

**RUSSELL CITY COUNCIL MEETING**  
**City Hall - 133 W. 8<sup>th</sup> St. - Russell, Kansas**  
**Date: Tuesday, February 4, 2020 Time: 4:30 p.m.**

**CALL TO ORDER**

**INVOCATION/PLEDGE OF ALLEGIANCE**

**APPROVAL OF AGENDA**

**PUBLIC COMMENTS**

Members of the public are welcome to use this time to make comments about City matters  
(A maximum of five minutes)

**PRESENTATIONS AND PUBLIC HEARINGS**

- 1) Water Conservation Status
- 2) 930 N. Lincoln Hearing

**CONSENT AGENDA**

- 1) Approval of January 21, 2020 Council Meeting minutes
- 2) Licenses:  
Electrical  
DNA Electric, LLC., 237 W 8<sup>th</sup> St., Russell, KS  
Security / Fire Alarm Systems  
Fire Alarm Specialist, Inc, 29073 S Road, Wakeeney, KS

**UNFINISHED BUSINESS**

- 1) Review and Consideration of Bid – Maple / St. John Waterline Improvement Project
- 2) Amend Capital Improvement Plan

**NEW BUSINESS**

- 1) Determination Regarding Vacant Building Appeal - 930 N. Lincoln
- 2) Disadvantaged Business Enterprise Program
- 3) Special Event Application – Sunday Fun Run
- 4) Jaws of Life

**DEPARTMENT REPORTS**

- 1) Deines Cultural Center Activities
- 2) 2011 GO Bond Refunding Bids

**PUBLIC COMMENTS**

Members of the public are welcome to use this time to make comments about City matters  
(A maximum of five minutes)

**EXECUTIVE SESSION**

- 1) Preliminary Discussion Prior to the Acquisition of Real Property

**GOVERNING BODY/CITY MANAGER COMMENTS**

**ADJOURNMENT**

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In compliance with the Americans with Disabilities Act, the City of Russell will provide reasonable accommodations for all public meetings. Persons requiring accommodations in attending any of our public meetings should contact Katrina Woelk, City Clerk/ Finance Director, at 785.483.6311 a minimum of 48 hours prior to the meeting.

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**January 21, 2020**

**Russell City Council Meeting – Minutes  
City Hall  
Russell, KS**

Mayor Mader called the City Council meeting to order at 4:30 PM with the following members in attendance: Councilmembers: Mitch Driscoll, Madden, Stoppel, Cross, Matt Driscoll, Wagner, and Morrill.

The following staff members were in attendance: City Manager Jon Quinday, Electric Director Duane Banks, Public Works Director Rich Krause, Fire Chief Dylan Riedel, Police Chief Dale Waimaster, and City Clerk Katrina Woelk.

**Approval of Agenda**

Councilmember Cross made a motion to approve the agenda. Councilmember Stoppel seconded. The motion carried unanimously.

**Public Comments**

None

**Presentations and Public Hearings**

1) Water Conservation Status

City Manager Quinday updated the council on the status of the City's wells and Big Creek.

2) 930 N Lincoln Hearing – no public hearing

**Consent Agenda**

Councilmember Cross made a motion to approve the consent agenda. Councilmember Stoppel seconded. The motion carried unanimously.

**Unfinished Business**

1. **Water Distribution Backhoe/Loader**

Councilmember Cross made a motion to accept the lower bid for a Caterpillar Model 420F2 from Foley Equipment Co in the amount of \$88,450.00. Councilmember Matt Driscoll seconded. The motion carried unanimously.

## **New Business**

### **1. Determination Regarding Vacant Building Appeal – 930 N. Lincoln**

No action was taken

### **2. Ordinance Amending City Code Regarding Contractor Licensing and Approval**

Councilmember Cross made a motion to approve the Ordinance Amending City Code Regarding Contractor Licensing and Approval. Councilmember Madden seconded. The motion carried unanimously.

### **3. Golf Course Clubhouse Operations Agreement**

Councilmember Cross made a motion to approve the First Extension to the Golf Course Clubhouse Agreement as presented. Michelle Wagner seconded. The motion carried unanimously.

### **4. Edward Avenue/ Seitz Avenue Extension**

No action taken

## **Department Reports**

### **1. Grant for Art**

Finance Director Woelk updated the council on a project that Russell Development is working on to have life size bronze figures created by Matt Lyczk. The art would represent a Kansas/Russell themed character playing a sport and placed in memorial park.

## **Public Comments**

None

## **Executive Session**

None

## **Adjournment**

Councilmember Cross made a motion to adjourn the meeting. Councilmember Matt Driscoll seconded the motion. The motion carried unanimously.

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Katrina Woelk, City Clerk



## City Council Agenda Form

**Meeting Date:** February 4, 2020  
**Agenda Item Title:** Review and Consideration of Bid - Maple/St. John Waterline Improvement Project  
**Department:** City Manager

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**Agenda Item Description:** Review and Consider Bid for the Maple/St. John Waterline Improvement Project

**Background:** In the past the city has replaced 80% of the water lines in the distributions system. To continue to replace and improve the remaining water lines in the distribution system, staff applied for and received \$600,000 in CDBG funding for the estimated \$1,493,300 Maple - St. John water line replacement project. The \$1,493,300 cost estimate included \$1,257,500 for construction, \$215,000 for engineering and \$20,800 for grant administration. The engineering and grant administration cost are fully borne by the city.

Following public hearings, design, engineering and solicitation of bids – all following strict CDBG guidelines - bids were opened at 2:00 pm on January 29, 2020. The low bid from APAC - Kansas, Inc. is \$1,057,188.00, which is \$200,312.00 lower than the project estimate. Council is asked to award the bid to APAC contingent upon approval by the Kansas Department of Commerce – CDBG. Upon award, the contract and requisite documents will be prepared for the Council's approval in the coming weeks. The project is scheduled to begin this Spring and is anticipated to be completed this Fall.

**City Attorney Review/ Comment:** N/A

**Funding Source:** CDBG Grant and Water Improvement Fund

**Options:**

1. Accept the low bid from APAC-Kansas, contingent upon written approval of a single bid from the Kansas Department of Commerce
2. Reject the bid

**Staff Recommendation:** Accept the low bid from APAC-Kansas, contingent upon written approval of a single bid from the Kansas Department of Commerce

**Attachment(s):** Engineer's Recommendation / Bid Documents



230 Poyntz Avenue  
Manhattan, KS 66502  
ph (785) 537-8467  
[www.bartwest.com](http://www.bartwest.com)

January 29, 2020

City of Russell  
133 W. 8<sup>th</sup> Street  
Russell, KS 67665

Re: Maple / St. John Water System Improvement Project  
- Recommendation of Award  
CDBG Project No.: 19-PF-018

Dear Mr. Quinday:

On Wednesday, January 29, 2020 at 2:00 p.m., bids were opened for the Maple / St. John Water System Improvement Project. Attached is the bid tabulation and Engineer's Construction Cost Estimate. One bid was received for the proposed improvements, with APAC, having the one (low) bid.

After reviewing the bid, Bartlett & West can find no reason not to award this contract to APAC. Their Base Bid plus Alternate No. 1 is \$1,057,188.00. Our recommendation is for the City to award the bid to APAC contingent upon approval by CDBG.

Please, contact me by phone (785) 272-2252 or by e-mail [nathan.bergman@bartwest.com](mailto:nathan.bergman@bartwest.com) if you have any questions.

Sincerely,

Nathan A. Bergman, P.E.  
Bartlett & West, Inc.  
230 Poyntz Ave  
Manhattan, KS 66502

Enclosures



Driving Community and Industry Forward, Together.



Driving Community and Industry Forward, Together.

Date: January 29, 2020

**BID TAB**

Project Number:

Project: Maple Street Water System Improvements - City of Russell, KS

Item No.	Description	Quantity	Unit	Engineer's Estimate		APAC	
				Unit Price	Extension	Unit Price	Extension
1.	8" C900 PVC Pipe	9,680	L.F.	45.00	\$ 435,600.00	\$ 32.00	\$ 309,760.00
2.	6" C900 PVC Pipe	4,829	L.F.	36.00	\$ 173,844.00	\$ 31.00	\$ 149,699.00
3.	3/4" Copper Service Line	45	L.F.	30.00	\$ 1,350.00	\$ 5.00	\$ 225.00
4.	8" Gate Valves	30	EA.	2,200.00	\$ 66,000.00	\$ 1,174.00	\$ 35,220.00
5.	6" Gate Valves	20	EA.	2,000.00	\$ 40,000.00	\$ 894.00	\$ 17,880.00
6.	Fire Hydrants	26	EA.	4,200.00	\$ 109,200.00	\$ 4,547.00	\$ 118,222.00
7.	8" Road Crossing	19	E.A.	3,000.00	\$ 57,000.00	\$ 3,784.00	\$ 71,896.00
8.	6" Road Crossing	9	E.A.	2,500.00	\$ 22,500.00	\$ 2,549.00	\$ 22,941.00
9.	8" Install by Bore	1,197	L.F.	48.00	\$ 57,456.00	\$ 59.00	\$ 70,623.00
10.	6" Install by Bore	175	L.F.	38.00	\$ 6,650.00	\$ 51.00	\$ 8,925.00
11.	Remove & Replace Concrete Pavement	50	Sq.Yd.	78.00	\$ 3,900.00	\$ 121.00	\$ 6,050.00
12.	Remove & Replace Concrete Parking	371	Sq.Yd.	78.00	\$ 28,938.00	\$ 65.00	\$ 24,115.00
13.	Remove & Replace Brick Pavement	8	Sq.Yd.	100.00	\$ 800.00	\$ 425.00	\$ 3,400.00
14.	Remove & Replace Curb & Gutter	56	L.F.	50.00	\$ 2,800.00	\$ 28.00	\$ 1,568.00
15.	Remove & Replace Concrete Sidewalk	1,005	Sq.Ft.	10.00	\$ 10,050.00	\$ 6.00	\$ 6,030.00
16.	Remove & Replace Gravel Surfaces	222	Sq.Yd.	25.00	\$ 5,550.00	\$ 9.00	\$ 1,998.00
17.	Remove & Replace Asphalt Surfaces	14	Sq.Yd.	78.00	\$ 1,092.00	\$ 118.00	\$ 1,652.00
18.	Connect to Existing 8" Line	18	EA	1,600.00	\$ 28,800.00	\$ 1,619.00	\$ 29,142.00
19.	Connect to Existing 6" Line	4	EA	1,200.00	\$ 4,800.00	\$ 2,079.00	\$ 8,316.00
20.	Connect to Existing 4" Line	17	EA	1,000.00	\$ 17,000.00	\$ 1,451.00	\$ 24,667.00
21.	Reconnect Service Lines, Short	163	EA	900.00	\$ 146,700.00	\$ 483.00	\$ 78,729.00
22.	Reconnect 1" Service Line	3	EA	1,000.00	\$ 3,000.00	\$ 715.00	\$ 2,145.00
23.	Landscaping and Seeding	1	L.S.	25,000.00	\$ 25,000.00	\$ 55,666.00	\$ 55,666.00
24.	Bid Alt. No. 1 to include items in red on sheet 4	1	L.S.	9,470.00	\$ 9,470.00	\$ 8,319.00	\$ 8,319.00
	<b>Total</b>				<b>\$ 1,257,500.00</b>		<b>\$ 1,057,188.00</b>

THE AMERICAN INSTITUTE OF ARCHITECTS



AIA Document A310

**Bid Bond**

**KNOW ALL MEN BY THESE PRESENTS**, that we APAC-KANSAS, INC., SHEARS DIVISION

as Principal, hereinafter called the Principal, and FEDERAL INSURANCE COMPANY

a corporation duly organized under the laws of the State of INDIANA

as Surety, hereinafter called the Surety, are held and firmly bound unto CITY OF RUSSELL, KANSAS

as Obligee, hereinafter called the Obligee, in the sum of FIVE PERCENT OF AMOUNT BID

Dollars (\$5%),

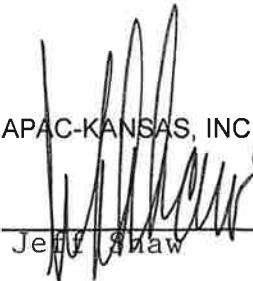

for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for WATERLINE IMPROVEMENTS

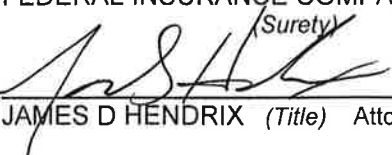
NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a Contract with the Obligee in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter such Contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Obligee may in good faith contract with another party to perform the Work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this 29TH day of JANUARY, 2020.

