

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, April 27, 2022 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 4K: Accept Resignation from Recreation Commission. Seconded by Commissioner Moffatt. Motion carried.

Commission and Administrator Reports were heard.

Community Development reports were heard.

Public Comments were invited and heard.

Commissioner Moffatt moved to approve the consent agenda as presented consisting of the minutes from the April 13, 2022 Commission Meeting; minutes from the April 19, 2022 Special Call Meeting and Appropriation (2022) 07. Seconded by Commissioner Nichol. Motion carried.

Mayor Johnson read a proclamation designating the week of May 1 through May 7, 2022 as Public Service Recognition Week, honoring the accomplishments and contributions of all government employees at all levels. A special thank you was given to all City of Neodesha employees.

Mayor Johnson read a proclamation designating May 1 through May 7, 2022 as Drinking Water Week recognizing that drinking water serves as a vital role in daily life, serving an essential purpose to health, hydration and hygiene needs for the quality of life that our citizens enjoy. Thank you to Jay Bair and his crew at the Water Plant for the transportation of high-quality drinking water from its source to consumers taps.

Mayor Johnson read a proclamation designating May 4, 2022 as International Firefighters' Day in support and appreciation to our City, County, State and Federal firefighters who protect our lives and property so diligently throughout the year, and by remembering past firefighters who dedicated their lives to preserve our safety. Thank you to Landon Woodward and crew for doing so within the City of Neodesha.

Administrator Truelove addressed the Commission regarding the approval of an Ordinance relating to the City's fee structure for gas and water utilities. This proposed Ordinance would amend the gas rates to show billing in CCF instead of MCF, water rates from 1,000 gallons of water (one unit) to individual gallons, and reconnection fees will be modified by removing the reference to an increased penalty for 2nd and 3rd reconnections. Discussion held.

ORDINANCE NO. 1763

AN ORDINANCE AMENDING SECTION 16-36 OF CHAPTER 16 OF THE CITY OF NEODESHA CODE REGARDING FEES FOR UTILITIES PROVIDED BY THE CITY OF NEODESHA, WILSON COUNTY, KANSAS AND REPEALING OLD SECTION 16-36 OF CHAPTER 16 OF THE CITY OF NEODESHA CODE. *(a complete copy of this Ordinance can be obtained and/or viewed in the City Clerk's office)*

Commissioner Nichol moved to approve Ordinance 1763, modifying the City's utility fee Ordinance. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding an Ordinance that would modify the City's reconnection fee Ordinance, removing the tiered fee schedule. Discussion held.

ORDINANCE NO. 1764

AN ORDINANCE AMENDING CHAPTER 36, ARTICLE II, SECTION 36-29 OF THE CODE OF THE CITY OF NEODESHA, DEALING WITH UTILITY RECONNECTION FEES INSIDE THE CITY OF NEODESHA; AND REPEALING OLD CHAPTER 36, ARTICLE II, SECTION 36-29 OF THE CODE OF THE CITY OF NEODESHA.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF NEODESHA, KANSAS:

Section One: Chapter 36, Article II of the City of Neodesha Code shall be amended to read as follows:
Sec. 36-29. – Reconnection fees.

- (a) Once the utility account is placed on the city's shutoff list, reconnection fees must be paid even if the utilities have not physically been disconnected.
- (b) Payment may only be made with cash, cashier's check or money order to have service reconnected. Checks will not be accepted to reconnect utilities.
- (c) Reconnection fees will adhere to the fee schedule found in chapter 16, section 16-36.

Section Two: Old Chapter 36, Article II, Section 36-29 of the Code of the City of Neodesha is hereby repealed.

Section Three: EFFECTIVE DATE. This ordinance shall be in full force and effect after its publication in the official city newspaper.

Commissioner Moffatt moved to approve Ordinance 1764, modifying the City's reconnection fee Ordinance. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding the dangerous structures property located at 615 Mill. This abatement Ordinance was tabled by the Commission on January 26, 2022 and March 23, 2022. Discussion held.

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ORDINANCE NO. 1765

AN ORDINANCE AUTHORIZING AND DIRECTING THE REMOVAL OF CERTAIN UNSAFE AND DANGEROUS STRUCTURES LOCATED AT 615 MILL, NEODESHA KS 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 AUTHORIZING THE FINANCING OF THE COSTS OF SUCH REMOVAL BY THE SALE OF SALVAGE FROM SUCH STRUCTURES, IF ANY, AND/OR FROM THE GENERAL FUND OF THE CITY, AND THE LEVYING OF SPECIAL ASSESSMENTS AGAINST THE LOTS ON WHICH SUCH STRUCTURE IS LOCATED.

