

Agenda

City Commission of the City of Neodesha, KS

December 8, 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 November 24, 2021 Minutes
- Approval of December 1, 2021 Special Call Minutes
- Appropriation (2021) 21
- Raw Water Project Bond Appropriation 97

Item 4: Business Items to Consider

- A. Resolution: Dangerous Structures; 502 N 6th
- B. Consider Business Incubator Lease; 409 Main Street
- C. Accept Resignation from Planning & Zoning Commission
- D. Land Bank: Consider Sale of Property

Item 5: Date/Time of Next Regular Meeting

Wednesday, December 22, 2021 at 2:00 p.m. – Regular Meeting, City Hall

Item 6: Executive Session: Non-elected Personnel

Item 7: Adjournment

AGENDA COMMENTS
CITY COMMISSION MEETING
December 8, 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: Resolution: Dangerous Structures 502 N. 6th

The Commission is asked to consider Resolution 21-37, calling for a Public Hearing, January 26, 2022, 2pm, in the Commission Chambers, to show cause why the structure located at 502 N. 6th Street should not be condemned and ordered repaired or demolished as an unsafe or dangerous structure.

RECOMMENDED MOTION: *I move to adopt Resolution 21-37 setting a public hearing for January 26, 2022 as presented.*

4.B: Consider Business Incubator Lease; 409 Main Street

On November 24, 2021, the Commission met and discussed leasing a City Incubator space to the Neodesha Derrick News. For this agenda item, the Commission is asked to approve an incubator lease agreement with the Neodesha Derrick News for the space located at 409 Main Street.

RECOMMENDED MOTION: *I move to approve the Incubator Lease with the Neodesha Derrick News as presented.*

4.C: Accept Resignation from Planning & Zoning Commission

This agenda item was planned after hiring a Planning & Zoning Committee member as the new Public Works Director. With the untimely resignation of the Public Works Director, the Commission is asked to move forward to accept this resignation from the Planning & Zoning Committee.

RECOMMENDED MOTION: *I move to accept the resignation of Chris Jabben from the Planning & Zoning Commission, effective immediately.*

4.D: Land Bank: Consider Sale of Property

The Commission will convene as the Neodesha Land Bank and consider a request to purchase the property located at 1633 N. 1st Street.

RECOMMENDED MOTION: *I move to convene as the Neodesha Land Bank to consider the sale of property.*

RECOMMENDED MOTION: *I move to approve the sale of 1633 N. 1st Street to Jorge Cintron, at a sale price of \$ _____.*

RECOMMENDED MOTION: *I move to adjourn as the Neodesha Land Bank and reconvene as the City of Neodesha Governing Body.*

Item 6: Executive Session:

EXECUTIVE SESSION: Non-Elected Personnel

I move to recess to an Executive Session including the Governing Body, City Administrator, Public Works Director, and City Clerk 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 ____ p.m.

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, November 24, 2021 with Mayor Johnson presiding and Commissioners Moffatt and Nichol present.

Commissioner Moffatt moved to approve the agenda as presented with the addition of Business Item 4D: Consider Incubator Lease with The Neodesha Derrick News. Seconded by Commissioner Nichol. Motion carried.

Commission and Administrator Reports were heard.

Public Comments were invited and heard.

Commissioner Nichol moved to approve the consent agenda as presented consisting of the minutes from the November 10, 2021 Commission Meeting; minutes from the November 16, 2021 Special Call Meeting; Appropriation (2021) 20; Raw Water Project Bond Appropriation 96; and Gas Line Project Appropriation 33. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding the consideration of budget amendments for 2021. Due to an extraordinary fiscal year, and the major expenses caused by the February extreme weather event, Staff finds it necessary to execute budget amendments for 2021. This budget amendment process will provide authority for the unforeseen expenses that occurred this year. Discussion held. No action taken.

Administrator Truelove addressed the Commission regarding the approval of publication for the 2021 budget amendments, and set a public hearing date for December 15, 2021 to be held at a Special Call Meeting. Discussion held.

