

Agenda
City Commission of the City of Neodesha, KS
June 22, 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 June 8, 2022 Minutes
- Appropriation (2022) 11

Item 4: Business Items to Consider

- A. Dangerous Structures: 1529 N 1st Street
- B. Dangerous Structures: 415 N 6th Street
- C. Dangerous Structures: 1017 Church Street
- D. Discussion: Vacant Property Registration Ordinance
- E. Discussion: School Resource Officer Program

Item 5: Date/Time of Next Regular Meeting

Wednesday, July 13, 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
June 22, 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: Dangerous Structures (cont.): 1529 N. 1st Street

This agenda item is a continuation from the Public Hearing, December 22, 2021, in which the Commission declared the structures located at 1529 N. 1st Street as dangerous and unsafe. The Commission allowed 90 days for the structures to be made safe and to be in compliance with City Code. The abatement Ordinance was tabled by the Commission on April 13, 2022, allowing the property owner an additional 60 days.

I move to table the abatement process on 1529 N. 1st Street for _____ days to allow the property owner additional time for compliance with City Code.

4.B: Dangerous Structures (cont.): 415 N. 6th Street

This agenda item is a continuation from the Public Hearing, December 22, 2021, in which the Commission declared the structures located at 415 N. 6th Street as dangerous and unsafe. The Commission allowed 90 days for the structures to be made safe and to be in compliance with City Code. The abatement Ordinance was tabled by the Commission on April 13, 2022, allowing the property owner an additional 60 days.

I move to rescind the abatement process for 415 N. 6th Street due to the property being brought into code compliance.

4.C: Dangerous Structures (cont.): 1017 Church Street

This agenda item is a continuation from the Public Hearing, December 22, 2021, in which the Commission declared the structures located at 1017 Church Street as dangerous and unsafe. The Commission allowed 90 days for the structures to be made safe and to be in compliance with City Code. The abatement Ordinance was tabled by the Commission on April 13, 2022, allowing the property owner an additional 60 days.

I move to table the abatement process on 1017 Church Street for _____ days to allow the property owner additional time for compliance with City Code.

4.D: Discussion: Vacant Property Registration Ordinance

Staff will present a draft ordinance to the Commission regarding vacant property registrations.

RECOMMENDED MOTION: N/A

4.D: Discussion: School Resource Officer Program

The Commission is asked to discuss the School Resource Officer (SRO) Program, and determine if Staff should continue discussions with USD 461 towards a possible agreement for the establishment of an SRO program at our schools. This is a consensus item only at this time.

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 Wednesday, June 8, 2022 with Mayor Johnson presiding and Commissioners Moffatt and Nichol present. Technical difficulties with the Zoom recording today did not allow the video portion of the meeting to be viewed. Audio only was heard and recorded.

Commissioner Nichol moved to approve the agenda with the addition of Agenda Item 4D: Engagement Letter with Healy Law Offices; Franchise Agreement; and Item 4E: Temporary Variance for 502 N 8th Street. Seconded by Commissioner Moffatt. Motion carried.

Commission and Administrator Reports were heard.
Community Development Director reports were heard.
Public Comments were invited and heard.

Commissioner Moffatt moved to approve the consent agenda as presented consisting of minutes from the May 25, 2022 Commission Meeting; and Appropriation (2022) 10. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding a resolution authorizing the 5-year lease of the mini-excavator from White Star Machinery. This lease was approved at the April 13, 2022 Commission Meeting. The resolution approves the actual lease documents with First Bank of Sterling. Discussion held.

RESOLUTION 22-10

A RESOLUTION OF THE CITY OF NEODESHA, STATE OF KANSAS, AUTHORIZING THE EXECUTION AND DELIVERY OF A MUNICIPAL LEASE AGREEMENT (First Bank - BANK LEASE) AND OTHER DOCUMENTS AND AGREEMENTS IN CONNECTION THEREWITH.

