

**City of Edgerton, Kansas
Minutes of City Council Regular Session
December 11, 2014**

A Regular Session of the City Council was held in the Edgerton City Hall, 404 E. Nelson, Edgerton, Kansas on December 11, 2014. The meeting convened at 7:00 p.m. with Mayor Roberts presiding, and City Clerk Janeice L. Rawles recording.

1. ROLL CALL

Frances Cross	present
Charlie Troutner	present
Jody Brown	present
Clay Longanecker	present

Cindy Crooks	absent
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With a quorum present, the meeting commenced.

Staff in attendance:	City Administrator Beth Linn
	Community Development Director Kenny Cook
	City Attorney Patrick Reavey

Consultants in attendance: Johnson County Sheriff Frank Denning

2. WELCOME AND PLEDGE OF ALLEGIANCE

3. CONSENT AGENDA

- Agenda Approval
- City Council Meeting Minutes November 13, 2014
- Animal Permit for Glyn Powers at 1606 West 8th Street
- Animal Permit for Darius Crist at 510 West Braun Street
- Animal Permit for H.M. and B.K. Damet for 202 West 8th Street
- Animal Permit for Jarold and Sharon Owens at 410 West Braun
- Animal Permit for Marvin Vail at 1405 West 8th Street
- Animal Permit for Michael Mabrey at 1200 West Braun
- Animal Permit for Drew Young at 306 West 8th Street
- Renewal of a Cereal Malt Beverage License application for 2014
- Resolution No. 12-11-14A Waiving The City's Compliance With Generally Accepted accounting Principles For Financial Reporting And Causes Such Reports To Be Prepared In compliance With The Cash Basis And Budget Laws Of The State Of Kansas
- Resolution No. 12-11-14B Renewing an Existing Facility Use and Maintenance Agreement for the Bank of Knowledge and Authorizing Its Use by the Board of Directors of the Johnson County Library as a Library Facility
- Resolution No. 12-11-14C Declaring the Boundaries of the City of Edgerton, Johnson County, Kansas

- Consider Approval of a One-Year Contract Extension with Clements Cleaning Service to provide Janitorial Services for the Edgerton Community Building/City Hall for 2015
- Approval of Year-End Longevity Bonus for Employees
- Consider an Agreement with the Southwest Johnson County Economic Development Corporation to provide Economic Development Services for Fiscal Year 2015 and Authorize the Mayor to Execute the Agreement
- Animal Permit for Rick Magee at 1301 West 8th Street

The Mayor requested Resolution No. 12-11-14C Declaring the Boundaries of the City of Edgerton, Johnson County, Kansas was pulled from the Consent Agenda and placed at the end of the agenda.

A motion by Longanecker, seconded by Brown, to approve the Consent Agenda with noted exception.

The motion was approved, 4-0.

4. PUBLIC COMMENTS

Bill Braun addressed the council about codes and compliances. The Mayor and City Administrator both responded and asked that Mr. Braun contact the code enforcement officer or the Community Development Director.

5. DECLARATIONS BY COUNCIL MEMBERS

None

6. ORDINANCE NO. 985 AMENDING ARTICLE 5, SECTION 23 AND ARTICLE 19, SECTION 200 OF THE STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES, EDITION OF 2014, WHICH WAS INCORPORATED BY ORDINANCE NO. 978 WAS CONSIDERED

It was noted there were errors in the Standard Traffic Ordinance originally prepared by the Kansas League of Municipalities. Tonight's action will correct the errors.

Motion by Brown, seconded by Longanecker, to approve Ordinance No. 985 amending Article 5, Section 23 and Article 19, Section 200 of the Standard Traffic Ordinance for Kansas Cities, Edition of 2014, which was incorporated by Ordinance No. 978.

The motion was approved, 4-0.

7. FACILITY USE AND MAINTENANCE AGREEMENT WITH EDGERTON HISTORIC SOCIETY FOR EDGERTON COMMUNITY MUSEUM FOR 2015 WAS CONSIDERED

Beth Linn, City Administrator presented information about the facility use and maintenance agreement with Edgerton Historic Society. The Edgerton Historic Society provided to Mayor and council a list of projects and suggested improvements needed at the museum building. Some of those items include repairs to the roof, siding or paint, new heating and air conditioning system, storm windows and several more items.

Council member Troutner was asked to remove himself from the discussion about the Historical Society because he is the President of the Edgerton Historical Society.

Council member Troutner left the meeting at 7:36 p.m.

Discussion continued with Vice President Bill Braun. Mr. Braun stated that the fund raising that is done by the Historical Society is to pay for the insurance only. The city attorney asked if the Historical Society is a 501C3, which allows them to be tax exempt. The answer was unknown.

