

CITY OF OSAGE CITY
COUNCIL MEETING
March 14, 2023

ROLL CALL: Now on this 14th day of March 2023, 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: Mike Gilliland, Mayor. Council Members: Cathryn Houghton, Brian Stromgren, Bruce Schoepflin, Shirley Bausman, Jeff Tice, Sharon Larson with Council Member Eric Tincher on the speaker phone. Excused: Council Member Jeanette Swarts. Officials present: Rick Godderz, City Attorney; Rod Willis, City Manager; Katie Hodge, Deputy City Manager/City Treasurer; Sadie Boos, City Clerk; Gary Thompson, Parks & Facilities Superintendent; Fred Hallowell, Streets & Sanitation Superintendent; Jim Welch, Code Administrator; and Dale Schwieger, Utility Director. Others present: Brian Gragg, Steve Evans, and Richard Ribelin. Online: WW

APPROVAL OF THE AGENDA:

Motion by Tincher, second by Schoepflin to approve the amended agenda. The motion was declared carried.

RECOGNITION OF VISITORS:

Brian Gragg of 443 North 13th Street has problems with water pooling on his property 2-3 inches deep in his front yard and about a foot deep in his back yard resulting from the railroad ditch being filled with garbage, trees and dirt over the years. The drainage is supposed to be to the west, but the lack of maintenance of the railroad ditch backs up the water in the yard. Brian's property is located south of the old MOPAC railroad bed and west of 13th Street. The railroad ROW is now the Flint Hills Trail being developed through Osage City. Steve Evans who has lived 29 years in Osage City supported Brian Gragg on the problems with the drainage.

Streets & Sanitation Superintendent Fred Hallowell explained the ditch going west has not been maintained since the railroad ditch does not belong to the City. Fred does have the ditch flagged to be cleaned along 13th Street which is City ROW. Since the Flint Hills Trail project is to begin soon, Council Member Schoepflin is requesting talking to engineering to see if cleaning the ditch going west is part of the project plans and to update Brian Gregg about the plans.

Richard Ribelin expressed his concerns about not being notified before ROW tree trimming at his property, revenue neutral rate being exceeded by the City with high property taxes, high utility bills, especially gas. Utilities Director apologized for the lack of notification of the tree trimming and will discuss the notification issue with the KMEA Line Crew.

APPROVAL OF THE CONSENT AGENDA:

- 1. Approval of February 28, 2023 Regular Meeting Minutes**

Motion by Schoepflin, second by Tincher to approve the amended consent agenda. The motion was declared carried.

BUSINESS BEFORE THE COUNCIL:

- 1. Approval of Kansas Municipal Gas Agency (KMGA) Natural Gas Prepay Participation Agreement for the Prepay Gas Supply Project through Minnesota Municipal Gas Agency (MMGA) as Tax Exempt Bond Issuer, Royal Bank of Canada (RBC) as Gas Supplier, BP Energy as Commodity Swap Provider, and KMGA and Member Cities as Participants for a discount range from 25-40 cents below market index prices – Natural Gas Prepay Participation Agreement from Dixie Riedel, Gas Manager KMGA**

KMGA Natural Gas Prepay Participation Program has been discussed several times in recent City Council meetings covering bond repricing every 5-6 years required to meet minimum gas price reduction during repricing or the City does not have to participate, 50% projected load on a 30 year contract, City can reevaluate if major gas load reduction or increase occurs.

Motion by Larson, second by Schoepflin to approve the KMGA Natural Gas Prepay Participation Agreement. The motion was declared carried.

- 2. Approval of Army Reserve 50-year Lease Agreement renewal – Mark Gellings**

Motion by Tincher, second by Stromgren to renew the Army Reserve 50-year Land Lease. The motion was declared carried.

- 3. Approval of CXT Precast Pomona 30' x 26' concession stand and bathrooms in the amount of \$301,047.80 as awarded by the \$400,000.00 Walter S. and Evan C. Jones Trust for the Lincoln Park & Jones Park Enhancement Project – Grant Writer Katie Hodge, Parks & Facilities Superintendent Gary Thompson, Parks & Recreation Director Corey Linton and Utilities Director Dale Schwieger**

Discussion on the new CXT Concession Stand and Bathrooms covered location requirements and logistics regarding utilities of electric, water and sewer fitting in with budget funds of the \$400,00 Jones Grant, \$20,000 ARPA and \$7,900 CIP totaling \$427,900 for the Jones Park improvements and playground equipment for Lincoln Park. Parks & Facilities Superintendent Gary Thompson addressed details of location at Jones Park. Council Member Schoepflin expressed concern over getting the CXT building over the option of looking at local builders. Utilities Director Dale Schwieger's concern with local builders was the price of getting a building engineer estimated at \$10,000-\$20,000 plus the time involved. Deputy City Manager/City Treasurer Katie Hodge emphasized the Jones Grant project must be completed within one year, as Katie was contacted by the Jones Trust on February 9, 2023.

Motion by Houghton, second by Tincher to approve the 30' x 26' Concession Stand and Bathrooms in the amount of \$301,047.80 from CXT. Voting 'Yea' are Houghton, Stromgren, Bausman, Tice, Tincher and Larson. Voting 'Nay' Schoepflin. Motion was declared carried by a 6-1 vote.

