
3/24/20 - 3/27/20

**Contractor's Application**

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Item Quantity</th>
<th>Units</th>
<th>Unit Price</th>
<th>Total Value of Item ($)</th>
<th>Estimated Quantity Installed</th>
<th>Value of Work Installed to Date</th>
<th>Materials Presently Stored (not in C)</th>
<th>Total Completed and Stored in Date (D - E)</th>
<th>% (E / B)</th>
<th>Balance to Finish (B - F)</th>
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**Totals:**
$141,820.00

---

EJCDC® C620 Contractor’s Application for Payment
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Page 3 of 4
## Stored Material Summary

### Contractor's Application

**Application Number:** 15

<table>
<thead>
<tr>
<th>Bid Item No.</th>
<th>Supplier Invoice No.</th>
<th>Submittal No. (with Specification Section No.)</th>
<th>Storage Location</th>
<th>Description of Materials or Equipment Stored</th>
<th>Date Placed into Storage (Year/Month)</th>
<th>Amount ($D)</th>
<th>Amount Stored this Month ($)</th>
<th>Amount Stored to Date ($)</th>
<th>Date Incorporated into Work (Year/Month)</th>
<th>Amount ($)</th>
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**Totals:** $261,656.17 $261,656.17 $261,656.17

---

EJCDC®-Ca20 Contractors Application for Payment
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Page 4 of 4
## CDBG/USDA GAS LINE GRANT
### APPROPRIATION 06
#### April 22, 2020

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Invoice No</th>
<th>Check No</th>
<th>Amount</th>
<th>Description</th>
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<td>Stifel, Nicolaus &amp; Co Inc</td>
<td>03262020</td>
<td>1007</td>
<td>17,660.00</td>
<td>Administration</td>
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<tr>
<td>Triplett Woolf Garretson LLC</td>
<td>731023</td>
<td>1008</td>
<td>7,975.69</td>
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</table>

**GRAND TOTAL** 25,635.69

Approved the day above written.

Devin Johnson, Mayor

Attest

Stephanie Fyfe, City Clerk
Stifel, Nicolaus & Company, Incorporated

One Financial Plaza
Accounting Department - Attn: Christy Baker/Chelsea Renner
501 North Broadway
St. Louis, MO 63102

Bill To:
City of Neodesha
1407 N. 8th Street
Neodesha, KS 66757

<table>
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<tr>
<th>DESCRIPTION</th>
<th>AMOUNT</th>
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<tr>
<td>City of Neodesha, KS</td>
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<tr>
<td>General Obligation Temporary Notes</td>
<td></td>
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<tr>
<td>Series A, 2020</td>
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<tr>
<td>Municipal Advisory Fee</td>
<td>$ 17,660.00</td>
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TOTAL $ 17,660.00

DATE: March 26, 2020
INVOICE # 49055
MuniBOND Issue Record
FOR: Municipal Advisory Fee

Make all checks payable to Stifel, Nicolaus & Company, Incorporated

If you have any questions concerning this invoice, contact: David Arteberry
816-203-8733
arteberryd@stifel.com

Wire Instructions are as follows:
Bank of America, New York, N.A.
ABA Routing #: 026009593
Beneficiary: Stifel, Nicolaus & Company, Incorporated
Acct: 4451211211
Attn: Public Finance - 49055 - 8MR
Deal Name: City of Neodesha, KS
Attn: Christy Baker/Chelsea Renner, Corporate Accounting
CITY OF NEODESHA, KANSAS
Attn: Stephanie Fyfe, City Clerk
1407 N. 8th
P. O. Box 336
Neodesha, Kansas 66757-0336

March 26, 2020
File No. 14458-08

RE: $1,766,000 City of Neodesha, Kansas
General Obligation Temporary Notes
Series A, 2020

For professional services rendered as the City’s Bond Counsel in connection with the issuance by the City of Neodesha, Kansas for the above-referenced issue, including legal research, preparation of the various Resolutions and Certificates pertaining to the Note Resolution, Transcript Certificate, Closing Certificates and the form of opinion, coordination with the City regarding approval of the Ordinance and Note Resolution, review of all documents, numerous office and telephone conferences, and rendering of legal opinion.