WHEREAS, the Neodesha City Commission (hereinafter referred to as the “issuer”) is the Governing Body of the City of Neodesha and possesses the legislative power of the City of Neodesha; and

WHEREAS, the Issuer is authorized to approve the Municipal Lease-Purchase Agreements; and

WHEREAS, the Issuer has heretofore determined that financing for the acquisition and leasing of certain equipment pursuant to the Municipal Lease Agreement (as defined) is for the benefit of the inhabitants of the City of Neodesha, and the promotion of their welfare and prosperity, and

WHEREAS, the Lessee (as defined) desires to acquire the following described property pursuant to the Municipal Lease Agreement:

NEW E50 R COMPACT EXCAVATOR – SERIAL NUMBER B4GP15113

(hereinafter the “equipment”); and

WHEREAS, the following documents or instruments have been presented to the Issuer at its meeting:

- a. Municipal Lease Agreement
- b. Schedule to Municipal Lease Agreement
- c. Essential Use Letter; optional
- d. Certificate of Appropriation; optional
- e. Incumbency Certificate; optional
- f. Certificate with Respect to Arbitrage; optional
- g. Bill of Sale (Exhibit A to Municipal Lease)

NOW THEREFORE BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF NEODESHA:

Section 1: The forms, terms, and provisions of the Municipal Lease Agreement by and between as Lessee and First Bank, as Lessor, dated 06/08/2022, with a term of 60 months and payments in the amount of \$8,500, (such agreement is referred to herein as the “Municipal Lease Agreement”), and hereby approved, and all the terms, provisions and conditions of the Municipal Lease Agreement are incorporated herein by reference as if set out in the Resolution, and such Municipal Lease Agreement shall constitute a valid and binding obligation of the Issuer.

Section 2: The form, terms, and provision of the Schedule to the Municipal Lease, (the Essential Use Letter), (the Certificate of Appropriation), (the Incumbency Certificate), (the Certificate with Respect to Arbitrage), and the Bill of Sale (such documents shall be referred to hereinafter as “Peripheral Lease Documents”), are hereby approved, and all the terms, provisions and conditions of the Peripheral Lease Documents are incorporated herein by reference as if set out in this Resolution.

Section 3: The Mayor is hereby authorized to execute the Municipal Lease Agreement and any of the Peripheral Lease Documents requiring execution and such person is hereby authorized to take any and all such action and execute such other documents as may be required to carry out and/or give effect to the transaction contemplated by the Municipal Lease Agreement.

Section 4: The Municipal Lease Agreement is hereby designated a “Qualified Tax-Exempt Obligation”. By such term Issuer intends that the Equipment purchased pursuant to the Municipal Lease Agreement shall be used solely by a governmental entity, and Issuer (and its subordinate entities) shall not issue obligations in excess of \$10,000,000 in this calendar year.

Section 5: This Resolution is made pursuant to the provisions of Code.

Section 6: This Resolution shall take effect immediately upon its adoption.

Commissioner Nichol moved to approve Resolution 22-10, authorizing the mini-excavator lease with the First Bank of Sterling, and authorize the Mayor to sign. Seconded by Commissioner Moffatt. Motion carried. *(continued on next page)*

Administrator Truelove addressed the Commission regarding the purchase of sewer line equipment for Riverwalk Park. This equipment is for a project to convert the open area, between the pond and river, into an RV Park. Discussion held.

Commissioner Moffatt moved approve the purchase of sewer line equipment from Core & Main, at a cost not to exceed \$10,700. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding an appointment to the Library Board. This appointment will replace a 2nd term individual whose term expired on May 31, 2022. Discussion held.

Commissioner Nichol moved to appoint Lewis Scott to the W A Rankin Library Board for a four-year term, with a term ending date of May 31, 2026. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding a letter of engagement with Healy Law Offices LLC for the provision of legal services regarding the City's franchise agreements, pole attachment agreements, right-of-way management ordinance and right-of-way agreements. Discussion held.

