

City of Edgerton, Kansas
Minutes of City Council Regular Session
April 8, 2021

A Regular Session of the City Council (the Council) was held in the Edgerton City Hall, 404 E. Nelson, Edgerton, Kansas on April 8, 2021. The meeting convened at 7:01 PM with Mayor Roberts presiding.

1. ROLL CALL

Ron Conus	present
Clay Longanecker	present
Josh Lewis	present
Katee Smith	present
Josh Beem	absent

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
- Finance Director Karen Kindle
- Accountant Justin Vermillion
- Public Works Director Dan Merkh
- CIP Manager Brian Stanley
- Marketing and Communications Manager Kara Banks

2. WELCOME

3. PLEDGE OF ALLEGIANCE

Consent Agenda

4. Approve Minutes from March 25, 2021 Regular City Council Meeting
5. Consider Agreement with Kruger Testing Inc. to Provide Testing Services for 207th Grade Separation Project

Councilmember Longanecker requested item number 5, the agreement with Kruger Testing Inc., be taken off the consent agenda for further questions and comments.

Councilmember Smith motioned to approve item number 4 of the consent agenda, seconded by Councilmember Lewis. The minutes from March 25, 2021 Regular City Council Meeting were approved, 4-0.

Councilmember Longanecker questioned what council was voting on with this item. He asked why the City was needing to use Kruger Testing Inc. and asked if this should fall under inspection services with construction. He asked why Council was involved in this process.

Ms. Beth Linn, City Administrator, stated typically the material inspection testing is done by a different company than the overall construction inspections. She stated Kruger Testing Inc. has done nearly all the material inspections for the City's projects. She stated the reason for this coming to Council tonight is because agreements require approval by the governing body.

Mr. Dan Merkh, Public Works Director, stated the City noticed with 207th and Homestead for bookkeeping purposes it made it more understandable and cleaner to have the agreement with the City instead of the contractor. He stated there have been some projects previously where some things have been missed and the City wanted to try a different approach this time in hopes to make things cleaner and more efficient for everybody involved. He stated the costs have always been there but typically fell under the umbrella of the construction inspection cost rather than the costs being broken down prior to, like this agreement shows.

Councilmember Conus motioned to approve item number 5 of the consent agenda, seconded by Councilmember Smith. The Agreement with Kruger Testing Inc. was approved, 4-0.

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 the public comment was submitted via email after the last Council meeting and has been provided to Councilmembers in their folders. She stated the public comment was from Krista Stines-Mealman, no address given and was not found in Johnson County AIMS.

Mr. Cliff Cole, 19911 Peppertree Ln., addressed the Council. He stated he would like to address the new pole sign at the truck stop. He stated he was not able to attend the Planning Commission meeting where this was addressed, and public comment could be given. He stated he would like to take the time now to bring a couple things to light for the Governing Body. He stated his house is in the direct line of sight with the new truck stop and the pole sign that will be installed.

He stated there are a couple points he would like to make regarding the staff analysis and Section 7.1.C, the Criteria for the Issuance of Conditional Uses, provided to Planning Commission and the Governing Body and specifically Item C, the necessary safeguards will be provided to surrounding property, persons, and neighborhood values, and Item B, the criteria, the character of the neighborhood, including but not limited to: zoning, existing and approved land use, platting, density (residential), natural features, and open space. He stated staff determined this positive because the closest residential-zoned parcel is over 1,100 feet to the northwest.

He asked if there was a report done at any time to determine if the residential parcels and neighborhood were truly unaffected. He stated the closest adjacent parcels all contain C-2 zoning, and are not affected, he stated his parcel was not included in that finding and that his property is about as close as you can get.

Mr. Cole continued on, stating that it is not just the sign itself. He is also concerned about the blinking light component. He stated the flashing light at 8-second intervals will be bright, and he does not want that light coming into his house at night.

