

**EDGERTON CITY COUNCIL
MEETING AGENDA
CITY HALL, 404 EAST NELSON STREET
December 27, 2018
7:00 P.M.**

Call to Order

1. **Roll Call** ____ Roberts ____ Longanecker ____ Brown ____ Conus ____ Lewis ____ Smith
2. **Welcome**
3. **Pledge of Allegiance**

Consent Agenda *(Consent Agenda items will be acted upon by one motion unless a Council member requests an item be removed for discussion and separate action)*

4. Approve Minutes for December 13, 2018 Regular City Council Meeting

Regular Agenda

5. **Public Comments.** Persons who wish to address the City Council regarding items not on the agenda and that are under the jurisdiction of the City Council may do so when called upon by the Mayor. Comments on personnel matters and matters pending before court or other outside tribunals are not permitted. Please notify the City Clerk before the meeting if you wish to speak. Speakers are limited to three (3) minutes. Any presentation is for informational purposes only. No action will be taken.
6. **Declaration.** At this time Council members may declare any conflict or communication they have had that might influence their ability to impartially consider today's issues.

Business Requiring Action

7. **CONSIDER DEED SUBJECT TO RESTRICTION FROM JOHNSON COUNTY PARKS AND RECREATION DISTRICT TO CITY OF EDGERTON FOR MARTIN CREEK PARK**

Motion: _____ Second: _____ Vote: _____

8. **CONSIDER ORDINANCE NO. 1097 DESIGNATING THE ECONOMIC DEVELOPMENT FUND AS A CAPITAL IMPROVEMENT FUND**

Motion: _____ Second: _____ Vote: _____

9. **CONSIDER ORDINANCE NO. 1098 DESIGNATING THE LPKC PHASE 2 PUBLIC INFRASTRUCTURE FUND AS A CAPITAL IMPROVEMENT FUND**

Motion: _____ Second: _____ Vote: _____

10. **CONSIDER ORDINANCE NO. 1099 DESIGNATING THE LPKC PHASE 2 ORIGATION FEE FUND AS A CAPITAL IMPROVEMENT FUND**

Motion: _____ Second: _____ Vote: _____

11. CONSIDER ORDINANCE NO. 2000 DESIGNATING THE LPKC PHASE 1 ORIGINATION FEE FUND AS A CAPITAL IMPROVEMENT FUND

Motion: _____ Second: _____ Vote: _____

12. CONSIDER ORDINANCE NO. 2001 PROVIDING FOR THE RANGE OF SALARIES AND COMPENSATION OF VARIOUS CITY OFFICERS AND EMPLOYEES

Motion: _____ Second: _____ Vote: _____

13. Report by the City Administrator

- Review of Positions Descriptions for Marketing/Communications Manager and Maintenance Technician I (Parks)

14. Report by the Mayor

15. 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, CITY ADMINISTRATOR, AND DEVELOPMENT SERVICES DIRECTOR

16. Future Meeting/Event Reminders:

- January 1st: City Offices Closed
- January 8th: 7 PM – Planning Commission Meeting
- January 10th: 7 PM – City Council Meeting
- January 24th: 7 PM – City Council Meeting
- January 31st: 6:30PM – Public Safety Open House at City Hall

17. Adjourn Motion: _____ Second: _____ Vote: _____

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

12. **Public Comments.** None.

13. **Declaration.** None.

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%. Positives 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 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.

21. CONSIDER ORDINANCE NO. 1096 AUTHORIZING BOND DOCUMENTS AND THE ISSUANCE OF THE CITY'S INDUSTRIAL REVENUE BONDS (KUBOTA NORTH AMERICA CORPORATION PROJECT) SERIES 2019, FOR THE PURPOSE OF FINANCING AND PROVIDING TAX ABATEMENT FOR AN OFFICE, DISTRIBUTION AND MANUFACTURING FACILITY.

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 levee 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 25st: 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.

City Council Action Item

Council Meeting Date: December 27, 2018

Department: Administration

Agenda Item: Consider Deed Subject to Restriction from Johnson County Parks and Recreation District to City of Edgerton for Martin Creek Park

Background/Description of Item:

In February 1989, the City of Edgerton entered into a Lease Agreement with Johnson County Parks and Recreation District (JCPRD) for Martin Creek Park a total of twenty-five years. The original lease, enclosed with this packet, was for one year with twenty-four additional one-year periods. The cost of the first year lease was \$1.00.

