

The Board of Commissioners met in regular session at 2:00 p.m., on Wednesday, March 22, 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 March 6, 2023 Special Call Meeting; minutes from the March 8, 2023 Meeting; and Appropriation (2023) 05. Seconded by Commissioner Moffatt. Motion carried.

Mayor Johnson read a proclamation designating the month of April 2023 as Fair Housing Month and to express the hope that this year's observance will promote fair housing practices throughout the City of Neodesha.

Mayor Johnson read a proclamation designating April 4, 2023 as National Service Recognition Day in the City of Neodesha, encouraging residents to recognize the positive impact of national service in our community, to thank those who serve; and to find ways to give back to their communities.

At 2:25 p.m. Commissioner Moffatt requested a 10-minute recess to recognize, honor and celebrate the retirement of Library Director Mary Meckley. Seconded by Commissioner Nichol. Motion carried. The live streamed Zoom meeting was then placed on hold with audio, video and recording paused.

At 2:35 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.

Administrator Truelove addressed the Commission regarding an Ordinance providing authority for the structures located at 1316 N 4th Street to be demolished and the property made safe. Discussion held.

Commissioner Moffatt moved to table this ordinance until the April 26, 2023 meeting. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding an Ordinance providing authority for the structures located at 1309 N 5th Street to be demolished and the property made safe. Discussion held.

ORDINANCE NO. 1781

AN ORDINANCE AUTHORIZING AND DIRECTING THE REMOVAL OF CERTAIN UNSAFE AND DANGEROUS STRUCTURES 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, 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 23-03 dated February 8, 2023, 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 **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**, 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

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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 approved Ordinance 1781, directing the removal of certain dangerous and unsafe structures at 1309 N 5th Street. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding bids for privatized mowing for City Hall, Stadium Park, Memorial Park and the Neodesha Splash Zone. Discussion held.

Commissioner Moffatt moved to approve the bid from TLC Groundskeeping, for privatized mowing, at a cost not to exceed \$20,076. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding the purchase of a backhoe for the Public Works Department. Discussion held.

Commissioner Nichol moved to approve the purchase of a backhoe from Murphy Tractor & Equipment, at a cost not to exceed \$98,350. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding the purchase of camera equipment for the Public Works Department. Discussion held.

Commissioner Moffatt moved to approve the purchase of camera equipment for the Public Works Department, from INA Alert, at a cost not to exceed \$11,000. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding the purchase of rock for the cemetery roads. Discussion held.

Commissioner Nichol moved to approve the purchase of rock for the cemetery roads, from Midwest Minerals, at a cost not to exceed \$17,000. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding a request to donate the use of the Civic Center for the Neodesha Area Chamber of Commerce Chamber Auction event. Discussion held.

Commissioner Moffatt moved to approve the donated use of the Civic Center, for the weekend of September 30th, for the Neodesha Area Chamber of Commerce fundraising auction. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding a lighting project at the under-construction walking path at Riverwalk Park. Discussion held. No action taken.

Administrator Truelove addressed the Commission regarding closing City Hall at 3:30 p.m. on Thursday, March 23rd to conduct a staff meeting and training. Discussion held.

Commissioner Nichol moved to approve closing City Hall at 3:30 p.m. on Thursday, March 23rd, 2023. Seconded by Commissioner Moffatt. Motion carried.

Commissioner Nichol moved to recess to an Executive Session including the Governing Body, City Administrator, 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 3:35 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 3:35 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.

Administrator Truelove addressed the Commission regarding the hiring of an Assistant to the City Administrator / Community Development Director. Discussion held.

Commissioner Nichol moved to approve the hiring of Chris Bauman for the position of Assistant to the City Administrator / Community Development Director. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding the purchase of a Main Street building for City Hall.

Commissioner Nichol moved to recess to an Executive Session including the Governing Body, City Administrator, and City Clerk in the Commission Room for the purpose of preliminary discussions relating to the acquisition of real property, per KSA 75-4319(B)(6). The open meeting will resume in the Commission Room at 4:00 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 4:00 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. Coming out of Executive Session, the consensus of the Governing Body is to not pursue any real estate purchases at this time.

Commissioner Nichol moved to recess to an Executive Session including the Governing Body, City Administrator, 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 4:25 p.m. Seconded by Commissioner Moffatt. Motion carried. The live streamed Zoom meeting was then placed on hold with audio, video and recording ceased.

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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.

The next regular meeting of the Governing Body will be held at City Hall on Wednesday, April 12, 2023 at 2:00 p.m.

At 4:25 p.m. Commissioner Moffatt moved to adjourn. Seconded by Commissioner Nichol. Motion carried.

/s/ Devin Johnson

Devin Johnson, Mayor

ATTEST:

/s/ Stephanie Fyfe

Stephanie Fyfe, City Clerk