Motion by Longanecker, seconded by Cross, to approve the Facility Use and Maintenance Agreement with Edgerton Historic Society for Edgerton Community Museum for 2015.

The motion was approved 3-0.

Council member Troutner returned to the meeting at 7:43 p.m.

Council member Crooks arrived at the meeting at 7:45 p.m.

8. AGREEMENT WITH THE JOHNSON COUNTY SHERIFF'S DEPARTMENT FOR THE PROVISION OF LAW ENFORCEMENT SERVICES FOR FISCAL YEAR 2015 AND AUTHORIZE THE MAYOR TO EXECUTE THE AGREEMENT WAS CONSIDERED.

Information regarding the agreement with the Johnson County Sheriff's Department was presented by City Administrator Beth Linn. The annual cost of the contract increased by 1.33 percent from 2014, for a total of \$259,633. Johnson County Sheriff Frank Denning was present at the meeting to answer questions and discuss issues.

Motion by Cross, seconded by Longanecker, to approve the Agreement with the Johnson County Sheriff's Department for the Provision of Law Enforcement Services for Fiscal Year 2015 and authorize the Mayor to execute the agreement.

The motion was approved, 5-0.

9. CONTRACT WITH CANDID MARKETING FOR MARKETING AND COMMUNICATIONS SERVICES FOR STRATEGIC MARKETING SERVICES FOR 2015 WAS CONSIDERED

Beth Linn, City Administrator, presented to the Mayor and Council the scope of work that Candid Marketing does for the City of Edgerton to include: the newsletter; welcome packet; website support; posters; presentations and a wide array of other items.

Motion by Troutner, seconded by Longanecker, to approve the contract with Candid Marketing, for Marketing and Communications Services for Strategic Marketing Services for 2015.

The motion was approved, 6-0, with Mayor voting.

10. THE REFLECTIVE GROUP TO PROVIDE INFORMATION TECHNOLOGY SERVICES AND AUTHORIZE THE MAYOR TO EXECUTE AN AGREEMENT WAS CONSIDERED

The City of Edgerton has contracted with The Reflective Group since November 2013. The Reflective Group continues to provide excellent service and staff would recommend approval of a one-year extension of their contract.

Motion by Cross, seconded by Crooks, to approve the Reflective Group to provide technology services and authorize the Mayor to execute an agreement.

The motion was approved, 5-0.

11. ORDINANCE NO. 986 ADOPTING A RECOMMENDATION BY THE CITY PLANNING COMMISSION TO APPROVE REZONING OF APPROXIMATELY 138 ACRES OF LAND (LOCATED APPROXIMATELY 1,700 FEET SOUTH OF THE SOUTHWEST CORNER OF 191ST STREET AND WAVERLY ROAD) IN EDGERTON, KANSAS FROM JOHNSON COUNTY RUR, RURAL ZONING TO CITY OF EDGERTON L-P LOGISTICS PARK ZONING DISTRICT WAS CONSIDERED

Edgerton Land Holding Company (ELHC) representative Patrick Robinson requested to rezone approximately 138 acres located at the southwest corner of 191st street and Waverly Road from Johnson County RUR to City of Edgerton Logistics Park (L-P) zoning. The property requested to be rezoned was annexed into the City of Edgerton in March 2014. Edgerton Land Holding Company has requested to rezone the parcel to Logistics Park district to accommodate additional warehouse space as part of Logistics Park Kansas City.

Motion by Longanecker, seconded by Brown, to approve Ordinance No. 986 adopting a recommendation by the city Planning Commission to approve rezoning of approximately 138 acres of land (located approximately 1,700 feet south of the southwest corner of 191st street and Waverly road) in Edgerton, Kansas from Johnson County RUR, Rural zoning to City of Edgerton L-P Logistics Park Zoning District.

The motion was approved, 5-0.

12. ORDINANCE NO. 987 AN ORDINANCE ADOPTING THE PLANNING COMMISSION'S RECOMMENDATION TO APPROVE A CONDITIONAL USE PERMIT TO ALLOW USE OF LAND, IN THE C-2 HEAVY COMMERCIAL DISTRICT GENERALLY LOCATED AT 20080 HOMESTEAD LANE IN EDGERTON, KANSAS, FOR CONSTRUCTION AND MAINTENANCE OF A BILLBOARD SIGN WAS CONSIDERED

The City of Edgerton received application CU-10-08-2014 from Jeffrey and Jennifer Thorp (Owner) and Tim Gates (Agent) requesting a conditional use permit to locate a billboard sign at 20080 Homestead Lane in Edgerton, Kansas.

The Edgerton Planning Commission held a public hearing on November 4, 2014 regarding this conditional use permit application and recommended approval of the permit with stipulations. The stipulations are listed in the Ordinance.

