

Agenda
City Commission of the City of Neodesha, KS
June 09, 2021 2:00 p.m.
ZOOM Online Access: <https://us02web.zoom.us/j/6203252828>

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
- Community Development Director Report

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 May 26, 2021 Minutes
- Approval of June 07, 2021 Special Call Minutes
- Appropriation (2021) 09
- Raw Water Project Bond Appropriation No. 91
- Gas Line Project Appropriation No. 28

Item 4: Business Items to Consider

- A. Public Hearing: Dangerous Structures 521 Mill
- B. Resolution: Dangerous Structures 521 Mill
- C. Land Bank: Consider Sale of Property
- D. Water/Sewer Project: SKO Railroad Letter of Good Faith
- E. Revisit Tennis Court Bids
- F. Discuss W. Granby Business Park Retention Pond

Item 5: Date/Time of Next Regular Meeting

Wednesday, June 23, 2021 at 2:00 p.m. – Regular Meeting, City Hall

Item 6: Executive Session: Non-Elected Personnel

Item 7: Adjournment

AGENDA COMMENTS
CITY COMMISSION MEETING
ZOOM Online Access
June 9, 2021

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: Public Hearing: Dangerous Structures 521 Mill

On April 14, 2021, the Commission approved Resolution 21-11, to set a public hearing date, June 9, 2021, to show cause why the structures located at 521 Mill should not be ordered repaired or demolished as unsafe or dangerous structures. For this agenda item, the Commission will conduct a public hearing for the property located at 521 Mill.

RECOMMENDED MOTION: *N/A*

4.B: Resolution: Dangerous Structures 521 Mill

Depending on the outcome of agenda item 4A, The Commission is asked to approve Resolution 21-17, to declare the property as unsafe or dangerous, and directing the repair or removal of the structures, making the property safe and secure.

RECOMMENDED MOTION: *I move to approve Resolution 21-17 declaring the property located at 521 Mill as unsafe or dangerous, and allow the property owner _____ days to repair or remove the structures and make the property safe and secure.*

4.C: Land Bank: Consider Sale of Property

The Commission is asked to convene as the Neodesha Land Bank, and reconsider the sale of two land bank parcels. On May 26, 2021, the Commission approved the sale of two parcels to Barbara DiBitetto. The Commission is asked to consider a counteroffer from Ms. DiBitetto.

RECOMMENDED MOTION: *I move to convene as the Neodesha Land Bank to discuss the sale of property.*

RECOMMENDED MOTION: *I move to approve the sale of R8133 and R8134 (Elm Street), to Barbara DiBitetto for the sale price of _____.*

RECOMMENDED MOTION: *I move to adjourn as the Neodesha Land Bank Board and re-convene as the City of Neodesha Governing Body.*

4.D: Water/Sewer Project: SKO Railroad Letter of Good Faith

Staff has been contacted by representatives from Omega Rail Management, representing SKO Railroad, with a request that the mayor sign a letter of good faith, stating that the city will work with the railroad in “Good Faith” to identify any rail encroachments for which no agreement, and rental fees, are in place. We are informed that normally the railroad does not issue a permit unless all encroachments are documented. The letter from Omega indicates that they will release our sewer line permit if we sign the good faith letter.

RECOMMENDED MOTION: *I move to approve the Omega Rail Management good faith letter, and authorize the mayor to sign.*

4.E: Revisit Tennis Court Bids

During the May 26th Commission meeting, the Commission selected Mid-American Court Works to do the work on our tennis courts. Due to a clerical error, another contractor received a bid notice with an incorrect bid date. That contractor did meet the bid date on the bid notice they received. Therefore, the Commission is asked to consider the 2nd bid. Should the Commission not select the bid from the contractor, no other action is needed.

RECOMMENDED MOTION: *To be determined.*

4.F: Discuss Retention Pond at W. Granby Business Park

Staff has been contacted by representatives from SICUT with a request to consider allowing them to place a stormwater retention pond in the W. Granby Business Park. The plan includes the City retaining ownership of the ground, and SICUT would do the work of emplacing the pond. Some work remains before the Commission will be asked for a final determination. Due to this being in the flood plain, Staff still needs to clear the placement of a stormwater retention pond with the Kansas Division of Water Resources.

RECOMMENDED MOTION: *N/A*

Neodesha, Kansas
May 26, 2021

The Board of Commissioners met in regular session at 2:00 p.m. in the Commission Room at City Hall conducting the meeting by live streaming with Zoom on Wednesday, May 26, 2021 with Mayor Johnson presiding and Commissioners Moffatt and Nichol present. Tucker Leck provided the Invocation.

