

**CITY OF PHILLIPSBURG  
CITY COUNCIL MEETING  
January 6, 2020**

The Phillipsburg City Council met in regular session on January 6, 2020, 6:00 P.M., at the Phillipsburg City Office, 945 Second Street.

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| CALL TO ORDER                        | The meeting was called to order by Mayor Lance R. Munyon.  |
| ATTENDANCE                           | PRESENT: Council members Mike James; Pete Rogers; Bret Miles; Lynette Voorhees; Michael Wisner.<br><br>ABSENT: Terry McConnell.<br><br>ALSO PRESENT: Shawn Ellenberger; Scott Sage, City Attorney; Kirby Ross, reporter Phillips County Review; Rachel Martin, My Phillips County Online; Jesse Rhea, reporter KKAN/KQMA; Scott Aust, Community Development Director; Tim Driggs, Director of Public Works; Tiffini Gross, City Clerk. |
| PLEDGE OF ALLEGIANCE                 | The Pledge of Allegiance to the United States was led by Mayor Munyon.   |
| PUBLIC COMMENT                       | There was no public comment.   |
| MINUTES APPROVED                     | Moved by Voorhees, seconded by James to approve the December 16, 2019 minutes as written. Voting Aye: ALL. Opposed: NONE.<br><br>Moved by Miles, seconded by James to approve the December 30, 2019 minutes as written. Voting Aye: ALL. Opposed: NONE.  |
| APPROPRIATION ORDINANCE #1055-12-19C | Moved by Rogers, seconded by Wisner to approve Ordinance #1055-12-19C to pay the bills for the month of December. Voting Aye: ALL. Opposed: NONE.  |
| CITY OFFICE REMODEL                  | Moved by James, seconded by Voorhees to have the Mayor write a letter to the county commissioners inviting them to utilize the city office basement for meetings. Voting Aye: ALL. Opposed: NONE.  |
| 2019 YEAR IN REVIEW                  | Mayor Munyon stated 2019 was a good year and is proud of staff and council. He appreciated the work that was done and has received a lot of compliments. In 2020, the plan is to move forward with some of the 2030 Vision projects.   |
| PUBLIC WORKS PROJECTS                | Driggs reported on public works project updates including maintenance to equipment, city office renovations, and preparation for future projects.  |
| AIRPORT HANGAR LEASE RENEWALS        | Moved by Miles, seconded by Wisner to renew expired airport hangar leases, to provide notice of cancellation to other lease holders, and renew all airport hangar leases at five years for a fee of \$0.05 a square foot. Voting Aye: ALL. Opposed: NONE.  |

