Agenda
City Commission of the City of Neodesha, KS
December 12, 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 November 28, 2018 Commission minutes
- Appropriation (2018) 21
- Raw Water Project Bond Appropriation 47

Item 4: Business Items to Consider

A. Dangerous Structures: 1401 N. 2nd, Public Hearing (cont.)
B. Ordinance: Dangerous Structures, 1401 N. 2nd
C. Resolution: Traffic Control Devices
D. Natural Gas Presentation: Brent Wheeler, Public Works Director
E. Approve 2019 Employee Health Care Plan
F. 2019 Air MedCare Agreement Renewal

Item 5: Date/Time of Next Regular Meeting

- Monday, December 17, 2018, 7:00 p.m. – Water Tower Public Hearing, City Hall
- Wednesday, December 19, 2018, 2:00 p.m. – Regular Meeting, City Hall

Item 6: Executive Session: Financial Affairs or Trade Secrets

Item 7: Adjournment
AGENDA COMMENTS
CITY COMMISSION MEETING
December 12, 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 Dangerous Structures: 1401 N. 2nd, Public Hearing (cont.)

This agenda item is a continuation from the Public Hearing, October 10, 2018, in which the Commission declared the structures located at 1401 N. 2nd as dangerous and unsafe. The Commission allowed 60 days for the structures to be made safe and to be in compliance with City Code.

RECOMMENDED MOTION: N/A

4.B Ordinance: Dangerous Structures, 1401 N. 2nd

The Commission is asked to approve Ordinance 1712, providing authority for the structures located at 1401 N. 2nd Street to be demolished and the property to be made safe.

RECOMMENDED MOTION: *I move to approve Ordinance 1712, directing the removal of certain dangerous and unsafe structures at 1401 N. 2nd Street.*

4.C Resolution: Traffic Control Devices

For this agenda item, the Commission is asked to discuss and consider the removal of the northbound and southbound stop signs at the intersection of 4th Street and Bethel Road. The County has recently approved the placement of a stop sign at 4th Street on Bethel Road.

RECOMMENDED MOTION: *I move to approve Resolution 18-23 as presented, (or) I move to table this Resolution for 90-days.*

4.D Natural Gas Presentation: Brent Wheeler, Public Works Director

Public Works Director Wheeler will conduct a presentation on the City’s gas system.

RECOMMENDED MOTION: N/A
4.E 2019 Employee Health Insurance Plans

For this agenda item, the Commission will approve the employee health insurance plan for 2019. Our insurance is a mixture of being self-funded using Freedom Claims Management Inc. to manage the payments and filings for us, and a high deductible plan with Blue Cross Blue Shield.

RECOMMENDED MOTION: I move to approve the Freedom 105 health insurance plan utilizing a high deductible Blue Cross Blue Shield of Kansas plan and a self-insured dental plan for 2019.

4.F 2019 AirMedCare Agreement Renewal

For this agenda item, the Commission is asked to renew the AirMedCare insurance policy for the City. This coverage has been used numerous times in our community, to provide medical airlift services to our residents. The cost remains the same as when implemented in 2016.

RECOMMENDED MOTION: I move to renew the City’s AirMedCare insurance policy for 2019 at a cost of $11,793.

Item 6: Executive Session: Financial Affairs/Trade Secrets

I move to recess to an Executive Session including the Governing Body, City Administrator and City Clerk to discuss data relating to financial affairs or trade secrets of a corporation, partnership, trust, or individual proprietorship, per KSA 75-4319(b)(4). The open meeting will resume in the Commission Room at _____ p.m.
The Board of Commissioners met in regular session at 4:00 p.m. on Wednesday, November 28, 2018 with Mayor Harper presiding and Commissioners Moffatt and Johnson present.

Commissioner Moffatt moved to approve the agenda with the addition of item 4E under New Business to set a date for a USDA Public Hearing; and two Executive Sessions - one for Financial Affairs/Trade Secrets and one for Acquisition of Real Estate. 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 November 14, 2018 meeting; and Appropriation (2018) 20; be approved. Seconded by Commissioner Moffatt. Motion carried.