Commissioner Nichol moved to approve the agenda as presented with the addition of Items 4.A Welcome to Neodesha Sign Design Winner; 4.E Resolution: Dangerous Structures; 201 Ohio; 4.F. Renew/Approve Housing Authority & Library Board Positions; 4.H. Notice to Proceed: Tennis Court Rehab and Item 4.L. 1971 Time Capsule Reveal. Seconded by Commissioner Moffatt. Motion carried.

Commission and Administrator Reports were heard.

Community Development Director report was heard.

Public Comments were invited and heard.

Commissioner Moffatt moved to approve the consent agenda with the addition of an additional invoice added to Gas Line Project Appropriation No. 27 as presented with the remaining items consisting of the minutes from the May 12, 2021 meeting; minutes from the May 17, 2021 Special Call Meeting; Appropriation (2021) 08; Raw Water Project Bond Appropriation No. 90 and Gas Line Project Appropriation No. 27. Seconded by Commissioner Nichol. Motion carried.

The Governing Body welcomed Erica Johnson, members of the Active Transportation Advisory Board (ATAB), Narissa Harrison, winner of the "Welcome to Neodesha" sign design contest and Tucker & Tate Leck of Leck Family Farms, presenting the award money for the design. Presentations and photo opportunities were made.

The Governing Body welcomed Dave Arteberry of Stifel, Nicolaus & Company by Zoom to discuss extended financial Options for the Raw Water Project. Discussion held. No action taken.

The Governing Body then continued discussion with Dave Arteberry for the next agenda item related to the close out of the Gas Line Project. Discussion held. No action taken.

Administrator Truelove addressed the Commission regarding Resolution 21-15 which provides notice of the intent to redeem the General Obligation Temporary Notes, Series A, 2020 for the financing of the City's Gas Line Project. Discussion held.

RESOLUTION NO. 21-15

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF NEODESHA, KANSAS DECLARING IT NECESSARY AND ADVISABLE TO PROVIDE FOR THE GIVING OF NOTICE OF REDEMPTION OF THE CITY'S GENERAL OBLIGATION TEMPORARY NOTES, SERIES A, 2020. *(a complete copy of this Resolution can be viewed in the City Clerk's office).*

Commissioner Nichol moved to approve Resolution 21-15 as presented. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding Resolution 21-16 which calls for a public hearing to show cause why the structure located at 201 Ohio Street should not be condemned and ordered repaired or demolished as an unsafe or dangerous structure. Discussion held.

RESOLUTION NO. 21-16

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 201 OHIO, NEODESHA KANSAS LEGAL DESCRIPTION: NEODESHA, BLOCK 074, N 73' LTS 10-12 SECTION 20 TOWNSHIP 30 RANGE 16 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 26th day of May, 2021 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 14th day of July, 2021, 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 201 Ohio 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.

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Commissioner Moffatt moved to adopt Resolution 21-16 setting a public hearing for July 14, 2021 as presented. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding appointments and reappointments to the Housing Authority Board and the Library Board. Discussion held.

Commissioner Nichol moved to reappoint Jim West to the Housing Authority Board for a four-year term, ending May 31, 2025; appoint Marilyn Seller to the Library Board (rural, 1st term), for a two-year term, ending May 31, 2023; appoint Jeanne Sexton to the Library Board (city, 1st term), for a four-year term, ending May 31, 2025; reappoint Hannah Wright to the Library Board (city, 2nd term), for a four-year term, ending May 31, 2025; and to reappoint Stacy Jensen to the Library Board (rural, 2nd term), for a two year term, ending May 31, 2023. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding the bids to refurbish the Neodesha Tennis Courts. Several companies were contacted, two bids were received with one bid being rejected as it was received after the bid due date. The bid that was received completed and on-time was from Mid-American Courtworks from Wichita; the same company the built the tennis courts for our community. Discussion held

Commissioner Moffatt moved to approve the bid from Mid-American Courtworks in an amount not to exceed \$25,000. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding the Notice to Proceed for Mid-American Courtworks, to begin work on the Neodesha tennis courts. This agenda item is ready for consideration as the above-mentioned bid was accepted and approved by the Governing Body. Discussion held.

Commissioner Nichol moved to approve the Notice to Proceed for Mid-American Courtworks as presented. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission to convene as the Neodesha Land Bank to discuss the sale of three Land Bank parcels.

Commissioner Moffatt moved to convene as the Neodesha Land Bank to discuss the sale of property. Seconded by Commissioner Nichol. Motion carried. Discussion held.

Commissioner Nichol moved to approve the sale of 723 N 7th Street to Jamie Bohannon for the sale price of \$900. Seconded by Commissioner Moffatt. Motion carried.

Commissioner Moffatt moved to approve the sale of R8133 and R8134 (Elm Street), to Barbara DiBitetto for the sale price of \$2,000. Seconded by Commissioner Nichol. Motion carried.

