Agenda

City Commission of the City of Neodesha, KS December 19, 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

<u>Item 3: Consent Agenda</u> (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 December 12, 2018 Commission minutes
- Appropriation (2018) 22

Item 4: Business Items to Consider

- A. Dangerous Structures: Hearing continuation, 1401 N. 2nd
- B. Ordinance: 1401 N. 2nd
- C. Resolution: Dangerous Structures, 306 Bell, Setting Public Hearing
- D. Resolution: GAAP Waiver
- E. 2019 Fireworks Contract with Rainbow Fireworks
- F. 2019 CMB Licenses
- G. Appointment to City Boards and Committees

Item 5: Date/Time of Next Regular Meeting

• Wednesday, January 13, 2019, 2:00 p.m. – Regular Meeting, City Hall

Item 6: Executive Session

Item 7: Adjournment

AGENDA COMMENTS CITY COMMISSION MEETING December 19, 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: Public Hearing Continuation, 1401 N. 2nd

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. On December 12, 2018, the Commission continued the public hearing until December 19th, allowing the property owner an additional seven days to remove the dangerous structure (falling-down shed), and begin work on repairing another shed.

RECOMMENDED MOTION: N/A

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

Depending on the status and condition of the dangerous structures, 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: Dangerous Structures; 306 Bell Street

The Commission is asked to consider Resolution 18-23, calling for a Public Hearing, February 13, 2019, 2pm, in the Commission Chambers, to show cause why the structure located at 306 Bell Street should not be condemned and ordered repaired or demolished as an unsafe or dangerous structure.

RECOMMENDED MOTION: I move to adopt Resolution 18-23 setting a public hearing for 306 Bell on February 13, 2019 as presented.

4D: Resolution: GAAP Waiver

For this agenda item, the Commission is asked to consider Resolution 18-24, a waiver to the Generally Accepted Accounting Principles (GAAP), for our financial statements for the year ending

December 31, 2018. This GAAP waiver is an annual requirement for Cities using the Cash Basis of Accounting, instead of the Generally Accepted Accounting Principles.

RECOMMENDED MOTION: I move to adopt Resolution 18-24 regarding the GAAP waiver as presented.

4.E 2019 Fireworks Contract with Rainbow Fireworks

For this agenda item, the Commission is asked to approve the contract with Rainbow Fireworks for the 2019 Fourth of July fireworks demonstration. The cost remains the same as this year.

RECOMMENDED MOTION: I move to approve the Contract with Rainbow Fireworks for the 2019 4th of July celebration, at a cost of \$7,500.

4.F 2019 CMB Licenses

For this agenda item, the Commission is asked to approve Seven (7) Cereal Malt Beverage License requests for 2019.

RECOMMENDED MOTION: I move to approve the 2019 Cereal Malt Beverage Licenses for: Le'Store; Casey's General Store; A&A LLC dba Little Bear; AKAS, Inc. (Jumpstart); El Tapatio LLC, Pizza Hut and G&W Foods.

4.G Appointments to City Boards and Committees

For this agenda item, the Commission is asked to consider the various City Board appointments for positions expiring December 31, 2018.

RECOMMENDED MOTIONS: I move to reappoint Rod Froebe, Walt Olson, Terry Harper, and Mitchell Peitz to the Economic Development Committee for four-year terms, expiring December 31, 2022.

I move to reappoint Chase Woldum to the Planning and Zoning Board for a three-year term, expiring December 31, 2021.

I move to reappoint Bill Tigner to the Recreation Commission for a four-year term, expiring December 31, 2022.

I move to reappoint Mary Compton and Johna Hugo to the Senior Citizens Board for three-year terms, expiring December 31, 2021.

Neodesha, Kansas December 12, 2018

The Board of Commissioners met in regular session at 2:00 p.m. on Wednesday, December 12, 2018 with Mayor Harper presiding and Commissioners Moffatt and Johnson present.

Commissioner Moffatt moved to approve the agenda with the addition of action by the Neodesha Land Bank. 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 28, 2018 meeting; Appropriation (2018) 21; and Raw Water Project Bond Appropriation 47; be approved. Seconded by Commissioner Moffatt. Motion carried.

This being the time for the continued Public Hearing regarding the Dangerous Structures located at 1401 N. 2nd, the Public Hearing was open and comments were invited. The Public Hearing was then closed.

