

**EDGERTON CITY COUNCIL  
MEETING AGENDA  
CITY HALL, 404 EAST NELSON STREET  
July 22, 2021  
7:00 P.M.**

**Call to Order**

1. **Roll Call** \_\_\_\_ Roberts \_\_\_\_ Longanecker \_\_\_\_ Conus \_\_\_\_ Lewis \_\_\_\_ Brown \_\_\_\_ Beem
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 from July 8, 2021 Regular City Council Meeting
5. Final Acceptance of Homestead Lane Intersection Improvements
6. Accept Concurrence to Bid the CDBG 7th & Nelson Sanitary Sewer Project

Motion: \_\_\_\_\_ Second: \_\_\_\_\_ Vote: \_\_\_\_\_

**Regular Agenda**

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 ORDINANCE NO. 2086 AUTHORIZING OPERATION OF ALL-TERRAIN VEHICLES, GOLF CARTS, LOW SPEED VEHICLES, WORK-SITE UTILITY VEHICLES AND MICRO UTILITY TRUCKS ON THE STREETS WITHIN THE CORPORATE LIMITS OF THE CITY OF EDGERTON, KANSAS SUBJECT TO SPECIFIC RESTRICTIONS AND REQUIREMENTS; PROVIDING FOR THE REPEAL OF PORTIONS OF ARTICLE 14, SECTION 114 OF THE STANDARD TRAFFIC ORDINANCE, AS AMENDED, REGULATING THE ABOVE-NAMED VEHICLES AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH**

Motion: \_\_\_\_\_ Second: \_\_\_\_\_ Vote: \_\_\_\_\_

9. **CONSIDER RESOLUTION 07-22-21A PROVIDING A DEADLINE TO RESOLVE A DANGEROUS AND UNFIT STRUCTURE EXISTING AT 502 E. 2ND STREET, IN THE CITY OF EDGERTON, JOHNSON COUNTY, KANSAS PURSUANT TO CITY OF EDGERTON CITY CODE, CHAPTER IV, ARTICLE 4, SECTION 4-407**

Motion: \_\_\_\_\_ Second: \_\_\_\_\_ Vote: \_\_\_\_\_

10. **Report by the City Administrator**

- 2<sup>nd</sup> Quarter Financial Report

11. **Report by the Mayor**

**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 FOR THE PURPOSES OF POTENTIAL LITIGATION**

Motion: \_\_\_\_\_ Second: \_\_\_\_\_ Vote: \_\_\_\_\_

**13. Future Meeting Reminders:**

- August 10<sup>th</sup>: Planning Commission Meeting – 7:00PM
- August 12<sup>th</sup>: City Council Meeting – 7:00PM
- August 26<sup>th</sup>: City Council Meeting – 7:00PM
- September 9<sup>th</sup>: City Council Meeting – 7:00PM
- September 14<sup>th</sup>: Planning Commission Meeting – 7:00PM
- September 23<sup>rd</sup>: City Council Meeting – 7:00PM

**14. Adjourn** Motion: \_\_\_\_\_ Second: \_\_\_\_\_ Vote: \_\_\_\_\_

**EVENTS**

July 23<sup>rd</sup>: Animal Wonders at City Hall

July 24<sup>th</sup>: Summer Movie Night & Open House for Glendell Acres

Renovation Project at Glendell Acres Park

August 7<sup>th</sup>: Summer Movie Night

**City of Edgerton, Kansas**  
**Minutes of City Council Regular Session**  
**July 8, 2021**

A Regular Session of the City Council (the Council) was held in the Edgerton City Hall, 404 E. Nelson, Edgerton, Kansas on July 8, 2021. The meeting convened at 7:32 PM with Mayor Roberts presiding.

**1. ROLL CALL**

Ron Conus	present
Clay Longanecker	present
Josh Lewis	absent
Josh Beem	absent
Jody Brown	present

With a quorum present, the meeting commenced.

Staff in attendance:

- City Administrator Beth Linn
- City Attorney Lee Hendricks
- City Clerk Alexandria Clower
- Development Services Director Katy Crow
- Accountant Justin Vermillion
- Public Works Director Dan Merkh
- CIP Manager Brian Stanley
- Public Works Superintendent Trey Whitaker
- Marketing and Communications Manager Kara Banks
- Recreation Coordinator Brittany Paddock

**2. WELCOME**

**3. PLEDGE OF ALLEGIANCE**

**Consent Agenda**

- 4. Approve Minutes from June 24, 2021 Regular City Council Meeting
- 5. Accept Easements for Sunflower Road Crossing at Martin Creek Park

Councilmember Longanecker asked that item 5 be removed for further questions and comments.

Councilmember Conus moved to approve the Consent Agenda with item 5 removed, seconded by Councilmember Longanecker. The Consent Agenda was approved, 3-0.

Councilmember Longanecker stated he thought Council already accepted these easements.

Mr. Merkh stated the city received a verbal agreement, but the documentation had not yet been signed and presented for the pedestrian crossing.

Councilmember Longanecker moved to approve the acceptance of the Easements for Sunflower Road Crossing at Martin Creek Park, seconded by Councilmember Conus. The Easements were approved, 3-0.

### **Regular Agenda**

#### **6. Declaration.** None

7. **Presentation.** At this time, James Oltman with ElevateEdgerton! gave a presentation to Council regarding the Edgerton Housing Study and provided Council with a packet summarizing the information.

He stated that in May a representative from United Community Services spoke to Council regarding the County-wide housing study and some findings that were relevant to Edgerton. He stated ElevateEdgerton! had been researching the possibility of completing a study solely based on Edgerton. He stated the Board of Directors for ElevateEdgerton! contracted with RDG Planning and Design to conduct the housing assessment for the City in 2020. He stated during this time RDG was also contracted with United Community Services to complete their county-wide housing study.

He stated the process to complete the study included a pre-site visit analysis in which RDG researched market trends, activity in and around Edgerton, etc. He stated the company then sent personnel to the community where a tour was given, showing areas of growth and areas that could grow within the community. He stated RDG completed focus groups with City Staff, City Council/Planning Commission, area real estate professionals, community members, LPKC employers, etc. to hear from those that are directly affected by the changes within and around the community. He stated part of the process was a review of the City's current building codes. He stated this gave the ability to see if there might be any requirements creating an undue burden or if there is something another community is doing that could benefit Edgerton. He stated the final step in the process was the final report that showed the market analysis, overview of housing challenges and assets, directions for moving forward and a memo regarding the code review.

Mr. Oltman referred to the Housing Assessment Packet handout. He stated in regard to the construction activity, demolitions have outpaced construction in Edgerton with 23 houses lost and 6 constructed. He stated 79% of Edgerton's housing stock was constructed between 1970 and 2009 with 36% being in the 1970s and less than 1% being built in the last 10 years.

Mayor Roberts clarified the 23 houses demolished. He stated the 23 houses were houses that only became part of the City of Edgerton due to the annexations and were not in Edgerton prior to 2010.

Mr. Oltman agreed with Mayor Roberts.

Mr. Oltman stated regarding the Housing Affordability, that according to the US Government, households spending more than 30% of their income on housing are considered cost burdened. He stated 22% of Edgerton homeowners pay more than 30% and 39% of Edgerton renters pay more than that 30%. He stated a variety of rental units

are not available allowing existing rental landlords the ability to charge higher prices even if the quality is low. He stated Edgerton's median rent is the third lowest in Johnson County at \$756. He stated this rate is up 14% since 2010.

Mr. Oltman stated the greatest shortage of housing demand is for households in higher income ranges making more than \$75,000 a year. He stated when you look at the average wages at LPKC right now, those wages for one person are right at about 40,000 a year. He stated if you have a household where both adults work at LPKC, that household will be making over \$80,000 or more a year. He stated most employees come from within a 30-minute average radius, but some come from as far as Kansas City, Missouri. He stated there is an opportunity because many of those people would be interested in moving closer to work. He stated the affordable or entry-level housing needs do not have to be met through new construction, they can be met when existing owners upgrade into new construction because they have outgrown their current plan. He stated when the City does get new housing stock, people will upgrade to those newer homes and put their homes on the market for those first-time home buyers.

Mr. Oltman stated Edgerton does have some housing growth issues. He stated the largest barrier to growth is the lack of buildable lots. He stated there are several builders who would like to build, but there are not enough small lots ready to go to build on. He stated there are places that some might think could be developed, but when proximity of infrastructure to available parcels is considered, this makes it almost impossible for most places to be built on without an excess of money being spent to make the infrastructure available. He stated the cost of land is inflated right now and numbers to purchase and build do not work right now. He stated developers are averse to taking on the risk to extend infrastructure in what is seen as an untested market. He stated the final issue is the shortage of quality rental options. He stated no market rate multi-family construction has occurred in Edgerton in over 20 years and this type of housing allows an individual or family to transition into a community. When renting, the person or family has the ability to try before they buy and see if the community is right for them.

Mr. Oltman stated according to focus group participants, 92% said a mid-size three-bedroom house would be the most successful product for the market, 82% said a small two-or three-bedroom house, 72% said a townhouse or duplex, 58% said a larger home with four or more bedrooms and 43% said large lot residential.

Mr. Oltman stated to be successful, the City must have landowners willing to sell their land in line with the current market rate, land that is in close proximity to utilities and off-site improvements, a developer interested in a partnership and that is invested in the community as a whole and City participation and support for that development to occur.

Mr. Oltman stated as far as strategic objectives, the City must find ways to share the risk with the private market that may see Edgerton as untested and thus a high risk. He stated the City needs help to provide a range of housing types that meet housing needs for households at different points in their life as well as a continued effort to invest in the community's quality of life assets such as internet, parks and trails.

Councilmember Conus asked what the gist of the code review was.

Mr. Oltman stated he can get the full report to Councilmember Conus.

