

**Agenda**  
City Commission of the City of Neodesha, KS  
September 22, 2021 2:00 p.m.  
**ZOOM Online Access: <https://us02web.zoom.us/j/6203252828>**

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
- Community Development Director Report

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 September 8, 2021 Minutes
- Approval of September 9, 2021 Special Call Minutes
- Appropriation (2021) 16

Item 4: Business Items to Consider

- A. Proclamation: Fire Prevention Week 2021
- B. Ordinance: Dangerous Structures; 1504 N 1<sup>st</sup> Street
- C. Ordinance: Dangerous Structures; 1532 B Street
- D. Resolution: Dangerous Structures; 615 Mill
- E. Dangerous Structures; 911 Illinois: Abatement Update
- F. Consider Zoning Variance: 208 Wisconsin
- G. Consider Sale of W. Granby Business Park; Lots 7-10, 13.
- H. Request for Use of Waterworks Amphitheatre: Chamber of Commerce
- I. Request for Beer Garden at Thunder on the Plains: Chamber of Commerce
- J. Civic Center Jury Trial: 31<sup>st</sup> Judicial District

Item 5: Date/Time of Next Regular Meeting

Wednesday, October 13, 2021 at 2:00 p.m. – Regular Meeting, City Hall

Item 6: Executive Session

Item 7: Adjournment

**AGENDA COMMENTS**  
**CITY COMMISSION MEETING**  
**September 22, 2021**

**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: Proclamation: Fire Prevention Week 2021**

**RECOMMENDED MOTION:** *N/A*

**4.B: Ordinance: Dangerous Structures; 1504 N 1<sup>st</sup> Street**

The Commission is asked to approve Ordinance 1750, providing authority for the structures located at 1504 N. 1<sup>st</sup> Street to be demolished and the property to be made safe.

**RECOMMENDED MOTION:** *I move to approve Ordinance 1750, directing the removal of certain dangerous and unsafe structures at 1504 N. 1<sup>st</sup> Street.*

**4.C: Ordinance: Dangerous Structures; 1532 B Street**

The Commission is asked to approve Ordinance 1751, providing authority for the structures located at 1532 B Street to be demolished and the property to be made safe.

**RECOMMENDED MOTION:** *I move to approve Ordinance 1751, directing the removal of certain dangerous and unsafe structures at 1532 B Street.*

**4.D: Resolution: Dangerous Structures; 615 Mill**

The Commission is asked to consider Resolution 21-28, calling for a Public Hearing, November 10, 2021, 2pm, in the Commission Chambers, to show cause why the structure located at 615 Mill Street should not be condemned and ordered repaired or demolished as an unsafe or dangerous structure.

**RECOMMENDED MOTION:** *I move to adopt Resolution 21-28 setting a public hearing for November 10, 2021 as presented.*

**4.E: Dangerous Structures; 911 Illinois: Abatement Update**

Staff will brief the Commission about the status of the property located at 911 Illinois, and request that the abatement process be rescinded. The damaged garage structure has been removed.

**RECOMMENDED MOTIONS:** *I move to rescind the abatement process for 911 Illinois due to the property being brought into Code compliance.*

**4.F: Consider Zoning Variance: 208 Wisconsin**

Although this agenda item has been tabled by the Commission until October 27<sup>th</sup>, 2021, Staff will brief the Commission on what our City Code contains towards providing a resolution to this matter.

**RECOMMENDED MOTION:** *To be determined.*

**4.G: Consider Sale of W. Granby Business Park; Lots 7-10, 13**

Staff has received an offer from SICUT to purchase the remaining lots at the W. Granby Business Park. The proposed Letter of Intent has been released to the City Attorney for review.

