

**EDGERTON CITY COUNCIL
MEETING AGENDA
CITY HALL, 404 EAST NELSON STREET
July 24, 2014
7:00 PM**

Call to Order

1. **Roll Call** ___ Roberts___Longanecker ___Crooks___Cross___Wiseman___ Brown
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. Agenda Approval

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 AWARD OF CONSTRUCTION OF THE 2014 STREET MAINTENANCE PROGRAM TO VANCE BROTHERS**

Motion: _____ Second: _____ Vote: _____

8. **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: _____ Second: _____ Vote: _____

RECONVENE INTO OPEN SESSION

9. **CONSIDER THE ADDITION OF COMMUNITY DEVELOPMENT DIRECTOR AS AUTHORIZED PAID POSITION**

Motion: _____ Second: _____ Vote: _____

10. CONSIDER ORDINANCE NO. 973 PROVIDING FOR THE RANGE OF SALARIES AND COMPENSATION OF VARIOUS CITY OFFICERS AND EMPLOYEES OF THE CITY OF EDGERTON, KANSAS

Motion: _____ Second: _____ Vote: _____

11. Report by the City Administrator

- Update regarding conditional use application for Bettis Asphalt
- Report on Boil Water Advisory

12. Report by the Mayor

13. Future Meeting/Event Reminders:

- July 31st 7:00 PM – City Council Work Session – Truck Related Ordinances
- August 12th 7:00 PM – Planning Commission
- August 14th 7:00 PM – City Council Meeting and 2015 Budget Public Hearing
- August 20th Noon – Senior Lunch
- August 28th 7:00 PM – City Council Meeting

14. Adjourn Motion: _____ Second: _____ Vote: _____

AGENDA ITEM INFORMATION FORM

Agenda Item: Consider Award of Construction of the 2014 Street Maintenance Program to Vance Brothers and Authorize the Mayor to Execute the Contract

Department: Public Works

Background/Description of Item: In May 2014, staff presented a draft five-year street maintenance program to City Council for consideration. On June 26th, Edgerton City Council granted concurrence to bid the project for construction. The City of Edgerton held a public bid opening on July 22nd. The City of Edgerton received one qualified bid from Vance Brothers in the amount of \$48,478.22. BG Consultants provided an engineer's estimate of \$48,014.80. The lowest and best bid exceeds the engineer's estimate by approximately \$465.

The Edgerton formal bidding requirements included in the finance policies do not require that the lowest bid be below the engineer's estimate to award the project. In addition, staff verified with the City Attorney that there is no conflict with state statute regarding awarding a project for construction above the engineer's estimate. BG Consultants is preparing a formal tabulation of the bid and will prepare a letter of recommendation for review by Edgerton City Council on July 24th.

The 2013 Audit of Financial Statements shows a balance of \$164,128 in the Special Highway Fund. The approved 2014 budget for Special Highway Fund includes \$130,000 allocated for contractual services. During preparation of the recommended 2015 budget, staff anticipated \$51,859 for 2014 Street Maintenance Program.

If awarded, staff anticipates a construction as listed below.

- Award Construction Contract – July 24
- Preconstruction Meeting – week of July 28
- Construction Begin – Aug 4
- Substantial Completion – Sept 19

Based on the small amount of difference between the engineer's estimate and lowest best bid, staff would recommend awarding the contract to Vance Brothers.

City Attorney has reviewed and approved the Project Manual and Contract Documents. City Attorney will review and approve to form the Performance and Maintenance Bonds once submitted by the Contractor.

Recommendation: Approve Award of Construction of the 2014 Street Maintenance Program to Vance Brothers and Authorize the Mayor to Execute the Contract

Funding Source: Special Highway Fund

Prepared by: Beth Linn, City Administrator
Date: July 23, 2014

AGENDA ITEM INFORMATION FORM

Agenda Item: Consider the addition of Community Development Director as Authorized Paid Position

Department: Administration

Background/Description of Item: The City of Edgerton is anticipated to experience significant growth in the coming years with the development of the Burlington Northern Santa Fe (BNSF) Intermodal/Logistics Park KC (LPKC). One of the tasks of the City Administrator is to position the City, in particular City Hall, to be prepared for that growth. Being prepared includes implementing procedures and policies for smooth and efficient operation of business.

