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## CITY COUNCIL AGENDA

Tuesday, September 20, 2011

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. 9/6/2011 City Council Meeting Minutes
  - B. Appropriations 9B
6. ORDINANCES
  - A. Ordinance 2098 Utility Billing Due Date
  - B. Ordinance 2099 Right-of-Ways or Easements
7. RESOLUTIONS
  - A.
8. FORMAL ACTIONS
  - A. New Pool Contract
  - B. Transformer Bid
  - C. Transformer Bid
  - D. Tie Transformer Bid
  - E. Chief of Police Appointment
  - F. City Attorney Appointment
9. CLOSED SESSION
  - A. Non-Elected Personnel

10. ADJOURNMENT

### ***WORK SESSION AGENDA***

1. CORRESPONDENCE AND STAFF REPORTS
  - A. City Attorney Report
  - B. City Administrator Report
2. DISCUSSION ITEMS
  - A. None
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.**

BELOIT CITY COUNCIL MEETING MINUTES  
September 6, 2011

The Beloit City Council met in regular session on September 6, 2011 in the Council Chambers. Mayor Koster called the meeting to order at 7:00 p.m. City Council members in attendance were Matt Otte, Denis Shumate, Tom Naasz, Rick Brown, Frank Delka, Bob Richard, James Crowley, and Pat Struble. Also present were, City Administrator Glenn Rodden, City Attorney Brenon Odle, and City Clerk Amanda Lomax.

Department heads in attendance were Murray McGee, Mike Haeffele, Kendal Francis, Ron Sporleder, Dave Elam, Lynn Miller, and Chris Jones.

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

Mayor Koster reminded Council of the League meeting that will be held in Wichita October 8-10, 2011. Councilor Otte thought the meeting should be held outside with the nice weather. Councilor Crowley asked what the name of the committee for the trail was; City Administrator Glenn Rodden said the name of the committee was the Trail Committee. Councilor Crowley said he had residents concerned about the trail being their front yard and they don't want that.

City Administrator Glenn Rodden reported on the following items: 1. 2010 Financial Audit for the city, Sarah and Chris Murphy with Clubine and Rettle presented the 2010 audit to the Council. One thing that was noted was a spending violation in the electric fund. 2. Power Plant Cooling Tower: Wilson and Company is almost done with the design of the cooling towers. City Administrator Rodden said with new federal regulations the power plant will be required to install catalytic converters on the engines. City Administrator Rodden indicated that both catalytic converter and cooling tower projects be combined to get financing at the same time. 3. New Pool Project: There will be bid openings for the new pool on Friday September 9, at 2:00 pm. The bid is based on the apparent lowest bid, references will be checked and brought back to Council next meeting for approval. Recycling the concrete from the demolition of the pool is being checked into; it could be used for city purposes. 4. New Library Project: The new library design is finalized bids are going out for the project and bid will be due October 4, 2011. 5. The new Law Enforcement Center building is complete and is about ready to move into. 6. Mill Street project is behind schedule and is an ongoing project. Poor soil conditions required twice as much flowable to construct the sewer lines and the heavy rains early in the season delayed the project. City Administrator Rodden said the delay was not because a lack of effort by the city crews. City Administrator Rodden added that the street project is funded by sales tax and the property owners were not be assessed for the cost of the project on their property taxes. 7. The North Campus Plat: Schwab-Eaton will go to the Planning Commission next Tuesday with a preliminary plat. The Planning Commission should give the Council a recommendation in October. 8. The League of Municipality Conference will be in Wichita October 8-10.

Public Comment: David Chase addressed the Council concerning property acquisition for the pool. Mr. Chase said the City has an opportunity to purchase the Haigh property located by the pool and to clean up the pool property while the City still has the funds to do it with. Mayor Koster said the property owner wanted \$100,000.00 for the property when the appraised value was approximately \$25,000.00.

The Consent Agenda consisted of August 16, 2011 Council Meeting Minutes, August 23, 2011 Special Council Meeting Minutes and appropriations 9A. A motion was made by Councilor Otte and seconded by Councilor Struble to approve the Consent Agenda in its entirety. Roll call vote: Yeas: Crowley, Delka, Naasz, Richard, Otte, Brown, Struble, and Shumate. Nays: None.

Ordinance 2095 Zoning Code Amendment was presented to Council for approval. The amendment to this Ordinance adds language allowing manufactured homes under specific conditions in our Residential Zoning Districts in the City of Beloit. A motion was made by Councilor Otte and seconded by Councilor Crowley to approve Ordinance 2095 Zoning Code Amendment. Roll call vote: Yeas: Shumate, Brown, Naasz, Otte, Richard, Struble, Crowley, and Delka. Nays: None.

Ordinance 2097 Limited Parking was presented to Council for approval. The ordinance creates thirty-minute parking in front of Boettcher's Electric Supply during the week from 8-5. A motion was made by Councilor Crowley and seconded by Councilor Naasz to approve Ordinance 2097 Limited Parking. Roll call vote: Yeas: Struble, Otte, Crowley, Brown, Richard, Delka, Shumate, and Naasz. Nays: None

Staff is requesting Council approval for a Post Hole Digger Bid from KanEquip for \$ 1,983.34. A motion was made Councilor Otte to accept the bid submitted by Morgan Harris for a used posthole digger for \$1,500.00. There was no seconded motion. A motion was made by Councilor Shumate and seconded by Councilor Struble to accept the post hole digger bid from KanEquip for \$1,983.34. Motion passed 5-3. Nays: Crowley, Otte, and Richard.

Staff is requesting Council approval of voting delegates and alternate voting delegates for the League of Kansas Municipalities. The voting delegates would represent the City of Beloit in the conduct and management of the affairs of the League of Municipalities. A motion was made by Councilor Otte and seconded by Councilor Naasz to nominate City Administrator Glenn Rodden and City Clerk Amanda Lomax as voting delegates and Mayor Koster and Councilor Struble as Alternate voting delegates. Motion carried 8-0.

A motion was made by Councilor Naasz and seconded by Councilor Otte for a Closed Session for preliminary consideration of non-elected personal consisting of the Governing Body, and City Administrator Glenn Rodden for a period of 15 minutes. Motion passed 8-0. Starting time began at 8:20 p.m. ended at 8:35 p.m. No motions or decisions were made.

A motion was made by Councilor Naasz and seconded by Councilor Struble for a Closed Session for preliminary consideration of non-elected personal consisting of the Governing

Body, and City Attorney Brenon Odle for a period of 30 minutes. Motion passed 8-0. Starting time began at 8:38 p.m. ended at 9:08 p.m. No motions or decisions were made.

A motion was made by Councilor Naasz and seconded by Councilor Shumate for a Closed Session for preliminary consideration of non-elected personal consisting of the Governing Body, City Administrator Glenn Rodden, and City Attorney Brenon Odle for a period of 20 minutes. Motion passed 8-0. Starting time began at 9:10 p.m. ended at 9:30 p.m. No motions or decisions were made.

A motion was made by Councilor Shumate and seconded by Councilor Naasz to increase City Administrator Glenn Rodden's salary by \$5,000.00. Motion carried 8-0.

A motion was made by Councilor Struble and seconded by Councilor Crowley to Adjourn the Council Meeting. Motion passed 8-0. The meeting ended at 9:32 p.m.

The work session began at 9:32 p.m. City Council members in attendance were Matt Otte, Denis Shumate, Tom Naasz, Rick Brown, Frank Delka, Bob Richard, James Crowley, and Pat Struble. Also present were, City Administrator Glenn Rodden, City Attorney Brenon Odle, and City Clerk Amanda Lomax.

Department heads in attendance were Murray McGee, Kendal Francis, Ron Sporleder, Dave Elam, and Chris Jones.

Code Enforcement Officer Chris Jones presented rental property registrations to the Council. The rental property registration is for the purpose of inspecting rental properties for health and safety compliance passed with Ordinance 2091 Minimum Housing Standard. The property owners of rentals register their property with the City Office on an annual basis with an imposed fee of \$20.00 for the first unit and \$15.00 for each additional rental unit.

City Administrator Glenn Rodden presented a draft ordinance to Council for the purposes of changing the due date for utility bills. The new due date would have the 15<sup>th</sup> of the month and a 10% penalty imposed on utility bills by the 16<sup>th</sup> of the month. This ordinance would amend an existing code were it states that the due date was the 1<sup>st</sup> of every month. This ordinance will be brought to Council next meeting for approval.

City Administrator Rodden presented to Council about upgrading our meter reading system. The City's current meter reading system is obsolete and can no longer buy parts to fix the handhelds for meter reading, and a new system would eliminate a full-time position for meter reading. City Administrator Rodden and other staff members have been looking into other systems and are looking into financing with Kansas Department of Health and Environment for financing this project.

City Administrator Rodden presented to Council about easement ordinance; the city does not currently have an ordinance addressing utility easements. City Administrator Rodden would like to discuss options for dealing with easements at the next meeting.

Work Session ended at 9:56 pm.

