

## CITY OF OSAGE CITY

### COUNCIL MEETING

May 11, 2021

**ROLL CALL:** Now on this 11th day of May 2021 the Governing Body of the City of Osage City, Kansas, met at the Osage City Council Chamber in said City. The following members being present and participating to wit were: Council President: Dale Schwieger. Council Members: Jim Peterson, Bruce Schoepflin, Karey Heiserman, Mike Gilliland, Cathryn Houghton, and Jeanette Swarts. Mayor: Becky Brewer excused. Council Member Sharon Larson excused. Officials present: Rick Godderz, City Attorney; Rod Willis, City Manager; Katie Hodge, City Treasurer; Terri Fultz, City Clerk; Sadie Boos, Deputy City Clerk; Director of Utilities, Kris Kline; Electric Distribution Supervisor, Eric Heiserman; Street and Sanitation Superintendent, Fred Hallowell and Chief of Police, Fred Nech. Others present: Joel and Cynthia Ruiz-Pineda and Richard Pickens.

#### **APPROVAL OF THE AGENDA:**

*Motion made by Heiserman, second by Schoepflin to approve the agenda. The motion was declared carried.*

#### **RECOGNITION OF VISITORS**

#### **APPROVAL OF THE CONSENT AGENDA:**

##### **1. Approval of April 27, 2021 Regular Meeting Minutes.**

*Motion made by Schoepflin, second by Schwieger to approve the Consent Agenda. The motion was declared carried.*

#### **BUSINESS BEFORE THE COUNCIL:**

- 1. Public Hearing for Condemnation of Property and Structures at Dodds & Martin Addition, Tract in Block 9, beginning 221.25 feet West of Southeast Corner of said Block 9, thence West 104 feet, thence North 185 feet, thence East 104 feet, thence South 185 feet to point of beginning, Lot Width 104.0 feet, Lot Depth 185.0 feet, in the City of Osage City, Osage County, Kansas, commonly known as 626 Prospect Street, Osage City, Kansas, at which time the owners, the owner's agent, any lienholder and any occupant of the property and structures may appear and show cause why such structures should not be condemned as unsafe, dangerous and unfit for habitation structures and ordered repaired or demolished with any costs to the City of the repairs, improvements or demolition to be assessed against the property. Owners of record are Joel Ruiz-Pineda and Cynthia A. Ruiz-Pineda:**

Council President, Dale Schwieger at 7:05 p.m. opened the Public Hearing to receive comments.

Property owner Cynthia Ruiz-Pineda was present and voiced her concerns with the process.

Council President, Dale Schwieger at 7:15 p.m. closed the Public Hearing.

**2. City Council direction to proceed following the Condemnation Public Hearing on Property and Structures at 626 Prospect Street:**

The Public Hearing was adjourned and will resume at the next City Council meeting on May 25, 2021, at 7:00 p.m.

**3. Public Hearing for Condemnation of Property and Structures at Lots 27, 29, and East ½ Lot 31, Block 17, Original Town, City of Osage City, Osage County, Kansas, commonly known as 107 Market Street, Osage City, Kansas, at which time the owner, the owner's agent, any lienholder and any occupant of the property and structures may appear and show cause why such structures should not be condemned as unsafe, dangerous and unfit for habitation structures and ordered repaired or demolished with any costs to the City of the repairs, improvements or demolition to be assessed against the property. The owner of record is Richard David Pickens:**

At 7:17 p.m. Council President, Dale Schwieger opened the Public Hearing to receive comments on the condemnation of property at 107 Market Street.

Property owner Richard Pickens explained that due to health problems that began the first of the year he has not been able to work or go back to work until July 5<sup>th</sup>. Richard said that he has someone interested in buying the property. He knows there are back taxes owed and he is working on taking care of them. Richard has requested more time due to his health problems.

Council President Dale Schwieger at 7:26 p.m. the Public Hearing was closed.

**4. City Council direction to proceed following the Condemnation Public Hearing on Property and Structures at 107 Market Street:**

*Motion made by Peterson, second by Houghton to direct the City Attorney to draft a Resolution for structure at 107 Market Street to be removed or repaired and allowing the property owner 60 days to show progress. The motion was declared carried.*

**5. Approval of \$67,050.00 bid from Circle-C Paving of Goddard, Kansas for the 2021 Chip and Seal Street Project. Additional bids received were \$68,400.00 from Vance Brothers of Kansas City, Missouri and \$71,550.00 from Mid-America Road Builders of Platt City, Missouri – Streets & Sanitation Superintendent Fred Hallowell:**

*Motion made by Schoepflin, second by Heiserman to approve the bid from Circle-C Paving in the amount of \$67,050.00 for the 2021 Chip and Seal Street Project. The motion was declared carried.*

- 6. Approval of \$91,366.20 bid from Killough Construction, Inc of Ottawa, Kansas for the 2021 Mill & Overlay/Skim Patch Street Project. Additional bids received were \$97,800.66 from APAC-Kansas, Inc. Shears Division of Emporia, Kansas and \$112,607.50 from Sunflower Paving, Inc. of Lawrence, Kansas – Streets & Sanitation Superintendent Fred Hollowell:**

*Motion made by Swarts, second by Heiserman to approve the bid from Killough Construction, Inc. for \$91,366.20 for the 2021 Mill & Overlay/Skim Patch Street Project. The motion was declared carried.*

- 7. Approval of additional Chip and Seal in the amount of \$88,428.52 for 59,346 square yards chip and seal at \$1.49 per square yard from Circle C Paving due to margin in 2021 Annual Budget for chip and seal – Streets and Sanitation Superintendent Fred Hollowell:**

