

The Board of Commissioners met in regular session at 2:00 p.m., on Wednesday, February 08, 2023, 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.

Commissioner Moffatt moved to approve the agenda as presented. Seconded by Commissioner Nichol. Motion carried.
Commission reports were heard.
City Administrator reports were heard.
Public Comments were invited and heard.

Commissioner Nichol moved to approve the consent agenda as presented consisting of minutes from the January 25, 2023 Meeting; minutes from the January 30, 2023 Special Call Meeting; and Appropriation (2023) 02. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding a Resolution for abatement for the property located at 1316 N 4th Street. After conducting a public hearing regarding the property on November 9, 2022, the Governing Body moved to table the Abatement Resolution until today's meeting. Discussion held.

RESOLUTION NO. 23-02

A RESOLUTION FINDING THAT THE STRUCTURE LOCATED AT 1316 N 4th NEODESHA, KANSAS ON LEGAL DESCRIPTION LOTS EIGHT (8) AND NINE (9), BLOCK THREE (3), E.M. COOPER'S 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 14th 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 14th 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 22nd day of September, 2022, and on the 29th day of September, 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 9th day of November, 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 1316 N 4th Neodesha, Kansas on Legal Description: lots eight (8) and nine (9), block three (3), E.M. Cooper's 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 23-02 declaring the property located at 1316 N 4th 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 Resolution for abatement for the property located at 1309 N 5th Street. After conducting a public hearing regarding the property on November 9, 2022, the Governing Body moved to table the Abatement Resolution until today's meeting. Several citizens from the neighborhood were present to voice concerns. Discussion held.

RESOLUTION NO. 23-03

A RESOLUTION FINDING THAT THE STRUCTURE LOCATED AT 1309 N 5th NEODESHA, KANSAS ON LEGAL DESCRIPTION: THE NORTH FOURTEEN (14) FEET OF LOT TWENTY-TWO (22) AND ALL OF LOTS TWENTY-THREE (23) AND TWENTY-FOUR (24) AND THE SOUTH TWO (2) FEET OF LOT TWENTY-FIVE (25), BLOCK ELEVEN (11) NORTHLAWN 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 14th 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 14th 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 22nd day of September, 2022, and on the 29th day of

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September, 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 9th day of November, 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 *1309 N 5th* Neodesha, Kansas on Legal Description: The North fourteen (14) feet of lot twenty-two (22) and all of lots twenty-three (23) and twenty-four (24) and the South two (2) feet of lot twenty-five (25), Block eleven (11) Northlawn 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 Nichol moved to approve Resolution 23-03 declaring the property located at 1309 N 5th 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.

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

Commissioner Nichol moved to approve the sale of Timber Ridge Lot 8 to Carl and Libby Boldra at a cost of \$7,000, with at 50% refund upon completion of construction. Seconded by Commissioner Moffatt. Motion carried.

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

Administrator Truelove addressed the Commission regarding the BP Annual Access Agreement. Discussion held.

Commissioner Nichol moved to approve the 2023 Access Agreement with BP for monitoring well sampling, and authorize the City Administrator sign the agreement. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding the consideration of participating in the New National Opioid Settlements. Discussion held.

Commissioner Moffatt moved to approve the City of Neodesha participation in the New National Opioid Settlements, and authorize the Mayor to sign. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding the approval of the purchase of Self-Contained Breathing Apparatus (SCBA) Air Packs for the Neodesha Fire Department. Discussion held.

Commissioner Moffatt moved to approve the purchase of SCBA Air Pack equipment for the Fire Department, from Casco Industries Inc, at a cost not to exceed \$138,143. Seconded by Commissioner Nichol. Motion carried.

The next regular meeting of the Governing Body will be held at City Hall on Wednesday, February 22, 2023 at 2:00 p.m.

At 2:55 p.m. Commissioner Nichol moved to adjourn. Seconded by Commissioner Moffatt. Motion carried.

ATTEST:

/s/ Devin Johnson

Devin Johnson, Mayor

/s/ Stephanie Fyfe

Stephanie Fyfe, City Clerk