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REBECCA KOSTER, Mayor

ATTEST:

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AMANDA LOMAX, City Clerk

# 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>Debit</u>	<u>Credit</u>
6	<b>ABRAM READY-MIX</b>									
47557		9/22/2011	9/22/2011		1,977.58		9/1/2011	8132		Posted
			30-00-6150			#7357 curb & gutter			321.93	0.00
			30-00-6150			#7363 pavement, curb & gutter			1,264.73	0.00
			30-00-6150			#7377 curb & gutter			390.92	0.00
									<u>1,977.58</u>	<u>0.00</u>
47574		9/22/2011	9/22/2011		1,011.78	7319	8/31/2011	9400		Posted
			30-00-6150			pavement			1,011.78	0.00
8	<b>ACE HARDWARE</b>									
47524		9/22/2011	9/22/2011		39.94		9/11/2011	9388		Posted
			10-11-6000			#402865 BATTERIES, PHONE LINE			25.47	0.00
			10-11-6000			#402873 PHONE LINE/CORD, CLIPS			14.47	0.00
									<u>39.94</u>	<u>0.00</u>
47536		9/22/2011	9/22/2011		4.99	402731	9/8/2011	9382		Posted
			10-11-6110			AAA BATTERIES			4.99	0.00
47575		9/22/2011	9/22/2011		16.98	402269	8/30/2011	8454		Posted
			51-43-6000			nozzle & caution tape			16.98	0.00
47609		9/22/2011	9/22/2011		44.12		9/1/2011	8382		Posted
			10-17-6800			#402767 stop watch			9.99	0.00
			10-18-6000			#402773 furnace filters			14.14	0.00
			10-18-6000			#402965 analog tester			19.99	0.00
									<u>44.12</u>	<u>0.00</u>
47625		9/22/2011	9/22/2011		19.98	403082	9/15/2011	9413		Posted
			10-11-6000			AA battery packs			19.98	0.00
774	<b>AIR AND FIRE SYSTEMS INC</b>									
47570		9/22/2011	9/22/2011		391.00	28711	8/31/2011	9397		Posted
			10-14-7440			TESTED & SERVICE COMPRESSOR			391.00	0.00
21	<b>ALCO-DUCKWALL STORES INC</b>									
47543		9/22/2011	9/22/2011		7.99	221-07128	9/6/2011	9373		Posted
			53-43-6000			DOG TREATS			7.99	0.00
47610		9/22/2011	9/22/2011		5.79		9/6/2011	9473		Posted
			10-18-6000			221-07127 vacuum bags			3.00	0.00
			10-17-6800			221-07134 memo book for flag football			2.79	0.00
									<u>5.79</u>	<u>0.00</u>
47627		9/22/2011	9/22/2011		25.89	221-07149	9/15/2011	9411		Posted
			10-11-6000			Supplies			25.89	0.00
813	<b>AMERIPRIDE LINEN SERVICES</b>									
47551		9/22/2011	9/22/2011		113.61		9/9/2011	8215		Posted
			51-43-3000			1/3 of #2300066512 & #2300069011			37.49	0.00
			52-43-3000			1/3 of #2300066512 & #2300069011			37.49	0.00
			53-43-3000			1/3 of #2300066512 & #2300069011			38.63	0.00
									<u>113.61</u>	<u>0.00</u>
2032	<b>AT&amp;T</b>									
47547		9/22/2011	9/22/2011		42.66	7857383099835	8/27/2011	9389		Posted
			53-43-5310			Electric systems phone service			42.66	0.00
47563		9/22/2011	9/22/2011		699.30	7857382619678	8/27/2011	9391		Posted
			10-11-5310			Admin phone service			493.18	0.00
			10-20-5310			Cemetery phone service			33.56	0.00
			10-20-3000			Cemetery phone repair			139.00	0.00
			52-41-5310			Sewer phone service			33.56	0.00
									<u>699.30</u>	<u>0.00</u>
47588		9/22/2011	9/22/2011		14.31	78573820471921	8/27/2011	8384		Posted
			10-19-5310			telephone service at N Campus			14.31	0.00
2383	<b>ATTORNEY GENERAL'S OFFICE</b>									
47515		9/22/2011	9/22/2011		150.00	11-1609	9/8/2011	9376		Ck# 66219 Printed
			41-00-5126			GO BONDS-WATERLINE REPLACMENT			150.00	0.00
2390	<b>BRETT BEHYMER</b>									
47621		9/22/2011	9/22/2011		73.00		9/14/2011	8376		Posted
			10-00-3630			REFUND 7 TABLES			35.00	0.00
			10-00-3630			REFUND 77 CHAIRS			38.00	0.00
									<u>73.00</u>	<u>0.00</u>

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	<u>Account#</u>	<u>Work Order</u>				<u>Description</u>			<u>Debit</u>	<u>Credit</u>
<b>77 BELOIT READY MIX (continued)</b>										
47548	9/22/2011	9/22/2011	8,312.00	240693	9/9/2011	7775				Posted
	30-00-8100			52 yds 6/27					5,096.00	0.00
	30-00-8100			67 yds 3/4 sack					3,216.00	0.00
									8,312.00	0.00
47555	9/22/2011	9/22/2011	893.50	240692	9/9/2011	8217				Posted
	53-43-6150			1 3/4 yds 6/27					269.50	0.00
	53-43-6150			13 yds 1/2 sack					624.00	0.00
									893.50	0.00
47558	9/22/2011	9/22/2011	2,376.50	240691	9/13/2011	8134				Posted
	25-00-6150			19 1/4 yds 6/27					1,886.50	0.00
	25-00-6150			10 yds flowable					490.00	0.00
									2,376.50	0.00
<b>80 BELOIT TYPEWRITER EXCHANGE</b>										
47533	9/22/2011	9/22/2011	42.72		8/18/2011	8325				Posted
	10-11-6110			#588485 NOTEBOOKS					8.78	0.00
	10-11-6110			#588250 NOTARY STAMP					22.95	0.00
	10-11-6110			#622598 COPY STAMP					10.99	0.00
									42.72	0.00
47616	9/22/2011	9/22/2011	2.60	622575	9/8/2011	9394				Posted
	10-11-6110			file folders					2.60	0.00
<b>669 BLADE-EMPIRE PUBLISHING</b>										
47576	9/22/2011	9/22/2011	211.93	101439	8/24/2011	9401				Posted
	41-00-8410			Chautauqua Pool Bid					222.30	0.00
	41-00-8410			Discount					0.00	10.37
									222.30	10.37
47577	9/22/2011	9/22/2011	228.00		8/31/2011	9399				Posted
	10-13-5400			Police chief ad #101028					28.50	0.00
	10-13-5400			Police chief ad #100920					28.50	0.00
	10-13-5400			Police chief ad #100780					28.50	0.00
	10-13-5400			Police chief ad #101069					28.50	0.00
	10-13-5400			Police chief ad #101102					28.50	0.00
	10-13-5400			Police chief ad #101193					28.50	0.00
	10-13-5400			Police chief ad #101442					28.50	0.00
	10-13-5400			Police chief ad #101355					28.50	0.00
									228.00	0.00
47578	9/22/2011	9/22/2011	1,899.30		8/31/2011	9398				Posted
	10-11-5400			100879 budget hearing					145.35	0.00
	10-11-5400			100871 general bond series					44.90	0.00
	10-11-5400			100770 treasurer report					76.95	0.00
	10-11-5400			101021 ordinance					342.00	0.00
	10-11-5400			101316 ordinance					421.80	0.00
	10-11-5400			101314 ordinance					51.30	0.00
	10-11-5400			101315 ordinance					136.80	0.00
	10-11-5400			101438 ordinance					163.60	0.00
	10-11-5400			101458 bond series					6.00	0.00
	10-11-5400			101437 ordinance					170.30	0.00
	10-11-5400			100778 council agenda					85.50	0.00
	10-11-5400			101101 council agenda					91.20	0.00
	10-11-5400			101182 ordinance					163.60	0.00
									1,899.30	0.00
47594	9/22/2011	9/22/2011	(101.63)	101960	8/31/2011	9402				Posted
	10-11-5400			advertising discount					0.00	88.60
	10-13-5400			advertising discount					0.00	10.64
	10-20-5400			advertising discount					0.00	2.39
									0.00	101.63
47603	9/22/2011	9/22/2011	51.30		8/31/2011	8378				Posted
	10-17-5400			#101318 advertising					22.80	0.00
	10-20-5400			#100873 advertising					28.50	0.00
									51.30	0.00
<b>91 BOETTCHER SUPPLY INC</b>										
47556	9/22/2011	9/22/2011	26.95	706509-1	9/13/2011	9393				Posted
	10-11-6000			Electrician's pouch					26.95	0.00

