

City of Edgerton, Kansas
Minutes of City Council Regular Session
May 13, 2021

A Regular Session of the City Council (the Council) was held in the Edgerton City Hall, 404 E. Nelson, Edgerton, Kansas on May 13, 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	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
- Finance Director Karen Kindle
- Accountant Justin Vermillion
- Public Works Director Dan Merkh
- CIP Manager Brian Stanley
- Public Works Director Trey Whitaker
- Marketing and Communications Manager Kara Banks

2. WELCOME

3. PLEDGE OF ALLEGIANCE

Consent Agenda

4. Approve Minutes from April 22, 2021 Regular City Council Meeting
5. Consider Resolution 05-13-21A Recognizing the Edgerton Summer Kickoff Block Party as a "Public Festival" for Purposes of the City's Noise Restrictions
6. Consider Resolution No. 05-13-21B Authorizing the Closure of Certain Public Streets During the Edgerton Summer Kickoff Block Party
7. Consider Resolution 05-13-21C Recognizing the Edgerton Frontier Days as a "Public Festival" for Purposes of the City's Noise Restrictions
8. Consider Resolution No. 05-13-21D Authorizing Special Event Permit For Sale And Consumption Of Alcoholic Liquor On Certain Public Property Within The City Of Edgerton, Kansas
9. Consider Resolution No. 05-13-21E Closing Certain Public Streets, Authorizing Permission to Use Requested City Buildings/Public Spaces, and the Approval of Additional Service Requests During Edgerton Frontier Days
10. Consider Resolution No. 05-13-21F for Temporary No Parking Related to Frontier Days

Councilmember Longanecker moved to approve the consent agenda. Seconded by Councilmember Lewis. The Consent Agenda was approved, 5-0.

Regular Agenda

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

Business Requiring Action

12. CONSIDER THE 2020 AUDIT OF FINANCIAL STATEMENTS AS PRESENTED BY VARNEY & ASSOCIATES

Mr. Justin Vermillion, Accountant, addressed the Council. He stated for the 2020 financials and audit report, the City worked with April Swartz, the owner of Varney and Associates, CPA, LLC.

Mr. Vermillion introduced April Swartz to the Council.

Ms. Swartz addressed the council. She stated the audit went smoothly and commended the City's Finance Director and Staff for a fantastic job in preparing documents for the audit. She stated there were no adjusting entries and the financials reported at the end of year were accurate. She stated that included in the audit report is a Financial Statement required by the state of Kansas that outlines the advice and opinions from the auditors.

Ms. Swartz stated page 1 of the Financial Report outlines the Auditor's Report which states the auditors responsibility is to express an opinion on the financial statement based on the audit. She stated the audit is conducted in accordance with auditing standards generally accepted by the Kansas Municipal Audit and Accounting Guide (KMAAG). She stated the auditors believe that the audit evidence obtained was sufficient and appropriate to provide a basis for the audit opinion. She stated the last paragraph is considered adverse because the City does not report under the Generally Accepted Accounting Principles (GAAP) method, the City reports under the State of Kansas KMAAG method. She stated the second paragraph on page 2, states the audit was fairly stated in all material respects and is given a clean opinion, the highest form of opinion.

Ms. Swartz stated pages 3 and 4 shows the Actual Statement with all the funds of the City listed. She stated the numbers shown fluctuate depending on City projects. She stated there is roughly \$5.8 million in the Central Bank of the Midwest account, roughly \$9.8 million in the UMB Trust accounts and \$250.00 cash on hand.

Ms. Swartz stated page 15 compares budgeted funds to actual expenditures and the City of Edgerton is nearly \$3.3 million dollars under budget for the year. She stated page 16 shows the General Fund with prior year and current year actuals with the expenditures broken down into categories. She stated that while the line item can be over budget, the law applies to the fund in total, which brings the City's Total Expenditures under budget by roughly \$2.1 million.

Ms. Swartz stated the following pages show the City's funds with prior year actual and current

year actual.

Mayor Roberts asked in comparison to other cities, how does the City of Edgerton compare. Ms. Swartz stated when she first put the bid in for the City of Edgerton to do the audit, she thought because Edgerton was small, it would be easy. She stated Edgerton is by far her most complicated City. She stated Edgerton has as much or more going on than other cities like Manhattan or Emporia. She stated Edgerton is more complex than most of the Counties that they audit. She stated although Edgerton has much more and is more unique than that of other towns its size, the accounting staff here is great, and the audits are always clean.

Ms. Beth Linn, City Administrator, stated she would like to give a huge thank you to the accounting staff, Karen Kindle and Justin Vermillion for their hard work to complete the audit this year as well as thank the Governing Body for their allocation for the City staff.

