

City of Edgerton, Kansas
Minutes of City Council Regular Session
August 25, 2016

A Regular Session of the City Council was held in the Edgerton City Hall, 404 E. Nelson, Edgerton, Kansas on August 25, 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
Clay Longanecker	present
Cindy Crooks	present
Jody Brown	present

Darius Crist	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
- Public Works Superintendent Trey Whitaker
- Utility Superintendent Mike Mabrey
- Accountant Karen Kindle
- Parks & Recreation Coordinator Tegan Meadors

2. WELCOME

3. PLEDGE OF ALLEGIANCE

CONSENT AGENDA

4. The agenda for August 11, 2016 was considered.
5. City Council meeting Minutes of August 11, 2016 was considered.

Motion by Longanecker, seconded by Brown, to approve Consent Agenda.

Motion was approved 4-0.

6. PUBLIC COMMENTS

None

7. DECLARATION

None

8. REQUEST FOR DONATION FROM COPS 'N BOBBERS FISHING DERBY WAS CONSIDERED

Deputy Larry Shoop was present to discuss the 20th annual Cop's and Bobbers Fishing Derby. The Fishing Derby will be held on September 24th, 2016 at the Edgerton City Lake. Deputy Shoop complimented Tegan Meadors on a job well done with last year's derby. The City of Edgerton donated \$750.00 last year and is asking for \$1000.00 this year. Tegan Meadors, Park and Recreation Coordinator for the City of Edgerton will be purchasing the prizes this year and storing them until the day of the derby. Deputy Shoop explained that the additional \$250.00 will be used for hats or shirts for the 20th year.

Motion by Longanecker, seconded by Troutner, to approve a \$1000.00 donation to the Cop's and Bobbers Fishing Derby, with a transfer from community assistance to the park and recreation budget for \$750.00 and a check to Cop's N Bobbers for \$250.00.

Motion was approved, 4-0.

9. REQUEST FOR DONATION FROM MIKE AND JOHNNIE'S ANANUAL ADOPT THE CHILDREN CHARITY CLAY SHOOT WAS CONSIDERED

Mike Gardner was here to represent "Mike and Johnnie's Annual Adopt the Children Charity Clay Shoot" and ask for a donation. Mr. Gardner is not asking for a certain amount and will appreciate any amount that the City Council would like to give. Last year the City of Edgerton was a Towel Sponsor and made a donation of \$1200.00. Mr. Gardner explained about the clay shoot and some of the other activities that happen that day, such as Breast Cancer supporters will be serving food and the dollars collected will go to Breast Cancer awareness.

Motion by Crooks, seconded by Longanecker, to donate \$1200.00 to "Mike and Johnnie's Annual Adopt the Children Charity Clay Shoot"

Motion was approved, 4-0.

BUSINESS REQUIRING ACTION

RESOLUTION NO 08-25-16A

10. RESOLUTION NO. 08-25-16A AMENDING RESOLUTION NO 07-14-16A OF THE CITY OF EDGERTON, KANSAS, PROVIDING FOR THE PAYMENT OF INCREASED COSTS TO IMPROVEMENTS TO THE SEWERAGE SYSTEM OF THE CITY PREVIOUSLY AUTHORIZED WAS CONSIDERED.

Representatives from Gilmore & Bell and Columbia Capital are present to explain and answer any questions about the new Resolution No. 08-25-16A. This resolution is amending a past resolution providing for the payment of increased costs to improvements to the sewer system.

There were no questions or comments from the public or the council.

Motion by Crooks, seconded by Brown, to approve Resolution No. 08-25-16A.

Motion was approved, 4-0.

ORDINANCE NO 1029 – G.O.BONDS

- 11. ORDINANCE NO 1029 AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS, SERIES 2016-B, OF THE CITY OF EDGERTON, KANSAS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST OF SAID BONDS AS THEY BECOME DUE; AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH; AND MAKING CERTAIN COVENANTS WITH RESPECT THERETO WAS CONSIDERED.**

Jeff White, Financial Advisor, Columbia Capital was present to present Ordinance No. 1029 and to answer any questions. Ordinance No. 1029 is to authorize and provide for the issuance of general obligation bonds, series 2016-B.

There were no questions or comments from the public or the council.

