

**City of Edgerton, Kansas  
Minutes of City Council Regular Session  
September 22, 2016**

A Regular Session of the City Council was held in the Edgerton City Hall, 404 E. Nelson, Edgerton, Kansas on September 22, 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
Jody Brown	present
Darius Crist	present
Cindy Crooks	absent

With a quorum present, the meeting commenced.

Staff in attendance:           City Administrator Beth Linn  
  Community Development Director Kenneth Cook  
  City Attorney Patrick Reavey  
  Public Works Superintendent Trey Whitaker

**2. WELCOME**

**3. PLEDGE OF ALLEGIANCE**

Mayor Roberts invited Sheriff Denning to the front of the room and read a proclamation proclaiming today as “Deputy Collins Day”, in remembrance of Deputy Collins who was killed in the line of duty. Mayor Roberts presented a donation from the City of Edgerton to the Deputy Collins Memorial. Pastor Casey Carter, New City Church, presented a donation from Edgerton New City Church to the Deputy Collins Memorial. Edgerton City Staff passed out blue light bulbs for citizens use, to show support for all law enforcement. Sheriff Denning thanked the City of Edgerton and community for all the support. Mayor Roberts invited all law enforcement officers to the front of the room for a group picture with Edgerton City Council and Mayor Roberts.

**CONSENT AGENDA**

4. The agenda for September 22, 2016 was considered.
5. City Council meeting Minutes of September 8, 2016 was considered.

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

Motion was approved 4-0.

**6. PUBLIC COMMENTS**

None

**7. DECLARATION**

None

**BUSINESS REQUIRING ACTION**

**ORDINANCE– BEEHIVES-AMENDING CHAPTER II**

**8. AN ORDINANCE AMENDING CHAPTER II OF THE EDGERTON, KANSAS MUNICIPAL CODE TO INCLUDE NEW ARTICLE 6 REGULATING THE KEEPING OF BEEHIVES WITHIN THE CITY WAS CONSIDERED.**

Beth Linn, City Administrator presented background information about the keeping of bees in the City of Edgerton. There are several items required to obtain an annual permit; application form, diagram of the applicant's property lines, location and materials of the proposed Beehives and Flyaway Barrier. Applicants must meet guide lines set forth in the ordinance about height of barrier and have measurements showing the distance between. The applicant is to provide copies of property owner notifications and proof of mailing that they have 14 days from receipt to provide the City Clerk with a written objection, identifying themselves, and indication why they object to the application. Mike Sleister was present and requested to see all written complaints, and who they are from. After much discussion from citizen Mike Sleister and from Mayor Roberts and City Council, the Mayor called for a vote on the topic.

Motion by Longanecker, no second. Ordinance died for lack of a second.

At this time Mayor Roberts introduced Mike Brown who filed for District 6 Johnson County, County Commissioner position. He told all present that he would be here and would attend meetings. Mayor Roberts thanked Mike Brown for appearing at our City Council Meeting.

**ORDINANCE NO 1035 AUTHORIZING THE INDUSTRIAL REVENUE BONDS**

**9. ORDINANCE NO 1035 AUTHORIZING THE CITY OF EDGERTON, KANSAS TO ISSUE INDUSTRIAL REVENUE BONDS (ELHC XIV, LLC PROJECT) SERIES 2016, IN AN AGGREGATE MAXIMUM PRINCIPAL AMOUNT NOT TO EXCEED \$25,000,000 FOR THE PURPOSE OF PROVIDING FUNDS TO PAY THE REMAINING COST OF A WAREHOUSE AND DISTRIBUTION FACILITY, INCLUDING LAND, BUILDINGS, STRUCTURES, IMPROVEMENTS, FIXTURES, MACHINERY AND EQUIPMENT; AUTHORIZING THE CITY TO ENTER INTO A FIRST SUPPLEMENTAL TRUST INDENTURE; AUTHORIZING THE CITY TO ENTER INTO A FIRST SUPPLEMENTAL BASE LEASE AGREEMENT AND A FIRST SUPPLEMENTAL LEASE AGREEMENT; AUTHORIZING THE CITY TO ENTER INTO A BOND PURCHASE AGREEMENT, 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, SA Legal Advisors, was present to explain the Industrial Revenue Bonds before the council. The applicant for ELHC XIV has requested that the City issue an additional \$25,000,000 in

industrial revenue bonds to complete the acquisition, construction and equipping of the Project. The public hearing was held at the previous meeting. There were no questions or comments from the public or from the council.

