

The Board of Commissioners met in regular session at 4:30 p.m., on Monday, July 22, 2024, in the Commission Room at City Hall conducting the meeting by live streaming with Zoom with Mayor Johnson presiding and Commissioners Banzet and Vail-Keller present.

Commissioner Banzet moved to approve the agenda as presented. Seconded by Commissioner Vail-Keller. Motion carried.

Civic organization reports were invited and heard.

Public comments were invited and heard.

Commissioner Vail-Keller moved to approve the consent agenda as presented consisting of minutes from the July 10, 2024 meeting; and Appropriation (2024) 13. Seconded by Commissioner Banzet. Motion carried.

Mayor Johnson read a Proclamation declaring Tuesday, August 6, 2024 as National Night Out 2024 calling upon all citizens to join the City of Neodesha and the National Association of Town Watch to celebrate this event.

Administrator Jones addressed the Commission regarding an ordinance related to the on-going updates to franchise agreements with the City. This ordinance sets cost associated with work being done in our easements. Discussion held.

Commissioner Banzet moved to table this ordinance to the August 14, 2024 meeting. Seconded by Commissioner Vail-Keller. Motion carried.

Administrator Jones addressed the Commission regarding an ordinance that would set the Rankin Library Board to seven (7) members. Discussion held.

ORDINANCE NO. 1805

AN ORDINANCE ESTABLISHING A CITY LIBRARY, AND PROVIDING FOR THE APPOINTMENT OF BOARD MEMBERS THEREOF IN THE CITY OF NEODESHA.

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

Section One: Chapter 2, Article IX, is hereby added to the City of Neodesha code as follows:

ARTICLE IX – CITY LIBRARY

Sec. 2-245. - City library established.

The library of the city of Neodesha shall be known as “W.A. Rankin Memorial Library.”

Sec. 2-246. - Board; appointment; terms; eligibility; vacancies; expenses.

The library board shall consist of seven members who shall be appointed by a majority vote of all the members of the Neodesha board of commissioners. Members shall be appointed for four-year terms expiring on successive years on April 30th or his or her successor takes office. One member shall be appointed for a term expiring the first April 30 following the date of appointment, two for terms expiring the second April 30 following date of appointment, two for terms expiring the third April 30 following date of appointment, and two for terms expiring the fourth April 30 following date of appointment. Five (5) of the seven members of the library board shall be residents of the City of Neodesha, Kansas. Two (2) of the seven members of the library board may be non-residents of the City of Neodesha, Kansas, but must be residents of U.S.D. 461 School District. No person holding any office in the city shall be appointed a member while holding such office. Vacancies occasioned by removal from the city, resignation or otherwise shall be filled by appointment for the unexpired term. No person who has been appointed for two consecutive four-year terms to the library board shall be eligible for further appointment to such board until one year after the expiration of the second term. Members of the library board shall receive no compensation for their services as such but shall be allowed their actual necessary expenses in attending meetings and in carrying out their duties as members.

(K.S.A. 12-1222; C.O. No. 19)

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

Commissioner Vail-Keller moved to adopt Ordinance 1805 as presented setting the Rankin Library Board at 7 members. Seconded by Commissioner Banzet. Motion carried.

Administrator Jones addressed the Commission regarding a resolution for the intent to issue Industrial Revenue Bonds for Griffith Development LLC for the Brown Hotel Project. Andrew Kovar, Triplett Woolf Garretson, and Garrett Nordstrom, Western Consultants, were present by Zoom to aid in the discussion.

RESOLUTION NO. 24-16

A RESOLUTION INDICATING THE INTENT OF THE GOVERNING BODY OF THE CITY OF NEODESHA, KANSAS TO ISSUE CERTAIN TAXABLE INDUSTRIAL REVENUE BONDS IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED FOUR MILLION EIGHT HUNDRED THOUSAND DOLLARS (\$4,800,000) FOR THE PURPOSE OF (1) PURCHASING, ACQUIRING, CONSTRUCTING, FURNISHING AND EQUIPPING A COMMERCIAL FACILITY IN NEODESHA, KANSAS, AND (2) PAYING CERTAIN COSTS OF ISSUANCE THEREOF. (a complete copy of Resolution 24-16 can be viewed or obtained in the City Clerk's office)

Commissioner Banzet moved to approve Resolution 24-16 as presented. Seconded by Commissioner Vail-Keller. Motion carried.

Administrator Jones addressed the Commission regarding a resolution adopting the KS Homeland Security Region H Hazard Mitigation Plan. Discussion held.

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RESOLUTION NO. 24-17

A RESOLUTION ADOPTING THE KANSAS HOMELAND SECURITY REGION H HAZARD MITIGATION PLAN.

WHEREAS, the City of Neodesha recognizes the threat that natural hazards pose to people and property within our community; and
WHEREAS, undertaking hazard mitigation actions will reduce the potential for harm to people and property from future hazard occurrences; and

WHEREAS, the U.S. Congress passed the Disaster Mitigation Act of 2000 (“Disaster Mitigation Act”) emphasizing the need for pre-disaster mitigation of potential hazards; and

WHEREAS, the Disaster Mitigation Act made available hazard mitigation grants to state and local governments; and

WHEREAS, an adopted Hazard Mitigation Plan is required as a condition of future funding for mitigation projects under multiple Federal Emergency Management Agency (FEMA) pre- and post-disaster mitigation grant programs; and

WHEREAS, the City of Neodesha fully participated in the FEMA prescribed mitigation planning process to prepare this Multi-Hazard Mitigation Plan; and

WHEREAS, the Kansas Division of Emergency Management and FEMA Region VII officials have reviewed the Kansas Homeland Security Region H Hazard Mitigation Plan, and approved it contingent upon this official adoption of the participating governing body; and

WHEREAS, the City of Neodesha desires to comply with the requirements of the Disaster Mitigation Act and to augment its emergency planning efforts by formally adopting the Kansas Homeland Security Region H Hazard Mitigation Plan; and

WHEREAS, adoption by the governing body for the City of Neodesha demonstrates the jurisdictions’ commitment to fulfilling the mitigation goals and objectives outlined in this plan; and

WHEREAS, adoption of this resolution legitimizes the plan and authorizes responsible agencies to carry out their responsibilities under the plan.

