

**CITY OF PHILLIPSBURG
CITY COUNCIL MEETING
February 21, 2022**

The Phillipsburg City Council met in regular session on February 21, 2022, 6:00 P.M, at 945 2nd Street, Phillipsburg, KS.

- CALL TO ORDER** The meeting was called to order by Mayor Bret Miles.
- ATTENDANCE** **PRESENT:** Councilmembers Mike James; Vickie Gibbs; Angie Wells; Tracy Sanson.
- ABSENT:** Terry McConnell; Pete Rogers.
- ALSO PRESENT:** S. Scott Sage, City Attorney; Rachel Martin; Kirby Ross, Phillips County Review; Tim, Ruth, and Shawn Ellenberger; Ron Jansonius; Daryl Clark; Brad Lare; Lauren Weinert; 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 Miles.
- PUBLIC COMMENT** There was no public comment.
- MINUTES APPROVED** Moved by James, seconded by Wells to approve the February 7, 2022 minutes as written. Voting Aye: ALL. Opposed: NONE.
- APP ORD 1055-02-22A APPROVED** Moved by James, seconded by Sanson to approve ordinance #1055-02-22A, to pay the bills for the month of February. Voting Aye: ALL. Opposed: NONE.
- YARD KARTS** Gibbs inquired about yard karts, which will be delivered around April 1st. Customers may sign up now for yard karts.
- CLEANUP YARDS** Wells asked Phillipsburg residents to clean up trash and couches in front of houses.
- PUBLIC WORKS ACTIVITIES** Driggs reported public works crews have been repairing equipment and preparing for future projects.
- BASE GRANT** Driggs reported the Department of Commerce is offering BASE grants. The Finance Committee identified ideas for the grant including water line replacements, campground extensions, and look back on the Quanz project in order to reduce debt. He said the Quanz project does not qualify. Driggs said one stipulation for the campground project is that city staff could not do the labor but can purchase some materials for the city's 25% match. It was the consensus of the Council to begin ordering materials now in preparation of the possible grant approval. Driggs said the plan would be to set aside ARPA Funds to use for the match of these projects if the grant is approved. Moved by James, seconded by Sanson to move ahead with the grant application and hire NWKS Planning and Development for a 5% fee to help with the grant. Voting Aye: ALL. Opposed: NONE.

COMPLAINTS	Driggs reported complaints have been received about South Village Estates and requests to clean up the properties will be pursued.
PLANNING COMMISSION	Driggs stated the Planning Commission did not meet last week, due to lack of quorum, and will try to have a meeting before the next Council Meeting.
WATER RATE REVIEW	Gross reported the City Council has committed to reviewing utility rates annually. The water committee met to reviewed water fund revenues, expenditures, upcoming projects, and area rates and recommends a \$3 increase in the minimum rate for customers inside of city limits and \$6 increase of minimum rate for customers outside of city limits. The rate increase is in response to increasing costs of gas, electricity, employee wages and benefits, all materials and to help with the Quanz Reservoir project loan payments.
SEWER RATE REVIEW	Gross reported the Sewer committee reviewed sewer fund revenues, expenditures, upcoming projects, and area rates. The committee recommends a 5% base rate increase due increases in price of gas, electricity, employee benefits and supplies. Another change on the proposed resolution is for buildings served by one water meter with two or more commercial units or a combination of commercial and residential units will not be charged a second base charge of \$23.35, but instead be assessed an additional charge of \$6 per unit.
SOLID WASTE RATE REVIEW	The Solid Waste Committee also reviewed the last few years of solid waste revenues and expenses, considered plans for future equipment replacements, and compared current rates to the rates of surrounding areas. The city has two trash trucks with the plans two replace one every seven years, so will need to prepare for the purchase of a new one in 2028. The committee recommends a 5% increase in rates in response to increases in expenses and prepare for trash truck replacement. The committee also discussed adding a requirement of bagging all trash in order to be dumped, but tabled the requirement. The committee asks that all customers be considerate of the dumping process and the wind by bagging all trash.
WATER RATE RESOLUTION	<p>Gross presented the following resolution:</p> <p>RESOLUTION ADOPTING WATER RATES FOR THE CITY OF PHILLIPSBURG, KANSAS.</p> <p>WHEREAS, the Code of the City of Phillipsburg, Kansas adopted on November 18, 2013, states the rates to be charged for water sold from the municipal utility system of the city shall be set by resolution or policy of the Governing Body;</p> <p>WHEREAS, the Phillipsburg City Council deems it advisable to set rates for the sale of city water;</p> <p>WHEREAS, the existing water rates set by Resolution #292, adopted on March 1, 2021, are no longer providing adequate income for the water system;</p>

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

Section 1: Resolution #292 is hereby repealed.

