

OSAWATOMIE CITY COUNCIL

AGENDA

March 26, 2020

6:30 p.m., Memorial Hall

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Invocation
5. Consent Agenda
 - Consent Agenda items will be acted upon by one motion unless a Council member requests an item be removed for discussion and separate action.*
 - A. March 26th Agenda
 - B. Meeting Minutes – March 12th, 2020
 - C. Pay Application – Tyler Technologies – \$14,545.00 – Equipment/Supplies
 - D. Pay Application – Hall’s Bobcat Service - \$2,472.65 - Trail
6. Comments from the Public
 - Citizen participation will be limited to 5 minutes. Stand & be recognized by the Mayor.*
7. Presentations & Proclamations
8. Public Hearings
 - A. Condemnation Hearings for:
 - 315 Walnut Avenue 721 Lincoln Avenue
 - 815 Pacific Avenue 837 Chestnut Avenue
 - 905 Chestnut Avenue 905 9th Street
9. Unfinished Business
 - A. Determination of Findings for Condemnations
10. New Business
 - A. Lawnmower Bid – Bill Roseberry, Public Works
11. Council Report
12. Mayor’s Report
13. City Manager & Staff Report
 - A. Trail Group Received \$25,000 Grant from First Option Trusteed Velma Kelly Charitable Trust
 - B. Letter from Waste Management Regarding COVID-19
14. Executive Session
 - A. Personnel Discussion Pertaining to Non-Elected Personnel
15. Other Discussion/Motions
16. Adjourn

NEXT REGULAR MEETING – April 9, 2020

Osawatomie, Kansas. **March 12, 2020.** The Council Meeting was held at Memorial Hall. Mayor L. Mark Govea called the meeting to order at 6:31 p.m. Council members present were LaDuex, Dickinson, Macek, Diehm, Hampson, Caldwell and Wright. Council member Walmann was absent. City Staff present at the meeting were: Interim City Manager Mike Smith, Building Official Ed Beaudry, Assistant to the City Manager Samantha Moon, Police Chief Dave Stuteville, Public Works Director Bill Roseberry and Nuisance Officer David Ellis. Members of the public were: Megan Hayes, Iryna Yeromenko, John Golightley, Richard Zaroban, Brad Gehring, Jada Hodgson, Michelle Chester, Mike Moon and Paul Davis.

INVOCATION. Jada Hodgson Pastor, Plum Creek United Methodist Church

CONSENT AGENDA. Approval of the March 12th Agenda; February 27th Council Minutes, February 25th Special Meeting Minutes, March 2nd Special Meeting Minutes, March 6th Special Meeting Minutes, Pay Application – Tyler Tech \$9,575.00, Pay Application – Hall’s Bobcat Service – Trail Construction - \$9,045.00. Special Events Permit – Osawatomie Alumni Association, Register Report 2020-02. **Motion** made by Dickinson, seconded by Diehm to Approve the Consent Agenda without the Pay Application – Hall’s Bobcat Service – Trail Construction - \$9,045.00. Yeas: All. **Motion** made by Dickinson, seconded by LaDuex to Approve Pay Application – Hall’s Bobcat Service – Trail Construction - \$9,045.00 as presented. Yeas: All. Hampson abstained due to conflict of interest.

COMMENTS FROM THE PUBLIC.

Pastor Jada Hodgson – Plum Creek United Methodist Church offers a grief counseling group. The public is always invited to be a part of their church community. The St. Patrick’s Day dinner has been cancelled.

PRESENTATIONS & PROCLAMATIONS.

PROSEAL PRESENTATION – Bill Roseberry and Brad Gerhring. Staff put together a street assessment of all City Streets with a rating system of 1 (excellent) to 5 (needing replacement.) Staff would like to implement a program to extend the lives of some of the newer streets which are rated 2 or 3 using a fairly new asphalt preservation called Reclaimite. This process is unique to Proseal. Brad Gehring with Proseal presented a proposal for the application of Reclaimite to the following streets: Parker (12th to City Limits), 14th (Pacific to Main), Brown (14th to 16th), Pacific (6th to 14th), Walnut (7th to 12th), 9th (Main to Lincoln), 8th (Main to Creamery Bridge), 1st (Main to Walnut), Mill (1st to 4th), Brown (1st to 6th). **Motion** made by LaDuex, seconded by Hampson to approve the Proseal bid to apply the application of Reclaimite and the street sweeping that is required to the following streets: Parker (12th to City Limits), 14th (Pacific to Main), Brown (14th to 16th), Pacific (6th to 14th), Walnut (7th to 12th), 9th (Main to Lincoln), 8th (Main to Creamery Bridge), 1st (Main to Walnut), Mill (1st to 4th), Brown (1st to 6th) up to the amount of \$75,000.

