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## CITY COUNCIL AGENDA

Tuesday, July 6, 2010  
7:00 p.m.

1. CALL TO ORDER

- A. Roll Call
- B. Invocation
- C. Pledge of Allegiance

2. MAYOR AND COUNCIL REPORTS

3. STAFF REPORTS

- A. City Attorney Report
- B. City Administrator Report

4. PUBLIC COMMENT

5. CONSENT AGENDA

- A. 6/15/10 City Council Meeting Minutes
- B. 6/16/10 and 6/17/10 Special City Council Meeting Minutes
- C. 6/24/10 Special City Council Meeting Minutes
- D. Appropriations 7A

6. ORDINANCES

None

7. RESOLUTIONS

- A. Resolution No. 15-2010 Balanced Energy Policy Support
- B. Resolution No. 16-2010 Kyle Railroad Project Authorization

8. FORMAL ACTIONS

- A. Kyle Railroad Project Agreement
- B. Valve Bid
- C. Chamber of Commerce CMB License
- D. Police Officer Hire #1
- E. Police Officer Hire #2

9. CLOSED SESSION

None

10. ADJOURNMENT

### WORK SESSION AGENDA

1. CORRESPONDENCE AND STAFF REPORTS

- A. 2<sup>nd</sup> Quarter Code Enforcement Report
- B. City Attorney Report
- C. City Administrator Report

2. DISCUSSION ITEMS

- A. Junked Vehicle Code
- B. City Drainage Policy

3. ADJOURNMENT

**NOTE: Background information is available for review in the office of the City Clerk prior to the meeting.**

**The Public Comment section is to allow members of the public to address the Council on matters pertaining to any business within the scope of Council authority and not appearing on the Agenda. Kansas Statutes prohibit the Council from taking action on any item not appearing on the Agenda, except where an emergency is determined to exist.**

DRAFT  
BELOIT CITY COUNCIL MEETING MINUTES  
JUNE 15, 2010

The Beloit City Council met in regular session on June 15, 2010 in the Council Chambers. Mayor Koster called the meeting to order at 7:00 p.m. City Council members in attendance were Frank Delka, Rick Brown, Denis Shumate, Matt Otte and James Crowley. Also present were City Administrator Glenn Rodden, City Attorney Harry Gantenbein, and Director of Finance/City Clerk Kerry Benson. Councilors Naasz, Struble and Richard were absent.

Department heads in attendance were Chris Jones, Jerry Blass, Mike Haeffele and Murray McGee.

Mayor Koster gave the invocation and the Pledge of Allegiance was recited.

Mayor Koster reported that she received a thank you from Lisa Thompson for the help the Relay for Life received during their recent fund raiser. Lisa indicated that Lynn Miller and staff were extremely helpful in preparation for the event.

Councilor Crowley thanked all those involved with putting together and working at the Eight Man All Star Football games.

City Administrator Rodden reported on a variety of issues including: 1. The Chamber will be requesting a cereal malt beverage license for a beer garden which will be on the next agenda for approval. 2. A listing of city property was distributed. 3. The council retreat will be Thursday and Friday from 5:45 to 9:00. John Divine will be the facilitator.

Jim Bell addressed the governing body regarding the recent Homecoming Events and the Talking Tombstone Tour. He indicated that the tour was a success and they received a lot of positive feedback. Mr. Bell said that many positive comments were about the newly acquired North Campus and the opportunities it presents itself. He presented an idea for the council of possibly purchasing old buses and converting them into trolleys and use them to give tours.

The Consent Agenda consisted of the meeting minutes of June 1, 2010, and Appropriations 6B. A motion was made by Councilor Crowley and seconded by Councilor Delka to approve the Consent Agenda in its entirety. Roll call vote: Yeas: Crowley, Shumate, Delka, Brown and Otte. Nays: None.

The Healthy Families Coalition recently received a grant for Chronic Risk Disease Prevention. Part of this grant would be used to purchase bike racks and place them around town. Currently city code does not allow the bike racks. Councilor Otte made a

motion to strike the entire code as there is some inconsistency with it to begin with. The motion died for a lack of a second. A motion was made by Councilor Otte seconded by Councilor Crowley to adopt Ordinance No. 2076 Amending Chapter 15, Article 2. Sidewalks, Section 15-110 of the code of the City of Beloit. Roll call vote: Yeas: Crowley, Delka, Brown, Shumate, Otte. Nays: None.

Staff is recommending the Resolution No. 14-2010 Burial and Endowment Fees Charged be approved. A motion was made by Councilor Crowley seconded by Councilor Shumate to approve Resolution No. 14-2010. Roll call vote: Yeas: Crowley, Delka, Brown, Shumate, Otte. Nays: None.

Mike Haeffele, Transportation Director is recommending that the council accept the bid from Vance Brothers in the amount of \$34,930.00 for MC-800 Asphalt oil. A motion was made by Councilor Crowley seconded by Councilor Delka to accept the bid from Vance Brothers. Motion carried 5-0.

Bids were recently received for flame resistant clothing for systems operations. Jerry Blass is recommending the bid from Riverside Protective Apparel in the amount of \$2,536.50. A motion was made by Councilor Crowley seconded by Councilor Brown to accept the bid from Riverside Protective Apparel. Motion carried 5-0.

A motion was made by Councilor Crowley seconded by Councilor Otte to approve the lease contract with Mitchell County for the Morning View Building on the North Campus. This lease will include permission to have access to the basement as currently there is nowhere to go during storms. Motion carried 5-0.

Councilor Naasz entered the meeting at 7:40 p.m. A motion was made Councilor Shumate seconded by Councilor Brown to accept the Moritz Memorial Airport Grant Offer. This grant will be used to acquire land for the airport expansion project. Motion carried 6-0.

A motion was made by Councilor Naasz and seconded by Councilor Crowley to recess into an executive session for attorney-client privileged information for a period of fifteen minutes. The session is to include the Governing Body, City Attorney and City Administrator. Motion carried 6-0. The session began at 7:40 p.m. and ended at 7:55 p.m. No motions or decisions were made.

A motion was made by Councilor Crowley seconded by Councilor Naasz to approve the amended lease agreement with the Early Learning Center and USD #273. Motion carried 6-0.

A motion was made by Councilor Naasz and seconded by Councilor Crowley to recess into an executive session for preliminary consideration of specific personnel matters of non-elected personnel for a period of twenty minutes. The session is to include the

Governing Body and City Attorney. Motion carried 6-0. The session began at 8:00 p.m. and ended at 8:20 p.m. No motions or decisions were made.

