

Agenda-**Revised**

City Commission of the City of Neodesha, KS
August 14, 2019 4:00 p.m.

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

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 the July 24 and August 7, 2019 Commission minutes
- Appropriation (2019) 14
- Raw Water Project Bond Appropriation 58
- CDBG Gasline Appropriation 01

Item 4: Business Items to Consider

- A. 2020 Budget Hearing and approval of Budget
- B. Dangerous Structures: 306 Bell (cont. from 7/28/2019)
- C. Dangerous Structures: 910 Iowa, Setting Public Hearing Date
- D. Dangerous Structures: 1322 N. 3rd, Setting Public Hearing Date
- E. Approve Memorandum of Understanding with Geo. K. Baum Co.
- F. Approve Employee Memorandum of Agreement for Training Process
- G. Accept Resignation from Recreation Commission
- H. Appointment to the Recreation Commission
- I. Approve Employee Retirement
- J. Accept Employee Resignation

Item 5: Date/Time of Next Regular Meeting

- Wednesday, August 28, 2019, 2:00 p.m. – Regular Meeting, City Hall

Item 6: Executive Session: Non Elected Personnel

Item 7: Adjournment

AGENDA COMMENTS
CITY COMMISSION MEETING
August 14, 2019

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 2020 Budget Hearing and Approval of Budget

The Public Hearing for the 2020 Budget will be open and comments taken. After the hearing is closed the budget will be adopted.

RECOMMENDED MOTION: *I move to adopt the Budget for the 2020 calendar year as presented.*

4.B Dangerous Structures: 306 Bell (cont.)

This is a continuation of the hearing on 306 Bell. The Commission can either adopt an ordinance ordering the demolition of the house or make a motion to remove it from the abatement process.

RECOMMENDED MOTION: _____.

4.C Dangerous Structures: 910 Iowa

Staff will present information to the Commission regarding the condition of this property. A resolution will be adopted setting a Public Hearing to determine what action should be taken.

RECOMMENDED MOTION: *I move to adopt Resolution 19-08 setting a Public Hearing date of September 25, 2019 for the Dangerous Structure at 910 Iowa.*

4.D Dangerous Structures: 1322 N. 3rd

Staff will present information to the Commission regarding the condition of this property. A resolution will be adopted setting a Public Hearing to determine what action should be taken.

RECOMMENDED MOTION: *I move to adopt Resolution 19-09 setting a Public Hearing date of September 25, 2019 for the Dangerous Structure at 1322 N. 3rd.*

4.E: Approve Memorandum of Understanding with Geo. K. Baum, Co.

In continuation of our funding for the water/sewer projects, the Commission will approve a Memorandum of Understanding to allow for George K. Baum & Company to serve as the underwriter for our bond services.

RECOMMENDED MOTION: *I move to approve the Memorandum of Understanding with George K. Baum & Company for bond underwriting services.*

4.F: F. Approve Employee Memorandum of Agreement for Training Process

Staff will ask the Commission to consider approving an Employee Memorandum of Agreement process for training purposes. This agreement requires the employee to stay for a minimum of two years or be responsible for reimbursing the City for the training expenses.

RECOMMENDED MOTION: *I move to approve the Memorandum of Agreement for Training process and to authorize the City Administrator to sign on behalf of the City.*

4.G: Accept Resignation from Recreation Commission

Bill Tigner has submitted his resignation from the Neodesha Recreation Commission.

RECOMMENDED MOTION: *I move to accept the resignation of Bill Tigner from the Neodesha Recreation Commission effective August 31, 2019.*

4.H: Appointment to the Recreation Commission

Gary Larson has expressed an interest in filling Bill Tigner's unfinished term.

RECOMMENDED MOTION: *I move to appoint Gary Larson to the Neodesha Recreation Commission effective September 1, 2019 to fill the unexpired term of Bill Tigner ending December 31, 2022.*

4.I: Approve Employee Retirement

Bobby has submitted his notice that he intends to retire on October 1, 2019. His final day of work will be Friday, September 27, 2019.

