

## **Agenda**

City Commission of the City of Neodesha, KS

December 28, 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 December 14, 2022 Minutes
- Approval of December 19, 2022 Special Call Minutes
- Appropriation (2022) 24

### Item 4: Business Items to Consider

- A. Resolution: Depository Resolution
- B. Resolution: GAAP Waiver
- C. Resolution: Proposed Rural Housing Incentive District
- D. Approve 2023 CMB Licenses

### Item 5: Date/Time of Next Regular Meeting

***Monday, January 9, 2023*** at 2:00 p.m. – Regular Meeting, City Hall

### Item 6: Executive Session

### Item 7: Adjournment

**AGENDA COMMENTS  
CITY COMMISSION MEETING  
December 28, 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: Depository Resolution**

For this agenda item, the Commission is asked to approve Resolution 22-25, formally documenting our various accounts, and approving signature authority for City expenditures. This Depository Resolution is modified from our previous version due to closing out the CDBG Gas Line Project Account, and removing the signature authority for Freedom Claims representatives.

**RECOMMENDED MOTION:** *I move to adopt Resolution 22-25 regarding depository authority for City accounts.*

**4.B: Resolution: GAAP Waiver**

For this agenda item, the Commission is asked to consider Resolution 22-26, a waiver to the Generally Accepted Accounting Principles (GAAP), for our financial statements for the year ending December 31, 2022. This GAAP waiver is an annual requirement for Cities using the Cash Basis of Accounting, instead of the Generally Accepted Accounting Principles.

**RECOMMENDED MOTION:** *I move to adopt Resolution 22-26 regarding the GAAP waiver as presented.*

**4.C: Resolution: Proposed Rural Housing Incentive District**

The Commission is asked to consider Resolution 22-27, to formalize certain findings and determinations as to the need for housing within the City of Neodesha. This Resolution will be submitted to the Kansas Secretary of Commerce, requesting eventual approval of a Rural Housing Incentive District in the area of the former mobile home park.

**RECOMMENDED MOTION:** *I move to adopt Resolution 22-27, a proposal for a Rural Housing Incentive District, as presented.*

**4.D: Approve 2023 CMB Licenses**

For this agenda item, the Commission is asked to approve seven (7) Cereal Malt Beverage Licenses for 2023.

**RECOMMENDED MOTION:** *I move to approve the 2023 Cereal Malt Beverage Licenses for: Casey's General Store; Pizza Hut; AKAS, Inc. (Jumpstart); Little Bear Trading Company, Inc.; Le'Store; G&W Foods, Inc., and El Rancho, LLC.*

The Board of Commissioners met in regular session at 2:00 p.m., on Wednesday, December 14, 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. Community Development Director Jeri Hammerschmidt was absent from the meeting.

Commissioner Nichol moved to approve the agenda as presented with the deletion of Business Item 4G: Consider Power Purchase Agreement KMEA; and the addition of Business Item 4O: Consider Budget Amendments for 2022; and Business Item 4P: Approve Budget Amendment Publication and Set Public Hearing. Seconded by Commissioner Moffatt. Motion carried.

Commission reports were heard.

City Administrator reports were heard.

Public Comments were invited and heard.

Commissioner Moffatt moved to approve the consent agenda as presented consisting of minutes from the November 23, 2022 Meeting; and Appropriation (2022) 22. 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 1017 Grant Street, the public hearing was opened. Discussion held. Then the hearing was closed.

**RESOLUTION NO. 22-22**

**A RESOLUTION FINDING THAT THE STRUCTURE LOCATED AT 1017 GRANT, NEODESHA, KANSAS ON LEGAL DESCRIPTION: FORD'S ADDITION, S20, T30, R16, BLOCK 002, LOTS 9&10, TO THE 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 12th day of October, 2022 file with the governing body of said City a statement in writing that a certain structure, hereinafter described, was unsafe and dangerous; and

**WHEREAS**, the governing body did by Resolution dated the 12th day of October, 2022, 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 20<sup>th</sup> day of October, 2022, and on the 27th day of October, 2022, and a copy of such Resolution was served on all persons entitled thereto in all respects as provided by law; and

**WHEREAS**, on this 14th day of December, 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 1017 Grant, Neodesha, Kansas on Legal Description: Fords addition, S 20, T30, R16, Block 002, Lots 9 & 10 to the 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 **120** 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 22-22 declaring the property located at 1017 Grant Street as unsafe or dangerous, and allow the property owner 120 days to repair or remove the structures and make the property safe and secure. Seconded by Commissioner Moffatt. Motion carried.