OSH WATERLINE PROPOSAL – Osawatomie State Hospital Assistant Superintendent Iryna Yeromenko presented a proposal to allow the Osawatomie State Hospital to purchase water from Rural Water District No. 1 during times of an emergency event. **Motion** by LaDuex,

seconded by Diehm to accept the Memorandum of Understanding from the Osawatomie State Hospital to allow an emergency water line to be installed at the cost of the Osawatomie State Hospital and allow the Hospital to purchase water from Rural Water District No. 1 as presented with the corrections of the signature line for Rural Water District No. 1 and the signature line of City of Osawatomie. Yeas: All. Dickinson abstained due to a conflict of interest.

UNFINISHED BUSINESS. – None.

NEW BUSINESS.

SALE OF 3RD STREET - Ed Beaudry presented a resolution to authorize the sale of 820 3rd Street to Megan Hayes. The property sell would have several contingencies that would require Hayes to build a single-family residence on the property within 6 months of conveyance of the property. **Motion** made by Hampson, seconded by Dickinson to approve resolution 776 authorizing the City to enter into a contract for the sale of 820 3rd Street, subject to the Contingencies with Megan Hayes as presented. Yeas: All.

COUNCIL REPORTS.

Cathy Caldwell ~ Met with the City Manager and the Mayor and should have an update regarding the Neighbor helping Neighbor program soon.

MAYOR'S REPORT – The League had a conference call regarding Pandemic Planning that Govea and staff listened to.

CITY MANAGER & STAFF REPORTS.

Mike Smith ~ asked Beaudry to obtain quotes to repair/update the front sidewalk and stairs of City Hall. The golf course has also installed a new sink. Moon has been working on updating the rental contracts for the public facilities.

David Stuteville ~ presented the February monthly report for the police department. The KOLTC has closed down because of the COVID-19. The officer that was attending the academy will be returned to patrol until the academy reopens.

EXECUTIVE SESSION. **Motion** made by LaDuex, seconded by Diehm to go into executive session for the purpose of discussing matters relating to non-elected personnel pursuant to K.S.A. 75-439 (b)(1) until 8:10 p.m. to include the Council and the Mayor. Yeas: All.

The Mayor called the Council back into open session at 8:10 p.m. with no action taken.

Motion made by LaDuex, seconded by Dickinson to go into executive session for the purpose of discussing matters relating to non-elected personnel pursuant to K.S.A. 75-439 (b)(1) until 8:25 p.m. to include the Council and the Mayor. Yeas: All.

The Mayor called the Council back into open session at 8:25 p.m. with no action taken.

OTHER DISCUSSION/MOTIONS.

Motion made by LaDuex, seconded by Dickinson to adjourn. Yeas: All. Mayor declared the meeting adjourned at 8:26 p.m.

/s/ Tammy Seamands
Tammy Seamands, City Clerk



Remittance:
 Tyler Technologies, Inc.
 (FEIN 75-2303920)
 P.O. Box 203556
 Dallas, TX 75320-3556

Invoice

<i>Invoice No</i>	<i>Date</i>	<i>Page</i>
130-12478	02/28/2020	1 of 1

Questions:
 Tyler Technologies - Public Safety
 Phone: 1-800-772-2260 Press 2, then 5
 Email: ar@tylertech.com



Bill To: City of Osawatomie
 P.O. Box 37
 Osawatomie, KS 66064

Ship To: City of Osawatomie
 P.O. Box 37
 Osawatomie, KS 66064

<i>Cust No.-BillTo-ShipTo</i>	<i>Ord No</i>	<i>PO Number</i>	<i>Currency</i>	<i>Terms</i>	<i>Due Date</i>
44137 - 12423 - 12423	2055	2018-0088	USD	NET45	04/13/2020

