

Neodesha, Kansas  
May 27, 2020

The Board of Commissioners met in regular session at 2:00 p.m. in the Commission Room at City Hall, practicing social distancing and conducting the meeting by live streaming with Zoom, on Wednesday, May 27, 2020 with Mayor Johnson presiding and Commissioners Moffatt and Nichol present.

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

Commission and Administrator Reports were heard.

Public Comments were invited and heard.

Destany Wheeler, Wilson County Health Department, was present by Zoom to discuss with the Governing Body the modification to the Governor's Reopening Kansas Plan. Discussion was held. Approval was given by the Wilson County Health Department to open the Neodesha Splash Zone on Friday, June 5, 2020.

Commissioner Moffatt moved to approve the Consent Agenda consisting of the minutes from the May 13, 2020 Commission Meeting; minutes from the May 20, 2020 and May 21, 2020 Special Call Meetings; Appropriation (2020) 10. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding the consideration of a franchise and pole attachment agreement with KwiKom Communications. Representatives from KwiKom were present to answer any questions the Governing Body had regarding the agreements. Discussion held.

#### **ORDINANCE NO. 1730**

**AN ORDINANCE OF THE CITY OF NEODESHA, KANSAS, GRANTING JMZ CORPORATION, DOING BUSINESS AS KWIKOM COMMUNICATIONS, A KANSAS CORPORATION, ITS SUCCESSORS AND ASSIGNS, A TELECOMMUNICATIONS FRANCHISE AND PRESCRIBING THE TERMS OF SAID GRANT AND RELATING THERETO.** *(a complete copy of this Ordinance is available for viewing in the City Clerk's Office)*

Commissioner Nichol moved to approve Ordinance No. 1730, a franchise agreement with KwiKom Communications, with a franchise fee of 5% and approve the pole attachment agreement as presented. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding the consideration of a resolution allowing for a utility bill payment plan for City utility customers negatively impacted by the Coronavirus. Discussion held.

#### **RESOLUTION 20-07**

**A RESOLUTION ESTABLISHING A UTILITY BILL PAYMENT PLAN FOR UTILITIES PAID TO THE CITY OF NEODESHA, KANSAS, FOR UTILITY CUSTOMERS NEGATIVELY EFFECTED BY THE COVID-19 PANDEMIC.**

**WHEREAS**, the United States of America and the State of Kansas have declared states of emergency in their respective jurisdictions resulting from the worldwide pandemic of COVID-19; and

**WHEREAS**, Executive Order No. 20-05, signed by Governor Kelly on March 17, 2020, temporarily prohibits utility and internet disconnects; and

**WHEREAS**, the City of Neodesha Governing Body has determined that the COVID-19 pandemic has caused a negative local impact on employment, such as employee workshare, furloughs, lay-offs, and other employment income hardships during the months of March to May, 2020; and

**WHEREAS**, the City of Neodesha Governing Body desires to establish an extended utility bill payment period for utility customers negatively impacted by the COVID-19 pandemic;

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

That any utility customer experiencing financial hardship due to the COVID-19 pandemic may be offered three additional months to pay all past-due utility bills. The payment plan shall include three equal installment payments for past-due amounts.

Upon entering into a utility bill payment plan, the utility customer must keep all new utility bills paid in full when due.

Only the person listed on the utility account may sign the payment plan. If said customer cannot come into the office, a form can be mailed or picked up by someone else, but the customer's signature must be notarized.

If the remainder of the bill is not paid in full at the end of the payment plan period, utilities will be disconnected without further notice. A reconnection fee must be paid in addition to all amounts owed prior to the account being turned back on.

This payment plan shall remain in effect during calendar year 2020.

Commissioner Moffatt moved to approve Resolution 20-07 as presented. Seconded by Commissioner Nichol. Motion carried.

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Administrator Truelove addressed the Commission regarding a Monitoring Well Access Agreement from Larsen & Associates for the former Kerr McGee gas station site. Discussion held.

Commissioner Nichol moved to approve the access agreement with Larsen & Associates for the installation of monitoring wells in the City right of way on Wisconsin Street, between 9<sup>th</sup> and 10<sup>th</sup> Streets. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding Change Order No. 1 for the Gas Line Project. Discussion held.

Commissioner Moffatt moved to approve Change Order No. 1 to the gas line project, with a cost reduction of \$51,165.27. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding a Change Order for the Neodesha Splash Zone painting job. Discussion held.

Commissioner Nichol moved to approve the Change Order from Fort Dem Enterprises, for painting and repair to the pool in the amount of \$1,000. Seconded by Commissioner Moffatt. Motion carried.

Administrator Truelove addressed the Commission regarding the approval of a Cereal Malt Beverage license for Little Bear Trading Company. Discussion held.

Commissioner Moffatt moved to approve the Cereal Malt Beverage license for Little Bear Trading Company. Seconded by Commissioner Nichol. Motion carried.

Administrator Truelove addressed the Commission regarding appointments to the Neodesha Housing Authority Board. Discussion held.

Commissioner Nichol moved to appoint Barbara Shoop and Karolyn Schultz to the Neodesha Housing Authority Board for four-year terms, with a term ending date of May 31, 2024. Seconded by Commissioner Moffatt. Motion carried.

Commissioner Moffatt 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 4:15 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 4:15 p.m. the regular meeting of the Governing Body reconvened in the Commission Room at City Hall. Audio, video and recording the meeting by Zoom resumed. No action taken.

Commissioner Moffatt moved to extend the 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 because it might invade the privacy of those discussed. The open meeting will resume in the Commission Room at 4:30 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 4:30 p.m. the regular meeting of the Governing Body reconvened in the Commission Room at City Hall. Audio, video and recording the meeting by Zoom resumed. No action taken.

Jeri Hammerschmidt, Community Development Director, addressed the Commission with updates related to housing, business and community happenings.

The next regular meeting of the Governing Body will be held at City Hall on Wednesday, June 10, 2020 at 2:00 p.m.

At 4:45 p.m. Commissioner Moffatt moved to adjourn. Seconded by Commissioner Nichol. Motion carried.

ATTEST:

/s/ Devin Johnson

Devin Johnson, Mayor

/s/ Stephanie Fyfe

Stephanie Fyfe, City Clerk