

Agenda

City Commission of the City of Neodesha, KS

August 9, 2023 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 July 26, 2023 Minutes
- Appropriation (2023) 14

Item 4: Business Items to Consider

- A. Public Hearing: 2024 Budget Intent to Exceed Revenue Neutral Rate
- B. Resolution: Levy Property Tax Rate Exceeding the Revenue Neutral Rate
- C. Public Hearing: 2024 Budget
- D. Approve 2024 Budget
- E. Ordinance: Zoning Change; 904 and 912 Grant Street
- F. Ordinance: Adopting 2023 Standard Traffic Ordinance
- G. Ordinance: Adopting 2023 Uniform Public Offense Code
- H. Ordinance: Annexation of Property Owned by the City
- I. Public Hearing: Dangerous Structures 1607 B Street
- J. Resolution: Dangerous Structures 1607 B Street
- K. Public Hearing: Dangerous Structures 1611 B Street
- L. Resolution: Dangerous Structures 1611 B Street
- M. Land Bank: Accept Donation of Property
- N. Approve Purchase of Park Benches & Tables
- O. Appoint Voting Delegate for LKM Annual Conference
- P. Request Use of Riverwalk Park: WMC Fall Festival
- Q. Accept Resignation of Public Works Employee
- R. Consider Date/Time for Special Call Commission Meeting

Item 5: Date/Time of Next Regular Meeting

Wednesday, August 23, 2023 at 2:00 p.m. – Regular Meeting, City Hall

Item 6: Executive Session: Non-elected Personnel

Item 7: Adjournment

AGENDA COMMENTS
CITY COMMISSION MEETING
August 9, 2023

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: Public Hearing: 2024 Budget Intent to Exceed Revenue Neutral Rate

The Commission is asked to conduct an advertised public hearing regarding the intent to exceed the revenue neutral rate for the 2024 budget.

RECOMMENDED MOTION: *N/A*

4.B: Resolution: Levy Property Tax Rate Exceeding the Revenue Neutral Rate

Depending on the outcome of the public hearing, the Commission is asked to approve Resolution 23-16, providing authority for exceeding the revenue neutral rate for the 2024 budget.

RECOMMENDED MOTION: *I move to adopt Resolution 23-16 as presented.*

4.C: Public Hearing: 2024 Budget

The Public Hearing for the 2024 Budget will be opened and comments taken. After the hearing is closed the budget can be adopted under agenda item 4D.

RECOMMENDED MOTION: *N/A*

4.D: Approve 2024 Budget

Upon completion of the 2024 Budget Hearing (agenda item 4C), the Commission is asked to adopt the 2024 budget.

RECOMMENDED MOTION: *I move to adopt the Budget for the 2024 calendar year as presented.*

4.E: Ordinance: Zoning Change; 904 and 912 Grant Street

The Commission is asked to consider an Ordinance modifying the zoning for 904 and 912 Grant Street. This ordinance will change the zoning for these properties from R-1 Single Family Residential to Public-Semi Public. This zoning change is at the request of USD461, and will facilitate the new early childhood learning center to be placed on these properties.

RECOMMENDED MOTION: *I move to approve Ordinance 1787 regarding the zoning classification for 904 and 912 Grant Street.*

4.F: Ordinance: Adopting 2023 Standard Traffic Ordinance

For this agenda item, the Commission is asked to approve Ordinance 1788, incorporating by reference the 2023 edition of the Standard Traffic Ordinance (STO). The STO is published by the League of Kansas Municipalities, and allows us to incorporate by reference the various traffic offense codes applicable to most cities in Kansas.

RECOMMENDED MOTION: *I move to approve Ordinance 1788, adopting the 2023 Standard Traffic Ordinance as presented.*

4.G: Ordinance: Adopting 2023 Uniform Public Offense Code

For this agenda item, the Commission is asked to approve Ordinance 1789, incorporating by reference the 2023 edition of the Uniform Public Offense Code (UPOC). The UPOC is published by the League of Kansas Municipalities, and allows us to incorporate by reference the various criminal offense codes applicable to most cities in Kansas.

RECOMMENDED MOTION: *I move to approve Ordinance 1789, adopting the 2023 Uniform Public Offense Code as presented.*

4.H: Ordinance: Annexation of Property Owned by the City

For this agenda item, the Commission is asked to consider Ordinance 1790, to approve the annexation of City-owned property. This annexation will include the soccer fields, Water Treatment Plant, and golf driving range within the city limits.