**RECOMMENDED MOTION:** *I move to approve the Letter of Intent with SICUT North America Inc., for the sale of W. Granby Business Park, Lots 7-10 and 13.*

**4.H: Request for Use of Waterworks Amphitheatre: Chamber of Commerce**

Staff has received a request from the Neodesha Area Chamber of Commerce that they be allowed to use the City property known as the Waterworks Amphitheatre for conducting festival activities during Thunder on the Plains, October 16<sup>th</sup>, 2021

**RECOMMENDED MOTIONS:** *I move to approve the use of Waterworks Amphitheatre by the Neodesha Area Chamber of Commerce for Thunder on the Plains, October 16<sup>th</sup>, 2021.*

**4.I: Request for Beer Garden at Thunder on the Plains: Chamber of Commerce**

The Neodesha Area Chamber of Commerce is requesting that the Commission approve their permit for conducting a Beer Garden during Thunder on the Plains, October 16<sup>th</sup>, 2021

**RECOMMENDED MOTIONS:** *I move to approve a Beer Garden permit for the Neodesha Area Chamber of Commerce for Thunder on the Plains, October 16<sup>th</sup>, 2021.*

**4.J: Civic Center Jury Trial: 31<sup>st</sup> Judicial District**

Representatives of the 31<sup>st</sup> Judicial District are requesting that the City Commission approve the use of the Civic Center for a jury trial, to be conducted May 2, 2022 to May 6, 2022.

**RECOMMENDED MOTIONS:** *I move approve the use of the Civic Center May 2<sup>nd</sup> to May 6<sup>th</sup>, 2022, for the 31<sup>st</sup> Judicial District.*

September 8, 2021

The Board of Commissioners met in regular session at 2:00 p.m. in the Commission Room at City Hall conducting the meeting by live streaming with Zoom on Wednesday, September 8, 2021 with Mayor Johnson presiding and Commissioners Moffatt and Nichol present.

Commissioner Nichol moved to approve the agenda as presented with the addition of Business Item 4K: Consider Zoning Variance: 208 Wisconsin; and Business Item 4L: Consider Purchase of Valve Exerciser: Water Department. Seconded by Commissioner Moffatt. Motion carried.

Commission and Administrator Reports were heard.

Community Development Director report was heard.

Public Comments were invited and heard.

Commissioner Moffatt moved to approve the consent agenda as presented consisting of the minutes from the August 25, 2021 Commission Meeting; and Appropriation (2021) 15. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding an Ordinance providing authority for the structures located at 201 Ohio Street to be demolished and the property to be made safe. Discussion held.

#### **ORDINANCE NO. 1749**

**AN ORDINANCE AUTHORIZING AND DIRECTING THE REMOVAL OF CERTAIN UNSAFE AND DANGEROUS STRUCTURES LOCATED ON LEGAL DESCRIPTION: NEODESHA, BLOCK 074, N 73' LTS 10-12 SECTION 20 TOWNSHIP 30 RANGE 16, NEODESHA, KANSAS, COMMONLY KNOWN AS 201 OHIO, 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.**

**WHEREAS**, the governing body did after proper notice and hearing as provided by law make findings by Resolution 21-20 dated July 14, 2021, 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 legal description: **NEODESHA, BLOCK 074, N 73' LTS 10-12 SECTION 20 TOWNSHIP 30 RANGE 16, NEODESHA, KANSAS, COMMONLY KNOWN AS 201 OHIO, 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.

Commissioner Nichol moved to approve Ordinance 1749, directing the removal of certain dangerous and unsafe structures at 201 Ohio Street. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding a Resolution for renewal of the City's Temporary Notes for the Gas Line Project. Discussion held.

#### **RESOLUTION 21-26**

**A RESOLUTION PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION RENEWAL TEMPORARY NOTES OF THE CITY OF NEODESHA, KANSAS, IN THE TOTAL PRINCIPAL AMOUNT OF \$1,766,000, AS HERTOFORRE AUTHORIZED BY ORDINANCE NO. 1727 OF THE CITY, IN ORDER**

*(continued on next page)*

**TO PROVIDE FUNDS TO RENEW THE PRINCIPAL AMOUNT OF THE CITY'S TEMPORARY NOTES, PREVIOUSLY ISSUED FOR THE TEMPORARY FINANCING OF THE COSTS OF CONSTRUCTION OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY AUTHORIZED BY SAID ORDINANCE; AND PROVIDING THE TERMS, DETAILS, FORM AND CONDITIONS OF SAID GENERAL OBLIGATION RENEWAL TEMPORARY NOTES.** *(a complete copy of the Resolution can be viewed in the City Clerk's office)*

Commissioner Moffatt moved to adopt Resolution 21-26 as presented. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding a Resolution calling for a public hearing to show cause why the structure located at 1015 Oak Street should not be condemned and ordered repaired or demolished as an unsafe or dangerous structure. Discussion held.