This being the time and date published in the official newspaper for the hearing on the Dangerous Structures located at 1030 Walnut Street, the public hearing was opened. Discussion held. Then the hearing was closed.

**RESOLUTION NO. 22-23**

**A RESOLUTION FINDING THAT THE STRUCTURE LOCATED AT 1030 WALNUT NEODESHA, KANSAS ON LEGAL DESCRIPTION: LOTS TWELVE (12), THIRTEEN (13), FOURTEEN (14), FIFTEEN**

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**(15) AND SIXTEEN (16), BLOCK TWO (2), DEET AND MORRIS FIRST ADDITION TO THE 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 12th day of October, 2022 file with the governing body of said City a statement in writing that a certain structure, hereinafter described, was unsafe and dangerous; and

**WHEREAS**, the governing body did by Resolution dated the 12th day of October, 2022, 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 20th day of October, 2022, and on the 27th day of October, 2022, and a copy of such Resolution was served on all persons entitled thereto in all respects as provided by law; and

**WHEREAS**, on this 14th day of December 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 1030 Walnut Neodesha, Kansas on 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 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 Moffatt moved to approve Resolution 22-23 declaring the property located at 1030 Walnut Street as unsafe or dangerous, and allow the property owner 30 days to repair or remove the structures and make the property safe and secure. 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 1700 N 8<sup>th</sup> Street, the public hearing was opened. Discussion held. Then the hearing was closed.

**RESOLUTION NO. 22-24**

**A RESOLUTION FINDING THAT THE STRUCTURE LOCATED AT 1700 N 8th NEODESHA, KANSAS ON LEGAL DESCRIPTION: LOTS TWENTY-SIX (26) AND TWENTY-SEVEN (27), BLOCK ONE (1) J.H. PARK SUBDIVISION TO THE 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 28th day of September 2022 file with the governing body of said City a statement in writing that a certain structure, hereinafter described, was unsafe and dangerous; and

**WHEREAS**, the governing body did by Resolution dated the 28th day of September, 2022, 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 20th day of October, 2022, and on the 27th day of October, 2022, and a copy of such Resolution was served on all persons entitled thereto in all respects as provided by law; and

**WHEREAS**, on this 14th day of December 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);

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**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 1700 N 8th Neodesha, Kansas on Legal Description: lots twenty-six (26), and twenty-seven (27), Block one (1), J.H. Park Subdivision to the 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 22-24 declaring the property located at 1700 N 8<sup>th</sup> Street as unsafe or 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.

The Governing Body welcomed Tom Saitta and Gerry Bieker, KMEA, to discuss the Caterpillar Generator Project for the City. Discussion held. No action taken.

The Governing Body welcomed Bill Albright of Air Methods Air Ambulance Service for further discussion of the City's choice of air ambulance services. Discussion held. No action taken.

Administrator Truelove addressed the Commission regarding the approval of a Letter of Intent with First Step Builders for the construction of new homes in the former mobile home park. Discussion held.

Commissioner Moffatt moved to approve the Letter of Intent with First Step Builders as presented. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding the approval of an amended grant agreement with KHRC that allows some of the money provided for grant funding to be used for down payment assistance for buyers of the new homes being constructed in Neodesha. Discussion held.

Commissioner Nichol moved to approve the Amended Grant Agreement with the Kansas Housing Resources Commission as presented. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding a request for donation of the use of the Civic Center from Nathan Daniel, So Home Kids, for a fund-raising event on Saturday, December 17, 2022. Discussion held.

Commissioner Moffatt moved to approve the use of the Civic Center for a So Home Kids fund raising event December 17, 2022. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding the consideration of benefits related to establishing an annual strategic planning session with a workshop planned for the Spring of 2023. Discussion held. No action taken.

