

**Agenda**  
City Commission of the City of Neodesha, KS  
October 12, 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 September 28, 2022 Minutes
- Appropriation (2022) 18

Item 4: Business Items to Consider

- A. Resolution: Dangerous Structures 1017 Grant Street
- B. Resolution: Dangerous Structures 1030 Walnut Street
- C. Resolution: Dangerous Structures 1700 N. 8<sup>th</sup> Street
- D. Appointments to Economic Development Committee
- E. Safe Routes to School: Form 1302
- F. Solar Project: Engagement Letter with UMB Bank
- G. Solar Project: Addendum to the Project Approval Notice
- H. Discuss Main Street Crosswalks
- I. Discuss Modifying Staff Work Schedules
- J. Discuss Indigenous Peoples Day

Item 5: Date/Time of Next Regular Meeting

Wednesday, October 26, 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  
October 12, 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: Resolution: Dangerous Structures 1017 Grant Street**

The Commission is asked to consider Resolution 22-18, calling for a Public Hearing, December 14, 2022, 2pm, in the Commission Chambers, to show cause why the structure located at 1017 Grant Street should not be condemned and ordered repaired or demolished as an unsafe or dangerous structure.

**RECOMMENDED MOTION:** *I move to adopt Resolution 22-18 setting a public hearing for December 14, 2022 as presented.*

**4.B: Resolution: Dangerous Structures 1030 Walnut Street**

The Commission is asked to consider Resolution 22-19, calling for a Public Hearing, December 14, 2022, 2pm, in the Commission Chambers, to show cause why the structure located at 1030 Walnut Street should not be condemned and ordered repaired or demolished as an unsafe or dangerous structure.

**RECOMMENDED MOTION:** *I move to adopt Resolution 22-19 setting a public hearing for December 14, 2022 as presented.*

**4.C: Resolution: Dangerous Structures 1700 N. 8th Street**

The Commission is asked to consider Resolution 22-20, calling for a Public Hearing, December 14, 2022, 2pm, in the Commission Chambers, to show cause why the structure located at 1700 N. 8th Street should not be condemned and ordered repaired or demolished as an unsafe or dangerous structure. The Commission approved this abatement resolution (22-17), September 28, 2022, but the Resolution was not published in the newspaper. Therefore, this Resolution also repeals Resolution 22-17.

**RECOMMENDED MOTION:** *I move to adopt Resolution 22-20 setting a public hearing for December 14, 2022 as presented.*

**4.D: Appointments to Economic Development Committee**

For the Economic Development Committee, the Commission is asked to reappoint Rod Froebe, Chris Goodwin, and Mitchell Peitz. All have consented to reappointment.

**RECOMMENDED MOTION:** *I move to reappoint Rod Froebe, Chris Goodwin, and Mitchell Peitz to the Economic Development Committee for four-year terms, with a term ending date of December 31, 2026.*

**4.E: Safe Routes to School: Form 1302**

Staff will present information on Form 1302, and the requirement to submit this document in support of the Safe Routes to Schools project. The Mayor will need to sign Form 1302.

**RECOMMENDED MOTION:** *I move to approve Form 1302, and authorize the Mayor to sign.*

**4.F: Solar Project: Engagement Letter with UMB Bank**

The Commission is asked to consider approving an engagement letter with UMB Bank, Scott Crist, to assist with the possible acquisition of finance, for a lease/purchase program for the solar project.

**RECOMMENDED MOTION:** *I move to approve the engagement letter with UMB Bank, for financial services associated with the proposed solar project.*

**4.G: Solar Project: Addendum to the Project Approval Notice**

It is understood that one transformer has been ordered by Priority Power Management (PPM), for use with a solar project at the airport. Apparently, one transformer would have been sufficient for the previous size of the solar farm. Due to the increase in AC output (5 Megawatts), it will require a second transformer. Due to lead times for delivery, PPM is requesting City approval to order a second transformer. The cost of the transformer is approximately \$90,000, and that cost is anticipated to be absorbed by the project. Therefore, this agenda item serves as somewhat of a soft project approval.

