

Agenda

City Commission of the City of Neodesha, KS

March 23, 2022 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 March 9, 2022 Minutes
- Appropriation (2022) 05

Item 4: Business Items to Consider

- A. Ordinance: Amend Article 5 of Chapter 26 Regarding Weeds
- B. Ordinance: Dangerous Structures 615 Mill Street
- C. Dangerous Structures 221 N 11th Street
- D. Tri-Star Utilities: Approve Change Order No 1; Lift Station/Sanitary Sewer
- E. Tri-Star Utilities: Approve Pay Application No 7
- F. Consider Privatized Mowing Bids
- G. Consider Purchase of Fuse Equipment for Substation Transformer
- H. Consider Purchase of Water Meters: ARPA Funding
- I. Consider Purchase of EZ Valve Machine: ARPA Funding
- J. Discussion: Ordinance Requirements for Sewer Line Connections

Item 5: Date/Time of Next Regular Meeting

Wednesday, April 13, 2022 at 2:00 p.m. – Regular Meeting, City Hall

Item 6: Executive Session

Item 7: Adjournment

AGENDA COMMENTS
CITY COMMISSION MEETING
March 23, 2022

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: Amend Article 5 of Chapter 26 Regarding Weeds

Staff will discuss with the Commission various proposed changes to the Neodesha Weed Ordinance.

RECOMMENDED MOTION: *I move to approve Ordinance 1762, amending Chapter 26, Article Five of the Neodesha City Code as presented.*

4.B: Ordinance: Dangerous Structures 615 Mill Street

On December 22, 2021, and January 26, 2022, the Commission tabled the Dangerous Structures Ordinance for 615 Mill Street. The Commission is asked to approve Ordinance 1763, providing authority for the structures located at 615 Mill Street to be demolished and the property to be made safe.

RECOMMENDED MOTION: *I move to approve Ordinance 1763, directing the removal of certain dangerous and unsafe structures at 615 Mill Street.*

4.C: Dangerous Structures 221 N. 11th Street

This agenda item was tabled by the Commission on January 26, 2022. The demolition of this property has been conducted by the property owner. Therefore, the Commission is asked to rescind the abatement process for 221 N. 11th Street.

RECOMMENDED MOTION: *I move to rescind the abatement process for 221 N. 11th Street due to the property being brought into code compliance.*

4.D: Tri-Star Utilities: Approve Change Order No 1; Lift Station/Sanitary Sewer

The Commission is asked to approve Change Order #1, from Tri-Star Utilities, on the Sanitary Sewer Line and Lift Station Project. This Change Order is for a reduction in total cost of the project of \$60,080.

RECOMMENDED MOTION: *I move to approve Change Order #1 from Tri-Star Utilities*

4.E: Tri-Star Utilities: Approve Pay Application #7

The Commission is asked to approve Pay Application #7, from Tri-Star Utilities, on the Sanitary Sewer Line and Lift Station Project. This pay application could not be included in the Consent Agenda, due to agenda item 4D (Change Order #1), being included in the final pay application.

RECOMMENDED MOTION: *I move to approve Pay Application #7, from Tri-Star Utilities, in the amount of \$68,889.50.*

4.F: Consider Privatized Mowing Bids

Staff has advertised for mowing bids for City Hall, Stadium Park, Memorial Park, and the Neodesha Splash Zone. Staff will present the bids to the Commission for discussion.

RECOMMENDED MOTION: *To be determined...*

4.G: Consider Purchase of Fuse Equipment for Substation Transformer

On Tuesday, March 15, 2022, the City's electric substation was attacked by a squirrel, resulting in damage to one of the transformers. The transformer is undergoing testing to see if any internal damage was done. Three external fuses were damaged during the event. The Electric Superintendent has obtained a quote for replacing the fuses.

RECOMMENDED MOTION: *I move to approve the purchase of electric fuses for the substation, from Border States Electric, at a cost of \$18,858.30.*

4.H: Consider Purchase of Water Meters: ARPA Funding

The Commission is asked to approve the purchase of 600 water meters, from Landis & Gyr. This purchase will be paid for through ARPA funding. Lead time on delivery is expected to be 9-months to a year, and the meters will be paid for after delivery.

RECOMMENDED MOTION: *I move to approve the purchase of 600 water meters, from Landis & Gyr, at a cost of \$120,000.*

4.I: Consider Purchase of EZ Valve Machine: ARPA Funding

The Commission is asked to approve the purchase of an EZ Valve Machine for the Water Department. This equipment is essential for conducting valve replacement in a manner that will reduce the number of customers who have their water turned off during valve replacement. This machine will be purchased through ARPA funding.