Motion by Brown, seconded by Longanecker, to approve the Ordinance No 1035 authorizing the Industrial revenue bonds.

The vote on the motion- Yea; Longanecker, Brown and Crist, Nay: Troutner. Motion was approved, 3-1.

#### **10. REPORT BY THE CITY ADMINISTRATOR**

League of Kansas Municipalities Conference, the City needs to elect a voting delegate. Mayor Roberts was nominated for the voting delegate.

Motion by Brown, seconded by Troutner, for Mayor Roberts to be the new voting delegate.

Motion was approved, 4-0.

The 2017 Community Development Block Grant recommendation is for the waterline replacement on Nelson Street. This project would be for both sides of Nelson, from the school and east. More plans to discuss at a later date.

A handout titled "Edgerton Economic Development Entity" was discussed by Mayor and Council. Council member Crist asked when we would be ready to hire this position. An Edgerton Task Force with suggested members has been established; a time to set up a meeting is forthcoming. Council member Troutner asked about the dollars that had been budgeted for Economic Development Services for 2017. The response was, those dollars will now be used in the new organization.

Motion by Longanecker, seconded by Brown, to provide official notice to Southwest Johnson County Economic Development Corporation that City of Edgerton will not be a member for 2017.

Motion was approved, 4-0.

Motion by Longanecker, seconded by Crist, to appoint Mayor Donald Roberts and City Administrator Beth Linn to the Edgerton Economic Development Task Force.

Motion was approved, 4-0.

Next item discussed was the joint meeting between the Planning Commission and the City Council that was scheduled for September 13<sup>th</sup>. Neither group had a quorum, no meeting was held. Beth Linn, city administrator, would like to offer two dates for consideration of another joint meeting. The dates are Tuesday October 18<sup>th</sup> or Thursday October 20<sup>th</sup> at 7:00 pm.

Motion by Longanecker, seconded by Crist, for Johnson County Liaisons for Storm water; first would be Kenneth Cook and second would be Beth Linn and the Mayor. For the County Assistance Road System liaisons; first would be Trey Whitaker, second would be Beth Linn and the Mayor. The

liaisons for the Emergency Preparedness would be Trey Whitaker, second would be Beth Linn and the Mayor.

Motion was approved, 4-0.

#### **11. REPORT BY THE MAYOR**

Mayor Roberts handed out to the City Council members the CITY OF EDGERTON, GOVERNANCE POLICIES. The Mayor has a request for all council members to read this policy and to police themselves and police others when needed.

#### **12. FUTURE MEETING/EVENT REMINDERS**

September 24<sup>th</sup> 10am-Noon - Cops N' Bobbers Fishing Derby

October 11<sup>th</sup> 7:00 pm – Planning Commission

October 13<sup>th</sup> 7:00 pm – City Council Meeting

October 19<sup>th</sup> Noon – Senior Lunch

October 27<sup>th</sup> 7:00 pm – City Council Meeting

October 30<sup>th</sup> 4:00 pm – Halloween Fest

#### **13. 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 WAS CONSIDERED.**

Motion by Brown, seconded by Troutner, to recess into executive session for a period of ten minutes.

Motion was approved, 4-0.

Meeting recessed at 7:54 pm.

Motion by Brown, seconded by Crist, to return to regular session, no action taken.

Motion was approved, 4-0

Meeting reconvened at 8:05 pm.

Motion by Brown, seconded by Crist, to recess into executive session under the same matter, for a period of five minutes.

Motion was approved, 4-0.

Meeting recessed at 8:10 pm.

Motion by Troutner, seconded by Longanecker, to return to regular session, no action taken.

Motion was approved, 4-0.

Meeting reconvened at 8:15 pm.

**14. ADJOURN**

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

Motion was approved, 4-0.

The meeting adjourned at 8:20 p.m.

