City of Edgerton, Kansas
Minutes of City Council Regular Session
December 13, 2018

A Regular Session of the City Council was held in the Edgerton City Hall, 404 E. Nelson
Edgerton, Kansas on December 13, 2018. The meeting convened at 7:00 p.m. with Mayor
Roberts presiding.

1. ROLL CALL

Ron Conus present
Clay Longanecker present
Josh Lewis absent
Katee Smith present
Jody Brown present

With a quorum present, the meeting commenced.

Staff in attendance: City Administrator Beth Linn
Assistant City Administrator Scott Peterson
City Clerk Rachel James
City Attorney Lee Hendricks
City Engineer David Hamby
Development Services Director Katy Crow
Finance Director Karen Kindle
Public Works Director Dan Merkh
Public Works Superintendent Trey Whitaker
Utility Superintendent Mike Mabrey
Parks & Recreation Bob McVey

2. WELCOME

3. PLEDGE OF ALLEGIANCE

CONSENT AGENDA

4. Approve Minutes for November 8, 2018 Regular City Council Meeting
5. Approve Application FP2018-05, Final Plat, LPKC Logistics Support, Generally Located Along
   the South Side of 191st Street, One Half Mile West of Waverly Road
6. Approve Resolution No. 12-13-18A Establishing Fees and Rates for Permits, Licenses, and
   Services Within the City of Edgerton, Kansas
7. Approve Resolution No. 12-13-18B Declaring the Boundaries of the City of Edgerton,
   Johnson County, Kansas
8. Approve A One-Year Contract Extension with Clements Cleaning Service to Provide Janitorial
   Services For The Edgerton City Hall An Auxiliary Office Space For 2019
9. Approve Contract with Weather Or Not®, Inc. To Provide Weather Forecasting Services
10. Approve Agreement with Johnson County for Utility Assistance
11. Approve Change Order #1 for the Museum Exterior Project, to Include Additional Materials
Motion by Longanecker, Second by Brown, to approve consent agenda.

Motion was approved, 4-0.

REGULAR AGENDA


BUSINESS REQUIRING ACTION

14. CONSIDER FUNDING RECOMMENDATIONS FOR 2019 HUMAN SERVICE FUND

Beth Linn, City Administrator, briefly overviewed the Human Service Fund and stated in the 2019 Budget, The City allocated $1800 specifically for the United Community Service Human Services Fund. Ms. Linn introduced Julie Brewer, who represents the Human Services Fund.

Ms. Brewer stated that 55,000 Johnson County residents were serviced from the fund in 2017. Services include child care, childhood development, job training, aid for homelessness, emergency aid, health care, along with additional programs. In total, Johnson County jurisdictions funded approximately $360,000 worth of services. The fund also provides financial support to non-profit agencies. There were 293 Edgerton residents helped in 2017. The contribution the City makes to the fund broke down to $5.63 per Edgerton Resident served. Ms. Brewer thanked Mayor Roberts and the Council for the continued support and investment into the Fund.

Mayor Roberts thanked the Human Service Fund and Ms. Brewer for being a huge advocate for Edgerton residents. She has been on many committees that have helped residents specifically aiding in getting busing services to LPKC for residents who need transportation services.

Motion by Longanecker, Second by Smith to approve funding for 2019 United Human Service Fund

Motion was approved, 4-0.

15. CONSIDER 2019 FUNDING REQUEST FROM MIAMI COUNTY CONSERVATION DISTRICT

Beth Linn, City Administrator, stated that in 2017 Edgerton agreed to participate with the Miami County Conservation District in the Hillsdale Watershed and Restoration and Protection Strategy. Ms. Linn introduced Lesley Rigney, from Miami County Conservation District, who spoke on the funding request from the Miami County Conservation District.

Ms. Rigney stated Hillsdale Lake is on the high priority list of polluted bodies of water in Kansas. Hillsdale Lake measures high in nitrates, phosphates, and sediments. The long-term
goals for Hillsdale Lake include a reduction in phosphorous by 67%, nitrogen by 57%. Positive steps have been taken by the Conservation effort and they have met/exceeded the goal each year of the first three years.

