

**CITY OF PHILLIPSBURG
CITY COUNCIL MEETING
May 21, 2018**

The Phillipsburg City Council met in regular session on May 21, 2018, 6:00 P.M., at the Phillipsburg City Office, 945 Second Street.

- CALL TO ORDER** The meeting was called to order by Mayor Lance Munyon.
- ATTENDANCE** **PRESENT:** Council members Bret Miles; Lynette Voorhees; Michael Wisner; Terry McConnell; Pete Rogers.
- ABSENT:** Council member Mike James.
- ALSO PRESENT:** Scott Sage, City Attorney; Tim Driggs, Public Works Supervisor; Kirby Ross, reporter Phillips County Review; Jesse Rhea, reporter KKAN/KQMA; Shawn Ellenberger; Galen Wickham; Kristina Sisson; Paul Speake; Thaniel Monaco; Brenda Chance, City Clerk.
- PLEDGE OF ALLIGIENCE** The Pledge of Allegiance to the United States was led by Mayor Munyon.
- FIREWORKS** Galen Wickham informed the Council of the process of preparing for fireworks sales. Ordering takes place in January and delivery approximately June 18th. Wickham voiced his concern for safety if the Council would have people go to one place to use the fireworks. Mayor Munyon reminded Wickham of the Kansas State Fire Marshall Administrative Order that fireworks shall not be discharged within 100 feet of a retail fireworks stand or facility where fireworks are stored. The Mayor reported he had contacted the fairground and rodeo committees about allowing fireworks there, but due to insurance this is not a viable option. The American Legion ballfield is not an option due to the proximity of homes. Mayor Munyon said the Fair Board will be meeting to discuss if the building could be used for dog owners to take their dogs in crates to the facility during the 4th of July evening. This will be discussed at their meeting on Wednesday. Driggs will print city ordinances and provide them to fireworks sales people to provide purchasers with the current regulations. A City Minute will also be done concerning fireworks regulations.
- QUANZ RESERVOIR** Thaniel Monaco, engineer for BG Consultants, provided and reviewed a draft project plan with the Council. It was the consensus of the Council to go ahead and submit an application to the Kansas Interagency Advisory Council (KIAC) to meet with them. The potential need for updating some wells will also be discussed at this meeting. Discussion was held concerning reservoir tank types.
- Monaco left at 7:06 p.m.
- 256 W H STREET ALLEY** Paul Speake spoke to the Council concerning the alley behind his home at 256 W H Street. Discussion was held concerning the possible need to expose the natural gas line to verify its depth. City staff will look at the area.
- MINUTES APPROVED** Moved by Rogers, seconded by Voorhees, to approve the May 7, 2018 minutes. Voting Aye: ALL. Opposed: NONE.

APPROPRIATION ORDINANCE #1055-05-18A Moved by Miles, seconded by Wisner, to approve an ordinance to pay the bills for the month of May. Voting Aye: ALL. Opposed: NONE. Statutory majority having voted for this ordinance; the city clerk assigned it ordinance #1055-05-18A.

ARMORY Rogers reported the AED is ready for the armory. He will meet with Driggs concerning the installation.

COUNTY TAX SALE It was the consensus of the Council that the city not bid on any properties listed on the June 11, 2018 Phillips County tax sale list.

DOG POLICY Sage will be providing an update to the city's dog policy and ordinances.

CDBG Staff continue to collect Community Development Block Grant program surveys.

CHARTER ORD #13 CITY CLERK RESIDENCY Moved by Miles, seconded by Wisner, to adopt a charter ordinance exempting the City of Phillipsburg, Kansas, from the provisions of K.S.A. 14-205, providing substitute and additional provisions on the same subject and removing limitations on residency requirements for the City Clerk. Voting Aye: Munyon; McConnell; Voorhees; Miles; Rogers; Wisner. Opposed: NONE. Having over the required 2/3 majority of elected officials voting for the charter ordinance, the City Clerk assigned it Charter Ordinance #13.

