

# Agenda

City Commission of the City of Neodesha, KS  
January 14, 2019 2:00 p.m.

## Item 1: Opening Session

- Call to Order
- Roll Call
  
- Swearing in of Commissioner
  
- 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 December 19, 2018 Commission minutes
- Appropriation (2018) 23

## Item 4: Business Items to Consider

- A. Appoint Municipal Court Judge
- B. Approve Storm Siren Purchase
- C. Set Work-Session Date

## Item 5: Date/Time of Next Regular Meeting

- Wednesday, January 23, 2019, 2:00 p.m. – Regular Meeting, City Hall

## Item 6: Executive Session

## Item 7: Adjournment

**AGENDA COMMENTS**  
**CITY COMMISSION MEETING**  
**January 14, 2019**

**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 Appoint Municipal Court Judge**

For this agenda item, the Commission is asked to appoint Attorney Joslyn Kusiak, of Kelly & Kusiak Law Office LLC, Independence, KS, as the Neodesha Municipal Court Judge. Judge Kelly has notified Staff that he will be retiring from his position as our judge.

**RECOMMENDED MOTION:** *I move to appoint Joslyn M. Kusiak as the Neodesha Municipal Court Judge with a monthly salary of \$900.*

**4.B Approve Storm Siren Purchase**

In 2018, the City purchased one storm siren, and the associated software, for emplacement in our community. The plan had originally included the purchase of two additional storm sirens in 2019. During the 2019 budget season (June-August 2018), the Commission decided to purchase and emplace only one storm siren in 2019. For this agenda item, Staff is asking the Commission to approve the purchase of the storm siren. Fire Chief Banzet will have the final updated price quote for the meeting. The approved budget amount, for 2019, is \$22,280

**RECOMMENDED MOTION:** *I move to approve the purchase of one storm siren from Federal Signal, at a cost not to exceed \_\_\_\_\_.*

**4.C Set Work-Session Date**

Staff is requesting that the Commission consider setting a date for a Commission work session, to discuss budget/finance issues. Topics will include the health of the 2018 budget, status of reserve fund balances, automated metering, project costs and payment strategies for water/sewer, gas line, and City Hall/Police Department projects.

**RECOMMENDED MOTION:** *I move to set (date/time/location) as a City Commission work session.*

The Board of Commissioners met in regular session at 2:00 p.m. on Wednesday, December 19, 2018 with Mayor Harper presiding and Commissioners Moffatt and Johnson present.

Commissioner Moffatt moved to approve the agenda as presented. 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 December 12, 2018 meeting; Appropriation (2018) 22; and Raw Water Project Bond Appropriation 48; 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. 2<sup>nd</sup>, the Public Hearing was open and comments were invited. The Public Hearing was then closed.

#### **ORDINANCE NO. 1712**

**AN ORDINANCE AUTHORIZING AND DIRECTING THE REMOVAL OF CERTAIN UNSAFE AND DANGEROUS STRUCTURES LOCATED ON, LEGAL DESCRIPTION: BLOCK 3, LOTS 13-19, DEER'S SUBDIVISION, CITY OF NEODESHA, WILSON COUNTY, KANSAS, COMMONLY KNOWN AS 1401 N. 2<sup>ND</sup>, 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 approve Ordinance 1712 directing the removal of the dangerous and unsafe garage structure at 1401 N. 2<sup>nd</sup> Street. Seconded by Commissioner Johnson. Motion carried.

#### **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 19<sup>th</sup> 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 13<sup>th</sup> 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. 8<sup>th</sup>; 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.

Commissioner Johnson moved to adopt Resolution 18-23 setting a Public Hearing for 306 Bell on February 13, 2019 as presented. Seconded by Commissioner Moffatt. Motion carried.

#### **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 28<sup>th</sup> 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.

(continued on next page)

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

**SECTION 1.** 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.

Commissioner Moffatt moved to adopt Resolution 18-24 regarding the GAAP Waiver as presented. Seconded by Commissioner Johnson. Motion carried.

Administrator Truelove addressed the Commission regarding the fireworks contract for 2019. Discussion was held.

Commissioner Johnson moved to approve the Contract with Rainbow Fireworks for the 2019 Fourth of July celebration, at a cost of \$7,500. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding the approval of 2019 Cereal Malt Beverage Licenses. Discussion was held.

