

City of Edgerton, Kansas
Minutes of City Council Regular Session
March 25, 2021

A Regular Session of the City Council (the Council) was held in the Edgerton City Hall, 404 E. Nelson, Edgerton, Kansas on March 25, 2021. The meeting convened at 7:00 PM with Mayor Roberts presiding.

1. ROLL CALL

Ron Conus	present
Clay Longanecker	present
Josh Lewis	present
Katee Smith	present
Josh Beem	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
- Marketing and Communications Manager Kara Banks
- CIP Manager Brian Stanley

2. WELCOME

3. PLEDGE OF ALLEGIANCE

Consent Agenda

- 4. Approve Minutes from March 11, 2021 Regular City Council Meeting
- 5. Consider Final Acceptance of 207th Street Phase II - East of Waverly Road

Ms. Beth Linn, City Administrator, requested item number 4, Minutes from March 11, 2021 be removed for further discussion.

Councilmember Longanecker motioned to approve the consent agenda with item 4 being removed for further discussion, seconded by Councilmember Beem. Motion was approved 5-0.

Ms. Linn stated because of the length of the minutes with public comments, it took a few extra days to receive the final review from the City Attorney. She stated the final review received did not include anything substantive, just a few minor house cleaning and clarification pieces. Ms. Linn stated Council received the red line version of the minutes in their folders, showing the edits made by the City Attorney and requested Council approve the final version of the minutes with changes made by the City Attorney.

Ms. Linn stated Council has also received a copy of the Town Topics Page in their folders. She stated this printout is a page from the City's website designed to give some clarity and provide facts for the public.

Councilmember Lewis motioned to approve the Final Minutes from March 11, 2021 Council meeting. Motion seconded by Councilmember Beem. The March 11, 2021 Minutes with City Attorney edits were approved 5-0.

Mr. Dan Merkh, Public Works Director, addressed the Council. He introduced the new Project Manager, Brian Stanley. He stated Brian joined the team on Tuesday, March 23rd.

Mr. Brian Stanley, CIP Manager, addressed the Council. He stated he is glad to be on the team and he is excited to take on tasks and projects.

Mayor and Councilmembers welcomed Mr. Stanley to the team.

Regular Agenda

6. **Public Comments.** Mayor Roberts requested the City Clerk read names of persons providing public comments for items not on the agenda.

Ms. Clower stated these public comments were submitted via email after the last Council meeting and have been provided to Council in their folders.

Tina Potter	249th and Harmony Rd, Spring Hill
Bri Strecklein	no address provided, not found in AIMS
Beau Campbell	29295 W 226th Ct, Spring Hill
Frank Bannister	19815 Gardner Rd, Gardner KS
Ted Beauchamp	23205 Moonlight Rd, Spring Hill KS
Brian Peters	903 W 3rd St, Edgerton

Ms. Clower stated no other individuals had signed up to provide public comments.

7. **Declaration.** There were no declarations made by any of the councilmembers.

Business Requiring Action

8. CONSIDER OUTSIDE CITY LIMITS WATER SERVICE APPLICATION

Mr. Dan Merkh, Public Works Director, addressed the Council. He stated on February 26, 2021 Ben and Sarah Smith submitted a Water Connection Application for new water service to a property on the north side of N. 100 Road, approximately 1400 linear feet west of the Johnson County line. He stated there is a map included in Council's packet and the property is outside the corporate city limits of Edgerton.

Mr. Merkh stated the application has been submitted per the Edgerton City Code, Chapter XV, Section 15-105.

Mr. Merkh stated the property owner is required to submit the application and approval is required by the Governing Body. Staff has received this application and the consent to annex the property.

Mr. Merkh stated the City does have an existing 8" PVC waterline on the north side of N 100 Road. The property owners requested a 5/8" meter to serve a future residential house. He stated no bore of the existing roadway is needed.

Mr. Merkh stated if approved, the City will perform any construction needed to connect the customer to the system. He stated the owner of the premises will be solely responsible for the cost of the Outside City Limits Water Connection Fee and Water System Development Fee as described in the City's Fee Resolution. He stated following the connection, the owner of the premise will complete the water service application to activate their utility account and pay the applicable fee as described in the City's Fee Resolution.

Mr. Merkh stated the application and associated documents are currently under review by the City Attorney. Staff recommends the approval of the application for water service pending any revisions needed by the City Attorney.

Councilmember Conus asked if annexation is a requirement per the City Code. Mr. Dan Merkh stated the City Code states that a consent to annex has to be filed. Ms. Beth Linn stated the filing of the consent does not mean the property must be annexed.

Mayor Roberts asked if this ties the property owner to Edgerton. Ms. Linn stated that it requires the property owner to ask the City before they could annex elsewhere because they have filed a consent to annex with Edgerton.

Councilmember Longanecker motioned to approve, seconded by Councilmember Lewis. The Outside City Limits Water Service application was approved 5-0.

9. CONSIDER APPLICATION FP2020-04, FINAL PLAT FOR LOGISTICS PARK KANSAS CITY SOUTH, THIRD PLAT, GENERALLY LOCATED NEAR THE NORTHEAST CORNER OF WAVERLY ROAD AND 207TH STREET, EDGERTON, KANSAS.

Ms. Katy Crow, Development Service Director, addressed the Council. She stated on February 25, 2021, the Edgerton City Council considered acceptance of Final Plat FP2020-04 for Logistics Park Kansas City South, Third Plat. She stated during that meeting the Governing Body discussed updates needed to reflect changes made through the recommendation process at the February 9, 2021 Planning Commission meeting. This includes proper alignment of the new Corliss Road on the east side of the parcel. She stated the Final Plat dated March 22, 2021 is included in the packet and it reflects the necessary changes.