RECOMMENDED MOTION: *I move to approve the purchase of an EZ Valve Machine, from Core & Main, at a cost of \$62,395.*

4.J: Discussion: Ordinance Requirements for Sewer Line Connections

On March 9, 2022, during Public Comments, a citizen wished to discuss the City's sewer connection requirements. This agenda item is included to educate Staff, and the public, on the existing Ordinance requirements for connecting to the City's sewer lines.

RECOMMENDED MOTION: *N/A*

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, March 9, 2022 with Mayor Johnson presiding and Commissioner Nichol present. Commissioner Moffatt was absent at this time due to a previous work commitment.

Mayor Johnson gavelled in and roll call was conducted by City Clerk, Stephanie Fyfe.

A motion was made by Mayor Johnson to recess the meeting until 4:00 p.m. later this afternoon, Wednesday, March 9, 2022. Seconded by Commissioner Nichol. Motion carried. The live streamed Zoom meeting was then placed on hold with audio, video and recording ceased.

At 4:00 p.m. the regular meeting of the Governing Body reconvened in the Commission Room at City Hall with Mayor Johnson presiding and Commissioners Moffatt and Nichol present. The live streamed Zoom meeting then resumed with audio, video and recording.

Commissioner Moffatt moved to approve the agenda as presented with the addition of Business Item 4E: Amended Quote for Purchase of Electric Poles from Bridgewell Resources. Seconded by Commissioner Nichol. Motion carried.

Commission and Administrator Reports were heard.

Community Development reports were heard.

Public Comments were invited and heard.

Commissioner Nichol moved to approve the consent agenda as presented consisting of the minutes from the February 23, 2022 Commission Meeting; Appropriation (2022) 04; Raw Water Project Bond Appropriation 101; and Gas Line Project Appropriation 37. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding an Ordinance that provides authority for the structures located at 502 N 6th Street to be demolished and the property to be made safe. Discussion held.

Commissioner Moffatt moved to approve Ordinance 1761, directing the removal of certain dangerous and unsafe structures at 502 N 6th Street. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding the consideration of the placement of Temporary Demonstration Projects near schools. Discussion held.

Commissioner Nichol moved to approve the temporary placement of pedestrian safety equipment near the schools on 8th and Granby Street. Seconded by Commissioner Moffatt. Motion carried.

The Governing Body welcomed Andrew DeVries for a discussion on partnering with Wilco Wireless for the provision of internet services to the City and Community. Discussion held. No action taken.

At 5:30 p.m. Commissioner Moffatt requested a 5-minute recess. Seconded by Commissioner Nichol. Motion carried. The live streamed Zoom meeting was then placed on hold with audio, video and recording paused.

At 5:35 p.m. the regular meeting of the Governing Body reconvened in the Commission Room at City Hall. The live streamed Zoom meeting then resumed with audio, video and recording.

Administrator Truelove addressed the Commission regarding the February 2022 utility billing, and the errors discovered after gathering meter data. Public Works Director, Jeremy Johnson and Utility Billing Clerk, Linda Kinkaid, were present to aid in the discussion. The floor was then opened to public comments. Discussion held. No action taken.

Administrator Truelove addressed the Commission regarding the amendment of a previously approved quote for electric poles from Bridgewell Resources. Discussion held.

Commissioner Moffatt moved to approve the purchase of electric poles from Bridgewell Resources at a cost not to exceed \$23,000. Seconded by Commissioner Nichol. Motion carried.

Commissioner Nichol moved to recess to an Executive Session including the Governing Body, City Administrator, Public Works Director, and the 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 6:15 p.m. Seconded by Commissioner Moffatt. Motion carried. The live streamed Zoom meeting was then placed on hold with audio, video and recording ceased.

At 6:15 p.m. the regular meeting of the Governing Body reconvened in the Commission Room at City Hall. The live streamed Zoom meeting then resumed with audio, video and recording. No action taken.

Commissioner Nichol moved to terminate Cody Johnson, Public Works Employee, effective immediately. Seconded by Commissioner Moffatt. Motion carried.

(continued on next page)

Neodesha, Kansas

March 9, 2022

(continued from previous page)

The next regular meeting of the Governing Body will be held at City Hall on Wednesday, March 23, 2022 at 2:00 p.m.

At 6:18 p.m. Commissioner Moffatt moved to adjourn. Seconded by Commissioner Nichol. Motion carried.