During the preparation of the 2015 budget, staff analyzed the revenue and expenditures related to the city's existing contracts with Johnson County to provide planning, zoning and building inspection services. That analysis shows the City's revenue received from building inspections has risen significantly since 2013 due to the development of LPKC and is expected to continue to rise. Similarly, the city's expenditures to Johnson County related to planning, zoning and building inspection services have risen significantly as well.

Currently, the City Administrator serves as the first point of contact for all planning and zoning inquiries for Edgerton, including LPKC, on a daily basis. This often includes developers, land owners and business owners wanting to obtain preliminary information about the area and the development process. In addition, the City Administrator oversees the review of all land use and development applications submitted to the City. Both Johnson County and the City Engineer review those applications. However, City Administrator coordinates all of that information, prepares the information for Planning Commission and presents the findings to Planning Commission.

Johnson County has provided the City of Edgerton tremendous services during the startup of the development of LPKC. However, based on the current development patterns, number of inquiries regarding land use and development and the desire to have more local representation at important regional development meetings, staff recommends unfunding the Administrative Services Director position for an undetermined time and reallocating those dollars to a Community Development Director.

The Community Development Director would oversee all functions related to planning, zoning, code enforcement, animal control and building inspection. The Director would perform city review and coordinate outside review for all submitted planning/zoning applications. The Director would prepare staff comments and recommendations for Planning Commission, City Council, Board of Zoning Appeals and other boards and committees as necessary.

The Director would also assist citizens by phone or in person answering a wide variety of inquiries regarding planning issues. He/she would provide interpretations of the Unified Development Code and other city regulations relating to land development and land use.

By allocating these functions to the Community Development Director, it would allow more time for the City Administrator to work on areas of economic development, long-range financial planning and budget preparation, intergovernmental cooperation and other special projects. In addition, the position could serve as the point of contact for governing body, staff, residents and public safety in absence of the City Administrator.

The Community Development Director would report to the City Administrator. The position would supervise Code Enforcement/Animal Control Officer. This position would be exempt from overtime.

Staff recommends the addition of a Community Development Director as an Authorized Paid Position immediately in 2014. Based on the approved 2014 Budget including revenue and expenditure projections, staff anticipates adequate funding for salaries and benefits.

City Attorney has reviewed and approved the enclosed draft job description.

Enclosure: Draft Community Development Director Job Description

Related Ordinance(s) or Statute(s):

Recommendation: Approve the Addition of a Community Development Director to the List of Authorized Positions for 2014

Funding Source: N/A

Prepared by: Beth Linn, City Administrator

Date: July 23, 2014



JOB DESCRIPTION
Community Development Director

Job Class: 8
Date: July 24, 2014

Annual Base Salary: \$79,896 – \$90,192
Supervised by: City Administrator

FLSA Status: Exempt

JOB DEFINITION

The Community Development Director is a professional and management position that serves as acting City Administrator in his/her absence. This employee manages and supervises all aspects of community development including planning and zoning, code enforcement, animal control and building inspection.

SUPERVISION RECEIVED AND EXERCISED

- Receives general supervision from the City Administrator
- Supervises Code Enforcement/Animal Control Officer
- Coordinates work with other City departments as needed

EXAMPLES OF ESSENTIAL DUTIES *(This list is not to be construed as a complete representation of the responsibilities of the job, and may include other duties as assigned that are not listed below.)*

Importance	Tasks	% of Time
1	Carries out managerial responsibility for all land use and development applications. Performs city review and coordinates outside review for all submitted applications. Meets with applicants as needed and assists in finding possible solutions to development issues. Prepares staff comments and recommendations for Planning Commission, City Council, Board of Zoning Appeals and other boards and committees as necessary. Prepares and distributes all agendas for Planning Commission and Board of Zoning Appeals. Presents applications to Planning Commission, Board of Zoning and City Council as appropriate.	30
2	Supports the city's economic development initiatives. Prepares studies for land use, zoning, thoroughfare, and utility development or improvement. Confers with developers concerning proposed development. Supervises the evaluation of land use proposals for conformity to established plans and ordinances. Evaluates development proposals for impact as they relate to the adopted plans of the city and makes recommendations.	25
3	Manages and supervises the functions of code enforcement, animal control and building inspection to achieve goals within available resources; plans and organizes workloads and staff assignments; trains and evaluates assigned staff; reviews progress and directs changes as needed.	15
4	Carries out managerial responsibility in accordance with policies, procedures and applicable laws, for all facets of planning and zoning including current and long range planning, Edgerton Unified Development Code and subdivision regulations.	10
5	Assists the City Administrator with the development of the annual budget and related documents. Assures that assigned areas of responsibility are performed within	10