The original lease required the City of Edgerton to operate and maintain the park. The park was originally acquired with Streamway Park Funds, with the intent to use said property as an access point for the Bull Creek Streamway Park.

The lease concluded in 2014. JCPRD approached the City of Edgerton interested in deeding the property to the City of Edgerton. Enclosed is a draft Deed Subject to Restriction to transfer the property from JCPRD to the City of Edgerton. There is no payment required from the City of Edgerton to JCPRD for the property. However, the Deed does require the property be maintained and operated as a public park or playground or as a public recreational facility. If it is not maintained as that type of facility, the property would revert back to JCPRD.

City Attorney has reviewed and approved the Deed.

Related Ordinance(s) or Statue(s):

Funding Source: n/a

Budget Allocated: n/a

x 

Finance Director Approval: Karen Kindle, Finance Director

Recommendation: Approve Deed Subject to Restriction from Johnson County Parks and Recreation District to City of Edgerton for Martin Creek Park

Enclosed:

Deed Subject to Restriction
Original Lease for Martin Creek Park
Property Information Sheet

Prepared by:

Beth Linn, City Administrator

DEED SUBJECT TO RESTRICTION

On this _____ day of _____, 2019, **JOHNSON COUNTY PARK AND RECREATION DISTRICT**, Grantor, quitclaims to **CITY OF EDGERTON, KANSAS**, a municipal corporation, Grantee, as a gift of the Grantor's right, title, and interest in and to the subject real property, all of the following described real estate in Johnson County Kansas, to wit:

All that part of Lot 2, COUNTY CLERK'S SUBDIVISION of the Northeast Quarter of Section 7, Township 15, Range 22 in Johnson County, Kansas, according to the recorded plat thereof, that lies South of a line drawn parallel to and 775.50 feet North of the South line of said lot, except that part in streets or roads.

For so long as such real property shall be maintained and operated as a public park or playground or as a public recreational facility, but if said real property shall at any time not be so maintained and operated, title shall revert to the Grantor, its successors or assigns. And further subject to restrictions, easements, covenants, and reservations now of record.

IN WITNESS WHEREOF, JOHNSON COUNTY PARK AND RECREATION DISTRICT has hereunto executed this deed the day and year first above written.

JOHNSON COUNTY PARK AND RECREATION
DISTRICT

By: _____
Michael Pirner, Board Chair

Leslee Rivarola, Secretary

ACKNOWLEDGMENT

State of Kansas)
County of Johnson) ss.

Be it remembered that on this _____ day of _____, 2019, before me, the undersigned, a notary public in and for the county and state aforesaid, came Michael Pirner, Board Chair, and

Leslee Rivarola, Secretary, of the Board of Directors of the Johnson County Park and Recreation District, who are personally known to me to be the same persons who executed the within instrument of writing on behalf of the Johnson County Park and Recreation District and such persons duly acknowledged the execution of the same as the act and deed of the Johnson County Park and Recreation District.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year last above written.

Notary Public

My appointment expires:

(HARRISON) Cross Ref - Park
City of Edgerton

LEASE AGREEMENT

THIS AGREEMENT, made and entered into this 23rd day of February 1989, by and between the City of Edgerton, Kansas a municipal corporation, organized and existing under the laws of the State of Kansas, hereinafter called "City" and the Johnson County Park and Recreation District, a political subdivision of the State of Kansas, hereinafter called "District".

WITNESSETH:

Whereas, the District is Owner of the real property described as:

All that part of Lot 2, County Clerk's Subdivision of the Northeast Quarter of Section 7, Township 15, Range 22, in Johnson County, Kansas, according to the recorded plat thereof, that lies South of a line drawn parallel to and 775.50 feet North of the South line of said lot, except that part in streets or roads and

Whereas, the City wishes to lease said property from District and to maintain same.