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

Administrator Truelove addressed the Commission regarding a request from Mr. Nathan Daniel, Founder of SoHome Kids Foundation, to consider providing economic development assistance, in any amount, to the SoHome Kids project here in Neodesha. Mr. Daniel has asked that this assistance be provided through assistance with their utility bills until such time that the repairs and renovations are completed on their building. Discussion held.

Commissioner Moffatt moved to table this item for sixty (60) days. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding Billboards for the Promise Program. Mr. Ted Peitz, who is volunteering his time to assist the Neodesha Promise Program with the placement of approximately three billboards in our region, along the highways, to help advertise the Promise Program. Through Mr. Peitz's contacts with KDOT, he has been told that the City would need to be the applicant on the paperwork. The initial costs for the billboards will be funded through private sources. Discussion held. No action taken.

The Governing Body welcomed members of the 150th Anniversary Committee to join them in examining, documenting and formalizing the opening of the 1971 Time Capsule. Opportunity was taken to examine the contents, and discuss the upcoming public viewing of the contents. No action taken.

Commissioner Moffatt moved to recess to an Executive Session including the Governing Body, City Administrator and City Clerk 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 Commission Room at 4:15 p.m. Seconded by Commissioner Nichol. Motion carried. The live streamed Zoom meeting was then placed on hold with audio, video and recording ceased.

At 4:15 p.m. the regular meeting of the Governing Body reconvened in the Commission Room at City Hall.

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Neodesha, Kansas

May 26, 2021

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No action taken. The live streamed Zoom meeting then resumed with audio, video and recording.

The next regular meeting of the Governing Body will be held at City Hall on Wednesday, June 9, 2021 at 2:00 p.m.

At 4:17 p.m. Commissioner Moffatt moved to adjourn. Seconded by Commissioner Nichol. Motion carried.

ATTEST:

Devin Johnson, Mayor

Stephanie Fyfe, City Clerk

SPECIAL CALL FOR SPECIAL MEETING OF BOARD OF COMMISSIONERS

Neodesha, Kansas
June 7, 2021

To the Board of Commissioners:

The Board of Commissioners will hold a Special Call meeting Monday, June 7, 2021, at 12:00 noon for the following purposes:

1. City Utility Low-Interest Loan Agreement
2. Neodesha Gas Line Project: CDBG Contract Amendment #3
3. Neodesha Gas Line Project: Final Payment
4. Discuss Street Repair Master Plan

The Board of Commissioners met in a Special Call Session at 12:00 noon, Monday, June 7, 2021, with Mayor Johnson presiding and Commissioners Moffatt and Nichol present.

Administrator Truelove addressed the Commission regarding the City Utility Low-Interest Loan Agreement documents that were received last week. The City Attorney has reviewed the documents, and has executed the Attorney's Opinion Letter. The deadline for submitting our loan documents is June 8, 2021. Discussion held.

Commissioner Moffatt moved to approve the State of Kansas Low-Interest Loan agreement, and authorize the Mayor to sign. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding the examination and approval of CDBG Contract Amendment #3 for the Gas Line Project. This amendment extends the CDBG contract time until July 14, 2021. Discussion held.

Commissioner Nichol moved to approve the CDBG Contract Amendment #3 as presented. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding the Neodesha Gas Line Project final payment to NPL Construction. On May 26, 2021, the Commission approved Gas Line Appropriation No 27 for the Gas Line Project which included this final payment. The contractor was scheduled to complete the project originally on March 14, 2021, but during the Commission meeting on April 28, 2021, a change order was approved allowing extra contract days, but to this date, the contractor has not completed the project. Rescinding Appropriation No 27 will allow the City the opportunity to withhold liquidated damages from the payment. Discussion held.

Commissioner Moffatt moved to rescind Appropriation No 27 that was approved May 26, 2021. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove along with Public Works Director, Brent Wheeler, addressed the Commission regarding a master plan for street repairs. Discussion held. No action taken.

At 1:00 p.m. Commissioner Nichol moved to adjourn. Seconded by Commissioner Moffatt. Motion carried.

ATTEST:

Devin Johnson, Mayor

Stephanie Fyfe, City Clerk

CLAIMS REPORT**ORDINANCE NO 9****6/9/2021**

<u>VENDOR</u>	<u>REFERENCE</u>	<u>AMOUNT</u>	<u>CHECK NO</u>	<u>CHECK DATE</u>
ASCAP	2021 MUSIC LICENSE FEE	367.00	68870	6/9/2021
AXON ENTERPRISE INC	FLEX CAMERA & ACCESSORIES	5,646.00	68871	6/9/2021
BEACHNER GRAIN INC	WEEDKILLER	41.25	68872	6/9/2021
BLUBOOT	UNIFORMS	295.43	68873	6/9/2021
CULLIGAN OF INDEPENDENCE	JUNE WATER SERVICE	237.12	68874	6/9/2021
D & D AUTO REPAIR & ALIGNMENT	MAINTENANCE ON FIRE TRUCK	570.99	68875	6/9/2021
DANA EVANS	REFUND FOR AMBULANCE FEES	10.00	68876	6/9/2021
FARWEST LINE SPECIALTIES LLC	SAFETY EQUIPMENT	1,395.00	68877	6/9/2021
FASTENAL COMPANY	SUPPLIES	150.44	68878	6/9/2021
FORSYTHE'S HEATING & ELECTRIC	REPAIR A/C@FD/BALL VALVE POOL	506.28	68879	6/9/2021
FREDONIA OUTDOOR EQUIPMENT	HANDLE & BELTS	158.09	68880	6/9/2021
FREDONIA REGIONAL HOSPITAL	PR LIABILITIES FOR DREW MARTIN	10.41	68881	6/9/2021
GALLS LLC	UNIFORMS FD	861.64	68882	6/9/2021
HUGO'S INDUSTRIAL SUPPLY, INC	CLEANING/OFFICE SUPPLIES	1,474.49	68884	6/9/2021
KANSAS IMAGING CONSULTANTS PA	PR LIABILITIES	173.98	68885	6/9/2021
KEY EQUIPMENT & SUPPLY CO	SEAL KIT	93.18	68886	6/9/2021
KUSTOM SIGNALS, INC	EYEWITNESS EYES	5,220.00	68887	6/9/2021
LANDIS+GYR TECHNOLOGY INC	SOFTWARE LICENSE	1,100.00	68888	6/9/2021
BARBARA LASATER	REFUND FOR AMBULANCE FEES	174.49	68889	6/9/2021
MCCARTY'S OFFICE MACHINES INC	OFFICE SUPPLIES	392.51	68890	6/9/2021
MELS PRINTING	TIME CARDS-CEMETERY	84.90	68891	6/9/2021
MERLE KELLY FORD, INC	SERVICE & REPAIR	2,547.29	68892	6/9/2021
MIDWEST COMPUTER SALES	ONLINE BACKUP	2,176.19	68893	6/9/2021
NDB NEODESHA	INSTALLMENT 1 OF 6/DOWN PYMT	80,440.00	68896	6/9/2021
NEODESHA AUTO SUPPLY	STARTER/CORE DEPOSIT	520.28	68898	6/9/2021
NEODESHA DERRICK	PUBLICATIONS	1,076.75	68899	6/9/2021

NEWTON LUMBER CO INC	SUPPLIES	115.26	68900	6/9/2021
PENMAC PERSONNEL SERVICES INC	TEMPORARY PERSONNEL SVC	3,869.55	68901	6/9/2021
PORTER DRUG STORE	MEDICATION	409.97	68902	6/9/2021
PRAIRIE FIRE COFFEE	COFFEE SERVICE	102.45	68903	6/9/2021
RAILROAD MANAGEMENT CO LLC	POLE LEASE LICENSE FEE	1,402.54	68904	6/9/2021
RANKIN MEMORIAL LIBRARY	TAX DISTRIBUTION	28,592.09	68905	6/9/2021
SENSIT TECHNOLOGIES	CALIBRATION GAS	247.37	68906	6/9/2021
STANION WHOLESALE ELECTRIC	ELECTRIC SUPPLIES	1,624.45	68907	6/9/2021
STELLAR FIREWORKS, LLC	2021 FIREWORKS DISPLAY	3,750.00	68908	6/9/2021
THOMPSON BROTHERS SUPPLY INC	OXYGEN/CYLINDER LEASE	306.15	68909	6/9/2021
TLC GROUNDSKEEPING INC	MAIN ST LANDSCAPE MAINT	1,609.79	68910	6/9/2021
US CELLULAR	CELL PHONE CHARGES	339.68	68911	6/9/2021
WALMART COMMUNITY BRC	SUPPLIES	946.16	68912	6/9/2021
WEIS FIRE & SAFETY	FD GEAR	504.88	68913	6/9/2021
WESTERN AUTO	KEYS/OIL/SUPPLIES	182.78	68914	6/9/2021
WILSON COUNTY CITIZEN	PUBLICATIONS	92.00	68915	6/9/2021
WILSON MEDICAL CENTER	MAY TAX DISTRIBUTION	21,962.26	68916	6/9/2021
WOODS LUMBER COMPANY	SUPPLIES	128.11	68917	6/9/2021
ZACK MAHAFFEY	REIMBURSE FARM LEASE PAYMENT	1,336.00	68689	5/3/2021
SPARKLIGHT	INTERNET SERVICE-ELECTRIC	152.91	68708	5/21/2021
STUDEBAKER REFRIGERATION	ICE MACHINE RENTAL	279.83	68709	5/21/2021
INTERNAL REVENUE SERVICE	ADJUSTED TAX AMOUNT	2,285.65	68710	5/21/2021
SPARKLIGHT	INTERNET SERVICE-CITY HALL	169.78	68711	5/21/2021
LANDON WOODWARD	REIMBURSE EXPENSES	60.02	68712	5/21/2021
VISA	PD TRAINING, MEMBERSHIP DUES	3,122.54	68713	5/21/2021
SOUTHERN STAR CENTRAL GAS PIPELINE	APRIL BILLING	22,329.91	68714	5/21/2021
HACKSAW TANKS	PORTABLE TANK	1,195.00	68715	5/21/2021
CONSTELLATION NEWENERGY	APRIL BILLING	111,067.63	68716	5/21/2021
EQUITY BANK	MAY SAFE GC	334.65	68718	5/21/2021
A T & T	PHONE CHARGES	220.31	68719	5/21/2021
TRACY EDWARDS	STARTUP MONEY 2021 POOL SEASON	200.00	68793	5/28/2021

