

Neodesha, Kansas
June 9, 2021

The Board of Commissioners met in regular session at 2:00 p.m. in the Commission Room at City Hall conducting the meeting by live streaming with Zoom on Wednesday, June 9, 2021 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 as presented consisting of the minutes from the May 26, 2021 meeting; minutes from the June 7, 2021 Special Call Meeting; Appropriation (2021) 09; Raw Water Project Bond Appropriation No. 91 and Gas Line Project Appropriation No. 28. Seconded by Commissioner Moffatt. Motion carried.

This being the time and date published in the official newspaper for the hearing on the Dangerous Structures located at 521 Mill, the public hearing was opened. The homeowner's son, Jacob Taylor, was present to discuss the property situation on her behalf with the Governing Body. Discussion held. Then the hearing was closed.

RESOLUTION NO. 21-17

A RESOLUTION FINDING THAT THE STRUCTURE LOCATED ON LEGAL DESCRIPTION: NORTH 133 FEET OF LOTS 1&2, BLOCK 82, SECTION TWENTY (20), TOWNSHIP THIRTY (30), RANGE SIXTEEN (16) LESS THE SOUTH FORTY-FIVE (45) OF THE NORTH ONE HUNDRED THIRTY-THREE (133) FEET, COMMONLY KNOWN AS 521 MILL, NEODESHA, KANSAS, IS UNSAFE OR DANGEROUS AND DIRECTING THE STRUCTURE TO BE REPAIRED OR REMOVED AND THE PREMISES MADE SAFE AND SECURE.

WHEREAS, the Enforcing Officer of the City of Neodesha, Kansas did on the 24th day of February, 2021 file with the governing body of said City a statement in writing that a certain structure, hereinafter described, was unsafe and dangerous; and

WHEREAS, the governing body did by Resolution dated the 14th day of April, 2021, fix the time and place of a hearing at which the owner, his or her agent, any lienholders of record and any occupant of such structure could appear and show cause why such structure should not be condemned and ordered repaired or demolished, and provided for giving notice thereof as provided by law; and

WHEREAS, such Resolution was published in the official city paper on the 22nd day of April, 2021, and on the 29th day of April, 2021, and a copy of such Resolution was served on all persons entitled thereto in all respects as provided by law; and

WHEREAS, on this 9th day of June, 2021, the governing body has heard all evidence submitted by the enforcing officer of the City, the owners, agents, lienholders and occupants of such structure (having appeared or having failed to appear);

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF NEODESHA: THAT said governing body hereby finds that the structure located on Legal Description: **NORTH 133 FEET OF LOTS 1&2, BLOCK 82, SECTION TWENTY (20), TOWNSHIP THIRTY (30), RANGE SIXTEEN (16) LESS THE SOUTH FORTY-FIVE (45) OF THE NORTH ONE HUNDRED THIRTY-THREE (133) FEET, commonly known as 521 MILL** Neodesha, Kansas, is unsafe and dangerous and hereby directs such structure to be removed and the premises made safe and secure. The owner of such structure is hereby given **30** days from the date of publication of this Resolution within which to commence the removal of such structure within the time stated or fails to diligently prosecute the same until the work is completed, said governing body will cause the structure to be razed and removed and the costs of such razing and removing, less salvage if any, to be assessed as a special assessment against the lot or parcel of land upon which the structure is located as provided by law.

BE IT FURTHER RESOLVED, that the City Clerk shall cause this Resolution to be published once in the official city paper and a copy mailed to the owners, agents, lienholders and occupants as provided by law.

Commissioner Moffatt moved to approve Resolution 21-17 declaring the property located at 521 Mill as unsafe and dangerous, and allow the property owner 30 days to repair or remove the structures and make the property safe and secure. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission to convene as the Neodesha Land Bank to reconsider the sale of two land bank parcels that were approved for sale to Barbara DiBitetto at the May 26, 2021 meeting. Ms. DiBitetto has offered a counteroffer.

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Commissioner Nichol moved to convene as the Neodesha Land Bank to discuss the sale of property. Seconded by Commissioner Moffatt. Motion carried. Discussion held.

Commissioner Moffatt moved to approve the sale of R8133 and R8134 (Elm Street), to Barbara DiBitetto for the sale price of \$1,700. Seconded by Commissioner Nichol. Motion carried.

Commissioner Nichol moved to adjourn as the Neodesha Land Bank and re-convene as the City of Neodesha Governing Body. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding an SKO Railroad Letter of Good Faith. Staff was contacted by Omega Rail Management, representing SKO Railroad, with a request that the Mayor sign a letter of good faith, stating that the City will work with the railroad in "Good Faith" to identify any rail encroachments for which no agreement, and rental fees, are in place. Information received provides that the railroad normally does not issue a permit unless all encroachments are documented. The letter from Omega indicates that they will release our sewer line permit if we sign the good faith letter. Discussion held.

Commissioner Moffatt moved to approve the Omega Railroad Management good faith letter, and authorize the Mayor to sign. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding the Tennis Court Resurfacing Bid that was awarded to Mid-American Courtworks at the May 26, 2021 meeting. Due to a clerical error, another contractor received a bid notice with an incorrect bid date. That contractor did meet the bid date on the bid notice they received. Therefore, the Commission is being asked to consider the 2nd bid from McConnell & Associates. Discussion held. No action is required as the bid from Mid-American Courtworks had been previously approved.

Administrator Truelove addressed the Commission regarding a request from representatives from SICUT to consider allowing them to place a stormwater retention pond in the West Granby Business Park. Discussion held. No action taken.

The Governing Body welcomed Tim Leitnaker, American Response Vehicles, for a presentation and demonstration of a new ambulance. Fire Chief Landon Woodward was also present to answer questions.

Commissioner Moffatt moved to recess the meeting until 3:15 p.m. for the presentation and viewing of the ambulance in the City Hall parking lot. Seconded by Commissioner Nichol. Motion carried. The live streamed Zoom meeting was then placed on hold with audio, video and recording paused.

At 3:15 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 at City Hall on Wednesday, June 23, 2021 at 2:00 p.m.

At 3:16 p.m. Commissioner Nichol moved to adjourn. Seconded by Commissioner Moffatt. Motion carried.

ATTEST:

/s/ Devin Johnson

Devin Johnson, Mayor

/s/ Stephanie Fyfe

Stephanie Fyfe, City Clerk