

City of Edgerton, Kansas  
Minutes of City Council Regular Session  
January 14, 2016

A Regular Session of the City Council was held in the Edgerton City Hall, 404 E. Nelson, Edgerton, Kansas on January 14, 2016. 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
Darius Crist	present
Clay Longanecker	present
Cindy Crooks	present

Jody Brown	absent
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With a quorum present, the meeting commenced.

Staff in attendance:           Community Development Director Kenny Cook  
  City Attorney Patrick Reavey  
  Edgerton Park & Recreation Coordinator Tegan Meadors  
  Johnson County Sheriff Department Representative

**2. WELCOME AND PLEDGE OF ALLEGIANCE**

Chad Courtois, chair person for the American Public Works Association was here representing the APWA Rodeo. After some explanation about the rodeo, safety, training, and competition he talked about the "Rookie of the year". He then introduced Collin Williams public works employee for the City of Edgerton and presented him with a Jacket, for being the "Rookie of the year". Mayor Roberts thanked Mr. Courtois for attended the meeting and for chairing the APWA rodeo, as it is a great event. Mayor Roberts, congratulated Collin Williams for representing the City of Edgerton and receiving the "Rookie of the Year"

**3. CONSENT AGENDA**

Agenda Approval

4. Approve City Council Meeting Minutes December 10, 2015
5. Approve the appointment of Desiree Goans to Planning Commission
6. Approve Animal Permit for Glyn Powers at 1606 West 8th Street
7. Approve Animal Permit for Darius Crist at 510 West Braun Street
8. Approve Animal Permit for H.M. and B.K. Damet for 202 West 8th Street

9. Approve Animal Permit for Jarold and Sharon Owens at 410 West Braun

10. Approve Animal Permit for Marvin Vail at 1405 West 8th Street

11. Approve Animal Permit for Michael Mabrey at 1200 West Braun

12. Approve Animal Permit for Rick Magee at 1301 West 8th Street

Mayor Roberts asked that items five and seven be removed from the Consent Agenda.

Motion by Longanecker, seconded by Troutner that the consent agenda be approved after the removal of items five and seven.

Motion approved 4-0.

Mayor Roberts asked that item five be removed from the consent agenda so he could introduce Desiree Goans to the Council as the newly appointed planning commissioner. The Mayor thanked Ms. Goans for her interest in the planning commission.

Motion by Longanecker, seconded by Crooks, to approve the appointment of Desiree Goans to the planning commission.

Motion was approved, 4-0.

Item seven, to approve animal permit for Darius Crist at 510 West Braun Street was removed from the consent agenda so that council member Crist could abstain and remove himself from the council chambers.

Council member Crist left the council chambers.

Motion by Crooks, seconded by Longanecker, to approve the animal permit for Darius Crist at 510 West Braun Street.

Motion by approved, 3-0. Council member Crist abstained.

### **13. PUBLIC COMMENTS**

Desi Goans, Parent Teacher Organization at Edgerton Elementary was present to ask the Mayor and Council for donations for the school. The first donation would be for a hamster and supplies for the new program at the school, one school-one book. The book chosen at Edgerton Elementary is about a hamster, a hamster has been purchased to visit each classroom so that the children can talk and write about the activities of the hamster. This item has been tabled until the next meeting.

The second donation that Ms. Goans is asking for is a three hundred dollar donation for the school carnival. This item was also tabled until the next meeting.

Mike Sleister, 400 1<sup>st</sup> street was present to talk about dogs and the new fee ordinance that was recently passed. He voiced his concerns about the definition of breeders, the fee schedule, number of litters per year, the fee for spay and neuter and many other items. Discussion of the animal ordinance and changes will be on the next meeting agenda.

Mayor Roberts addressed the Westboro Baptist Church situation that is supposed to take place in Edgerton on this Sunday. The Johnson County Sheriff's Department will handle any problems that arise this weekend. Captain Mark Rokusek addressed the meeting with information about the Westboro Church saying that they will probably have 8-10 members here and protest approximately 45 minutes.