ATTEST:

Devin Johnson, Mayor

Stephanie Fyfe, City Clerk

APPROPRIATIONS REPORT**ORDINANCE NO 5****3/23/2022**

<u>VENDOR</u>	<u>REFERENCE</u>	<u>AMOUNT</u>	<u>CHECK NO</u>	<u>CHECK DATE</u>
A T & T	PHONE CHARGES	594.52	70240	3/23/2022
A T & T	PHONE CHARGES	241.01	70241	3/23/2022
ADVANCE INSURANCE COMPANY	APRIL PREMIUMS	474.64	70243	3/23/2022
BOUND TREE MEDICAL LLC	MEDICAL SUPPLIES	1,405.96	70244	3/23/2022
BUZZARD GULCH INC	SURE SHOT	68.95	70245	3/23/2022
CALLTOWER	PHONE CHARGES	325.92	70246	3/23/2022
CANON FINANCIAL SERVICES	COPIER & PRINTER LEASE	745.82	70247	3/23/2022
COLLECTION BUREAU OF KS	FEBRUARY COLLECTION FEES	17.75	70248	3/23/2022
CONSTELLATION NEWENERGY	FEBRUARY BILLING	113,242.57	70249	3/23/2022
D & D AUTO REPAIR & ALIGNMENT	VEHICLE MAINTENANCE	99.00	70250	3/23/2022
D C & B SUPPLY INC	REBUILT GAS METER	1,328.10	70251	3/23/2022
ECX SYSTEMS LLC	BARRACUDA EMAIL SECURITY 4/22	50.00	70252	3/23/2022
FASTENAL COMPANY	SUPPLIES	277.75	70253	3/23/2022
FED EX	SHIPPING CHARGES	36.12	70254	3/23/2022
GALLS LLC	SPOTLIGHT/WINDOW PUNCH	185.30	70255	3/23/2022
GENERAL MACHINERY OF PITTSBURG	SUPPLIES	623.52	70256	3/23/2022
GERKEN RENT-ALL	SANITATION UNITS	352.00	70257	3/23/2022
HAWKINS INC	CHEMICALS	5,360.48	70258	3/23/2022
INA ALERT.INC	NEW CAMERAS/DOOR SECURITY	13,196.39	70259	3/23/2022
KANSAS MAYORS ASSOCIATION	MEMBERSHIP DUES 2022	50.00	70260	3/23/2022
NKC Tire	TIRES	142.43	70261	3/23/2022
KRWA	ANNUAL DUES 2022	920.00	70262	3/23/2022
LANDIS+GYR TECHNOLOGY INC	MARCH AMR	950.00	70263	3/23/2022
MERLE KELLY FORD, INC	IN/OUT FITTING	31.22	70264	3/23/2022
MIDWEST COMPUTER SALES	IT SERVICES	2,934.89	70265	3/23/2022
PRIORITY POWER	FEBRUARY BILLING	1,000.00	70266	3/23/2022
PRODUCERS CO-OP ASSOCIATION	AIRPORT FUEL	3,903.94	70267	3/23/2022
QUILL LLC	HD BACKUP PORT	132.23	70268	3/23/2022
RAM TOOL CONST SUPPLY CO LLC	WATER TANK KIT	121.00	70269	3/23/2022

RURAL WATER DISTRICT 4	AIRPORT/RURAL WATER	28.60	70270	3/23/2022
SOUTHERN STAR CENTRAL GP INC	FEBRUARY BILLING	71,447.81	70271	3/23/2022
SOUTHERN UNIFORM & TACTICAL	UNIFORMS	30.80	70272	3/23/2022
SPARKLIGHT	INTERNET SERVICE	169.78	70273	3/23/2022
STERICYCLE INC	DISPOSAL SERVICE	211.05	70274	3/23/2022
TRIPLETT, WOOLF & GARRETSON LL	CDBG FUND CLOSED OUT	15,673.84	70275	3/23/2022
UNIFIRST CORPORATION	RUG & CLEANING SUPPLIES	1,172.65	70276	3/23/2022
USA BLUE BOOK	BRASS SOLENOID VALVE	173.28	70277	3/23/2022
WILSON MEDICAL CENTER	FEBRUARY TAX DISTRIBUTION	28,772.90	70278	3/23/2022
****TOTAL****		266,492.22		

ACH ELECTRIC ENERGY STATEMENTS BILLED MARCH 2022

KMEA - SPA Hyrdro Project	February 2022 Service	3,230.61
KMEA - GRDA Power Supply Project	April 2022 Service	113,259.05
KMEA - Energy Mgmt Project No 3	February 2022 Service	140,874.09
TOTAL ACH Electric Energy Statements		257,363.75

ORDINANCE NO. 1762

AN ORDINANCE AMENDING ARTICLE V OF CHAPTER 26 OF THE CITY OF NEODESHA CODE REGARDING WEEDS IN THE CITY OF NEODESHA, WILSON COUNTY, KANSAS.

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

Section One: Article V of Chapter 26 of the City of Neodesha Code shall be amended to read as follows:

Sec. 26-85 Weeds to be removed.

It shall be unlawful for any owner, agent, lessee, tenant, or other person occupying or having charge or control of any premises to permit weeds to remain upon said premises or any area between the property lines of said premises and the centerline of any adjacent street or alley, including but not specifically limited to sidewalks, streets, alleys, easements, rights-of-way and all other areas, public or private. All weeds as hereinafter defined are hereby declared a nuisance and are subject to abatement as hereinafter provided.

