

The Board of Commissioners met in regular session at 4:00 p.m., on Wednesday, November 12, 2025, in the Commission Room at City Hall with Mayor Johnson presiding and Commissioners Banzet and Truelove present. The meeting was recorded via Zoom platform.

Commissioner Banzet moved to approve the agenda as presented. Seconded by Commissioner Truelove. 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 invited and heard.

Commissioner Truelove moved to approve the consent agenda as presented consisting of minutes from the October 22, 2025 meeting; and Appropriation (2025) 20. Seconded by Commissioner Banzet. Motion carried.

This being the time and date published in the official newspaper for the hearing on the abatement of the property located at 1011 Carolina Street, the public hearing was opened. Orlan Johnson representing the property owner was present for the hearing. Discussion held. The hearing was then closed.

Administrator Jones addressed the Commission regarding a resolution that addresses the abatement of the property located at 1011 Carolina Street. Discussion held.

RESOLUTION NO. 25-23

A RESOLUTION FINDING THAT THE STRUCTURE LOCATED AT 1011 Carolina, LEGAL DESCRIPTION: Lots Six (6), Seven (7), Eight (8), and Nine (9), Block Three (3), S.J. Shutt's 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 10th day of July, 2025, 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 8th day of October, 2025, 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 16th day of October, 2025, and on the 23rd day of October, 2025, and a copy of such Resolution was served on all persons entitled thereto in all respects as provided by law; and

WHEREAS, on this 12th day of November, 2025, 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 1011 Carolina, Lots Six (6), Seven (7), Eight (8), and Nine (9), Block Three (3), S.J. Shutt's 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 **60 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 25-23 as presented, allowing the property owner 60 days to abate the property located at 1011 Carolina Street, as directed. Seconded by Commissioner Truelove. Motion carried.

Administrator Jones addressed the Commission regarding an Ordinance for a pole attachment agreement for Gateway Fiber LLC, formerly known as Kwikom Fiber. This agreement finalizes their ongoing operations in Neodesha. Discussion held.

ORDINANCE NO. 1824

AN ORDINANCE OF THE CITY OF NEODESHA, KANSAS AUTHORIZING THE EXECUTION OF A POLE ATTACHMENT AGREEMENT AND AN ADDENDUM TO THAT POLE ATTACHMENT AGREEMENT WITH JMZ CORPORATION, A KANSAS CORPORATION THAT FORMERLY DID BUSINESS AS KWIKOM COMMUNICATIONS BUT IS NOW DOING BUSINESS AS GATEWAY FIBER FOR THE ATTACHMENT OF COMMUNICATION AND BROADBAND FACILITIES ON CITY OWNED UTILITY POLES.

WHEREAS, the City of Neodesha, Kansas (the "City") owns and operates a municipal electric utility system, which includes various utility poles located within the City's corporate limits; and

WHEREAS, the City has determined that granting access for telecommunications and broadband providers to attachment equipment to City-owned poles is in the public interest, as it promotes competition and the deployment of advanced communication services; and

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WHEREAS, JMZ Corporation, a Kansas corporation that formerly did business as KwiKom Communications and is now doing business as Gateway Fiber (the “Provider”) has requested to attach its communications and broadband facilities to the City’s utility poles; and

WHEREAS, the City and Provider have negotiated a Pole Attachment Agreement (the “Agreement”) outlining the terms, conditions, and fees for the Provider’s use of the City’s utility poles; and

WHEREAS, Provider formerly did business in Kansas under the name KwiKom Communications and has notified the City that it has changed its doing business as name (its “d/b/a”) to Gateway Fiber; and

WHEREAS, Provider and the City wish to formally amend the Agreement via an Addendum to the Agreement (the “Addendum”) to reflect this change in the Provider’s d/b/a name; and

WHEREAS, except as expressly modified by the Addendum, all other terms and conditions of the Agreement shall remain unchanged; and

WHEREAS, the Agreement provides for the review, approval, or denial of attachment requests based on sufficient capacity, safety, and reliability requirements, and generally applicable engineering standards, in compliance with all applicable laws; and

WHEREAS, the City Commission has reviewed the proposed Agreement and Addendum and finds they are in the best interests of the City and its citizens.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF NEODESHA, KANSAS:

Section 1. Authorization for Agreement and Addendum. The City Commission hereby authorizes and approves the Pole Attachment Agreement and the Addendum to the Pole Attachment Agreement between the City of Neodesha, Kansas and JMZ Corporation, that formerly did business as KwiKom Communications, but which is now doing business as Gateway Fiber, in substantially the form attached hereto as Exhibit A-Pole Attachment Agreement and Exhibit B-Addendum to Pole Attachment Agreement.

Section 2. Execution. The Mayor is hereby authorized and directed to execute the Agreement and the Addendum, and the City Clerk is directed to attest thereto.

Section 3. Other Actions. The Mayor, City Administrator, and other appropriate City staff are authorized to take all actions necessary to implement the terms of the Agreement, the Addendum, and this Ordinance.

Section 4. Effective Date. This Ordinance shall take effect and be in force from and after its passage, approval, and publication in the official city newspaper.

Commissioner Banzet moved to approve Ordinance 1824 as presented. Seconded by Commissioner Truelove. Motion carried.