Commissioner Moffatt moved to approve the publication of the 2021 budget amendment, and set December 15, 2021 at 12:00 noon for a budget public hearing. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding a change order for the Gas Line Project related to NPL Construction. This change order reduces the number of days assessed (by providing additional contract days), and allows for the inclusion of certain cement projects under the project. Discussion held.

Commissioner Nichol moved to approve Change Order No. 5 for the gas line project as presented. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding the need for The Neodesha Derrick News to use an incubator space owned by the City as a temporary office. Discussion held.

Commissioner Moffatt moved to approve Staff to prepare a lease with The Neodesha Derrick News for the incubator building located in the 400 block of Main Street. Seconded by Commissioner Nichol. Motion carried.

At 2:40 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 2:50 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.

Commissioner Moffatt moved to recess to an Executive Session including the Governing Body, City Administrator, Assistant Public Works Director Jeremy Johnson, and the 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 3:10 p.m. Seconded by Commissioner Nichol. Motion carried. The live streamed Zoom meeting was then placed on hold with audio, video and recording ceased.

At 3:10 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 Nichol moved to accept the resignation of Public Works Director Chris Jabben effective immediately. Seconded by Commissioner Moffatt. Motion carried.

Commissioner Moffatt moved to promote Jeremy Johnson to Public Works Director effective immediately. Seconded by Commissioner Nichol. Motion carried.

The next regular meeting of the Governing Body will be held at City Hall on Wednesday, December 8, 2021 at 2:00 p.m.

At 3:14 p.m. Commissioner Nichol moved to adjourn. Seconded by Commissioner Moffatt. Motion carried.

ATTEST:

Devin Johnson, Mayor

Stephanie Fyfe, City Clerk

SPECIAL CALL FOR SPECIAL MEETING OF BOARD OF COMMISSIONERS

Neodesha, Kansas
December 1, 2021

To the Board of Commissioners:

The Board of Commissioners will hold a Special Call meeting Wednesday, December 1, 2021 at 12:00 p.m., at City Hall, for the following purposes:

1. Gas Line Project: Pay Application No 12
2. Gas Line Project: Letter to KS Department of Commerce

The Board of Commissioners met in a Special Call Session Wednesday, December 1, 2021 at 12:00 noon with Mayor Johnson presiding and Commissioners Moffatt and Nichol present.

Administrator Truelove addressed the Commission regarding the final pay application from the Gas Line Project contractor, NPL Construction. The final pay application involves an agreed upon amount for liquidated damages and an invoice for cement work done. Discussion held.

Commissioner Moffatt moved to approve the Gas Line Project Pay Application No. 12 in the amount of \$38,250.85. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding a letter to the Kansas Department of Commerce related to the Gas Line Project. Rose Mary Saunders of Ranson Financial, had informed the City that the Kansas Department of Commerce needs to be formally notified the we have finalized payment to the contractor and that liquidated damages have been accepted by both parties. Discussion held.

Commissioner Nichol moved to approve the letter to the Kansas Department of Commerce as presented, and to authorize the Mayor to sign. Seconded by Commissioner Moffatt. Motion carried.

At 12:20 p.m. Commissioner Moffatt moved to adjourn. Seconded by Commissioner Nichol. Motion carried.

ATTEST:

Devin Johnson, Mayor

Stephanie Fyfe, City Clerk

APPROPRIATIONS REPORT

| | |
|------------------------|------------------|
| ORDINANCE NO 21 | 12/8/2021 |
|------------------------|------------------|