Sec. 26-86 Definitions.

Weeds as used herein, means any of the following:

- (1) Brush and woody vines;
- (2) Weeds and grasses which may attain such large growth as to become, when dry, a fire menace to adjacent improved property;
- (3) Weeds which bear or may bear seeds of a downy or wingy nature;
- (4) Weeds which are located in an area which harbors rats, insects, animals, reptiles, or any other creature which either may or does constitute a menace to health, public safety or welfare;
- (5) Weeds and grasses on or about residential property which, because of its height, has a blighting influence on the neighborhood. Any such weeds or grasses shall be presumed to be blighting if they exceed eight inches in height.

Sec. 26-87 Public officer; notice to remove.

- (a) The city administrator shall designate a public officer to be charged with the administration and enforcement of this article. The public officer or an authorized assistant shall give written notice to the owner, occupant or agent of such property by certified mail, return receipt requested, or by personal service, to cut or destroy weeds; provided, however, that if the property is unoccupied and the owner is a nonresident, such notice shall be sent by certified mail, return receipt requested, to the last known address of the owner. Such notice shall only be given once per calendar year.
- (b) The notice to be given hereunder shall state:
 - (1) That the owner, occupant or agent in charge of the property is in violation of the city weed control law;
 - (2) That the owner, occupant, or agent in control of the property is ordered to cut or destroy the weeds within ten days of the receipt of notice;
 - (3) That the owner, occupant or agent in control of the property may request a hearing before the governing body or its designated representative within five days of the receipt of the notice or, if the owner is unknown, and there is no resident agent, ten days after notice has been published by the city clerk in the official city newspaper;
 - (4) That if the owner, occupant or agent in control of the property does not cut or destroy the weeds or fails to request a hearing within the allowed time, the city or its authorized agent will cut or destroy the weeds and assess the cost of the cutting or destroying the weeds, including a reasonable administrative fee, against the owner, occupant or agent in charge of the property.
 - (5) That the owner, occupant or agent in control of the property will be given an opportunity to pay the assessment, and if it is not paid within 30 days of such notice, it will be added to the property tax as a special assessment.
 - (6) That no further notice shall be given prior to removal of weeds during the current calendar year.
 - (7) That the public officer should be contacted if there are any questions regarding the order.
- (c) If there is a change in the record owner of title to property subsequent to the giving of notice pursuant to this section, the city may not recover any costs or levy an assessment for the costs incurred by the cutting or destruction of weeds on such property, unless the new record owner of title to such property is provided notice as required by this chapter.

Sec. 26-88 Abatement; assessment of costs.

- (a) If the owner, occupant or agent in charge of the property has neither alleviated the conditions causing the alleged violation nor requested a hearing within the time periods specified in section 26-87, the public officer or an authorized assistant shall abate or remove the conditions causing the violation.

- (b) The owner, occupant or agent in charge of the property shall be charged \$150 per hour per person (one hour minimum) for the City to mow or clean, and an administrative fee of \$100. Additional charges may be assessed for expenses incurred. Provided, however, that no charge shall be assessed for the use of city equipment. All fees are charged once each mowing or abatement.
- (c) The above charges and fees shall be doubled for properties with more than one violation in a 12-month period. The fees to be doubled include all of the fees listed above and the administrative fees.
- (d) If the city abates or removes the nuisance pursuant to this section, the city shall give notice to the owner, occupant or agent in charge of the premises by certified mail, return receipt requested, of the total cost of abatement or removal incurred by the city. The notice shall also state that the payment is due within 30 days following receipt of the notice. The city also may recover the cost of providing notice, including any postage, required by this section.
- (e) The notice shall also state that if the costs of removal or abatement is not paid within the 30-day period, the cost of the abatement or removal shall be collected in the manner provided by K.S.A. 12-1,115, and amendments thereto, or shall be assessed as a special assessment for such cost against the lot or parcel of land on which the nuisance was located and the city clerk, at the time of certifying other city taxes, shall certify the unpaid portion of the costs and the county clerk shall extend the same on the tax rolls of the county against such lot or parcel of land and it shall be collected by the county treasurer and paid to the city as other city taxes are collected and paid. The city may pursue collection both by levying a special assessment and in the manner provided by K.S.A. 12-1,115, and amendments thereto, but only until the full cost and any applicable interest has been paid in full. (K.S.A 12-1617f)

Sec. 26-89 Right of entry.

The public officer, and the public officer's authorized assistants, employees, contracting agents or other representatives are hereby expressly authorized to enter upon private property at all reasonable hours for the purpose of cutting, destroying and/or removing such weeds in a manner not inconsistent with this chapter.

Sec. 26-90 Unlawful interference.

