

Agenda

City Commission of the City of Neodesha, KS

February 9, 2022 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 January 26 2022 Minutes
- Approval of January 31, 2022 Special Call Minutes
- Appropriation (2022) 02
- Raw Water Project Bond Appropriation 100
- Gas Line Project Appropriation 35

Item 4: Business Items to Consider

- A. Ordinance: Dangerous Structures 105 N. 5th Street
- B. Consider Purchase of Electric Poles from Bridgewell Resources
- C. Consider Purchase of Skid Steer from John Deere
- D. Consider Ambulance Fee Schedule
- E. Discuss KS Fiber Net Franchise Agreement

Item 5: Date/Time of Next Regular Meeting

Wednesday, February 23, 2022 at 2:00 p.m. – Regular Meeting, City Hall

Item 6: Executive Session: Non-elected Personnel

Item 7: Adjournment

AGENDA COMMENTS
CITY COMMISSION MEETING
February 9, 2022

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: Dangerous Structures 105 N. 5th Street

The Commission is asked to approve Ordinance 1760, providing authority for the structures located at 105 N. 5th Street to be demolished and the property to be made safe.

RECOMMENDED MOTION: *I move to approve Ordinance 1760, directing the removal of certain dangerous and unsafe structures at 105 N. 5th Street.*

4.Consider Purchase of Electric Poles from Bridgewell Resources

The Commission is asked to approve the purchase of electric poles from Bridgewell Resources. The quote is in the amount of \$18,417 but taxes are not included in this quote.

RECOMMENDED MOTION: *I move to approve the purchase of electric poles from Bridgewell Resources at a cost not to exceed \$21,000.*

4.C: Consider Purchase of Skid Steer from John Deere

The Commission is asked to approve the purchase of a skid steer for the electric department. This is a 2022 budgeted item on the capital outlay plan, for \$55,000. The quote is in the amount of \$41,950 but taxes are not included in the quote.

RECOMMENDED MOTION: *I move to approve the purchase of a skid steer from John Deere, at a cost not to exceed \$47,000.*

4.D: Consider Ambulance Fee Schedule

Staff will present information to the Commission on the status of our ambulance fees, and other financial information related to uncollected debt for the EMS service. The ambulance fees were last modified under Resolution 14-07. With the Commission's consensus, Staff can prepare a resolution to adjust the ambulance fees.

RECOMMENDED MOTION: *N/A*

4E: Discuss KS Fiber Net Franchise Agreement

Staff has been in contact with representatives of the Kansas Fiber Net (KSFiberNet), regarding the franchise agreement the City approved in December 2015. The franchise ordinance was approved at the request of KS Fiber Net, but has never been used. Their business model has changed, and they have no plans to come to Neodesha. This is a discussion item. With the Commission's consensus, Staff can prepare an Ordinance to rescind the franchise agreement.

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, 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 Monday, January 26, 2022 with Mayor Johnson presiding and Commissioners Moffatt and Nichol present.

Commissioner Moffatt moved to approve the agenda as presented with the following additions and modifications: Item 4C: Resolution: USDA Loan Resolution; Item 4I: Resolution: Dangerous Structures 905 Carolina; Item 4J: Resolution: Dangerous Structures 221 N 11th; and Item 4P: Approve Purchase of Fire/EMS Department Radio Equipment. Seconded by Commissioner Nichol. Motion carried.

Commission and Administrator Reports were heard.

Community Development Director report was heard.

Public Comments were invited and heard.

Commissioner Nichol moved to approve the consent agenda as presented consisting of the minutes from the January 10, 2022 Commission Meeting; Appropriation (2021) 24; Appropriation (2022) 01; and Raw Water Bond Appropriation 99. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding an Ordinance for the Gas Line Project, authorizing the issuance of GO Bonds in the amount of \$1,766,000. Discussion held.