**RECOMMENDED MOTION:** *I move to approve Addendum 1 to the Project Approval Notice as presented.*

**4.H: Discuss Main Street Crosswalks**

The Commission is asked to discuss and consider appropriate locations for the placement of crosswalks on Main Street.

**RECOMMENDED MOTION:** *I move to approve \_\_\_\_\_, and \_\_\_\_\_, for the placement of crosswalks on Main Street.*

**4.I: Discuss Modifying Staff Work Schedules**

The Commission is asked to discuss establishing a 4.5-day work schedule for Staff. If approved, Staff will work to modify the current Policy Manual to incorporate these changes. This change is believed to positively impact employee recruitment, morale, and retention. This is a consensus item only at this time.

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

**4.J: Discuss Indigenous Peoples Day**

Staff will present information about the trend towards establishing an Indigenous Peoples Day.

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

The Board of Commissioners met in regular session at 2:00 p.m., on Wednesday, September 28, 2022, in the Commission Room at City Hall conducting the meeting by live streaming with Zoom with Mayor Johnson presiding and Commissioners Moffatt and Nichol present.

Commissioner Moffatt moved to approve the agenda as presented with the addition of the following Business Items; 4G: Consider Financing Options for Solar Project; 4H: Discuss Neodesha Golf Driving Range; 4I: Consider Invoice from Midwest Training & Consulting Service; and 4J: Appointment to Neodesha Housing Authority Board. Seconded by Commissioner Nichol. Motion carried.

Commission reports were heard.

City Administrator reports were heard.

Community Development Director reports were heard.

Public Comments were invited and heard.

Commissioner Nichol moved to approve the consent agenda as presented consisting of minutes from the September 14, 2022 Commission Meeting; minutes from the September 19, 2022 Special Call Meeting; and Appropriation (2022) 17. Seconded by Commissioner Moffatt. Motion carried.

Mayor Johnson read a proclamation designating the week of October 9<sup>th</sup> through October 15<sup>th</sup> as Fire Prevention Week 2022. The proclamation urges all citizens of the City of Neodesha to take note of this year's theme, "Fire Won't Wait. Plan Your Escape". Thank you Chief Woodward and members of the Neodesha Fire & EMS Department for your service to the community.

Administrator Truelove addressed the Commission regarding a Resolution calling for a public hearing to show cause why the structure located at 318 S 2<sup>nd</sup> Street should not be condemned and ordered repaired or demolished as an unsafe or dangerous structure. Discussion held.

#### RESOLUTION NO. 22-16

**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 318 S 2<sup>nd</sup>, LEGAL DESCRIPTION: THE NORTH SEVENTY-ONE (71) FEET OF LOTS TWENTY-TWO (22), TWENTY-THREE (23), AND TWENTY-FOUR (24), BLOCK SEVENTY-FOUR (74), CITY OF NEODESHA, WILSON COUNTY, KANSAS, COMMONLY KNOWN AS 318 S 2ND, 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 28th day of September, 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 23<sup>rd</sup> day of November, 2022, 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 318 S 2nd, 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 22-16 setting a public hearing for November 23, 2022. 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 1700 N 8<sup>th</sup> Street should not be condemned and ordered repaired or demolished as an unsafe or dangerous structure. Discussion held.

#### RESOLUTION NO. 22-17

**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 1700 N 8<sup>TH</sup> LEGAL DESCRIPTION: LOTS TWENTY-SIX (26) AND TWENTY-SEVEN (27), BLOCK ONE (1) J.H. PARK SUBDIVISION WILSON COUNTY KANSAS, COMMONLY KNOWN AS 1700 N 8TH, 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 28th day of September, 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 23<sup>rd</sup> day of November, 2022, 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 1700 N 8th Neodesha Kansas may

*(continued on next page)*

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 adopt Resolution 22-17 setting a public hearing for November 23, 2022 as presented.

Seconded by Commissioner Moffatt. Motion carried.

The Governing Body welcomed Ms Susan Lockhart for a discussion on establishing a day care center in Neodesha. Discussion held. No action taken.

Administrator Truelove addressed the Commission regarding the purchase of electrical wire for the Electric Department from Stanion Wholesale Electric. Discussion held.