- 4. \$ Approval of Cullum & Brown of Kansas City, Missouri proposal for a Duplex Reciprocating Air Compressor in the amount of \$9,461.08 for replacement of the Water Plant compressor. Other bid received was Quality Automotive Equipment & Service of**

Paola, Kansas in the amount of \$11,957.20 total – Water & Gas Superintendent Ken Talkington and Utilities Director Dale Schwieger

Utilities Director Dale Schwieger explained the new water plant compressor would replace the old compressor installed in 1987 and rebuilding the old compressor would be \$4,500 for the one side that has failed. Only two bids were received for two different capacities of compressors. Realizing the lower \$9,461.08 Cullam & Brown bid did not include sales tax, a motion of not to exceed \$11,000 was suggested which did not occur, instead leading to discussion on the capacity needed at the water plant.

Motion by Schoepflin, second by Tincher, to table to the next meeting to get bids for a larger capacity compressor. The motion was declared carried.

- 5. Approval of Truck Component Services (TCS) of Strafford, Missouri net bid in the amount of \$100,917.00 for a 2023 Loadmaster Excel-s 20yd Compaction Body for the Sanitation Department. Other bid received from Armor Equipment of Arnold, Missouri of \$113,147.80 net amount for a Heil PT 1000 Rear Loader. One company contacted declined to submit a bid due to uncertain price changes in the market between quote date and delivery date – Street & Sanitation Superintendent Fred Hallowell**

Streets & Sanitation Superintendent Fred Hallowell explained the current International truck has a 2017 Loadmaster Excel 20yd compaction body and has been a reliable unit to operate and service.

Motion by Schoepflin, second by Stromgren to approve the \$100,917.00 net bid from Truck Component Services for a 2023 Loadmaster Excel Compaction Body. The motion was declared carried.

- 6. Approval of Resolution No. 1102 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 26, 28, 30 and 32, Block 1, Admire & Scott Addition, City of Osage City, commonly known as 602 North 5th 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 9, 2023 at 7:00 p.m. in the City Council Room, 221 South 5th Street, Osage City, Kansas – Code Administrator Jim Welch**

Code Administrator Jim Welch described the current situation and past efforts in addressing 602 North 5th Street leading to the request for a condemnation public hearing.

Motion by Schoepflin, second by Tice to approve Resolution No. 1102 for a condemnation public hearing on 602 North 5th Street. The motion was declared carried.

- 7. Demolition Permit changes requested by Code Administrator Jim Welch and discussion on adopting the International Property Maintenance Code**

Code Administrator Jim Welch is recommending the Demolition Permit be changed from 120 days to 90 days for completion of the demolition, and the Demolition Agreement be changed

from 150 days to 90 days for completion of the demolition. In addition, Ordinance No. 1406 will need to be replaced with a new ordinance to remove “Basement foundations shall be broken up and may be used to partially fill the basement.” and replacing with “All basement foundations and basement floors shall be broken up and completely removed from the site.”

Motion by Schoepflin, second by Tice to change the Demolition Permit to 90 days, the Demolition Agreement to 90 days, and for the new ordinance stating “All basement foundations and basement floors shall be broken up and completely removed from the site.” The motion was declared carried.

The International Property Maintenance Code was for discussion and would help with properties that are a blight, unhealthy and/or unsafe to occupy. City Attorney Rick Godderz agrees with the intent of the code, but stated enforcement of the maintenance code would be difficult to carry out. No action was taken.

8. **Planning & Zoning Board is hosting Jim Kaup, the attorney who developed the Zoning & Subdivision Regulations for the City of Osage City in 2008-2009 in a workshop on Wednesday April 19, 2023 in City Council Chambers. City Council Members are welcome to attend if interested – Workshop materials from Jim Kaup, Presenter, of Kaup Law Office in Topeka**

Information item only with no action taken.

9. **KMGA Executive Committee is Wednesday March 22, 2023 at 10:30 a.m. in the Santa Fe Depot. City Council Members are welcome to attend if interested. Lunch will be served following the meeting – Rod Willis**

Information item only with no action taken.

10. **City of Overbrook Invitation for a Mayor’s Summit on Monday March 27, 2023 to help find collective solutions for the present and future - Mayor Jon Brady of Overbrook**

Mayor Mike Gilliland presented the invitation letter to City Council for anyone interested in attending. Information item only with no action taken.

11. **Executive session for 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 by Schoepflin, second by Tice to enter into executive session for 10 minutes for 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 was declared carried.

Executive session entered at 9:13 p.m. and came out at 9:23 p.m. with action to be taken.

Motion by Schoepflin, second by Tice to accept offer from Hawkeye Helicopter, LLC to purchase the red hanger (Sky Dive) from the City. The motion was declared carried.

IV. Adjournment:

At the request of Council Member Houghton and on her motion, seconded by Council Member Schoepflin and carried unanimously, the meeting adjourned.

APPROVED: _____
Mike Gilliland, Mayor

ATTESTED: _____
Sadie Boos, City Clerk