

Special Council Meeting
January 22, 2013 6:30 p.m.
City of Oswego, Kansas

Present: Councilmembers Dee Brown, Jane Rea, Bill Owens, Darren Tynan, Terry Edwards and Ty Lewis with Mayor Glenn Fischer presiding.

Also present: City Clerk Cheri Peine, Deputy City Clerk Carol Eddington, City Superintendent Donnie Allison, Attorney Rick Tucker, Rob Robison, Bret Middleswart, Charles Stone, Bill Minor, Jim Stephens, Chris Westervelt, Tom and Susan Bringle, police officers Joe Royer and Don Sauer, Bryce Rea, Phil Blair, Rick Bryant, Tom Epler, Bob Epler, Kiman Kingsly, Robin Harrison and John Dickinson.

Airport

Fuel

Clerk Peine reported that the City has received the necessary documents from the engineer to put the fuel project out for bid. Results of the bids will be presented to the Council at the March Council meeting and the hope is to have the fuel in place by June.

Asphalt Project

Clerk Peine said the city has contacted the FAA and are waiting to hear from them on whether there is any funding available for the proposed asphalt project connecting the apron to the road.

Land Acquisition

Mayor Fischer recognized there were many individuals attending the meeting due to this subject. He said the individuals would have 3 minutes to speak and then the Council would go into executive session. He called on Bret Middleswart first since he is landowner that will be impacted.

Middleswart said he could not see the justification for spending the kind of money the city is putting into the airport since there is no traffic out there. He has put a lot of time, dollars and hard work into the land just to have someone come and take it away. He also said that the previous two councils told him that the property would not go to Eminent Domain. Middleswart feels it is ridiculous to spend money on fuel for only one plane that is out there, not to mention the fact that the fuel will need to be monitored weekly. He asked if any of the Council would like it if someone came to take away their property.

Kiman Kingsly, a crop duster, stated that he has sprayed fields in this area and sat on airport boards. He said that if the city turns down the money for the airport, it would be going backwards. He has personally seen where having an airport has brought in a business to a community and feels that it is very important for future growth to have an airport.

Rob Robison, lives out by the airport and said he has not seen one single plane in two months at the airport. He feels it will not change anything just because the city builds it.

He stated that he has had problems with fuel tanks being raided and wondered how the city was going to guard the fuel they intend to put out there.

Bill Minor said that there are no planes coming in now to get fueled up because there is no fuel out there; that there are no planes coming in for service because there is no one there to work on them. The airport needs the hangar space to grow.

Chris Westervelt, son of Wyman Westervelt, said his father could not attend the meeting. He said that his father has been farming the surrounding land for years and doesn't understand why this is so important for Oswego and Cherokee County.

Phil Blair asked the Mayor and Council to address what business may come because of the improvements. Clerk Peine said that a couple of people want to build hangars – one would do an airplane repair business out of their hangar. Once fuel becomes available, more pilots will use the airport (such as pilots going to Claythorne). She also said that there will be property tax on the hangars and ground leases as other revenue for the city.

Jim Stephens said that he has worked on various projects in Oswego for the past 30 years – one of which was sealing the airport runway years ago partly through funding from private donations of those who wanted to see that the airport remained.

Phil Blair said that he understood the property owners objections – that he would feel the same way if it was his property, however, the city has the responsibility to consider the greatest good for the greatest number of people. Oswego is known as a progressive city. There are many things in Oswego that other small communities wish they had. The reason the city has these things is because of the decisions made by the Governing Body over the years. If the city were to maintain the status quo, Oswego would be headed for a slow death.

Robin Harrison commented that at a city near her, Walmart would not build in the community if they did not have an airport.

Charles Stone, Airport Board, said he has two planes out at the airport and he gets them out two or three times per month. He would like to see the airport grow. It is a nice little airport.

Rea made a motion and Brown seconded to go into executive session with the Mayor, Council, City Attorney, City Clerk, City Superintendent and Consultant Rick Bryant, to discuss acquisition of land, for approximately 15 minutes. Motion carried with Owens voting no. Executive session began at 6:55 p.m. and ended at 7:12 p.m.

Rea made a motion and Edwards seconded to go into executive session with the Mayor, Council, City Attorney, City Clerk, City Superintendent and Consultant Rick Bryant, to discuss acquisition of land, for 10 minutes. Motion carried with Owens voting no. Executive session began at 7:13 p.m. and ended at 7:23 p.m.

Rea made a motion and Edwards seconded to approve the contract with Airport Development Group for the land acquisition project. After some discussion, Mayor Fischer called the questions and the motion carried with Owens and Tynan voting no.

Housing Development – Hillcrest/Diamond Additions

Mayor Fischer reported that not all of the information is in yet so this item will not be discussed tonight as previously planned.

City vs. Crossland – Tennis Courts

Attorney Tucker said he needed to inform the Governing Body about the case on the tennis courts. Lewis made a motion and Owens seconded to go into executive session to discuss pending litigation with the Mayor, Council, Attorney Tucker, City Clerk and City Superintendent, for 5 minutes. Motion carried. Executive session began at 7:29 p.m. and ended at 7:34 p.m.

Brown made a motion and Rea seconded to settle the case with Crossland on the tennis courts for \$46,000. Motion carried with Tynan voting no.

Adjourn

Owens made a motion and Lewis seconded to adjourn the meeting at 7:35 p.m. Motion carried.

Mayor Glenn Fischer

Attest:

Deputy City Clerk Carol Eddington