A motion was made by Councilor Crowley and seconded by Councilor Otte to recess into an executive session for preliminary consideration of specific personnel matters of non-elected personnel for a period of fifteen minutes. The session is to include the Governing Body, City Attorney and City Administrator. Motion carried 6-0. The session began at 8:23 p.m. and ended at 8:38 p.m. No motions or decisions were made.

A motion was made by Councilor Crowley seconded by Councilor Naasz to extend Mr. Rodden's contract for three years with a 5% increase. Motion carried 6-0.

A motion to adjourn the Council meeting was made by Councilor Shumate and seconded by Councilor Crowley. Motion passed 6-0. The meeting ended at 8:40 p.m.

The work session began at 8:42 p.m. Present were Councilors Brown, Delka, Naasz, Crowley, Shumate, and Otte. Also present were Mayor Koster, City Administrator Rodden, City Attorney Gantenbein and City Clerk Kerry Benson.

The department heads present were Murray McGee, Chris Jones, and Mike Haeffele.

Rick Ensz presented an analysis of the different ways to fund a potential water project based on today's market. The different avenues he explained were revenue bonds, state revolving loan funds and rural development funding. He detailed the advantages and disadvantages of both.

John Cashatt reviewed options for the continuation of construction on Mill Street. The width of the street now is 25 feet back to back where most streets are 31 feet back to back. He is estimating that it will cost an additional \$5,000 for just the concrete if it were to be widened. In addition, there would be costs incurred by the home owners to put up retaining walls, fix driveways, etc. The governing body will hold a special council meeting to discuss this issue with the property owners at a future date.

Chris Jones returned with more information regarding vacant structures. After discussing the proposed changes, the governing body is not interested in pursuing this issue.

Code Enforcement Officer Jones reviewed an agreement that has been drafted addressing junk vehicles. The code currently requires towing and impounding in order to abate junk vehicles when property owners fail to comply with the Abatement Order. The city has no impound lot nor a tow truck with which to efficiently move offending vehicles. Mr. Jones is proposing that the council consider this agreement. The governing body is asking for revisions to be made and bring it back for consideration at a future meeting.

Councilor Crowley reported that he and Administrator Rodden attended the last library board meeting. He indicated that architect Don Marrs will be present different options to the library board at their next meeting. Mr. Crowley thought the meeting was very positive and they are headed in the right direction.

The work session adjourned at 9:54 p.m.

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REBECCA KOSTER, Mayor

ATTEST:

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KERRY BENSON, Director of Finance/City Clerk

DRAFT  
BELOIT CITY COUNCIL SPECIAL MEETING MINUTES  
JUNE 16 AND JUNE 17, 2010

The Beloit City Council met in a special session on Wednesday, June 16, and Thursday, June 17, 2010 at Windy Ridge for a Council Retreat/Planning Session. Mayor Koster called the meeting to order at 5:45 p.m. City Council members in attendance were Frank Delka, Rick Brown, Bob Richard, Denis Shumate, Tom Naasz, Matt Otte and James Crowley. Also present were City Administrator Glenn Rodden and Director of Finance/City Clerk Kerry Benson. Councilor Struble was absent from the meeting. John Divine of The Leadership Firm was the retreat facilitator.

The first night was primarily a review of the questionnaires that Mr. Divine distributed to the governing body prior to the retreat. The purpose of the questionnaires was to get a feel for what direction the governing body would like to proceed and what they thought needed to be addressed.

A motion was made by Councilor Richard seconded by Councilor Brown to recess the meeting until 5:45 p.m. on June 17, 2010 at Windy Ridge.

The Council met to set goals and discuss future projects for the City of Beloit. A number of ideas were brought to the table and narrowed down to four projects. Those projects included plans for a new library, a master plan for the North Campus, a timeline for studies to be completed for the potential new waterline and a plan to establish utility reserve funds.

A motion to adjourn the Council meeting was made by Councilor Shumate and seconded by Councilor Crowley. Motion passed 7-0. The meeting ended at 9:15 p.m.

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REBECCA KOSTER, Mayor

ATTEST:

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KERRY BENSON, Director of Finance/City Clerk

DRAFT  
BELOIT CITY COUNCIL SPECIAL MEETING MINUTES  
JUNE 24, 2010

The Beloit City Council met in a special session on Thursday, June 24, 2010 at in the Sutter Room at the Municipal Building to discuss with Mill Street Project. Mayor Koster called the meeting to order at 7:00 p.m. City Council members in attendance were Frank Delka, Pat Struble, Bob Richard, and James Crowley. Also present were City Administrator Glenn Rodden and Director of Finance/City Clerk Kerry Benson. There was not a quorum present.

The council listened to property owners on Mill Street give their opinions on widening the street. The majority of the property owners were not in favor of widening the street as it would add additional costs to the owners themselves.

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REBECCA KOSTER, Mayor

ATTEST:

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KERRY BENSON, Director of Finance/City Clerk