  
\_\_\_\_\_  
(Witness)

  
APAC-KANSAS, INC., SHEARS DIVISION-  
(Principal)  (Seal)  
Jeff Shaw (Title) Branch Manager

  
\_\_\_\_\_  
(Witness)

FEDERAL INSURANCE COMPANY  
(Surety)  (Seal)  
JAMES D HENDRIX (Title) Attorney-in-Fact



# CHUBB\*

## Power of Attorney

### Federal Insurance Company | Vigilant Insurance Company | Pacific Indemnity Company

Know All by These Presents, That FEDERAL INSURANCE COMPANY, an Indiana corporation, VIGILANT INSURANCE COMPANY, a New York corporation, and PACIFIC INDEMNITY COMPANY, a Wisconsin corporation, do each hereby constitute and appoint Steven L. Collins, Dave Duncan, Chad A. Girard, Jason Heis, James D. Hendrix, Jordan Marshall, Dean McDaniel, L. James Ralston, Janet Rogers, Jeff Shaw, Tom Stivers and Ross A. Weber of Hutchinson, Kansas

each as their true and lawful Attorney-in-Fact to execute under such designation in their names and to affix their corporate seals to and deliver for and on their behalf as surety thereon or otherwise, bid bonds and bid undertakings not to exceed \$ 1,000,000.00 (One Million dollars & zero cents) given or executed in the course of business, but not to include any instruments amending or altering the same nor consents to the modification or alteration of any instrument referred to in said bonds or obligations, on behalf of APAC-KANSAS, INC, SHEARS DIVISION and all Subsidiaries, as principal, in connection with bids or proposals to or with the United States of America, any State or political subdivision thereof or any person, firm or corporation. And the execution of such bid bonds or bid undertakings by such Attorney-in-Fact in the Company's name and on its behalf as surety thereon or otherwise, under its corporate seal, in pursuance of the authority hereby conferred shall, upon delivery thereof, be valid and binding upon the Company.

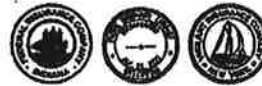
In Witness Whereof, said FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY have each executed and attested these presents and affixed their corporate seals on this 6<sup>th</sup> day of September, 2019.

*Dawn M. Chloros*

Dawn M. Chloros, Assistant Secretary

*Stephen M. Haney*

Stephen M. Haney, Vice President



STATE OF NEW JERSEY

County of Hunterdon

SS.

On this 6<sup>th</sup> day of September, 2019, before me, a Notary Public of New Jersey, personally came Dawn M. Chloros, to me known to be Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY, the companies which executed the foregoing Power of Attorney, and the said Dawn M. Chloros, being by me duly sworn, did depose and say that she is Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY and knows the corporate seals thereof, that the seals affixed to the foregoing Power of Attorney are such corporate seals and were thereto affixed by authority of said Companies; and that she signed said Power of Attorney as Assistant Secretary of said Companies by like authority; and that she is acquainted with Stephen M. Haney, and knows him to be Vice President of said Companies; and that the signature of Stephen M. Haney, subscribed to said Power of Attorney is in the genuine handwriting of Stephen M. Haney, and was thereto subscribed by authority of said Companies and in deponent's presence.

Notarial Seal



KATHERINE J. ADELAAR  
NOTARY PUBLIC OF NEW JERSEY  
No. 2316885  
Commission Expires July 16, 2024

*Katherine J. Adelaar*  
Notary Public

#### CERTIFICATION

Resolutions adopted by the Boards of Directors of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY on August 30, 2016:

"RESOLVED, that the following authorizations relate to the execution, for and on behalf of the Company, of bonds, undertakings, recognizances, contracts and other written commitments of the Company entered into in the ordinary course of business (each a "Written Commitment"):

- (1) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized to execute any Written Commitment for and on behalf of the Company, under the seal of the Company or otherwise.
- (2) Each duly appointed attorney-in-fact of the Company is hereby authorized to execute any Written Commitment for and on behalf of the Company, under the seal of the Company or otherwise, to the extent that such action is authorized by the grant of powers provided for in such person's written appointment as such attorney-in-fact.
- (3) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized, for and on behalf of the Company, to appoint in writing any person the attorney-in-fact of the Company with full power and authority to execute, for and on behalf of the Company, under the seal of the Company or otherwise, such Written Commitments of the Company as may be specified in such written appointment, which specification may be by general type or class of Written Commitments or by specification of one or more particular Written Commitments.
- (4) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized, for and on behalf of the Company, to delegate in writing to any other officer of the Company the authority to execute, for and on behalf of the Company, under the Company's seal or otherwise, such Written Commitments of the Company as are specified in such written delegation, which specification may be by general type or class of Written Commitments or by specification of one or more particular Written Commitments.
- (5) The signature of any officer or other person executing any Written Commitment or appointment or delegation pursuant to this Resolution, and the seal of the Company, may be affixed by facsimile on such Written Commitment or written appointment or delegation.

FURTHER RESOLVED, that the foregoing Resolution shall not be deemed to be an exclusive statement of the powers and authority of officers, employees and other persons to act for and on behalf of the Company, and such Resolution shall not limit or otherwise affect the exercise of any such power or authority otherwise validly granted or vested."

I, Dawn M. Chloros, Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY (the "Companies") do hereby certify that

- (i) the foregoing Resolutions adopted by the Board of Directors of the Companies are true, correct and in full force and effect,
- (ii) the foregoing Power of Attorney is true, correct and in full force and effect.

Given under my hand and seals of said Companies at Whitehouse Station, NJ, this 29<sup>th</sup> day of January, 2020.



*Dawn M. Chloros*

Dawn M. Chloros, Assistant Secretary

IN THE EVENT YOU WISH TO VERIFY THE AUTHENTICITY OF THIS BOND OR NOTIFY US OF ANY OTHER MATTER, PLEASE CONTACT US AT:  
Telephone (908) 903-3493 Fax (908) 903-3656 e-mail: surety@chubb.com

CITY OF RUSSELL  
CDBG PROJECT #19-PF-018

BIDDERS NAME: APAC-KANSAS, INC  
ADDRESS: 819 West First Hutchinson, KS  
PHONE NUMBER: 620-727-6774  
EMAIL: Tiff.Shaw@APAC.COM  
DUNS NUMBER: 06-927-7150

SUBCONTRACTORS NAME  
ADDRESS: M&D Excavating, LLC  
PHONE NUMBER: PO Box 184  
EMAIL: 785-628-3169  
DUNS NUMBER: mdfhays@yahoo.com  
10-2380151

SUBCONTRACTORS NAME  
ADDRESS:  
PHONE NUMBER:  
EMAIL:  
DUNS NUMBER:

SUBCONTRACTORS NAME  
ADDRESS:  
PHONE NUMBER:  
EMAIL:  
DUNS NUMBER:

SUBCONTRACTORS NAME  
ADDRESS:  
PHONE NUMBER:  
EMAIL:  
DUNS NUMBER:

**ARTICLE 1 – BID RECIPIENT**

1.01 This Bid is submitted to:

City of Russell  
133 West 8<sup>th</sup> St.  
Russell, KS 67665

1.02 The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with Owner in the form included in the Bidding Documents to perform all Work as specified or indicated in the Bidding Documents for the prices and within the times indicated in this Bid and in accordance with the other terms and conditions of the Bidding Documents.

**ARTICLE 2 – BIDDER’S ACKNOWLEDGEMENTS**

2.01 Bidder accepts all of the terms and conditions of the Instructions to Bidders, including without limitation those dealing with the disposition of Bid security. This Bid will remain subject to acceptance for 60 days after the Bid opening, or for such longer period of time that Bidder may agree to in writing upon request of Owner.

**ARTICLE 3 – BIDDER’S REPRESENTATIONS**

3.01 In submitting this Bid, Bidder represents that:

A. Bidder has examined and carefully studied the Bidding Documents, and any data and reference items identified in the Bidding Documents, and hereby acknowledges receipt of the following Addenda:

<u>Addendum No.</u>	<u>Addendum, Date</u>
<u>1</u>	<u>1/8/2020</u>
<u>2</u>	<u>1/22/2020</u>
<u>3</u>	<u>1/24/2020</u>
<u> </u>	<u> </u>

- B. Bidder has visited the Site, conducted a thorough, alert visual examination of the Site and adjacent areas, and become familiar with and satisfied itself as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work.
- C. Bidder is familiar with and has satisfied itself as to all Laws and Regulations that may affect cost, progress, and performance of the Work.
- D. Bidder has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or adjacent to the Site and all drawings of physical conditions relating to existing surface or subsurface structures at the Site that have been identified in the Supplementary Conditions, especially with respect to Technical Data in such reports and drawings, and (2) reports and drawings relating to Hazardous Environmental Conditions, if any, at or adjacent to the Site that have been identified in the Supplementary Conditions, especially with respect to Technical Data in such reports and drawings.
- E. Bidder has considered the information known to Bidder itself; information commonly known to contractors doing business in the locality of the Site; information and

observations obtained from visits to the Site; the Bidding Documents; and any Site-related reports and drawings identified in the Bidding Documents, with respect to the effect of such information, observations, and documents on (1) the cost, progress, and performance of the Work; (2) the means, methods, techniques, sequences, and procedures of construction to be employed by Bidder; and (3) Bidder's safety precautions and programs.

- F. Bidder agrees, based on the information and observations referred to in the preceding paragraph, that no further examinations, investigations, explorations, tests, studies, or data are necessary for the determination of this Bid for performance of the Work at the price bid and within the times required, and in accordance with the other terms and conditions of the Bidding Documents.
- G. Bidder is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Bidding Documents.
- H. Bidder has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder has discovered in the Bidding Documents, and confirms that the written resolution thereof by Engineer is acceptable to Bidder.
- I. The Bidding Documents are generally sufficient to indicate and convey understanding of all terms and conditions for the performance and furnishing of the Work.
- J. The submission of this Bid constitutes an incontrovertible representation by Bidder that Bidder has complied with every requirement of this Article, and that without exception the Bid and all prices in the Bid are premised upon performing and furnishing the Work required by the Bidding Documents.