Mr. Cole distributed photos to Councilmembers to show his house and the concerns he has with the truck stop, lights, and the new pole sign. Mr. Cole provided photos to the council which reflected the current lighting along Homestead Lane. He stated the first picture is taken from their porch and shows a truck on Homestead Lane, and right behind this truck is where the pole sign will be. The second picture was taken standing on Homestead, in line with the pole sign and his house. He stated the third picture was taken from the upper loft area of their home. He stated he understands the needs for the lights, but the pole sign, up in the air with flashers, will cause more problems for his family. He stated in the fourth picture, lights can be seen coming into the house at night from the travel center and in the fifth picture, the lights from the interchange can be seen inside the home while sitting in the living room.

Mr. Cole stated they understand where they are living, and when the development first began and concerns were brought forward, they were told they would be protected. He stated they were promised berming or shielding if needed. He stated he has not seen any study done or documentation to show the impact from the lights on neighboring properties. He stated if there has not been a study, that maybe there should be. He stated he would like to see compromise, he does not want the project prevented, he just wants to protect his family and their way of life. He suggested that a shield be put in place on the side of the sign facing their home to eliminate some, if not all, of the bright light into their home.

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

8. **Proclamation.** Mayor Roberts Declares April 2021 as National Fair Housing Month in the City of Edgerton, Kansas.

Mayor Roberts stated this is an important step for the community because having this proclamation allows the city to apply for specific grants that can then better the community. Ms. Linn stated the Community Development Block Grant Edgerton received in 2020 for the Sewer Project was a funded project because funding comes from the Department of Housing and Urban Development.

Business Requiring Action

9. **CONSIDER ORDINANCE NO. 2068 WHICH RECOMMENDS APPROVAL OF A CONDITIONAL USE PERMIT (CU2021-01) ALLOWING AN INTERSTATE POLE SIGN ON PROPERTY LOCATED AT 32501 W. 200TH STREET, EDGERTON, KANSAS**

Ms. Katy Crow, Development Services Director, addressed the Council. She stated that parcels with a C-2 zoning designation have permitted uses and certain uses allowed under the issuance of a Conditional Use Permit. In 2019, the City revised the Unified Development Code (UDC) to require Interstate Pole Signs to obtain a Conditional Use Permit (CUP) on parcels with a C-2 zoning designation.

Ms. Crow stated to recommend approval or disapproval of a proposed Conditional Use Permit (CUP), the Governing Body shall determine whether the proposed use is found to be generally compatible with surrounding development and is in the best interest of the City. She stated the Governing Body may consider all factors they deem relevant with relation to setbacks, height, illumination, location, etc. She stated the UDC provides the details for additional requirements that are to be considered when approving a CUP for an Interstate Pole Sign. City staff has reviewed application CU2021-01 with respect to all these requirements and this application meets all UDC requirements. She stated the staff report provided to the Planning Commission outlines the findings of the staff review.

Ms. Crow stated the Planning Commission held a public hearing at their meeting on March 9, 2021. There were no public comments regarding this item and the Planning Commission recommended approval of Application CU2021-01 with stipulations which included following all City building code requirements and keeping the Interstate Pole Sign in good condition with repairs occurring in accordance with the time frame provided in the City's UDC. In addition, failure to properly maintain the sign shall be cause for revocation of the permit. She stated any major modifications to the Pole Sign will render the permit null and void. Should the permit be declared null and void, the Interstate Pole Sign would then need to be removed within 60 days after notification. Staff recommends the permit be valid for 10 years from the date of approval by the City of Edgerton Governing Body, regardless of ownership. Should the permit not be renewed and approved prior to the expiration date, the Interstate Pole Sign would be considered non-compliant and removal would be required within 60 days of written notification to the property owner.

