

**CITY OF PHILLIPSBURG  
CITY COUNCIL MEETING  
September 7, 2021**

The Phillipsburg City Council met in regular session on September 7, 2021, 5:30 P.M, at the Huck Boyd Community Center, 860 Park Street.

**CALL TO ORDER**

The meeting was called to order by Mayor Bret Miles.

**ATTENDANCE**

**PRESENT:** Councilmembers Vickie Gibbs; Mike James; Terry McConnell; Tracy Sanson; Angie Wells.

**ABSENT:** Pete Rogers.

**ALSO PRESENT:** S. Scott Sage, City Attorney; Rachel Martin, My Phillips County Online; Kirby Ross, Phillips County Review; Tim and Shawn Ellenberger; Brad Lare; Jim Lanier; Larry Meili; Lauren Weinert; Max Dibble; George Searight; 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.

**REVENUE NEUTRAL  
RATE HEARING**

Mayor Miles called to order the public hearing for the Revenue Neutral Rate. Mayor Miles asked for public comment and there were no comments.

**RESOLUTION #298  
LEVY TAX RATE  
EXCEEDING THE RNR**

The following resolution was considered:

**A RESOLUTION OF THE CITY OF PHILLIPSBURG, KANSAS TO LEVY  
A PROPERTY TAX RATE EXCEEDING THE REVENUE NEUTRAL  
RATE;**

**WHEREAS**, the Revenue Neutral Rate for the City of Phillipsburg was calculated as 64.276 mills by the Phillips County Clerk; and

**WHEREAS**, the budget proposed by the Governing Body of the City of Phillipsburg will require the levy of a property tax rate exceeding the Revenue Neutral Rate; and

**WHEREAS**, the Governing Body held a hearing on September 7, 2021 allowing all interested taxpayers desiring to be heard an opportunity to give oral testimony; and

**WHEREAS**, the Governing Body of the City of Phillipsburg, having heard testimony, still finds it necessary to exceed the Revenue Neutral Rate.

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

The City of Phillipsburg shall levy a property tax rate exceeding the Revenue Neutral Rate of 68.571 mills.

This resolution shall take effect and be in force immediately upon its adoption and shall remain in effect until future action is taken by the Governing Body.

CONT. RESOLUTION  
#298 LEVY TAX RATE  
EXCEEDING THE RNR

Moved by Sanson, seconded by James to adopt Resolution #298 to levy a property tax rate exceeding the revenue neutral rate. Voting Aye: ALL. Opposed: NONE.

MINUTES APPROVED

Moved by McConnell, seconded by Sanson to approve the August 16, 2021 minutes as written. Voting Aye: ALL. Opposed: NONE.

Howard King arrived-time 5:35 p.m.

APPROPRIATION ORD  
#1055-08-21B

Moved by James, seconded by Wells to approve ordinance #1055-08-21B, to pay the bills for the month of August. Voting Aye: ALL. Opposed: NONE.

COMPLIMENTS

James reported the street sealing and the airport road looks good.

Wells expressed appreciation for all of the city staff's work to keep the city running and complimented the flags hung up around town for Labor Day.

CITY CODE

Wells encouraged the public to be familiar with and follow city codes. She said that the city is working on updating the code books.

LIBRARY BOARD  
APPOINTMENT

Mayor Miles recommended the appointment of Kate Otter to the Library Board filling Vicky Constable's unexpired term. Moved by Gibbs, seconded by Sanson to approve the mayor's appointment. Voting Aye: ALL. Opposed: NONE.

Ron Jansonius arrived- time 5:38 p.m.

PUBLIC WORKS  
ACTIVITIES

Driggs reported on the following public works projects include, spraying streets, mowing, well field repairs, and street patching.

CRACK SEALING

Driggs said the crack sealing crew is behind schedule and did not arrive in time this year, so the area between 4<sup>th</sup>- 7<sup>th</sup> Street will be moved to next year's schedule.

WASTEWATER  
VIOLATION

Driggs said the city received a notification of a violation of wastewater permit at the South Village Estates which runs on a private sewer system, the lift station had been unplugged and dumping sewer on the ground. He said the city is ultimate responsible for all sewer inside of the city limits. KDHE and EPA has been notified and working with the individual responsible to correct the problem and identify a more permanent solution.