RECOMMENDED MOTION: *I move to adopt Ordinance 1790, approving the annexation of the property near the Water Treatment Plant.*

4.I: Public Hearing: Dangerous Structures 1607 B Street

On June 14, 2023, the Commission approved Resolution 23-11, to set a public hearing date, August 9, 2023, to show cause why the structures located at 1607 B Street should not be ordered repaired or demolished as unsafe or dangerous structures. For this agenda item, the Commission will conduct a public hearing for the property located at 1607 B Street.

RECOMMENDED MOTION: *N/A*

4.J: Resolution: Dangerous Structures 1607 B Street

Depending on the outcome of agenda item 4I, The Commission is asked to approve Resolution 23-17 to declare the property as unsafe or dangerous, and directing the repair or removal of the structures, making the property safe and secure.

RECOMMENDED MOTION: *I move to adopt Resolution 23-17 declaring the property located at 1607 B Street as unsafe or dangerous, and allow the property owner _____ days to repair or remove the structures and make the property safe and secure.*

4.K: Public Hearing: Dangerous Structures 1611 B Street

On June 14, 2023, the Commission approved Resolution 23-12, to set a public hearing date, August 9, 2023, to show cause why the structures located at 1611 B Street should not be ordered repaired or demolished as unsafe or dangerous structures. For this agenda item, the Commission will conduct a public hearing for the property located at 1611 B Street.

RECOMMENDED MOTION: *N/A*

4.L: Resolution: Dangerous Structures 1611 B Street

Depending on the outcome of agenda item 4K, The Commission is asked to approve Resolution 23-18, to declare the property as unsafe or dangerous, and directing the repair or removal of the structures, making the property safe and secure.

RECOMMENDED MOTION: *I move to adopt Resolution 23-18 declaring the property located at 1611 B Street as unsafe or dangerous, and allow the property owner _____ days to repair or remove the structures and make the property safe and secure.*

4.M: Land Bank: Accept Donation of Property

The Commission is asked to convene as the Land Bank and consider the donation of the property located at 920 Grant Street.

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

RECOMMENDED MOTIONS: *I move to approve accepting the donation of property located at 920 Grant Street.*

RECOMMENDED MOTION: *I move to adjourn as the Neodesha Land Bank Board and re-convene as the City of Neodesha Governing Body.*

4.N: Approve Purchase of Park Benches & Tables

The Commission is asked to approve the purchase of park benches and tables. The primary focus of these purchases will be for Riverwalk Park, with one bench being purchased for Crowder Park. The ATAB has been instrumental in obtaining donated funding for this purchase.

RECOMMENDED MOTION: *I move to approve the purchase of park benches and tables, from _____, at a cost not to exceed _____.*

4.O: Appoint Voting Delegate for LKM Annual Conference

The League of Kansas Municipalities (LKM) annual conference is scheduled for October 7-9, in Wichita, KS. Staff is asking the Commission to designate The City Administrator and the City Clerk as voting delegates for the conference.

RECOMMENDED MOTION: *I move to appoint the City Clerk as voting delegate for the League of Kansas Municipalities' Annual Conference.*

4.P: Request Use of Riverwalk Park: WMC Fall Festival

Staff has been contacted by representatives of Wilson Medical Center, who are asking for the use of Riverwalk Park for a Wilson Medical Center Fall Festival, to be scheduled for October 7th.

RECOMMENDED MOTIONS: *I move to approve the October 7th use of the Riverwalk Park by Wilson Medical Center for a fall festival.*

4.Q: Accept Resignation of Public Works Employee

The Commission is asked to formally accept Mike Arnold's resignation.

RECOMMENDED MOTIONS: *I move to accept Mike Arnold's resignation, effective August 11th, 2023.*

4.R: Consider Date/Time for Special Call Commission Meeting

The Commission is asked to set a date and time for a Special Call Commission meeting, to consider an agreement for executive recruitment services. Prior to taking action on this agenda item, the Commission is asked to recess to an executive session for non-elected personnel.

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.

RECOMMENDED MOTIONS: *I move to set August ____, at ____ pm, at City Hall, to consider executive recruitment services.*

July 26, 2023

The Board of Commissioners met in regular session at 2:00 p.m., on Wednesday, July 12, 2023, in the Commission Room at City Hall conducting the meeting by live streaming with Zoom with Mayor Johnson presiding and Commissioner Moffatt present. Commissioner Vail-Keller was present by Zoom.

