

# 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

**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 local 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 15<sup>th</sup> and May 15<sup>th</sup>, 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 bids for painting the pool. Discussion held.

Commissioner Moffatt 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 4<sup>th</sup> Street. Seconded by Commissioner Nichol. Motion carried.

Commissioner Moffatt moved to approve accepting the property located at 1316 N 4<sup>th</sup> 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)*

Neodesha, Kansas

April 8, 2020

*(continued from previous 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**

<u>VENDOR</u>	<u>REFERENCE</u>	<u>AMOUNT</u>	<u>CHECK NO</u>	<u>CHECK DATE</u>
A T & T	PHONE CHARGES	299.26	54589	4/22/2020
BEACHNER GRAIN INC	CHEMICALS	528.25	54590	4/22/2020
BOUND TREE MEDICAL LLC	MEDICAL SUPPLIES	1,096.40	54591	4/22/2020
CANON FINANCIAL SERVICES	GRAPHICS EQUIPMENT PRINTERS	784.58	54592	4/22/2020
CONSOLIDATED FLEET SERVICES IN	LADDER INSPECTIONS	1,493.00	54593	4/22/2020
D & D AUTO REPAIR & ALIGNMENT	VEHICLE MAINTENANCE	140.20	54594	4/22/2020
STEPHANIE ELLIS	REFUND OF CIVIC CENTER RENTAL	200.00	54595	4/22/2020
F ALLEN MOORHEAD, JR, MD	PRE-EMPLOYMENT PHYSICAL	350.00	54596	4/22/2020
FORSYTHE'S HEATING & ELECTRIC	SERVICE CALLS	651.13	54597	4/22/2020
<b>****TOTAL****</b>		<b>5,542.82</b>		

April 22, 2020

[illegible]

Approved the day above written.

*Devin Johnson, Mayor*

**Attest**

*Stephanie Fyfe, City Clerk*

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

15

Application Period: 3/24/20 - 03/27/20		Application Date: 09-Apr-20
To (Owner): 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.: 18K10WP	Engineer's Project No.: 331-15E65-001-2005

**Application For Payment**

**Change Order Summary**

Approved Change Orders			1. ORIGINAL CONTRACT PRICE..... \$ \$1,812,031.23	
Number	Additions	Deductions	2. Net change by Change Orders..... \$ \$217,202.23	
1	\$12,494.07		3. Current Contract Price (Line 1 ± 2)..... \$ \$2,029,233.46	
2	\$129,186.88	\$22,628.72	4. TOTAL COMPLETED AND STORED TO DATE	
3			(Column F total on Progress Estimates)..... \$ \$2,029,233.46	
4	\$31,150.00		5. RETAINAGE:	
5	\$56,000.00		a. X \$2,029,233.46 Work Completed..... \$	
6	\$11,000.00		b. X Stored Material..... \$	
			c. Total Retainage (Line 5.a + Line 5.b)..... \$	
TOTALS \$239,830.95 \$22,628.72			6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5.c)..... \$ \$2,029,233.46	
NET CHANGE BY CHANGE ORDERS \$217,202.23			7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application)..... \$ \$1,902,752.11	
			8. AMOUNT DUE THIS APPLICATION..... \$ \$126,481.35	
			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: Stetson Beck Date: 4/9/2020

Payment of: \$126,481.35  
(Line 8 or other - attach explanation of the other amount)

is recommended by:  4/16/2020  
(Engineer) (Date)

Payment of: \$126,481.35  
(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 - Lump Sum Work