**RESOLUTION NO. 21-27**

**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 1015 OAK LEGAL DESCRIPTION: LOT 7, LESS 3 FEET OFF THE EAST SIDE, AND ALL OF LOT 8, BLOCK 2, SHUTTS SUBDIVISION, CITY OF NEODESHA, WILSON COUNTY, KANSAS, COMMONLY KNOWN AS 1015 WEST OAK, NEODESHA KS, 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 8th day of September, 2021, 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 27th day of October, 2021, 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 1015 West Oak, Neodesha Kansas 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 Moffatt moved to adopt Resolution 21-27 setting a public hearing for October 27, 2021 as presented. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission with a request for donation of property known as the Get Fit Building. This agenda item was initially discussed by the Commission on February 20, 2021, but was tabled. The Commission again discussed this agenda item on March 10, 2021, but the motion died for lack of a 2<sup>nd</sup>. This agenda item was again tabled by the Commission on August 25, 2021 to determine if the hospital has any interest in purchasing the building. Commissioner Nichol presented a statement expressing his desire to consult the Kansas Governmental Ethics Commission regarding an opinion on conflicts of interest related to this issue. Discussion held.

Commissioner Nichol moved to table this item until the October 27, 2021 meeting. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding a request from SICUT that the City vacate and deed to them a portion of Little Bear Trail. This agenda item was tabled from the August 25, 2021 meeting. Discussion held. No action taken.

Administrator Truelove addressed the Commission regarding the approval of the engagement letter with Jarred, Gilmore & Phillips PA, for the 2021 audit. Discussion held.

Commissioner Moffatt moved to approve the engagement letter with Jarred, Gilmore & Phillips PA, for completion of the 2021 audit in an amount not to exceed \$10,200. Seconded by Commissioner Nichol. Motion carried.

At 2:50 p.m. Commissioner Nichol requested a 10-minute recess. Seconded by Commissioner Moffatt. Motion carried. The live streamed Zoom meeting was then placed on hold with audio, video and recording paused.

At 3:00 p.m. the regular meeting of the Governing Body reconvened in the Commission Room at City Hall. The live streamed Zoom meeting then resumed with audio, video and recording.

Administrator Truelove addressed the Commission regarding a proposed renewal of our HACH Company Service Agreement for the Water Treatment Plant. Discussion held.

Commissioner Nichol moved to approve the renewal of the service agreement with HACH Service Plus in an amount not to exceed \$8,301. Seconded by Commissioner Moffatt. Motion carried. *(continued on next page)*

Administrator Truelove addressed the Commission regarding a notice that the City received from Grand River Dam Authority (GRDA), of their request to recover extraordinary power costs associated with the February 2021 extreme weather event. The City has been offered three payment options. Discussion held.

Commissioner Moffatt moved to approve the 12-month payment plan to GRDA, at a cost of \$21,745 per month. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission requesting consideration of a Special Call Meeting on Thursday, September 9, 2021 at 12:00 noon, for the purpose of selecting a Municipal Court Judge. Discussion held.

Commissioner Nichol moved to set a Special Call Commission Meeting September 9, 2021, at 12:00 p.m. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding a Zoning Variance for 208 Wisconsin. The Planning and Zoning Commission met on September 7, 2021 to discuss this variance that requests a communications tower be placed on the property. The Planning Commission is recommending approval of this zoning variance. Members of the Planning Commission, Mike Porter and Mark Shiverdecker were in attendance to answer questions regarding this recommendation. Also present was John Newland, property owner, requesting the variance. Discussion held.

Commissioner Moffatt moved to table this item until the October 27, 2021 meeting. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding approval to purchase a valve exerciser for the water distribution system. Discussion held.

Commissioner Nichol moved to approve the purchase of a Hurco SD 400 Valve Exerciser at a cost not to exceed \$11,975. Seconded by Commissioner Moffatt. Motion carried.