Commissioner Moffatt moved to approve the 2019 Cereal Malt Beverage Licenses for: A&A LLC dba Little Bear; Casey's General Store; Le'Store; AKAS, Inc. (Jumpstart); Pizza Hut; and El Tapatio LLC. Seconded by Commissioner Johnson. Motion carried.

Administrator Truelove addressed the Commission regarding appointments to City Boards and Committees. Discussion was held.

Commissioner Johnson moved to reappoint Rod Froebe, Walt Olson, Terry Harper, and Mitchell Peitz to the Economic Development Committee for four-year terms, expiring December 31, 2022. Seconded by Commissioner Moffatt. Motion carried.

Commissioner Moffatt moved to reappoint Chase Woldum to the Planning and Zoning Board for a three-year term, expiring December 31, 2021. Seconded by Commissioner Johnson. Motion carried.

Commissioner Johnson moved to reappoint Bill Tigner to the Recreation Commission for a four-year term, expiring December 31, 2022. Seconded by Commissioner Moffatt. Motion carried.

Commissioner Moffatt moved to reappoint Mary Compton and Johna Hugo to the Senior Citizens Board for three-year terms, expiring December 31, 2021. Seconded by Commissioner Johnson. Motion carried.

The next regular meeting of the Governing Body will be held at City Hall on Wednesday, January 9, 2019 at 2:00 p.m.

At 2:55 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 23**

**01/14/2019 - PRIOR YEAR**

<u>VENDOR</u>	<u>REFERENCE</u>	<u>AMOUNT</u>	<u>CHECK NO</u>	<u>CHECK DATE</u>
A & C AUTO GLASS	WINDOW REPAIR - PD	279.00	52286	12/13/2018
A T & T	PHONE CHARGES	153.09	52468	1/14/2019
AIRGAS USA LLC	GLOVES	239.36	52469	1/14/2019
ATMOS ENERGY	CEMETERY GAS UTILITY	88.67	52470	1/14/2019
BUSTERS CATERING	CATERING - CHRISTMAS PARTY	1,071.00	52386	12/27/2018
CABLE ONE	INTERNET SERVICE - SR CENTER	57.67	52392	12/27/2018
CABLE ONE	INTERNET SERVICE - ELEC SHOP	139.58	52287	12/13/2018
CHANCE FILES	REFUND CONNECTION FEES	85.00	52391	12/27/2018
CHASE PEST CONTROL LLC	EXTERMINATOR SERVICE	225.70	52471	1/14/2019
CITY OF NEODESHA	GAS SURVEY WINNER	100.00	52393	12/27/2018
CLEAVER FARM & HOME	TUBING, STRAPS	233.94	52472	1/14/2019
COPY PRODUCTS INC	SHIPPING CHARGES	15.00	52473	1/14/2019
CORE & MAIN	WIRE, LIDS	311.42	52474	1/14/2019
D C & B SUPPLY INC	GAS METERS	1,366.02	52475	1/14/2019
DATA TECHNOLOGIES INC	W2, 1099 FORMS	402.85	52476	1/14/2019
EMG	DECEMBER BILLING	1,000.00	52477	1/14/2019
EQUITY BANK	GIFT CARD FOR 30 YEAR EMPLOYEE	300.00	52387	12/27/2018
EQUITY BANK	GIFT CARDS FOR CHRISTMAS PARTY	3,100.00	52290	12/13/2018
F ALLEN MOORHEAD, JR, MD	VACCINATIONS	125.60	52478	1/14/2019
G & W FOODS	SUPPLIES	61.05	52479	1/14/2019
GALLS LLC	MOURNING BANDS	26.48	52480	1/14/2019
GERKEN RENT-ALL	SANITATION UNITS	464.40	52481	1/14/2019
HUGO'S INDUSTRIAL SUPPLY, INC	CLEANING SUPPLIES, BAGS, TOWELS	728.39	52482	1/14/2019
INDUSTRIAL SALES COMPANY INC	TEES	106.17	52483	1/14/2019
JEFF HULL'S PAVING & SEAL COAT	STREET PAVING PROJECT	124,972.50	52289	12/13/2018
KANSAS DEPT OF HEALTH & ENVIRO	Q9000 - 4TH QTR ANALYSIS	604.00	52485	1/14/2019