#### **ARTICLE 4 – BIDDER'S CERTIFICATION**

##### **4.01 Bidder certifies that:**

- A. This Bid is genuine and not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any collusive agreement or rules of any group, association, organization, or corporation;
- B. Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid;
- C. Bidder has not solicited or induced any individual or entity to refrain from bidding; and
- D. Bidder has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for the Contract. For the purposes of this Paragraph 4.01.D:
  - 1. "corrupt practice" means the offering, giving, receiving, or soliciting of any thing of value likely to influence the action of a public official in the bidding process;
  - 2. "fraudulent practice" means an intentional misrepresentation of facts made (a) to influence the bidding process to the detriment of Owner, (b) to establish bid prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition;
  - 3. "collusive practice" means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish bid prices at artificial, non-competitive levels; and

4. "coercive practice" means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.

**ARTICLE 5 – BASIS OF BID**

5.01 Bidder will complete the Work in accordance with the Contract Documents for the following price(s):

Item No.	Description	Estimated Quantity	Unit	Unit Price	Extension
1.	8" C900 PVC Pipe	9,680	L.F.	<u>32</u>	<u>309,760</u>
2.	6" C900 PVC Pipe	4,829	L.F.	<u>31</u>	<u>149,699</u>
3.	3/4" Copper Service Line	45	L.F.	<u>5</u>	<u>225</u>
4.	8" Gate Valves	30	EA.	<u>1174</u>	<u>35,220</u>
5.	6" Gate Valves	20	EA.	<u>894</u>	<u>17,880</u>
6.	Fire Hydrants	26	EA.	<u>4547</u>	<u>118,222</u>
7.	8" Road Crossing	19	E.A.	<u>3784</u>	<u>71,896</u>
8.	6" Road Crossing	9	E.A.	<u>2549</u>	<u>22941</u>
9.	8" Install by Bore	1,197	L.F.	<u>59</u>	<u>70,623</u>
10.	6" Install by Bore	175	L.F.	<u>51</u>	<u>8925</u>
11.	Remove & Replace Concrete Pavement	50	Sq.Yd.	<u>121</u>	<u>6050</u>
12.	Remove & Replace Concrete Parking	371	Sq.Yd.	<u>65</u>	<u>24,115</u>
13.	Remove & Replace Brick Pavement	8	Sq.Yd.	<u>425</u>	<u>3400</u>
14.	Remove & Replace Curb & Gutter	56	L.F.	<u>28</u>	<u>1568</u>
15.	Remove & Replace Concrete Sidewalk	1,005	Sq.Ft.	<u>6</u>	<u>6030</u>
16.	Remove & Replace Gravel Surfaces	222	Sq.Yd.	<u>9</u>	<u>1998</u>
17.	Remove & Replace Asphalt Surfaces	14	Sq.Yd.	<u>118</u>	<u>1652</u>
18.	Connect to Existing 8" Line	18	EA	<u>1619</u>	<u>29,142</u>
19.	Connect to Existing 6" Line	4	EA	<u>2079</u>	<u>8316</u>
20.	Connect to Existing 4" Line	17	EA	<u>1451</u>	<u>24,667</u>
21.	Reconnect Service Lines, Short	163	EA	<u>483</u>	<u>78,729</u>
22.	Reconnect 1" Service Line	3	EA	<u>715</u>	<u>2145</u>
23.	Landscaping and Seeding	1	L.S.	<u>55,666</u>	<u>55,666</u>
24.	Bid Alt. No. 1 to include items in red on plan sheet #4	1	L.S.	<u>8319</u>	<u>8319</u>
TOTAL BID				<u>1,057,188</u>	

5.02 Multiple construction contracts are bidding concurrently for the Water Supply Improvements project. Bidder shall indicate any deducts which he/she shall provide if bidder is awarded multiple contracts. This information may be used to determine which bidder provides the most value for the overall project and may be used in determining the low bidder. Bidder shall provide this information on the Exhibit attached to this Bid Form.

**ARTICLE 6 – TIME OF COMPLETION**

6.01 Bidder agrees that the Work will be substantially complete and will be completed and ready for final payment in accordance with Paragraph 15.06 of the General Conditions on or before the dates or within the number of calendar days indicated in the Agreement.

6.02 Bidder accepts the provisions of the Agreement as to liquidated damages.

**ARTICLE 7 – ATTACHMENTS TO THIS BID**

7.01 The following documents are submitted with and made a condition of this Bid:

- A. Required Bid security; ✓
- B. Certification of Understanding and Payroll Authorization ✓
- C. Record of Employee Interview ✓
- D. Lobbying Certification Form ✓
- E. DUNS # Form ✓

**ARTICLE 8 – DEFINED TERMS**

8.01 The terms used in this Bid with initial capital letters have the meanings stated in the Instructions to Bidders, the General Conditions, and the Supplementary Conditions.

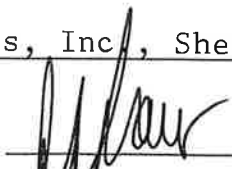
**ARTICLE 9 – BID SUBMITTAL**

BIDDER:

APAC-Kansas, Inc., Shears Division

By:

[Signature]

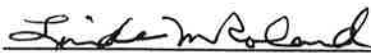


[Printed name] Jeff Shaw, Branch Manager

*(If Bidder is a corporation, a limited liability company, a partnership, or a joint venture, attach evidence of authority to sign.)*

Attest:

[Signature]



[Printed name] Linda Roland

Title: Office Manager

Submittal Date: January 29, 2020



Address for giving notices:

PO Box 1605

Hutchinson, KS 67504-1605

Telephone Number: 620-662-2112

Fax Number: 620-662-2845

Contact Name and e-mail address: Jeff Shaw

Jeff.Shaw@apac.com

Bidder's License No.:

*(where applicable)*

## Delegation of Financial Approval Authority

The delegator named below hereby delegates to the person named below ("Agent") approved authority with respect to the Category(ies) set forth below. The delegated authority entitles the Agent to act in the name and on behalf of OMG Southwest, its companies and subsidiaries (the "Division") in respect of the Lines of Business named below with respect to the Category(ies), but only up to and including the dollar limit, if applicable, imposed on the Agent with respect to each Category.

The Agent is authorized (i) to legally commit or obligate the Division to any transaction with consequences financial or otherwise, including without limitation capital and operation expenditures pertaining to the Category(ies) listed below and (ii) to approve payments for commitments or obligations of the type described in such Category(ies).

The Agent is also hereby authorized to redelegate this authority in an amount not exceeding the maximum level of such Agents authority for the Category in respect of which authority is delegated provided, the appropriate block is marked below indicating the Agent is a delegator. Any delegation of authority by such delegator may, when necessary or advisable, be made a power of attorney or otherwise, provided such delegator furnishes a copy of such delegation to the OMG Division CFO, and if such authority is not delegated by completion of a form substantially the same as this form, then the General Counsel.

The authority hereby delegated shall become effective Immediately upon receipt of this form by the Division's divisional Accounting Department, to the attention of the Divisional CFO, and the Agent shall be authorized to act hereunder from the date hereof (a), if such person is an employee of the Division only so long as such person shall remain an employee of the Division or (b) until an express termination date or (c) until such time as this instrument has been revoked annulled and set aside by the Division or by an instrument or revocation signed by the Division President, or the Delegator, whichever may first occur.

<p><b>Agent's Employee #:</b> <input style="width: 150px;" type="text" value="290846"/></p> <p><b>Agent's Position:</b> <input style="width: 280px;" type="text" value="Branch Manager, Utility"/></p> <p><b>May Agent redelegate this authority?</b> <input style="width: 150px;" type="text" value="No"/></p> <p><b>Agent's Company Mailing Address:</b> <input style="width: 280px;" type="text" value="APAC-Kansas, Inc., Shears, P.O. Box 1605, Hutchinson, KS 67504"/></p> <p><b>Company:</b> <input style="width: 280px;" type="text" value="APAC-Kansas, Inc., Shears"/></p> <p><b>Line of Business:</b> <input style="width: 280px;" type="text"/></p> <p><b>Agent's Signature:</b> <input style="width: 280px;" type="text" value="Jeff Shaw"/></p> <p><b>Agent's Initials:</b> <input style="width: 150px;" type="text" value="JS"/></p>	<p><b>Delegator's Name:</b> <input style="width: 280px;" type="text" value="Chad A. Girard"/></p> <p><b>Delegator's Employee #:</b> <input style="width: 150px;" type="text" value="291658"/></p> <p><b>Delegator's Position:</b> <input style="width: 280px;" type="text" value="President, Shears"/></p> <p><b>Date Approved:</b> <input style="width: 150px;" type="text" value="April 1, 2013"/></p> <p><b>Delegator's Signature:</b> <input style="width: 280px;" type="text" value="Chad A. Girard"/></p> <p><b>Date:</b> <input style="width: 150px;" type="text" value="April 1, 2013"/></p>
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Category	US Dollar Limit
001 - Other	\$50,000.00
003 - Direct Purchase	\$1,000,000.00
007 - Reimbursements	
008 - Contracts	\$5,000,000.00
009 - Bids	\$5,000,000.00
010 - Sales Pricing Quotes/Commitments	
014 - Litigation	
015 - Credit	
029 - Tax	
045 - Employee Cost	
089 - Employee Loans	
129 - Payroll	
139 - Insurance	
904 - Cash Management	
P2P - PROACTIS Purchase Orders	\$250,000.00



## City Council Agenda Form

**Meeting Date:** February 4, 2020  
**Agenda Item Title:** Amend Capital Improvement Plan  
**Department:** City Manager

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**Agenda Item Description:** Amended Capital Improvement Plan

**Background:** K.S.A. 12-1,118 allows cities to create a capital improvement fund, for future capital improvements, if a multi-year plan is approved by the governing body. Funds received from the 1/2 cent county-wide retailers sales tax are credited to the Capital Improvement Fund. The plan is dynamic and any changes to the approved plan, or expenditures over \$15,000, require council action. As priorities and needs shift, the capital improvement plan is updated to reflect these changes.

The Building, Planning, and Zoning Department recently identified a software package that can be used for building inspections, code enforcement investigations and vacant building registration and tracking. The software has been added to the Capital Improvement Plan for CY 2020.

