

## **CITY OF OSAGE CITY**

### **COUNCIL MEETING**

**March 23, 2021**

**ROLL CALL:** Now on this 23rd day of March, 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: Mayor: Becky Brewer. Council Members: Cathryn Houghton, Jim Peterson, Bruce Schoepflin, Dale Schwieger, Mike Gilliland, Sharon Larson and Jeanette Swarts. Council Member Karey Heiserman excused. Officials present: Rick Godderz, City Attorney; Rodney Willis, City Manager; Katie Hodge, City Treasurer; Terri Fultz, City Clerk, Sadie Boos, Deputy City Clerk; Director of Utilities Kris Kline, Electric Distribution Superintendent Eric Heiserman and Street & Sanitation Superintendent Fred Hallowell.

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

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

**RECOGNITION OF VISTORS:** None

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

- 1. Approval of March 9, 2021 Regular Meeting Minutes  
Approval of Eric Tincher, 1148 Brant Street, to fill the vacancy on the  
Planning & Zoning Committee as recommended at the March 18, 2021  
Planning & Zoning Committee Meeting  
Approval of Controlled Burn Period Resolution No. 1069 beginning April 1,  
2021 through May 31, 2021**

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

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

- 1. Public Hearing for 2021 Budget Amendment due to extraordinary wholesale natural gas prices in February 2021 – City Treasurer Katie Hodge:**

At 7:02 p.m. Mayor Brewer opened the Public Hearing for the 2021 Budget Amendment to hear public comments.

At 7:04 p.m. Mayor Brewer closed the Public Hearing for the 2021 Budget Amendment with no public comments heard.

- 2. Approval of 2021 Budget Amendment resulting from the \$2,391,295.30 wholesale natural gas bill received March 19, 2021 from Kansas Municipal**

**Gas Agency (KMEA) due March 24, 2021. The adopted 2021 Budget only allows \$700,000.00 total gas purchases for the entire year with average purchases in the range of \$400,000.00 per year in the past:**

*Motion made by Schwieger, second by Swarts to approve the 2021 Budget Amendment due to the \$2,391,295.30 for the wholesale natural gas bill received March 19, 2021 from KMEA due by March 24, 2021 due to the extreme weather event in February 2021. The motion was declared carried.*

- 3. Authorize the \$2,391,295.30 wholesale natural gas bill from KMGA to be paid with \$1,650,000.00 loan proceeds from the Kansas State Treasurer City Utility Low-Interest Loan Program and \$741,295.30 from Gas Department Reserve Funds. The initial interest rate on the loan is one-quarter of one percent (0.25%) be repaid through monthly gas bill utility charges over 10 years:**

*Motion made by Swarts, second by Gilliland to authorize the \$2,391,295.30 natural gas bill from KMGA with \$1,650,000.00 paid by the Kansas State Treasurer Utility Low-Interest Loan Program and \$741,295.30 from the Gas Department Reserve Funds. The motion was declared carried.*

- 4. Approval of Resolution No. 1070 Fixing a Time and Place and Providing for Notice of a Hearing before the Governing Body of the City of Osage City, Kansas at which time the Owners, any Lienholders of Record and Occupants of the Property and Structure located at: Dodd & 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, commonly known as 626 Prospect Street, may appear and show cause why such structures should not be condemned and ordered repaired or demolished as unsafe dangerous and unfit for habitation structures, that a hearing be held May 11, 2021 at 7:00 p.m. in the City Council Room, 221 South 5<sup>th</sup> Street, Osage City, Kansas:**

*Motion made by Peterson, second by Schoepflin to adopt Resolution No. 1070 Fixing a Time and Place and Providing for Notice of a Hearing before the Governing Body in which time the Owners, and Lienholders of record and occupants of the property and structure located at the above described legal description or more commonly known as 626 Prospect Street to appear and show cause why such structures should not be condemned and ordered to be repaired or demolished. Hearing date will be May 11, 2021 at 7:00 p.m. in the City Council Room at 221 S. 5<sup>th</sup> Street. The motion was declared carried.*

- 5 Approval of Resolution No. 1071 Fixing a Time and Place and Providing for Notice of a Hearing before the Governing Body of the City of Osage City, Kansas, at which time the Owners, any Lienholders of Record and Occupants of the Property and Structure located at: Lots 27, 29, and E 1 / 2 Lot 31, Block 17, Original Town, City of Osage City, commonly known as 107 Market Street,**

**may appear and show cause why such structures should not be condemned and ordered repaired or demolished as unsafe, dangerous and unfit for habitation structures that a hearing be held May 11, 2021 at 7:00 p.m. in the City Council Room, 221 South 5<sup>th</sup> Street, Osage City, Kansas:**