WEX BANK	FUEL PURCHASES	6,376.21	68794	5/28/2021
WL CO REGISTER OF DEEDS	FILING FEES	48.00	68795	5/28/2021
CITY OF FREDONIA	SEK COMMUNITY/COUNTY SEMINAR	20.00	68796	5/28/2021
US POST OFFICE	MAY BILLING	311.38	68797	5/28/2021
KANSAS STATE TREASURER	UTILITY LOW-INTEREST LOAN PMT 1	138,030.38	68859	6/9/2021
****TOTAL****		459,449.40		

**RAW WATER PROJECT BOND
APPROPRIATION 91
June 9, 2021**

Vendor	Invoice No	Check No	Amount	Description
Maguire Iron Inc	PR 7	1237	19,950.00	Construction
GRAND TOTAL			<u>19,950.00</u>	

Approved the day above written.

Devin Johnson, Mayor

Attest

Stephanie Fyfe, City Clerk

**Contractor's Application for Payment No. 7**

Application Period: 04/01/2021 - 05/31/2021		Application Date: 5/31/2021
To (Owner): City of Neodesha, KS	From (Contractor): Maguire Iron, Inc.	Via (Engineer): Professional Engineering Consultants
Project: New 200,000 Gallon Elevated Water Storage Tank	Contract:	
Owner's Contract No.: N/A	Contractor's Project No.: N/A	Engineer's Project No.: 35-180004-012-2005

**Application For Payment
Change Order Summary**

Approved Change Orders			1. ORIGINAL CONTRACT PRICE.....	\$ 1,171,000.00
Number	Additions	Deductions	2. Net change by Change Orders.....	\$
			3. Current Contract Price (Line 1 + 2).....	\$ 1,171,000.00
			4. TOTAL COMPLETED AND STORED TO DATE (Column F total on Progress Estimates).....	\$ 805,945.00
			5. RETAINAGE:	
			a. 5% X \$805,945.00 Work Completed.....	\$ 40,297.25
			b. 5% X Stored Material.....	\$
			c. Total Retainage (Line 5.a + Line 5.b).....	\$ 40,297.25
			6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5.c).....	\$ 765,647.75
			7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application).....	\$ 745,697.75
			8. AMOUNT DUE THIS APPLICATION.....	\$ 19,950.00
			9. BALANCE TO FINISH, PLUS RETAINAGE (Column G total on Progress Estimates + Line 5.c above).....	\$ 405,352.25
TOTALS				
NET CHANGE BY CHANGE ORDERS				

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 have been applied on account to discharge Contractor's legitimate obligations incurred in connection with the Work covered by prior Applications for Payment;

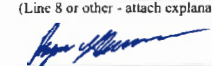
(2) Title to all Work, materials and equipment incorporated in said Work, or otherwise listed in or covered by this Application for Payment, will pass to Owner at time of payment free and clear of all Liens, security interests, and encumbrances (except such as are covered by a bond acceptable to Owner 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:  Date: 5/31/2021

Payment of: \$ 19,950.00
(Line 8 or other - attach explanation of the other amount)

is recommended by:  6/3/2021
(Engineer) (Date)

Payment of: \$ 19,950.00
(Line 8 or other - attach explanation of the other amount)

is approved by: _____
(Owner) (Date)

Approved by: _____
Funding or Financing Entity (if applicable) (Date)

Contractor's Application

EJCDC® C-620 Contractor's Application for Payment
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**CDBG/USDA GAS LINE GRANT
APPROPRIATION 28
June 9, 2021**

Vendor	Invoice No	Check No	Amount	Description
PEC Engineering	524259	1140	42,842.50	Engineering
Ranson Financial Group	1069	1142	6,000.00	Administration
GRAND TOTAL			<u>48,842.50</u>	

Approved the day above written.