Commissioner Moffatt moved to approve the agenda as presented with the addition of Business Item 4G: Consider SEKRPC Grant Administrator Agreement. Seconded by Commissioner Vail-Keller. Motion carried.

Commission reports were heard.

City 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 July 12, 2023 meeting; minutes from the July 20, 2023 Special Call Meeting; and Appropriation (2023) 13. Seconded by Commissioner Vail-Keller. Motion carried.

Mayor Johnson read a Proclamation declaring Tuesday, August 1, 2023 as National Night Out 2023 calling upon all citizens to join the City of Neodesha and the National Association of Town Watch to celebrate this event.

Administrator Truelove addressed the Commission regarding an updated depository resolution due to the resignation of our City Treasurer, and the recent appointment of Anita Buchanan as the Interim City Treasurer. Discussion held.

RESOLUTION NO. 23-15

NOW, on this 26th day of July, 2023, 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
Emily Vail-Keller	Commissioner
Anita Buchanan	Interim 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
Emily Vail-Keller	Commissioner
Eddy R. Truelove	City Administrator

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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
Emily Vail-Keller	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
Emily Vail-Keller	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
Emily Vail-Keller	Commissioner
Anita Buchanan	Interim 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

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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
Emily Vail-Keller	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
Emily Vail-Keller	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.

Commissioner Vail-Keller moved to adopt Resolution 23-15 as presented. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding the approval of a change in zoning for 904 & 912 Grant Street from residential to public/semi-public. This is a request from USD 461 in support of the Early Childhood Learning Center. Discussion held.

Commissioner Moffatt moved to approve the change in zoning for 904 & 912 Grant Street from residential to public/semi-public. Seconded by Commissioner Vail-Keller. Motion carried.

Administrator Truelove addressed the Commission regarding the 2023 Audit Engagement Letter from Jarred, Gilmore & Phillips PA. Discussion held.

Commissioner Vail-Keller moved to approve the engagement letter with Jarred, Gilmore & Phillips PA, for the completion of the 2023 audit in an amount not to exceed \$11,900. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding final approval of wayfinding signage design for the City of Neodesha. Discussion held. No action taken.

Administrator Truelove addressed the Commission regarding a request for the use of the Riverwalk Park area for an FCCLA retreat. Discussion held.

Commissioner Moffatt moved to approve the use of Riverwalk Park by FCCLA on August 5, 2023. Seconded by Commissioner Vail-Keller. Motion carried.

Administrator Truelove addressed the Commission regarding the approval of an agreement with SEKRPC for grant administration for the Public Works Department gas equipment grant. Discussion held.

Commissioner Vail-Keller moved to approve the grant administration agreement with Southeast Kansas Regional Planning Commissioner as presented. Seconded by Commissioner Moffatt. Motion carried.

Commissioner Moffatt moved to recess to an Executive Session to include the Governing Body, City Administrator, and the City Clerk in the Commission Room to discuss an individual employee's performance pursuant

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Neodesha, Kansas

July 26, 2023

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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 3:25 p.m. Seconded by Commissioner Vail-Keller. Motion carried. The live streamed Zoom meeting was then placed on hold with audio, video and recording ceased. Commissioner Vail-Keller attended the executive session for non-elected personnel by phone.

At 3:25 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.

The next regular meeting of the Governing Body will be held at City Hall on Wednesday, August 9, 2023 at 2:00 p.m.

At 3:25 p.m. Commissioner Moffatt moved to adjourn. Seconded by Commissioner Vail-Keller. Motion carried.

/s/ Devin Johnson

Devin Johnson, Mayor

ATTEST:

/s/ Stephanie Fyfe

Stephanie Fyfe, City Clerk

APPROPRIATIONS REPORT**ORDINANCE NO 14****8/9/2023**

<u>VENDOR</u>	<u>REFERENCE</u>	<u>AMOUNT</u>	<u>CHECK NO</u>	<u>CHECK DATE</u>
AIR & FIRE SYSTEMS INC	PSI COMPRESSOR	5,192.00	72538	8/9/2023
ALTEC INDUSTRIES INC	TOOLS	184.08	72539	8/9/2023
BEACHNER GRAIN INC	CHEMICALS	81.00	72540	8/9/2023
BOUND TREE MEDICAL LLC	MEDICAL SUPPLIES	233.50	72541	8/9/2023
CULLIGAN OF INDEPENDENCE	AUGUST WATER SERVICE	233.92	72542	8/9/2023
EBH & ASSOCIATES	SAFE ROUTES TO SCHOOLS	2,546.00	72543	8/9/2023
FASTENAL COMPANY	SUPPLIES	141.25	72544	8/9/2023
FORSYTHE'S HEATING & ELECTRIC	SERVICE CALL	91.94	72545	8/9/2023
FOUR STATE MAINT SUPPLY, INC	SUPPLIES	83.91	72546	8/9/2023
GALLS LLC	UNIFORMS	1,119.90	72547	8/9/2023
GLOCK, INC.	TRIGGER UNIT	750.00	72548	8/9/2023
GODFREY'S INDOOR SHOOTING &	GLOCK	169.95	72549	8/9/2023
GRAINGER	HEX BUSHINGS	105.39	72550	8/9/2023
HAWKINS INC	CHEMICALS	4,823.05	72551	8/9/2023
HEALY LAW OFFICES, LLC	FRANCHISE FEES	2,876.25	72552	8/9/2023
HUGO'S INDUSTRIAL SUPPLY, INC	CLEANING SUPPLIES	513.93	72553	8/9/2023
KANSAS ONE-CALL SYSTEM, INC	JULY LOCATES	40.80	72554	8/9/2023
KANSAS STATE TREASURER	RAW WATER PROJECT A	234,010.00	72555	8/9/2023
KOONS GAS MEASUREMENT	GAS SUPPLIES	359.88	72556	8/9/2023
LAKELAND OFFICE SYSTEMS	JULY COPIER MAINTENANCE	142.44	72557	8/9/2023
LANDIS+GYR TECHNOLOGY INC	WATER METERS	30,000.00	72558	8/9/2023
LEAGUE OF KS MUNICIPALITIES	TRAFFIC ORD/PUB OFFENSE CODES	282.92	72559	8/9/2023
LITTLE BEAR TIRE	TIRE REPAIR	25.00	72560	8/9/2023
MATT'S CUSTOM AUTOMOTIVE	TOW SERVICE	185.00	72561	8/9/2023
MCCARTY'S OFFICE MACHINES INC	OFFICE SUPPLIES	236.01	72562	8/9/2023
MEDICLAIMS INC	AMBULANCE COLLECTION FEES	672.05	72563	8/9/2023
MIDWEST COMPUTER SALES	IT SERVICES	1,542.15	72564	8/9/2023
NDB NEODESHA	NOTARY BOND	75.00	72565	8/9/2023
NEODESHA DERRICK NEWS	PUBLICATIONS	2,027.50	72566	8/9/2023

NEWTON LUMBER CO INC	SUPPLIES	8.59	72567	8/9/2023
PATRIOT SERVICE COMPANY	SANITATION UNITS	200.00	72568	8/9/2023
PENMAC PERSONNEL SERVICES INC	TEMPORARY PERSONNEL SERVICE	1,006.72	72569	8/9/2023
PORTER DRUG STORE	STOCK MEDS FOR AMBULANCE	993.13	72570	8/9/2023
PRAIRIE FIRE COFFEE	BEVERAGE SERVICE	496.01	72571	8/9/2023
QUALITY MOTORS	HOUSING	48.70	72572	8/9/2023
SANDBAGGER GOLF & TURF	MOWER PARTS	206.35	72573	8/9/2023
SNAP ON TOOLS	TOOLS	47.90	72574	8/9/2023
STANION WHOLESALE ELECTRIC	ELECTRIC SUPPLIES	494.42	72575	8/9/2023
SYSCO KANSAS CITY, INC.	POOL CONCESSIONS	567.27	72576	8/9/2023
TLC GROUNDSKEEPING INC	MOWING & LANDSCAPE MAINT	11,171.30	72577	8/9/2023
ULINE	GAS CAN	388.55	72578	8/9/2023
US CELLULAR	CELL PHONE/TABLET CHARGES	345.64	72579	8/9/2023
USD 461	POOL CONCESSIONS	624.00	72580	8/9/2023
WALMART COMMUNITY BRC	SUPPLIES	975.18	72581	8/9/2023
EVERGY	STREET LIGHTS @ OTTAWA	108.29	72582	8/9/2023
WESTERN AUTO	SUPPLIES	730.81	72583	8/9/2023
WILSON MEDICAL CENTER	JULY TAX DISTRIBUTION	29,709.97	72584	8/9/2023
CASH	EMPLOYEE BIRTHDAYS	40.00	72325	7/6/2023
TEXAS DEPT OF PUBLIC SAFETY	DRIVING RECORD	6.00	72326	7/6/2023
EVERGY	AIRPORT RUNWAY LIGHTS	69.61	72327	7/6/2023
RAILROAD MANAGEMENT CO	SEWER/WATERLINE LEASE	1,071.85	72328	7/6/2023
WEX BANK	FUEL	11,128.44	72329	7/6/2023
MATTHEW STARK	PURCHASE OF PROPERTY	500.00	72386	7/27/2023
WL CO REGISTER OF DEEDS	DEED FILING	21.00	72387	7/27/2023
RWD #4	AIRPORT RURAL WATER	28.60	72388	7/27/2023
SPARKLIGHT	INTERNET SERVICE	190.06	72389	7/27/2023
IMPRINTS LABEL & DECAL	SPECIAL VEHICLE PERMIT LABELS	265.00	72390	7/27/2023
VISA	MEMBER DUES, SUPPLIES & UNIFORMS	11,528.92	72391	7/27/2023
SOUTHERN STAR CENTRAL GP INC	JUNE BILLING	12,619.03	72392	7/27/2023
MARC A JIMENEZ	DUPLICATE PAYMENT REFUND	122.00	72393	7/27/2023
MICHAEL OLENHOUSE	CIVIC CENTER DEPOSIT REFUND	300.00	72394	7/27/2023
NIKKI CHURCH	POOL PARTY REFUND	75.00	72395	7/27/2023
A T & T	FIBER OPTIC SYSTEM	594.52	72396	7/27/2023