KANSAS ONE-CALL SYSTEM, INC	DECEMBER LOCATES	26.40	52484	1/14/2019
KEY EQUIPMENT & SUPPLY CO	GEAR LUBE, LATCH	116.19	52486	1/14/2019
LITTLE BEAR TIRE	TIRE REPAIR	95.00	52487	1/14/2019
MCCARTY'S OFFICE MACHINES INC	OFFICE SUPPLIES	559.55	52488	1/14/2019
MEDICLAIMS INC	AMBULANCE COLLECTION FEES	2,695.53	52489	1/14/2019
MIDWEST COMPUTER SALES	REPAIR EMAIL ISSUE	160.00	52490	1/14/2019
MURPHY TRACTOR & EQUIPMENT CO	COOL GUARD, THERMOSTAT	118.03	52491	1/14/2019
NEODESHA AUTO SUPPLY	AUTO PARTS & SUPPLIES	601.44	52492	1/14/2019
NEODESHA CHAMBER OF COMMERCE	DOWNTOWN DOLLAR BONUSES	7,500.00	52385	12/27/2018
NEODESHA DERRICK	PUBLICATIONS	341.50	52493	1/14/2019
NEODESHA HOME & GARDEN SUPPLY	BLDG MATERIALS & SUPPLIES	17.88	52494	1/14/2019
NEWTON BUILDINGS INC	BLDG MATERIALS & SUPPLIES	387.25	52495	1/14/2019
OIL PATCH PUMP & SUPPLY	VALVE	136.00	52497	1/14/2019
O'REILLY AUTOMOTIVE INC	TIES	14.16	52496	1/14/2019
PITNEY BOWES	POSTAGE MACHINE LEASE	757.74	52388	12/27/2018
PORTER DRUG STORE	STOCK MEDS FOR AMBULANCE	141.85	52498	1/14/2019
QUILL CORPORATION	INK, MEMORY CARDS	90.54	52499	1/14/2019
RAINBOW FIREWORKS INC	2019 FIREWORKS DISPLAY	7,500.00	52390	12/27/2018
RURAL WATER DISTRICT 4	AIRPORT WATER	27.16	52500	1/14/2019
SEK COOP INC	PROPANE - ELECTRIC SHOP	714.00	52501	1/14/2019
SOUTHERN STAR CENTRAL GP INC	DECEMBER BILLING	39,739.74	52502	1/14/2019
SUBSURFACE SOLUTIONS	LEADS	88.64	52503	1/14/2019
SUNDOWNER TROPHIES	ANNIVERSARY PLAQUES	27.00	52504	1/14/2019
THOMPSON BROTHERS SUPPLY INC	OXYGEN, CYLINDER LEASE	152.10	52505	1/14/2019
TWIGS FLORAL & GIFTS	SYMPATHY PLANTS	109.80	52506	1/14/2019
US POST OFFICE	GAS PUBLIC AWARENESS FLYERS	614.76	52288	12/13/2018
US POST OFFICE	UTILITY BILL MAILING	307.51	52394	12/31/2018
VISA	FLAGS FOR CIVIC CENTER	540.83	52507	1/14/2019
WALMART COMMUNITY BRC	PAINT	54.34	52508	1/14/2019
WESTAR ENERGY	AIRPORT BILLING	132.27	52509	1/14/2019
WESTAR ENERGY	STREETLIGHTS @ OTTAWA	69.14	52510	1/14/2019

WESTERN AUTO	KEYS CUT, RINGS	26.65	52511	1/14/2019
WEX BANK	FUEL	6,295.53	52281	12/1/2018
WILSON CO REGISTER OF DEEDS	FILING FEES - 102 S 4TH	21.00	52285	12/13/2018
WILSON COUNTY TREASURER	1ST HALF PROPERTY TAX	252.50	52512	1/14/2019
WILSON COUNTY TREASURER	1ST HALF PROPERTY TAX	280.34	52389	12/27/2018
WILSON MEDICAL CENTER	DECEMBER SALES TAX	20,233.82	52513	1/14/2019
WOODS LUMBER COMPANY	LUMBER	66.99	52514	1/14/2019
ZOLL MEDICAL CORPORATION GPO	CABLE	345.00	52515	1/14/2019
<b>**** PAID TOTAL ****</b>		<b>227,615.07</b>		