

**CITY OF PHILLIPSBURG
CITY COUNCIL MEETING
August 1, 2022**

The Phillipsburg City Council met in regular session on August 1, 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 Vickie Gibbs; Mike James; Terry McConnell; Pete Rogers; Tracy Sanson; Angie Wells.

ABSENT: NONE.

ALSO PRESENT: Matt McDonald; Lauren Weinert; Tim Ellenberger; Daryl Clark; Jason Dibble; Kirby Ross, Phillips County Review; S. Scott Sage, City Attorney; Rachel Martin; 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.

**RESOLUTION #311-
AUTHORIZING
ALCOHOL IN THE
STREET**

Matt McDonald, Oz Brewing requested permission for customers to take alcohol into the grass and street in the area already approved to be closed for Saturday's 150th anniversary event. Moved by James, seconded by McConnell to approve Resolution #311. Voting Aye: ALL. Opposed: NONE.

McDonald left the meeting- time 6:02 p.m.

PUBLIC COMMENT

Jason Dibble asked the Council if the airport meeting that was at the Huck Boyd was recorded. Driggs commented that the meeting was recorded and is still on the city's website. He asked about the purchase of the Wintersteen property and Wells replied that the information was in the agenda that was handed out and posted online last meeting. James explained that for a property acquisition the Council does not disclose any amounts until it is finalized, but the Council does go through the acquisition process of appraisals and offers. Dibble commented about vacating Santa Fe Road, and Mayor Miles responded that the Council asked to relocate the road twice. Dibble asked if there was a dollar figure on the airport expansion and James responded that estimates and plans were given out during the public meetings at the Huck Boyd. James said that the Council has been very transparent with the project over the last two to three years including live streaming, recording and posting online the two public meetings and the Council meetings. He inquired about the \$75,000 requested from PCED and James replied that the requested grant is for the entire project along with funds approved from Cole Foundation, Morgan Foundation, Hansen Foundation, and Kansas Department of Transportation, who has now authorized the advertisement of bids.

MINUTES APPROVED

Moved by Sanson, seconded by Wells to approve the July 18, 2022 minutes as written. Voting Aye: ALL. Opposed: NONE.

APP ORD 1055-07-22B
APPROVED

Moved by James, seconded by McConnell to approve ordinance #1055-07-22B, to pay the bills for the month of July. Voting Aye: ALL. Opposed: NONE.

APPRECIATION

Gibbs said the crosswalk paintings look nice and gave thanks for all who helped plan the 150th. She also said the house on 7th Street looks nice.

2023 BUDGET

James said the Finance Committee met with Mr. Miller and reviewed and approved the 2023 budget. James asked the Council to review the budget and it will be presented again for discussion next meeting.

COVID

Rogers said to be careful because COVID is on the rise.

RESOLUTION #312
WATER RATES
ADOPTED

McConnell presented the following proposed water rate resolution recommended by the Water Committee to increase industrial water rates. Driggs reviewed the specific changes.

RESOLUTION ADOPTING WATER 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 water sold from the municipal utility system of the city 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 water;

WHEREAS, the existing water rates set by Resolution #306, adopted on February 21, 2022, are no longer providing adequate income for the water system;

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

Section 1: Resolution #306 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 - \$4.65 per thousand gallons
2,000,001 gallons and over per month - \$4.95 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 - \$3.40 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

RESOLUTION #312
WATER RATES
ADOPTED CONT.

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 September 1, 2022.

Moved by McConnell, seconded by Sanson to adopt Resolution #312 for water rates. Voting Aye: ALL. Opposed: NONE.

MOSQUITO SPRAYING

Sanson said the mosquitos have been under control and good job with the spraying.

150th ANNIVERSARY
CELEBRATION

Sanson encouraged everyone to come out to the Rodeo and the 150th Anniversary Celebration. Wells said t-shirts are for sale at the city office and the chamber office. She also said that Sheary Pumphrey, Bailey Bogart, and she have been working on painting barn quilts on the crosswalk downtown. Wells thanked Driggs for priming the crosswalks. She said that volunteers are needed for the games and reviewed the list of activities and vendors for the celebration.

