Agenda

City Commission of the City of Neodesha, KS October 23, 2019 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 October 9th Minutes
- Appropriation (2019) 19

Item 4: Business Items to Consider

- A. Ordinance: Municipal Court Costs
- B. Letter of Engagement: Rural Housing 360
- C. Appointment to Active Transportation Advisory Board
- D. Authority to Purchase Property at Tax Sale
- E. Consider Property for Land Bank
- F. Discussion: RV Park Building

Item 5: Date/Time of Next Regular Meeting

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

Item 6: Executive Session

Item 7: Adjournment

AGENDA COMMENTS CITY COMMISSION MEETING October 23, 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: Ordinance: Municipal Court Costs

Submitted for the Commission's consideration is an Ordinance to increase the Municipal court costs, from \$50 to \$80. This Ordinance will also establish an expungement fee.

RECOMMENDED MOTION: I move to approve Ordinance 1722 regarding Municipal Court Costs for the City of Neodesha.

4.B: Letter of Engagement: Rural Housing 360

Staff has been meeting with representatives of Rural Housing 360, and certain members of our industrial community, to increase housing stock in Neodesha. The Commission is asked to approve a letter of engagement with Rural Housing 360, and to approve a \$360 fee. This is a non-binding agreement.

RECOMMENDED MOTION: I move to approve the Letter of Engagement with Rural Housing 360, at a cost of \$360.

4.C: Appointment to Active Transportation Advisory Board

The Active Transportation Advisory Board (ATAB) was established by the Commission in 2018 under Ordinance #1708. In 2019, the Commission approved Ordinance 18, increasing board membership to nine members. Currently, the ATAB has eight members. The Commission is asked to appoint Rodney Schlegel Jr. to the ATAB.

RECOMMENDED MOTION: I move to appoint Rodney Schlegel Jr. to the Active Transportation Board for a two-year term, with a term ending date of December 31, 2020.

4.D: Authority to Purchase Property at Tax Sale

The County tax sale has been announced and will occur on September 25, 2019, at 10:00am, in the Wilson County Courthouse. Staff will discuss the available Neodesha properties with the Commission.

RECOMMENDED MOTION: I move to approve the purchase of certain Neodesha properties for the Land Bank at a cost not to exceed______.

4.E: Consider Property for Land Bank

For this agenda item, the Commission will convene as the Neodesha Land Bank, and consider the acquisition of the property located at 509 S. 4th.

RECOMMENDED MOTION: I move to accept the donation of the property located at 509 S. 4th Street.

4.F: Discussion: RV Park Building

For this agenda item, Staff will brief the Commission on the status and condition of the garage building located at the Neodesha RV Park. We have had a request to sell the building, for storage purposes. The demolition has been planned and is imminent. The site was to be used to increase the camping area in the RV Park, from 3 spaces to 4.

RECOMMENDED MOTION: N/A

Item 6: Executive Session

EXECUTIVE SESSION – Non Elected Personnel

I move 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 _____ p.m.

EXECUTIVE SESSION – Acquisition of Real Estate

I move 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 _____ p.m.

The Board of Commissioners met in regular session at 2:00 p.m. on Wednesday, October 9, 2019 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 to approve the Consent Agenda consisting of the minutes from the September 25, 2019 Commission Meeting; Appropriation (2019) 18; Raw Water Project Bond Appropriation 60; and CDBG Gas Line Appropriation 3. Seconded by Commissioner Moffatt. Motion carried.

Mayor Harper read a proclamation recognizing Fire Prevention Week 2019 in the City of Neodesha. The proclamation was then presented to Sparky the Fire Dog.

This being the time and date published in the official newspaper for the hearing on the Dangerous Structures located at 1401 N. 2nd, the public hearing was opened. Discussion was held. Then the hearing was closed.