FEES $7,685.00

EXPENSES:

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<td>Express Delivery</td>
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<tr>
<td>Postage</td>
<td>25.47</td>
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<tr>
<td>Transcript Supplies</td>
<td>77.06</td>
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<tr>
<td><strong>Total Expenses</strong></td>
<td><strong>$290.69</strong></td>
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TOTAL FEES AND EXPENSES $7,975.69

*Includes estimate for all final transcript supplies and future expenses. Any credit/shortfall will be credited/billed as appropriate.

TWG REF: 731023
RESOLUTION NO. 20-06

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF NEODESHA, KANSAS AUTHORIZING THE SALE AND CONVEYANCE OF CERTAIN PROPERTY TO NEODESHA PLASTICS, INC.

WHEREAS, pursuant to Ordinance No. 1532 and the Bond Agreement dated as of the Issue Date of the Bonds, the City of Neodesha, Kansas (the “Issuer”) has previously issued its Industrial Revenue Bonds, Series 2008 (Neodesha Plastics, Inc.) in the original aggregate principal amount not exceeding $3,000,000 (the “Bonds”) to finance the cost of acquiring, constructing and equipping a certain manufacturing facility (the “Project”), such Project having been leased to Neodesha Plastics, Inc., a Kansas corporation (the “Tenant”) pursuant to a Lease dated as of the Issue Date of the Bonds between the City and the Tenant (the “Lease”); and

WHEREAS, the Tenant desires to exercise its option to purchase the Project under Section 17.1 of the Lease and is not in default under the Lease; and

WHEREAS, the Tenant had made all the payments of Basic Rent and Additional Rent pursuant to the Lease and all principal and interest on the Bonds has been paid or payment has been provided for; and

WHEREAS, Community National Bank, Neodesha, Kansas, as Fiscal and Paying Agent for the Bonds, has certified that no Bonds remain outstanding; and

WHEREAS, the Tenant has provided the City written notice of its intent to exercise its option to purchase the Project;

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

Section 1. The Mayor and Clerk are authorized and directed to execute a Special Warranty Deed, a Bill of Sale and a Release of Lease (collectively, the “Transfer Documents”), in substantially the forms submitted to the Governing Body concurrently with the adoption of this Resolution. The Clerk is directed to deliver the executed Transfer Documents to the Tenant.

Section 2. The Mayor and Clerk are hereby further authorized and directed to sign such other instruments and certificates as shall be necessary and desirable in connection with this Resolution, and are hereby further authorized to take such further actions as may be necessary to accomplish the purposes of this Resolution.

[BALANCE OF THIS PAGE LEFT BLANK INTENTIONALLY]
ADOPTED by the governing body of the City of Neodesha, Kansas on April 22, 2020.

CITY OF NEODESHA, KANSAS

__________________________
Mayor

[SEAL]

Attest:

__________________________
Clerk
JOINT TENANCY WARRANTY DEED

Dated March 23, 2020

CAROL A. CLUBINE f/k/a CAROL A. ROACH, a single person

CONVEYS AND WARRANTS TO:

GORDON R. SHAFER and SHIRLEY J. SHAFER, husband and wife, as JOINT TENANTS and not as tenants in common, with full rights of survivorship, the whole estate to vest in the survivor in the event of the death of either, all the following described real estate in the County of Wilson and State of Kansas, to-wit:

Lots Seven (7) and Eight (8), Block Eighty-one (81), in the City of Neodesha, AND Commencing at a point 16 feet North and 150 feet East of the Southwest corner of said Block 81, Original Townsite of the City of Neodesha, also being the Southwest corner of Lot Thirteen (13) of said Block 81, thence North to the Southwest corner of Lot Seven (7) of said Block 81, thence East Fifty (50) feet to the Southeast corner of Lot Eight (8) of said Block 81, thence South to a point 16 feet North of the South Line of said Lot 13 also of said Block 81 and Fifty (50) feet East of the place of beginning, thence West Fifty (50) feet to the place of beginning.

For One Dollar ($1.00) and other good and valuable consideration.

EXCEPT AND SUBJECT TO: Easements, rights-of-way and restrictions of record, if any.

CAROL A. CLUBINE f/k/a CAROL A. ROACH

STATE OF KANSAS, COUNTY OF WILSON, ss:

BE IT REMEMBERED, that on March 23, 2020, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came CAROL A. CLUBINE f/k/a CAROL A. ROACH, a single person, who is the same person who executed the within instrument of writing, and such person duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year last above written.