Importance	Tasks	% of Time
	budget; performs cost control activities; monitors revenues and expenditures in assigned area to assure sound fiscal control; prepares annual budget requests; assures effective and efficient use of budgeted funds, personnel, materials, facilities and time.	
6	Assists citizens by phone or in person answering a wide variety of inquiries regarding planning issues. Provides interpretations of the Unified Development Code and other city regulations relating to land development and land use. Processes various types of applications. Answers questions about scheduling, application status and the public hearing process	5
7	Consults with developers, architects, and general public in person or by phone regarding zoning, land use, and development matters. Coordinates and participates in public outreach opportunities to raise awareness of city planning objectives.	5

IMPORTANT JOB FUNCTIONS

- Identifies and makes recommendations regarding enhancements to department procedures, codes and guidelines and the development review process. Researches proposed amendments to the Unified Development Ordinance and other codes, policies and guidelines and makes recommendations to staff and review bodies.
- Monitors national and state-wide development in planning, economic and community development matters; evaluates their impact on City programs and operations.
- Represents the City on various boards and organizations on the local, regional and state levels.
- Represents the department at various board and committee meetings and provides liaison with other departments and citizens groups.
- Makes public presentations as needed to the City Council, staff, citizen groups, students and others.
- Maintains and upgrades professional knowledge, skills, and development by attending seminars and training programs and reading trade and professional journals and publications.
- Serving as Acting City Administrator during the absence of the City Administrator.
- Performs other related duties as assigned.

MATERIAL AND EQUIPMENT USED:

Computer
 General Office Equipment

MINIMUM QUALIFICATIONS REQUIRED:

Education and Experience:

- Bachelor’s degree from an accredited college or university in city or urban planning, landscape architecture, geography, engineering, public administration, or a related field. Master’s degree in urban planning, public administration or related field preferred. AICP preferred.
- Five to seven years of progressively responsible related experience, including supervisory; or,
- Any combination of education, training and experience which provides the required knowledge, skills, and abilities to perform the essential functions of the job.

Licenses and Certifications:

Valid Kansas Driver's License

KNOWLEDGE, SKILLS, AND ABILITIES:

Knowledge of:

- Theory, principals, practices and techniques of community development, planning, building inspection, code enforcement, animal control, economic development and related community development skills.
- All applicable state, federal and local ordinances, laws, rules and regulations.
- Principles and practices of public administration, including budgeting, purchasing, and the maintenance of public records.
- Organization and function of an elected City Council and appointed boards and commissions
- The City's personnel rules and policies, principles and practices of management and supervision.
- Administration of staff and activities, either directly or through subordinate supervision.
- Methods and practices of assembling, analyzing, and presenting statistical data.
- All computer applications and hardware related to performance of the essential functions of the job.
- Department organization, standard operating guidelines and policies, rules, and regulations.

Skill in:

- Planning, organizing, assigning, directing, reviewing and evaluating the work of staff.
- Communicating orally and in writing with general public, co-workers and supervisory personnel in order to give and receive information in a courteous manner. Must be able to adapt communication style and format to the audience.
- Remaining calm in stressful situations and to direct others during incidents.
- Solving problems and resolving conflict.
- Operating and maintaining all assigned equipment required to perform the essential functions of the job.

Mental and Physical Abilities:

- Communicate clearly and concisely, both orally and in writing.
- Prepare clear and concise reports.
- Interpret and apply applicable federal, state and local policies, codes, laws and regulations.
- Organize and maintain data accurately and completely with attention to details.
- Analyze problems, identify alternative solutions, project consequences of proposed actions and implement recommendations in support of goals.
- Able to present information in both formal and informal public settings.
- Be courteous, diplomatic, even-tempered, cordial, patient, impartial and cooperative when dealing with supervisors, co-workers, elected officials, and the public.
- Analyze organizational and administrative problems, adopt an effective course of action, and provide leadership to others in carrying out action plans.
- Set priorities and adapt priorities to changing circumstances.
- Able to maintain confidentiality of certain public records, transactions, and information. Can identify sensitive records and information and follow procedures for maintaining confidentiality.
- Establish and maintain effective working relationships with all encountered during the course of work.