RESOLUTION NO. 19-17

A RESOLUTION FINDING THAT THE STRUCTURE LOCATED ON LEGAL DESCRIPTION: BLOCK 3, LOTS 13-19, DEER'S SUBDIVISION, CITY OF NEODESHA, COMMONLY KNOWN AS 1401 N. $2^{\rm ND}$ NEODESHA, KANSAS, 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 28th day of August, 2019 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 28th day of August, 2019, 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 5th day of September, 2019, and on the 12th day of September, 2019, and a copy of such Resolution was served on all persons entitled thereto in all respects as provided by law; and

WHEREAS, on this 9th day of October, 2019, 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 located on Legal Description: BLOCK 3, LOTS 13-19, DEER'S SUBDIVISION, City of Neodesha, Wilson County, Kansas, commonly known as 1401 N. 2nd, Neodesha, Kansas, is unsafe and dangerous and hereby directs such structure to be removed and the premises made safe and secure. The owner of such structure is hereby given thirty (30) days from the date of publication of this Resolution within which to commence the 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 razed and removed and the costs of such 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 Moffatt moved to approve Resolution No. 19-17 declaring the property located at 1401 N. 2nd as unsafe or dangerous and to allow the property owner 30 days to repair or remove the structures and make the property safe and secure. Seconded by Commissioner Johnson. Motion carried.

This being the time and date published in the official newspaper for the hearing on the Dangerous Structures located at 1211 N. 3rd, the public hearing was opened. Discussion was held. Then the hearing was closed. (continued on next page)

RESOLUTION NO. 19-18

A RESOLUTION FINDING THAT THE STRUCTURE LOCATED ON LEGAL DESCRIPTION: E M COOPER'S ADDITION, BLOCK 2, LOTS 17-20, CITY OF NEODESHA, COMMONLY KNOWN AS 1211 N. 3RD, NEODESHA, KANSAS, WILSON COUNTY, KANSAS 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 28th day of August, 2019 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 28th day of August, 2019, 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 5th day of September, 2019, and on the 12th day of September, 2019, and a copy of such Resolution was served on all persons entitled thereto in all respects as provided by law; and

WHEREAS, on this 9th day of October, 2019, 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 located on Legal Description: E M COOPER'S ADDITION, BLOCK 2, LOTS 17-20, City of Neodesha, Kansas, Wilson County, Kansas, commonly known as 1211 N. 3rd, Neodesha, Kansas, is unsafe and dangerous and hereby directs such structure to be removed and the premises made safe and secure. The owner of such structure is hereby given forty five (45) days from the date of publication of this Resolution within which to commence the 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 razed and removed and the costs of such 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 Johnson moved to approve Resolution No. 19-18 declaring the property located at 1211 N. 3rd as unsafe or dangerous and to allow the property owner 45 days to repair or remove the structures and make the property safe and secure. Seconded by Commissioner Moffatt. Motion carried.

RESOLUTION NO. 19-19

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 922 N 11TH STREET, LEGAL DESCRIPTION: LOT THIRTEEN (13), BLOCK THREE (3), SHUTT'S 2ND ADDITION, CITY OF NEODESHA, WILSON COUNTY, KANSAS, 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 9th day of October, 2019, 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 11th day of December, 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 922 N 11th 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. (continued on next page)

October 9, 2019 (cont.)

Administrator Truelove addressed the Commission regarding an immediate hazard structure at 501 Main. Discussion was held.

Commissioner Johnson moved to declare the exterior of the building located at 501 Main Street an immediate hazard to the public and order the City Administrator to make the exterior of the building safe for pedestrians. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding the Notice to Proceed for Decker Electric; VFD and SCADA System improvements.

Commissioner Moffatt moved to approve the Notice to Proceed for Decker Electric for the VFD and SCADA System improvements. Seconded by Commissioner Johnson. Motion carried.

Administrator Truelove addressed the Commission regarding approval of the fireworks show and beer garden at the Waterworks Amphitheater.

Commissioner Johnson moved to approve the Thunder on the Plains fireworks event and a beer garden for the Waterworks Amphitheater on October 19, 2019. Seconded by Commissioner Moffatt. Motion carried.