RECOMMENDED MOTION: *I move to approve the retirement of City Clerk Bobby Busch effective September 27, 2019..*

4.J: Accept Employee Resignation

Cody Good from the Electric Department will be resigning his position as a lineman.

RECOMMENDED MOTION: *I move to approve the resignation of Cody Good from the Electric Department effective August 21, 2019.*

Item 6: Executive Session: Non Elected Personnel

The Commission will go into an Executive Session to discuss employment matters of non elected personnel.

RECOMMENDED MOTION: *I move to recess to an Executive Session including the Governing Body, City Administrator, City Clerk, Assistant City Clerk, Fire Chief and Electric Superintendent to discuss an individual employee's performance pursuant to the non elected personnel matter exception, KSA 75-4319(b)(1). The open meeting will resume in the Commission Room at ____ p.m.*

Neodesha, Kansas
July 24, 2019

The Board of Commissioners met in regular session at 2:00 p.m. on Wednesday, July 24, 2019 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 to approve the Consent Agenda consisting of the minutes from the July 8, 10 and 22, 2019 Commission Meetings; and Appropriation (2019) 13. Seconded by Commissioner Moffatt. Motion carried.

Mayor Harper read a Proclamation declaring Tuesday, August 6, 2019 as National Night Out 2019.

**CITY OF NEODESHA
RESOLUTION NO. 19-07**

A RESOLUTION ADOPTING THE KANSAS HOMELAND SECURITY REGION H HAZARD MITIGATION PLAN.

WHEREAS, the City of Neodesha recognizes the threat that natural hazards pose to people and property within our community; and

WHEREAS, undertaking hazard mitigation actions will reduce the potential for harm to people and property from future hazard occurrences; and

WHEREAS, the U.S. Congress passed the Disaster Mitigation Act of 2000 (“Disaster Mitigation Act”) emphasizing the need for pre-disaster mitigation of potential hazards;

WHEREAS, the Disaster Mitigation Act made available hazard mitigation grants to state and local governments; and

WHEREAS, an adopted Hazard Mitigation Plan is required as a condition of future funding for mitigation projects under multiple Federal Emergency Management Agency (FEMA) pre- and post-disaster mitigation grant programs; and

WHEREAS, the City of Neodesha fully participated in the FEMA prescribed mitigation planning process to prepare this Multi-Hazard Mitigation Plan; and

WHEREAS, the Kansas Division of Emergency Management and FEMA Region VII officials have reviewed the Kansas Homeland Security Region H Hazard Mitigation Plan, and approved it contingent upon this official adoption of the participating governing body; and

WHEREAS, the City of Neodesha desires to comply with the requirements of the Disaster Mitigation Act and to augment its emergency planning efforts by formally adopting the Kansas Homeland Security Region H Hazard Mitigation Plan; and

WHEREAS, adoption by the governing body for the City of Neodesha demonstrates the jurisdictions’ commitment to fulfilling the mitigation goals and objectives outlined in this plan, and

WHEREAS, adoption of this legitimizes the plan and authorizes responsible agencies to carry out their responsibilities under the plan.

NOW, THEREFORE, BE IT RESOLVED, that the City of Neodesha adopts the Kansas Homeland Security Region H Hazard Mitigation Plan as an official plan; and

Be it further resolved, the City of Neodesha will submit this Adoption Resolution to the Kansas Division of Emergency Management and FEMA Region VII officials to enable the plan’s final approval.

Commissioner Moffatt moved to adopt Resolution 19-07 regarding the Kansas Homeland Security Region H Hazard Mitigation Plan. Seconded by Commissioner Johnson. Motion carried.

The Public Hearing for the Dangerous Structure at 306 Bell was continued from the July 10, 2019 meeting.

Commissioner Johnson moved to table the abatement process for the property at 306 Bell Street, until August 14, 2019. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding publication of the 2020 budget setting the Public Hearing date. Discussion was held.