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City of Beloit

<u>Vend#</u>	<u>Vendor Name</u>	<u>Pay#</u>	<u>Post Date</u>	<u>Due Date</u>	<u>Amount 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>
91	<b>BOETTCHER SUPPLY INC (continued)</b>								
47591		9/22/2011	9/22/2011		0.00	9/13/2011	8381		Posted
			10-18-4300		706414-1 Ballast/Return for Economy sho			30.31	0.00
			10-18-4300		706549-1 Ballast/Return for Economy sho			0.00	30.31
								30.31	30.31
2389	<b>STEPHEN BROWN</b>								
47620		9/22/2011	9/22/2011		100.00	9/14/2011	8385		Posted
			10-18-7310		PINE WILT REINBURSEMENT			100.00	0.00
1091	<b>CARD SERVICES</b>								
47583		9/22/2011	9/22/2011		159.07 5251	8/30/2011	9407		Posted
			51-41-5320		USPS			106.59	0.00
			51-41-5320		USPS			2.56	0.00
			52-41-5800		ON THE BORDER GRILLE- TOPEKA			24.82	0.00
			52-41-6260		KWIK STOP, FUEL			20.00	0.00
			51-41-5320		USPS			5.10	0.00
								159.07	0.00
47614		9/22/2011	9/22/2011		182.48 5981	8/31/2011	9405		Posted
			10-11-3000		Casey's - fuel			42.00	0.00
			10-11-6260		Casey's - fuel			37.28	0.00
			10-11-6260		Casey's - fuel			63.51	0.00
			10-11-5800		Capitol Plaza Grille, Topeka			39.69	0.00
								182.48	0.00
47615		9/22/2011	9/22/2011		526.96 5232	8/30/2011	9406		Posted
			10-11-3000		IRS EIN Application			150.00	0.00
			10-17-3000		KAN PAY			20.00	0.00
			10-17-6800		Graphic's Edge			81.19	0.00
			10-15-6110		Norton Software			150.10	0.00
			10-17-6800		Graphic's Edge			93.42	0.00
			10-17-6800		Amazon.com			32.25	0.00
								526.96	0.00
47622		9/22/2011	9/22/2011		4,634.16 8803	8/30/2011	9404		Posted
			10-13-2400		WENDY'S - SALINA			20.96	0.00
			10-13-5800		BRAUM'S - SALINA			15.55	0.00
			10-13-2400		CHINA HOUSE			34.00	0.00
			10-13-2400		PLUM CREEK			47.23	0.00
			10-13-2400		PLUM CREEK			7.55	0.00
			34-00-7400		SYXTIGER DIRECT- COMPUTER EQUIP			4,508.87	0.00
								4,634.16	0.00
124	<b>CARRICO IMPLEMENT</b>								
47590		9/22/2011	9/22/2011		72.85 IA82054	9/2/2011	8383		Posted
			10-18-4330		mower blades			72.85	0.00
133	<b>CENTRAL STATES RECOVERY, INC.</b>								
47631		9/22/2011	9/22/2011		25.12 41055-12949	8/25/2011	9414		Posted
			53-41-3000		Collection fees for #41055-12949			25.12	0.00
142	<b>CHAMBER OF COMMERCE</b>								
47587		9/22/2011	9/22/2011		100.00	9/14/2011	8386		Posted
			10-17-6800		Aqua Aerobics Instructor, 3 mo. PRU			100.00	0.00
587	<b>CITY TREASURER OF KANSAS CITY MISSOURI</b>								
47518		9/22/2011	9/22/2011		150.00	9/9/2011	9009		Ck# 66222 Printed
			53-41-2400		Manny Milbers Re-certification			150.00	0.00
838	<b>CONCRETE ACCESSORIES</b>								
47559		9/22/2011	9/22/2011		282.17 0658504-IN	8/29/2011	8131		Posted
			30-00-6000		curbing compound			282.17	0.00
431	<b>CONTINENTAL ANALYTICAL SERVICE</b>								
47549		9/22/2011	9/22/2011		395.00 136510	8/30/2011	7823		Posted
			52-41-3000		Monthly analysis of plant ssamples			395.00	0.00
2384	<b>COSGROVE, WEBB &amp; OMAN</b>								
47517		9/22/2011	9/22/2011		18,100.00 969.002	9/9/2011	9378		Ck# 66220 Printed
			41-00-5126		LEGAL SERVICES FOR WATERLINE GO			18,100.00	0.00