Now, therefore, it is agreed by and between the parties, as follows:

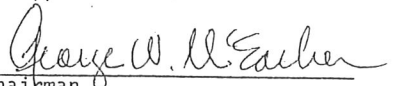
1. In consideration of the rents, covenants and agreements of City hereinafter set forth, District does by these presents rent, let and lease to City the real property described above.
2. The term of this lease shall be for one (1) year commencing April 1, 1989, and ending March 31, 1990, provided that if City is not in default under any of the terms hereof, City shall have the option to renew said lease for twenty-four (24) additional one (1) year periods by giving notice in writing to District at least thirty (30) days prior to the original term and any renewal term. At the termination of said 25 year period, the lease agreement will be renegotiated.
3. The lease amount for the first year and each renewal year shall be one dollar (\$1.00).
4. The City shall provide District at the time of giving notice of renewal, a copy of liability insurance covering those recreational activities conducted by the City of Edgerton on said property.
5. City agrees to operate such property for park and recreational maintain the property so that all grass, trees, and other plantings thereon are kept properly trimmed.
6. City further agrees that it will give District at least 60 days written notice of any planned improvements on the property. Such notice shall include a description of the improvements, including a sketch of the same and the proposed location of the same on the property. Said improvements shall not be made if District responds in writing, within 60 days, that it does not approve said improvements. If District fails to respond within said time, City may proceed with such improvements.
7. City further agrees and understands that said property was acquired with Streamway Park Funds, with the intent to use said property as an access point for the Bull Creek Streamway Park and that any development of said property will not inhibit or prevent such a use.
8. City agrees to comply with all District Rules and Regulations governing the use of District Properties.
9. City agrees to cooperate with District by allowing access across city owned property for development of trails and other amenities in conjunction with the Bull Creek Streamway Park System.
10. If in the reasonable opinion of District, City fails to properly maintain said property for park and recreation uses, District may cancel this lease with ninety days written notice to City. City may likewise cancel this lease agreement with ninety days written notice in which case District takes full responsibility for the property's upkeep.

Page 2
Lease Agreement
City of Edgerton

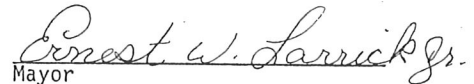
11. The covenants hereto shall extend to and be binding upon the successors and assigns of the parties.

IN WITNESS WHEREOF, the District and the City by majority vote of the governing bodies of each have authorized the execution of the same by the individuals whose signatures and seals appear below:

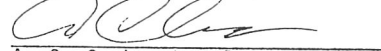
DATE: 2-15-89



Chairman
Board of Commissioners
Johnson County Park and
Recreation District

DATE: 2-23-89


Mayor
City of Edgerton, Kansas

Approved as to Form:


A. C. Cooke, Legal Counsel
Johnson County Park and
Recreation District


Mark Lewis,
City Attorney

Property Information for BP50000000 0002D

<i>Tax Property ID</i>	BP50000000 0002D	<i>KS Uniform Parcel #</i>	0462030701031007000
<i>Situs Address</i>	20200 SUNFLOWER RD	<i>Acres</i>	19.59 (853,384.15 ft ²)
<i>Owner1 Name</i>	JO CO PARK & RECREATION	<i>Owner2 Name</i>	DISTRICT
<i>Owner Address</i>	7900 RENNER RD , SHAWNEE, KS 66219		
<i>Class</i>	E	<i>Year Built</i>	0
<i>LBCS</i>	5379	<i>Neighborhood Code</i>	446.C
<i>Zoning</i>	R-1	<i>Taxing Unit</i>	0556
<i>City</i>	Edgerton	<i>Zip Code</i>	66021
<i>AIMS Map No.</i>	U07 (T-R-S: 15-22-07)	<i>Quarter Section</i>	NE
<i>Fire Dist.</i>	JoCo FD #1	<i>Sheriff Dist.</i>	0
<i>Commissioner Dist.</i>	6 (Mike Brown)	<i>FEMA Flood Panel #</i>	20091C0132G
<i>School District</i>	Gardner-Edgerton	<i>High School</i>	Gardner-Edgerton
<i>Middle School</i>	Pioneer Ridge	<i>Elementary School</i>	Edgerton
<i>Plat Name</i>	COUNTY CLERKS SUBDIVISION		
<i>Book/Page</i>	4 / 37	<i>Quarter Section</i>	NE
<i>Date Recorded</i>	1912	<i>Number of Units</i>	8
<i>Subdivision Name</i>	COUNTY CLERKS		
<i>Legal Desc.</i> (abbreviated)	COUNTY CLERKS SUBDIVISION NE1/4 7-15-22 PT OF LT 2 BG SW CR E 1146' N 775.50' W 976'SWLY 170' S 711' TO POB EDC 401A BOTA 90 14831 TX		

Property Map for BP50000000 0002D



City Council Action Item

Council Meeting Date: December 27, 2018

Department: Administration

Agenda Item: Consider Ordinance No. 1097 Designating the Economic Development Fund as a Capital Improvement Fund

Background/Description of Item:

The City has entered into agreements with Burlington Northern Santa Fe (BNSF) Railway and Edgerton Land Holding Company, LLC (ELHC) for the development of Logistics Park Kansas City (LPKC) Phase 1 and Edgerton Land Holding Company (ELHC) for development of Logistics Park Kansas City (LPKC) Phase 2. Those development agreements govern the collection of revenues generated by the developments to be used on expenditures related to the developments. Included in those expenditures are payments to the City of Edgerton for the City's for maintenance fee (LPKC Ph 1) and economic development fee (LPKC Ph 2).

