

The Board of Commissioners met in regular session at 2:00 p.m., on Wednesday, October 23, 2024, in the Commission Room at City Hall conducting the meeting by live streaming with Zoom with Mayor Johnson presiding and Commissioner Banzet present. Commissioner Vail-Keller was absent from the meeting.

Commissioner Banzet moved to approve the agenda as presented. Seconded by Mayor Johnson. Motion carried.

Civic organization reports were invited and heard.

Commission reports were heard.

City Administrator Comments were heard.

Community Development Director reports were heard.

Financial reports were distributed.

Public Comments were heard.

Commissioner Banzet moved to approve the consent agenda as presented consisting of minutes from the October 9, 2024 meeting; and Appropriation (2024) 19. Seconded by Mayor Johnson. Motion carried.

The Governing Body welcomed Kenneth Olsen, Enterprise Fleet Management, for a presentation on the advantages of their Governmental Lease programs for City Vehicles. No action taken.

This being the time and date published in the official newspaper for a public hearing for the Dangerous Structure located at 127 Mill, the public hearing was opened by Mayor Johnson. Public comments were heard and considered; the hearing was then closed.

Commissioner Banzet moved to table this agenda item until the November 13, 2024 meeting. Seconded by Mayor Johnson. Motion carried.

This being the time and date published in the official newspaper for a public hearing for the Dangerous Structure located at 1010 Carolina, the public hearing was opened by Mayor Johnson. Public comments were heard and considered; the hearing was then closed.

Commissioner Banzet moved to allow the homeowner of 1010 Carolina 30 days to abate the yard blight located on, in, and around the outside of property. Seconded by Mayor Johnson. Motion carried.

Further discussion was held regarding the dangerous structures located at 1010 Carolina Street.

#### **RESOLUTION NO. 24-27**

**A RESOLUTION FINDING THAT THE STRUCTURE LOCATED AT 1010 Carolina Street. LEGAL DESCRIPTION The East Seventy-five (75) feet of Lots Twenty-one (21), Twenty-two (22), Twenty-three (23) and Twenty-four (24), Block Three (3), Shutt's Second Addition to the City of Neodesha. 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 1<sup>st</sup> day of July, 2024 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 9<sup>th</sup> day of September, 2024, 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 31<sup>st</sup> day of October, 2024, and on the 7<sup>th</sup> day of November, 2024, and a copy of such Resolution was served on all persons entitled thereto in all respects as provided by law; and

**WHEREAS**, on this 23<sup>rd</sup> day of October, 2024, 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 is unsafe and dangerous and hereby directs such structure **LOCATED AT 1010 Carolina Street. LEGAL DESCRIPTION The East Seventy-five (75) feet of Lots Twenty-one (21), Twenty-two (22), Twenty-three (23) and Twenty-four (24), Block Three (3), Shutt's Second Addition to the City of Neodesha.** to be repaired or 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 repair or 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 repaired or razed and removed and the costs of such repair, 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 Banzet moved to approve Resolution 24-27 declaring the property located at 1010 Carolina 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 Mayor Johnson. Motion carried.

This being the time and date published in the official newspaper for a public hearing for the Dangerous Structure located at 315 S 7<sup>th</sup> Street, the public hearing was opened by Mayor Johnson. Public comments were heard and considered; the hearing was then closed.

*(continued on next page)*

Administrator Jones along with Building Inspector Tommy John addressed the Commission regarding continued successful progress being made on this property. Discussion held.

Commissioner Banzet moved to table this agenda item to the January 22, 2025 meeting, to allow extended time for the property owner to keep making needed repairs. Seconded by Mayor Johnson. Motion carried.

Administrator Jones along with Interim Fire Chief Ross Jamison addressed the Commission regarding the purchase of a Stryker Stair Chair and a Lucas device for the Neodesha EMS Department. Discussion held.

Commissioner Banzet moved to approve the purchase of the stair chair and Lucas device from Stryker in an amount not to exceed \$24,000. Seconded by Mayor Johnson. Motion carried.

Administrator Jones along with Building Inspector Tommy John addressed the Commission regarding a variance request from Griffith Development for the property located on 9<sup>th</sup> and Carolina, specifically the northeast lots. The Planning & Zoning Commission met in a previous meeting to discuss this request and is now being submitted to the Governing Body. Discussion held.

Commissioner Banzet moved to approve the variance for the property located at 9<sup>th</sup> and Carolina, repositioning the structures on the northeast lots. Seconded by Mayor Johnson. Motion carried.

Administrator Jones addressed the Commission regarding a letter of resignation from the Neodesha Fire Department. Discussion held.

Commissioner Banzet moved to accept the resignation of Captain John Boles effective November 5, 2024. Seconded by Mayor Johnson. Motion carried.

Administrator Jones addressed the Commission regarding a letter of resignation from the Neodesha Fire Department. Discussion held.

Commissioner Banzet moved to accept the resignation of Senior Firefighter/AEMT Lucas Wood effective November 9, 2024. Seconded by Mayor Johnson. Motion carried.

Administrator Jones addressed the Commission regarding a letter of resignation from the Neodesha Fire Department. Discussion held. This agenda item died due to a lack of a motion.

Commissioner Banzet moved to recess to an Executive Session to include the Governing Body, City Administrator, and 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 Mayor Johnson. 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.

The next regular meeting of the Governing Body will be held at City Hall on Wednesday, November 13, 2024 at 2:00 p.m.

At 4:25 p.m. Commissioner Banzet moved to adjourn. Seconded by Mayor Johnson. Motion carried.

ATTEST:

/s/ Devin Johnson

Devin Johnson, Mayor

/s/ Stephanie Fyfe

Stephanie Fyfe, City Clerk