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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>Debit</u>	<u>Credit</u>
191	<b>DIVISION OF ACCT AND REPORTS (continued)</b>									
47514			9/22/2011	9/22/2011	150.00		9/8/2011	7527		Ck# 66218 Printed
			10-11-3000			2010 Audit filing fee for State of Kansas			150.00	0.00
2053	<b>EMG</b>									
47538			9/22/2011	9/22/2011	1,150.48	2664	9/6/2011	9380		Posted
			53-41-3000			ENERGY CONSULTING AGREEMENT			1,150.48	0.00
2387	<b>SUSAN FOSTER</b>									
47567			9/22/2011	9/22/2011	6.07		9/7/2011	6797		Posted
			10-12-3000			Over payment on court appointed atty fees			6.07	0.00
241	<b>KENDAL FRANCIS</b>									
47560			9/22/2011	9/22/2011	56.00		9/13/2011	7776		Posted
			51-41-5800			Meal per diem for CPM Class in Topeka			56.00	0.00
297	<b>HARRISON LAW OFFICE</b>									
47611			9/22/2011	9/22/2011	48.00	6194	9/2/2011	6823		Posted
			10-12-3000			Court appt atty fees case #201100188			32.00	0.00
			10-12-3000			Court appt atty fees case #201100194			16.00	0.00
									48.00	0.00
290	<b>HAYS FIRE EQUIPMENT, INC</b>									
47569			9/22/2011	9/22/2011	1,125.00	730N	8/30/2011	9396		Posted
			10-14-7440			TEST PUMPS ON 3 TRUCKS			1,125.00	0.00
1279	<b>HD SUPPLY WATERWORKS, LTD</b>									
47613			9/22/2011	9/22/2011	251.30	3620121	9/7/2011	8456		Posted
			30-00-8100			hyd extension kit			251.30	0.00
305	<b>HISEROTE TRASH SERVICE</b>									
47545			9/22/2011	9/22/2011	515.00		8/31/2011	9369		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
2111	<b>HOMMAN ELECTRONICS</b>									
47528			9/22/2011	9/22/2011	458.40	4176	9/3/2011	7919		Posted
			10-13-7440			RED/BLUE LIGHTS IN CHARGER			458.40	0.00
321	<b>IKON FINANCIAL SERVICES</b>									
47535			9/22/2011	9/22/2011	1,406.77	85449296	9/1/2011	9383		Posted
			10-11-3000			LEASE AGREEMENT ON COPIER			1,406.77	0.00
2391	<b>INTELLIGENT PRODUCTS INC.</b>									
47619			9/22/2011	9/22/2011	77.69	130804A	8/31/2011	7644		Posted
			10-20-6000			mutt mitt			77.69	0.00
1922	<b>JNT COMPANY LLC</b>									
47630			9/22/2011	9/22/2011	250.00	417	9/15/2011	9415		Posted
			10-11-3000			website hosting fee & maintenance			250.00	0.00
352	<b>KANSAS DEPT OF REVENUE-SALES TAX</b>									
47546			9/22/2011	9/22/2011	702.06		9/6/2011	7526		Posted
			10-21-6190			June Concession stand sales tax			362.96	0.00
			10-21-6190			July Concession stand sales tax			245.55	0.00
			10-21-6190			August Concession stand sales tax			93.55	0.00
									702.06	0.00
251	<b>KANSAS GAS SERVICE</b>									
47529			9/22/2011	9/22/2011	28.87	169801291	8/30/2011	9386		Posted
			51-41-6210			215B S CHESTNUT, WATER PLANT			28.87	0.00
47530			9/22/2011	9/22/2011	29.32	162672864	8/30/2011	9385		Posted
			10-14-6210			601 N MILL, FIRE DEPT			29.32	0.00
47531			9/22/2011	9/22/2011	59.32	200774227	8/29/2011	9372		Posted
			53-43-6210			502 E 12TH, BLDG B-GENE			59.32	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>
428	<b>MAR KAN SALES CO (continued)</b>									
47585		9/22/2011	9/22/2011	77.38		8/31/2011	8387			Posted
		10-21-6190				#342619 CONCESSION SUPPLIES			127.38	0.00
		10-21-6190				#103372 CREDIT RETURN			0.00	50.00
									127.38	50.00
2388	<b>MCSO</b>									
47579		9/22/2011	9/22/2011	50.00		9/14/2011	7956			Ck# 66225 Printed
		10-12-3000				Paper service for A Stiger #201100296			50.00	0.00
455	<b>MIDWEST VALVE AND CONTROL</b>									
47550		9/22/2011	9/22/2011	274.97	20111620	8/30/2011	7813			Posted
		52-41-4330				Repair parts to rebuild air lift valve			274.97	0.00
1018	<b>MANFRED MILBERS</b>									
47539		9/22/2011	9/22/2011	73.00		9/7/2011	9010			Posted
		53-41-6700				MEAL PER DIEM FOR SMOKE SCHOOL			73.00	0.00
47586		9/22/2011	9/22/2011	80.00		9/7/2011	8375			Posted
		10-17-6800				Refund for volleyball league registration			80.00	0.00
467	<b>MITCHELL CO HIGHWAY DEPT</b>									
47571		9/22/2011	9/22/2011	556.20	3118	9/1/2011	8136			Posted
		25-00-6150				24" culvert			556.20	0.00
462	<b>MITCHELL COUNTY CLERK</b>									
47542		9/22/2011	9/22/2011	24.46		8/30/2011	9374			Posted
		10-13-6210				CITY JAIL SHARE OF GAS SERVICE			24.46	0.00
47617		9/22/2011	9/22/2011	12,359.21		7/12/2011	8278			Posted
		30-00-3000				50% DMA Architects			250.00	0.00
		30-00-3000				19% Harbin Construction			12,109.21	0.00
									12,359.21	0.00
47618		9/22/2011	9/22/2011	14,946.03		8/8/2011	8279			Posted
		30-00-3000				50% DMA architects			900.00	0.00
		30-00-3000				19% Heineken Electric			1,394.11	0.00
		30-00-3000				19% Harbin Construction			12,651.92	0.00
									14,946.03	0.00
470	<b>MITCHELL COUNTY SOLID WASTE</b>									
47572		9/22/2011	9/22/2011	173.20	016678	8/17/2011	7824			Posted
		52-41-3000				disposal fess			173.20	0.00
475	<b>MUNICIPAL EMERGENCY SERVICES</b>									
47568		9/22/2011	9/22/2011	15.35	00256121_SNV	8/9/2011	9395			Posted
		10-14-2911				FREIGHT TO SHIP BOOTS			15.35	0.00
342	<b>MUNICIPAL SUPPLY OF NEBRASKA</b>									
47612		9/22/2011	9/22/2011	1,088.65	0480999-IN	8/31/2011	8455			Posted
		30-00-8100				clamps, grip ring, plugs, offsets			1,088.65	0.00
827	<b>NETWORKS PLUS</b>									
47534		9/22/2011	9/22/2011	76.00		8/31/2011	9384			Posted
		10-11-3360				#92085 SPAM FILTERING			16.00	0.00
		10-11-3360				#92123 MOZYPRO BACKUP			60.00	0.00
									76.00	0.00
47581		9/22/2011	9/22/2011	680.00	92314	8/31/2011	9410			Posted
		10-11-3360				PC technical service & drivetime			680.00	0.00
2380	<b>OFFICE OF THE STATE TREASURER</b>									
47511		9/22/2011	9/22/2011	1,755.00		9/6/2011	9368			Ck# 66155 Printed
		41-00-5126				Startup fee's for waterline general obligatic			1,755.00	0.00
47516		9/22/2011	9/22/2011	5,430.00		9/1/2011	9377			Ck# 66221 Printed
		41-00-5128				REGISTRAR & TRANSFER AGENT FEE-(			5,430.00	0.00
2381	<b>OKLAHOMA DEPT OF PUBLIC SAFETY</b>									
47512		9/22/2011	9/22/2011	28.00		9/6/2011	6796			Ck# 66156 Printed
		10-12-3000				Driving record for Alan Stiger, #201100296			28.00	0.00
2100	<b>OMB GUNS</b>									
47525		9/22/2011	9/22/2011	2,614.99	400335	7/29/2011	7915			Posted
		10-13-2911				PYTHONLL DX, VESTS CUFFS, UTILITY			2,614.99	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>Description</u>	<u>Date</u>	<u>Status</u>
			<u>Account#</u>	<u>Work Order</u>						<u>Debit</u>	<u>Credit</u>
523	<b>PEPSI COLA OF SALINA (continued)</b>										
47584		9/22/2011	9/22/2011	90.70	41088691	8/31/2011	8388				Posted
			10-21-6190		CONCESSION SUPPLIES					90.70	0.00
527	<b>PIERCE ELECTRONICS</b>										
47541		9/22/2011	9/22/2011	232.90	25728	9/2/2011	7774				Posted
			51-41-7490		3 MOTION DETECTORS					232.90	0.00
47582		9/22/2011	9/22/2011	132.90	25721	8/30/2011	9408				Posted
			10-14-7470		battery & antennas for pagers					132.90	0.00
557	<b>REGISTER OF DEEDS</b>										
47580		9/22/2011	9/22/2011	80.00		9/15/2011	9409				Ck# 66226 Printed
			41-00-2902		Record fees for leases for pool project					80.00	0.00
586	<b>S &amp; S DRUG STORE</b>										
47573		9/22/2011	9/22/2011	2.59	1153998	9/13/2011	9403				Posted
			10-11-6000		card					2.59	0.00
94	<b>SCHENDEL PEST CONTROL</b>										
47552		9/22/2011	9/22/2011	50.00	4935.06	9/7/2011	8214				Posted
			51-43-3000		Pest Control					16.50	0.00
			52-43-3000		Pest Control					16.50	0.00
			53-43-3000		Pest Control					17.00	0.00
										50.00	0.00
626	<b>SOLOMON VALLEY HOME CENTER</b>										
47592		9/22/2011	9/22/2011	23.56	10263174	9/6/2011	8380				Posted
			10-18-6000		cleaner, adapter & PVC cement					23.56	0.00
628	<b>SOLOMON VALLEY VET HOSPITAL PA</b>										
47544		9/22/2011	9/22/2011	615.73		8/31/2011	9371				Posted
			10-13-3510		#197233 Gunner Exam & shots					63.73	0.00
			10-11-3500		#198006 Pound Animals boarding/disposa					552.00	0.00
										615.73	0.00
846	<b>STAN'S PETROLEUM EQUIPMENT INC</b>										
47562		9/22/2011	9/22/2011	819.66	10649	8/9/2011	8135				Posted
			10-22-4360		Aviation fuel pump repair					819.66	0.00
2382	<b>STANDARD &amp; POOR'S</b>										
47513		9/22/2011	9/22/2011	240.00	34956208	8/10/2011	9375				Ck# 66217 Printed
			41-00-5126		Acct# 8800011284 GO Bonds-CUSIP fee's					240.00	0.00
1533	<b>ULTRA CLEAN CAR WASH</b>										
47527		9/22/2011	9/22/2011	91.65		8/31/2011	7918				Posted
			10-13-5800		AUGUST 2011 CAR WASHES					91.65	0.00
1643	<b>UNITED INDUSTRIES INC</b>										
47589		9/22/2011	9/22/2011	17.40	0058658-IN	8/25/2011	7641				Posted
			10-21-6170		R-0871 Reagent (Chlorine)					17.40	0.00
822	<b>USA BLUE BOOK</b>										
47523		9/22/2011	9/22/2011	75.55	479473	8/30/2011	8453				Posted
			52-43-7450		3x3 TIGER TALE HOSE PROTECTOR					75.55	0.00
2067	<b>VERIZON WIRELESS</b>										
47521		9/22/2011	9/22/2011	44.65	2623733058	9/3/2011	9392				Posted
			10-18-5310		Parks & Rec Wireless Oncall phone					44.65	0.00
47526		9/22/2011	9/22/2011	268.41	2617348558	8/18/2011	7916				Posted
			10-13-5310		POLICE WIRELESS PHONE					268.41	0.00
96,687.30					104 Non-voided payables listed.						

Report Setup  
 AP - Accounts Payable Listing : Vendor Name  
 Filter Options  
 Starting: 9/22/2011  
 Ending: 9/22/2011  
 Banks: All  
 Payable Status: Posted, Printed, ACH, Recorded, Voided  
 All Vendors Selected

## REQUEST FOR COUNCIL ACTION

<b>DATE:</b>	<b>TITLE:</b>		
September 20, 2011	ORDINANCE 2098 UTILITY BILLING DUE DATE		
<b>ORIGINATING DEPARTMENT:</b>	<b>TYPE OF ACTION:</b>	<input checked="" type="checkbox"/> <b>ORDINANCE</b>	<input type="checkbox"/> <b>RESOLUTION</b>
Administration		<input type="checkbox"/> <b>FORMAL ACTION</b>	<input type="checkbox"/> <b>OTHER</b>

### RECOMMENDATION:

I recommend that the Council approve Ordinance 2098.

### FISCAL NOTE:

- There is no direct cost associated with passing this ordinance.

### DISCUSSION:

Passing this ordinance resets our billing due date from the 10<sup>th</sup> of each month to the 15<sup>th</sup> of each month.

Respectfully submitted,

Glenn Rodden  
City Administrator

**ORDINANCE NO. 2098**

AN ORDINANCE AMENDING CHAPTER 17, ARTICLE 1. WATER, AND ARTICLE 4. SEWERS, OF THE CODE OF THE CITY OF BELOIT, KANSAS.

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

Section 1: Chapter 17, Article 1. Water, Section 17-114 of the Code of the City of Beloit, Kansas, is hereby amended to read as follows:

17-114. UTILITY BILLS. (a) All utility bills shall be rendered monthly for water, electricity, refuse collection and sewer, and shall be due and payable on the 15th day of each month. A penalty of ten percent (10%) will be added to any utility bill not paid by the 16<sup>th</sup> day of the month; and if the bill and late charges are not paid by 21st of the month, service may be disconnected. Whenever payment is not made by the 30<sup>th</sup> day of the month, the city shall have the right to terminate utility service after notice and hearing, as provided for in section 17-117-118. Before service shall be restored, the customer shall pay the current bill, penalty and connection fees. (Code 1983).