Origination fees are one of the revenue sources permitted in the agreements to be used to fund the payments described above to the City. Kansas Statutes restrict the use of origination fee revenue to purposes related to economic development activities. Due to limitations in the City's accounting system, staff recommends creating a separate fund to ensure the City can demonstrate that the maintenance fee (LPKC Ph 1) and the economic development fee (LPKC Ph 2) funded with origination fees are used only for economic development purposes.

In addition, staff recommends that the Governing Body designate the Economic Development Fund as a capital improvement reserve fund pursuant to K.S.A. 12-1,118 because the projects financed from this fund are part of the City's multi-year CIP adopted during the annual budget process. The reserve fund designation allows the City to accumulate the revenues and make the expenditures as planned in the multi-year CIP and is not subject to the Kansas Budget Law.

Related Ordinance(s) or Statue(s): K.S.A. 12-1,118, K.S.A. 12-1742

Funding Source: n/a

Budget Allocated: n/a

Finance Director Approval: 
Karen Kindle, Finance Director

Recommendation: Approve Ordinance No. 1097 Designating the Economic Development Fund as a Capital Improvement Fund

Enclosed: Ordinance No. 1097

Prepared by: Karen Kindle, Finance Director

ORDINANCE NO. 1097

**AN ORDINANCE ESTABLISHING THE ECONOMIC DEVELOPMENT FUND
IN THE CITY OF EDGERTON, KANSAS**

WHEREAS, the City of Edgerton, Kansas (the “City”) has previously entered into the Logistics Park Phase Two Development Agreement dated January 11, 2018 (the “Development Agreement”), between the City and Edgerton Land Holding Company, LLC, a Kansas limited liability company (the “Developer”), for the purpose of assisting with the development of the Logistics Park Phase Two; and

WHEREAS, the City has previously entered into the Third Amendment to the Master Trust Indenture with Commerce Bank dated October 1, 2018 (the “Amendment”); and

WHEREAS, the Development Agreement required the City to create the economic development account to hold the Annual City Economic Development Fee revenue; and

WHEREAS, the Amendment required the City to deposit any City Administrative Fee funded with origination fees into the Economic Development Fund; and

WHEREAS, K.S.A. 12-1,118 (the “Statute”) authorizes the City to establish a capital improvement plan setting for the public improvement and infrastructure needs of the City on a prioritized basis and to create a capital improvement fund for the purpose of funding the public improvements and infrastructure needs; and

WHEREAS, K.S.A. 12-1742 permits the City to charge origination fees and specifies the uses of the proceeds of origination fees; and

WHEREAS, the City desires to designate the Economic Development Fund as a capital improvement fund;

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF EDGERTON, KANSAS, AS FOLLOWS:

Section 1. Designation of the City’s Five-Year CIP as a Capital Improvement Plan. The City Council hereby designates the Five-Year CIP as a multi-year capital improvement plan which sets forth the public improvement and infrastructure needs of the City on a prioritized basis.

Section 2. Designation of the Economic Development Fund as a Capital Improvements Fund. The City Council hereby designates the Economic Development Fund as a capital improvement fund within the meaning of the Statute.

Section 3. Effective Date. This ordinance shall take effect and be in full force immediately after its adoption by the Governing Body of the City.

PASSED this 27th day of December, 2018.