ORDINANCE NO. 1759

AN ORDINANCE OF THE CITY OF NEODESHA, KANSAS AUTHORIZING THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION BONDS, SERIES 2022-A, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$1,766,000, FOR THE PURPOSE OF FINANCING THE COSTS OF ACQUIRING AND CONSTRUCTING IMPROVEMENTS TO THE CITY'S GAS UTILITY SYSTEM; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID BONDS; AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS; AND MAKING CERTAIN COVENANTS WITH RESPECT THERETO. *(a complete copy of this Ordinance can be viewed in the City Clerk's Office)*

Commissioner Moffatt moved to approve Ordinance 1759 as presented. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding a Resolution for the Gas Line Project that provides the form and details of the bond issue and authorizes the sale and delivery of GO Bonds in the principal amount of \$1,766,000. Discussion held.

RESOLUTION NO. 22-04

A RESOLUTION PRESCRIBING THE FORM AND DETAILS OF AND AUTHORIZING AND DIRECTING THE SALE AND DELIVERY OF GENERAL OBLIGATION BONDS, SERIES 2022-A, IN THE TOTAL AGGREGATE PRINCIPAL AMOUNT OF \$1,766,000, OF THE CITY OF NEODESHA, KANSAS, PREVIOUSLY AUTHORIZED BY ORDINANCE NO. 1759 OF THE CITY; MAKING CERTAIN COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS CONNECTED THEREWITH. *(a complete copy of this Resolution can be viewed in the City Clerk's office)*

Commissioner Nichol moved to adopt Resolution 22-04 as presented. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding a Loan Resolution document, on USDA Form RD 1942-47, required by USDA. The completion of this form signifies that the City understands we are incurring debt to help pay for the natural gas system improvements. This USDA Loan Resolution will be identified as Neodesha Resolution 22-05. Discussion held.

RESOLUTION 22-05

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEODESHA AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING A PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, AND/OR EXTENDING ITS NATURAL GAS SYSTEM IMPROVEMENTS FACILITY TO SERVE AN AREA LAWFULLY WITHIN ITS JURISDICTION TO SERVE. *(a complete copy of this Resolution can be viewed in the City Clerk's office)*

Commissioner Moffatt moved to adopt the USDA Loan Resolution, Resolution 22-05, as presented. Seconded by Commissioner Nichol. Motion carried.

This being the time and date published in the official newspaper for the Gas Line Project; Project Performance Hearing, the public hearing was opened. The Governing Body welcomed Crystal Hinnen of Ranson Financial by Zoom to present information regarding the CDBG grant close out. Public comments were invited, none were given. Discussion held. No action taken. The hearing was then closed.

Administrator Truelove addressed the Commission regarding documents necessary to close out the CDBG grant paperwork. Crystal Hinnen of Ranson Financial continued her attendance by Zoom for the discussion held.

Commissioner Nichol moved to approve the necessary documents for closing the CDBG grant for the gas line project, and authorize the City Clerk and the Mayor to sign and seal. Seconded by Commissioner Moffatt. Motion carried. *(continued on next page)*

Administrator Truelove addressed the Commission regarding an Ordinance providing authority for the structures located at 615 Mill Street to be demolished and the property to be made safe. This item was originally brought before the Governing Body on December 22, 2021 and was tabled. Discussion held.

ORDINANCE NO. 1760

AN ORDINANCE AUTHORIZING AND DIRECTING THE REMOVAL OF CERTAIN UNSAFE AND DANGEROUS STRUCTURES LOCATED AT 615 MILL, NEODESHA KS ON 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 THE PLACE OF BEGINNING 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 21-36 dated November 10, 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 at 615 Mill, on 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 THE PLACE OF BEGINNING, 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 Moffatt moved to table Ordinance 1760, directing the removal of certain dangerous and unsafe structures at 615 Mill Street until the March 23, 2022 meeting. Seconded by Commissioner Nichol. Motion carried.

This being the time and date published in the official newspaper for the hearing on the Dangerous Structures located at 502 N 6th Street, the public hearing was opened. Clarence Snyder, City Code Enforcement Officer, was in attendance for the hearing and to report on the property. Public comment was invited, none was given. Discussion held. Then the hearing was closed.