*Motion made by Schoepflin, second by Gilliland to approve additional Chip and Seal work to be done in the amount of \$21,378.52 by Circle C Paving. The motion was declared carried.*

- 8. Approval of additional Skim Patch for \$23,700.00 for 200 tons asphalt at \$118.50 per ton from Killough Construction, Inc. due to margin in 2021 Annual Budget for street skim patch – Streets & Sanitation Superintendent Fred Hollowell:**

*Motion made by Swarts, second by Heiserman to approve the additional 2021 Skim Patchwork for \$23,700.00 from Killough Construction, Inc. The motion was declared carried.*

- 9. West Market Street Lighting discussion on Solar Lighting versus Copper-Wired Lighting and consideration of Solar Lighting bid of \$2,037.00 per light pole from Stanion Wholesale Electric of Emporia, Kansas; \$4,396.00 per light bronze coated or \$4,252.00 per light satin coated from First Light Technologies of British Columbia, Canada; and \$5,772.30 per light from Westco of Wichita, Kansas – Electrical Distribution Superintendent Eric Heiserman:**

Electric Distribution Superintendent Eric Heiserman presented options for consideration for adding street lighting on West Market Street.

City Treasurer Katie Hodge added that the sales tax for the lighting will need to be considered in the cost of the lighting.

The City Council requested that Eric bring back a comparison cost for 7 poles and lights for solar lighting compared to copper wired lighting.

**10. Intern Matrix Range A, B, C Pay Classifications for 2021 Pay Matrix – Utility Director Kris Kline and City Treasurer Katie Hodge:**

City Treasurer Katie Hodge presented a Matrix with adding a range & pay classification for Interns as an option to hire for the Admin, Parks & Rec, Equipment/Construction/Sewer, Water & Gas Operator, Lineman/Power Plant.

There were some questions on the Matrix with the classifications for the Level 2 Full-time, Level 3 Full-time, and Level 4 Supervisory Staff on the Police Matrix. It was the consensus of the City Council to look at the Matrix as a whole for all the department's pay classifications as well as the Police Matrix.

*Motion made by Peterson, second by Schoepflin to approve adding to the Pay Matrix an Intern Matrix with Range A - Admin/Parks & Rec Intern \$13.00, Range B Equipment/Construction/Sewer, Water & Gas Operator Intern \$15.00 and Range C Lineman/Power Plant Intern \$16.00 per hour. The motion was declared carried.*

**11. Approval of Sales Tax Ballot Question – Shall the Following be Adopted? Shall the City of Osage City, Kansas, be authorized to continue a one-half percent (.5%) city-wide retailers' sales tax for the purpose of paying the costs of maintenance, repair, and improvement projects for streets, curbs, gutters, storm sewers, sidewalks, and other street related infrastructure in the City, with collection of such sales tax to commence on April 1, 2023, after expiration of existing one-half percent sales tax on March 31, 2023, or as soon thereafter as is legally permissible and to expire after ten years of collection on March 31, 2033; all pursuant to the provisions of K.S.A. 12-187 et seq. and K.S.A. 10-101 et seq.; as amended?:**

*Motion made by Heiserman, second by Houghton to adopt the Sales Tax Question that will appear on the ballot for the November 2, 2021, General Election as stated below:*

*Shall the City of Osage City, Kansas, be authorized to continue a one-half percent (.5%) city-wide retailers' sales tax for the purpose of paying the costs of maintenance, repair, and improvement projects for streets, curbs, gutters, storm sewers, sidewalks, and other street related infrastructure in the City, with collection of such sales tax to commence on April 1, 2023, after expiration of existing one-half percent sales tax on March 31, 2023, or as soon thereafter as is legally permissible and to expire after ten years of collection on March 31, 2033; all pursuant to the provisions of K.S.A. 12-187 et seq. and K.S.A. 10-101 et seq.; as amended?*

*The motion was declared carried.*

**12. Information – KDHE Response Letter to City of Osage City Semi-Annual Report regarding the Phase 2 and Phase 3 Sanitary Sewer Improvements as per the EPA Compliance Order – Frank Weinhold, P.E. of the Municipal Programs Section, Bureau of Water, Kansas Department of Health and Environment:**

City Manager Rod Willis provided the KDHE response letter to the City to inform the City Council that KDHE approves the steps and progress that is being taken to improve the sanitary sewer system per the EPA Compliance Order.

**13. Information – American Rescue Plan with May 10, 2021 deadline for all 50 of the States to distribute funds to municipalities with estimated \$393,237.67 grant funds available to Osage City:**

City Manager Rod Willis shared the information that has been released in regards to the Stimulus American Rescue Plan (ARP). The American Rescue Plan Act was signed into law on March 11, 2021 to directly help all cities, towns, and villages by entitling them to a direct grant from the U.S. Treasury Department. The grants will be released with one half in 2021 and the other one half in 2022. The spending deadline for the funds is December 31, 2024. The funds received are to be used on eligible expenditures only. Cities that have not been impacted by COVID can use the funds for water, sewer, and broadband improvements. The League of Kansas Municipalities advises cities to think about how the funds could be used before a decision is made to reject the funding.

**ADJOURNMENT:** *At the request of Council Member Heiserman at 8:35 p.m., and on her motion, seconded by Council Member Gilliland and carried unanimously, the meeting adjourned.*

APPROVED: \_\_\_\_\_ ATTESSED: \_\_\_\_\_  
**Dale Schwieger** **Teresa Fultz**  
**Council President** **City Clerk**