The next regular meeting of the Governing Body will be held at City Hall on Wednesday, October 23, 2019 at 2:00 p.m.

At 3:35 p.m. Commissioner Johnson moved to adjourn. Seconded by Commissioner Moffatt. Motion carried.

ATTEST:	Terry M. Harper, Mayor
Stephanie Fyfe, City Clerk	

APPROPRIATION REPORT

ORDINANCE NO 19	10/23/2019

VENDOR	REFERENCE	<u>AMOUNT</u>	CHECK NO	CHECK DATE
AT&T	PHONE CHARGES	245.91	53770	10/23/2019
AT&T	PHONE CHARGES	169.80	53771	10/23/2019
AT&T	FIBER OPTIC SYSTEM	761.98	53772	10/23/2019
ALTEC INDUSTRIES INC	EQUIPMENT MAINTENANCE	831.11	53773	10/23/2019
APPIA COMMUNICATIONS INC	PHONE CHARGES	330.41	53774	10/23/2019
AXON ENTERPRISE INC	BATTERY, CAMERA, CONTROLLER	3001.00	53775	10/23/2019
BEACHNER GRAIN INC	STUMP KILLER	154.15	53776	10/23/2019
BOUND TREE MEDICAL LLC	MEDICAL SUPPLIES	27.00	53777	10/23/2019
CANON FINANCIAL SERVICES	GRAPHICS EQUIPEMENT-CH	551.29	53778	10/23/2019
CHAMPION BRANDS LLC	ANTIFREEZE	423.50	53779	10/23/2019
CHASE PEST CONTROL LLC	EXTERMINATOR SERVICE-6091	400.00	53780	10/23/2019
CINTAS	FIRST AID SUPPLIES	62.19	53781	10/23/2019
CJ'S THREADS	EMBROIDERY SERVICES	180.00	53782	10/23/2019
CONSTELLATION NEWENERGY	SEPTEMBER BILLING	3457.11	53783	10/23/2019
D C & B SUPPLY INC	GAS METERS	1478.25	53784	10/23/2019
FED EX	SHIPPING CHARGES	65.22	53785	10/23/2019
FREDONIA OUTDOOR EQUIPMENT	SUPPLIES	52.60	53786	10/23/2019
FREDONIA TRUE VALUE HARDWARE	ROPE, EYE BOLT SNAP	42.73	53787	10/23/2019
GERKEN RENT-ALL	SANITATION UNITS	626.40	53788	10/23/2019
HAWKINS INC	CHLORINE, AQUA HAWK	3871.45	53789	10/23/2019
KANSAS MUNICIPAL UTILITIES	4TH QTR DUES	1999.00	53790	10/23/2019
KANSAS STATE TREASURER	MUNICIPAL COURT FEES	3015.00	53791	10/23/2019
KANSAS DEPT OF HEALTH & ENVIRO	WW PERMIT FEE M-VE29-OO01	185.00	53792	10/23/2019
KANSAS DEPT OF HEALTH & ENVIRO	Q9000-3RD QTR TESTING	639.00	53793	10/23/2019
MEDICLAIMS INC	AMBULANCE COLLECTION FEES	1558.37	53794	10/23/2019
MELS PRINTING	ENVELOPES	82.00	53795	10/23/2019
NEODESHA AUTO SUPPLY	AUTO SUPPLIES	718.89	53796	10/23/2019
NEW BEGINNINGS ENTERPRISES INC	DOCUMENT DESTRUCTION	12.20	53797	10/23/2019