This being the time for the continued Public Hearing regarding the Dangerous Structures located at 1318 N. 9th St., the Public Hearing was open and comments were invited. The Public Hearing was then closed.

ORDINANCE NO. 1710
AN ORDINANCE AUTHORIZING AND DIRECTING THE REMOVAL OF CERTAIN UNSAFE AND DANGEROUS STRUCTURES LOCATED ON, LEGAL DESCRIPTION: BLOCK 2, LOTS 63-67 AND THE SOUTH 7' OF LOT 68 AND NORTH 13' OF LOT 62, & BEG 6' S NW/C LT 82 E 26' S 107' W 30' N 75' E 4' N TO POB SECTION 17 TOWNSHIP 30 RANGE 16, WESTLAWN ADDITION, CITY OF NEODESHA, WILSON COUNTY, KANSAS, COMMONLY KNOWN AS 1318 N. 9TH, NEODESHA, 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.

Commissioner Moffatt moved to adopt Ordinance 1710 relating to unsafe and dangerous structures at 1318 N. 9th St. Seconded by Commissioner Johnson. Motion carried.

This being the time for the continued Public Hearing regarding the Dangerous Structures located at 1324 N. 9th St., the Public Hearing was open and comments were invited. The Public Hearing was then closed.

ORDINANCE NO. 1711
AN ORDINANCE AUTHORIZING AND DIRECTING THE REMOVAL OF CERTAIN UNSAFE AND DANGEROUS STRUCTURES LOCATED ON, LEGAL DESCRIPTION: BLOCK 2, N 8' OF LOT 68 AND ALL OF LOTS 69 AND 70, AND THE S 7' OF LOT 71, WESTLAWN ADDITION, CITY OF NEODESHA, WILSON COUNTY, KANSAS, COMMONLY KNOWN AS 1324 N. 9TH, NEODESHA, 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.

Commissioner Johnson moved to adopt Ordinance 1711 relating to unsafe and dangerous structures at 1324 N. 9th St. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding the addition of a new position to the City's Pay Plan. Discussion was held.

RESOLUTION 18-22
A RESOLUTION AMENDING THE POSITION CLASSIFICATION AND PAY PLAN FOR THE CITY OF NEODESHA, KANSAS, AS ADOPTED BY THE NEODESHA CITY COMMISSION BY RESOLUTION 18-14.

WHEREAS, K.S.A. 12-10! provides that a city may exercise the powers of home rule in determination of local affairs, and the City of Neodesha is a City of the Second Class as defined by Kansas Statute; and

WHEREAS, the management of the City of Neodesha regarding personnel rules, employee classification plans, compensation and related administrative procedures and policies are a permissible exercise of home rule powers, pursuant to K.S.A. 12-101a; and

WHEREAS, the City of Neodesha Governing Body established a pay plan and position descriptions for all City of Neodesha employees in the form of a Position Classification and Pay Plan document to establish an equitable pay system based upon merit performance to be administered by the City Administrator:

THEREFORE BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF NEODESHA:
That the following amendments be made to the adopted Position Classification and Pay Plan:

- Inclusion of a Job Description for an Assistant Cemetery Sexton.
- Addition of an Assistant Cemetery Sexton to the City of Neodesha Public Works Organization Chart.
• Amend Section 4: Pay Tables for Grade 03, to add Assistant Cemetery Sexton.
• Amend page numbers and the Table of Contents to reflect the above mentioned additions.

Commissioner Moffatt moved to adopt Resolution 18-22 amending the City’s Position Classification and Pay Plan to add the position of Assistant Cemetery Sexton/Parks Foreman. Seconded by Commissioner Johnson. Motion carried.

Administrator Truelove addressed the Commission regarding a date to hold a Public Hearing for the demolition of the existing water tower. Discussion was held.

Commissioner Johnson moved to set Monday, December 17, 2018 at 7:00 p.m. as the public hearing date to discuss the demolition of the existing water tower as part of the USDA Water/Sewer Project. Seconded by Commissioner Moffatt. Motion carried.