**Business Requiring Action**

**8. CONSIDER ORDINANCE NO. 2084 AUTHORIZING THE CREATION OF THE LPKC DISTRICT NO. 3 COMMUNITY IMPROVEMENT DISTRICT, LEVYING SPECIAL ASSESSMENTS WITHIN SUCH DISTRICT, AND APPROVING A DEVELOPMENT AGREEMENT**

Mr. Scott Anderson, Bond Counsel, addressed the Council. He stated in the Phase 2 Development Agreement for the Logistics Park, the City agreed to allow the Developer to petition the City for the creation of a community improvement district on some or all of the Phase Two Land. He stated the parties agreed that the petition could only seek financing by special assessments and would be funded on a pay as you go method. He stated the development agreement further stated that special assessments would be equal to \$0.05 a square foot for all structures constructed within the district that are 50,000 sq ft. or larger and constitute being a warehouse, manufacturing or distribution facility. He stated the special assessments will run for a 10-year term.

He stated the city has received a petition from ELHC LII, LLC for LPKC Community Improvement District number 3. He stated the district covers what is known as ELHC LII, LLC project. The petition requests the city to levy the special assessments provided for in the Development Agreement. He stated the special assessments will be used to pay for the demolition of existing improvements within the district and the design and construction of utility infrastructure improvements to accommodate industrial facilities to be constructed within the district.

He stated the Ordinance provided if approved, creates LPKC CID 3 and levies the special assessments. He stated the Ordinance also approves the development agreement. The Development Agreement contains the means for reimbursement of project costs to ELHC LII. He stated the Development Agreement also states that the district will continue until such time that the City and ELHC LII agree that the project is complete. He stated this is very similar to CID districts 1 and 2 previously approved.

Mayor Roberts asked for confirmation of how the CID itself is paid.

Mr. Anderson stated it is a pay as you go CID, so it is paid for solely by the owner of the property.

Councilmember Longanecker moved to approve Ordinance No. 2084, seconded by Councilmember Brown. The Ordinance was approved, 3-0.

**9. CONSIDER RESOLUTION NO. 07-08-21A AUTHORIZING FIRST AMENDMENT TO PROJECT PLAN A1 DISPOSITION AND DEVELOPMENT AGREEMENT**

Mr. Scott Anderson, Bond Counsel, addressed the Council. He stated the City created the Homestead Lane Retail TIF District generally located at the northeast and northwest corners of I-35 and Homestead Lane. He stated the City approved Project Plan A1 for the district which consists of the construction of a truck stop, truck maintenance facility, truck wash, restaurants,

and associated infrastructure improvements on property generally located on 12 acres in the northeast corner of I-35 and Homestead Lane.

He stated to implement Project Plan A1, the City and My Store III, Inc. entered into a Project Plan A1 Disposition and Development Agreement which requires the developer to complete the project by December 31, 2021.

He stated construction has been delayed due to delays in structural steel and other construction materials. Current structural steel delivery is taking over 40 weeks. Due to these delays, the developer has requested more time to complete the project.

He stated this Resolution, if approved, authorizes the City to enter into a First Amendment to the agreement and will allow the developer until October 1, 2022 to complete the project.

Councilmember Brown moved to approve Resolution No. 07-08-21A, seconded by Councilmember Longanecker. The Resolution was approved, 3-0.

**10. CONSIDER RESOLUTION NO. 07-08-21B APPROVING THE CLOSURE OF THE PUBLIC STREETS NAMED HEREIN DURING THE BIKE RODEO AT SUMMER MOVIE NIGHT**

Ms. Brittany Paddock, Recreation Coordinator, addressed the Council. She stated the Recreation Department will hold a Bike Rodeo that promotes child biking safety at the Edgerton Summer Movie Night. She stated the City received a grant from BNSF which allows the City to provide safety gear as giveaways. She stated there will be a bike course and a bike tune up, a water slide, and a food truck. To support this event, City staff is requesting the closure of Nelson Street, between East 4th Street and East 3rd Street, from 5:00 PM – 11:00 PM to create a safe environment for the kids to ride. The intersections at both E 4<sup>th</sup> Street/Nelson Street and E 3<sup>rd</sup> Street/Nelson Street will remain open to traffic. She stated the Johnson County Bike Team and Paramedics are planning to attend as well.

Councilmember Conus moved to approve Resolution No. 07-08-21B, seconded by Councilmember Longanecker. The Resolution was approved, 3-0.

Ms. Paddock gave a short update on the 3<sup>rd</sup> of July event. She stated she would estimate about 1,500 to 1,800 people in attendance for the event. She stated there was great weather despite the week of rain prior, which did cause some issues for parking on the soccer field. She stated like years past, the City used a bus to shuttle people from the Edgerton Community Hall and Edgerton Elementary. She stated everything was free and the city provided quite a few activities for the community. She stated overall this was a great event to reunite the community and the fireworks show was fantastic. She thanked Arrowhead, LPKC and New City Church for sponsoring the event.

**11. CONSIDER ORDINANCE NO. 2085 AMENDING CHAPTER IX, ARTICLE 1, SECTION 9-107 OF THE CITY CODE OF THE CITY OF EDGERTON, KANSAS AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH**

Ms. Beth Linn, City Administrator, addressed the Council. She stated over the past several months, the court docket has grown significantly with the average number of cases a month reaching 110. She stated due to this growth, the Judge, Prosecutor, and staff have identified the need to expedite cases, specifically those involving Code Enforcement. She stated having only one court docket a month can add a significant amount of time to the court case depending on factors such as requesting a court appointed attorney, defendants not appearing in court, and requests from defendants for continuances or time to pay.

She stated after deliberation with the Judge and Prosecutor, staff would recommend that the City move to having two court dockets a month with those dockets being held on the first and third Tuesdays at 3:00PM. This would allow Edgerton to limit the number of cases heard per docket and expedite defendants through the process. She stated if approved, this would go into effect beginning in August.

Councilmember Conus asked if this was a permanent change or just an effort to catch up because of the rise of case numbers seen.

Ms. Linn stated this would be a permanent change, but Council could always choose to change it back if they see a need to do so.

Mayor Roberts stated at one point the City never saw citations, but now there's an average of 100 or so and that's a lot for one docket a month. He stated adding another docket would help speed the process up so codes cases specifically can be resolved faster.

Ms. Linn stated due to the City having a community policing officer who is certified for heavy load violations, etc. there has been a significant increase in traffic citations. She stated it is also important to remember that by the time a code enforcement citation comes to court, there has already been multiple attempts to work with the individual to resolve the issue. She stated approving an additional court date will allow for more touch-ins with the Judge and Prosecutor related to cases for efficiency and promptly closing court cases. She stated currently, there are some cases that have been in the court cycle for six to eight months or more.

Mayor Roberts stated it is important to remember that Council sets the policies for mandatory court appearances for certain violations, including high speeds, heavy loads, trucks without tarps, etc.

Councilmember Longanecker stated regarding the packet, the fine revenue is shooting over budget. He asked if that extra money goes somewhere.

Ms. Linn stated when the 2020 budget was approved, the city estimated \$30,000, the actual total is well over that number. She stated this amount goes into the general fund and any amount that goes in, offsets the cost of bills related to municipal court, such as Judge, Prosecutor, Court Appointed Attorney, etc.

Mr. Lee Hendricks, City Attorney, noted that Municipal Court is not a money maker. Typically any money that comes in is spent on fees that are remitted to the state, and to cover costs associated with court.



Ms. Linn agreed, she stated the fees that come into the fund also go out to pay for the Sheriff's Office Contract, the City's Law Enforcement Officer, etc.

Mr. Hendricks stated the biggest reason for the second docket is the efficiency. He stated right now the court system is not efficient and the city cannot continue to run dockets of this size with a limited number of staff.

Councilmember Longanecker moved to approve Ordinance No. 2085, seconded by Councilmember Brown. The Ordinance was approved, 3-0.

**12. CONSIDER AWARD OF CONSTRUCTION OF 2021 STREET MAINTENANCE PROGRAM (CHIP SEAL) TO VANCE BROTHERS AND AUTHORIZE THE MAYOR TO EXECUTE THE CONTRACT**

Mr. Dan Merkh, Public Works Director, addressed the Council. He stated the City of Edgerton requested proposals for the 2021 Street Maintenance Program, included in the RFP was two methods of street maintenance, Chip Seal and UBAS.

He stated for Chip Seal, a total of two bids were received which consisted of a base bid with three alternates. He stated Vance Brothers submitted the low bid for the project and based upon review of other submitted bids, staff recommends Vance Brothers as the qualified company to perform the scope of work for this project.

He stated together, the amounts of both low bids for the Chip Seal and UBAS totals about \$2,000 less than the budget allocated, this difference will be used to increase line items or to include one of the bid alternates, as needed to meet but not to exceed the budget allocated.

He stated funding for this project is from the Special Highway Fund, as identified in the 2021 CIP. He stated Special Highway Funds from 2020 are also allocated for this project.

Mayor Roberts asked what roads would be completed.

Mr. Merkh stated it would be the remaining blocks from 1<sup>st</sup> Street as well as on Hulett and McCarty.

Councilmember Longanecker moved to approve the Award of Construction of the 2021 Street Maintenance Program for Chip Seal to Vance Brothers. Seconded by Councilmember Conus. The Award of Construction for Chip Seal was approved, 3-0.

**13. CONSIDER AWARD OF CONSTRUCTION OF 2021 STREET MAINTENANCE PROGRAM (UBAS) TO MCANANY AND AUTHORIZE THE MAYOR TO EXECUTE THE CONTRACT**

Mr. Dan Merkh, Public Works Director, addressed the Council. He stated similar to previous item, this would be for the award of UBAS. He stated a total of three bids were received, which included a base bid with three alternates. He stated McAnany submitted the low bid for the

project and based upon review of the other submitted bids, staff would recommend McAnany as the qualified company to perform the scope of work for this project.

He stated the roadway included for the project is W Meriwood Ln from W 4<sup>th</sup> to W 8<sup>th</sup>.

Councilmember Brown moved to approve the Award of Construction of the 2021 Street Maintenance Program for UBAS to McAnany Construction. Seconded by Councilmember Longanecker. The Award of Construction for UBAS was approved, 3-0.

