

**EDGERTON CITY COUNCIL
MEETING AGENDA **AMENDED**
CITY HALL, 404 EAST NELSON STREET
January 10, 2019
7:00 P.M.**

Call to Order

1. **Roll Call** ___ Roberts ___ Longanecker ___ Brown ___ Conus ___ Lewis ___ Smith
2. **Welcome**
3. **Pledge of Allegiance**

Consent Agenda *(Consent Agenda items will be acted upon by one motion unless a Council member requests an item be removed for discussion and separate action)*

4. Approve Minutes for December 27, 2018 Regular City Council Meeting
5. **Approve Appointment of John Daley to Planning Commission term expiring September 2021**

Regular Agenda

6. **Public Comments.** Persons who wish to address the City Council regarding items not on the agenda and that are under the jurisdiction of the City Council may do so when called upon by the Mayor. Comments on personnel matters and matters pending before court or other outside tribunals are not permitted. Please notify the City Clerk before the meeting if you wish to speak. Speakers are limited to three (3) minutes. Any presentation is for informational purposes only. No action will be taken.
7. **Declaration.** At this time Council members may declare any conflict or communication they have had that might influence their ability to impartially consider today's issues.

Business Requiring Action

8. **CONSIDER RENEWAL OF A CEREAL MALT BEVERAGE LICENSE APPLICATION FOR 2019**
9. **Report by the City Administrator**
 - Review of Positions Descriptions for Marketing/Communications Manager
 - Update on Bid Process for Residential Solid Waste Collection and Disposal Services
10. **Report by the Mayor**
11. **Future Meeting/Event Reminders:**
 - January 22nd: 5:30PM – Municipal Court
 - January 24th: 7 PM – City Council Meeting
 - January 31st: 6:30PM – Public Safety Open House at City Hall
12. **CONSIDER RECESSING 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**
13. **Adjourn** Motion: _____ Second: _____ Vote: _____

**City of Edgerton, Kansas
Minutes of City Council Regular Session
December 27, 2018**

A Regular Session of the City Council was held in the Edgerton City Hall, 404 E. Nelson Edgerton, Kansas on December 27, 2018. The meeting convened at 7:00 p.m. with Mayor Roberts presiding.

1. ROLL CALL

Ron Conus	present
Clay Longanecker	present
Josh Lewis	present, arrived at 7:02pm
Katee Smith	present
Jody Brown	present, arrived at 7:07pm

With a quorum present, the meeting commenced.

Staff in attendance:

- City Administrator Beth Linn
- Assistant City Administrator Scott Peterson
- City Clerk Rachel James
- City Attorney Lee Hendricks
- Development Services Director Katy Crow
- Finance Director Karen Kindle
- Public Works Director Dan Merkh
- Public Works Superintendent Trey Whitaker
- Parks & Recreation Coordinator Maddie Becker
- Parks & Recreation Bob McVey

2. WELCOME

3. PLEDGE OF ALLEGIANCE

CONSENT AGENDA

4. Approve Minutes for December 13, 2018 Regular City Council Meeting

Motion by Smith, Second by Longanecker, to approve consent agenda.

Motion was approved, 3-0.

REGULAR AGENDA

5. Public Comments. None.

6. Declaration. None.

Presentation of Holiday Home Decoration Winners by Maddie Becker, Parks and Recreation Coordinator. Ms. Becker announced Gary and Shirley Gillard placed 3rd, Eric and Amber Hansen placed 2nd, and Jeff Brewer placed 1st. Mayor Roberts stated his congratulations and thanked everyone who participated in the competition.

BUSINESS REQUIRING ACTION

Councilmember Josh Lewis arrived at 7:02PM.

7. CONSIDER DEED SUBJECT TO RESTRICTION FROM JOHNSON COUNTY PARKS AND RECREATION DISTRICT TO CITY OF EDGERTON FOR MARTIN CREEK PARK

Beth Linn, City Administrator, introduced the original lease agreement with Johnson County Parks and Recreation District which was signed in February 1989. That lease concluded in 2014 and JCPRD reached out to the City and were interested in deeding the property to the City of Edgerton. The draft agreement enclosed in the Agenda Packet has been reviewed by both parties' attorneys. No payment is required, however, the property must be maintained and operated as a public park, playground, or public recreation facility, or it would revert to JCPRD.

