

City of Edgerton, Kansas
Minutes of City Council Regular Session
April 9, 2015

A Regular Session of the City Council was held in the Edgerton City Hall, 404 E. Nelson, Edgerton, Kansas on April 9, 2015. The meeting convened at 7:00 p.m. with Mayor Roberts presiding, and City Clerk Janeice L. Rawles recording.

1. ROLL CALL

Charlie Troutner	present
Clay Longanecker	present
Frances Cross	present
Jody Brown	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's Department
 Bond Counsel Scott Anderson
 Financial Advisor Jeff White
 City Engineer David Hamby

2. WELCOME AND PLEDGE OF ALLEGIANCE

3. CONSENT AGENDA

- Agenda approval
- City Council Meeting Minutes March 26, 2015

Motion by Brown, seconded by Cross, to approve the Consent Agenda.

Motion was approved, 4-0.

4. PUBLIC COMMENTS

None

5. DECLARATIONS BY COUNCIL MEMBERS

None

6. AGREEMENT BETWEEN JOHNSON COUNTY, KANSAS, AND THE CITY OF EDGERTON, KANSAS, FOR THE PUBLIC IMPROVEMENT OF EDGERTON ROAD AND 207TH STREET FROM 199TH TO 207TH STREET AND ½ MILE WEST OF EDGERTON ROAD TO BNSF RAILROAD WAS CONSIDERED.

Beth Linn, City Administrator, presented information to the Mayor and council pertaining to Resolution No. 07-10-14A approved on July 10, 2014 regarding the joint overlay project for Edgerton Road and 207th Street. This project is a joint project with the 2015 County Assistance Road System (CARS) program. The total cost for the City of Edgerton will be \$42,419.50. Johnson County will pay the same amount as the City of Edgerton and the CARS program would fund the other 50%. Funding for this project was included in the approved 2015 Budget from the Special Highway Fund.

Motion by Cross, seconded by Longanecker, to approve the agreement between Johnson County, Kansas and the City of Edgerton, Kansas for the public improvement of Edgerton Road and 207th Street from 199th to 207th street and ½ mile west of Edgerton Road to BNSF Railroad.

Motion was approved, 4-0.

7. GUARANTEED MAXIMUM PRICE PROPOSAL FOR WAVERLY ROAD PROJECT WAS CONSIDERED.

Beth Linn, City Administrator, provided information about Resolution No. 02-12-15A approving an Agreement with the Secretary of the Kansas Department of Transportation and Burlington Northern Santa Fe Railway Company for a Grant for construction of Waverly Road. The City of Edgerton City Council approved a Design-Build Agreement with Clarkson Construction Company to complete the project. The project is now approximately 30% complete which will enable the Contractor to determine a Guaranteed Maximum Price (GMP) for construction and a project progress schedule. The GMP totals \$28,724,625.13; this does not include the contract for preliminary work to develop the CMP or funding for city administrative expenses.

Motion by Longanecker, seconded by Troutner, to approve the Guaranteed Maximum Price Proposal in the amount of \$28,724,625.13, Scope of Work and Project Schedule and authorize the Mayor to execute Exhibit C.

Motion was approved 4-0.

8. PUBLIC HEARING FOR FIRST AMENDMENT TO MASTER RESOLUTION OF INTENT, RESOLUTION AMENDING A MASTER RESOLUTION OF INTENT WAS CONSIDERED.

The Mayor opened the Public Hearing at 7:28. There were no public comments and no questions.

The Mayor closed the Public Hearing at 7:30.

9. RESOLUTION NO. 04-06-15A CONSENTING TO THE AMENDMENT OF A MASTER RESOLUTION OF INTENT EVIDENCING THE CITY'S INTENT TO ISSUE ITS INDUSTRIAL REVENUE BONDS FOR THE LOGISTICS PARK, KANSS CITY PROJECT WAS CONSIDERED.

Scott Anderson, bond counsel for The City of Edgerton, recommended approving the Resolution to increase the size of the Logistics Park, increase the amount of authorized bonds that may be issued for the Logistics Park to \$1 billion and fix the annual PILOT payment at an amount equal to \$0.21 a square foot. Mr. Anderson explained to the Mayor and council about the issues as stated above.

Motion by Brown, seconded by Longanecker, to approve Resolution No. 04-06-15A consenting to the amendment of a master resolution of intent evidencing the City's intent to issue its industrial revenue bonds for the Logistics Park, Kansas City project.

Motion was approved 4-0.

10. PUBLIC HEARING FOR RESOLUTION AUTHORIZING FIRST AMENDMENTS TO PERFORMANCE AGREEMENTS WAS CONSIDERED

Mayor Roberts opened the public hearing at 7:35 pm.

There were no comments and no questions. Patrick Robinson was present for Northpoint Development and requested that Mayor and Council approve the amendments.

Mayor Roberts closed the public hearing at 7:36 pm.

11. RESOLUTION 04-09-15B AUTHORIZING THE CITY TO EXECUTE AND DELIVER A FIRST AMENDMENT TO PERFORMANCE AGREEMENT FOR THE ELHC I, ELHC IV, ELHC XI AND ELHC XII PROJECTS WAS CONSIDERED

Scott Anderson, bond counsel for the City of Edgerton, recommended approving the Resolution to authorize the amendments to each of the Performance Agreements to fix the annual PILOT payment at an amount equal to \$0.21 a square foot for the remaining abatement term of each of the projects. There were no questions or comments.

Motion by Brown, seconded by Longanecker, to approve Resolution 04-09-15B authorizing the City to execute and deliver a first amendment to performance agreement for the ELHC I, IV, XI, XII.

Motion was approved, 4-0.

12. REPORT BY THE CITY ADMINISTRATOR

The citizen survey has been sent out, if you or someone you know did not get one, please call City Hall and leave your address.

The truck route analysis is with the City Engineer and will be presented at the April 23rd meeting.

At the April 23rd meeting there will be an update from the Animal Control Officer.

The 2016 Budget Calendar was passed out and discussed.

13. REPORT BY THE MAYOR

The Mayor had no report.

City Attorney Patrick Reavey talked about House Bill 2003, which is dealing with annexation by cities. Mr. Reavey and the Mayor are both watching this bill, however a letter has been drafted and council has a copy. The council decided to proceed with mailing the letter and watching House Bill 2003.

14. FUTURE MEETING/EVENT REMINDERS:

- April 14th 7:00 pm – Planning commission Meeting
- April 15th Noon – Senior Lunch
- April 23rd 7:00 pm City Council Meeting
- April 28th Citywide Garage Sale
- May 9th Citywide clean up

City Attorney, Patrick Reavey wanted to remind the Mayor on Exhibit C to make sure the Guarantee Maximum Price is filled in on the contract.

Mayor Roberts asked about Certified Election Results. He was informed they should be available next week.

15. ADJOURN

Motion by Brown, seconded by Cross, to adjourn the meeting.

Motion was approved, 4-0.

Meeting adjourned at 8:00 pm.

Janeice L. Rawles, CMC
City Clerk

Approved by the Governing Body on _____