CITY OF EDGERTON, KANSAS

[SEAL]

By: _____
Donald Roberts, Mayor

ATTEST:

Rachel A. James, City Clerk

APPROVED AS TO FORM:

Lee W. Hendricks, City Attorney

City Council Action Item

Council Meeting Date: December 27, 2018

Department: Administration

Agenda Item: Consider Ordinance No. 1098 Designating the LPKC Phase 2 Public Infrastructure Fund as a Capital Improvement Fund

Background/Description of Item:

The City entered into the Development Agreement for Logistics Park Phase 2 with Edgerton Land Holding Company (ELHC), LLC on January 11, 2018. The agreement requires the City to establish a public infrastructure fund to hold the revenues specified in the agreement that will be used to pay for the construction of public infrastructure improvements necessary to support the development of the Logistics Park Phase 2. This agreement is similar to the agreement the City has with Burlington Northern Santa Fe (BNSF) Railway and Edgerton Land Holding Company, LLC for Logistics Park Kansas City.

Staff recommends the Governing Body designate the LPKC Phase 2 Public Infrastructure Fund as a capital improvement reserve fund pursuant to K.S.A. 12-1,118 because the projects financed from this fund are part of the multi-year plan included in the Development Agreement. The reserve fund designation allows the City to accumulate the revenues and make the expenditures as required by the Development Agreement and is not subject to the Kansas Budget Law. The Governing Body approved this same designation for the LPKC Phase 1 Public Infrastructure Fund on September 12, 2013.

Related Ordinance(s) or Statue(s): n/a

Funding Source: n/a

Budget Allocated: n/a

Finance Director Approval: 
Karen Kindle, Finance Director

Recommendation: Approve Ordinance No. 1098 Designating the LPKC Phase 2 Public Infrastructure Fund as a Capital Improvement Fund.

Enclosed Ordinance No. 1098

Prepared by: Karen Kindle, Finance Director

ORDINANCE NO. 1098

AN ORDINANCE OF THE CITY OF EDGERTON, KANSAS DESIGNATING THE LPKC PHASE 2 PUBLIC INFRASTRUCTURE FUND AS A CAPITAL IMPROVEMENTS FUND

WHEREAS, the City of Edgerton, Kansas (the “City”) has previously entered into the Logistics Park Phase Two Development Agreement dated January 11, 2018 (the “Development Agreement”), between the City and Edgerton Land Holding Company, LLC, a Kansas limited liability company (the “Developer”), for the purpose of assisting with the development of the Logistics Park Phase Two; and

WHEREAS, the Development Agreement required the City to establish a Public Infrastructure Fund (as defined in the Development Agreement) in which certain revenues generated by the Logistics Park Phase Two would be deposited for the purpose of paying the costs of constructing or financing the construction of certain public infrastructure improvements to support the development of the Logistics Park Phase Two; and

WHEREAS, K.S.A. 12-1,118 (the “Statute”) authorizes the City to establish by ordinance a capital improvement plan setting forth the public improvement and infrastructure needs of the City on a prioritized basis and to create a capital improvement fund for the purpose of funding the public improvements and infrastructure needs; and

WHEREAS, the City desires to designate the LPKC Phase 2 Public Infrastructure Fund as a capital improvement fund;

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF EDGERTON, KANSAS, AS FOLLOWS:

Section 1. Designation of the Development Agreement as a Capital Improvement Plan. The City Council hereby designates the Development Agreement as a multi-year capital improvement plan which sets forth the public improvement and infrastructure needs of the City on a prioritized basis that are necessary to support the development of the Logistics Park Phase Two.

Section 2. Designation of LPKC Phase 2 Public Infrastructure Fund as a Capital Improvements Fund. The City Council hereby designates the LPKC Phase 2 Public Infrastructure Fund as a capital improvements fund within the meaning of the Statute.

Section 3. Effective Date. This ordinance shall take effect and be in full force immediately after its adoption by the Governing Body of the City and its publication in the official City newspaper.

PASSED this 27th day of December, 2018.

CITY OF EDGERTON, KANSAS

[SEAL]

By: _____
Donald Roberts, Mayor

ATTEST:

Rachel A. James, City Clerk

APPROVED AS TO FORM:

Lee W. Hendricks, City Attorney

City Council Action Item

Council Meeting Date: December 27, 2018

Department: Administration

Agenda Item: Consider Ordinance No. 1099 Designating the LPKC Phase 2 Origination Fee Fund as a Capital Improvement Fund

Background/Description of Item:

The City entered into the Development Agreement for Logistics Park Phase Two with Edgerton Land Holding Company, LLC on January 11, 2018. The agreement requires the City to establish a public infrastructure fund to hold the revenues specified in the agreement that will be used to pay for the construction of public infrastructure improvements necessary to support the development of the Logistics Park Phase Two. This agreement is similar to the agreement the City has with BNSF and Edgerton Land Holding Company, LLC for Logistics Park Kansas City.

