

Neodesha, Kansas
April 22, 2020

The Board of Commissioners met in regular session at 2:00 p.m. in the Commission Room at City Hall, practicing social distancing and conducting the meeting by live streaming with Zoom, on Wednesday, April 22, 2020 with Mayor Johnson presiding and Commissioners Moffatt and Nichol present.

Commissioner Moffatt moved to approve the agenda as presented with the addition of Business Item 4G KRAF Grant for Heart Monitor. Seconded by Commissioner Nichol. Motion carried.

Commission and Administrator Reports were heard.

Public Comments were invited and heard.

Commissioner Nichol moved to approve the Consent Agenda consisting of the minutes from the April 8, 2020 Commission Meeting; Appropriation (2020) 07; Raw Water Bond Project Pay Application 70; and Gas Line Project Appropriation 06. Seconded by Commissioner Moffatt. Motion carried.

RESOLUTION NO. 20-06

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF NEODESHA, KANSAS AUTHORIZING THE SALE AND CONVEYANCE OF CERTAIN PROPERTY TO NEODESHA PLASTICS, INC.

WHEREAS, pursuant to Ordinance No. 1532 and the Bond Agreement dated as of the Issue Date of the Bonds, the City of Neodesha, Kansas (the "Issuer") has previously issued its Industrial Revenue Bonds, Series 2008 (Neodesha Plastics, Inc.) in the original aggregate principal amount not exceeding \$3,000,000 (the "Bonds") to finance the cost of acquiring, constructing and equipping a certain manufacturing facility (the "Project"), such Project having been leased to Neodesha Plastics, Inc., a Kansas corporation (the "Tenant") pursuant to a Lease dated as of the Issue Date of the Bonds between the City and the Tenant (the "Lease"); and

WHEREAS, the Tenant desires to exercise its option to purchase the Project under Section 17.1 of the Lease and is not in default under the Lease; and

WHEREAS, the Tenant had made all the payments of Basic Rent and Additional Rent pursuant to the Lease and all principal and interest on the Bonds has been paid or payment has been provided for; and

WHEREAS, Community National Bank, Neodesha, Kansas, as Fiscal and Paying Agent for the Bonds, has certified that no Bonds remain outstanding; and

WHEREAS, the Tenant has provided the City written notice of its intent to exercise its option to purchase the Project;
NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF NEODESHA, KANSAS:

Section 1. The Mayor and Clerk are authorized and directed to execute a Special Warranty Deed, a Bill of Sale and a Release of Lease (collectively, the "Transfer Documents"), in substantially the forms submitted to the Governing Body concurrently with the adoption of this Resolution. The Clerk is directed to deliver the executed Transfer Documents to the Tenant.

Section 2. The Mayor and Clerk are hereby further authorized and directed to sign such other instruments and certificates as shall be necessary and desirable in connection with this Resolution, and are hereby further authorized to take such further actions as may be necessary to accomplish the purposes of this Resolution.

Commissioner Moffatt moved to approve Resolution No. 20-06 regarding Neodesha Plastics, Inc. IRB's. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding the termination of the abatement process at 609 Mill Street as the property has now changed owners. Discussion held.

Commissioner Nichol moved to terminate the abatement process for 609 Mill Street. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding the engineering services agreement with EBH Engineering for the Sidewalk and Trails Master Plan. Discussion held.

Commissioner Moffatt moved to approve the engineering services agreement with EBH Engineering, at a cost of \$10,000, to be paid from the Wilson Medical Center CDRR Grant. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding Change Order No. 6 for the Raw Water Intake Project. Discussion held.

Commissioner Nichol moved to approve Change Order No. 6, for the Raw Water Intake Project, at a cost of \$11,000. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding the purchase of electric meters for the City's Advanced Metering Infrastructure (AMI) Project. Discussion held.

Commissioner Moffatt moved to approve the bid from Border States for the purchase of electric meters, at a cost not to exceed \$230,000. Seconded by Commissioner Nichol. Motion carried. *(continued on next page)*

Administrator Truelove and Fire Chief Duane Banzet addressed the Commission regarding the purchase of an ambulance. Discussion held.

Commissioner Nichol moved to table this item until the June 24, 2020 Commission Meeting. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove and Fire Chief Duane Banzet addressed the Commission regarding the purchase of a heart monitor which involves a 50/50 matching grant payment from KRAF (KBEMS Revolving and Assistance Fund Grant Program). Discussion held.

Commissioner Moffatt moved to approve the purchase of a heart monitor/defibrillator from Zoll Medical Corporation utilizing the KRAF Grant, at a cost not to exceed \$17,626.70. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding the current COVID-19 and Coronavirus situation. Extensive discussion was held amongst Administrator Truelove, the Governing Body, Fire Chief Duane Banzet, and Dennis Shelby, CEO of Wilson Medical Center via Zoom. Discussion held.

Commissioner Nichol moved to approve the extension of the City's work share program until May 1, 2020 or until such a date is determined by Kansas Governor's Decree. Seconded by Commissioner Moffatt. Motion carried.

Commissioner Moffatt moved to approve the opening of the City's greenspace located at the parks and other facilities, not to include the playground equipment which will stay closed until such a date is determined by Kansas Governor's Decree. Seconded by Commissioner Nichol. Motion carried.

Commissioner Moffatt moved to recess to an Executive Session including the Governing Body, City Administrator and City Clerk in the Commission Room to discuss an individual employee's performance pursuant to the non-elected personnel matter exception KSA 75-4319(b)(1) because if this matter were discussed in open session it might invade the privacy of those discussed. The open meeting will resume in the Commission Room at 4:05 p.m. Seconded by Commissioner Nichol. Motion carried. The live streamed Zoom meeting was then placed on hold with audio, video and recording ceased.

At 4:05 p.m. the regular meeting of the Governing Body reconvened in the Commissioner Room with live streaming by Zoom resumed. No action taken.

Commissioner Nichol moved to approve the contract with Eddy R. Truelove as City Administrator for a term from May 1, 2020 through April 30, 2021 with no salary increase per the request of Administrator Truelove. Seconded by Commissioner Moffatt. Motion carried.

Commissioner Moffatt moved to recess to an Executive Session including the Governing Body, City Administrator, Fire Chief Duane Banzet and City Clerk in the Commission Room to discuss an individual employee's performance pursuant to the non-elected personnel matter exception KSA 75-4319(b)(1) because if this matter were discussed in open session it might invade the privacy of those discussed. The open meeting will resume in the Commission Room at 4:30 p.m. Seconded by Commissioner Nichol. Motion carried. The live streamed Zoom meeting was then placed on hold with audio, video and recording ceased.

At 4:30 p.m. the regular meeting of the Governing Body reconvened in the Commission Room at City Hall with live streaming by Zoom resumed. No action taken.

The next regular meeting of the Governing Body will be held at City Hall on Wednesday, May 13, 2020 at 2:00 p.m.

At 4:35 p.m. Commissioner Moffatt moved to adjourn. Seconded by Commissioner Nichol. Motion carried.

ATTEST:

/s/ Devin Johnson

Devin Johnson, Mayor

/s/Stephanie Fyfe

Stephanie Fyfe, City Clerk