Administrator Truelove addressed the Commission regarding the resignation of an employee. Discussion held.

Commissioner Nichol moved to accept Jeri Hammerschmidt's resignation, effective December 30, 2022. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding the consideration of a budget amendment for 2022. Discussion held. No action taken.

Administrator Truelove addressed the Commission regarding the approval of publication of the 2022 budget amendment, and set a public hearing date. Discussion held.

Commissioner Moffatt moved to approve the publication of the 2022 budget amendment, and set January 9, 2023 for a budget public hearing. Seconded by Commissioner Nichol. Motion carried.

At 3:45 p.m. Commissioner Nichol requested a 5-minute recess. Seconded by Commissioner Moffatt. Motion carried. The live streamed Zoom meeting was then placed on hold with audio, video and recording ceased.

At 3:50 p.m. the regular meeting of the Governing Body reconvened in the Commission Room at City Hall. The live streamed Zoom meeting then resumed with audio, video and recording.

Commissioner 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  
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Neodesha, Kansas  
December 14, 2022

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the non-elected personnel matter exception KSA 75-4319(b)(1) because if this matter were discussed in open session it might invade the privacy of those discussed. The open meeting will resume in the Commission Room at 4:05 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 4:05 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, video and recording. No action taken.

Commissioner Moffatt moved to extend the Executive Session for Non-Elected Personnel to 4:25 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 4:25 p.m. the regular meeting of the Governing Body reconvened in the Commission Room at City Hall. The live streamed Zoom meeting then resumed with audio, video and recording. No action taken.

Commissioner Moffatt moved to extend the Executive Session for Non-Elected Personnel to 4:40 p.m. inviting in Fire Chief Landon Woodward. Seconded by Commissioner Nichol. Motion carried. The live streamed Zoom meeting was then placed on hold with audio, video and recording ceased.

At 4:40 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, December 28, 2022 at 2:00 p.m.

At 4:47 p.m. Commissioner Moffatt moved to adjourn. Seconded by Commissioner Nichol. Motion carried.

ATTEST:

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J.D. Moffatt, Vice-Mayor

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Stephanie Fyfe, City Clerk

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

Neodesha, Kansas  
December 19, 2022

To the Board of Commissioners:

The Board of Commissioners will hold a Special Call meeting Monday, December 19, 2022, at 12:00 p.m., at City Hall, for the following purpose:

1. 2022 Budget Amendment: Publication of Notice of Public Hearing
2. Executive Session: Non-Elected Personnel
3. Consider Appointment as Neodesha Fire Chief/EMS Director
4. Accept Resignation from the Electric Department

The Board of Commissioners met in a Special Call Session at 12:00 p.m. in the Commission Room at City Hall on Monday, December 19, 2022 with Mayor Johnson presiding and Commissioners Moffatt and Nichol present.

Administrator Truelove addressed the Commission regarding the Notice of Hearing Publication for the 2022 Budget Amendment. This publication hearing was previously approved for publication at the December 14, 2022 Commission Meeting. Upon discussion and advice from the City's auditing firm following the meeting, it was suggested that the Notice of Public Hearing Publication be rescinded. Discussion held.

Commissioner Moffatt moved to rescind the order to publish a Notice of Public Hearing for the 2022 Budget Amendment. 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 12:30 p.m. Seconded by Commissioner Moffatt. Motion carried.

At 12:30 p.m. the regular meeting of the Governing Body reconvened in the Commission Room at City Hall. No action taken.

Commissioner Moffatt moved to appoint Keenan Fyfe as the Neodesha Fire Chief & EMS Director, effective immediately. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding the resignation of an Electric Department employee. Discussion held.

Commissioner Nichol moved to accept John Cushenberry's resignation, effective December 30, 2022. Seconded by Commissioner Moffatt. Motion carried.

At 12:34 p.m. Commissioner Moffatt moved to adjourn. Seconded by Commissioner Nichol. Motion carried.