The Conservation District also pairs with the school district to teach conservation in biology classes and the students participate in a research day out in the field, taking samples from the Hillsdale Lake tributaries. There are also outreach efforts to local land owners in the watershed area. They have been using education and incentives to prevent overgrazing and to plant cover crops in empty fields.

Councilmember Conus asked how people are enrolled in the program. Ms. Rigney stated that they have maps of the approximately 92,000 acres and seek out property owners and offer financial incentives, farm bill programs, and education.

The Hillsdale Area Water Cooperative is an association of Cities and Counties who use Hillsdale Lake for their water source and other benefits. Funding from HAWC has supported education in the region for decades and Miami County Conservation District is continuing those education efforts.

Mayor Roberts asked Ms. Rigney to describe the education efforts in the high school. Ms. Rigney stated that in classes like advanced biology, field biology, and zoology they design a unit to teach student about topography maps, watershed areas, and then the students study land cover, build topography maps, field test water from streams and tributaries, test samples for macro invertebrates, and other field studies. From this program students have applied for grants and scholarships and have decided to continue education in the conservation field. Councilmember Smith asked how many students they take into the field. Ms. Rigney stated all the students in these three classes and any other science classes they are invited to help.

Councilmember Longanecker stated that some of the averages for nitrates and phosphorous were very alarming. Ms. Rigney replied that the high levels can to lead to blue algae blooms, brain eat amoebas, and other dangerous water conditions which is why reduction and education is important to the Conservation District.

Motion by Conus, Second by Smith to approve 2019 Funding for Miami County Conservation District.

Motion was approved, 4-0.

16. CONSIDER CONTRACT WITH GARDNER EDGERTON CHAMBER OF COMMERCE FOR CHAMBER SERVICES IN 2019 (*item was held and considered later after Agenda Item #23)

17. CONSIDER ORDINANCE NO. 1095 WHICH ADOPTS THE PLANNING COMMISSION'S RECOMMENDATION TO APPROVE A CONDITIONAL USE PERMIT TO ALLOW A CARGO CONTAINER STORAGE YARD AND TRUCK PARKING/Maintenance FACILITY ON PARCELS CONTAINING AN L-P ZONING
DESIGNATION – ON THE SOUTH SIDE OF 191ST STREET, ONE HALF MILE WEST OF WAVERLY ROAD

Katy Crow, Development Services Director, introduced the Planning Commission recommendation to approve CU2018-01, a Conditional Use Permit to allow a cargo container storage yard and truck parking/maintenance facility. On October 9, 2018, the City of Edgerton Planning Commission considered and gave contingent approval to Final Site Plan FS2018-07 which would allow for the construction of a cargo container storage yard and truck parking/maintenance facility. Application CU2018-01 is a request for a Conditional Use Permit to operate said facility utilizing that approved Final Site Plan. The Planning Commission recommended approval of application CU2018-01 with stipulations at their meeting on November 13, 2018.

Mayor Roberts asked about the stipulations. Ms. Crow responded that the stipulations are outlined in the packet and gave a high-level overview of the details.

Motion by Brown, Second by Longanecker to approve Ordinance 1095.

Motion was approved, 4-0.

18. CONSIDER LOGISTICS PARK KANSAS CITY (LPKC) PHASE II SANITARY SEWER MASTER PLAN

Beth Linn, City Administrator, stated that the City of Edgerton approved an agreement in January 2018 with the Edgerton Land Holding Company for the development of LPKC Phase II. Associated with that development is a new Public Infrastructure Fund and the design of a Sewer Master Plan. The map outlining the Master Plan is attached in the packet. These plans have been reviewed by the City Engineer. The area focused on at this point in time is Drainage Area 1. Drainage Areas 2 & 3 will be detailed at a later date and possibly need updates by the type of future development in the area. Ms. Linn stated not all areas on the map are in city limits currently, but will be able to handle 2000 acres of future development.

Councilmember Longanecker asked that the area to focus on was lift station #1 and the area in green. Ms. Linn confirmed. Councilmember Longanecker asked that Lift Stations 2 and 3 would be tied in sometime in the future. Mayor Roberts confirmed and stated that the City does not want to overbuild. Ms. Linn stated the importance for the underground main to be sized correctly for future growth so showing the potential capacity for growth with the areas in red and blue were important.