Section 2: This Ordinance shall take effect after the reading of meters for the November utility billing cycle and be in full force from and after its passage and one publication in the official city newspaper.

PASSED and ADOPTED by the Governing Body and signed by the Mayor this 20th day of September 2011.

\_\_\_\_\_  
Rebecca J. Koster, Mayor

ATTEST:

\_\_\_\_\_  
Amanda Lomax, City Clerk



## REQUEST FOR COUNCIL ACTION

<b>DATE:</b>	<b>TITLE:</b>		
September 20, 2011	ORDINANCE 2099		
<b>ORIGINATING DEPARTMENT:</b>	<b>TYPE OF ACTION:</b>	<input checked="" type="checkbox"/> <b>ORDINANCE</b>	<input type="checkbox"/> <b>RESOLUTION</b>
Administration		<input type="checkbox"/> <b>FORMAL ACTION</b>	<input type="checkbox"/> <b>OTHER</b>

### RECOMMENDATION:

I recommend that the Council approve Ordinance 2099.

### FISCAL NOTE:

- There is no direct cost associated with passing this ordinance.

### DISCUSSION:

This ordinance is to regulate the use and construction of structures within public rights-of-way and public easements on private property.

Respectfully submitted,

Glenn Rodden  
City Administrator

**ORDINANCE NO. 2099**

AN ORDINANCE REGULATING BUILDING AND CONSTRUCTION WITHIN RIGHTS-OF-WAYS OR EASEMENTS IN THE CITY OF BELOIT, KANSAS.

WHEREAS, the Governing Body and City staff has researched and recommends certain modifications to the requirements concerning uses permitted within certain right-of-ways and easements within the City according to the City Code including the Zoning Code of the City of Beloit, Kansas.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BELOIT, KANSAS:

Section 1: The following rules and regulations concerning use and encroachment on dedicated rights-of-way are hereby established.

**A. Unlawful use of dedicated rights-of-ways or easements.** No person, firm or corporation shall construct any building or structure of any kind or nature whatsoever or plant any trees, shrubbery or vegetation upon, over or under any area which has been or which may hereafter be dedicated to the City of Beloit, Kansas, or to the public as a power, electric, sewer, water, telephone, gas line, public utility easement or right-of-way. Driveways, fences and lawn sprinkler systems may be constructed in, on and/or across easements subject to obtaining proper permits from the City for such construction, and subject to the provisions stated below.

**B. Owner liable for cost of removal or encroachment on right-of-way.** Any person, firm or corporation who shall hereafter construct or erect any building, structure, fence, or lawn sprinkler system or plant any trees or vegetation in a dedicated public right-of-way and/or dedicated utility easement shall be deemed to have done so at their own risk and shall be liable for the cost of removal of the same in the event it is necessary to make any authorized use or excavation of such area for any purpose for which the same were dedicated to the public use. Neither the City of Beloit, Kansas, nor any other person, firm or corporation which may be lawfully making use of the said right-of-way or easement shall be liable to any such person claiming damages for the removal of any building, structure, driveway, fence, lawn sprinkler system, trees or vegetation from such right-of-ways or easements.

Section 2: EFFECTIVE DATE. This ordinance shall take effect and be in full force from and after its passage and one publication in the official city newspaper.

PASSED and ADOPTED by the Governing Body and signed by the Mayor this 20<sup>th</sup> day of September, 2011.

\_\_\_\_\_  
Rebecca J. Koster, Mayor

ATTEST:

\_\_\_\_\_  
Amanda Lomax, City Clerk



## REQUEST FOR COUNCIL ACTION

<b>DATE:</b>	<b>TITLE:</b>		
September 20, 2011	POOL BID		
<b>ORIGINATING DEPARTMENT:</b>	<b>TYPE OF ACTION:</b>	<input type="checkbox"/> <b>ORDINANCE</b>	<input type="checkbox"/> <b>RESOLUTION</b>
PARKS AND RECREATION		<input checked="" type="checkbox"/> <b>FORMAL ACTION</b>	<input type="checkbox"/> <b>OTHER</b>

### RECOMMENDATION:

I recommend that the Council approve the enclosed contract with Prosser Wilbert Construction, Inc.

### FISCAL NOTE:

- The cost of this item is \$3,459,000.00.
- Funding for this project will be paid by the revenue bonds that were issued by the public building commission.

### BIDS RECEIVED:

Please see the attached bid tabulation and the bid analysis.

### DISCUSSION:

Kerry Newman from SFS will attend the next meeting to discuss the recommendation for this project.

Respectfully submitted,

Glenn Rodden  
City Administrator

# DRAFT AIA Document A101™ - 2007

## Standard Form of Agreement Between Owner and Contractor where the basis of payment is a Stipulated Sum

AGREEMENT made as of the Twentieth day of September in the year Two Thousand Eleven

(In words, indicate day, month and year.)

**BETWEEN** the Owner:

(Name, legal status, address and other information)

City of Beloit  
119 N. Hersey Ave.  
Beloit, Kansas 67420

and the Contractor:

(Name, legal status, address and other information)

Prosser Wilbert Construction, Inc.  
15730 W. 108<sup>th</sup> Street  
Lenexa, Kansas 66215

for the following Project:

(Name, location and detailed description)

Chautauqua Pool  
1 Chautauqua Drive  
Beloit, Kansas 67420

The Architect:

(Name, legal status, address and other information)

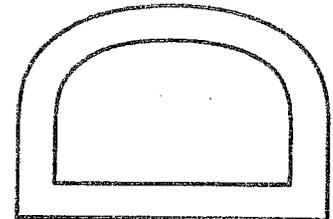
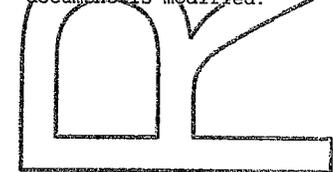
SPS Architecture, Inc.  
150 Grand Boulevard, Suite 400  
Kansas City, Missouri 64106

The Owner and Contractor agree as follows.

**ADDITIONS AND DELETIONS:**  
The author of this document has added information needed for its completion. The author may also have revised the text of the original AIA standard form. An *Additions and Deletions Report* that notes added information as well as revisions to the standard form text is available from the author and should be reviewed.

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

AIA Document A201™-2007, General Conditions of the Contract for Construction, is adopted in this document by reference. Do not use with other general conditions unless this document is modified.



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**TABLE OF ARTICLES**

- 1 THE CONTRACT DOCUMENTS
- 2 THE WORK OF THIS CONTRACT
- 3 DATE OF COMMENCEMENT AND SUBSTANTIAL COMPLETION
- 4 CONTRACT SUM
- 5 PAYMENTS
- 6 DISPUTE RESOLUTION
- 7 TERMINATION OR SUSPENSION
- 8 MISCELLANEOUS PROVISIONS
- 9 ENUMERATION OF CONTRACT DOCUMENTS
- 10 INSURANCE AND BONDS

**ARTICLE 1 THE CONTRACT DOCUMENTS**

The Contract Documents consist of this Agreement, Conditions of the Contract (General, Supplementary and other Conditions), Drawings, Specifications, Addenda issued prior to execution of this Agreement, other documents listed in this Agreement and Modifications issued after execution of this Agreement, all of which form the Contract, and are as fully a part of the Contract as if attached to this Agreement or repeated herein. The Contract represents the entire and integrated agreement between the parties hereto and supersedes prior negotiations, representations or agreements, either written or oral. An enumeration of the Contract Documents, other than a Modification, appears in Article 9.

**ARTICLE 2 THE WORK OF THIS CONTRACT**

The Contractor shall fully execute the Work described in the Contract Documents, except as specifically indicated in the Contract Documents to be the responsibility of others.

**ARTICLE 3 DATE OF COMMENCEMENT AND SUBSTANTIAL COMPLETION**

**§ 3.1** The date of commencement of the Work shall be the date of this Agreement unless a different date is stated below or provision is made for the date to be fixed in a notice to proceed issued by the Owner.  
*(Insert the date of commencement if it differs from the date of this Agreement or, if applicable, state that the date will be fixed in a notice to proceed.)*

If, prior to the commencement of the Work, the Owner requires time to file mortgages and other security interests, the Owner's time requirement shall be as follows:

**§ 3.2** The Contract Time shall be measured from the date of commencement.

**§ 3.3** The Contractor shall achieve Substantial Completion of the entire Work not later than  (  ) days from the date of commencement, or as follows:  
*(Insert number of calendar days. Alternatively, a calendar date may be used when coordinated with the date of commencement. If appropriate, insert requirements for earlier Substantial Completion of certain portions of the Work.)*

Portion of Work  
Entire Project

Substantial Completion Date  
April 24, 2012

, subject to adjustments of this Contract Time as provided in the Contract Documents.  
(Insert provisions, if any, for liquidated damages relating to failure to achieve Substantial Completion on time or for bonus payments for early completion of the Work.)