## Accounts Payable Detail Listing

City of Beloit

Vend# Vendor Name

<u>Pay#</u>	<u>Post Date</u>	<u>Due Date</u>	<u>Amount</u>	<u>Invoice</u>	<u>Date</u>	<u>PO#</u>	<u>Date</u>	<u>Status</u>
	<u>Account#</u>	<u>Work Order</u>		<u>Description</u>			<u>Debit</u>	<u>Credit</u>
206	<b>DUNSTAN TRUCKING (continued)</b>							
42745	7/8/2010	7/8/2010	99.12	21100		3640		Posted
	51-43-8100			HAULING			99.12	0.00
891	<b>EIGHT MAN FOOTBALL COMMITTEE</b>							
42628	7/8/2010	7/8/2010	55.00	06-10-10		03542		Posted
	10-11-5400			1/4 PAGE AD IN 8-MAN FOOTBALL PRO			55.00	0.00
556	<b>FARMERS AND MERCHANTS BANK</b>							
42629	7/8/2010	7/8/2010	30,505.06	WAPA-BL-10-06		03344		Posted
	53-41-6220			WAPA HYDRO POWER BILLING FOR JU			30,505.06	0.00
387	<b>FLEX ONE-AFLAC</b>							
42735	7/8/2010	7/8/2010	115.00	189542ER		3686		Posted
	10-11-3000			FLEX BENEFITS			115.00	0.00
427	<b>FOLEY EQUIPMENT INC</b>							
42713	7/8/2010	7/8/2010	55.36			03584		Posted
	10-15-4330			INV # PCSL0810631 - SEAL KIT & NUT			61.88	0.00
	10-15-4330			INV # PCSC0111739 - CREDIT			0.00	6.52
							61.88	6.52
243	<b>FRASIER AND JOHNSON LLC</b>							
42729	7/8/2010	7/8/2010	369.32			03893		Posted
	10-12-3000			COURT APPT ATTY FEE - KEITH EILERT			112.44	0.00
	10-12-3000			COURT APPT ATTY FEE - MICHAEL MAC			168.44	0.00
	10-12-3000			COURT APPT ATTY FEE - MELISSA BRU			88.44	0.00
							369.32	0.00
1908	<b>GRAYBAR</b>							
42630	7/8/2010	7/8/2010	7,109.16			03616		Posted
	53-43-8300			INV # 947842550 SPARE 600/200 PARTS			322.60	0.00
	53-43-8300			INV # 947883930 SPARE 600/200 PARTS			634.76	0.00
	30-00-8300			INV # 947836643 NORDIC 350 & BOX PA			6,151.80	0.00
							7,109.16	0.00
1010	<b>MORGAN HARRIS</b>							
42733	7/8/2010	7/8/2010	1,149.00	6/30/10		3684		Posted
	10-11-6600			CLEANED UP J BOECKMAN PROPERTY			1,149.00	0.00
305	<b>HISEROTE TRASH SERVICE</b>							
42734	7/8/2010	7/8/2010	515.00	6/30/2010		3685		Posted
	10-18-4300			TRASH REMOVAL			240.00	0.00
	25-00-7490			TRASH REMOVAL			85.00	0.00
	51-41-3000			TRASH REMOVAL			35.00	0.00
	53-43-4300			TRASH REMOVAL			40.00	0.00
	10-11-3000			TRASH REMOVAL			55.00	0.00
	10-13-3000			TRASH REMOVAL			25.00	0.00
	10-20-3000			TRASH REMOVAL			35.00	0.00
							515.00	0.00
1494	<b>IKON OFFICE SOLUTIONS</b>							
42627	7/8/2010	7/8/2010	414.35	5013625773		03541		Posted
	10-11-3000			JANUARY 31ST - FEBRUARY 27TH 2010			414.35	0.00
42667	7/8/2010	7/8/2010	463.00	82337993		03552		Posted
	10-11-3000			IKON SUPPORT			463.00	0.00
42731	7/8/2010	7/8/2010	322.25	5014404700		3682		Posted
	10-11-3000			COPY MACHINE			322.25	0.00
1803	<b>VICKI JACKSON</b>							
42668	7/8/2010	7/8/2010	165.00	061610		03555		Posted
	10-11-6000			CATERING FOR COUNCIL RETREAT 15			165.00	0.00
1922	<b>JNT COMPANY LLC</b>							
42642	7/8/2010	7/8/2010	150.00	97		03546		Posted
	10-11-3000			CREATE NEW BELOIT ID GRAPHIC & UF			150.00	0.00
42665	7/8/2010	7/8/2010	250.00	91		03554		Posted
	10-11-3000			JULY HOSTING FEE			250.00	0.00
357	<b>KANSAS DEPARTMENT OF REVENUE-WPF</b>							

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			<u>Account#</u>	<u>Work Order</u>		<u>Description</u>			<u>Debit</u>	<u>Credit</u>
357	<b>KANSAS DEPARTMENT OF REVENUE-WPF (continued)</b>									
42726		7/8/2010	7/8/2010	2,140.99	055-0066			03840		Posted
			51-00-2075			2ND QTR WATER PROTECTION FEE			1,105.03	0.00
			51-41-5995			2ND QTR WATER PROTECTION FEE			1,035.96	0.00
									2,140.99	0.00
352	<b>KANSAS DEPT OF REVENUE-SALES TAX</b>									
42727		7/8/2010	7/8/2010	11,913.96	004-486021110-FC			03842		Posted
			53-00-2070			JUNE SALES TAX			8,935.47	0.00
			51-00-2070			JUNE SALES TAX			2,978.49	0.00
									11,913.96	0.00
2133	<b>KANSAS GAS SERVICE</b>									
42664		7/8/2010	7/8/2010	381.40	121984891			03540		Posted
			10-18-6210			N CAMPUS			381.40	0.00
923	<b>KANSAS MUNICIPAL ENERGY AGENCY</b>									
42674		7/8/2010	7/8/2010	180,539.47	GRDA-BE-10-07			03345		Posted
			53-41-6220			GDRA POWER SUPPLY PROJECT BILLII			180,539.47	0.00
2042	<b>KMEA-EMP2 OPERATING ACCOUNT</b>									
42677		7/8/2010	7/8/2010	402.00	BE-GAS-2010-05			03348		Posted
			53-41-6210			ENERGY MANAGEMENT PROJECT NO-2			402.00	0.00
389	<b>KOHLER'S GARAGE</b>									
42631		7/8/2010	7/8/2010	68.85	80800			03617		Posted
			53-43-4310			DRAIN VALVES & NEW D2 GOVERNOR			68.85	0.00
805	<b>KRONE'S SERVICE CENTER</b>									
42666		7/8/2010	7/8/2010	167.70	3113			03553		Posted
			10-14-4310			MUFFLER CLAMP & TAIL PIPE FOR 91 F			167.70	0.00
399	<b>LAB SAFETY SUPPLY</b>									
42632		7/8/2010	7/8/2010	42.81	1015569069			03618		Posted
			52-43-6000			GLOVES			42.81	0.00
1037	<b>LATTIN AVIATION-TRAVIS LATTIN</b>									
42732		7/8/2010	7/8/2010	900.00	7/1/2010			3683		Posted
			10-22-3000			MONTHLY CONTRACT			900.00	0.00
402	<b>LAWSON PRODUCTS INC</b>									
42728		7/8/2010	7/8/2010	255.83	9343640			03349		Posted
			53-41-6000			BOLTS, WASHER & PAINT MARKERS			255.83	0.00
42748		7/8/2010	7/8/2010	161.16	9343639			3638		Posted
			51-43-6000			HEX NUT,GRINDING WHEEL			161.16	0.00
2162	<b>LEE MATHEWS EQUIPMENT</b>									
42623		7/8/2010	7/8/2010	2,690.00	1202751		6/17/2010	03262		Posted
			52-41-4360			MTDPC BASIC DUPLEX CONTROLLER			2,690.00	0.00
42624		7/8/2010	7/8/2010	725.00	1202750			03267		Posted
			52-41-4360			2.0/10-10 PROBE WITH CABLE			725.00	0.00
2167	<b>LINWELD</b>									
42669		7/8/2010	7/8/2010	6.00	R534447			04764		Posted
			10-18-6000			BOTTLES OF O2 & ACETYLENE (N CAMI			6.00	0.00
841	<b>LOUISIANA DIAMOND</b>									
42747		7/8/2010	7/8/2010	416.00	18035			3623		Posted
			53-43-6000			CONCRETE BLADE			416.00	0.00
426	<b>CRAIG MARCOTTE</b>									
42702		7/8/2010	7/8/2010	69.60	052130			03708		Posted
			10-11-6600			1013 N HERSEY - 3.0 HRS @ \$14.50/HR			43.50	0.00
			10-11-6600			611 W 3RD - 1.8 HRS @ \$14.50/HR			26.10	0.00
									69.60	0.00
424	<b>MCHENRY ELECTRIC &amp; SUPPLY</b>									
42657		7/8/2010	7/8/2010	21.00	000904			04767		Posted
			10-20-6180			WEED EATER OIL			21.00	0.00
42746		7/8/2010	7/8/2010	106.02				3639		Posted
			53-43-6000			1074 OIL MIX			52.50	0.00
			53-43-6000			1115 SHARPEN CHAINS			46.77	0.00
			53-43-6000			1066 FUEL CAP			6.75	0.00
									106.02	0.00

