

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, May 25, 2022 with Mayor Johnson presiding and Commissioners Moffatt and Nichol present.

Commissioner Moffatt moved to approve the agenda with the deletion of Agenda Item 4A: Ordinance Repealing Ordinance 1654; KSFiberNet Franchise Agreement; and the addition of Agenda Item 4F: Land Bank: Consider Sale of Property to SICUT North American Inc. Seconded by Commissioner Nichol. Motion carried.

Commission and Administrator Reports were heard.

Community Development Director reports were heard.

Public Comments were invited and heard.

Commissioner Nichol moved to approve the consent agenda as presented consisting of minutes from the May 11, 2022 Commission Meeting; minutes from the May 17, 2022 Special Call Meeting; and Appropriation (2022) 09. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding a resolution in support of the Blue Cross/Blue Shield of Kansas grant application. This Resolution is being presented at the request of the Active Transportation Advisory Board. Discussion held.

#### **RESOLUTION NO. 22-09**

#### **A RESOLUTION PLEDGING COMMITMENT TO A LAND BANK POLICY FOR THE CITY OF NEODESHA, KANSAS REGARDING THE USE OF *PATHWAYS TO A HEALTHY KANSAS*, A BLUE CROSS AND BLUE SHIELD OF KANSAS GRANT DOLLARS.**

**WHEREAS**, the City of Neodesha is responding to a funding opportunity through *Pathways to a Healthy Kansas (Pathways)*, a Blue Cross and Blue Shield of Kansas (BCBSKS) initiative in partnership with the Stay Strong Live Long Health Coalition; and

**WHEREAS**, the City of Neodesha hereby affirms our commitment to taking on new opportunities that provide greater access to healthy living options for our community members benefiting from our work. We are aware our involvement helps to establish strong community norms for healthier living and are willing to learn more about making healthy environment and healthy policy changes to help community members live longer and better-quality lives; and

**WHEREAS**, the City of Neodesha acknowledges that we play an integral role in creating a walkable and bikeable community that has easy access to healthy food options that are affordable with public spaces that are free of commercial tobacco. Our position provides us with a significant opportunity to assist members of our community in leading healthier lives. We are committed to taking steps toward providing the healthiest possible environment in our community; and

**WHEREAS**, the City of Neodesha has identified the following described real estate in the County of Wilson and the State of Kansas, to-wit: BEGINNING 825 FEET WEST OF THE NE CORNER OF THE SE1/4 OF THE SE1/4 OF SECTION 19, TOWNSHIP 30, RANGE 16 EAST, THENCE WEST 486', THENCE SOUTH 540', THEN EAST 486', THENCE NORTH 540' TO POINT OF BEGINNING, will further our goal of providing a healthy community by cultivating a desired green space for added physical activity opportunities, such as walkability and bike-ability, leisurely recreation, in a tobacco-free outdoor environment.

**WHEREAS**, the City of Neodesha has assessed how individual parcels of land contribute to or impact inequities in the community and has found no racially restrictive covenants associated with the aforementioned real estate, known as Riverwalk Park. The public space is open to all residents and visitors, including youth who often frequent the park for nature events and scholastic research. Riverwalk Park also plays host to numerous public events each year including music concerts, festivals, firework displays, and outdoor recreational activities such as fishing and athletics. Located along the hub of Neodesha's Main Street and Highway 75, the park is highly visible and accessible to those traveling East and West. Uniquely nestled alongside the major highway, the park is also observable to patrons traveling to and from the County hospital. Several eateries as well as the City's water plant and multiple industries surround the perimeter of the City's newest park. Through added park improvements such as a walking trail, the green space will provide more physical activity opportunities for youth, residents, and visitors, in a safe, tobacco-free environment.

**WHEREAS**, the project will be funded, in part, by a *Pathways* grant, which requires an emphasis and targeted benefit for "populations of focus" outlined by the BCBSKS;

**WHEREAS**, in 2018, a group of 175 Neodesha residents identified that a priority for the community was to cultivate Riverwalk Park through recreational development, infrastructure improvements and/or beautification enhancements. This group included diversity of residents based on age groups. (2018 Sales Tax Focus Group); and

**WHEREAS**, the populations of focus for the project include 36 out of the 38 responding residents who are low income and report limited access to transportation services indicating desired usage of a walking trail in Neodesha, KS (2021 Stay Strong Live Long Transportation Survey); and

**WHEREAS**, the Land Bank project will provide youth, community members, and visitors with a safe place to perform recreational exercise such as walking, running, biking, fishing, and also increase accessibility to a safe, tobacco-free gathering place for leisurely activities; and

**WHEREAS**, The City of Neodesha has reviewed the property history for any racially restrictive covenants associated with a property and after obtaining a copy of the Corporation Quit Claim Deed, we find that the property does not contain any racially restrictive covenants; and

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**WHEREAS**, the City of Neodesha maintains commitment to *Pathways* priorities to the use of the land for at least 10 years; and  
**WHEREAS**, the City of Neodesha agrees that the *Pathways* dollars tied to land investments are only for spaces that are commercial tobacco free, including vaping; and

