

## CITY OF OSAGE CITY

### COUNCIL MEETING

February 8, 2022

**ROLL CALL:** Now on this 8th day of February 2022, 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: Jim Peterson. Council Members: Cathryn Houghton, Brian Stromgren, Bruce Schoepflin, Karey Heiserman, Jeff Tice, Mike Gilliland and Sharon Larson. Council Member Jeanette Swarts attended remotely. City Attorney Rick Godderz was excused. Officials present: Rod Willis, City Manager and Katie Hodge, Deputy City Manager/City Treasurer; Terri Fultz, City Clerk; Dale Schwieger, Utility Director and Sadie Boos, Deputy City Clerk. Others present: Eric Tincher and Shelley Robertson. Present remotely: Eric Vogel.

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

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

**RECOGNITION OF VISITORS:** None

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

1. **Approval of January 25, 2022 Regular Meeting Minutes.**

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

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

1. **Approval of the 25% City of Osage City match in the amount of \$206,586.56 toward the Broadband Acceleration Grant Program from the Kansas Department of Commerce, as requested by grant applicant KWIKOM Communications, Inc. Total cost of the project will be \$826,346.25 with the Kansas Department of Commerce paying 50%, KWIKOM paying 25%, and the City paying 25%. The 25% match from the City will be funded through the American Rescue Plan Act (ARPA) of 2021 funds in the award amount of \$426,143.86 for Osage City. Broadband is an authorized purpose of ARPA funding for municipalities. Tabled January 25, 2022 for firm cost of engineering and project – Eric Vogel, Operations Manager, and John Terry, Business Development Manager, of KWIKOM Communications, Inc.:**

*Motion made by Gilliland, second by Schoepflin to approve the 25% City of Osage City match in the amount of \$206,346.25 from the American Rescue Plan Act (ARPA) funds received by the City of Osage City in 2021 and will be used toward the Broadband Acceleration Grant Program from the Kansas Department of Commerce for the grant application from KWIKOM Communications, Inc. The motion was declared carried.*

- 2. Authorize Mayor James Peterson to sign the Letter of Commitment/Support for the Broadband Acceleration Grant Program application being submitted by KWIKOM Communications, Inc. for the broadband installation project in the City of Osage City:**

*Motion made by Schoepflin, second by Heiserman to authorize Mayor Peterson to sign the Letter of Commitment/Support for the Broadband Acceleration Grant Program application submitted by KWIKOM Communications, Inc. for the broadband installation project. The motion was declared carried.*

- 3. Consider policy change to allow food trucks on public areas of Osage City. Currently, food trucks are only allowed on private property, with the exception of certain public events, such as Smoke in the Spring, Christmas on Market, 4-H Fair, etc. Requested by Shelley Robertson of Topeka for “exploring options for a mobile margherita express to have at your events”.::**

Shelley Robertson of Topeka was present requesting permission from the City Council to set up a mobile margherita express at public events.

City Manager Rod Willis explained the City ordinance as currently written does not allow mobile food trucks on public property, except for certain public events. If City Council is interested in changing the City ordinance this could be done.

At this time, it was the general consensus of the City Council to not make any changes to the current ordinance. The vendor would be welcome to come and set up at special events or on private property as allowed by State and City laws in regards to selling alcoholic beverages.

- 4. Approval of Woodward Painting & Restoration of Osage City labor bid in the amount of \$11,300.00 for swimming pool painting bid, with epoxy paint and primer in the amount of \$12,400.00 from Chemquest, Inc. for a \$23,700.00 total. Other bids received were Torrey Bros. Construction, Inc. of Wamego in the amount of \$42,900.00 for epoxy paint and labor, and Swims & Sweeps, Inc. of Topeka in the amount of \$43,045.30 for epoxy paint and labor – Parks Superintendent Gary Thompson:**

*Motion made by Heiserman, second by Schoepflin to approve the bid from Woodward Painting & Restoration of Osage City in the amount of \$11,300.00 for the labor in painting the swimming pool, with the epoxy paint and primer approved to be purchased from Chemquest, Inc. in the amount of \$12,400.00 for the project total of \$23,700.00. The motion was declared carried.*

- 5. GreatLIFE Licensed Affiliate Program Agreement three-year maximum contract term with the City of Osage City ends February 28, 2022. The Golf Board plans to end the affiliation with GreatLIFE when the contract ends, with City approval:**

The Osage City Golf Board has requested the Affiliate Program Agreement with GreatLIFE be ended when the contract ends on February 28, 2022.