WORKING CONDITIONS:

Work is performed in a normal office environment with little exposure to outdoor temperatures or dirt and dust. The incumbent's working conditions are typically moderately quiet. The employee is occasionally required to carry, lift, move or push up to 25 pounds. This job may require occasional bending, squatting and twisting. This job includes frequent use of manual dexterity and visualization of a computer screen throughout the day.

This job requires attendance at evening meetings which include regular and special meetings of the City Council, delegated advisory boards, committees, and community groups. Attendance at overnight seminars and conferences may also be required.

I understand that nothing in this job description restricts the City's right to assign or reassign duties and responsibilities to this job at any time. I also understand that this position description reflects Human Resource's assignment of essential functions; it does not prescribe nor restrict the tasks that may be assigned. I further understand that this position description may be subject to change at any time due to reasonable accommodation or other reasons.

I have reviewed this document and discussed its contents with my supervisor and I fully understand the nature and purpose of this job description and its related duties.

_____	_____	_____
Employee Name	Employee Signature	Date
_____	_____	_____
City Administrator	City Administrator Signature	Date

This job description should not be interpreted as all inclusive. It is intended to identify the essential functions and requirements of this job. Incumbents may be requested to perform job-related responsibilities and tasks other than those stated in this specification. Any essential function or requirement of this class will be evaluated as necessary should an incumbent/applicant be unable to perform the function or requirement due to a disability as defined by the Americans with Disabilities Act (ADA). Reasonable accommodation for the specific disability will be made for the incumbent/applicant when possible.

AGENDA ITEM INFORMATION FORM

Agenda Item: Consider Ordinance No. 973 Providing for the Range of Salaries and Compensation of Various City Officers and Employees of the City of Edgerton, Kansas

Department: Administration

Background/Description of Item: In accordance with the City's Personnel Rules and Regulations, Edgerton has adopted an ordinance providing for the range of salaries and compensation of various city officers and employees. The enclosed draft ordinance adds Job Range #8 to include the Community Development Director.

During the development of Ordinance No. 973, staff found one other correction. The hourly rate the City of Edgerton is currently paying, and has paid for many years, for the City Attorney is \$110 per hour. That amount has been included.

If the Edgerton City Council approves the addition of a Community Development Director to the Authorized List of Positions, staff would recommend approval of the attached ordinance. Staff developed the range based on a comparison of city salary data available through the Mid America Regional Council.

City Attorney has review and approved draft Ordinance No. 973.

Enclosure: Draft Ordinance No. 973

Related Ordinance(s) or Statute(s):

Recommendation: Approve Ordinance No. 973 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

Funding Source: N/A

Prepared by: Beth Linn, City Administrator
Date: July 23, 2014

ORDINANCE NO. 973

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, 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**

<u>Range</u>	<u>Job Title</u>	<u>Minimum</u>	<u>Maximum</u>
1	Seasonal Laborer School Crossing Guard	\$15,080	\$26,208
2	Laborer Administrative Assistant	\$26,301	\$31,561
3	Maintenance Technician I Account Clerk Municipal Court Clerk	\$28,931	\$34,717
4	Maintenance Technician II Code Enforcement Officer Recreation Coordinator	\$35,006	\$42,007
5	Assistant Superintendent City Clerk	\$46,593	\$55,912
6	Public Works Superintendent Utility Superintendent	\$51,252	\$63,503
7	Administrative Services Director	\$56,377	\$67,653
8	Community Development Director	\$79,896	\$90,192

The normal work week for all full-time employees will be a forty-hour work week. The City of Edgerton will pay compensation at one and one-half times the normal hourly rate for all hours actually worked in excess of forty hours per week for all employees who are non-exempt from the provisions of the Fair Labor Standards Act.

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

Position	Compensation
City Treasurer	\$180.25 per calendar month
City Attorney	\$800.00 per calendar month. Duties include: attendance at City Council meetings, preparation of ordinary ordinances, advise, conference and phone calls, and all other services on contract basis of \$110 per hour.
Municipal Judge	\$75.00 per hour for in-court session and for out-of-court preparation time, and \$15.00 travel fee.
Prosecuting Attorney	\$75.00 per hour for in-court session and for out-of-court preparation time, and \$15.00 travel fee.
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 take effect after it is published once in the City's official newspaper and 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 24TH DAY OF JULY, 2014.

DONALD ROBERTS, Mayor

ATTEST:

JANEICE RAWLES, City Clerk

APPROVED AS TO FORM:

PATRICK G. REAVEY, City Attorney