A. CALL TO ORDER – Mayor Kehde – Council Chambers

B. PRAYER & PLEDGE OF ALLEGIANCE

C. ROLL CALL

D. SERVICE AWARDS
   1. John Clarke III – Firefighter – Fire Department – 5 years of service

E. RETIREMENT AWARDS - None

I. APPROVAL OF PREVIOUS SESSION MINUTES
   A. Council Meeting – April 20, 2020

II. REPORT OF SPECIAL BOARDS, COMMISSIONS AND COMMITTEES - None

III. ROLL CALL OF STANDING COMMITTEES

   A. FINANCE / ADMINISTRATION – Chairwoman Megan Page
      1. Approve Records Destruction Request from the Personnel Department
      2. Authorizing City Administrator to execute changes related to the City of Sedalia’s 457 Deferred Compensation Plan.
         Council Discussion led by Chairwoman Page
         O Call for ordinance authorizing temporary revisions to the City of Sedalia’s 457 deferred compensation plan under the coronavirus aid, relief and economic security (CARES) act due to the Covid-19 pandemic – Mayor Kehde
      3. Presentation - Second Annual Open Door/Craft Beer Cellar Festival
         Council Discussion led by Chairwoman Page
         O Call for Ordinance waiving the requirements of section 4-3(A) (Open Container Laws) of the code of ordinances of the City of Sedalia, Missouri and imposing other conditions relating to the Open Door/Craft Beer Cellar “Feed the Hungry” event on Saturday, June 27, 2020 during the hours of 4:00 p.m. to 9:00 p.m. in downtown Sedalia – Mayor Kehde

B. PUBLIC WORKS – Chairman Jeff Leeman
   1. FCC Agreement for Water Meters
      Council Discussion led by Chairman Leeman
      O Call for Ordinance approving and accepting an ownership disclosure information and lease agreement by and between the City of Sedalia, Missouri and Sensus USA Inc. & Sensus Spectrum, LLC – Mayor Kehde
   2. HD Supply Facilities Maintenance d/b/a USABlueBook Agreement for thirteen process turbidimeters for the Water Division
      Council Discussion led by Chairman Leeman
      O Call for Ordinance approving and accepting an agreement by and between the City of Sedalia, Missouri and HD Supply Facilities Maintenance, LP d/b/a USABlueBook for the purchase of thirteen (13) turbidimeters, one (1) procal calibration kit, four (4) rolls of source/drain tubing and thirteen (13) desicant refills for the Water Division – Mayor Kehde
   3. Haynes Equipment Co., Inc. agreement for a factory-built pumping system for the Wastewater Division.
Council Discussion led by Chairman Leeman

Call for Ordinance approving and accepting an agreement by and between the City of Sedalia, Missouri and Haynes Equipment Co., Inc., for the purchase of one (1) factory-built pumping system for Public Works - Wastewater Division – Mayor Kehde

C. COMMUNITY DEVELOPMENT – Chairman Andrew Dawson – No Report

D. PUBLIC SAFETY – Chairman Thomas Oldham – No Report

IV. OTHER BUSINESS

A. APPOINTMENTS

1. Recommendations from Mayor Kehde for various board appointments/reappointments.

B. LIQUOR LICENSES

Renewals:
* Kristina Moore d/b/a Casey’s General Store #1052, 716 W. 16th, Packaged Liquor & Sunday Sales, $450
* Vipul Patel d/b/a Liquor Locker A, 513 W. Main, Packaged Liquor & Sunday Sales, $450
* Brett Sorrell d/b/a VFW Post 2591, 121 S. Ohio, Liquor by the Drink, $450

V. MISCELLANEOUS ITEMS FROM MAYOR, CITY COUNCIL AND CITY ADMINISTRATOR

VI. GOOD AND WELFARE – Any items from anyone in the audience

VII. ADJOURN to closed door session in accordance with Sections 610.021 (1), (2) & (3) RSMo for Legal Advice, Lease, Sale or Purchase of Real Estate and Personnel Matters.

NOTE: Due to the COVID-19 pandemic emergency, which constitutes good cause, the Mayor and City Council may choose to participate in this meeting by videoconferencing, telephone or other voice or electronic means.

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The City Council reserves the right to discuss any other topics that are broached during the course of this meeting.

IF YOU HAVE SPECIAL NEEDS, WHICH REQUIRE ACCOMMODATION, PLEASE NOTIFY THE CITY CLERK’S OFFICE AT 827-3000. ACCOMMODATIONS WILL BE MADE FOR YOUR NEEDS.
To: Honorable Mayor John Kehde & City Council Members
From: Kelvin Shaw, City Administrator
Re: Agenda items for City Council meeting on Monday, May 4, 2020, 6:30 p.m.

Finance/Administration Committee - There are three items for consideration through the Finance/Administration Committee.

1. As a rather routine housekeeping item, the Personnel Department has identified some records that have met their retention requirements and are requesting authorization to properly dispose of such records no longer needed. Staff recommends approval.

2. Part of the Coronavirus Aid, Relief, and Economic Security Act (CARES) are provisions that provide options for our deferred compensation program organized under section 457 of the tax code. These provisions are designed to provide additional relief to our participants in the plan that are dealing with financial hardships due to the COVID-19 Pandemic. Some of these provisions leave it up to the plan sponsor (the City) to allow these temporary provisions or not. These provisions are to allow larger loan maximums, loan repayment deferrals, early withdrawals to cover COVID-19 related expenses, and to waive required minimum distributions for people that are older than 70 ½ which would create a hardship due to the stock market disruptions. Adding these options has no financial impact to the City and adds minimal administrative burdens, so staff recommends allowing these options for our employees that choose to participate. Further, the CARES Act allows that if we authorize these options they can be implemented immediately and in some cases retroactively and then followed up with formally amending our plan as time permits. Staff also recommends that Council authorize staff to make these options available to our participant employees immediately and to work with Mass Mutual, our third party administrator, to put together the amended plan to bring back to Council for formal adoption as soon as practical.

3. Open Door and Craft Beer partnered last year to do a fundraising event for Open Door that was quite successful and we received no reports of issues on. They have organized a similar event for this year and submitted their application for permits. Included in the application is a request, like last year, to suspend the open container laws during the event. Staff met with the organizer and we are comfortable with their plan to control the access and sale of alcohol. Staff recommends approval of the ordinance to suspend the open container laws from 4:00 p.m. to 9:00 p.m. on June 27 for the specific area as depicted on the map generally around 7th Street and Ohio Avenue.

Public Works Committee – There are three items for consideration through the Public Works Committee.

1. The water meters use radio frequencies regulated by the Federal Communications Commission. As part of the changeover in billing systems, we need to update the registration and lease equipment to use these frequencies to transmit the water meter readings. Staff recommends approval.

2. The water system uses equipment called turbidimeters to ensure the proper filtration of drinking water. In accordance with our procurement policies, Public Works has issued invitations to bid (IFB) and received four sealed bids that were opened on April 21st and a bid tabulation pre-
pared. After review of the bids, staff recommends award to the lowest bidder being HD Supply Facilities Maintenance doing business as USABlueBook for 13 turbidimeters and related supplies for $26,139.00.

3. The ongoing capital improvements and replacement strategy and thereby budget includes a pumping system. Public Works issued an invitation for bid (IFB) and three sealed bids were received and opened during a public bid opening on April 21st and a bid tabulation was prepared. After analysis, staff recommends award of the bid to the lowest bidder being Haynes Equipment Co., Inc. in the amount of $49,870.00.

Community Development Committee – There are no items for consideration through the Community Development Committee.

Public Safety Committee – There are no items for consideration through the Public Safety Committee.
CITY OF SEDALIA, MISSOURI
CITY COUNCIL MEETING
APRIL 20, 2020

“In light of the current COVID-19 Pandemic and the concern among the public about attending public functions, the City started a new on-line broadcast of public meetings. The City will make Council Meetings available on-line both live and recorded through GoToWebinar. Anybody may attend the on-line meeting. Details for how to register to attend the meeting are included below.

Please register for Sedalia City Council Meeting, on April 20, 2020 6:30 PM CDT at:

Please join my meeting from your computer, tablet or smartphone.
https://www.gotomeet.me/MonteRichardson/city-council-meeting-042020

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The Council of the City of Sedalia, Missouri duly met on Monday, April 20, 2020 at 6:30 p.m. at the Municipal Building in the Council Chambers, Staff Conference Room, Video Conference and various other offices via GoToWebinar with Mayor John Kehde presiding. Mayor Kehde called the meeting to order and asked for a moment of reflection followed by the Pledge of Allegiance.

ROLL CALL:
Jeff Leeman  Present  Charles Lowe  Absent
Thomas Oldham  Present  Bob Cross  Present
Andrew Dawson  Present  Tolbert Rowe  Present
Bonita Nash  Absent  Megan Page  Present

RECOGNITION – Police Response – April 12, 2020 Hostage Situation:
Mayor Kehde stated on Sunday, April 12, 2020 he received a call from City Administrator Kelvin Shaw informing him of a hostage situation at Scott Joplin Court. Commander David Woolery stated that on April 12, 2020 officers responded to a domestic disturbance at Scott Joplin Court and that upon arrival they located a female victim who had been assaulted by the suspect. Once officers approached the suspect he retreated into the apartment and locked himself inside with four children. Officers
unsuccessfully tried to talk the suspect outside, and after hours of negotiation with the suspect it was apparent for the safety of the children the suspect needed to be taken into custody. Officers attempted to enter through the back door and the suspect fired three rounds at the officers, but the officers did not return fire due to the safety of the children inside. Along with the Pettis County Sheriff’s Office, Missouri State Highway Patrol and Division of Drug and Crime Control the suspect was taken into custody without injury to any officers or hostages.

Mayor Kehde, Police Chief Matt Wirt and Commander David Woolery recognized the following officers involved in the incident: Officer Derrick DeSalme III, Sergeant Aaron DeVorss, Sergeant Brad Beard, Commander Adam Hendricks, Officer Keaton Schnell, Detective Larry Parham, Dispatcher Angela Gartner, Officer Shania Fox and Officer Ty Barrett.

SERVICE / RETIREMENT AWARDS: None

MINUTES:
The following minutes were approved on motion by Leeman, seconded by Page. All present in favor.
Nash and Lowe were absent.
  • Council Meeting – April 6, 2020
  • Special Council Meeting – April 8, 2020

REPORTS OF SPECIAL BOARDS, COMMISSIONS & COMMITTEES: None

ROLL CALL OF STANDING COMMITTEES:
FINANCE & ADMINISTRATION – Jeff Leeman, Chairman; Thomas Oldham, Vice Chairman

Presentation – Financial Update
City Administrator Kelvin Shaw stated the City finished the year at 8.7% above the previous year through March on sales tax bringing it to a 3.7% increase year over year. Use taxes were at 11% of the budget bringing the total to $469,000 increase this year versus last year. There was also an increase of $534,000 in total taxes year over year. April collections, before the Coronavirus shut down businesses, were up but when the 1/8 cent tax is taken out for the Community Center they were down approximately 1%. Due to Covid-19 there will be a negative impact on revenues as well as incurring added expenses. Instead of amending the budget a hold back will be implemented.