**City Attorney Review/ Comment:** N/A

**Funding Source:** N/A

**Options:**

1. Approve the amended Capital Improvement Plan as presented
2. Provide staff with alternate direction
3. Take no action - current plan will remain

**Staff Recommendation:** Approve the Capital Improvement Plan as presented

**Attachment(s):** Amended Capital Improvement Plan

**CAPITAL IMPROVEMENT PLAN - SUMMARY**

2019-2029

Approved by Council 8/20/19

Description	2016 Actual	2017 Actual	2018 Actual	2019 Projected	2020 Projected	2021 Projected	2022 Projected	2023 Projected	2024 Projected	2025 Projected	2026 Projected	2027 Projected	2028 Projected	2029 Projected
<b>CASH BALANCE 1/1/XX</b>	1,387,704	1,304,630	888,960	291,011	568,351	1,057,326	(2,774)	227,726	528,226	652,526	969,026	1,349,526	1,752,026	2,162,526
<b>REVENUE</b>														
Grants	553,750	330,626	463,374	161,775	248,000	21,886,204								
Transfer from General Fund	464,000	248,115	419,424	202,000	607,975	400,000	400,000	400,000	400,000	400,000	400,000	400,000	400,000	400,000
Transfer from Special Hwy	-	75,000	75,000	75,000	100,000	400,000								
Bonds				1,681,783	179,957									
Golf Course Fees	9,675	8,625	7,560	9,000	7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500
Investments	3,116	2,525	7,810	4,500	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000
Donations		4,137	435											
Miscellaneous		1,650												
Cancelled Encumbrance														
Total Revenue	1,030,541	670,678	973,603	452,275	2,648,258	22,876,661	410,500	410,500	410,500	410,500	410,500	410,500	410,500	410,500
Total Resources Available	2,418,245	1,975,308	1,862,563	743,286	3,216,609	23,933,987	407,726	638,226	938,726	1,063,026	1,379,526	1,760,026	2,162,526	2,573,026
<b>EXPENDITURES</b>														
Administration	31,443	-	1,253	17,665	6,500	-	-	-	15,000	40,000	-	-	-	-
Airport	-	-	20,961	24,905	56,000	-	20,000	-	-	-	-	5,000	-	400,000
Deines Center	-	-	9,560	-	-	-	-	-	-	-	-	-	-	-
Fire Department	-	-	-	3,806	30,000	-	-	-	6,000	14,000	-	-	-	-
Golf Course	10,606	3,565	4,580	23,000	-	-	20,000	10,000	10,000	30,000	30,000	3,000	-	15,000
Parks / Cemetery	535,690	-	-	-	30,000	-	90,000	-	60,000	30,000	-	-	-	183,000
Police	-	-	-	30,250	5,000	-	-	-	11,000	10,000	-	-	-	-
911 Dispatch	223,565	23,676	-	-	-	-	-	-	-	-	-	-	-	-
Street	262,323	1,059,107	1,535,198	25,000	2,031,783	23,896,761	50,000	100,000	30,000	-	-	-	-	5,000
Swimming Pool	49,988	-	-	50,309	-	40,000	-	-	154,200	-	-	-	-	-
<b>TOTAL EXPENDITURES</b>	1,113,615	1,086,348	1,571,552	174,935	2,159,283	23,936,761	180,000	110,000	286,200	94,000	30,000	8,000	-	603,000
<b>CASH BALANCE 12/31/XX</b>	1,304,630	888,960	291,011	568,351	1,057,326	(2,774)	227,726	528,226	652,526	969,026	1,349,526	1,752,026	2,162,526	1,970,026

Approved by Council 8/20/19

Department Detail

Description	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029
	Actual	Actual	Actual	Projected	Projected	Projected	Projected	Projected	Projected	Projected	Projected	Projected	Projected	Projected
<b>ADMINISTRATION</b>														
IT System Migration														
Windows	13,105				6,500									
Licensing Software														
Land														
Network Upgrades	527			12,598										
A/C			1,253	5,067						40,000				
Outdoor Warning Sirens														
Payroll Time Clock														
Remote Payment Box														
Wayfinder Signs	17,811													
Website Design									15,000					
Subtotal	31,443		1,253	17,665	6,500				15,000	40,000				
<b>AIRPORT</b>														
Rehab Runway 17-35 & connect taxiways					56,000									
Runway 17-35 OF2 Grading							20,000							
Runway and Taxiway lighting			20,961	14,905										
Terminal Building														400,000
HVAC - FAA Side				10,000								5,000		
External Terminal Repairs														
Subtotal			20,961	24,905	56,000		20,000					5,000		400,000
<b>DEINES CULTURAL CENTER</b>														
Air Conditioning			9,560											
Subtotal			9,560											

Description	2016 Actual	2017 Actual	2018 Actual	2019 Projected	2020 Projected	2021 Projected	2022 Projected	2023 Projected	2024 Projected	2025 Projected	2026 Projected	2027 Projected	2028 Projected	2029 Projected
<b>FIRE DEPARTMENT</b>														
Replace Lighting in Bays														
Repair Doors / Emergency Lights				3,806						6,000				
Ceiling tile & add insulation					30,000									
Paint all bay walls & floors									6,000					
Air purification system - Bay									6,000					
Relocate Heater in Bay				3,806	30,000					14,000				
Subtotal														
<b>GOLF COURSE</b>														
Bathroom Rebuild														
Trees & Markers			2,435											
Convert Fairways to Bermuda			2,145											
Concrete Paths	6,468													
Gypsum/Sodium Treatment		1,137												
Message Board														
Replace Clubhouse AC Unit	4,138			3,000				10,000				3,000		15,000
Maintenance Shop Heater														
Hard Surface Cemetary Roads		2,428												
Electrical Panel														
Club House Windows														
Repair Clubhouse Roof				20,000										
Rebuild Tee Boxes							20,000							
Subtotal	10,606	3,565	4,580	23,000				10,000	10,000			3,000		15,000
<b>PARKS / CEMETERY</b>														
Park Equipment Upgrades														
Park Bldg					30,000									
Scoreboards														
Hard Surface Cemetary Roads							30,000							
Seal Cemetary Roads										30,000				
Storage Building														
Aimes Park Retaining Wall														
Tennis Court Rebuild														
Ball Fields														
Bickerycke Park Stone Work	535,690													33,000
Cemetary Iron Fence														
Subtotal	535,690				30,000		90,000		60,000	30,000	20,000			183,000



Description	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029
	Actual	Actual	Actual	Projected	Projected	Projected	Projected	Projected	Projected	Projected	Projected	Projected	Projected	Projected
<b>SWIMMING POOL</b>														
Pool - Sanding / Painting	34,988					40,000								
Circulation Pumps				50,309					11,200					
Lifeguard stands									13,000					
Frog Slide														
Shelter Replacement														
Umbrella Shelters									20,000					
2 Slides									110,000					
Building / Slide Sealing Paint	15,000													
Repair Roof	49,988			50,309		40,000			154,200					
Subtotal														
<b>TOTAL GENERAL FUND</b>	<b>1,113,615</b>	<b>1,086,348</b>	<b>1,571,552</b>	<b>174,935</b>	<b>2,159,283</b>	<b>23,936,761</b>	<b>180,000</b>	<b>110,000</b>	<b>286,200</b>	<b>94,000</b>	<b>30,000</b>	<b>8,000</b>	<b>-</b>	<b>603,000</b>



## City Council Agenda Form

**Meeting Date:** February 4, 2020  
**Agenda Item Title:** Determination Regarding Vacant Building Appeal - 930 N. Lincoln  
**Department:** City Manager

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**Agenda Item Description:** Determination of Governing Body Related to Vacant Building Appeal - 930 N. Lincoln

**Background:** Ordinance 1903 provides for the registration of abandoned and vacant buildings.

In November 2019, a notice that the building at 930 N. Lincoln was chronically vacant and the requirement to register the building was sent to the property owner. The notice provided for the building to be registered within twenty (20) days, and the owner could appeal the determination within twenty (20) days. Mrs. Hutchison has requested a hearing through her attorney, Mr. Jerry Driscoll. The hearing was originally scheduled for January 21, 2020, but was moved to February 4, 2020 at Mr. Driscoll's request.

Ordinance 1903 provides that any person aggrieved by a finding, order or decision made by the Public Officer may appeal to the Governing Body. The Governing Body shall provide a hearing and make a decision affirming, overruling, or modifying the finding, order or decision appeal from.

**City Attorney Review/ Comment:** 1/16/2020

**Funding Source:** N/A

**Options:**

1. Make a determination affirming the finding of the public officer
2. Make a determination overruling the finding of the public officer
3. Make a determination modifying the finding of the public officer

**Staff Recommendation:** Make a decision affirming, overruling, or modifying the finding of the public officer that the building at 930 N. Lincoln is chronically vacant and subject to registration.

**Attachment(s):** Ordinance 1903, Inspection Form, Notices, and Request for Hearing

## ORDINANCE NO. 1903

### AN ORDINANCE PROVIDING FOR THE REGISTRATION OF ABANDONED and VACANT BUILDINGS AND PROVIDING PROCEDURES RELATED TO INCENTIVES, MAINTENANCE AND MARKETING OF THE SAME.

WHEREAS, the Governing Body finds that abandoned and vacant residential and commercial buildings adversely affects quality of life, creates blight, and impacts local property values; and

WHEREAS, abandoned and vacant buildings are known to attract vandalism, become havens for drug use and other crime, and require expenditure of public funds for police protection, fire protection and housing inspection; and

WHEREAS, the Governing Body finds that public health, safety and welfare are adversely affected by abandonment and prolonged vacancies in residential and commercial buildings;

BE IT ORDAINED by the Governing Body of the City of Russell, Kansas:

**SECTION 1.** The Governing Body of the City of Russell, Kansas, hereby adopts an abandoned and vacant building ordinance as follows:

**(a) Purpose:**

Recognizing that abandoned and vacant buildings contribute to blight in both residential and non-residential neighborhoods, discourage economic development and retard appreciation of property values, endanger public health and safety, attract criminal activity, and create fire hazards, it is the responsibility of property owners to prevent buildings from becoming a burden to the neighborhood and community and a threat to the public health, safety, and welfare. The Governing Body finds that abandoned and vacant buildings result in increased expenditures for police, fire, and code services inspections and calls. Maintenance of the public health, safety, and welfare thus requires the City to maintain an accurate registration of all abandoned and vacant buildings.

**(b) Definitions:**

For purposes of this ordinance, certain phrases and words are defined below. Words or phrases not defined in this ordinance but defined in applicable state law or the Code shall be given that meaning. All other words or phrase shall be given their common ordinary meaning. The following words, terms and phrases, when used in this ordinance, shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning.

**Abandoned Building** means a building that is vacant and is open or unsecured so that unauthorized admittance may be gained.

**Building** means a building, or other structure adapted to permanent occupancy for residential or commercial purposes.

**City** means the City of Russell, Kansas.

**Chronic Vacancy or Chronically Vacant** means a VACANT building which continues to remain vacant for six (6) months after initial notification by the City to the owner.

**Occupy** means to conduct a lawful business or reside in all or any part of the building or structure as the business occupant, or as the legal or equitable owner/occupant(s) or tenant(s) on a permanent, non-transient basis, or any combination of the same. For purposes of this Article, evidence offered to prove that a person occupies a building or structure may include, but shall not be limited to, the regular receipt of regular mail through the U.S. Postal Service or proof of continual electric, water, sewer and trash services.

**Owner** means the person, persons or entity identified as the owner of the parcel with the Russell County Appraiser's Office; or any agent identified by a nonresident owner; or any mortgagee of a property in foreclosure.

**Unsecured** means access to the building may be obtained through open, unlocked, broken or missing doors or windows of such building.

**Vacant** means any building intended for residential or commercial use which is not currently occupied or in use wherein no person or persons actually, currently conduct a lawful business or lawfully reside or live in any part of the building as the legal or equitable owners(s) or tenant-occupants(s) or tenant(s) on a permanent, non-transient basis or that is unoccupied.

## **SECTION 2. Public Officer.**

The city manager shall designate a public officer to be charged with the administration and enforcement of this Article.

## **SECTION 3. Inquiry and Inspection.**

The public officer shall make inquiry and inspection of premises upon receiving information that a building may be abandoned or vacant. Upon making such inquiry and inspection the public officer shall make a written report of his or her findings.

## **SECTION 4. Service of Notice.**

If the public officer determines that a building is abandoned or vacant then such officer shall give notice of the finding to the owner by:

- (1) delivering written notice to the owner personally, or
- (2) by first class mail through the U.S. Postal Service and by posting the notice on the building in a conspicuous place.

**SECTION 5. Notice Content – Vacant Building.**

The notice issued by the City for a vacant building shall be in writing and shall contain the common street address, description of the building, advise the owner that the building has been determined to be vacant, and will be subject to registration as a Chronically Vacant building after a period of six (6) months, and advise the owner that he or she has twenty (20) days to appeal the determination.