Mayor Roberts talked about the Edgerton Historical Society Membership Drive for 2016. The dues are \$20.00 a year and the EHS needs money and volunteers. The next meeting of the EHS is Monday the 18<sup>th</sup> of January 2016 at the Edgerton Community Building.

#### **14. DECLARATION**

No other declarations than the previous by Darius Crist about his animal permit.

#### **15. Presentation of 2015 Holiday Home Decorating Contest Winners**

Tegan Meadors, Edgerton Park and Recreation Coordinator spoke about the Holiday Home Decoration Contest. In 2015 there were 10 homes registered, and hopeful that next year will bring more homes to the contest. The winners received yard signs stating that they were the 2015 winners; First Place winner - Kathy Hill, Second Place winner – Gary Gillard, Third Place winner – Charlie Crooks. The winners were presented with a check and the Mayor offered his congratulations to the winners. The Mayor offered a thank you to Tegan Meadors for organizing the event.

#### **BUSINESS REQUIRING ACTION**

#### **16. AGREEMENT WITH THE SOUTHWEST JOHNSON COUNTY ECONOMIC DEVELOPMENT CORPORATION TO PROVIDE ECONOMIC DEVELOPMENT SERVICES FOR FISCAL YEAR 2016 AND AUTHORIZE THE MAYOR TO EXECUTE THE AGREEMENT WAS CONSIDERED.**

Kenny Cook, Community Development Director introduced Greg Martinette, President of the Southwest Johnson County Economic Development Corporation was here to make a presentation about the agreement between the City of Edgerton and the SWJCEDC. Mr. Martinette introduced his two part time people, Krista Klaus and Randy Tedford, who is now on board with the staff to help with the real estate data base and doing calls on businesses. The SWJCEDC had a great year in 2015 and are looking forward to an even better year in 2016.

Motion by Crooks, seconded by Crist, to approve the agreement with the Southwest Johnson County Economic Development Corporation to provide economic development services for fiscal year 2016 and authorize the Mayor to execute the agreement, with one change in paragraph four, the date needs to be changed from 2015 to 2016.

Motion was approved, 4-0.

- 17. ORDINANCE NO. 1008 AUTHORIZING THE CITY OF EDGERTON, KANSAS, TO ISSUE INDUSTRIAL REVENUE BONDS (ELHC XV, LLC PROJECT) SERIES 2016, IN AN AGGREGATE MAXIMUM PRINCIPAL AMOUNT NOT TO EXCEED \$25,200,000, FOR THE PURPOSE OF PROVIDING FUNDS TO PAY THE COST OF ACQUIRING, PURCHASING, CONSTRUCTING, INSTALLING AND EQUIPPING A COMMERCIAL PROJECT, CONSISTING OF A WAREHOUSE AND DISTRIBUTION FACILITY, INCLUDING LAND, BUILDINGS, STRUCTURES, IMPROVEMENTS, FIXTURES, MACHINERY AND EQUIPMENT; AUTHORIZING THE CITY TO ENTER INTO A TRUST INDENTURE WITH THE TRUSTEE SET FORTH THEREIN; AUTHORIZING THE CITY TO ENTER INTO A LEASE AGREEMENT WITH ELHC XV, LLC; AUTHORIZING THE CITY TO ENTER INTO A BOND PURCHASE AGREEMENT IN CONNECTION WITH THE BONDS, AND AUTHORIZING AND APPROVING THE EXECUTION OF CERTAIN DOCUMENTS AND THE TAKING OF OTHER ACTIONS IN CONNECTION WITH THE ISSUANCE OF THE BONDS WAS CONSIDERED.**

Scott Anderson, Bond Counsel for the City of Edgerton was present to discuss Industrial Revenue Bonds Series 2016 for ELHC XV, LLC. This set of IRB's is like the others and there were no questions or discussion.