#### **14. CONSIDER PROJECT AUTHORIZATION FOR THE CONSTRUCTION OF CORLISS ROAD**

Mr. Dan Merkh, Public Works Director, addressed the Council. He stated the City Council approved a Development Agreement with ELHC for the development of Phase II of LPKC. He stated similar to Phase I, this agreement established a new Public Infrastructure Fund (Ph. II PIF) for the collection of certain revenues associated with the development and payment of project expenditures as allowed by the Agreement.

He stated the Development Agreement describes the Public Infrastructure Improvements and Costs that are allowed project expenses to be paid from the Ph II PIF. He stated the construction of Corliss Rd. for approximately 0.5 miles, is included as an allowable project expense in LPKC Phase II.

He stated the proposed construction of Corliss Road will serve the semi-truck loading and parking areas of Inland Port 52, along with residents in the area.

He stated the proposed section of road is 42' back-to-back and will be installed with curb and gutter. A 14' center turn lane will be included with the two 12' drive lanes. He stated ELHC has submitted the recommendation for contractor award to Emery Sapp and Sons, Inc. at \$1,904,771.00. This cost will be borne entirely by ELHC until such time the project is converted to funded from Home Rule Revenue Bonds. He stated if the project is approved, staff will work with the Intermodal Bond Counsel and ELHC to include the allowable project costs into the next Home Rule Revenue Bond series.

Councilmember Brown asked if this road was behind Hostess.

Mr. Merkh stated it is East of Hostess, continuing North.

Mayor Roberts asked when it is converted, what pays those fees.

Mr. Merkh stated Funds from the Public Infrastructure Fund would pay those fees, this fund is completely funded by LPKC Development.

Mayor Roberts stated for clarification, this would be paid for by development, not the residents of Edgerton.

Councilmember Longanecker moved to approve the Project Authorization for the Construction of Corliss Road. Seconded by Councilmember Conus. The item was approved, 3-0.

**15. CONSIDER AN AGREEMENT WITH BG CONSULTANTS FOR CONSTRUCTION ADMINISTRATION AND OBSERVATION SERVICES FOR THE CORLISS ROAD PROJECT**

Mr. Dan Merkh, Public Works Director, addressed the Council. He stated similar to other large infrastructure projects constructed, a critical component to the success is partnering with a firm to perform the construction administration and observation services. He stated for projects designed by an outside firm, the City has contracted with BG Consultants to perform these services.

He stated BG Consultants prepared an Agreement to provide the construction observation services for the Corliss Road project. He stated this agreement includes the scope of work to include such services as performing inspections, notification of the City of any significant issues/changes to the plans, providing detailed daily reports of construction activity, reviewing testing reports and pay estimates, etc.

He stated the term of the agreement anticipates the project will be complete by June 1, 2022. The agreement includes an hourly rate schedule applicable for the term of the agreement and it is structured similarly to the Agreement for City Engineer services where the City is only billed for actual hours of work performed.

He stated the project will be paid for initially by the City of Edgerton, but the City will be reimbursed at full cost by ELHC.

Councilmember Brown moved to approve the Agreement with BG Consultants for Construction Administration and Observation Services for the Corliss Road Project. Seconded by Councilmember Longanecker. The item was approved, 3-0.

**16. Report by the City Administrator**

- Monthly Report on 502 E 2<sup>nd</sup> Street

Ms. Katy Crow addressed the Council. She provided updated photos to the Governing Body taken after the packet was published that shows progress made. She stated at the time the packet was published, the owner was working on rebuilding the front porch, since that time, he has added new decking and continues to make forward progress with hopes to make their way to the roof soon. She stated the owner plans to be in attendance for the Council Meeting regarding the time frame in the initial resolution and what the next steps will be.

All Councilmembers agreed that the house is coming together nicely and recognize the amount of work that goes into revitalizing this house.

Ms. Linn stated staff's assumption is that Council would like a Resolution brought back with the date left blank for further discussion with the homeowner and Council to fill that in.

Mayor Roberts stated he would think another 6 months would be a good amount to get them where they need to be but would like to discuss and hear from the homeowner before Council makes that decision.

Ms. Crow stated staff will work on a Resolution to bring back with the completion date left blank to allow for further discussion. She stated she has discussed this option with the City Attorney, and he sees no problem with this approach.

- Request for Waiver of Fees Associated with System Development at 321 E Martin Street

Ms. Linn addressed the Council. She stated Council heard a request for waiver of fees related to System Development at the last Council meeting. She provided Council with a handout of fees associated to the development at 321 E Martin that was provided to the homeowner around the time she first made contact with the City after purchasing the home.

She stated this first page is a fee calculation for residential projects, and this form is the exact one in relation to this address. She stated the following page is the City's Fee Resolution that is annually reviewed and approved by Council. She stated she has highlighted the sections related to System Development. She stated the final page given to Council is a spreadsheet that shows the monthly fees that would have been paid if services were to have been left on since 2012.

She stated the previous owner terminated services, and under the City Code, this technically is not allowed. She stated in preparation for the new software system, the City conducted an audit of services and this is not the only account where this has happened. She stated the reason the code is written to have a monthly connection charge even though the water is off, is because there is still maintenance that must be done to the system. She stated if this address would have remained apart of the system since 2012 and incurred the monthly charges, there would be no question today regarding the new system development and the amount that was presented to the new owner when the house was purchased in March of 2020. She stated there is a brand new meter at this address that was not paid for by the owner of the house at the time of the install, so there are costs incurred by the City for that new meter. She stated had the account been in the correct standing, they would have been required to pay the monthly fees associated. She stated thankfully, the new system will not allow for this type of error to occur. She stated staff is recommending that the monthly fees from time of termination to current be paid in full, if Council wants to discuss waiver of fees or discount possibilities.

Mayor Roberts stated there are other people that have been paying their monthly fees for many years and have had to pay the new development fees if their account was terminated and they needed to start service. He stated if he were those people, he would not be too happy right now that that this was allowed to happen.

Councilmember Conus asked if staff was recommending that Council approve the replacement of the \$11,000 owed with the roughly \$3,000.

Ms. Linn stated what was gathered from Council was that there was an interest in exploring the significant cost for Ms. Hill related to system development and that Council would like to see possibilities of discounts or waiving fees. She stated staff did share this cost with Ms. Hill well before now so she could include it in her budget for building this new home. She stated if Council is wanting to look at a discount, staff would suggest she pay at least the monthly fees that would have been incurred from time of termination until now.

Mr. Hendricks stated for clarification that staff is not recommending anything, this is purely a policy-based decision.

Councilmember Longanecker stated how many others will then bring this same problem. He stated if Council approves this for her, then they will have no choice but to approve it for others too.

Mayor Roberts stated whatever Council decides should be consistent. He asked if the City could create a district for renovations or for new construction where each district has different costs and fees associated. He then asked what does the City do about those that have consistently paid over the years.

Mr. Hendricks stated there has to be consistency. He stated he has seen other jurisdictions use a policy that if the amount owed is not paid, then the person loses their benefit, and they will have to rebuy because the previous benefit was not paid.

Councilmember Longanecker stated that Ms. Hill is putting quite a bit of money into the house.

Ms. Linn stated the info on the colored sheet provided to Council was the sheet provided to the new owner in March of 2020, right about the time she purchased the house and had her first conversations with the City about the next steps.

Mayor Roberts stated if Council would like to do something, he thinks it will take more time to make it fair for others. He stated he is in favor of encouraging redevelopment, but staff and council will then have to look at everyone who has been paying, etc. and make sure the solution is fair to everyone.

Councilmember Conus stated if she is charged according to the monthly fee's spreadsheet, is the city not picking up the fees that were not previously paid. He asked if there are any costs to the city to reinitiate water supply.

Ms. Linn stated the city replaced the meter on the property with no participation from the property owner at that time. All the other property owners participate in that cost.

Mr. Merkh stated typically when a water line is off for an extended amount of time and gets turned back on, there is a higher possibility of finding seals out or that the connection overtime has become unpressured, etc. He stated it is not uncommon for some maintenance to be performed.

Ms. Linn stated nothing is connected at the property currently. She stated when a new connection occurs, there will also have to be inspection of water and sewer, etc. and there are costs associated with that.

Councilmember Conus stated the roughly \$3,000 noted would cover the water meter, but not necessarily any problems with reinitiating water supply.

Mayor Roberts stated there could also be costs associated with the sewer line, which could be clay tile or have significant issues.

Mr. Merkh stated it is hard to estimate any costs when there are so many unknowns due to this property being offline for so long.

Councilmember Conus stated he wonders if it might be best to charge based upon collecting the past due monthly fees, plus the cost incurred by the city to reinitiate services.

Mayor Roberts asked the City Attorney if the City could add a fee to pay for any expenses, parts and labor and require the new owner to catch up on the fees due.

Mr. Hendricks stated he would like to look into it further.

Mayor Roberts stated he would like to do something but does not know what that looks like quite yet to be fair to everyone.

Mr. Hendricks stated he thinks there is a way to separate the amounts out in a way to incentivize people to revitalize homes and build but not punish those who have been paying these fees over time.

Mayor Roberts stated he is in favor of tabling this to allow the City Attorney time to look it over and have staff bracket out the costs that could happen for water and wastewater, etc. He stated he would like Council to think about creating a program, as an example, where there's a renovation district that gets 50% off fees associated, etc.

Councilmember Longanecker stated he thinks this could take a work session. He asked if the problem of terminating utility services when they are not supposed to has been corrected.

Ms. Linn stated staff has corrected this and the city does not terminate service if there's a structure connected to the service on that property.

Mayor Roberts stated he is in favor of a work session at the end of the month.

Ms. Linn stated the city can issue a contingent building permit until Council makes a decision so Ms. Hill is not held up in building her new home.

Mayor Roberts stated there is a commitment from staff and the governing body to get this done in a shorter amount of time to benefit Ms. Hill and keep her process going.

