

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, November 10, 2021 with Mayor Johnson presiding and Commissioners Moffatt and Nichol present.

Commissioner Nichol moved to approve the agenda as presented with the addition of Business Item 4J: Approve Purchase of Dock for Riverwalk Park; and Business Item 4K: Discuss Water Distribution System Equipment. Seconded by Commissioner Moffatt. Motion carried.

Commission and Administrator Reports were heard.

Community Development Director report was heard.

Public Comments were invited and heard.

Commissioner Moffatt moved to approve the consent agenda as presented consisting of the minutes from the October 27, 2021 Commission Meeting; minutes from the November 1, 2021 Special Call Meeting; and Appropriation (2021) 19. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding the 2022 Employee Health Insurance Plans. Julie Yarmer, Freedom Claims Management, was present for discussion and to answer any questions. Discussion held.

Commissioner Nichol moved to approve the Freedom 105 health insurance plan utilizing a high deductible Blue Cross Blue Shield of Kansas plan and a self-insured dental plan for 2022. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding the renewal of the AirMedCare insurance policy for the City. This policy provides medical airlift services to our residents. Linda Barnes, AirMedCare, was present for discussion and to answer any questions. Discussion held.

Commissioner Moffatt moved to renew the City's AirMedCare insurance policy for 2022 at a cost of \$13,562. Seconded by Commissioner Nichol. Motion carried.

The Governing Body welcomed Sarah Steele, Gilmore & Bell, by Zoom, to discuss an ordinance authorizing the issuance of taxable industrial revenue bonds for Neodesha Plastics. Discussion held.

ORDINANCE NO. 1756

AN ORDINANCE AUTHORIZING THE CITY OF NEODESHA, KANSAS TO ISSUE ITS TAXABLE INDUSTRIAL REVENUE BONDS, SERIES 2021 (NEODESHA PLASTICS PROJECT) FOR THE PURPOSE OF THE ACQUISITION, IMPROVING, RENOVATING AND EQUIPPING A COMMERCIAL FACILITY; AND AUTHORIZING CERTAIN OTHER RELATED DOCUMENTS AND ACTIONS. *(a complete copy of this ordinance can be viewed in the City Clerk's office and at neodesha.org once officially published in The Neodesha Derrick News)*

Commissioner Nichol moved to approve Ordinance 1756 as presented. Seconded by Commissioner Moffatt. Motion carried.

Discussion continued for the next business item with the Governing Body and Sarah Steele, Gilmore & Bell, by Zoom, to discuss an ordinance authorizing the issuance of taxable industrial revenue bonds for SICUT. Discussion held.

ORDINANCE NO. 1757

AN ORDINANCE AUTHORIZING THE CITY OF NEODESHA, KANSAS TO ISSUE ITS TAXABLE INDUSTRIAL REVENUE BONDS, SERIES 2021 (SICUT PROJECT) FOR THE PURPOSE OF THE ACQUISITION, RENOVATION AND EQUIPPING A COMMERCIAL FACILITY; AND AUTHORIZING CERTAIN OTHER RELATED DOCUMENTS AND ACTIONS. *(a complete copy of this ordinance can be viewed in the City Clerk's office and at neodesha.org once officially published in The Neodesha Derrick News)*

Commissioner Moffatt moved to approve Ordinance 1757 as presented. Seconded by Commissioner Nichol. Motion carried.

The Governing Body welcomed Dave Arteberry, Stifel, Nicolaus & Co, by Zoom, to discuss the approval of a resolution providing for the issuance of temporary note financing to further finance the City's water infrastructure projects. Discussion held.

RESOLUTION 21-35

A RESOLUTION PROVIDING FOR THE ISSUANCE OF TAXABLE GENERAL OBLIGATION TEMPORARY NOTES OF THE CITY OF NEODESHA, KANSAS, IN THE TOTAL PRINCIPAL AMOUNT OF \$998,000, AS HERETOFORE AUTHORIZED BY ORDINANCE NO. 1622 (AS AMENDED BY ORDINANCE NOS. 1704 AND 1755) AND ORDINANCE NO. 1705 OF THE CITY, IN ORDER TO PROVIDE FUNDS FOR THE TEMPORARY FINANCING OF THE COSTS OF CONSTRUCTION OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY AUTHORIZED BY SAID ORDINANCE; AND

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PROVIDING THE TERMS, DETAILS, FORM AND CONDITIONS OF SAID TAXABLE GENERAL OBLIGATION TEMPORARY NOTES. *(a complete copy of this ordinance can be viewed in the City Clerk's office and at neodesha.org)*

Commissioner Nichol moved to approve Resolution 21-35 as presented. 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 615 Mill Street, the public hearing was opened. No one representing this property was present for the hearing. Discussion held. Then the hearing was closed.