Commissioner Moffatt moved to approve the engagement letter with Healy Law Offices LLC as presented. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding a request to grant a temporary variance at 502 N 8th Street to allow the new property owner to reside in a camper during the remodel of the house located at 506 N 8th Street. Discussion held.

Commissioner Moffatt moved to approve the residential zoning variance at 502 N 8th Street, with such variance to expire January 1, 2023. Seconded by Commissioner Nichol. 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 3:05 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 3:05 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 and recording. Technical difficulties disallowed video recording. No action taken.

The next regular meeting of the Governing Body will be held at City Hall on Wednesday, June 22, 2022 at 2:00 p.m.

At 3:07 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 11

6/22/2022

<u>VENDOR</u>	<u>REFERENCE</u>	<u>AMOUNT</u>	<u>CHECK NO</u>	<u>CHECK DATE</u>
A T & T	PHONE CHARGES	511.33	70638	6/22/2022
PATTIE BAILEY	CIVIC CENTER DEPOSIT REFUND	200.00	70639	6/22/2022
BOUND TREE MEDICAL LLC	MEDICAL SUPPLIES	711.19	70640	6/22/2022
CALLTOWER	PHONE CHARGES	324.19	70641	6/22/2022
CANON FINANCIAL SERVICES	COPIER & PRINTER LEASE	745.82	70642	6/22/2022
SHELBY J CONNER	WINDOW CLEANING	65.00	70643	6/22/2022
CORE & MAIN	METER GASKET	130.92	70644	6/22/2022
D C & B SUPPLY INC	REBUILT GAS METERS	1,398.00	70645	6/22/2022
ECONO SIGNS LIC	STREET SIGNS/TRAFFIC CONES	824.30	70646	6/22/2022
FIREX, INC	EXTINGUISHER INSPECTION	82.00	70647	6/22/2022
G & W FOODS	POOL CONCESSIONS	161.19	70648	6/22/2022
GFL ENVIRONMENTAL SVCS USA,INC	USED OIL PICK UP	109.95	70649	6/22/2022
MOLLY GILDART	UNIFORM MAINTENANCE	49.00	70650	6/22/2022
HAWKINS INC	CHEMICALS	4,093.11	70651	6/22/2022
KANSAS STATE TREASURER	MUNICIPAL COURT FEES	2,006.11	70652	6/22/2022
LINN'S AIR COOLED ENGINES	ELASTO ROPE FOR CHAINSAW	6.50	70653	6/22/2022
MIDWEST COMPUTER SALES	IT SERVICES	149.95	70654	6/22/2022
BANK OF AMERICA	ROCK	832.63	70655	6/22/2022
NDB NEODESHA	NOTARY BOND	182.00	70656	6/22/2022
NEODESHA AUTO SUPPLY	AUTO PARTS & SUPPLIES	1,628.47	70658	6/22/2022
PENMAC PERSONNEL SERVICES INC	TEMPORARY PERSONNEL SVC	731.45	70659	6/22/2022
PITNEY BOWES	POSTAGE FOR METER	1,069.14	70660	6/22/2022
PRAIRIE FIRE COFFEE	BEVERAGE SERVICE	80.15	70661	6/22/2022
PRODUCERS CO-OP ASSOCIATION	AIRPORT FUEL	5,059.70	70662	6/22/2022
RAILROAD MANAGEMENT CO LLC	POLE LEASE LICENSE FEE	1,503.52	70663	6/22/2022
SAFE LIFE DEFENSE	UNIFORMS	183.60	70664	6/22/2022
SEW WHAT?! AND MORE	UNIFORM MENDING	28.00	70665	6/22/2022
SIGN DESIGN	FD SHIRTS	108.00	70666	6/22/2022
SNAP ON TOOLS	SCANNERS & YEARLY MEMBERSHIP	12,569.01	70667	6/22/2022