Councilmember Longanecker moved to approve the 2020 Audit of Financial Statements, seconded by Councilmember Smith. The 2020 Audit was approved, 5-0.

13. CONSIDER ORDINANCE NO. 2075 ADOPTING THE RECOMMENDATION OF THE EDGERTON PLANNING COMMISSION TO APPROVE APPLICATION ZA2021-06 FOR THE REZONING OF APPROXIMATELY 29.39 ACRES OF LAND LOCATED AT THE SOUTHEAST CORNER OF HOMESTEAD LANE AND 191ST STREET IN EDGERTON, KANSAS FROM JOHNSON COUNTY "RUR" (RURAL DISTRICT) ZONING TO CITY OF EDGERTON "L-P" (LOGISTICS PARK) ZONING DISTRICT.

Ms. Katy Crow, Development Service Director, addressed the Council. She stated the City of Edgerton has received rezoning application ZA2021-06 from Omar Holtgraver requesting the rezoning of a 29.39 acre lot located at the southeast corner of Homestead Lane and 191st Street in Edgerton, Kansas from Johnson County "RUR" zoning to City of Edgerton "L-P" Logistics Park zoning.

Ms. Crow stated the parcel was annexed into the City of Edgerton in 2011. The current zoning designation of RUR is considered a holding designation and thus an appropriate zoning designation is required under the City of Edgerton Unified Development Code. She stated this request is to rezone the parcels to L-P, Logistics Park District (L-P) with the intent of expanding the current cargo container storage operations of Arrowhead Intermodal located on the adjacent parcel directly to the east.

Ms. Crow stated staff reviewed this rezoning application with respect to the Edgerton Comprehensive Plan, the Edgerton Unified Development Code and the laws of the State of Kansas, the "Golden Criteria" as established by the Supreme Court of Kansas in 1978.

She stated the Planning Commission held a Public Hearing on April 13, 2021 regarding this rezoning request and voted 4-0 to recommend approval of Application ZA2021-06 subject to the stipulations listed in the staff report.

Ms. Crow stated copies of the staff report and draft minutes are included with the packet. She stated staff received no further public comment for this application following Planning Commission action.

Ms. Crow stated the City Attorney has prepared the enclosed draft ordinance approving the recommendation of the Planning Commission based on the Planning Commission staff report.

Mayor Roberts invited Josh Cooley, owner of Arrowhead Intermodal to explain a little bit about the business and the growth of employees the company offers.

Mr. Cooley addressed the council. He stated this site is one of six cargo container maintenance and repair sites that operate in the Midwest. He added the operation in Edgerton is the second largest in the network. He stated when the company started, it started off very small and it has now grown to just under 80 people in the local market. He stated with the expansion, they are looking to grow to around 110 people. He stated due to the maintenance and repair aspect of the job, their company offers a higher paying wage than that of typical warehouse positions and offers full benefits. He stated as the company continues to grow, they are looking to expand into the southern tier of the Midwest in the Texas market.

Mayor Roberts asked what the average beginning wage is for their company.

Mr. Cooley replied an entry level position can start anywhere around \$15.00 an hour depending on their level of experience and can make anywhere up to around \$30.00 an hour with full benefits including retirement, insurance, paid leave, etc.

Councilmember Longanecker stated he has no complaints and that every time he drives by the lot looks clean and well put together.

Mr. Cooley stated his company tried to change the mold when they acquired Illinois Transport and was considered the Taj Mahal of the cargo container storage facilities and as the growth continues, they strive to replicate that reputation. He stated he appreciates Edgerton's willingness to see their company expand and grow. He stated when they first came to Edgerton, it was a startup, family-owned operation and he's thankful Arrowhead Intermodal has been given the opportunity to grow with their vision.

There were no further questions or comments from the Governing Body.

Councilmember Longanecker moved to approve Ordinance No. 2075 based on the recommendation of City Staff and the Planning Commission to include all stipulations outlined by City Staff and the Planning Commission. Councilmember Lewis seconded the motion. Ordinance No. 2075 was approved, 5-0.

14. CONSIDER ORDINANCE NO. 2076 ADOPTING THE PLANNING COMMISSION'S RECOMMENDATION TO APPROVE A CONDITIONAL USE PERMIT (CU2021-02) ALLOWING A CARGO CONTAINER STORAGE, REPAIR OR MAINTENANCE FACILITY ON PROPERTY LOCATED AT 32355 W 191ST STREET, EDGERTON, KANSAS

Ms. Crow addressed the council. She stated the reason for rezoning was the expansion of existing operations and combining the old parcel with the new parcel for one Conditional Use Permit giving one expiration date.