Motion by Longanecker, Second by Brown to approve Logistics Park Kansas City (LPKC) Phase II Sanitary Sewer Master Plan.

Motion was approved, 4-0.
19. CONSIDER PROJECT AUTHORIZATION OF BIG BULL CREEK LIFT STATION AND FORCE MAIN

Beth Linn, City Administrator, overviewed the drainage area approach, as discussed in the previous item, and the recommendation to install a new lift station (Big Bull Creek Lift Station) at the low point in the area just south and west of Homestead Lane just south of I35. The project would not be funded by the City, and the cost will be borne entirely by Edgerton Land Holding Company until the project is converted to funding from Home Rule Revenue Bonds. ELHC has submitted the Recommendation for Contractor Award at $1,320,116 with the lowest qualified bidder being Central Plumbing Construction Company.

Motion by Brown, Second by Longanecker to approve project authorization for the Big Bull Creek Lift Station and Force Main.

Motion was approved, 4-0.

20. CONSIDER PROJECT AUTHORIZATION OF SOUTH I-35 GRAVITY SEWER

Beth Linn, City Administrator, stated that in addition to the previous two items, a gravity sewer line was included in the proposed public infrastructure for Drainage Area 1. The South I-35 Gravity Sewer plan includes the construction of 774 LF of 21” and 790 LF of 10” sanitary sewer pipe. It will receive flow from the two Kubota buildings as well as future areas to the east. This infrastructure was constructed with future development in mind. Edgerton Land Holding Company has submitted the Recommendation for Contractor Award at $332,038. This cost will be borne entirely by ELHC until such time the project is converted to funding from Home Rule Revenue Bonds.

Motion by Longanecker, Second by Brown to approve project authorization for I-35 Gravity Sewer.

Motion was approved, 4-0.


Scott Anderson, City Bond Attorney, stated that prior to this Ordinance the City held a public hearing, considered the cost-benefit report and approved a resolution of intent for the project on May 10, 2018. On May 10, 2018, the City approved an assignment resolution
assigning the resolution of intent from Wellsville Farms, LLC to Kubota North America Corporation. This Ordinance authorizes the City to issue up to $100,000,000 of industrial revenue bonds for the Project. Kubota will be the lessee on the project and the owner of the bonds. The city has to have legal interest in the project. The bonds are not a general obligation of the City and do not count against the City’s debt limit.

Mayor Roberts stated that when considering these types of bonds, it is about if the City is “on the hook” with the industrial revenue bonds if there is a default and the City will not be held responsible.

Motion by Longanecker, Second by Brown to approve Ordinance No. 1096.

Motion was approved, 4-0.

22. CONSIDER RESOLUTION 12-13-18C AUTHORIZING THE CITY TO EXECUTE AND DELIVER AN AGREEMENT REGARDING REIMBURSEMENT

Scott Anderson, City Bond Attorney, introduced the item and gave a high-level overview of Resolutions regarding reimbursements. There are three (3) important concepts to keep in mind regarding these resolutions. First, the financial plan that is outlined provides for the City and NorthPoint to construct the project. Secondly, the trustee holds the money and divvies the money out based on certain agreed upon instructions. Third, the tax-exempt interest must be calculated. Mr. Anderson detailed specifics of the agreement with NorthPoint and how the Home Rule Revenue Bond interacts with this agreement.

Motion by Longanecker, Second by Smith to approve Resolution 12-13-18C.

Motion was approved, 4-0.

23. CONSIDER RESOLUTION 12-13-18D DETERMINING THE INTENT OF THE CITY TO REIMBURSE ITSELF FOR CERTAIN PUBLIC INFRASTRUCTURE IMPROVEMENTS

Scott Anderson, City Bond Attorney, introduced the Resolution pertaining to the Development Agreement for the Phase 2 Expansion of the Logistics Park, requiring the City to construct certain Public Infrastructure Improvements when funds are available in the Public Infrastructure Fund. The City anticipates that home rule revenue bonds will be issued to finance or refinance some of the costs of the Public Infrastructure Improvements.

Motion by Brown, Second by Longanecker to approve Resolution 12-13-18D

Motion was approved, 4-0.