<table>
<thead>
<tr>
<th>General Fund</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Sales Tax Anticipated Gap</td>
<td></td>
</tr>
<tr>
<td>2% Budgeted Increase</td>
<td>($118,534)</td>
</tr>
<tr>
<td>Financial Budget</td>
<td>($400,000)</td>
</tr>
<tr>
<td>SWAG Shortfall</td>
<td>($518,534)</td>
</tr>
</tbody>
</table>

**Hold Back:**
- Facilities Management Added Employee: $50,000
- Facilities Management Truck Replacement: $29,400
- MML Conference: $6,600
- Admin Training: $1,150
- IT KnowBe4 – 3 year subscription: $8,000
- Animal Services TNR: $10,000
- Animal Services Training: $1,600
- Community Development Copier: $5,044
- Community Development – CLG Conference: $1,775
- Community Development – Main Street Conference: $4,100
- Neighborhood Revitalization Seed Money: $100,000
<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Promotions &amp; Events</td>
<td>$15,000</td>
</tr>
<tr>
<td>Police Drone</td>
<td>$5,050</td>
</tr>
<tr>
<td>Police Copy Machine</td>
<td>$3,423</td>
</tr>
<tr>
<td>Police Training</td>
<td>$7,325</td>
</tr>
<tr>
<td>Education Stipends</td>
<td>$1,500</td>
</tr>
<tr>
<td>Firehouse Ice Machines</td>
<td>$6,100</td>
</tr>
<tr>
<td>Fire Buildings &amp; Grounds</td>
<td>$1,200</td>
</tr>
<tr>
<td>Fire Training</td>
<td>$3,600</td>
</tr>
<tr>
<td>State Fair Booth</td>
<td>$1,700</td>
</tr>
<tr>
<td>Gas &amp; Oil 20% Price Reduction (Several Departments)</td>
<td>$23,212</td>
</tr>
<tr>
<td>Scott Joplin Ragtime Festival</td>
<td>$10,000</td>
</tr>
<tr>
<td><strong>Total Hold Back</strong></td>
<td>$295,779</td>
</tr>
<tr>
<td>Net General Fund Estimated Impact</td>
<td>($222,755)</td>
</tr>
<tr>
<td>Adopted Budget Surplus</td>
<td>$107,858</td>
</tr>
<tr>
<td>Net FY21 Change With Estimated Impact</td>
<td>($114,897)</td>
</tr>
<tr>
<td>Remaining Reserves</td>
<td>$8,307,456 (62%)</td>
</tr>
</tbody>
</table>

**Transportation**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sales Tax Anticipated Gap</td>
<td></td>
</tr>
<tr>
<td>2% Budgeted Increase</td>
<td>($52,781)</td>
</tr>
<tr>
<td>Financial Budget History</td>
<td>($200,000)</td>
</tr>
<tr>
<td>SWAG Shortfall</td>
<td>($252,781)</td>
</tr>
<tr>
<td><strong>Hold Back:</strong></td>
<td></td>
</tr>
<tr>
<td>Added Staffing</td>
<td>$29,592</td>
</tr>
<tr>
<td>Airport Flyin Promotion</td>
<td>$2,000</td>
</tr>
<tr>
<td>Airport Ground Power Unit</td>
<td>$40,000</td>
</tr>
<tr>
<td>Airport Training</td>
<td>$800</td>
</tr>
<tr>
<td>Street Department Pickup Replacement</td>
<td>$28,500</td>
</tr>
<tr>
<td>Street Barn Concrete Added</td>
<td>$6,000</td>
</tr>
<tr>
<td>Street Training</td>
<td>$750</td>
</tr>
<tr>
<td>Gas &amp; Oil 20% Price Reduction (All Departments)</td>
<td>$16,970</td>
</tr>
<tr>
<td>Transfer To CIP Reduction</td>
<td>$150,000</td>
</tr>
<tr>
<td><strong>Total Hold Back</strong></td>
<td>$274,612</td>
</tr>
<tr>
<td>Net Transportation Fund Estimated Impact</td>
<td>$21,831</td>
</tr>
<tr>
<td>Adopted Budget (Deficit)</td>
<td>($51,254)</td>
</tr>
<tr>
<td>Net FY21 Change With Estimated Impact</td>
<td>($29,423)</td>
</tr>
<tr>
<td>Remaining Reserves</td>
<td>$1,665,341 (40%)</td>
</tr>
</tbody>
</table>

**Capital Improvements**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sales Tax Anticipated Gap</td>
<td></td>
</tr>
<tr>
<td>2% Budgeted Increase</td>
<td>($53,687)</td>
</tr>
<tr>
<td>Financial Budget History</td>
<td>($200,000)</td>
</tr>
<tr>
<td>SWAG Shortfall</td>
<td>($253,687)</td>
</tr>
<tr>
<td><strong>Hold Back:</strong></td>
<td></td>
</tr>
<tr>
<td>Road Resurfacing</td>
<td>$355,000</td>
</tr>
<tr>
<td>Third Street Parking Lot</td>
<td>$300,000</td>
</tr>
<tr>
<td>Municipal Plaza Fountain Rehabilitation</td>
<td>$30,000</td>
</tr>
<tr>
<td>Storm Drainage Projects</td>
<td>$1,065,875</td>
</tr>
<tr>
<td>Transfer From Transportation</td>
<td>($150,000)</td>
</tr>
<tr>
<td><strong>Total Hold Back</strong></td>
<td>$1,600,875</td>
</tr>
<tr>
<td>Net Transportation Fund Estimated Impact</td>
<td>$1,347,188</td>
</tr>
<tr>
<td>Adopted Budget Surplus</td>
<td>$1,828,802</td>
</tr>
<tr>
<td>Net FY21 Change With Estimated Impact</td>
<td>$3,175,990</td>
</tr>
<tr>
<td>Remaining Reserves</td>
<td>$2,152,150 (62%)</td>
</tr>
</tbody>
</table>
Councilman Leeman stated that due to Covid-19, the sunset clause related to the Bothwell Regional Health Center Board of Trustees will be extended to April 30, 2021 to keep the positions of Mayor and City Administrator on the board.

BILL NO. 2020-63, ORDINANCE NO. 11141 – AN ORDINANCE EXTENDING THE SUNSET PROVISION FOR SECTION 2-434(b) RELATING TO THE CITY HOSPITAL BOARD OF TRUSTEES was read once by title.
2nd Reading – Motion by Leeman, 2nd by Cross. All present in favor. Nash and Lowe were absent.
Final Passage – Motion by Leeman, 2nd by Oldham. All present in favor. Nash and Lowe were absent.
Roll Call Vote: Voting “Yes” were Leeman, Oldham, Dawson, Cross and Rowe. Voting “No” was Page. Nash and Lowe were absent.

Councilman Leeman stated that part of the transition of the Water Department into City Hall was changing normal business hours for City Hall. The ordinance amends the personnel regulations to change City Hall normal hours of operation from 8:30 a.m. to 5:00 p.m. to 8:00 a.m. to 5:00 p.m.
BILL NO. 2020-64, ORDINANCE NO. 11142 – AN ORDINANCE AMENDING THE CITY OF SEDALIA’S PERSONNEL REGULATIONS MANUAL BY AMENDING SECTION 5.3(D) WORK SCHEDULE RELATING TO MUNICIPAL BUILDING EMPLOYEES FOR THE CITY OF SEDALIA, MISSOURI was read once by title.
2nd Reading – Motion by Leeman, 2nd by Page. All present in favor. Nash and Lowe were absent.
Final Passage – Motion by Oldham, 2nd by Leeman. All present in favor. Nash and Lowe were absent.
Roll Call Vote: Voting “Yes” were Leeman, Oldham, Dawson, Cross, Rowe and Page. No one voted “No”. Nash and Lowe were absent.

Councilman Leeman stated that the State of Missouri issued an emergency waiver allowing restaurants that normally sell liquor by the drink to be able to sell alcoholic beverages, not in their original package but, through carryout, pickup or delivery if they meet the temporary requirements. Councilman Page asked if restaurants are currently implementing this change and Mayor Kehde stated yes. City Attorney Anne Gardner stated the Missouri Division of Alcohol and Tobacco Control came out with the order on April 14, 2020 and it is only effective until May 15, 2020 unless extended.
BILL NO. 2020-65, ORDINANCE NO. 11143 – AN ORDINANCE ADDRESSING THE EMERGENCY WAIVER ISSUED APRIL 14, 2020 BY THE MISSOURI DIVISION OF ALCOHOL AND TOBACCO CONTROL FOR RETAILER-PACKAGED ALCOHOL was read once by title.
2nd Reading – Motion by Leeman, 2nd by Oldham. All present in favor. Nash and Lowe were absent.
Final Passage – Motion by Leeman, 2nd by Oldham. All present in favor. Nash and Lowe were absent.
Roll Call Vote: Voting “Yes” were Leeman, Oldham, Dawson, Cross, Rowe and Page. No one voted “No”. Nash and Lowe were absent.

PUBLIC WORKS – Megan Page, Chairman; Thomas Oldham, Vice Chairman

Councilman Page stated as work continues along the Katy Trail it was determined that curbing along East 4th is in poor condition and it is recommended to add an additional $32,253.97 to the contract with S & A Equipment and Builders for curb replacement.
BILL NO. 2020-66, ORDINANCE NO. 11144 – AN ORDINANCE APPROVING AND ACCEPTING CHANGE ORDER NUMBER 2 BY AND BETWEEN THE CITY OF SEDALIA, MISSOURI AND S & A EQUIPMENT AND BUILDERS, LLC FOR THE KATY TRAIL EXTENSION PROJECT was read once by title.
2nd Reading – Motion by Page, 2nd by Oldham. All present in favor. Nash and Lowe were absent.
Final Passage – Motion by Page, 2nd by Oldham. All present in favor. Nash and Lowe were absent.
Roll Call Vote: Voting “Yes” were Leeman, Oldham, Dawson, Cross, Rowe and Page. No one voted “No”. Nash and Lowe were absent.
Councilman Page stated due to her financial involvement with the Sedalia Heritage Foundation she would abstain from this ordinance and defer it to Vice Chairman Oldham. Councilman Oldham stated the ordinance was to accept the charitable gift from Sue Heckart for the construction of the Heckart Community Center.

BILL NO. 2020-67, ORDINANCE NO. 11145 – AN ORDINANCE APPROVING AND ACCEPTING AN AGREEMENT BY AND BETWEEN THE CITY OF SEDALIA, MISSOURI, HECKART FAMILY FOUNDATION AND SEDALIA HERITAGE FOUNDATION, INC. was read once by title. 2nd Reading – Motion by Cross, 2nd by Oldham. All present in favor. Nash and Lowe were absent. Final Passage – Motion by Cross, 2nd by Oldham. All present in favor. Nash and Lowe were absent. Roll Call Vote: Voting “Yes” were Leeman, Oldham, Dawson, Cross and Rowe. No one voted “No”. Page abstained due to her financial involvement with the Sedalia Heritage Foundation. Nash and Lowe were absent.

Councilman Page stated there were some items that were not necessary in the storm drainage improvement project in area 27 which result in a credit of $3,359.96 with Pcort Excavating.

BILL NO. 2020-68, ORDINANCE NO. 11146 – AN ORDINANCE APPROVING AND ACCEPTING CHANGE ORDER NUMBER TWO BY AND BETWEEN THE CITY OF SEDALIA, MISSOURI AND POORT EXCAVATING, LLC FOR STORM DRAINAGE IMPROVEMENTS PROJECT AREA #27 was read once by title. 2nd Reading – Motion by Oldham, 2nd by Page. All present in favor. Nash and Lowe were absent. Final Passage – Motion by Oldham, 2nd by Rowe. All present in favor. Nash and Lowe were absent. Roll Call Vote: Voting “Yes” were Leeman, Oldham, Dawson, Cross, Rowe and Page. No one voted “No”. Nash and Lowe were absent.

Councilman Page stated the City has been working with MoDOT to place traffic signal communications equipment on the west water tower to control traffic signals along 50 and 65 highways. The equipment also facilitates pre-emptive controls to assist with clearing intersections in emergency situations. Councilman Leeman stated he was in favor of the ordinance but wanted to know if the equipment would be in place for use by the Sedalia Police and Fire Departments. City Administrator Shaw stated it would give the City the availability but not sure what extra equipment would need to be purchased.

BILL NO. 2020-69, ORDINANCE NO. 11147 – AN ORDINANCE APPROVING AND ACCEPTING AN AGREEMENT BY AND BETWEEN THE CITY OF SEDALIA, MISSOURI AND MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION TO LOCATE TRAFFIC SIGNAL PRE-EMPTION EQUIPMENT ATOP THE CITY’S WEST WATER TOWER was read once by title. 2nd Reading – Motion by Leeman, 2nd by Page. All present in favor. Nash and Lowe were absent. Final Passage – Motion by Leeman, 2nd by Oldham. All present in favor. Nash and Lowe were absent. Roll Call Vote: Voting “Yes” were Leeman, Oldham, Dawson, Cross, Rowe and Page. No one voted “No”. Nash and Lowe were absent.