RESOLUTION NO. 22-06

A RESOLUTION FINDING THAT THE STRUCTURE LOCATED AT 502 N 6th NEODESHA, KANSAS ON LEGAL DESCRIPTION: THE NORTH 50 FEET OF LOT FORTY-SIX (46), RECOVERY OF FORD'S SUBDIVISION, CITY OF NEODESHA, 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 8th day of December, 2021 file with the governing body of said City a statement in writing that a certain structure, hereinafter described, was unsafe and dangerous; and *(continued on next page)*

WHEREAS, the governing body did by Resolution dated the 8th day of December, 2021, 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 16th day of December, 2021, and on the 23rd day of December, 2021, and a copy of such Resolution was served on all persons entitled thereto in all respects as provided by law; and

WHEREAS, on this 26th day of January, 2022, 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 at **502 N 6th**, Neodesha, Kansas on Legal Description: THE NORTH 50 FEET OF LOT FORTY-SIX (46), RECOVERY OF FORD'S SUBDIVISION, CITY OF NEODESHA, WILSON COUNTY, 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 **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 Nichol moved to approve Resolution 22-06 declaring the property located at 502 N 6th Street as unsafe and dangerous, and allow the property owner 30 days to repair or remove the structures and make the property safe and secure. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding Resolution 22-07, calling for a public hearing, to show cause why the structure located at 905 Carolina Street should not be condemned and ordered repaired or demolished as an unsafe or dangerous structure. Clarence Snyder, Code Enforcement Officer, was in attendance for this discussion and reported that this property had come into compliance prior to this meeting. Discussion held.

RESOLUTION NO. 22-07

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 905 CAROLINA LEGAL DESCRIPTION: LOTS 4 (4) AND FIVE (5) BLOCK TWO (2) SHUTT'S ADDITION TO THE CITY OF NEODESHA, WILSON COUNTY, KANSAS, COMMONLY KNOWN AS 905 CAROLINA, 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 26th day of January, 2022, 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 14th day of April, 2022, 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 905 Carolina, 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 rescind Resolution 22-07 regarding the abatement process for the property located at 905 Carolina Street as it has now come into compliance. 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 221 N 11th Street should not be condemned and ordered repaired or demolished as an unsafe or dangerous structure. Clarence Snyder, Code Enforcement Office, was in attendance for this discussion and reported that he and City Staff had been in contact with the property owner to discuss the abatement process. Discussion held.

RESOLUTION NO. 22-08

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 221 N 11TH LEGAL DESCRIPTION: NORTH 50' OF LOTS 2, 3, 4, AND 5, BLOCK 18, CITY OF NEODESHA, WILSON COUNTY, KANSAS, COMMONLY KNOWN AS 221 N 11TH, 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.

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WHEREAS, Ed Truelove, the Enforcement Officer of the City of Neodesha, did on the 26th day of January, 2022, 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 14th day of April, 2022, 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 221 N 11th, 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 Nichol moved to table this item until the March 23, 2022 meeting. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding the 2022 Contract for 4th of July Fireworks. This item was tabled from the December 22, 2021 meeting and then again at the January 10, 2022 Meeting. Discussion held.

Commissioner Moffatt moved to approve the contract with Stellar Fireworks, at a cost of \$9,000. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding the appointment for a Director 2 Position for KMEA. Discussion held.

Commissioner Nichol moved to appoint the City Administrator as Director 2 for KMEA. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding the appointment for an Alternate Position with KMEA. Discussion held.

Commissioner Moffatt moved to appoint the City Clerk as the Alternate Director for KMEA. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding the paid time-off for employees who are ordered quarantined by the Wilson County Health Department that was previously approved by the Governing Body at the November 16, 2021 meeting. This policy has been assumed to apply to not only the employee, but to any member of the family ordered quarantined where the quarantine would apply to the employee due to their proximity to the positive case. Due to recent changes in contact tracing, specifically the elimination of contact tracing, the Wilson County Health Department is now only tracking the isolation of those who have tested positive for pandemic-related illnesses. Therefore, Staff believes that the paid time-off policy is now invalidated by the changes in contact tracing. Discussion held.

Commissioner Nichol moved to terminate the pandemic-related paid time-off policy effective February 1, 2022. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding the purchase of a police vehicle. Discussion held.

Commissioner Moffatt moved to approve the purchase of a police vehicle from Rusty Eck Ford, at a cost not to exceed \$38,000. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding the purchase of Fire/EMS Department radio equipment. Discussion held.

Commissioner Nichol moved to approve the purchase of radio equipment from TBS Electronics Inc, at a cost not to exceed \$20,000. Seconded by Commissioner Moffatt. Motion carried.