Ms. Crow stated the applicant, CY Edgerton, LLC (Arrowhead Intermodal Services) and Omar Holtgraver are the owners of the parcels of land. The BNSF Intermodal facility is located across the street from this operation and Logistics Park Kansas City industrial park is adjacent to this parcel on two sides.

Ms. Crow stated Arrowhead Intermodal Services currently operates a cargo container storage yard at this location. A Conditional Use Permit (CU11-15-2013) for those operations received approval from the Edgerton Governing Body on February 27, 2014 and was granted for a period of 10 years. She stated on April 13, 2021 the City of Edgerton Planning Commission considered and gave contingent approval to Final Site Plan FS2021-05 pending approval of this application. FS2021-05 would allow the expansion of current Arrowhead Intermodal Services operations onto the adjacent parcel directly west of current operations. She stated application CU2021-02 encompasses both phases of operations and would allow for the tracking of one expiration date should the new permit be issued. She stated the Final Site Plan includes a new 19,229 SF office and maintenance building along with a guard shack, entrance lanes for stacking and auxiliary lane on 191st Street to assist with truck traffic entering the site.

Ms. Crow stated pursuant to City of Edgerton Unified Development Code, cargo container storage, repair or maintenance facilities are considered a conditional use on parcels which contain an L-P zoning designation. She stated in order to recommend approval or disapproval of a proposed 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. In making such determination the UDC states that the Governing Body may consider all factors they deem relevant. In addition, Section 7.2(G) of the UDC details additional requirements to be considered when approving a CUP for a cargo container storage, repair or maintenance facility. City Staff has reviewed Application CU2021-02 with respect to all these requirements. She stated the staff report presented to the Planning Commission outlining the findings of staff's review is included in the packet.

Ms. Crow stated staff does go out and enforce requirements making sure everyone is in compliance. These permits are issued with stipulations that must be followed.

Ms. Crow stated on April 13, 2021 the City of Edgerton Planning Commission held a public hearing regarding Application CU2021-02. Upon conclusion of the public hearing, the Planning Commission recommended approval of Application CU2021-02 with stipulations outlined in the packet.

Ms. Crow stated there were several items noted during the review of Final Site Plan FS2021-05 which required revisions in order for staff to ensure compliance with Article 7. On April 28, 2021 the applicant submitted a revised Final Site Plan for staff to review pursuant to the stipulations made during the Planning Commission meeting on April 13, 2021. The applicant has made many of the necessary revisions to the Site Plan to meet the stipulations outlined during staff

review presented at the Planning Commission meeting. She stated staff continues to work with the applicant to approve the design of the auxiliary lane along 191st Street.

Ms. Crow stated staff recommends approval of CU2021-02 for a period of ten (10) years subject to the stipulations outlined by the Planning Commission.

Councilmember Longanecker moved to approve Ordinance No. 2076 based on the recommendation of the City Staff to include all stipulations outlined by the Planning Commission and City Staff. Seconded by Councilmember Lewis. Ordinance No. 2076 was approved, 5-0.

15. CONSIDER THE AGREEMENT WITH RAFTELIS FINANCIAL CONSULTANTS, INC., FOR THE WATER SYSTEM ANALYSIS

Mr. Dan Merkh, Public Works Director, addressed the council. He stated during the 2021 Budget process, Council directed staff to evaluate whether the City should retain the Water Utility operations. He stated since that time, staff has been working to gather information about the Water Utility assets and other data required for such an evaluation.

Mr. Merkh stated staff issued a Request for Qualifications (RFQ) in December 2020 seeking a firm to assist with the analysis. He stated in March 2021, staff met with Raftelis, the firm that performs the utility rate study updates for the City. Raftelis has extensive experience working with all sizes of water utilities and is familiar with the various aspects involved in the analysis the City needs. He stated staff worked with Raftelis to develop a scope of services for the analysis including; review of existing conditions and finances, review of future considerations and reports and presentations.

Mr. Merkh stated the cost per the agreement is \$24,800 and will be paid from the Water Fund Reserves. He stated there are sufficient reserves in excess of the policy requirement to cover this cost.

Mayor Roberts stated every year at budget, utility and water rates always come up. He stated this will hopefully get the answer for council and staff to better understand what direction the City should take.

Councilmember Lewis moved to approve the agreement with Raftelis Financial Consultants, seconded by Councilmember Longanecker. The Agreement was approved, 5-0.

16. CONSIDER THE AGREEMENT WITH CBK, INC., FOR COLLECTION SERVICES

Ms. Karen Kindle, Finance Director, addressed the council. She stated the City's operations generate accounts receivable for various items, from permits and licenses to utility bills and court fines. She stated most of the customers or defendants pay the amounts due on time, and for those that do not pay, the City has ways to compel collection of most of these fees, such as not issuing a building permit, shutting off the water, or warrants being issued for court matters.