My appointment expires:

[Signature]
Notary Public
September 18, 2019

Janice Reese, Foundation Director
Wilson Medical Center
PO Box 360
Neodesha KS 66757

Effective July 1, 2019, your SFY 2020 Contract Attachment #02 Chronic Disease Risk Reduction grant is hereby increased by $1,000 for a total of $21,000. These funds must be expended by June 30, 2020 and recorded on the Financial Status Reports. The amendment will be used to provide additional funds to support the CDRR workplans including youth engagement efforts in tobacco control.

Please sign below that you accept these additional funds as stated above and return a signature copy of the letter to Kevin Shaughnessy. By accepting these additional funds, you agree to expend them in accordance with the terms of your CDRR #02 Contract. Please retain a copy of this letter for your records. It will serve as the amendment to your CDRR #02 Contract.

You will find enclosed an amended copy of the List of Grant Awards for your records. If you have questions or concerns regarding the contractual process or reporting requirements, please contact me or Carol Cramer.

Sincerely,

Kevin Shaughnessy,
Division of Management and Budget

I HEREBY ACCEPT THE TERMS OF THIS AMENDMENT

Local Agency Authorized Signature
Date: __________________________

cc: BHP
**Wilson County Medical Center**  
2600 Ottawa Road  
Neodesha, Kansas 66757

Grant: Chronic Disease Risk Reduction (CDRR)  
Project Title:  
Grant Year: 2020

County: Wilson  
Report has not been submitted!  
Semi-Annual 7/1 to 12/31 (Due: January 15th)

Administrator: Janice Reese  
Fiscal Officer: None assigned

## Expenses

### Subcontractors

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<th>Request Period Expense</th>
<th>Match Budget Remaining</th>
<th>Match Period Expense</th>
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Date of Issuance: April 16, 2020
Owner: City of Neodesha, KS
Contractor: Crossland Heavy Contractors, Inc.
Engineer: Professional Engineering Consultants, P.A.
Project: Neodesha River Intake Improvements

Description: Increase the contract price by a total of $11,000 for the addition of Rip Rap to the riverbank, around the intake structure base, and in areas around cofferdam where erosion occurred during flooding events.

Attachments: Revised design sheets for the proposed Rip Rap, approval letters from DWR and USACE, and change order request #7 letter from the Contractor. The proposed increase is based on unit prices per ton and the actual quantities installed.

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<td>$11,000.00</td>
<td>281 Calendar Days</td>
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<td>Contract Price incorporating this Change Order:</td>
<td>Contract Times with all approved Change Orders:</td>
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<tr>
<td>$2,029,233.46</td>
<td>Substantial Completion: February 12, 2020</td>
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<td>Ready for Final Payment: March 13, 2020</td>
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RECOMMENDED: 
By: 
Title: Project Engineer 
Date: 4/16/2020

ACCEPTED: 
By: 
Owner (Authorized Signature) 
Title: 
Date: 

By: Contractor (Authorized Signature) 
Title: Project Engineer 
Date: 4-16-2020

Approved by Funding Agency (if applicable) 
By: 
Title: 
Date: 

EJCDC© C-941, Change Order. 
Prepared and published 2013 by the Engineers Joint Contract Documents Committee. 
Page 1 of 1
April 15, 2020

CITY OF NEODESHA
ED TRUELOVE, CITY ADMINISTRATOR
1407 N 8th, PO BOX 336
NEODESHA, KS 66757

Re:  Water Structure No.: I.WI.-0060
        Floodplain Fill
        Approval of Revised Plans

Dear Mr. Truelove:

Revised plans were submitted to this office on April 13, 2020, for the above referenced structure. Pursuant to K.S.A. 24-126, the Chief Engineer has approved the revision for the obstruction. These revised plans were approved on April 15, 2020, and supersede those previously approved. One copy of the revised plans has been retained by this office.

All conditions of the permit issued on September 19, 2017, are still in effect. The work authorized by this permit shall be completed on or before July 1, 2021, or any authorized extensions of time.

Please note that one of the conditions of the permit requires that you notify this office of completion of the project within 30 days of such completion.