Ms. Robin D'Angelo with KC Sign Express in Overland Park, KS, addressed the council. She stated she is with the sign company that is working with the current owner of the property on the design and installation of the Interstate Pole Sign. She wanted to address some concerns from the homeowners stated during public comments. She stated in the case of the homeowners and their property, they are located 1,100 feet from the property line of the truck stop. That is much further than the typical distance of 300 feet she has seen in other jurisdictions she has worked with. She stated the pole sign will not be 83 feet above the road. Because of its location on the edge of the detention basin, it will be about 40 ft high above the grade of the parking lot. She stated the view of this sign will be only slightly taller than the building itself. She stated the lights in the sign are all LED and they're designed to penetrate through acrylic so that truckers can see the sign off the highway. She stated the timing intervals for the flashing and the brightness can easily be changed at the factory and it will also be set so that the customer cannot change any main functions, only the sign company can.

Mr. Cole asked if the sign was perpendicular to the highway or if it faces the interstate. He asked if it can be turned from their house and if a shield could be placed on one side to prevent the light from shining into their home. Ms. D'Angelo stated they could probably add a shield. She stated they want the family to use the businesses at the truck stop to buy gas and to eat at the restaurants. She stated she could remove the flasher on the sign. Mr. Cole stated that it is not just the flashing, it is the lights coming into their home. He stated he would be happy to sit down with and work with the owner and the sign company to come to a solution together that would best suit everyone. Ms. D'Angelo stated her intention this evening is to get a favorable response from council so the work can start and the project can stay on track, she stated she would be happy to talk to the owner, to see about adding a shield and removing the flasher all

together. She stated per the code, the minimum flashing time is 8 seconds, but if needed, it can be set to be at longer intervals so she would be happy to increase that time as well.

Councilmember Longanecker asked who is responsible for the upkeep and maintenance for the sign once installed. Ms. Crow responded the owner of the property is responsible for maintaining and keeping the sign in good working order while adhering to the City's code. He asked if the owner would be able to reset any functions programmed at installation. Ms. D'Angelo stated the owner would not have the ability to change any programmable functions. For anything to change, the owner would have to contact the manufacturer and they would have to change it. She stated as far as upkeep of the sign, the owner of the property has several different locations, and he is very proactive in taking care of his properties. She stated this sign will be his to take care of and if there are any problems, he will call the company to come out and repair it.

Councilmember Smith asked if adjustments can be made once the sign is up. Ms. D'Angelo stated the factory can make changes, the owner cannot, and adjustments can be made once the sign is installed, if needed.

Councilmember Conus asked if there has been any study done about the 300-foot minimum distance between such zoned parcels. Ms. Crow stated that the City of Edgerton does not have the 300-foot minimum that other cities have, and she is unaware of why that is the number those jurisdictions use.

Councilmember Longanecker stated that the property between the truck stop and Mr. Cole (across Homestead) has never been developed but has the same zoning and he inquired about what will happen when that parcel is developed. Ms. Crow stated that parcel has the same zoning as this one (C-2) and it will have to follow the same rules stated in the UDC.

Ms. Linn stated the agreement about landscape and the berming requirement Mr. Cole mentioned during his comments is in the rezoning ordinance that is part of the record for the property across Homestead that he is next to. That requirement exists and runs with the land, but it is not in effect until development of that parcel begins and the height of such landscape would be based on what is developed.

Ms. Linn stated the calculation that occurs for the height of the sign is from the adjacent road right-of-way, she stated this would be the grade of the center line and Homestead Lane, which makes the height 23 feet above Homestead Lane.

Councilmember Smith asked how high the streetlights are above Homestead. Mr. Merkh stated they are typically around 15 to 20 feet. Ms. Linn stated so the pole sign will be in the vicinity of those streetlights. She stated the 83 feet being mentioned does not start at the grade of Homestead, it starts at the grade of the parking lot, which leaves about 20 or so feet of clearance and visibility of the Pole Sign at grade.

Councilmember Smith asked if there is a way to put a shield on the sign. Ms. D'Angelo stated yes it could be done, and they would be happy to do that.

