

City of Edgerton, Kansas
Minutes of City Council Regular Session
May 12, 2016

A Regular Session of the City Council was held in the Edgerton City Hall, 404 E. Nelson, Edgerton, Kansas on May 12, 2016. The meeting convened at 7:00 p.m. with Mayor Roberts presiding, and City Clerk Janeice L. Rawles recording.

1. ROLL CALL

Charlie Troutner	present
Clay Longanecker	present
Darius Crist	present
Jody Brown	present
Cindy Crooks	present

With a quorum present, the meeting commenced.

Staff in attendance: City Administrator Beth Linn
 Community Development Director Kenny Cook
 City Attorney Patrick Reavey
 Public Works Superintendent Trey Whitaker
 Johnson County Sheriff Dept. Representative

2. WELCOME

3. PLEDGE OF ALLEGIANCE

CONSENT AGENDA

4. The agenda for May 12, 2016 was considered.
5. City Council Meeting Minutes April 28, 2016 were considered.
6. Resolution No. 05-12-16A Authorizing the Closure of Certain Public Streets During the Edgerton Frontier Days Festival was considered.
7. Resolution No. 05-12-16B Approving the Mayoral Appointments for the City Treasurer, City Prosecutor, Municipal Judge, and City Attorney for the City of Edgerton, Kansas was considered.
8. Application FP 2015-03, Final Plat, CY Edgerton was considered.

Mayor Roberts removed item number six (Resolution No. 05-12-16A Authorizing the closure of certain public streets during the Edgerton Frontier Days Festival) from the agenda for more discussion.

Motion by Brown, seconded by Troutner, to approve the consent agenda with noted exceptions.

Motion was approved, 5-0.

Item number six from the Consent Agenda which addresses the Approval of Resolution No. 05-12-16A authorizing the closure of certain public streets during the Edgerton Frontier Days Festival was

discussed. Mayor Roberts introduced Glyn Powers, President of Frontier Days Association. Mr. Powers presented information about this year's event including bands such as Joe Diffie, Phil Vandel and Toby's Amusement for the carnival.

Motion by Longanecker, seconded by Crist, to approve Resolution No 05-12-16A authorizing the closure of certain public streets during the Edgerton Frontier Days Festival.

Motion was approved, 5-0.

In the past years, the City of Edgerton has donated \$15,000 to the Edgerton Frontier Days Association. This year the Frontier Days Association is requesting an additional \$3,000 for a total of \$18,000. Additional dollars are needed to bring Toby's Amusement to the festival.

Motion by Crooks, seconded by Longanecker, to approve the request for an additional three thousand dollars, to come from the unencumbered fund balance from this year's budget.

Motion was approved, 5-0.

Mr. Powers asked for permission to use the house and garage at 305 E. Nelson to store items and golf carts. The old maintenance shop will be used for the beer garden for the event. The beer garden is being run by an individual group, Saints Pub.

Motion by Longanecker, seconded by Brown, to allow Frontier Days Association the use of the house and garage at 305 E Nelson during the Frontier Days Association Event of June 16 thru June 18, 2016.

Motion was approved, 5-0.

9. PUBLIC COMMENTS

None

10. DECLARATION

None

BUSINESS REQUIRING ACTION

MASTER PROFESSIONAL SERVICES AGREEMENT WITH GEORGE BUTLER ASSOCIATES

11. A MASTER PROFESSIONAL SERVICES AGREEMENT FOR PROFESSIONAL SERVICES WITH GEORGE BUTLER ASSOCIATES, INC. (GBA) FOR PLANNING AND ENGINEERING SERVICES WAS CONSIDERED

Beth Linn, City Administrator, introduced Kenny Cook, Community Development Director, and Brad Burton, George Butler Associates, who were present to explain the agreement between the City of Edgerton and GBA. George Butler Associates will be used to provide planning and engineering services on an on-call basis. The specific services that staff has discussed with GBA include: Planning Reviews (Plats, Site Plan), Regulation Updates, Building Code Review, and Building Inspection. Mr. Burton advised council that he is looking forward to working with the City of Edgerton.