It shall be unlawful for any person to interfere with or to attempt to prevent the public officer or the public officer's authorized representative from entering upon any such lot or piece of ground or from proceeding with such cutting and destruction. Such interference shall constitute a Class C Code violation.

Sec. 26-91 Noxious weeds.

- (a) Nothing in this ordinance shall affect or impair the rights of the city under the provisions of K.S.A. ch. 2, art. 13, relating to the control and eradication of certain noxious weeds.
- (b) For the purpose of this article, the term noxious weeds shall mean kudzu (*Pueraria lobata*), field bindweed (*Convolvulus arvensis*), Russian knapweed (*Centaurea repens*), hoary cress (*Cardaria draba*), Canada thistle (*Cirsium arvense*), quackgrass (*Agropyron repens*), leafy spurge (*Euphorbia esula*), bur ragweed (*Ambrosia grayii*), pignut (*Hoffmannseggia densiflora*), musk (nodding) thistle (*Carduus nutans* L.), Johnson grass (*Sorghum halepense*), and sericea lespedeza (*Lespedeza cuneata*). (K.S.A. 2-1314)

Section Two: Old Article V of Chapter 26 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 upon its publication in the official city newspaper.

Passed by the Governing Body of the City of Neodesha, Kansas and signed by the Mayor this 23rd day of March, 2022.

ATTEST:

Devin Johnson, Mayor

Stephanie Fyfe, City Clerk

ORDINANCE NO. 1763

AN ORDINANCE AUTHORIZING AND DIRECTING THE REMOVAL OF CERTAIN UNSAFE AND DANGEROUS STRUCTURES LOCATED AT 615 MILL, NEODESHA KS ON LEGAL DESCRIPTION: LOTS FIVE (5) AND SIX (6), BLOCK EIGHTY-ONE (81), CITY OF NEODESHA, WILSON COUNTY, KANSAS AND COMMENCING AT A POINT 16 FEET NORTH AND 100 FEET EAST OF BOTH THE SOUTHWEST CORNER OF BLOCK 81 AND THE SOUTHWEST CORNER OF LOT 13, BLOCK 81, ORIGINAL TOWNSITE OF THE CITY OF NEODESHA, THENCE NORTH TO THE SOUTHWEST CORNER OF LOT 5, OF SAID BLOCK 81, THENCE EAST 50 FEET TO THE SOUTHEAST CORNER OF LOT 6 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 50 FEET EAST OF PLACE OF BEGINNING AND THENCE WEST 50 FEET TO THE PLACE OF BEGINNING AUTHORIZING THE FINANCING OF THE COSTS OF SUCH REMOVAL BY THE SALE OF SALVAGE FROM SUCH STRUCTURES, IF ANY, AND/OR FROM THE GENERAL FUND OF THE CITY, AND THE LEVYING OF SPECIAL ASSESSMENTS AGAINST THE LOTS ON WHICH SUCH STRUCTURE IS LOCATED.

WHEREAS, the governing body did after proper notice and hearing as provided by law make findings by Resolution 21-36 dated November 10, 2021, that the structure hereinafter described as unsafe and dangerous and did direct the owner of such structure to repair or remove the same and make the premises safe and secure, together with the statement that if the owner failed to commence the repair or removal within the time fixed by such resolution or failed to diligently prosecute the same until the work was completed, the city would cause the structure to be razed and removed, and

WHEREAS, such resolution was published in the official city newspaper and copies of such resolution were mailed to each owner, agent, lienholder of record and occupants of such structures and were otherwise served as required by law, and

WHEREAS, the owner has wholly failed to commence the repair or removal of such structures; now therefore

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

Section 1: The enforcing officer is hereby authorized and directed to cause the dwelling located at 615 Mill, on legal description: **LOTS FIVE (5) AND SIX (6), BLOCK EIGHTY-ONE (81), CITY OF NEODESHA, WILSON COUNTY, KANSAS AND COMMENCING AT A POINT 16 FEET NORTH AND 100 FEET EAST OF BOTH THE SOUTHWEST CORNER OF BLOCK 81 AND THE SOUTHWEST CORNER OF LOT 13, BLOCK 81, ORIGINAL TOWNSITE OF THE CITY OF NEODESHA, THENCE NORTH TO THE SOUTHWEST CORNER OF LOT 5, OF SAID BLOCK 81, THENCE EAST 50 FEET TO THE SOUTHEAST CORNER OF LOT 6 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 50 FEET EAST OF PLACE OF BEGINNING AND THENCE WEST 50 FEET TO THE PLACE OF BEGINNING**, to be razed and removed and the premises be made safe and secure and for this purpose is authorized to invite bids, negotiate a contract, or cause the work to be done by city employees.

Section 2: The enforcing officer shall keep an account of the cost of the work and may sell the salvage from such structures and shall keep an account of the receipts therefrom as provided by law.

