

Agenda

City Commission of the City of Neodesha, KS
June 27, 2018 2:00 p.m.

Item 1: Opening Session

- Call to Order
- Roll Call
- Invocation
- Pledge of Allegiance
- Additions/Deletions to the Agenda
- Mayor's Report
- Commissioners' Reports
- City Administrator's Comments

Item 2: Public Comments

Item 3: Consent Agenda (Routine agenda items can be approved with unanimous consent of the City Commission. Any item can be removed and placed in items of business.)

- Approval of the June 13, 2018 Commission minutes
- Appropriation (2018) 10
- Raw Water Project Bond Appropriation 42

Item 4: Business Items to Consider

- A. Lemonade Fundraiser, Heather Newkirk
- B. Mike Billings, USDA-RD: Gas Line Project
- C. Discussion: Privatizing Lawn Services, (A Cut Above Lawn Care)
- D. Ordinance: Adopting 2018 Standard Traffic Ordinance
- E. Ordinance: Adopting 2018 Uniform Public Offense Code
- F. Appointments to Economic Development Committee
- G. Swimming Pool Diving Boards

Item 5: Date/Time of Next Regular Meeting

- Wednesday, July 11, 2018, 2:00 p.m. – Regular Meeting, City Hall

Item 6: Executive Session:

Item 7: Adjournment

AGENDA COMMENTS
CITY COMMISSION MEETING
June 27, 2018

Additions to the Agenda

RECOMMENDED MOTION: *I move to approve the agenda as presented.*

Consent Agenda

RECOMMENDED MOTION: *I move to approve the consent agenda as presented.*

Business Items to Consider

4.A Lemonade Fundraiser, Heather Newkirk

The Commission will welcome Heather Newkirk, and students, for a presentation of funds raised from the operation of a lemonade stand entitled, "Lemonade for Puppies."

RECOMMENDED MOTION: *N/A*

4.B Mike Billings, USDA-RD: Gas Line Project

The Commission will welcome Mr. Mike Billings, USDA-RD, for completion of certain paperwork, such as the Letter of Conditions, regarding recently approved gas line project funding.

RECOMMENDED MOTION: *I move to approve the USDA-RD Letter of Conditions for the Gas Line Project and authorize the Mayor to sign.*

4.C Discussion: Privatizing Lawn Services, (A Cut Above Lawn Care)

For this agenda item, Staff will present information to the Commission regarding a quote from A Cut Above Lawn Care Service, on privatizing the mowing, and annual weed/seed, of four City properties; City Hall, Pool, and two parks.

RECOMMENDED MOTION: *N/A*

4.D Ordinance: Adopting 2018 Standard Traffic Ordinance

For this agenda item, the Commission is asked to approve Ordinance 1697, incorporating by reference the 2018 edition of the Standard Traffic Ordinance (STO). The STO is published by the League of Kansas Municipalities, and allows us to incorporate by reference the various traffic offense codes applicable to most cities in Kansas.

RECOMMENDED MOTION: *I move to approve Ordinance 1697 adopting the 2018 Standard Traffic Ordinance as presented.*

4E: Ordinance: Adopting 2018 Uniform Public Offense Code

For this agenda item, the Commission is asked to approve Ordinance 1698, incorporating by reference the 2018 edition of the Uniform Public Offense Code (UPOC). The UPOC is published by the League of Kansas Municipalities, and allows us to incorporate by reference the various criminal offense codes applicable to most cities in Kansas.

RECOMMENDED MOTION: *I move to approve Ordinance 1698 adopting the 2018 Uniform Public Offense Code as presented.*

4.F Appointments to Economic Development Committee

For this agenda item, the Commission is asked to appoint Terry Clark to the Economic Development Committee, to fill the unexpired term of Bill Wallisch, with a term ending December 31, 2020, and to appoint Jared Harper to the Economic Development Committee, with a term ending December 31, 2021.

RECOMMENDED MOTION: *I move to appoint Terry Clark to the Economic Development Committee to complete an unexpired term, with a term ending December 31, 2020, and to appoint Jared Harper to the Economic Development Committee for a term ending December 31, 2021.*

4.G Swimming Pool Diving Boards

On Thursday, June 21, 2018, we had another reported injury at the Neodesha Splash Zone high-dive board. For this agenda item, Staff will present information to the Commission related to the diving boards at the Neodesha Splash Zone. Over the past eight-years, we have had five injuries related to the high-dive board, with most injuries occurring in the past three seasons. Staff will discuss the causes of those injuries, and possible actions to reduce/eliminate injuries. Actions could range from removal of the board, training for pool patrons, or stationing a lifeguard at the high-dive board to monitor patrons.