*Motion made by Larson, second by Schoepflin to approve ending the Great LIFE Affiliate Program Agreement on February 28, 2022 and no renewal of the contract. The motion was declared carried.*

6. **Authorize the \$3,000.00 donation to the annual fireworks celebration as requested by the Osage City Chamber of Commerce Fireworks Celebration Committee:**

*Motion made by Heiserman, second by Schoepflin to authorize the donation of \$3,000.00 to the annual fireworks celebration sponsored by the Osage City Chamber of Commerce. The motion declared carried.*

7. **Approval of Employee Personal Benefits, Procedures and Regulations Manual Section D-1. Pay Plan Policy Manual revision from “must be approved by City Council at the recommendation of the City Manager” to “must be approved by City Manager at the recommendation of the appropriate department head”.::**

City Manager Rod Willis presented a proposal request to the City Council to make a change to the Personnel Benefits, Procedures and Regulations Manual in Article D – Compensation, D-1. Pay Plan. Currently the manual reads, “The salary of each employee of the City (except those appointed officers whose salary is specifically set by ordinance), shall, at least annually, be set at an amount of at least the minimum amount for the position class the employee is assigned. Such determination shall be made by the City Manager upon recommendation of the appropriate department head. An employee’s continued employment at the salary rate within the class assigned to him/her shall be contingent upon the provisions outlined in Section D-3. Any wage or salary increase, above the adopted pay matrix step amounts, or above approved merit amounts whether percentage or set monetary amount, must be approved by City Council at the recommendation of the City Manager.”

The proposed change would be in the last sentence of the paragraph to read, “Any wage or salary increase, above the adopted pay matrix step amounts, or above approved merit amounts whether percentage or set monetary amount, must be approved by City Manager at the recommendation of the appropriate department head.”

The proposed change would aid the City Manager and Department Heads in the hiring and retention of employees. This would provide more flexibility in offering a competitive wage above the matrix to hire in new employees and to allow a current employee a wage above the matrix based on merit or performance.

There was discussion as to why the policy should be changed as proposed and discussion as to why not to accept the change in the current policy language.

*Motion made by Houghton, second by Gilliland to approve the proposed change to the Personnel Benefits, Procedures and Regulations Manual in Article D- Compensation, D-1. Pay Plan language from “must be approved by City Council at the recommendation of the City Manager” to “must be approved by City Manager at the recommendation of the appropriate Department Head”. Roll call vote; Swarts-yea, Larson-yea, Gilliland-yea, Tice-yea, Heiserman-nay, Schoepflin-nay, Stromgren-nay, Houghton-yea. With a vote of 5 yea to 3 nay the motion was declared carried.*

8. **Executive Session for matters of data relating to financial affairs of second parties to include Mayor and City Council, City Attorney, Deputy City Manager/City Treasurer, Utilities Director, City Clerk, and City Manager.**

*Motion made by Heiserman, second by Schoepflin at 7:48 p.m. to recess to Executive Session for a period of 15 minutes for Matters of Data Relating to Financial Affairs of Second Parties to include Mayor, City Council, City Attorney, Deputy City Manager/City Treasurer, Utilities Director, City Clerk, and City Manager. The motion was declared carried.*

At 8:03 p.m. Mayor Peterson declared the meeting back into open session.

*Motion made by Stromgren, second by Schoepflin at 8:05 p.m. to recess to Executive Session for a period of 15 minutes for Matters of Data Relating to Financial Affairs of Second Parties to include Mayor, City Council, City Attorney, Deputy City Manager/City Treasurer, Utilities Director, City Clerk, and City Manager. The motion was declared carried.*

At 8:20 p.m. Mayor Peterson declared the meeting back into open session.

*Motion made by Schoepflin, second by Gilliland at 8:23 p.m. to recess to Executive Session for a period of 15 minutes for Matters of Data Relating to Financial Affairs of Second Parties to include Mayor, City Council, City Attorney, Deputy City Manager/City Treasurer, Utilities Director, City Clerk, and City Manager. The motion was declared carried.*

At 8:38 p.m. Mayor Peterson declared the meeting back into open session.

*Motion made by Schoepflin, second by Stromgren at 8:40 p.m. to recess to Executive Session for a period of 10 minutes for Matters of Data Relating to Financial Affairs of Second Parties to include Mayor, City Council, City Attorney, Deputy City Manager/City Treasurer, Utilities Director, City Clerk, and City Manager. The motion was declared carried.*

At 8:50 p.m. Mayor Peterson declared the meeting back into open session with no formal action to be taken.

**ADJOURNMENT:** *At the request of Council Member Schoepflin at 8:55 p.m., and on his motion, seconded by Council Member Heiserman and carried unanimously, the meeting adjourned.*

APPROVED: \_\_\_\_\_ ATTESTED: \_\_\_\_\_  
**James Peterson** **Teresa Fultz**  
**Mayor** **City Clerk**