Section 3: All costs incurred by the city in the razing and removal of such structures and the making of the premises safe and secure shall be paid from moneys received from the sale of salvage therefrom and all moneys in excess of that necessary to pay such costs shall, after the payment of all costs, be paid to the owner of the premises upon which said structures were located: **PROVIDED**, that if there is no salvageable material or if moneys received from the sale of salvage is insufficient to pay the cost of such work, such costs or any portion thereof in excess of the amount received from the sale of salvage shall be assessed as a special assessment against the lots on which the structure was located and may be financed until the assessment is paid out of the general fund of the city.

Section 4: **EFFECTIVE DATE.** This ordinance shall be in full force and effect upon its publication in the official city newspaper.

Passed by the Governing Body of the City of Neodesha, Kansas and signed by the Mayor this 23rd day of March, 2022.

ATTEST:

Devin Johnson, Mayor

Stephanie Fyfe, City Clerk

Date of Issuance: March 2, 2022 Effective Date: June 24, 2021
 Owner: City of Neodesha Owner's Contract No.:
 Contractor: Tri-Star Utilities, Inc. Contractor's Project No.:
 Engineer: Professional Engineering Consultants, P.A. Engineer's Project No.: 35-180004-011-2005
 Project: Neodesha Lift Station and Sanitary Sewer Improvements

The Contract is modified as follows upon execution of this Change Order:

Description: There will be a decrease of \$64,580.00 for the deduct of the following bid items (Hospital): 371.6 LF of 8" Sanitary Sewer Pipe (\$150/ft bid price = \$55,740), 1 Standard Precast Manhole (\$5,500/ea bid price = \$5,500), 24 LF Remove and Replace Gravel Drive (\$35/ft bid price = \$840), and 1 Connect to Existing Manhole (\$2,500/ea bid price = \$2,500). There will be an increase of \$4,500 for the addition of 1 Standard Precast Manhole (Granby) (\$4,500/ea bid price).

The total deduct for Change Order 1 is \$60,080.

Attachments: n/a

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES
Original Contract Price: \$ <u>1,351,040.00</u>	Original Contract Times: Substantial Completion: <u>150 days</u> Ready for Final Payment: <u>180 days</u> days or dates
[Increase] [Decrease] from previously approved Change Orders No. ___ to No. ___: \$ _____	[Increase] [Decrease] from previously approved Change Orders No. <u>n/a</u> to No. <u>n/a</u> : Substantial Completion: <u>n/a</u> Ready for Final Payment: <u>n/a</u> days
Contract Price prior to this Change Order: \$ <u>1,351,040.00</u>	Contract Times prior to this Change Order: Substantial Completion: <u>150 days</u> Ready for Final Payment: <u>180 days</u> days or dates
Decrease of this Change Order: \$ <u>60,080.00</u>	Increase of this Change Order: Substantial Completion: <u>253 days</u> Ready for Final Payment: <u>265 days</u> days or dates
Contract Price incorporating this Change Order: \$ <u>1,290,960.00</u>	Contract Times with all approved Change Orders: Substantial Completion: <u>403 days (January 21, 2022)</u> Ready for Final Payment: <u>445 days (March 4, 2022)</u> days or dates

RECOMMENDED:	ACCEPTED:	ACCEPTED:
By: <u>[Signature]</u>	By: _____	By: <u>[Signature]</u>
Engineer (if required)	Owner (Authorized Signature)	Contractor (Authorized Signature)
Title: <u>Project Engineer</u>	Title: <u>Mayor</u>	Title: <u>Corp Secretary</u>
Date: <u>March 7, 2022</u>	Date: <u>03/23/2022</u>	Date: <u>3/3/22</u>

Approved by Funding Agency (if applicable)

By: _____ Date: _____
 Title: _____

March 23, 2022

Stephanie Fyfe, City Clerk



Contractor's Application for Payment No.

7-Final

Application Period: 2/4/2022 - 3/3/2022		Application Date: 3/3/2022	
To (Owner): City of Neodesha	From (Contractor): Tri-Star Utilities, Inc.	Via (Engineer): PEC	
Project: Neodesha LS & SS Improvements: West Granby Business Park & Wilson Medical Center		Contract:	
Owner's Contract No.:	Contractor's Project No.: 269SKS	Engineer's Project No.:	

Application For Payment

Change Order Summary

Approved Change Orders		
Number	Additions	Deductions
1	\$4,500.00	\$64,580.00
TOTALS	\$4,500.00	\$64,580.00
NET CHANGE BY CHANGE ORDERS	-\$60,080.00	