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	<u>Account#</u>	<u>Work Order</u>		<u>Description</u>			<u>Debit</u>		<u>Credit</u>
467	<b>MITCHELL CO HIGHWAY DEPT (continued)</b>								
42709	7/8/2010	7/8/2010	1,665.60	24695		03568		Posted	
	25-00-6090			REMIX ASPHALT			1,665.60		0.00
470	<b>MITCHELL COUNTY SOLID WASTE</b>								
42711	7/8/2010	7/8/2010	5.10	013860		03585		Posted	
	10-15-6000			DUMP FEES			5.10		0.00
342	<b>MUNICIPAL SUPPLY OF NEBRASKA</b>								
42633	7/8/2010	7/8/2010	3,224.00	0442552-IN		03619		Posted	
	51-43-8100			9- 180 - 12" DR 18 GJ C900 PIPE			2,232.00		0.00
	30-00-8200			4- 80 - 12" DR 18 GJ C900 PIPE			992.00		0.00
							3,224.00		0.00
42744	7/8/2010	7/8/2010	355.59	0443123-IN		3641		Posted	
	51-43-8100			REPAIR CLAMP			355.59		0.00
827	<b>NETWORKS PLUS</b>								
42637	7/8/2010	7/8/2010	1,155.22			03543		Posted	
	10-11-3360			INV # 81056 SERVICE CONTRACT JULY			265.00		0.00
	10-11-3360			INV # 81014 SERVER CHECK			890.22		0.00
							1,155.22		0.00
2165	<b>NEWARK</b>								
42652	7/8/2010	7/8/2010	148.96	19091859		03969		Posted	
	52-41-4360			10 MICRO SWITCHES FOR UV MODULE			148.96		0.00
1391	<b>NRG ENGINE SERVICES</b>								
42706	7/8/2010	7/8/2010	827.51	IN101424		03343		Posted	
	53-41-4360			JACKET WATER DISCHARGE COUPLING			827.51		0.00
2169	<b>VANESSA PINGEL</b>								
42673	7/8/2010	7/8/2010	50.00	061410		02595		Posted	
	10-00-3221			VARIANCE REFUND			50.00		0.00
530	<b>PITNEY BOWES</b>								
42641	7/8/2010	7/8/2010	1,314.00	3848488-JN10		03547		Posted	
	10-11-3000			SCHEDULE 405 MAR 30 - JUNE 30 2010			278.00		0.00
	10-11-3000			SCHEDULE 406 MAY 30 - JUNE 30 2010			148.00		0.00
	10-11-5320			SCHEDULE 407 MAR 30 - JUNE 30 2010			888.00		0.00
							1,314.00		0.00
1263	<b>PRAIRE FIRE COFFEE ROASTERS</b>								
42743	7/8/2010	7/8/2010	35.20	200784		3642		Posted	
	53-43-6000			COFFEE			35.20		0.00
568	<b>QUEST INC</b>								
42634	7/8/2010	7/8/2010	428.83	27211		03620		Posted	
	53-43-4330			REPAIR INTENSIFIER			428.83		0.00
42742	7/8/2010	7/8/2010	627.64			3643		Posted	
	53-43-3000			27356 REPAIR CRIMPER			332.11		0.00
	53-43-3000			27357			295.53		0.00
							627.64		0.00
2166	<b>ERIN ROTHCHILD</b>								
42656	7/8/2010	7/8/2010	8.00	062110		04768		Posted	
	10-17-6800			REGISTRATION REFUND FOR SCAVEN			8.00		0.00
488	<b>SHWAB EATON BELOIT</b>								
42635	7/8/2010	7/8/2010	837.00			03621		Posted	
	30-00-8100			PROJECT 10.B001 - K-14 & KIBBE STOR			139.50		0.00
	30-00-8100			PROJECT 10.B053 WATER & SEWER PE			697.50		0.00
							837.00		0.00
42736	7/8/2010	7/8/2010	3,000.00	10.021		3687		Posted	
	10-11-3000			ENGINEERING SERVICES WATER SUPP			3,000.00		0.00
598	<b>SECRETARY OF STATE</b>								
42725	7/8/2010	7/8/2010	83.00	004185 062410		03841		Posted	
	10-12-3000			2010 SESSION LAWS / KAR SUPPLEMEI			83.00		0.00
2160	<b>SYLVIA SMITH</b>								
42621	7/8/2010	7/8/2010	162.07	061610		03545	6/17/2010	Posted	
	53-00-2025			REFUND REMAINDER OF HER LEAP CH			162.07		0.00