**SECTION 6. Notice Content – Abandoned or Chronically Vacant Building.**

The notice issued by the City for an Abandoned or Chronically Vacant building shall be in writing and shall contain the common street address, legal description of the property, registration requirements, and shall apprise the owner of the facts available to the City which resulted in the determination that the building is an abandoned or chronically vacant building and advise the owner that he or she has twenty (20) days to appeal the determination. The Notice shall state the steps which an owner may take to claim an exemption from registration fees. The time period for registration of an abandoned or chronically vacant building may be extended by the public officer for good cause.

**SECTION 7. Registration and maintenance requirements for Abandoned and Chronically Vacant buldings; fees**

- a. The owner of an abandoned or chronic vacant building shall register the building with the City within twenty (20) days of service of a written Notice provided to the owner or agent of the existence of the abandoned or chronic vacant building, or show cause in writing to the public officer as to why the building is not abandoned or chronically vacant. If the owner contends that the building is neither abandoned nor chronically vacant then such owner shall provide the public officer with such information as the owner requests the public officer to consider in making his or her determination. The public officer shall render his or her written decision within ten (10) days of the notice that the owner challenges the initial notice that the building was abandoned or chronically vacant.
- b. The required registration shall be submitted on the form provided by the City, which form shall include the name, current mailing address, phone number and any other contact information of the owner; the names and addresses of all known lienholders and all other parties with a legal or equitable ownership interest in the building; the common address of the building and parcel tax identification number. The form shall also include a timetable for:
  - (1) Returning the abandoned or chronically vacant building to appropriate occupancy or use; or
  - (2) Marketing the chronically vacant building pursuant to the provisions of Section 8 of this Article.

- c. The initial registration period is for six (6) months. After the initial registration period has expired and for every subsequent year a building remains abandoned or chronically vacant beyond the initial registration period, the owner of the abandoned or vacant building must:
  - (1) re-register the building, by paying the appropriate fees, and
  - (2) submitting an updated plan for either returning the building to appropriate occupancy or use, or marketing the property.
- d. Upon registration, the City shall provide the following incentives toward active marketing of the residential or commercial building:
  - (1) Waive zoning fees, if applicable;
  - (2) Provide commercial solid waste removal, electric, water, and sewer service at no cost for sixty (60) days if the building is leased within ninety (90) days of initial registration within the guidelines adopted by the City Council and effective at the date of occupancy; and
  - (3) If the building requires remodeling, waive permit fees if remodeling occurs within ninety (90) days of initial registration.
- e. If the owner of an abandoned or chronically vacant building does not reside in Russell County for at least six (6) months a year, then such owner must designate a resident agent with authority to act with respect to the property, including name, current mailing address, phone number and any other contact information of the owner's agent.
- f. Any subsequent owner of a registered abandoned or chronically vacant building must amend the registration with the public officer to include the new owner within thirty (30) days of any transfer of any ownership interest in the abandoned or chronic vacant building, but is not liable for an additional registration fee for the period for which it has been registered.
- g. The owner of an abandoned or chronically vacant building must keep the building and any adjoining property secure, safe and maintained in compliance with all federal, state and local ordinances and regulations.
- h. The initial registration fee for an abandoned or chronic vacant building is fifty dollars (\$50.00) per residential building, and one-hundred dollars (\$100.00) per commercial building, which shall be collected by the City at the time of initial registration of the building.

- i. If a building remains abandoned or chronic vacant more than 6 months after initial registration it shall be subject to a re-registration fee of \$250 per year for a residential building and \$500 per year for a commercial/industrial building. Funds derived from said fee shall be used to offset the City's cost of inspections and incentives as found in Section 7(d) of this Article.

**SECTION 8. Marketing Exception to Registration Fees for Chronically Vacant Buildings.**

A chronically vacant building shall be exempt from the registration fee required pursuant to Section 7, for so long as the following marketing requirements are being met:

- a. Buildings marketed as "for rent" by signage, in a newspaper or in an online listing by organizations who provide real estate listings at a fair market value rental rate based upon market rental rates for comparable properties. The owner may show entitlement to this exemption by submitting evidence of marketing to the City. In the event that active marketing ceases, the building in question shall be immediately subject to registration fees.
- b. Buildings which are being actively marketed as "for sale" by a licensed real estate broker or by the owner and advertised as such in a newspaper or listed on a recognized online website. The owner may show entitlement to this exemption by submitting evidence of marketing to the City. In the event that active marketing ceases, the building in question shall be immediately subject to Registration.
- c. A building for which the owner executes a valid affidavit on a form provided by the City attesting that the owner intends to resume occupancy of the building within 180 days. Failure to actually resume occupancy of the building within 180 days will result in imposition of the registration fee that was exempted under this section, as well as any reregistration fees then becoming due.

**SECTION 9. Failure to Register; fees, procedures**

- a. An owner who fails to register or re-register an abandoned or chronically vacant building under this Article after written Notice shall be in violation of this Article. The registration fee provided for in Section 7 per residential building and per commercial building shall immediately become due and payable to the City.
- b. Any civil fees assessed under this section shall be billed to the owner or other responsible party at their registered address. Failure or refusal to pay fees after Notice and an opportunity to pay shall authorize the City to use any and all available legal remedies for the enforcement and collection of such fees; including but not limited to suits in law or equity in any court of competent jurisdiction, abatement of nuisances maintained in violation of this ordinance, injunction or assessment of said registration or re-registration fees on the property to be collected with the property taxes. This Article in no way limits the actions or abatement procedures which may be taken by the

City for a violation of any other ordinance of the City or statute of the State of Kansas.

- c. Should an owner fail to register an abandoned or chronically vacant building as provided in this Article, the public officer may file a complaint in the municipal court of the city against such owner and upon conviction of a violation of the provision of Section 7, be fined in an amount not less than \$250 and not more than \$500.


**SECTION 10. APPEAL**

Any person aggrieved by a finding, order or decision made by the Public Officer pursuant to this Article may appeal such to the Governing Body by written notice delivered to the City Clerk within ten (10) days, excluding weekends and holidays, from the final decision of the Public Officer. The Governing Body shall provide a hearing and make a decision affirming, overruling or modifying the finding, order or decision appealed from.

**SECTION 11.** The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, that declaration shall not affect the part which remains.

**SECTION 12.** This ordinance shall take effect on January 1, 2018, upon publication as provided by law in the official City newspaper.

PASSED AND APPROVED by the Governing Body of the City of Russell, Kansas, this 21<sup>st</sup> day of November, 2017.

  
\_\_\_\_\_  
Raymond C. Mader, Mayor

ATTEST:

  
\_\_\_\_\_  
Katrina Woelk, City Clerk

CITY OF



133 W 8th St  
PO Box 112  
Russell KS 67665-0112  
Phone: (785) 483-6311  
Fax: (785) 483-4397

VACANT OR ABANDONED BUILDING INSPECTION FORM

Observed  Complaint Received   
(Attach copy of complaint)

Date of Inspection 6-19-2019

Address of Building 930 N. Lincoln

Legal Description  
of Property Where Building Sits 084-148-27-0-10-36-001.07-1

General Description of Building 3 buildings, single story, wood  
(Single story, woodframe, color, etc)  
frame structure w/ chipped paint

Building Owner Name J & D's Antiques and Collectibles

Building Owner Address PO Box 384 Russell KS 67665

Facts Used in Determining if Building is Vacant or Abandoned:

- Utilities On? Yes  No  Electric only

Date Utilities Turned On? 1998

Date Utilities Turned Off? \_\_\_\_\_

- Occupied? Yes  No

Observations used in making determination of occupancy:  
(Overgrown vegetation, absence of furniture, neighbor statements, etc)

Neighbor statements, general nuisances, No water,  
Sewage, No trash pick up

Based on facts available this building is  Vacant  Abandoned  Occupied

CITY OF

**Russell**

06/24/2019 @ 2052

JAH #107

Front door to Shop

133 W 8th St  
PO Box 112  
Russell, KS 67665-0112  
Phone: (785) 483-6311  
Fax: (785) 483-4397

June 19, 2019

**J & D's Antiques & Collectibles**  
**PO Box 384**  
**Russell, KS, 67665**

Dear **Donna Hutchinson**,

On November 21, 2017 Ordinance 1903 was passed regarding abandoned and vacant buildings in the City of Russell. The Ordinance was published on December 7, 2017 and became effective on January 1, 2018. The Ordinance defines a vacant building as any building intended for residential or commercial use which is not currently occupied or in use wherein no person or persons actually, currently conduct a lawful business or lawfully reside or live in any part of the building as the legal or equitable owner(s) or tenant-occupant(s) or tenant(s) on a permanent, non-transient basis or that is unoccupied. The ordinance sets forth requirements for registration of said buildings as well as incentives to assist the owner in filling the building. The ordinance can be viewed in full at the city website [www.russellcity.org](http://www.russellcity.org).

The City has identified a building owned by you at **930 North Lincoln** as vacant at this time. The building is generally described as 3 single story buildings, wood frame construction, with white and chipped paint. If you feel that this building is not vacant and is occupied for a purpose unknown to the City please contact me at (785) 483-6311. The City will then re-inspect the building or contact you directly to assess its status. You may appeal this determination to the Governing Body by written notice delivered to the City Clerk within twenty (20) days of the date of this notice. If the final day for an appeal is a weekend or holiday then the last day to appeal is the first day the City Clerk's Office is open for business after such weekend or holiday.

Once the building has been determined to be vacant and meets the definition of being unoccupied for a period of six (6) months the building will be subject to registration as Chronically Vacant. The registration process utilizes a standard form and requires an initial registration fee of \$50.00 for a residential building and \$100 for a commercial building. The initial registration period is for six (6) months. If the building remains Chronically Vacant more than six (6) months after initial registration it shall be subject to a re-registration fee of \$250 per year for a residential building and \$500 per year for a commercial/industrial building. The registration fee may be waived (both initial and re-registration) if the building is being actively marketed for rent or for sale or the owner executes a valid affidavit on a form provided by the City attesting that the owner intends to resume occupancy of the building within 180 days. The conditions to the registration fee waiver are more fully set forth in the ordinance.

CITY OF



133 W 8th St  
PO Box 112  
Russell KS 67665-0112  
Phone: (785) 483-6311  
Fax: (785) 483-4397

## NOTICE OF CHRONICALLY VACANT BUILDING

November 27, 2019

12-7-19 10:45 hrs [Signature]

J&D's Antiques and Collectibles  
P.O. Box 384  
Russell, KS 67665

Dear Ms. Hutchinson,

In November 2017 Ordinance 1903 was passed regarding abandoned and vacant buildings in the City of Russell. This ordinance set forth requirements for registration of abandoned and chronically vacant buildings, as well as incentives to assist the owner in filling the building. A building that remains vacant for six months after initial notification by the City to the owner is considered Chronically Vacant and subject to registration.

The city has identified the building owned by you at **930 N. Lincoln St – Russell, KS** as being chronically vacant. The facts available to the City in making this determination include:

1. **Water is off at property**
2. **No trash pick up**
3. **General nuisances**

The legal description upon which the building stands is **RUSSELL ORIGINAL TOWN , LEASE IMPROVEMENTS SECTION 27 TOWNSHIP 13 RANGE 14W**

The parcel ID is: **084-148-27-0-10-36-001.07-1**

You are being notified that you must register this property within twenty (20) days of the date of this notice with the City of Russell. A registration form is attached with this letter or a copy of the registration form can be located on the City of Russell's website. The registration form can be mailed to PO Box 112, Russell, KS 67665 or dropped off at the City Clerk's Office located at 133 W. 8<sup>th</sup> Street, Russell, KS 67665. You may appeal this determination to the Governing Body by written notice delivered to the City Clerk within twenty (20) days of date of this notice. If the final day for appeal is a weekend or holiday, then the last day to appeal is the first day the City Clerk's Office is open for business after such weekend or holiday.