## 17. Report by the Mayor

Mayor Roberts stated he would like more information from Lesley Rigney from the Miami County Conservation District. He stated she had said we are rapidly approaching 20 percent of impervious surface for the watershed. He would like to understand how she got that number. He stated he read a piece from the Army Corps of Engineers that says the water quality has been improving every year since about 2010 at Hillsdale Lake. He stated he would like to check with the Corps and check for accuracy on that. Mayor Roberts stated there has been 3 major problems for Hillsdale Lake and those have been phosphorus, nitrogen and sedimentation. He stated all three are in this area and most are tied to cattle lots and plow fields more so than industrial development. He stated when he double checks the numbers and things that are said, it does not seem to add up.

Councilmember Conus stated he would like to thank the Sheriff's Office and Deputy Johnson for the ability to do a ride along. He stated he learned about Deputy Johnson's job and how he interacts with the city.

Mayor Roberts requested a short recess to recognize Ms. Beth Linn as she celebrates her 10-year anniversary with the City of Edgerton.

The meeting recessed at 7:12PM

The meeting reconvened at 7:24PM

Item (18) in the published packet was removed per the Mayor.

## 18. **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 FOR THE PURPOSES OF PENDING LITIGATION**

Councilmember Longanecker moved to recess into executive session pursuant to K.S.A 75-4319(B)(2) to include the City Attorney and the City Administrator for the purposes of pending litigation for 5 minutes.

Councilmember Brown seconded the motion. The meeting recessed into executive session at 9:30 PM, 3-0.

Councilmember Brown moved to return to open session with no action being taken.

Councilmember Longanecker seconded the motion. Open session resumed at 9:35 PM, 3-0.

## 19. Future Meeting Reminders:

- July 13<sup>th</sup>: Planning Commission Meeting – 7:00PM
- July 15<sup>th</sup>: 2022 Budget Work Session – 7:00PM
- July 22<sup>nd</sup>: City Council Meeting – 7:00PM

- August 10<sup>th</sup>: Planning Commission Meeting – 7:00PM
- August 12<sup>th</sup>: City Council Meeting – 7:00PM
- August 26<sup>th</sup>: City Council Meeting – 7:00PM

## 20. Adjourn

Councilmember Brown moved to adjourn, seconded by Councilmember Longanecker. All in favor. The meeting adjourned at 9:36 PM.

Submitted by Alexandria Clower, City Clerk

### EVENTS

July 23<sup>rd</sup>: Animal Wonders at City Hall

July 24<sup>th</sup>: Summer Movie Night & Open House for Glendell Acres

Renovation Project at Glendell Acres Park

August 7<sup>th</sup>: Summer Movie Night



## City Council Action Item

---

**Council Meeting Date:** July 22, 2021

**Department:** Public Works

### **Agenda Item: Final Acceptance of Homestead Lane Intersection Improvements**

**Background/Description of Item:**

On August 22<sup>nd</sup>, 2019 the Edgerton City Council created a Tax Increment Financing (TIF) Redevelopment District generally located at the northeast and northwest corners of Interstate 35 and Homestead Lane. The district plan for the Redevelopment District includes commercial retail facilities such as truck stops/travel plazas, truck maintenance facilities, restaurants, hotels and other transportation and workforce related services.

On November 14, 2019 City Council Approved the Agreement with BG Consultants for the engineering and design services for Homestead Lane Intersection Improvements. This project consists of providing full access into the parcels on either side of Homestead Lane at 200<sup>th</sup> Street.

On June 25, 2020 City Council approved the concurrence to bid the project.

On August 27, 2020 City Council approved the award of construction to Miles Excavating with a contract amount of \$770,752.14.

On September 10, 2020 City Council approved the construction inspection services contract award to Renaissance Infrastructure Consulting. This agreement is structured where the City is only billed for actual hours worked.

During construction of the intersection improvements, four (4) change orders were approved.

- Change order #1: + \$7,463.50 (new construction entrance)
- Change order #2: + \$1,173.00 (increase expansion joint)
- Change order #3: - \$268.93 (deletion of curb)
- Change order #4: - \$5,227.01 (deduct of seeding & concrete patch)

Each of the change orders are within the purchasing policy adopted and approved by Council. The final contract amount is \$773,892.70, this project is within budget. This project is funded by TIF Redevelopment District

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

---

**Funding Source:** Homestead Lane Retail TIF Redevelopment District

**Budget Allocated:** \$1,752,000

**Finance Director Approval:** x   
Karen Kindle, Finance Director

---

<p><b>Recommendation: Approve Final Acceptance of Homestead Lane Intersection Improvement</b></p>
---------------------------------------------------------------------------------------------------

**Enclosed:** RIC: Final Acceptance Letter

**Prepared by:** Dan Merkh, Public Works Director

**From:** [Joe Venneman](#)  
**To:** [Dan Merkh](#)  
**Subject:** Final Acceptance for Homestead Intersection Improvements  
**Date:** Tuesday, July 6, 2021 11:18:40 AM  
**Attachments:** [image001.jpg](#)  
[image002.png](#)

---

Dan,

I certify that the Homestead Intersection Improvements Project No. 19-1483L is complete, and has been constructed in conformance with the approved construction documents and approved change orders. Please feel free to contact me at 913-271-7155 if you require any additional information.

Thanks,

**Joe Venneman**

Construction Services Manager

Renaissance Infrastructure Consulting

[jvenneman@ric-consult.com](mailto:jvenneman@ric-consult.com) | 913.271.7155 (c)

---

**From:** Dan Merkh <[dmerkh@edgertonks.org](mailto:dmerkh@edgertonks.org)>  
**Sent:** Friday, July 2, 2021 2:15 PM  
**To:** Joe Venneman <[jvenneman@ric-consult.com](mailto:jvenneman@ric-consult.com)>  
**Subject:** RE: Homestead Pay Estimate 004.pdf

Also, please send the final acceptance email on this project as well.



**Dan Merkh • Public Works Director**  
City of Edgerton, KS  
404 East Nelson • Edgerton, KS 66021  
913.893.6231 • 913.271.9757 (c)  
[www.edgertonks.org](http://www.edgertonks.org)

---

**From:** Joe Venneman <[jvenneman@ric-consult.com](mailto:jvenneman@ric-consult.com)>  
**Sent:** Tuesday, June 22, 2021 2:26 PM  
**To:** Jase Hartenbower <[jaseh@milesexcavating.com](mailto:jaseh@milesexcavating.com)>  
**Cc:** Dan Merkh <[dmerkh@edgertonks.org](mailto:dmerkh@edgertonks.org)>; David Hamby <[david.hamby@bgcons.com](mailto:david.hamby@bgcons.com)>  
**Subject:** FW: Homestead Pay Estimate 004.pdf

Jase,

The final quantities look good to me.

Thanks,

**Joe Venneman**

Construction Services Manager

Renaissance Infrastructure Consulting

jvenneman@ric-consult.com | 913.271.7155 (c)

---

**From:** Jase Hartenbower <[jaseh@milesexcavating.com](mailto:jaseh@milesexcavating.com)>

**Sent:** Tuesday, June 22, 2021 6:24 AM

**To:** Joe Venneman <[jvenneman@ric-consult.com](mailto:jvenneman@ric-consult.com)>

**Subject:** Homestead Pay Estimate 004.pdf

Joe,

Please see the attached. Let me know if you have any questions.

Thanks,

**Jase Hartenbower**

Miles Excavating Inc.

Project Manager/Estimator

[jaseh@milesexcavating.com](mailto:jaseh@milesexcavating.com)

Mobile: (785) 410-2913

Office: (913) 724-1934



## City Council Action Item

---

**Council Meeting Date:** July 22, 2021

**Department:** Utilities

### **Agenda Item: Consider Concurrence to Bid the CDBG 7<sup>th</sup> & Nelson Sanitary Sewer Project.**

#### **Background/Description of Item:**

On May 28, 2020 City Council approved the submission of an application to Johnson County for the 7<sup>th</sup> & Nelson Sanitary Sewer Project for Community Development Block Grant (CDBG) funding.

In September of 2020 Johnson County notified staff of the proposed award of the full funding request (\$200,000). The amount is based on estimated funding, as the County has yet to receive their allocation from U.S. Department of Housing and Urban Development (HUD). The program year starts at the new year, and costs can be incurred after that date. Final authorization is dependent on Congress approving the budget, at that time City Staff will coordinate with Johnson County appropriately.

On December 11, 2020, the City of Edgerton issued a Request for Qualifications seeking engineering teams for the design of the 2021 CDBG 7<sup>th</sup> & Nelson Sanitary Sewer Project.

On February, 25, 2021 City Council approved selection of TREKK Design Group LLC for the engineering and design services of the project. The project includes inventory and analysis of the existing collection system, as well as design of the improvements. The majority of the proposed work will be replacement of Vitrified Clay Pipe (VCP) with Polyvinyl Chloride (PVC). Some areas within the project area will include various forms of repairs. The manholes within the project area would also be prioritized and lined (or equal improvements) as needed. To maximize the usage of the funds provided by CDBG, the proposed project area is larger than the proposed scope of the project.

For this project, staff anticipates the bidding schedule as follows.

- Concurrence to bid from City Council (pending approval): July 22, 2021
- Advertisement for Bidding: Starting on July 30, 2021
- Bid Opening: August 18, 2021
- Award Bid: August 26, 2021
- Substantial Completion: November/December 2021

At the Council Meeting on August 26, 2021 staff will provide the results for the bidding process.

Funding for this project was included in the 2020-2024 Capital Improvement Program.