NEW BOSTON CREATIVE GROUP LLC	WEB BACKUP	143.75	53798	10/23/2019
NORTHERN SAFETY & INDUSTRIAL	SAFETY GLASSES	37.83	53799	10/23/2019
O'REILLY AUTOMOTIVE INC	POWER BELT	28.95	53800	10/23/2019
OIL PATCH PUMP & SUPPLY	COBALT GAS LINE	404.20	53801	10/23/2019
PENMAC PERSONNEL SERVICES INC	TEMPORARY PERSONNEL SERVICE	4679.95	53802	10/23/2019
PITNEY BOWES	POSTAGE MACHINE LEASE	1067.75	53803	10/23/2019
PORTER DRUG STORE	GLUTOSE	10.37	53804	10/23/2019
SHERWIN WILLIAMS INDEPENDENCE	PAINT	370.62	53805	10/23/2019
SOCKET TELECOMM LLC	PHONE CHARGES	300.13	53806	10/23/2019
SOUTHERN CROSS CORPORATION	CALIBRATION STANDARD	240.49	53807	10/23/2019
SOUTHERN STAR CENTRAL GP INC	SEPTEMBER BILLING	3291.79	53808	10/23/2019
STANION WHOLESALE ELECTRIC	SUPPLIES	274.71	53809	10/23/2019
WESTERN AUTO	CHAIN, LINE, OIL	181.76	53810	10/23/2019
WILSON MEDICAL CENTER	SEPTEMBER TAX DISTRIBUTION	23683.77	53811	10/23/2019

**** PAID TOTAL *****

ORDINANCE NO. 1722

AN ORDINANCE AMENDING SECTION 16-24 OF CHAPTER 16 OF THE NEODESHA CITY CODE DEALING WITH MUNICIPAL COURT COSTS, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH.

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

Section 1: Section 16-24 of Chapter 16 of the Neodesha City Code is hereby amended to read as follows:

Court Costs and Expungement Fees

- a) There is hereby established a court cost fee in the amount of \$80.00 plus all applicable state fees, costs and assessments to be paid by all defendants brought before the municipal court of the City of Neodesha, upon a plea or finding of guilty or a plea of nolo contendere.
- b) There is hereby established an expungement processing fee of \$80.00 which shall accompany every motion for expungement for each case sought to be expunged.

<u>Section 2:</u> Old Section 16-24, of Chapter 16 of the Neodesha City Code and all ordinances or parts of ordinances in conflict herewith are hereby repealed.

<u>Section 3:</u> This ordinance shall take effect on November 1, 2019 after publication once in the official city newspaper.

Passed by the Governing Body of the City of Neodesha, Kansas and signed by the Mayor this 23rd day of October, 2019.

	Terry Harper, Mayor	
ATTEST:		
3	-	
Stephanie Fyfe, City Clerk		

Letter of Engagement Between Interested Communities and Rural Housing 360

THIS LETTER OF ENGAGEMENT is made and entered into effect as of October 23, 2019 between Advanced Homes 360 LLC DBA Rural Housing 360; a lowa Corporation and City of Neodesha, Kansas

by and

Rural Housing 360's mission is to serve the unmet housing needs of middle income America. This can be accomplished thru a comprehensive partnering approach that includes the commitment of the local communities and employers. This commitment will provide immediate equity value for the home buyer who is a community member and an employee. Rural Housing 360 is committed to providing each buyer a high quality, safe, affordable, energy efficient home that all stakeholders will be proud of. To accomplish

- 1. Coordinate and deliver quarterly employee engagement sessions with local employers.
- 2. Provide a web based platform to identify buildable lots within the community
- 3. Provide a web based interface to compare and show case building plans designed to provide value and living arrangements suitable for workforce needs
- 4. Provide a web based interface to obtain approval for house financing including options for:
 - a. Zero down payment
 - b. Zero closing costs

this mission, the Rural Housing 360 team will:

- 5. Our goal is to work jointly with the community and employer to achieve a minimum of \$10,000 equity to each home buyer.
- 6. Pursue federal and local housing programs that offer incentives to home buyers
- 7. Coordinate and work with local employers to develop housing incentives for existing employees

The Community's Commitment – to cooperate with the Rural Housing 360 team in establishing the framework that will promote the construction and sale of high quality housing in their community. The said community agrees to the following:

