

**City of Edgerton, Kansas  
Minutes of City Council Regular Session  
October 27, 2016**

A Regular Session of the City Council was held in the Edgerton City Hall, 404 E. Nelson, Edgerton, Kansas on October 27, 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 |
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With a quorum present, the meeting commenced.

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|----------------------|---|
| 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**

**CONSENT AGENDA**

4. The agenda for October 27, 2016 was considered.
5. City Council meeting Minutes of October 13, 2016 was considered.
6. Approve Application FP2016-02, Final Plat, Logistics Park Kansas City – Rail Served, First plat located West of Waverly Road at 181<sup>st</sup> Street and Accept any Dedications was considered,

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

Motion was approved 4-0.

**7. PUBLIC COMMENTS**

None

**8. DECLARATION**

None

**BUSINESS REQUIRING ACTION**

**PUBLIC HEARING**

- 9. PUBLIC HEARING REGARDING THE PARTIAL ASSIGNMENT OF A RESOLUTION OF INTENT FROM EDGERTON LAND HOLDING COMPANY, LLC TO ELHC XXII, LLC, OR ITS SUCCESSORS IN INTEREST WAS CONSIDERED.**

Scott Anderson, Bond Attorney for the City of Edgerton presented information about the partial assignment of a resolution of intent from ELHC, LLC to ELHC XXII, LLC or its successors in interest. Mr. Anderson explained the cost benefit report in detail. A letter from the Gardner Edgerton Unified School District 231 was discussed by Mayor and Council.

Mayor Roberts opened the public hearing at 7:13 pm. asking for questions or comments from the public. There were no questions or comments from the public.

Mayor Roberts closed the public hearing at 7:14 pm. Mayor Roberts asked the city council members if anyone had any questions or comments. There was some discussion about the school district and the letter that was sent.

**RESOLUTION NO. 10-27-16A**

- 10. RESOLUTION NO. 10-27-16A CONSENTING TO THE PARTIAL ASSIGNMENT OF A RESOLUTION OF INTENT FROM EDGERTON LAND HOLDING COMPANY, LLC TO ELHC XXII, LLC, OR ITS SUCCESSORS IN INTEREST WAS CONSIDERED.**

Bond Attorney for the City of Edgerton, Scott Anderson was present to discuss the thirty three million dollar partial assignment of a resolution of intent from Edgerton Land Holding Company, LLC to ELHC XXII, LLC, or its successors in interest. Mayor Roberts asked for any questions or comments. There were no questions or comments.

Motion by Longanecker, seconded by Brown, to approve the Resolution No 10-27-16A.

Motion was approved, 4-0.

**ORDINANCE AUTHORIZING THE CITY OF EDGERTON TO ISSUE INDUSTRIAL REVENUE BONDS**

- 11. ORDINANCE AUTHORIZING THE CITY OF EDGERTON, KANSAS, TO ISSUE INDUSTRIAL REVENUE BONDS (COLDPOINT LOGISTICS REAL ESTATE, LLC PROJECT) SERIES 2016, IN AN AGGREGATE MAXIMUM PRINCIPAL AMOUNT NOT TO EXCEED \$36,100,000, FOR THE PURPOSE OF FINANCING A WAREHOUSE AND COLD-STORAGE DISTRIBUTION FACILITY; AUTHORIZING THE CITY TO ENTER INTO A TRUST INDENTURE WITH UMB BANK, N.A., AS TRUSTEE; AUTHORIZING THE CITY TO ENTER INTO A BASE LEASE AND LEASE AGREEMENT WITH COLDPOINT LOGISTICS REAL ESTATE, LLC; AND AUTHORIZING AND APPROVING THE EXECUTION OF ADDITIONAL DOCUMENTS AND THE TAKING OF OTHER ACTIONS IN CONNECTION WITH THE ISSUANCE OF THE BONDS WAS CONSIDERED.**

Scott Anderson, bond attorney for the City of Edgerton was present to explain the Industrial Revenue Bonds and the process that needs to be followed. The City of Edgerton has no responsibility to repay these bonds.