Devin Johnson, Mayor

Attest

Stephanie Fyfe, City Clerk

Invoice

Stephanie Fyfe
City Clerk
City of Neodesha
sfyfe@neodeshaks.org



May 20, 2021
Project No: 171291-007
Invoice No: 524259

Project 171291-007 Neodesha Gas Distribution System RPR Services

Neodesha, KS

Professional Services through April 24, 2021

Professional Personnel

	Hours	Rate	Amount	
Project Engineer 2	4.00	130.00	520.00	
Totals	4.00		520.00	
Total Labor				520.00

Consultants**Consultants - Reimbursable**

3/15/2021	T/J Inspection, Inc.	Invoice P-141	4,275.00	
3/19/2021	T/J Inspection, Inc.	Invoice P-142	4,275.00	
4/5/2021	T/J Inspection, Inc.	Invoice P-144	4,275.00	
4/5/2021	T/J Inspection, Inc.	Invoice P-143	4,275.00	
4/16/2021	T/J Inspection, Inc.	Invoice P-146	4,275.00	
4/16/2021	T/J Inspection, Inc.	Invoice P-145	4,275.00	
5/6/2021	T/J Inspection, Inc.	Invoice P-147	4,275.00	
5/11/2021	T/J Inspection, Inc.	Invoice P-148	4,275.00	
5/11/2021	T/J Inspection, Inc.	Invoice P-149	4,275.00	
Total Consultants		1.1 times	38,475.00	42,322.50

Billing Limits

	Current	Prior	To-Date
Total Billings	42,842.50	156,269.82	199,112.32
Limit			206,300.00
Remaining			7,187.68

Total Current Invoice \$42,842.50

*****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.



Ranson Financial Group LLC
200 W. Douglas, Suite 600
Wichita, KS 67202

Invoice

Date	Invoice #
6/7/2021	1069

Client

City of Neodesha
Attn: Stephanie Fyfe
1407 N 8th Street
Neodesha, KS 66757

Project

Grant (1015)

Description	Amount
Grant Administration Services	
Contract Amount: \$24,250.00	
LESS Statement No. 1: \$2,250.00	
LESS Statement No. 2: \$2,500.00	
LESS Statement No. 3: \$2,500.00	
LESS Statement No. 4: \$4,000.00	
LESS Statement No. 5: \$4,000.00	
LESS Statement No. 6: \$3,000.00	
LESS Statement No. 7:	
Contract Balance: \$0	6,000.00

Please make check payable to:
RANSON FINANCIAL GROUP LLC
200 W. Douglas, Suite 600
Wichita, KS 67202

Total	\$6,000.00
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Or, if you prefer ACH, transfer funds to:
Routing # 101000019
Account # 273002969
(Commerce Bank, Wichita, KS)

Phone #	E-mail
(316) 264-3400	billing@ransonfinancial.com

Together, Ranson Financial Group LLC and Citycode Financial LLC provide financial and legal advisory services to Kansas communities including bonds, grants, loans, rate reviews, municipal codes, economic development services and websites.

CITY OF NEODESHA

RESOLUTION NO. 21-17

A RESOLUTION FINDING THAT THE STRUCTURE LOCATED ON LEGAL DESCRIPTION: NORTH 133 FEET OF LOTS 1&2, BLOCK 82, SECTION TWENTY (20), TOWNSHIP THIRTY (30), RANGE SIXTEEN (16) LESS THE SOUTH FORTY-FIVE (45) OF THE NORTH ONE HUNDRED THIRTY-THREE (133) FEET, COMMONLY KNOWN AS 521 MILL, NEODESHA, KANSAS, IS UNSAFE OR DANGEROUS AND DIRECTING THE STRUCTURE TO BE REPAIRED OR REMOVED AND THE PREMISES MADE SAFE AND SECURE.

WHEREAS, the Enforcing Officer of the City of Neodesha, Kansas did on the 24th day of February, 2021 file with the governing body of said City a statement in writing that a certain structure, hereinafter described, was unsafe and dangerous; and

WHEREAS, the governing body did by Resolution dated the 14th day of April, 2021, fix the time and place of a hearing at which the owner, his or her agent, any lienholders of record and any occupant of such structure could 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, such Resolution was published in the official city paper on the 22nd day of April, 2021, and on the 29th day of April, 2021, and a copy of such Resolution was served on all persons entitled thereto in all respects as provided by law; and

WHEREAS, on this 9th day of June, 2021, the governing body has heard all evidence submitted by the enforcing officer of the City, the owners, agents, lienholders and occupants of such structure (having appeared or having failed to appear);