Five Hundred Dollar (\$500.00) per calendar day the work remains substantially incomplete past the above date.

#### ARTICLE 4 CONTRACT SUM

§ 4.1 The Owner shall pay the Contractor the Contract Sum in current funds for the Contractor's performance of the Contract. The Contract Sum shall be three million four hundred fifty nine thousand dollars (\$ 3,459,000.00 ), subject to additions and deductions as provided in the Contract Documents.

§ 4.2 The Contract Sum is based upon the following alternates, if any, which are described in the Contract Documents and are hereby accepted by the Owner:  
(State the numbers or other identification of accepted alternates. If the bidding or proposal documents permit the Owner to accept other alternates subsequent to the execution of this Agreement, attach a schedule of such other alternates showing the amount for each and the date when that amount expires.)

Alternate 2 and Alternate 3

§ 4.3 Unit prices, if any:  
(Identify and state the unit price; state quantity limitations, if any, to which the unit price will be applicable.)

Item	Units and Limitations	Price Per Unit (\$0.00)
------	-----------------------	-------------------------

§ 4.4 Allowances included in the Contract Sum, if any:  
(Identify allowance and state exclusions, if any, from the allowance price.)

Item	Price
Signage	Four thousand five hundred dollars (\$4,500.00)

#### ARTICLE 5 PAYMENTS

##### § 5.1 PROGRESS PAYMENTS

§ 5.1.1 Based upon Applications for Payment submitted to the Architect by the Contractor and Certificates for Payment issued by the Architect, the Owner shall make progress payments on account of the Contract Sum to the Contractor as provided below and elsewhere in the Contract Documents.

§ 5.1.2 The period covered by each Application for Payment shall be one calendar month ending on the last day of the month, or as follows:

§ 5.1.3 Provided that an Application for Payment is received by the Architect not later than the first (1<sup>st</sup>) day of a month, the Owner shall make payment of the certified amount to the Contractor not later than the fifteenth (15<sup>th</sup>) day of the following month. If an Application for Payment is received by the Architect after the application date fixed above, payment shall be made by the Owner not later than forty five ( 45 ) days after the Architect receives the Application for Payment.  
(Federal, state or local laws may require payment within a certain period of time.)

§ 5.1.4 Each Application for Payment shall be based on the most recent schedule of values submitted by the Contractor in accordance with the Contract Documents. The schedule of values shall allocate the entire Contract Sum among the various portions of the Work. The schedule of values shall be prepared in such form and supported

by such data to substantiate its accuracy as the Architect may require. This schedule, unless objected to by the Architect, shall be used as a basis for reviewing the Contractor's Applications for Payment.

**§ 5.1.5** Applications for Payment shall show the percentage of completion of each portion of the Work as of the end of the period covered by the Application for Payment.

**§ 5.1.6** Subject to other provisions of the Contract Documents, the amount of each progress payment shall be computed as follows:

- .1 Take that portion of the Contract Sum properly allocable to completed Work as determined by multiplying the percentage completion of each portion of the Work by the share of the Contract Sum allocated to that portion of the Work in the schedule of values, less retainage of ten percent (10%). Pending final determination of cost to the Owner of changes in the Work, amounts not in dispute shall be included as provided in Section 7.3.9 of AIA Document A201™-2007, General Conditions of the Contract for Construction;
- .2 Add that portion of the Contract Sum properly allocable to materials and equipment delivered and suitably stored at the site for subsequent incorporation in the completed construction (or, if approved in advance by the Owner, suitably stored off the site at a location agreed upon in writing), less retainage of ten percent (10 %);
- .3 Subtract the aggregate of previous payments made by the Owner; and
- .4 Subtract amounts, if any, for which the Architect has withheld or nullified a Certificate for Payment as provided in Section 9.5 of AIA Document A201-2007.

**§ 5.1.7** The progress payment amount determined in accordance with Section 5.1.6 shall be further modified under the following circumstances:

- .1 Add, upon Substantial Completion of the Work, a sum sufficient to increase the total payments to the full amount of the Contract Sum, less such amounts as the Architect shall determine for incomplete Work, retainage applicable to such work and unsettled claims; and  
*(Section 9.8.5 of AIA Document A201-2007 requires release of applicable retainage upon Substantial Completion of Work with consent of surety, if any.)*
- .2 Add, if final completion of the Work is thereafter materially delayed through no fault of the Contractor, any additional amounts payable in accordance with Section 9.10.3 of AIA Document A201-2007.

**§ 5.1.8** Reduction or limitation of retainage, if any, shall be as follows:

*(If it is intended, prior to Substantial Completion of the entire Work, to reduce or limit the retainage resulting from the percentages inserted in Sections 5.1.6.1 and 5.1.6.2 above, and this is not explained elsewhere in the Contract Documents, insert here provisions for such reduction or limitation.)*

**§ 5.1.9** Except with the Owner's prior approval, the Contractor shall not make advance payments to suppliers for materials or equipment which have not been delivered and stored at the site.

## **§ 5.2 FINAL PAYMENT**

**§ 5.2.1** Final payment, constituting the entire unpaid balance of the Contract Sum, shall be made by the Owner to the Contractor when

- .1 the Contractor has fully performed the Contract except for the Contractor's responsibility to correct Work as provided in Section 12.2.2 of AIA Document A201-2007, and to satisfy other requirements, if any, which extend beyond final payment; and
- .2 a final Certificate for Payment has been issued by the Architect.

**§ 5.2.2** The Owner's final payment to the Contractor shall be made no later than 30 days after the issuance of the Architect's final Certificate for Payment, or as follows:

**ARTICLE 6 DISPUTE RESOLUTION**

**§ 6.1 INITIAL DECISION MAKER**

The Architect will serve as Initial Decision Maker pursuant to Section 15.2 of AIA Document A201-2007, unless the parties appoint below another individual, not a party to this Agreement, to serve as Initial Decision Maker. (If the parties mutually agree, insert the name, address and other contact information of the Initial Decision Maker, if other than the Architect.)

« »  
« »  
« »  
« »  
« »

**§ 6.2 BINDING DISPUTE RESOLUTION**

For any Claim subject to, but not resolved by, mediation pursuant to Section 15.3 of AIA Document A201-2007, the method of binding dispute resolution shall be as follows: (Check the appropriate box. If the Owner and Contractor do not select a method of binding dispute resolution below, or do not subsequently agree in writing to a binding dispute resolution method other than litigation, Claims will be resolved by litigation in a court of competent jurisdiction.)

- Arbitration pursuant to Section 15.4 of AIA Document A201-2007
- Litigation in a court of competent jurisdiction
- Other (Specify)

**ARTICLE 7 TERMINATION OR SUSPENSION**

**§ 7.1** The Contract may be terminated by the Owner or the Contractor as provided in Article 14 of AIA Document A201-2007.

**§ 7.2** The Work may be suspended by the Owner as provided in Article 14 of AIA Document A201-2007.

**ARTICLE 8 MISCELLANEOUS PROVISIONS**

**§ 8.1** Where reference is made in this Agreement to a provision of AIA Document A201-2007 or another Contract Document, the reference refers to that provision as amended or supplemented by other provisions of the Contract Documents.

**§ 8.2** Payments due and unpaid under the Contract shall bear interest from the date payment is due at the rate stated below, or in the absence thereof, at the legal rate prevailing from time to time at the place where the Project is located.

(Insert rate of interest agreed upon, if any.)

~~eight percent (8%)~~ per month

**§ 8.3** The Owner's representative:  
(Name, address and other information)

Glenn Rodden  
119 N. Hersey Ave  
Beloit, Kansas 67420

**§ 8.4** The Contractor's representative:  
(Name, address and other information)

Dennis Wilbert  
Prosser Wilbert Construction, Inc.

13730 W/ 108<sup>th</sup> Street  
Lenexa, Kansas 66215

§ 8.5 Neither the Owner's nor the Contractor's representative shall be changed without ten days written notice to the other party.

§ 8.6 Other provisions:

**ARTICLE 9 ENUMERATION OF CONTRACT DOCUMENTS**

§ 9.1 The Contract Documents, except for Modifications issued after execution of this Agreement, are enumerated in the sections below.

§ 9.1.1 The Agreement is this executed AIA Document A101-2007, Standard Form of Agreement Between Owner and Contractor.

§ 9.1.2 The General Conditions are AIA Document A201-2007, General Conditions of the Contract for Construction.

§ 9.1.3 The Supplementary and other Conditions of the Contract:

Document	Title	Date	Pages

§ 9.1.4 The Specifications:  
(Either list the Specifications here or refer to an exhibit attached to this Agreement.)

Section	Title	Date	Pages
Refer to Exhibit A			

§ 9.1.5 The Drawings:  
(Either list the Drawings here or refer to an exhibit attached to this Agreement.)

Number	Title	Date
Refer to Exhibit B		

§ 9.1.6 The Addenda, if any:

Number	Date	Pages
1	9/1/11	30
2	9/6/11	6
3	9/7/11	1

Portions of Addenda relating to bidding requirements are not part of the Contract Documents unless the bidding requirements are also enumerated in this Article 9.