Commissioner Moffatt moved to recess to an Executive Session including the Governing Body, City Administrator, 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 3:15 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 3:15 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.

The next regular meeting of the Governing Body will be held at City Hall on Wednesday, February 9, 2022 at 2:00 p.m.

At 3:15 p.m. Commissioner Moffatt moved to adjourn. Seconded by Commissioner Nichol. Motion carried.

ATTEST:

Devin Johnson, Mayor

Stephanie Fyfe, City Clerk

SPECIAL CALL FOR SPECIAL MEETING OF BOARD OF COMMISSIONERS

Neodesha, Kansas
January 31, 2022

To the Board of Commissioners:

The Board of Commissioners will hold a Special Call meeting Monday, January 31, 2022 at 12:00 p.m., at City Hall, for the following purpose:

1. Proclamation: New Police Facility
2. Planning Session with Department Directors

The Board of Commissioners met in a Special Call Session Monday, January 31, 2022 at 12:00 noon with Mayor Johnson presiding and Commissioners Moffatt and Nichol present.

Mayor Johnson read a proclamation dedicating the 2022 Police Facility to Public Safety. Congratulations Chief Tomlinson and all staff of the Neodesha Police Department.

A planning session was held with the Governing Body and all Department Directors: Jay Bair, Water/Wastewater Director; Stephanie Fyfe, City Clerk; Brandon Hearn, Electric Superintendent; Jeremy Johnson, Public Works Director; Sam Tomlinson, Police Chief; and Landon Woodward, Fire/EMS Director. Each Director addressed the Commission regarding upcoming plans and goals for the 2022 year. City Administrator, Ed Truelove, finished the meeting addressing the Commission with his plans and goals for 2022. Discussion was held with each report. No action taken.

At 2:13 Commissioner Moffatt moved to adjourn. Seconded by Commissioner Nichol. Motion carried.

ATTEST:

Devin Johnson, Mayor

Stephanie Fyfe, City Clerk

APPROPRIATIONS REPORT**ORDINANCE NO 2****2/9/2022**

<u>VENDOR</u>	<u>REFERENCE</u>	<u>AMOUNT</u>	<u>CHECK NO</u>	<u>CHECK DATE</u>
ALTEC INDUSTRIES INC	VEHICLE REPAIR	1,782.26	70044	2/9/2022
CINTAS	FIRST AID SUPPLIES	264.70	70045	2/9/2022
CULLIGAN OF INDEPENDENCE	FEBRUARY WATER SERVICE	195.85	70046	2/9/2022
DISCOUNT PLAYGROUND SUPPLY	NEW SWINGS & PARTS	611.55	70047	2/9/2022
FASTENAL COMPANY	GLOVES & SAFETY GLASSES	105.10	70048	2/9/2022
FED EX	SHIPPING CHARGES	101.74	70049	2/9/2022
FOLEY INDUSTRIES INC	EXCAVATOR RENTAL	3,911.55	70050	2/9/2022
FREDONIA NAPA PARTS & SERVICE	ELBOW & U BOLT	92.56	70051	2/9/2022
G & W FOODS	SPECIAL CALL MEETING	99.81	70052	2/9/2022
HACH COMPANY	LAB SUPPLIES	323.89	70053	2/9/2022
HUBER & ASSOCIATES INC	KLER INTERFACE MAINTENANCE	785.00	70054	2/9/2022
HUGO'S INDUSTRIAL SUPPLY, INC	CLEANING SUPPLIES	1,030.12	70055	2/9/2022
KANSAS ONE-CALL SYSTEM, INC	JANUARY LOCATES	20.40	70056	2/9/2022
KANSAS STATE TREASURER	MUNICIPAL COURT FEES	2,169.00	70057	2/9/2022
LAKELAND OFFICE SYSTEMS	JANUARY COPIER MAINTENANCE	148.52	70058	2/9/2022
LANDIS+GYR TECHNOLOGY INC	METERS	8,950.00	70059	2/9/2022
LEAGUE OF KS MUNICIPALITIES	2022 DUES & SUBSCRIPTIONS	1,303.54	70060	2/9/2022
LITTLE BEAR TIRE	TIRE REPAIR	24.00	70061	2/9/2022
LOCKE SUPPLY	GAS PIPE	597.67	70062	2/9/2022
MCCARTY'S OFFICE MACHINES INC	OFFICE SUPPLIES	347.98	70063	2/9/2022
MFA OIL	OIL	974.69	70064	2/9/2022
MIDWEST COMPUTER SALES	IT SERVICES	593.95	70065	2/9/2022
BANK OF AMERICA	ROCK & ICE CONTROL	3,665.38	70066	2/9/2022
NEODESHA DERRICK NEWS	PUBLICATIONS	1,666.25	70067	2/9/2022
O'REILLY AUTOMOTIVE INC	AUTO PARTS	890.61	70068	2/9/2022
PORTER DRUG STORE	MEDICATIONS	157.74	70069	2/9/2022
PRAIRIE FIRE COFFEE	BEVERAGE SERVICE	160.49	70070	2/9/2022
QUILL LLC	OFFICE SUPPLIES	972.84	70071	2/9/2022
RANKIN MEMORIAL LIBRARY	TAX DISTRIBUTION	41,995.39	70072	2/9/2022