Councilmember Longanecker questioned JCPRD's role in park maintenance currently. Ms. Linn stated the City has been responsible for maintenance since the original lease agreement.

Motion by Longanecker, Second by Smith to approve deed subject to restriction from Johnson County Parks and Recreation District to the City of Edgerton for Martin Creek Park.

Motion was approved, 4-0.

Councilmember Jody Brown arrived at 7:07PM.

8. CONSIDER ORDINANCE NO. 1097 DESIGNATING THE ECONOMIC DEVELOPMENT FUND AS A CAPITAL IMPROVEMENT FUND

Karen Kindle, Finance Director, introduced the request for the creation of separate funds for the revenues generated by development agreements. These revenues generated by the developments are used on expenditures related to the developments. Included in those expenditures are payments to the City of Edgerton for the City's maintenance fee (LPKC Ph 1) and economic development fee (LPKC Ph 2). Origination fees are one of the revenue sources permitted in the agreements to be used to fund the payments described above to the City. Kansas Statutes limit the use of origination fee revenues to purposes related to economic development activities. Due to limitations in the City's accounting system, staff recommends creating a separate fund to ensure the City can demonstrate that the maintenance fee (LPKC Ph 1) and the economic development fee (LPKC Ph 2) funded with origination fees are used only for economic development purposes.

Councilmember Conus asked if the funds are taken out of the general fund. Ms. Kindle responded that these funds are never a part of the general fund.

Mayor Roberts stated this is a tracking mechanism and allows for straightforward tracking.

Councilmember Smith asked about the differences between an Economic Development Fund versus Capital Improvement Fund. Ms. Kindle outlined the differences according to the State of Kansas.

Motion by Longanecker, Second by Smith to approve Ordinance No. 1097.

Motion was approved, 5-0.

9. CONSIDER ORDINANCE NO. 1098 DESIGNATING THE LPKC PHASE 2 PUBLIC INFRASTRUCTURE FUND AS A CAPITAL IMPROVEMENT FUND

Karen Kindle, Finance Director, stated this fund is similar to the Economic Development Fund, however it establishes the LPKC Phase 2 Public Infrastructure Fund as a capital improvement reserve fund pursuant to K.S.A. 12-1,118 because the projects financed from this fund are part of the multi-year plan included in the Development Agreement.

Mayor Roberts asked if it is a Capital Improvement Fund can it be used for economic development. Ms. Linn responded yes.

Motion by Lewis, Second by Longanecker to approve Ordinance 1098.

Motion was approved, 5-0.

10. CONSIDER ORDINANCE NO. 1099 DESIGNATING THE LPKC PHASE 2 ORIGINATION FEE FUND AS A CAPITAL IMPROVEMENT FUND

Karen Kindle, Finance Director, detailed the recommendation of the creation of LPKC Phase 2 Origination Fee Fund as a Capital Improvement Reserve Fund pursuant to K.S.A. 12-1,118 because the projects financed from this fund are part of the multi-year plan included in the Development Agreement. The agreement with Edgerton Land Holding requires the City to establish a public infrastructure fund to hold the revenues specified in the agreement that will be used to pay for the construction of public infrastructure improvements necessary to support the development of the Logistics Park Phase Two.

Motion by Lewis, Second by Longanecker to approve Ordinance No. 1099.

Motion was approved, 5-0.

11. CONSIDER ORDINANCE NO. 2000 DESIGNATING THE LPKC PHASE 1 ORIGINATION FEE FUND AS A CAPITAL IMPROVEMENT FUND

Karen Kindle, Finance Director, stated similar to the previous funds the creation of this fund is for Capital Improvements in regards to LPKC Phase 1. The City entered into a public

infrastructure financing plan with BNSF and ELHC. The finance plan requires the City to establish a public infrastructure fund to hold the revenues specified in the agreement that will be used to pay for the construction of public infrastructure improvements necessary to support the development of the intermodal facility and logistics park

Motion by Brown, Second by Longanecker to approve Ordinance No. 2000.

Motion was approved, 5-0.