§ 9.1.7 Additional documents, if any, forming part of the Contract Documents:

- 1 AIA Document E201™-2007, Digital Data Protocol Exhibit, if completed by the parties, or the following:



- 2 Other documents, if any, listed below:

(List here any additional documents that are intended to form part of the Contract Documents. AIA Document A201-2007 provides that bidding requirements such as advertisement or invitation to bid, Instructions to Bidders, sample forms and the Contractor's bid are not part of the Contract Documents unless enumerated in this Agreement. They should be listed here only if intended to be part of the Contract Documents.)



**ARTICLE 10 INSURANCE AND BONDS**

The Contractor shall purchase and maintain insurance and provide bonds as set forth in Article 11 of AIA Document A201-2007.

This Agreement entered into as of the day and year first written above.

**OWNER (Signature)**

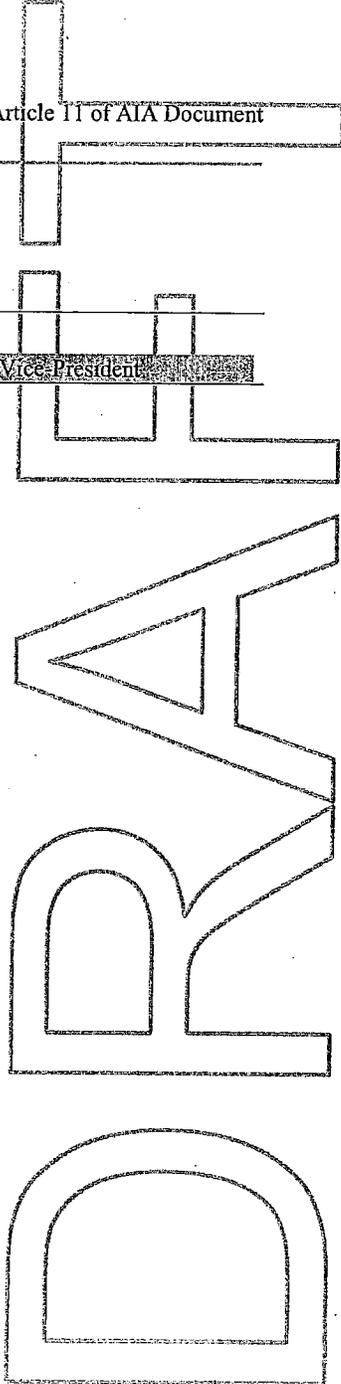
Rebecca J. Koster, Mayor

(Printed name and title)

**CONTRACTOR (Signature)**

Dennis Wilbert, Executive Vice President

(Printed name and title)



# Exhibit A

SFS/10797  
CHAUTAUQUA POOL

SECTION 000020  
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	AIA A101 STANDARD FORM OF AGREEMENT BETWEEN OWNER AND CONTRACTOR
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SFS/10797

CHAUTAUQUA POOL

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**Beloit, KS**  
**Pool Project Cost Summary**

9/15/2011

Item	SFS 2/16/11 Cost Estimate <sup>1</sup>	9/9/2011 (Low) Bid Letting
Base Bid and accepted Alternates	\$ 3,200,000	\$ 3,459,000
Fees/Survey/Geotech	\$ 285,000	\$ 324,400
Furnishing/Concession Allowance	\$ 250,000	\$ 100,000
Special Inspections	\$ 20,000	\$ 20,000
Reproductions/ Miscellaneous	\$ 15,000	\$ 15,000
Contingency	\$ 90,000	\$ 65,000
Full Demolition at South Site	\$ 124,000	\$ -
<b>Totals</b>	<b>\$ 3,984,000</b>	<b>\$ 3,983,400</b>

<sup>1</sup> Bond issue based on these costs

**Beloit, KS**  
**Pool Project Cost Summary**

9/15/2011

Item	SFS 2/16/11 Cost Estimate <sup>1</sup>	9/9/2011 (Low) Bid Letting
Base Bid and accepted Alternates	\$ 3,200,000	\$ 3,459,000
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Contingency	\$ 90,000	\$ 65,000
Full Demolition at South Site	\$ 124,000	\$ -
<b>Totals</b>	<b>\$ 3,984,000</b>	<b>\$ 3,983,400</b>

<sup>1</sup> Bond issue based on these costs

Contractor	Base Bid	Alt 1	Alt 2	Alt 3	Alt 4	Alt 5
Prosser	3,425,000.00	20,000.00	8,000.00	26,000.00	-6,000.00	65,000.00
Straub	3,427,000.00	31,700.00	13,700.00	22,700.00	-3,100.00	69,100.00

**Base Bid plus all alternates**

Prosser	3,538,000.00 (low)
Straub	3,561,100.00

**Base Bid plus Alt 2, 3 and 5**

Prosser	3,524,000.00 (low)
Straub	3,532,500.00

**Base Bid plus Alt 1 thru 4**

Prosser	3,473,000.00 (low)
Straub	3,492,000.00

**Base Bid plus Alt 2 and 3**

Prosser	3,459,000.00 (low)
Straub	3,463,400.00

Chautauqua Pool  
 Bid Date: 09.09.2011



sfsarchitecture

	Contractor	Acknowledgements	Meets Requirements	Base Bid	Alternates	Alternate Days
1	K.C. Gunite, Inc.  Pool Contractor: K.C. Gunite	<input checked="" type="checkbox"/> Addendum 1  <input checked="" type="checkbox"/> Addendum 2  <input checked="" type="checkbox"/> Addendum 3	<input checked="" type="checkbox"/> Bid Security	<u>\$3,570,000.00</u>	1 <u>\$33,000.00</u> 2 <u>\$13,600.00</u> 3 <u>\$16,700.00</u> 4 <u>\$ -3,000.00</u> 5 <u>\$68,400.00</u>	1 <u>0</u> 2 <u>0</u> 3 <u>0</u> 4 <u>0</u> 5 <u>0</u>
2	McCown Gordon Construction  Pool Contractor: Continental Pools	<input checked="" type="checkbox"/> Addendum 1  <input checked="" type="checkbox"/> Addendum 2  <input checked="" type="checkbox"/> Addendum 3	<input checked="" type="checkbox"/> Bid Security	<u>\$4,050,000.00</u>	1 <u>\$22,500.00</u> 2 <u>\$16,000.00</u> 3 <u>\$38,000.00</u> 4 <u>\$ -6,000.00</u> 5 <u>\$66,500.00</u>	1 <u>0</u> 2 <u>0</u> 3 <u>0</u> 4 <u>0</u> 5 <u>0</u>
3	Prosser Wilbert Construction Inc  Pool Contractor: K.C. Gunite	<input checked="" type="checkbox"/> Addendum 1  <input checked="" type="checkbox"/> Addendum 2  <input checked="" type="checkbox"/> Addendum 3	<input checked="" type="checkbox"/> Bid Security	<u>\$3,425,000.00</u>	1 <u>\$20,000.00</u> 2 <u>\$ 8,000.00</u> 3 <u>\$26,000.00</u> 4 <u>\$ -6,000.00</u> 5 <u>\$65,000.00</u>	1 <u>0</u> 2 <u>0</u> 3 <u>0</u> 4 <u>0</u> 5 <u>0</u>
4	Straub Construction  Pool Contractor: K.C. Gunite	<input checked="" type="checkbox"/> Addendum 1  <input checked="" type="checkbox"/> Addendum 2  <input checked="" type="checkbox"/> Addendum 3	<input checked="" type="checkbox"/> Bid Security	<u>\$3,427,000.00</u>	1 <u>\$31,700.00</u> 2 <u>\$13,700.00</u> 3 <u>\$22,700.00</u> 4 <u>\$ -3,100.00</u> 5 <u>\$69,100.00</u>	1 <u>0</u> 2 <u>0</u> 3 <u>0</u> 4 <u>0</u> 5 <u>0</u>

## REQUEST FOR COUNCIL ACTION

DATE:	TITLE:		
September 20, 2011	TRANSFORMER BID		
ORIGINATING DEPARTMENT:	TYPE OF ACTION:	<input type="checkbox"/> ORDINANCE	<input type="checkbox"/> RESOLUTION
SYSTEM OPERATION-ELECTRIC		<input checked="" type="checkbox"/> FORMAL ACTION	<input type="checkbox"/> OTHER

### RECOMMENDATION:

I recommend that the Council approve the bid for five (5) transformers from Stanion Wholesale Electric.

### FISCAL NOTE:

- The cost of this item is \$6,895.00.
- Funding for this type of item is available in line item 53-43-8300, Electric System Construction.

### BIDS RECEIVED:

Company	Price
Stanion Wholesale Electric	\$6,895.00
Graybar Electric	\$9,130.45
Kriz-Davis Co.	\$9,815.00
Wesco Distribution	\$10,764.75

### DISCUSSION:

These transformers will be used for residential services in the near future.