RESOLUTION NO. 21-36

A RESOLUTION FINDING THAT THE STRUCTURE LOCATED AT 615 MILL, NEODESHA, KANSAS ON LEGAL DESCRIPTION: LOTS FIVE (5) AND SIX (6), BLOCK EIGHTY-ONE (81), CITY OF NEODESHA, WILSON COUNTY, KANSAS AND COMMENCING AT A POINT 16 FEET NORTH AND 100 FEET EAST OF BOTH THE SOUTHWEST CORNER OF BLOCK 81 AND THE SOUTHWEST CORNER OF LOT 13, BLOCK 81, ORIGINAL TOWNSITE OF THE CITY OF NEODESHA, THENCE NORTH TO THE SOUTHWEST CORNER OF LOT 5, OF SAID BLOCK 81, THENCE EAST 50 FEET TO THE SOUTHEAST CORNER OF LOT 6 OF SAID BLOCK 81, THENCE SOUTH TO A POINT 16 FEET NORTH OF THE SOUTH LINE OF SAID LOT 13 ALSO OF SAID BLOCK 81 AND 50 FEET EAST OF PLACE OF BEGINNING AND THENCE WEST 50 FEET TO THE PLACE OF BEGINNING 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 16th day of September, 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 22nd day of September, 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 30th day of September, 2021, and on the 7th day of October, 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 10th day of November, 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 at 615 Mill, Neodesha, Kansas on Legal Description: LOTS FIVE (5) AND SIX (6), BLOCK EIGHTY-ONE (81), CITY OF NEODESHA, WILSON COUNTY, KANSAS AND COMMENCING AT A POINT 16 FEET NORTH AND 100 FEET EAST OF BOTH THE SOUTHWEST CORNER OF BLOCK 81 AND THE SOUTHWEST CORNER OF LOT 13, BLOCK 81, ORIGINAL TOWNSITE OF THE CITY OF NEODESHA, THENCE NORTH TO THE SOUTHWEST CORNER OF LOT 5, OF SAID BLOCK 81, THENCE EAST 50 FEET TO THE SOUTHEAST CORNER OF LOT 6 OF SAID BLOCK 81, THENCE SOUTH TO A POINT 16 FEET NORTH OF THE SOUTH LINE OF SAID LOT 13 ALSO OF SAID BLOCK 81 AND 50 FEET EAST OF PLACE OF BEGINNING AND THENCE WEST 50 FEET TO THE PLACE OF BEGINNING, 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 21-36 declaring the property located at 615 Mill 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 a change order from Maguire Iron related to the Raw Water Project. The change order is for a price increase due to fence installation around the new water tower, and the new logo on the water tank at Little Bear Mound. Discussion held.

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Neodesha, Kansas
November 10, 2021
(continued from previous page)

Commissioner Nichol moved to approve Change Order No. 1 from Maguire Iron at an additional cost of \$9,450. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding a request from the Neodesha Area Chamber of Commerce to donate the use of the Civic Center for a Mystery Dinner Theatre to be held Saturday, November 13, 2021. For this event, the Chamber has obtained a temporary alcohol permit from the State of Kansas. Discussion held.

Commissioner Moffatt moved to approve the Chamber of Commerce use of the Civic Center, to include alcohol, on Saturday, November 13, 2021. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding the purchase of a dock for Riverwalk Park. On August 25, 2021, the Commission approved the acceptance of a Kansas Wildlife & Parks grant, in the amount of \$38,370, for improvements to the Riverwalk Park area. This grant is provided through the Community Fisheries Assistance Program (CFAP), and must be used to improve fishing access at the City's Pond. Discussion held.

Commissioner Nichol moved to approve the purchase of a fishing dock from Pond King, at a cost not exceed \$38,370. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove along with Water Superintendent Jay Bair presented the Commission with information related to the water distribution system, equipment purchased, and equipment we may need in the future. Discussion held. No action taken.

Commissioner Nichol moved to recess to an Executive Session including the Governing Body, City Administrator, Public Works Director Chris Jabben, and the 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 3:40 p.m. Seconded by Commissioner Moffatt. Motion carried. The live streamed Zoom meeting was then placed on hold with audio, video and recording ceased.

At 3:40 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.

The next regular meeting of the Governing Body will be held at City Hall on Wednesday, November 24, 2021 at 2:00 p.m.

At 3:40 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