- 1. Quantify the number of workforce housing builds that will equate to success in The Community
- 2. Identify available lots within The Community available to build workforce housing (lot Inventory)
- 3. Develop a lot acquisition program within The Community for public and privately held lots
- 4. Convey the available lots when possible, at little to no-cost to the buyer
- Identify local employers who would be potentially interested in participating in the Rural Housing 360 program
- 6. Introduce and moderate a meeting between Rural Housing 360 and local employers if needed
- 7. Consider waiving all building permit fees
- 8. Identify building functions the city can provide to help lower building cost and provide equity value to the buyer
 - a. Provide trash removal
 - b. Trench sewer and water connections
 - c. Excavation and/or final grade services
 - d. Install sidewalks (if required)
 - e. Curb cuts (if required)
 - f. Soil testing
 - g. House staking
 - h. Identify/provide a staging area for set crew
- 9. Commit to paying an annual fee of \$360 to Rural Housing 360 in support of the web site and services provided, an invoice is attached.

Non-Binding Agreement

The provisions in this Letter of Engagement are to outline the intent by each party and are nonbinding on all parties. This letter does not require either party to proceed to the completion of a binding final agreement. The parties shall not be contractually bound.

Sincerely,			
Agreeing Parties			
Da Da	ate:		
Advanced Homes 360, LLC. DBA- Rural Housing 360	A . 	ğ	
City of Neodesha, Kansas Cor	nmunit	y Name	
Ву Dar	te	October 23, 2019	
TitleTerry M. Harper, Mayor			
Deli	iverable	e Recap	
Community	Х	Rural Housing 360	Х
1) Develop Lot Inventory (Public & Private)		Conduct Periodic Employee Engagement Sessions With Local Employers	
 Develop Lot Conveyance Method (To Buyer) 		Provide a Web Based Platform to Identify Buildable Lots Within The Community	
3) Market Rural Housing Program to Local Employers		Provide a Web Based Interface to showcase Building Plans	П
4) Building Site Debris Removal	ľ	Provide a Web Based Interface for Financing	
5) Building Site Water/Sewer Tap		5) Strive to Create Equity for Each Buyer	
6) Building Site Excavation/Final Grade Services		6) Coordinate Federal, State and Local Incentives for Home Buyer (s)	
7) Waived Permits & Fees		7) Work with Local Employers to develop	
8) Soil Testing		Housing Incentives for Existing and Future	
9) Lot Staking		Employees	
 Building Site Sidewalk Installation (if required) 		8) Provide Safe, Energy Efficient Homes to Meet the Needs of the Employees	
11) Bullding Site Curb Cuts (if required)		9)	
12) Maintain Community Page on Web Site			
13) Maintain Current Lot Inventory			
14)			



INVOICE

Advanced Homes 360, LLC

DATE:

Advanced Homes 360 19563 US HWY 69 Leon, IA 50144

INVOICE#

BIII To:

For:

Annual Housing 360 Fee

	DESCRIPTION		AMOUN	T
Aı	nnual Fee to Rural Housing 360			
Fo	г.	\$		360.00
1.	Coordinate and deliver quarterly employee engagement			
	sessions with employers designated by the said community			
2	Provide a web-based platform to identify existing building lots			
3.	Provide a web-based interface to compare and show case			
	building plans designed to provide value and living arrangements			
	suitable for workforce needs			
4.	Provide a web-based interface to obtain approval for house financing			
	a. Zero down payment			
	b. Zero Closing Costs			
5.	Our goal is to provide a minimum of \$10,000 equity to each customer			
6.	Coordinate Federal and local housing programs that offer incentives to			
	home buyers			
7,	Coordinate and work with employers to develop housing			
	incentives to their employees			
	TOTAL	Ś	-	360.00

Make Checks Payable to: Advanced Homes, LLC dba Rural Housing 360 19563 US HWY 69 Leon, IA 50144