

## CITY OF OSAGE CITY

### COUNCIL MEETING

August 10, 2021

**ROLL CALL:** Now on this 10th day of August 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, Karey Heiserman, Dale Schwieger, Mike Gilliland, Sharon Larson, and Jeanette Swarts. Officials present: Rick Godderz, City Attorney; Rod Willis, City Manager; Katie Hodge, City Treasurer; Terri Fultz, City Clerk; Sadie Boos, Deputy City Clerk and Director of Utilities, Kris Kline. Others present: Gerad Fagan.

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

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

**RECOGNITION OF VISITORS:** None

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

##### **1. Approval of July 13, 2021 Regular Meeting Minutes.**

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

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

- 1. Approval of Ordinance No. 1660 Providing for a Change of Zoning from Residential (R-1) to Restricted Commercial District (C-1) on the Gerad Fagan property at 410 North 6<sup>th</sup> Street, as unanimously recommended by Planning & Zoning Committee following the Public Hearing on July 21, 2021. No comments were received during the 14-day protest period:**

*Motion made by Schwieger, second by Schoepflin to adopt Ordinance No. 1660 Providing for a Change of Zoning of a Tract of Land from Residential (R-1) to Restricted Commercial District (C-1) located within the City limits of the City of Osage City, Kansas, to-wit: Commencing in the extension northward of the East line of Sixth Street, in Wetherell's Addition to Osage City, 450 feet North of a point where said line intersects the South line of Section 23, Township 16 South, Range 14 East of the 6<sup>th</sup> P.M., as the place of beginning; thence East 150 feet; thence South 55 feet; thence West 150 feet; thence North 55 feet to the place of beginning, Osage County, Kansas; and a tract in the SW1/4 of the SE1/4 beginning 450 feet North of Section line on extended East line of 6<sup>th</sup> Street; thence North 100 feet; thence East 150 feet; thence South 100 feet; thence West 150 feet to the point of beginning, Osage County, Kansas; and a tract in the South Half of the Southeast Quarter of Section 23, Township 16 South, Range 14 East of the 6<sup>th</sup> P.M., described as follows: Commencing at a point 150 feet East of the East line of Sixth Street, Osage City and 275 feet North of the South line of said Southeast Quarter for the place of*

*beginning; thence North along a line parallel to and 150 feet East of the East line of Sixth Street, Osage City to the intersection with the Southerly property line of the Missouri Pacific Railway; thence Eastwardly along said Southerly property line of said Missouri Pacific Railway to the intersection with the Northwesterly property line of said Atchison Topeka and Santa Fe Railway to a point 275 feet North of the South line of said Southeast Quarter; thence West 187 feet, more or less, to the point of beginning, in Osage County, Kansas; and all that part of the South Half of Section 23, Township 16 South, Range 14 East of the 6<sup>th</sup> P.M., described as follows: Commencing at a point of intersection of the East Line of Sixth Street, Osage City, Osage County, Kansas, with the South line of said South ½ of Section 23, thence Northwardly along said East line of Sixth Street a distance of 275 feet for place of beginning; thence North 120 feet; thence East 150 feet; thence South 120 feet; thence West 150 feet to place of beginning, more commonly known as 422 N. 6<sup>th</sup> Street. The motion was declared carried.*

**2. Approval of Ordinance No. 1661 Authorizing Sunday Sales of Alcoholic Liquor and Cereal Malt Beverage to begin at 9:00 a.m. instead of 12:00 noon as amended by Kansas House Bill 2137:**

*Motion made by Peterson, second by Schwieger to adopt Ordinance No. 1661 Authorizing Sunday Sales of Alcoholic Liquor and Cereal Malt Beverage in the Original Package within the City of Osage City and Repealing Ordinance 1465 and Portion of Section 4-37 Article II and Repealing Ordinance 1579 and a Portion of Section 4-108 Article 4 Chapter 4 Code of City of Osage City, Kansas. Roll call vote: Swarts-Nay, Larson-Nay, Gilliland-Yea, Schwieger-Yea, Heiserman-Yea, Schoepflin-Yea, Peterson-Yea and Houghton-Nay. Vote 5 Yea and 3 Nay the motion was declared carried.*

**3. Authorize Mayor Brewer to execute the Jarred, Gilmore & Phillips letter to confirm understanding of the services to be provided for the 2021 Annual Audit in the amount of \$9,200.00 plus \$1,900.00 for single audit if required, and the 2022 Annual Audit in the amount of \$9,200.00 plus \$1,900.00 for single audit if required – City Treasurer Katie Hodge:**

*Motion made by Schwieger, second by Schoepflin to authorize the Mayor to sign the document confirming understanding of the services to be provided for the 2021 Audit in the amount of \$9,200.00 plus \$1,900.00 for single audit if required, and the 2022 Audit in the amount of \$9,200.00 plus \$1,900.00 for single audit if required by Jarred, Gilmore & Phillips. The motion was declared carried.*

**4. Approval of the Application for Sale and Consumption of Alcoholic Liquor and/or Cereal Malt Beverages at Special Events Permit on Public Property at the Jones Park Disc Golf Course and parking lot on October 9, 2021, as requested by the Osage City Chamber of Commerce – Executive Director Jeanette Swarts:**

*Motion made by Schwieger, second by Schoepflin to approve the application for Sale and Consumption of Alcoholic Liquor and/or Cereal Malt Beverages for Special Event Permit on Public Property Jones Park Disc Golf Course and parking lot on October 9, 2021 as requested by the Osage City Chamber of Commerce. The motion was declared carried.*

**5. Request from the siblings of Tom Lane for a park bench to be placed in Huffman Park as a donation from Tom Lane Memorial Funds in a letter received from John Lane of Wichita, Kansas:**

*Motion made by Houghton, second by Larson to approve the Memorial/Dedication for a donation of a park bench in Huffman Park in from the Tom Lane Memorial in memory of Tom Lane. The motion was declared carried.*

**6. Executive session for Attorney-Client matters to include Mayor and City Council, City Attorney, City Treasurer, City Clerk, Utilities Director, and City Manager:**

*Motion made by Schwieger, second by Schoepflin at 7:16 p.m. to recess to Executive Session for a period of 10 minutes for Attorney-Client matters to include Mayor, City Council, City Attorney, City Treasurer, City Clerk, Utilities Director, and City Manager. The motion was declared carried.*

At 7:26 p.m. Mayor Brewer called the meeting back into open session with no formal action to be taken.

**ADJOURNMENT:** *At the request of Council Member Heiserman at 7:28 p.m., and on her motion, seconded by Council Member Swarts and carried unanimously, the meeting adjourned.*

APPROVED: \_\_\_\_\_ ATTESSED: \_\_\_\_\_  
**Rebecca Brewer** **Teresa Fultz**  
**Mayor** **City Clerk**