

City of Edgerton, Kansas
Minutes of City Council Regular Session
April 22, 2021

A Regular Session of the City Council (the Council) was held in the Edgerton City Hall, 404 E. Nelson, Edgerton, Kansas on April 22, 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 via videoconference

With a quorum present, the meeting commenced.

Staff in attendance:

- City Administrator Beth Linn
- City Attorney Lee Hendricks
- Planning and Zoning Coordinator Chris Clinton
- Development Services Director Katy Crow
- Finance Director Karen Kindle via videoconference
- Accountant Justin Vermillion via videoconference
- Public Works Director Dan Merkh via videoconference
- CIP Manager Brian Stanley via videoconference
- Marketing and Communications Manager Kara Banks

2. WELCOME

3. PLEDGE OF ALLEGIANCE

Consent Agenda

4. Approve Minutes from April 8, 2021 Regular City Council Meeting
5. Approve Application FP2021-01 Final Plat for Logistics Park Kansas City South, Fourth Plat, Lot 1 generally located at the northwest corner of Kill Creek Road and 213th Street, Edgerton, Kansas

Mayor Roberts stated City Staff requested item four (4), Minutes from April 8, 2021 Regular City Council Meeting, be removed from the Consent Agenda for corrections.

Councilmember Smith moved to approve item five (5), Application FP2021, of the Consent Agenda, seconded by Councilmember Lewis. Item 5 was Consent Agenda was approved, 5-0.

Ms. Beth Linn, City Administrator, stated there are some updates to the minutes from the April 8, 2021 meeting City Staff wants to update. She explained the minutes incorrectly reflected Councilmember Beem was present at the meeting and the minutes were completed by the City Clerk, Alex Clower.

Councilmember Smith moved to approve the minutes from the minutes from the April 8, 2021 City Council meeting. Councilmember Lewis seconded the motion. The minutes were approved, 5-0.

Regular Agenda

6. **Declaration.** Mayor Roberts stated he does not have any conflict of interest with the items on the agenda but wanted to address some rumors that he has heard. There are rumors that he has had access to a Ferrari, vacations, and other monetary incentives from a developer. He stated none of those are true and he will not partake in any further discussion of such rumors.

Councilmember Conus stated each Councilmember receives twenty-five dollars (\$25) per meeting no matter the length of the meeting. He nor any of the Councilmembers have received cars, meals, or vacations from NorthPoint. He stated that none of the Councilmembers would be on the Council if they did not do what is right and there are no other incentives are given to make the decision and read through large packets. He said the Councilmembers are there to make decisions that are fair and just.

Business Requiring Action

7. **CONSIDER ORDINANCE NO. 2069 ADOPTING THE RECOMMENDATION OF THE CITY OF EDGERTON PLANNING COMMISSION TO APPROVE APPLICATION ZA2020-03 FOR THE REZONING OF APPROXIMATELY 59.51 ACRES OF LAND GENERALLY LOCATED NORTHEAST OF THE INTERSECTION AT W 207TH STREET AND SOUTH GARDNER ROAD IN EDGERTON, KANSAS FROM JOHNSON COUNTY "RUR" (RURAL DISTRICT) TO CITY OF EDGERTON "L-P" (LOGISTICS PARK) ZONING DISTRICT**

Ms. Katy Crow, Development Service Director, addressed the Council. She stated the parcel pertaining to Application ZA2020-03 was annexed into the City of Edgerton on December 17, 2020. On January 12, 2021, the Planning Commission (the Commission) held the statutorily required public hearing on the application to rezone. The public hearing was opened and subsequently closed at that meeting. During that Commission meeting a motion was made to continue the vote on the application and for City Staff to assemble a presentation of the possible economic impacts on the applicant properties and neighboring properties as a result of the requested rezoning. She explained the motion carried and on February 9, 2021 an Economic Impact Analysis memo was presented by City Staff and the Commission voted 4-0 to recommend denial of the application.

Ms. Crow explained the application was heard by the Council on March 11, 2021. Additional public comment was permitted at that time even though it was not required by state statute. The Governing Body moved to return the application to the Commission, without any additional public hearing, to provide the finding and context based on the Golden Criteria for any recommendation by the Commission. She stated that on April 13, 2021, the application was reconsidered by the Commission. During that meeting, the Commission voted 4-0 to recommend approval of Application ZA2020-03 citing the Golden Criteria

presented in the Staff Report and adding an additional stipulation that City Staff continue their work with neighboring jurisdictions on truck routes to address truck traffic in the area.