Motion by Crooks, seconded by Longanecker, to approve Ordinance No. 987 an Ordinance Adopting the Planning Commission's recommendation to approve a Conditional Use Permit to allow use of land, in the C-2 Heavy Commercial district, generally located at 20080 Homestead Lane in Edgerton, Kansas, for construction and maintenance of a billboard sign.

The motion was approved, 5-0.

13. AMENDMENT TO THE AGREEMENT WITH THE STATE OF KANSAS FOR THE DEBT SETOFF PROGRAM WAS CONSIDERED

The City of Edgerton entered into an agreement with the State of Kansas Department of Administration to participate in the State Debt Setoff Program in 2008. The state charges a fee of 18.4% and the State of Kansas is increasing its fee to 19%. In order for the City of Edgerton to continue in the program the City needs to execute the amendment to the 2008 agreement which includes the language regarding the updated fee.

Motion by Longanecker, seconded by Crooks, to approve the amendment to the agreement with the State of Kansas for the Debt Setoff Program.

The motion was approved, 5-0.

14. ORDINANCE NO. 988 GRANTING ANNEXATION FOR SPECIFIC LAND TO THE CITY OF EDGERTON, KANSAS, PURSUANT K.S.A. 12-520 WAS CONSIDERED

There remain numerous tracts of right-of-way land along 191st Street and Homestead Lane which were titled in the name of KDOT or Johnson County, Kansas. Johnson County consented to the annexation of all right-of-way tracts for 191st Street (for the portion of the street already annexed into the City) which are titled in the name of Johnson County.

Motion by Brown, seconded by Longanecker, to approve Ordinance No. 988 granting annexation for specific land to the City of Edgerton, Kansas, Pursuant K.S.A. 12-520.

The motion was approved, 5-0.

15. ORDINANCE NO. 989 AUTHORIZING THE EXECUTION OF THE FIRST AMENDMENT TO THE LOAN AGREEMENT BETWEEN EDGERTON, KANSAS AND THE STATE OF KANSAS, ACTING BY AND THROUGH THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT FOR THE PURPOSE OF OBTAINING A LOAN FROM THE KANSAS WATER POLLUTION CONTROL REVOLVING FUND FOR THE PURPOSE OF FINANCING A WASTEWATER TREATMENT PROJECT; ESTABLISHING A DEDICATED SOURCE OF REVENUE FOR REPAYMENT OF SUCH LOAN; AUTHORIZING AND APPROVING CERTAIN DOCUMENTS IN CONNECTION THEREWITH; AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION WITH THE FIRST AMENDMENT TO THE LOAN AGREEMENT WAS CONSIDERED

Edgerton City Council approved on November 20, 2014 an amendment to the Loan Agreement between the City of Edgerton and the State of Kansas/Kansas Department of Health and Environment in the amount of \$750,000 for Big Bull Creek Wastewater Treatment Facility and

Conveyance System Project. Ordinance No. 989 is the formal authorization to execute that First Amendment to the loan from the Kansas Water Pollution Control Revolving Fund.

Motion by Crooks, seconded by Troutner, to approve Ordinance No. 989 authorizing the execution of the First Amendment to the loan agreement between Edgerton, Kansas and the State of Kansas, acting by and through the Kansas Department of Health and Environment for the purpose of obtaining a loan from the Kansas Water Pollution Control Revolving Fund for the purpose of financing a Wastewater Treatment Project; establishing a dedicated source of revenue for repayment of such loan; authorizing and approving certain documents in connection therewith; and authorizing certain other actions in connection with the First Amendment to the loan agreement.

The motion was approved, 5-0.

16. CONTRACT BETWEEN EDGERTON AND GARDNER DISPOSAL SERVICES, INC. FOR RESIDENTIAL SOLID WASTE COLLECTION AND DISPOSAL SERVICES WAS CONSIDERED

The contract between the City of Edgerton and Gardner Disposal Services, Inc. was developed by City Attorney Patrick Reavey to be very similar to the agreement with Deffenbaugh Disposal Services. The collection day has changed to Wednesday, starting on the 31st day of December 2014. The City of Edgerton is mailing information about the new service provider to customers.

Motion by Cross, seconded by Crooks, to authorize the Mayor to sign the contract with Gardner Disposal Services, Inc. for solid waste collection in the City from December 31, 2014 through December 31, 2017, and authorize City Attorney to negotiate non-substantive revisions requested by Gardner Disposal Services, Inc.

The motion was approved, 5-0.