Councilman Page stated the ordinance is for an agreement in relationship with Galaxy West Development that has been completed, and to accept the public improvements, easements and right-of-ways from Star Acquisitions in accordance with terms of the agreement.

BILL NO. 2020-70, ORDINANCE NO. 11148 – AN ORDINANCE ACCEPTING FOR CITY MAINTENANCE THE SANITARY SEWER MAIN, FORCE MAIN AND LIFT STATION LOCATED AT 4107 WEST MAIN STREET WITHIN THE CITY OF SEDALIA, MISSOURI FROM STAR ACQUISITIONS, INC. AND APPROVING AND ACCEPTING A PERMANENT AND TEMPORARY UTILITY EASEMENT FROM STAR ACQUISITIONS, INC. TO THE CITY OF SEDALIA, MISSOURI FOR SAID PROPERTY was read once by title.
Councilman Page stated Public Works created a new position for Equipment Operator III (Demolition) after identifying added skill sets needed in the operation of some equipment. The two ordinances are to add the new job description and to also add it to the City’s drug and alcohol policy. 

BILL NO. 2020-71, ORDINANCE NO. 11149 – AN ORDINANCE AMENDING ORDINANCE NO. 9940 BY ADDING A NEW CLASSIFICATION AND JOB DESCRIPTION FOR THE POSITION OF EQUIPMENT OPERATOR III (DEMOLITION) FOR THE CITY OF SEDALIA, MISSOURI was read once by title. 

2nd Reading – Motion by Oldham, 2nd by Page. All present in favor. Nash and Lowe were absent.
Final Passage – Motion by Leeman, 2nd by Page. All present in favor. Nash and Lowe were absent.
Roll Call Vote: Voting “Yes” were Leeman, Oldham, Dawson, Cross, Rowe and Page. No one voted “No”. Nash and Lowe were absent.

BILL NO. 2020-72, ORDINANCE NO. 11150 – AN ORDINANCE AMENDING SECTION 7.15(C) (CONTROLLED SUBSTANCE AND ALCOHOL TESTING POLICY – APPLICABILITY) OF THE CITY OF SEDALIA’S PERSONNEL REGULATIONS MANUAL BY ADDING EQUIPMENT OPERATOR III (DEMOLITION) was read once by title. 

2nd Reading – Motion by Oldham, 2nd by Leeman. All present in favor. Nash and Lowe were absent.
Final Passage – Motion by Leeman, 2nd by Oldham. All present in favor. Nash and Lowe were absent.
Roll Call Vote: Voting “Yes” were Leeman, Oldham, Dawson, Cross, Rowe and Page. No one voted “No”. Nash and Lowe were absent.

Councilman Page stated the ordinance is for a one year contract extension with Iron Mountain Trap Rock for purchase and delivery of trap rock. In 2018, Iron Mountain was awarded the bid and the agreement included provisions for up to four one-year extensions.

BILL NO. 2020-73, ORDINANCE NO. 11151 – AN ORDINANCE APPROVING A ONE YEAR CONTRACT EXTENSION BY AND BETWEEN THE CITY OF SEDALIA, MISSOURI AND IRON MOUNTAIN TRAP ROCK FOR PURCHASE AND DELIVERY OF TRAP ROCK was read once by title.

2nd Reading – Motion by Leeman, 2nd by Oldham. All present in favor. Nash and Lowe were absent.
Final Passage – Motion by Leeman, 2nd by Page. All present in favor. Nash and Lowe were absent.
Roll Call Vote: Voting “Yes” were Leeman, Oldham, Dawson, Cross, Rowe and Page. No one voted “No”. Nash and Lowe were absent.

COMMUNITY DEVELOPMENT – Andrew Dawson, Chairman; Charles Lowe, Vice Chairman – No Report.

PUBLIC SAFETY – Bonita Nash, Chairman; Andrew Dawson, Vice Chairman
Councilman Dawson, Vice Chairman, stated due to Covid-19 automobile manufacturers are not taking orders for vehicles designed for police operations and the bid from WK should be rejected. Motion by Leeman, seconded by Oldham to approve staff recommendation to reject the bid for (2) Police Vehicles from WK Chrysler-Dodge. All present in favor. Nash and Lowe were absent.
Councilman Dawson, Vice Chairman, stated the resolution is to allow the Sedalia Police Department to act as an agent for the City in the application process for the Missouri Law Enforcement Support Office program in order to obtain surplus equipment and supplies.

RESOLUTION NO. 1903 – A RESOLUTION AUTHORIZING THE SEDALIA POLICE DEPARTMENT TO ACT AS AN AGENT FOR THE CITY OF SEDALIA IN THE APPLICATION PROCESS FOR THE MISSOURI LESO PROGRAM ADMINISTERED BY THE DEFENSE LOGISTICS AGENCY (DLA) DISPOSITION SERVICES, LAW ENFORCEMENT SUPPORT OFFICE (LESO) AND AUTHORIZING THE MAYOR, CITY ADMINISTRATOR AND/OR CHIEF OF POLICE TO SIGN SAID APPLICATION was read once by title and approved on motion by Page, seconded by Oldham. All present in favor. Nash and Lowe were absent.

Councilman Dawson, Vice Chairman, stated the ordinance is to add Finance Director Dawn Jennings to the Firefighter’s Retirement Fund Board of Trustees and remove Accounting Manager Peggy Bay from the Board.

BILL NO. 2020-74, ORDINANCE NO. 11152 – AN ORDINANCE AMENDING SECTION 40-294 OF THE CODE OF ORDINANCES OF THE CITY OF SEDALIA, MISSOURI RELATING TO THE FIREFIGHTER’S RETIREMENT FUND BOARD OF TRUSTEES was read once by title. 2nd Reading – Motion by Oldham, 2nd by Rowe. All present in favor. Nash and Lowe were absent. Final Passage – Motion by Oldham, 2nd by Leeman. All present in favor. Nash and Lowe were absent. Roll Call Vote: Voting “Yes” were Leeman, Oldham, Dawson, Cross, Rowe and Page. No one voted “No”. Nash and Lowe were absent.

Councilman Dawson, Vice Chairman, stated due to not being able to get the two new Police Vehicles from WK it is recommended to purchase serviceable used vehicles while they are still available. Motion by Leeman, seconded by Rowe to approve the purchase of two 2018 Dodge Chargers from the Missouri State Highway Patrol for a total of $39,000 and one 2019 Ford Explorer from the Kansas State Highway Patrol for $25,350 for the Sedalia Police Department. All present in favor. Nash and Lowe were absent.

Councilman Dawson, Vice Chairman, stated the ordinance is to proceed with the electronic ticketing system from Tyler Technologies with Brazos Solution E-Ticketing software and hardware. This will help streamline the ticketing processes between the Sedalia Police Department and Court.

BILL NO. 2020-75, ORDINANCE NO. 11153 – AN ORDINANCE APPROVING AND ACCEPTING AN AMENDMENT BY AND BETWEEN THE CITY OF SEDALIA, MISSOURI AND TYLER TECHNOLOGIES, INC., A DELAWARE CORPORATION, FOR IMPLEMENTATION OF BRAZOS SOLUTION E-TICKETING SOFTWARE AND ASSOCIATED HARDWARE FOR THE SEDALIA POLICE DEPARTMENT was read once by title. 2nd Reading – Motion by Oldham, 2nd by Leeman. All present in favor. Nash and Lowe were absent. Final Passage – Motion by Rowe, 2nd by Leeman. All present in favor. Nash and Lowe were absent. Roll Call Vote: Voting “Yes” were Leeman, Oldham, Dawson, Cross, Rowe and Page. No one voted “No”. Nash and Lowe were absent.

Councilman Dawson, Vice Chairman, stated the resolution is to allow the Sedalia Police Department to apply for supplemental funding of $33,000 to help offset costs associated with the Covid-19 Pandemic.

RESOLUTION NO. 1904 – A RESOLUTION AUTHORIZING THE SEDALIA POLICE DEPARTMENT TO ACT AS AN AGENT FOR THE CITY OF SEDALIA IN THE APPLICATION PROCESS FOR THE CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING PROGRAM SOLICITATION GRANT (CESF) AND AUTHORIZING THE MAYOR, CITY ADMINISTRATOR
AND/OR CHIEF OF POLICE TO SIGN SAID APPLICATION was read once by title and approved on motion by Oldham, seconded by Page. All present in favor. Nash and Lowe were absent.

 Councilman Dawson, Vice Chairman, stated during the hostage situation on April 12, 2020 there was a ballistic shield that was damaged and needs to be replaced. There are sufficient funds available from the asset forfeiture to cover the cost so it is recommended to amend the budget. BILL NO. 2020-76, ORDINANCE NO. 11154 – AN ORDINANCE AMENDING THE BUDGET FOR THE FISCAL YEAR 2020-2021 REGARDING BALLISTIC SHIELD REPLACEMENT was read once by title.
2nd Reading – Motion by Oldham, 2nd by Page. All present in favor. Nash and Lowe were absent. Final Passage – Motion by Leeman, 2nd by Page. All present in favor. Nash and Lowe were absent. Roll Call Vote: Voting “Yes” were Leeman, Oldham, Dawson, Cross, Rowe and Page. No one voted “No”. Nash and Lowe were absent.

APPOINTMENTS: None

BIDS:
- (2) Police Vehicles – April 1, 2020
- (2) Dodge Chargers / (1) Ford Explorer – April 8, 2020

LIQUOR LICENSES: None

SELECTION AND ANNOUNCEMENT OF COMMITTEE ASSIGNMENTS:
Mayor Kehde announced new chairman for Council Committees as follows:
Community Development – Councilman Andrew Dawson
Public Works – Councilman Jeff Leeman
Finance & Administration – Councilwoman Megan Page
Public Safety – Councilman Thomas Oldham

Mayor Kehde stated all other committee assignments will be determined at a later date.

MISCELLANEOUS ITEMS FROM MAYOR/COUNCIL/ADMINISTRATOR:
City Administrator Kelvin Shaw and Mayor John Kehde thanked Sue Heckart for her generous donation.

GOOD & WELFARE: None

The meeting adjourned at 7:32 p.m. on motion by Rowe, seconded by Leeman to a closed door session in accordance with Sections 610.021 (1) & (2) RSMo for Legal Advice and Lease, Sale or Purchase of Real Estate. All present in favor. Nash and Lowe were absent.

THE CITY OF SEDALIA, MISSOURI

John Kehde, Mayor

Arlene Silvey, MPCC City Clerk
PERSONNEL DEPARTMENT

May 4, 2020

Mayor John Kehde
Members of the City Council
Sedalia, Missouri

RE: Original Records Destruction

As per RSMo 109.250(4), City records that are on file in the Personnel Office and have met the retention schedule will be destroyed in compliance with the guidelines established by the Secretary of State’s Office. The Personnel Office does hereby request that the City Council authorize the destruction of the following documents:

- Plant Maintenance applications – March 2019 – retention period 1 year.
- Equipment Operator I and II applications – Water Dept. – March 2019 – retention period 1 year.
- Mechanic in Public Works Department applications – April 2019 – retention period 1 year.
- Laborer in Street Department applications – April 2019 – retention period 1 year.
- Public Works Senior Engineering Technician applications – March 2019 – retention period 1 year.

I hereby certify that the records described are no longer needed in the transaction of current business and no longer possess sufficient administrative, legal, historical or fiscal value to warrant further keeping.

Method of destruction will be by shredder.

Sincerely,

[Signature]
John L. Rice
Personnel Director
AN ORDINANCE AUTHORIZING TEMPORARY REVISIONS TO THE CITY OF SEDALIA’S 457 DEFERRED COMPENSATION PLAN UNDER THE CORONAVIRUS AID, RELIEF AND ECONOMIC SECURITY (CARES) ACT DUE TO THE COVID-19 PANDEMIC.