Ms. Crow said included in the packet is the Commission Staff Report which includes a review of Application ZA2020-04 with respect to the Edgerton Unified Development Code (UDC), the laws of Kansas, and the "Golden Criteria" as established by the Supreme Court of Kansas in 1978. The memo to the Commission related to Economic Impact Analysis examines the economic impact of the properties requested to be rezoned, then continues to get broader in nature to address the economic impact of the adjacent properties and finally the economic impact more regionally. She reminded the Council of the memo that provides information related to several recurring themes throughout the public process. The draft minutes from the April 13, 2021 Commission meeting have been provided to the Council the published packet. She informed the Council that there are links in the Council Action Item to the City's website to see public comments received regarding this application.

Ms. Crow stated the UDC and Kansas State Statute 12-757 allows for the filing of a Protest Petition when actions related to the rezoning of a parcel are considered. After the public hearing held on January 12, 2021, the City received thirty-three (33) total Protest Petitions related to Application ZA2020-03. Ten (10) of those Petitions were received from inside the statutory notification area and the remaining twenty-three (23) were outside of that area. The 10 Petitions inside the notification area total to 17.20% of the total buffer area around the parcel requesting rezoning. She explained this percentage falls short of the twenty percent (20%) amount that requires passage by a three-fourths ($\frac{3}{4}$) vote of all members of the Governing Body. This information was calculated using the buffer tool provided by Johnson County AIMS. The calculation sheets were included in the packet can be found in the packet for the Council meeting held on March 11, 2021.

Ms. Linn stated there is a map showing the locations of the parcels and provided a letter that was inadvertently omitted from the public comments received earlier regarding the rezonings.

Mayor Roberts informed the Council that when a motion is made, the rationale behind the motion needs to be provided for either approval or denial. If the Council wants to overrule the Commission's recommendation, the motion will require a two-thirds ($\frac{2}{3}$) vote and if the motion is to uphold the recommendation, a simple majority is needed.

Councilmember Conus stated all of the Councilmembers are on the Council to do the right thing. He explained there are not many ways for a small town like Edgerton to bring in a lot of money to better the City. This is an extremely difficult decision. He has read all the emails and texts, and correspondences. He said the right thing for the applicant is to approve and the right thing to do for the residents is to decline the applications. He believes somewhere in the middle is where the actual right thing is. He is concerned regarding a few of the Golden Criteria. The need for proposed change, the magnitude of change, and effective use of the land are all regarding the proximity of the parcels to similar uses. He said as Logistics Park Kansas City (LPKC) moves south and east, at what time does it not become proximate to the intermodal facility. This is the difficult question the Commission and Council are trying to answer. He explained he approved the rezoning of the parcels south of Kubota as it is

best use of the land due to its proximity to similar uses. As LPKC grows to the east, he believes the rezoning becomes less and less appropriate.

Councilmember Longanecker moved to approve Ordinance No. 2069 based on the recommendation of City Staff and the Planning Commission to include all stipulations outlined by City Staff and the Planning Commission. The motion died for lack of a second.

Mayor Roberts said the Council has received many comments on both sides. The neighboring property owners are opposed to the proposed rezoning and there are others who have been positively affected by LPKC. In 2009, Edgerton chose to be home of intermodal facility and the denial of these rezonings does not stop what people see as the largest issue with LPKC, which is truck traffic. Denial of the rezonings could move truck traffic farther away LPKC and the infrastructure the City has upgraded to handle the truck traffic. The City also would not have control over the roads and would miss out on the economic benefits that the development would bring.

Councilmember Smith stated this decision is not easy for any of the councilmembers. There are pros and cons for people on both sides of the issue and people will be unhappy regardless of the Council's decision. She wondered if these applications would have been considered at this length if a residential development was proposed. If the proposed rezoning were anything but rural or rural residential, would the Council still be considering these applications. She said some of the arguments that have been said will not affect what is built there. She stated one property owner cannot tell another how to use their property or what to build on it. The signs of the development expanding have been around for years. There is nothing to stop anybody or any company from buying land that is for sale. Landowner rights belong to the applicant as well as those opposing the rezonings. If somebody is watching a sunset over another property owner's field, building a warehouse on that land is not an infringement on the watcher's property rights. She explained this was a key factor for her in making her decision. She cannot dictate what her neighbor can build even if is something she does not like or want. Councilmember Smith said she understands the oppositions and not wanting to change the area. She explained the last year has brought many changes to the economy and it is not going to revert back to what it was. She said it is a difficult decision, but every landowner has rights, and the neighbors cannot tell the property owner what to build.