Commissioner Nichol moved to recess to an Executive Session including the Governing Body, City Administrator and City Clerk in the Commission Room to discuss an individual employee's performance pursuant to the non-elected personnel matter exception KSA 75-4319(b)(1) because if this matter were discussed in open session it might invade the privacy of those discussed. The open meeting will resume in the Commission Room at 4:00 p.m. Seconded by Commissioner Moffatt. Motion carried. The live streamed Zoom meeting was then placed on hold with audio, video and recording ceased.

At 4:00 p.m. the regular meeting of the Governing Body reconvened in the Commission Room at City Hall. The live streamed Zoom meeting then resumed with audio, video and recording. No action taken.

Commissioner Moffatt moved to appoint Paul Ramey as the interim Public Works Director. Seconded by Commissioner Nichol. Motion carried.

The next regular meeting of the Governing Body will be held at City Hall on Wednesday, September 22, 2021 at 2:00 p.m.

At 4:05 p.m. Commissioner Nichol moved to adjourn. Seconded by Commissioner Moffatt. Motion carried.

ATTEST:

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Devin Johnson, Mayor

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Stephanie Fyfe, City Clerk

**SPECIAL CALL FOR SPECIAL MEETING OF BOARD OF COMMISSIONERS**

Neodesha, Kansas  
September 9, 2021

To the Board of Commissioners:

The Board of Commissioners will hold a Special Call meeting Thursday, September 9, 2021, at 12:00 noon for the following purposes:

1. Appoint Municipal Court Judge
2. Executive Session: Attorney-Client Privilege

The Board of Commissioners met in a Special Call Session at 12:00 noon, Thursday, September 9, 2021, with Mayor Johnson presiding and Commissioners Moffatt and Nichol present.

Commissioner Moffatt moved to recess to an Executive Session including the Governing Body, City Administrator, City Clerk, and City Attorney for a consultation with an attorney for the body or agency which would be deemed privileged in the attorney-client relationship, per KSA 75-4319(b)(2). The open meeting will resume in the Commission Room at 12:20 p.m. Seconded by Commissioner Nichol. Motion carried.

At 12:20 p.m. Commissioner Moffatt moved to extend the Executive Session including the Governing Body, City Administrator, City Clerk, and City Attorney for a consultation with an attorney for the body or agency which would be deemed privileged in the attorney-client relationship, per KSA 75-4319(b)(2). The open meeting will resume in the Commission Room at 12:25 p.m. Seconded by Commissioner Nichol. Motion carried.

At 12:25 p.m. the regular meeting of the Governing Body reconvened in the Commission Room at City Hall. No action taken.

Commissioner Moffatt moved to recess to an Executive Session including the Governing Body, City Administrator, City Clerk, City Attorney, and Police Chief Sam Tomlinson, for a consultation with an attorney for the body or agency which would be deemed privileged in the attorney-client relationship, per KSA 75-4319(b)(2). The open meeting will resume in the Commission Room at 12:45 p.m. Seconded by Commissioner Nichol. Motion carried.

At 12:45 p.m. the regular meeting of the Governing Body reconvened in the Commission Room at City Hall. No action taken.

Administrator Truelove addressed the Commission regarding consideration of the appointment of a Neodesha Municipal Court Judge. Discussion held.

Commissioner Nichol moved to appoint Tod M. Davis as the Neodesha Municipal Court Judge. Seconded by Commissioner Moffatt. Motion carried.

At 1:05 p.m. Commissioner Moffatt moved to adjourn the meeting. Seconded by Commissioner Nichol. Motion carried.

ATTEST:

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Devin Johnson, Mayor

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Stephanie Fyfe, City Clerk

**APPROPRIATIONS REPORT****ORDINANCE NO 16****9/22/2021**

<u>VENDOR</u>	<u>REFERENCE</u>	<u>AMOUNT</u>	<u>CHECK NO</u>	<u>CHECK DATE</u>
A T & T	PHONE CHARGES	603.43	69362	9/22/2021
ADVANCE INSURANCE COMPANY	OCTOBER PREMIUMS	512.67	69364	9/22/2021
AUTO ZONE	ROCKER SWITCH SET	16.58	69365	9/22/2021
BOUND TREE MEDICAL LLC	MEDICAL SUPPLIES	808.05	69366	9/22/2021
CALLTOWER	PHONE CHARGES	318.48	69367	9/22/2021
CANON FINANCIAL SERVICES	COPIER & PRINTER LEASE	665.33	69368	9/22/2021
CHASE PEST CONTROL LLC	EXTERMINATOR SVC POUND	360.00	69369	9/22/2021
CORE & MAIN	SUPPLIES	524.71	69370	9/22/2021
D & D AUTO REPAIR & ALIGNMENT	OIL CHANGE	85.90	69371	9/22/2021
D C & B SUPPLY INC	REBUILT GAS METERS	1,415.00	69372	9/22/2021
ECX SYSTEMS LLC	BARRACUDA EMAIL SECURITY 10/21	50.00	69373	9/22/2021
ENVIROLINE CO INC	PREVENTATIVE MAINTENANCE SVC	750.00	69374	9/22/2021
FASTENAL COMPANY	SUPPLIES	446.99	69375	9/22/2021
FED EX	SHIPPING CHARGES	37.95	69376	9/22/2021
FOLEY INDUSTRIES INC	ELEMENT	17.49	69377	9/22/2021
FORSYTHE'S HEATING & ELECTRIC	NEW TOILETS @ LIBRARY	757.10	69378	9/22/2021
FREDONIA OUTDOOR EQUIPMENT	CUP HOLDER/SCREWS	53.10	69379	9/22/2021
FREDONIA REGIONAL HOSPITAL	MEDICAL SERVICES D MARTIN	10.41	69380	9/22/2021
GALLS LLC	UNIFORMS FD	412.51	69381	9/22/2021
GERKEN RENT-ALL	SANITATION UNITS	423.50	69382	9/22/2021
GOOD RIDDANCE DISPOSAL	REPLACEMENT DUMPSTER	289.00	69383	9/22/2021
INDEPENDENCE DAILY REPORTER	YEARLY SUBSCRIPTION RENEWAL	111.95	69384	9/22/2021
INDUSTRIAL SALES COMPANY INC	COUPLINGS	855.21	69385	9/22/2021
KANSAS DEPT OF HEALTH & ENVIRO	WW PERMIT FEE	185.00	69386	9/22/2021
KEY EQUIPMENT & SUPPLY CO	SUPPLIES	1,035.51	69387	9/22/2021
MEDICLAIMS INC	AMBULANCE COLLECTION FEES	1,961.51	69388	9/22/2021
MID-AMERICAN RESEARCH CHEMICAL	WHITE MARKING PAINT	1,411.78	69389	9/22/2021
MIDWEST COMPUTER SALES	IT SERVICES	4,402.84	69390	9/22/2021
MUNICIPAL CODE CORPORATION	ONLINE CODE HOSTING	950.00	69391	9/22/2021



NEODESHA AUTO SUPPLY	SOCKET SET,CHISEL	402.47	69393	9/22/2021
PENMAC PERSONNEL SERVICES INC	TEMPORARY PERSONNEL SVC	1,580.88	69394	9/22/2021
PEREGRINE CORPORATION	AP WARRANTS	296.56	69395	9/22/2021
PITNEY BOWES	POSTAGE FOR METER	61.11	69396	9/22/2021
PRIORITY POWER	JUNE BILLING	2,000.00	69397	9/22/2021
PRODUCERS CO-OP ASSOCIATION	AIRPORT FUEL	5,535.15	69398	9/22/2021
R & S CONSTRUCTION	1ST PYMT 4 NEW POLICE BLDG	178,000.00	69399	9/22/2021
SHALOM TREE SERVICE	STUMP REMOVAL	3,720.00	69400	9/22/2021
SIGN DESIGN	STREET SIGN	30.00	69401	9/22/2021
STERICYCLE INC	DISPOSAL SERVICE	211.05	69402	9/22/2021
UNIFIRST CORPORATION	UNIFORM SERVICE	1,586.66	69403	9/22/2021
WEIS FIRE & SAFETY	FIRE SUPPLIES	1,555.40	69404	9/22/2021
WESTERN AUTO	FUEL MIX & SPOOL LINE	235.19	69405	9/22/2021
WILSON MEDICAL CENTER	COVID TEST	70.00	69406	9/22/2021