ATTEST:

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J.D. Moffatt, Vice-Mayor

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Stephanie Fyfe, City Clerk



**APPROPRIATIONS REPORT**

**ORDINANCE NO 23**

**12/28/2022**

<u>VENDOR</u>	<u>REFERENCE</u>	<u>AMOUNT</u>	<u>CHECK NO</u>	<u>CHECK DATE</u>
ADVANCE INSURANCE COMPANY	JANUARY PREMIUMS	496.38	71580	12/28/2022
BOUND TREE MEDICAL LLC	MEDICAL SUPPLIES	732.43	71581	12/28/2022
CALLTOWER	PHONE CHARGES	329.80	71582	12/28/2022
EBH & ASSOCIATES	SAFE ROUTES TO SCHOOLS	4,135.02	71583	12/28/2022
ENVIROLINE CO INC	PUMP REPLACEMENT & START KIT	6,290.16	71584	12/28/2022
FOULSTON SIEFKIN LLP	LEGAL SERVICES	1,305.00	71585	12/28/2022
HEALY LAW OFFICES, LLC	FRANCHISE FEES	837.50	71586	12/28/2022
KEY EQUIPMENT & SUPPLY CO	THROTTLE CABLE	287.47	71587	12/28/2022
LANDIS+GYR TECHNOLOGY INC	DEC 2022 AMR	950.00	71588	12/28/2022
LAWSON PRODUCTS	STEEL FLAT WASHERS	49.59	71589	12/28/2022
MERIDIAN ANALYTICAL LABS LLC	WASTEWATER ANALYSIS	281.25	71590	12/28/2022
PITNEY BOWES	POSTAGE FOR METER	31.19	71591	12/28/2022
PRIORITY POWER	DECEMBER BILLING	1,000.00	71592	12/28/2022
SEK COOP INC	PROPANE	427.23	71593	12/28/2022
SOUTHERN UNIFORM & TACTICAL	UNIFORMS	41.97	71594	12/28/2022
SPARKLIGHT	INTERNET SERVICE	118.48	71595	12/28/2022
STANION WHOLESALE ELECTRIC	ELECTRIC SUPPLIES	4,036.31	71596	12/28/2022
STARBUCK TRUCKING LLC	DEMOLITION	11,500.00	71597	12/28/2022
TRI VALLEY DEVELOPMENTAL SERV	DOCUMENT DESTRUCTION	17.40	71598	12/28/2022
UNIFIRST CORPORATION	RUG & CLEANING SUPPLIES	1,338.75	71599	12/28/2022
WILSON COUNTY COORDINATOR	LANDFILL CHARGES	8.00	71600	12/28/2022
<b>****TOTAL****</b>		<b>34,213.93</b>		

**ACH ELECTRIC ENERGY STATEMENTS BILLED DECEMBER 2022**

KMEA - SPA Hyrdro Project	November 2022 Service	2,934.99
KMEA - GRDA Power Supply Project	January 2023 Service	134,561.84
KMEA - Energy Mgmt Project No 3	November 2022 Service	92,716.39
<b>TOTAL ACH Electric Energy Statements</b>		<b>230,213.22</b>

**CITY OF NEODESHA**

**RESOLUTION NO. 22-25**

**NOW**, on this 28<sup>th</sup> day of December, 2022, at a regular meeting of the Governing Body of the City of Neodesha, Kansas, the following Resolution was adopted.

**WHEREAS**, the Bank of Commerce; the Equity Bank of Neodesha; and the Community National Bank of Neodesha, Kansas, have been designated as depositories for the funds of the City of Neodesha, Kansas; and

**WHEREAS**, certain officers and Commissioners of the City of Neodesha, Kansas, have been designated and authorized to deposit and withdraw said funds upon checks, drafts, notes, or orders of the City of Neodesha, Kansas.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF NEODESHA, KANSAS:**

**Section 1.** That the Bank of Commerce of Neodesha, Kansas, be and it is hereby designated a depository of the City of Neodesha, Kansas, for its General Account 010111; Petty Cash Account 104361; Flexi-Vest Account 751278; Fire Insurance Proceeds Fund Account 753564; Employee Benefits Account 116912; Raw Water Project Bond Account 3001673; Emergency Equipment Reserve Fund Account 3006011; and Norman No Oil Well and Museum Account 3004025; and that the funds in said accounts so deposited may be withdrawn upon a check, draft, note, or order of the City of Neodesha, Kansas.

