

City of Edgerton, Kansas
Minutes of City Council Regular Session
June 9, 2016

A Regular Session of the City Council was held in the Edgerton City Hall, 404 E. Nelson, Edgerton, Kansas on June 9, 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
Cindy Crooks	present
Jody Brown	present

Clay Longanecker	absent
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With a quorum present, the meeting commenced.

Staff in attendance: Community Development Director Kenny Cook
 City Attorney Patrick Reavey
 Utilities Superintendent Mike Mabrey
 Public Works Superintendent Trey Whitaker
 Parks & Recreation Coordinator Tegan Meadors
 Johnson County Sheriff Dept. Representative

2. WELCOME

3. PLEDGE OF ALLEGIANCE

MAYOR ROBERTS INTRODUCED BATTILION CHIEF KELLER TO PRESENT INFORMATION ABOUT THE NEW FIRE TRUCKS THAT THE DISTRICT HAS PURCHASED. THEY HAVE THE NEW EDGERTON TRUCK HERE TONIGHT AND WOULD LIKE TO SHOW IT OFF. MAYOR ROBERTS RECESSED THE MEETING FOR FIFTEEN MINUTES. MEETING RECESSED AT 7:03, AND CALLED BACK TO ORDER AT 7:18 PM.

CONSENT AGENDA

4. The agenda for June 9, 2016 was considered.
5. City Council meeting Minutes of May 26, 2016 was considered.

Motion by Crooks, seconded by Brown, to approve the consent agenda.

Motion was approved, 4-0.

6. PUBLIC COMMENTS

NONE

7. DECLARATION

None

8. PRESENTATION FROM SOUTHWEST JOHNSON COUNTY ECONOMIC DEVELOPMENT CORPORATION REGARDING THE 2017 BUDGET.

Greg Martinette, Southwest Johnson County Economic Development Corporation was present to review the 2017 Budget. There was discussion about how many dollars to put in the budget for 2017. The past three years we have budgeted \$35,000.00 and this year they are asking for more. The general consensus of the city council was to budget \$45,000 - \$50,000.

9. PRESENTATION FROM GARDNER EDGERTON CHAMBER OF COMMERCE REGARDING 2017 BUDGET.

Jason Camis, President of Gardner Edgerton Chamber of Commerce was here to present information regarding the 2017 budget. He explained about the community guide and the map, as well as the membership fee. The community guide would need \$2000.00 from the City of Edgerton, and the Map would be an additional \$1000.00. It was a decision of the council to do an agreement for fees and what the chamber does for us and to have one amount for Economic Development. The total amount to be budgeted is \$50,000.00.

BUSINESS REQUIRING ACTION

SPECIAL USE PERMIT FOR TORNADO ALLEY/DOGS

10. SPECIAL USE PERMIT FOR TORNADO ALLEY HUNDESPORT WAS CONSIDERED.

Beth Linn, City Administrator introduced Tegan Meadors, Park and Recreation Coordinator, who explained about the use of the soccer field for Tornado Alley Hundesport. Tornado Alley Hundesport is a local club that has used the soccer field at Martin Creek Park for several years to host dog training practices and competitions. Based on concerns staff requested that Tornado Alley apply for a special event permit for their requested use of the park. The special event permit is for two types of use of the park, practice held weekly on Saturday and Sunday afternoons and an event held twice per year that would actually reserve the soccer field. The conflicts and concerns from staff are dogs being off leash during the exercises/training is violation of city code as they are on public property, The nature of the training/exercises is a concern, and The lack of insurance provided by the club for this type of activity on city property. The recommendation of the staff is to deny the request for special use permit for Tornado Alley Hundesport, including weekly training events and competitions.

Motion by Crooks, seconded by Troutner, to deny the request for special use permit for Tornado Alley Hundesport.

Motion approved 4-0.

RESOLUTION NO. 06-09-16A

- 11. RESOLUTION NO. 06-09-16A CONSENTING TO THE ASSIGNMENT OF A BASE LEASE, LEASE AGREEMENT AND RELATED BOND DOCUMENTS IN CONNECTION WITH THE CITY'S INDUSTRIAL REVENUE BONDS (ELHC I, LLC PROJECT), SERIES 2013 WAS CONSIDERED.**

The City of Edgerton issued industrial revenue bonds for the ELHC 1 project on September 30, 2013. ELHC 1, LLC leased the Project to the City and the City subleased the project back to ELHC 1, LLC. Flexsteel Industries, Inc. acquired the project from ELHC in a 1031 exchange in September 2014. ELHC 1 LLC transferred its interest in the project to Eagle Exchange with the consent of the City. Flexsteel is now requesting that the project be transferred from Eagle Exchange to Flexsteel.

Motion by Crooks, seconded by Troutner to approve Resolution NO 06-09-16A.

Motion approved 4-0,

ORDINANCE NO 1017 IRB'S

- 12. ORDINANCE NO. 1017 AUTHORIZING THE CITY OF EDGERTON, KANSAS, TO ISSUE INDUSTRIAL REVENUE BONDS (TRANSPAC LESING INCORPORATED PROJECT) SERIES 2016, IN AN AGGREGATE MAXIMUM PRINCIPAL AMOUNT NOT TO EXCEED \$19,000,000, FOR THE PURPOSE OF PROVIDING FUNDS TO PAY THE COST OF ACQUIRING, PURCHASING, CONSTRUCTING, INSTALLING AND EQUIPPNG A COMMERCIAL PROJECT, CONSISTING OF A SURFACE CONTAINER STORAGE LOT, INCLUDING BUILDINGS, STRUCTURES, IMPROVEMENTS, FIXTURES, MACHINERY AND EQUIPMENT; AUTHORIZING THE CITY TO ENTER INTO A TRUST INDENTURE WITH SECURITY BANK OF KANSAS CITY, AS TRUSTEE; AUTHORIZING THE CITY TO ENTER INTO A BASE LEASE AND A LEASE AGREEMENT WITH TRANSPAC LEASING INCORPORATED; 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.**

Transpac Leasing Incorporated LLC Project at the southwest corner of 191st and Waverly Road in Edgerton, Kansas will be both the lessee on the project and the owner of the bonds. The Ordinance authorizes the City to enter into the following documents: Trust Indenture, Base Lease Agreement, Lease Agreement and Bond Purchase Agreement whereby Transpac Leasing Incorporated agrees to acquire the Bonds.