16.* CONSIDER CONTRACT WITH GARDNER EDGERTON CHAMBER OF COMMERCE FOR CHAMBER SERVICES IN 2019
Katy Crow, Development Services Director, introduced the annual agreement for Chamber funding as well the President of the Gardner Edgerton Chamber of Commerce, Jason Camis.

Mr. Camis outlined a strategic plan for the Gardner Edgerton Chamber in 2019 including more direct access from the website, updated new resident bags, marketing support, and more oversight on the Gardner Edgerton Magazine. He stated in May 2018 there would need to be updates to the deliverables. One item Mr. Camis mentioned as high priority was making sure there were no future errors in the Edgerton articles in the Gardner Edgerton Magazine. Mr. Camis stated that no one at the Chamber wrote the article but they would be more diligent in preventing the factual errors in the future.

Mr. Camis also outlined the plan for the new map of the Gardner Edgerton area and map of businesses within the two cities. He is hopeful the map will remain an accurate portrait of the area for the next five (5) years.

Mr. Camis stated that collaboration would be a priority for 2019. He intends to continue meetings and the mid-year luncheon to sell the region and attract outside developers. He also emphasized the importance to the Chamber of meeting quarterly with staff and City Council to update them on the progress of the deliverables. Additionally, Mr. Camis plans on continuing his regular meetings with Ms. Crow. Mr. Camis also proposed the idea of an elected officials event with a variety of city and county officials in order to better network.

Mayor Roberts brought to attention some suggestions for working changes. Item six (6) in the contract needs to be updated from “consideration” to “will include” an article about development and how that is impacting the community. Mr. Camis stated that he wants to make sure the magazine doesn’t become a “pay for a story”. He emphasized the importance of human interest stories - back stories to the entrepreneurial side that offer a unique perspective, not solely news.

Mayor Roberts stated the next update to the agreement should be in Item 3 collaboration and outlined the updated sponsorship request. Mayor Roberts also stated that the future meetings with City Council should remove “4th quarter” from the draft language. Mr. Camis agreed and stated the correct phrasing would be an update around October. Additionally, Mayor Roberts addressed updating the public contacts correctly.

Councilmember Longanecker questioned whether $1,000 from the 2018 allocation had actually paid for mapping services. Mr. Camis stated that the money would be refunded to reflect that the map project had not started until 2019.

Councilmember Smith asked for a more specific outline of what would be included in the Gardner Edgerton Map. Mr. Camis stated they planned to work with Johnson County AIMS and provide mapping and details of Logistics Park Kansas City and make updates to the many business/industrial changes that have occurred over the past years. He emphasized the importance of updated road maps for the LPKC area. Councilmember Smith asked for a physical description of the map. Mr. Camis stated that it would be similar to a nice road map.
Councilmember Longanecker asked about the details included in the map. Mr. Camis stated that they were not large enough to include individual businesses.

Mr. Camis concluded by stating that Council should reach out to him at any time if they would like progress updates on deliverables or anything associated with the Chamber.

Mayor Roberts emphasized the importance of accurate reporting in the Gardner Edgerton Magazine and that the inaccuracies had upset quite a few Edgerton residents and that this would be an important deliverable in the future.

Motion by Smith, Second by Longanecker to approve contract with Gardner Edgerton Chamber of Commerce for Chamber Services in 2019.

Motion was approved, 4-0.

24. CONSIDER APPROVAL OF COMPENSATION AND BENEFITS

Beth Linn, City Administrator, introduced staff’s work on the Compensation and Benefits study and stated there had been a work session in November introducing the Compensation and Benefits study to Council.

The first section of the study talks about direction of Edgerton growth, industry best practice when conducting a study, and a benchmark against comparable cities in the county. Five (5) cities were used for comparison: Gardner, Olathe, Lenexa, Shawnee, and Overland Park. Three categories were used in this selection: growth, workload, and quality of life.

Mayor Roberts stated that Edgerton has proceed down the path of growing the community and instead of using something simple like comparing the budget, the comparison needed to be dynamic and come from the right place.