RECOMMENDED MOTION: *I move to approve the removal of the high-dive board at the Neodesha Splash Zone, and to replace the board with a second low-diving board.*

Neodesha, Kansas

June 13, 2018

The Board of Commissioners met in regular session at 2:00 p.m. on Wednesday, June 13, 2018 with Mayor Harper presiding and Commissioners Moffatt and Johnson present.

Commissioner Moffatt moved to approve the agenda with the addition of a Traffic Safety Award presentation; the donation of real estate; and participation in a Senior Employment Program under New Business. Seconded by Commissioner Johnson. Motion carried.

Commission and Administrator Reports were heard.

Public Comments were invited and heard.

Commissioner Johnson moved that the Consent Agenda consisting of: the minutes from the May 23, 2018 meeting; and Appropriation (2018) 09; be approved. Seconded by Commissioner Moffatt. Motion carried.

Shawn Steward with AAA was in session to present a Traffic Safety Award to the Neodesha Police Department. No action.

Joey Lamendola addressed the Commission regarding a proposal to privatize the City's law service. Discussion was held. No action.

Administrator Truelove addressed the Commission regarding a request from the Neodesha Education Foundation for a lot at Timber Ridge Estates to be donated to them. Discussion was held.

Commissioner Moffatt moved to donate Lot 7 in Timber Ridge Estates to the Neodesha Education Foundation and authorize the Mayor to sign all documents. Seconded by Commissioner Johnson. Motion carried.

Administrator Truelove addressed the Commission regarding the Senior Community Service Employment Program. Discussion was held.

Commissioner Johnson moved to approve participation in the Senior Community Service Employment Program at no cost to the City. Seconded by Commissioner Moffatt. Motion carried.

The next regular meeting of the Governing Body will be held at City Hall on Wednesday, June 27, 2018 at 2:00 p.m.

Commissioner Moffatt moved to recess to an Executive Session including the Governing Body, City Administrator, City Clerk, Water/Wastewater Superintendent, and Fire Chief to discuss an individual employee's performance pursuant to the non-elected personnel matter exception, KSA 75-4319(b)(1). The open meeting will resume in the Commission Room at 3:30 p.m. Seconded by Commissioner Johnson. Motion carried.

At 3:30 p.m. the regular meeting of the Governing Body reconvened in the Commission Room. No action.

Commissioner Johnson moved to recess to an Executive Session including the Governing Body, City Administrator, City Clerk, and Fire Chief to discuss an individual employee's performance pursuant to the non-elected personnel matter exception, KSA 75-4319(b)(1). The open meeting will resume in the Commission Room at 3:40 p.m. Seconded by Commissioner Moffatt. Motion carried.

At 3:40 p.m. the regular meeting of the Governing Body reconvened in the Commission Room. No action.

Commissioner Johnson moved to accept the resignation of Anna Harshman from the Water/Wastewater Department effective June 13, 2018. Seconded by Commissioner Moffatt. Motion carried.

At 3:50 p.m. Commissioner Moffatt moved to adjourn. Seconded by Commissioner Johnson. Motion carried.

ATTEST:

Terry M. Harper, Mayor

Bobby Busch, City Clerk/Finance Dir.