Administrator Jones addressed the Commission regarding an addendum to the Gateway Fiber LLC Pole Attachment Agreement. This agreement serves as an administrative update to ensure that the correct entity is properly identified and reflected within the agreement. Discussion held.

Commissioner Truelove moved to approve the Addendum to the Gateway Fiber LLC Pole Attachment Agreement as presented. Seconded by Commissioner Banzet. Motion carried.

Administrator Jones along with Building Inspector Tommy John addressed the Commission regarding an Ordinance providing authority for the structures located at 923 Illinois Street to be demolished and the property to be made safe. The property owner, Jim Friend, was also present. Discussion held.

ORDINANCE NO. 1825

AN ORDINANCE AUTHORIZING AND DIRECTING THE REMOVAL OF CERTAIN UNSAFE AND DANGEROUS STRUCTURES LOCATED AT 923 ILLINOIS STREET ON LEGAL DESCRIPTION: Lots 11 and 12, Block 14, Ford’s 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 25-20 dated October 14, 2025, 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:

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Section 1: The enforcing officer is hereby authorized and directed to cause the dwelling located at **923 ILLINOIS STREET**, on legal description: **Lots 11 and 12, Block 14, Ford's 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 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 Banzet moved to approve Ordinance 1825 as presented, directing the removal of certain dangerous and unsafe structures at 923 Illinois Street. Seconded by Commissioner Truelove. Motion carried.

Administrator Jones along with Building Inspector Tommy John addressed the Commission regarding the yard abatement review of the property located at 923 Illinois Street. Discussion held. No action taken.

Administrator Jones along with Building Inspector Tommy John addressed the Commission regarding an Ordinance providing authority for the structures located at 1614 N 3rd Street to be demolished and the property to be made safe. Discussion held.

ORDINANCE NO. 1826

AN ORDINANCE AUTHORIZING AND DIRECTING THE REMOVAL OF CERTAIN UNSAFE AND DANGEROUS STRUCTURES LOCATED AT 1614 NORTH 3RD STREET, ON LEGAL DESCRIPTION: DESCRIPTION Lots Numbered Six (6) and Seven (7), Block Numbered One (1), Deer's Subdivision of part of the Northwest Quarter (NW1/4) of the Southeast Quarter (SE1/4) of the Section Numbered Seventeen (17), Township Numbered Thirty (30) South, Range Numbered Sixteen (16) East, in 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 25-21 dated October 14, 2025, 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 **1614 NORTH 3RD STREET**, on legal description: **DESCRIPTION Lots Numbered Six (6) and Seven (7), Block Numbered One (1), Deer's Subdivision of part of the Northwest Quarter (NW1/4) of the Southeast Quarter (SE1/4) of the Section Numbered Seventeen (17), Township Numbered Thirty (30) South, Range Numbered Sixteen (16) East, in 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 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 Truelove moved to approve Ordinance 1826 as presented, directing the removal of certain dangerous and unsafe structures at 1614 N 3rd Street. Seconded by Commissioner Banzet. Motion carried.

Administrator Jones along with Building Inspector Tommy John addressed the Commission regarding the yard abatement review of the property located at 1614 N 3rd Street. Discussion held. No action taken.

Administrator Jones along with Building Inspector Tommy John addressed the Commission regarding the yard abatement review of the property located at 1305 N 8th Street. Discussion held. No action taken.

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Administrator Jones addressed the Commission regarding the approval of a Letter of Engagement from Foulston Siefkin LLP related to the review process and proposed interlocal agreement with Labette Health. Discussion held.

Commissioner Banzet moved to approve the engagement letter with Foulston Siefkin LLP as presented. Seconded by Commissioner Truelove. Motion carried.

Administrator Jones addressed the Commission regarding the approval of the Interlocal Agreement with Labette Health for EMS Service. Discussion held.

Commissioner Truelove moved to table this agenda item to the 2nd meeting in November. Seconded by Commissioner Banzet. Motion carried.

Administrator Jones addressed the Commission regarding setting a date and time for a special call meeting to discuss 2025 Budget Amendments and publication of a hearing date. Discussion held.

Commissioner Banzet moved to approve a special call meeting for Monday, November 17, 2025 at 4:30 p.m. at City Hall. Seconded by Commissioner Truelove. Motion carried.

Administrator Jones addressed the Commission regarding possibly moving the date and time for the regularly scheduled Commission Meeting the day before Thanksgiving, November 26, 2025. Discussion held. No action taken.

Administrator Jones addressed the Commission regarding moving the date and time for the end of the year Commission Meeting in December due to a conflict with the Christmas Eve and Christmas Day holidays. Discussion held.

Commissioner Truelove moved to approve the change of the second regularly scheduled Neodesha City Commission meeting in December to Thursday, December 18, 2025, at 4:00 p.m. Seconded by Commissioner Banzet. Motion carried.

Public Comments were again invited and heard.

The next regular meeting of the Governing Body will be held at City Hall on Wednesday, November 26, 2025, at 4:00 p.m.

At 6:00 p.m. Commissioner Banzet moved to adjourn. Seconded by Commissioner Truelove. Motion carried.

ATTEST:

/s/ Devin Johnson

Devin Johnson, Mayor

/s/ Stephanie Fyfe

Stephanie Fyfe, City Clerk