YARD CLEANUP

Wells asked residents to clean up their yards and thanked the prayer and action group that helped residents cleanup. She thanked the city for picking up the extra trash for those projects. She said there is still people in need if another organization could do something similar.

903 8TH- DANGEROUS
STRUCTURE
RESOLUTION #313
ADOPTED

City Attorney Sage presented a proposed resolution to set up a hearing on September 19, 2022 at 6:30 p.m. to determine if 903 8th Street is an unsafe or dangerous structure. Notice of hearing will be sent out and certified by Clerk Gross to the owner, Donald Redinger, with the correction to the certificate of mailing of the addition of the occupant, Devon Redinger. Moved by McConnell, seconded by Rogers to adopt Resolution #313 for the structure at 903 8th Street. Voting Aye: ALL. Opposed: NONE.

66 IMPERIAL-
DANGEROUS
STRUCTURE
RESOLUTION #314
ADOPTED

City Attorney Sage presented a proposed resolution to set up a hearing on September 19, 2022 at 6:30 p.m. to determine if 66 Imperial Drive is an unsafe or dangerous structure. A certified notice of hearing will go to Kevin O Rourke. Moved by Rogers, seconded by Wells to adopt Resolution #314 for the structure at 66 Imperial Drive. Voting Aye: ALL. Opposed: NONE.

150TH ANNIVERSARY
CELEBRATION

Clerk Gross thanked city office staff for work done on the hay bale sculpture this week and said staff is looking forward to the 150th Anniversary Celebration.

EXECUTIVE SESSION

Moved by James, seconded by Gibbs that the city council recess into executive session to discuss personnel matter pursuant to the non-elected personnel matter exception, K.S.A. 75-4319 (b)(1) with the Council, Mayor, Driggs, Sage, and Gross in attendance and the open meeting to resume in the city council chamber at 6:45 p.m. Voting Aye: ALL. Opposed: NONE.

Martin, Ellenberger, Clark, Ross, Weinert, and Dibble, left the meeting- time 6:26 p.m.

Martin, Ellenberger, Clark, Ross, Weinert, Dibble and Criquet Cole returned to the meeting- time 6:45 p.m.

Mayor Miles called the regular session back to order.

EXECUTIVE SESSION

Moved by James, seconded by McConnell 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 7:02 p.m. Voting Aye: ALL. Opposed: NONE.

Martin, Ellenberger, Clark, Ross, Weinert, Dibble, Cole, and Pete Rogers left the meeting- time 6:47 p.m.

Martin, Ellenberger, Clark, Ross, Weinert, Dibble, Cole, and Pete Rogers returned to the meeting- time 7:02 p.m.

Mayor Miles called the regular session back to order.

UPCOMING CONFERENCES

Driggs reported he will be attending a KAA Conference in Kansas City to discuss some of the objects around the airport and the AWOS system as well as a KPTA Conference in Wichita to pick out a transportation van.

PUBLIC WORKS ACTIVITIES

Driggs reported public works crews have been well field pigging, mowing, preparing for the rodeo and the 150th, sweeping streets, weed eating streets, sewer repair at the 4-H building, and crosswalk projects.

STREET SEALING

Driggs said Circle C will start street sealing on Monday. Public notices will be posted door-to door and an ADT alert sent out on Friday.

WATER TOWER DESIGN CONTEST

Driggs presented a banner advertising the water tower design contest. \$500 prize for the winning design. Before a contractor can be secured for painting, there is prework that needs to be done due to the time the tower will be down. The price will be \$375-425,000 depending on the market when it is ready.

AUG 6TH TRAFFIC CONTROL

Driggs presented traffic control maps showing the parade route and closed roads for 150th Celebration. Driggs said the route for the Cowboy Hustle is not in the packet but also going on that morning.