## Contractor's Application

For (Contract): Neodesha River Intake Improvements				Application Number: 15				
Application Period: 3/24/20 - 03/27/20				Application Date: 09-Apr-20				
			Work Completed		E	F		G
A		B	C	D	Materials Presently Stored (not in C or D)	Total Completed and Stored to Date (C + D – E)	% (F / B)	Balance to Finish (B - F)
SOV #	Description	Scheduled Value (\$)	From Previous Application (C+D)	This Period				
0	General Expense							
0.1	General Expense	\$146,214.00	\$146,214.00			\$146,214.00	100.0%	
0.2	Bond Insurance	\$23,110.00	\$23,110.00			\$23,110.00	100.0%	
0.3	Mobilization	\$27,617.00	\$25,808.50	\$1,808.50		\$27,617.00	100.0%	
1	Intake Structure, Suction Piping, Pump Retrieval and Valve Vault, Elec							
1.1	03 30 00 Cast-In-Place Concrete	\$210,967.00	\$210,967.00			\$210,967.00	100.0%	
1.2	05 00 00 Metals	\$22,522.00	\$22,522.00			\$22,522.00	100.0%	
1.3	11 33 10 Intake Screen and Air Backwash System	\$70,454.00	\$70,454.00			\$70,454.00	100.0%	
1.4	11 34 19 Pre-Fabricated Metal Building	\$61,899.00	\$61,899.00			\$61,899.00	100.0%	
1.5	15 00 00 Mechanical	\$6,619.00	\$6,619.00			\$6,619.00	100.0%	
1.6	26 00 00 Electrical	\$51,656.00	\$51,656.00			\$51,656.00	100.0%	
1.7	31 20 00 Earth Moving	\$115,499.00	\$115,499.00			\$115,499.00	100.0%	
1.8	31 23 19 Dewatering and Drainage	\$444,108.00	\$444,108.00			\$444,108.00	100.0%	
1.9	33 11 16 Water Distribution Piping	\$246,470.00	\$246,470.00			\$246,470.00	100.0%	
1.10	33 12 16 Valve & Appurtenances	\$40,206.00	\$40,206.00			\$40,206.00	100.0%	
1.11	43 21 21 Submersible Column Pumps	\$49,659.00	\$49,659.00			\$49,659.00	100.0%	
6	Erosion Control							
6.1	01 57 13 Temporary Erosion and Sediment Control	\$10,000.00	\$10,000.00			\$10,000.00	100.0%	
7	Site Clearing and Restoration							
7.1	31 10 00 Site Clearing	\$3,672.00	\$3,672.00			\$3,672.00	100.0%	
7.2	31 20 00 Earth Moving	\$44,554.00	\$43,000.00	\$1,554.00		\$44,554.00	100.0%	
7.3	32 92 00 Turf and Grasses	\$9,774.00	\$3,200.00	\$6,574.00		\$9,774.00	100.0%	
8	System Control Equipment (SCADA Improvements)							
8.1	Advanced Control Solutions	\$85,211.23	\$85,211.23			\$85,211.23	100.0%	
CO1	Contract CO #01	\$12,494.07	\$12,494.07			\$12,494.07	100.0%	
CO2	Contract CO #02	\$106,558.16	\$106,558.16			\$106,558.16	100.0%	
CO4	Contract CO #04	\$31,150.00	\$31,150.00			\$31,150.00	100.0%	
CO5	Contract CO #05	\$56,000.00	\$56,000.00			\$56,000.00	100.0%	
CO6	Contract CO #06	\$11,000.00		\$11,000.00		\$11,000.00	100.0%	
	Totals	\$1,887,413.46	\$1,866,476.96	\$20,936.50		\$1,887,413.46		

### Progress Estimate - Unit Price Work

## Contractor's Application

[illegible]

## Stored Material Summary

## Contractor's Application

[illegible]

**CDBG/USDA GAS LINE GRANT**  
**APPROPRIATION 06**  
**April 22 , 2020**

<b>Vendor</b>	<b>Invoice No</b>	<b>Check No</b>	<b>Amount</b>	<b>Description</b>
Stifel, Nicolaus & Co Inc	03262020	1007	17,660.00	Administration
Triplett Woolf Garretson LLC	731023	1008	7,975.69	Administration
<b>GRAND TOTAL</b>			<b><u>25,635.69</u></b>	

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

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

**Bill To:**

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

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

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](mailto: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



TRIPLETT WOOLF  
GARRETSON, LLC

Tax ID 48-1003820  
[TWGfirm.com](http://TWGfirm.com)

2959 N. Rock Road, Suite 300  
Wichita, Kansas 67226

Phone (316) 630-8100  
Fax (316) 630-8101

CITY OF NEODESHA, KANSAS  
Attn: Stephanie Fyfe, City Clerk  
1407 N. 8<sup>th</sup>  
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:\*

Copies	\$ 58.65
Express Delivery	129.51
Postage	25.47
Transcript Supplies	<u>77.06</u>
Total Expenses	\$290.69

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.