Motion by Brown, seconded by Longanecker, to approve Ordinance No. 2019 authorizing General Obligation Bonds, Series 2016-B.

Motion was approved, 4-0.

RESOLUTION NO 08-25-16B

- 12. RESOLUTION NO. 08-25-16B PRESCRIBING THE FORM AND DETAILS OF AND AUTHORIZING AND DIRECTING THE SALE AND DELIVERY OF GENERAL OBLIGATION BONDS, SERIES 2016-B, OF THE CITY OF EDGERTON, KANSAS, PREVIOUSLY AUTHORIZED BY ORDINANCE NO 1029 OF THE ISSUER; MAKING CERTAIN COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS CONNECTED THEREWITH WAS CONSIDERED.**

Resolution No. 08-25-16B is to prescribe the form and details of and authorize and direct the sale and delivery of general obligation bonds, series 2016B. This resolution will also specify the terms and conditions of the bonds.

There were no questions or comments from the public or the council.

Motion by Longanecker, seconded by Crooks, to approve Resolution No. 08-25-16B.

Motion was approved, 4-0.

PUBLIC HEARING – RESOLUTION NO. 08-25-16C

- 13. PUBLIC HEARING REGARDING RESOLUTION NO 08-25-16C CONSENTING TO THE PARTIAL ASSIGNMENT OF A RESOLUTION OF INTENT FROM EDGERTON LAND HOLDING COMPANY, LLC TO COLDPOINT LOGISTICS REAL ESTATE LLC, OR ITS SUCCESSORS IN INTEREST.**

Scott Anderson, SA Legal advisors was present to explain and answer any questions about Resolution No 08-25-16C. This resolution is about Edgerton Land Holding Company number forty,

which is to be a warehouse and cold storage. Edgerton Land Holding Company #40 will be the first warehouse on the north side of the rail.

Public Hearing opened at 7:32 pm.

No questions or comments from the public or the council.

Public Hearing closed at 7:33 pm.

RESOLUTION NO 08-25-16C

- 14. RESOLUTION NO. 08-25-16C CONSENTING TO THE PARTIAL ASSIGNMENT OF A RESOLUTION OF INTENT FROM EDGERTON LAND HOLDING COMPANY, LLC TO COLDPOINT LOGISTICS REAL ESTATE, LLC, OR ITS SUCCESSORS IN INTEREST WAS CONSIDERED.**

Scott Anderson, SA Legal Advisors was present to answer any questions or comments from the public or the City Council.

There were no question or comments from the public or City Council.

Motion by Longanecker, seconded by Brown, to approve Resolution No 08-25-16C.

Motion was approved, 4-0.

PUBLIC HEARING

- 15. PUBLIC HEARING REGARDING A RESOLUTION 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.**

Scott Anderson present to explain about the resolution consenting to the partial assignment of a resolution of intent from Edgerton Land Holding Company, LLC to ELHD XIV, LLC or its successors in interest.

The Public Hearing opened at 7:30pm.

Motion by Crooks, seconded by Brown, to table the public Hearing until the September 8th, 2016 meeting.

Motion was approved, 4-0.

RESOLUTION NO 08-25-16D

- 16. RESOLUTION NO 08-25-16D PURSUANT TO K.S.A. 26-201 SETTING FORTH THE NECESSITY FOR CONDEMNATION OF PROPERTY AND AUTHORIZING PREPARATION OF A SURVEY AND LEGAL DESCRIPTION OF THE PROPERTY TO BE CONDEMNED WAS CONSIDERED.**

Beth Linn, City Administrator, gave some background information about the new sanitary sewer pump station and force main to connect the residential area of Edgerton to Big bull Creek Wastewater Treatment Facility. This project will also decommission the existing Edgerton Wastewater Treatment Plant. All but one of the easements needed for the project have been

acquired, with the remaining property owner being Mid States Materials, which operates the Edgerton Quarry.

There were no questions or comments from the public or the City Council.

Motion by Crooks, seconded by Longanecker, to approve Resolution No. 08-25-16D.

Motion was approved, 4-0.

ORDINANCE NO 1030

17. ORDINANCE NO 1030 AUTHORIZING THE EXECUTION OF A 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 PUBLIC WATER SUPPLY LOAN FUND FOR THE PURPOSE OF FINANCING A PUBLIC WATER SUPPLY 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 LOAN AGREEMENT WAS CONSIDERED.

