

City of Edgerton, Kansas
Minutes of City Council Regular Session
June 11, 2015

A Regular Session of the City Council was held in the Edgerton City Hall, 404 E. Nelson, Edgerton, Kansas on June 11, 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
Cindy Crooks	present
Jody Brown	present
Darius Crist	present

With a quorum present, the meeting commenced.

Staff in attendance:

- City Administrator Beth Linn
- Community Development Director Kenny Cook
- City Attorney Patrick Reavey
- Johnson County Sheriff Dept.
- Jeff White, Financial Advisor
- Abram Chrislip, Mize Houser & Company P.A.

2. WELCOME AND PLEDGE OF ALLEGIANCE

3. CONSENT AGENDA

- Agenda Approval
- Approve City Council Meeting Minutes May 28, 2015
- Acceptance of Permanent Drainage and Temporary Construction Easements for Waverly Road Project

Motion by Crooks, seconded by Longanecker, to approve the Consent Agenda.

Motion approved, 5-0.

4. PUBLIC COMMENTS

There were no Public Comments

5. DECLARATIONS BY COUNCIL MEMBERS

There were no declarations by any council members

6. REQUEST FOR CREDIT OF MINIMUM WATER BILLING WAS CONSIDERED

City Administrator Beth Linn presented information about the account. It was confirmed that in the past there were two accounts at Ray's Station. Ms Linn indicated one account was at 405 East Morgan and one was at 409 East Morgan; the one in question is the 409 East Morgan. Bill Braun is requesting a refund for Jo Braun (his mother) in the amount of \$875.82, for 33 months of minimum water billing at the 409 East Morgan address.

Motion by Crooks, seconded by Brown, to table this topic to the next regular meeting for more information.

The Yea votes: Crist, Crooks, Longanecker, and Brown. The Nay vote: Troutner. Motion was approved, 4-1.

7. THE 2014 AUDIT OF FINANCIAL STATEMENTS AS PRESENTED BY MIZE HOUSER WAS CONSIDERED

City Administrator Beth Linn introduced Abram Chrislip, Mize Houser & Company P.A., to present the 2014 Audit of Financial Statements. Mr. Chrislip advised city council the audit went very well this year, thanks to Beth Linn and her staff. There was discussion and explanation about several pages in the audit report. Mayor Roberts thanked Abram for presenting the audit and being available to answer questions.

Motion by Brown, seconded by Troutner, to approve the 2014 Audit of Financial Statements as presented by Mize Houser.

Motion was approved, 5-0.

8. AMENDMENT NO. 2 TO LOAN AGREEMENT BETWEEN EDGERTON, KANSAS AND THE STATE OF KANSAS, ACTING BY AND THROUGH THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT TO LOWER THE AMOUNT OF THE LOAN BY \$2,681.12 FOR BIG BULL CREEK WASTEWATER TREATMENT FACILITY AND CONVEYANCE SYSTEM PROJECT WAS CONSIDERED

Beth Linn, City Administrator, presented information about the need to lower the amount of the loan by \$2,681.12. Upon the final disbursement request to KDHE, the City recognized the noted amount was not needed for the project expenses. Therefore it was requested the actual amount of the loan be lowered by \$2,681.12 to match the actual expenses and the new loan amount. Amendment No. 2 would finalize the amount and the repayment schedule.

Motion by Longanecker, seconded by Crist, to approve Amendment No. 2 to loan agreement between Edgerton, Kansas and the State of Kansas, acting by and through the Kansas Department of Health and Environment to lower the amount of the loan by \$2,681.12 for Big Bull Creek Wastewater Treatment Facility and Conveyance System Project, with the City Attorneys approval.

Motion was approved, 5-0.

9. PUBLIC HEARING REGARDING RESOLUTION NO. 06-11-15A A RESOLUTION OF INTENT FOR INLAND PART XIV WAS CONSIDERED

Mayor Roberts opened the Public Hearing at 7:54 pm. The Public Hearing is for Partial Assignment of Resolution of Intent; Property Tax Abatement for ELHC XIV, LLC Project; consider the cost-benefit report; and approve a partial assignment of the Master Resolution of Intent. There were no comments from the public.