*Motion made by Schwieger, second by Schoepflin to adopt Resolution No. 1071 Fixing a Time and Place and Providing for Notice of a Hearing before the Governing Body in which time the Owners, and Lienholders of record and occupants of the property and structure located at the above described legal description or more commonly known as 107 Market Street to appear and show cause why such structures should not be condemned and ordered to be repaired or demolished. Hearing date will be May 11, 2021 at 7:00 p.m. in the City Council Room at 221 S. 5<sup>th</sup> Street. The motion was declared carried.*

**6. Approval of Resolution No. 1072 to Submit to Qualified Electors Levying a One-Half Percent Retailer's Sales Tax on the November 2, 2021 General Election Ballot to continue the street related improvements, as the original one-half percent sales tax sunsets on April 1, 2023 – City Treasurer Katie Hodge & City Attorney Rick Godderz:**

Council Members agreed that over the last ten years of collecting the one-half percent retailers' sales tax has been a benefit to the community for street improvements and would like to continue with the submission of the one-half percent sales tax by putting it on the November 2, 2021 General Election Ballot. Council Members spoke about reaching out to the citizens to educate them on the positive improvements to our city streets that have been accomplished from the sales tax gained over the past ten years so that it would be passed by the voters.

*Motion made by Schoepflin, second by Schwieger to adopt Resolution No. 1072 to submit to Qualified Electors levying a one-half percent retailers' sales tax on the November 2, 2021 General Election Ballot to continue the street related improvements for a period of ten years. The motion was declared carried.*

**7. Overhead & Underground Electrical Service Installation Policy and discussion of possible alternatives – Electrical Distribution Superintendent Eric Heiserman:**

Electrical Distribution Superintendent Eric Heiserman presented the idea of a change to the current policy for Utility Service Extensions. Presently if a customer is putting in a new home or business the extension agreement for electric overhead service, the City shall pay the first 1/8th mile and the last 1/8th mile of primary service to the closest location access point as determined by the City. Eric has proposed a change to the policy to include underground service with some type of a cost share to benefit the customer if they so choose to put in underground electric service. At this time, the customer bears the full cost of putting in underground.

City Council Members directed Eric to bring back a plan to implement and offer the choice of overhead electric service or underground electric service to benefit the customer by providing a cost sharing between the City and the customer. Eric will contact other cities of our same size asking how they provide this benefit to their customers.

#### **8. Discussion on ditch cleaning – Council Member Dale Schwieger:**

Council Member Schwieger has been contacted by several individuals with concerns of how the ditches are being left after digging them out for better drainage. This is something that City Council would like to see addressed by leaving a suitable, maintainable ditch that the citizens can mow and take care of with more ease.

Street Superintendent Fred Hallowell addressed the concern. All the ditches are different. Some of the ditches have silted in a lot over the years which causes the ditch to have to be dug deep. This causes the shaping of the ditch to be difficult. Fred agreed that he would look into the issue of the ditches by contacting the property owner and also trying to make ditches more maintainable.

#### **9. Updates on Flint Hills Trail and Airport Layout Plan (ALP) project:**

City Manager Rod Willis gave a brief update of the of the Flint Hills Trail Improvements. The engineering firm HNTB has submitted the final engineering plans to KDOT on March 4<sup>th</sup> for the Flint Hills Trail improvements. There was discussion with KDOT about getting across the BNSF Railway at Holiday Street and then back on to the trail. Approximately ten years ago there was a permit that would have allowed the trail to cross directly over the railroad tracks but when the information was provided to BNSF again recently, they said they could find no record of the permit. KDOT requires a Notice of Intent Permit to be submitted by the City with the intent to take care of and maintain water runoff on the trail. This notice will be submitted to KDHE.

City Manager Rod Willis gave a brief update of the Airport Layout Plan (ALP) Project. The FAA standards changed which required that the plan be changed. Eric Johnson, P.E. of Kirkham-Michael has submitted a draft plan for the FAA to review. The final plan has to be submitted by May 3<sup>rd</sup> so Jason Knipp with the FAA will be in contact with Eric Johnson for changes that need to be made before the submittal deadline.

Recently KDOT has announced they are accepting applications for the Spring 2021 Cost Share Program. City Manager Rod Willis asked City Council if they would be interested in an application to fund a concrete floor in the T-Hanger. The application deadline submittal is April 9<sup>th</sup>. An estimated \$100,000 cost of the project was given for the KDOT Cost Share usually at 15%, but reduced to 10% for the Spring 2021 Cost Share Program.

*Motion made by Houghton, second by Peterson to authorize the City Manager to apply for the KDOT's Cost Share Program with the application to be submitted on or before the deadline of April 9, 2021 with the City's 10% cost share portion for materials and labor, plus design engineering costs not eligible for cost share proceeds, not to exceed \$20,000.00. The motion was declared carried.*

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

APPROVED: \_\_\_\_\_ ATTESTED: \_\_\_\_\_

**Rebecca Brewer**  
**Mayor**

**Teresa Fultz**  
**City Clerk**