

City of Edgerton, Kansas
Minutes of City Council Regular Session
April 25, 2019

A Regular Session of the City Council was held in the Edgerton City Hall, 404 E. Nelson Edgerton, Kansas on April 25, 2019. The meeting convened at 7:00 p.m. with Mayor Roberts presiding.

1. ROLL CALL

Ron Conus	present
Clay Longanecker	present
Josh Lewis	absent
Katee Smith	present
Jody Brown	absent

With a quorum present, the meeting commenced.

Staff in attendance:

- City Administrator Beth Linn
- Assistant City Administrator Scott Peterson
- City Attorney Lee Hendricks
- City Clerk Rachel James
- Development Services Director Katy Crow
- Finance Director Karen Kindle
- Public Works Director Dan Merkh
- Public Works Superintendent Trey Whitaker

2. WELCOME

3. PLEDGE OF ALLEGIANCE

CONSENT AGENDA

4. Approve Minutes for April 11, 2019 Regular City Council Meeting
5. Approved Application FP2019-02, Final Plat Inland Port 51 – Logistics Park Kansas City South, Second Plat, Generally Located at the Northeast Corner of 207th Street and Waverly Road
6. Approve Application FP2019-01, Final Plat TSL Edgerton Phase I & II, Generally Located Along the South Side of 191st Street and the West Side of Waverly Road
7. Approve Ordinance No. 2008 An Ordinance Amending Chapter XV, Article 1 Of The Municipal Code Of The City Of Edgerton, Kansas To Include Section 15-134 Regarding Hydrant Water Meters and Repealing All Other Ordinances Or Parts Of Ordinances In Conflict Therewith

Mayor Roberts asked that Agenda Item #5 be removed for discussion.

Motion by Smith, Second by Longanecker to Remove Agenda Item #5 and approve items #4,6, and 7 of the consent agenda. Motion passed 3-0.

Agenda Item #5: Katy Crow, Development Services Director, stated that Staff had noticed a change in the Final Plat after Planning Commission recommendation but before Governing Body approval. That version of the Final Plat was submitted for signatures and Governing Body approval. The setback changed on the rear side of the parcel.

Councilmember Longanecker asked if there was still enough room setback wise. Ms. Crow stated that there was.

Brett Powell, Northpoint Representative, was available for questions from the Council. Mayor Roberts stated that moving forward, it is important that everything on the plats submitted matched.

Motion by Longanecker, Second by Smith to approve Application FP2019-02, Final Plat Inland Port 51 – Logistics Park Kansas City South, Second Plat, Generally Located at the Northeast Corner of 207th Street and Waverly Road. Motion passed 3-0.

REGULAR AGENDA

8. **Public Comments.** None.
9. **Declaration.** None.
10. Proclamation by the Mayor Declaring April 2019 as National Fair Housing Month in the City of Edgerton, Kansas

Mayor Roberts read the Proclamation for Fair Housing Month in the City of Edgerton, Kansas. Mayor Roberts spoke generally on the importance of Fair Housing and that it is an vital proclamation for Edgerton to make.

BUSINESS REQUIRING ACTION

11. **CONSIDER THE 2018 AUDIT OF FINANCIAL STATEMENTS AS PRESENTED BY VARNEY & ASSOCIATES**

April Swartz, Auditor from Varney & Associates, stated there were no issues or findings to report. Ms. Swartz also stated that the City of Edgerton received a clean opinion, which is the highest rating the City can receive.

Ms. Swartz summarized the various reports highlighting that there were no budget violations and no cash violations.

Motion by Longanecker, Second by Conus to accept Auditor report as presented. Motion passed 3-0.

12. **PUBLIC HEARING FOR RESOLUTION NO. 04-25-19A DETERMINING THE INTENT OF THE CITY TO ISSUE ITS INDUSTRIAL REVENUE BONDS IN ONE OR MORE SERIES, THE AGGREGATE PRINCIPAL AMOUNT OF ALL SERIES NOT TO EXCEED**

\$1,000,000,000, TO PAY THE COST OF ACQUIRING, CONSTRUCTING AND EQUIPPING COMMERCIAL FACILITIES WITHIN THE LOGISTICS PARK-KC, PHASE TWO

Scott Anderson, Bond Attorney, introduced the overview of the Master Resolution of Intent for Phase Two of Logistics Park-KC. Each phase requires the notification of the County and the School District, both of these have been completed. The public hearing notice was also published in the Gardner News.

Attached in the packet was a Cost-Benefit Analysis completed by Columbia Capital for Phase Two of the Logistics Park. They estimate that approximately \$43,000,000 would be added into the Public Infrastructure Fund from Phase Two. Mr. Anderson stated that this is based on Phase One actuals and is a good estimate.

Mr. Anderson stated that the Master Resolution of Intent is not required by State statute but is the current practice of the City.

Mayor Roberts opened the Public Hearing at 7:17 pm.

There were no public comments.

Mayor Roberts closed the Public Hearing at 7:18 pm.

