

Neodesha, Kansas
August 22, 2018

The Board of Commissioners met in regular session at 2:00 p.m. on Wednesday, August 22, 2018 with Mayor Harper presiding and Commissioners Moffatt and Johnson present.

Commissioner Moffatt moved to approve the agenda as presented. Seconded by Commissioner Johnson. Motion carried.

Commission and Administrator Reports were heard.

Public Comments were invited and heard.

Commissioner Johnson moved that the Consent Agenda consisting of: the minutes from the August 8, 2018 meeting; and Appropriation (2018) 14; be approved. Seconded by Commissioner Moffatt. Motion carried.

Mayor Harper read a proclamation naming the City's tennis courts the "*Gary Huff Tennis Courts*" and presented Mr. Huff with a framed signed and sealed copy of the proclamation.

This being the time and date to continue the hearing on the dangerous structures located at 203 and 211 Main Street, the hearing was open. Comments were invited and heard. Then the hearing was closed.

Commissioner Moffatt moved to close out the abatement process for 203 and 211 Main Street. Seconded by Commissioner Johnson. Motion carried.

Lisa Sisely and Shawn Dryden from New Boston Creative addressed the Commission regarding the launch of the City's new website, new logo and marketing strategies. Discussion was held.

Commissioner Johnson moved to approve the formal launch of the City's new webpage, City logo, and strategic marketing plan. Seconded by Commissioner Moffatt. Motion carried.

Beth Warren with Ranson/CityCode was in attendance to present the Water and Sewer Rate Study. Discussion was held.

Commissioner Moffatt moved to table this issue to a future Commission meeting. Seconded by Commissioner Johnson. Motion carried.

Jay Newton addressed the Commission regarding the new proposed Personnel Policy Manual and Position Classification - Pay Plan. Discussion was held.

RESOLUTION 18-07

A RESOLUTION ADOPTING AND ESTABLISHING PERSONNEL POLICIES FOR THE CITY OF NEODESHA, KANSAS AND RESCINDING ANY PERSONNEL POLICIES THAT MAY HAVE HERETOFORE BEEN ADOPTED BY THE NEODESHA CITY COMMISSION.

WHEREAS, Kansas statutes provide that a City may exercise the powers of home rule to determine its local affairs, and the City of Neodesha, Kansas is a City of the Second Class as defined by Kansas Statute; and

WHEREAS, it is the intent of the City of Neodesha to establish personnel policies and rules in the form of a Personnel Policy Manual by the Neodesha City Commission as a policy directive to guide the City Administrator and the employees of the City of Neodesha in their duties as employees of the City consistent with the permissible exercise of home rule powers;

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

The Personnel Policy Manual for the City of Neodesha dated August 22, 2018 is hereby adopted effective as of the date of this resolution.

Commissioner Johnson moved to adopt Resolution 18-07, establishing the Personnel Policy Manual dated August 22, 2018 for the City of Neodesha. Seconded by Commissioner Moffatt. Motion carried.

RESOLUTION 18-08

A RESOLUTION ADOPTING AND ESTABLISHING A POSITION CLASSIFICATION AND PAY PLAN FOR THE CITY OF NEODESHA, KANSAS AND RESCINDING ANY POSITION CLASSIFICATION AND PAY PLAN THAT MAY HAVE HERETOFORE BEEN ADOPTED BY THE NEODESHA CITY COMMISSION.

WHEREAS, K.S.A. 12-101 provides that a city may exercise the powers of home rule in determination of local affairs, and the City of Neodesha is a City of the Second Class as defined by Kansas Statute; and

WHEREAS, the management of the City of Neodesha regarding personnel rules, employee classification plans, compensation and related administrative procedures and policies are a permissible exercise of home rule powers, pursuant to K.S.A. 12-101a; and

WHEREAS, the City of Neodesha Governing Body desires to adopt and establish a system of employee position classification and pay plan policies; and

WHEREAS, the City of Neodesha Governing Body believes that adopting a Position Classification and Pay Plan is in the best interest of City employees and the City itself;

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

The Position Classification and Pay Plan for the City of Neodesha dated August 22, 2018 is hereby adopted effective as of the date of this resolution, with pay grade implementation becoming effective on the employee's anniversary date, 2018.

Commissioner Moffatt moved to adopt Resolution 18-08, establishing the Position Classification and Pay Plan dated August 22, 2018 for the City of Neodesha. Seconded by Commissioner Johnson. Motion carried.

Administrator Truelove addressed the Commission regarding the Dangerous Structure at 1318 N. 9th and 1324 N. 9th. This is the same structure but sits on two different parcels. Discussion was held.