**Section 2.** That all checks, drafts, notes or orders drawn against the General Account 010111 shall be signed by one of the following:

<u>NAME</u>	<u>TITLE</u>
Devin Johnson	Mayor
J. D. Moffatt	Vice Mayor
Tom Nichol	Commissioner
Michael Tigner	Treasurer
Eddy R. Truelove	City Administrator

and countersigned by Stephanie Fyfe, City Clerk of the City of Neodesha, Kansas; whose signatures shall be duly certified to said Bank and that no checks, drafts, notes or order drawn against said Bank on said account shall be valid unless so signed.

**Section 3.** That all checks, drafts, notes or orders drawn against the Flexi-Vest Account 751278, and the Fire Insurance Proceeds Fund Account 753564 shall be signed by one of the following:

<u>NAME</u>	<u>TITLE</u>
Devin Johnson	Mayor
J. D. Moffatt	Vice Mayor
Tom Nichol	Commissioner
Eddy R. Truelove	City Administrator

and countersigned by Stephanie Fyfe, City Clerk of the City of Neodesha, Kansas, whose signatures shall be duly certified to said Bank, and that no checks, drafts, notes or orders drawn against said Bank on said accounts shall be valid unless so signed.

**Section 4.** That all checks, drafts, notes or orders drawn against the Petty Cash Account 104361 shall be signed by one of the following:

<u>NAME</u>	<u>TITLE</u>
Rhonda Howell	Assistant City Clerk
Anita Buchanan	Utility Billing Supervisor

and countersigned by Stephanie Fyfe, City Clerk of the City of Neodesha, Kansas; whose signatures shall be duly certified to said Bank and that no checks, drafts, notes or order drawn against said Bank on said account shall be valid unless so signed.

**Section 5.** That all checks, drafts, notes or orders drawn against Raw Water Project Bond Account 3001673; and Norman No Oil Well and Museum Account 3004025 shall be signed by two of the following:

<u>NAME</u>	<u>TITLE</u>
Stephanie Fyfe	City Clerk
Devin Johnson	Mayor
J. D. Moffatt	Vice Mayor
Tom Nichol	Commissioner
Eddy R. Truelove	City Administrator

**Section 6.** That all checks, drafts, notes or orders drawn against Employee Benefits Account 116912 shall be signed or requested by one of the following:

<u>NAME</u>	<u>TITLE</u>
Devin Johnson	Mayor
J. D. Moffatt	Vice Mayor
Tom Nichol	Commissioner
Eddy R. Truelove	City Administrator

and countersigned by Stephanie Fyfe, City Clerk of the City of Neodesha, Kansas; whose signatures shall be duly certified to said Bank and that no checks, drafts, notes or order drawn against said Bank on said account shall be valid unless so signed.

**Section 7.** That all checks, drafts, notes or orders drawn against the Emergency Equipment Reserve Fund Account 3006011 shall be signed by one of the following:

<u>NAME</u>	<u>TITLE</u>
Devin Johnson	Mayor
J. D. Moffatt	Vice Mayor
Tom Nichol	Commissioner
Michael Tigner	Treasurer
Eddy R. Truelove	City Administrator

and countersigned by Stephanie Fyfe, City Clerk of the City of Neodesha, Kansas; whose signatures shall be duly certified to said Bank and that no checks, drafts, notes or order drawn against said Bank on said account shall be valid unless so signed.

**Section 8.** That the signatures mentioned in Sections 2, 3, 4, 5, and 6 above shall be duly certified to said Bank of Commerce of Neodesha, Kansas; and that no checks, drafts, notes or orders drawn against said Bank shall be valid unless so signed. That said Bank is hereby authorized and directed to honor and pay any checks, drafts, notes or orders so drawn, whether such checks, drafts, notes or orders be payable to the order of any such person signing and/or countersigning said checks, drafts, notes or orders, or any of such persons in their individual capacities or not, and whether such checks, drafts, notes or orders are deposited to the individual credit of the person so signing and/or countersigning said checks, drafts, notes or orders, or to the individual credit of any of the other officers or not.