Date	Description	Units	Rate	Extended Price
	Zebra, ZQ520/RW420, Paper, 36 rolls per case	1	92.00	92.00
	Zebra, EVM, Warranty, TX70, 5 year	6	505.00	3,030.00
	Zebra, Warranty, ZQ500, 5 year	6	298.00	1,788.00
	Zebra EVM, US AC Line Cord, grounded	3	8.00	24.00
	Zebra EVM, Power Supply	1	7.00	7.00
	Zebra EVM, TC7X Battery	4	55.00	220.00
	Zebra EVM, TC7X, 2 Bay Cradle	1	185.00	185.00
	Zebra EVM, TC7X, 4 Slot Battery Charger	1	138.00	138.00
	Zebra EVM, TC7X, Power Supply for Battery Charger	2	28.00	56.00
	Zebra EVM, US DC Line Cord for Battery Charger	1	6.00	6.00
	Zebra, ZQ520, Vehicle Charger, cig adapter	2	30.00	60.00
	Zebra, ZQ520, Vehicle Charger-open ended	4	29.00	116.00
	Zebra EVM, TC7X, 5 Bay Ethernet Cradle	1	419.00	419.00
	Zebra EVM, TC7X, MC67, US DC Line Cord, Multi-Slot CRD	1	15.00	15.00
	Zebra EVM, TC7X, Power Supply, Multi-Slot CRD	1	57.00	57.00
	Zebra EVM, TC70X, W/GMS	6	1,150.00	6,900.00
	Zebra EVM, TC75, Vehicle Cradle-Charge only	4	121.00	484.00
	Zebra, ZQ500, Vehicle Cradle	4	90.00	360.00
	Zebra, Printer, ZQ520	1	588.00	588.00

****ATTENTION****
 Order your checks and forms from
 Tyler Business Forms at 877-749-2090 or
 tylerbusinessforms.com to guarantee
 100% compliance with your software.

Subtotal	14,545.00
Sales Tax	0.00
Invoice Total	14,545.00

Hall's Bobcat Service607 Mulberry Ave.
Osawatomie, KS 66064**Invoice**

Date	Invoice #
3/14/2020	3765

Division of E & H Properties, Inc.

Bill To
City of Osawatomie 439 Main Street Osawatomie, Ks 66064

Excavation - Residential & Commercial
Rock Yard - Landscape & Supplies (located 607 Mulberry, Osawatomie)Office Hours: Mon.-Fri. 8-5 Sat. 8-Noon
Office Phone #: 1-913-245-4089

<u>Your Residential or Commercial Contractor!</u>		P.O. No.	Terms	Project
			Net 10 days	
Description	Qty	U/M	Rate	Amount
Day 83(Gravel work from 3000-4000 install ditch line around culvert 4000)3/13/20				
Bobcat T630	2.3	hr	110.00	253.00
Excavator/8,000 lbs Machine	1	hr	110.00	110.00
Excavation per hour	1.5	hr	60.00	90.00
Gravel Hauling-6 Cu. Yd. per load	1		15.00	15.00T
1 1/4" Road Rock(per ton)	100.82		8.75	882.18T
Gravel Hauling (per ton)	100.82		6.67	672.47T
Day 84(Rough layout of parking lot)3/17/20				
Excavation Labor per hour	7.5	hr	60.00	450.00
Please make check payable to: Hall's Bobcat Service			Sales Tax (0.0%)	\$0.00
Term: Cash - Accounts not paid within 10 days of the date invoiced are subject to a 1.5% monthly finance charge.			Total	\$2,472.65
email: hallsbobcatservice@gmail.com			Payments/Credits	\$0.00
THANK YOU FOR YOUR BUSINESS			Balance Due	\$2,472.65

CITY OF OSAWATOMIE



STAFF AGENDA MEMORANDUM

DATE OF MEETING: March 26, 2020

AGENDA ITEM: Purchase of New Zero Turn 6' mower for use in Parks and Cemeteries Department.

PRESENTER: Bill Roseberry, Public Works Director.

ISSUE SUMMARY: This year's CIP allocates \$15,000 to be used in the mower replacement plan for the Parks and Cemeteries Department. Bids requests were sent out on February 28, 2020 to 4 Kubota dealers for a ZD1211 72" commercial grade zero turn mower. Three sealed bids were received and opened on March 20, 2020. Present for bid openings were, Bill Rosebery and Tammy Seamands. The following table summarizes the bids received:

Dealership	Bid
McConnell Machinery	\$13,950.00
Coleman Equipment	\$14,831.80
Roman Outdoor Power	\$12,790.00
Kan Equip	Did not bid

The low bid was received from Romans Outdoor Power for \$12,790.00. Included with this memorandum are the original bid request, the bids and supporting documentation received.

COUNCIL ACTION NEEDED: Review, discuss, and determine whether to approve the purchase, and if so, which bid to accept.