Ms. Linn outlined the comparison of paid leave, sick leave, and vacation time to the five (5) comparable cities. At this time, the recommendation is no adjustment to paid leave. There is flexibility in PTO and sick time and the existing policy is competitive. In regards to insurance, the comparisons are outlined in the Agenda Packet, but Edgerton’s existing insurance benefits are comparable to the other cities and there is no recommendation to update the insurance benefits. Ms. Linn introduced the comparison between Supplemental Retirement Programs, Edgerton is the only City who is not participating in contribution to the Supplemental Retirement Program. Ms. Linn stated that this is an important benefit to consider when thinking about recruitment and employee retention. In an effort to provide a benefit that is equitable, regardless of an employee’s base wage, the recommendation is for the Governing Body consider establishing an employer match of up to $40 per pay period. In regards to Tuition Reimbursement, the City of Edgerton currently offers $1,500 per calendar year. This is comparable to the five other cities, so there is no recommendation to increase this figure. Ms. Linn stood for questions about the benefits comparison section.

Councilmember Conus stated that this $40 in kind contribution does not seem like very much compared to the private sector. Ms. Linn stated this is a secondary retirement fund.
Councilmember Longanecker asked if employees contribute money for their KPERS retirement fund. Ms. Linn confirmed their contributions.

Ms. Linn outlined the recommendations City Council provided on the desired characteristics of the Edgerton salary ranges. To correctly benchmark the Edgerton positions with the comparable cities, an analysis of position descriptions and job duties from the comparable cities with Edgerton position descriptions and job duties was used to identify like positions for comparison. From this extensive comparison of essential job functions, Staff and the City’s HR Consultant observed that there is a minimal spread in the ranges between the comparable cities. The data clearly illustrates that the comparable cities have ranges for similar positions that are very close or in some cases even the same. This minimal spread or variation establishes what the “market rate” is for positions across the board. Due to the position ranges across cities, which are clustered so tightly, the policy direction provided by Council is actually detrimental to the existing ranges for both recruitment and retention. Staff developed a recommended alternate scenario for City Council to consider for salary range adjustments. The recommended ranges are based on the minimum being set near the Average Minimum for the Peer Communities. By using the average minimum, it sets Edgerton in the middle, not the highest or the lowest. Additionally, in alignment with council direction, the range width is 50% of the minimum. Included in the Agenda Packet are recommended Pay Grade levels with associated positions along with easily digestible graphs for salary comparisons between the five (5) cities.

Mayor Roberts stated he has been working in government for over 30 years and has never seen the ranges as tight as they are today. He continued that the job market is tight and being competitive is important. Ms. Linn stated that the ranges listed within Agenda Packet were within dollars of each other and far more similar than expected. Mayor Roberts stated that the outlier in the comparison is the City of Edgerton. Ms. Linn stated by completing this study the market has been established and moving forward with Edgerton as the “middle ground” the City will be able to competitively recruit and retain high quality employees.

Ms. Linn stated Staff is looking for confirmation from Council to move forward in order to pass the future Ordinance. Additionally, there would need to be consideration of the industry best practice of annual maintenance of the salary ranges similar to what the City does as part of the annual budget process. This maintenance would not provide a cost of living adjustment but simply move the ranges to account for inflation. City Council provided policy direction at the Work Session to adjust the salary ranges equal to the CPI (as used in the Kansas State budget process) to allow for the cost of inflation and prevent the ranges from becoming out of market. For 2017, this amount was 1.4%. Additionally, in today's competitive employment market it has become even more important to be more frequent and deliberate in studying the compensation and benefits provided. City Council provided direction to schedule the completion of a total compensation and benefits study every three years.

Mayor Roberts thanked Ms. Linn and everyone who worked on the Compensation and Benefits study and emphasized the importance of the study. He stated one drawback is that private sector jobs couldn’t be added for comparison, but he noted that these lower pay grade jobs are definitely competitive with jobs within Edgerton, specifically at Logistics Park
Kansas City. Mayor Roberts stated he was comfortable moving forward with the recommendations. Mayor Roberts continued that it makes sense that the market is set and is concerned that Edgerton is not currently paying market value.