The initial registration fee for a commercial building is \$100.00 and the residential building fee is \$50.00. The fee may be waived if the building is being actively marketed as defined in the ordinance or the owner executes a valid affidavit on a form provided by the City attesting that the owner intends to resume occupancy of the building within 180 days. If the building remains Chronically Vacant more than six (6) months after initial registration it shall be subject to a re-registration fee of \$250 per year for a residential building and \$500 per year for a commercial/industrial building. Please review the City Ordinance to avoid the penalties for not

registering a chronically vacant building. The ordinance can be located at the City Clerk's Office or the city's website.

Your cooperation and interest in this matter is deeply appreciated.

Respectfully,

A handwritten signature in black ink, appearing to read 'Dylan Riedel', written in a cursive style.

Dylan Riedel  
Fire Chief

DRISCOLL LAW OFFICE

JERRY E. DRISCOLL  
RES: 785-483-4039

**JERRY E. DRISCOLL**

DRISCOLL BUILDING-726 MAIN

P.O. Box 226

RUSSELL, KANSAS 67665

PHONE 785-483-5325

FAX 785-483-3193

jedriscoll@ruraltel.net

JERRY E. DRISCOLL (1882-1969)  
RICHARD M. DRISCOLL (1919-1997)

December 16, 2019

City of Russell  
ATTN: City Clerk  
P.O. Box 112  
133 W. 8<sup>th</sup> St.  
Russell, KS 67665

RE: **REQUEST FOR HEARING**  
J&D Antiques and Collectibles

Dear Madam:

Donna Hutchison, owner of J&D Antiques and Collectibles, Russell, Kansas, received a Notice from the City of Russell, dated November 27, 2019, for the property at 930 N. Lincoln St., Russell, Kansas.

Ms. Hutchison would request a Hearing be scheduled and that she and the undersigned be notified of the time and date of the Hearing.

Very truly yours,

DRISCOLL LAW OFFICE

  
Jerry E. Driscoll

JED/es

cc. Donna Hutchison



## City Council Agenda Form

**Meeting Date:** February 4, 2020  
**Agenda Item Title:** Disadvantaged Business Enterprise Program  
**Department:** City Manager

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**Agenda Item Description:** Disadvantaged Business Enterprise Program Policy Statement

**Background:** A requirement of the city receiving federal financial assistance for the Russell Municipal Airport is to have a Disadvantaged Business Enterprise Program in accordance with the regulations of the US Department of Transportation.

The program ensures that Disadvantaged Business Enterprises have an equal opportunity to receive and participate in DOT-assisted contracts. The DBE Program policy statement lists equal opportunity actions the City/Municipal Airport will follow and designates the Public Works Director/Airport Manager as the DBE Liaison Officer.

**City Attorney Review/ Comment:** 1/27/2020

**Funding Source:** N/A

**Options:**

1. Approve the Disadvantaged Business Enterprise Policy Statement and authorize the Mayor to sign the policy statement
2. Provide staff with alternate direction
3. Take no action

**Staff Recommendation:** Approve the Disadvantaged Business Enterprise Policy Statement and authorize the Mayor to sign the policy statement

**Attachment(s):** DBE Program Policy Statement

**DBE Program**  
**Policy Statement**

**Section 26.1, 26.23 Objectives/Policy Statement**

The City of Russell, KS/Russell Municipal Airport has established a Disadvantaged Business Enterprise (DBE) Program in accordance with regulations of the U. S. Department of Transportation (DOT), 49 CFR Part 26. The City of Russell, KS/Russell Municipal Airport has received Federal financial assistance from the Department of Transportation and as a condition of receiving this assistance the City of Russell, KS/Russell Municipal Airport has signed an assurance that it will comply with 49 CFR Part 26 (hereafter referred to as "Part 26").

It is the policy of the City of Russell, KS/Russell Municipal Airport to ensure that DBEs as defined in Part 26 have an equal opportunity to receive and participate in DOT-assisted contracts. It is also our policy to engage in the following actions on a continuing basis:

1. To ensure nondiscrimination in the award of and administration of DOT-assisted contracts;
2. To create a level playing field on which DBEs can compete fairly for DOT-assisted contracts;
3. To ensure that the DBE program is narrowly tailored in accordance with applicable law;
4. To ensure that only firms that fully meet 49 CFR Part 26 eligibility standards are permitted to participate as DBEs;
5. To help remove barriers to the participation of DBEs in DOT-assisted contracts;
6. To promote the use of DBEs in all types of federally-assisted contracts and procurement activities;
7. To assist the development of firms that can compete successfully in the market place outside the DBE program; and
8. To make appropriate use of the flexibility afforded to recipients of federal financial assistance in establishing and providing opportunities for DBEs.

The City of Russell, Public Works Director/Airport Manager\* has been designated as the DBE Liaison Officer (DBELO). In that capacity, the DBELO\* is responsible for implementing all aspects of the DBE program. Implementation of the DBE Program is accorded the same priority as compliance with all other legal obligations incurred by the City of Russell, KS/Russell Municipal Airport in its financial assistance agreements with the Department of Transportation.

The City of Russell, KS/Russell Municipal Airport has disseminated this policy statement to the City of Russell, KS governing board including the Mayor, the City Council, and all components of our organization. The airport has distributed this statement to DBE and non-DBE business communities that may perform work for us on DOT-assisted contracts. This distribution is made through our DBE office (for DBE purposes – located at the DBELO's office) and through plans and specifications for each project.

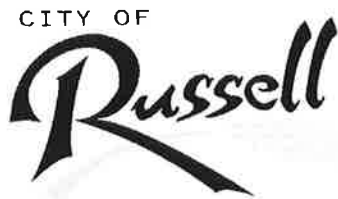
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Signature of Raymond (Curt) Mader, City of Russell Mayor\*

Date

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\* Refer to the Organizational Chart for the name(s) and contact information



## City Council Agenda Form

**Meeting Date:** February 4, 2020  
**Agenda Item Title:** Special Event - Sunday Fun Run  
**Department:** City Clerk

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**Agenda Item Description:** Special Event - Sunday Fun Run

**Background:** Ad Astra Music Festival is wanting to host a 5K walk/run on Sunday, February 23, 2020 from 2:30 p.m. to 4:30 p.m.

They would like to have a police escort for the first crossing at 8th & Fossil.

The route would be north from the court house, east on 8th, continue on state, continue on Balta Rd., south on Fairway Dr., west on Parkside Ave., South on Copeland St., onto Bob Dole Dr., continue onto 2nd, north on maple, east on 4th st. to the court house.

**City Attorney Review/ Comment:** n/a

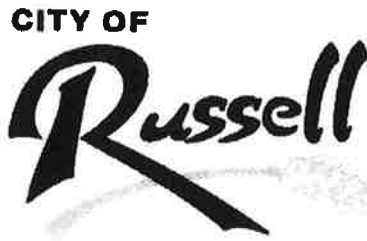
**Funding Source:** n/a

**Options:**

1. Approve the Special Event Application for a 5K Walk/Run.
2. Do not approve the Special Event Application

**Staff Recommendation:** Approve the Special Event Application for a 5K Walk/Run.

**Attachment(s):** Special Event Application



**FEES:**

- Application Fee - \$25
- Electric Drop (Includes usage) – \$100/drop (Fee increase may be applicable if special needs are determined)
- Poly-Kart – \$5/cart
- Dumpsters - \$30/dumpster
- Barricades/Rope Standers – \$20/event
- Picnic Tables – \$25 (includes up to 8 tables)
- CMB Application – \$200

## SPECIAL EVENT APPLICATION FORM

A complete application must be submitted at least ten days in advance of City Council Meeting, held on the first & third Tuesday of each month at 4:30 P.M.

Applicants must have a representative at the Council meeting or the application will not be approved.

Event Name: Sunday Fun Run

Purpose/Description of Event: A 5K walk/run encouraging the community to be healthy and charitable.

**Applicant Information:**

Date: Sunday February 13, 2020

Name: Katy Hertel

Company or Group: Ad Astra Music Festival

Address: P.O. Box 176, Russell

Phone Number: N/A

Cell Phone Number: 785-324-9155

Fax Number: N/A

E-mail Address: Katy@adastramusicfestival.org

**Event Information:**

Address: start / finish at Russell County Court House (outside)

Property Owner: City of Russell

**Event Type:**

Type 1: Fundraising or non-commercial events for non-profit religious, educational, or community service organizations.

Type 2: Promotional or commercial events and activities intended to be for-profit, or public events intended primarily for entertainment or amusement, such as concerts or festivals.

Please describe the proposed Special Event: Runners sign up and pay \$10.00 to participate.

Proposed route for 5K: start at 401 N Main St, head north on Main, turn East on 8th Street, continue onto Stark Street, continue East on Balta Rd, turn south onto Fairway Drive, continue onto Parkside Ave heading West, turn south on Copeland St, detour onto Bob Dole Dr, come out 2nd Street, continue onto 2nd heading west, turn north on Main to continue on and end at 401 N Main St. Medals to the top three runners.

Proposed Dates: Feb 23 to \_\_\_\_\_

Proposed hours of operation: 2:30 pm to 4:30 pm

**\*No more than four (4) Special Event Permits may be issued in a calendar year to the same applicant.**

**Event Description: Please include the following information**

**\*\*Applicant must visit with the Department Heads of the services requested and have them sign off.\*\***

• **Electric Department**

- Electric Drop - # \_\_\_\_\_ none
- Voltage Needed \_\_\_\_\_ Amps \_\_\_\_\_ Location \_\_\_\_\_

• **Public Works**

- Poly-Karts - # \_\_\_\_\_ none
- Dumpsters - # \_\_\_\_\_

adjustment to the route :

from 2nd street, runners will turn North on Maple St (not N Main), continue north on Maple and turn East on to 4th Street, then North onto Main and finishing at 401 N Main street.

- Barricades – (Blocking public access to businesses or residences requires signatures of agreement from all affected by such closure, please include signatures on separate document) Describe detailed placement N/A

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- Picnic Tables - # \_\_\_\_\_
- Rope Standers - # \_\_\_\_\_

● **Police Department**

- Explain provisions for parking and security - We should consider having a police escort for the first crossing of N Fossil St.

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- Anticipated Attendance - 40?

- Describe proposed site maintenance; including how and when site will be cleaned following event. No food or drink provided so clean up will be minimal. Any tidying of the area will be taken care of immediately following the event.