**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

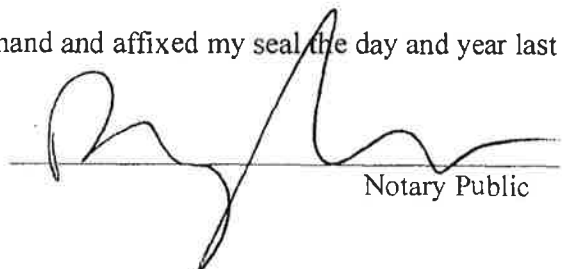
STATE OF KANSAS, COUNTY OF WILSON, ss:

BE IT REMEMBERED, that on March 31, 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:



  
Notary Public

Office of the Secretary  
Curtis State Office Building  
1000 SW Jackson St., Suite 540  
Topeka, KS 66612-1367



Phone: 785-296-0461  
www.kdheks.gov

Lee A. Norman, M.D., Secretary

Laura Kelly, Governor

September 18, 2019

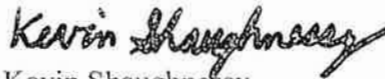
Janice Reese, Foundation Director  
Wilson Medical Center  
PO Box 360  
Neodesha KS 66757

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

Description	Request Budget Remaining	Request Period Expense	Match Budget Remaining	Match Period Expense
LEBH Engineering Pedestrian Master Plan Consultant	\$10,000.00	\$0.00	\$2,500.00	\$0.00
Category Total	\$10,000.00	\$0.00	\$2,500.00	\$0.00

Date of Issuance: April 16, 2020 Effective Date: April 16, 2020  
 Owner: City of Neodesha, KS Owner's Contract No.:  
 Contractor: Crossland Heavy Contractors, Inc. Contractor's Project No.: 18K10WP  
 Engineer: Professional Engineering Consultants, P.A. Engineer's Project No.: 331-15E65-001-2005  
 Project: Neodesha River Intake Improvements

Contract Name:

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

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.

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES
Original Contract Price: \$ <u>1,812,031.23</u>	Original Contract Times: Substantial Completion: <u>150 days</u> Ready for Final Payment: <u>180 days</u> days
Increase from previously approved Change Orders No. 1 to No. 5: \$ <u>206,202.23</u>	Increase from previously approved Change Orders No. 1 to No. 5: Substantial Completion: <u>Add 96 Calendar Days</u> Ready for Final Payment: <u>Add 96 Calendar Days</u> days
Contract Price prior to this Change Order: \$ <u>2,018,233.46</u>	Contract Times prior to this Change Order: Substantial Completion: <u>246 Calendar Days</u> Ready for Final Payment: <u>281 Calendar Days</u> days
Increase of this Change Order: \$ <u>11,000.00</u>	Increase of this Change Order: Substantial Completion: <u>Add 5 Calendar Days</u> Ready for Final Payment: <u>Add 5 Calendar Days</u> days
Contract Price incorporating this Change Order: \$ <u>2,029,233.46</u>	Contract Times with all approved Change Orders: Substantial Completion: <u>February 12, 2020</u> Ready for Final Payment: <u>March 13, 2020</u> days

RECOMMENDED:	ACCEPTED:	ACCEPTED:
By: <u>[Signature]</u>	By: _____	By: <u>Stetson Beck</u>
Title: <u>Engineer</u>	Title: <u>Owner (Authorized Signature)</u>	Title: <u>Contractor (Authorized Signature)</u>
Date: <u>4/16/2020</u>	Date: _____	Date: <u>4-16-2020</u>