SOLOMON CORPORATION	SUBSTATION REPAIR	22,815.00	70668	6/22/2022
SOUTHERN UNIFORM & TACTICAL	UNIFORMS	1,105.06	70669	6/22/2022
STERICYCLE INC	DISPOSAL SERVICE	221.61	70670	6/22/2022
UNIFIRST CORPORATION	RUG & CLEANING SUPPLIES	1,257.30	70671	6/22/2022
WESTERN AUTO	PARTS & SUPPLIES	264.43	70672	6/22/2022
WILSON COUNTY REGISTER OF DEEDS	FAXED COPIES	1.50	70673	6/22/2022
****TOTAL****		61,209.13		

ACH ELECTRIC ENERGY STATEMENTS BILLED JUNE 2022
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KMEA - SPA Hydro Project	May 2022 Service	3,743.18
KMEA - GRDA Power Supply Project	July 2022 Service	166,104.87
KMEA - Energy Mgmt Project No 3	May 2022 Service	141,960.38
TOTAL ACH Electric Energy Statements		311,808.43

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF NEODESHA, KANSAS PROVIDING FOR THE REGISTRATION OF VACANT BUILDINGS AND PROPERTIES; PROVIDING PROCEDURES RELATED TO INCENTIVES, MAINTENANCE, MARKETING AND ANNUAL INSPECTIONS.

WHEREAS, the Governing Body finds that abandoned and vacant residential and commercial buildings adversely affect quality of life, creates blight, and impacts local property values; and

WHEREAS, abandoned and vacant buildings are known to attract vandalism, become havens for drug use and other crime, and require expenditure of public funds for police protection, fire protection and housing inspection; and

WHEREAS, the Governing Body finds that public health, safety and welfare are adversely affected by abandonment and prolonged vacancies in residential and commercial buildings; now therefore

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

Section 1. Chapter 8, Article VI of the City of Neodesha Code is amended by adding Division 4 to read as follows:

DIVISION 4. – VACANT PROPERTY REGISTRATION

Sec. 8-404. – Purpose.

Recognizing that abandoned and vacant buildings contribute to blight in both residential and non-residential neighborhoods, discourage economic development and retard appreciation of property values, endanger public health and safety, attract criminal activity, and create fire hazards, it is the responsibility of property owners to prevent buildings from becoming a burden to the neighborhood and community and a threat to the public health, safety, and welfare. The Governing Body finds that abandoned and vacant buildings result in increased expenditures for police, fire, and code services inspections and calls. Maintenance of the public health, safety, and welfare thus requires the City to maintain an accurate registration of all abandoned and vacant buildings.

Sec. 8-405. – Definitions.

For purposes of this article, certain phrases and words are defined below. Words or phrases not defined in this article but defined in applicable state law or the Code shall be given that meaning. All other words or phrase shall be given their common ordinary meaning. The following words, terms and phrases, when used in this article, shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning.

Abandoned Building means a building that is vacant and is open or unsecured so that unauthorized admittance may be gained.

Building means a building, or other structure adapted to permanent occupancy for residential or commercial purposes.

City means the City of Parsons, Kansas.

Chronic Vacancy or Chronically Vacant means a VACANT building which continues to remain vacant for six (6) months after initial notification by the City to the owner.

Occupy means to conduct a lawful business or reside in all or any part of the building or structure as the business occupant, or as the legal or equitable owner/occupant(s) or tenant(s) on a permanent, non-transient basis, or any combination of the same. For purposes of this Article, evidence offered to prove that a person occupies a building or structure may include, but shall not be limited to, the regular receipt of regular mail through the U.S. Postal Service or proof of continual electric, water, sewer and trash services.

Owner means the person, persons or entity identified as the owner of the parcel with the Labette County Appraiser's Office; or any agent identified by a nonresident owner; or any mortgagee of a property in foreclosure.

Unsecured means access to the building may be obtained through open, unlocked, broken or missing doors or windows of such building.