WHEREAS, on March 27, 2020, Congress enacted the Coronavirus Aid, Relief and Economic Security (CARES) Act which provides financial relief for employees that have been impacted by the COVID-19 pandemic; and

WHEREAS, said act contains options that can be adopted by the City which have no financial impact or cause an additional administrative burden on the City but would temporarily revise the City’s 457 Deferred Compensation Plan; options are as follows:

- A. Temporarily increase the loan limits in the city’s 457 deferred compensation plan to $100,000 or 100% of the participant’s vested account balance. (Increase permitted for loans granted during the period of enactment until September 23, 2020).
- B. Extending any loan repayment(s) for loans made prior to or after March 27, 2020 through December 31, 2020 for up to one year based on the employee’s election. (Interest would still accrue during delay period).
- C. Allow employees who have 457 funds to receive an early distribution in an amount up to $100,000 or 100% of their account balance without imposition of 10% early distribution penalty. Withdrawals must be made prior to December 31, 2020. Income taxes for distributions can be spread out over a three year tax period beginning in the year of distribution unless otherwise elected by the employee; distribution would not be subject to the normal 20% withholding rate.
- D. Waive the required minimum distribution for 2020; and

WHEREAS, staff recommends that said all options be authorized by the City Administrator and applied to the City’s 457 deferred compensation plan to assist employees in managing finances due to the COVID-19 pandemic.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SEDALIA, MISSOURI, AS FOLLOWS:

Section 1. The City Council hereby approves the City Administrator to authorize temporary revisions, listed as Options A, B, C and D, as recommended by Staff, to the City of Sedalia’s 457 Deferred Compensation Plan under the Coronavirus Aid, Relief and Economic Security (CARES) Act due to the COVID-19 pandemic.

Section 2. This ordinance shall be in full force and effect from and after its passage and approval until September 23, 2020 for option A and until December 31, 2020 for options B, C and D.
Read two times by title, copies of the proposed ordinance having been made available for public inspection in the City Clerk’s Office prior to the time the bill is under consideration by the Council and passed by the Council of the City of Sedalia, Missouri this 4th day of May, 2020.

Presiding Officer of the Council

Approved by the Mayor of said City this 4th day of May, 2020.

John Kehde, Mayor

ATTEST:

Arlene Silvey, MPCC
City Clerk
MEMORANDUM

To: City Council
Via: Kelvin Shaw, City Administrator
From: John L. Rice
Date: 04/27/2020
Re: CARES Act

Introduction:

On March 27, 2020, Congress enacted the Coronavirus Aid, Relief and Economic Security (CARES) Act. It provides financial relief for those who have been impacted by the COVID-19 crisis. The act has various options that can be adopted by the city that temporarily affect the city’s voluntary 457 Deferred Compensation Plan. The provisions of this act, if they are adopted, have no financial impact on the city as an entity or cause any additional administrative burden.

Since 457 deferred contributions are made by the individual employee and do not involve city funds, any financial liability would be on the individual employee. Currently, the provisions of the 457 plan allow employees to take a loan against their individual retirement account. For those who opt to take a loan, the repayment of this loan is handled through the finance department.

The new CARES Act expands on the loan provisions that are available to an employee as well as withdrawals that could be taken against their individual account for several types of COVID-19 events. The new loan provisions only apply for the time period between March 27 and September 23, 2020. In the new act, an employee can also select to take an early withdrawal distribution from their account (not a loan) that is not subject to the normal distribution penalty. Income taxes would still be applicable on any amount withdrawn. Taxes on an early distribution could be spread over three tax years according to the act. Both of these new provisions would allow an employee to self-certify their need directly with our investment firm MassMutual and the city would not be involved in validating the request. In addition, the act has also made a provision for delaying the required minimum distribution (RMD) from a retirement account for this year. (RMD’s are usually required when a person turns age 70 1/2).

Plan Options:

Although none of these options are mandatory, they could be a benefit to the employee. The options that are available to the city are as follows:

1) Temporarily increase the loan limits in the city’s 457 deferred compensation plan to $100,000 or 100% of the participant’s vested account balance. (This increase is permitted for loans granted during the period of enactment until September 23, 2020.
2) An option for extending any loan repayment(s) for those loans made prior to or after March 27, 2020 through December 31, 2020 for up to one year based on the employee’s election. (Interest would still accrue during the delay period).
3) Allow employees who have 457 funds to receive an early distribution in an amount up to $100,000 or 100% of their account balance without the imposition of the 10% early distribution penalty. Withdrawals must be made prior to December 31, 2020. Income taxes for these distributions can be included over a three-year tax period beginning in the year of the distribution unless otherwise elected by the employee. The distribution would not be subject to the normal 20% withholding rate that otherwise applies.

4) Waive the required minimum distribution (RMD) for 2020.

**Recommendation:**

I would like to recommend that the city authorize these temporary changes to the city’s deferred compensation plan to better assist employees in managing their finances due to any ongoing COVID-19 crisis.

Respectfully Submitted,

*John L. Rice*
BILL NO. __________________

ORDINANCE NO. __________

AN ORDINANCE WAIVING THE REQUIREMENTS OF SECTION 4-3(A) (OPEN CONTAINER LAWS) OF THE CODE OF ORDINANCES OF THE CITY OF SEDALIA, MISSOURI AND IMPOSING OTHER CONDITIONS RELATING TO THE OPEN DOOR/CRAFT BEER CELLAR “FEED THE HUNGRY” EVENT ON SATURDAY, JUNE 27, 2020 DURING THE HOURS OF 4:00 P.M. TO 9:00 P.M. IN DOWNTOWN SEDALIA.

WHEREAS, the Open Door and Craft Beer Cellar are requesting the City to waive its open container laws so they can hold their second “Feed the Hungry” Fundraising Event for Open Door with wine and beer tastings to be held in downtown Sedalia on June 27, 2020 from 4:00 p.m. to 9:00 p.m.; and

WHEREAS, each participant in the Feed the Hungry Event will have presented their identification to verify that they are 21 years of age or older and then will have been issued a Feed the Hungry Event wristband and a Feed the Hungry Event cup unique to this event which will allow them to receive tastings from various breweries, distilleries and wineries and to purchase certain alcoholic beverages for consumption from Craft Beer Cellar located in the Event area described below; and

WHEREAS, for this event only, Craft Beer Cellar’s premises are deemed to be extended outwards from its building into South Ohio Avenue so this vendor would be able to sell alcoholic beverages to participants wearing the requisite wristband and who had been issued a cup unique to this event; and

WHEREAS, the City will have erected barricades blocking certain downtown streets from vehicular traffic during the time of the Feed the Hungry Event; said Feed the Hungry Event barricades will be generally placed in an area on South Ohio Avenue from the alley directly North of West Broadway to the alley directly South of Sixth Street and on Seventh Street from South Osage Avenue to South Lamine Avenue and more specifically located as indicated on the attached map, attached hereto as Exhibit A and incorporated herein by reference; and

WHEREAS, for the Feed the Hungry Event, the City Council will authorize the waiver of its open container laws to all Feed the Hungry Event participants while wearing said wristband and consuming an alcoholic beverage as a tasting from one of the Event’s breweries, distilleries or wineries or sold from Craft Beer Cellar during the hours of the Feed the Hungry Event and while located on one of the barricaded streets and sidewalks on Exhibit A. All other applicable liquor laws shall be complied with and will be enforced.

WHEREAS, said event is subject to the availability of Ohio Avenue as said street is also scheduled for construction improvements during the final Streetscape Phase during the same timeframe as this event.
NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SEDALIA, MISSOURI, AS FOLLOWS:

Section 1. For the 2020 Open Door/Craft Beer Cellar Feed the Hungry Event to be held on June 27, 2020, the City Council will authorize the waiver of its open container laws to all Feed the Hungry Event participants while wearing said wristband and consuming an alcoholic beverage as a tasting from one of the Event’s breweries, distilleries or wineries or sold from Craft Beer Cellar during the hours of the Feed the Hungry Event and while located on one of the barricaded streets and sidewalks on Exhibit A. All other applicable liquor laws shall be complied with and will be enforced.

Section 2. For this event only, Craft Beer Cellar’s premises are deemed to be extended outwards from its building into South Ohio Avenue so this vendor would be able to sell alcoholic beverages to participants wearing the requisite wristband and who had been issued a cup unique to this event.

Section 3. This event is subject to the availability of Ohio Avenue as said street is also scheduled for construction improvements during the final Streetscape Phase during the same timeframe as this event.

Section 4. This ordinance shall be in full force and effect from and after its passage and approval.

Read two times by title, copies of the proposed ordinance having been made available for public inspection in the City Clerk’s Office prior to the time the bill is under consideration by the Council and passed by the Council of the City of Sedalia, Missouri this 4th day of May, 2020.

Presiding Officer of the Council

Approved by the Mayor of said City this 4th day of May, 2020.

John Kehde, Mayor

ATTEST:

Arlene Silvey, MPCC
City Clerk
**SPECIAL EVENT PERMIT**

Date of Application: 03/09/2020  
Proposed Date of Event: 06/27/2020

Application Made By: Tim Postuma  
Phone #: 325-518-2157

Address: 6004 Blue Jay Blvd  
Email: tpostuma@opendoorservicecenter.org

Responsible Person: Tim Postuma  
Phone#: 325-518-2157

Email: tpostuma@opendoorservicecenter.org

Type of Event: Beer Festival  
Time(s) of Event: 4-9

Location or Route: 700 S. Ohio to 6 St, from Iamme to Osage

---

Equipment requested and where to be placed:

- **Barricades #:** 22  
  Placement (use separate page if needed):

- **Cones #:**  
  Placement (use separate page if needed):

- **Trash cans #:** 5  
  Placement (use separate page if needed):

- **Signage #:**  
  Placement (use separate page if needed):

- **Street Sweeper**

- **Other equipment requested:**

---

Office of Mayor, Sedalia, MO  
Date  
Sedalia Police Department  
Date

All forms should be filled out as completely as possible and are subject to the following rules:

1. Turn your permits in at the SPD Headquarters at 300 West Third Street, Sedalia, MO 65301 or by emailing them to spd@sedaliapolicen.com.

2. All parades and 5-K Runs shall be registered with the Sedalia Police Department for at least two (2) weeks in advance. All other events shall be registered at least three days in advance.

3. All requests for a special event shall describe the event as completely as possible and state the proposed route if the event requires usage of City Streets.

4. Any event which will include ALCOHOL must get the Sedalia City Council's approval and you must provide copies of the required city and state permits along with this Special Event Permit. Contact PD for off-duty security.

5. Any group or organization holding an event shall appoint a RESPONSIBLE PERSON to take charge. It will be their duty to ensure that all participants/volunteers are properly instructed as to the provisions of these regulations and that no person violates the ordinances of the City of Sedalia unless permission has been granted. It will be the applicant or take charge person's responsibility to ensure all equipment received is handled with the utmost care. The applicant or take charge person will be responsible for the placements of barricades and such as well as to return them to their place of origin.

6. A special event permit will not be issued if the nature of the event might tend to be dangerous or harmful to the public health, safety, and welfare of the residents of the City.

I hereby certify that I have read the rules pertaining to special events as listed above and agree to abide by these rules as a condition of my application for this event.

Tim Postuma  
Person Making Application  
03/09/2020  
Date
BILL NO. ____________________

ORDINANCE NO. __________

AN ORDINANCE APPROVING AND ACCEPTING AN OWNERSHIP DISCLOSURE INFORMATION AND LEASE AGREEMENT BY AND BETWEEN THE CITY OF SEDALIA, MISSOURI AND SENSUS USA INC. & SENSUS SPECTRUM, LLC.