WHEREAS, the governing body did after proper notice and hearing as provided by law make findings by Resolution 21-36 dated November 10, 2021, that the structure hereinafter described as unsafe and dangerous and did direct the owner of such structure to repair or remove the same and make the premises safe and secure, together with the statement that if the owner failed to commence the repair or removal within the time fixed by such resolution or failed to diligently prosecute the same until the work was completed, the city would cause the structure to be razed and removed, and

WHEREAS, such resolution was published in the official city newspaper and copies of such resolution were mailed to each owner, agent, lienholder of record and occupants of such structures and were otherwise served as required by law, and

WHEREAS, the owner has wholly failed to commence the repair or removal of such structures; now therefore

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF NEODESHA, KANSAS:

Section 1: The enforcing officer is hereby authorized and directed to cause the dwelling located at 615 Mill, 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**, to be razed and removed and the premises be made safe and secure and for this purpose is authorized to invite bids, negotiate a contract, or cause the work to be done by city employees.

Section 2: The enforcing officer shall keep an account of the cost of the work and may sell the salvage from such structures and shall keep an account of the receipts therefrom as provided by law.

Section 3: All costs incurred by the city in the razing and removal of such structures and the making of the premises safe and secure shall be paid from moneys received from the sale of salvage therefrom and all moneys in excess of that necessary to pay such costs shall, after the payment of all costs, be paid to the owner of the premises upon which said structures were located: **PROVIDED**, that if there is no salvageable material or if moneys received from the sale of salvage is insufficient to pay the cost of such work, such costs or any portion thereof in excess of the amount received from the sale of salvage shall be assessed as a special assessment against the lots on which the structure was located and may be financed until the assessment is paid out of the general fund of the city.

Section 4: **EFFECTIVE DATE.** This ordinance shall be in full force and effect upon its publication in the official city newspaper.

Commissioner Nichol moved to approve Ordinance 1765, directing the removal of certain dangerous and unsafe structures at 615 Mill Street. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding the current status of City employee health insurance related to Freedom Claims Management. Discussion held.

Commissioner Moffatt moved to approve the letter of cancellation to Freedom Claims, and authorize the Mayor to sign. Seconded by Commissioner Nichol. Motion carried.

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Administrator Truelove addressed the Commission regarding the underfunded status of the City's health insurance. Staff has worked with KMIT Association, IMA Financial Group, and our Blue Cross/Blue Shield representatives to establish a better way to provide health and dental insurance for our employees. Discussion held.

Commissioner Nichol moved to approve the KMIT Association, Blue Cross/Blue Shield Health and Dental Insurance Plan for 2022. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding resignation requests from the Active Transportation Advisory Board. Discussion held.

Commissioner Moffatt moved to accept the resignations from Nancy Knickerbocker and Jennifer Marler from the Active Transportation Advisory Board, effective immediately. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding a resignation request from the Economic Development Committee. Discussion held.

Commissioner Nichol moved to accept Dennis Shelby's resignation from the Economic Development Committee, effective immediately. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding a resignation request from the Recreation Commission Board. Gary Larson was formally appointed to the Recreation Commission, August 19, 2019, to complete the unexpired term of Bill Tigner. Mr. Larson has now been appointed as the Rec Director by the Recreation Commission Board. Discussion held.

Commissioner Moffatt moved to accept Gary Larson's resignation from the Neodesha Recreation Commission, effective immediately. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding appointments to the Active Transportation Advisory Board. Discussion held.

Commissioner Nichol moved to reappoint Mary Bauman and Tracy Edwards to the Active Transportation Advisory Board for four-year terms, with a term ending date of December 31, 2025. Seconded by Commissioner Moffatt. Motion carried.

Commissioner Nichol moved to appoint Jack DeGraw to the Active Transportation Advisory Board for a four-year term, with a term ending date of December 31, 2025. Seconded by Commissioner Moffatt. Motion carried.

Commissioner Nichol moved to appoint Jason DeLong to the Active Transportation Advisory Board, to complete an unexpired term, with a term ending date of December 31, 2022. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding appointments to the Economic Development Committee. Discussion held.

Commissioner Moffatt moved to reappoint Jared Bohannon and Jared Harper to the Economic Development Committee for four-year terms, with a term ending date of December 31, 2025. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding appointments to the Planning & Zoning Commission. Discussion held.

Commissioner Nichol moved to appoint Robert McMurray to the Planning & Zoning Commission for a three-year term, with a term ending date of December 31, 2024. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding appointments to the Neodesha Recreation Commission. Discussion held.

Commissioner Moffatt moved to approve the appointment of Tommy John to the Neodesha Recreation Commission, to complete an unexpired term, with a term ending date of December 31, 2022. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding an appointment request to the 31st Judicial District Community Corrections & Juvenile Services Board. Discussion held.

Commissioner Nichol moved to appoint Peggy Collins to the 31st Judicial District Community Corrections & Juvenile Services Board for a two-year term, with a term ending date of April 20, 2024. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding a proposed lease agreement for a portion of the City Hall/Civic Center. Discussion held.

Commissioner Moffatt moved to approve the lease agreement with the Neodesha Recreation Commission as presented. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission to consider rehiring Hunter Mahaffey for an open position in the Public Works Department. Discussion held.

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Commissioner Nichol moved to approve the rehiring of Hunter Mahaffey as a Public Works employee. Seconded by Commissioner Moffatt. Motion carried.

The next regular meeting of the Governing Body will be held at City Hall on Wednesday, May 11, 2022 at 2:00 p.m.

At 3:07 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