**Section 9.** That Equity Bank of Neodesha, Kansas, be and is hereby designated a depository of the City of Neodesha for the purpose of investing idle funds in time certificates of deposit and that all checks, drafts, notes or orders shall be signed or requested by one of the following:

<u>NAME</u>	<u>TITLE</u>
Devin Johnson	Mayor
J. D. Moffatt	Vice Mayor
Tom Nichol	Commissioner
Eddy R. Truelove	City Administrator

and countersigned by Stephanie Fyfe, City Clerk of the City of Neodesha, Kansas, whose signatures shall be duly certified to said Bank, and that no checks, drafts, notes or orders drawn against said Bank on said accounts shall be valid unless so signed.

**Section 10.** That the Community National Bank of Neodesha, Kansas, be and is hereby designated a depository of the City of Neodesha for the purpose of investing idle funds in time certificates of deposit and that all checks, drafts, notes or orders shall be signed or requested by one of the following:

<u>NAME</u>	<u>TITLE</u>
Devin Johnson	Mayor
J. D. Moffatt	Vice Mayor
Tom Nichol	Commissioner
Eddy R. Truelove	City Administrator

and countersigned by Stephanie Fyfe, City Clerk of the City of Neodesha, Kansas, whose signatures shall be duly certified to said Bank, and that no checks, drafts, notes or orders drawn against said Bank on said accounts shall be valid unless so signed.

**Section 11.** That this Resolution shall take effect upon its adoption by the Governing Body of the City of Neodesha, Kansas.

**ADOPTED AND APPROVED** by the governing body of the City of Neodesha, Kansas this 28<sup>th</sup> day of December, 2022.

ATTEST:

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**J.D. Moffatt, Vice-Mayor**

\_\_\_\_\_  
**Stephanie Fyfe, City Clerk/Finance Director**

**CITY OF NEODESHA**

**RESOLUTION NO. 22-26**

**A RESOLUTION FINDING THAT FINANCIAL STATEMENTS AND REPORTS PREPARED IN CONFORMITY TO GENERALLY ACCEPTED ACCOUNTING PRINCIPLES ARE NOT RELEVANT TO THE REQUIREMENTS OF THE CASH BASIS AND BUDGET LAWS OF THE STATE AND ARE OF NO SIGNIFICANT VALUE TO THE GOVERNING BODY OR MEMBERS OF THE GENERAL PUBLIC OF THE CITY OF NEODESHA.**

**WHEREAS**, The Governing Body of the City of Neodesha, Kansas, did on the 28<sup>th</sup> day of October, 1986, pass and approve Charter Ordinance No. 4 exempting itself from the provisions of K.S.A. 75-1120a as amended, insofar as said statutes require fixed asset records; and

**WHEREAS** the City of Neodesha, Kansas, has determined that the financial statements and financial reports for the year ended December 31, 2022 to be prepared in conformity with the requirements of K.S.A. 75-1120a(a) are not relevant to the requirements of the cash basis and budget laws of this state and are of no significant value to the governing body or the members of the general public of the City of Neodesha and

**WHEREAS** there are no revenue bond ordinances or resolutions or other ordinances or resolutions of the municipality which require financial statements and financial reports to be prepared in conformity with K.S.A. 75-1120a(a) for the year ended December 31, 2022.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF NEODESHA:**

**SECTION 1.** That the Governing Body waives the requirements of K.S.A. 75-1120a(a) as they apply to the City of Neodesha for the year ended December 31, 2022.

**SECTION 2.** That the Governing Body shall cause the financial statements and financial reports of the City of Neodesha to be prepared on the basis of cash receipts and disbursements as adjusted to show compliance with the cash basis and budget laws of this State.

