Resolution No. [711]

A RESOLUTION OF THE CITY OF ROSE HILL, KANSAS, DECLARING THE INTENT TO ESTABLISH AN EXCLUSIVE SOLID WASTE COLLECTION SERVICE (SINGLE TRASH HAULER), AND COMMENCING THE STATUTORY PROCESS.

WHEREAS, the governing body of the City of Rose Hill, Kansas, is authorized under to K.S.A. 12-2035 et. seq. (The Organized Collection Service Act) to establish an organized collection service as a municipal service by ordinance; and

WHEREAS, the City currently allows multiple private haulers to operate within its boundaries, resulting in increased traffic, noise, wear on streets, inefficiencies, and inconsistent service levels and pricing; and

WHEREAS, pursuant to K.S.A. 12-2036, the governing body has published notice of its intent to consider establishing an exclusive solid waste collection service, and held a public hearing to allow for public comment.

WHEREAS, the governing body finds it necessary and in the public interest to establish a single, exclusive franchise for residential solid waste collection to reduce wear on public streets and improve efficiency.

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

1. **Declaration of Intent:** The governing body hereby declares its intent to establish an exclusive franchise agreement (single trash hauler system) for the collection of residential solid waste within the city limits and commence the statutory process.

2. **Development of Plan**. The City shall develop a plan for organized collection service within 90 days following the adoption of this resolution of intent.

3. **Invitation to Licencees**. During this period, the City shall invite and employ the assistance of all licensees or other persons operating solid waste or recyclables collection services in the City of Rose Hill to participate in all planning meetings.

4. **Notice of hearing on Proposed Plan**. The City shall provide 30 days' notice to all licensees or other persons operating solid waste collection or recyclables services in the municipality prior to setting a hearing on the proposed plan. The City Clerk is directed to cause notice of this hearing to be published once in

the official city newspaper, with the first publication to occur not less than 30 days prior to the hearing date to consider the adoption of the plan.

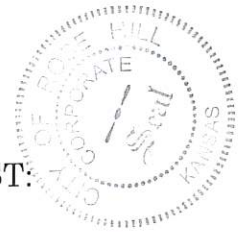
5. **Contents of Plan.** The Proposed Plan shall:

   (1) Describe in detail the procedures used for development of the plan for organized collection service and compliance with all required notice provisions;

   (2) evaluate the proposed organized collection plan in regard to the following:
      a) Achieving the stated goals;
      b) minimizing displacement and economic impact to current solid waste collectors;
      c) ensuring participation in the decision-making process of all interested parties, including all licensees or other persons operating solid waste or recyclables collection services in the municipality as of the date of the resolution of intent to organize collection in the municipality; and
      d) maximizing efficiency in solid waste collection; and

   (3) provide detailed justification for any tax, franchise or similar fee.

Passed and adopted this 5th day of January 5, 2026.



Jeanine Schantz

Jeanine Schantz, Council President

ATTEST:

Kelly Mendoza

Kelly Mendoza, City Clerk

Approved as to Form:

Richard A. Samaniego, City Attorney