

**City of Edgerton, Kansas
Minutes of City Council Regular Session
December 14, 2017**

A Regular Session of the City Council was held in the Edgerton City Hall, 404 E. Nelson Edgerton, Kansas on December 14th, 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	present

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 Bob McVey
- Mike Mabrey Utility Superintendent
- Nikki Walford Account Clerk
- Katy Crow Development Services Director

2. WELCOME

3. PLEDGE OF ALLEGIANCE

CONSENT AGENDA

4. Agenda Approval was considered and approved
5. Approval of Minutes from November 9, 2017 was considered and approved
6. Approval of Animal Permit for H.M. and B.K. Damet for 202 West 8th Street was considered and approved
7. Approval of Animal Permit for Glyn Powers at 1606 West 8th Street was considered and approved
8. Approval of Animal Permit for Sergio Galaz at 1300 West Braun Street was considered and approved
9. Approval of Animal Permit for Michael Mabrey at 1200 West Braun was considered and approved
10. Approval of Animal Permit for Jarold and Sharon Owens at 410 West Braun was considered and approved
11. Approval of Animal Permit for Darius Crist at 510 West Braun Street was considered and approved
12. Approval of Animal Permit for Marvin Vail at 1405 West 8th Street was considered and approved
13. Approval of Renewal of a Cereal Malt Beverage License Application for 2018 was considered and approved
14. Approve Resolution No. 12-14-17A Declaring the Boundaries of the City of Edgerton,

Johnson County, Kansas was considered V

15. Approve Resolution No. 12-14-17B Establishing Fees and Rates for Permits, Licenses And Services within the City of Edgerton, Kansas was considered and approved
16. Approve Amendment No. 2 to the Loan Agreement with KDHE for Project No. 2903 was considered and approved
17. Approve Final Acceptance of the Automated Meter Reading Project was considered and approved
18. Approve an Amendment to provide a continuation and modification to the Community Lakes Assistance Program Memorandum of Understanding between the City of Edgerton and The Kansas Department of Wildlife, Parks and Tourism **was pulled for separate consideration**
19. Approve Ordinance No. 1068 Establishing Big Bull Creek Wastewater Treatment Plant Major Maintenance Reserve Fund in the City Of Edgerton Pursuant To the Contract For Services for Construction of Wastewater Improvements and Transportation and Treatment of Wastewater in an area between The City of Edgerton, Kansas and Gardner, Kansas was considered and approved

Motion by Longanecker, seconded by Crooks, to approve the consent agenda, except for Item # 18, Council would like more information on this item.

Motion was approved, 5-0.

Item number eighteen, an Amendment to provide a continuation and modification to the Community Lakes Assistance Program Memorandum of Understanding between the City of Edgerton and The Kansas Department of Wildlife, Parks and Tourism was discussed by the Mayor and City Council. After discussion and questions about the Lake Program with the Kansas Department of Wildlife, Parks and Tourism the item was brought to a vote.

Motion by Longanecker, seconded by Brown, to approve the Assistance Program with a ten-year term.

Motion was approved, 5-0.

20. PUBLIC COMMENTS

None

21. DECLARATION

None

22. PRESENTATION BY PROJECT GRADUATION

Gardner Edgerton High Schools, Project Graduation, President Tammy Hohn Waterman, was present to discuss and answer any questions about project graduation. They are requesting a donation this year as they have in the past for the same amount as in previous years. The donations are used for venue rental, prizes, food and etc.

Motion by Crooks, seconded by Crist, to donate \$1000.00 to GEHS Project Graduation.

Motion was approved, 5-0.

23. PRESENTATION BY KWIKOM

Zachery D. Peres with Kwikom Communications was present to give an introduction about Kwikom Communications to the Mayor and City Council. Mr. Peres stated they cover approximately 9,000 square miles and 20-30 municipalities. Kwikom Communications is based out of Iola, Kansas. Mayor Roberts asked that the contract be studied and our current tower maintenance company contract be studied. The Mayor told Mr. Peres "Great Job with our Citizens."

BUSINESS REQUIRING ACTION

WATER AND SEWER UTILITY RATE STUDY

24. WATER AND SEWER UTILITY RATE STUDY REPORT AS PREPARED BY RAFTELIS FINANCIAL CONSULTANTS WAS CONSIDERED.

Karen Kindle Finance Director for the City of Edgerton introduced Tom Beckley. Tom works for Raftelis Financial Consultants Inc. and was present to discuss the water and sewer rate study. He stated that the water and sewer rates will increase. A water increase is recommended for 2% per year, from 2018-2023. Raftelis has recommended a 5% increase in the sewer rates for the next three years and then the increase will decrease slowly for the next few years. The rates will be in the December, 2017 Newsletter.

Motion by Crooks, seconded by Brown, to formally accept the rate study from Raftelis Financial Consultants Inc to begin with the March 1st, 2018 bill. The City Attorney will make the proper changes for the fees.