Approved by Funding Agency (if applicable)

By: \_\_\_\_\_ Date: \_\_\_\_\_  
 Title: \_\_\_\_\_

1320 Research Park Drive  
Manhattan, KS 66502  
785-564-6700  
www.agriculture.ks.gov



900 SW Jackson, Room 456  
Topeka, KS 66612  
785-296-3556

Mike Beam, Secretary

Laura Kelly, Governor

April 15, 2020

CITY OF NEODESHA  
ED TRUELOVE, CITY ADMINISTRATOR  
1407 N 8<sup>TH</sup>, PO Box 336  
NEODESHA, KS 66757

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

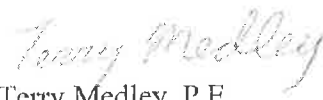
Dear Mr. Truelove:

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 FPA



DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, KANSAS CITY DISTRICT  
KANSAS STATE REGULATORY OFFICE  
2710 NE SHADY CREEK ACCESS ROAD  
EL DORADO, KANSAS 67042

April 10, 2020

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

Ryan Glessner, P.E.  
Professional Engineering 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](http://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](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](mailto:lucius.j.duerksen@usace.army.mil). Please reference Permit No. 201700619 in all comments and/or inquiries relating to this project.

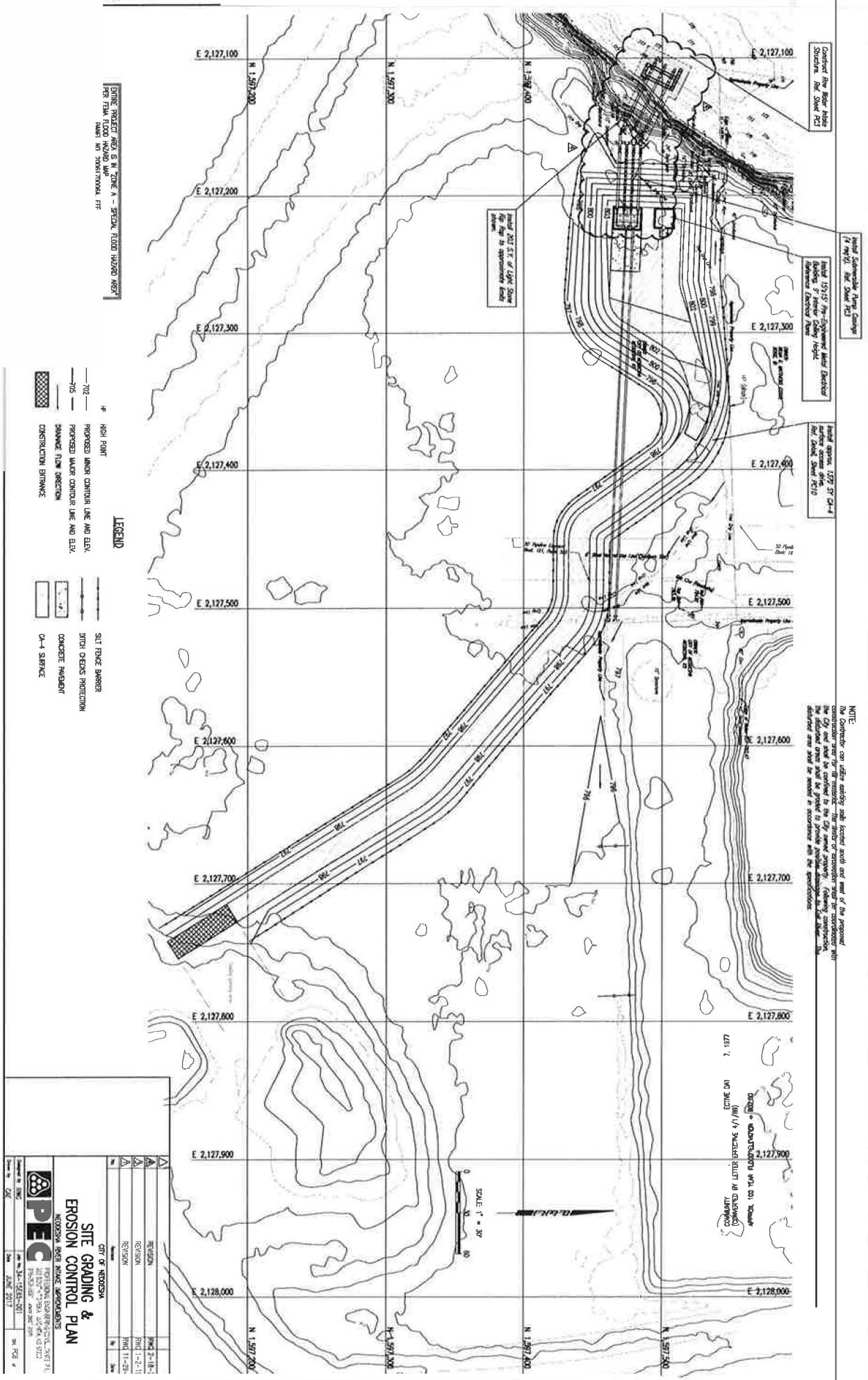
Enclosures

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







# CROSSLAND HEAVY CONTRACTORS

18K10WP – Neodesha River Intake Improvements  
1400 W. Wisconsin Street  
Neodesha, KS 66757

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 feels 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.

18"-24" Rip Rap – 402TN	\$11,465.60
Labor	\$1,927.40
Equipment	\$2,436.78
General Expense/Bond	\$1,234.15
Erosion Control Blanket/Labor	-\$436.00
Total Requested Change to the Contract Price	\$16,627.93
Discount with approval of CO #6	-\$5,627.93
Total with Discount	\$11,000.00