RESOLUTION #256 SALES TAX ELECTION The following resolution was presented:

RESOLUTION #256

A RESOLUTION TO SUBMIT TO THE QUALIFIED ELECTORS OF THE CITY THE PROPOSITION OF LEVYING A ONE-HALF PERCENT (0.5%) RETAILERS' SALES TAX IN THE CITY OF PHILLIPSBURG, KANSAS, FOR THE PURPOSE AS FOLLOWS: that additional revenue is needed to maintain and improve city infrastructure, including but not limited to streets, sewer system, and water system;

WHEREAS, K.S.A.12-187 et. seq., and amendments thereto, authorizes the Governing Body to submit to the qualified electors of the City the question of levying a retailers' sales tax to be collected by the State Department of Revenue with revenue therefrom returned to this City; and,

WHEREAS, The Governing Body of the City of Phillipsburg has determined that additional revenue is needed to maintain and improve city infrastructure, including but not limited to: streets, sewer system, and water system.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF PHILLIPSBURG, KANSAS:

SECTION 1: An election shall be held in the matter prescribed by law on the 7th day of August, 2018, for the purpose of submitting to the qualified electors of the City of Phillipsburg, the question of levying a retailers' sales tax in the City of Phillipsburg, for the purpose as follows: that additional revenue is needed to maintain and improve city infrastructure, including but not limited to streets, sewer system, and water system, in the

amount of one-half of one percent (0.5%), such tax to take effect on the 1st day of January, 2019, if approved by a majority of the electors voting thereon.

SECTION 2: If approved by a majority of the electors voting thereon, such tax shall be subject to all applicable state laws and administrative rules and regulations of the Kansas Department of Revenue. The services of the Kansas Department of Revenue shall be utilized to administer, enforce and collect such tax.

SECTION 3: The Clerk and the County Election Officer shall cause notices to be published of this election, as provided by law.

Moved by Rogers, seconded by Voorhees, to adopt Resolution #256. Voting Aye: ALL. Opposed: NONE.

RESOLUTION
#257 BUILDING
PERMIT FEES

The following resolution was presented:

RESOLUTION #257

RESOLUTION ADOPTING BUILDING PERMIT FEE FOR THE CITY OF PHILLIPSBURG, KANSAS.

WHEREAS, the Code of the City of Phillipsburg, Kansas adopted on November 18, 2013, states the fee for building permits shall be set by policy of the Governing Body;

WHEREAS, the Phillipsburg City Council deems it advisable to set the building permit fee;

WHEREAS, the existing fees are no longer covering the expense of providing the service;

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

Section 1: The fee for a building permit will be as follows:

\$.02 per square foot of the main floor

\$.01 per square foot of the basement or additional floor

\$10.00 minimum fee for all building permits.

Section 2: This Resolution shall be in full force and effect June 1, 2018.

Moved by Wisner, seconded by McConnell, to adopt Resolution #257. Voting Aye: ALL. Opposed: NONE.

RESOLUTION
#258 CANVESSER
OR SOLICITOR
LICENSE

The following resolution was presented:

RESOLUTION #258

RESOLUTION ADOPTING FEE FOR CANVASSER OR SOLICITOR LICENSE FOR THE CITY OF PHILLIPSBURG, KANSAS.

WHEREAS, the Code of the City of Phillipsburg, Kansas adopted on November 18,

2013 states the fees for canvasser or solicitor license shall be set by resolution or policy of the Governing Body;

WHEREAS, the Phillipsburg City Council deems it advisable to set fees for the a canvasser or solicitor license;

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

Section 1: The following fee for the canvasser or solicitor license will be \$25 per day per salesperson.

Section 2: The investigation fee for non-county residents will be the fee charged by the Kansas Bureau of Investigation for a background check.

Section 3: This Resolution shall be in full force and effect June 1, 2018.

Moved by Voorhees, seconded by McConnell, to adopt Resolution #258. Voting Aye: ALL. Opposed: NONE.

RESOLUTION
#259 CEMETERY
OPENING AND
CLOSING FEES

The following resolution was presented:

RESOLUTION #259

RESOLUTION ADOPTING CEMETERY GRAVE OPENING AND CLOSING CHARGE FOR THE CITY OF PHILLIPSBURG, KANSAS.

WHEREAS, the Code of the City of Phillipsburg, Kansas adopted on November 18, 2013 states the fees for the opening and closing of any grave in Fairview Cemetery shall be set by resolution or policy of the Governing Body;

WHEREAS, the Phillipsburg City Council deems it advisable to set fees for the opening and closing of the graves in Fairview Cemetery;

WHEREAS, the existing fees are no longer covering the expense of providing the service;

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

Section 1: The following will be the fees for the opening and closing of any grave in Fairview Cemetery:

Grave Opening and Closing Adult (full size) Grave - \$250.00

Grave Opening and Closing Infant Grave – \$200.00

Grave Opening and Closing for Cremation – \$150.00

All services held on Saturday, Sunday, or Holiday additional fee - \$50.00

Fee for notification after 10:00 a.m. the previous Friday of a Monday morning funeral - \$50.00

Section 2: This Resolution shall be in full force and effect June 1, 2018.