Respectfully submitted,

Glenn Rodden  
City Administrator

# CITY OF BELOIT

119 North Hersey  
Box 567  
Beloit, Kansas 67420

In July we ordered 5 transformers as spares and when they come in they will be going to the Ackerman addition for the Crown Homes project. These transformers here will be our spare transformers.

## **Transformer Bids # L-0830**

Stanion Wholesale Electric	\$6,895.00
Graybar Electric	\$9,130.45
Kriz-Davis Co.	\$9,815.00
Wesco Distribution	\$10,764.75

Based on the above bid it is recommended to go Stanion Wholesale Electric with the low bid of \$6,895.00.

Ronald Sporleder  
Director of Electric Operations

## REQUEST FOR COUNCIL ACTION

<b>DATE:</b>	<b>TITLE:</b>		
September 20, 2011	TRANSFORMER BID		
<b>ORIGINATING DEPARTMENT:</b>	<b>TYPE OF ACTION:</b>	<input type="checkbox"/> <b>ORDINANCE</b>	<input type="checkbox"/> <b>RESOLUTION</b>
SYSTEM OPERATION-ELECTRIC		<input checked="" type="checkbox"/> <b>FORMAL ACTION</b>	<input type="checkbox"/> <b>OTHER</b>

### RECOMMENDATION:

I recommend that the Council approve the bid for five (4) transformers from Kriz-Davis Company.

### FISCAL NOTE:

- The cost of this item is \$87,236.00
- Funding for this type of item is available in line item 53-43-8300, Electric System Construction.

### BIDS RECEIVED:

<b>Company</b>	<b>Price</b>
Kriz-Davis Company	\$87,236.00
Stanion Wholesale Electric	\$106,700.00
Wesco Distribution	\$109,350.00
Graybar Electric	\$118,771.48

### DISCUSSION:

These transformers will be used for the new pool and for AGCO Corporation.

Respectfully submitted,

Glenn Rodden  
City Administrator

## CITY OF BELOIT

119 North Hersey  
Box 567  
Beloit, Kansas 67420

The four transformers are for the new pool project and for AGCO Corporation (Sunflower Manufacturing). Two of these transformers here will be our spare transformers for both locations. These transformers will be purchased from fund #9150.

### **Transformer Bids # L-0830**

Kriz-Davis Co.	\$87,236.00
Stanion Wholesale Electric	\$106,700.00
Wesco Distribution	\$109,350.00
Graybar Electric	\$118,771.48

Based on the above bid it is recommended to go Kriz-Davis Co. with the low bid of \$87,236.00.

Ronald Sporleder  
Director of System Operations



September 6, 2011

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To Whom It May Concern:

This letter addresses the Electrical Service Project at AGCO Corporation in Beloit, KS. The project has been identified to address the upgrade of current transformers on the West side of the building. AGCO Beloit understands that they are required to purchase the transformer located at the facility and that the City of Beloit will purchase a back-up unit which will be located at their storage facility. AGCO understands that this written commitment will launch this project.

Please contact me with any additional needs or concerns pertaining to the above project.

Sincerely,

Tyler Odle  
Manufacturing Services Manager  
785-243-6734

## REQUEST FOR COUNCIL ACTION

<b>DATE:</b>	<b>TITLE:</b>
September 20, 2011	TIE TRANSFORMER BID
<b>ORIGINATING DEPARTMENT:</b>	<b>TYPE OF ACTION:</b>
POWER PLANT	<input type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION
	<input checked="" type="checkbox"/> FORMAL ACTION <input type="checkbox"/> OTHER

### RECOMMENDATION:

I recommend that the Council approve the bid for a Tie Transformer Bid from Solomon Corporation.

### FISCAL NOTE:

- The cost of this item is \$12,840.00
- Funding for this type of item is available in line item 53-41-4360 (Power Plant – Plant Equipment Repair)

### BIDS RECEIVED:

<u>COMPANY</u>	<u>PRICE</u>
Solomon Corporation	\$12,840.00

### DISCUSSION:

Respectfully submitted,

Glenn Rodden  
City Administrator

City Of Beloit Power Plant  
215 South Chestnut ST.  
Beloit, Kansas 67420



Tel No (785) 738-5121  
Fax No (785) 738-6401

**To: Glenn Rodden**  
**From: Henry Eilert Power Plant Foreman**  
**Subject: Tie Transformer Work.**

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**Glenn we have asked Solomon Corporation to give us some quotes on going thru and changing the oil in the LTC tap changer on the tie transformer here at the plant. Plus giving us a price to either change or filter the oil in the main tank of the tie transformer. The oil in the main tank has been in the transformer well over 30 years that we know of, there for we would like to have Solomon Corporation filter the oil in the main tank of the transformer for a price of \$12,840.00. This is a very important transformer to the city and this transformer has been neglected maintenance wise for some time, so it is very important that we start a preventive maintenance program on this transformer such as filtering the oil in both the LTC and the main tank of this transformer every 10-years of service. If the city was to lose this transformer for any reason at all the city would have no choice but to generate the city's load with the plants generators. Thank You Very Much for Your Consideration on this matter.**

**Henry Eilert**

*Henry Eilert*

*Ronald Sparks*



# SOLOMON CORPORATION

Powerful Transformer Solutions

Established 1971

103 West Main Street  
Solomon, Kansas 67480

[www.solomoncorp.com](http://www.solomoncorp.com)

785-655-2191  
FAX 785-655-2502  
Toll Free 800-234-2867

September 6, 2011

Beloit City Hall  
Beloit, KS  
Attn: Henry Eilert

RE: S/N H-879790 (Main Tank)

Solomon Corporation offers the following Field Service Quotation for your consideration:

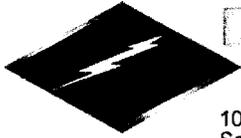
<b>Option 1: Process Existing Oil</b>	<b><i>\$12,840.00</i></b>
<b>Option 2: Drain &amp; Fill with New Oil</b>	<b><i>\$19,650.00</i></b>

Please call me at 1-800-234-2867 (ext. 193) if you have any questions.

Thank you,

Heath Funston - Territory Manager  
email: [hfunston@solomoncorp.com](mailto:hfunston@solomoncorp.com)

HF/cdc



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785-655-2191  
FAX 785-655-2502  
Toll Free 800-234-2867

March 24, 2011

Beloit City Hall  
Beloit, KS  
Attn: Henry Eilert

Solomon Corporation offers the following Field Service Quotation for your consideration:

**Scope of Work:**

- ~Mobilize Technicians to Job Site
- ~Drain, Clean and Inspect a GE LTC
- ~Replace and worn/damaged parts
- ~Fill with New Oil

**Cost: \$3,580.00**

*(Parts & Labor to install parts are additional)*

Please call me at 1-800-234-2867 (ext. 193) if you have any questions.

Thank you,

Heath Funston - Territory Manager  
email: [hfunston@solomoncorp.com](mailto:hfunston@solomoncorp.com)

HF/cdc

## REQUEST FOR COUNCIL ACTION

<b>DATE:</b>	<b>TITLE:</b>
September 20, 2011	CHIEF OF POLICE APPOINTMENT
<b>ORIGINATING DEPARTMENT:</b>	<b>TYPE OF ACTION:</b> <input type="checkbox"/> <b>ORDINANCE</b> <input type="checkbox"/> <b>RESOLUTION</b>
Police Department	<input checked="" type="checkbox"/> <b>FORMAL ACTION</b> <input type="checkbox"/> <b>OTHER</b>

### RECOMMENDATION:

I recommend that the Council approve the Mayor's appointment of Brenon Odle as the next police chief for the City of Beloit.

### FISCAL NOTE:

- The recommended salary for this position is \$68,000 per year.
- Funding for this type of item was included in the 2011 budget in an amount of \$350,000.00 line item 10-13-1100 (General Fund-Police-Salaries).

### DISCUSSION:

The search committee interviewed two candidates for this position last week and Brenon Odle is highly recommended by the committee. The committee believes that Mr. Odle's experience in the Secret Service, as city attorney for the City of Beloit, and as the assistant county attorney for Riley County makes him the best qualified candidate for this position.

Respectfully submitted,

Glenn Rodden  
City Administrator

## REQUEST FOR COUNCIL ACTION

<b>DATE:</b>	<b>TITLE:</b>
September 20, 2011	CITY ATTORNEY APPOINTMENT
<b>ORIGINATING DEPARTMENT:</b>	<b>TYPE OF ACTION:</b> <input type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION
Administration	<input checked="" type="checkbox"/> FORMAL ACTION <input type="checkbox"/> OTHER

### RECOMMENDATION:

I recommend that the Council approve the Mayor's appointment of Katie Cheney for the position of city attorney.

### FISCAL NOTE:

- The direct cost of this item is \$4,000.00 per month.
- Funding for this type of item was included in the 2011 budget in an amount of \$223,000 line item 10-11-1100 (General Fund-Administration-Salaries).

### DISCUSSION:

Ms. Cheney is a qualified candidate for this position and she is recommended by the out-going city attorney Brenon Odle.

Respectfully submitted,

Glenn Rodden  
City Administrator