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| AIRPORT ADVISORY BOARD                       | Driggs presented a proposed resolution to replace Resolution #1 creating an airport advisory board. Driggs will make corrections suggested by Council and present it next meeting.   |
| AMR PROJECT                                  | Driggs announced the preconstruction meeting for the AMR project will be Monday, January 13 <sup>th</sup> and a press release will be sent with the details.   |
| WALKING TRAIL                                | Driggs encouraged the Park Committee to attend a Walking Trail meeting on Thursday at 2:00 p.m.  |
| AQUATIC CENTER CHANGE IN HOURS               | It was the consensus of the Council to allow the Aquatic Center to extend hours to be open at 5:00 a.m. weekdays and close on Saturdays, as of February 1 <sup>st</sup> .  |
|  | Rick Gitchel arrived at 6:21 p.m.  |
| PHILLIPSBURG ESTATES DUMPSTER                | Driggs reported Phillipsburg Estates would like to purchase a second dumpster for convenience of residents but requested to pay for only one since they will not be filling it. It was consensus of Council to uphold current rates in the policy. Driggs will follow up with customer next week.  |
| CITY OFFICE TO HOST KRWA VISION/ RAC MEETING | Driggs requested permission for KRWA Vision/ RAC Meeting to be held at the city office. It was the consensus of the Council to host the meeting, pending the attendance will be in compliance with fire rating capacity. Council selected Driggs to serve as voting delegate for KRWA.   |
| STRATEGIC DOING MEETING TO BE HELD           | Driggs invited councilmembers to attend the Strategic Doing meeting January, 16 <sup>th</sup> at 7:00 p.m. at the Fischer Building.  |
| PLANNING COMMISSION                          | Planning Commission will meet January 15 <sup>th</sup> .   |
| MAYOR TO ATTEND GOVERNMENT DAY               | Mayor Munyon said he plans to attend Government Day in Topeka, KS on January 22 <sup>nd</sup> .  |
| 1105 3 <sup>RD</sup> STREET RESOLVED         | Sage reported the 1105 3 <sup>rd</sup> Street property has been resolved and no need for a dangerous structure hearing.  |
| 141 H STREET DANGEROUS STRUCTURE HEARING     | A dangerous structure hearing was held for the property located at 141 H Street. Owner, Rick Gitchel, was present. Sage reviewed the hearing process. Gitchel stated the building has been removed except for the foundation. Sage questioned Public Works Director Driggs concerning the information contained in the October 21, 2019 inspection report, which noted the partially caved in front porch that was open and exposed for a passerby to enter, danger of collapse, and scattered debris causing the property to be a dangerous structure. The demolition process was started in summer of 2019 and is not completed at this time leaving a general blight in the neighborhood. Driggs recommended the structure be removed to correct blight and to give 60 days to commence work and 60 to complete. Gitchel stated he plans to finish demolition and has applied for a PCED grant to help with expenses. Gitchel acknowledged that he is aware of the process to remove a basement correctly by filling in the space to bring to ground level. Sage reminded Gitchel that the city may clean up at owner's expense if work is not completed in time as directed. |

RESOLUTION #278  
141 H STREET  
DANGEROUS  
STRUCTURE

The following resolution was presented:

A RESOLUTION FINDING THAT THE STRUCTURE LOCATED ON WEST 40 FEET OF THE EAST 75 FEET OF LOTS 7 & 8, AND THE WEST 35 FEET OF THE EAST 75 FEET AND THE NORTH 10 FEET OF THE EAST 40 FEET OF LOT 9, BLOCK 2, RANGE 2, BISSELL'S ADDITION TO THE CITY OF PHILLIPSBURG, KANSAS, COMMONLY KNOWN

AS 141 H STREET, PHILLIPSBURG, KANSAS, IS UNSAFE OR DANGEROUS AND DIRECTING THE STRUCTURE TO BE REMOVED AND THE PREMISES MADE SAFE AND SECURE.

WHEREAS, the Enforcing Officer of the City of Phillipsburg, Kansas, did on the 21st day of October, 2019, 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 18th day of November, 2019, fix the time and place of a hearing at which the owner, his or her agent, any lien holders of record and any occupant of such structure could appear and show cause why such structure should not be condemned and ordered repaired or demolished, and provided for giving notice thereof as provided by law; and

WHEREAS, such Resolution was published in the official city paper on the 20th day of November, 2019, and the 27th day of November, 2019, and a copy of such Resolution was served on all persons entitled thereto in all respects as provided by law; and

WHEREAS, on the 6th day of January, 2020, the governing body heard all evidence submitted by the enforcing officer of the City. The owners, agents, lien holders and occupants of such structure appeared.

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

That said governing body hereby finds that the structure located on West 40 feet of the East 75 feet of Lots 7 & 8, and the West 35 feet of the East 75 feet and the North 10 feet of the East 40 feet of Lot 9, Block 2, Range 2, Bissell's Addition to the City of Phillipsburg, Kansas, commonly known as 141 H Street, Phillipsburg, Kansas, is unsafe and dangerous and hereby directs such structure to be removed and the premises made safe and secure. The owner or owners of such structure are hereby given 60 days from the date of publication of this Resolution within which to commence the removal of such structure, such removal to be completed within 60 days, and if such owners fail to commence the removal of such structure within the time stated or fail 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.

RESOLUTION #278  
141 H STREET  
DANGEROUS  
STRUCTURE (CONT.)

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.