\*\*\*\*TOTAL\*\*\*\*

**214,756.47**

#### ACH ELECTRIC ENERGY STATEMENTS BILLED SEPTEMBER 2021

KMEA - SPA Hyrdro Project	August 2021 Service	4,198.05
KMEA - GRDA Power Supply Project	October 2021 Service	84,560.94
KMEA - Energy Mgmt Project No 3	August 2021 Service	139,706.66

**TOTAL ACH Electric Energy Statements**

**228,465.65**

# CITY OF NEODESHA

## Proclamation

### Fire Prevention Week 2021

**WHEREAS**, The City of Neodesha is committed to ensuring the safety and security of all those living in and visiting Neodesha; and

**WHEREAS**, fire is a serious public safety concern both locally and nationally, and homes are the locations where people are at greatest risk from fire; and

**WHEREAS**, smoke alarms detect smoke well before you can, alerting you to danger in the event of fire in which you may have just seconds to escape safely; and

**WHEREAS**, working smoke alarms save lives by providing early warning of fire so you and your family can safely escape; and

**WHEREAS**, Neodesha residents should be sure everyone in the home understands the sounds of the alarms and knows how to respond; and

**WHEREAS**, residents who have planned and practiced a home fire escape plan are more prepared and will therefore be more likely to survive a fire; and

**WHEREAS**, Neodesha residents will make sure their smoke and carbon monoxide alarms meet the needs of all their family members, including those with sensory or physical disabilities; and

**WHEREAS**, Neodesha's first responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and public fire safety education; and

**WHEREAS**, Neodesha's residents are responsive to public education measures and are able to take personal steps to increase their safety from fire, especially in their homes; and

**WHEREAS**, the 2021 Fire Prevention Week theme, "Learn the Sounds of Fire Safety", effectively serves to remind us it is important to learn the different sounds of smoke and carbon monoxide alarms.

**THEREFORE**, I Devin Johnson, Mayor of Neodesha, Kansas do hereby proclaim October 3<sup>rd</sup> to 9<sup>th</sup>, 2021, as Fire Prevention Week, and I urge all the people of Neodesha to "**Learn the Sounds of Fire Safety**", and to support the many public safety activities and efforts of Neodesha's fire and emergency services.

ATTEST:

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Devin Johnson, Mayor

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Stephanie Fyfe, Assistant City Clerk

**ORDINANCE NO. 1750**

**AN ORDINANCE AUTHORIZING AND DIRECTING THE REMOVAL OF CERTAIN UNSAFE AND DANGEROUS STRUCTURES LOCATED ON LEGAL DESCRIPTION: *LOTS 11 THROUGH 17 AND THE SOUTH 175 FEET OF LOTS 18 AND 19 OF BLOCK 4, VIVIAN DEER'S SUBDIVISION, CITY OF NEODESHA, WILSON COUNTY, KANSAS, COMMONLY KNOWN AS 1504 N 1<sup>ST</sup> STREET*, 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.**

**WHEREAS**, the governing body did after proper notice and hearing as provided by law make findings by Resolution 21-23 dated August 11, 2021, 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 legal description: *LOTS 11 THROUGH 17 AND THE SOUTH 175 FEET OF LOTS 18 AND 19 OF BLOCK 4, VIVIAN DEER'S SUBDIVISION, CITY OF NEODESHA, WILSON COUNTY, KANSAS, COMMONLY KNOWN AS 1504 N 1<sup>ST</sup> STREET*, 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 22<sup>nd</sup> day of September, 2021.**

ATTEST:

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**Devin Johnson, Mayor**

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**Stephanie Fyfe, City Clerk**

ORDINANCE NO. 1751

**AN ORDINANCE AUTHORIZING AND DIRECTING THE REMOVAL OF CERTAIN UNSAFE AND DANGEROUS STRUCTURES LOCATED ON LEGAL DESCRIPTION: *LOTS TWELVE (12), THIRTEEN (13), FOURTEEN (14), FIFTEEN (15), SIXTEEN (16), SEVENTEEN (17), EIGHTEEN (18), NINETEEN (19) TWENTY (20), TWENTY-ONE (21), TWENTY-TWO (22), AND TWENTY THREE (23) BLOCK ONE (1), DEER AND PARK'S SUBDIVISION, BEING A PART OF THE EAST HALF (E1/2) OF SECTION 17, TOWNSHIP 30 SOUTH, RANGE 16 EAST, COMMONLY KNOWN AS 1532 B STREET, 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.***

