

The Board of Commissioners met in regular session in the great room at City Hall practicing social distancing at 2:00 p.m. on Wednesday, September 9, 2020 with Mayor Johnson presiding and Commissioners Moffatt and Nichol present.

Commissioner Moffatt moved to approve the agenda as presented. Seconded by Commissioner Nichol. Motion carried.

Commission and Administrator Reports were heard.

Community Development Director report was heard.

Public Comments were invited and heard.

Commissioner Nichol moved to approve the Consent Agenda consisting of the minutes from the August 26, 2020 Meeting; minutes from the September 3, 2020 Special Call Meeting; Appropriation (2020) 17; Raw Water Project Bond Appropriation No. 77; and Gas Line Project Appropriation No. 13. Seconded by Commissioner Moffatt. Motion carried.

Dave Arteberry of Stifel, Nicolaus & Company, was present for a discussion with Administrator Truelove and the Governing Body regarding the authorization of GO Bonds for the City's water and sewer projects. Discussion held.

ORDINANCE NO. 1731

AN ORDINANCE OF THE CITY OF NEODESHA, KANSAS, AUTHORIZING THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION BONDS, SERIES 2020, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$7,000,000, FOR THE PURPOSE OF FINANCING THE COSTS OF ACQUIRING AND CONSTRUCTING IMPROVEMENTS TO THE CITY'S WATER SYSTEM AND SEWER SYSTEM; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID BONDS; AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS; AND MAKING CERTAIN COVENANTS WITH RESPECT THERETO.

(a complete copy of this Ordinance can be viewed in the City Clerk's office)

Commissioner Nichol moved to approve Ordinance No. 1731, authorizing the issuance of Series 2020 G.O. Bonds in the principal amount of \$7,000,000. Seconded by Commissioner Moffatt. Motion carried.

Further discussion was held with Dave Arteberry, Administrator Truelove and the Governing Body regarding a resolution prescribing the form and details of, and authorizing and directing sale and delivery of the Series 2020 G.O. Bonds.

RESOLUTION NO. 20-11

A RESOLUTION PRESCRIBING THE FORM AND DETAILS OF AND AUTHORIZING AND DIRECTING THE SALE AND DELIVERY OF GENERAL OBLIGATION BONDS, SERIES 2020, IN THE TOTAL AGGREGATE PRINCIPAL AMOUNT OF \$7,000,000, OF THE CITY OF NEODESHA, KANSAS, PREVIOUSLY AUTHORIZED BY ORDINANCE NO. 1731 OF THE CITY; MAKING CERTAIN COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS CONNECTED THEREWITH.

(a complete copy of this Resolution can be viewed in the City Clerk's office)

Commissioner Moffatt moved to adopt Resolution No. 20-11 as presented. Seconded by Commissioner Nichol. Motion carried.

Discussion continued with Dave Arteberry, Administrator Truelove and the Governing Body regarding Resolution No. 20-12. This loan resolution document, on USDA form RUS Bulletin 1780-27, is required by USDA, and its completion signifies that City understands we are incurring debt to help pay for the water and wastewater improvements. The USDA Loan Resolution, identified as Neodesha Resolution 20-12, shall be incorporated into Resolution 20-11 as Exhibit A.

RESOLUTION NO. 20-12

USDA Loan Resolution

(Public Bodies)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NEODESHA AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING A PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING AND/OR EXTENDING ITS WATER AND WASTEWATER FACILITY TO SERVE AN AREA LAWFULLY WITHIN ITS JURISDICTION TO SERVE.

WHEREAS; IT IS NECESSARY FOR THE CITY OF NEODESHA TO RAISE A PORTION OF THE COST OF SUCH UNDERTAKING BY ISSUANCE OF ITS BONDS IN THE PRINCIPAL CMOUNT OF \$7,000,000 PURSUANT TO THE PROVISIONS OF KSA 15-101 et seq. *(a complete copy of this Resolution can be viewed in the City Clerk's office)*

Commissioner Nichol moved to adopt the USDA Loan Resolution, Resolution 20-12, as presented. Seconded by Commissioner Moffatt. Motion carried.