The Mayor closed the Public Hearing at 7:58 pm.

10. RESOLUTION NO. 06-11-15A CONSENTING TO THE PARTIAL ASSIGNMENT OF A RESOLUTION OF INTENT FROM EDGERTON LAND HOLDING COMPANY, LLC TO ELHC XIV, LLC, OR ITS SUCCESSORS IN INTEREST WAS CONSIDERED

The City of Edgerton received an application for property tax abatement from ELHC XIV, LLC. ELHC XIV desires to construct an approximately 822,500 square foot spec warehouse. The public hearing was concluded previous to this action.

Motion by Crooks, seconded by Brown, to approve Resolution No. 06-11-15A consenting to the partial assignment of a Resolution of Intent from Edgerton Land Holding Company, LLC to ELHC XIV, LLC, or its successors in interest.

Motion was approved, 5-0.

11. PUBLIC HEARING REGARDING RESOLUTION NO. 06-11-15B AS RESOLUTION OF INTENT FOR INLAND PORT V

Mayor Roberts opened the Public Hearing at 8:09 pm. The Public Hearing is for Partial Assignment of Resolution of Intent; Property Tax Abatement for ELHC V, LLC Project; consider the cost-benefit report; and approve a partial assignment of the Master Resolution of Intent. There were no comments from the public.

The Mayor closed the Public Hearing at 8:10 pm.

12. RESOLUTION NO. 06-11-15B CONSENTING TO THE PARTIAL ASSIGNMENT OF A RESOLUTION OF INTENT FROM EDGERTON LAND HOLDING COMPANY, LLC TO ELHC V, LLC OR ITS SUCCESSORS IN INTEREST WAS CONSIDERED

The City of Edgerton received an application for property tax abatement from ELHC V, LLC. ELHC V desires to construct an approximately 650,000 square foot spec warehouse. The public hearing was concluded previous to this action.

Motion by Brown, seconded by Longanecker, to approve Resolution No. 06-11-15B consenting to the partial assignment of a Resolution of Intent from Edgerton Land Holding Company, LLC to ELHC V, LLC, or its successors in interest.

Motion was approved, 5-0.

13. REPORT BY THE CITY ADMINISTRATOR

The first item was a report on Flexing Your Opportunities Event where approximately seventy people signed up for our mailing address list. There were one hundred and fifty to two hundred people that attended the event.

The next item was the old rusty farm implement located at 305 East Nelson Street. The property is owned by the City of Edgerton and the Edgerton Historical Society wants to move the implement to the Historical House next door to City Hall. Discussion about whether or not to move the item or not occurred.

Quorum update from the City Attorney: it takes four (4) council members for a quorum.

14. REPORT BY THE MAYOR

The Mayor asked everyone to contact their representatives and senators about the Property Tax Lid on Cities and about the Sales Tax; these items are currently being discussed in the legislature.

15. FUTURE MEETING/EVENT REMINDERS

- June 17th Noon – Senior Lunch
- June 19th and 20th – Edgerton Frontier Days
- June 25th 7:00 pm – City Council Meeting and Budget Work Session
- Saturday June 13th is “Bike Across Kansas” event. They will be leaving Baldwin City approximately 6:00 am., traveling thru Edgerton.

15.5 ADDITION TO AGENDA - EXECUTIVE SESSION –ATTORNEY CLIENT PRIVILEGE

Motion by Brown, seconded by Troutner, to recess into executive session for five minutes under the Attorney Client Privilege, to include City Attorney and City Administrator.

Motion was approved, 5-0.

Meeting recessed at 8:45 pm.

Motion by Brown, seconded by Troutner, to reconvene into regular session, no action taken.

Motion was approved, 5-0.

Meeting reconvened at 8:51 pm.

16. ADJOURN

Motion by Crooks, seconded by Troutner, to adjourn the meeting.

Motion was approved, 5-0.

Meeting adjourned at 8:52 pm.

Janeice L. Rawles, CMC

City Clerk

Approved by the Governing Body on _____