Origination fees are one of the revenue sources contained in the development agreement. Kansas Statutes restrict the use of origination fee revenue to purposes related to economic development. Due to limitations in the City's accounting system, staff recommends creating a separate fund to ensure the City can demonstrate that the origination fees are used only for economic development purposes.

In addition, staff recommends that the Governing Body designate the LPKC Phase 2 Origination Fee Fund as a capital improvement reserve fund pursuant to K.S.A. 12-1,118 because the projects financed from this fund are part of the multi-year plan included in the Development Agreement. The reserve fund designation allows the City to accumulate the revenues and make the expenditures as required by the Development Agreement and is not subject to the Kansas Budget Law. The Governing Body approved this same designation for the LPKC Phase 1 Public Infrastructure Fund on September 12, 2013.

Related Ordinance(s) or Statue(s): K.S.A. 12-1,118, K.S.A. 12-1742

Funding Source: n/a

Budget Allocated: n/a

Finance Director Approval: 
Karen Kindle, Finance Director

Recommendation: Approve Ordinance No. 1099 Designating the LPKC Phase 2 Origination Fee Fund as a Capital Improvement Fund.

Enclosed: Ordinance No. 1099

Prepared by: Karen Kindle, Finance Director

ORDINANCE NO. 1099

AN ORDINANCE OF THE CITY OF EDGERTON, KANSAS DESIGNATING THE LPKC PHASE 2 ORIGINATION FEE FUND AS A CAPITAL IMPROVEMENTS FUND

WHEREAS, the City of Edgerton, Kansas (the “City”) has previously entered into the Logistics Park Phase Two Development Agreement dated January 11, 2018 (the “Development Agreement”), between the City and Edgerton Land Holding Company, LLC, a Kansas limited liability company (the “Developer”), for the purpose of assisting with the development of the Logistics Park Phase Two; and

WHEREAS, the Development Agreement required the City to establish a Public Infrastructure Fund (as defined in the Development Agreement) in which certain revenues generated by the Logistics Park Phase Two would be deposited for the purpose of paying the costs of constructing or financing the construction of certain public infrastructure improvements to support the development of the Logistics Park Phase Two; and

WHEREAS, the City must establish a separate fund to track the origination fee revenue generated by the Development Agreement in order to ensure that the origination fees are used for purposes allowed by K.S.A. 12-1742; and

WHEREAS, K.S.A. 12-1,118 (the “Statute”) authorizes the City to establish by ordinance a capital improvement plan setting forth the public improvement and infrastructure needs of the City on a prioritized basis and to create a capital improvement fund for the purpose of funding the public improvements and infrastructure needs; and

WHEREAS, the City desires to designate the LPKC Phase 2 Origination Fee Fund as a capital improvement fund;

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF EDGERTON, KANSAS, AS FOLLOWS:

Section 1. Designation of the Development Agreement as a Capital Improvement Plan. The City Council hereby designates the Development Agreement as a multi-year capital improvement plan which sets forth the public improvement and infrastructure needs of the City on a prioritized basis that are necessary to support the development of the Logistics Park Phase Two.

Section 2. Designation of LPKC Phase 2 Origination Fee Fund as a Capital Improvements Fund. The City Council hereby designates the LPKC Phase 2 Origination Fee Fund as a capital improvements fund within the meaning of the Statute.

Section 3. Effective Date. This ordinance shall take effect and be in full force immediately after its adoption by the Governing Body of the City and its publication in the official City newspaper.

PASSED this 27th day of December, 2018.

CITY OF EDGERTON, KANSAS

[SEAL]

By: _____
Donald Roberts, Mayor

ATTEST:

Rachel A. James, City Clerk

APPROVED AS TO FORM:

Lee W. Hendricks, City Attorney



EDGERTON
global routes. local roots.

404 East Nelson
Edgerton, KS 66021
P: 913.893.6231
EDGERTONKS.ORG

City Council Action Item

Council Meeting Date: December 27, 2018

Department: Administration

Agenda Item: Consider Ordinance No. 2000 Designating the LPKC Phase 1 Origination Fee Fund as a Capital Improvement Fund

Background/Description of Item:

The City entered into a project agreement for an intermodal facility and logistics park with Burlington Northern Santa Fe (BNSF) Railway and Edgerton Land Holding Company, LLC (ELHC) on March 25, 2010. Also, on March 25, 2010, the City entered into a public infrastructure financing plan with BNSF and ELHC. The finance plan requires the City to establish a public infrastructure fund to hold the revenues specified in the agreement that will be used to pay for the construction of public infrastructure improvements necessary to support the development of the intermodal facility and logistics park.

