

Neodesha, Kansas
January 11, 2021

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 Monday, January 11, 2021 with Mayor Johnson presiding and Commissioners Moffatt and Nichol present.

J.D. Moffatt, duly elected Commissioner of the City of Neodesha on the 3rd day of November, 2020, having subscribed to his Oath of Office, takes his seat as Commissioner.

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

Commission, Administrator and Community Development Director reports were heard.

Public Comments were invited and heard.

Commissioner Moffatt moved to approve the Consent Agenda consisting of the minutes from the December 23, 2020 Commission Meeting; Appropriation (2020) 25; Raw Water Bond Project Pay Application 84a; and Gas Line Project Appropriation 21. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding a Resolution to Amend the Pay Plan, approving a 2% Cost of Living Adjustment for City Employees. This expense was approved by the Commission during the 2021 budget season. Discussion held.

RESOLUTION 21-01

A RESOLUTION AMENDING THE POSITION CLASSIFICATION AND PAY PLAN FOR THE CITY OF NEODESHA, KANSAS, AS ADOPTED BY THE NEODESHA CITY COMMISSION BY RESOLUTION 18-14.

WHEREAS, K.S.A. 12-101 provides that a city may exercise the powers of home rule in determination of local affairs, and the City of Neodesha is a City of the Second Class as defined by Kansas Statute; and

WHEREAS, the management of the City of Neodesha regarding personnel rules, employee classification plans, compensation and related administrative procedures and policies are a permissible exercise of home rule powers, pursuant to K.S.A. 12-101a; and

WHEREAS, the City of Neodesha Governing Body established a pay plan and position descriptions for all City of Neodesha employees in the form of a Position Classification and Pay Plan document to establish an equitable pay system based upon merit performance to be administered by the City Administrator:

THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF NEODESHA:

That the following amendments be made to the adopted Position Classification and Pay Plan:

- Amend Section 4: Pay Tables, to add a two-percent Cost of Living Adjustment (COLA) for Budget Year 2021.

Commissioner Nichol moved to approve Resolution 21-01 as presented. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding the Public Hearing on the issuance of \$1,600,000 in Taxable IRB's for Neodesha Plastics.

Mayor Johnson opened the Public Hearing and asked for comments. Sara Steele of Gilmore & Bell presented information regarding the IRB's to the Commission and the Public. No other comments were heard. The hearing was then closed.

RESOLUTION 21-02

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF NEODESHA, KANSAS DETERMINING THE ADVISABILITY OF ISSUING TAXABLE INDUSTRIAL REVENUE BONDS FOR THE PURPOSE OF FINANCING THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF AN ADDITION TO AN EXISTING COMMERCIAL FACILITY LOCATED IN THE ENVIRONS OF SAID CITY; AND AUTHORIZING EXECUTION OF RELATED DOCUMENTS. *(a complete copy of this Resolution can be viewed/obtained in the City Clerk's office)*

Commissioner Moffatt moved to approve Resolution 21-02 as presented. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding the Public Hearing on the issuance of \$20,000,000 in Taxable IRB's in support of SICUT.

Mayor Johnson opened the Public Hearing and asked for comments. Sara Steele of Gilmore & Bell presented information regarding the IRB's to the Commission and the Public. No other comments were heard. The hearing was then closed.

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RESOLUTION 21-03

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF NEODESHA, KANSAS DETERMINING THE ADVISABILITY OF ISSUING TAXABLE INDUSTRIAL REVENUE BONDS FOR THE PURPOSE OF FINANCING THE ACQUISITION, RENOVATION AND EQUIPPING OF A COMMERCIAL FACILITY LOCATED IN THE CITY; AND AUTHORIZING EXECUTION OF RELATED DOCUMENTS. (a complete copy of this Resolution can be viewed/obtained in the City Clerk's office)

Commissioner Nichol moved to approve Resolution 21-03 as presented. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding a contract amendment request to extend the project deadline for the CDBG Gas Line Project. Discussion held.

Commissioner Moffatt moved to approve the CDBG Contract Amendment Request, and authorize the Mayor to sign. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding the approval of Change Order No. 3 from Orr Wyatt Streetscapes for the City's waterline project. Discussion held.

Commissioner Nichol moved to approve Change Order No. 3 for the waterline project at a cost of \$34,122.62. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding the approval of Pay Application No. 17 for the waterline project. This will be the final pay application from Orr Wyatt Streetscapes. Discussion held.

Commissioner Moffatt moved to approve Pay Application No. 17 for the waterline project as a cost of \$156,489.48. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding the approval of two railroad easements related to the City's water and wastewater line project. Discussion held.

Commissioner Nichol moved to approve the Union Pacific Railroad easements, for water and wastewater lines, at a cost of \$8,000, pending Union Pacific Railroad acceptance. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding the purchase of Electric Department Equipment. Discussion held.

Commissioner Moffatt moved to approve the purchase of electric equipment from Border States in an amount not to exceed \$63,000. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding the consideration of approving a 2021 Fireworks contract for the 4th of July Fireworks show. This item was previously tabled from the December 23, 2020 Commission Meeting. Discussion held.

Commissioner Nichol moved to table this item to the January 27, 2021 Commission Meeting. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding the sale of property to Neodesha Plastics for a construction project. Discussion held.

Commissioner Nichol moved to approve the donation of the property located at 1200 W Tank to Neodesha Plastics for expansion. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding the donation of City Street property located on Fir Street. Discussion held.

Commissioner Moffatt moved to accept the donation of City Street property located in the 100 block of East Fir Street. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding Appointments to City Boards and Commissions for unfulfilled terms and other positions that expired on December 31, 2020. Discussion held.

Commissioner Nichol moved to reappoint Jennifer Marler, Janice Reece and Rod Schlegel, Jr. to the Active Transportation Advisory Board for four-year terms, expiring December 31, 2024; appoint Chris Goodwin to the Economic Development Committee to fill the unexpired term for Walt Olson, with a term ending date of December 31, 2022; appoint Shane Stanfill to the Economic Development Committee and to reappoint Philip Newkirk, JoAnne Harper and Casey Lair to the Economic Development Committee for four-year terms, all expiring December 31, 2024; and to reappoint Lloyd Baumwart and Mina Olson to the Senior Citizens Board for three-year terms, expiring December 31, 2023. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding recommended changes to the Animal Control Ordinance. Discussion held. No action taken.

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Administrator Truelove addressed the Commission regarding the CARES Act Funding for Paid Quarantine Sick Leave Program which was to sunset on December 31, 2020. Discussion held.

Commissioner Moffatt moved to approve the continuation of paid time-off for City employees ordered quarantined by the Wilson County Health Department, and this extension shall expire, April 1, 2021. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding the resignation of an employee from the Public Works Department. Discussion held.

Commissioner Nichol moved to accept the resignation of Andrew Howell effective January 19, 2021. Seconded by Mayor Johnson. Commissioner Moffatt abstained from the vote due to a conflict of interest. Motion carried.

Commissioner Moffatt moved to recess to an Executive Session including the Governing Body, City Administrator, Electric Superintendent Brandon Hearn 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 3:45 p.m. Seconded by Commissioner Nichol. Motion carried. The live streamed Zoom meeting was then placed on hold with audio, video and recording ceasing.

At 3:45 p.m. the regular meeting of the Governing Body reconvened in the Commission Room at City Hall. No action taken. The live streamed Zoom meeting then resumed with audio, video and recording.

The next regular meeting of the Governing Body will be held in the Commission Room at City Hall on Wednesday, January 27, 2021 at 2:00 p.m., practicing social distancing and conducting the meeting by live streaming with Zoom.

At 3:47 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