## Accounts Payable Detail Listing

City of Beloit

<u>Vend#</u>	<u>Vendor Name</u>	<u>Pay#</u>	<u>Post Date</u>	<u>Due Date</u>	<u>Amount</u>	<u>Invoice</u>	<u>Date</u>	<u>PO#</u>	<u>Date</u>	<u>Status</u>
		<u>Account#</u>	<u>Work Order</u>			<u>Description</u>			<u>Debit</u>	<u>Credit</u>
109	<b>SPORT SUPPLY GROUP-BSN SPORTS (continued)</b>									
42658		7/8/2010	7/8/2010	199.62	93556133		04758			Posted
		10-17-6800				BASES W/ANCHORS & HOME PLATE			199.62	0.00
643	<b>STANION WHSE ELECTRIC COMPANY</b>									
42741		7/8/2010	7/8/2010	767.05			3645			Posted
		53-43-8300				2728729-00 METER CANS			438.10	0.00
		53-43-8300				2721231-00 EYE'S			328.95	0.00
									<u>767.05</u>	<u>0.00</u>
2168	<b>THOMPSON ELECTRONICS</b>									
42670		7/8/2010	7/8/2010	120.00	12		6/23/2010	04759		Posted
		10-18-3000				ELECTRONIC WORK ON N CAMPUS HE.			120.00	0.00
673	<b>THOMPSON OK TIRE COMPANY</b>									
42718		7/8/2010	7/8/2010	47.80	1-17930			03579		Posted
		10-15-4310				TIRE REPAIR TRK #26			47.80	0.00
1643	<b>UNITED INDUSTRIES INC</b>									
42661		7/8/2010	7/8/2010	206.06	55038			04766		Posted
		10-21-4300				POOL PAINT FOR BABY POOL			206.06	0.00
704	<b>UNIVAR USA INC</b>									
42654		7/8/2010	7/8/2010	3,577.00	WI-584564			03298		Posted
		51-41-6170				20 PAILS OF POTASSIUM PERMANGEA			3,577.00	0.00
42655		7/8/2010	7/8/2010	8,295.56	WI-584575			03295		Posted
		51-41-6170				25 TONS DENSE SODA ASH @ \$.17225/l			8,295.56	0.00
410	<b>UTILITIES</b>									
42704		7/8/2010	7/8/2010	662.13	06/30/10			02596		Posted
		10-13-6220				POLICE PORTION			662.13	0.00
1939	<b>VAISALA</b>									
42710		7/8/2010	7/8/2010	3,600.00	218240			03567		Posted
		10-22-3000				YEARLY MAINTENANCE CONTRACT FEI			3,600.00	0.00
2067	<b>VERIZON WIRELESS</b>									
42696		7/8/2010	7/8/2010	41.17	2417126092			03706		Posted
		52-41-5310				SEWER PLANT			41.17	0.00
42697		7/8/2010	7/8/2010	110.57	2417040677		6/25/2010	03704		Posted
		53-43-5310				SYSTEMS			74.08	0.00
		52-43-5310				SYSTEMS			11.06	0.00
		51-43-5310				SYSTEMS			25.43	0.00
									<u>110.57</u>	<u>0.00</u>
42698		7/8/2010	7/8/2010	216.24	2416709601			03705		Posted
		10-11-5310				ADMIN			162.89	0.00
		10-18-5310				P & R			53.35	0.00
									<u>216.24</u>	<u>0.00</u>
42703		7/8/2010	7/8/2010	106.76	2419833200			03707		Posted
		26-00-5310				ECONOMIC DEVELOPMENT			106.76	0.00
715	<b>WATER ENVIROMENT FEDERATION</b>									
42649		7/8/2010	7/8/2010	55.00	200519791			03972		Posted
		52-41-5410				MEMBERSHIP RENEWAL FOR LLOYD LI			55.00	0.00
722	<b>WATTS AND SON</b>									
42675		7/8/2010	7/8/2010	228.20	622			03558		Posted
		10-11-3000				REPLACED FAN MOTOR ON A/C IN OFF			228.20	0.00
42692		7/8/2010	7/8/2010	76.30	619			03977		Posted
		52-41-4360				24 VOLT CONTACT RELAY			76.30	0.00
728	<b>WEIS FIRE &amp; SAFETY EQUIPMENT CO. INC.</b>									
42651		7/8/2010	7/8/2010	169.70	106824 & 106825		6/23/2010	03974		Posted
		51-41-7440				FIRE EXTINGUISHER CHECKS			23.75	0.00
		52-41-7440				FIRE EXTINGUISHER CHECKS			37.25	0.00
		53-41-7440				FIRE EXTINGUISHER CHECKS			108.70	0.00
									<u>169.70</u>	<u>0.00</u>
42676		7/8/2010	7/8/2010	13.96	106825			03976		Posted
		52-41-7440				2 10# CARTRIDGE EXTINGUISHERS			13.96	0.00

## Accounts Payable Detail Listing

City of Beloit

Vend# Vendor Name

<u>Pay#</u>	<u>Post Date</u>	<u>Due Date</u>	<u>Amount</u>	<u>Invoice</u>	<u>Date</u>	<u>PO#</u>	<u>Date</u>	<u>Status</u>
	<u>Account#</u>	<u>Work Order</u>		<u>Description</u>			<u>Debit</u>	<u>Credit</u>
<b>728 WEIS FIRE &amp; SAFETY EQUIPMENT CO. INC. (continued)</b>								
42705	7/8/2010	7/8/2010	386.00	107076		03981		Posted
	51-41-7440			HYDRO TESTING FIRE EXTINGUISHERS			166.50	0.00
	52-41-7440			HYDRO TESTING FIRE EXTINGUISHERS			41.50	0.00
	53-41-7440			HYDRO TESTING FIRE EXTINGUISHERS			178.00	0.00
							<u>386.00</u>	<u>0.00</u>
42740	7/8/2010	7/8/2010	107.50			3647		Posted
	51-43-3000			107077 FIRE EXT ANNUAL SERVICE			67.50	0.00
	51-43-3000			107078 FIRE EXT ANNUAL SERVICE			40.00	0.00
							<u>107.50</u>	<u>0.00</u>
<b>734 WESCO RECEIVABLES CORP</b>								
42636	7/8/2010	7/8/2010	398.04	057624		03622		Posted
	53-43-7500			12 METERS 10			398.04	0.00
42739	7/8/2010	7/8/2010	620.60	058422		3648		Posted
	53-43-7500			METERS			620.60	0.00
<b>2163 NATHALIE WESSLING</b>								
42638	7/8/2010	7/8/2010	30.00	061510		03892		Posted
	10-12-3000			OVER PAYMENT FOR TICKET #7594, ET			30.00	0.00
<b>660 WICHITA WINWATER WORKS</b>								
42738	7/8/2010	7/8/2010	444.00	17065200		3649		Posted
	51-43-8100			REPAIR CLAMPS			444.00	0.00
<b>1035 BRUCE WILSON</b>								
42648	7/8/2010	7/8/2010	180.00			03549		Posted
	10-11-3000			BANK RECONCILIATION FOR MARCH 20			90.00	0.00
	10-11-3000			BANK RECONCILIATION FOR APRIL 201			90.00	0.00
							<u>180.00</u>	<u>0.00</u>
<b>753 WORLD PEST CONTROL</b>								
42653	7/8/2010	7/8/2010	65.00	95641	4/2/2010	04763		Posted
	10-18-3000			TREATED MUNICIPAL BUILDING			65.00	0.00
<b>2161 ERIK ZABOKRTSKY</b>								
42622	7/8/2010	7/8/2010	76.25	061510		03544		Posted
	53-41-6500			REFUND OVER PAYMENT ON ACCT #69			76.25	0.00

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280,510.28 94 Non-voided payables listed.