After conversations with Ms. D'Angelo, Mr. Cole stated he was informed that the light would directly face their house and would be parallel with Homestead, which is not what he thought coming into this meeting. He stated this is now a bigger issue than what he originally thought and thinks most of his neighbors on Peppertree will be affected as well.

Ms. Linn stated that the Cole's house is very different from their neighbors on Peppertree Lane as she stated all the other neighbors' homes are rear facing (to Homestead) and set back further. The Coles have their house facing Homestead Lane and are on the rear side of their parcel. She stated there is a difference in seeing the lights on the horizon and the lights shining outside of the truck stop property.

Councilmember Longanecker asked if there would be any way there could be pictures given to the governing body that show what type of sign could be installed, showing the brightness, height, etc. He asked if there was a similar sign in existence. Ms. D'Angelo stated she would rather not drag this out another 2 months. Her company has installed a similar sign in Joplin, and another one in Wellsville at Bert's Travel Plaza. She stated it is not exactly the same as what is proposed here, it has LEDs, is 80 feet and has a smaller square footage.

Councilmember Lewis motioned to table the item to allow time for Mr. Cole, the owner of the property and the sign company to have a meeting and discuss options to bring back to the next Council meeting on April 22, 2021. Councilmember Longanecker seconded the motion to table. Motion to table the item was approved, 4-0.

10. CONSIDER RESOLUTION NO. 04-08-21A APPROVING A FIVE-YEAR CITY/COUNTY STREET IMPROVEMENT PROGRAM 2022-2026

Mr. Merkh addressed the Council. He stated from the time of publishing the packet, the City Attorney has reviewed and added a few slight housekeeping items to the Resolution. He stated a copy of the red line version was provided to council.

Mr. Merkh stated each year, the cities in Johnson County are invited to submit projects to be considered for the five-year city/county street improvement program through the County Assistance Road System (CARS) program. He stated the CARS program provides funds to the cities of Johnson County to construct and maintain their major arterial roadways.

Mr. Merkh stated using a scoring system, the County selects and allocates funds. The County pay 50% of the project's construction and construction inspection costs. He stated the cities are responsible for design, right-of-way, and utility relocation cost.

Mr. Merkh stated the types of projects eligible for the CARS program are Capacity Improvements such as additional lanes; Major Maintenance such as overlays and patching; System Management such as intersection improvements, traffic signals and turn lanes; Bridges requiring replacement or rehabilitation; and Route Enhancements for sidewalks, bike paths and street lighting.

Mr. Merkh stated in 2022 the City of Edgerton Nelson Street Project, from East 3rd Street to West 8th Street, will receive the Ultrathin Bonded Asphalt Surface, commonly referred to as UBAS. He stated this project will include the necessary localized asphalt patching to address any

base failures and localized curb and gutter repair as needed to fix any drainage issues or water ponding issues along the project. He stated the Nelson Street Project will be submitted to CARS as the City of Edgerton's First project priority for 2022.

Mr. Merkh stated prior to Logistics Park Kansas City, the City of Edgerton frequently did not participate in the CARS program due to the local match requirement to receive funding. With new sources of revenue available from LPKC and surrounding development, the City has identified potential projects to be submitted for consideration of the next annual five-year CARS program. He stated staff is working with the City Engineer to provide detailed project cost estimates and scopes for these projects. He stated this additional information will be submitted with the CARS 2022-2026 Program Submission. While these projects are not yet funded in the 2021-2025 Capital Improvement Program, staff recommends submitting them now for consideration while additional funding sources are considered:

- In 2024, the City of Edgerton East 2nd Street Project, from East Nelson Street to Co-Op Road. Mr. Merkh stated as part of this project, the existing asphalt pavement will be removed and replaced with concrete pavement. He stated use of this concrete pavement would better accommodate the traffic and volume of large trucks on this route, particularly the loading movements coming from the Ottawa Co-Op and other truck route traffic from I35. He stated this section of roadway is not currently a CARS eligible route, with the addition of the 207th Street Grade Separation, staff believes that this section of roadway can be elevated to a CARS Minor route or connecting link between two CARS eligible roadways. He stated staff will continue to work with the CARS Program for future eligibility of East 2nd Street.
- In 2026, the City of Edgerton East Nelson Street, E 4th Street to E 3rd Street Project, including the intersections at East Nelson Street and East 4th Street and East Nelson Street and East 3rd Street. He stated as part of this project, the existing asphalt pavement will be removed and replaced. He stated this project will also include improved traffic flow and address on street parking, replacement of sidewalk and trail, stormwater, and other supporting infrastructure, as necessary. He stated this project will follow the outline of the 2018 Downtown Edgerton Plan Findings.

Mr. Merkh stated the draft Resolution No. 04-08-21A, map of the locations for 2022-2026 CARS projects and CARS Form A for the 2022, 2024 and 2026 CARS submissions have been provided to council in their packet.

Mayor Roberts asked if the City received CARS funding, can the City still use grant money. Mr. Merkh stated the City would be eligible to use other grant funding to help cover the cost of the project, but to use the grant money to use as the match for the City's portion with CARS program portion, he would have to double check on.

Councilmember Smith asked why the City picked the specific roadways to submit for the program. Mr. Merkh stated the only eligible roadways in the city are Nelson, 207th Street and 8th Streets. He stated often roadways are considered minor, which is why the City thinks 2nd Street roadway could be elevated and included in the program. He stated this will be the only section left after the project.

Ms. Beth Linn, City Administrator, stated in 2009, 4th Street to 8th Street on Nelson, received American Recovery and Reinvestment Act funds, and that was the last time maintenance has been done on that roadway.

Councilmember Longanecker made motion to approve Resolution 04-08-21A, motion seconded by councilmember Conus. Motion was approved, 4-0.

11. CONSIDER AMENDMENT #3 TO OWNER-ENGINEER AGREEMENT BETWEEN THE CITY OF EDGERTON AND HDR, INC. FOR THE FINAL DESIGN OF THE 207TH STREET GRADE SEPARATION PROJECT

Mr. Dan Merkh, Public Works Director, addressed the Council. He stated on February 11, 2021, the 207th Street Grade Separation Project was awarded to Pyramid Contractors Inc. for construction. He stated as part of the initial mobilization and setup for the project, survey was completed for the project area. The survey data showed that sometime after completion of the initial survey for the design plans, BNSF Railway performed a maintenance operation to the tracks, which raised the elevation of the tracks approximately 8 inches at the bridge location.

Mr. Merkh stated the existing design plans well exceed the requirement by the Federal Railroad Administration for clearance over the track, but BNSF Railway requires additional clearance. He stated although a significant change in elevation is not anticipated, staff recommends the City Council approve Amendment #3 to revise the design plans to restore the original additional clearance from the bridge to the rail. He stated this additional clearance provides further protection for the City against change in clearance requirements from either the FRA or BNSF that may require modifications to the bridge.

Mr. Merkh stated Amendment #3 would increase the total cost for the design services for HDR for the 207th Street Grade Separation project by \$25,791. He stated the cost would be significantly less today than future design and or construction modifications in the future.

Mr. Merkh stated the Public Infrastructure Fund and project budget can accommodate this increase to the design contract.

Mr. Merkh stated staff is recommending approval of the agreement subject to compliance with the comments made by the City Attorney and City Engineer.

Councilmember Longanecker made motion to approve Amendment #3 with City Attorney and City Engineer comments, motion seconded by Councilmember Smith. Motion was approved, 4-0.