Motion was approved, 5-0.

MAINTENANCE AGREEMENT WITH JOHNSON COUNTY LIBRARY

25. FACILITY USE AND MAINTENANCE AGREEMENT WITH JOHNSON COUNTY LIBRARY FOR EDGERTON LIBRARY WAS CONSIDERED.

Lee Hendricks City Attorney made some changes in the agreement with the Board of Directors for the Johnson County Library for the use of the Bank of Knowledge as a library facility for the citizens of Edgerton. The fees have not changed.

Motion by Longanecker, seconded by Crist, to approve the agreement with the Johnson County Library Board.

Motion was approved, 5-0.

AGREEMENT WITH THE JOHNSON COUNTY SHERIFF'S FOR 2018

26. AGREEMENT WITH THE JOHNSON COUNTY SHERIFF'S DEPARTMENT FOR THE PROVISION OF LAW ENFORCEMENT SERVICES FOR FISCAL YEAR 2018 AND AUTHORIZES THE MAYOR TO EXECUTE THE AGREEMENT WAS CONSIDERED.

The City of Edgerton contracts with the Johnson County Sheriff's Office to provide law enforcement services to the citizens of Edgerton. The services, as described in the agreement for 2018, are identical to previous years. However, the annual cost of the contract increased by 7.57%. The approved 2018 includes the amount contracted for the law enforcement services for the Johnson County Sheriff's Office.

Motion by Crooks, seconded by Longanecker, to approve the Agreement with the Johnson County Sheriff's Department for 2018.

Motion was approved, 5-0.

MAINTENANCE AGREEMENT WITH EDGERTON HISTORIC SOCIETY

27. A FACILITY USE AND MAINTENANCE AGREEMENT WITH EDGERTON HISTORIC SOCIETY FOR EDGERTON COMMUNITY MUSEUM WAS CONSIDERED.

In 2017, the agreement added a few minor changes from previous agreements and the agreement for 2018 is the same as 2017. The fee is the same as it has always been. The agreement is valid for one year beginning January 1, 2018 through December 31, 2018.

Motion by Crooks, seconded by Crist, to approve the maintenance agreement with Edgerton Historic Society.

Motion was approved, 5-0.

CONTRACT WITH WEATHER OR NOT, INC.

28. APPROVAL OF CONTRACT WITH WEATHER OR NOT, INC. TO PROVIDE WEATHER FORECASTING SERVICES WAS CONSIDERED.

Trey Whitaker, Public Works Superintendent, presented to Mayor and City Council information about the contract with WEATHER OF NOT, INC. He stated that it simply takes out the guess work. The Public Works uses WEATHER OR NOT every day to plan projects. The Mayor stated that during Frontier Days, Weather Or Not, was used and it was amazing how accurate they are.

Motion by Longanecker, seconded by Crooks, to approve the contract with WEATHER OR NOT, INC.

Motion was approved, 5-0.

AGREEMENT TO PROVIDE PLANNING CONSULTANT SERVICES

29. AN AGREEMENT WITH RON WILLIAMSON TO PROVIDE PLANNING CONSULTANT SERVICES WAS CONSIDERED.

Scott Peterson, Assistant City Administrator, was present to discuss Ron Williamson's consultant services for the City of Edgerton. Mr. Peterson stated that Mr. Williamson started in Wichita in 1965 as a Planning Advisor then started his own business. Mayor agreed that we need to get this going as soon as possible.

Motion by Crooks, seconded by Longanecker, to approve a contract with Ron Williamson.

Motion was approved, 5-0.

PUBLIC HEARING – INDUSTRIAL REVENUE BOND, RESOLUTION NO 12-14-17C

30. PUBLIC HEARING REGARDING RESOLUTION NO. 12-14-17C 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.

Beth Linn, City Administrator, introduced Scott Anderson, Bond Counsel for the City of Edgerton, to present the background information regarding Resolution No 12-14-17C. The City of Edgerton has received an application for industrial revenue bonds and property tax abatement from ColdPoint Logistics Real Estate, LLC. ColdPoint wants to construct an approximately 173, 770 square foot expansion to an existing warehouse and cold-storage distribution facility. In order for the City of Edgerton to issue industrial revenue bonds and grant property tax abatement the City must first hold a public hearing and consider the cost-benefit report. Jeff White, Columbia Capital, presented the cost benefit analysis report.

Mayor Roberts opened the Public Hearing at 8:15 pm.

Mike Jensen, 15665 Moonlight Road, is with “cc4rg” (Concerned Citizens 4 Responsible Government member) and was present to make comments about the anhydrous ammonia used in the ColdPoint Buildings.

John Thomas, Vice President of Development with North Point Development, was present to answer any questions and to advise the Mayor and Council about how ColdPoint addresses the comments about the anhydrous ammonia. ColdPoint does not self regulate, they follow strict guidelines, they have a leak detection system on the computer and numerous other safety precautions.