Commissioner Moffatt moved to approve publication of the public hearing notice for the 2020 budget setting the Public Hearing date for August 14, 2019. Seconded by Commissioner Johnson. Motion carried.

Discussion regarding transfer of Housing Authority properties was continued from the previous meeting.

Item dies for lack of a motion or second.

Commissioner Johnson moved to recess to an Executive Session including the Governing Body, City Administrator, City Clerk, Chief Banzet and Chief Tomlinson to discuss an individual (continued on next page)

Neodesha, Kansas
July 24, 2019 (cont.)

employee's performance pursuant to the non elected personnel matter exception, KSA 75-4319(b)(1). The open meeting will resume in the Commission Room at 3:40 p.m. Seconded by Commissioner Moffatt. Motion carried.

At 3:40 p.m. the regular meeting of the Governing Body reconvened. No action.

The next regular meeting of the Governing Body will be held at City Hall on Wednesday, August 14, 2019 at 2:00 p.m.

At 3:40 p.m. Commissioner Moffatt moved to adjourn. Seconded by Commissioner Johnson. Motion carried.

ATTEST:

Terry M. Harper, Mayor

Bobby Busch, City Clerk

SPECIAL CALL FOR SPECIAL MEETING OF BOARD OF COMMISSIONERS

Neodesha, Kansas
August 6, 2019

To the Board of Commissioners:

The Board of Commissioners will hold a Special Call meeting Wednesday, August 7, 2019 at 9:00 a.m. for the following purposes:

1. EXECUTIVE SESSION – Non Elected Personnel

The Board of Commissioners met in a Special Call session at 9:00 a.m. on Wednesday, August 7, 2019 with Mayor Terry Harper presiding and Commissioners Moffatt and Johnson in attendance.

Connie Bischoff read a statement for the Commission.

Commissioner Moffatt moved to recess to an Executive Session including the Governing Body, City Administrator, City Clerk, and Assistant City Clerk to discuss an individual employee's performance pursuant to the non elected personnel matter exception, KSA 75-4319(b)(1). The open meeting will resume in the Commission Room at 9:30 a.m. Seconded by Commissioner Johnson. Motion carried.

At 9:30 a.m. the Special Call meeting of the Governing Body reconvened. No action.

Commissioner Johnson moved to terminate Connie Bischoff effective immediately. Seconded by Commissioner Moffatt. Motion carried.

Commissioner Johnson moved to recess to an Executive Session including the Governing Body, City Administrator, City Clerk, and Assistant City Clerk to discuss an individual employee's performance pursuant to the non elected personnel matter exception, KSA 75-4319(b)(1). The open meeting will resume in the Commission Room at 9:50 a.m. Seconded by Commissioner Moffatt. Motion carried.

At 9:50 a.m. the Special Call meeting of the Governing Body reconvened. No action.

At 10:30 a.m. Commissioner Moffatt moved to adjourn the meeting. Seconded by Commissioner Johnson. Meeting adjourned.

ATTEST:

/s/Terry M. Harper

Terry M. Harper, Mayor

/s/Bobby Busch

Bobby Busch, City Clerk/Finance Dir.