SPARKLIGHT	INTERNET SERVICE	124.17	72397	7/27/2023
WEX BANK	FUEL	8,675.71	72398	7/27/2023
CASH	EMPLOYEE BIRTHDAYS	40.00	72399	7/27/2023
US POST OFFICE	JULY BILLING	323.18	72525	7/31/2023
****TOTAL****		384,590.74		

CITY OF NEODESHA

RESOLUTION 23-16

A RESOLUTION FOR THE CITY OF NEODESHA, KANSAS TO LEVY A PROPERTY TAX RATE EXCEEDING THE REVENUE NEUTRAL RATE;

WHEREAS, the Revenue Neutral Rate for the City of Neodesha, Kansas was calculated as 53.072 mills by the Wilson County Clerk; and

WHEREAS, the budget proposed by the Governing Body of the City of Neodesha, Kansas will require the levy of a property tax rate exceeding the Revenue Neutral Rate; and

WHEREAS, the Governing Body held a hearing on August 9, 2023 allowing all interested taxpayers desiring to be heard an opportunity to give oral testimony; and

WHEREAS, the Governing Body of the City of Neodesha, Kansas, having heard testimony, still finds it necessary to exceed the Revenue Neutral Rate.

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

The City of Neodesha, Kansas shall levy a property tax rate exceeding the Revenue Neutral Rate of 69.741 mills.

This Resolution shall take effect and be in force immediately upon its adoption and shall remain in effect until future action is taken by the Governing Body.

ADOPTED AND APPROVED by the governing body of the City of Neodesha, Kansas this 9th day of August, 2023.

ATTEST:

Devin Johnson, Mayor

Stephanie Fyfe, City Clerk

Roll Call Vote

A Roll Call Vote of the City of Neodesha Governing Body To Levy a Property Tax Exceeding the
Revenue Neutral Rate

Hearing to Exceed Revenue Neutral Rate held on August 9, 2023 at 2:00 p.m.

Resolution No. 23-16

Governing Body Member	Yes	No	No Vote
Mayor Devin Johnson			
Vice-Mayor JD Moffatt			
Commissioner Emily Vail-Keller			
TOTAL			

Certified:

City Clerk

ORDINANCE NO. 1787

AN ORDINANCE RELATING TO THE REZONING AND CHANGING OF THE OFFICIAL ZONING MAP OF THE CITY OF NEODESHA, KANSAS, FROM R-1 SINGLE FAMILY RESIDENTIAL TO PUBLIC-SEMI PUBLIC OF CERTAIN LOTS IN THE CITY OF NEODESHA, WILSON COUNTY, KANSAS AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH.

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

Section 1. That the following described real estate situated in the City of Neodesha, Wilson County, Kansas, to-wit:

Tract 1: Lots 17-20, Block 2, S. J. Shutt's Addition, City of Neodesha, Wilson County, Kansas

Tract 2: South 73' Lots 21-24, Block 2, S. J. Shutt's Addition, City of Neodesha, Wilson County, Kansas

hereinbefore designated in the R-1 Single Family Residential zone, is hereby rezoned to be included in the Public-Semi Public zone, as defined and determined by Ordinance No. 1199 of the City of Neodesha, Kansas.