AQUATIC CENTER

Driggs said due to the change in first day of school, the Aquatic Center outdoor pool's last day will be August 14th. There will be a guard party on August 10th and a city staff and council summer cook-out on August 12th.

AIRPORT RUNWAY EXTENSION PROJECT

Driggs gave an update on the Airport Runway Extension Project. The PCED grant is pending, as the Phillips County Commissioners tabled the decision for two weeks. Driggs said he will pass along the time of the meeting once he gets the information. Driggs reminded the Council, that several months back, the land acquisition process was discussed and proposals were put together for each property. Driggs said the Council authorized him to put together two offers for land acquisition of the Jansonius property. Option one- for a 1.56-acre purchase, in the amount of \$3,000/acre, for approximately \$4,800 total based on the certified appraisals and approval of the feds and a 32-acre easement for \$1,500/acre (which normal easements are around \$500/acre) for a total of \$48,000 or option two- for the appraised value of \$3,006/acre to purchase 33.56-acres for a total of \$101,000. The offers were sent in the first part of June to Hirsch, the Jansonius family's attorney. Since then, they have responded stating they would accept the \$101,000 for the 1.56 acres. Driggs said the Council has three options from this point: one- walk away from the project, two- recounter the offer knowing the counter offer was substantially

AIRPORT RUNWAY EXTENSION PROJECT CONT.	higher than appraised value, keeping in mind of the responsibility to be good stewards of the tax payers' money, or three proceed with eminent domain where the Council is required to pass a resolution, file a petition in district court, and then after an advertisement period a public hearing would be held in front of Judge Pratte. Moved by James, seconded by Gibbs to adopt Resolution #315 and have Mr. Hoffman take care of it. Voting Aye: Gibbs, James, McConnell, Sanson, Wells. Opposed: NONE. Abstain: Rogers.
CONDEMNATION RESOLUTION #315 ADOPTED	
CONSTRUCTION ADMINISTRATION	Driggs said he will be looking into different options for in house construction administration to keep costs of projects down.
TENANT RELOCATION	Driggs said Midwest Right of Way, the company hired in assisting the tenant with relocation, met with the tenant last week to begin relocation process.
AIRPORT RUNWAY EXTENSION PROJECT	Driggs said the plans and specs have been completed at 30%, 60%, 90%, and a final set. Each submittal has been sent to the FAA, including Jason Knipp, Airport Planner, Bob Brock, Director of Aviation, KDHE, as well as the City of Phillipsburg. These review comments have been incorporated in the final design and specifications and were submitted last week for advertising and bid. KDOT has signed off on each design submittal as well as the bidding of this project. Driggs presented the request for bids. The project bids on August 23 rd at 2:00 p.m. There is a pre-bid meeting on August 16 th at 2:00 p.m. Plans can be picked up at the city office or at www.drexeltech.com . Driggs presented the Notice of Intent that was signed off by KDHE for the project.
CODE ENFORCEMENT	Driggs said code enforcement notices have been sent out for junk vehicles, health violations, dangerous structures, and weeds. He said there has been a large number of complaints on a residence on 7 th Street and about businesses. He urged businesses to clean up behind their stores.
QUANZ CONSENT ORDER LIFTED	Driggs presented a letter from KDHE notifying the Council that the consent order has been lifted from Quanz Reservoir and is satisfactory.
DODGE TRUCK PURCHASED	Driggs said, as requested by the Finance Committee and the City Council, he purchased a burgundy 2021 Dodge truck that had approximately 13,000 miles.
PLANNING COMMISSION	Planning Commission Meeting will be August 17th at 5:30 p.m. and will have a public hearing to rezone a property and discuss chickens. Last meeting did not have a quorum. He said there is still two invitations out for Planning Commission Members.
ADJOURN	Moved by Gibbs, seconded by McConnell to adjourn- time 7:21 p.m. Voting Aye: ALL. Opposed: NONE.

Tiffini Gross

Tiffini Gross, City Clerk

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