WHEREAS, before the final step for the upgrade to the City’s advanced metering infrastructure (AMI) which is used to electronically monitor and read the water meters for the City’s water meter system occurs, the City is required to execute an agreement with Sensus USA Inc. & Sensus Spectrum, attached hereto as Exhibit A and incorporated by reference. There are no additional costs to the City to execute this Agreement and the term of the agreement is for as long as the City holds an FCC license.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SEDALIA, MISSOURI, AS FOLLOWS:

Section 1. The Council of the City of Sedalia, Missouri hereby approves and accepts the Ownership Disclosure Information and Lease Agreement by and between the City of Sedalia, Missouri and Sensus USA Inc. & Sensus Spectrum, LLC in substantively the same form and content as the agreement proposed attached hereto as Exhibit A and incorporated by reference.

Section 2. The City Administrator is authorized and directed to execute and the City Clerk is hereby authorized and directed to attest and fix the seal of the City of Sedalia, Missouri on the said agreement in substantively the same form and content as the agreement has been proposed.

Section 3. The City Clerk is hereby directed to file in her office a duplicate or copy of the agreement after it has been executed by the parties or their duly authorized representatives.

Read two times by title, copies of the proposed ordinance having been made available for public inspection prior to the time the bill is under consideration by the Council and passed by the Council of the City of Sedalia, Missouri this 4th day of May, 2020.

Presiding Officer of the Council

Approved by the Mayor of said City this 4th day of May, 2020.

John Kehde, Mayor

ATTEST:

________________________
Arlene Silvey, MPCC
City Clerk
MEMORANDUM

To: Kelvin Shaw, City Administrator

From: Dawn Jennings, Finance Director

Date: May 1, 2020

Re: FCC Notification for Spectrum Manager Lease, Ownership Disclosure Information and Spectrum Lease Agreement

Sensus is the provider of the advanced metering infrastructure (AMI) system used to electronically monitor and read the water meters. The City previously approved an upgrade of the Sensus Analytics program from the essential package to the enhanced package which provides much greater detail on alerts and alarms. These alerts and alarms assist the finance department, as well as water service personnel, by providing data on meters that are not functioning properly as well as information regarding a customer’s irregular usage so that they may be notified as promptly as possible. Sensus has indicated that the Ownership Disclosure Information and Lease Agreement must be updated before the upgrade can take effect.
FCC Notification for Spectrum Manager Lease
Ownership Disclosure Information
and
Spectrum Lease Agreement
(“Agreement”)

This Agreement contains two parts: Part (1) is The FCC Notification for Spectrum Manager Lease, to be filed with the FCC by Sensus on behalf of the Customer, coupled with Ownership Disclosure Information required for the FCC lease and Part (2) is a Spectrum Lease Agreement between Sensus as Lessor and Customer as Lessee. Together, these two parts create the Agreement.

The number of pages in this Agreement is indicated below, and Customer represents that it has received, reviewed, and completed the entire Agreement. By their signatures below, the parties agree to the terms and conditions set forth in this Agreement. The parties have caused this Agreement to be executed by their duly authorized representatives as of the day and year written below.

<table>
<thead>
<tr>
<th>Sensus USA Inc. &amp; Sensus Spectrum, LLC (together, “Sensus”)</th>
<th>Customer:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Sensus USA Inc.</strong></td>
<td>Signature: ____________________________________</td>
</tr>
<tr>
<td>Signature:</td>
<td>Name:     John Kehde</td>
</tr>
<tr>
<td>Name: David M. Alban</td>
<td>Title:    Mayor</td>
</tr>
<tr>
<td>Title: Associate General Counsel</td>
<td>Date:     ____________________________________</td>
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<tr>
<th>Sensus Spectrum, LLC</th>
<th>Customer contact person for FCC filings:</th>
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<tbody>
<tr>
<td>Signature:</td>
<td>Name: Kelvin Shaw</td>
</tr>
<tr>
<td>Name: David M. Alban</td>
<td>Phone: (660) 851-7515</td>
</tr>
<tr>
<td>Title: Associate General Counsel</td>
<td>Email: <a href="mailto:kshaw@cityofsedalia.com">kshaw@cityofsedalia.com</a></td>
</tr>
<tr>
<td>Date:</td>
<td>Customer FRN:</td>
</tr>
<tr>
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<td>Customer Tax ID: 44-6000263</td>
</tr>
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</table>
**Part 1: Notification for Spectrum Manager Lease**

In order for Sensus to apply to the FCC on the Customer's behalf for a spectrum manager lease, Customer must complete the information below in boxes one (1) through ten (10) and certify via authorized signature. Customer's signature will indicate that Customer authorizes Sensus to file the spectrum manager lease notification on FCC Form 608 with the Customer as spectrum Lessee, and if Customer does not already have one, ownership disclosure information on FCC Form 602.

### Customer / Lessee Information

| 1 | Customer/Lessee Name: City of Sedalia |
|   | Attention To: Kelvin Shaw |
|   | Name of Real Party in Interest: City of Sedalia |
|   | Street Address: 200 South Osage |
|   | City: Sedalia |
|   | State: Missouri |
|   | Zip: 65301 |
|   | Phone: (660) 851-7615 |
|   | Fax: |
|   | Email: kshaw@cityofsedalia.com |

Is Customer contact information same as above? ☒ Yes ☐ No (If No, complete box 2 below)

### Additional Customer/Lessee Contact Information

| 2 | Company Name: |
|   | Attention To: |
|   | Street Address: |
|   | City: |
|   | State: |
|   | Zip: |
|   | Phone: |
|   | Fax: |
|   | Email: |

### Customer/Lessee is a(n) (Select one): ☒ Individual ☐ Unincorporated Association ☐ Trust ☐ Government Entity ☐ Corporation ☐ Limited Liability Company ☐ General Partnership ☐ Limited Partnership ☐ Limited Liability Partnership ☐ Consortium ☐ Other

### FCC Form 602: FCC File Number of Customer's Form 602 Ownership Information: __________ If Customer has not filed a Form 602, Sensus will file one for Customer. Please complete questions 5, 6, and 7 below if Customer does not have a Form 602 on file.

### Customer Tax ID: 44-6000263

### Individual Contact For FCC Matters

Please designate one individual (the Director of Public Works or similar person) who is responsible to the FCC for the operation of the FlexNet radio system.

<table>
<thead>
<tr>
<th>Name</th>
<th>Trisha Hefley</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title</td>
<td>Utility Billing Supervisor</td>
</tr>
<tr>
<td>Email</td>
<td><a href="mailto:thefley@cityofsedalia.com">thefley@cityofsedalia.com</a></td>
</tr>
<tr>
<td>Phone</td>
<td>(660) 826-1234</td>
</tr>
</tbody>
</table>
### Ownership Disclosure Information

Customer/Lessee to list the names of the President and all Board Members below, as well as verify citizenship and ownership interests in any entity regulated by the FCC. Such ownership must be disclosed where a President/Board member owns 10% or more, directly or indirectly, or has operating control of any entity subject to FCC regulation. If any answer to Ownership question is Yes, or any answer to Citizenship question is No, provide an attachment with further explanation.

<table>
<thead>
<tr>
<th>Mayor: John Kehde</th>
<th>US Citizen?</th>
<th>Ownership Disclosure?</th>
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<td></td>
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<tr>
<th>Council Member: Tolbert Rowe</th>
<th>US Citizen?</th>
<th>Ownership Disclosure?</th>
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<tr>
<th>Board Member: Jeff Leeman</th>
<th>US Citizen?</th>
<th>Ownership Disclosure?</th>
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<tr>
<th>Board Member: Bonita Nash</th>
<th>US Citizen?</th>
<th>Ownership Disclosure?</th>
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<tr>
<th>Board Member: Charles Lowe</th>
<th>US Citizen?</th>
<th>Ownership Disclosure?</th>
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<tr>
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<th>US Citizen?</th>
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<tr>
<th>Board Member: Andrew Dawson</th>
<th>US Citizen?</th>
<th>Ownership Disclosure?</th>
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<tr>
<th>Board Member: Thomas Oldham</th>
<th>US Citizen?</th>
<th>Ownership Disclosure?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Yes</td>
<td>Yes</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Board Member: Bob Cross</th>
<th>US Citizen?</th>
<th>Ownership Disclosure?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Yes</td>
<td>Yes</td>
</tr>
</tbody>
</table>

### Alien Ownership Questions (If the answer is Yes, provide an attachment explaining the circumstances)

1. Is the Customer/Lessee a foreign government or the representative of any foreign government? Yes No

### Basic Qualification Information

1. Has the Customer or any party to this application had any FCC station authorization, license, or construction permit revoked or had any application for an initial, modification or renewal of FCC station authorization, license or construction permit denied by the Commission? Yes No

2. Has the Customer or any party to this filing, or any party directly or indirectly controlling the Customer or any party to this filing ever been convicted of a felony by any state or federal court? Yes No

3. Has any court finally adjudged the Customer or any party directly or indirectly controlling the Customer guilty of unlawfully monopolizing or attempting to unlawfully monopolize radio communication, directly or indirectly, through control of manufacture or sale of radio apparatus, exclusive traffic arrangement, or any other means or unfair methods of competition? Yes No

### Customer/Lessee Certification Statements

1. The Customer/Lessee agrees that the Lease is not a sale or transfer of the license itself. Yes

2. The Customer/Lessee acknowledges that it is required to comply with the Commission’s Rules and Regulations and other applicable law at all times, and if the Customer/Lessee fails to so comply, the Lease may be revoked, cancelled, or terminated by either the Licensee or the Commission. Yes

3. The Customer/Lessee certifies that neither it nor any other party to the Application/Notification is subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C § 862, because of a conviction for possession or distribution of a controlled substance (See Section 1.2002(b) of the rules, 47 CFR § 1.2002(b), for the definition of “party to the application” as used in this certification.) Yes

4. The Customer/Lessee hereby accepts Commission oversight and enforcement consistent with the license and lease authorization. The Lessee acknowledges that it must cooperate fully with any investigation or inquiry conducted either by the Commission or the Licensee, allow the Commission or the Licensee to conduct on-site inspections of transmission facilities, and suspend operations at the direction of the Commission or the Licensee and to the extent that such suspension of operation would be consistent with applicable Commission policies. Yes
5) The Customer/Lessee acknowledges that in the event an authorization held by a Licensee that it has association with a spectrum leasing arrangement that is the subject of this filing is revoked, cancelled, terminated, or otherwise ceases to be in effect, the Customer/Lessee will have no continuing authority to use the leased spectrum and will be required to terminate its operations no later than the date on which the Licensee ceases to have any authority to operate under the license, unless otherwise authorized by the Commission.

☐ Yes

6) The Customer/Lessee agrees the Lease shall not be assigned to any entity that is not eligible or qualified to enter into a spectrum leasing arrangement under the Commission's Rules and Regulations.

☐ Yes

7) The Customer/Lessee waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by spectrum lease or otherwise.

☐ Yes

8) The Customer/Lessee certifies that it is not in default on any payment for Commission licenses and that it is not delinquent on any non-tax debt owed to any federal agency.

☐ Yes

The Customer/Lessee certifies that all of its statements made in this Application/Notification and in the schedules, exhibits, attachments, or documents incorporated by reference are material, are part of this Application/Notification, and are true, complete, correct, and made in good faith. The Customer/Lessee shall notify Sensus in writing in the event any information supplied on this form changes.

Type or Printed Name of Party Authorized to Sign

| First Name: | John |
| MI:         |     |
| Last Name:  | Kehde |
| Title:      | Mayor |
| Customer Name: | City of Sedalia |

Signature:  

Date:  

FAILURE TO SIGN THIS APPLICATION MAY RESULT IN DISMISSAL OF THE APPLICATION AND FORFEITURE OF ANY FEES PAID.

WILLFUL FALSE STATEMENTS MADE ON THIS FORM OR ANY ATTACHMENTS ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. Code, Title 18, Section 1001) AND/OR REVOCA TION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. Code, Title 47, Section 312(a)(1)) AND/OR FORFEITURE (U.S. Code Title 47, Section 503).
Part 2: SPECTRUM LEASE AGREEMENT

Background

A. Customer has bought or will buy or use FlexNet equipment manufactured by Sensus;
B. Sensus is leasing spectrum to Customer to operate the FlexNet equipment;
C. The spectrum that Sensus is leasing is authorized by Sensus’ FCC License(s); and
D. Sensus is leasing spectrum to Customer in the area where FlexNet equipment will be operated (the “Service Area”).