Original Contract Price	\$1,812,031.23
Increase from previous CO	\$206,202.23
Contract Price prior to this CO	\$2,018,233.46
Increase of this CO	\$11,000.00
New Contract Price	\$2,029,233.46

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

Digitally signed by Stetson Beck  
DN: cn=Stetson Beck, o=Crossland Heavy Contractors,  
ou=Crossland Heavy Contractors, cn=Stetson Beck  
Date: 2020.04.16 10:02:56-05'00'



**BORDER STATES**  
Supply Chain Solutions™

Border States Electric Supply  
Shealy Electrical Wholesalers

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

## Order Confirmation

Page: 1 of 1

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 66757

Attention: Brandon

Cust Item	BSE Item	Material MFG - Description	Quantity	Price	Per	UoM	Value
000010	3511355	1,246 EA HUTL - HGA10YA1-0DN3-6000 FOCUS AXRE-SD 2S 240V Focus AXRE-SD 2S 240V CL200	1,246	141.25	/ 1	EA	175,997.50
000020	3511356	1 EA HUTL - JG0J0XA1-0DN3-6000 FOCUS AXRE 4S 240V CL Focus AXRE 4S 240V CL20	1	101.50	/ 1	EA	101.50
000030	3511357	81 EA HUTL - GG9A0MAC-0DN3-6000 FOCUS AXR-WR 8/9S Focus AXR-WR 8/9S 120-277V CL20	81	250.00	/ 1	EA	20,250.00
000040	3511358	16 EA HUTL - GG2B0MAC-0DN3-6000 FOCUS AXR-WR 15/16S Focus AXR-WR 15/16S 120-277V CL200	16	250.00	/ 1	EA	4,000.00
000050	3511359	46 EA HUTL - GG5A0MAC-0DN3-6000 FOCUS AXR-WR 45/5S Focus AXR-WR 45/5S 120-277V CL20	46	250.00	/ 1	EA	11,500.00

Total \$			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

#### 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 \$ 34,870.00

Zoll mounting bracket \$ 3,270.00

Lucas Device \$ 15,511.00

---

\$182,190.00

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 bellow to inform you of its importance. You can copy and paste this link to the internet URL.

<https://youtu.be/eUwWeMbOmIY>