STAFF RECOMMENDATION TO COUNCIL: Staff recommends to accept the low bid of \$12,790.00 from Romans Outdoor Power. Funds for this purchase will come from the General Operating Fund account 107-439. The current oldest mower in the fleet will be handed down to the Wastewater Plant and their current mower will go to Nuisance and Codes.



City Osawatomie
P.O. Box 37
509 5th St.
Osawatomie Ks 66064

February 28, 2020

Prospective Bidders:

The City of Osawatomie is seeking bids for the purchase of a zero turn mower to be used in the Property Maintenance Dept. Bids should be hand delivered or mailed in a sealed envelope marked "KUBOTA MOWER BID" to City Clerk, City of Osawatomie, P.O. Box 37, 509 5th St., Osawatomie KS 66064 no later than March 20th, 2020 at 10:00 am.

Bid specs

One (1) new Kubota model ZD1211 72" ACS Pro-Deck, side discharge mower with extra set of blades and all applicable manuals delivered to Public Works, 820 Lincoln, Osawatomie KS.

Any questions regarding this bid should be directed to Bill Roseberry (913)-755-4525 ext. 1 or broseberry@osawatomiaks.org. The City of Osawatomie reserves the right to reject any or all bids.



2020 KUBOTA MOWER BID

City Osawatomie
P.O. Box 37
509 5th St.
Osawatomie Ks 66064

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SALES QUOTATION

Jason Conley - Sales
 1111 E 23rd St
 Lawrence, KS 66046
 Telephone: 785-843-2676
 jason@mcconnellmachineryco.com

To: City of Osawatomie

Quote Date	Mar 2, 2020
Expiration Date	Mar 31, 2020
Office Hours	Monday-Friday 8-5
Saturday Hours	8-Noon

Comments: Quote is for the new 2020 model year Kubota ZD1211L-72-3 mower with new style seat. Pricing Includes freight, setup, delivery, and extra set of mower blades.

MAKE	MODEL	DESCRIPTION	UNIT PRICE	AMOUNT
Kubota	ZD1211-72-3	24.8 HP Diesel Zero Turn with 72" Side Discharge Deck Extra Set of Mower Blades		\$13,950.00 Included
			Total	\$13,950.00
			Difference	N/A
			Insurance	N/A
			Tax Rate	9.3%
			Tax	N/A
			Total	\$13,950.00

COLEMAN

Equipment Inc.



24000 W. 43rd St.
Bonner Springs, Ks 66012
913-422-3040

CASE
CONSTRUCTION

TORO Dingo

SALES • RENTAL • SERVICE

Invoice #	100-0
Date	3/2/2020
Time	8:41 AM

PO #:	
Document #:	100-17043
Due Date:	4/10/2020

Salesman:	Brandon Elston
Ship Via:	Coleman Trucking
Terms:	Net 10th of Mth

CITY OF OSAWATOMIE (17002)		
509 5th St		
PO BOX 37		
OSAWATOMIE	KS	66064
Contact:	Bill Roseberry 913-755-4525	

Wholegood Estimate

Reprint

Ship To:		
820 LINCOLN		
OSAWATOMIE	KS	66064

Item Number Description	Qty	Price	Amount	Disc	Subtotal	Sales Tax	Extended Amount	Back Order	Drop Ship
K5975-97530-620 KIT BLADE (72-ECO)	1.00	\$49.69	\$49.69	0.00%	\$49.69	\$0.00	\$49.69	0.0000	0
Dealer Fee									
Delivery	1.00	\$229.00	\$229.00	0.00%	\$229.00	\$0.00	\$229.00	0.0000	0
(68817)									
Kubota ZD1211L-3-72 24.8 HP Deisel Zero Turn Mower (SN:30227)	1.00	\$14,553.11	\$14,553.11	0.00%	\$14,553.11	\$0.00	\$14,553.11	0.0000	0

Cash	Check/Check#	CC/CC Type	On Acct.	Mfg Credit	CIT	Deposit	Other
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

Customer Signature

Date

Summary of Charges	
\$0.00	Taxable
\$14,831.80	Non-Taxable
\$14,831.80	Subtotal
\$0.00	Sales Tax
\$14,831.80	Total
\$0.00	Amount Tendered
\$0.00	Change Due

Exempt Tax Cert #:	KSNDPF14LG
Expiration Date:	

Printed:3/2/2020 12:29 PM

ROMANS Outdoor Power

Quote

203 Crestview Circle
 Louisburg, KS 66053 (913) 837-5225

QUOTE TO City of Osawatomie, KS
 PO Box 37
 409 5th Street
 Osawatomie, KS 66064
 KUBOTA MOWER BID