Motion by Crooks, seconded by Brown, to approve the Agreement with George Butler Associates, Inc. with the changes being made by City Attorney Patrick Reavey.

Motion was approved, 5-0.

RESOLUTION NO 05-12-16C – FIVE YEAR STREET PROGRAM

12. RESOLUTION NO 05-12-16C APPROVING A FIVE YEAR CITY/COUNTY STREET IMPROVEMENT PROGRAM WAS CONSIDERED.

Beth Linn, City Administrator, introduced Trey Whitaker, Public Works Superintendent, to discuss the five year city/county street improvement program. The City of Edgerton has submitted three projects to be considered in the CARS 2017-2021 programs. As part of the submittal, each city is required to submit a resolution of support approved by the Governing Body.

Motion by Longanecker, seconded by Brown, to approve Resolution No 05-12-16C approving a five year city/county street improvement program.

Motion was approved, 5-0

13. REPORT BY THE CITY ADMINISTRATOR

The City of Edgerton Parks & Recreation Department held an open house on Monday, May 9th at the Edgerton Elementary School to receive citizen input about the Parks Master Plan. There will be more meetings about the Parks Master Plan and the community is invited to attend.

Kenny Cook, Community Development Director, updated the Mayor and City Council about the West 8th Street Sidewalk project.

The Johnson County Library location in Edgerton has requested to change the location of the book drop. The consensus of the Mayor and City Council is to place the book drop on the west side of the building.

Reminder that a City Council work session will be held on the 19th of May at 7:00 pm.

14. REPORT BY THE MAYOR

Mayor Roberts had nothing to report, however Council member Troutner requested an opportunity to speak. Mr. Troutner spoke about bee keeping. He requested a discussion be placed on a future council agenda due to the public safety concern.

15. FUTURE MEETING/EVENT REMINDERS:

- May 14th 9:00 AM – Manor Park Ribbon Cutting
- May 14th – 2:00 PM – 5:00 PM – Summer Kickoff Party at Downtown Green space
- May 18th – Noon – Senior Lunch
- May 19th – City Council Work Session – 2017 Budget – 7:00 pm
- May 26th – 7:00 PM – City Council Meeting
- May 30th Memorial Day – City Offices CLOSED

EXECUTIVE SESSION- ATTORNEY CLIENT RELATIONSHIP

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

Motion by Crooks, seconded by Longanecker, to recess into executive session for ten minutes pursuant to K.S.A. 75-4319 (b)(2) for consultation with an attorney deemed privileged in the attorney-client relationship to include city attorney and city administrator.

Motion was approved, 5-0.

Meeting recessed at 8:00 pm.

Motion by Longanecker, seconded by Troutner, to reconvene regular meeting.

Motion was approved, 5-0.

Meeting reconvened at 8:11 PM.

Motion by Brown, seconded by Crist, to return to executive session under the previous criteria.

Motion was approved, 5-0.

Meeting recessed at 8:13 PM.

Motion by Brown, seconded by Longanecker, to reconvene regular meeting.

Motion was approved, 5-0.

Meeting reconvened at 8:18 PM, with no action taken.

EXECUTIVE SESSION – ACQUISITION OF REAL PROPERTY

17. RECESS INTO EXECUTIVE SESSION PURSUANT TO K.S.A. 75-4319 (b)(6) FOR PRELIMINARY DISCUSSION RELATED TO ACQUISITION OF REAL PROPERTY TO INCLUDE CITY ATTORNEY AND CITY ADMINISTRATOR WAS CONSIDERED.

Motion by Longanecker, seconded by Brown, to recess into executive session for fifteen minutes pursuant to K.S.A. 75-4319 (b)(6) for preliminary discussion related to acquisition of real property to include City Attorney and City Administrator.

Motion was approved, 5-0.

Meeting recessed at 8:20 PM.

Motion by Crooks, seconded by Brown, to reconvene regular meeting, no action taken.

Motion was approved, 5-0.

Meeting reconvened at 8:35 PM with no action taken.