In November 2015, Edgerton City Council approved the selection of Neptune for the automated meter reading project and authorized staff to submit the project to Kansas Department of Health and Environment (KDHE) for approximately \$300,000. The project budget of \$300,000 includes purchase of all the hardware and software for the advanced metering infrastructure, a portion of the utility rate study and administrative support of completing the application. In February 2016 the City Council approved Resolution No. 02-25-16B that allowed the loan application to be prepared and executed. KDHE has notified the City the loan application has been approved. Ordinance No. 1030 and the loan agreement are the final actions required by City Council to obtain the loan. The Utility Superintendent, Mike Mabrey, for the City of Edgerton reported that 50 meters are in the ground and the two large meters for the School District are in the ground. Mr. Mabrey is going to use some of the public works employees to help install, the deadline for the installation is the end of October.

There were no question or comments from the public or City Council.

Motion by Longanecker, seconded by Brown, to approve Ordinance No. 1030.

Motion was approved, 4-0.

18. REPORT BY THE CITY ADMINISTRATOR



Two city staff members have moved to 305 E. Nelson.



The City of Edgerton purchased a new street sweeper, everyone is invited to stop by and take a look.



Preparations are being made to chip and seal in the month of September, weather permitting.



At the intersection of 199th street and Homestead Lane we need to change the placement of the signs for the trucks. City Council agreed that we need to move that sign to northbound Homestead.



Community Development Director, Kenny Cook gave an update on the West Eighth Street, Sidewalk Project. Of the 25 properties that we need easements from, we only have 7 properties.



Public Open House for the Park Master Plan Project, Tuesday, September 20th from 5:30-7:30pm at the Community Hall.



There is a hiring fare at Learning and Career Center on September 14th.

19. REPORT BY THE MAYOR

For public information “Amazon” went live on the 24th of August 2016.

20. FUTURE MEETING/EVENT REMINDERS



September 5th Labor Day – City Offices Closed



Week of September 5th – Trash Collection on Thursday



September 8th 7:00 pm – City Council Meeting



September 13th 7:00 pm – Planning Meeting/ followed by Joint Work Session with City Council and Planning Commission



September 21st Noon – Senior Lunch



September 22nd 7:00 pm – City Council Meeting

EXECUTIVE SESSION – ATTORNEY/CLIENT

21. RECESS 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.

Motion by Crooks, seconded by Brown, to recess into executive session to include City Attorney and City Administrator.

Motion was approved, 4-0.

Meeting recessed at 8:16 pm for five minutes.

Motion by Crooks, seconded by Brown, to reconvene into regular session.

Motion was approved, 4-0.

Meeting reconvened at 8:22 pm with no action taken.

Attorney Patrick Reavey addressed the Mayor and City Council about the Joint Sewer Project with The City of Gardner. Edgerton has received partial payment from The City of Gardner however they have disagreed with the amount. Mayor stated that The City of Edgerton has been waiting for payment for over three years.

Motion by Crooks, seconded by Longanecker, as of November 1st, 2016, if the issue has not been resolved and payment in full has not been made to City of Edgerton, The City of Edgerton should file papers on November 2nd, 2016 for a lawsuit.

Motion was approved, 4-0.

EXECUTIVE SESSION – ACQUISITION OF REAL PROPERTY

22. RECESS INTO EXECUTIVE SESSION PURSUANT TO K.S.A. 75-4319 (b)(6) FOR PRELIMINARY DISCUSSION RELATED TO ACQUISITION OF REAL PROPERTY TO INCLUDE CITY ATTORNEY AND CITY ADMINISTRATOR.

Motion by Crooks, seconded by Brown, to recess into executive session to include City Attorney, City Administrator and Community Development Director.

Motion was approved, 4-0.

Regular meeting recessed at 8:29 for fifteen minutes.

Motion by Brown, seconded by Longanecker, to reconvene into regular session.

Motion was approved, 4-0.

Meeting reconvened at 8:45pm with no action taken.

23. ADJOURN

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

Motion was approved, 4-0.

The meeting adjourned at 9:00p.m.

Janeice L. Rawles, CMC
City Clerk

Approved by the Governing Body on