Motion by Brown, seconded by Crist, to approve Ordinance #1017.

Motion approved 4-0.

ORDINANCE NO. 1018 IRB'S

- 13. CONSIDER ORDINANCE NO. 1018 AUTHORIZING THE CITY OF EDGERTON, KANSAS, TO ISSUE INDUSTRIAL REVENUE BONDS (CY EDGERTON LLC PROJECT) SERIES 2016, IN AN AGGREGATE MAXIMUM PRINCIPAL AMOUNT NOT TO EXCEED \$8,000,000, FOR THE PURPOSE OF PROVIDING FUNDS TO PAY THE COST OF ACQUIRING, PURCHASING, CONSTRUCTING, INSTALLING AND**

EQUIPPING A COMMERCIAL PROJECT, CONSISTING OF A SURFACE CONTAINER STORAGE LOT, INCLUDING LAND, BUILDINGS, STRUCTURES, IMPROVEMENTS, FIXTURES, MACHINERY AND EQUIPMENT; AUTHORIZING THE CITY TO ENTER INTO A TRUST INDENTURE WITH SECURITY BANK OF KANSAS CITY, AS TRUSTEE; AUTHORIZING THE CITY TO ENTER INTO A BASE LEASE AND A LEASE AGREEMENT WITH CY EDGERTON 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.

This Ordinance No. 1018 authorizes the City to issue industrial revenue bonds for the project. CY Edgerton will be both the lessee on the project and the owner of the bonds. CY Edgerton is constructing a surface container storage lot and making improvements to buildings currently located at the project site at 32355 W. 191st Street in Edgerton, Kansas.

Motion by Crooks, seconded by Crist to approve Ordinance No 1018.

Motion approved 4-0.

STREET SWEEPER

14. REPLACEMENT OF STREET SWEEPER WAS CONSIDERED

Trey Whitaker, Public Works Superintendent was present to provide information to Mayor and Council about our current street sweeper. It is a 1992 Elgin Pelican with 11,534 miles and 4957 hours. The public works staff has demoed and thoroughly looked at all the proposed machines. A selection committee of the equipment operators reviewed the proposed bids, identified the pros and cons of each respective machine and with this date they made their selection. The recommendation from the staff is a new Elgin Broom Badger mounted on an Isuzu NRR Cab and Chassis, and their suggestion is that the new machine is wrapped in a city approved logo, which would be provided to the city at no additional cost.

Motion by Crooks, seconded by Troutner, to approve the lease to purchase of a new street sweeper subject to approval of lease agreement.

Motion approved 4-0.

BURNS & MCDONNELL/CAS CONSTRUCTION

15. AGREEMENT WITH BURNS AND MCDONNELL/CAS CONSTRUCTION ON THE BASIS OF A STIPULATED PRICE WAS CONSIDERED.

This agreement is about the new pump station in place of the Edgerton Wastewater Treatment Plant. There was conversation back and forth about the changes in the project cost. Jeff Keller outlined the prices and the items that were cut to lower the price, however the council put a couple of items back in for safety reasons. They had conversation about the warranty period and how long it would be.

Motion by Crooks, seconded by Crist, to add the VFD's and the HVAC back in to the price and table this item until the next meeting with the changes made.

Motion approved 4-0

Mayor offered thanks to Kevin O'Brien for being present to answer any insurance questions.

16. REPORT BY THE CITY ADMINISTRATOR

City Administrator, Beth Linn talked about the need to remove some playground equipment at the Glendall Acres Park. On May 31, 2016 city staff conducted a Playground Safety Audit at all city parks to determine if the play areas were compliant with ASTM F1487 (the safety standards for all playground equipment and protective surfacing). Through the inspection staff found hazards that need to be removed.

Motion by Troutner, seconded by Brown, to remove the two pieces of equipment that have been identified as a hazard.

Motion carried 4-0.

17. REPORT BY THE MAYOR

Mayor advised that the ribbon cutting for the Waverly Road Project will be on u-tube. The Mayor also advised that we have three new cranes at the BNSF Intermodal facility. Reminders about the Festival on the Trails and Frontier Days, a booth will be set up at both to sign cards for Judy Hart.

18. FUTURE MEETING/EVENT REMINDERS:

June 14th 7:00 pm – Planning commission

June 15th Noon- Senior Lunch

June 17-18 – Frontier Days

June 23rd 7:00 pm City Council Meeting

June 25th 8:00 pm Downtown Summer Movie Night (Minions)

June 30th – City Council Budget Work Session

July 3rd 6:00 pm (Fireworks 9:45) – Community Picnic and Firework Show (rainout date July 5th)

19. 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.

No executive session was necessary.

20. ADJOURN Motion: Troutner Second: Brown Vote 4-0

Meeting adjourned at 9:30 pm.

Janeice L. Rawles, CMC
City Clerk

Approved by the Governing Body on _____