**WHEREAS**, the City of Neodesha has explored the inclusion of an Indigenous Land Acknowledgement Statement on projects using *Pathways* dollars and has determined to explore the inclusion of such statement during appropriate events and/or meetings in addition to signage support under the supervision of the Active Transportation Advisory Board President and Chairperson of the Neodesha Area Chamber of Commerce; the partners will work with local historian to honor 150 years of Neodesha history stemming from the Osage Indian Tribe in the early 1800s. On March 2<sup>nd</sup>, 1867, white settlers established a trading post with the original plat following shortly thereafter; coming from the Osage word, Neodesha means “where waters meet” and is forever nestled between the Verdigris and Fall Rivers; the green space now known as Riverwalk Park lies between these two bodies of water; the Riverwalk Park will pay heritage to the Osage Tribe by hosting a rich environment full of wellness and recreational opportunities and historical education about Neodesha’s founding; and

**WHEREAS**, the estimated cost of said project is \$2,000,000 to fully recognize the overall community vision of Riverwalk Park. The recreational space includes, but is not limited to: picnic tables, benches, and eatery resources, sun shades, an ADA fishing dock, fountain, playground equipment, hydration stations, public restrooms, Wi-Fi accessibility, community gathering infrastructure, audio and visual enhancements for existing amphitheater, foundation preparation and landscaping, as well as the development of a trail surrounding the pond. *Pathways* dollars will be used to purchase and lay concrete measuring 4-feet in width and a quarter-mile in length.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF NEODESHA, KANSAS, THAT:

**Section 1.** The governing body of the City of Neodesha, Kansas hereby establishes a Land Bank Policy in relation to *Pathways* funds and commits to:

- 1) Apply for *Pathways* implementation funds, not to exceed \$50,000.00 to fund the project listed above.
- 2) Use *Pathways* dollars on the approved Land Bank project as outlined above.
- 3) Other funding needs will be met through the civic donations, in-kind support, grant opportunities and fundraising campaigns led by the Active Transportation Advisory Board. The Chronic Disease Risk Reduction grant funded the Riverwalk Park vision board which includes installation of a fishing dock, including stocking of fish, and a water fountain funded by the Kansas Wildlife and Parks. Other funding aides that support cultivation efforts include in-kind and labor donations from the City of Neodesha Public Works and Water Plant departments.
- 4) Identify funds for any additional funds needed for the project, if costs exceed the estimated cost.
- 5) Activate the approved project within two (2) years or less of receipt of *Pathways* funds; and
- 6) Maintain the project paid for with *Pathways* funds for 10 years after construction.
- 7) Provide signage using BCBSKS branding guidance to acknowledge *Pathways* funds were used for the Riverwalk Park project.
- 8) Promote *Pathways* in social media, including using the social media hashtag #BCBSKSPathways.

**Section 2.** This resolution shall be in full force and effect from and after its passage.

Commissioner Moffatt moved to approve Resolution 22-09 as presented. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding the Dangerous Structures property located at 1632 N 3<sup>rd</sup> Street. This item was originally tabled from the April 13, 2022 meeting calling for an ordinance, ordering the demolition of the property. Staff had since learned that the property had changed ownership. Discussion was held to consider rescinding the abatement process to allow the new property owner to bring the property into compliance with City Code.

Commissioner Nichol moved to rescind the abatement process for 1632 N 3<sup>rd</sup> Street due to a change in the property owner of record. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding the purchase of gas meters from Koons Gas Measurement. Discussion held.

Commissioner Moffatt moved to approve the purchase of gas meter equipment from Koons Gas Measurement, at a cost not to exceed \$56,000. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding the purchase of electronic pressure monitors for the gas substations from Koons Gas Measurement. Discussion held.

Commissioner Nichol moved to approve the purchase of electronic pressure monitors from Koons Gas Measurement, at a cost not to exceed \$17,000. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding the purchase of a Zoll Cardiac Monitor for the ambulance. Discussion held.

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Commissioner Moffatt moved to approve the purchase of a Zoll Cardiac Monitor at a cost not to exceed \$38,079.37, with a 50% reimbursement through the KRAF Grant. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission to convene as the Neodesha Land Bank Board to consider the sale of property in the West Granby Business Park to SICUT North America, Inc.

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

Commissioner Moffatt moved to approve the sale of West Granby Business Park property to SICUT North America Inc, at a sale price of \$40,000. Seconded by Commissioner Nichol. Motion carried.

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

Commissioner Nichol moved to recess to an Executive Session including the Governing Body, City Administrator, City Clerk, and Chief of Police 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 3:00 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 3:00 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.

Commissioner Nichol moved to approve the immediate dismissal of Shawn Petty from the Neodesha Police Department. Seconded by Commissioner Moffatt. Motion carried.

The next regular meeting of the Governing Body will be held at City Hall on Wednesday, June 8, 2022 at 2:00 p.m.

At 3:02 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