Section 2: The following will be the water rates for the City of Phillipsburg Water System:

Business & Residential Inside City Limits:

First 1,000 gallons or less per month - \$24.00 minimum charge
1,001 – 8000 gallons per month - \$6.05 per thousand gallons
8,001 – 15,000 gallons per month - \$6.20 per thousand gallons
15,001 gallons and over per month - \$6.30 per thousand gallons

Treated Water for Industrial Use:

First 1,000 gallons or less per month - \$24.00 minimum charge
1,001 – 2,000,000 gallons per month - \$3.65 per thousand gallons
2,000,001 gallons and over per month - \$3.30 per thousand gallons

Untreated (Raw) Water Use:

First 1,000 gallons or less per month - \$24.00 minimum charge
1,001 gallons and over per month - \$2.40 per thousand gallons

Business & Residential Outside City Limits:

First 1,000 gallons or less per month - \$48.00 minimum charge
1,001 – 8000 gallons per month - \$9.10 per thousand gallons
8,001 – 15,000 gallons per month - \$9.30 per thousand gallons
15,001 gallons and over per month - \$9.45 per thousand gallons

Section 2: This Resolution shall be in full force and effect with all water billing after March 1, 2022.

RESOLUTION #306
ADOPTED

Moved by Wells, seconded by Sanson to adopt Resolution #306. Voting Aye:
ALL. Opposed: NONE.

SOLID WASTE
RATE RESOLUTION

Gross presented the following resolution:

RESOLUTION ADOPTING SOLID WASTE RATES FOR THE CITY OF PHILLIPSBURG, KANSAS.

WHEREAS, the Code of the City of Phillipsburg, Kansas adopted on November 18, 2013, states the rates to be charged for solid waste disposal shall be set by resolution or policy of the Governing Body;

WHEREAS, the Phillipsburg City Council deems it advisable to set rates for the sale of city solid waste disposal;

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

Section 1: Resolution #282 is hereby repealed.

Section 2: The following will be the solid waste disposal rates when collected by the City of Phillipsburg:

Residential Buildings – Kart	\$20.50 per month for one kart with one pickup per week. Each additional kart will be \$10.25per month for one pickup per week. There will be no per unit charge. A minimum of one kart is required for each water meter when occupied.
Residential Buildings - 2.5 yard Dumpster	\$52.50 per month per dumpster for one pickup per week. There will be no per unit charge. A minimum of one dumpster is required for each water meter when occupied.
Commercial Buildings –Kart	\$20.50 per month for one kart one pickup per week. Each additional kart will be \$10.25 per month for one pickup per week. Additional pickups per week will be at the same rates multiplied by the number of pickups. There will be no per unit charge. A minimum of one kart is required for each water meter when occupied.
Commercial Buildings,– 2.5 yard Dumpster	\$52.50 per dumpster per month for one pickup per week. Additional pickups per week will be at the same rate multiplied by the number of pickups. A minimum of one dumpster is required for each water meter when occupied.
Combination Residential Unit with Commercial Unit – Kart	\$20.50 per month for one kart one pickup per week. Each additional kart will be \$10.25 per month for one pickup per week. Additional pickups per week will be at the same rates multiplied by the number of pickups. There will be no per unit charge. A minimum of one kart is required for each water meter when occupied.
Combination Residential Unit with Commercial Unit – 2.5 yard Dumpster	\$52.50 per dumpster each month for one pickup per week. Additional pickups per week will be at the same rate multiplied by the number of pickups. A minimum of one dumpster is required for each water meter when occupied.
Solid Waste Outside City Limits	All solid waste collection outside the corporate limits of the city will be charged at one and one-half times the rate charged inside the city limits.

Section 2: This Resolution shall be in full force and effect with all solid waste billing after March 1, 2022.