SE KS ASSOC OF FIRE CHIEFS	2022 MEMBERSHIP DUES	75.00	70073	2/9/2022
SEK COOP INC	PROPANE	1,058.16	70074	2/9/2022
SEK GARAGE DOORS	GARAGE DOOR REPAIR	320.00	70075	2/9/2022
SOUTH KANSAS & OKLAHOMA RR INC	LINE LEASE	587.92	70076	2/9/2022
SOUTHERN CROSS CORPORATION	CALIBRATION SERVICE	258.53	70077	2/9/2022
SOUTHERN UNIFORM & EQUIPMENT	UNIFORMS	40.99	70078	2/9/2022
STANION WHOLESALE ELECTRIC	ELECTRIC SUPPLIES	18.55	70079	2/9/2022
STUDEBAKER REFRIGERATION INC	ICE MACHINE RENTAL FEB 2022	90.00	70080	2/9/2022
THOMPSON BROTHERS SUPPLY INC	OXYGEN/CYLINDER LEASE	263.70	70081	2/9/2022
TRUSCO MANUFACTURING CO	STRIPER/SPRAY BOX/FLUSH SYSTEM	2,256.00	70082	2/9/2022
US CELLULAR	CELL PHONE/TABLET CHARGES	369.63	70083	2/9/2022
WALMART COMMUNITY BRC	SUPPLIES	103.16	70084	2/9/2022
EVERGY	AIRPORT/RUNWAY LIGHTS	223.55	70085	2/9/2022
EVERGY	STREETLIGHTS @ OTTAWA	108.13	70086	2/9/2022
WILSON MEDICAL CENTER	JANUARY TAX DISTRIBUTION	24,100.05	70087	2/9/2022
ZORO	EVIDENCE LOCKER	7,583.13	70088	2/9/2022
CST STORAGE	SCREEN FOR OVERFLOW DOWNCOMER	300.00	69893	1/10/2022
R & S CONSTRUCTION	2ND PYMT NEW PD BUILDING	320,000.00	69894	1/10/2022
STUDEBAKER REFRIGERATION INC	ICE MACHINE RENTAL JAN 2022	90.00	69895	1/10/2022
SPARKLIGHT	INTERNET SERVICE	157.01	69896	1/10/2022
CITY OF NEODESHA	GAS SURVEY WINNER	100.00	69897	1/10/2022
KMIT	WORK COMP PREMIUMS	68,252.00	69898	1/10/2022
RYAN MILLER	REIMBURSE MEALS/TASER TRAINING	38.00	69899	1/10/2022
LEONARD SWINK	REIMBURSE CDL LICENSE	35.75	69944	1/28/2022
KS STATE TREASURER	POLICE FACILITY NOTE	630.00	69945	1/28/2022
CASH	EMPLOYEE BIRTHDAYS	60.00	69946	1/28/2022
WL CO REGISTER OF DEEDS	DEED FILING	21.00	69947	1/28/2022
SPARKLIGHT	INTERNET SERVICE	169.78	69948	1/28/2022
POND KING	FISHING DOCK	10,891.00	69949	1/28/2022
BANK OF COMMERCE	TRASH TRUCK PAYMENT	38,887.61	69950	1/28/2022
VISA	MEMBERSHIP DUES & SUPPLIES	2,813.52	69951	1/28/2022
RACHEL GUTSCHENRITTER	REFUND UTILITY OVERPAYMENT	371.09	69952	1/28/2022
ROWE MOTORS	2022 STAG TILT TRAILER	6,475.00	69953	1/28/2022
STELLAR FIREWORKS	2022 FIREWORKS DISPLAY	4,500.00	69954	1/28/2022