| <u>VENDOR</u> | <u>REFERENCE</u> | <u>AMOUNT</u> | <u>CHECK NO</u> | <u>CHECK DATE</u> |
|-------------------------------|-------------------------------|---------------|-----------------|-------------------|
| A T & T | PHONE CHARGES | 603.43 | 69710 | 12/8/2021 |
| A T & T | PHONE CHARGES | 248.03 | 69711 | 12/8/2021 |
| BORDER STATES INDUSTRIES INC | CURVED WASHER | 79.88 | 69712 | 12/8/2021 |
| COFFEYVILLE COMMUNITY COLLEGE | FIRE ACADEMY | 1,645.00 | 69713 | 12/8/2021 |
| CORE & MAIN | RUBBER METER WASHERS | 127.75 | 69714 | 12/8/2021 |
| CULLIGAN OF INDEPENDENCE | DECEMBER WATER SERVICE | 253.34 | 69715 | 12/8/2021 |
| D & D AUTO REPAIR & ALIGNMENT | VEHICLE MAINTENANCE | 128.60 | 69716 | 12/8/2021 |
| DITCH WITCH | VAC MACHINE | 325.63 | 69717 | 12/8/2021 |
| FASTENAL COMPANY | SUPPLIES | 18.45 | 69718 | 12/8/2021 |
| FED EX | SHIPPING CHARGES | 175.04 | 69719 | 12/8/2021 |
| FREDONIA NAPA PARTS & SERVICE | LENS | 14.29 | 69720 | 12/8/2021 |
| FREDONIA TRUE VALUE HARDWARE | SUPPLIES | 162.67 | 69721 | 12/8/2021 |
| GALLS LLC | UNIFORMS | 177.03 | 69722 | 12/8/2021 |
| GERKEN RENT-ALL | SANITATION UNITS | 352.00 | 69723 | 12/8/2021 |
| GRANT COUNTY TREASURER | TAXES ON STORED GAS | 129.00 | 69724 | 12/8/2021 |
| GWORCS | 2022 SUPPORT AND LICENSE FEES | 6,702.00 | 69725 | 12/8/2021 |
| HAJOCA CORPORATION | SUPPLIES | 2,568.54 | 69726 | 12/8/2021 |
| JERI HAMMERSCHMIDT | MILEAGE REIMBURSEMENT | 22.96 | 69727 | 12/8/2021 |
| HUGO'S INDUSTRIAL SUPPLY, INC | CLEANING SUPPLIES | 793.35 | 69728 | 12/8/2021 |
| INDEPENDENCE OVERHEAD DOOR | SERVICE CALL | 3,540.00 | 69729 | 12/8/2021 |
| JERRY HALL'S COMMUNICATIONS | RADIOS | 1,270.00 | 69730 | 12/8/2021 |
| KANSAS ONE-CALL SYSTEM, INC | NOVEMBER LOCATES | 37.20 | 69731 | 12/8/2021 |
| ANNETTA KEITH | CIVIC CENTER DEPOSIT REFUND | 200.00 | 69732 | 12/8/2021 |
| LAKELAND OFFICE SYSTEMS | NOVEMBER COPIER MAINTENANCE | 132.50 | 69733 | 12/8/2021 |
| LANDIS+GYR TECHNOLOGY INC | NOVEMBER AMR | 950.00 | 69734 | 12/8/2021 |
| LITTLE BEAR TIRE | TIRES/REPAIR | 509.00 | 69735 | 12/8/2021 |
| MCCARTY'S OFFICE MACHINES INC | OFFICE SUPPLIES | 120.71 | 69736 | 12/8/2021 |
| MEDICLAIMS INC | AMBULANCE COLLECTION FEES | 2,253.48 | 69737 | 12/8/2021 |
| MELS PRINTING | OFFICE SUPPLIES | 411.05 | 69738 | 12/8/2021 |