Origination fees are one of the revenue sources contained in the finance plan. Kansas Statutes restrict the use of origination fee revenue to purposes related to economic development. Due to limitations in the City's accounting system, staff recommends creating a separate fund to ensure the City can demonstrate that the origination fees are used only for economic development purposes.

In addition, staff recommends that the Governing Body designate the LPKC Phase 1 Origination Fee Fund as a capital improvement reserve fund pursuant to K.S.A. 12-1,118 because the projects financed from this fund are part of the multi-year plan included in the project agreement and the finance plan. The reserve fund designation allows the City to accumulate the revenues and make the expenditures as required by the project agreement and the finance plan and is not subject to the Kansas Budget Law. The Governing Body approved this same designation for the LPKC Phase 1 Public Infrastructure Fund on September 12, 2013.

Related Ordinance(s) or Statue(s): K.S.A. 12-1,118, K.S.A. 12-1742

Funding Source: n/a

Budget Allocated: n/a

Finance Director Approval: 
Karen Kindle, Finance Director

**Recommendation: Approve Ordinance No. 2000 Designating the LPKC
Phase 1 Origination Fee Fund as a Capital Improvement Fund**

Enclosed: Ordinance No. 2000

Prepared by: Karen Kindle, Finance Director

ORDINANCE NO. 2000

AN ORDINANCE OF THE CITY OF EDGERTON, KANSAS DESIGNATING THE LPKC PHASE 1 ORIGINATION FEE FUND AS A CAPITAL IMPROVEMENTS FUND

WHEREAS, the City of Edgerton, Kansas (the “City”) has previously entered into (a) Project Agreement (Intermodal Facility/Logistics Park) dated March 25, 2010 (the “Project Agreement”), among the City, BNSF Railway Company, a Delaware Corporation (“BNSF”) and Edgerton Land Holding Company, LLC, a Kansas limited liability company (the “Developer”) (as assignee of The Allen Group – Kansas City, LLC, a Delaware limited liability company), (b) Public Infrastructure Financing Plan (Intermodal Facility/Logistics Park Kansas City) dated March 25, 2010 (the “Finance Plan”), among the city, BNSF and the Developer, (c) Annexation Agreement dated March 25, 2010, among the City, BNSF and the Developer, (d) First Amendment to Project Agreement, Annexation Agreement and Public Infrastructure Finance Plan dated April 23, 2013, among the City, BNSF and the Developer, all for the purpose of assisting with the development of an intermodal facility and logistics park; and

WHEREAS, the Finance Plan required the City to establish a Public Infrastructure Fund (as defined in the Finance Plan) in which certain revenues generated by the intermodal facility and the logistics park would be deposited for the purpose of paying the costs of constructing or financing the construction of certain public infrastructure improvements to support the development of the intermodal facility and logistics park; and

WHEREAS, the City must establish a separate fund to track the origination fee revenue generated by the Finance Plan in order to ensure that the origination fees are used for purposes allowed by K.S.A. 12-1742; and

WHEREAS, K.S.A. 12-1,118 (the “Statute”) authorizes the City to establish by ordinance a capital improvement plan setting forth the public improvement and infrastructure needs of the City on a prioritized basis and to create a capital improvement fund for the purpose of funding the public improvements and infrastructure needs; and

WHEREAS, the City desires to designate the LPKC Phase 1 Origination Fee Fund as a capital improvement fund;

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF EDGERTON, KANSAS, AS FOLLOWS:

Section 1. Designation of the Development Agreement as a Capital Improvement Plan. The City Council hereby designates the Development Agreement as a multi-year capital improvement plan which sets forth the public improvement and infrastructure needs of the City on a prioritized basis that are necessary to support the development of the Logistics Park Kansas City Phase I.

Section 2. Designation of LPKC Phase 1 Origination Fee Fund as a Capital Improvements Fund. The City Council hereby designates the LPKC Phase 1 Origination Fee Fund as a capital improvements fund within the meaning of the Statute.

Section 3. Effective Date. This ordinance shall take effect and be in full force immediately after its adoption by the Governing Body of the City and its publication in the official City newspaper.

PASSED this 27th day of December, 2018.