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

that said governing body hereby adopts the Kansas Homeland Security Region H Hazard Mitigation Plan; and

BE IT FURTHER RESOLVED, the City of Neodesha will submit this Adoption Resolution to the Kansas Division of Emergency Management and FEMA Region VII officials to enable the plan’s final approval.

Commissioner Vail-Keller moved to approve Resolution 24-17 as presented. Seconded by Commissioner Banzet. Motion carried.

Administrator Jones addressed the Commission regarding a resolution to set a public hearing on the dangerous structures located at 315 S 7th. Discussion held.

RESOLUTION NO. 24-18

A RESOLUTION FIXING A TIME AND PLACE AND PROVIDING FOR NOTICE OF A HEARING BEFORE THE GOVERNING BODY OF THE CITY OF NEODESHA, KANSAS AT WHICH TIME THE OWNER, HIS AGENT, LIENHOLDERS OF RECORD AND OCCUPANTS OF THE STRUCTURE LOCATED AT 315 South 7th Street, Neodesha KS 66757; LEGAL DESCRIPTION: Lots Thirteen (13) and Fourteen (14), Block Seventy (70), City of Neodesha, Wilson County, Kansas, MAY APPEAR AND SHOW CAUSE WHY SUCH STRUCTURE SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED OR DEMOLISHED AS AN UNSAFE OR DANGEROUS STRUCTURE.

WHEREAS, Brogan Jones, the Enforcement Officer of the City of Neodesha, did on the 24th day of June, 2024, file with the Governing Body of said City a statement in writing that certain unoccupied structures hereinafter described are unsafe and dangerous;

NOW, THEREFORE, BE IT RESOLVED by the Governing body of the City of Neodesha that a hearing will be held on the 11th day of September, 2024, before the Governing Body of the City at 2:00 p.m. in the Commission Room of City Hall, 1407 N. 8th; at which time the owner, his agent, any lien holder of record and any occupant of the structure located at **315 South 7th Street, Neodesha KS 66757** may appear and show cause why such structure should not be condemned as an unsafe or dangerous structure and ordered repaired or demolished.

BE IT FURTHER RESOLVED that the City Clerk shall cause this Resolution to be published two consecutive times and shall give notice of the aforesaid hearing in the manner provided by law.

Administrator Jones addressed the Commission regarding the consideration of a consulting agreement with BG Consultants for the SKOL Railroad Crossing Natural Gas Pipeline. Discussion held.

Commissioner Banzet moved to approve the agreement with BG Consultants as presented. Seconded by Commissioner Vail-Keller. Motion carried.

Administrator Jones addressed the Commission regarding the consideration of an encroachment agreement with Southern Star Gas Pipeline Inc. Discussion held.

Commissioner Vail-Keller moved to approve the agreement with Southern Star Central Gas Pipeline Inc as presented. Seconded by Commissioner Banzet. Motion carried.

Administrator Jones addressed the Commission regarding the consideration of a Class IV Water Certification Consulting Agreement. Discussion held.

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Commissioner Vail-Keller moved to approve the Class IV Water Certification Consulting Agreement with JW Bair as presented. Seconded by Commissioner Banzet. Motion carried.

Administrator Jones addressed the Commission regarding the consideration of a lease agreement for drone services. Discussion held.

Commissioner Banzet moved to approve the lease agreement with Joseph Reyes for drone services for the Neodesha Police Department as presented. Seconded by Commissioner Vail-Keller. Motion carried.

Administrator Jones addressed the Commission regarding a recommendation from the Planning & Zoning Committee to grant a variance at 606 Illinois allowing for a carport/storage shed be built on the property. Discussion held.

Commissioner Vail-Keller moved to approve the zoning variance for Seth Westmoreland located at 606 Illinois. Seconded by Commissioner Banzet. Motion carried.

Administrator Jones addressed the Commission regarding a recommendation from the Planning & Zoning Committee to appoint an individual to the board. Discussion held.

Commissioner Banzet moved to appoint Marty Millis to the Planning & Zoning Commission Board to fill an unexpired term, with a term ending date of 12/31/2026. Seconded by Commissioner Vail-Keller. Motion carried.

Commissioner Vail-Keller moved to recess to an Executive Session to include the Governing Body, City Administrator, City Clerk and Police Chief 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 5:30 p.m. Seconded by Commissioner Banzet. Motion carried. The live streamed Zoom meeting was then placed on hold with audio, video and recording ceased.

At 5:30 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.

Commission reports were heard.

City Administrator reports were heard.

Community Development Director Reports were heard.

Financial reports were distributed.

The next regular meeting of the Governing Body will be held at City Hall on Wednesday, August 14, 2024 at 2:00 p.m.

At 5:32 p.m. Commissioner Banzet moved to adjourn. Seconded by Commissioner Vail-Keller. Motion carried.

/s/ Devin Johnson

Devin Johnson, Mayor

ATTEST:

/s/ Stephanie Fyfe

Stephanie Fyfe, City Clerk