Vacant means any building intended for residential or commercial use which is not currently occupied or in use wherein no person or persons actually, currently conduct a lawful business or lawfully reside or live in any part of the building as the legal or equitable owners(s) or tenant-occupants(s) or tenant(s) on a permanent, non-transient basis or that is unoccupied.

Sec. 8-406. – Public officer.

The city administrator shall designate a public officer to be charged with the administration and enforcement of this Article.

Sec. 8-407. – Inquiry and inspection.

The public officer shall make inquiry and inspection of premises upon receiving information that a building may be abandoned or vacant. Upon making such inquiry and inspection the public officer shall make a written report of his or her findings.

Sec. 8-408. – Service of notice.

If the public officer determines that a building is abandoned or vacant then such officer shall give notice of the finding to the owner by:

- (a) delivering written notice to the owner personally, or
- (b) by first class mail through the U.S. Postal Service and by posting the notice on the building in a conspicuous place.

Sec. 8-409. – Notice content; vacant building.

The notice issued by the City for a vacant building shall be in writing and shall contain the common street address, description of the building, advise the owner that the building has been determined to be vacant, and will be subject to registration as a Chronically Vacant building after a period of six (6) months, and advise the owner that he or she has twenty (20) days to appeal the determination.

Sec. 8-410. – Notice content; abandoned or chronically vacant building.

The notice issued by the City for an Abandoned or Chronically Vacant building shall be in writing and shall contain the common street address, legal description of the property, registration requirements, and shall apprise the owner of the facts available to the City which resulted in the determination that the building is an abandoned or chronically vacant building and advise the owner that he or she has twenty (20) days to appeal the determination. The Notice shall state the steps which an owner may take to claim an exemption from registration fees. The time period for registration of an abandoned or chronically vacant building may be extended by the public officer for good cause.

Sec. 8-411. – Registration and maintenance requirements for abandoned and chronically vacant buildings; fees.

(a) The owner of an abandoned or chronic vacant building shall register the building with the City within twenty (20) days of service of a written Notice provided to the owner or agent of the existence of the abandoned or chronic vacant building, or show cause in writing to the public officer as to why the building is not abandoned or chronically vacant. If the owner contends that the building is neither abandoned nor chronically vacant then such owner shall provide the public officer with such information as the owner requests the public officer to consider in making his or her determination. The public officer shall render his or her written decision within ten (10) days of the notice that the owner challenges the initial notice that the building was abandoned or chronically vacant.

(b) The required registration shall be submitted on the form provided by the City, which form shall include the name, current mailing address, phone number and any other contact information of the owner; the names and addresses of all known lienholders and all other parties with a legal or equitable ownership interest in the building; the common address of the building and parcel tax identification number. The form shall also include a timetable for:

- (1) Returning the abandoned or chronically vacant building to appropriate occupancy or use; or
- (2) Marketing the chronically vacant building pursuant to the provisions of Section 8-412.

(c) The initial registration period is for six (6) months. After the initial registration period has expired and for every subsequent year a building remains abandoned or chronically vacant beyond the initial registration period, the owner of the abandoned or vacant building must:

- (1) re-register the building, by paying the appropriate fees, and
- (2) submitting an updated plan for either returning the building to appropriate occupancy or use, or marketing the property.

(d) Upon registration, the City shall provide the following incentives toward active marketing of the residential or commercial building:

- (1) Waive zoning fees, if applicable;
- (2) Provide solid waste removal, water, and sewer service for sixty (60) days at a reduced cost of fifty percent of the normal bill for these services with the total benefit to not exceed \$200.00 if the building is leased within ninety (90) days of initial registration within the guidelines adopted by the City Council and effective at the date of occupancy; and
- (3) If the building requires remodeling, waive permit fees if remodeling occurs within ninety (90) days of initial registration.

(e) If the owner of an abandoned or chronically vacant building does not reside within 50 miles of Parsons for at least six (6) months a year, then such owner must designate a resident agent with authority to act with respect to the property, including name, current mailing address, phone number and any other contact information of the owner's agent.