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

---

**Funding Source:** Community Development Block Grant (CDBG)  
Sewer Fund

**Budget Allocated:** \$518,000

**Finance Director Approval:** x Karen E. Kindle  
Karen Kindle, Finance Director

---

<p><b>Recommendation: Approve Concurrence to Bid CDBG 7<sup>th</sup> &amp; Nelson Sanitary Sewer Project.</b></p>
-------------------------------------------------------------------------------------------------------------------

**Enclosed:** N/A

**Prepared by:** Dan Merkh, Public Works Director

## City Council Action Item

---

**Council Meeting Date:** July 22, 2021

**Department:** Administration

**Agenda Item: Consider Ordinance No. 2086 Authorizing Operation Of All-Terrain Vehicles, Golf Carts, Low Speed Vehicles, Work-Site Utility Vehicles And Micro Utility Trucks On The Streets Within The Corporate Limits Of The City Of Edgerton, Kansas Subject To Specific Restrictions And Requirements; Providing For The Repeal Of Portions Of Article 14, Section 114 Of The Standard Traffic Ordinance, As Amended, Regulating The Above-Named Vehicles And Repealing All Ordinances In Conflict Therewith**

**Background/Description of Item:**

In September 2020, Edgerton City Council held a work session to discuss possible regulations to allow various types of vehicles on city streets. Additionally, in January 2021 staff brought forward several topics for additional direction from City Council in working with the City Attorney to draft the regulations and Sheriff's Office for consideration in enforcement of draft regulations. Please find enclosed draft regulations

Sections 1 through 5 of the regulations define the types of vehicles included in this section of Code as defined by the Standard Traffic Ordinance (STO). These sections included definitions from the STO as written today. In addition, Section 9 references that should the definition of any of those be updated in a future version of the STO, then our would update/amend as well.

- All-Terrain Vehicle (ATV) – Note: Based on recommendations from City Attorney and Sheriff's Office, the draft regulations prohibit straddled ATVs. If City Council would prefer to remove this prohibition, then Section 1(b) would need to be stricken from the ordinance.
- Golf Cart
- Low-Speed Vehicle
- Work-Site Utility Vehicle
- Micro Utility Truck

Section 6 defines regulations for operation include equipment necessary.

- **Driver's License (i.e. age limit):** a valid driver's without restriction is necessary
- **Hours of Operations:** sunrise to sunset
- **Seat belts:** all Kansas motor vehicle seat belt and child safety seat/booster seat regulations apply, regardless of whether they were factory installed

- **Necessary equipment:** required to have headlights, taillights and at least one rear view mirror, regardless of whether were factory installed

Section 7 sets limitations on roads/streets and sets insurance requirements.

- **Roads/Streets:** operation limited to city roads/streets with speed limit of 35 mph or less
- **Permit and Insurance:** Required to have an annual City permit. Verify proof of liability insurance. Permit displayed prominently on rear of permitted vehicle, visible when driven.
- **Insurance:** Must of have liability insurance verified to receive City permit. Must be carried while in operation and produced upon demand by law enforcement.
- **Revocation of Permit/Appeal:** any violation of the ordinance may be cause for revocation of the City issued permit by City Administrator with notice provided to the owner/operator/dealer. A permit that has been revoked may be appealed to the Governing Body by filing a written appeal to the City Clerk within five (5) business days of written notice of revocation. Governing Body may choose to hear or refuse to the hear the appeal.
- **Application:** Any Owner/Operator apply for a City permit must complete an application, attach copy of proof of insurance, agree to obey all sections of the Ordinance, and pay associated fee. Permits will be renewable annually with the application and fee paid on or before January 15<sup>th</sup>.

Section 8 provides regulations for how said vehicles should be driven/operated on roadways laned for traffic. Section 10 deems any violation of any provision of the ordinance as a traffic infraction.

The draft ordinance was prepared by the City Attorney.

If draft ordinance is passed, staff would bring forward a revision to the Annual Fee Resolution at the August 12, 2021 City Council meeting to add the Unconventional Vehicle Permit Fee based on fee amount recommended by City Council.

**Related Ordinance(s) or Statue(s):** n/a

---

**Funding Source:** N/A

**Budget Allocated:** N/A

**Finance Director Approval:** N/A

---

**Recommendation: Approve Ordinance No. 2086 Authorizing Operation Of All-Terrain Vehicles, Golf Carts, Low Speed Vehicles, Work-Site Utility Vehicles And Micro Utility Trucks On The Streets Within The Corporate Limits Of The City Of Edgerton, Kansas Subject To Specific Restrictions And Requirements; Providing For The Repeal Of Portions Of Article 14, Section 114 Of The Standard Traffic Ordinance, As Amended, Regulating The Above-Named Vehicles And Repealing All Ordinances In Conflict Therewith.**



**Enclosed:**

Draft Ordinance No. 2086

**Prepared by:**

Beth Linn, City Administrator

## **ORDINANCE NO. 2086**

**AN ORDINANCE AUTHORIZING OPERATION OF ALL-TERRAIN VEHICLES, GOLF CARTS, LOW SPEED VEHICLES, WORK-SITE UTILITY VEHICLES AND MICRO UTILITY TRUCKS ON THE STREETS WITHIN THE CORPORATE LIMITS OF THE CITY OF EDGERTON, KANSAS SUBJECT TO SPECIFIC RESTRICTIONS AND REQUIREMENTS; PROVIDING FOR THE REPEAL OF PORTIONS OF ARTICLE 14, SECTION 114 OF THE STANDARD TRAFFIC ORDINANCE, AS AMENDED, REGULATING THE ABOVE-NAMED VEHICLES AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.**

BE IT ORDAINED BY THE CITY OF EDGERTON, KANSAS:

### **Section 1. OPERATION OF AN ALL-TERRAIN VEHICLE; PENALTY**

(a) "All-Terrain Vehicle" means any motorized nonhighway vehicle fifty (50) inches or less in width, having a dry weight of 1,500 pounds or less, and travelling on three or more nonhighway tires.

(b) All-Terrain Vehicles which do not have a seat designed to be straddled by the operator may be operated upon certain streets, roads and alleys within the corporate limits of the City subject to the terms and restrictions of Sections 6 and 7 of this Ordinance.

(c) A violation of this section shall be deemed a traffic infraction. Upon an entry of a plea of guilty or no contest or upon being convicted of such violation, the penalty imposed shall be in accordance with Article 20, Section 201, of the Standard Traffic Ordinance, and amendments thereto, or such other similar provisions as the City may then have in effect.

### **Section 2. OPERATION OF A GOLF CART; PENALTY**

(a) "Golf Cart" means any motor vehicle that has not less than three wheels in contact with the ground, an unladen weight of not more than 1,800 pounds, is designed to be and is operated at not more than twenty-five (25) miles per hour and is designed to carry not more than four persons including the driver.

(b) Golf Carts may be operated upon certain streets, roads and alleys within the corporate limits of the City subject to the terms and restrictions of Sections 6 and 7 of this Ordinance.

(c) A violation of this section shall be deemed a traffic infraction. Upon an entry of a plea of guilty or no contest or upon being convicted of such violation, the penalty imposed shall be in accordance with Article 20, Section 201, of the Standard Traffic Ordinance, and amendments thereto, or such other similar provisions as the City may then have in effect.

### **Section 3. OPERATION OF A LOW-SPEED VEHICLE; PENALTY**

(a) "Low-Speed Vehicle" means any four-wheeled electric vehicle whose top speed is greater than twenty (20) miles per hour but not greater than twenty (25) miles per hour and is manufactured in compliance with the national highway and traffic safety administration standards for low-speed vehicles in 49 C.F.R. 571.500.

(b) Low-Speed Vehicles may be operated upon certain streets, roads and alleys within the corporate limits of the City subject to the terms and restrictions of Sections 6 and 7 of this Ordinance.

(c) A violation of this section shall be deemed a traffic infraction. Upon an entry of a plea of guilty or no contest or upon being convicted of such violation, the penalty imposed shall be in accordance with Article 20, Section 201, of the Standard Traffic Ordinance, and amendments thereto, or such other similar provisions as the City may then have in effect.

#### **Section 4. OPERATION OF A WORK-SITE UTILITY VEHICLE; PENALTY**

(a) "Work-site Utility Vehicle" means any motor vehicle which is not less than forty-eight (48) inches in width, has an unladen weight, including fuel and fluids, of more than eight hundred (800) pounds and is equipped with four (4) or more non-highway tires, a steering wheel and bench or bucket type seating allowing at least two (2) people to sit side-by-side, and may be equipped with a bed or cargo box for hauling materials. Work-Site Utility Vehicle does not include a micro utility truck.

(b) Work-site Utility Vehicles may be operated upon certain streets, roads and alleys within the corporate limits of the City subject to the terms and restrictions of Sections 6 and 7 of this Ordinance.

(c) A violation of this section shall be deemed a traffic infraction. Upon an entry of a plea of guilty or no contest or upon being convicted of such violation, the penalty imposed shall be in accordance with Article 20, Section 201, of the Standard Traffic Ordinance, and amendments thereto, or such other similar provisions as the City may then have in effect.

#### **Section 5. OPERATION OF A MICRO UTILITY TRUCK; PENALTY**

(a) "Micro Utility Truck" means any motor vehicle which is not less than forty-eight (48) inches in width, has an overall length, including the bumper, of not more than 160 inches, has an unladen weight, including fuel and fluids, of more than 1,500 pounds, can exceed forty (40) miles per hour as originally manufactured and is manufactured with a metal cab.

(b) Micro Utility Trucks may be operated upon certain streets, roads and alleys within the corporate limits of the City subject to the terms and restrictions of Sections 6 and 7 of this Ordinance.

(c) A violation of this section shall be deemed a traffic infraction. Upon an entry of a plea of guilty or no contest or upon being convicted of such violation, the penalty imposed shall be in accordance with Article 20, Section 201, of the Standard Traffic Ordinance, and amendments thereto, or such other similar provisions as the City may then have in effect.

#### **Section 6. DRIVER'S LICENSE REQUIRED; HOURS OF OPERATION; SEAT BELTS AND CHILD SAFETY SEATS; HEADLIGHTS, TAILLIGHTS AND MIRROR(S); PENALITIES**

(a) No person shall operate any of the vehicles listed in Sections 1-5 above on any street, road or alley within the corporate limits of the City unless such person holds a valid driver's license without restriction.

(b) The vehicles listed in Sections 1-5 above shall only be operated within the corporate limits of the City between sunrise and sunset.

(c) All State of Kansas motor vehicle seat belt and child safety seat/booster seat regulations shall apply to occupants of any of the vehicles listed in Sections 1-5 above. This shall include the necessity of seat belts, regardless of whether they were factory installed.