INVOICE DATE March 2, 2020
 OUR ORDER NO.
 YOUR ORDER NO.
 TERMS
 SALES REP Dave Rohl
 SHIPPED VIA
 F.O.B.
 PREPAID or COLLECT

SHIPPED TO:
 Same

Sales Tax Rate

QUANTITY		UNIT PRICE	AMOUNT
1	new Kubota ZD1211L-72" side discharge mower	\$12,790.00	\$12,790.00
1	K5975-97530 (extra set of blades)	included	included
Price includes Gov't pricing			
Price includes delivery to 820 Lincoln St. Osawatomie			
Price includes owners manual			
		SUBTOTAL	\$12,790.00
		TAX	Gov't Exempt
		FREIGHT	0.00

DIRECT ALL INQUIRIES TO:
 Dave Rohl
 (913) 837-5225
 email: daverohl@gmail.com

MAKE ALL CHECKS PAYABLE TO:
 Romans Outdoor Power
 Attn: Accounts Receivable
 203 Crestview Circle
 Louisburg, KS 66053

\$12,790.00

THANK YOU FOR YOUR BUSINESS!

ZD1200 Series

Specifications

ZD1211-60 - ZD1211-72



Model		ZD1211		ZD1211L			
		ZD1211-60	ZD1211R-60R	ZD1211L-72	ZD1211RL-72R		
Engine	Model	Kubota D1105-E4-ZD-2					
	Type	Diesel, liquid-cooled(3 cyl.)					
	Max. horsepower (Gross)*	HP	24.8@3000rpm				
	Total displacement	cu.in. (cc)	68.53 (1123)				
	Starting system	Key switch					
Dimensions	Overall length	in. (mm)	89.0 (2260)		93.7 (2380)		
	Overall width	(w/ mower)	in. (mm)	73.8 (1875)	63.0 (1600)	85.8 (2180)	75.2 (1910)
		(w/o mower)	in. (mm)	59.4 (1510)		60.6 (1540)	
	Overall height	(w/ ROPS upright)	in. (mm)	78.7 (200)			
		(w/ ROPS folded)	in. (mm)	64.6 (1640)			
Wheel base		in. (mm)	56.7 (1440)		61.4 (1560)		
Tread	Front	in. (mm)	41.9 (1064)		49.2 (1250)		
	Rear	in. (mm)	47.6 (1210)				
Tire size	Front	15 × 6.0-6, Smooth semi-pneumatic					
	Rear	26 × 12.0-16, Low profile tire					
Weight (w/ mower)		lbs. (kg)	1676 (760)	1687 (765)	1742 (790)	1775 (805)	
Transmission system		2-HST w/ Gear reduction					
Speed control		2-hand levers					
Travel speed range	Forward	mph (km/h)	0-10.6 (0-17.0)				
	Reverse	mph (km/h)	0-5.3 (0-8.5)				
Brake type		Wet multi disks, foot applied, released					
PTO	Type	Shaft drive					
	Clutch type	Hydraulic independent PTO clutch with wet multi disks					
	PTO brake	Wet single disk					

ZD1200 Series

Specifications

ZD1211-60 - ZD1211-72



Mower deck	Model	RCK60P-1200Z	RCK60RP-1200Z	RCK72P-1200Z	RCK72RP-1200Z
Mower deck type		Kubota ProDeck with ACS	Kubota ProDeck	Kubota ProDeck with ACS	Kubota ProDeck
Mower lift system		Hydraulic			
Deck depth	in. (mm)	6.0 (152.4)	5.5 (140)	6.0 (152.4)	5.5 (140)
Belt type		Multi-belt			
Deck steel thickness	in. (mm)	0.16 (4.2)			0.18 (4.5)
Anti-scalp roller		Swivel			
Cutting width of mower		60 (1524)		72 (1829)	
Number of blades		3 blades			
Cutting height	in. (mm)	1-5 (25-127)			
Mounting system of mower		Quick joint, parallel linkage			
Blade tip speed (max.)	FPM	18050	16900	18050	18000
Seat		Deluxe suspension seat with Reclining and Lumber Support			
Engine stop system		Key stop			
Fuel tank capacity	gals. (ltrs.)	12.9 (48.8)			
Battery		Maintenance free battery : 12 V, CCA : 430A , RC : 80 min			
Alternator capacity		AC Dynamo : 14 Amps @ 14 Volts			
Water temperature indicator		Standard			
Hour meter		Standard			
Fuel gauge		Standard			

