

City of Edgerton, Kansas  
Minutes of City Council Regular Session  
October 26, 2017

A Regular Session of the City Council was held in the Edgerton City Hall, 404 E. Nelson, Edgerton, Kansas on October 26, 2017. The meeting convened at 7:00 p.m. with Mayor Roberts presiding.

**1. ROLL CALL**

Darius Crist	present
Jody Brown	present
Ron Conus	present
Clay Longanecker	present
Cindy Crooks	absent

With a quorum present, the meeting commenced.

Staff in attendance:           City Administrator Beth Linn  
  Assistant City Administrator Scott Peterson  
  City Attorney Lee Hendricks  
  Public Works Superintendent Trey Whitaker  
  Finance Director Karen Kindle  
  Parks Maintenance Bob McVey

**2. WELCOME**

**3. PLEDGE OF ALLEGIANCE**

**CONSENT AGENDA**

4. Agenda Approval was considered.
5. Minutes from October 12, 2017 City Council Meeting were considered.
6. Application for Final Plat 2017-08, Rail-Served First Plat and Accept any dedications was considered.

Motion by Crist, seconded by Longanecker, to approve the consent agenda.

Motion was approved, 4-0.

**7. PUBLIC COMMENTS**

Vince Werkowitch, 15445 S. Moonlight Road, was present to speak about the ColdPoint Logistics Project. Mr. Werkowitch also talked about other cold storage facilities in the area. He talked about anhydrous ammonia and the safety effects that need to be taken when using anhydrous ammonia.

**8. DECLARATION**

None

**BUSINESS REQUIRING ACTION**

**ORDINANCE NO 1066 COMMERCIAL TRUCK TRAFFIC**

**9. ORDINANCE NO 1066 PROHIBITING COMMERCIAL TRUCK TRAFFIC IN THE MARTIN CREEK PARK PARKING LOT, AND ENTRANCE THERETO, IN THE CITY OF EDGERTON, KANSAS AND PROVIDING CERTAIN PENALTIES FOR VIOLATION THEREOF WAS CONSIDERED.**

At the October 12, 2017 City Council Meeting, staff recommended a two-inch overlay at the Martin Creek Park driveway and parking lot as part of an underrun of asphalt leftover from the Asphalt Overlay Project. City Council approved this allocation and the work has been completed. Ordinance No. 1066 has been prepared to prohibit commercial trucks from parking or driving on the driveway or parking lot. There are exemptions for emergency vehicles, city and utility vehicles, and vehicles that are working on behalf of the City or a City event. Drivers found to be in violation of the proposed ordinance will be subject to a fine as outlined in the adopted Standard Traffic Ordinance.

Motion by Longanecker, seconded by Crist, to approve Ordinance No. 1066.

Motion was approved, 4-0.

**RESOLUTION NO. 10-26-17A INDUSTRIAL REVENUE BONDS, COLBY SERIES 17, LLC PROJECT**

**10. RESOLUTION NO. 10-26-17A DETERMINING THE INTENT OF THE CITY OF EDGERTON, KANSAS, TO ISSUE ITS INDUSTRIAL REVENUE BONDS IN THE MAXIMUM AMOUNT OF \$1,000,000 TO PAY THE COST OF ACQUIRING, CONSTRUCTING AND EQUIPPING A RETAIL BUILDING FOR THE BENEFIT OF COLBY SERIES 17, LLC WAS CONSIDERED.**

The City received an application for the issuance of industrial revenue bonds from Colby Series 17, LLC for the construction and equipping of an approximately 7,500 square foot retail building to be located at 106 West 3<sup>rd</sup> street in Edgerton, Kansas. The developer is requesting that the bonds be issued so that the project is eligible for a sales tax exemption certificate to be used for construction materials. The project is not eligible for property tax abatement. No ad valorem property tax abatement will be granted for this project.

Motion by Longanecker, seconded by Brown, to approve Resolution No. 10-26-17A.

Motion was approved, 4-0.

**RESOLUTION NO. 10-26-17B INDUSTRIAL REVENUE BONDS, COLD POINT LOGISTICS REAL ESTATE**

**11. RESOLUTION NO. 10-26-17B CONSENTING TO A FIRST SUPPLEMENTAL BASE LEASE, FIRST SUPPLEMENTAL LEASE AGREEMENT AND FIRST AMENDMENT TO PERFORMANCE AGREEMENT IN CONNECTION WITH THE CITY'S INDUSTRIAL REVENUE BONDS (COLDPOINT LOGISTICS REAL ESTATE, LLC PROJECT), SERIES 2016 WAS CONSIDERED.**

The City issued industrial revenue bonds and granted property tax abatement for the ColdPoint Logistics Real Estate, LLC project. The City received an Order from the Board of Tax Appeals exempting the land and the building for a term of ten years from 2017 thru 2026. Cold Point is now constructing an expansion project on ground that is adjacent to the original project. The ground will have the same term of abatement as the land and building for the original project, which is 2017-2026. However the expansion project that consists solely of the building expansion (no land) will have an abatement term of 2018-2027.

Motion by Brown, seconded by Longanecker, to approve Resolution No. 10-26-17B.

Motion was approved, 4-0.

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

No second meeting in November.

### **2017 FLOOD PURCHASES**

Item numbers 20 (dumpster for flood clean up) and 21 (Assessment of EWWLS generator after flood) listed on the handout for purchases made under emergency authority need to be ratified, were considered.

Motion by Brown, seconded by Longanecker, to approve the flood purchases.

Motion was approved, 4-0

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

Save the dates:

- \* November 2<sup>nd</sup> 6:30-8:30pm Town Hall Meeting at Edgerton Elementary
- \* November 4<sup>th</sup> 2:00 pm Dollar General Ground Breaking
- November 13<sup>th</sup> 8:00 am. UPS – Ribbon Cutting

Please attend if possible.

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

- ❖ October 29<sup>th</sup> 4:00 pm – Halloween Party
- ❖ November 8<sup>th</sup> 6:30 to 8:30 pm – Final Downtown Edgerton Public Open House, City Hall
- ❖ November 9<sup>th</sup> 7:00 pm – City Council Meeting
- ❖ November 14<sup>th</sup> 7:00 pm – Planning Commission
- ❖ November 15<sup>th</sup> Noon – Senior Lunch
- ❖ November 23<sup>rd</sup> and 24<sup>th</sup> City Offices Closed for Thanksgiving
- ❖ November 23<sup>rd</sup> City Council Meeting – TBD

**EXECUTIVE SESSION**

Motion by Longanecker, seconded by Brown, to recess into executive session for five minutes for purposes of discussing acquisition of real estate, possible purchase of land, to include Mayor and Council, City Administrator and City Attorney.

Motion was approved, 4-0

Meeting recessed at 7:25 pm.

Motion by Longanecker, seconded by Crist, to reconvene the regular meeting with no action taken.

Motion was approved, 4-0.

Meeting reconvened at 7:32 pm. with no action taken.

**14. ADJOURN MOTION:** 1<sup>st</sup> Longanecker                      2<sup>nd</sup> Brown                      Vote 4-0

The meeting adjourned at 7:35 pm.

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Janeice L. Rawles  
City Clerk

**Approved by the Governing Body on**

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