

**CITY OF PHILLIPSBURG  
CITY COUNCIL MEETING  
July 17, 2017**

The Phillipsburg City Council met in regular session on July 17, 2017, 6:00 P.M., at the Phillipsburg City Office, 945 Second Street.

- CALL TO ORDER** The meeting was called to order by Mayor Pat Hewitt.
- ATTENDANCE** **PRESENT:** Council members Donna Speake; Rod Innes; Lynette Voorhees; Pete Rogers.  
**ABSENT:** Council members Mike James; Travis Stites.  
**ALSO PRESENT:** Scott Sage, City Attorney; Tim Driggs, Public Works Supervisor; Jesse Rhea, reporter KKAN/KQMA; Kirby Ross, reporter Phillips County Review; Shawn Ellenberger; Angie Wells; Kevin, Chantel, & Camryn Morgan; Tamatha Schurr; Braydon Shellito; Rachel Bachman; Brenda Chance, City Clerk.
- BARN QUILT** Angie Wells informed the Council a 8x8 barn quilt will be painted by Deb Wieshaar using the Prosperity pattern. The public works department will help install the quilt on the Senior Center north wall.
- DUCK RACES** Wells told the Council the Chamber will not be having the duck races this year. They will be considering doing it again next year possibly at the beginning of the swim season and working with the school students. Wells will work with Lively and Driggs to plan the event.
- PARK RESTROOM VANDELISM** Camryn Morgan and Braydon Shellito met with the Council to discuss vandalism that occurred at the park restrooms. Morgan & Shellito will pick up trash in the community and meet with Judge Leidig on Wednesday, 7/21, at 3:30 p.m. Morgan & Shellito also apologized for their actions.  
  
Schurr, Shellito, the Morgans, and Wells left the meeting at 6:12 p.m.
- INSURANCE** Rachel Bachman, Conrade Insurance, provided information to the Council and requested they consider allowing her to quote the city's insurance as she has a carrier that can compete with EMC Insurance.
- MINUTES APPROVED** Moved by Innes, seconded by Voorhees, to approve the July 3, 2017 meeting minutes as written. Voting Aye: ALL. Opposed: NONE.
- APPROPRIATION ORDINANCE #1055-07-17A** Moved by Rogers, seconded by Speake, to approve an ordinance to pay the bills for the month of July. Voting Aye: ALL. Opposed: NONE. Statutory majority having voted for this ordinance; the city clerk assigned it ordinance #1055-07-17A.
- RESOLUTION #248  
376 6<sup>th</sup> STREET  
DANGEROUS  
STRUCTURE** The following resolution was presented:  
  
RESOLUTION NO. 248  
A RESOLUTION FINDING THAT THE STRUCTURE LOCATED ON LOTS 24 & 25, BLOCK 2, MORSE CLUB ADDITION TO THE CITY OF PHILLIPSBURG, KANSAS, COMMONLY KNOWN AS 376 SIXTH STREET, PHILLIPSBURG,

KANSAS, IS UNSAFE OR DANGEROUS AND DIRECTING THE STRUCTURE TO BE REMOVED AND THE PREMISES MADE SAFE AND SECURE.

WHEREAS, the Enforcing Officer of the City of Phillipsburg, Kansas, did on the 20<sup>th</sup> day of February, 2017, file with the governing body of said City a statement in writing that a certain structure, hereinafter described, was unsafe and dangerous, and

WHEREAS, the governing body did by Resolution dated the 6<sup>th</sup> day of March, 2017, fix the time and place of a hearing at which the owner, his or her agent, any lienholders of record and any occupant of such structure could appear and show cause why such structure should not be condemned and ordered repaired or demolished, and provided for giving notice thereof as provided by law; and

WHEREAS, such Resolution was published in the official city paper on the 15<sup>th</sup> day of March, 2017, and on the 22<sup>nd</sup> day of March, 2017, and a copy of such Resolution was served on all persons entitled thereto in all respects as provided by law; and

WHEREAS, on the 1<sup>st</sup> day of May, 2017, the governing body heard statements from the owner of the property in question, wherein the owner asked for a continuance of said May 1, 2017 hearing. After further discussion it was agreed between the City and the Owner to continue the May 1, 2017 hearing until July 3, 2017. That said hearing resumed on July 3, 2017, with the City present. The owner failed to appear. The governing body heard all evidence submitted by the enforcing officer of the City. The owners, agents, lienholders and occupants of such structure did not appear.