Commissioner Moffatt moved to approve the purchase of electrical wire from Stanion Wholesale Electric Company, in an amount not to exceed \$17,000. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding a request from Lynn Estes, Director of the Neodesha Housing Authority, to approve a letter of support for the sale of property owned by the Neodesha Housing Authority. This property is located at 220 N 7<sup>th</sup> Street. Discussion held.

Commissioner Nichol moved to approve the support letter for the Neodesha Housing Authority, and authorize the Mayor to sign. Seconded by Commissioner Moffatt. Motion carried.

The Governing Body welcomed Mr Scott Crist, UMB Bank, by Zoom, for a presentation regarding finance options for the City's proposed Solar Project. Discussion held. No action taken.

Administrator Truelove addressed the Commission regarding the recent activity related to establishing the temporary golf range, and the conflict with the Rec Commission's use of the fields for Fall youth soccer. Discussion held. No action taken.

Administrator Truelove addressed the Commission regarding invoices and services provided by Midwest Training & Consulting Service for the City's Stormwater Pollution Plan at the Neodesha Airport, and a Spill-Prevention Plan for our Electric Substations. Discussion held.

Commissioner Moffatt moved to approve the payment to Midwest Training & Consulting Service, for a stormwater plan, and spill prevention plan, at a cost not to exceed \$3,250. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding the reappointment to the Housing Authority Board for a four-year term, ending May 31, 2026. Discussion held.

Commissioner Nichol moved to reappoint Sharon Jackson to the Housing Authority Board for a four-year term ending May 31, 2026. Seconded by Commissioner Moffatt. Motion carried.

The next regular meeting of the Governing Body will be held at City Hall on Wednesday, October 12, 2022 at 2:00 p.m.

At 3:20 p.m. Commissioner Moffatt moved to adjourn. 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 18**

**10/12/2022**

<u>VENDOR</u>	<u>REFERENCE</u>	<u>AMOUNT</u>	<u>CHECK NO</u>	<u>CHECK DATE</u>
ALTEC INDUSTRIES INC	EQUIPMENT REPAIR	804.83	71159	10/12/2022
AMERICAN LAW ENFORCEMENT	KUSTOM RAPTOR	240.00	71160	10/12/2022
AMERICAN PUBLIC GAS ASSOCIATIO	2023 MEMBERSHIP DUES	983.45	71161	10/12/2022
AXSELL OVERHEAD DOOR, LLC	ADJUST/RESET DOOR & OPENER	255.00	71162	10/12/2022
BORDER STATES INDUSTRIES INC	ELECTRIC SUPPLIES	10,945.04	71163	10/12/2022
CLEAVER FARM & HOME	TUBING/HOLE SAW	223.68	71164	10/12/2022
CORE & MAIN	BRASS PARTS	2,019.69	71165	10/12/2022
CULLIGAN OF INDEPENDENCE	OCTOBER WATER SERVICE	285.98	71166	10/12/2022
EBH & ASSOCIATES	SAFE ROUTES TO SCHOOLS	3,756.52	71167	10/12/2022
ECONO SIGNS LIC	SIGNS & PARKING STOPS	1,363.54	71168	10/12/2022
FREDONIA TRUE VALUE HARDWARE	SUPPLIES	264.36	71169	10/12/2022
G & W FOODS	WATER & SUPPLIES	122.16	71170	10/12/2022
GRAFIX	REFLECTIVE GRAPHIC KIT	488.79	71171	10/12/2022
HARMONY LODGE	4TH QTR LEASE 2022	900.00	71172	10/12/2022
HAWKINS INC	CHEMICALS	6,212.30	71173	10/12/2022
HEALY LAW OFFICES, LLC	FRANCHISE FEES	1,253.75	71174	10/12/2022
HUGO'S INDUSTRIAL SUPPLY, INC	CLEANING SUPPLIES	431.70	71175	10/12/2022
IMAGE TREND INC	ELITE EMS FIELD SITE LICENSE	955.24	71176	10/12/2022
INDUSTRIAL SALES COMPANY INC	GAS SUPPLIES	92.29	71177	10/12/2022
KANSAS MUNICIPAL UTILITIES	4TH QTR TRAINING GROUP 4 DUES	1,999.00	71178	10/12/2022
KANSAS ONE-CALL SYSTEM, INC	SEPTEMBER LOCATES	42.00	71179	10/12/2022
KANSAS STATE TREASURER	LAW ENFORCE TRAIN CENTER FUND	5,473.93	71180	10/12/2022
KOONS GAS MEASUREMENT	GAS LEAK DETECTOR	194.25	71181	10/12/2022
LAKELAND OFFICE SYSTEMS	AUG/SEPT OVERAGE STATEMENT	131.98	71182	10/12/2022
LANDIS+GYR TECHNOLOGY INC	SEPTEMBER 2022 AMR	950.00	71183	10/12/2022
LEAGUE OF KS MUNICIPALITIES	TRAFFIC ORD/PUB OFFENSE CODES	101.17	71184	10/12/2022
LITTLE BEAR TIRE	TIRES	260.50	71185	10/12/2022
MATT'S CUSTOM AUTOMOTIVE	TOW SERVICE	440.00	71186	10/12/2022
MCCARTY'S OFFICE MACHINES INC	OFFICE SUPPLIES	1,312.95	71187	10/12/2022