APPROPRIATION REPORT**ORDINANCE NO 10****6/27/2018**

<u>VENDOR</u>	<u>REFERENCE</u>	<u>AMOUNT</u>	<u>CHECK NO</u>	<u>CHECK DATE</u>
1ST IN PADLOCKS.COM INC	PADLOCKS	137.57	51571	6/27/2018
ADVANCE INSURANCE COMPANY	MAY PREMIUMS	476.66	51333	5/21/2018
APPIA COMMUNICATIONS INC	PHONE CHARGES	301.48	51572	6/27/2018
BARTA ANIMAL HOSPITAL	CANINE SERVICES	79.47	51573	6/27/2018
BAXTER HEALTHCARE CORP	SOFTWARE LICENSES	160.00	51574	6/27/2018
BOUND TREE MEDICAL LLC	MEDICAL SUPPLIES	496.92	51575	6/27/2018
CABLE ONE	INTERNET SERVICE - PD	238.52	51321	5/21/2018
CABLE ONE	INTERNET SERVICE - CITY HALL	121.45	51322	5/21/2018
CABLE ONE	INTERNET SERVICE - ELECTRIC SHOP	130.02	51334	5/21/2018
CHETT HIATT	CIVIC CENTER DEPOSIT REFUND	100.00	51583	6/27/2018
CONSTELLATION NEWENERGY GAS	MAY BILLING	46,655.00	51576	6/27/2018
COPY PRODUCTS INC	TONER	661.43	51577	6/27/2018
CULLIGAN OF INDEPENDENCE	MAY WATER SERVICE	168.15	51323	5/21/2018
D C & B SUPPLY INC	WATER METERS, MARKING FLAGS	1,178.50	51578	6/27/2018
DAVIS MOORE AUTO GROUP	2018 DODGE CHARGER	23,446.50	51337	5/16/2018
FEDERAL SIGNAL CORPORATION	STORM SIREN EQUIPMENT	8,890.00	51580	6/27/2018
FIRST NEODESHA BANK	SUTPHEN LADDER TRUCK PMT	5,263.38	51324	5/21/2018
FORSYTHE'S HEATING & ELECTRIC	SERVICE CALLS	1,766.19	51581	6/27/2018
HEATH CONSULTANTS, INC	YEARLY ODORMETER CALIBRATION	411.11	51582	6/27/2018
HUGO'S INDUSTRIAL SUPPLY, INC	CLEANING SUPPLIES	257.50	51584	6/27/2018
JEREMY JOHNSON	BOOT ALLOWANCE REIMBURSEMENT	125.00	51585	6/27/2018
KAREN PORTER	REIMBURSE ECO DEVO EXPENSES	38.05	51332	5/21/2018
KUSTOM SIGNALS, INC	IN CAR VIDEO SYSTEMS	10,805.00	51586	6/27/2018
MATCO TOOLS	TOOLS	106.20	51587	6/27/2018
MEDICLAIMS INC	AMBULANCE COLLECTION FEES	1,882.95	51588	6/27/2018
MERIDIAN ANALYTICAL LABS LLC	WASTEWATER ANALYSIS	310.05	51589	6/27/2018

MUNICIPAL CODE CORPORATION	SUPPLEMENT PAGES	729.42	51590	6/27/2018
NDB NEODESHA	ADD CHARGER & FORD	2,168.00	51591	6/27/2018
NEODESHA AUTO SUPPLY	AUTO PARTS & SUPPLIES	884.29	51593	6/27/2018
NEODESHA CHAMBER OF COMMERCE	1ST & 2ND QTR FUNDING	10,000.00	51331	5/21/2018
NEODESHA DERRICK	PUBLICATIONS	471.50	51594	6/27/2018
NEW BEGINNINGS ENTERPRISES INC	SHRED SERVICE, POOL CONCESSIONS	592.47	51595	6/27/2018
OIL PATCH PUMP & SUPPLY	PIPE	139.65	51596	6/27/2018
PENMAC PERSONNEL SERVICES INC	TEMPORARY PERSONNEL SERVICE	6,146.05	51597	6/27/2018
PEREGRINE CORPORATION	WARNING TICKETS	284.43	51598	6/27/2018
PETTY CASH	PETTY CASH	184.50	51599	6/27/2018
PITNEY BOWES	POSTAGE MACHINE LEASE	676.86	51600	6/27/2018
RICE SIGN & LOCK	SERVICE CALL - WATER PLANT	77.50	51601	6/27/2018
RURAL WATER DISTRICT 4	AIRPORT WATER	27.16	51325	5/21/2018
RUSTY DUKE	RESCUE TRUCK REPAIR	2,400.00	51579	6/27/2018
SEK GARAGE DOORS	GARAGE DOOR/BUILDING REPAIR	2,895.00	51339	5/21/2018
SOCKET TELECOMM LLC	PHONE CHARGES	298.86	51326	5/21/2018
SOUTHERN STAR CENTRAL GP INC	MAY BILLING	10,624.07	51602	6/27/2018
SOUTHERN UNIFORM & EQUIPMENT	BODY ARMOUR, UNIFORMS	2,511.37	51603	6/27/2018
TBS ELECTRONICS INC	HEADSET, BRACKET	366.00	51604	6/27/2018
TLC GROUNDSKEEPING INC	MAIN STREET LANDSCAPE MAINT	1,361.07	51605	6/27/2018
TRACY DICK	START UP MONEY FOR POOL SEASON	200.00	51448	5/31/2018
US BANK EQUIPMENT FINANCE	COPIER LEASE	763.65	51327	5/21/2018
US CELLULAR	CELL PHONE CHARGES	72.50	51328	5/21/2018
US POST OFFICE	JUNE UTILITY BILL MAILING	304.01	51449	5/31/2018
VISA	LODGING, EXPENSES, DUES, UNIFORMS	3,353.89	51329	5/21/2018
WALMART COMMUNITY BRC	SUPPLIES	82.52	51606	6/27/2018
WESTAR ENERGY	AIRPORT BILLING	97.44	51330	5/21/2018
WILSON CO TREASURER	2012 TAXES & FEES DUE	488.12	51336	5/21/2018
WILSON MEDICAL CENTER	REIMB DOOR MOTOR - GET FIT	1,850.00	51607	6/27/2018