**WHEREAS**, the governing body did after proper notice and hearing as provided by law make findings by Resolution 21-24 dated August 11, 2021, 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 legal description: *LOTS TWELVE (12), THIRTEEN (13), FOURTEEN (14), FIFTEEN (15), SIXTEEN (16), SEVENTEEN (17), EIGHTEEN (18), NINETEEN (19) TWENTY (20), TWENTY-ONE (21), TWENTY-TWO (22), AND TWENTY THREE (23) BLOCK ONE (1), DEER AND PARK'S SUBDIVISION, BEING A PART OF THE EAST HALF (E1/2) OF SECTION 17, TOWNSHIP 30 SOUTH, RANGE 16 EAST, COMMONLY KNOWN AS 1532 B STREET, 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 22<sup>nd</sup> day of September, 2021.**

ATTEST:

\_\_\_\_\_  
**Devin Johnson, Mayor**

\_\_\_\_\_  
**Stephanie Fyfe, City Clerk**

**CITY OF NEODESHA**

**RESOLUTION NO. 21-28**

**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 615 MILL STREET, LEGAL DESCRIPTION: Lots Five (5) and Six (6), Block Eighty-one (81), City of Neodesha, Wilson County, Kansas AND Commencing at a point 16 feet North and 100 feet East of both the Southwest corner of Block 81 and the Southwest corner of Lot 13, Block 81, original townsite of the City of Neodesha, thence North to the Southwest corner of Lot 5, of said Block 81, thence East 50 feet to the Southeast corner of Lot 6 of said Block 81, thence South to a point 16 feet North of the South line of said Lot 13 also of said Block 81 and 50 feet East of place of beginning and thence West 50 feet to place of beginning, 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 16th day of September, 2021, 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 10<sup>th</sup> day of November, 2021, 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 **615 Mill 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 22<sup>nd</sup> day of September, 2021.

ATTEST:

\_\_\_\_\_  
**Devin Johnson, Mayor**

\_\_\_\_\_  
**Stephanie Fyfe, City Clerk**

ALCOHOLIC BEVERAGE CONTROL  
109 SW 9th STREET  
P.O. BOX 3506  
TOPEKA KS 66601-3506



DEPARTMENT OF REVENUE  
PHONE: 785-296-7015  
FAX: 785-296-7185  
www.ksrevenue.org/abc.html