RESOLUTION NO. 18-09

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 1318 N. 9TH, LEGAL DESCRIPTION: BLOCK 2, LOTS 63-67 AND THE SOUTH 7' OF LOT 68 AND NORTH 13' OF LOT 62, WESTLAWN ADDITION, CITY OF NEODESHA, 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 22nd day of August, 2018, 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 10th day of October, 2018, before the Governing Body of the City at 2:00 p.m. in the Commission Room of City Hall, 1407 N. 8th; at which time the owner, his agent, any lien holder of record and any occupant of the structure located at 1318 N. 9th 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 Johnson moved to adopt Resolution 18-09 setting a public hearing for October 10, 2018 as presented. Seconded by Commissioner Moffatt. Motion carried.

RESOLUTION NO. 18-10

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 1324 N. 9TH, LEGAL DESCRIPTION: BLOCK 2, LOT 72 AND THE NORTH 18' OF LOT 71, WESTLAWN ADDITION, CITY OF NEODESHA, 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 22nd day of August, 2018, 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 10th day of October, 2018, before the Governing Body of the City at 2:00 p.m. in the Commission Room of City Hall, 1407 N. 8th; at which time the owner, his agent, any lien holder of record and any occupant of the structure located at 1324 N. 9th 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 18-10 setting a public hearing for October 10, 2018 as presented. Seconded by Commissioner Johnson. Motion carried.

Administrator Truelove addressed the Commission regarding a Dangerous Structure at 1401 N. 2nd. Discussion was held.

RESOLUTION NO. 18-11

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

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OCCUPANTS OF THE STRUCTURE LOCATED AT 1401 N. 2ND, LEGAL DESCRIPTION: BLOCK 3, LOTS 13-19, DEER'S SUBDIVISION, CITY OF NEODESHA, 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 22nd day of August, 2018, 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 10th day of October, 2018, before the Governing Body of the City at 2:00 p.m. in the Commission Room of City Hall, 1407 N. 8th; at which time the owner, his agent, any lien holder of record and any occupant of the structure located at 1401 N. 2nd 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 Johnson moved to adopt Resolution 18-10 setting a public hearing for October 10, 2018 as presented. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding some changes to be made to the City's Water Leak policy. Discussion was held.

RESOLUTION NO. 18-12

A RESOLUTION ESTABLISHING A POLICY FOR AN ADJUSTMENT TO WATER AND SEWER CUSTOMERS BILLING FOR LEAKS IN BURIED SERVICE LINES.

WHEREAS, the City of Neodesha established a water leak policy by Resolution 16-09, dated November 23, 2016; and

WHEREAS, under certain circumstances leaks can occur in a buried service lines that may go undetected until the monthly billing is prepared; and

WHEREAS, the City Commission desires to allow an adjustment for water leaks in buried service lines that have been identified and repaired, and to make this policy available to water utility customers in good standing.

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

1. In the event of a water leak that creates a metered water loss in excess of twice the average monthly amount for a customer, the City of Neodesha may make a billing adjustment for the month in which the leak occurred.
2. The water loss must be due to a latent water line failure as opposed to neglected household plumbing. Example (leaky toilet or faucet).
3. A water utility customer may present evidence to the City Clerk that a leak in the buried service line has occurred and has been repaired. The evidence shall be by either documentation from the Public Works Director or a receipt or invoice from a licensed plumber.
4. The City Clerk shall confirm with the licensed plumber or Public Works Director that the leak occurred in the customer's buried service line and has been repaired.
5. An average of the previous twelve months usage will be calculated for billing purposes.
6. The total excess water usage will be calculated, minus the normal usage. One-half of the excess water may be adjusted from the customer's billing.
7. In events of a water leak for Commercial or Industrial customers the City will adjust the sewer charges in the same manner.
8. Only one month's water billing will be adjusted in a twelve-month period.

Commissioner Moffatt moved to adopt Resolution 18-12 regarding the City's Water Leak Policy as presented. Seconded by Commissioner Johnson. Motion carried.

Administrator Truelove addressed the Commission regarding an amendment to the Ag Eagle Lease. Discussion was held.

Commissioner Johnson moved to approve the extension of the Business Incubator lease with Ag Eagle, with an expiration date of September 15, 2019. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding a request to (continued on next page)

change the parking designation in front of the High School. Discussion was held.

Commissioner Moffatt moved to approve designating the West curb on the 1000 block of N. 8th St. as a loading and unloading zone only. Seconded by Commissioner Johnson. Motion carried.

The next regular meeting of the Governing Body will be held at City Hall on Wednesday, September 12, 2018 at 2:00 p.m.

At 4:50 p.m. Commissioner Johnson moved to adjourn. Seconded by Commissioner Moffatt. Motion carried.

ATTEST:

/s/Terry M. Harper

Terry M. Harper, Mayor

/s/Bobby Busch

Bobby Busch, City Clerk/Finance Dir.