(f) Any subsequent owner of a registered abandoned or chronically vacant building must amend the registration with the public officer to include the new owner within thirty (30) days of any transfer of any ownership interest in the abandoned or chronic vacant building, but is not liable for an additional registration fee for the period for which it has been registered.

(g) The owner of an abandoned or chronically vacant building must keep the building and any adjoining property secure, safe and maintained in compliance with all federal, state and local ordinances and regulations.

(h) The initial registration fee for an abandoned or chronic vacant building is fifty dollars (\$50.00) per residential building, and one-hundred dollars (\$100.00) per commercial building, which shall be collected by the City at the time of initial registration of the building.

(i) If a building remains abandoned or chronic vacant more than 6 months after initial registration it shall be subject to a re-registration fee of \$250 per year for a residential building and \$500 per year for a commercial/industrial building. Funds derived from said fee shall be used to offset the City's cost of inspections and incentives as found in subsection (d).

Sec. 8-412. – Marketing exception to registration fees for chronically vacant buildings.

A chronically vacant building shall be exempt from the registration fee required pursuant to Section 8-411, for so long as the following marketing requirements are being met:

(a) Buildings marketed as “for rent” in a newspaper or in an online listing by organizations who provide real estate listings at a fair market value rental rate based upon market rental rates for comparable properties. The owner may show entitlement to this exemption by submitting evidence of marketing to the City. In the event that active marketing ceases, the building in question shall be immediately subject to registration fees.

(b) Buildings which are being actively marketed as “for sale” by a licensed real estate broker or by the owner and advertised as such in a newspaper or listed on a recognized online website. The owner may show entitlement to this exemption by submitting evidence of marketing to the City. In the event that active marketing ceases, the building in question shall be immediately subject to Registration.

(c) A building for which the owner executes a valid affidavit on a form provided by the City attesting that the owner intends to resume occupancy of the building within 180 days. Failure to actually resume occupancy of the building within 180 days will result in imposition of the registration fee that was exempted under this section, as well as any reregistration fees then becoming due.

Sec. 8-413. – Failure to register; fees, procedures.

(a) An owner who fails to register or re-register an abandoned or chronically vacant building under this Article after written Notice shall be in violation of this Article. The registration fee provided for in Section 8-411 per residential building and per commercial building shall immediately become due and payable to the City.

(b) Any civil fees assessed under this section shall be billed to the owner or other responsible party at their registered address. Failure or refusal to pay fees after Notice and an opportunity to pay shall authorize the City to use any and all available legal remedies for the enforcement and collection of such fees; including but not limited to suits in law or equity in any court of competent jurisdiction, abatement of nuisances maintained in violation of this article, injunction or assessment of said registration or re-registration fees on the property to be collected with the property taxes. This Article in no way limits the actions or abatement procedures which may be taken by the City for a violation of any other ordinance of the City or statute of the State of Kansas.

(c) Should an owner fail to register an abandoned or chronically vacant building as provided in this Article, the public officer may file a complaint in the municipal court of the city against such owner and upon conviction of a violation of the provision of Section 8-411, be fined in an amount not less than \$250 and not more than \$500.

Sec. 8-414. – Appeal.

Any person aggrieved by a finding, order or decision made by the Public Officer pursuant to this Article may appeal such to the Governing Body by written notice delivered to the City Clerk within ten (10) days, excluding weekends and holidays, from the final decision of the Public Officer. The Governing Body shall provide a hearing and make a decision affirming, overruling or modifying the finding, order or decision appealed from.

Secs. 8-415—8-434. - Reserved.

Section 2. All ordinances or parts of ordinances in conflict herewith are repealed.

Section 3. This Ordinance shall be in force and take effect from and after its adoption and publication once in the official newspaper of the City.

Passed by the Governing Body of the City of Neodesha, Kansas and signed by the Mayor this 13th day of July, 2022.

ATTEST:

Devin Johnson, Mayor

Stephanie Fyfe, City Clerk