Commissioner Moffatt moved to extend the hearing until December 19, 2018. Seconded by Commissioner Johnson. Motion carried.

Administrator Truelove addressed the Commission regarding traffic control devices at 4th & Bethel. Discussion was held.

Commissioner Johnson moved to table the traffic control item to a future meeting. Seconded by Commissioner Moffatt. Motion carried.

Public Works Director Brent Wheeler addressed the Commission with a Natural Gas presentation. No action.

Administrator Truelove addressed the Commission regarding the 2019 Employee Health Insurance Plan. Discussion was held.

Commissioner Johnson moved 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. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding the 2019 AirMedCare renewal. Linda Barnes from AirMedCare was present to answer questions. Discussion was held.

Commissioner Moffatt moved to renew the City's AirMedCare insurance policy for 2019 at a cost of \$11,793. Seconded by Commissioner Johnson. Motion carried.

Commissioner Johnson moved to convene as the Neodesha Land Bank. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Land Bank Board regarding property at 923 Indiana. Discussion was held.

Commissioner Johnson moved to approve the City Administrator to sell property at 923 Indiana to Terry Hamby at a discussed price and to hold the deed until demolition has been completed. Seconded by Commissioner Moffatt. Motion carried.

Commissioner Moffatt moved to adjourn as the Neodesha Land Bank. Seconded by Commissioner Johnson. Motion carried.

The next regular meeting of the Governing Body 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 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 extend the Executive Session until 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 that based on advice from Legal Counsel the City cancel the Memorandum of Understanding between the City of Neodesha and the Neodesha Chamber of Commerce. Seconded by Commissioner Moffatt. Motion carried.

At 3:43 p.m. Commissioner Moffatt moved to adjourn. Seconded by Commissioner Johnson. Motion carried.

ATTEST:	Terry M. Harper, Mayor
Bobby Busch, City Clerk/Finance Director	

APPROPRIATION REPORT

ORDINANCE NO 22 12/19/2018

VENDOR	REFERENCE	AMOUNT	CHECK NO	CHECK DATE
A T & T	PHONE CHARGES	184.96	52405	12/19/2018
AIR & FIRE SYSTEMS INC	EQUIPMENT TESTING	265.00	52406	12/19/2018
AIRGAS USA LLC	GLOVES, SAFETY GLASSES	180.88	52407	12/19/2018
APPIA COMMUNICATIONS INC	FIBER OPTIC SYSTEM	314.07	52408	12/19/2018
ATMOS ENERGY	DECEMBER BILLING	82.06	52409	12/19/2018
BARTA ANIMAL HOSPITAL	CANINE SERVICES	93.39	52410	12/19/2018
BOUND TREE MEDICAL LLC	MEDICAL SUPPLIES	151.86	52411	12/19/2018
BRIDGEWELL RESOURCES LLC	UTILITY POLES	11,999.73	52412	12/19/2018
CABLE ONE	INTERNET SERVICE - ELEC DEPT	130.02	52143	11/26/2018
CABLE ONE	INTERNET SERVICE - SENIOR CENTER	57.67	52144	11/26/2018
CABLE ONE	INTERNET SERVICE - SENIOR CENTER	57.67	52150	11/26/2018
CINTAS FIRST AID & SAFETY	FIRST AID SUPPLIES	86.81	52413	12/19/2018
CLEAVER FARM & HOME	CULVERT TUBING	501.16	52414	12/19/2018
CONSTELLATION NEWENERGY	NOVEMBER BILLING	17,760.00	52415	12/19/2018
D C & B SUPPLY INC	GAS METERS, WATER METERS	3,595.57	52416	12/19/2018
EMG	NOVEMBER BILLING	1,026.16	52417	12/19/2018
F ALLEN MOORHEAD, JR, MD	PRE-EMPLOYMENT DRUG SCREEN	36.00	52418	12/19/2018
FORSYTHE'S HEATING & ELECTRIC	COUPLING, ADAPTER	2.47	52419	12/19/2018
FREDONIA OUTDOOR EQUIPMENT	FILTERS, BLADES	307.43	52420	12/19/2018
FREDONIA TRUE VALUE HARDWARE	CHAINSAW REPAIR	47.82	52421	12/19/2018
GERKEN RENT-ALL	SANITATION UNITS	302.40	52422	12/19/2018
GOOD RIDDANCE DISPOSAL	CLEAN UP WEEK DUMPSTERS	920.00	52423	12/19/2018
JESSICA BLACKMORE	REAL ESTATE PURCHASE	4,000.00	52139	11/26/2018
KANSAS STATE TREASURER	MUNICIPAL COURT FEES	1,176.00	52424	12/19/2018
LITTLE BEAR TIRE	TIRES	1,191.75	52425	12/19/2018
MIDWEST COMPUTER SALES	ONLINE BACK UP SOLUTIONS - PD	29.95	52426	12/19/2018