Rusten Ricker arrived- time 5:40 p.m.

WATER METER  
TAMPERING  
INVESTIGATION

Driggs said a report was received for a damaged water meter at 60 Imperial Dr due to tampering and has been turned over to the Phillips County Sheriff's Department for investigation.

AIRPORT ACCESS  
ROAD PROJECT

Driggs said the Airport Access Road Project has been completed and is a nice addition to the airport. Crews will be working on reestablishing grass around the area.

QUANZ RESERVOIR PROJECT	Driggs said Quanz reservoir old tank is gone and new one is working. He said there are a few minor things to complete, otherwise the project is almost done.
GOOD DEEDS DAY	Driggs said the Phillipsburg Middle School students will be partnering with public works staff for Good Deeds Day on September 10 <sup>th</sup> to paint fire hydrants.
KANSAS AIR TOUR	Driggs presented a flyer for the Kansas Air Tour that will be stopping at the Phillipsburg Municipal Airport September 24 <sup>th</sup> from 1:30- 3:00 p.m. The Chamber and Mainstreet has several things planned for the event and students will be coming to view the planes. The public is encouraged to attend.
REVENUE NEUTRAL RATE HEARING	Mayor Miles opened up the floor for more public comments on the Revenue Neutral Rate. Gross gave a brief explanation on the change from the State in eliminating the tax lid and the implementation of revenue neutral rates and exceeding it with the budget. Discussion was held. Mayor Miles adjourned the revenue neutral rate hearing.
BUDGET HEARING	Mayor Miles opened up the budget hearing for public comments. There were no comments.
ROAD CLOSURE OCT 23RD	It was the consensus of the Council to allow the closure of G Street from 3 <sup>rd</sup> to 4 <sup>th</sup> Street on October 23 <sup>rd</sup> from 12:00 p.m.- 12:00 a.m. for the Community Foundation fundraiser at Oz Brewing.
BUILDING CODE VIOLATION	Driggs gave a summary of the building code violation at 860 5 <sup>th</sup> Street that in August was given 30 days to correct the violation. Driggs said the occupant/ owner has moved out of town without correcting it and now is past 30 days. It was the consensus of the Council for the city staff to remove the part of concrete that was not permitted and bill the property owners for the materials and labor costs. If the bill is not paid within 30 days, the charge would be added to the property tax.
	Kassy DeWitt and Roger VanLoenen arrived- time 5:53 p.m. Denis and Sue Miller and Joel Heisterman arrived- time 5:55 p.m.
PLANNING COMMISSION	Planning Commission will meet on September 22 <sup>nd</sup> for a public hearing to discuss possible vacating of a property.
AIRPORT BOARD	Airport Board had a meeting today and discussed future airport projects, the environmental assessment, and the Kansas Fly Tour.
COUNTRY CLIPPER	It was the consensus of the Council to advertise for sealed bids for the sale city's Country Clipper.
TREE TRIMMING AND REMOVAL	Wells said she received questions about the trees that were cut down by the middle school and stadium. Driggs explained they had to be removed in preparation for the Highway 36 Phase II project where new water lines will be installed in the right-of-way. He said new trees are intended to be planted after the project is complete. Driggs said Solida Tree Service has been pruning and trimming trees around town. The cutter crew is going faster than the chipper crew, so if you see a pile of limbs, the chipper crew will be along shortly to

TREE TRIMMING  
AND REMOVAL CONT.

clean it up. If you have a dead tree or a tree that needs trimmed inside the right-of-way, please let the city know.

Lloyd Culbertson arrived- time 5:58 p.m.

Craig Mielke and Brad Walter arrived- time 6:00 p.m.

BUDGET HEARING

Mayor Miles opened the floor for public comments on the budget. Discussion was held on the ad valorem tax. Denis Miller, Mapes & Miller, LLP, gave a brief summary on the revenue levied and budget expenditures from 2020-2021 and the 2022 proposed budget.