12. CONSIDER ORDINANCE NO. 2001 PROVIDING FOR THE RANGE OF SALARIES AND COMPENSATION OF VARIOUS CITY OFFICERS AND EMPLOYEES

Beth Linn, City Administrator, overviewed the directive from Council to complete a Compensation and Benefits study. On November 15, 2018 a Council Work Session took place and the policy recommendations were provided to Staff. On December 13, 2018 the results and recommendations from this study were presented to Council with council approving the recommendations. The final step in this process is to update the salary ordinance, which will go into effect once published.

Councilmember Conus stated that he thought Council had a great discussion and his opinion on the matter was stated at the previous meeting. Councilmember Conus also asked why the Compensation and Benefits study was not applied to the Mayor and Council compensation. Ms. Linn stated that typically Staff does not comment or present recommendations on Council compensation. Mayor Roberts stated that at any time Council is able to have a discussion on Council's and his compensation. Councilmember Brown stated a work study could be conducted on the matter. No other Councilmembers wanted to open the discussion on Mayoral and Council Compensation at this time. Councilmember Smith asked about details of a part-time position. Ms. Linn answered that part-time position's compensation will not be impacted by this Ordinance.

Motion by Brown, Second by Longanecker to approve Ordinance No. 2001.

Motion was approved, 4-1, with Conus voting nay.

13. Report by the City Administrator

- Review of Positions Descriptions for Maintenance Technician I (Parks)

Dan Merkh, Public Works Director, introduced the job description of Maintenance Technician I (Parks). This position would be new and aid in the upkeep and maintenance of the parks around Edgerton.

Mayor Roberts stated that Edgerton's Parks Staff has a lot more to do than most cities.

Motion by Longanecker, Second by Smith to approve the position of Maintenance Technician I (Parks).

Motion was approved, 5-0.

14. Report by the Mayor

Mayor Roberts spoke on the Mayor's Christmas Tree Fund and how 2018 was the biggest year-to-date for donations and helping the citizens of Edgerton. In total, 23 households with 37 adults/guardians and 67 children were helped by the Mayor's Christmas Tree Fund. Mayor Roberts also thanked the Fire Department for their partnership in aiding 42 Senior households this holiday season.

15. Future Meeting/Event Reminders:

- January 1st: New Year's Day, City Offices Closed
- January 8th: 7PM – Planning Commission Meeting
- January 10th: 7PM – City Council Meeting
- January 24th: 7PM – City Council Meeting
- January 31st: 6:30PM – Public Safety Open House at City Hall

16. CONSIDER RECESSING 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 Brown, Second by Smith to recess into an executive session pursuant to K.S.A. 75-4319(b)(2) for City Security and to include City Attorney, City Administrator, and Development Services Director for ten (10) minutes was considered.

Motion was approved 5-0.

Meeting recessed at 7:27 pm. Meeting reconvened at 7:37 pm.

Motion by Brown, Second by Lewis to return to regular session.

Motion was approved 5-0.

Motion by Brown, Second by Smith to recess into an executive session pursuant to K.S.A. 75-4319(b)(2) for City Security and to include City Attorney, City Administrator, and Development Services Director for an additional ten (10) minutes was considered.

Motion was approved 5-0.

Meeting recessed at 7:38 pm. Meeting reconvened at 7:48 pm.

Motion by Brown, Second by Lewis to return to regular session.

Motion was approved 5-0.

17. Adjourn

Motion by Lewis, Second by Longanecker to adjourn.

Motion was approved 5-0.

The meeting adjourned at 7:47 pm.

City Council Action Item

Council Meeting Date: January 10, 2019

Department: Administration

Agenda Item: Consider Renewal of a Cereal Malt Beverage License Application for 2019

Background/Description of Item:

Application for the following business has met the necessary requirements for issuance of cereal malt beverage license and recommended for approval by staff. License fees are established in 3-109 of the Edgerton Code in the amount of \$35.00 for retail. A separate stamp fee of \$25.00 for the State of Kansas has been collected.

The application and recommendations are available for review in the City Clerk's Office.

License	Name	Address
#1	Jay Kay Inc.	101 East Morgan

Related Ordinance(s) or Statue(s): Ordinance 574

Funding Source: N/A

Budget Allocated: N/A

Finance Director Approval:

Recommendation: Approve Renewal of Cereal Malt Beverage License for Jay Kay Inc. at 101 East Morgan for 2019

Prepared by:

Scott Peterson * Assistant City Administrator