MIDWEST MINERALS, INC	ROCK	687.91	52427	12/19/2018
NEODESHA AUTO SUPPLY	AUTO PARTS & SUPPLIES	405.90	52428	12/19/2018
NEW BEGINNINGS ENTERPRISES INC	DOCUMENT DESTRUCTION	6.40	52429	12/19/2018
O'MALLEY EQUIPMENT CO	BATTERIES	273.18	52430	12/19/2018
PALMER INSTRUMENTS INC	RECORDING CHARTS	153.06	52431	12/19/2018
PORTER DRUG STORE	MEDICAL SUPPLIES	25.67	52432	12/19/2018
PRAIRIE FIRE COFFEE	COFFEE SERVICE	127.26	52433	12/19/2018
QUILL CORPORATION	OFFICE SUPPLIES	265.69	52434	12/19/2018
RED BUD SUPPLY INC	CUSTOM SIGNS	175.11	52435	12/19/2018
ROBERT HARE	PURCHASE 102 S 4TH	29,000.00	52282	11/30/2018
RUDD CONSTRUCTION INC	ROOF REPAIR	410.63	52140	11/26/2018
RURAL WATER DISTRICT 4	AIRPORT WATER	27.16	52436	12/19/2018
RURAL WATER DISTRICT 4	AIRPORT WATER	21.25	52147	11/26/2018
SHANE NEWTON	CINNAMON ROLLS - CHILI COOK OFF	50.00	52138	11/26/2018
SOCKET TELECOMM LLC	PHONE CHARGES	301.06	52437	12/19/2018
SOUTHERN STAR CENTRAL GP INC	NOVEMBER BILLING	28,979.86	52438	12/19/2018
TASC	RENEWAL, CARD, ADMIN FEES	1,274.62	52439	12/19/2018
THOMPSON BROTHERS SUPPLY INC	CYLINDER LEASE	68.25	52440	12/19/2018
TIFCO INDUSTRIES INC	WIRE, ELECTRICAL TERMINALS	93.93	52441	12/19/2018
UNIFIRST CORPORATION	UNIFORM SERVICE	4,223.24	52442	12/19/2018
US BANK EQUIPMENT FINANCE	COPIER LEASE	775.58	52443	12/19/2018
US POST OFFICE	UTILITY BILL MAILING	302.89	52137	11/26/2018
US POST OFFICE	UTILITY BILL MAILING	305.13	52284	11/30/2018
VISA	LUNCHEON FOR FIRE DEPT	2,664.36	52445	12/19/2018
VISA	REGISTRATIONS, EXPENSES, SCHOOLS	3,120.12	52148	11/26/2018
WALMART COMMUNITY	VACUUM, GIFT CARD, SUPPLIES	1,145.48	52141	11/26/2018
WESTAR ENERGY	STREETLIGHTS @ OTTAWA	27.45	52446	12/19/2018
WESTAR ENERGY	AIRPORT BILLING	93.85	52142	11/26/2018
WESTERN AUTO	HYDRO FAN, HOSE, VALVE	85.31	52447	12/19/2018
WEX BANK	FUEL	8,219.95	52149	11/26/2018
WILSON CO REGISTER OF DEEDS	FILING FEE - BLACKMORE	42.00	52145	11/26/2018

WILSON COUNTY TREASURER	TAG/TITLE FORD F350	28.75	52146	11/26/2018
WILSON MEDICAL CENTER	LAB SERVICES	88.00	52448	12/19/2018
**** PAID TOTAL ****		127,969.88		

CITY OF NEODESHA

RESOLUTION NO. 18-23

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 306 BELL STREET, LEGAL DESCRIPTION: BLOCK 1, LOTS 15-21, BLISS SUBDIVISION, CITY OF NEODESHA, MAY APPEAR AND SHOW CAUSE WHY SUCH STRUCTURE SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED OR DEMOLISHED AS AN UNSAFE OR DANGEROUS STRUCTURE.