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Administrator Truelove and the Governing Body welcomed Beth Warren, Ranson Financial, for a presentation on suggested changes to our water and sewer rates related to the necessity of ensuring that the City is prepared to meet long-term debt for the water and sewer system improvements. Discussion held. No action taken

Administrator Truelove and the Governing Body welcomed Mr. Ray Essington for a presentation on Dorothy DeLay, a former Neodesha resident.

Administrator Truelove and the Governing Body welcomed Ms. Lynne Estes, Director, Neodesha Housing Authority, to hear her request for the Mayor to sign a HUD-required form for the completion of the environmental review, and obtaining HUD authority to sell the listed property at 220 N. 7th Street. Discussion held.

Commissioner Moffatt moved to authorize the Mayor to sign the proposed HUD Request for Release of Funds and Certification form, in support of the Neodesha Housing Authority. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding the approval of Change Order No. 2 from Orr Wyatt Streetscapes for the waterline project. Discussion held.

Commissioner Nichol moved to approve Change Order No. 2, from Orr Wyatt Streetscapes, at a cost of \$14,727.10. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding the approval of a Software and Professional Services Agreement with gWorks. This agreement covers the implementation and interface of the AMR project for our current utility billing and meter reading software programs. Discussion held.

Commissioner Moffatt moved to approve the Software and Professional Services Agreement with gWorks for Third Party Meter Reader Data Management software and related services for the automated meter reading program in an amount not to exceed \$2,332. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding the approval of the annual renewal of the Hach Maintenance Agreement. Discussion held.

Commissioner Nichol moved to approve the renewal of the service agreement with Hach Service Plus in an amount not to exceed \$7,775. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove along with Fire Chief Banzet addressed the Commission regarding a Memorandum of Understanding with the Kansas State Fire Marshall's Office. This will replace the existing document declaring our ability to "respond" vs. "not respond" to out of state incidents. Discussion held.

Commissioner Moffatt moved to approve the Memorandum of Understanding between the Neodesha Fire/EMS Department and the Kansas State Fire Marshall as presented, and authorize Fire Chief Duane Banzet to sign the documentation. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove along with Public Works Director, Brent Wheeler, addressed the Commission regarding the need to purchase new regulator equipment for the gas sub-station. Discussion held.

Commissioner Nichol moved to approve the purchase of three Flowgrid gas regulators, from Koons Gas Measurement, at a cost of \$12,620.52. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding a request for a fireworks display, at the site identified as the Waterworks Amphitheatre, on October 10, 2020. Discussion held.

Commissioner Moffatt moved to approve the use of City property, known as the Waterworks Amphitheatre, for a fireworks display on October 10, 2020 pending the receipt of an Event Coverage Insurance Certificate. Seconded by Commissioner Nichol. Motion carried.

Commissioner Moffatt moved to recess to an Executive Session including the Governing Body, City Administrator, City Clerk and Fire Chief Duane Banzet 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 great room at City Hall at 4:30 p.m. Seconded by Commissioner Nichol. Motion carried.

At 4:30 p.m. the regular meeting of the Governing Body reconvened in the great room at City Hall. No action taken.

Commissioner Moffatt moved to extend the Executive Session including the Governing Body, City Administrator, City Clerk and Fire Chief Duane Banzet 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 because it might invade the privacy of those discussed. The open meeting will resume in the great room at City Hall at 4:40 p.m. Seconded by Commissioner Nichol. Motion carried.

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September 9, 2020

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At 4:40 p.m. the regular meeting of the Governing Body reconvened in the great room at City Hall. No action taken.
The next regular meeting of the Governing Body will be held at City Hall on Wednesday, September 23, 2020 at 2:00 p.m.
At 4:41 p.m. Commissioner Moffatt moved to adjourn. Seconded by Commissioner Nichol. Motion carried.

/s/ Devin Johnson

Devin Johnson, Mayor

ATTEST:

/s/ Stephanie Fyfe

Stephanie Fyfe, City Clerk