EXECUTIVE SESSION- PERSONNEL MATTERS OF NONELECTED PERSONNEL

18. RECESS INTO EXECUTIVE SESSION PURSUANT TO K.S.A. 75-4319 (b)(1) PERSONNEL MATTERS OF NONELECTED PERSONNEL WAS CONSIDERED.

Motion by Brown, seconded by Crist, to recess into executive session for twenty minutes pursuant to K.S.A. 75-4319 (b)(1) personnel matters of nonelected personnel.

Motion was approved, 5-0.

Meeting recessed at 8:38 PM.

Motion by Brown, seconded by Longanecker, to reconvene regular session.

Motion was approved, 5-0.

Meeting reconvened at 9:00 PM.

Motion by Crooks, seconded by Longanecker, that after review of City Administrator's current wage and review of other public and private wage data it is the recommendation of the council to adjust City Administrator's annual wage to \$134,000.

Motion was approved, 5-0.

There were several positive comments made by Mayor and Council after the motion was approved.

19. ADJOURNMENT

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

Motion was approved, 5-0.

Meeting adjourned at 9:10 pm.

Janeice L. Rawles, CMC

Approved by the Governing Body on _____

AGENDA ITEM INFORMATION FORM

Agenda Item: Consider Ordinance No. 1016 Pertaining To Kansas Gas Service, A Division Of One Gas, Inc., Its Successors, And Assigns, Extending The Term Of The Current Natural Gas Franchise Current Due To Expire On June 8, 2016

Department: Administration

Background/Description of Item: The City of Edgerton has an active franchise agreement with Kansas Gas Service, a division of One Gas, Inc. This franchise is due to expire on June 8, 2016.

City Attorney has been working with representative of Kansas Gas regarding the proposed language to extend the franchise agreement. That extension will not be ready for consideration by City Council before the May 26, 2016 meeting. Therefore, staff and Kansas Gas recommend adopting Ordinance No. 1016 to extend the current franchise and allow time for completion of new language. Ordinance No. 1016 would extend the current franchise until September 20, 2016.

City Attorney has reviewed and approved Ordinance No. 1016

Enclosure: Draft Ordinance No. 1016

Related Ordinance(s) or Statute(s):

Recommendation: Approve Ordinance No. 1016 Pertaining To Kansas Gas Service, A Division Of One Gas, Inc., Its Successors, And Assigns, Extending The Term Of The Current Natural Gas Franchise Current Due To Expire On June 8, 2016

Funding Source: N/A

Prepared by: Beth Linn, City Administrator
Date: May 23, 2016

ORDINANCE NO. 1016

AN ORDINANCE PERTAINING TO KANSAS GAS SERVICE, A DIVISION OF ONE GAS, INC., ITS SUCCESSORS, AND ASSIGNS, EXTENDING THE TERM OF THE CURRENT NATURAL GAS FRANCHISE CURRENT DUE TO EXPIRE ON JUNE 8, 2016.

WHEREAS, the parties hereto wish to extend said Franchise through September 30, 2016 in order to provide the parties additional time to process a new Franchise.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF EDGERTON, KANSAS:

SECTION 1. Extension.

The existing Franchise between the parties as set forth in Ordinance 814, shall be extended until September 30, 2016.

SECTION 2. Conditions of Franchise.

That in consideration of the benefits to be derived by the City and its inhabitants, the benefits to be derived by Grantee, and the desire of the parties to have additional time in which to discuss possible modifications to the Franchise between the parties, the existing Franchise is hereby reaffirmed and extended until September 30, 2016, at which time said Franchise shall expire.

SECTION 3. Payment of Costs.

Kansas Gas Service, a Division of ONE Gas, Inc. will pay all expenses of the City in connection with this ordinance, including, but not limited to, the costs and fees for the publication of this Ordinance.

PASSED by the Governing Body this 26th day of May, 2016.

APPROVED by the Mayor, this 26th day of May, 2016.

[SEAL]

Donald Roberts, Mayor

ATTEST:

Janeice Rawles, City Clerk

APPROVED AS TO FORM:

Patrick G. Reavey, City Attorney