MERIDIAN ANALYTICAL LABS LLC	WASTEWATER ANALYSIS	281.25	71188	10/12/2022
MIDWEST COMPUTER SALES	IT SERVICES	982.45	71189	10/12/2022
BANK OF AMERICA	ROCK	2,136.71	71191	10/12/2022
MIDWEST TRAINING & CONSULTING	SPCC,SWP PLAN,ENGINEER REVIEW	3,520.00	71192	10/12/2022
NEODESHA DERRICK NEWS	PUBLICATIONS	892.50	71193	10/12/2022
PENMAC PERSONNEL SERVICES INC	TEMPORARY PERSONNEL SERVICE	377.52	71194	10/12/2022
PEREGRINE CORPORATION	CITY LOGO SHIRTS	394.29	71195	10/12/2022
PORTER DRUG STORE	BATTERIES	7.19	71196	10/12/2022
PRAIRIE FIRE COFFEE	BEVERAGE SERVICE	271.23	71197	10/12/2022
PREMIER TRUCK GROUP	FUEL FILTERS	113.16	71198	10/12/2022
PROTECTIVE EQUIPMENT TESTING L	EQUIPMENT TESTING	2,753.00	71199	10/12/2022
QUILL LLC	OFFICE SUPPLIES	176.95	71200	10/12/2022
ROMANS OUTDOOR POWER	PARTS & REPAIR	2,650.82	71201	10/12/2022
RURAL WATER DISTRICT 4	AIRPORT RURAL WATER	28.60	71202	10/12/2022
SANDBAGGER GOLF & TURF	MOWER BLADES	186.80	71203	10/12/2022
SENSIT TECHNOLOGIES	PARTS,REPAIR,CALIBRATION	317.35	71204	10/12/2022
SOCKET TELECOMM LLC	PHONE CHARGES	87.83	71205	10/12/2022
STANION WHOLESALE ELECTRIC	ELECTRIC SUPPLIES	3,492.75	71206	10/12/2022
STRYKER MEDICAL	BATTERY ASSEMBLY	977.25	71207	10/12/2022
STUDEBAKER REFRIGERATION INC	ICE MACHINE RENTAL	90.00	71208	10/12/2022
SUBSURFACE SOLUTIONS	GPS PORTAL MNTHLY SUBSCRIPTION	720.00	71209	10/12/2022
SYN-TECH SYSTEMS	FUELMASTER MAINT FOR AIRPORT	550.00	71210	10/12/2022
THOMPSON BROTHERS SUPPLY INC	OXYGEN/CYLINDER LEASE	189.40	71211	10/12/2022
TRUCK CENTER COMPANIES	PARFIT BOWL WRENCH KIT	52.76	71212	10/12/2022
US CELLULAR	CELL PHONE/TABLET CHARGES	363.02	71213	10/12/2022
WESTERN AUTO	PARTS & SUPPLIES	107.55	71214	10/12/2022
WILSON MEDICAL CENTER	SEPTEMBER TAX DISTRIBUTION	36,778.58	71215	10/12/2022
SPARKLIGHT	INTERNET SERVICE	161.27	70990	9/15/2022
EVERGY	AIRPORT RUNWAY LIGHTS	79.88	70991	9/15/2022
TLC GROUNDSKEEPING INC	TWO AUTUMN BLAZE MAPLE TREES	959.00	70992	9/15/2022
GROEBNER & ASSOCIATES INC	SENSIT P400 4 GAS W/PUMP	1,462.94	70993	9/15/2022
EVERGY	STREET LIGHTS @ OTTAWA	115.87	70994	9/15/2022
US CELLULAR	CELL PHONE/TABLET CHARGES	10.02	70995	9/15/2022
VISA	SUPPLIES, TRAINING, MEMBER DUES	9,853.09	70996	9/15/2022