17. AN AMENDMENT TO PROVIDE A CONTINUATION AND MODIFICATION TO THE COMMUNITY LAKES ASSISTANCE PROGRAM MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF EDGERTON AND THE KANSAS DEPARTMENT OF WILDLIFE, PARKS AND TOURISM WAS CONSIDERED

The Community Fisheries Assistance Program (CFAP) is a state funded program through Kansas Department of Wildlife, Parks & Tourism that improves fishing opportunities at community lakes. The City of Edgerton has taken advantage of this assistance program since 2005. Both Edgerton Lake and Bridgewater Lake are currently under the agreement that expires January 1, 2015. According to the agreement the City cannot charge for fishing at the lakes and must document \$772.50 of operations and maintenance expenditures and submit quarterly. There is no cost for the City of Edgerton to participate in the program.

Motion by Longanecker, seconded by Cross, to approve an amendment to provide a continuation and modification to the Community Lakes Assistance Program memorandum of understanding between the City of Edgerton and the Kansas Department of Wildlife, Parks and Tourism.

The motion was approved, 5-0.

18. RESOLUTION NO. 12-11-14D APPOINTING KENNETH COOK AS ZONING ADMINISTRATOR FOR THE CITY OF EDGERTON WAS CONSIDERED

Mayor Roberts stated that the City of Edgerton Unified Development Code states that the council is to appoint a Zoning Administrator. The past Zoning Administrator was Mike Mabrey.

Motion by Crooks, seconded by Longanecker, to appoint Kenneth Cook as Zoning Administrator for the City of Edgerton.

The motion was approved, 6-0 with the Mayor voting.

19. RESOLUTION NO. 12-11-14C DECLARING THE BOUNDARIES OF THE CITY OF EDGERTON, JOHNSON COUNTY, KANSAS WAS CONSIDERED

Each year in which territory has been added or excluded from the city, The City of Edgerton adopts a resolution declaring the boundaries of the city as required by K.S.A. 12-517.

Motion by Longanecker, seconded by Brown, to approve Resolution No. 12-11-14C declaring the boundaries of the City of Edgerton, Johnson County, Kansas.

The motion was approved, 5-0.

20. REPORT BY THE CITY ADMINISTRATOR

The City Administrator reported the following:

- 1) The Middleton Island Annexation passed today at the Board of County Commissioners Meeting
- 2) The Quiet Zone with Kansas Heavy Construction is completed on Nelson Street and we are now waiting on the twenty one (21) day waiting period.
- 3) 2015 Media Recommendation. Ms. Freetly-Graber, with Candid Marketing and Communications distributed a handout for review for the media plan. Motion by Longanecker, seconded by Troutner, to approve the 2015 Media Recommendation by Candid Marketing.

The motion was approved, 5-0.

21. REPORT BY THE MAYOR

The Mayor reported the winners for the 2014 Lighting Contest

- 1st place to Gary & Shirley Gillard
- 2nd place to Clint Eskam
- 3rd place tie to William Booton and Lonny Casaert
Bridgewater Estates for the Neighborhood Winner

The Mayor congratulated the new businesses within the City of Edgerton and welcomed them.

Council member Crooks discussed the holiday schedule with the Mayor and other council members. Council member Crooks stated that she thinks the City of Edgerton has a great staff and as a thank you, the City of Edgerton should close at noon on the 24th of December 2014 and also remain closed on the 26th day of December 2014. Also noted was that the City will be closed on the 1st day of January 2015 for New Year's Day.

Motion by Crooks, seconded by Cross, to give the employees of the City of Edgerton time off for the holidays. Employees will be off at noon on the 24th day of December 2014 and off all day on the 26th day of December 2014.

The motion was approved 5-0.

22. FUTURE MEETING/EVENT REMINDERS

- December 17th Noon - Senior Lunch
- December 17th 6:00 p.m. to 7:30 p.m. – SW JO.Co. Elected Official Forum, Gardner City Hall
- December 18th 6:00 pm - USD 231 Community Forum Local Option Budget/ Edgerton City Hall
- December 19th 6:00 pm Grand Opening “Brickhouse”
- December 22nd 6:30 pm – Pheasant Ridge Resident Meeting, Edgerton City Hall
- Week of December 22nd - Trash Pick up Friday
- December 25th - City Offices Closed
- December 26th - Trash Pickup FRIDAY
- January 1st City Offices Closed
- Week of January 1st - Trash Pick Up Wednesday December 31st
- January 8th 7:00 pm - City Council Meeting
- January 13th 7:00 pm - Planning Commission
- January 21st Noon – Senior Lunch
- January 22nd 7:00 pm – City Council Meeting

Motion by Crooks, seconded by Brown, to adjourn.

The motion was approved, 5-0.

Meeting adjourned at 9:30 pm.

Janeice L. Rawles, CMC
City Clerk

Approved by the Governing Body on