1. ORIGINAL CONTRACT PRICE.....	\$	\$1,351,040.00
2. Net change by Change Orders.....	\$	-\$60,080.00
3. Current Contract Price (Line 1 + 2).....	\$	\$1,290,960.00
4. TOTAL COMPLETED AND STORED TO DATE (Column F total on Progress Estimates).....	\$	\$1,290,960.00
5. RETAINAGE:		
a. X \$1,290,960.00 Work Completed.....	\$	
b. X Stored Material.....	\$	
c. Total Retainage (Line 5.a - Line 5.b).....	\$	
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5.c).....	\$	\$1,290,960.00
7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application).....	\$	\$1,222,070.50
8. AMOUNT DUE THIS APPLICATION.....	\$	\$68,889.50
9. BALANCE TO FINISH, PLUS RETAINAGE (Column G total on Progress Estimates + Line 5.c above).....	\$	

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: Ruth Bechtel Date: 3/3/22

Payment of: \$ 68,889.50
(Line 8 or other - attach explanation of the other amount)

is recommended by: [Signature] March 7, 2022
(Engineer) (Date)

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

is approved by: _____
(Owner) (Date)

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

Progress Estimate - Unit Price Work

Contractor's Application

For (Contract): Neodesha LS & SS Improvements: West Granby Business Park & Wilson Medical Center						Application Number: 7-Final					
Application Period: 2/4/2022 - 3/3/2022						Application Date: 3/3/2022					
A					B	C	D	E	F		
Item			Contract Information			Estimated Quantity Installed	Value of Work Installed to Date	Materials Presently Stored (not in C)	Total Completed and Stored to Date (D + E)	% (F / B)	Balance to Finish (B - F)
Bid Item No.	Description	Item Quantity	Units	Unit Price	Total Value of Item (\$)						
Neodesha Lift Station and Sanitary Sewer Improvements: West Granby Business Park Phase											
1	Mobilization	1	LS	\$ 50,000.00	\$50,000.00	1	\$50,000.00		\$50,000.00	100.0%	
2	Lift Station	1	LS	\$ 200,900.00	\$200,900.00	1	\$200,900.00		\$200,900.00	100.0%	
3	4" Force Main	4010	LF	\$ 35.00	\$140,350.00	4010	\$140,350.00		\$140,350.00	100.0%	
4	4" RJ Force Main by Directional Drill	510	LF	\$ 69.00	\$35,190.00	510	\$35,190.00		\$35,190.00	100.0%	
5	4" RJ Pipe	210	LF	\$ 45.00	\$9,450.00	210	\$9,450.00		\$9,450.00	100.0%	
6	8" Sanitary Sewer Pipe	1137	LF	\$ 65.00	\$73,905.00	1137	\$73,905.00		\$73,905.00	100.0%	
7	Steel Casing by Bore	200	LF	\$ 300.00	\$60,000.00	200	\$60,000.00		\$60,000.00	100.0%	
8	Air Release Assemblies	3	EA	\$ 3,500.00	\$10,500.00	3	\$10,500.00		\$10,500.00	100.0%	
9	Connect to Existing Manhole	2	EA	\$ 2,500.00	\$5,000.00	2	\$5,000.00		\$5,000.00	100.0%	
10	Sanitary Sewer Abandonment	1	LS	\$ 2,500.00	\$2,500.00	1	\$2,500.00		\$2,500.00	100.0%	
11	Standard Precast Manhole	4	EA	\$ 4,500.00	\$18,000.00	4	\$18,000.00		\$18,000.00	100.0%	
12	Remove & Replace Concrete Sidewalk	3	LF	\$ 50.00	\$150.00	3	\$150.00		\$150.00	100.0%	
14	Erosion Control	1	LS	\$ 2,500.00	\$2,500.00	1	\$2,500.00		\$2,500.00	100.0%	
15	Site Cleaning and Restoration	1	LS	\$ 5,000.00	\$5,000.00	1	\$5,000.00		\$5,000.00	100.0%	
Neodesha Lift Station and Sanitary Sewer Improvements: Wilson Medical Center Phase											
1	Mobilization	1	LS	\$ 50,000.00	\$50,000.00	1	\$50,000.00		\$50,000.00	100.0%	
2	Lift Station	1	LS	\$ 203,000.00	\$203,000.00	1	\$203,000.00		\$203,000.00	100.0%	
3	4" Force Main Pipe	5360	LF	\$ 35.00	\$187,600.00	5360	\$187,600.00		\$187,600.00	100.0%	
4	4" RJ Force Main by Directional Drill	523	LF	\$ 125.00	\$65,375.00	523	\$65,375.00		\$65,375.00	100.0%	
5	4" RJ Pipe	192	LF	\$ 45.00	\$8,640.00	192	\$8,640.00		\$8,640.00	100.0%	
6	Air Release Assemblies	2	EA	\$ 3,500.00	\$7,000.00	2	\$7,000.00		\$7,000.00	100.0%	
7	Steel Casing by Bore	150	LF	\$ 230.00	\$34,500.00	150	\$34,500.00		\$34,500.00	100.0%	
8	8" Sanitary Sewer Pipe	908	LF	\$ 150.00	\$136,200.00	908	\$136,200.00		\$136,200.00	100.0%	
10	Connect to Existing Manhole	2	EA	\$ 2,500.00	\$5,000.00	2	\$5,000.00		\$5,000.00	100.0%	
11	Sanitary Sewer Abandonment	1	LS	\$ 2,500.00	\$2,500.00	1	\$2,500.00		\$2,500.00	100.0%	
12	Standard Precast Manhole	5	EA	\$ 5,500.00	\$27,500.00	5	\$27,500.00		\$27,500.00	100.0%	
13	Remove & Replace Asphalt Pavement	23	LF	\$ 75.00	\$1,725.00	23	\$1,725.00		\$1,725.00	100.0%	
14	Remove & Replace Gravel Drive	73	LS	\$ 35.00	\$2,555.00	73	\$2,555.00		\$2,555.00	100.0%	
16	Erosion Control	1	LS	\$ 2,500.00	\$2,500.00	1	\$2,500.00		\$2,500.00	100.0%	
17	Site Cleaning and Restoration	1	LS	\$ 3,500.00	\$3,500.00	1	\$3,500.00		\$3,500.00	100.0%	
	Change Order 1										