QUILL LLC	HD BACKUP PORT	127.01	69955	1/28/2022
SPARKLIGHT	INTERNET SERVICE	157.01	69956	1/28/2022
A T & T	PHONE CHARGES	594.52	69957	1/28/2022
FLOYD POWELL	REFUND EMS OVERPAYMENT	179.81	69958	1/28/2022
MARK LASATER & SHERI GARRIS	REFUND EMS OVERPAYMENT	174.49	69959	1/28/2022
WEX BANK	FUEL	6,599.00	70034	1/28/2022
****TOTAL****		573,022.68		

RAW WATER PROJECT BOND
APPROPRIATION 100
February 9, 2022

Vendor	Invoice No	Check No	Amount	Description
Tri-Star Utilities	PR 6	1252	115,102.00	Construction
GRAND TOTAL			<u>115,102.00</u>	

Approved the day above written.

Devin Johnson, Mayor

Attest

Stephanie Fyfe, City Clerk



Contractor's Application for Payment No.

6

Application Period: 8/26/2021 - 2/3/2022		Application Date: 2/3/2022
To (Owner): City of Neodesha	From (Contractor): Tri-Star Utilities, Inc.	Via (Engineer): PEC
Project: Neodesha LS & SS Improvements: West Granby Business Park & Wilson Medical Center	Contract:	
Owner's Contract No.:	Contractor's Project No.: 269SKS	Engineer's Project No.:

Application For Payment

Change Order Summary

Approved Change Orders			1. ORIGINAL CONTRACT PRICE.....	\$	\$1,351,040.00
Number	Additions	Deductions	2. Net change by Change Orders.....	\$	
			3. Current Contract Price (Line 1 + 2).....	\$	\$1,351,040.00
			4. TOTAL COMPLETED AND STORED TO DATE		
			(Column F total on Progress Estimates).....	\$	\$1,286,390.00
			5. RETAINAGE:		
			a. 5% X \$1,286,390.00 Work Completed.....	\$	\$64,319.50
			b. 5% X Stored Material.....	\$	
			c. Total Retainage (Line 5.a + Line 5.b).....	\$	\$64,319.50
			6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5.c).....	\$	\$1,222,070.50
			7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application).....	\$	\$1,106,968.50
			8. AMOUNT DUE THIS APPLICATION.....	\$	\$115,102.00
			9. BALANCE TO FINISH, PLUS RETAINAGE		
			(Column G total on Progress Estimates + Line 5.c above).....	\$	\$128,969.50
TOTALS					
NET CHANGE BY					
CHANGE ORDERS					

Contractor's Certification

The undersigned Contractor certifies, to the best of its knowledge, the following:

(1) All previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with the Work covered by prior Applications for Payment;

(2) Title to all Work, materials and equipment incorporated in said Work, or otherwise listed in or covered by this Application for Payment, will pass to Owner at time of payment free and clear of all Liens, security interests, and encumbrances (except such as are covered by a bond acceptable to Owner indemnifying Owner against any such Liens, security interest, or encumbrances); and

(3) All the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

Contractor Signature

By: Ruth Bechtel Date: 2/7/22

Payment of: \$ 115,102.00
(Line 8 or other - attach explanation of the other amount)

is recommended by: [Signature] 2/7/2022
(Engineer) (Date)

Payment of: \$ 115,102.00
(Line 8 or other - attach explanation of the other amount)

is approved by: 02/09/2022
(Owner) (Date)

Approved by:
Funding or Financing Entity (if applicable) (Date)

Contractor's Application

EJCDC® C-620 Contractor's Application for Payment
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Page 1 of 1

CDBG/USDA GAS LINE GRANT
APPROPRIATION 35
February 9, 2022

Vendor	Invoice No	Check No	Amount	Description
Stifel, Nicolaus & Co Inc	55111-8MR	1153	7,485.00	Administration
GRAND TOTAL			<u>7,485.00</u>	

Approved the day above written.