12. CONSIDER CHANGE ORDER #1 TO CONTRACT WITH PYRAMID CONTRACTORS INCORPORATED FOR CONSTRUCTION OF 207TH GRADE SEPARATION PROJECT

Mr. Dan Merkh, Public Works Director, addressed the Council. He stated on February 11, 2021 the City awarded the bid to Pyramid Contractors, Inc. for construction of the 207th Street Grade Separation Project. He stated at the time of design, projects were not being bid on a regular

basis and the global availability and the transportation of the materials was estimated to have an impact on pricing. He stated at the time of the bid, some of the costs had increased, but the overall costs were not as elevated as anticipated.

Mr. Merkh stated Change Order #1 is consideration of an upgrade in the type of concrete for the bridge deck of the 207th Street Grade Separation. He stated the adjoining roadways were designed and bid to be constructed of KCMMB concrete, a granite-based concrete mix. He stated the KCMMB concrete has shown over time to wear better and require less maintenance, especially in horizontal infrastructure, such as roadways that can hold water.

Mr. Merkh stated at the time of bid, the deck of the bridge was designed and bid with KDOT concrete mix, a limestone-based concrete mix. This design mix is typical for bridge decks, especially in consideration of possible cost implications for upgrading to the KCMMB mix. He stated once the City received the actual construction bids and recognized the savings present in those bids, staff asked the contractor to prepare Change Order #1 for consideration of upgrading the bridge deck from the KDOT mix to the KCMMB concrete mix. He stated this upgrade will allow for a longer life for the bridge deck with less maintenance needed during that lifetime.

Mr. Merkh stated this Change Order will increase the contract with Pyramid Contractors by \$52,960.00, for a total of \$7,074,855.00.

Mr. Merkh stated funding for this project was included in the 2020-2024 Capital Improvement Program, with an overall project cost of \$15,000,000.00. He stated this Change Order with Pyramid Contractors is within budget.

Councilmember Longanecker motioned to approve Change Order #1 with Pyramid Contractors, seconded by Councilmember Lewis.

13. Report by the City Administrator

- Consider an agreement with Board of County Commissioners of Johnson County.
Mr. Dan Merkh addressed the Council. He stated the City is currently in the early stages of the project development process for a new project in the area south of 207th and Homestead Lane. He stated a land disturbance permit has been issued to begin grading operations on a parcel of land in the City of Edgerton positioned between 207th Street and 213th Street south of Homestead Lane.

Mr. Merkh stated part of this project is the construction of a future roadway to access the site from 207th Street. He stated while this road is being built, construction equipment needs to be delivered for site development. The existing access of the site is from 213th Street and Kill Creek Road and the existing roadways to access the site entrance are Waverly Road and 213th Street, which are both Johnson County roadways. He stated these roadways are needed as a temporary access route until permanent access is constructed from 207th Street.

Mr. Merkh stated in March 2021, City Staff worked with Johnson County Public Works to determine the safety and durability of the existing temporary access route. He stated these roads are narrower than typical county roads and built from gravel. The County

has agreed to increase maintenance of the roadway during their usage as a temporary access route. He stated the agreement states the costs of this maintenance will be sent to the City and all costs provided to the City will be invoiced to the contractor for payment.

Mr. Lee Hendricks, City Attorney, addressed the council. He stated that for clarification purposes, this agreement is technically not an interlocal agreement, it is simply a Road Maintenance Agreement between two municipalities. He stated it cannot be considered an interlocal agreement because such an agreement would require approval by the Attorney General. He stated municipalities have the power to make certain agreements with other municipalities as allowed by their city codes.

Ms. Beth Linn stated there were letters sent out jointly from Johnson County and the City of Edgerton, encouraging those that live in this area to sign up for NotifyJoCo to receive messages and information about road closures, maintenance, etc. that could affect their travel and traffic flow.

Councilmember Longanecker asked if the county takes care of their roads in a decent way. Mr. Merkh stated the county will maintain, but the City of Edgerton can still inspect the roadways, and the County encourages the City to do so. He stated there is an existing relationship with the County and communication about existing roadways.