Motion by Longanecker, seconded by Brown, to approve the Ordinance No 1038 authorizing the City of Edgerton to issue I.R.B.'s.

Motion was approved, 4-0.

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

- ✓ Third quarter fund balances were discussed and handouts were available. The general, water and sewer funds were discussed. There were no questions or comments.
- ✓ The second meeting in November is on Thanksgiving Day, a decision was made to cancel the meeting.
- ✓ In the month of December, the question is whether we want to have a second meeting? The first meeting in December will be on the eighth. The decision to have a second meeting in December will be made at the meeting on the 8<sup>th</sup> of December.
- ✓ Some discussion was held about having a workshop for the park master plan on the 3<sup>rd</sup> Thursday in December (December 15<sup>th</sup>, 2016). Plans for the retirement reception for Jim Elrod were also discussed for December 15<sup>th</sup>, 2016.
- ✓ Beth Linn presented an update on the Edgerton Economic Development Committee. She unveiled the logo "Elevate Edgerton". There was a press release available to all in attendance.

## **13. REPORT BY THE MAYOR**

No report.

Mayor Roberts passed to council members an Invitation to the Johnson and Wyandotte Counties Council of Mayors "Holiday Social". The Mayor would like rsvp's by December 7<sup>th</sup>, 2016

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

- November 8<sup>th</sup> – Election Day
- November 10<sup>th</sup> 7:00 pm – City Council Meeting
- November 11<sup>th</sup> – City Offices Closed for Veterans' Day
- November 15<sup>th</sup> 7:00 pm – Planning Commission
- November 16<sup>th</sup> Noon – Senior Lunch
- November 24<sup>th</sup> 7:00 – City Council Meeting (CANCELLED)

## **15. 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 Crist, seconded by Brown to recess into executive session for ten minutes pursuant to K.S.A. 75-4319 (b)6) for preliminary discussion related to acquisition of real property to include City Attorney, City Administrator, and Community Development Director.

Motion was approved, 4-0.

Meeting recessed at 8:05 pm.

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

Motion was approved, 4-0.

Meeting reconvened at 8:17 pm.

Motion by Brown, seconded by Crist, to recess into executive session for five minutes, same discussion as previously recessed.

Motion was approved, 4-0.

Meeting recessed at 8:20 pm.

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

Motion was approved, 4-0.

Meeting reconvened at 8:25 pm.

**16. RECESS INTO EXECUTIVE SESSION PURSUANT TO K.S.A. 75-4319 (b) (2) CONSULTATION WITH AN ATTORNEY DEEMED PRIVILEGED IN THE ATTORNEY-CLIENT RELATIONSHIP TO INCLUDE CITY ATTORNEY AND CITY ADMINISTRATOR WAS CONSIDERED.**

Motion by Crist, seconded by Troutner, to recess into executive session for twenty minutes 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 was approved, 4-0.

Meeting recessed at 8:30 pm.

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

Motion was approved, 4-0.

Meeting reconvened at 8:53 pm.

Motion by Brown, seconded by Crist, to recess into executive session for ten minutes, same discussion as previously recessed.

Motion was approved, 4-0.

Meeting recessed at 8:58 pm.

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

Motion was approved, 4-0.

Meeting reconvened at 9:08 pm.

Motion by Longanecker, seconded by Brown, stating, in lieu of law suit being filed on or before November 1, 2016, The City of Edgerton attends a good faith offer to City of Gardner to mediate the dispute between the cities by selecting a mediator and scheduling mediation within thirty days of November 1<sup>st</sup>, 2016.

Motion by approved, 4-0.

**RECONVENE INTO OPEN SESSION**

**17. ADJOURN**

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

Motion was approved, 4-0.

The meeting adjourned at 9:13 p.m.

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

**Approved by the Governing Body on**

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