Mayor Roberts said the rezoning does not change any property owner's rights and the applications will not change the use of the neighbors' properties. Councilmember Smith agreed and stated Edgerton does not annex land that is not requested to be annexed. It was the wish of the property owner to annex into Edgerton.

Councilmember Longanecker said if the rezoning's are denied there could likely be a lawsuit and we could have to de-annex the property, which will allow other cities to annex the land and develop it.

Councilmember Lewis stated the Council was given a few weeks to think about the rezonings. He explained the councilmembers were elected by the people of Edgerton to do what is best for Edgerton. He said he has received text messages, emails, phone calls, and people coming to his house and it was great to hear from everybody. He stated he does not

like development, but the tax revenue that the rezonings will eventually bring in will help the kids in Edgerton and the school district. The tax funds go to the schools and throughout Johnson County, not just the City. In a small town, there are few chances to increase the tax revenue drastically like this. The Council needs to do what is best for the citizens. He has spoken with his neighbors, the majority of whom want the development to occur. He understands the concerns that neighboring property owners have and he would too if he lived there, but he has to do what is best for the City.

Councilmember Beem said he has listened to comments and has received emails and texts as well. He understands why the neighbors are upset and the issue is split both ways. He explained the neighboring property owners do not want in warehouses in their back yards but he wants to see growth as well.

Mayor Roberts explained tonight is about action. The Council is lucky to represent the citizens of Edgerton. Not all of the decisions the Council have to make are easy, but he believes there is a right decision. It takes the Council to move the City forward. He has sympathy for the neighbors but either way the Council votes, there will be happy and unhappy people. This decision has weighed heavily on the Council's shoulders.

Councilmember Longanecker stated he has spoken with many farmers in the area. He said almost all of them are ready for the development and would welcome an offer for their land.

Councilmember Longanecker moved to approve Ordinance No. 2069 based on the recommendation of City Staff as they relate to the Golden Criteria and the Planning Commission and to include all stipulations outlined by City Staff and the Planning Commission, including the Commission's request that the City continue to work with neighboring jurisdictions to address the issue of truck traffic. Councilmember Conus seconded the motion. Ordinance No. 2069 was approved, 4-2 (Councilmembers Beem and Conus voting nay).

8. CONSIDER ORDINANCE NO. 2070 ADOPTING THE RECOMMENDATION OF THE CITY OF EDGERTON PLANNING COMMISSION TO APPROVE APPLICATION ZA2020-04 FOR THE REZONING OF APPROXIMATELY 59.499 ACRES OF LAND GENERALLY LOCATED NORTHEAST OF THE INTERSECTION AT W 207TH STREET AND SOUTH GARDNER ROAD IN EDGERTON, KANSAS FROM JOHNSON COUNTY "RUR" (RURAL DISTRICT) TO CITY OF EDGERTON "L-P" (LOGISTICS PARK) ZONING DISTRICT

Ms. Crow explained the timeline for Application ZA2020-04 is the same as Application ZA2020-03. The only information that has changed is the Protest Petition data. She said thirty-two (32) Protest Petitions were received regarding Application ZA2020-04. Three (3) Petitions were inside the notification area and the remaining twenty-nine (29) were outside of the area. The 3 Petitions received from within the notification area totals 8.33% of the total buffer area. This again falls short of the required 20% amount.

Mayor Roberts explained the number of votes to overrule the Commission are the same and the motion will need rationale as well. This will apply to all of the rezoning applications.

Councilmember Longanecker moved to approve Ordinance No. 2070 based on the recommendation of City Staff as they relate to the Golden Criteria and the Planning Commission and to include all stipulations outlined by City Staff and the Planning Commission, including the Commission's request that the City continue to work with neighboring jurisdictions to address the issue of truck traffic. Councilmember Smith seconded the motion. Ordinance No. 2070 was approved, 4-2 (Councilmembers Beem and Conus voting nay).

Mr. Lee Hendricks, City Attorney, informed the Council it is standard procedure to include a draft of the ordinance in the packet, but the ordinance will be updated to include the motions made during this meeting.