WHEREAS, Ed Truelove, the Enforcement Officer of the City of Neodesha, did on the 19th day of December, 2018, 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 13th day of February, 2019, 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 306 Bell Street 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.

ADOPTED AND APPROVED by the governing body of the City of Neodesha, Kansas this 19th day of December, 2018.

ATTEST:	
	Terry M. Harper, Mayor
Bobby Busch, City Clerk	

CITY OF NEODESHA

RESOLUTION NO. 18-24

A RESOLUTION FINDING THAT FINANCIAL STATEMENTS AND REPORTS PREPARED IN CONFORMITY TO GENERALLY ACCEPTED ACCOUNTING PRINCIPLES ARE NOT RELEVANT TO THE REQUIREMENTS OF THE CASH BASIS AND BUDGET LAWS OF THE STATE AND ARE OF NO SIGNIFICANT VALUE TO THE GOVERNING BODY OR MEMBERS OF THE GENERAL PUBLIC OF THE CITY OF NEODESHA.

WHEREAS, The Governing Body of the City of Neodesha, Kansas, did on the 28th day of October, 1986, pass and approve Charter Ordinance No. 4 exempting itself from the provisions of K.S.A. 75-1120a as amended, insofar as said statutes require fixed asset records; and

WHEREAS the City of Neodesha, Kansas, has determined that the financial statements and financial reports for the year ended December 31, 2018 to be prepared in conformity with the requirements of K.S.A. 75-1120a(a) are not relevant to the requirements of the cash basis and budget laws of this state and are of no significant value to the governing body or the members of the general public of the City of Neodesha and

WHEREAS there are no revenue bond ordinances or resolutions or other ordinances or resolutions of the municipality which require financial statements and financial reports to be prepared in conformity with. K.S.A. 75-1120a(a) for the year ended December 31, 2018.

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

<u>SECTION 1</u>. That the Governing Body waives the requirements of K.S.A. 75-1120a(a) as they apply to the City of Neodesha for the year ended December 31, 2018.

SECTION 2. That the Governing Body shall cause the financial statements and financial reports of the City of Neodesha to be prepared on the basis of cash receipts and disbursements as adjusted to show compliance with the cash basis and budget laws of this State.

ADOPTED AND APPROVED by the governing body of the City of Neodesha, Kansas this 19th day of December, 2018.

ATTEST:	
	Terry M. Harper, Mayor
Robby Rusch, City Clerk	



Fax **Email** Website

Office

620-663-7714 1-888-886-1008 1-800-884-1218 info@fireworks-display.com www.fireworks-display.com

ATF # 5-KS-00621

Steve & Peggy Showalter Dale Ragains, General Manger 76 Plum Avenue Inman, KS 67546

FIREWORKS PRODUCTION CONTRACT

This contract is entered into this 3rd day of October 2018 by and between Rainbow Fireworks, Inc., designated herein as the "SELLER" and CITY OF NEODESHA, designated herein as the "PURCHASER" of one Display Fireworks, UN0335, Explosives 1.3G Production to be held on the 4th day of July 2019.

- YES SELLER will secure, prepare, and deliver said fireworks as outlined, or will make necessary substitutions of equal or greater value.
- YES SELLER will include the services of a Pyrotechnic Operator (shooter) to take charge of, set up, and fire the display, along with such help as he deems necessary to perform the fireworks display safely, and in accordance with such Federal, State or Local laws that might be applied.
- YES \(\subseteq \frac{SELLER}{2} \) agrees that the Operator and Assistant(s) are to check the display area after the presentation of the fireworks display for any "duds" or other material which might not have ignited. Any such material, found by any other person other than the Operator, should be left untouched, mark the location, and call the operator for proper disposal.
- YES Z SELLER will include a CERTIFICATE OF LIABILITY INSURANCE POLICY of \$5,000,000 aggregate coverage.
- YES PURCHASER will furnish the secured minimum safety distances established by the SELLER after an on-site inspection of the proposed firing location.
- YES PURCHASER will provide adequate police protection and/or other adequate security to maintain these distances.
- YES PURCHASER also agrees to have a fire truck available on location during the display.