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**Janeice L. Rawles, CMC**  
**City Clerk**

**Approved by the Governing Body on**

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## **AGENDA ITEM INFORMATION FORM**

**Agenda Item:** Consider Approval of Resolution No. 10-13-16A Waiving the City's Compliance with Generally Accepted Accounting Principles for Financial Reporting and Cause Such Reports to be Prepared in Compliance with the Cash Basis and Budget Laws of the State of Kansas

**Department:** Administration

**Background/Description of Item:** Each year the City of Edgerton requests that the financial statements and financial reports of the City of Edgerton for the year ending December 31<sup>st</sup> be prepared in compliance with the Cash Basis and Budget Laws of the State of Kansas and requests waiver of the requirements of K. S. A. 75-1120a (a).

K.S.A. 75-1120a (a) is the uniform system of fiscal procedure, accounting and reporting for municipalities; it requires the use of generally accepted accounting principles. The governing body can, by resolution, each year make a finding that the financial statements and financial reports prepared in conformity with the requirements of GAAP are of no significant value to the governing body or members of the general public of the municipality. The governing body can then request a waiver from the Director of Accounts and Reports to prepare the City's financial statement on the basis of cash receipts and disbursements as adjusted to show compliance with the cash basis and budget laws of this State.

Another requirement to receive the waiver; the City of Edgerton may not have any bond ordinances or other ordinances or resolutions which require financial statements or reports to be prepared in conformity with K.S.A. 75-1120a (a). The City of Edgerton currently does not have any such ordinances or resolutions.

Resolution No. 10-13-16A has not yet been reviewed by City Attorney. City Attorney will review any changes with City Council during October 13, 2016 meeting.

Enclosure: Draft Resolution 10-13-16A

**Related Ordinance(s) or Statute(s):** K.S.A. 75-1120a

**Recommendation:** Approve Resolution 10-13-16A Waiving the City's Compliance with Generally Accepted Accounting Principles for Financial Reporting and Causes Such Reports to Be Prepared in Compliance with the Cash Basis and Budget Laws of the State of Kansas

**Funding Source:** N/A

Prepared by: Karen Kindle, Accountant

Date: September 19, 2016

**RESOLUTION NO. 10-13-16A**

**A RESOLUTION WAIVING THE CITY'S COMPLIANCE WITH GENERALLY ACCEPTED ACCOUNTING PRINCIPLES FOR FINANCIAL REPORTING AND CAUSES SUCH REPORTS TO BE PREPARED IN COMPLIANCE WITH THE CASH BASIS AND BUDGET LAWS OF THE STATE OF KANSAS**

**WHEREAS**, the City of Edgerton, Kansas, prepares its financial statements and financial reports for the year ended December 31, 2016 to be prepared in conformity with the cash basis and budget laws of this state and

**WHEREAS**, K.S.A. 75-1120a (a) requires the financial statements be prepared in conformity with generally accepted accounting principles and

**WHEREAS**, K.S.A. 75-1120a (a) the governing body, by resolution, annually shall make a finding that financial statements and financial reports prepared in conformity with the requirements of subsection (a) are not relevant to the requirements of the cash-basis and budget laws of this state and are of no significant value to the governing body or members of the general public of the municipality.

**WHEREAS**, there are no revenue bond ordinances or other ordinances or resolutions of the municipality which require financial statements and financial reports to be prepared in conformity with K. S. A. 75-1120a (a) for the year ended December 31, 2016.

**NOW, THEREFORE BE IT RESOLVED**, by the Governing Body of the City of Edgerton, Kansas, in regular meeting duly assembled requests that the Director of Accounts and Reports waive the requirements of K. S. A. 75-1120a (a) as they apply to the City of Edgerton, Kansas for the year ended December 31, 2016.

**BE IT FURTHER RESOLVED** that the Governing Body shall cause the financial statements and financial reports of the City of Edgerton to be prepared on the basis of cash receipts and disbursements as adjusted to show compliance with the cash basis and budget laws of this State.

ADOPTED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR OF THE CITY OF EDGERTON, KANSAS ON THE 13<sup>TH</sup> DAY OF OCTOBER, 2016.

ATTEST:

**CITY OF EDGERTON, KANSAS**

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Janeice Rawles, City Clerk

By: \_\_\_\_\_  
Donald Roberts, Mayor

APPROVED AS TO FORM:

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Patrick G. Reavey, City Attorney