APPROPRIATION REPORT

ORDINANCE NO 14

8/14/2019

<u>VENDOR</u>	<u>REFERENCE</u>	<u>AMOUNT</u>	<u>CHECK NO</u>	<u>CHECK DATE</u>
A T & T	PHONE CHARGES	223.47	53448	8/14/2019
A T & T	PHONE CHARGES	216.04	53449	8/14/2019
A T & T	FIBER OPTIC SYSTEM	761.98	53450	8/14/2019
ACCURATE ENVIRONMENTAL LLC	LAB SUPPLIES	208.95	53451	8/14/2019
ADVANCE INSURANCE COMPANY	AUGUST PREMIUMS	522.99	53453	8/14/2019
ALTEC INDUSTRIES INC	WRENCHES	112.74	53454	8/14/2019
AMERICAN RESPONSE VEHICLE INC	GRAPHICS	164.54	53455	8/14/2019
ARLAN COMPANY INC	STEPS	134.84	53456	8/14/2019
ATMOS ENERGY	AUGUST BILLING	72.76	53457	8/14/2019
BORDER STATES INDUSTRIES INC	ELECTRICAL SUPPLIES	2,386.23	53458	8/14/2019
BOUND TREE MEDICAL LLC	MEDICAL SUPPLIES	897.05	53459	8/14/2019
CHASE PEST CONTROL LLC	EXTERMINATOR SERVICE	340.00	53460	8/14/2019
CINTAS FIRST AID & SAFETY	FIRST AID SUPPLIES	206.51	53461	8/14/2019
CLEAVER FARM & HOME	PAINT, SUPPLIES	96.90	53462	8/14/2019
CORE & MAIN	COUPLINGS, VALVE/SEWER REPAIR	8,014.22	53463	8/14/2019
CULLIGAN OF INDEPENDENCE	AUGUST WATER SERVICE	234.11	53464	8/14/2019
D & D AUTO REPAIR & ALIGNMENT	OIL CHANGE/SERVICE	45.95	53465	8/14/2019
EMERGENCY APPARATUS MAINTENANCE	PUMP TESTING, REPAIRS	3,459.63	53466	8/14/2019
EMG	JUNE BILLING	1,167.04	53467	8/14/2019
F ALLEN MOORHEAD, JR, MD	PRE-EMPLOYMENT PHYSICAL	170.00	53468	8/14/2019
FARWEST LINE SPECIALTIES LLC	TOOLS	1,883.14	53469	8/14/2019
FASTENAL COMPANY	TOOLS, BOLTS, HARDWARE	1,138.47	53470	8/14/2019
FORSYTHE'S HEATING & ELECTRIC	SERVICE CALLS	1,342.17	53471	8/14/2019
FOUR COUNTY MENTAL HEALTH	PRE-EMPLOYMENT EVALUATION	390.00	53472	8/14/2019
FREDONIA OUTDOOR EQUIPMENT	MOWER PARTS, TIRES	403.26	53473	8/14/2019
G & W FOODS	CATERING SUPPLIES, CONCESSIONS	235.31	53474	8/14/2019

GALLS LLC	UNIFORM BRASS	129.99	53475	8/14/2019
GERKEN RENT-ALL	SANITATION UNITS	739.80	53476	8/14/2019
HACH COMPANY	CHEM KEY, LAB SUPPLIES	270.98	53477	8/14/2019
HUGO'S INDUSTRIAL SUPPLY, INC	CLEANING SUPPLIES, GATORADE	311.91	53478	8/14/2019
INDEPENDENCE DAILY REPORTER	WATER/WASTEWATER CLASSIFIED AD	192.50	53479	8/14/2019
JOPLIN FREIGHTLINER SALES INC	AMBULANCE SERVICE/REPAIR	371.38	53480	8/14/2019
KANSAS CORPORATION COMMISSION	ANNUAL INSPECTION FEES	1,143.00	53481	8/14/2019
KANSAS ONE-CALL SYSTEM, INC	JULY LOCATES	111.60	53482	8/14/2019
KANSAS WATER ENVIRONMENT ASSOC	CERTIFICATION RENEW/B WHEELER	25.00	53483	8/14/2019
KANSASLAND TIRE WHOLESALE	TRAILER TIRES	85.18	53484	8/14/2019
KOONS GAS MEASUREMENT	REGULATOR	388.52	53485	8/14/2019
KUSTOM SIGNALS, INC	RADIO	361.00	53486	8/14/2019
LE STORE	BAGGED ICE	10.02	53487	8/14/2019
LITTLE BEAR TIRE	TIRES, REPAIR	1,055.50	53488	8/14/2019
MEDICCLAIMS INC	AMBULANCE COLLECTION FEES	2,513.78	53489	8/14/2019
MELS PRINTING	MOVING TICKETS	144.00	53490	8/14/2019
MID-STATES ENERGY WORKS INC	BATTERIES - SUB STATION	1,582.88	53491	8/14/2019
MIDWEST COMPUTER SALES	LICENSING, IT SVCS, ONLINE BACK UP	1,584.95	53492	8/14/2019
MIDWEST MINERALS, INC	ROCK	1,415.50	53493	8/14/2019
NEODESHA AUTO SUPPLY	AUTO PARTS & SUPPLIES	1,089.53	53495	8/14/2019
NEODESHA DERRICK	PUBLICATIONS	374.00	53496	8/14/2019
NEW BEGINNINGS ENTERPRISES INC	CONCESSIONS, DOCU DESTRUCTION	721.33	53497	8/14/2019
O'REILLY AUTOMOTIVE INC	PANEL MOUNTS	18.46	53498	8/14/2019
ORSHELNS	FILTERS	25.96	53499	8/14/2019
PENMAC PERSONNEL SERVICES INC	TEMPORARY PERSONNEL SERVICE	9,809.73	53500	8/14/2019
PITNEY BOWES	BALANCE DUE POSTAGE FOR METER	65.33	53501	8/14/2019
PORTER DRUG STORE	UPS CHARGES, MEDICAL SUPPLIES	366.96	53502	8/14/2019
PRAIRIE FIRE COFFEE	COFFEE SERVICE, GATORADE, SLUSHIE	421.90	53503	8/14/2019
PRECISION DELTA CORPORATION	AMMUNITION	653.06	53504	8/14/2019
QUALITY MOTORS	SUPPORT VISOR	21.75	53505	8/14/2019
RAW ENTERPRISES	RESCUE TOOL SERVICE	895.00	53506	8/14/2019

