

Neodesha, Kansas  
August 11, 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, August 11, 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 July 28, 2021 Commission Meeting; minutes from the August 4, 2021 Special Call Meeting; Appropriation (2021) 13; and Raw Water Project Bond Appropriation 93. Seconded by Commissioner Moffatt. Motion carried.

Mayor Johnson read a proclamation honoring Irene Reece in celebration of her recent 100<sup>th</sup> birthday on August 9, 2021, as well as thanking her for the many community contributions both personally and through the generous support of the Reece Foundation. The Governing Body and citizens of Neodesha send congratulations and best wishes to Irene for continued health, happiness, and prosperity.

The Governing Body welcomed Kyle Spielbusch of Jarred, Gilmore and Phillips, PA, for a presentation of the 2020 Audit. Presentation was given and discussion held.

Commissioner Moffatt moved to approve the 2020 Audit as presented. Seconded by Commissioner Nichol. Motion carried.

The Governing Body welcomed representatives from Wilson Medical Center, who are asking for the use of Memorial Park for a Wilson Medical Center Community Party, to be scheduled for October 23, 2021. Discussion held regarding the request and the location of the party.

Commissioner Nichol moved to approve the October 23<sup>rd</sup> use of Riverwalk Park by Wilson Medical Center. Seconded by Commissioner Moffatt. Motion carried.

This being the time and date published in the official newspaper for 2022 Budget Hearing, the public hearing was opened by Mayor Johnson. Being there were no public comments, the hearing was then closed. Discussion held.

Commissioner Moffatt moved to adopt the Budget for the 2022 calendar year as presented. Seconded by Commissioner Nichol. Motion carried.

This being the time and date published in the official newspaper for the hearing on the Dangerous Structures located at 1504 N 1<sup>st</sup> Street, the public hearing was opened. Discussion held. The hearing was then closed.

#### **RESOLUTION NO. 21-23**

**A RESOLUTION FINDING THAT THE STRUCTURE LOCATED ON LEGAL DESCRIPTION: *LOTS 11 THROUGH 17 AND THE SOUTH 175 FEET OF LOTS 18 AND 19 OF BLOCK 4, VIVIAN DEER'S SUBDIVISION, CITY OF NEODESHA, WILSON COUNTY, 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 23<sup>rd</sup> day of June, 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 23<sup>rd</sup> day of June, 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 1<sup>st</sup> day of July, 2021, and on the 8<sup>th</sup> day of July, 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 11<sup>th</sup> day of August, 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: ***LOTS 11 THROUGH 17 AND THE SOUTH 175 FEET OF LOTS 18 AND 19 OF BLOCK 4, VIVIAN DEER'S SUBDIVISION, CITY OF NEODESHA, WILSON COUNTY, KANSAS,*** is unsafe and dangerous and hereby directs such structure to be

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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 Nichol moved to approve Resolution 21-23 declaring the property located at 1504 N 1<sup>st</sup> Street as unsafe or dangerous, and allow the property owner 30 days to repair or remove the structures and make the property safe. 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 1532 B Street, the public hearing was opened. Discussion held. The hearing was then closed.

**RESOLUTION NO. 21-24**

**A RESOLUTION FINDING THAT THE STRUCTURE LOCATED ON LEGAL DESCRIPTION: LOTS TWELVE (12), THIRTEEN (13), FOURTEEN (14), FIFTEEN (15), SIXTEEN (16), SEVENTEEN (17), EIGHTEEN (18), NINETEEN (19) TWENTY (20), TWENTY-ONE (21), TWENTY-TWO (22), AND TWENTY THREE (23) BLOCK ONE (1), DEER AND PARK'S SUBDIVISION, BEING A PART OF THE EAST HALF (E1/2) OF SECTION 17, TOWNSHIP 30 SOUTH, RANGE 16 EAST, 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 23rd day of June, 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 23rd day of June, 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 1st day of July, 2021, and on the 8th day of July, 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 11th day of August, 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: **LOTS TWELVE (12), THIRTEEN (13), FOURTEEN (14), FIFTEEN (15), SIXTEEN (16), SEVENTEEN (17), EIGHTEEN (18), NINETEEN (19) TWENTY (20), TWENTY-ONE (21), TWENTY-TWO (22), AND TWENTY THREE (23) BLOCK ONE (1), DEER AND PARK'S SUBDIVISION, BEING A PART OF THE EAST HALF (E1/2) OF SECTION 17, TOWNSHIP 30 SOUTH, RANGE 16 EAST**, 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 21-24 declaring the property located at 1532 B Street as unsafe or 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 regarding Resolution 21-25 which involves amending the City's Position Classification and Pay Plan. The amendment will add the position of Assistant to the City Administrator/Community Development Director. Discussion held.

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**RESOLUTION 21-25**

**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:

- Inclusion of a Job Description for an Assistant to the City Administrator/Community Development Director.
- Addition of an Assistant to the City Administrator/Community Development Director to the City of Neodesha Administration Organization Chart.
- Amend Section 4: Pay Tables for Grade 08, to add Assistant to the City Administrator/Community Development Director.
- Amend page numbers and the Table of Contents to reflect the above-mentioned additions.

Commissioner Nichol moved to adopt Resolution 21-25 amending the Position Classification and Pay Plan. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding the approval of an agreement with Ranson Financial Group to provide administrative services towards the effective management of our American Rescue Plan Act (ARPA) funding. Discussion held.

Commissioner Moffatt moved to approve the ARPA Administration Services Agreement with Ranson Financial Group as presented. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding the status of the property located at 220 N 7<sup>th</sup> Street. Staff has been in contact with a representative from HUD to discuss the possible transfer of deed to the Neodesha Housing Authority as this property is currently owned by the City of Neodesha. Discussion held. No action taken.

Administrator Truelove addressed the Commission regarding the one vacancy left to fill on the Planning & Zoning Commission. Chris Jabben has volunteered to serve on this Commission. Discussion held.

Commissioner Nichol moved to appoint Chris Jabben to the Planning & Zoning Commission with a term ending date of 12/31/2023. Seconded by Commissioner Moffatt. Motion carried.

At 3:20 p.m. Commissioner Nichol requested a 10-minute recess. Seconded by Commissioner Moffatt. Motion carried. The live streamed Zoom meeting was then placed on hold with audio, video and recording paused.

At 3:30 p.m. the regular meeting of the Governing Body reconvened in the Commission Room at City Hall. The live streamed Zoom meeting then resumed with audio, video and recording.

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 4:00 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 4:00 p.m. the regular meeting of the Governing Body reconvened in the Commission Room at City Hall. The live streamed Zoom meeting then resumed with audio, video and recording. No action taken.

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The next regular meeting of the Governing Body will be held at City Hall on Wednesday, August 25, 2021 at 2:00 p.m.

At 4:10 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