BARTA ANIMAL HOSPITAL	KENNEL INSPECTION	149.50	70997	9/15/2022
JACK & GEREMI DEGRAW	REFUND OF UTILITY OVERPAYMENT	1,597.31	70998	9/15/2022
JUSTIN NEWLAND	DRIVING RANGE EQUIPMENT	4,500.00	70999	9/15/2022
SOCKET TELECOMM LLC	PHONE CHARGES	64.09	71082	9/30/2022
AIR & FIRE SYSTEMS INC	AIR QUALITY TESTING	758.00	71083	9/30/2022
SANDBAGGER GOLF & TURF	CENTERING DAMPENER	94.80	71084	9/30/2022
KS ALCOHOLIC BEVERAGE	CMB STAMP FEES	25.00	71085	9/30/2022
CONSTELLATION NEWENERGY	AUGUST BILLING	50,524.28	71086	9/30/2022
ATTORNEY GENERAL ST OF KS	GENERAL OBLIGATION BOND	225.00	71087	9/30/2022
SPARKLIGHT	INTERNET SERVICE	118.48	71088	9/30/2022
CASH	RECONCILE CASH DRAWER	85.00	71090	9/30/2022
SUPERIOR EMERGENCY RESPONSE VEHICLES	2022 DODGE DURANGO-PD	39,255.00	71091	9/30/2022
PRIORITY POWER	MAY JUNE BILLING	2,120.00	71092	9/30/2022
US POST OFFICE	SEPTEMBER BILLING	351.19	71093	9/30/2022
<b>****TOTAL****</b>		<b>213,512.78</b>		



**CITY OF NEODESHA**

**RESOLUTION NO. 22-18**

**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 1017 GRANT LEGAL DESCRIPTION: FORD'S ADDITION, S20, T30, R16, BLOCK 002, LOTS 9&10, CITY OF NEODESHA, WILSON COUNTY, KANSAS, COMMONLY KNOWN AS 1017 GRANT, 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 12<sup>th</sup> day of October, 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 December, 2022, 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 1017 Grant, 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 12th day of October, 2022.

ATTEST:

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**Devin Johnson, Mayor**

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**Stephanie Fyfe, City Clerk**

**CITY OF NEODESHA**

**RESOLUTION NO. 22-19**

**A RESOLUTION FIXING A TIME AND PLACE AND PROVIDING FOR NOTICE OF A HEARING BEFORE THE GOVERNING BODY OF THE CITY OF NEODESHA, KANSAS AT WHICH TIME THE OWNER, HIS AGENT, LIENHOLDERS OF RECORD AND OCCUPANTS OF THE STRUCTURE LOCATED AT 1030 WALNUT LEGAL DESCRIPTION: LOTS TWELVE (12), THIRTEEN (13), FOURTEEN (14), FIFTEEN (15) AND SIXTEEN (16), BLOCK TWO (2), DEET AND MORRIS FIRST ADDITION TO THE CITY OF NEODESHA, WILSON COUNTY, KANSAS, COMMONLY KNOWN AS 1030 WALNUT, 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 12th day of October, 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 December, 2022, 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 1030 Walnut, 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 12th day of October, 2022.

