

City of Edgerton, Kansas
Minutes of City Council Regular Session
February 10, 2022

A Regular Session of the City Council (the Council) was held in the Edgerton City Hall, 404 E. Nelson, Edgerton, Kansas on February 10, 2022. The meeting convened at 7:00 PM with Mayor Roberts presiding.

1. ROLL CALL

Clay Longanecker	present
Josh Lewis	present
Josh Beem	present
Jody Brown	absent
Josie Stambaugh	present

With a quorum present, the meeting commenced.

Staff in attendance: City Administrator, Beth Linn
 City Attorney, Lee Hendricks
 City Clerk, Alexandria Clower
 Marketing & Communications Manager, Kara Banks

Staff via videoconference: Finance Director, Karen Kindle
 Public Works Director, Dan Merkh
 CIP Manager, Brian Stanley
 Accountant, Justin Vermillion

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 January 27, 2022 Regular City Council Meeting
5. Approve the Resolved Matter of a Dangerous and Unfit Structure Existing at 502 E. 2nd Street, in the City of Edgerton, Johnson County, Kansas

Councilmember Longanecker moved to approve the consent agenda, seconded by Councilmember Beem. The minutes were approved, 4-0.

Regular Agenda

6. **Declaration.** There were no declarations made by the governing body.
7. **Public Comments.** There were no public comments made.

Business Requiring Action

8. Report by the City Administrator

Walk On Item –

Consider Submittal of Application to Kansas Department of Commerce for Economic Development Projects for Building a Stronger Economy Grant (BASE) Funding for 2022

Ms. Linn stated on January 31, 2022, the State of Kansas released a new grant program, Building a Stronger Economy (BASE), to help support infrastructure development and advance economic development opportunities across Kansas. This program will be administered by the Kansas Department of Commerce and provides grants for matching funds to address economic development opportunities with the goal of expanding the state's base of business and residents as we continue to recover from the effects of the COVID-19 pandemic.

She stated a large variety of projects can be funded by BASE. Grants would support infrastructure investments associated with economic development projects. She stated sample projects could include the following,

- Development of infrastructure required to support business expansions
- Development of infrastructure such as railroad spurs, water, wastewater, stormwater, and other utilities
- Speculative industrial office and residential space
- Other projects that achieve the goal of expanding the state's base of businesses and residents.

She stated the entire program has \$100M approved to be allocated throughout the state. There is a 25% match requirement by the applicant. Each applicant can submit up to 3 applications with all applications due by February 28, 2022 at 11:59pm.

She stated 50% of funds will be available in 2022 with the remaining 50% of funds to come in 2023. Projects need to be complete within 2 years. Matching dollars can come from various sources including, but not limited to,

- Private Developers
- Economic Development Fund
- State Revolving Fund (SRF) with Kansas
- GO Bonds

She stated if the City is selected, there will be an opportunity to review the grant award documents, at which time staff would provide recommendations to Council for quantity and source of matching funds.

She stated City Staff would recommend the submittal of applications (up to 3) for BASE grant funding. The lead time on this application is very short. To maximize time, City Staff is requesting

authorization for Mayor to sign all applications and various related documents. Additionally, the BASE grants are available to other community partners within Edgerton, such as Johnson County Water District No. 7. Staff would also request authorization for Mayor to sign letters of support for applications being submitted by other community partners related to projects within or services to Edgerton.

Mayor Roberts stated this is a very unique opportunity for the City, but because the turnaround is so quick, the projects submitted need to already be in process or very quickly approaching. He stated Council would get the final approval of the project if/when the time comes.

Councilmember Lewis asked what kind of projects are currently being considered.

Ms. Linn stated this grant is different from many others because it can focus on infrastructure to support economic development, specifically utilities. She stated projects that staff are considering are the ones that already have plans submitted, are in process of construction, or listed within the City's current CIP.

Mayor Roberts stated this could mean projects from the current CIP, sewer main expansion, or development of housing, just to name a few.

Councilmember Lewis asked if staff would just submit three random applications.

Ms. Linn stated the City would want to pull projects from the Capital Improvement Program or the Master Plan with scopes and costs already estimated. She stated the Governing Body would have the final approval on projects to be completed.

Mayor Roberts stated staff has around a year to submit for CDBG funding, so this timeline is a lot faster. He stated not only cities can submit, but everyone from government entities to private construction companies.

City Attorney Lee Hendricks stated staff thought the turnaround time for the SPARK funding was short, but this grant application is less than 30 days from start to finish. He stated therefore we would have to look at projects that are already ready to go.

Councilmember Lewis asked if the city has to specify what projects when completing the application process, or if we just apply and wait to hear if we're approved.

Ms. Linn stated yes, it's a broad application and then we can decide later which projects to complete. She stated the applicant does have to prove though that they are a community that can support infrastructure and economic development.

Mayor Roberts stated the application has to be specific enough that they know something about the projects and what could be developed because it has to be tied to economic development.

Ms. Linn stated it must be tied to commercial, industrial or a project that brings residents to the city. She stated the city must prove they have a track record of the ability to accomplish these

types of projects so the award goes to people that can build such project. She stated she thinks the city has that track record and can illustrate why we should be chosen.

Councilmember Lewis asked what avenue the city has in mind.

Mayor Roberts stated every project thought of so far, has to do with wastewater.

Ms. Linn stated grants that allow for application for wastewater improvements have never before been a category. She stated this grant is about bringing in something new and expanding infrastructure.

Councilmember Lewis asked what's being considered as far as wastewater.

Ms. Linn stated she has some meetings coming up with the consultants who did the Wastewater Master Plan. She stated they have identified projects that would open up housing and remove barriers to new developments.