**ADOPTED AND APPROVED by the governing body of the City of Neodesha, Kansas this 28<sup>th</sup> day of December, 2022.**

ATTEST:

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**J.D. Moffatt, Vice-Mayor**

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

## CITY OF NEODESHA

### RESOLUTION 22-27

#### **RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS AS TO THE NEED FOR HOUSING WITHIN THE CITY OF NEODESHA, KANSAS AND SETTING FORTH THE LEGAL DESCRIPTION OF REAL PROPERTY PROPOSED TO BE DESIGNATED AS A RURAL HOUSING INCENTIVE DISTRICT WITHIN THE CITY**

**WHEREAS**, K.S.A. 12-5241 et seq. (the "Act") authorizes any city incorporated in accordance with the laws of the state of Kansas (the "State") with a population of less than 2200 located in a county with a population of less than 8700, to designate rural housing incentive districts within such city; and,

**WHEREAS**, prior to such designation the governing body of such city shall conduct a housing needs analysis to determine what, if any, housing needs exist within its community; and,

**WHEREAS**, after conducting such analysis, the governing body of such city may adopt a resolution making certain findings regarding the establishment of a rural housing incentive district and providing the legal description of property to be contained therein; and,

**WHEREAS**, after publishing such resolution, the governing body of such city shall send a copy thereof to the Secretary of Commerce of the State (the "Secretary") requesting that the Secretary agree with the finding contained in such resolution; and,

**WHEREAS**, if the Secretary agrees with such findings, such city may proceed with the establishment of a rural housing incentive district within such city and adopt a plan for the development or redevelopment of housing and public facilities in the proposed district; and,

**WHEREAS**, the City of Neodesha, Kansas (the "City") has an estimated population of 2127, is located in Wilson County, Kansas, which has an estimated population of 8665 and therefore constitutes a city as said term is defined in the Act; and,

**WHEREAS**, the Governing Body of the City has performed a Housing Needs Analysis dated November 2022 (the "Needs Analysis"), a copy of which is on file in the office of the City Clerk; and,

**WHEREAS**, based on the Needs Analysis, the Governing Body of the City proposes to commence proceedings necessary to create a Rural Housing Incentive District, in accordance with the provisions of the Act.

**THEREFORE, BE IT RESOLVED** by the Governing Body of the City of Neodesha, Kansas, as follows:

**Section 1.** The Governing Body hereby adopts and incorporates by this reference as part of this Resolution the Needs Analysis, a copy of which is on file in the office of the City Clerk, and based on a review of said Needs Analysis makes the following findings and determinations.

**Section 2.** The Governing Body hereby finds and determines that there is a shortage of quality housing of various price ranges in the City despite the best efforts of public and private housing developers.

**Section 3.** The Governing Body hereby finds and determines that the shortage of quality housing can be expected to persist and that additional financial incentives are necessary in order to encourage the private sector to construct or renovate housing in the City.

**Section 4.** The Governing Body hereby finds and determines that the shortage of quality housing is a substantial deterrent to the future economic growth and development of the City.

**Section 5.** The Governing Body hereby finds and determines that the future economic well-being of the City depends on the Governing Body providing additional incentives for the construction or renovation of quality housing in the City.

**Section 6.** Based on the findings and determinations recited in *Sections 2* through *5* of this Resolution, the Governing Body proposes to establish a Rural Housing Incentive District pursuant to the Act, within boundaries of the real estate legally described in *Exhibit A*, attached hereto, and shown on the maps depicting the existing parcels of land contained in *Exhibit B-1 through Exhibit B-3*, attached hereto (the "District").

**Section 7.** The City Clerk is hereby directed to publish this Resolution one time in the official City newspaper, and to send a certified copy of this Resolution to the Secretary of Commerce for the Secretary's review and approval.

**Section 8.** This Resolution shall take effect after its adoption and publication once in the official City newspaper.

**ADOPTED AND APPROVED** by the governing body of the City of Neodesha, Kansas this 28<sup>th</sup> day of December, 2022.

ATTEST:

\_\_\_\_\_  
**J.D. Moffatt, Vice-Mayor**

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



## **2023 CMB LICENSE APPLICANTS**

**01-23 CASEY'S GENERAL STORE**

**02-23 PIZZA HUT**

**03-23 AKAS, INC. (Jumpstart)**

**04-23 LITTLE BEAR TRADING COMPANY, INC**

**05-23 LE' STORE**

**06-23 G & W FOODS, INC**

**07-23 EL RANCHERO LLC**