(d) No person shall operate any of the vehicles listed in Sections 1-5 above on any street, road or alley within the corporate limits of the City unless such vehicle has headlights, taillights and at least one rear view mirror installed on the vehicle, regardless of whether such items were factory installed.

(e) A violation of this section shall be deemed a traffic infraction. Upon an entry of a plea of guilty or no contest or upon being convicted of such violation, the penalty imposed shall be in accordance with Article 20, Section 201, of the Standard Traffic Ordinance, and amendments thereto, or such other similar provisions as the City may then have in effect.

## **Section 7. LIMITATION TO ROADS/STREETS WITH CERTAIN SPEED LIMITS; PERMITS; INSURANCE REQUIREMENTS**

(a) Operation of any of the vehicles listed in Sections 1-5 above on any street, road or alley within the corporate limits of the City of Edgerton shall be limited to those streets with a speed limit of thirty-five miles per hour (35 mph) or less. It shall be a violation to operate any and all of those vehicles on any street/road which has a speed limit in excess of thirty-five miles per hour (35 mph).

(b) **Permit and Insurance:** No vehicle listed under this ordinance shall be operated within the corporate limits of the City without first having a permit issued by the City of Edgerton for operation of said vehicle. Permits are to be issued on an annual basis upon paying the permit fee. No permit shall be issued except upon proof of liability insurance for the vehicle in question. The City of Edgerton, by issuing a permit for operation of one of the above-mentioned vehicles, has verified that the owner has provided proof of insurance and the City assumes no further liability. Permits shall be prominently displayed on the rear of the vehicle, visible when being driven. Proof of valid insurance shall be carried and produced upon demand by a law enforcement officer.

(c) **Revocation and Appeal:** Any violation of this Ordinance may be cause for revocation of the City issued permit. Permits may be revoked for cause, effective immediately, by the City Administrator or an associated City official with notice provided to the owner/operator/dealer at the address provided in the permit application in writing within a reasonable amount of time.

(d) A permit that has been revoked by the City may be appealed to the Governing Body of the City of Edgerton by filing a written appeal with the City Clerk within five (5) business days of the date of the written notice of revocation. The Governing Body may choose to hear or refuse to hear the appeal. If the Governing Body chooses to hear the appeal, they may sustain the revocation, rescind and reissue the permit or reissue a permit with restrictions.

(e) **Application:** The "Unconventional Vehicle Permit Application" must be completed by Owner/Operator, who must:

- (1) Complete an "Unconventional Vehicle Permit Application" with the City of Edgerton for each such vehicle.
- (2) Attach a copy of Proof of Insurance for the vehicle.
- (3) Agree to obey all sections of this Ordinance, of which they will be provided a copy.

- (4) Pay the associated fee for each permit, as determined by the City of Edgerton Fee Resolution. Permit(s) will last for the calendar year and will be renewable annually with the permit application and fee paid on or before January 15<sup>th</sup>.

**Section 8. ROADWAYS LANED FOR TRAFFIC**

- (a) All vehicles listed in this Ordinance are entitled to full use of a lane, and no motor vehicle shall be driven in such a manner as to deprive any listed vehicle of the full use of a lane.
- (b) The operator of a listed vehicle shall not overtake and pass in the same lane occupied by the vehicle being overtaken.
- (c) No person shall operate a listed vehicle between lanes of traffic or between adjacent lines or rows of vehicles.

**Section 9. DEFINITIONS OF VEHICLES SUBJECT TO AMENDMENT**

The definitions of the vehicles described in Sections 1-5 above are as specifically described in the 47<sup>th</sup> Edition of the Standard Traffic Ordinance for Kansas Cities. The terms of this Ordinance, and the continued definitions of those vehicles, shall be as described in the most recently published edition of the Standard Traffic Ordinance for Kansas Cities, as amended and as adopted by the City.

**Section 10. PENALTIES**

A violation of any provision of this Ordinance shall be deemed a traffic infraction. Upon an entry of a plea of guilty or no contest or upon being convicted of such violation, the penalty imposed shall be in accordance with Article 20, Section 201, of the Standard Traffic Ordinance, as amended, or similar provisions as the City may then have in effect.

**Section 11. REPEAL**

All prior ordinances in conflict herewith are hereby repealed.

**Section 12. EFFECTIVE DATE**

This ordinance shall take effect and be in force from and after its passage, approval and publication once in the City's official paper.

PASSED BY the City Council and signed by the Mayor on this 22<sup>nd</sup> day of July, 2021.

---

DONALD ROBERTS, Mayor

ATTEST:

---

ALEXANDRIA CLOWER, City Clerk

APPROVED AS TO FORM:

---

LEE W. HENDRICKS, City Attorney

## City Council Action Item

---

**Council Meeting Date:** July 22, 2021

**Department:** Community Development

**Agenda Item: Consider Resolution 07-22-21A Providing a Deadline to Resolve a Dangerous and Unfit Structure Existing at 502 E. 2<sup>nd</sup> Street, in the City of Edgerton, Johnson County, Kansas Pursuant to City of Edgerton City Code, Chapter IV, Article 4, Section 4-407.**

**Background/Description of Item:**

Pursuant to Chapter IV, Article 4, Section 4-407, the Governing Body held a public hearing on January 14, 2021 and made the determination that the structure at 502 E. 2<sup>nd</sup> Street was considered dangerous, unsafe or unfit for human use or habitation. At that time, the new owners, Juan Abundiz and Vicenta Hernandez, had only been in possession of the property for a short time and while it was noted that they had made progress towards bringing the structure into compliance with both the building code and the Edgerton Municipal Code, it was noted that time constraints needed to be set for the abatement of the deteriorated condition.

Resolution 01-14-21D set a time frame of 6 months for abatement of said conditions. In addition, the Governing Body stated that the owners are to provide staff with progress updates and staff will perform inspections to document said progress. Over the past six months, staff has provided monthly updates to the Governing Body which included photos and commentary on the progress that had been made.

Resolution 01-14-21D provided a deadline of July 22, 2021 for the property to either be brought into compliance or the City of Edgerton by its agent may demolish and remove the structure. At the last inspection on July 8, 2021 it was noted by staff that while progress continued to move forward, the exterior of the home was not completed. The new roof had not been installed, siding around the exterior walls had not been installed, and the front porch area was still being rebuilt. The interior of the home is also not complete with the absence of mechanical, electrical, and plumbing components. Inclement weather, a shortage of building materials due to the pandemic, and some hardships endured by the owner (stolen tools) have slowed his ability to complete the work in a timelier manner.

Based upon direction given at the Council Meeting on July 8, the City Attorney has reviewed and approved the enclosed Resolution for the Governing Body's consideration. The enclosed resolution would allow additional time for the owners to complete the exterior work as long as they continue to make progress towards completion. The draft resolution includes a blank for the City Council to fill in a deadline date based on any additional information provided by the property owners at the City Council meeting.

Should the work not be completed by the new deadline established, the City Council could demolish the structure, any costs associated with the removal of the structure will be charged against the described property as provided in Chapter IV, Article 4, Section 4-411. The City Clerk shall certify to the County Clerk the costs of the associated with the cleanup and the County Clerk shall extend the same on the tax roll so that it shall be collected by the County Treasurer and paid to the City of Edgerton as other City taxes are collected and paid.

**Related Ordinance(s) or Statue(s):** – Edgerton City Code Chapter IV, Article 4

---

**Funding Source:** N/A

**Budget Allocated:** N/A

**Finance Director Approval:** N/A

---

**Recommendation: Approve Resolution 07-22-21A Providing a Deadline to Resolve a Dangerous and Unfit Structure Existing at 502 E. 2<sup>nd</sup> Street, in the City of Edgerton, Johnson County, Kansas Pursuant to City of Edgerton City Code, Chapter IV, Article 4, Section 4-407.**

**Enclosed:**

- Edgerton City Code Chapter IV, Article 4
- Resolution 07-22-21A

**Prepared by:** Katy Crow, Development Services Director



4-315. LIABILITY. This article shall not be construed to relieve from any liability or lessen the liability of any person performing any activity connected herewith, nor shall the city be held as assuming any liability by reason of any inspection authorized herein, or by reason of any certificate of inspection issued by it. (Code 1984)

#### ARTICLE 4. DANGEROUS AND UNSAFE BUILDINGS

4-401. PURPOSE. The governing body of the City of Edgerton has found that there exist within the corporate limits of the city structures which are unfit for human use or habitation because of dilapidation, defects increasing the hazards of fire or accidents, structural defects or other conditions which render such structures unsafe, unsanitary or otherwise inimical to the general welfare of the city, or conditions which provide a general blight upon the neighborhood or surrounding properties. It is hereby deemed necessary by the governing body to require or cause the repair, closing or demolition or removal of such structures as provided in this article. (K.S.A. 12-1751; Code 1984)

4-402. DEFINITIONS. For the purpose of this article, the following words and terms shall mean:

- (a) Structure shall include any building, wall, superstructure or other structure which requires location on the ground, or is attached to something having a location on the ground.
- (b) Public Officer means the city building inspector or his or her authorized representative. (K.S.A. 12-1750; Code 1984)

4-403. PUBLIC OFFICER; DUTIES. The public officer is hereby authorized to exercise such powers as may be necessary to carry out the purposes of this article. Including the following:

- (a) Inspect any structure which appears to be unsafe, dangerous or unfit for human habitation;
- (b) Have authority to enter upon premises at reasonable hours for the purpose of making such inspections. Entry shall be made so as to cause the least possible inconvenience to any person in possession of the structure. If entry is denied, the public officer may seek an order for this purpose from a court of competent jurisdiction;
- (c) Report all structures which he or she believes to be dangerous, unsafe or unfit for human habitation to the governing body;
- (d) Receive petitions as provided in this article. (Code 1984)