Agreement

A. Spectrum Lease. Sensus hereby grants to Customer and Customer accepts a spectrum manager lease ("Lease") over the frequencies of the FCC License and solely within Customer’s Service Area. (The frequencies of the FCC License within Customer’s geographic Service Area are called the “Leased Spectrum”). Customer shall pay the ongoing fees to either Sensus or Sensus’ authorized distributor for the use of the Leased Spectrum, as directed by Sensus.

B. FCC Forms. At the Federal Communications Commission (FCC), Sensus will: (1) obtain an FCC Registration Number (FRN) for Customer; (2) submit on behalf of Customer the FCC Form 602 Ownership Disclosure Information if Customer has not already done so; and (3) file a FCC Form 608, notification/application for long-term spectrum manager lease. This Lease becomes effective when the FCC accepts the FCC Form 608.

C. Lease Application. In order to complete the FCC lease application, Customer will:
   i. Complete and sign the representations in Part 1 of this Agreement such that Customer demonstrates it qualifies for a spectrum lease under FCC rules. Customer’s signature will indicate that Customer authorizes Sensus to: (1) obtain an FRN on behalf of Customer; (2) submit the FCC Form 602 Ownership Disclosure Information on behalf of Customer if Customer has not already done so; and (3) file the spectrum manager lease notification on FCC Form 608 with the Customer as spectrum lessee.
   ii. Give Sensus the coordinates of the boundaries of Customer’s Service Area or, alternatively, approve Sensus’ estimation of the same.
   iii. If Customer has not already done so; Customer hereby authorizes Sensus to apply on Customer’s behalf and obtain for Customer a Federal Registration Number (FRN, the FCC’s unique identifier for each licensee) and shall supply Sensus with Customer’s Taxpayer Identification Number (TIN).
   iv. Provide any other information or other cooperation reasonably necessary for the Parties to perform as set forth herein.

D. Permitted Use of Spectrum Lease. Customer may transmit or receive over the Leased Spectrum only in the Service Area and only using FlexNet equipment manufactured by Sensus and used in accordance with Sensus' specifications. Customer may use the Leased Spectrum only to read and direct meters in support of Customer’s primary utility business or any other operation approved by Sensus in writing. Without limiting the foregoing, Customer is prohibited from reselling, subleasing or sublicensing the Leased Spectrum or from transmitting voice communications over the Leased Spectrum.

E. Term of Spectrum Lease. Unless terminated earlier (because for example Customer stopped using the FlexNet equipment), this Lease will have the same term as the FCC license. If Customer is operating in compliance with this Agreement and Customer’s underlying agreement with Sensus and is current on any payments owed to Sensus, when the FCC License renews, the Parties will apply to the FCC to renew this Lease.

F. Termination of Spectrum Lease. The Lease will terminate: (a) two months after Customer stops transmitting with FlexNet equipment manufactured by Sensus; (b) upon termination, revocation or expiration of the FCC License; or (c) upon Customer’s breach of this Agreement.

G. FCC Compliance. The following FCC requirements apply
   i. Pursuant to 47 CFR 1.9040(a);
      (a) Customer must comply at all times with applicable FCC rules. This Agreement may be revoked by Sensus or the FCC if Customer fails to so comply;
      (b) If the FCC License is terminated, Customer has no continuing right to use the Leased Spectrum unless otherwise authorized by the FCC;
      (c) This Agreement is not an assignment, sale or other transfer of the FCC License;
      (d) This Agreement may not be assigned except upon written consent of Sensus, which consent may be withheld in its discretion; and
      (e) In any event, Sensus will not consent to an assignment that does not satisfy FCC rules.
   ii. Referencing 47 CFR 1.9010, Sensus retains de jure and de facto control over the applicable radio facilities, including that,
(a) Sensus will be responsible for Customer's compliance with FCC policies and rules. Sensus represents and warrants that it has engineered the FlexNet equipment and accompanying software and other programs to comply with FCC rules. Customer will operate the FlexNet equipment subject to Sensus' supervision and control and solely in accordance with Sensus' specifications. Sensus retains the right to inspect Customer's radio operations hereunder and to terminate this Agreement or take any other necessary steps to resolve a violation of FCC rules, including to order Customer to cease transmission. Sensus will act as spectrum manager in assigning spectrum under the FCC License so as to avoid any harmful interference or other violation of FCC rules. Sensus will be responsible for resolving any interference complaints or other FCC rule violations that may arise; and

(b) Sensus will file any necessary FCC forms or applications and Customer agrees reasonably to assist Sensus with such filing by providing any necessary information or other cooperation. Sensus will otherwise interact with the FCC with respect to this Agreement, the FCC License or FlexNet equipment.

H. Interference. Customer agrees to report to Sensus promptly, and in no event later than 72 hours afterward, any incident related to the Leased Spectrum, including where Customer experiences harmful interference, receives a complaint or other notice of having caused harmful interference, or receives any type of communication from the FCC or other government agency regarding radio transmission.

I. Limitation of Liability. Each parties' liability in any and all causes of action arising under, out of or in relation to this Agreement, its negotiation, performance, breach or termination (collectively, "Causes of Action") shall be limited to direct damages. Neither party shall be liable for any indirect, incidental, special or consequential damages. This is so whether the Causes of Action are in tort, including, without limitation, negligence or strict liability, in contract, under statute or otherwise. The limitations on liability set forth in this Agreement are fundamental inducements to both parties to enter into this Agreement. They apply unconditionally and in all respects. They are to be interpreted broadly so as to give the maximum protection permitted under law.

[Rest of this page intentionally left blank.]

###
AN ORDINANCE APPROVING AND ACCEPTING AN AGREEMENT BY AND BETWEEN THE CITY OF SEDALIA, MISSOURI AND HD SUPPLY FACILITIES MAINTENANCE, LP D/B/A USABLEBOOK FOR THE PURCHASE OF THIRTEEN (13) TURBIDIMETERS, ONE (1) PROCAL CALIBRATION KIT, FOUR (4) ROLLS OF SOURCE/DRAIN TUBING AND THIRTEEN (13) DESICANT REFILLS FOR THE WATER DIVISION.

WHEREAS, the City of Sedalia, Missouri, has received a bid from HD Supply Facilities Maintenance, LP d/b/a USABlueBook for the purchase of thirteen (13) turbidimeters, one (1) ProCal Calibration kit, four (4) rolls of Source/drain tubing and thirteen (13) Desicant refills for the Water Division; and

WHEREAS, under the bid, the City of Sedalia, Missouri, shall give the sum and amount of $26,139.00, for purchase of said items as described in the proposed agreement attached hereto as Exhibit A and incorporated by reference as though the proposed agreement were set forth herein.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SEDALIA, MISSOURI, as follows:

Section 1. The Council of the City of Sedalia, Missouri, hereby approves and accepts the agreement by and between the City of Sedalia, Missouri, and HD Supply Facilities Maintenance, LP d/b/a USABlueBook attached hereto as Exhibit A and incorporated by reference as though the proposed agreement were set forth herein in substantially the same form and content as proposed.

Section 2. The City Administrator is authorized and directed to execute and the City Clerk is hereby authorized and directed to attest and fix the seal of the City of Sedalia, Missouri, on the agreement as it has been proposed.

Section 3. The City Clerk is hereby directed to file in her office a duplicate or copy of the agreement after it has been executed by the parties or their duly authorized representatives.

Section 4. This ordinance shall take effect and be in full force and effect from and after its passage and approval.

Read two times by title, copies of the proposed ordinance having been made available for public inspection prior the time the bill is under consideration by the Council and passed by the Council of the City of Sedalia, Missouri this 4th day of May, 2020.

Presiding Officer of the Council

Approved by the Mayor of said City this 4th day of May, 2020.

John Kehde, Mayor

ATTEST:

Arlene Silvey, MPCC
City Clerk
To: Kelvin Shaw
Through: Brenda Ardrey
Date: April 29, 2020
Subject: IFB # 2021-003-Process Turbidimeters

On April 22, 2020, sealed bids were opened for the purchase of thirteen (13) process turbidimeters for the Water Division.

After review of the bids and bid tabulations, the Public Works Department recommends award of a contract for this procurement from HD Supply Facilities Maintenance d/b/a USABlueBook, 3781 Burwood Dr., Waukegan, IL 60085. USABlueBook was the low bidder. The Water Division at this time from the bid response wishes to purchase the thirteen (13) turbidimeters, one (1) ProCal Calibration kit, four (4) rolls of Source/drain tubing, and thirteen (13) Desicant refills for a total price of $26,139.00
CONTRACT AGREEMENT
BY AND BETWEEN
THE CITY OF SEDALIA, MISSOURI AND
HD SUPPLY FACILITIES MAINTENANCE LP D/B/A USABLEBLUEBOOK
FOR IFB #2021-003 PROCESS TURBIDIMETERS

This agreement made and entered into this ___ day of May, 2020, by and between the City of Sedalia, Missouri, hereinafter referred to as the “City” and HD Supply Facilities Maintenance, LP d/b/a USABLEBlueBook, hereinafter referred to as the “Contractor” whose principal place of business is located at 3781 Burwood Drive, Waukegan IL 60085.

This agreement between the City and the Contractor shall consist of (1) the Request for Qualifications and Proposals (RFQ/P), and any amendments thereto, (2) the response, as accepted, submitted in response to the RFQ/P, and (3) the purchase order. In the event of a conflict in language between the documents referenced above, the RFQ/P and amendments thereto shall govern over the Contractor’s response and amendments thereto. However, the City reserves the right to clarify any Contractual relationship in writing with the concurrence of the Contractor, and such written clarification shall govern in the case of conflict with the applicable requirements stated in the RFQ/P or the Contractor’s response. In all other matters not affected by the written clarification, if any, the RFQ/P shall govern.

Any modification and supplementation of the Contract shall be upon written agreement of the duly authorized representatives of the contracting parties. No provision in the Contract shall be changed or modified without the execution of a formal amendment to the Contract, mutually agreed to by the City and the Contractor. This agreement is for one year, beginning on the date of the award. The City may, at its option, extend this agreement for up to four (4) additional one-year terms.

______________________________
Kelvin L. Shaw, City Administrator
City of Sedalia

______________________________
Authorized Representative
HD Supply Facilities Maintenance, LP d/b/a
USABLEBlueBook

ATTEST:

______________________________
Arlene Silvey, MPCC
City Clerk
# Tabulation of Bids

(13) Turbidimeters  
April 21, 2020 2:00 p.m.  
Mayor's Conference Room

<table>
<thead>
<tr>
<th>Description</th>
<th>Qty</th>
<th>Unit Price</th>
<th>Ext. Amount</th>
<th>Unit Price</th>
<th>Ext. Amount</th>
<th>Unit Price</th>
<th>Ext. Amount</th>
<th>Unit Price</th>
<th>Ext. Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>HF Scientific MTOL+ White Light</td>
<td>13</td>
<td>$1,955.75</td>
<td>$25,424.75</td>
<td>$2,485.75</td>
<td>$32,314.75</td>
<td>$3,470.00</td>
<td>$45,110.00</td>
<td>$3,700.00</td>
<td>$48,100.00</td>
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<td>$210.75</td>
<td>$210.75</td>
<td>$247.24</td>
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<td>$72.10</td>
<td>$1,000.00</td>
<td>$1,000.00</td>
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<tr>
<td>.02, 10 &amp; 100 NTU</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Source/Drain Tubing - 50 ft. roll</td>
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<td>$4.00</td>
<td>$4.00</td>
<td>$137.95</td>
<td>$137.95</td>
<td>$250.00</td>
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<td>2-3 days ARO</td>
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<td>10-14 days ARO</td>
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<tr>
<td>28-42 days ARO</td>
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<tr>
<td>Yes; Lovibond PTV1000 doesn't utilize ultrasonic cleaner; Lovibond analyzer designed to be cleaned without special tools/tight spaces</td>
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<tr>
<td>Yes; Field replaceable light source not offered; non-contact LED light source furnished; ultrasonic cleaning not applicable</td>
<td></td>
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</tr>
</tbody>
</table>

* *Bid Equivalent
CITY OF SEDALIA
IFB #2021-003

BID FORM – PROPOSAL

HD Supply Facilities Maintenance
Process Turbidimeters

SUBMITTED BY: ________________________
(d/b/a USABlueBook) ________________________

(Company Name)

Pursuant to and in accordance with the above stated Invitation for Bid, the above signed hereby declares that they have examined the IFB documents and specifications for the item(s) listed below.