The next regular meeting of the Governing Body will be held at City Hall on Wednesday, December 12, 2018 at 2:00 p.m. The second regular meeting in December will be held at City Hall on Wednesday, December 19, 2018 at 2:00 p.m. instead of December 26, 2018.

Commissioner Moffatt moved to recess to an Executive Session including the Governing Body, City Administrator and City Clerk to discuss data relating to financial affairs or trade secrets of a Corporation, Partnership, Trust, or Individual Proprietorship, per KSA 75-4319(b)(4). The open meeting will resume in the commission room at 5:05 p.m. Seconded by Commissioner Johnson. Motion carried.

At 5:05 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 and City Clerk 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 5:30 p.m. Seconded by Commissioner Moffatt. Motion carried.

At 5:30 p.m. the regular meeting of the Governing Body reconvened in the Commission Room. No action.

At 5:35 p.m. Commissioner Moffatt moved to adjourn. Seconded by Commissioner Johnson. Motion carried.

ATTEST: 

Terry M. Harper, Mayor

Bobby Busch, City Clerk/Finance Director

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## APPROPRIATION REPORT

### ORDINANCE NO 21

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**PAID TOTAL** 65,017.08
## RAW WATER PROJECT BOND
### APPROPRIATION 47
#### DECEMBER 12, 2018

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**GRAND TOTAL** 82,140.24

Approved the day above written. ____________________________  
_Terry M. Harper, Mayor_

Attest  
______________________________  
_Bobby Busch, City Clerk_
ORDINANCE NO. 1712


WHEREAS, the governing body did after proper notice and hearing as provided by law make findings by Resolution 18-17 dated October 10, 2018, 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 on Block 3, Lots 13-19, Deer's Subdivision, City Of Neodesha, Wilson County, Kansas, Commonly known as 1401 N. 2ND, Neodesha, 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.

Passed by the Governing Body of the City of Neodesha, Kansas and signed by the Mayor this 12th day of December, 2018.

ATTEST:  

______________________________  
Terry M. Harper, Mayor

______________________________  
Bobby Busch, City Clerk
CITY OF NEODESHA

RESOLUTION NO. 18-23

A RESOLUTION APPROVING THE REMOVAL OF TRAFFIC CONTROL DEVICES ON BETHEL AND 4TH ST.

WHEREAS, the Governing Body did by Ordinance establish the policy and procedure for the placement of traffic control devices; and

WHEREAS, City Administrator and the Chief of Police both agree that this intersection should have stop signs only on Bethel where it enters onto 4th Street;

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

THAT the City Administrator is hereby directed to have the northbound and southbound traffic control devices removed on 4th Street at the intersection of 4th Street and Bethel Road.

ADOPTED AND APPROVED by the governing body of the City of Neodesha, Kansas this 12th day of December, 2018.

ATTEST: 

__________________________________________
Terry M. Harper, Mayor

__________________________________________
Bobby Busch, City Clerk
Terms and Conditions

AirMedCare Network is an alliance of affiliated air ambulance providers* (each a "Company"). An AirMedCare Network membership automatically enrolls you as a member in each Company’s membership program. Membership ensures the patient will have no out-of-pocket flight expenses if flown by a Company by providing prepaid protection against a Company’s air ambulance costs that are not covered by a member’s insurance or other benefits or third party responsibility, subject to the following terms and conditions:

1. Patient transport will be to the closest appropriate medical facility for medical conditions that are deemed by AMCN Provider attending medical professionals to be life- or limb-threatening, or that could lead to permanent disability, and which require emergency air ambulance transport. A patient’s medical condition, not membership status, will dictate whether or not air transportation is appropriate and required. Under all circumstances, an AMCN Provider retains the sole right and responsibility to determine whether or not a patient is flown.