Devin Johnson, Mayor

Attest

Stephanie Fyfe, City Clerk

Stifel, Nicolaus & Company, Incorporated

One Financial Plaza
Accounting Department - Attn: Christy Baker
501 North Broadway
St. Louis, MO 63102

DATE: December 1, 2021
INVOICE #
MuniBOND Issue Record# 55111 - 8MR
FOR: Municipal Advisory Fee

Bill To:

Stephanie Fyfe
City of Neodesha
1407 N. 8th Street
P.O. Box 336
Neodesha, Kansas 66757

DESCRIPTION	AMOUNT
City of Neodesha, Kansas General Obligation Temporary Notes Series B - 2021	
Municipal Advisory Fee	\$ 7,485.00
TOTAL	\$ 7,485.00

Make all checks payable to **Stifel, Nicolaus & Company, Incorporated**

If you have any questions concerning this invoice, contact:

David Arteberry
816-203-8733
arteberryd@stifel.com

Wire Instructions are as follows:

Bank of America, New York, N.A.
ABA Routing #: 026009593
Beneficiary: Stifel, Nicolaus & Company, Incorporated
Acct: 4451211211
Attn: Public Finance -- 55111 - 8MR
Deal Name: City of Neodesha, Kansas
Attn: Christy Baker, Corporate Accounting

ORDINANCE NO. 1760

AN ORDINANCE AUTHORIZING AND DIRECTING THE REMOVAL OF CERTAIN UNSAFE AND DANGEROUS STRUCTURES LOCATED AT 105 AND 107 N 5TH ON LEGAL DESCRIPTION: N ½ OF LOTS 23 AND 24, BLOCK 35, CITY OF NEODESHA, WILSON COUNTY, KANSAS 21-38 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 21-38 dated December 22, 2022, 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 at 105 and 107 N 5th, on legal description: N ½ of Lots 23 and 24, Block 35, the City of Neodesha, Wilson County, 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 9th day of February, 2022.

ATTEST:

Devin Johnson, Mayor

Stephanie Fyfe, City Clerk

BRIDGEWELL RESOURCES

PO Box 257
305 Main Ave.
Dierks, AR. 71833

Brandon Hearn
City of Neodesha
Neodesha, KS 66757

Please find below our pricing for delivery to Neodesha, KS.

I have added a little to the fuel in hopes it's enough to cover until the poles are manufactured and shipped. Diesel prices are going up each week which affects trucking on the CCA and trucking and manufacturing on the DCOI. Should the surcharge increase more than I have I have allowed for I will need to add a fuel surcharge line adder on the invoice.

CCA

4/30	15	\$214	4-5 weeks
4/40	26	\$350	

Total \$12,310

DCOI

4/30	15	\$273.00/ea	
4/40	33	\$434.00/ea	appx 4 weeks

Total \$18,417

The mills are all low on wood and causing delivery dates to be longer than normal. This is the mills best guess on when the poles will be ready. Hopefully, it will be close but I need you to be aware it could be longer.

Thank you very much for the quote!

Rita Chandler/Sales Representative
Utility and Construction
rchandler@bridgewellres.com
PO Box 257 | Dierks, AR 71833
Office: 877-248-8064 800-854-5617 870-286-2403
Cell: 870-557-7082 EMERGENCY CONTACT NUMBER



JOHN DEERE

Quote Summary

Prepared For:

CITY OF NEODESHA PUBLIC WORKS
PO BOX 336
NEODESHA, KS 66757
Business: 620-325-2828

Prepared By:

Larry Greve
PrairieLand Partners, LLC
3182 Hwy 160 W
Independence, KS 67301
Phone: 620-331-2350
larryg@plpjd.com

Quote Id: 25914890
Created On: 14 January 2022
Last Modified On: 03 February 2022
Expiration Date: 28 January 2022

Equipment Summary	Suggested List	Selling Price	Qty	Extended
JOHN DEERE 330G SKID STEER	\$ 87,759.29	\$ 62,500.00 X	1 =	\$ 62,500.00