| | | | | |
|--------------------------------|--------------------------------|------------|-------|------------|
| MIDWEST COMPUTER SALES | IT SERVICES | 274.95 | 69739 | 12/8/2021 |
| MUNICIPAL CODE CORPORATION | ADMINISTRATIVE SUPPORT FEE | 250.00 | 69740 | 12/8/2021 |
| NEODESHA DERRICK | PUBLICATIONS | 1,621.00 | 69741 | 12/8/2021 |
| NEWTON LUMBER CO INC | SUPPLIES | 145.50 | 69742 | 12/8/2021 |
| PITNEY BOWES | POSTAGE MACHINE LEASE | 757.74 | 69743 | 12/8/2021 |
| PORTER DRUG STORE | MEDICATION | 27.06 | 69744 | 12/8/2021 |
| PRAIRIE FIRE COFFEE | BEVERAGE SERVICE | 117.30 | 69745 | 12/8/2021 |
| PRIORITY POWER | OCTOBER BILLING | 1,000.00 | 69746 | 12/8/2021 |
| REYNOLDS PLUMBING & ELECTRIC | BLOWER MOTOR | 218.07 | 69747 | 12/8/2021 |
| SIGN DESIGN | EMBROIDERY | 91.00 | 69748 | 12/8/2021 |
| SOCKET TELECOMM LLC | PHONE CHARGES | 363.77 | 69749 | 12/8/2021 |
| SOUTHERN UNIFORM & EQUIPMENT | UNIFORMS | 468.98 | 69750 | 12/8/2021 |
| STUDEBAKER REFRIGERATION INC | ICE MACHINE RENTAL | 90.00 | 69751 | 12/8/2021 |
| TASC | CLAIM/ADMIN/RENEWAL FEE | 1,321.06 | 69752 | 12/8/2021 |
| THOMPSON BROTHERS SUPPLY INC | OXYGEN/CYLINDER LEASE | 378.53 | 69753 | 12/8/2021 |
| UNIFIRST CORPORATION | UNIFORM SERVICE | 1,434.25 | 69754 | 12/8/2021 |
| US CELLULAR | CELL PHONE/TABLET CHARGES | 411.62 | 69755 | 12/8/2021 |
| WALMART COMMUNITY BRC | SUPPLIES | 197.20 | 69756 | 12/8/2021 |
| EVERGY | STREETLIGHTS @ OTTAWA | 107.08 | 69757 | 12/8/2021 |
| WILSON COUNTY CLERK | ELECTION EXPENSES | 538.05 | 69758 | 12/8/2021 |
| WILSON COUNTY REGISTER OF DEED | FAXED COPIES | 2.00 | 69759 | 12/8/2021 |
| WILSON COUNTY TREASURER | 1ST HALF PROPERTY TAXES | 839.12 | 69760 | 12/8/2021 |
| WILSON MEDICAL CENTER | NOVEMBER TAX DISTRIBUTION | 30,791.42 | 69761 | 12/8/2021 |
| ZOLL MEDICAL CORPORATION GPO | ELECTRODES | 103.82 | 69762 | 12/8/2021 |
| WILSON COUNTY REGISTER OF DEED | DEED FILING | 21.00 | 69521 | 11/5/2021 |
| EQUITY BANK | EMPLOYEE CHRISTMAS GC | 5,100.00 | 69579 | 11/17/2021 |
| DELORES BARNHART | REFUND CEMETERY LOT OPEN/CLOSE | 500.00 | 69578 | 11/17/2021 |
| G & W FOODS | THANKSGIVING CERTIFICATES | 1,275.00 | 69580 | 11/17/2021 |
| SPARKLIGHT | INTERNET SERVICE | 169.78 | 69581 | 11/17/2021 |
| RURAL WATER DISTRICT NO 4 | AIRPORT/RURAL WATER | 28.60 | 69582 | 11/17/2021 |
| SOCKET TELECOMM LLC | PHONE CHARGES | 365.57 | 69583 | 11/17/2021 |
| DIANA CUNNINGHAM | REFUND OF UTILITY OVERPAYMENT | 579.47 | 69584 | 11/17/2021 |
| CONSTELLATION NEWENERGY | OCTOBER BILLING | 105,270.23 | 69585 | 11/17/2021 |
| SOUTHERN STAR CENTRAL GP INC | OCTOBER BILLING | 12,934.97 | 69586 | 11/17/2021 |

| | | | | |
|--------------------------------|-------------------------------|-------------------|-------|------------|
| VISA | SUPPLIES/TRAINING/MEMBER DUES | 5,824.70 | 69587 | 11/17/2021 |
| ICMA | MEMBERSHIP DUES | 813.79 | 69588 | 11/17/2021 |
| JEFF HULL'S PAVING & SEAL COAT | STREET REPAIR PAVING | 16,000.00 | 69589 | 11/17/2021 |
| ADVANCE INSURANCE COMPANY | DECEMBER PREMIUMS | 501.07 | 69692 | 11/30/2021 |
| ORSHELNS | SUPPLIES | 374.80 | 69693 | 11/30/2021 |
| WEX BANK | FUEL PURCHASES | 7,816.19 | 69694 | 11/30/2021 |
| DAVIS MOORE | NEW 2021 DODGE CHARGER | 25,306.46 | 69695 | 11/30/2021 |
| CASH | EMPLOYEE BIRTHDAYS-DECEMBER | 80.00 | 69696 | 11/30/2021 |
| SPARKLIGHT | INTERNET SERVICE | 92.49 | 69697 | 11/30/2021 |
| SPARKLIGHT | INTERNET SERVICE | 157.01 | 69698 | 11/30/2021 |
| US POST OFFICE | NOVEMBER BILLING | 314.18 | 69699 | 11/30/2021 |
| ****TOTAL**** | | 249,025.76 | | |