Moved by Rogers, seconded by Miles to deem 141 H Street a dangerous structure. Voting Aye: ALL. Opposed: NONE.

Moved by Miles, seconded by James to adopt Resolution #278. Voting Aye: ALL. Opposed: NONE.

RESOLUTION #279  
2020 GAAP WAIVER

The following resolution was presented:

WHEREAS the City of Phillipsburg, Kansas has determined that the financial statements and financial reports for the year ended 2020 to be prepared in conformity with the requirements of K.S.A. 75-1120a(a) are not relevant to the requirements of the cash basis and budget laws of this state and are of no significant value to the Governing Body or the members of the general public of the City of Phillipsburg and;

WHEREAS there are no revenue bond ordinances or other ordinances or resolutions of the municipality which require financial statements and financial reports to be prepared in conformity with K.S.A. 75-1120a(a) for the year ended 2020.

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the City of Phillipsburg, Kansas, in a regular meeting duly assembled this 6<sup>th</sup> day of January, 2020 that the Governing Body request the Director of Accounts and Reports to waive the requirements of K.S.A. 75-1120a(a) as they apply to the City of Phillipsburg for the year ended 2020.

BE IT FURTHER RESOLVED that the Governing Body shall cause the financial statements and financial reports of the City of Phillipsburg to be prepared on the basis of cash receipts and disbursements as adjusted to show compliance with the cash basis and budget laws of this State.

Moved by Wisner, seconded by Rogers to adopt Resolution #279- 2020 GAAP Waiver. Voting Aye: ALL. Opposed: NONE.

SOFTWARE UPDATE

Gross provided an update on Caselle software program conversion. Gross presented the year end court report, sales tax report, and investment report.

EXECUTIVE SESSION

Moved by James, seconded by Rogers, for the City Council to recess into executive session to discuss an individual employee's performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1) with City Council, Mayor Munyon and Driggs in attendance and the open meeting to resume in the City Council chamber at 7:02 p.m. Voting Aye: ALL. Opposed: NONE.

Gross, Rhea, Ellenberger, Sage, Martin, Ross, Aust left the meeting.

EXECUTIVE SESSION

Moved by Miles, seconded by Wisner, for the City Council to recess into executive session to discuss an individual employee's performance pursuant to

EXECUTIVE SESSION  
(CONT.)

the non-elected personnel matter exception, K.S.A. 75-4319(b)(1) with City Council, Mayor Munyon and Driggs in attendance and the open meeting to resume in the City Council chamber at 7:07 p.m. Voting Aye: ALL. Opposed: NONE.

EXECUTIVE SESSION

Moved by Miles, seconded by Wisner, for the City Council to recess into executive session to discuss an individual employee's performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1) with City Council, Mayor Munyon and Driggs in attendance and the open meeting to resume in the City Council chamber at 7:12 p.m. Voting Aye: ALL. Opposed: NONE.

Gross returned to meeting.

EXECUTIVE SESSION

Moved by James, seconded by Rogers, for the City Council to recess into executive session to discuss an individual employee's performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1) with City Council, Mayor Munyon and Gross in attendance and the open meeting to resume in the City Council chamber at 7:29 p.m. Voting Aye: ALL. Opposed: NONE.

Driggs left meeting.

EXECUTIVE SESSION

Moved by Miles, seconded by Wisner, for the City Council to recess into executive session to discuss an individual employee's performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1) with City Council, Mayor Munyon and Gross in attendance and the open meeting to resume in the City Council chamber at 7:39 p.m. Voting Aye: ALL. Opposed: NONE.

DRIGGS AND GROSS  
EVALUATIONS

Moved by Miles, seconded by Voorhees to give annual raises to Driggs and Gross with their satisfactory evaluations. Voting Aye: ALL. Opposed: NONE.

ADJOURN

Moved by Wisner, seconded by Voorhees to adjourn time- 7:40 p.m. Voting Aye: ALL. Opposed: NONE.

  
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Tiffini Gross, City Clerk

Please visit [www.cityofphillipsburg.com](http://www.cityofphillipsburg.com) to view a full video recording of the meeting afterwards.