ATTEST:

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

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**Stephanie Fyfe, City Clerk**

**CITY OF NEODESHA**

**RESOLUTION NO. 22-20**

**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 1700 N 8<sup>TH</sup> LEGAL DESCRIPTION: LOTS TWENTY-SIX (26) AND TWENTY-SEVEN (27), BLOCK ONE (1) J.H. PARK SUBDIVISION WILSON COUNTY KANSAS, COMMONLY KNOWN AS 1700 N 8TH, 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 28th day of September, 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 14<sup>th</sup> day of December, 2022, 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 1700 N 8th 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.

**BE IT FURTHER RESOLVED** that prior Resolution 22-17 is hereby repealed, voided and of no force or effect.

**ADOPTED AND APPROVED** by the governing body of the City of Neodesha, Kansas this 12th day of October, 2022.

ATTEST:

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

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

**PROJECT PROGRAMMING REQUEST**

<input checked="" type="checkbox"/> New Project		<input type="checkbox"/> Amend Existing Project		Date:	10/12/2022
<b>Program Year: 2024</b>		<b>Funding Program:</b>		<b>TA (Transportation Alternatives)</b>	
<b>KDOT District</b>		<b>MPO</b>		<b>MPO TIP #</b>	
4		N/A			
<b>County</b>	<b>City</b>	<b>Route / Corridor</b>	<b>Functional Classification</b>		
Wilson	City of Neodesha	N/A	7 = Local		
<b>Project Sponsor / Lead Agency</b>					
City of Neodesha					
<b>Project Mgr / Contact</b>		<b>Phone</b>		<b>E-mail Address</b>	
Ed Truelove		(620) 325-2828 x204		etruelove@neodeshaks.org	
<b>Project Title</b>					
Neodesha SRTS Phase 2					
<b>Project Length:</b>		<b>Desired Letting Date:</b>		<b>December 2023</b>	
1.200 miles					
<b>Letting Type:</b> <input checked="" type="checkbox"/> KDOT <input type="checkbox"/> LPA <input type="checkbox"/> Force Account					
<b>Location, Project Limits, Description, Scope of Work</b>					
City of Neodesha. Ohio Street from 8th Street to 2nd Street, 8th Street from Ohio Street north to alleyway, 8th St. from City Hall to Fir St., Fir St. from 8th St. to Skyline Dr. to 4th St, and 6th St. from Tank St. to Granby St. Scope of work includes new sidewalks and curb ramps, pavement markings, signage.					
<b>Purpose and Need</b>					
The Neodesha SRTS Plan's main north-south six feet wide arterial sidewalk along Eighth Street was constructed in 2009/10. The SRTS Construction Project in this request is for five feet wide collector sidewalks in three neighborhoods that will connect these neighborhoods to the Eighth Street sidewalk. Neighborhoods in the City's north and northeast are growing. Unfortunately, these neighborhoods with new single family and duplex homes have no sidewalks and no pedestrian link to the main 8th Street arterial sidewalk. Other neighborhoods within the project area either have no sidewalks, or the sidewalks are deteriorated and lack curb ramps.					
<b>Project Benefits</b>					
The collector sidewalks proposed in this project all connect residential neighborhoods to the 8th Street arterial sidewalk. The 8th Street sidewalk connects all three school campuses and also to Main Street businesses.					
<b>RR within 1/2 mile?</b>	<b>RR Company Name</b>		<b>No. of Tracks</b>	<b>Existing Crossing Protection</b>	
Yes	SK&O		1	Flashing Lights and Gates	
Yes	UP		1	Flashing Lights and Gates	

In accordance with the Bureau of Local Projects (BLP) Memo 99-11, dated December 16, 1999, we are required, under the Comprehensive Transportation Program (CTP), to collect and record total costs of all work phases of projects. This includes local agency federal-aid and state-aid projects that include any non-participating, pre-construction local agency costs for preliminary engineering (plan design), rights of way and utility adjustments. Please show your estimate of the cost for all work phases below:

<b>Project Cost Estimate</b>			
	<i>Participating</i>	<i>Non-Participating</i>	<i>Total</i>
PE (Design)	\$ -	\$ -	\$ -
Utilities	\$ -	\$ 20,100.00	\$ 20,100.00
ROW	\$ -	\$ 33,500.00	\$ 33,500.00
CE (Inspection)	\$ 147,400.00	\$ -	\$ 147,400.00
<b>Construction Total</b>	<b>\$ 933,524.00</b>	<b>\$ -</b>	<b>\$ 933,524.00</b>
Seeding	\$ 7,000.00	\$ -	\$ 7,000.00
Surfacing (Concrete)	\$ 534,266.00	\$ -	\$ 534,266.00
Surfacing (Asphalt)	\$ 14,160.00	\$ -	\$ 14,160.00
Signing and Pavement Marking	\$ 36,334.00	\$ -	\$ 36,334.00
Other	\$ 256,898.00	\$ -	\$ 256,898.00
10% Contingency	\$ 84,866.00	\$ -	\$ 84,866.00
			\$ -
<b>Project Totals</b>	<b>\$ 1,080,924.00</b>	<b>\$ 53,600.00</b>	<b>\$ 1,134,524.00</b>

**PROJECT PROGRAMMING REQUEST**

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BE IT RESOLVED: That sufficient funds from City of Neodesha

are now, or will be available and are hereby pledged to the Secretary in the amount and at the time required for the supplementing of federal funds available for the completion of this project. Prior to Federal Authorization, any project expenditures made by the LPA are ineligible for federal funding and remain the responsibility of the LPA. Upon cancellation of the project by the LPA, the LPA shall reimburse the Secretary within thirty (30) days after receipt of statement of cost incurred by the Secretary prior to cancellation.

Please sign below in accordance with your local policy.

Recommended for Approval:

Appropriate Local Officials

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

\_\_\_\_\_  
Title

ATTEST:

\_\_\_\_\_  
Title

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

\_\_\_\_\_  
Title



To: City of Neodesha, KS ("City")  
Attention: Mr. Devin Johnson, Mayor

Re: Disclosures Pursuant to MSRB Rule G-17

Dear Devin:

The City is currently contemplating the issuance of municipal securities in conjunction with the financing of certain solar energy improvements, and desires to engage UMB Bank on a preliminary basis to provide underwriting or placement agent services which may include, without limitation, advice concerning the structure, timing, terms, and other similar matters concerning the issuance of the municipal securities.

The City understands that UMB Bank is serving as an underwriter or placement agent, and not as a municipal advisor, in connection with the potential issuance of the municipal securities. The City also acknowledges they have received certain disclosures from UMB Bank as required by MSRB Rule G-17, including disclosures about the role of the underwriter, the underwriter's compensation, and actual or potential material conflicts of interest.

Both the City and UMB Bank agree that this engagement is preliminary and non-binding and can be terminated at any time by either party without liability. Both parties also agree that this engagement is subject to certain conditions, including approval by the City Commission.

Dated this 12th day of October, 2022.

UMB Bank, N.A.

City of Neodesha

By   
Scott A. Crist  
Executive Vice President, Public Finance

By \_\_\_\_\_  
Devin Johnson  
Mayor

This engagement may be terminated by either party as set forth above by signing and dating below.

UMB Bank, N.A.

City of Neodesha

By \_\_\_\_\_

By \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**Capital Markets Division**

928 Grand Blvd  
MS 1011401  
Kansas City, MO 64106-2271

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816.860.4829 Fax

umb.com



## **MSRB Rule G-17 Disclosure**

This is intended to provide you, as an authorized official of the City of Neodesha (the "City"), with certain disclosures relating to the proposed bond issue (the "Bonds") as required by the Municipal Securities Rulemaking Board (MSRB) Rule G-17.

The Capital Markets Division of UMB Bank, n.a. ("CMD") proposes to serve as an underwriter or placement agent, and not as a financial advisor or municipal advisor, in connection with the issuance of the Bonds. As part of our services as underwriter or placement agent, CMD may provide advice concerning the structure, timing, terms, and other similar matters concerning the issuance of the Bonds.