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

That said governing body hereby finds that the structure located on Lots 24 & 25, Block 2, Morse Club Addition to the City of Phillipsburg, Kansas, commonly known as 376 Sixth Street, Phillipsburg, Kansas, is unsafe and dangerous and hereby directs such structure to be removed and the premises made safe and secure. The owner or owners of such structure are hereby given 60 days from the date of publication of this Resolution within which to commence the removal of such structure, such removal to be completed within 60 days, and if such owners fail to commence the removal of such structure within the time stated or fail to diligently prosecute the same until the work is completed, said governing body will cause the structure to be razed and removed and the costs of such razing and removing, less salvage if any, to be assessed as a special assessment against the lot or parcel of land upon which the structure is located as provided by law.

BE IT FURTHER RESOLVED, that the City Clerk shall cause this Resolution to be published once in the official city paper and a copy mailed to the owners, agents, lienholders and occupants as provided by law.

Moved by Innes, seconded by Rogers, to adopt Resolution #248. Voting Aye: ALL. Opposed: NONE.

ORD #1406  
UNIFORM PUBLIC  
CODE

Moved by Rogers, seconded by Voorhees, to adopt an ordinance regulating public offenses within the corporate limits of the City of Phillipsburg, Kansas; incorporating by reference the "Uniform Public Offense Code for Kansas Cities," Edition of 2017, providing certain penalties and repealing ordinance no. 1392, adopted August 17, 2015.

Voting Aye: ALL. Opposed: NONE. Statutory majority having voted for this ordinance; the city clerk assigned it ordinance #1406.

ORD #1407  
STANDARD  
TRAFFIC  
ORDINANCE

Moved by Innes, seconded by Rogers, to adopt an ordinance regulating traffic within the corporate limits of the City of Phillipsburg, Kansas; incorporating by reference the "Standard Traffic Ordinance for Kansas Cities," edition of 2017, providing certain penalties and repealing Ordinance No. 1391, adopted August 17, 2015. Voting Aye: ALL. Opposed: NONE. Statutory majority having voted for this ordinance; the city clerk assigned it ordinance #1407.

BANK SECURITY

Moved by Voorhees, seconded by Speake, to authorize the Mayor to sign the Bank Security and Custodial Agreements with First National Bank & Trust and Bankers' Bank of Kansas. Voting Aye: ALL. Opposed: NONE.

Bachman left the meeting at 6:23 p.m.

KS REVOLVING  
WATER LOAN

Driggs provided information to the Council concerning KDHE acceptance of the city's application for funding from the Water Revolving Loan fund.

PUBLIC WORKS

Driggs reported on activities of the public works department.

CODE  
ENFORCEMENT

Discussion was held concerning the method of service for code enforcement notices. Mayor Hewitt will provide personal service of the notices at this time. The Law Enforcement Committee will meet with Sheriff Radabaugh to discuss service of notices.

855 5<sup>th</sup> ST.  
WATER

Driggs reported the meter at 855 5<sup>th</sup> Street had been locked on instead of off. He has been unable to contact the owner at this time. It was the consensus of the Council that no bill be sent for any water used during the time the meter was to be off and to have staff review the internal controls.

FIREHOUSE

The air conditioner in the education room of the firehouse is being replaced at an estimated cost of \$5,700. Phillips County EMS and the City will share the cost.

SEWER TRUCK

Driggs reported the insurance company had totaled the Vac Con sewer truck and stated the value at \$36,000. It was the consensus of the Council to not buy the truck back and look for a different truck to purchase.

WASTE TIRE

The Waste Tire Grant agreement has been received. Driggs will order the benches.

COMM BLDG  
ROOF

The insurance reimbursement for the community building roof replacement has been received.

AIRPORT  
EMERGENCY  
PLAN

Driggs reported the Airport Advisory Board recommended the city join the Kansas Airport Association (KAA) and to adopt the airport emergency plan. Moved by Innes, seconded by Voorhees, to adopt the airport emergency plan. Voting Aye: ALL. Opposed: NONE.

TAXIWAY  
DESIGN

Driggs also reported the Airport Advisory Board would like to start the engineering to design the hanger taxiway.

KAA MEMBERSHIP Moved by Innes, seconded by Speake, to join the KAA. Voting Aye: ALL. Opposed: NONE.

AIRPORT OFFICE It was the consensus of the Council to have staff remodel the airport office restrooms for ADA compliance.

APPOINTMENTS The airport board appointments are still needed.

PLANNING Driggs reported the Planning Commission will meet Wednesday, July 19.

NEX-TECH INTERNSHIP Discussion was held concerning the Nex-Tech summer internship program for the summer of 2018.

FIREWORKS Voorhees reported receiving complaints about fireworks use. Discussion was held concerning possible changes to the fireworks ordinance.

STREETS Speake asked about street sweeping around the square. Driggs reported the sweeping will be done before rodeo week.

ADJOURN Moved by Voorhees, seconded by Speake, to adjourn time – 7:06 p.m.

*Brenda L. Chance*  
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Brenda L. Chance, City Clerk