Office of the Kansas State Treasurer

Bond Registration Intranet

900 SW Jackson St., Ste 201 ... Topeka, KS 66612-1235 ... 785-296-3171

November 22, 2021

Stephanie Fyfe, City Clerk
City Of Neodesha, Kansas
P. O. Box 336
Neodesha, KS 66757

RE: \$998,000.00 NEODESHA
Taxable General Obligation Temporary Notes, Series B, 2021
Dated December 01, 2021

Dear Ms. Fyfe,

Enclosed is a copy of the Debt Service Schedule for a temporary note which was registered in this office. This schedule is provided for your information as to the principal and/or interest due on the payment. Also, please consider this your formal bill for the Registrar and Transfer Agent fee.

| | | |
|-------------------|----|---------------|
| Paying Agent Fee: | \$ | 600.00 |
| Registration Fee: | \$ | 30.00 |
| Total Fee: | \$ | <u>630.00</u> |

As stated in the Agreement between Issuer and Agent, Issuer agrees to pay Agent within two business days following closing of the issue. Please remit funds to the Office of the State Treasurer at the above listed address.

If payment has been made, please disregard this bill. Should you have questions regarding your fee, please contact me at (785) 296-4160.

Sincerely,



Shauna Wake, M.B.A.
Director of Fiscal Services
Office of the State Treasurer

G.C.

Details: 97BR000010467





TRIPLETT WOOLF
GARRETSON, LLC

Tax ID 48-1003820
TWGfirm.com

2959 N. Rock Road, Suite 300
Wichita, Kansas 67226

Phone (316) 630-8100
Fax (316) 630-8101

CITY OF NEODESHA, KANSAS
Attn: Stephanie Fyfe, City Clerk
1407 N. 8th
P. O. Box 336
Neodesha, Kansas 66757-0336

December 1, 2021
File No. 14458-14

RE: *\$998,000 City of Neodesha, Kansas
General Obligation Renewal Temporary Notes
Series A, 2021*

For professional services rendered as the City's Bond Counsel in connection with the issuance by the City of Neodesha, Kansas for the above-referenced issue, including legal research, preparation of the various Resolutions and Certificates pertaining to the Note Resolution, Transcript Certificate, Closing Certificates and the form of opinion, coordination with the City regarding approval of the Ordinance and Note Resolution, review of all documents, numerous office and telephone conferences, and rendering of legal opinion.

FEES \$ 4,805.00

EXPENSES:*

| | |
|---------------------|--------------|
| Copies | \$ 63.90 |
| Express Delivery | 129.39 |
| Postage | 26.33 |
| Transcript Supplies | <u>74.98</u> |
| Total Expenses | \$294.60 |

TOTAL FEES AND EXPENSES \$5,099.60

* Includes estimate for all final transcript supplies and future expenses. Any credit/shortfall will be credited/billed as appropriate.

CITY OF NEODESHA

RESOLUTION NO. 21-37

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 502 N 6th on LEGAL DESCRIPTION: THE NORTH 50 FEET OF LOT FORTY-SIX (46), RECOVERY OF FORD'S SUBDIVISION, 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 8th day of December, 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 January 26, 2022 before the Governing Body of the City at 2:00 p.m. in the Commission Room at City Hall, 1407 N 8th Street, at which time the owner, his agent, any lien holder of record and any occupant of the structure located at 502 N 6th, 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.

ADOPTED AND APPROVED by the governing body of the City of Neodesha, Kansas this 8th day of December, 2021.

ATTEST:

Devin Johnson, Mayor

Stephanie Fyfe, City Clerk