9. CONSIDER ORDINANCE NO. 2071 ADOPTING THE RECOMMENDATION OF THE CITY OF EDGERTON PLANNING COMMISSION TO APPROVE APPLICATION ZA2020-05 FOR THE REZONING OF APPROXIMATELY 40.233 ACRES OF LAND GENERALLY LOCATED SOUTHWEST OF THE INTERSECTION AT W 207TH STREET AND SOUTH GARDNER ROAD IN EDGERTON, KANSAS FROM JOHNSON COUNTY "RUR" (RURAL DISTRICT) TO CITY OF EDGERTON "L-P" (LOGISTICS PARK) ZONING DISTRICT

Ms. Crow explained the timeline for Application ZA2020-05 is the same as the previous applications. The only information that has changed is the Protest Petition data. She said thirty-two (32) Protest Petitions were received regarding Application ZA2020-05. None of the Petitions were inside the notification area and all 32 Petitions were outside of the area.

Councilmember Longanecker moved to approve Ordinance No. 2071 based on the recommendation of City Staff as they relate to the Golden Criteria and the Planning Commission and to include all stipulations outlined by City Staff and the Planning Commission, including the Commission's request that the City continue to work with neighboring jurisdictions to address the issue of truck traffic. Councilmember Lewis seconded the motion. Ordinance No. 2071 was approved, 5-1 (Councilmember Beem voting nay).

10. CONSIDER ORDINANCE NO. 2072 ADOPTING THE RECOMMENDATION OF THE CITY OF EDGERTON PLANNING COMMISSION TO APPROVE APPLICATION ZA2020-06 FOR THE REZONING OF APPROXIMATELY 40.241 ACRES OF LAND GENERALLY LOCATED SOUTHWEST OF THE INTERSECTION AT W 207TH STREET AND SOUTH GARDNER ROAD IN EDGERTON, KANSAS FROM JOHNSON COUNTY "RUR" (RURAL DISTRICT) TO CITY OF EDGERTON "L-P" (LOGISTICS PARK) ZONING DISTRICT

Ms. Crow explained the timeline for Application ZA2020-06 is the same as the previous applications. The only information that has changed is the Protest Petition data. She said 32 Protest Petitions were received regarding Application ZA2020-06. None of the Petitions were inside the notification area and all 32 Petitions were outside of the area.

Councilmember Longanecker moved to approve Ordinance No. 2072 based on the recommendation of City Staff as they relate to the Golden Criteria and the Planning

Commission and to include all stipulations outlined by City Staff and the Planning Commission, including the Commission's request that the City continue to work with neighboring jurisdictions to address the issue of truck traffic. Councilmember Smith seconded the motion. Ordinance No. 2072 was approved, 5-1 (Councilmembers Beem voting nay).

11. CONSIDER ORDINANCE NO. 2073 ADOPTING THE RECOMMENDATION OF THE CITY OF EDGERTON PLANNING COMMISSION TO APPROVE APPLICATION ZA2020-07 FOR THE REZONING OF APPROXIMATELY 120.006 ACRES OF LAND GENERALLY LOCATED SOUTHEAST OF THE INTERSECTION AT W 207TH STREET AND SOUTH GARDNER ROAD IN EDGERTON, KANSAS FROM JOHNSON COUNTY "RUR" (RURAL DISTRICT) TO CITY OF EDGERTON "L-P" (LOGISTICS PARK) ZONING DISTRICT

Ms. Crow explained the timeline for Application ZA2020-07 is the same as Application ZA2020-03. The only information that has changed is the Protest Petition data. She said 32 Protest Petitions were received regarding Application ZA2020-07. Of those, 3 Petitions were inside the notification area and the remaining 29 were outside of the area. The 3 Petitions received from within the notification area totals 6.20% of the total buffer area. This again falls short of the required 20% amount.

Councilmember Longanecker moved to approve Ordinance No. 2073 based on the recommendation of City Staff as they relate to the Golden Criteria and the Planning Commission and to include all stipulations outlined by City Staff and the Planning Commission, including the Commission's request that the City continue to work with neighboring jurisdictions to address the issue of truck traffic. Councilmember Lewis seconded the motion. Ordinance No. 20673 was approved, 4-2 (Councilmembers Beem and Conus voting nay).