Councilmember Longanecker motioned to approve the Roadway Maintenance Agreement, seconded by Councilmember Lewis. Motion approved, 4-0.

- Monthly Report on 502 E 2nd St.

Ms. Katy Crow, Development Service Director, addressed the Council. She stated she met with the owner, Mr. Abundiz to see the progress made since the last walkthrough. She stated the current walkthrough was performed on March 26, occurring after three weeks instead of the typical four. She stated not a lot of work has been performed this time due to weather, the owner preparing for his upcoming nuptials, and his busy schedule with his regular employment. She stated Mr. Abundiz has said he anticipates the work to progress more quickly now that the weather has improved, and he will have additional family members that can assist.

Ms. Crow stated since the last inspection additional framing has been completed upstairs along with the addition of some truss work in the attic area. She stated a 6' x 6' foundation post has been added to the south wall of the structure which will complete one of the items listed as an inspection comment by GBA during the initial walk through of the property. She stated she has provided pictures of the progress to the council members in their packet.

Ms. Crow stated staff will conduct another walk through prior to the May 13, 2021 council meeting and provide an update at that time.

- Special Event Permit – Use of the Green Space by Venturing Scouts

Ms. Beth Linn, City Administrator, addressed the council. She stated the Venturing Scouts have asked to use the Green Space for a fundraiser during the City-Wide Garage Sale on May 8, 2021. She stated the Scouts were asked to complete a permit application, similar to the process for Frontier Days. She stated they are just asking for the space and no road closures or equipment will be needed. She stated in the permit application, the Scouts provided their insurance requirement with the City named as the Certificate Holder.

Ms. Linn stated as a nonprofit, the Council has the option to waive the fee for the permit.

Ms. Linn stated the City plans to have Chris Cakes located downtown providing breakfast boxes for \$5 and free coffee. She stated the hope is to bring the Edgerton Community together and help the Scouts raise money as well as visit the surrounding sales.

Councilmember Smith motioned to approve the Special Event with the fee being waived. Councilmember Longanecker seconded the motion. Motion was approved 4-0.

14. Report by the Mayor

Mayor Roberts stated an Executive Session for Attorney Client Privilege for the purposes of Contract Negotiations needed to be added to the agenda for tonight. He stated he expects it to last 5 minutes and expects for there to be an action taken after returning to open session.

15. Future Meeting Reminders:

- 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

16. CONSIDER RECESSING INTO EXECUTIVE SESSION PURSUANT TO K.S.A. 75-4319(B)(2) FOR CONSULTATION WITH AN ATTORNEY DEEMED PRIVILEGED IN THE ATTORNEY-CLIENT RELATIONSHIP TO INCLUDE CITY ATTORNEY AND CITY ADMINISTRATOR FOR THE PURPOSES OF CONTRACT NEGOTIATIONS

Councilmember Smith motioned to 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 the City Attorney and City Administrator for the purposes of contract negotiations for 5 minutes. Councilmember Longanecker seconded the motion. The meeting recessed into executive session at 8:07 PM, 4-0.

Councilmember Smith motioned to return to open session with no action being taken. Councilmember Longanecker seconded the motion. Open session resumed at 8:12 PM, 5-0.

Ms. Beth Linn addressed the council. She stated staff is asking for a funding agreement between the City and Polaris. She stated the project could require access to the Wastewater Treatment system.

Ms. Linn asked council to consider approving the agreement pending City Attorney review and authorize the Mayor to execute the contract.

Councilmember Longanecker motioned to approve the agreement pending City Attorney review and authorize the Mayor to execute the final contract. Motion seconded by Councilmember Lewis. Motion was approved, 4-0.

17. **Adjourn**

Councilmember Smith motioned to adjourn, seconded by Councilmember Lewis. All in favor. Meeting adjourned at 8:23 PM.

Submitted by Alexandria Clower, City Clerk

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