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 9th day of August, 2023.

ATTEST:

Devin Johnson, Mayor

Stephanie Fyfe, City Clerk

ORDINANCE NO. 1788

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF NEODESHA, KANSAS, INCORPORATING BY REFERENCE THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES”, EDITION OF 2023, WITH CERTAIN OMISSIONS, CHANGES AND ADDITIONS, PROVIDING CERTAIN PENALTIES AND REPEALING ORDINANCE NO. 1771 AND ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith.

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

Section 1 **STANDARD TRAFFIC ORDINANCE INCORPORATED.** There is hereby incorporated by reference for the purpose of regulating traffic within the corporate limits of the City of Neodesha, Kansas that certain standard traffic ordinance known as the “Standard Traffic Ordinance for Kansas Cities”, Edition of 2023, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas, save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed. One official copy of said Standard Traffic Ordinance shall be marked or stamped “Official Copy as Adopted by Ordinance No. 1788”, with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the City Clerk to be open to inspection and available to the public at all reasonable business hours. The Police Department, Municipal Judge, and all administrative departments of the City charged with enforcement of the ordinance shall be supplied, at the cost of the City, such number of official copies of such Standard Traffic Ordinance similarly marked, as may be deemed expedient.

Section 2 **TRAFFIC INFRACTIONS AND TRAFFIC OFFENSES:**

- a) An ordinance traffic infraction is a violation of any section of this ordinance that prescribes or requires the same behavior as that prescribed or required by a statutory revision that is classified as a traffic infraction in K.S.A. 8-2118.
- b) All traffic violations which are included within this ordinance, and which are not ordinance traffic infractions as defined in subsection (a) of this section, shall be considered traffic offenses.

Section 3 **PENALTY FOR SCHEDULED FINES.** The fine for violation of an ordinance traffic infraction or any other traffic offense for which the municipal judge established a fine in a fine schedule shall not be less than \$10 nor more than \$1,200. A person tried and convicted for violation of an ordinance traffic infraction or other traffic offense for which a fine has been established in a schedule of fines shall pay a fine fixed by the court not to exceed \$1,200.

Section 4 **MAXIMUM SPEED LIMITS.**

Section 33 of Article 7 of the Standard Traffic Ordinance for Kansas Cities, 2023 Edition, is hereby changed to read as follows: Section 33. Maximum Speed Limits

- a) Except when a special hazard exists that requires lower speed for compliance with Section 32, the limits specified in this section or established as hereinafter authorized shall be maximum lawful speeds, and no person shall drive a vehicle at a speed in excess of such maximum limits.
 - 1) Twenty (20) miles per hour in any business district;
 - 2) Twenty-five (25) miles per hour in any residential district;
 - 3) Twenty (20) miles per hour in school zones between the following hours during the school term on days school is in session: 7:30 a.m. to 8:30 a.m.; 11:30 a.m. to 1:00 p.m.; and 3:00 p.m. to 4:00 p.m.
The following areas are school zones:
Eighth Street between Iowa and Bell Streets Granby Street between Fourth and Tenth Streets Fourth Street between Oak and Elm Streets Idaho Street between Sixth and Seward Streets Tank Street between Sixth and Seward Streets Ninth Street between Iowa and Lincoln Streets Church Street between Eighth and Tenth Streets
 - 4) Thirty (30) miles per hour on that portion of U.S. Highway 75 between Third Street and the Eastern City limits.
 - 5) Forty-Five (45) miles per hour on that portion of U.S. Highway 75 from the Western City limits to 14th Street.

- 6) Thirty (30) miles per hour on that portion of U.S. Highway 75 from 14th Street to 9th Street.
- 7) Thirty (30) miles per hour on that portion of the West half of Fourth Street between Tank and Fifth Streets.
- b) Unless otherwise directed by a police officer, the driver of any vehicle within the City Limits shall obey the instructions of all signs and other traffic control devices placed within the City Limits by the City of Neodesha. This requirement is subject to the exceptions granted to the driver of an authorized emergency vehicle in this ordinance.

Section 5 ORDINANCES REPEALED. Ordinance No. 1771 and all or parts of ordinances in conflict herewith are hereby repealed.

Section 6 EFFECTIVE DATE. This ordinance shall be in full force and effect upon its publication in the official city newspaper.

Passed by the Governing Body of the City of Neodesha, Kansas and signed by the Mayor this 9th day of August, 2023.