SANDBAGGER GOLF & TURF	MOWER PARTS	291.35	53507	8/14/2019
SENSIT TECHNOLOGIES	CGI PARTS/REPAIR	516.73	53508	8/14/2019
SOCKET TELECOMM LLC	PHONE CHARGES	303.17	53509	8/14/2019
SOLOMON CORPORATION	SUBSTATION REPAIR	10,900.00	53510	8/14/2019
SOUTHEAST KANSAS LIVING	SUMMER ADVERTISING	50.00	53511	8/14/2019
SOUTHERN UNIFORM & EQUIPMENT	UNIFORMS	106.96	53512	8/14/2019
SPARKLIGHT	INTERNET SERVICE - CITY HALL	120.34	53513	8/14/2019
SPARKLIGHT	INTERNET SERVICE - PD	120.34	53514	8/14/2019
STANION WHOLESALE ELECTRIC	ELECTRIC SUPPLIES	3,252.70	53515	8/14/2019
STUDEBAKER REFRIGERATION INC	MONTHLY RENTAL	85.00	53516	8/14/2019
TBS ELECTRONICS INC	RADIO EQUIPMENT, TESTING	3,700.15	53517	8/14/2019
THOMPSON BROTHERS SUPPLY INC	OXYGEN, CYLINDER LEASE	221.37	53518	8/14/2019
UNIFIRST CORPORATION	UNIFORM SERVICE	2,576.01	53519	8/14/2019
US BANK EQUIPMENT FINANCE	COPIER LEASE	775.58	53520	8/14/2019
US CELLULAR	CELL PHONE CHARGES	75.22	53521	8/14/2019
WALMART COMMUNITY BRC	OFFICE SUPPLIES	105.39	53522	8/14/2019
WESTAR ENERGY	AIRPORT BILLING	79.64	53523	8/14/2019
WESTAR ENERGY	STREETLIGHTS @ OTTAWA	67.48	53524	8/14/2019
WESTERN AUTO	SUPPLIES, KEYS CUT, MOWER PARTS	909.87	53525	8/14/2019
WILSON COUNTY CITIZEN	WATER/WASTEWATER CLASSIFIED AD	124.95	53526	8/14/2019
WILSON MEDICAL CENTER	JULY SALES TAX	21,196.61	53527	8/14/2019
WOODS LUMBER COMPANY	CONCRETE MIX, FENCING, MATERIALS	408.39	53528	8/14/2019

**** PAID TOTAL ****

97,716.05

CERTIFICATE

To the Clerk of , State of Kansas

We, the undersigned, officers of

the City of Neodesha

- certify that: (1) the hearing mentioned in the attached publication was held;
(2) after the Budget Hearing this budget was duly approved and adopted as the maximum expenditures for the various funds for the year 2020; and
(3) the Amounts(s) of 2019 Ad Valorem Tax are within statutory limitations.