Mayor Roberts stated there have been conversations and site infrastructure is key to those people. He stated all projects that have been talked about are commercial or residential based.

Mr. Hendricks stated the grant announcements will come down in March.

Ms. Linn stated the motion would be to allow the mayor to sign application documents and letters of recommendation for community partners.

Mayor Roberts stated there can only be three letters of support. This is competitive enough across the state that Edgerton could not see any of the money. He stated he would love for us to see some and it is a benefit regardless of how much we receive. He stated he thinks Edgerton stands a shot, but we do not stand any chance if we do not submit.

With no further questions or comments, Mayor Roberts requested motion to allow himself to sign the application documents and letters of recommendation for community partners for the BASE Grant funding.

Councilmember Lewis moved to approve the motion, seconded by Councilmember Longanecker. The motion was approved, 4-0.

- 4th Quarter Financial Report

Ms. Kindle reviewed the 2021 4th Quarter Financial Report. She stated these statements are unaudited and will be submitted to the auditors.

She stated referencing the General Fund, the Revenues and Expenditures ended better than estimates during the budget process. She stated the city did see some savings due to the unfilled Assistant Administrator and Parks Maintenance positions. She stated a second court

docket was added which was not budgeted in 2020. She stated the Community Development department was a little over budget due to the contracting for inspections with GBA, but the building inspection position is still vacant.

She stated in all the city ended with a higher fund balance and within all requirements.

Ms. Linn stated she would like to highlight the revenues for fines and forfeitures, they are higher than anticipated, sales tax is higher and local alcohol liquor is also higher.

Ms. Kindle referenced the Water Fund, stating the revenues were close to the estimated numbers. The fines and forfeitures were a little higher than estimated, which includes late fees and reconnect fees that are hard to predict.

She stated the expenditures are right on target, the fund balance is within requirements and the city is within budget authority.

She referenced the Sewer Fund, stating the revenues came in a little higher than expected, which is hard to estimate because it depends on the usage at the Logistics Park. She stated the investment incomes across all funds are lower than expected. She stated the expenditures are pretty close, but information technology came in a little higher than budgeted due to replacement of servers sooner than anticipated at the wastewater treatment plant. She stated the sewer line maintenance came in lower than budgeted, but this line item depends on the need for repairs. She stated the fund balance is within requirements and the city ended up better than predicted at budget time.

Councilmember Stambaugh asked why the budget projected a deficit and instead came to having a surplus.

Ms. Linn stated often it is encouraged to approve budget amounts at a higher level due to unexpected circumstances within projects, adding that in instances where the City does not know the exact cost, it is better to budget more and be under than to budget too little.

Councilmember Stambaugh stated the city's ending fund was \$2M plus, she then asked why Council would raise taxes when the reserve is so high.

Ms. Linn stated she thinks there is a misunderstanding between the mill levy and the raising of taxes. She stated there is a difference in appraised value of homes increasing, which the city has nothing to do with, and the mill rate.

Mayor Roberts stated Karen Kindle, the Financial Director, gave great information regarding how the mill rate works during the budget process. He stated the city does not control appraised values, we control mill levy and assessed value in numbers. He stated that does not get finalized until later in the year.

Ms. Linn stated the work session packet for the budget is a great resource to understand how the approval process works.

Councilmember Lewis stated property values are assessed by the county. The City lowered the mill which essentially decreases the amount collected from the assessed value, which helps offset the total impact. He stated if there is an increase in taxes for people, it is because of the county, not the city. He stated the city did not assess more taxes.

Mayor Roberts stated in the general scope of things, Edgerton used to be at 50 mills, but now the mill rate is 29 mills. He stated most other cities are increasing or holding the same number while Edgerton continues to drop the mill rate. He stated the only year the city increased the mill rate was when it was decided to add a 40 hour per week officer.

There were no further questions or comments.

Ms. Linn stated everything has been sent out to residents for the Citizen Survey, she encourages council to complete said survey and tell their neighbors to do the same. She stated this survey is a great value to the city to help gauge the desires of the community for the future.

9. Report by the Mayor

Mayor Roberts stated the Johnson County District Attorney's Office is hosting a webinar on the Kansas Open Meetings Act on February 25, 2022 between 9-10 am for newly-elected officials. He stated Council Members should email the city clerk if they would like to attend.

Mayor Roberts stated with the COVID numbers dropping fast, he does not anticipate issuing another executive order. The current issued executive orders are set to expire February 18, 2022.

10. Future Meeting Reminders:

- February 24th: City Council Meeting – 7:00PM
- March 8th: Planning Commission – 7:00PM
- March 10th: City Council Meeting – 7:00PM
- March 24th: City Council Meeting – 7:00PM

11. 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 CONTRACT NEGOTIATIONS

Mayor Roberts requested motion to enter into executive session for 10 minutes with no action being taken.

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 purpose of Contract

Negotiations for 10 minutes. The open meeting will resume in the Council Chambers.
Councilmember Beem seconded the motion.

The meeting recessed into executive session at 7:43 PM, 4-0.

Councilmember Longanecker moved to return to open session with no action being taken to request an additional 5 minutes. Councilmember Beem seconded the motion. Motion passed unanimously.

The meeting recessed back into executive session to continue the discussion as provided in the original motion at 7:53 PM.

Councilmember Lewis moved to return to open session with no action being taken.
Councilmember Longanecker seconded the motion. Open session resumed at 7:58 PM, 4-0.

12. Adjourn

Councilmember Beem moved to adjourn, seconded by Councilmember Longanecker. All in favor. The meeting was adjourned at 7:59 PM.

Submitted by Alexandria Clower, City Clerk