4-404. PROCEDURE; PETITION. Whenever a petition is filed with the public officer by at least five residents charging that any structure is dangerous, unsafe or unfit for human habitation, or whenever it appears to the public officer on his or her own motion that any structure is dangerous, unsafe or unfit for human habitation, he or she shall, if his or her preliminary investigation discloses a basis for such charges, report such findings to the governing body. (Code 1984)

- 4-405. SAME; NOTICE. The governing body upon receiving a report as provided in section 4-404, shall be resolution fix a time and place at which the owner, the owner's agent, any lienholder of records and any occupant of the structure may appear and show cause why the structure should not be condemned and ordered repaired or demolished. (K.S. A. 12-1752; Code 1984)
- 4-406. SAME; PUBLICATION. (a) The resolution shall be published once each week for two consecutive weeks on the same day of each week. At least 30 days shall elapse between the last publication and the date set for the hearing.  
(b) A copy of the resolution shall be mailed by certified mail within three days after its first publication to each owner, agent, lienholder and occupant at the last known place of residence and shall be marked "deliver to addressee only." (K.S.A. 12-1752; Code 1984)
- 4-407. SAME; HEARING, ORDER. (a) If, after notice and hearing, the governing body determines that the structures under consideration is dangerous, unsafe or unfit for human use or habitation, it shall state in writing its findings of fact in support of such determination and shall cause to be served upon the owner or agent an order directing such owner to either repair or demolish or remove the structure.  
(b) If the repair, alteration, or improvement of the structure can be made at a cost which shall not exceed 50 percent of the fair market value of the structure, the owner of the property shall, within the time specified in the order, repair, alter or improve the structure to render it safe and fit for human use or habitation, or shall vacate and close the structure until such time as he or she has complied with the order.  
(c) If the repair, alteration or improvement of the structure cannot be made at a cost of 50 percent or less of its fair market value, the owner shall, within the time specified in the order, remove or demolish the structure. (Code 1984)
- 4-408. DUTY OF OWNER. Whenever any structure within the city shall be found to be dangerous, unsafe or unfit for human use or habitation, it shall be the duty and obligation of the owner of the property to render the same secure and safe or to remove the same. (Code 1984)
- 4-409. SAME; FAILURE TO COMPLY. (a) If, within the time specified in the order, the owner fails to comply with the order to repair, alter, improve or vacate the structure, the public officer may cause the structure to be repaired, altered, improved, or to be vacated and closed.  
(b) If, within the time specified in the order, the owner fails to comply with the order to remove or demolish the structure, the public officer may cause the structure to be removed and demolished. (Code 1984)
- 4-410. SAME; MAKE SITE SAFE. Upon removal of any structure, the owner shall fill any basement or other excavation located upon the premises and take any other action necessary to leave the premises in a safe condition. If the owner fails to

take such action, the public officer may proceed to make the site safe. (Code 1984)

- 4-411. ASSESSMENT OF COSTS. (a) The cost to the city of any repairs, alteration, improvements, vacating, removal or demolition by the public officer, including making the site safe, shall be reported to the city clerk.
- (b) The city clerk may sell any salvage from the structure and apply the proceeds or any necessary portion thereof to pay the cost of removing the structure and making the site safe. Any proceeds in excess of that required to recover the costs shall be paid to the owner of the premises upon which the structure was located.
- (c) If the proceeds of the sale of salvage is insufficient to recover the cost, or if there is no salvage, the city clerk shall, at the time of certifying other city taxes, certify the unpaid portion of the costs to the county clerk who shall extend the same on the tax roll of the county. (K.S.A. 12-1756; Code 1984)
- 4-412. IMMEDIATE HAZARD. When in the opinion of the governing body any structure is in such condition as to constitute an immediate hazard requiring immediate action to protect the public, the governing body may direct the public officer to erect barricades or cause the property to be vacated, taken down, repaired, shored or otherwise made safe without delay. Such action may be taken without prior notice to or hearing of the owners, agents, lienholders and occupants. The cost of any action under this section shall be assessed against the property as provided in section 4-411. (Code 1984)
- 4-413. APPEALS FROM ORDER. Any person affected by an order issued by the governing body under this article may, within 30 days following service of the order, petition the district court of the county in which the structure is located for an injunction restraining the public officer from carrying out the provisions of the order pending final disposition of the case. (Code 1984)

## ARTICLE 5. MOVING BUILDNGS

- 4-501. PERMIT NECESSARY. It shall be unlawful for any person to move, haul or transport, any house, building, derrick or other structure of the height of 16 feet or over, or of a width of 15 feet or more upon, across or over any street or alley in this city without first obtaining a permit therefore as hereinafter provided. (Code 1984)
- 4-502. APPLICATION FOR PERMITS. All applications for permits to move houses, buildings, derricks or other structures mentioned in section 4-501 shall be made in writing to the city clerk specifying the day and hour the moving is to commence and the route thru the city's streets over which the building or structure shall be moved. If it shall be necessary to cut down and move, raise or in any manner interfere with any wires or poles, the application shall state the name of the owners of the wires and poles, the time and place, when and where the removal of

RESOLUTION NO. 07-22-21A

A RESOLUTION IN THE CITY OF EDGERTON, KANSAS, PROVIDING FOR A DEADLINE OF \_\_\_\_\_ TO RESOLVE A DANGEROUS AND UNFIT STRUCTURE EXISTING AT 502 EAST 2<sup>ND</sup> STREET IN THE CITY OF EDGERTON, JOHNSON COUNTY, KANSAS PURSUANT TO CITY OF EDGERTON CITY CODE, CHAPTER IV, ARTICLE 4, SECTION 4-407.

WHEREAS, it was reported to the City Council of the City of Edgerton, Johnson County, Kansas by the public officer that there exists, on the premises of 502 East 2<sup>nd</sup> Street Edgerton, Kansas (the "property"), a house which is unfit for human use because of dilapidation, and serves as a general blight upon the neighborhood and surrounding properties, such conditions found to be dangerous, unsafe and unfit for human habitation; and

WHEREAS, pursuant to Resolution 10-22-20A the City Council requested the appearance of the listed owners of the property, Juan Abundiz and Vicenta Hernandez (the Owners), at a hearing held on December 10, 2020 at 7:00 P.M. at City Hall; and

WHEREAS, the Owners appeared at said hearing and provided testimony that they continue to make progress towards the repair and restoration of the property. City Staff observed that as of the date of that hearing the property remained unfit for human habitation and was in violation of the City Code; and

WHEREAS, monthly inspections by city staff since January 14, 2021 have determined that progress towards repair and restoration of the property is occurring and the Owners are moving towards resolving the dangerous and unfit nature of said structure;

WHEREFORE, the City Council has agreed that while the property remains in violation of the City Code, the Owners have continued to show a good faith effort to cure this violation and as such the Council is agreeable to the allowance of additional time to repair the home.

BE IT RESOLVED BY THE CITY COUNCIL, CITY OF EDGERTON, JOHNSON COUNTY, KANSAS:

That pursuant to Section 4-407 of the City Code the City Council hereby finds that the property remains unsafe and unfit for human habitation but agrees to allow the owners until \_\_\_\_\_ to either bring the property within compliance or demolish the property. In addition, the Owners must continue to provide monthly updates which show adequate progress to City of Edgerton staff and the Owners must continue to obtain building inspections as required by the adopted building code of the

City of Edgerton. Said monthly updates and inspection reports will be shared with the council as they are received by staff.

Should the property not have been demolished or abated to the satisfaction of the City Council by \_\_\_\_\_ the City of Edgerton by its agent is hereby authorized to abate the conditions and demolish or remove the structure.

BE IT FURTHER RESOLVED:

That should it be necessary to demolish or remove the structure, the costs incurred by the City of Edgerton, Kansas, including attorneys' fees, shall be charged against the above described property as provided in Chapter IV, Article 4, Section 4-411, and the City Clerk shall, at the time of certifying other taxes to the County Clerk, certify the costs of cleanup. The County Clerk shall extend the same on the tax roll and it shall be collected by the County Treasurer and paid to the City of Edgerton as other City taxes are collected and paid.

PASSED by the City Council on this 22<sup>nd</sup> day of July, 2021.

APPROVED BY the Mayor on this 22<sup>nd</sup> day of July, 2021.

\_\_\_\_\_  
DONALD ROBERTS, MAYOR

ATTEST:

\_\_\_\_\_  
ALEXANDRIA CLOWER, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
LEE W. HENDRICKS, CITY ATTORNEY

**City of Edgerton - 2nd Quarter 2021 Report**  
**General Fund (Unaudited)**

	<b>YTD Actual</b>	<b>2021 Budget</b>	<b>% Used</b>	<b>Remaining</b>	<b>2021 Estimate</b>
<b>Revenues:</b>					
Ad Valorem Tax	\$ 1,855,337	\$ 1,573,849	117.9%	\$ 281,488	\$ 1,573,849
LPKC PILOT	\$ -	\$ 545,837	0.0%	\$ (545,837)	\$ 545,837
Delinquent Tax	\$ 1,248	\$ -	n/a	\$ 1,248	\$ 480
Motor Vehicle Tax	\$ 29,838	\$ 52,830	56.5%	\$ (22,992)	\$ 52,830
Recreational Vehicle Tax	\$ 655	\$ 835	78.4%	\$ (180)	\$ 835
16/20M Vehicle Tax	\$ 562	\$ 375	149.9%	\$ 187	\$ 375
Local Alcoholic Liquor Tax	\$ 3,435	\$ 2,780	123.6%	\$ 655	\$ 5,000
City 1% Use Tax	\$ 107,829	\$ 182,000	59.2%	\$ (74,171)	\$ 200,000
County Use Tax	\$ 52,614	\$ 70,000	75.2%	\$ (17,386)	\$ 100,000
City 1% Sales Tax	\$ 252,697	\$ 471,000	53.7%	\$ (218,303)	\$ 485,000
County Sales Tax	\$ 176,102	\$ 322,000	54.7%	\$ (145,898)	\$ 375,000
Franchise Tax	\$ 90,786	\$ 110,000	82.5%	\$ (19,214)	\$ 180,000
Licenses & Permits	\$ 178,113	\$ 321,000	55.5%	\$ (142,887)	\$ 241,000
Charges for Services	\$ 73,984	\$ 118,000	62.7%	\$ (44,016)	\$ 93,700
Fines & Forfeitures	\$ 61,943	\$ 30,000	206.5%	\$ 31,943	\$ 75,000
Miscellaneous	\$ 7,918	\$ -	n/a	\$ 7,918	\$ 7,800
Investment Income	\$ 2,811	\$ 17,000	16.5%	\$ (14,189)	\$ 5,000
<b>Total Revenue</b>	<b>\$ 2,895,872</b>	<b>\$ 3,817,506</b>	<b>75.9%</b>	<b>\$ (921,634)</b>	<b>\$ 3,941,706</b>