YARDBIRDS	CATERING - ECO DEVO MEETING	230.00	51320	5/21/2018
ZACH'S AUDIO FX	DECALS	264.00	51608	6/27/2018
**** PAID TOTAL ****		154,751.43		

A Cut Above Lawncare
 102 S. 20th
 Fredonia, KS 66736
 (620) 288-4241
 wemowacutabove@gmail.com



ESTIMATE

ADDRESS

City of Neodesha
 1407 N. 8th
 P.O. Box 336
 Neodesha, KS 66757

ESTIMATE # 1002
DATE 06/14/2018

ACTIVITY	QTY	RATE	AMOUNT
Neodesha Sports park mowing once a week	1	120.00	120.00
library park mowing once a week	1	80.00	80.00
swimming pool park mowing once a week	1	40.00	40.00
city hall mowing once a week	1	40.00	40.00

Estimated 35 mowing in a year = \$9,800

TOTAL \$280.00

Accepted By

Accepted Date

A Cut Above Lawncare
102 S. 20th
Fredonia, KS 66736
(620) 288-4241
wemowacutabove@gmail.com



ESTIMATE

ADDRESS

City of Neodesha
1407 N. 8th
P.O. Box 336
Neodesha, KS 66757

ESTIMATE # 1003
DATE 06/14/2018

ACTIVITY	QTY	RATE	AMOUNT
Spring fertilizer	1	535.00	535.00
Fall fertilizer	1	535.00	535.00
Spring Herbicide	1	750.00	750.00
Fall Herbicide	1	750.00	750.00

TOTAL **\$2,570.00**

Accepted By

Accepted Date

ORDINANCE NO. 1697

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF NEODESHA, KANSAS, INCORPORATING BY REFERENCE THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES”, EDITION OF 2018, WITH CERTAIN OMISSIONS, CHANGES AND ADDITIONS, PROVIDING CERTAIN PENALTIES AND REPEALING ORDINANCE NO. 1666 AND ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

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

Section 1 STANDARD TRAFFIC ORDINANCE INCORPORATED. There is hereby incorporated by reference for the purpose of regulating traffic within the corporate limits of the City of Neodesha, Kansas that certain standard traffic ordinance known as the “Standard Traffic Ordinance for Kansas Cities”, Edition of 2018, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas, save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed in Section 4 of this incorporating ordinance. Not less than three (3) copies of said Standard Traffic Ordinance shall be marked or stamped “Official Copy as Adopted by Ordinance No. 1697”, with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the City Clerk to be open to inspection and available to the public at all reasonable business hours. The Police Department, Municipal Judge, and all administrative departments of the City charged with enforcement of the ordinance shall be supplied, at the cost of the City, such number of official copies of such Standard Traffic Ordinance similarly marked, as may be deemed expedient.

Section 2 TRAFFIC INFRACTIONS AND TRAFFIC OFFENSES:

- a) An ordinance traffic infraction is a violation of any section of this ordinance that prescribes or requires the same behavior as that prescribed or required by a statutory revision that is classified as a traffic infraction in K.S.A. 8-2118.
- b) All traffic violations which are included within this ordinance, and which are not ordinance traffic infractions as defined in subsection (a) of this section, shall be considered traffic offenses.