		2020 Adopted Budget		
		Budget Authority	Amount of 2019	County
		for Expenditures	Ad Valorem	Clerk's
			Tax	Use Only
Table of Contents:		Page		
		No.		
Computation to Determine Limit for 2020		2		
Allocation of MVT, RVT, 16/20M Veh Tax		3		
Schedule of Transfers		4		
Statement of Indebtedness		5		
Statement of Lease-Purchases		6		
Computation to Determine State Library Grant		7		
Fund	K.S.A.			
General	12-101a	8	2,998,335	564,820
Debt Service	10-113	9		
210 Library	12-1220	9	99,650	78,431
203 Economic Development	12-101a	10	75,000	62,847
200 Special Highway		11	72,000	
201 Special Parks		11	35,000	
204 Swim Pool Bond Pymt		12	228,164	
206 WMC Bond Payment		12	85,000	
207 Tort Liability		13	43,816	
700 Gas Fund		13	2,133,601	
701 Water Fund		14	711,869	
702 Electric Fund		14	4,238,604	
703 Sewer Fund		15	437,775	
704 Solid Waste Fund		15	247,574	
706 Storm Water Fund		16	69,050	
Non-Budgeted Funds-A		17		
Non-Budgeted Funds-B		18		
Non-Budgeted Funds-C		19		
Totals		xxxxx	11,475,438	706,098
				County Clerk's Use Only
Budget Summary		20		
Neighborhood Revitalization Rebate				
				Nov 1, 2019 Total Assessed Valuation

Tax Lid Limit (from Computation Tab)

855,388

Does the City need to hold an election?

NO

Assisted by:

Address:

Terry M. Harper, Mayor

Email:

J. D. Moffatt, Vice Mayor

Attest: _____, 2019

County Clerk

Devin Johnson, Commissioner

CPA Summary

CITY OF NEODESHA

RESOLUTION NO. 19-08

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 910 IOWA STREET, LEGAL DESCRIPTION: BLOCK 10, LOTS 20-21, CITY OF NEODESHA, WILSON COUNTY, KANSAS, 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 14th day of August, 2019, 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 25th day of September, 2019, 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 910 Iowa Street may appear and show cause why such structure should not be condemned as an unsafe or dangerous structure and ordered repaired or demolished.

BE IT FURTHER RESOLVED that the City Clerk shall cause this Resolution to be published two consecutive times and shall give notice of the aforesaid hearing in the manner provided by law.

ADOPTED AND APPROVED by the governing body of the City of Neodesha, Kansas this 14th day of August, 2019.

ATTEST:

Terry M. Harper, Mayor

Bobby Busch, City Clerk

CITY OF NEODESHA

RESOLUTION NO. 19-09

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 1322 N. 3RD STREET, LEGAL DESCRIPTION: LOTS 10-12, BLOCK 6, COOPER'S ADDITION, CITY OF NEODESHA, WILSON COUNTY, KANSAS, 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 14th day of August, 2019, 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 25th day of September, 2019, 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 1322 N. 3rd Street may appear and show cause why such structure should not be condemned as an unsafe or dangerous structure and ordered repaired or demolished.

BE IT FURTHER RESOLVED that the City Clerk shall cause this Resolution to be published two consecutive times and shall give notice of the aforesaid hearing in the manner provided by law.

ADOPTED AND APPROVED by the governing body of the City of Neodesha, Kansas this 14th day of August, 2019.