Motion by Longanecker, seconded by Crooks to approve Ordinance No. 1008 authorizing the City of Edgerton, Kansas to issue industrial revenue bonds (ELHC XV, LLC project) series 2016, in an aggregate maximum principal amount not to exceed \$25,200,000.

Motion was approved, 4-0.

- 18. RESOLUTION NO. 01-14-16A PURSUANT TO K.S.A. 26-201 SETTING FORTH THE NECESSITY FOR CONDEMNATION OF PRIVATE PROPERTY AND AUTHORIZING PREPARATION OF A SURVEY AND LEGAL DESCRIPTIONS OF THE PROPERTY TO BE CONDEMNED WAS CONSIDERED.**

Kenny Cook, Community Development Director explained that easements are necessary for the LPKC Sewer Interceptor and associated improvements with the City and Johnson County, Kansas. The first step in condemnation proceedings is to pass a resolution confirming the necessity for condemnation and authorizing the preparation of survey and legal descriptions. Staff would anticipate that any remaining easement not acquired by the January 28, 2016 City Council meeting would be included in the ordinance to authorize the use of condemnation.

Motion by Crooks, seconded by Longanecker to approve Resolution No. 01-14-16A pursuant to K.S.A. 26-201 setting forth the necessity for condemnation of private property and authorizing preparation of a survey and legal descriptions of the property to be condemned.

Motion by Crooks, seconded by Longanecker, to approve Resolution No. 01-14-16A pertaining to condemnation.

Motion was approved, 4-0.

- 19. REPORT BY THE CITY ADMINISTRATOR**

Beth Linn, City Administrator is not present. Kenny Cook, Community Development Director has the report for the administrator, including a report on January Utility Bills Posting online and the e-mails that go out with the online bills. There was an issue with the January 1<sup>st</sup> upload of the bills. In the discussion with the Mayor and council, it was decided to wave the late fees and not to do any disconnects in the month of January 2016.

Motion by Longanecker, seconded by Crist to wave the late fees and not to do any disconnects in the month of January 2016.

Motion was approved, 4-0.

A Reminder about the Hiring Fair at the Learning & Career Center on January 21<sup>st</sup> from 4:00 -7:00 pm. The Learning & Career Center is in the South East corner of Jet.Com Building.

## **20. REPORT BY THE MAYOR**

The Mayor introduced Nathan Eggleston, who is the administrator for the City of Edgerton Page on Facebook.

The Waverly Road Project is requesting an extension from 12/31/2015 to 07/01/2016. A change order #1 was handed out at the meeting for the Design/Build Agreement with Clarkson Construction Company to extend the completion date for the construction of Waverly Road to July 1, 2016. The change order does not include a change in the original Contract Sum that was approved as part of the Guaranteed Maximum Price.

Motion by Longanecker, seconded by Crist, to approve the Change Order #1 with Clarkson Construction.

Motion was approved, 4-0.

## **21. FUTURE MEETING/EVENT REMINDERS:**

- January 12<sup>th</sup> 7:00 pm – Planning Commission
- January 20<sup>th</sup> Noon – Senior Lunch
- January 21<sup>st</sup> 4:00-7:00 PM; Learning and Career Center Hiring Fair (30750 West 191<sup>st</sup> Street in SE corner of Jet building)
- January 28<sup>th</sup> 7:00 pm – City Council Meeting

## **22. EXECUTIVE SESSION**

Motion by Crooks, seconded by Troutner to recess into executive session for eight minutes to include Community Development Director and City Attorney.

Motion was approved, 4-0

Meeting recessed at 8:50 pm.

Motion by Crooks, seconded by Longanecker, to return from executive session. No action taken.

Meeting reconvened at 8:58 pm.

**23. ADJOURN**

Motion by Crooks, seconded by Troutner, to adjourn.

Motion was approved, 4-0

Meeting adjourned at 9:00 pm.

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Janeice L. Rawles, CMC  
City Clerk

Approved by the Governing Body on \_\_\_\_\_