## Report Setup

AP - Accounts Payable Listing : Vendor Name

## Filter Options

Starting: 7/8/2010

Ending: 7/8/2010

Banks: All

Payable Status: Posted, Printed, ACH, Recorded, Voided

All Vendors Selected

## REQUEST FOR COUNCIL ACTION

<b>DATE:</b>	<b>TITLE:</b>
July 6, 2010	RESOLUTION NO. 15-2010 BALANCED ENERGY POLICY SUPPORT
<b>ORIGINATING DEPARTMENT:</b>	<b>TYPE OF ACTION:</b>
Administration	<input type="checkbox"/> ORDINANCE <input checked="" type="checkbox"/> RESOLUTION
	<input type="checkbox"/> FORMAL ACTION <input type="checkbox"/> OTHER

### RECOMMENDATION:

I recommend that the Council approve Resolution No. 15-2010 Balanced Energy Policy Support.

### FISCAL NOTE:

- There is no direct cost associated with this item.

### DISCUSSION:

The Kansas Municipal Energy Association is requesting that all members support the construction of the new power plant in Holcomb, Kansas. The construction of this plant by Sunflower Energy is important for the long-range power supply needs of the State of Kansas and for the City of Beloit. The new plant incorporates new technology for cleaner burning coal and balances the need for future power and environmental concerns about carbon emissions.

Respectfully submitted,

Glenn Rodden  
City Administrator

**RESOLUTION NO. 15-2010**

**RESOLUTION IN SUPPORT OF A BALANCED ENERGY POLICY FOR KANSANS INCLUDING THE DEVELOPMENT OF RENEWABLE ENERGY RESOURCES AND THE USE OF FOSSIL FUELS**

**WHEREAS**, the reliable supply of electricity is vital to every home and business in America; and

**WHEREAS**, the reliable supply of power can best be achieved by a diverse portfolio of electric generation assets; and

**WHEREAS**, Federal and State governments have regulated power plant emissions in concert with federal laws for over forty years and have constantly reviewed those laws when applicable; and

**WHEREAS**, because carbon dioxide emission is a global concern, it is appropriate for US Congress to make policy decisions regarding this important issue; and

**WHEREAS**, the 2009 compromise between Kansas Governor Mark Parkinson and Sunflower Electric Power Corporation is a positive move toward providing baseload generation for Kansas and increasing the development of renewable energy resources; and

**WHEREAS**, in order to supply homes and businesses with reliable, low cost electricity, the City of Beloit supports a balanced energy policy that consists of the development of renewable generation within the State, the development of a bioenergy center under study with Sunflower and the National Institute of Strategic Technology Acquisition and Commercialization, and the Holcomb Expansion Project that includes the construction of a coal-based power plant.

**NOW, THEREFORE, BE IT RESOLVED** by the City of Beloit that:

The City of Beloit hereby supports a balanced energy policy that supports generation initiatives by the Kansas Municipal Energy Agency and Kansas utilities Mid-Kansas Electric Company, Midwest Energy and Sunflower Electric Power Corporation.

**PASSED AND ADOPTED** at a regular meeting of the Governing Body of the City of Beloit and signed by the Mayor this 6<sup>th</sup> day of July, 2010.

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Rebecca Koster, Mayor

ATTEST:

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Kerry Benson, City Clerk



## REQUEST FOR COUNCIL ACTION

<b>DATE:</b>	<b>TITLE:</b>
July 6, 2010	RESOLUTION NO. 16-2010 AUTHORIZING KYLE RAILROAD PROJECT AND THE MAYOR TO SIGN SUCH AGREEMENT
<b>ORIGINATING DEPARTMENT:</b>	<b>TYPE OF ACTION:</b> <input type="checkbox"/> ORDINANCE <input checked="" type="checkbox"/> RESOLUTION
Administration	<input type="checkbox"/> FORMAL ACTION <input type="checkbox"/> OTHER

### RECOMMENDATION:

I recommend that the Council approve Resolution No. 16-2010 Authorizing the Kyle Railroad Project and the Mayor to Sign such Agreement.

### FISCAL NOTE:

- There is no direct cost associated with this item.

### DISCUSSION:

Respectfully submitted,

Glenn Rodden  
City Administrator

**RESOLUTION NO. 16-2010**

**A RESOLUTION AUTHORIZING PROJECT NO. 62 X-0027-02 REGARDING  
CROSSING OF THE KYLE RAILROAD COMPANY TRACKS AND ASHERVILLE ROAD  
AND AUTHORIZING THE MAYOR TO SIGN THE AGREEMENT**

**WHEREAS**, the City of Beloit, Kansas, has received the agreement for the above-referenced project and after due consideration of the same, the following resolution was adopted:

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Beloit:

1. The City is hereby authorized to enter into the agreement for the project referenced hereinabove.
2. The agreement is hereby and the Mayor and the Clerk are hereby authorized and directed to execute the agreement and any other documents relating to the participation of the City in the project.
3. This resolution shall be in full force and effect from and after its adoption.

**PASSED AND ADOPTED** at a regular meeting of the Governing Body of the City of Beloit and signed by the Mayor this 6<sup>th</sup> day of July, 2010.

---

Rebecca Koster, Mayor

ATTEST:

---

Kerry Benson, City Clerk



## REQUEST FOR COUNCIL ACTION

<b>DATE:</b>	<b>TITLE:</b>
July 6, 2010	KYLE RAILROAD AGREEMENT
<b>ORIGINATING DEPARTMENT:</b>	<b>TYPE OF ACTION:</b> <input type="checkbox"/> ORDINANCE <input checked="" type="checkbox"/> RESOLUTION
Administration	<input type="checkbox"/> FORMAL ACTION <input type="checkbox"/> OTHER

### RECOMMENDATION:

I recommend that the Council approve the agreement with Kyle Railroad relative to the construction and maintenance of the highway crossing signals on Asherville Road.

### FISCAL NOTE:

- There is no direct cost associated with this item.

### DISCUSSION:

The Kyle Railroad is requesting that the city sign an agreement and pass a resolution for maintaining the crossing signals on Asherville Road. We need to approve this agreement because the crossing signals are within the city limits.

Respectfully submitted,

Glenn Rodden  
City Administrator

**A G R E E M E N T**

Kyle Railroad Company  
Crossing Signals with Gates

Project No. 62 X-0027-01  
RRP-X002(701)  
Mitchell County, Kansas

Agreement between the Kyle Railroad Company, the City of Beloit, Mitchell County, Kansas and the Secretary of Transportation of the State of Kansas, relative to the construction and maintenance of Highway Crossing Signals under Section 130, United States Code 23.