ATTEST:

Terry M. Harper, Mayor

Bobby Busch, City Clerk

**NON-BINDING PLACEMENT AGENT/UNDERWRITER
MEMORANDUM OF UNDERSTANDING**

This Non-Binding Placement Agent/Underwriter Memorandum of Understanding ("MOU") is entered into this 14th day of August 2019, by and between the City of Neodesha, Kansas ("Issuer"), and George K. Baum & Company, located at 4801 Main Street, Kansas City, Missouri 64112 ("GKB").

PURPOSE: For a specific purpose of renewing in 2019 the City's outstanding General Obligation Temporary Improvement Notes, Series B, 2017, which provided temporary construction period funding for a portion of the cost of certain improvements and extensions to the City's municipal water system (the "Project"), which the parties anticipate may result in a particular issuance of bonds, notes, refunding bonds and the use of other financial instruments (the "Transaction"), the Issuer deems it in its best interest to preliminarily engage and designate GKB, a qualified investment banking firm, as a placement agent/underwriter for the Transaction, to provide the Issuer with placement agent/underwriting and related services, including but not limited to: (a) advice concerning the structure, timing, and terms of bonds and other financial instruments for or related to the Transaction; and (b) if requested by the Issuer, assistance in obtaining credit enhancement and bond ratings; and (c) preparation of supporting data to allow the Issuer to issue such bonds and other financial instruments at the lowest practicable interest rate whether debt is offered to the public market, through a private placement or placed with State agencies. It is understood and agreed that: (1) this engagement is preliminary in nature and the Issuer intends or reasonably expects to engage GKB as the placement agent/underwriter for the Transaction; (2) this MOU is subject to, and expressly conditioned upon, certain future events, actions or decisions, such as formal approval of the selection of the placement agent/underwriter by the Issuer's governing body and/or the finalizing the structure of the Transaction; and (3) this MOU is preliminary and nonbinding and can be terminated by either party at any time by written notice to the other party.

SPECIFIC PROVISIONS: The provisions of the above "Purpose" section shall be material to this MOU.

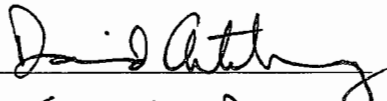
1. GKB shall provide the Issuer with investment banking services for and related to the Transaction, including the analysis of cost factors relative to the underwriting or private placement of bonds and other instruments relative to the financing of the Project.
2. It is expressly understood and agreed that this MOU is not under any circumstances to be construed as requiring GKB to perform services which may constitute the practice of law. GKB is preliminarily engaged and designated in an expert financial capacity only.
3. It is expressly understood and agreed that, under this MOU, GKB is not acting as a municipal advisor, financial advisor or fiduciary to the Issuer. GKB is preliminarily engaged and designated by Issuer to act as a principal in a commercial, arm's length transaction as the Issuer's underwriter for the Transaction. As such, GKB has financial and other interests that differ from those of the Issuer.
4. It is expressly understood and agreed that this MOU is *preliminary and non-binding on the Issuer and may be terminated by the Issuer without penalty or liability for any costs incurred by GKB*. If the Issuer in its sole discretion decides to proceed with the Transaction, the parties will negotiate and execute a separate binding underwriter engagement agreement.

IN WITNESS WHEREOF, the parties here have executed this MOU as of the day and year first above written.

AGREED TO AND ACCEPTED:

GEORGE K. BAUM & COMPANY

CITY OF NEODESHA, KANSAS

By: 
Title: Senior Vice President

By: _____
Title: Terry M. Harper, Mayor

**Non-Binding Placement Agent/Underwriter
Memorandum of Understanding
Supplemental Disclosures for New Issues of Municipal Securities**

The Municipal Securities Rulemaking Board ("MSRB") issued an interpretive notice (Notice) relating to Rule G-17, effective August 2, 2012. The Notice requires that placement agents/underwriters ("Underwriters") must provide certain additional disclosures to Issuers of municipal securities as part of the dealer's fair dealing obligations under Rule G-17 when acting as an Underwriter for a negotiated underwriting of an Issuer's new issue of municipal securities.