RESOLUTION #307
ADOPTED

Moved by Wells, seconded by Sanson to adopt Resolution #307. Voting Aye: ALL. Opposed: NONE.

SEWER RATE
RESOLUTION

Gross presented the following resolution:

RESOLUTION ADOPTING SEWERAGE SYSTEM RATES FOR THE CITY OF PHILLIPSBURG, KANSAS.

WHEREAS, the Code of the City of Phillipsburg, Kansas adopted on November 18, 2013, states appropriate service charges, based on residency in volume used, shall be set by resolution or policy of the Governing Body;

WHEREAS, the user charge system shall generate adequate annual revenues to pay costs of annual operation and maintenance including replacement and costs associated with debt retirement of banded capital associated with finance the treatment works which the city may by ordinance designate to be paid by the user charge system;

WHEREAS, the existing wastewater rates set by Resolution #247, adopted on June 5, 2017, are no longer providing adequate income for the sewerage system;

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

Section 1: The following will be the sewerage system user rates for the City of Phillipsburg Sewerage System:

Inside City Limits Residential - Single family contributors of less than or equal to normal domestic strength wastewater

\$24.42/month/user plus \$0.30 per 1,000 gallons per month of water used based on the average water consumption per month during the previous winter months of December, January, & February. Multi-family unit will be assessed an additional charge of \$24.42 for each additional residential unit served by one meter per month.

Inside City Limits Light Commercial - Non-residential users or combination of residential and commercial users which contribute less than 8,000 gallons per month of less than or equal to normal domestic strength wastewater

\$25.83/month/user plus \$0.30 per 1,000 gallons per month of water used based on the average water consumption per month during the previous winter months of December, January, & February. Buildings served by one meter with two or more commercial units or a combination of residential and commercial units will be assessed an additional charge of \$6 per unit or per floor for multi business complexes.

Inside City Limits Medium Commercial - Non-residential users or combination of residential and commercial users which contribute between 8,000 and 100,000 gallons per month of less than or equal to normal domestic strength wastewater

\$42.69/month/user plus \$0.40 per 1,000 gallons per month of water used based on the average water consumption per month during the previous winter months of December, January, & February. Buildings served by one meter with two or more commercial units or a combination of residential and commercial units will be assessed an additional charge of \$6 per unit or per floor for multi business complexes.

Inside City Limits Heavy Commercial - Non-residential users or combination of residential and commercial users which contribute more than 100,000 gallons per month of less than or equal to normal domestic strength wastewater

\$46.36/month/user plus \$0.45 per 1,000 gallons per month of water used based on the average water consumption per month during the previous winter months of December, January, & February or by actual wastewater discharged through

a meter. Buildings served by one meter with two or more commercial units or a combination of residential and commercial units will be assessed an additional charge of \$6 per unit or per floor for multi business complexes.

Inside City Limits Medium Institutional - Public or private schools which contribute less than 500 gallons per month per student of less than or equal to normal domestic strength wastewater

\$0.94/month/student plus \$0.40 per 1,000 gallons per month of water used based on the average water consumption per month during the previous winter months of December, January, & February. The minimum charge amount will be \$24.60 per month or by actual wastewater discharged through a meter.

Inside City Limits Heavy Institutional - Hospitals, elderly care homes, hotels and motels which contribute more than 500 gallons per month per bed (for motels and hotels, bed shall denote one unit) of less than or equal to normal domestic strength wastewater

\$3.27/month/bed plus \$0.40 per 1,000 gallons per month of water used based on the average water consumption per month during the previous winter months of December, January, & February.

Outside City Limits Residential - Single family contributors of less than or equal to normal domestic strength wastewater

\$36.65/month/user plus \$0.45 per 1,000 gallons per month of water used based on the average water consumption per month during the previous winter months of December, January, & February. Buildings served by one meter with two or more commercial units or a combination of residential and commercial units will be assessed an additional charge of \$6 per unit or per floor for multi business complexes.

Outside City Limits Light Commercial - Non-residential users or combination of residential and commercial users which contribute less than 8,000 gallons per month of less than or equal to normal domestic strength wastewater

\$38.75/month/user plus \$0.45 per 1,000 gallons per month of water used based on the average water consumption per month during the previous winter months of December, January, & February. Buildings served by one meter with two or more commercial units or a combination of residential and commercial units will be assessed an additional charge of \$6 per unit or per floor for multi business complexes.