<b>Expenditures:</b>					
General Government	\$ 437,508	\$ 983,479	44.5%	\$ 545,971	\$ 953,975
Law Enforcement	\$ 148,146	\$ 507,043	29.2%	\$ 358,897	\$ 502,281
Public Works	\$ 258,179	\$ 597,835	43.2%	\$ 339,656	\$ 532,300
Parks	\$ 103,458	\$ 264,727	39.1%	\$ 161,269	\$ 256,785
Facilities	\$ 43,732	\$ 126,325	34.6%	\$ 82,593	\$ 122,535
Fleet Maintenance	\$ 20,273	\$ 54,200	37.4%	\$ 33,927	\$ 52,574
Community Development	\$ 176,753	\$ 334,048	52.9%	\$ 157,295	\$ 324,028
Economic Development	\$ 77,566	\$ 502,200	15.4%	\$ 424,634	\$ 498,420
Information Technology	\$ 20,834	\$ 49,587	42.0%	\$ 28,753	\$ 48,099
Employee Benefits	\$ 215,111	\$ 556,209	38.7%	\$ 341,098	\$ 539,525
<b>Total Expenditures</b>	<b>\$ 1,501,560</b>	<b>\$ 3,975,653</b>	<b>37.8%</b>	<b>\$ 2,474,093</b>	<b>\$ 3,830,522</b>

**Revenues Over(Under) Expenditures: \$ 1,394,312 \$ (158,147) \$ 111,184**

**Other Sources & Uses:**

Transfers from Other funds:					
Transfer from Capital Projects Fund	\$ 10,500	\$ -	n/a	\$ (10,500)	\$ 10,500
Transfers to Other Funds:					
Transfer to Equipment Reserve Fund-General	\$ -	\$ 125,000	0.0%	\$ 125,000	\$ 125,000
Transfer to Capital Projects Fund	\$ -	\$ 66,500	0.0%	\$ 66,500	\$ 111,500
<b>Total Other Sources &amp; Uses</b>	<b>\$ 10,500</b>	<b>\$ (191,500)</b>	<b>-5.5%</b>	<b>\$ (202,000)</b>	<b>\$ (226,000)</b>

<b>Beginning Fund Balance</b>	<b>\$ 1,978,603</b>	<b>\$ 1,582,699</b>	<b>\$ 1,978,603</b>
<b>Estimated Ending Fund Balance</b>		<b>\$ 1,233,052</b>	<b>\$ 1,863,787</b>
<b>Unaudited Ending Fund Balance</b>	<b>\$ 3,383,415</b>		

**Reserve Required**

17% of 2021 budgeted expenditures	\$ 675,861
25% of 2021 budgeted expenditures	\$ 993,913

**Budget Authority**

2021 Budget Authority	\$ 5,400,205
Remaining 2021 Budget Authority	\$ 3,898,645
% of Budget Authority Used	27.8%

**City of Edgerton - 2nd Quarter 2021 Report**  
**Water Fund (Unaudited)**

	<b>YTD Actual</b>	<b>2021 Budget</b>	<b>% Used</b>	<b>Remaining</b>	<b>2021 Estimate</b>
<b>Revenues:</b>					
Charges for Services	\$ 222,550	\$ 482,450	46.1%	\$ (259,900)	\$ 460,233
Fines & Forfeitures	\$ 8,136	\$ 20,000	40.7%	\$ (11,864)	\$ 20,000
Miscellaneous	\$ -	\$ -	n/a	\$ -	\$ -
Investment Income	\$ 183	\$ 2,500	7.3%	\$ (2,317)	\$ 2,500
Total Revenue	\$ 230,869	\$ 504,950	45.7%	\$ (274,081)	\$ 482,733
<b>Expenditures:</b>					
Fleet Maintenance	\$ 1,351	\$ 5,700	23.7%	\$ 4,349	\$ 5,415
Information Technology	\$ 11,998	\$ 25,379	47.3%	\$ 13,381	\$ 24,110
Production	\$ 86,644	\$ 175,000	49.5%	\$ 88,356	\$ 166,250
Distribution	\$ 24,615	\$ 54,130	45.5%	\$ 29,515	\$ 51,424
Administrative-Water	\$ 66,102	\$ 132,715	49.8%	\$ 66,613	\$ 126,082
Employee Benefits	\$ 17,679	\$ 35,143	50.3%	\$ 17,464	\$ 33,385
Debt Service	\$ 48,673	\$ 97,349	50.0%	\$ 48,676	\$ 97,349
Total Expenditures	\$ 257,062	\$ 525,416	48.9%	\$ 268,354	\$ 504,015
<b>Revenues Over(Under) Expenditures:</b>	<b>\$ (26,193)</b>	<b>\$ (20,466)</b>			<b>\$ (21,282)</b>
<b>Other Sources &amp; Uses:</b>					
Transfers from Other funds:					
Transfer from Water Reserve Fund	\$ -	\$ -	n/a	\$ -	\$ -
Transfers to Other Funds:					
Transfer to Equipment Reserve Fund-Water	\$ -	\$ -	n/a	\$ -	\$ -
Transfer to Capital Projects Fund	\$ -	\$ -	n/a	\$ -	\$ -
Total Other Sources & Uses	\$ -	\$ -	n/a	\$ -	\$ -
<b>Beginning Fund Balance</b>	<b>\$ 197,784</b>	<b>\$ 225,037</b>			<b>\$ 197,784</b>
<b>Estimated Ending Fund Balance</b>		<b>\$ 204,571</b>			<b>\$ 176,502</b>
<b>Unaudited Ending Fund Balance</b>	<b>\$ 171,591</b>				
<b>Reserve Required</b>					
17% of 2021 budgeted expenditures	\$ 89,231				
25% of 2021 budgeted expenditures	\$ 131,354				
<b>Budget Authority</b>					
2021 Budget Authority	\$ 729,987				
Remaining 2021 Budget Authority	\$ 472,925				
% of Budget Authority Used	35.2%				

**City of Edgerton - 2nd Quarter 2021 Report**  
**Sewer Fund (Unaudited)**

	<b>YTD Actual</b>	<b>2021 Budget</b>	<b>% Used</b>	<b>Remaining</b>	<b>2021 Estimate</b>
<b>Revenues:</b>					
Charges for Services	\$ 308,081	\$ 682,408	45.1%	\$ (374,327)	\$ 723,522
Licenses & Permits	\$ 100	\$ -	n/a	\$ 100	\$ -
Miscellaneous	\$ -	\$ -	n/a	\$ -	\$ -
Investment Income	\$ 1,095	\$ 3,500	31.3%	\$ (2,405)	\$ 3,500
<b>Total Revenue</b>	<b>\$ 309,276</b>	<b>\$ 685,908</b>	<b>45.1%</b>	<b>\$ (376,632)</b>	<b>\$ 727,022</b>
<b>Expenditures:</b>					
Fleet Maintenance	\$ 1,375	\$ 5,700	24.1%	\$ 4,325	\$ 5,700
Information Technology	\$ 9,899	\$ 25,499	38.8%	\$ 15,600	\$ 25,499
Treatment Plant	\$ 74,705	\$ 198,330	37.7%	\$ 123,625	\$ 198,330
Sewer Line Maintenance	\$ 1,015	\$ 10,700	9.5%	\$ 9,685	\$ 10,700
Lift Stations/Vaults	\$ 10,944	\$ 29,967	36.5%	\$ 19,023	\$ 29,967
Administrative-Sewer	\$ 106,782	\$ 214,858	49.7%	\$ 108,076	\$ 214,858
Employee Benefits	\$ 30,120	\$ 61,513	49.0%	\$ 31,393	\$ 61,513
Debt Service	\$ 47,219	\$ 94,438	50.0%	\$ 47,219	\$ 94,438
<b>Total Expenditures</b>	<b>\$ 282,059</b>	<b>\$ 641,005</b>	<b>44.0%</b>	<b>\$ 358,946</b>	<b>\$ 641,005</b>
<b>Revenues Over(Under) Expenditures:</b>	<b>\$ 27,217</b>	<b>\$ 44,903</b>			<b>\$ 86,017</b>

**Other Sources & Uses**

Transfers from Other Funds:

Transfer from Sewer Reserve Fund	\$ -	\$ -		\$ -	\$ -
Transfers to Other Funds:					
Transfer to Equipment Reserve Fund-Sewer	\$ -	\$ 50,000	n/a	\$ 50,000	\$ 50,000
Transfer to Capital Projects Fund	\$ -	\$ 118,000	n/a	\$ 118,000	\$ 118,000

Total Other Sources & Uses      \$ -      \$ (168,000)      0.0%      \$ (168,000)      \$ (168,000)

<b>Beginning Fund Balance</b>	<b>\$ 520,138</b>	<b>\$ 413,698</b>			<b>\$ 520,138</b>
<b>Estimated Ending Fund Balance</b>		<b>\$ 290,601</b>			<b>\$ 438,155</b>
<b>Unaudited Ending Fund Balance</b>	<b>\$ 547,355</b>				

**Reserve Required**

17% of 2021 budgeted expenditures	\$ 108,971
25% of 2021 budgeted expenditures	\$ 160,251

**Budget Authority**

2021 Budget Authority	\$ 1,099,606
Remaining 2021 Budget Authority	\$ 817,547
% of Budget Authority Used	25.7%