George K. Baum & Company's Role as Underwriter

- (1) MSRB Rule G-17 requires the Underwriter to deal fairly at all times with both municipal issuers and investors.
- (2) One of the Underwriter's primary roles will be to purchase bond issues with a view to distribution in an arm's-length commercial transaction with the Issuer, and the Underwriter has and will have financial and other interests that differ from the Issuer's interests.
- (3) Unlike a municipal advisor, the Underwriter does not have a fiduciary duty to the Issuer under the federal securities laws. The Underwriter, therefore, is not required by federal law to act in the Issuer's best interests without regard to the Underwriter's own financial or other interests.
- (4) The Underwriter has a duty to purchase securities from the Issuer at a fair and reasonable price, but must balance that duty with its duty to sell bond issues to investors at prices that are fair and reasonable.
- (5) For the Issuer's bond issues that the Underwriter underwrites, the Underwriter will review the Issuer's official statement, in accordance with, and as part of, the Underwriter's responsibilities to investors under the federal securities laws, as applied to the facts and circumstances of the transaction.

The Underwriter also must not recommend that the Issuer not retain a municipal advisor.

The Underwriter's Compensation

The Underwriter's compensation for serving as the underwriter for the Issuer's bond issuances will be contingent on the closing of the transaction and at least a portion of that compensation will be based on the size of the bond issue. The rules of the MSRB require the Underwriter to inform the Issuer that compensation that is contingent on the closing of a transaction or the size of a transaction presents a conflict of interest, because it may cause the Underwriter to recommend a transaction that it is unnecessary or to recommend that the size of the transaction be larger than is necessary.

Bond Issuances Present Risks to the Issuer

As with any bond issue, the Issuer's obligation to pay principal and interest will be a contractual obligation that will require the Issuer to make these payments no matter what budget constraints the Issuer encounters. Furthermore, to the extent that the Issuer agrees in a bond issue to rate covenants, additional bond tests or other financial covenants, these may constrain the Issuer's ability to operate and to issue additional debt, and if the Issuer does not comply with these covenants, they can result in a default under a bond issue. Depending on the terms of a bond issue, if the Issuer fails to make a payment of principal or interest or if the Issuer otherwise fails to comply with its covenants under the bond issue, the trustee may have the right to accelerate all of the payment of principal on the bond issue, which means that the Issuer may be required to pay all of the principal of the bond issue at that time.

George K. Baum & Company will provide additional disclosures to the Issuer from time to time, as may be required by the provisions of MSRB Rule G-17.

George K. Baum & Company

David Arteberry
Printed Name

David Arteberry
Signature

Senior Vice President
Title

8/6/19
Date

RECEIPT ACKNOWLEDGED BY THE ISSUER

City of Neodesha, Kansas _____

Date: _____

Printed Name of Authorized Person: Terry M. Harper

Signature of Authorized Person: _____

**Training Reimbursement
Agreement Form**

MEMORANDUM AGREEMENT

The City of Neodesha agrees to pay the cost of Police Academy Training and associated costs in the amount of \$_____ for the below signed employee upon proof of enrollment.

The employee agrees that if his/her employment with the City of Neodesha ends before the expiration of two (2) years from the date employee finishes Academy, the employee will reimburse the City for the cost of training set out above. Employee will be credited, however, \$[Total Cost divided by 24] for each full calendar month of employment. If the Employee fails or drops out of the Academy before completion then the full amount paid by the City shall be reimbursed.

If employee's employment with the City of Neodesha ends prior to the end of the two (2) year period, the full remaining balance shall immediately become due and payable. Employee agrees that the City of Neodesha may deduct any balance still due the City from employee's last paycheck. If the employee's last paycheck is insufficient to cover the balance due for training, then the employee agrees to immediately pay the City the remaining amount owed.

In the event that said employee has fulfilled his/her obligations under this Memorandum Agreement, he/she shall have no further obligations to the City for the cost of training as listed above.

This is not an employment contract. The City of Neodesha is an At-Will Employer.

DATED: _____

Employee Signature

City of Neodesha

Department Head Signature

Witness

Witness