CITY OF EDGERTON, KANSAS

[SEAL]

By: _____
Donald Roberts, Mayor

ATTEST:

Rachel A. James, City Clerk

APPROVED AS TO FORM:

Lee W. Hendricks, City Attorney

City Council Action Item

Council Meeting Date: December 27, 2018

Department: Administration

Agenda Item: Consider Ordinance No. 2001 Providing for the Range of Salaries and Compensation of Various City Officers and Employees

Background/Description of Item:

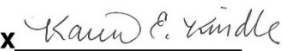
In early 2018, Council directed staff to conduct a comprehensive compensation and benefits study. At the November 15, 2018 work session, City Council provided policy direction to staff to complete the study. At the December 13, 2018 Council meeting, staff presented the results and recommendations from the compensation and benefits study. City Council approved the recommendations from the compensation and benefits study.

The City's salary ordinance has been updated to incorporate the changes noted by the compensation and benefits study and approved by City Council. In approved, Ordinance No. 2001 will go into effect after publication and repeal the previous salary ordinance.

Related Ordinance(s) or Statue(s): Ordinance No. 1022

Funding Source: General Fund, Water Fund, Sewer Fund

Budget Allocated: Salaries and wages are included in the various departments in the operating budgets of the General Fund, Water Fund and Sewer Fund.

x 

Finance Director Approval: Karen Kindle, Finance Director

Recommendation: Approve Ordinance No. 2001 Providing for the Range of Salaries and Compensation of Various City Officers and Employees.

Enclosed: Ordinance No. 2001

Prepared by: Karen Kindle, Finance Director

ORDINANCE NO. 2001

AN ORDINANCE PROVIDING FOR THE RANGE OF SALARIES AND COMPENSATION OF VARIOUS CITY OFFICERS AND EMPLOYEES OF THE CITY OF EDGERTON, KANSAS, EFFECTIVE UPON PUBLICATION AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF EDGERTON, KANSAS:

SECTION ONE: In accordance with the provisions of the Personnel Rules and Regulations of the City of Edgerton, Kansas, and Section 1-319 of Article 3 of Chapter I of the Code of the City of Edgerton, Kansas, the following appointed officers and employees of the City of Edgerton, Kansas shall have the following annual pay ranges:

City of Edgerton, Kansas Base Salary Structure

Range	Job Title	Minimum	Maximum
1	Not used		
2	Seasonal Laborer School Crossing Guard Summer Youth Coordinator	\$15,080	\$26,208
3	Customer Service Representative Maintenance Technician I Administrative Assistant Court Clerk	\$31,500	\$47,250
4	Maintenance Technician II	\$36,500	\$54,750
5	Accounting Technician Code Enforcement/Animal Control Officer Recreation Coordinator	\$39,750	\$59,625
6	Foreman Planning & Zoning Coordinator Building Inspector	\$45,500	\$68,250
7	City Clerk	\$50,000	\$75,000
8	Marketing/Communications Manager	\$54,000	\$81,000
9	Public Works Superintendent Utilities Superintendent CIP Project Manager	\$60,000	\$90,000
10	Assistant City Administrator Development Services Director Finance Director Public Works Director	\$85,000	\$127,500

SECTION TWO: The following officers and employees of the City of Edgerton, Kansas shall receive compensation as hereinafter provided:

Position	Compensation
City Treasurer	\$180.25 per calendar month
City Attorney	\$175.00 per hour. Duties include: attendance at City Council meetings, preparation of ordinary ordinances, advise, conference and phone calls.
Municipal Judge	\$500 per docket attended
Prosecuting Attorney	\$110 per hour
Court Appointed Attorney	\$75.00 per hour for in-court time and out-of- court preparation time

SECTION THREE: The City Administrator shall set the individual employee's salary and compensation which shall fall within the salary and compensation ranges established by this Ordinance.

SECTION FOUR: All other ordinances in conflict are hereby repealed upon the adoption of this Ordinance.

SECTION FIVE: This Ordinance shall be in force from and after its passage, approval and publication as provided by law.

ADOPTED BY THE GOVERNING BODY AND APPROVED BY THE MAYOR OF
EDGERTON, KANSAS ON THE 27TH DAY OF DECEMBER, 2018.

DONALD ROBERTS, Mayor

ATTEST:

RACHEL A. JAMES, City Clerk

APPROVED AS TO FORM:

LEE W. HENDRICKS, City Attorney