Outside City Limits Medium Commercial - Non-residential users or combination of residential and commercial users which contribute between 8,000 and 100,000 gallons per month of less than or equal to normal domestic strength wastewater

\$64.05/month/user plus \$0.60 per 1,000 gallons per month of water used based on the average water consumption per month during the previous winter months of December, January, & February. Buildings served by one meter with two or more commercial units or a combination of residential and commercial units will be assessed an additional charge of \$6 per unit or per floor for multi business complexes.

Outside City Limits Heavy Commercial - Non-residential users or combination of residential and commercial users which contribute more than 100,000 gallons per month of less than or equal to normal domestic strength wastewater

\$69.57/month/user plus \$0.70 per 1,000 gallons per month of water used based on the average water consumption per month during the previous winter months of December, January, & February or by actual wastewater discharged through a meter. Buildings served by one meter with two or more commercial units or a combination of residential and commercial units will be assessed an additional charge of \$6 per unit or per floor for multi business complexes.

Outside City Limits Medium Institutional - Public or private schools which contribute less than 500 gallons per month per student of less than or equal to normal domestic strength wastewater

\$1.41/month/student plus \$0.60 per 1,000 gallons per month of water used based on the average water consumption per month during the previous winter months of December, January, & February. The minimum charge amount will be \$36.90 per month or by actual wastewater discharged through a meter.

Heavy Institutional - Hospitals, elderly care homes, hotels and motels which contribute more than 500 gallons per month per bed (for motels and hotels, bed shall denote one unit) of less than or equal to normal domestic strength wastewater

\$4.94/month/bed plus \$0.60 per 1,000 gallons per month of water used based on the average water consumption per month during the previous winter months of December, January, & February.

Section 2: This Resolution shall be in full force and effect with all sewerage billing after March 1, 2022.

RESOLUTION #308
ADOPTED

Moved by Wells, seconded by Sanson to adopt Resolution #308. Voting Aye: ALL. Opposed: NONE.

SEWER CODE

It was the consensus of the Council to have City Attorney Sage draft an ordinance to increase the sewer connection fee to \$25 and amend city code 15-403 to transfer funds into the sewer equipment reserve fund at the Council's discretion instead of monthly in the amount of \$553.

PENALTY BILLINGS

Gross reported Phillipsburg city sewer rate code 15-507 states, "All bills are due and payable by the first day of each month. Failure to pay the bill by the 10th day of the month will result in penalty being added as provided in section 15-305." Water rate code 15-305 states, "...All such accounts shall be paid on or before the 10th day of the month they are due and payable and a penalty of 10% of the amount due shall be added to each bill not paid as provided." Solid waste rate code 15-614 (c) states, "Delinquent refuse bills shall carry the same due dates, grace periods and penalties as water bills." However, the practice for many years has been to only add penalty on the water portion of the bill. It was the consensus of the Council to begin following the current code as written and charge 10% penalty on entire outstanding utility bill instead of just on outstanding water charges.

REPORTS

Gross presented the monthly reports for January 2022.

EXECUTIVE SESSION

Moved by James, seconded by Gibbs that the City Council recess into executive session for preliminary discussions relating to the acquisition of real property exception, K.S.A. 75-4319 (b)(6) with the Council, Mayor, Driggs, Gross, and Sage in attendance and the open meeting to resume in the city council chamber at 7:00 p.m. Voting Aye: ALL. Opposed: NONE.

Martin, Jansonius, Ellenbergers, Clark, Ross, Lare, Weinert left the meeting- time 6:30 p.m.

Jansonius, Ellenbergers, Weinert, and Martin returned to the meeting- time 7:00 p.m.

RIGHT OF WAY SERVICES

Moved by Gibbs, seconded by Wells to enter into agreement with Midwest Right of Way Services for their assistance in right of way acquisitions. Voting Aye: ALL. Opposed: NONE.

ADJOURN

Moved by Sanson, seconded by James to adjourn- time 7:01 p.m. Voting Aye: ALL. Opposed: NONE.



Tiffini Gross, City Clerk

Please visit www.cityofphillipsburg.com to view a full video recording of the meeting afterwards.