12. CONSIDER ORDINANCE NO. 2074 ADOPTING THE RECOMMENDATION OF THE CITY OF EDGERTON PLANNING COMMISSION TO APPROVE APPLICATION ZA2020-08 FOR THE REZONING OF APPROXIMATELY 221.334 ACRES OF LAND GENERALLY LOCATED NORTHEAST OF THE INTERSECTION AT W 215TH STREET AND SOUTH GARDNER ROAD IN EDGERTON, KANSAS FROM JOHNSON COUNTY "RUR" (RURAL DISTRICT) TO CITY OF EDGERTON "L-P" (LOGISTICS PARK) ZONING DISTRICT

Ms. Crow explained the timeline for Application ZA2020-08 is the same as Application ZA2020-03. The only information that has changed is the Protest Petition data. She said 32 Protest Petitions were received regarding Application ZA2020-08. Eleven (11) Petitions were inside the notification area and the remaining twenty-two (22) were outside of the area. The 11 Petitions received from within the notification area totals 16.26% of the total buffer area. This again falls short of the required 20% amount.

Councilmember Longanecker moved to approve Ordinance No. 2074 based on the recommendation of City Staff as they relate to the Golden Criteria and the Planning Commission and to include all stipulations outlined by City Staff and the Planning Commission, including the Commission's request that the City continue to work with

neighboring jurisdictions to address the issue of truck traffic. Councilmember Lewis seconded the motion. Ordinance No. 2074 was approved, 4-2 (Councilmembers Beem and Conus voting nay).

13. CONSIDER ORDINANCE NO. 2075 ADOPTING THE RECOMMENDATION OF THE CITY OF EDGERTON PLANNING COMMISSION TO APPROVE APPLICATION ZA2020-02 FOR THE REZONING OF APPROXIMATELY 106.131 ACRES OF LAND GENERALLY LOCATED SOUTHEAST OF THE INTERSECTION AT W 199TH STREET AND SOUTH GARDNER ROAD IN EDGERTON, KANSAS FROM JOHNSON COUNTY "RUR" (RURAL DISTRICT) TO CITY OF EDGERTON "L-P" (LOGISTICS PARK) ZONING DISTRICT

Ms. Crow explained the timeline for Application ZA2020-02 is the same as Application ZA2020-03. The only information that has changed is the Protest Petition data. She said 33 Protest Petitions were received regarding Application ZA2020-02. Eighteen (18) Petitions were inside the notification area and the remaining fifteen (15) were outside of the area. The 18 Petitions received from within the notification area totals 30.56% of the total buffer area. In order to approve the ordinance, the motion would require $\frac{3}{4}$ of all of the members of the Governing Body to vote yea to pass.

Mayor Roberts acknowledged the applicant to speak to the Council. Mr. Patrick Robinson, Vice President of NorthPoint, requested this application be continued for ninety (90) days. Ms. Linn stated this would be heard at the August 12, 2021 meeting.

Councilmember Smith moved to table Application ZA2020-02 to the August 12, 2021 Council meeting with no public hearing and current stipulations. Councilmember Longanecker seconded the motion. Application ZA2020-02 was tabled to the August 12, 2021 meeting, 6-0.

14. CONSIDER ORDINANCE NO. 2068 ADOPTING THE PLANNING COMMISSION'S RECOMMENDATION TO APPROVE A CONDITIONAL USE PERMIT (CU2021-01) ALLOWING AN INTERSTATE POLE SIGN ON PROPERTY LOCATED AT 32501 W 200TH STREET, EDGERTON, KANSAS

Mayor Roberts called for a short recess at 7:40 PM to allow those exiting the room to do so. The meeting resumed at 7:46 PM.

Ms. Crow stated this item was tabled at the previous Council meeting. Line of sight drawings were provided in the packet and City Staff printed them for their reference. She said City Staff created a diagram that shows the height of the sign in relation to the height of Homestead Lane with a truck on the road. She informed the Council the applicant is in attendance and can assist with any questions that they might have.

Mayor Roberts requested clarification on the line-of-sight drawings. Mr. Judd Claussen, Phelps Engineering, explained there is a drawing showing where all of the sight lines are. Those sight lines are from Interstate 35 and from neighboring properties. He explained how the line-of-sight drawings show the topography between a person who is six (6) feet tall and the top of the sign. Some of the line-of-sight drawings were required to give a view from the

interstate. Commissioner Longanecker appreciated the fact the lights at the Homestead Lane interchange are present on the drawing. Mr. Claussen stated the diagram provided by City Staff does a good job of showing the base of the sign is lower than Homestead Lane. Councilmember Longanecker inquired if there was a meeting with a nearby property owner. Mr. Claussen replied there was, and the flashing has been removed from the sign. That is the only change that is being made to the pole sign. Mayor Roberts introduced Moussa Sobaiti who is the property owner for On the Go Travel Center.