2. AMCN Provider air ambulance services may not be available when requested due to factors beyond its control, such as use of the appropriate aircraft by another patient or other circumstances governed by operational requirements or restrictions including, but not limited to, equipment manufacturer limitations, governmental regulations, maintenance requirements, patient condition, age or size, or weather conditions. FAA restrictions prohibit most AMCN Provider aircraft from flying in inclement weather conditions. The primary determinant of whether to accept a flight is always the safety of the patient and medical flight crews. Emergent ground ambulance transport of a member by an AMCN Provider will be covered under the same terms and conditions.

3. Members who have insurance or other benefits, or third party responsibility claims, that cover the cost of ambulance services are financially liable for the cost of AMCN Provider services up to the limit of any such available coverage. In return for payment of the membership fee, the AMCN Provider will consider its air ambulance costs that are not covered by any insurance, benefits or third party responsibility available to the member to have been fully prepaid. The AMCN Provider reserves the right to bill directly any appropriate insurance, benefits provider or third party for services rendered, and members authorize their insurers, benefits providers and responsible third parties to pay any covered amounts directly to the AMCN Provider. Members agree to remit to the AMCN Provider any payment received from insurance or benefit providers or any third party for air medical services provided by the AMCN Provider, not to exceed regular charges. Neither the Company nor AirMedCare Network is an insurance company. Membership is not an insurance policy and cannot be considered as a secondary insurance coverage or a supplement to any insurance coverage. Neither the Company nor AirMedCare Network will be responsible for payment for services provided by another ambulance service.

4. Membership starts 15 days after the Company receives a complete application with full payment; however, the waiting period will be waived for unforeseen events occurring during such time. Members must be natural persons. Memberships are non-refundable and non-transferable.

5. Some state laws prohibit Medicaid beneficiaries from being offered membership or being accepted into membership programs. By applying, members certify to the Company that they are not Medicaid beneficiaries.

6. These terms and conditions supersede all previous terms and conditions between a member and the Company or AirMedCare Network, including any other writings, or verbal representations, relating to the terms and conditions of membership.

*Air Evac EMS, Inc. / Guardian Flight, LLC / Med-Trans Corporation / REACH Air Medical Services, LLC — These terms and conditions apply to all AirMedCare Network participating provider membership programs, regardless of which participating provider transports you.
AirMedCare Network Municipal Site Membership
For City of Neodesha, KS

Organization: City of Neodesha, KS
Address: 1407 N 8th Street
          Neodesha, KS 66757
Contact: Mayor Terry Harper
Phone: 620-325-2828
Email:
County: Wilson

Membership Sales Manager/ Base: Linda Barnes/MT126

Covered Individuals and Transports:
Any individual who resides within the boundaries of the City of Neodesha, KS when transported for medical necessity by EagleMed (or any AirMedCare Network Provider) will be covered under the standard terms and conditions for an AirMedCare Network membership (attached), except:

- Transport must be from a pickup location in Wilson County, KS; and
- If the covered individual transported is uninsured at the time of transport, EagleMed will bill the covered individual at the "Medicare Allowable Rate" for the transport.

Fees:
City of Neodesha, KS will pay to AirMedCare Network a total of $11,793.00 annual.

Upgrade Benefit to Covered Individuals:
Any individual who resides within the boundaries of the City of Neodesha, KS may elect to obtain a full household membership (which eliminates the exceptions listed above) by completing an application and paying the following fees:

<table>
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<tr>
<th>Standard Annual Rate</th>
<th>*Senior Annual Rate</th>
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<tr>
<td>$45</td>
<td>$35</td>
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*Senior rate is available to the primary and secondary household member if they are 60 years of age or older.

Duration:
This agreement will be effective upon AirMedCare Network's receipt of (a) this agreement signed by the participating Organization AND (b) payment of the amount as provided above. This agreement will be effective for one (1) year, and will be evaluated by both parties for renewal at least thirty (30) days prior to the end of the one (1) year term.

Initial______
Agreed to by:

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Signature

Terry M. Harper
Printed Name
Mayor
Title
City of Neodesha
Organization Name
December 12, 2018
Date

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Signature

Keith Hovey
Printed Name
Vice President
Title
Membership
Division
Date