Sincerely,

Terry Medley, P.E.
Water Structures Program
(785) 564-6657

pc:  Ryan Glessner, P.E. -- Professional Engineering Consultants, P.A.
     Terry Lyons -- Wilson County FP A
April 10, 2020

Kansas State Regulatory Office
(NWK-2017-00619)
(Wilson, KS NWP-3)

Ryan Glessner, P.E.
Professional Engineerriing Consultants, P.A.
303 South Topeka
Wichita, KS 67202

Dear Mr. Glessner:

This letter pertains to an application submitted on behalf of the City of Neodesha for a Department of the Army (DA) permit. The proposed project would involve the placement of riprap along the east bank of the Fall River, immediately adjacent to and for the protection of a recently installed intake structure (previously verified under this same project #: NWK-2017-00619). The project is located in Fall River in the NE 1/4 of the SW 1/4 of the SE 1/4 of Section 19, Township 30 South, Range 16 East, Wilson County, Kansas (Lat: 37.416308°, Lon: -95.694033°).

Based upon a review of the information furnished, we have determined that the Fall River is a jurisdictional water of the United States. Therefore, the placement of dredged or fill material below the ordinary high water elevation, as proposed by your project, requires permit authorization from this office. The Corps of Engineers has jurisdiction over all waters of the United States. Discharges of dredged or fill material in waters of the United States, including wetlands, require prior authorization from the Corps under Section 404 of the Clean Water Act (33 U.S.C. 1344). The implementing regulation for this Act is found at 33 C.F.R. 320-332.

We have reviewed the information furnished and have determined that your project is authorized by nationwide permit (NWP) 3, provided you ensure that the conditions listed in the enclosed copy of excerpts from the January 6, 2017 Federal Register, Issuance of Nationwide Permits, are met. You must also comply with the Kansas City District Regional NWP Conditions posted at:
http://www.nwk.usace.army.mil/Missions/RegulatoryBranch/NationWidePermits.aspx

The Kansas Department of Health and Environment (KDHE) has certified that this NWP will not violate existing state water quality standards provided you comply with the conditions included in their attached letter. All conditions included in the water quality certification become conditions of the NWP authorization, please carefully review all conditions associated with this NWP. If you have any questions concerning state water quality standards or compliance issues with the associated certification conditions, please contact KDHE at 785-296-5573, Bureau of Environmental Field Services, Watershed Management Section, 1000 SW Jackson Street, Suite
430, Topeka, Kansas 66612-1367.

PLEASE NOTE:

- The Fall River has been classified as an Exceptional State Water and a Special Aquatic Life Use Water. As noted in the previous paragraph, all conditions of the attached KDHE Water Quality Certification (WQC) must be met in order to validate this NWP. Please take specific note of conditions #4 and #5 within section IV of the attached WQC.

- Your project may be subject to the requirements of a General NPDES Permit. It is the applicant’s responsibility to determine to secure such permit as necessary. Questions and inquiries may be directed to:
  Kansas Department of Health and Environment
  Bureau of Water – Industrial Program Section
  1000 SW Jackson Street, Suite 420
  Topeka, Kansas 66612-1367
  Phone 785/296-5549 or
  FAX:785/296-0086
  www.kdheks.gov/stormwater

**General condition 30** requires you to sign and submit the enclosed "Compliance Certification" within 30 days of completing the authorized activity or the completion of the implementation of any required compensatory mitigation.

This NWP verification is valid until March 18, 2022. Should your project plans change or if your activity is not complete within the specified verification term, you must contact this office for another permit determination. Although the Corps has verified your project would meet the terms and conditions of a nationwide permit, other Federal, state and/or local permits may be required. You should verify this yourself.

We are interested in your thoughts and opinions concerning your experience with the Kansas City District, Corps of Engineers Regulatory Program. Please feel free to complete an electronic version of our Customer Service Survey form on our website at: http://corpsmapu.usace.army.mil/cm_apex/P?p=regulatory_survey. You may also call and request a paper copy of the survey which you may complete and return to us by mail.

Mr. Lucius Duerksen, Regulatory Project Manager, reviewed the information furnished and made this determination. If you have any questions concerning this matter, please feel free to contact Mr. Duerksen at 316-322-8247 or lucius.j.duerksen@usace.army.mil. Please reference Permit No. 201700619 in all comments and/or inquiries relating to this project.