Section 3 PENALTY FOR SCHEDULED FINES. The fine for violation of an ordinance traffic infraction or any other traffic offense for which the municipal judge established a fine in a fine schedule shall not be less than \$10 nor more than \$500. A person tried and convicted for violation of an ordinance traffic infraction or other traffic offense for which a fine has been established in a schedule of fines shall pay a fine fixed by the court not to exceed \$500.

Section 4 MAXIMUM SPEED LIMITS.

Section 33 of Article 7 of the Standard Traffic Ordinance for Kansas Cities, 2018 Edition, is hereby changed to read as follows: Section 33. Maximum Speed Limits

- a) Except when a special hazard exists that requires lower speed for compliance with Section 32, the limits specified in this section or established as hereinafter authorized shall be maximum lawful speeds, and no person shall drive a vehicle at a speed in excess of such maximum limits.
 - 1) Twenty (20) miles per hour in any business district;
 - 2) Twenty-five (25) miles per hour in any residential district;
 - 3) Twenty (20) miles per hour in school zones between the following hours during the school term on days school is in session: 7:30 a.m. to 8:30 a.m.; 11:30 a.m. to 1:00 p.m.; and 3:00 p.m. to 4:00 p.m.
The following areas are school zones:
Eighth Street between Iowa and Bell Streets Granby Street between Fourth and Tenth Streets Fourth Street between Oak and Elm Streets Idaho Street between Sixth and Seward Streets Tank Street between Sixth and Seward Streets Ninth Street between Iowa and Lincoln Streets Church Street between Eighth and Tenth Streets
 - 4) Thirty (30) miles per hour on that portion of U.S. Highway 75 between Third Street and the Eastern City limits.
 - 5) Forty Five (45) miles per hour on that portion of U.S. Highway 75 from the Western City limits to 14th

Street.

- 6) Thirty (30) miles per hour on that portion of U.S. Highway 75 from 14th Street to 9th Street.
 - 7) Thirty (30) miles per hour on that portion of the West half of Fourth Street between Tank and Fifth Streets.
- b) Unless otherwise directed by a police officer, the driver of any vehicle within the City Limits shall obey the instructions of all signs and other traffic control devices placed within the City Limits by the City of Neodesha. This requirement is subject to the exceptions granted to the driver of an authorized emergency vehicle in this ordinance.

Section 5 ORDINANCES REPEALED. Ordinance No. 1676 and all or parts of ordinances in conflict herewith are hereby repealed.

Section 6 EFFECTIVE DATE. This ordinance shall be in full force and effect upon its publication in the official city newspaper.

Passed by the Governing Body of the City of Neodesha, Kansas and signed by the Mayor this 27th day of June, 2018.

ATTEST:

Terry M. Harper, Mayor

Bobby Busch, City Clerk

ORDINANCE NO. 1698

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF NEODESHA, KANSAS, INCORPORATING BY REFERENCE THE "UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES," EDITION OF 2018, WITH CERTAIN OMISSIONS, CHANGES AND ADDITIONS, PROVIDING CERTAIN PENALTIES AND REPEALING ORDINANCE NO. 1677 AND ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

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

Section 1 INCORPORATING UNIFORM PUBLIC OFFENSE CODE. There is hereby incorporated by reference for the purpose of regulating public offenses within the corporate limits of the City of Neodesha, Kansas that certain code known as the "Uniform Public Offense Code," Edition of 2018, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas, save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed. No fewer than three (3) copies of said Uniform Public Offense Code shall be marked or stamped "Official Copy as Adopted by Ordinance No. 1698", with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the City Clerk to be open to inspection and available to the public at all reasonable business hours.

Section 2 SECTION 10.13 AMENDED. Section 10.13 of Article 10 of the Uniform Public Offense Code, Edition of 2012, is hereby amended to read as follows:

10.13 BARBED WIRE AND ELECTRIC FENCES. It shall be unlawful for any person to construct, set up or maintain any barbed wire or above ground electric fence or enclosure within the City in any Residential Zone or Local Business Zone as shown on the Official City Zoning Map incorporated by Ordinance No. 1199.

Section 3 ORDINANCE REPEALED. Ordinance No. 1677 and all or parts of ordinances in conflict herewith are hereby repealed.

Section 4 EFFECTIVE DATE. This ordinance shall be in full force and effect upon its publication in the official city newspaper.

Passed by the Governing Body of the City of Neodesha, Kansas and signed by the Mayor this 27th day of June, 2018.

ATTEST:

Terry M. Harper, Mayor

Bobby Busch, City Clerk