13. CONSIDER RESOLUTION NO. 04-25-19A DETERMINING THE INTENT OF THE CITY TO ISSUE ITS INDUSTRIAL REVENUE BONDS IN ONE OR MORE SERIES, THE AGGREGATE PRINCIPAL AMOUNT OF ALL SERIES NOT TO EXCEED \$1,000,000,000, TO PAY THE COST OF ACQUIRING, CONSTRUCTING AND EQUIPPING COMMERCIAL FACILITIES WITHIN THE LOGISTICS PARK-KC, PHASE TWO

Scott Anderson, Bond Attorney, stated this is the Resolution in which is City stating we intend to issue Bonds, up to \$1,000,000,000, for these projects.

There were no questions or comments.

Motion by Longanecker, Second by Smith to approve Resolution No. 04-25-19A.

Motion passed, 3-0.

14. PUBLIC HEARING FOR RESOLUTION NO. 04-25-19B CONSENTING TO THE PARTIAL ASSIGNMENT OF A RESOLUTION OF INTENT FOR THE LOGISTICS PARK-KC, PHASE TWO, FROM EDGERTON LAND HOLDING COMPANY, LLC TO ELHC LI, LLC, OR ITS SUCCESSORS IN INTEREST

Scott Anderson, Bond Attorney, presented on 04-25-19B, which is the Partial Assignment of a Resolution of Intent for ELHC 51. This will be the first project under the second Master Resolution of Intent. The County and School District were notified of this Public Hearing and the notification was published in the Gardner News.

The net value to the Public Infrastructure Fund would be \$2,500,000.

Mayor Roberts opened the Public Hearing at 7: 21 pm.

There were no questions or comments.

Mayor Roberts closed the Public Hearing at 7:22 pm.

15. CONSIDER RESOLUTION NO. 04-25-19B CONSENTING TO THE PARTIAL ASSIGNMENT OF A RESOLUTION OF INTENT FOR THE LOGISTICS PARK-KC, PHASE TWO, FROM EDGERTON LAND HOLDING COMPANY, LLC TO ELHC LI, LLC OR ITS SUCCESSORS IN INTEREST

Scott Anderson, Bond Attorney, stated that this is the first project for Logistics Park-KC Phase Two. This takes \$60,000,000 of the amount approved in 04-25-19A and allocates it to the ELHC 51, LLC project.

This project tentatively is a 765,000 sq. ft. distribution warehouse. This is the first step in the IRB process.

Mayor Roberts stated that in the Cost-Benefit Analysis it anticipates \$2.475 million to Edgerton Public Infrastructure Funds. Additionally, over the next 10 years the county would receive \$430,000 and the School District, approximately \$92,000.

Motion by Longanecker, Second by Smith to approve Resolution No. 04-25-19B.

Motion passed 3-0.

16. CONSIDER ORDINANCE NO. 2009 WHICH ADOPTS THE PLANNING COMMISSION'S RECOMMENDATION TO APPROVE A CONDITIONAL USE PERMIT TO ALLOW A CARGO CONTAINER STORAGE YARD AND TRUCK PARKING/ MAINTENANCE FACILITY ON PARCELS CONTAINING AN L-P ZONING DESIGNATION – AT 19140 WAVERLY ROAD (SOUTH SIDE OF 191ST STREET, WEST OF WAVERLY ROAD)

Katy Crow, Development Services Director, introduced the request by TSL to combine Phase 1 and Phase 2 operations under one Conditional Use Permit. This would include the addition of a fueling station, maintenance facility, and various other upgrades to the property. TSL has been the owner of this property from the beginning and has invested greatly into the site; the expansion has been planned from the initial phase of building.

Councilmember Longanecker asked what length of time Conditional Use Permits cover. Ms. Crow stated that Planning Commission recommends a 10-year approval or until 2029.

Motion by Longanecker, Second by Smith to approve Ordinance No. 2009.

Motion passed 3-0.

17. Report by the City Administrator

- Presentation of First Quarter Financial Reports

Karen Kindle, Finance Director, presented on the 2019 First Quarter Financial Reports. Ms. Kindle gave a brief overview of the revenues and expenditures from the General Fund.

Councilmember Conus asked about the licenses and permits line items. Beth Linn stated that these revenues are seasonal and depend on the projects started.

The Water Fund expenditure for production a little higher than 25% due to paying up front for the HAWC annual minimum payment.

The Sewer Fund is within the expected expenditures. The Sewer line maintenance line item is a bit higher than 25% due to the purchase of smoke testing equipment.

18. Report by the Mayor

Mayor Roberts briefly reviewed the 2019 First Quarter Code Enforcement Report. He stated that inoperable vehicles are trending downward due to more enforcement.

Councilmember Longanecker asked about the increase in parking violations. Mayor Roberts stated that there were more snow events this year. Mayor also stated it was worth Council taking note of the activity. Mayor Roberts stated that Mr. Charlie Lydon does a tremendous job at doing the worst job in any city. He is so even-keeled and is really tremendous at his role.

Mayor Roberts also stated that he thought the Chamber Dinner was great for the City of Gardner and stated he would leave it at that.

19. Future Meeting/Event Reminders:

- May 11th: City Wide Garage Sale
- May 14th: Planning Commission – 7PM
- May 15th: Senior Lunch & Bingo – Noon
- May 18th: City Wide Clean Up
- May 23rd: City Council – 7PM
- June 1st: Summer Kick Off Block Party – 6:30PM

20. Adjourn

Motion by Smith, Second by Conus to adjourn.

Motion was approved 3-0. The meeting adjourned at 7:58 pm.