The undersigned proposes and agrees, if their Bid is accepted to furnish the item(s) submitted below as indicated below including delivery schedule, as detailed, and according to the prices products/services information submitted in the bidder response.

<table>
<thead>
<tr>
<th>ITEM</th>
<th>QTY</th>
<th>DESCRIPTION</th>
<th>UNIT PRICE</th>
<th>EXTENDED AMOUNT</th>
</tr>
</thead>
</table>
| 1.   | 13  | HF Scientific MTOL+ White Light, EPA compliant or equivalent Equivalent description: HF Scientific # 28053

Attach technical specifications that support unit is equivalent.

Delivery: 2-3 days after receipt of order. | $1955.75 | $25424.75 |

Per each unit delivered |
| 2.   | 1   | ProCal Primary Calibration Kit - .02, 10 and 100 NTU or equivalent Equivalent description: HF Scientific # 39953

Attach technical specifications that support unit is equivalent.

Delivery: 2-3 days after receipt of order. | $210.75 | $210.75 |

Per each unit delivered |
| 3.   | 1   | Source/Drain Tubing - 50 foot roll or equivalent Equivalent description: USABlueBook # 17111

Attach technical specifications that support unit is equivalent.

Delivery: 2-3 days after receipt of order. | $4.00 | $4.00 |

Per each unit delivered |
| 4.   | 1   | Part #21555R Desiccant Refill or equivalent Equivalent description: HF Scientific # 3155512

Attach technical specifications that support unit is equivalent.

Delivery: 2-3 days after receipt of order. | $37.50 | $37.50 |

Per each unit delivered |

NOTE: Estimated Quantity: The quantities indicated in this bid document are estimates that pertain to the total aggregate quantities that may be ordered incrementally at multiple times throughout the contract period and each extension. The City of Sedalia makes no guarantees about single order quantities or total aggregate order quantities.

DELIVERY: F.O.B. DESTINATION

ACCEPT CITY’S CREDIT CARD: YES [X] NO

Prompt Payment Discount ______% ______ Days, Net 20 Days

Page 13 of 15

RETURN THIS PAGE
To be submitted with vendor's Bid

X We DO NOT take exception to the IFB Documents/Requirements.

_____We TAKE exception to the IFB Documents/Requirements as follows:

Specific exceptions are as follows:

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

I have carefully examined the Invitation for Bid and agree to abide by all submitted pricing, delivery, terms and conditions of this Bid unless otherwise stipulated herein.

HD Supply Facilities Maintenance  ADDENDA

d/b/a USABlueBook

By Gregory Joyce (Authorized Person's Signature)

Gregory Joyce Bid Coordinator (Print or type name and title of signer)

Company Address USABlueBook

3781 Buchanan Dr

Waukegan IL 60085

Telephone Number 800-548-1234

Fax Number 847-377-5160

Date: 4/14/2020

Bidder acknowledges receipt of the following addendum:

Addendum No. VA

Addendum No. ____

Addendum No. ____

Addendum No. ____

ADDENDA

Email QUOTES@USABlueBook.com

Federal Tax ID No. 52-2418852
AN ORDINANCE APPROVING AND ACCEPTING AN AGREEMENT BY AND BETWEEN THE CITY OF SEDALIA, MISSOURI AND HAYNES EQUIPMENT CO., INC., FOR THE PURCHASE OF ONE (1) FACTORY-BUILT PUMPING SYSTEM FOR PUBLIC WORKS - WASTEWATER DIVISION.

WHEREAS, the City of Sedalia, Missouri, has received a bid from Haynes Equipment Co., Inc. for the purchase of one (1) factory-built pumping system for Public Works - Wastewater Division; and

WHEREAS, under the bid, the City of Sedalia, Missouri, shall give the sum and amount of $49,870.00, for purchase of said items as described in the proposed agreement attached hereto as Exhibit A and incorporated by reference as though the proposed agreement were set forth herein.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SEDALIA, MISSOURI, as follows:

Section 1. The Council of the City of Sedalia, Missouri, hereby approves and accepts the agreement by and between the City of Sedalia, Missouri, and Haynes Equipment Co., Inc. attached hereto as Exhibit A and incorporated by reference as though the proposed agreement were set forth herein in substantially the same form and content as proposed.

Section 2. The City Administrator is authorized and directed to execute and the City Clerk is hereby authorized and directed to attest and fix the seal of the City of Sedalia, Missouri, on the agreement as it has been proposed.

Section 3. The City Clerk is hereby directed to file in her office a duplicate or copy of the agreement after it has been executed by the parties or their duly authorized representatives.

Section 4. This ordinance shall take effect and be in full force and effect from and after its passage and approval.

Read two times by title, copies of the proposed ordinance having been made available for public inspection prior the time the bill is under consideration by the Council and passed by the Council of the City of Sedalia, Missouri this 4th day of May, 2020.

Presiding Officer of the Council

Approved by the Mayor of said City this 4th day of May, 2020.

John Kehde, Mayor

ATTEST:

Arlene Silvey, MPCC
City Clerk
To: Kelvin Shaw
Through: Brenda Ardrey
Date: April 29, 2020
Subject: IFB # 2021-004-Factory-Built Pumping System

On April 22, 2020, sealed bids were opened for the purchase of one (1) factory-built pumping system for the Wastewater Division.

After review of the bids and bid tabulations, the Public Works Department recommends award of a contract for this procurement from Haynes Equipment Co., Inc., 15725 Pflumm Rd., Olathe, KS 66062. Haynes Equipment Co., Inc. was the low bidder. The Wastewater Division at this time from the bid response wishes to purchase the factory-built pumping system for a total price of $49,870.00. The pumping system was included in the 2021 Budget based on quotes previously received from Olsson at $85,000.00.
CONTRACT AGREEMENT
BY AND BETWEEN
THE CITY OF SEDALIA, MISSOURI AND
HAYNES EQUIPMENT CO., INC.
FOR IFB# 2021-004 FACTORY-BUILT PUMPING SYSTEM

This agreement made and entered into this _____ day of May, 2020, by and between the City of Sedalia, Missouri, hereinafter referred to as the “City” and Haynes Equipment Co., Inc., hereinafter referred to as the “Contractor” whose principal place of business is located at 15725 Pflumm Road, Olathe, Kansas 66062.

This agreement between the City and the Contractor shall consist of (1) the Request for Qualifications and Proposals (RFQ/P), and any amendments thereto, (2) the response, as accepted, submitted in response to the RFQ/P, and (3) the purchase order. In the event of a conflict in language between the documents referenced above, the RFQ/P and amendments thereto shall govern over the Contractor’s response and amendments thereto. However, the City reserves the right to clarify any Contractual relationship in writing with the concurrence of the Contractor, and such written clarification shall govern in the case of conflict with the applicable requirements stated in the RFQ/P or the Contractor’s response. In all other matters not affected by the written clarification, if any, the RFQ/P shall govern.

Any modification and supplementation of the Contract shall be upon written agreement of the duly authorized representatives of the contracting parties. No provision in the Contract shall be changed or modified without the execution of a formal amendment to the Contract, mutually agreed to by the City and the Contractor. This agreement is for one year, beginning on the date of the award. The City may, at its option, extend this agreement for up to four (4) additional one-year terms.

Kelvin L. Shaw, City Administrator
City of Sedalia

Authorized Representative
Haynes Equipment Co., Inc.

ATTEST:

Arlene Silvey, MPCC
City Clerk
# Tabulation of Bids

**Water Pumping System**  
April 21, 2020  2:30 p.m.  
Mayor's Conference Room

<table>
<thead>
<tr>
<th>Company</th>
<th>Address</th>
<th>Details</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Haynes Equipment Co., Inc.</td>
<td>Attn: James Bellerive, P.E.</td>
<td>15725 Pflumm Rd. Olathe, KS 66062</td>
<td>$48,000.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>JCI Industries, Inc.</td>
<td>Attn: Paul Ryals</td>
<td>1161 SE Hamblen Rd. Lee's Summit, MO 64081</td>
<td>$55,850.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Letts, Van Kirk &amp; Associates</td>
<td>Attn: Joe Van Kirk</td>
<td>5600 Inland Drive Kansas City, KS 66106</td>
<td>$77,000.00</td>
</tr>
<tr>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Factory-built pumping system, complete</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>$49,870.00</td>
</tr>
<tr>
<td>Shipping and delivery, including placement</td>
<td></td>
<td></td>
<td>$55,850.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>$79,750.00</td>
</tr>
<tr>
<td>Start-up and testing services</td>
<td></td>
<td></td>
<td>$1,200.00</td>
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<tr>
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<td></td>
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<tr>
<td>TOTAL</td>
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<td></td>
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</tr>
<tr>
<td>Shop drawing submittals (after receipt of order)</td>
<td>6-8 weeks</td>
<td>4 weeks</td>
<td></td>
</tr>
<tr>
<td>Response to CITY'S Comments</td>
<td>1-4 weeks</td>
<td>2 weeks</td>
<td></td>
</tr>
<tr>
<td></td>
<td>13 weeks</td>
<td>10 weeks</td>
<td></td>
</tr>
<tr>
<td>Delivery of Station after Submittal Approved</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>EXCEPTIONS:</td>
<td>None</td>
<td>Yes; Pentair/Aurora Intelliboost PLC Control PanelQuoted in lieu of Allen Bradley PLC; Pentair/Aurora standard paint is being quoted; vibration isolators not included; bidding Pentair/Aurora pumps as an equal to Goulds eSV; Pentair variable speed drives are Danfoss VLT FC202; connections grooved not flanged.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Yes; NEMA 1 panel instead of NEMA 12 panel.</td>
<td></td>
</tr>
<tr>
<td>Bid Bond</td>
<td>5% check in lieu of bid bond</td>
<td>YES</td>
<td></td>
</tr>
</tbody>
</table>

**Council Agenda**
Elizabeth Nations

From: James Bellerive <jbellerive@haynesequip.com>
Sent: Thursday, April 30, 2020 5:01 PM
To: Elizabeth Nations
Subject: RE: Email for City of Sedalia
Attachments: 0359_001.pdf

Elizabeth,

I noticed the error on the Bid Form before a week before the bid. I spoke with Mr. Bob Summers at Alliance Water what placement even met on the bid form because if it meant unloading or something else that I would have to go to the jobsite to evaluate what would need to be done. I was told that installation was not to be included as indicated on the “Basis of Bid” Note. The basis of bid clearly indicated that the bid was not to included installation costs under Note, so I was satisfied with that explanation.

Haynes Equipment Co., Inc. bid did not include any unloading, job site storage or installation costs. We are an equipment representative/supplier and provide equipment and on site start-up and testing services after a completed installation by others. If the bidder was suppose to edit the bid form on page 16 and strike through including placement then I was in error with not striking it out and I have attached the revised Sheet 16 with the 2 words lined out and the Note circled.

Thank you for your kind consideration.