## TEMPORARY PERMIT LOCATION AND ZONING

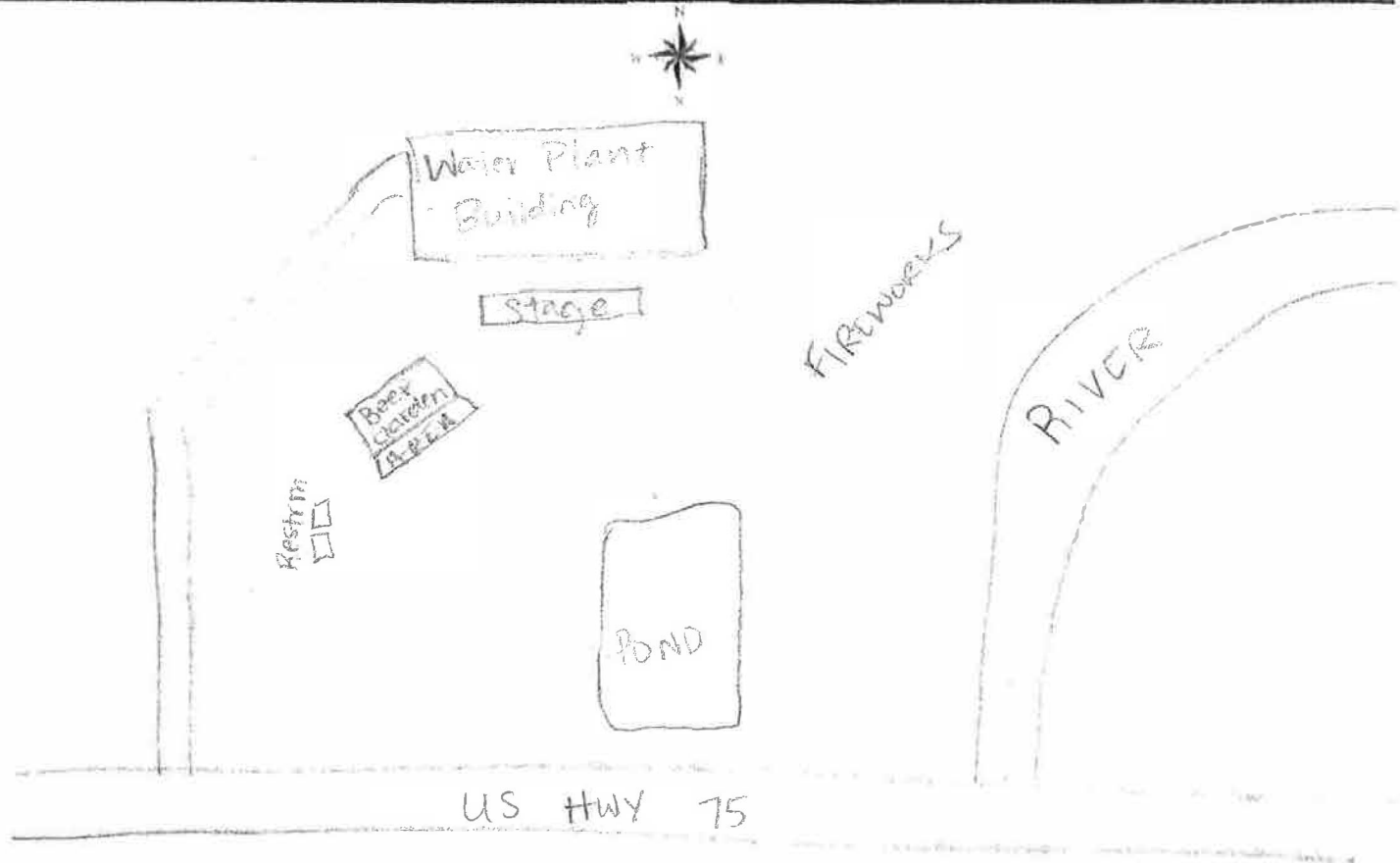
Organization Name or Individual Applicant Neodesha Area Chamber of Commerce, Inc. Event Date(s) October 16, 2021

Event Type: ☐ Charitable Auction ☒ On-Premise ☐ Porcelain Container  
☐ Special Event\* - Number of Consecutive days (up to 30): \_\_\_\_\_

\*A special event is held on public streets, alleys, roads, sidewalks or highways and must be approved, by ordinance or resolution, by the local governing body of any city, county or township where such special event is being held.

### SECTION 1 – EVENT AREA: Complete this section for On-Premise and Special Events only.

In the space below, in ink, draw the floor plan and any outside areas included in the proposed event area where alcoholic liquor will be sold, served or consumed. If the area is outside, it must show where the three-dimensional barriers will be located to define the event area; and, include nearby streets for reference. Shade in the areas you DO NOT wish to be permitted.



### SECTION 2 – CERTIFICATE OF CITY, TOWNSHIP OR COUNTY CLERK: (Completed by the clerk).

I HEREBY CERTIFY THAT THE PREMISES AT 1400 Wisconsin Neodesha 66757  
Location Street Address City

CITY LIMITS: ☐ Inside the incorporated city limits ☒ Outside the city limits

ZONING: ☒ within an area that complies with all applicable zoning regulations required by K.S.A. 41-2643

☐ located outside an incorporated city, in a township or county that is not zoned

LOCATION: ☒ government property ☐ private property ☐ public property ☐ CMB licensed premise

I declare under penalties of perjury that to the best of my knowledge and belief that Section 2 is true, correct and complete.

SIGNATURE

NAME

DATE

PHONE

☒ City Clerk

☐ Township Clerk

☐ County Clerk