* Power(HP) specifications for individual diesel engine models are rated pursuant to Society of Automobile Engineers(SAE) J1940 based on gross output testing performed in accordance with SAE J1995 without the air cleaner and muffler. Diesel engine hp will be higher than actual engine power which is affected by accessories, application, engine speed, ambient operating conditions and other factors. The gross engine horsepower information is for comparison purpose only. The company reserves the right to change the above specifications without notice. This brochure is for descriptive purposes only. Please contact your local Kubota dealer for warranty information. For your safety, Kubota strongly recommends the use of a Rollover Protective Structure (ROPS) and seat belt in almost all applications.



BANKING AT ITS BEST

March 17, 2020

City of Osawatomie
FBO Trails Task Force
PO Box 37
Osawatomie, KS 66064

Dear Recipient:

We are pleased to enclose a check in the amount of \$25,000 from the First Option Bank Trusteed Velma Kelly Charitable Trust.

Please sign and return the enclosed receipt in the envelope provided.

We take great pride in supporting many organizations that serve our communities and improve the quality of life. Best wishes for success.

Sincerely,

A handwritten signature in black ink that reads "Keri Peterson".

Keri Peterson
Trust Officer

Osawatomie, KS 66064 • 601 Main • P.O. Box 277 • 913-755-3811
LaCygne, KS 66040 • 502 Market Street • P.O. Box 429 • 913-757-2001
Louisburg, KS 66053 • 103 South Broadway • P.O. Box 458 • 913-837-3900
Paola, KS 66071 • 702 Baptiste Drive • P.O. Box B • 913-294-3811
Spring Hill, KS 66083 • 21101 West 223rd Street • P.O. Box 426 • 913-592-3811



March 24, 2020

City of Osawatomie KS
439 Main St
Osawatomie KS 66064

**RE: City of Osawatomie KS
Notice of Force Majeure Event and/or Commercial Impracticability
Preventing Full Contract Performance
Coronavirus/COVID-19 and Resulting Declarations of Emergency**

Dear City Council and staff:

Waste Management – and especially its hard-working front-line employees – are working around the clock to ensure that we can continue to serve our customers and communities safely and with the least disruption reasonably possible in the face of the many challenges created by the COVID-19 virus, the resulting Declarations of Emergency, and the many health and safety orders and guidelines to which all responsible citizens are attempting to comply. As Waste Management works earnestly to continue to provide collection and processing services to our communities, the health and safety of our employees, customers and communities are our highest priority.

Likewise, Waste Management is striving to comply with the federal and state health and safety directives that have been issued in this time of emergency. One example of the operational changes implemented by Waste Management as a result of this unprecedented emergency occurred on March 18, 2020, when Waste Management temporarily closed residential call centers to promote social distancing among our call center employees to help prevent the spread of COVID-19. We are actively coordinating remote operations to serve our customers during this situation with the goal of resuming residential call handling from work-at-home employees as soon as possible. Although many of our municipal contracts require Waste Management to provide residential customer support call centers, the decision to temporarily suspend operation of these centers and shift to a work-at-home capability was the direct result of the COVID-19 pandemic and the states of emergency that exists.

The COVID-19 situation is very fluid, and Waste Management expects, unfortunately, that other disruptions to our contract performance may occur in the coming days as a direct result of the COVID-19 pandemic and governmental declarations. As a result, we are providing this notice to advise you that the COVID-19 pandemic is a force majeure event under our contract and/or unforeseeable event making full contract performance commercially impractical under the present circumstances. While we have not yet experienced any significant disruptions in essential collection or processing services, we anticipate that such disruptions may be inevitable, such as:

- Quarantines at, or shutdowns of, Waste Management facilities;
- Shelter-in-place orders that impact travel and business operations;
- Shutdown of Waste Management and/or third-party recycling and disposal facilities that restrict our ability to operate normally;
- Worker shortages because of quarantines or sickness; and

March 24, 2020

- Fuel and other critical equipment and supply shortages.

At this time, no one can reliably predict the length of this emergency event, when potential service disruptions may occur, or how long they may last. Waste Management will continue to provide prompt notice of our operational capabilities and changes as they occur. We appreciate your understanding and cooperation in these challenging times. If you have any questions, please contact your Waste Management public sector representative.

Sincerely,

WASTE MANAGEMENT OF KANSAS, INC.

John Blessing

John Blessing
Waste Management Public Sector