Councilmember Conus stated he was still concerned about comparing the Edgerton community to communities 100 times larger in population. Mayor Roberts responded that he sees where Councilmember Conus is coming from but in the past years the city has been decreasing the mill levy and CPI. Councilmember Conus asked how is that job comparison. Mayor Roberts stated Edgerton has been doing the work in the same capacities as the larger cities, the only difference is there is a greater number of employees to do the job in the larger cities. The jobs themselves are worth the compensation. The population is larger, but their expenses are larger but job for job they are doing the same thing. Councilmember Conus stated he believed we should compare Edgerton with a city with similar population. Mayor Roberts asked if those cities do similar things to Edgerton. Councilmember Conus stated he thinks the cities with a larger population skews the compensation numbers. Mayor Roberts responded by saying staff is doing similar work to the comparison cities, the only difference is that our staff is “lean and mean.” The salary brackets are important to consider because we are competing with these larger communities for employees. Mayor Roberts mentioned Ottawa being a comparable city and they pay better than Edgerton. In the utilities department they had to up the wages specifically to be competitive and to compensate for the drive to Ottawa.

Councilmember Brown asked about the minimums. Ms. Linn stated that a bigger spread is important to reward performance. Councilmember Longanecker asked where the starting salary would be on the scale. Ms. Linn stated that depends on experience and what the employee or potential employee brings to the table. Edgerton is interested in growing from within and investing in employees that build their skills and continue to contribute to our community.

Councilmember Brown stated if Edgerton wants the employees to stay here we need to take this into account. He wants them to choose Edgerton and to not move to another city. Councilmember Smith agreed and stated the employees have a lot more responsibilities than other cities and have many jobs combined into one title. Mayor Roberts stated that there has been a lot of turnover in the lower pay grades and in order to compete with places like Overland Park, who offer a signing bonus, we need to be competitive in compensation.

Councilmember Brown asked how much would be added to the budget per year. Ms. Linn stated that $175,000 had been built into the budget and this is well below that in the neighborhood of $80,000 to $130,000. Councilmembers Brown and Longanecker emphasized the need to stay competitive and thanked staff for the study. Mayor Roberts added that the last compensation study was over 10 years ago and was not an accurate comparison. Mayor Roberts stated he would like to see less turnover, more stability, and to take care of the employees.

Councilmember Conus stated he would vote against a comparison to the larger populated cities but agreed that they should be raising the salaries but not sure by how much.
Councilmember Conus stated his concern in the stock market and seeing similarities between now and 2007 and 2008. Councilmember Smith and Mayor Roberts thanked Councilmember Conus for his comments. Mayor Roberts stated that the plan is to bring compensation up to market value and to balance the compensation for huge workload the Edgerton employee have.

Motion by Brown, Second by Longanecker to approve Compensation and Benefits.

Motion was approved, 3-1, with Conus voting nay.

25. **Report by the City Administrator**
   - Holiday Light Judging

26. **Report by the Mayor**
    Mayor Roberts spoke on how hard the employees of the City of Edgerton have worked this year and stated in years past as a show of gratitude Council has voted to close City Facilities on Christmas Eve as a holiday thank you.

    Motion by Longanecker, Second by Smith to close City Facilities on Christmas Eve as a holiday.

    Motion was approved, 4-0.

27. **Future Meeting/Event Reminders:**
    - December 19th: Noon – Senior Lunch
    - December 25th: Christmas, City Offices Closed
    - December 27th: 7PM – City Council Meeting
    - January 1st: New Year’s Day, City Offices Closed
    - January 8th: 7PM – Planning Commission Meeting
    - January 10th: 7PM – City Council Meeting

28. **CONSIDER RECESSING INTO EXECUTIVE SESSION PURSUANT TO K.S.A. 75-4319 (B) (2) FOR CONSULTATION WITH AN ATTORNEY DEEMED PRIVILEGED IN THE ATTORNEY-CLIENT RELATIONSHIP TO INCLUDE CITY ATTORNEY, AND CITY ADMINISTRATOR.**

    Motion by Brown, Second by Smith to recess into an executive session pursuant to K.S.A. 75-4319(b)(2) for City Security and to include City Attorney, City Administrator for three (3) minutes was considered.

    Motion was approved 4-0.

Meeting recessed at 9:27 pm. Meeting reconvened at 9:30 pm.

Motion by Brown, Second by Lewis to return to regular session.

Motion was approved 4-0.
29. **Adjourn**

Motion by Smith, Second by Brown to adjourn.

Motion was approved 4-0.

The meeting adjourned at 9:31 pm.

Rachel A. James  
City Clerk  

Approved by the Governing Body on: 12/27/18