James A. Bellerive, P.E. | President
Haynes Equipment Company, Inc.
913.782.4962 Ext. 112 | jbellerive@haynesequip.com

From: Elizabeth Nations <enations@cityofsedalia.com>
Sent: Thursday, April 30, 2020 4:13 PM
To: James Bellerive <jbellerive@haynesequip.com>
Subject: Email for City of Sedalia

Elizabeth Nations
Executive Administrative Assistant
Public Works Department
City of Sedalia
200 S. Osage Avenue
Sedalia, MO 65301
660-827-3000 Ext. 1166
enations@cityofsedalia.com

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City of Sedalia, Missouri CONFIDENTIALITY STATEMENT: This mail is "unofficial" communication. The ideas or information presented does not necessarily reflect the Official opinion of the City of Sedalia. This electronic communication including any attachments is from the City of Sedalia, Missouri and is confidential, privileged, and intended only for the use of the recipient(s) named above. Any unauthorized review, use,
CITY OF SEDALIA
IFB #2021-004
FACTORY-BUILT PUMPING SYSTEM

(PLEASE TYPE OR PRINT THE FOLLOWING INFORMATION)

Full Name of Bidder: Haynes Equipment Co., Inc.
Main Business Address: 15775 Pflumm Rd.
City, State, Zip Code: Olathe, KS, 66061
Telephone Number: 913-782-4962
Bid Contact Person: James Bellerive, P.E.
Email Address: jbellerive@haynesequip.com

The undersigned, being duly sworn, certifies that he is:

___ the Owner/Sole Proprietor  ___ a Member of the Partnership  ✓ an Officer of the Corporation  ___ a Member of the Joint Venture

an Officer of the LLC

hereinafter called the Bidder and that the members of the Partnership or Officers of the Corporation are as follows:

(President or Partner) James Bellerive
(Vice-President or Partner) Vander Dobbs
(Secretary or Partner)

Further, as Contractor declares that the only person or parties interested in this bid as principals are those named herein; that this bid is made without collusion with any other person, firm or corporation; that he/she has fully examined the proposed forms of agreement and the contract specifications for the above designated purchase, all of which are on file in the office of the City Clerk, 200 S. Osage Ave., Sedalia, Missouri 65301, and all other documents referred to or mentioned in the contract documents, specifications and attached exhibits, including Addenda No. ________, ________, ________ and ________ issued thereto;

Further, the Contractor proposes and agrees, if this bid is accepted, to provide all necessary materials, supplies and/or products, including delivery transportation and recycling services necessary to furnish all the materials, supplies and/or products specified or referred to in the contract documents in the manner and time therein prescribed.

Further, the undersigned certifies and warrants that he/she is duly authorized to execute this certification/affidavit on behalf of the Bidder and in accordance with the Partnership Agreement or by-laws of the Corporation, and the laws of the State of Missouri and that this Certification is binding upon the Bidder and is true and accurate. Further, the undersigned certifies that the Bidder is not barred from bidding on this contract as a result of a violation of either bid-rigging or bid-rotating.

The affiant deposes and says that he has examined and carefully prepared this bid and has checked the same in detail before submitting this bid, and that the statements contained herein are true and correct. If a Corporation, the undersigned further certifies that the recitals and resolutions attached hereto and made a part hereof were properly adopted by the Board of Directors of the Corporation at a meeting of said Board of Directors duly called and held and have not been repealed, nor modified, and that the same remain in full force and effect.

(Attach a copy of the corporate resolution granting the individual executing the contract documents authority to do so.)

Finally, the Contractor agrees to do all other things required of the Contractor by the contract documents, and that the Contractor will take in full payment therefor the sums set forth in the bidding schedule.

Signature of Bidder also authorizes the City to verify business references.

(Signature of Authorized Representative)

(Title of Person Signing)

4-16-2020

(Date)
CITY OF SEDALIA
IFB #2021-004
FACTORY-BUILT PUMPING SYSTEM
REFERENCES

The bidder must list four (4) references, listing firm name, address, telephone number and contact person to whom they have provided similar equipment, supplies or parts for a period of not less than six (6) months. The bidder verifies that they have provided equipment, supplies or parts contained in this contract to the following parties with needs similar to that of the City and authorizes the City to verify references of business and credit at its option.

<table>
<thead>
<tr>
<th>COMPANY NAME:</th>
<th>Hiawatha, Kansas</th>
</tr>
</thead>
<tbody>
<tr>
<td>ADDRESS:</td>
<td>723 Ortega</td>
</tr>
<tr>
<td></td>
<td>Hiawatha, KS. 66434</td>
</tr>
<tr>
<td>CONTACT PERSON:</td>
<td>Rick Koeng</td>
</tr>
<tr>
<td>TELEPHONE NUMBER:</td>
<td>785-741-3502</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>COMPANY NAME:</th>
<th>Emporia, Kansas</th>
</tr>
</thead>
<tbody>
<tr>
<td>ADDRESS:</td>
<td>2910 W. 2nd Ave.</td>
</tr>
<tr>
<td></td>
<td>Emporia, Kansas 66801</td>
</tr>
<tr>
<td>CONTACT PERSON:</td>
<td>Phil Cooper</td>
</tr>
<tr>
<td>TELEPHONE NUMBER:</td>
<td>620-340-6371</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>COMPANY NAME:</th>
<th>Chase Co. pwsd #26</th>
</tr>
</thead>
<tbody>
<tr>
<td>ADDRESS:</td>
<td>420 E 4th</td>
</tr>
<tr>
<td></td>
<td>Strong City, KS. 66869</td>
</tr>
<tr>
<td>CONTACT PERSON:</td>
<td>Garry Devitt</td>
</tr>
<tr>
<td>TELEPHONE NUMBER:</td>
<td>620-213-4345</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>COMPANY NAME:</th>
<th>Chanute, Kansas</th>
</tr>
</thead>
<tbody>
<tr>
<td>ADDRESS:</td>
<td>P.O. Box 407 960 S. Kah</td>
</tr>
<tr>
<td>CONTACT PERSON:</td>
<td>Wayne Mungo</td>
</tr>
<tr>
<td>TELEPHONE NUMBER:</td>
<td>620-431-5297</td>
</tr>
</tbody>
</table>

STATE NUMBER OF YEARS COMPANY HAS BEEN IN BUSINESS: 59
BID FORM – PROPOSAL
FACTORY-BUILT PUMPING SYSTEM

Proposal of Haynes Equipment Co., Inc. (hereinafter BIDDER), to the City of Sedalia (hereinafter CITY).

In compliance with the Notice of Invitation for Bids, BIDDER hereby proposes to provide a factory-built pumping system for installation at the City of Sedalia’s Southeast Wastewater Treatment Plant in strict accordance with the specifications, within the time set forth herein, and at the prices stated below:

By submission of this BID, the BIDDER certifies, and in the case of a joint BID each party thereto certifies as to his/her own organization, that this BID has been arrived at independently, without consultation, communication, or agreement as to any matter relating to this BID with any other BIDDER or with any competitor.

BIDDER hereby agrees to provide the complete pumping system, delivered to the site, within the time that is specified with his/her BID. BIDDER further agrees to pay as liquidated damages, the amount of $250.00 per consecutive calendar day after the specified time for delivery of the equipment.

BIDDER understands that the CITY reserves the right to reject any or all bids and to waive any minor irregularity in the bidding.

BIDDER agrees that this bid shall be good and may not be withdrawn for a period of one hundred twenty (120) calendar days after the scheduled closing time for receiving bids.

BIDDER pursuant to and in accordance with this stated Invitation for Bid, the undersigned hereby declares that they have examined the IFB documents and specifications for the factory-built pumping system.

BASIS OF BID
1. BIDDER proposes to provide the factory-built pumping system as listed below.
2. The factory-built pumping system lump sum price shall include all labor, equipment, materials, taxes, insurance bonds, overhead and profit required to manufacture, deliver, inspect, startup, calibrate system on-site, one-day operator training and testing of the pumping system, factory and on-site with results provided to CITY, in accordance with the above stated specifications. Note: This does not include installation costs.

PROPOSED LUMP SUM PRICES
1. Factory-built pumping system, complete: $48,000.00
2. Shipping and delivery to the facility, including placement: $670.00
3. Start-up and testing services: $1,200.00

TOTAL BID AMOUNT
$49,870.00

PROPOSED SCHEDULE
BIDDER agrees to the following schedule of delivery for the project components (in weeks):

1. Shop drawing submittals (after receipt of Purchase Order): 6-8 weeks
2. Response to CITY’S Comments: 1-4 weeks
3. Delivery of Station after Submittal Approved: 10-14 weeks
The undersigned proposes and agrees, if their BID is accepted to furnish the factory-built pumping system as indicated above including delivery schedule (proposed schedule), as detailed, and accordance with the prices products/services information submitted in the BIDDER response.

NOTE: The City of Sedalia makes no guarantees about single order quantity or total aggregate order quantities.

ACCEPT CITY'S CREDIT CARD: YES  NO

Prompt Payment Discount  %  Days, Net  Days
CITY OF SEDALIA  
IFB #2021-004  
FACTORY-BUILT PUMPING SYSTEM  
AFFIDAVIT OF COMPLIANCE

To be submitted with vendor’s Bid

[ ] We DO NOT take exception to the IFB Documents/Requirements.

[ ] We TAKE exception to the IFB Documents/Requirements as follows:

Specific exceptions are as follows:

Grundfos Boosterpack

I have carefully examined the Invitation for Bid and agree to abide by all submitted pricing, delivery, terms and conditions of this Bid unless otherwise stipulated herein.

Company Name: Heynes Equip. Co., Inc.

By: [Signature]  
(Authorized Person’s Signature)

Company Address: 15925 Plumme RD  
Olathe, KS 66062

Telephone Number: 913-782-4962  
Fax Number: 913-782-5894

Date: 4/17/2020

ADDENDA

Bidder acknowledges receipt of the following addendum:

Addendum No.____

Addendum No.____

Addendum No.____

Addendum No.____

Email: jbellicer@haynesequipment.com

Federal Tax ID No. 48-0991288
Office of the Mayor

TO: Members of City Council
FROM: Mayor John Kehde
DATE: April 30, 2020
RE: New Appointment and Reappointments

I would like to make the following recommendations:

**New Appointment:**

<table>
<thead>
<tr>
<th>BOARD/COMMITTEE</th>
<th>MEMBER</th>
<th>TERM</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Crossing Community Improvement District</td>
<td>Kevin Kroeger</td>
<td>4 Year Term Expiring 4/16/24</td>
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**Reappointments:**

<table>
<thead>
<tr>
<th>BOARD/COMMITTEE</th>
<th>MEMBER</th>
<th>TERM</th>
</tr>
</thead>
<tbody>
<tr>
<td>Citizens Traffic Advisory Commission</td>
<td>Byron Matson 705 W. 6th Street</td>
<td>3 Year Term Expiring 06-2023</td>
</tr>
<tr>
<td></td>
<td>Deidre Esquivel 1109 Douglas Lane</td>
<td>3 Year Term Expiring 06-2023</td>
</tr>
<tr>
<td>Park Board</td>
<td>Jerry Case 2501 S. Stewart</td>
<td>3 Year Term Expiring 6-2023</td>
</tr>
<tr>
<td></td>
<td>Les Wolpers 2400 South Stewart</td>
<td>3 Year Term Expiring 6-2023</td>
</tr>
<tr>
<td></td>
<td>Megan Simon 914 West 3rd Street</td>
<td>3 Year Term Expiring 6-2023</td>
</tr>
<tr>
<td>Planning &amp; Zoning Commission</td>
<td>Val Bloess 607 W. 26th Street</td>
<td>4 Year Term Expiring 06-2024</td>
</tr>
<tr>
<td>Police Personnel Board</td>
<td>Dennis Henderson 2702 Clarendon Road</td>
<td>5 Year Term Expiring 06-2025</td>
</tr>
</tbody>
</table>
Reappointments – Continued -

<table>
<thead>
<tr>
<th>Public Works Board</th>
<th>Trish Yasger</th>
<th>4 Year Term Expiring 06-2024</th>
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<tbody>
<tr>
<td>The Crossing Community Improvement District</td>
<td>Kimberly Weymouth</td>
<td>4 Year Term Expiring 4/16/24</td>
</tr>
<tr>
<td></td>
<td>Kelvin Shaw</td>
<td>4 Year Term Expiring 4/16/24</td>
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</table>