Moved by Miles, seconded by Rogers, to adopt Resolution #259. Voting Aye: ALL.
Opposed: NONE.

RESOLUTION
#260 CEMETERY
LOT CHARGE

The following resolution was presented:

RESOLUTION #260

RESOLUTION ADOPTING CEMETERY LOT CHARGE FOR THE CITY OF PHILLIPSBURG, KANSAS.

WHEREAS, the Code of the City of Phillipsburg, Kansas adopted on November 18, 2013 states the fees for cemetery lots in Fairview Cemetery shall be set by resolution or policy of the Governing Body;

WHEREAS, the Phillipsburg City Council deems it advisable to set fees for the cemetery lots in Fairview Cemetery;

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

Section 1: The following will be the fees for the cemetery burial spaces in Fairview Cemetery:

Each burial space for city residents - \$100.00 per burial space or \$800 per lot.
Each burial space for non-city residents - \$200.00 per burial space or \$1,600 per lot.

Section 2: The fee to transfer ownership of spaces will be \$10 per ownership certificate.

Section 3: This Resolution shall be in full force and effect June 1, 2018.

Moved by Wisner, seconded by Miles, to adopt Resolution #260. Voting Aye: ALL.
Opposed: NONE.

RESOLUTION
#261 PLANNING
& BZA FEES

The following resolution was presented:

RESOLUTION #261

RESOLUTION ADOPTING PLANNING COMMISSION ZONING & BOARD OF ZONING APPEALS APPLICATION FEES FOR THE CITY OF PHILLIPSBURG, KANSAS.

WHEREAS, the Phillipsburg City Council deems it advisable to set the Planning Commission Zoning and Board of Zoning Appeals application fees;

WHEREAS, the existing fees are no longer covering the expense of providing the service;

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

Section 1: The fees for all Planning Commission Zoning & Board of Zoning Appeals Application Fees will be \$100 per application.

Section 2: This Resolution shall be in full force and effect June 1, 2018.

Moved by Voorhees, seconded by McConnell, to adopt Resolution #261. Voting Aye: ALL. Opposed: NONE.

RESOLUTION
#262 ANIMAL
POUND FEES

The following resolution was presented:

RESOLUTION #262

RESOLUTION ADOPTING ANIMAL IMPOUNDMENT FEE FOR THE CITY OF PHILLIPSBURG, KANSAS.

WHEREAS, the Code of the City of Phillipsburg, Kansas adopted on November 18, 2013, states the fee for animal impoundment shall be set by policy of the Governing Body;

WHEREAS, the Phillipsburg City Council deems it advisable to set fees for animal impoundment;

WHEREAS, the existing fees are no longer covering the expense of providing the service;

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

Section 1: The fee for animal impoundment shall be \$10.00 per day for the city owned facility. If the animal must be taken to the veterinary clinic, then the fees charged by the veterinary clinic will be paid by the owner of the animal.

Section 2: This Resolution shall be in full force and effect June 1, 2018.

Moved by Rogers, seconded by Wisner, to adopt Resolution #262. Voting Aye: ALL. Opposed: NONE.

AIRPORT

Driggs reported the airport hangar taxiway bids would be opened on Tuesday, May 21, 10:00 a.m., at the City Office.

PUBLIC WORKS

Driggs reviewed the work being done by the Public Works Department.

STREETS

Driggs provided the Council with the following cost estimates for work on State Street north and across F Street a total of 154,000 square feet: Chip Seal \$30,000; Onyx \$35,000; Micro-surface \$171,000. Discussion was held concerning the difference between the types of work/product. The Street Committee will make a recommendation at the next meeting.

PLANNING
COMMISSION

Driggs reported the Planning Commission is recommending the city have John Riggs update the zoning book.

AQUATIC
CENTER

Discussion was held concerning a possible leak at the outdoor pool.

REPORTS

The monthly financial reports were reviewed.

ADJOURN

Moved by Wisner, seconded by McConnell, to adjourn – time 7:40 p.m.

Brenda L. Chance

Brenda L. Chance, City Clerk