ATTEST:

Devin Johnson, Mayor

Stephanie Fyfe, City Clerk

ORDINANCE NO. 1789

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF NEODESHA, KANSAS, INCORPORATING BY REFERENCE THE “UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES,” EDITION OF 2023, WITH CERTAIN OMISSIONS, CHANGES AND ADDITIONS, PROVIDING CERTAIN PENALTIES AND REPEALING ORDINANCE NO. 1772 AND ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

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

Section 1 INCORPORATING UNIFORM PUBLIC OFFENSE CODE. There is hereby incorporated by reference for the purpose of regulating public offenses within the corporate limits of the City of Neodesha, Kansas that certain code known as the “Uniform Public Offense Code,” Edition of 2023, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas, save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed. One official copy of said Uniform Public Offense Code shall be marked or stamped “Official Copy as Adopted by Ordinance No. 1789”, with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the City Clerk to be open to inspection and available to the public at all reasonable business hours.

Section 2 SECTION 10.13 AMENDED. Section 10.13 of Article 10 of the Uniform Public Offense Code, Edition of 2023, is hereby amended to read as follows:

10.13 BARBED WIRE AND ELECTRIC FENCES. It shall be unlawful for any person to construct, set up or maintain any barbed wire or above ground electric fence or enclosure within the City in any Residential Zone or Local Business Zone as shown on the Official City Zoning Map incorporated by Ordinance No. 1199.

Section 3 SECTION 10.29 OMITTED. Section 10.29 of Article 10 of the Uniform Public Offense Code, Edition of 2023, Violation of a Public Health Order, is hereby omitted:

Section 4 ORDINANCE REPEALED. Ordinance No. 1772 and all or parts of ordinances in conflict herewith are hereby repealed.

Section 5 EFFECTIVE DATE. This ordinance shall be in full force and effect upon its publication in the official city newspaper.

Passed by the Governing Body of the City of Neodesha, Kansas and signed by the Mayor this 9th day of August, 2023.

ATTEST:

Devin Johnson, Mayor

Stephanie Fyfe, City Clerk

ORDINANCE NO. 1790

AN ORDINANCE ANNEXING LAND TO THE CITY OF NEODESHA, KANSAS.

WHEREAS, the following described land is located in Wilson County, Kansas; and

WHEREAS, the following described land meets one or more of the conditions prescribed by K.S.A. 12-520(a) (1)-(6), as amended; and

WHEREAS, the governing body of the City of Neodesha, Kansas finds it advisable to annex such land.

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

Section 1. That the following described land, meeting the conditions for annexation prescribed in K.S.A. 12-520, as amended, is hereby annexed and made a part of the City of Neodesha, Kansas:

TRACT VII

Commencing at a point Fifty feet (50') West of the Southwest corner of Section Nineteen (19), Township Thirty (30) South, Range Sixteen (16) East; Thence North Nine Hundred Twenty-Five feet (925'); Thence West Seven Hundred Seventy-Five feet (775'); Thence South Nine Hundred Twenty-Five feet (925'); Thence East Seven Hundred Seventy-Five feet (775') to the point of beginning, except the following described tract:

Beginning at a point 50 feet West and 620 feet North of the Southeast corner of Section 19, Township 30 South, Range 16 East; Thence North 300 feet to the southerly line of Wisconsin Street, City of Neodesha; Thence North 89°00' West, 450 feet along said southerly line of Wisconsin Street; Thence South 300 feet; Thence South 89°00' East, 450 feet to the point of beginning.

TRACT VIII

Commencing at the Southwest corner of the Southeast Quarter of Section 19, Township 30 South, Range 16 East; Thence East 110 rods; Thence North 80 rods; Thence West to a point 1311 feet West of the Northeast corner of the South Half of the Southeast Quarter of Section 19; Thence South 445 feet; Thence West 400 feet to the center of Fall River; Thence down the middle of Fall River following the meanderings thereof to the South line of Said Section 19; Thence East on said Section line about 34 rods, 6 links to the point of beginning, less and except the following described tract. Beginning at the center of Fall River 2 rods below the dam formerly used by Sprinkles Mill. Later Adams Mill; Thence South to a point 5 rods South of the waters edge on the South side of the river; Thence East 16 rods; Thence North to the center channel of said river; Thence down the center of said river to the point of beginning. Described in Book 126 at Page 4.