Enclosures
cc (electronically w/o enclosures):

Environmental Protection Agency,
   Watershed Planning and Implementation Branch
U.S. Fish and Wildlife Service, Manhattan, Kansas
Kansas Department of Wildlife, Parks, & Tourism
Kansas Department of Health and Environment
Kansas Department of Agriculture
April 16, 2020

Mr. Ryan Glessner, P.E.
Professional Engineering Consultants
303 South Topeka Wichita, KS 67202

Neodesha River Intake Improvements
CHC Project No. 18K10WP

Reference: Change Proposal No. 07 – Rip Rap Soil Stabilization

Mr. Glessner,

Crossland Heavy Contractors received new drawings on April 13, 2020 indicating the placement of rip rap starting at the intake structure and continuing up the bank just past the valve cans. CHC feel’s this constitutes a change in conditions necessitating a request for a Change Order in accordance with Article 11 of the General Conditions of the contract.

- Placing rip rap as shown in new plans dated 02-18-20.

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In addition to the change in contract price requested above CHC is requesting a five day extension to the Contract Times.

Respectfully,

CROSSLAND HEAVY CONTRACTORS

Stetson Beck

Stetson Beck
Project Engineer
Order Confirmation

Order Type: Sales Order  Order #: 33567598
Sold-to Acct #: 209775
Created On: 04/02/2020
PO No: 7571
Expected Delivery Date: 04/02/2020
Payment Terms: Net 25th prox

Created By: Jason Barnes
Tel No: 816-749-7244
Fax No:

Ship-to:
City of Neodesha KS
2788 Ottawa Road
Neodesha KS 66475

City of Neodesha KS
PO Box 336
Neodesha KS 66757-0336

Attention: Brandon

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|              |          |                              |          |        |     |     |         | 211,849.00 |
| State Tax   | 6.500 %  | 13,770.19                    |          |        |     |     |         |             |
| County Tax  | 0.000 %  | 0.00                         |          |        |     |     |         |             |
| Local Tax   | 2.000 %  | 4,236.98                     |          |        |     |     |         |             |
| Other Tax1  | 0.000 %  | 0.00                         |          |        |     |     |         |             |
| Other Tax2  | 0.000 %  | 0.00                         |          |        |     |     |         |             |
| Other Tax3  | 0.000 %  | 0.00                         |          |        |     |     |         |             |
| Tax subtotal|          | 18,007.17                   |          |        |     |     |         |             |

Net Amount $ 229,856.17

Form of Payment ___________________________ Date __________________________ Amount __________________________

To access BSE's Terms and Conditions of Sale, please go to https://www.borderstateselectric.com

The taxes calculated for this order are estimates only and will be finalized at the time of invoice in accordance with the material purchased, quantity and delivery location.

All clerical errors contained herein are subject to correction. In the event of any cost or price increases from manufacturers or other suppliers, caused by, but not limited to, currency fluctuations, raw material or labor prices, fuel or transportation cost increases, and any import tariffs, taxes, fees, or surcharges, BSE reserves the exclusive right to change its pricing at the time of shipping and will provide notice of any such change to its customers prior to costs being incurred.
Neodesha Fire – EMS

New Ambulance

Proposal

We have received two quotes for a new ambulance. The first from American Response Vehicles is built on a 2019 Ford Transit chassis and is ready for purchase. The second from Osage Ambulance is built on a 2020 Ford Transit and will need to be ordered. We included additional needed equipment in their quotes as options. The two companies are very competitive on their pricing showing only a $628 difference.

**American Response Vehicles**

- Ford T-250 HR 3.7L gas engine
- Stryker power load
- Stryker power cot
- Stryker Stair chair pro

$131,809.00

**Optional Equipment**

- Zoll X Series Monitor $ 34,870.00
- Zoll mounting bracket $ 3,270.00
- Lucas Device $ 15,511.00

$182,190.00

**Osage Ambulance**

- Ford T-350 HR 3.5L Ecoboost
- Stryker power load
- Stryker power cot
- Stryker Stair Chair Pro

$135,266.00

**Optional Equipment**

- Zoll X Series Monitor $ 32,816.00
- Zoll Mounting bracket (included)
- Lucas Device $ 14,736.00

$182,818.00

A link to a Lucas Device demonstration video is provided below to inform you of its importance. You can copy and paste this link to the internet URL.

https://youtu.be/eUwWeMbOmiY