Mayor Roberts explained any major changes to the specific details of the CUP application, such as moving the location of the sign on the property, would require the application to be heard by the Planning Commission again. Councilmember Longanecker stated he went to the location where the previous photos were taken along Homestead Lane with his phone and provided them to City Staff to print and share with the Council.

Councilmember Lewis said there could be development between the residences and the sign. Mayor Roberts agreed and said this is why the City has aUDC, to prevent hardship on neighbors with items like this. He explained the property owner wants each driver to stop at the store and this sign will help advertise this location. Mayor Roberts said he has been by to look at the facility and it looks great compared to many truck stops. He explained TA Express and Goodcents will be great assets to Edgerton.

Councilmember Conus asked if the sign is being reorientated at all. Mr. Clausen replied the sign plane, or face of the sign, will be perpendicular to the interstate as it maximizes the view from each way on the interstate. Councilmember Conus inquired if the flashing of the sign has been removed. Mr. Claussen answered that is correct. Councilmember Conus stated a nearby resident, Mr. Cole, stated the City is doing nothing to fix these issues. Ms. Linn stated she cannot speak on Mr. Cole's behalf and this item was brought back to discuss any changes. Councilmember Conus inquired if Mr. Cole was present. Ms. Linn stated he was not. Councilmember Conus asked why he was not present. Ms. Linn explained she cannot speak on Mr. Cole's behalf. Councilmember Conus asked if there is a minimum of 300 feet between the sign and residences. Ms. Linn explained the City of Edgerton does not have that requirement and this sign is more than 1,100 feet from the closest resident.

Councilmember Conus moved to approve Ordinance No. 2068. Councilmember Lewis seconded the motion. Ordinance No. 2068 was approved, 5-0.

Mayor Roberts said he appreciates the applicant met with the Coles regarding this sign.

15. Report by the City Administrator

- Ms. Linn informed the Council that City Staff did not receive any applications to be presented to the Planning Commission on May 11, 2021 so that meeting will be cancelled.

16. Report by the Mayor

- DRAFT Johnson County Community Housing Study

Mayor Roberts explained the United Community Services of Johnson County (UCS) has completed the draft of a housing study they completed. UCS held listening sessions with jurisdictions throughout Johnson County. The draft highlights all of Johnson County. He said he wants to have UCS do a presentation to the Council once the study is finalized. The study is a good look at the housing problem in the area. ElevateEdgerton! will be presenting a housing study for Edgerton specifically and ElevateEdgerton! worked with UCS. Ms. Linn stated there are many chapters, but there is also an Edgerton specific chapter. Mayor Roberts said there are actions that councils can make and some items might be better received than others that are presented in this study. He found the entire study interesting and a great way to find out what is happening in all of the cities in Johnson County.

17. Future Meeting Reminders:

- May 11th: Planning Commission – 7:00 PM – CANCELLED
- May 13th: City Council Meeting – 7:00 PM
- May 27th: City Council Meeting – 7:00 PM
- June 8th: Planning Commission – 7:00 PM
- June 10th: City Council Meeting – 7:00 PM
- June 24th: City Council Meeting – 7:00 PM

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 CONTRACT NEGOTIATIONS

Councilmember Smith moved 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 pending litigation for 5 minutes. Councilmember Lewis seconded the motion. The meeting recessed into executive session at 8:07 PM, 5-0.

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

19. 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 DEEMED PRIVILEGED IN THE ATTORNEY-CLIENT RELATIONSHIP

Councilmember Lewis moved 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 15 minutes. Councilmember Smith seconded the motion. The meeting recessed into executive session at 8:16 PM, 5-0.

Councilmember Smith moved to return to open session with no action being taken. Councilmember Lewis seconded the motion. Open session resumed at 8:31 PM, 5-0.

Councilmember Lewis moved 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 10 minutes. Councilmember Smith seconded the motion. The meeting recessed into executive session at 8:31 PM, 5-0.

Councilmember Smith moved to return to open session with no action being taken. Councilmember Lewis seconded the motion. Open session resumed at 8:41 PM, 5-0.

20. Adjourn

Councilmember Smith moved to adjourn, seconded by Councilmember Lewis. The meeting adjourned at 8:41 PM.

Submitted by Chris Clinton, Planning and Zoning Coordinator

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