\* \* \* \* \*

This agreement, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by and between the Kyle Railroad Company, a Kansas Corporation, hereinafter referred to as the "Company", the City of Beloit, Mitchell County, Kansas hereinafter referred to as the "City", and the Secretary of Transportation of the State of Kansas, hereinafter referred to as the "Secretary".

**WITNESSETH:**

**WHEREAS**, the Secretary proposes to submit to the Federal Highway Administration of the United States Department of Transportation a project providing for the installation of railway-highway crossing signals, flashing light straight post type with gates at a grade crossing (DOT #814163J) on Asherville Road in the City of Beloit, Mitchell County, Kansas, said project to be known and designated as Project No. 62 X-0027-01; RRP-X002(701) and more particularly described as follows:

at the intersection of Asherville Road and the Company's tracks approximately 1463 feet East of the Northwest Corner of Section 15, Township 7 South, Range 7 West, in the City of Beloit, Mitchell County, Kansas,

and will recommend its approval for construction under Section 130, United States Code 23 and amendments thereto, and

**WHEREAS**, the locations for the warning devices were determined by a diagnostic team consisting of representatives of the Company, the City, and the Secretary, and

**NOW, THEREFORE**, in consideration of the premises and the mutual covenants herein contained, and subject to the approval of the Federal Highway Administration, it is hereby agreed by the parties hereto:

1. The total cost of the project will be funded one-hundred percent (100%) using Federal Section 130 Funds, including preliminary engineering, construction, sales tax, users tax and such other items as are properly chargeable to the project under Section 130, United States Code 23 and amendments thereto.

2. The City will install and maintain the advance warning signs and pavement markings.

3. The Company will provide the Secretary with a copy of the bill of materials and the detailed estimate of the cost of the project. The estimate to be attached to and become a part of this agreement.

4. After being notified by the Secretary that the project has been approved and that work may begin, the Company will notify the Secretary's Area Engineer at Mankato, Kansas, at least one week in advance of the date that work on the project is to be started, and should withdrawal from the project become necessary for any reason, the Company will each time notify the Secretary's Area Engineer of the date that work on the project is to be resumed.

5. The Company will remove the existing crossbucks and will install the new railway-highway crossing signals, flashing light straight post type with gates and make all connections necessary for their successful operation, and do all incidental and appurtenant work in accordance with the project and the "Manual on Uniform Traffic Control Devices". The Company will furnish all of the material and do all of the work with its own forces, or the work may be done by a contractor paid under a contract let by the Company in compliance with the provisions of 23 C. F. R., Chapter I, Subchapter B, Part 140, Subpart I. Said Title 23 Code of Federal Regulations (23 C. F. R.) is by reference made a part of this agreement. If this work is to be done by a contractor paid under a contract let by the Company, prior written approval shall be obtained from the Secretary. The estimated schedule by the Company for the completion of the work for this project is one year from the date of this agreement.

6. The Company will keep detailed and accurate records of all labor, materials, supplies, incidentals and all other necessary costs involved in carrying out the work performed by the Company under the terms of this agreement, and will give access to such records at any time during regular office hours to any authorized representative of the Secretary or of the Federal Highway Administration, for a period of three years from the date final payment has been received by the Company.

7. Preparation of preliminary estimates, procurements, performance of work, expenditures, billing and reimbursement shall all be done in accordance with 23 C. F. R., Chapter I, Subchapter B, Part 140, Subpart I.

8. To reimburse the Company within thirty (30) calendar days after receipt of the undisputed portion of any invoice for cost incurred for work done by the Company in accordance with the provisions of this Agreement except amounts retained from each billing and payment of the final billing pursuant to paragraph 9.

9. The Company will submit to the Secretary's Area Engineer a final and complete billing of the incurred costs within one year after the completion of the work, and the Secretary will pay an amount equal to ninety-five percent (95%) of the total

amount of each billing for this project pending final audit. Upon completion of final audit, the Secretary will reimburse the Company for the total amount of the final billing found eligible for payment under federal auditing standards, cost principles and regulations. The Company will reimburse the Secretary for one hundred percent (100%) of the amount of all items in the Company's bill which are found to be ineligible for payment under federal auditing standards, cost principles and regulations.

10. The Company shall have title to the signals and gates and at its own cost and expense will maintain the signals and gates and will make ample provision each year for such maintenance, provided, however, the Company shall be entitled to receive any contribution toward the cost of such maintenance as may be now, or hereafter made available by reason of any law, ordinance, regulation, order, grant or by other means or sources.

11. The parties hereto do hereby agree that the "Special Attachment No. 1" herewith, pertaining to the implementation of Title VI of the Civil Rights Act of 1964, is hereby made a part of this agreement.

12. The Company does agree that the "Special Attachment No. 2" herewith, pertaining to lobbying, is hereby made a part of this agreement.

13. It is further understood that this agreement and all contracts entered into under the provisions of this agreement shall be binding upon the City, Company and the Secretary and their successors and assigns.

**IN WITNESS WHEREOF**, the parties hereto have caused this agreement to be executed in triplicate by their proper offices on the day and year first herein written.

DEBRA L. MILLER  
SECRETARY OF TRANSPORTATION

BY: \_\_\_\_\_  
DANIEL L. SCHERSCHLIGT, P.E.  
DIRECTOR OF ENGINEERING  
AND DESIGN

KYLE RAILROAD COMPANY

BY: C. G. [Signature]  
TITLE: General Director-ENG

ATTEST:

THE CITY OF BELOIT

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
PRESIDENT OF GOVERNING BODY

## KANSAS DEPARTMENT OF TRANSPORTATION

Special Attachment  
To Contracts or Agreements Entered Into  
By the Secretary of Transportation of the State of Kansas

NOTE: Whenever this Special Attachment conflicts with provisions of the Document to which it is attached, this Special Attachment shall govern.

THE CIVIL RIGHTS ACT OF 1964, and any amendments thereto,  
REHABILITATION ACT OF 1973, and any amendments thereto,  
AMERICANS WITH DISABILITIES ACT OF 1990, and any amendments thereto,  
AGE DISCRIMINATION ACT OF 1975, and any amendments thereto,  
EXECUTIVE ORDER 12898, FEDERAL ACTIONS TO ADDRESS ENVIRONMENTAL JUSTICE IN  
MINORITY POPULATIONS AND LOW INCOME POPULATIONS (1994), and any amendments thereto,  
49 C.F.R. Part 26.1 (DBE Program), and any amendments thereto

### NOTIFICATION

The Secretary of Transportation for the State of Kansas, in accordance with the provisions of Title VI and Title VII of the Civil Rights Act of 1964 (78 Stat. 252), §504 of the Rehabilitation Act of 1973 (87 Stat. 3555) and the Americans with Disabilities Act of 1990 (42 USC 12101), the Age Discrimination Act of 1975 (42 USC 6101), the Regulations of the U.S. Department of Transportation (49 C.F.R., Part 21, 23, and 27), issued pursuant to such ACT, Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations (1994), and the DBE Program (49 C.F.R., Part 26.1), hereby notifies all contracting parties that, the contracting parties will affirmatively insure that this contract will be implemented without discrimination on the grounds of race, religion, color, gender, age, disability, national origin, or minority populations and low income populations as more specifically set out in the following seven "Nondiscrimination Clauses".