Motion by Crooks, seconded by Longanecker, to close the Public Hearing.

Motion was approved, 5-0.

Public Hearing was closed at 8:28 pm.

RESOLUTION NO 12-14-17C PARTIAL ASSIGNMENT OF INDUSTRIAL REVENUE BONDS TO COLD POINT LOGISTICS

31. RESOLUTION NO 12-14-17C 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.

The Public Hearing was held and the cost benefit report was presented. There were no questions and no comments by the public or the Mayor and City Council.

Motion by Crooks, seconded by Brown, to approve Resolution No 12-14-17C.

Motion was approved, 5-0.

ORDINANCE NO. 1069 AUTHORIZING INDUSTRIAL REVENUE BONDS TO COLBY SERIES 17, LLC
32. ORDINANCE NO. 1069 AUTHORIZING BOND DOCUMENTS AND THE ISSUANCE OF THE CITY'S
INDUSTRIAL REVENUE BONDS (COLBY SERIES 17, LLC PROJECT) FOR THE PURPOSE OF FINANCING
A RETAIL BUILDING WAS CONSIDERED.

Scott Anderson, Bond Counsel for the City of Edgerton, was present to discuss and answer any questions about authorizing bond documents and the issuance of Industrial Revenue Bonds. These bonds are for the purpose of financing a retail building. The building will be for a Dollar General Store.

Motion by Brown, seconded by Crist, to approve Ordinance No. 1069.

Motion was approved, 5-0.

33. REPORT BY THE CITY ADMINISTRATOR

*Need approval for the permanent water line easement with Unified School District No. 231.

Motion by Crooks, seconded by Brown, to approve the Waterline Easement with the Unified School District No. 231.

Motion was approved, 5-0.

*Karen Kindle presented information about the automated meter reading project. Mike Mabrey, Utility Superintendent, and Nikki Walford, Account Clerk and Utility Clerk presented a power point presentation about the automated meter reading project. Mayor Roberts asked about a replacement schedule, moving forward. The replacement schedule is set for ten years or one million gallons. The battery life is supposed to be twenty years.

Motion by Longanecker, seconded by Crooks, to approve and accept the Final Acceptance of the Automated Meter Reading Project.

Motion was approved, 5-0.

*Beth Linn City Administrator introduced Katy Crow as the Development Services Director.

*Next item is to ratify the flood vehicle claim list from the flood, the list contains a new road grader. A new road grader has been purchased with insurance money (no loan).

Motion by Longanecker, seconded by Brown, to ratify the list of purchases that have been purchased.

Motion was approved, 5-0.

Mayor gave thanks to all staff, to throw in this much extra work on top of all of their regular duties, is "A lot of extra work."

Council member Crooks was in the Holiday spirit and made a motion to give city staff Friday the 22nd of December off as a holiday.

Motion by Crooks, seconded by Crist, to approve the extra holiday for the city staff.

Motion was approved, 5-0

Staff in attendance offered a big "THANK YOU"

34. REPORT BY THE MAYOR

Mayor Roberts did a recap of the year with a few items such as all the large buildings and warehouses in the Logistics Park Kansas City. There was some talk about the flood and how much time and work, city staff dedicated to this natural disaster, the overlay project that was completed this year. There were many other projects not mentioned, but several more have been completed.

35. FUTURE MEETING/EVENT REMINDERS:

December 22nd City Offices Closed - addition from current meeting

December 25th City Offices Closed

December 28th 7:00 PM- City Council Meeting

January 1st City Offices Closed

January 9th 7:00 PM Planning Commission Meeting

January 11th 7:00 PM City Council Meeting

January 17th Noon Senior Lunch

January 25th 7:00 PM – City Council Meeting

EXECUTIVE SESSION

36. 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, INTERMODAL BOND COUNSEL AND CITY ADMINISTRATOR WAS CONSIDERED.

Motion by Brown, seconded by Crist, to recess into executive session pursuant to K.S.A. 75-4319(b)(2) for contract negotiations for twenty minutes to include City Attorney, Lee Hendricks, City Administrator Beth Linn and Jeff White with Columbia Capital Municipal Advisors.

Motion was approved, 5-0.

Meeting recessed at 9:35 pm.

Motion by Crooks, seconded by Longanecker, to reconvene into regular meeting.

Motion was approved, 5-0.

Meeting reconvened at 9:55 pm.

Motion by Crooks, seconded by Crist, to return to executive session same as above for an additional fifteen minutes.

Motion was approved, 5-0.

Meeting recessed at 9:56 pm.

Motion by Crooks, seconded by Crist, to reconvene into regular meeting, with no action taken.

Motion was approved, 5-0.

Meeting reconvened at 10:11 pm.

37. ADJOURN MOTION: 1st Crooks 2nd Brown Vote 5-0

The meeting adjourned at 10:16 pm.

Janeice L. Rawles
City Clerk

Approved by the Governing Body on