- Note provisions, if any, that are being made for portable toilets (please include provider and disposal contractor) - None

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- Identify any mobile food vendors associated with this proposed event - None

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- Special Event Cereal Malt Beverage License (CMB) must be submitted in addition to Special Event Application, if Cereal Malt Beverages are to be served. N/A

**GRAPHIC DESCRIPTION: Please provide an aerial photograph or site plan of the area to include the following information:**

- Location and dimensions of the event area
- Location and dimensions of any structures (tents, stages, etc) used for the event - None
- Location of requested amenities - None
- Any other information which pertains to the event

**CHECKLIST:**

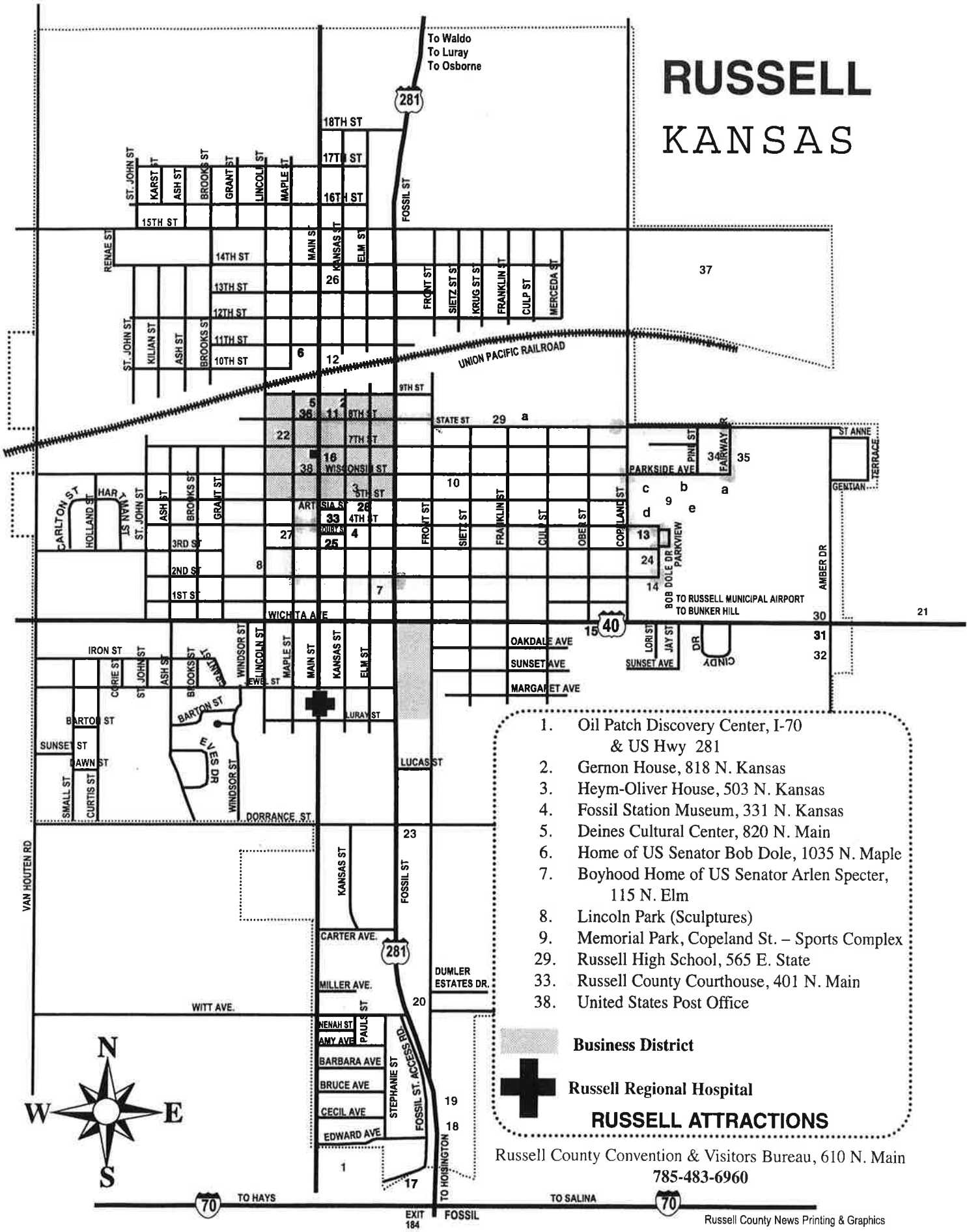
- Completed Application**
- Signatures for the use of barricades (Street Closures)**
- Cereal Malt Beverage License Application**
- Detailed Graphic Description**

**\*Please note: Certain fees may be waived by City Council, if proposed event fits the Type 1 criteria.**



**\*Please submit application, required documents, and payment to City Clerk's office at least 10 days prior to regularly scheduled City Council Meeting.**

<b>For Office Use Only:</b>		
Date Remitted: <u>1-8-2020</u>	Cash/CC/Check# <u>1214</u>	Receipt# <u>475458</u>
<b>Reviewed by:</b> Police Dept. <u>[Signature]</u>	Fire Dept. _____	Public Works _____
Electric Dept. _____	City Clerk <u>KW</u>	
Permit Number: _____	Date Approved: _____	

# RUSSELL KANSAS



1. Oil Patch Discovery Center, I-70 & US Hwy 281
2. Gernon House, 818 N. Kansas
3. Heym-Oliver House, 503 N. Kansas
4. Fossil Station Museum, 331 N. Kansas
5. Deines Cultural Center, 820 N. Main
6. Home of US Senator Bob Dole, 1035 N. Maple
7. Boyhood Home of US Senator Arlen Specter, 115 N. Elm
8. Lincoln Park (Sculptures)
9. Memorial Park, Copeland St. – Sports Complex
29. Russell High School, 565 E. State
33. Russell County Courthouse, 401 N. Main
38. United States Post Office

 **Business District**  
 **Russell Regional Hospital**  
**RUSSELL ATTRACTIONS**

Russell County Convention & Visitors Bureau, 610 N. Main  
785-483-6960



## City Council Agenda Form

**Meeting Date:** February 4, 2020

**Agenda Item Title:** Jaws of Life

**Department:** Fire

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**Agenda Item Description:** Jaws of Life

**Background:**

Replacement of the current Jaws of Life Rescue tools was scheduled for 2020 from the Equipment Reserve Plan. The Jaws of Life are an essential function in helping remove patients that are trapped during a motor vehicle accident. The Jaws of Life consists of a spreader, cutter, and hydraulic ram. The current jaws of life have been in service since 2001. Our current set has limitations such as weight, reach, and maneuverability. The proposed replacement Jaws of Life will operate off of lithium batteries rather than a hydraulic pump.

Bids were solicited from two vendors in Kansas that carry rescue equipment. Danko returned a quote for Hurst Jaws of Life in the amount of \$27,876.40. Weiss returned a bid for Amkus Rescue tools in the amount of \$30,444.00. The fire department currently uses Hurst tools.

A grant of \$1,383 was received from the RCACF to off-set some of the cost.

**City Attorney Review/ Comment:** N/A

**Funding Source:** Equipment Reserve Fund, Firefighter Activity Fund, Russell Community Foundation Grant

**Options:** Action not requested at this time. For informational purposes. Council will be asked to consider the purchase at the February 18, 2020 regular meeting.

**Staff Recommendation:** Council will be asked to approve the low-bid from Danko for the purchase of a Hurst Spreader, Cutter, Ram, and Charger for \$27,876.40 at the February 18, 2020 regular meeting.

**Attachment(s):** Vendor Bids & Letter from Hurst Tools



# UNSTOPPABLE

## SP 555E2 SPREADER

part #: 271555000

**THE SPREADER THAT WEIGHS LESS BUT GIVES YOU SO MUCH MORE.**

Our new eDRAULIC® spreader is 16% lighter and still gives you 14% more power than its predecessor. You can get the job done and make the rescue quicker than ever. Its "Shark Tooth" removable tips have four rows of shark-like teeth to bite and hold onto any material. Add that to its li-ion never-say-die battery and you know you've got the right power and speed for any job.

### TECHNICAL SPECIFICATIONS

- Length: 39.4 in / 1,002 mm
- Width: 10.4 in / 265 mm
- Height: 11 in / 280 mm
- Weight: 44.1 lbs / 20 kg
- Spreading Distance: 28.7 in / 730 mm
- Max Spreading Force: 147,924 lbs / 658 kN
- Max Pulling Force: 13,039 lbs / 58 kN
- NFPA HSF: 16,186 lbs / 72 kN
- NFPA LSF: 11,016 lbs / 49 kN
- NFPA HPF: 10,341 lbs / 46 kN
- NFPA LPF: 6,295 lbs / 28 kN
- NFPA 1936 2015 Compliant: Yes
- IP Rating: IP54

### FEATURES AND BENEFITS

- Enhanced performance – 16% lighter and has 14% more power than its predecessor
- Single integrated cylinder body design
- Squeezing plates built into the arms
- "Shark Tooth" removable tips offer multifunctional design, with four rows of shark-like teeth for maximum performance and gripping
- Each tool comes with two li-ion rechargeable batteries and one charger
- If needed, you can plug it in for unstoppable run time with a 110V adapter

#### Optional Accessories



Shark Tooth (Shim), P226-01

Part #: 2912051

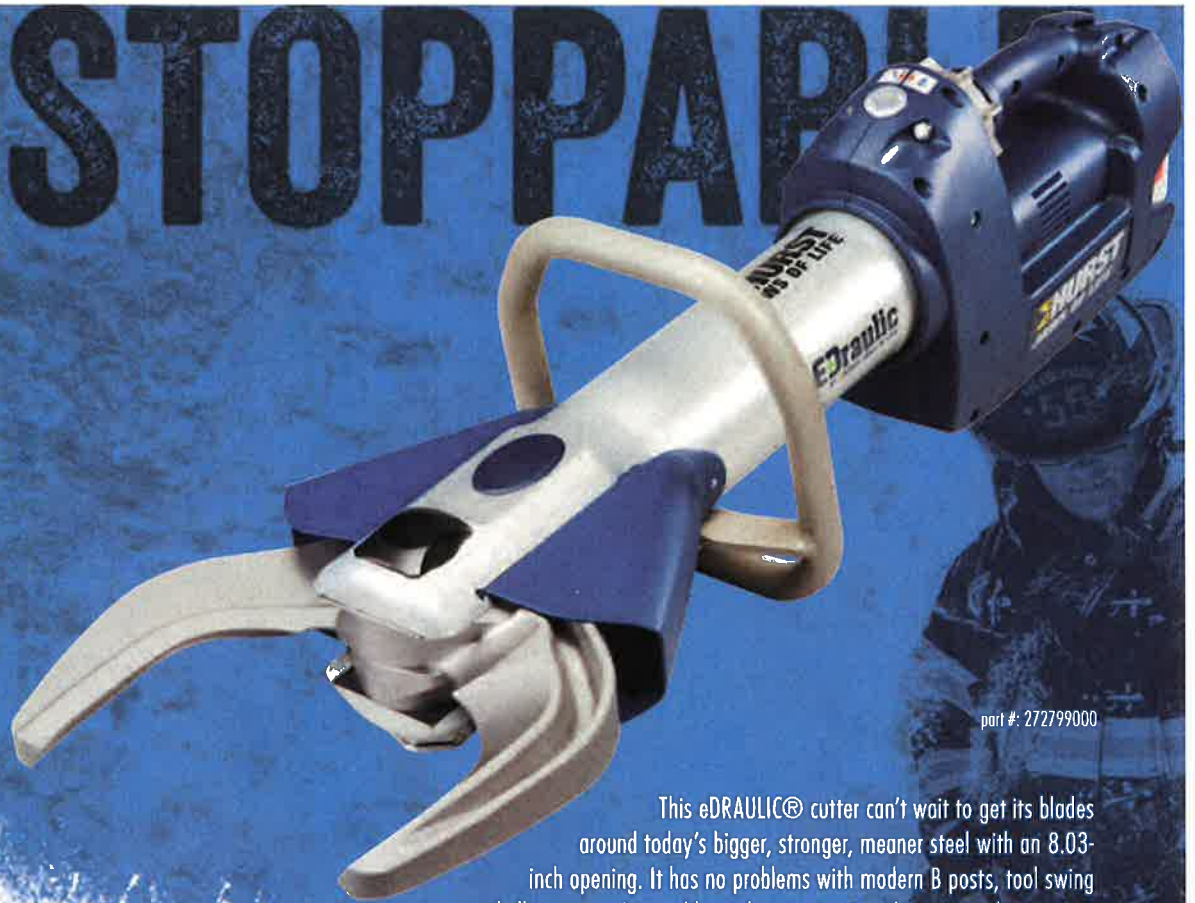
81-67-20



XSV11

Weight 29.3 lbs. (13.3 kg)

# UNSTOPPABLE



part #: 272799000

This eDRAULIC® cutter can't wait to get its blades around today's bigger, stronger, meaner steel with an 8.03-inch opening. It has no problems with modern B posts, tool swing challenges aren't a problem when cutting A and B posts either — just cut them easily at a comfortable perpendicular angle. This cutter is so strong it gets an NFPA rating of 9 in all categories, making it the best in class.