### CLARIFICATION

Where the term "consultant" appears in the following seven "Nondiscrimination Clauses", the term "consultant" is understood to include all parties to contracts or agreements with the Secretary of Transportation of the State of Kansas.

### Nondiscrimination Clauses

During the performance of this contract, the consultant, or the consultant's assignees and successors in interest (hereinafter referred to as the "Consultant"), agrees as follows:

- (1) Compliance with Regulations: The consultant will comply with the Regulations of the U. S. Department of Transportation relative to nondiscrimination in federally-assisted programs of the U.S. Department of Transportation (Title 49, Code of Federal Regulations, Parts 21, 23 and 27,

hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

- (2) **Nondiscrimination:** The consultant, with regard to the work performed by the consultant after award and prior to the completion of the contract work, will not discriminate on the grounds of race, religion, color, gender, age, disability, national origin or minority populations and low income populations in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The consultant will not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
- (3) **Solicitations for Subcontractors, Including Procurements of Material and Equipment:** In all solicitations, either competitive bidding or negotiation made by the consultant for work to be performed under a subcontract including procurements of materials and equipment, each potential subcontractor or supplier shall be notified by the consultant of the consultant's obligation under this contract and the Regulations relative to nondiscrimination on the grounds of race, religion, color, gender, age, disability, national origin or minority populations and low income populations.
- (4) **Information and Reports:** The consultant will provide all information and reports required by the Regulations, or orders and instructions issued pursuant thereto, and the Secretary of the Transportation of the State of Kansas will be permitted access to the consultant's books, records, accounts, other sources of information, and facilities as may be determined by the Secretary of Transportation of the State of Kansas to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a consultant is in the exclusive possession of another who fails or refuses to furnish this information, the consultant shall so certify to the Secretary of Transportation of the State of Kansas and shall set forth what efforts it has made to obtain the information.
- (5) **Employment:** The consultant will not discriminate against any employee or applicant for employment because of race, religion, color, gender, age, disability, or national origin.
- (6) **Sanctions for Noncompliance:** In the event of the consultant's noncompliance with the nondiscrimination provisions of this contract, the Secretary of Transportation of the State of Kansas shall impose such contract sanctions as the Secretary of Transportation of the State of Kansas may determine to be appropriate, including, but not limited to,
  - (a) withholding of payments to the consultant under the contract until the contractor complies, and/or
  - (b) cancellation, termination or suspension of the contract, in whole or in part.
- (7) **Disadvantaged Business Obligation**

- (a) Disadvantaged Businesses as defined in the Regulations, shall have a level playing field to compete fairly for contracts financed in whole or in part with Federal funds under this contract.
  - (b) All necessary and reasonable steps shall be taken in accordance with the Regulations to ensure that Disadvantaged Businesses have equal opportunity to compete for and perform contracts. No person(s) shall be discriminated against on the basis of race, color, gender, or national origin in the award and performance of federally-assisted contracts.
  - (c) The contractor, sub recipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of Federally-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy, as the recipient deems appropriate.
- (8) Executive Order 12898
- (a) To the extent permitted by existing law, and whenever practical and appropriate, all necessary and reasonable steps shall be taken in accordance with Executive Order 12898 to collect, maintain, and analyze information on the race, color, national origin and income level of persons affected by programs, policies and activities of the Secretary of Transportation of the state of Kansas and use such information in complying with this Order.
- (9) Incorporation of Provisions: The consultant will include the provisions of paragraphs (1) through (8) in every subcontract, including procurements of materials and equipment, unless exempt by the Regulations, order, or instructions issued pursuant thereto. The consultant will take such action with respect to any subcontract or procurement as the Secretary of Transportation of the State of Kansas may direct as a means of enforcing such provisions including sanctions for noncompliance: PROVIDED, however, that, in the event a consultant becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the consultant may request the State to enter into such litigation to protect the interests of the State.

**CERTIFICATION FOR FEDERAL-AID CONTRACTS**

The prospective participant certifies, by signing and submitting this bid or proposal, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

The prospective participant also agrees by submitting his or her bid or proposal that he or she shall require that the language of this certification be included in all lower tier subcontracts, which exceed \$100,000 and that all such subrecipients shall certify and disclose accordingly.



Estimate No.: TBA - 40347

## KYLE RAILROAD

(KYLE)

BELOIT, (Mitchell), KS  
ASHERVILLE ROAD

DOT# : 814163J  
RR MP.: 56.58

Central Region  
Solomon Subdivision

RAILROAD # : TBA  
XORAIL# : VEM10-25983

### Summary

<b>CROSSING WARNING SYSTEM</b> (Includes all design, requisition, labor, materials, shop wiring, and installation)	\$177,210.00
<b>CROSSING RESURFACING</b> (Includes all design, requisition, labor, materials, and installation)	\$0.00
<b>TRACK GRADE AND REHABILITATION</b> (Includes all design, requisition, labor, materials, and installation)	\$0.00
<b>RAILROAD ENGINEERING</b> (Includes RAILROAD Labor for Reviewing Engineering Authorizations, Field Inspections and Administrative Labor)	\$5,504.15
<b>CONTRACT ENGINEERING</b> (Includes CONTRACT Labor for all Engineering, Agency Coordination, and Project Management)	\$17,500.00
<b>FREIGHT</b> (Includes all additional Containerization, Freight, and Shipping Charges not included in other costs)	\$0.00
<b>POLELINE REMOVAL</b> (Includes all Railroad Poleline Removal Charges not included in other costs)	\$0.00
<b>AC POWER SERVICE</b> (Includes all Power Service Charges not included in other costs)	\$0.00
<b>SALVAGE</b> (Includes all Salvage or Material )	\$0.00
<b>OTHER (Description Required)</b>	\$0.00
<b>TOTAL ESTIMATE COST</b>	<b>\$200,214.15</b>

DATE: June 18, 2010

**RESPONSIBLE PARTY:**

Name: State of Kansas  
Number: Project # 62 X-0027-01  
Contact: Shawn Hennes

NOTE : This estimate should be considered void 90 days from the date of estimate.