Ms. Crow stated City staff has reviewed the Final Plat submittal for compliance with the approved Preliminary Plat and requirements in Section 13.3 of Article 13 of the Edgerton Unified

Development Code. The applicants engineer has updated the Final Plat as required by stipulations listed in the staff report and the updated Final Plat is included.

Councilmember Longanecker motioned to approve, seconded by Councilmember Conus. The Final Plat application, FP2020-04 was approved 5-0.

10. CONSIDER A MEMORANDUM OF UNDERSTANDING WITH KANSAS GAS SERVICE REGARDING THE TREATMENT OF FRANCHISE FEES RECOVERED IN THE LOGISTICS PARK PHASE II DEVELOPMENT

Ms. Beth Linn, City Administrator, addressed the Council. She stated the Logistics Park Phase Two Development Agreement between the City and Edgerton Land Holding Company, LLC, dated January 25, 2018, requires the City to deposit 100% of the City's revenue derived from franchise fees generated in connection with utility services on the Phase II land into the Public Infrastructure Fund. She stated currently, the City receives the franchise fees for the whole City in one lump sum and receives a document breaking out the amount for LPKC Phase I and the rest of the city. She stated in order to comply with the LPKC Phase II Development Agreement, the City needs Kansas Gas to provide a breakdown that shows amounts related to LPKC Phase II, as those funds are separate. She stated the breakdown currently provided for LPKC Phase I was mandated by the State of Kansas. For LPKC Phase II, there is no such state mandate.

Ms. Beth Linn stated the enclosed Memorandum of Understanding with Kansas Gas documents the City's and Kansas Gas' responsibilities in order to provide the information needed to comply with the development agreement. She stated the City agrees to provide Kansas Gas an initial map of LPKC Phase II and agrees, going forward, to give at least 90 days' notice of any boundary changes. She stated in return, Kansas Gas will break out the LPKC Phase II revenue amount on the monthly remittance.

Ms. Linn stated the City Attorney was involved in the discussions with Kansas Gas and has reviewed and approved the Memorandum of Understanding.

Councilmember Longanecker motioned to approve, seconded by Councilmember Beem. The Memorandum of Understanding with Kansas Gas was approved 5-0.

11. CONSIDER ORDINANCE NO. 2067 ANNEXING CERTAIN LAND OWNED BY THE CITY INTO THE CITY OF EDGERTON, KANSAS

Ms. Beth Linn, City Administrator, addressed the Council. She stated in September 2020, the City of Edgerton became the owner of a portion of the property generally located on the northwest corner of 207th Street and Co-Op Road (Parcel No. 4R221507-2004). She stated the property was purchased as part of the 207th Street Grade Separation Project. She stated as owner of the land, the City desires to annex that land into the City of Edgerton pursuant to KSA 12-520(a)(2).

Ms. Linn stated the draft ordinance was prepared by the City attorney and included in the packet along with the map that shows the parcel and adjoining right of way.

Councilmember Lewis motioned to approve, seconded by Councilmember Smith. Ordinance No. 2067 was approved 5-0.

12. Report by the City Administrator

- Annual Review of Water Conservation Plan
- Annual Review of Water Emergency Plan

Mr. Dan Merkh addressed the Council. He handed out the Water Conservation and Water Emergency Plans to the Governing Body. He stated these plans are to be reviewed annually. He stated the review process will typically occur in March.

He stated City staff is not suggesting any revisions. He added that after the review from Council, City staff will provide the plans to the correct State of Kansas offices.

13. Report by the Mayor

- Mayor stated he had no report to give at this time.

14. Future Meeting Reminders:

- April 8th: City Council Meeting – 7:00 PM
- April 13th: Planning Commission Meeting – 7:00 PM
- April 22nd: City Council Meeting – 7:00 PM
- May 11th: Planning Commission – 7:00 PM
- May 13th: City Council Meeting – 7:00 PM
- May 27th: City Council Meeting – 7:00 PM

Ms. Beth Linn addressed the Council. She stated the events coming up include the City-Wide Garage Sale and Clean-Up days. She stated Councilmember Lewis has offered to put in some team spirit around City-Wide Clean-Up and have members of his baseball team help move items for those who request aid. She stated she has had other members of the Council state they know people who would be willing to help seniors and those who request it move items for the upcoming events.

Ms. Linn stated Council may be seeing a special event permit request soon from the Venturing Scouts, asking for use of the Green Space to host their own Garage Sale.

Ms. Linn stated there will be a food truck downtown on Garage Sale day to help bring people out and enjoy the weekend sale. She stated it will be provided by Chris Cakes and they will be offering \$5 breakfast boxes and free coffee.

She stated any senior or person needing help with their items on either day, will need to contact City Hall 10 days in advance so that the volunteers can be notified. She stated the City Wide Clean Up will be the same look and feel as the past, with curb side pick-up and drop-off of certain items at Public Works. She stated there has been some questions regarding drop-off of old paint and other hazardous materials and that information has been included on the website.

Ms. Linn stated staff is working on solidifying plans for summer including the Summer Kick-Off Block Party. She stated the City is planning to do it big since it will be the first event back since COVID. She stated the City is still planning on having the annual picnic and fireworks show on July 3rd as well as providing some additional movie nights. She stated staff has been working to have a movie night downtown on July 24th with a theme of the Olympics.

15. **Adjourn**

Councilmember Smith motioned to adjourn, seconded by Councilmember Beem. All in favor. Meeting adjourned at 7:21 PM.

EVENTS

May 8th: City-Wide Garage Sale
May 15th: City-Wide Clean-Up
June 5th: Summer Kick-off Block Party
June 18-19th: Frontier Days