Equipment Total **\$ 62,500.00**

Trade In Summary	Qty	Each	Extended
2010 JOHN DEERE 328D - T0328DM186623	1	\$ 20,550.00	\$ 20,550.00
PayOff			\$ 0.00
Total Trade Allowance			\$ 20,550.00

Trade In Total **\$ 20,550.00**

Quote Summary

Equipment Total	\$ 62,500.00
Trade In	\$ (20,550.00)
SubTotal	\$ 41,950.00
Est. Service Agreement Tax	\$ 0.00
Total	\$ 41,950.00
Down Payment	(0.00)
Rental Applied	(0.00)
Balance Due	\$ 41,950.00

Salesperson : X _____

Accepted By : X _____

Confidential



JOHN DEERE

Selling Equipment

Quote Id: 25914890

Customer: CITY OF NEODESHA PUBLIC WORKS

JOHN DEERE 330G SKID STEER

Hours: 0

Suggested List

Stock Number: 429153

\$ 87,759.29

Code	Description	Qty
0BC2T	JOHN DEERE 330G SKID STEER LOADER BASE	1

Standard Options - Per Unit

0755	2SP HIFL RC SLEV CB/AC PQT	1
0953	ISO SWITCHABLE CTLS & JS PPK	1
1501	ENGLISH OP MAN & DECALS	1
1741	LESS JDLINK	1
2450	14X17.5 14PR GALAXY HULK	1
4001	2" SEAT BELT W/SHOULDERSTRAP	1
6003	AIR RIDE SEAT (VINYL)	1
8050	COLD START PACKAGE 110 VOLT	1
8342	RADIO AM/FM W/BLUETOOTH	1
8380	FOOTREST WITH FLOORMAT	1
9062	84" HD CONST BKT W/ EDGE	1

Other Charges

Freight	1
Setup	1
AIM	1

CITY OF NEODESHA

RESOLUTION NO. 14-07

A RESOLUTION SETTING FEES FOR THE CITY OF NEODESHA AMBULANCE SERVICE.

WHEREAS, the Governing Body shall set the fees for the City of Neodesha Ambulance Service; and

WHEREAS, Ambulance service fees shall cover the cost of Emergency and Non-Emergency runs, mileage, and materials and supplies used in the care and treatment of a patient.

NOW, THEREFORE, BE IT RESOLVED by the Governing body of the City of Neodesha that:

1. The fees for ambulance service shall be established as indicated on Exhibit A and become effective June 1, 2014.

ADOPTED AND APPROVED by the governing body of the City of Neodesha, Kansas this 23rd day of April, 2014.

ATTEST:

Terry M. Harper, Mayor

Bobby Busch, City Clerk

EXHIBIT A

<u>SERVICE</u>	<u>PROPOSED RATE</u>
Basic Life Service (BLS) Non-Emergency Transport Basic Supplies included	\$450.00
Basic Life Service (BLS) Emergency Transport Basic Supplies included	\$600.00
Advanced Life Service (ALS) Non-Emergency Transport Basic Supplies included	\$750.00
Advanced Life Service -1(ALS) Non-Emergency Transport Basic Supplies included An assessment by an ALS provider and/or the provision of one or more ALS interventions. (i.e. - EMT-1 assessing the need for an IV.)	\$800.00
Advanced Life Service -2(ALS) Emergency Transport Basic Supplies included The administration of at least three different medications and/or one or more of the following procedures: manual defibrillation/cardioversion, endotracheal intubation, central venous line cardiac pacing (i.e. - code blue.)	\$950.00
Specialty Care transport. Basic supplies included. Interfacility Service provided beyond the scope of the Paramedic. (i.e. – if a Physician, Nurse Practitioner or respiratory therapist is needed for a transfer.)	\$1,100.00
Mileage Charges (per loaded mile)	\$16.00
Refusal to transfer This fee will be charged when an ambulance is called, but the patient or their family refuses the transfer. This fee can be appealed and will be reviewed by a Committee consisting of the Fire Chief/EMS Director, City Administrator and City Clerk. If law enforcement personnel requested the ambulance, no charge will be made if a transfer is not needed.	\$175.00