### **I. Disclosures Concerning the Underwriters' Role**

- (i) Municipal Securities Rulemaking Board Rule G-17 requires an underwriter to deal fairly at all times with both issuers and investors;
- (ii) the underwriter's primary role is to purchase securities with a view to distribution in an arm's-length commercial transaction with the issuer and it has financial and other interests that differ from those of the issuer;
- (iii) unlike a municipal advisor, an underwriter does not have a fiduciary duty to the issuer under the federal securities laws and is, therefore, not required by federal law to act in the best interests of the issuer without regard to its own financial or other interests;
- (iv) the issuer may choose to engage the services of a municipal advisor with a fiduciary obligation to represent the issuer's interests in the transaction;
- (v) the underwriter has a duty to purchase securities from the issuer at a fair and reasonable price, but must balance that duty with its duty to sell municipal securities to investors at prices that are fair and reasonable; and
- (vi) the underwriter will review the official statement for the issuer's securities in accordance with, and as part of, its responsibilities to investors under the federal securities laws, as applied to the facts and circumstances of the transaction.

As of the date of this letter, we are relying on the "Underwriter Exemption" included in the SEC's Municipal Advisor rule to meet the objectives of the Issuer under this engagement and as such may provide advice and information to the Issuer in a non-fiduciary capacity relating to the structure, timing, terms and other similar matters of the issuance of the Bonds such as rating agency presentations, investor discussions, and advice regarding marketing without being considered a "Municipal Advisor" to the Issuer.

### **II. Disclosures Concerning the Underwriters' Compensation**

The underwriter will be compensated by a fee and/or an underwriting discount that will be set forth in the bond purchase agreement to be negotiated and entered into in connection with the issuance of the Bonds. Payment or receipt of the underwriting fee or discount will be contingent on the closing of the transaction and the amount of the fee or discount may be based,

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in whole or in part, on a percentage of the principal amount of the Bonds. While this form of compensation is customary in the municipal market, it may, by its nature, create incentives that can present a conflict of interest.

### III. Additional Conflicts Disclosures

CMD has not identified any additional potential or actual material conflicts that require disclosure.

### IV. Disclosures Concerning Complex Municipal Securities Financing

Since CMD has not recommended a "complex municipal securities financing", additional disclosures regarding the financing structure for the Bonds are not required under MSRB Rule G-17.

We are required to seek your acknowledgement that you have received this letter. Accordingly, please send me an email to that effect, or sign and return the enclosed copy of this letter to me at the address set forth above. If additional potential or actual material conflicts are identified, we may be required to send you additional disclosures regarding the material financial characteristics and risks of such transaction and/or describing those conflicts. At that time, we also will seek your acknowledgement of receipt of any such additional disclosures.

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**ADDENDUM 1 TO PROJECT APPROVAL NOTICE**

This Project Approval Notice Addendum 1 (the "Addendum 1") is issued and entered into in accordance with the Project Approval Notice ("PAN") dated as of July 13, 2022, between POW Solar LLC, a Texas limited liability company ("Developer"), and the City of Neodesha, Kansas, a municipality organized under the laws of Kansas ("Client"). In connection therewith, and effective as of October 12, 2022 (the "Addendum 1 Effective Date"), Client and Developer have each executed this Addendum 1 and upon execution and delivery of this Addendum by both Client and Developer the terms and conditions set below shall be considered as part of the PAN.

- 1. In order to meet the Project schedule defined in the PAN, the Client approves the purchase of the equipment listed in Table 1 ("Equipment"). Client agrees to reimburse Developer for Equipment, up to the price listed in Table 1, in the event the Project is cancelled or delayed beyond the equipment delivery date.

*Table 1*

<b>Equipment</b>	<b>Not To Exceed Cost</b>
<b>Qty (1) 3MVA Transformer</b>	\$95,000

This Addendum 1 is agreed to, accepted, and executed to be effective as of the Addendum 1 Effective Date.

**POW SOLAR LLC**

**CITY OF NEODESHA**

By: \_\_\_\_\_

By: \_\_\_\_\_

Name: Kevin Boudreaux

Name: Devin Johnson

Title: Senior Managing Director - Sustainability

Title: Mayor

Date: \_\_\_\_\_

Date: 10/12/2022