**BORDER STATES**

Supply Chain Solutions™

Border States Electric Supply

Border States Electric - TPK
1516 NW Saline St
Topeka KS 66618-2837
Phone: 785-354-9532

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

Quote

Page: 1 of 1

BSE Quote: 26497473
Sold-To Acct #: 209775
Valid From: 03/21/2022 **To:** 03/28/2022
PO No: s&c fuse SMD

Created By: Kenneth Staab
Tel No: 785-414-7280
Fax No:

Inco Terms:
FOB ORIGIN

Payment Terms:
Net 25th prox

Cust Item	BSE Item	Material MFG - Description	Quantity	Price	Per	UoM	Value
	000010	163414 SAC - 186926R1 MOUNTING FUSE 300E 69KV CONSISTS OF: 1 each 186926R1 2 each 315216-70 1 each channel *** 1 week to build ***	3 EA	5,902.44	/ 1	EA	17,707.32
Total \$							17,707.32
State Tax \$							6.500 % 1,150.98
County Tax \$							0.000 % 0.00
Local Tax \$							0.000 % 0.00
Other Tax1 \$							0.000 % 0.00
Other Tax2 \$							0.000 % 0.00
Other Tax3 \$							0.000 % 0.00
Tax Subtotal \$							6.500 % 1,150.98
Net Amount \$							18,858.30

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

The quoted sales tax is an estimate only based upon the information provided in this quote and will be finalized at the time of Invoice based upon the material purchased, quantity purchased, and delivery location.

Shipping and handling fees in this quote are an estimate only and will be finalized at the time of Invoice.

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.



CONFIDENTIAL

Date: March 17, 2022
Quote: 100898-20220317

LANDIS & GYR TECHNOLOGY INC.

Company Name	CITY OF NEODESHA (KS)
	2788 Ottawa Rd
	Neodesha, KS 66757

Pricing Quotation

Description	Part Number	Unit Price	Qty	Ext. Price
5/8x3/4" MJ Meter w/BB w/Interp-Mesh	M1163-001117-14696	\$ 200.00	600	\$ 120,000.00
		\$ -		\$ -
				\$ -
Total Extended Price				\$ 120,000.00

Customer Account Rep: Daisy Arellano

Key Account Executive: Calvin Bargsley

Run Date: 3/11/22

Quote



Sold To:
NEODESHA KANSAS CITY OF
PO BOX 336
NEODESHA, KS 66757-0336

Ship To:
NEODESHA KANSAS CITY OF
1200 W. GRANBY
NEODESHA, KS 66757

Customer #	214760
Order #	Q508822
Date Ordered	03/11/22
Job #	
Job Name	EZ VALVE MACHIN
Purchase Order #	YES
Method of Shipment	OUR TRUCK
Contract Order #	0000000
Ordered By	JEREMY
Ship Via	CORE & MAIN LP

Branch:
OWASSO OK
BRANCH 343
14701 E 116th ST N
OWASSO, OK 74055

Phone: 918-586-7100

Bid Seq#	Product Code	Description	Qty Ordered	Qty Shipped	Qty B/O	Net Price	UOM	Ext Price
	65EZM1H	EZM1H COMPLETE SERVICE KIT F/4-12" W/HYD MOTOR	1			62395.00000	EA	62395.00

Terms in accordance with shipping manifest.

Special Instructions/Comments:

Total Ordered:	62395.00
Tax Amount:	.00
Other Charges:	.00
Total:	62395.00