ONE (1) DISPLAY FIREWORKS, UN0335, EXPLOSIVES 1.3G PRODUCTION has been agreed upon by PURCHASER AND SELLER in the sum of Seven Thousand Five Hundred Dollard and no/100 cents (\$7,500). It is agreed and understood that the PURCHASER will pay to the SELLER Seven Thousand Five Hundred Dollars and no/100 cents (\$7,500.00) on January 30th, 2019 in full.

In the event of inclement weather or other adverse condition, so as to cause postponement of the display, it is agreed and understood that the PURCHASER will notify the SELLER regarding the postponement date, normally the following night. If PURCHASER will not re-schedule the display and completely cancels the display, the PURCHASER agrees to pay the SELLER fifty percent (50%) of the cost of the display, Three Thousand Seven Hundred Fifty Dollars and no/100 cents (\$3,750.00).

Witness whereof, we have caused our s, 2018.	signatures to be affixed to this document, on this day of
SELLER:	PURCHASER:
RAINBOW FIREWORKS, Inc.	CITY OF NEODESHA
By: <u>Stephen Showalter</u>	By:
Authorized Agent	Authorized Agent

2019 CMB LICENSE APPLICANTS

A & A LLC dba LITTLE BEAR - Mary Beth Arnold

CASEY'S GENERAL STORE – Terri Wittenmyer

LE' STORE – Jared Harper

AKAS, INC. – Commilla Kidd
(Jumpstart)

PIZZA HUT - Nakyia Hempen

EL TAPATIO LLC – Courtney **D.** Tovar

G & W FOODS - Daniel Gile

BOARD/COMMISSION MEMBERS WHOSE TERMS EXPIRE 12/31/18

ECONOMIC DEVELOPMENT COMMITTEE			
POSITION	NAME	LENGTH OF TERM	TERM ENDS
	Rod Froebe	4 years	12/31/2018
	Walt Olson	4 years	12/31/2018
	Terry Harper	4 years	12/31/2018
	Mitchell Peitz	4 years	12/31/2018

PLANNING &	ZONING COMMISSION		
POSITION	NAME	LENGTH OF TERM	TERM ENDS
	Chase Woldum	3 years	12/31/2018

RECREATION COMMISSION			
POSITION	NAME (Appointed by)	LENGTH OF TERM	TERM ENDS
	Bill Tigner (City)	4 years	12/31/2018

SENIOR CITIZENS BOARD			
POSITION	NAME	LENGTH OF TERM	TERM ENDS
	Mary Compton	3 years	12/31/2018
	Johna Hugo	3 years	12/31/2018

Dear City of Neodesha Commissioners,

The time has come for my position on the Neodesha Recreation Board to be up. I am putting in my letter of interest to return to the board. Since Rod Froebe stepped down, I have been the Chairman for the last 3 years. I have been involved highly in getting a lot of projects off the ground, like reworking all three ballfields. We have a few projects in the works that I would like to be on the board to see their way to completion. An example would be the seeing the completion of the new score box on Barney's South, finish up with batting cages at both Barney's and S. 6th fields, and when the time comes to where the new City Hall and Police Station are built, I would like to be a part to completing the north bay at the Civice Center with indoor batting cages and other projects to help our youth. Currently I am very involved on the board. I referee volleyball, basketball, soccer and umpire softball and baseball for the Rec. I am looking to start putting on referee and umpire clinics going forward to help our youth learn a skill they can take with them to college and beyond. The need for refs and umpires is great. Last summer I helped get pitching and catching clinics for our youth baseball and softball travel teams. This next summer working with Jim Arnold we are planning on a bigger camp day of teaching for the kids. Another thing I have been involved with is the baseball/softball board for tri valley. This board is made up of rec directors and board members from Cherryvale, Erie, Fredonia, Neodesha, Thayer, Humboldt, Buffalo and St. Paul. I was Chairman of this board for 3 years and now I am just a sitting member.

I love being a part of Neodesha and passing on my knowledge in the Recreation field to the youth of the town. I would love to continue to be a big part of this. Just as a reminder, I do carry my degree from college in Recreation Administration. While going to school in Pittsburg, I was a part of their programs as well.

I just want to Thank you all again for consideration to bringing me back to the Neodesha Recreation Board. Sports and kids are what I am very passionate about and making Neodesha a better place to participate in the recreational activities.

Thanks

Sincerely,

Bill Tigner