## TECHNICAL SPECIFICATIONS

- Length: 39.8 in / 1010 mm
- Width: 10.9 in / 276 mm
- Height: 11.1 in / 281 mm
- Weight: 55.8 lbs / 25.3 kg
- Cutter Opening: 8.03 in / 204 mm
- NFPA Cutter Rating: A9/B9/C9/D9/E9
- NFPA 1936 2015 Compliant: Yes
- IP Rating: IP54

## FEATURES AND BENEFITS

- Wide blade opening at 8.03 inches
- An NFPA rating of 9 for all categories
- Reduces tool swing challenges
- Each tool comes with two batteries and one charger
- If needed, you can plug it in for limitless run time with the eDRAULIC 110V adapter

# UNSTOPPABLE



part #: 274085000

The R 421E2 is the industry's first battery-powered telescopic rescue ram. And while it is extremely compact, it offers enough strength to pack a wallop. The newly designed, sharp claws at both ends can be rotated 360 degrees, enabling you to apply the ram effectively in almost any precarious situation.



part #: 274087000

The R 422E2 Ram is our new improved battery-powered telescopic rescue ram. With an extended length of 59.1 inches, this tool can give you room to spare. It has sharp claws at both ends that rotate 360 degrees, so you can use it in even the trickiest situations.

## TECHNICAL SPECIFICATIONS

• Ram Tool:	R 421E2	R 422E2
• Part #:	274085000	274087000
• Length Retracted:	23.5 in / 597 mm	29.5 in / 750 mm
• Length Extended:	53 in / 1,347 mm	59.1 in / 1,500 mm
• Width:	5.3 in / 135 mm	5.3 in / 135 mm
• Height:	12.3 in / 313 mm	12.3 in / 313 mm
• Weight:	41.9 lbs / 19 kg	45.9 lbs / 20.8 kg
• Stroke:		
	Piston 1: 15.2 in / 387 mm	Piston 1: 15.2 in / 387 mm
	Piston 2: 14.3 in / 363 mm	Piston 2: 14.3 in / 363 mm
	Piston 3: 29.5 in / 750 mm	Piston 3: 29.5 in / 750 mm
• Max Pushing Force:		
	Piston 1: 28,600 lbs / 127 kN	Piston 1: 28,600 lbs / 127 kN
	Piston 2: 13,500 lbs / 60 kN	Piston 2: 13,500 lbs / 60 kN
• NFPA 1936 2015 Compliant:	Yes	Yes
• IP Rating:	IP54	IP54



Optional Accessory



LRS-C Ram Support

Part #: 247R028

# UNSTOPPABLE

## HURST CUTTING TECHNOLOGY

### The Science Behind Cutting Capability

With intuitive blade designs engineered to pull material to the center of the blades, industry leading cutting force at the point of attack and leading ergonomic design, Hurst Jaws of Life® cutters are undeniably the industry standard.

Years ago industry challengers began hyping “maximum cutting force” as the key selling point when considering cutters. This created an inaccurate standard of – the more force, the better.

This focus on “maximum cutting force” has created confusion in the marketplace regarding how cutting forces are calculated, why advertised cutting forces may vary from National Fire Protection Agency (NFPA) guidelines, and how some manufacturers inflate cutting force measurements for marketing purposes. For true comparison of cutting capability rescuers should utilize the NFPA cutter ratings.

	A	B	C		D	E
MATERIAL CATEGORY	ROUND BAR	FLAT BAR	ROUND PIPE		SQUARE TUBE	ANGLE IRON
MATERIAL	A-36 Hot-rolled	A-36	Schedule 40 A-53 Grade B		A-500 Grade B	A-36
	Diameter	Thickness x Width	Nominal Size	OD x Wall Thickness	Dimension x Wall Thickness	Square Dimension x Thickness
PERFORMANCE LEVEL	(in.)	(in. x in.)	(in.)	(in. x in.)	(in. x in.)	(in. x in.)
1	3/8	1/4 x 1/2	3/8	0.68 x 0.09	1/2 x 0.06	1/2 x 1/8
2	1/2	1/4 x 1	3/4	1.05 x 0.11	1 3/4 x 0.06	1 x 1/8
3	5/8	1/4 x 2	1	1.32 x 0.13	1 x 0.08	1 1/4 x 3/16
4	3/4	1/4 x 3	1 1/4	1.66 x 0.14	1 1/4 x 0.12	1 1/2 x 3/16
5	7/8	1/4 x 4	1 1/2	1.90 x 0.15	1 1/2 x 0.12	1 1/2 x 1/4
6	1	3/8 x 3	2	2.38 x 0.15	1 3/4 x 0.12	1 3/4 x 1/4
7	1 1/4	3/8 x 4	2 1/2	2.88 x 0.20	2 x 0.15	1 1/2 x 3/8
8	1 1/2	3/8 x 5	3	3.50 x 0.22	2 1/2 x 0.19	2 x 3/8
9	1 3/4	3/8 x 6	3 1/2	4.00 x 0.23	3 x 0.19	2 1/2 x 3/8

In the Hurst Jaws of Life® testing lab, our engineers calculate force measurements based on known facts, and then conduct real-world tests with production-grade tools to verify the data. And finally, we make sure our products are tested, retested, and tested again, until we are completely certain they can handle even the toughest emergency rescues.

### Cutting Force at the Right Point

Today’s modern vehicles use highly advanced types of steel in their construction. These highly reinforced structures do not compress into a tight bundle like the A-Posts, Roof Rails and B-Posts of passenger vehicles built in the 80s and 90s. Instead, when the cutter blades make contact with the high-strength outer layer of steel in today’s significantly larger posts, they are immediately up against the ultra-high-strength press-hardened Boron sheet metal and Martensite Boron Steel which lines the inside diameter of the structure. This means that when cutting large diameter posts on today’s vehicles, maximum cutting energy is required at the tips of the blades at near full open position.



2005 Subaru



2011 Mercedes

These advanced types of steel do not cut. And, compression of these structures is limited, which results in fracturing at greater than half their original diameter.



**Danko Emergency Equipment**

PO Box 218

Snyder, NE 68664-0218 USA

Phone: 402-568-2200

sales@danko.net

www.danko.net

**Quote No: 19589**

**Tuesday, January 21, 2020**

Page 1 of 1

Account Address:

**Attention: DYLAN RIEDEL**

**RUSSELL FIRE DEPARTMENT**

PO BOX 112

RUSSELL, KS 67665

Shipping Address:

**RUSSELL FIRE DEPARTMENT**

815 N MAPLE ST

RUSSELL, KS 67665

Ship Via	Shipping Terms	Prices are Valid Until
SALESMEN DELIVERY	Prepay and Add	Friday, February 28, 2020

Line #	Part ID:	Description	Qty	Price	Extended
1	HUR271555000	HURST E2 SP 555E2 SPREADER PACKAGE INCLUDES SP555E2, CHARGER, AND 2 EXL BATTERIES.	1.00	10,053.11	10,053.11
2	HUR272788000	HURST S 788E2 CUTTER PACKAGE (INCLUDES S 788E2 CUTTER, CHARGER, AND 2 EXL BATTERIES)	1.00	9,104.27	9,104.27
3	HUR	HURST 274087000 R 422E2 RAM Package (includes R 422E2, charger, and 2 EXL batteries)	1.00	7,229.63	7,229.63
4	HUR272080910	HURST eDRAULIC DC BANK CHARGER	1.00	1,489.39	1,489.39

**Contact**

Salesperson: Ron Wetter  
 Contact Phone: 402-380-5038  
 Email: rwetter@danko.net

Sub Total **\$27,876.40**  
 Tax **\$0.00**  
 Total Price **\$27,876.40**



HURST Jaws of Life, Inc.  
711 North Post Road  
Shelby, NC 28150  
www.jawsoflife.com



Dinglee  
Hurst  
Lukas  
Vetter

January 10, 2020

Russell City Fire Department  
Attn: Chief Dylan Riedel  
815 N. Maple Street  
Russell, KS 67665

This will confirm that, as of the date hereof, the following Hurst Jaws of Life® dealer is the only Hurst eDRAULIC® equipment for the County of Russell in the State of Kansas and whose personnel have been factory trained and certified by Hurst Jaws of Life, Inc. on operation, maintenance and service and are approved by Hurst Jaws of Life, Inc. to perform warranty repairs, warranty required annual maintenance and other service on Hurst eDRAULIC equipment:

**Danko Emergency Equipment Co.**  
Snyder, NE, 68664  
Phone Number: 866-568-2200  
Fax Number: 402-568-2212

Thank you for your interest in our rescue equipment. Feel free to contact us at 1-800-537-2659 or 704-487-6961 should you have any further questions or concerns.

Sincerely,

Mike Canon  
Vice President of Sales  
Hurst Jaws of Life, Inc.

ALJ

Cc: Larry Anderson, Plains Regional Sales Manager, Hurst Jaws of Life, Inc.



# Weis Fire and Safety

QUOTE

Phone: (785) 577-1602  
 email: bill.f@weisfiresafety.com  
 Prepared by: Bill Fortune

DATE	
QUOTE #	
CUSTOMER ID	
VALID UNTIL	

**CUSTOMER**  
 RUSSELL FD  
 BATTERY OPERATED ION TOOLS

DESCRIPTION	UNIT PRICE	QTY	FREIGHT	AMOUNT
IC550 - ION 2.0 60 VOLT CUTTER	9,499.00	1	0.00	9,499.00
IS280L - ION 2.0 60 VOLT LIGHTED SPREADER	11,586.00	1	0.00	11,586.00
ITR230 - ION 2.0 60 VOLT RAM	8,384.00	1	0.00	8,384.00
KS0029-KIT - EXTENDED REACH TIPS ***OPTIONAL***	975.00	1	0.00	975.00
IBATTFV-9 UPGRADE INCLUDED				-
2 DEWALT FLEXVOLT 60V BATTERIES & CHARGER				-
				-
				-
				-
				-

**TERMS AND CONDITIONS**

- Pricing above does not include freight charges
- Payment will be due 30 days from delivery

Subtotal	
Taxable	\$ -
Tax rate	0.000%
Tax due	\$ -
Other	\$ -
<b>TOTAL</b>	<b>\$ 30,444.00</b>

If you have any questions about this price quote, please contact  
 Bill Fortune (785) 577-1602  
**Thank You For Your Business!**