

Neodesha, Kansas
December 14, 2022

The Board of Commissioners met in regular session at 2:00 p.m., on Wednesday, December 14, 2022, in the Commission Room at City Hall conducting the meeting by live streaming with Zoom with Mayor Johnson presiding and Commissioners Moffatt and Nichol present. Community Development Director Jeri Hammerschmidt was absent from the meeting.

Commissioner Nichol moved to approve the agenda as presented with the deletion of Business Item 4G: Consider Power Purchase Agreement KMEA; and the addition of Business Item 4O: Consider Budget Amendments for 2022; and Business Item 4P: Approve Budget Amendment Publication and Set Public Hearing. Seconded by Commissioner Moffatt. Motion carried.

Commission reports were heard.

City Administrator reports were heard.

Public Comments were invited and heard.

Commissioner Moffatt moved to approve the consent agenda as presented consisting of minutes from the November 23, 2022 Meeting; and Appropriation (2022) 22. 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 1017 Grant Street, the public hearing was opened. Discussion held. Then the hearing was closed.

RESOLUTION NO. 22-22

A RESOLUTION FINDING THAT THE STRUCTURE LOCATED AT 1017 GRANT, NEODESHA, KANSAS ON LEGAL DESCRIPTION: FORD'S ADDITION, S20, T30, R16, BLOCK 002, LOTS 9&10, TO THE 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 12th day of October, 2022 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 12th day of October, 2022, 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 20th day of October, 2022, and on the 27th day of October, 2022, and a copy of such Resolution was served on all persons entitled thereto in all respects as provided by law; and

WHEREAS, on this 14th day of December, 2022, 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 1017 Grant, Neodesha, Kansas on Legal Description: Fords addition, S 20, T30, R16, Block 002, Lots 9 & 10 to the City of Neodesha, Wilson County, 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 **120** 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 22-22 declaring the property located at 1017 Grant Street as unsafe or dangerous, and allow the property owner 120 days to repair or remove the structures and make the property safe and secure. 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 1030 Walnut Street, the public hearing was opened. Discussion held. Then the hearing was closed.

RESOLUTION NO. 22-23

A RESOLUTION FINDING THAT THE STRUCTURE LOCATED AT 1030 WALNUT NEODESHA, KANSAS ON LEGAL DESCRIPTION: LOTS TWELVE (12), THIRTEEN (13), FOURTEEN (14), FIFTEEN

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(15) AND SIXTEEN (16), BLOCK TWO (2), DEET AND MORRIS FIRST ADDITION TO THE 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 12th day of October, 2022 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 12th day of October, 2022, 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 20th day of October, 2022, and on the 27th day of October, 2022, and a copy of such Resolution was served on all persons entitled thereto in all respects as provided by law; and

WHEREAS, on this 14th day of December 2022, 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 1030 Walnut Neodesha, Kansas on Legal Description: Lots twelve (12), thirteen (13), fourteen (14), fifteen (15), and sixteen (16), Block two (2), Deet and Morris First Addition to the City of Neodesha, Wilson County, 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 22-23 declaring the property located at 1030 Walnut 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.

This being the time and date published in the official newspaper for the hearing on the Dangerous Structures located at 1700 N 8th Street, the public hearing was opened. Discussion held. Then the hearing was closed.

RESOLUTION NO. 22-24

A RESOLUTION FINDING THAT THE STRUCTURE LOCATED AT 1700 N 8th NEODESHA, KANSAS ON LEGAL DESCRIPTION: LOTS TWENTY-SIX (26) AND TWENTY-SEVEN (27), BLOCK ONE (1) J.H. PARK SUBDIVISION TO THE 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 28th day of September 2022 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 28th day of September, 2022, 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 20th day of October, 2022, and on the 27th day of October, 2022, and a copy of such Resolution was served on all persons entitled thereto in all respects as provided by law; and

WHEREAS, on this 14th day of December 2022, 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);

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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 1700 N 8th Neodesha, Kansas on Legal Description: lots twenty-six (26), and twenty-seven (27), Block one (1), J.H. Park Subdivision to the City of Neodesha, Wilson County, 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 Nichol moved to approve Resolution 22-24 declaring the property located at 1700 N 8th 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 Moffatt. Motion carried.

The Governing Body welcomed Tom Saitta and Gerry Bieker, KMEA, to discuss the Caterpillar Generator Project for the City. Discussion held. No action taken.

The Governing Body welcomed Bill Albright of Air Methods Air Ambulance Service for further discussion of the City's choice of air ambulance services. Discussion held. No action taken.

Administrator Truelove addressed the Commission regarding the approval of a Letter of Intent with First Step Builders for the construction of new homes in the former mobile home park. Discussion held.

Commissioner Moffatt moved to approve the Letter of Intent with First Step Builders as presented. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding the approval of an amended grant agreement with KHRC that allows some of the money provided for grant funding to be used for down payment assistance for buyers of the new homes being constructed in Neodesha. Discussion held.

Commissioner Nichol moved to approve the Amended Grant Agreement with the Kansas Housing Resources Commission as presented. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding a request for donation of the use of the Civic Center from Nathan Daniel, So Home Kids, for a fund-raising event on Saturday, December 17, 2022. Discussion held.

Commissioner Moffatt moved to approve the use of the Civic Center for a So Home Kids fund raising event December 17, 2022. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding the consideration of benefits related to establishing an annual strategic planning session with a workshop planned for the Spring of 2023. Discussion held. No action taken.

Administrator Truelove addressed the Commission regarding the resignation of an employee. Discussion held.

Commissioner Nichol moved to accept Jeri Hammerschmidt's resignation, effective December 30, 2022. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding the consideration of a budget amendment for 2022. Discussion held. No action taken.

Administrator Truelove addressed the Commission regarding the approval of publication of the 2022 budget amendment, and set a public hearing date. Discussion held.

Commissioner Moffatt moved to approve the publication of the 2022 budget amendment, and set January 9, 2023 for a budget public hearing. Seconded by Commissioner Nichol. Motion carried.

At 3:45 p.m. Commissioner Nichol requested a 5-minute recess. Seconded by Commissioner Moffatt. Motion carried. The live streamed Zoom meeting was then placed on hold with audio, video and recording ceased.

At 3:50 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 Nichol 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

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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 4:05 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 4:05 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 Moffatt moved to extend the Executive Session for Non-Elected Personnel to 4:25 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 4:25 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 Moffatt moved to extend the Executive Session for Non-Elected Personnel to 4:40 p.m. inviting in Fire Chief Landon Woodward. Seconded by Commissioner Nichol. Motion carried. The live streamed Zoom meeting was then placed on hold with audio, video and recording ceased.

At 4:40 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, December 28, 2022 at 2:00 p.m.

At 4:47 p.m. Commissioner Moffatt moved to adjourn. Seconded by Commissioner Nichol. Motion carried.

ATTEST:

/s/ J.D. Moffatt

J.D. Moffatt, Vice-Mayor

/s/ Stephanie Fyfe

Stephanie Fyfe, City Clerk