Said tracts more particularly described for annexation purposes as follows:

Beginning at the Southeast corner of Section 19, Township 30 South, Range 16 East in Wilson County, Kansas; Thence West along the South line of said Section 19 to the centerline of Fall River; Thence Northwesterly along the meanderings of the Fall River; Thence continuing along the centerline of Fall River Northeasterly; Thence continuing along the centerline of Fall River Southeasterly; Thence continuing along the centerline of Fall River Northeasterly to the Southwest corner of a tract of land owned by the Neodesha Land Bank recorded in Book 411 at page 759; Thence East along the South line of said tract to a point along the West line of a tract of land owned by the Neodesha Land Bank recorded in Book 414 at Page 40; Thence South along said West line to the Southwest corner of said tract; Thence along the South line of said tract to the Southeast corner of said tract; Thence North along the East line of said tract to the Southwest corner of Frisco Addition; Thence East along said South line of Frisco Addition to the Northwest corner of a tract of land owned by Royal T Construction LLC recorded in Book 428 at Page 177; Thence South along the West line of said tract to the Southwest corner of said tract; Thence East along the South line of said tract to the East line of Section 19, Township 30 South, Range 16 East; Thence South along said East line of Section 19 to the Southeast corner of said Section 19 and the point of beginning.

Section 2. That this ordinance shall take effect and be in force from and after its publication in the official city newspaper.

Passed by the Governing Body of the City of Neodesha, Kansas and signed by the Mayor this 9th day of August, 2023.

ATTEST:

Devin Johnson, Mayor

Stephanie Fyfe, City Clerk

CITY OF NEODESHA

RESOLUTION NO. 23-17

A RESOLUTION FINDING THAT THE STRUCTURE LOCATED AT 1607 B Street NEODESHA, KANSAS ON LEGAL DESCRIPTION: Lots Twelve (12) and Thirteen (13), Block Four (4), Deer & Parks Subdivision, City of Neodesha, Wilson County, Kansas, IS UNSAFE OR DANGEROUS AND DIRECTING THE STRUCTURE TO BE REPAIRED OR REMOVED AND THE PREMISES MADE SAFE AND SECURE.

WHEREAS, the Enforcing Officer of the City of Neodesha, Kansas did on the 3rd day of April, 2023 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 14th day of June, 2023, 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 22nd day of June, 2023, and on the 29th day of June, 2023, and a copy of such Resolution was served on all persons entitled thereto in all respects as provided by law; and

WHEREAS, on this 9th day of August, 2023, 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 is unsafe and dangerous and hereby directs such structure **LOCATED AT 1607 B Street NEODESHA, KANSAS ON LEGAL DESCRIPTION: Lots Twelve (12) and Thirteen (13), Block Four (4), Deer & Parks Subdivision, City of Neodesha, Wilson County, Kansas**, to be removed and the premises made safe and secure. The owner of such structure is hereby given _____ 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.

ADOPTED AND APPROVED by the governing body of the City of Neodesha, Kansas this 9th day of August, 2023.

ATTEST:

Devin Johnson, Mayor

Stephanie Fyfe, City Clerk

CITY OF NEODESHA

RESOLUTION NO. 23-18

A RESOLUTION FINDING THAT THE STRUCTURE LOCATED AT 1611 B Street LEGAL DESCRIPTION: Lots Eight (8), Nine (9), Ten (10) and Eleven (11), Block Four (4), Deer & Parks Subdivision, City of Neodesha, Wilson County, Kansas, IS UNSAFE OR DANGEROUS AND DIRECTING THE STRUCTURE TO BE REPAIRED OR REMOVED AND THE PREMISES MADE SAFE AND SECURE.

WHEREAS, the Enforcing Officer of the City of Neodesha, Kansas did on the 3rd day of April, 2023 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 14th day of June, 2023, 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 22nd day of June, 2023, and on the 29th day of June, 2023, and a copy of such Resolution was served on all persons entitled thereto in all respects as provided by law; and

WHEREAS, on this 9th day of August, 2023, 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 is unsafe and dangerous and hereby directs such structure **LOCATED AT 1611 B Street LEGAL DESCRIPTION: Lots Eight (8), Nine (9), Ten (10) and Eleven (11), Block Four (4), Deer & Parks Subdivision, City of Neodesha, Wilson County, Kansas**, to be removed and the premises made safe and secure. The owner of such structure is hereby given _____ 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.

ADOPTED AND APPROVED by the governing body of the City of Neodesha, Kansas this 9th day of August, 2023.

ATTEST:

Devin Johnson, Mayor

Stephanie Fyfe, City Clerk