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF NEODESHA: THAT said governing body hereby finds that the structure located on Legal Description: **NORTH 133 FEET OF LOTS 1&2, BLOCK 82, SECTION TWENTY (20), TOWNSHIP THIRTY (30), RANGE SIXTEEN (16) LESS THE SOUTH FORTY-FIVE (45) OF THE NORTH ONE HUNDRED THIRTY-THREE (133) FEET, commonly known as 521 MILL** Neodesha, Kansas, is unsafe and dangerous and hereby directs such structure to be removed and the premises made safe and secure. The owner of such structure is hereby given (____) days from the date of publication of this Resolution within which to commence the removal of such structure within the time stated or fails to diligently prosecute the same until the work is completed, said governing body will cause the structure to be razed and removed and the costs of such razing and removing, less salvage if any, to be assessed as a special assessment against the lot or parcel of land upon which the structure is located 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 and occupants as provided by law.

ADOPTED AND APPROVED by the governing body of the City of Neodesha, Kansas this 9th day of June, 2021.

ATTEST:

Devin Johnson, Mayor

Stephanie Fyfe, City Clerk



PROPOSAL

Bid ID Number:48243

Date:5/20/2021

1225 Iron - North Kansas City, Missouri 64116 - Office (816) 842-6066 - Fax (816) 842-1638

Bid Submitted To: City of Neodesha 1407 N 8th PO Box 336 Neodesha, KS 66757 PHONE: (620) 325-2481 FAX: CONTACT: Jeri Hammerschmidt	Job Proposed: City of Neodosha - Tennis Courts 2021 1407 N 8th Street Neodesha, KS 66757
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Description	Quantity	Units	Net Price
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Court Resurfacing

Color Coating:

Apply (1) Coats of Acrylic Resurfacer at a rate of .06 gallons per square yard per coat.
Apply (2) Coats of Acrylic Color Coatings at a minimum rate of .05 gallons per square yard per coat.
Layout and Paint Playing lines per USTA standards.

\$22,849.00

Pickleball Lines - Per Court

- Layout and Paint pickleball lines.

- Line color selected: _____

\$450.00

NO GUARANTEE FOR CRACK REPAIRS/FILLING. EXISTING CRACKS WILL REAPPEAR AND NEW CRACKS WILL FORM.

NO GUARANTEE TO TOTALLY ELIMINATE BIRD BATHS OR WATER SPOTS.

Price is for one mobilization. Each additional mobilization will be billed at \$500.00 each.

Price includes all applicable taxes.

EXCLUSIONS:

- Permits
- Seeding/sod
- Fence work
- Concrete work
- Windscreen
- Tennis court accessories
- Lighting
- Any items not listed above.

BONDING HAS BEEN INCLUDED IN THIS PRICE



PROPOSAL

Bid ID Number:48243

Date:5/20/2021

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Bid Submitted To: City of Neodesha 1407 N 8th PO Box 336 Neodesha, KS 66757 PHONE: (620) 325-2481 FAX: CONTACT: Jeri Hammerschmidt	Job Proposed: City of Neodosha - Tennis Courts 2021 1407 N 8th Street Neodesha, KS 66757
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NOTICE TO OWNER: FAILURE OF THIS CONTRACTOR TO PAY THOSE PERSONS SUPPLYING MATERIAL OR SERVICES TO COMPLETE THIS CONTRACT CAN RESULT IN THE FILING OF A MECHANIC'S LIEN ON THE PROPERTY WHICH IS THE SUBJECT OF THIS CONTRACT PURSUANT TO CHAPTER 429, RSMO. TO AVOID THIS RESULT YOU MAY ASK THIS CONTRACTOR FOR "LIEN WAIVERS" FROM ALL PERSONS SUPPLYING MATERIAL OR SERVICES FOR THE WORK DESCRIBED IN THIS CONTRACT. FAILURE TO SECURE LIEN WAIVERS MAY RESULT IN YOUR PAYING FOR LABOR AND MATERIAL TWICE.

PAYMENT and COLLECTION: Payment is due upon receipt of Company's invoice. If Company provides this agreement/proposal/bid to an attorney for enforcement of its terms including but not limited to collection of amounts due, you agree to pay all expenses and cost, including but not limited to attorney's fees incurred by Company in such enforcement or collection. In the event all sums are not paid when due, all unpaid sums shall bear interest at the (18%) per annum until paid in full.

Acceptance of Proposal

The above prices, specifications and conditions are satisfactory, and are hereby accepted.

Signature: _____

Name & Title (Please Print): _____

Date
Accepted: _____

Adam Pouliot

NOTES: THIS PROPOSAL MAY BE WITHDRAWN BY US IF NOT ACCEPTED WITHIN 30 DAYS.