2022 BUDGET  
ADOPTED

Moved by James, and seconded by McConnell to adopt the 2022 budget as proposed. Voting Aye: ALL. Opposed: NONE. Mayor Miles adjourned the public hearing.

PHILLIPSBURG  
MUNICIPAL AIRPORT  
ENVIRONMENTAL  
ASSESSMENT  
HEARING

Mayor Miles called to order the Phillipsburg Municipal Airport Environmental Assessment Public Hearing. Driggs stated the hearing is for a comment period only and is not for questions and answers. Comments will be collected through September 14<sup>th</sup>, by speaking during the hearing, contacting Brad Walter, Craig Mielke or Tim Driggs, or filling out a written comment sheet available at the hearing. All comments collected will be added to the environmental assessment. Any questions can be addressed after the meeting.

Cindy Horner and Chris Wintersteen arrived- time 6:05 p.m.

Lacey Rodriguez arrived- time 6:08 p.m.

Kelly Wolters arrived- time 6:11 p.m.

Brad Walter, project manager, gave an overview of the proposed airport runway extension project and options considered. Craig Mielke, environmental specialist presented detailed information on all considered, evaluated and affected environmental aspects of the proposed project. Socioeconomic, human, and natural categories were reviewed.

Curt Chance arrived- time 6:19 p.m.

The Environmental Assessment is available online or by paper. Comments were collected from the public.

Wells left meeting- time 6:43 p.m.

Wells arrived- time 6:45 p.m.

Mayor Miles adjourned the public hearing. All public members left except Denis Miller, Joel Heisterman, Shawn Ellenberger, Kirby Ross, and Ron Jansonius- time 7:01 p.m.

2020 AUDIT REPORT

Denis Miller, Mapes and Miller LLP presented the 2020 audit report Moved by Wells, seconded by McConnell to accept the audit report. Voting Aye: ALL. Opposed: NONE. Miller also reviewed accounting notes and management points.

Heisterman and Jansonius left meeting- time 7:25 p.m.

UNIFORM PUBLIC  
OFFENSE CODE  
ORDINANCE #1433

Moved by James, seconded by Gibbs to pass an Ordinance #1433 regulating public offenses within the corporate limits of the City of Phillipsburg, Kansas incorporating by reference the “Uniform Public Offense Code for Kansas Cities,” 37<sup>th</sup> Edition, 2021, providing certain penalties and repealing ordinance No. 1429, adopted October 5, 2020. Voting Aye: ALL. Opposed: NONE.

STANDARD TRAFFIC  
ORDINANCE #1434

Moved by James, seconded by McConnell to pass an Ordinance #1434 regulating the traffic within the corporate limits of the City of Phillipsburg, Kansas; incorporating by reference the “Standard Traffic Ordinance for Kansas Cities”, 48<sup>th</sup> Edition, 2021, providing certain penalties and repealing Ordinance No. 1428, adopted October 5, 2020. Voting Aye: ALL. Opposed: NONE.

CITY ATTORNEY  
CONFERENCE

It was the consensus of the Council to allow City Attorney Sage to attend the City Attorney Conference the first week of October.

2022 EAP AGREEMENT

Gross presented a summary of the Employee Assistance Program agreement for 2022 and the services used by the city this year. It was the consensus of the Council to authorize Mayor Miles to sign the 2022 agreement for the EAP agreement for \$1,600 annual fee.

CITY OFFICE STAFF  
TO ATTEND  
CONFERENCES

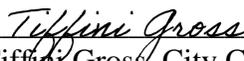
It was the consensus of the Council to allow Clerk Gross to attend the Kansas International Municipal Clerk’s Certification Institute in Wichita, November 8-10<sup>th</sup> and Brandi Spray, Utility Billing Clerk to attend the Municipal Court Clerk’s Conference September 29-30<sup>th</sup> in Lawrence.

SOFTWARE  
CONVERSION

Clerk Gross reported the software conversion continues to progress with the installation of the cemetery module. Staff will be learning to use the module and verifying data accuracy.

ADJOURN

Moved by Gibbs, seconded by McConnell to adjourn- time 7:39 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.