230 N. Byron Rd.
Wichita, KS 67212

Date: 5-17-20

Mid-American Courtworks



Office/fax: 316.558.5920
Mobile: 316.650.8620
Email: midamericac@cox.net

CONTRACT PROPOSAL

TO: OWNER: City of Neodesha, KS.
Attention: Jeri Hammerschmidt (jhammerschmidt@neodeshaks.org)
City Administrator: (etrue@neodeshaks.org.)

FROM: CONTRACTOR: Mid-American Courtworks
230 N. Byron Rd.
Wichita, KS. 67212

Project Description: Resurface 4 Post-Tension Tennis Courts (East Tank Avenue)

Mid-American Courtworks to provide "as selected" materials, and labor, necessary to do the following:

SCOPE OF WORK:

1. Take down nets and store to re-hang after work completed.
2. Power-wash and blow court to remove any loose surface dirt and court debris. Remove "as needed" any loose paint or areas where surface has bubbled as well as the darker algae areas on the perimeter of the courts
3. Using Patch Binder and concrete, fill all "open" surface cracks both inside play areas.
(These are fairly new post-tensioned concrete courts with few if any cracks)
Note: Hairline cracks can't be filled. These cracks are too small to fill. Surface color system will help hide cracks.
4. Mark low areas that contain water after allowing 45 minutes to drain. Fill low spots to a tolerance of 1/8th inch.
(No standing water deeper than a nickel.)
5. After repairs, sand and buff over repairs using an electric buffer or sanding device.
6. After making the above court repairs, resurface courts with "approved" Color system as follows:
 - a.) Apply one (1) coat of Acrylic Resurfacer mixed with select sand to the entire court.
 - b.) Apply two (2) coats of Acrylic color(s) mixed with silica sand to the entire court.*Note: Color(s) per Owner's choice. (Blue, Green)*
7. Tape, prime and stripe per U.S.T.A. court specifications. (white textured line paint)
Paint 4 pickleball courts using complementary line color.
8. Re-hang tennis nets and leave court ready for play. (See "add price" for new nets and USTA 10 & under lines)

BASE PRICE: \$24,800.00 (For 4 CTS.) ____ (Check if yes)

ADD (DEDUCT) OPTIONS:

- A.) Deduct for not applying one (1) coat of Acrylic Resurfacer. DEDUCT: (\$3,600.00) ____ (Check if YES)
- B.) Add price for 7 new TN-36 double mesh top nets and center strap. ADD: \$250.00 per net ____ (Check if YES)
- C.) Add price for USTA & Under Lines (2 courts). ADD: \$ 800.00 ____ (Check if YES)

CONTRACT PRICE "AS SELECTED ABOVE"\$ _____
(Price excludes taxes on materials. State Project Exempt Certificate to be issued.)

COURT SURFACING • POST-TENSIONED CONCRETE • COURT ACCESSORIES • CONSULTING

"OUR GOAL IS TO EXCEED YOUR EXPECTATIONS"

Page 2: City of Neodesha, KS.

Proposal: Resurface 7 Tennis Courts (4 CTS.)

By: Darrel Snyder --Mid-American Courtworks (5-17-20)

GENERAL TERMS AND CONDITIONS:

1. One (1) year warranty on materials and workmanship. *NO WARRANTY ON CRACK REPAIR.* Any small cracks can return depending upon temperature changes, moisture, and condition of the concrete base. (Post-Tensioned Concrete Base)
2. Contract price "excludes" sales taxes. (Kansas Tax Exempt. Certificate to be provided)
3. Owner to provide Contractor with water for cleaning and mixing materials.
4. Work scheduled upon receipt of Signed Contract. (Summer '21)
5. This proposal is good for 45 days from the origination date.
6. Work to be done at time when weather is suitable and court is available.

SUPPLEMENTAL TERMS AND CONDITIONS:

All material is guaranteed to be as specified. All work to be finished in a workmanlike manner according to standard practices. Any alteration or deviation from the specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. This proposal is subject to acceptance within 45 days and is void thereafter at the option of the undersigned.

All work will be guaranteed for labor and materials for a period of one (1) year from the date of substantial completion except for cracking, peeling, and bubbling, due to causes beyond contractor's control. Should the materials prove to be defective or the workmanship faulty, the problems will be remedied within a reasonable time from receipt on notice of the problem, determining factors to be weather and crew schedule.

The payment schedule will be as follows: 0% down with balance (100%) to be paid within 30 days of completion.

Owner shall establish suitable access to the construction site. Potable water will be available within one hundred and fifty feet (150') of the site.

If this proposal is accepted, please sign, indicating which alternates (if any) are accepted and return to the **Wichita Office**--230 N. Byron Rd., Wichita, KS. 67212

This Agreement is provided by:

Contractor: Mid-American Courtworks

By: Darrel Snyder

Title: Owner

Date: 5/17/21

Accepted By: (City of Neodesha, KS.)

Name: _____
(Printed Name)

Signed: _____

Title: _____

Date: _____