Ms. Kindle stated there are some accounts receivable in which the City does not have a way to compel payments. She stated the final utility bill on an account is one item in which the only recourse for the City is to submit the debt to the Kansas Set Off Program. She stated this

program allows the Kansas Department of Administration to collect outstanding debt through payments from the State, such as tax refunds. She stated while the City has been able to collect some of the amounts due using this method, it only works if there is money due to the debtor from the State.

Ms. Kindle stated while the City can issue warrants for unpaid court fines, there is no guarantee that the defendant will come back to court and if so, that they will pay the amount due. She stated issuing a warrant and any subsequent jail time, only increases the amount due because there are fees associated with those situations.

Ms. Kindle stated many cities in Kansas are turning to collection agencies. She stated staff met with CBK, Inc., representative Chad Hollins, due to their long list of Kansas government clients, including Baldwin City, Lenexa, KCK, Prairie Village and over a hundred other cities and district courts. She stated CBK is a Topeka-based company that specializes in government collections within the State of Kansas, so their database of debtor information is extensive and updated often. She stated CBK has a portal where the City would submit debts for collections as well as obtain reports and information on accounts that have been placed with CBK for collection of those non-payments. She stated CBK is registered with the Kansas Set Off Program and can send debts to the program on the City's behalf and manage those accounts, freeing up staff time.

Ms. Kindle stated for non-court accounts, CBK charges a fee of 30% on the amount collected, which is subtracted from the money sent to the City. She stated for Court accounts, CBK charges a fee of 30% which is added to the amount owed. She stated these fees are standard in the industry and there is no direct cost to the City. She stated the payment for CBK's collection activities on behalf of the City are the fees collected.

Ms. Kindle stated the City has the option of passing an ordinance to allow the 30% fee to be added to the amount owed on non-court accounts, if Council would like this option, staff would bring back the required ordinance for consideration at the next council meeting.

Ms. Kindle stated the agreement with CBK has been reviewed and approved by the City Attorney.

Councilmember Lewis asked what the City Policy would be for how long it takes before sending a customer to collections.

Ms. Kindle stated once a final bill is generated, the customer has 30 days or so to pay that final bill. If not paid, the City sends them a second letter and then turns the account over if there is no response. Typically this gives customers 60 days to pay. She stated the process used now would be the same process moving forward, but it would be handled by CBK for payment.

Mr. Chad Hollins stated CBK serves in about 120 municipalities and the average success rate is around 30%. He stated CBK does things differently, not only do they send to Set Off, but they have a collection department as well as a legal practice side. He stated typically once an outstanding debt reaches the legal side of their business, they see a response from the customer; however, if by day 45 no contact has been made a list is sent to the city of customers CBK will file suit against. He stated this allows judgment to happen and gives them

the ability to garnish wages. He stated traditional collection agencies usually see about a 5-10 percent success rate and State Set Off Program is even lower than that.

Councilmember Longanecker asked if collection actions can cross state lines.

Mr. Hollins stated if judgement has to be moved to another state, CBK will then have to seek council approval and if it does cost more, the rate would go up from 30% to 50%, but they would need to have prior approval.

Councilmember Lewis asked how much the City annually loses from customers who do not pay.

Ms. Kindle stated over the last 5 years or so, court has seen around \$4,500.00 and utilities is around \$5,000.00. She stated prior to the last 2 years or so, the City has not been diligent in pursuing unpaid accounts.

Councilmember Conus asked if there was a threshold under which it is not worth going after a person.

Mr. Hollins stated anything older than 4 years and lower than \$25 is not worth pursuing with utilities, but anything related to court for any amount or time frame is worth pursuing.

Mayor Roberts stated he thinks it is a great idea to capture money back that the City has lost. Councilmember Lewis said he is not opposed to tacking on the 30% for utility customers. All Councilmembers agreed with this.

Mayor Roberts asked what the typical dollar amount was for bills that are unpaid and going to set off.

Ms. Kindle stated she has seen bills anywhere from \$50 to a couple hundred dollars.

Councilmember Longanecker moved to approve the agreement with CBK, Inc for Collection Services and advised staff to bring back an ordinance to allow the 30% fee be added to the amount owed on an unpaid account. Seconded by Councilmember Lewis. The Agreement was approved, 5-0.

17. CONSIDER ORDINANCE 2077 AMENDING CHAPTER VIII, ARTICLE 5, SECTION 8-515 OF THE MUNICIPAL CODE OF THE CITY OF EDGERTON, KANSAS REGARDING PROHIBITED ACTS INVOLVING SOLID WASTE SERVICE TO INCLUDE POSSIBLE REMEDIES AND REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH

Ms. Karen Kindle, Finance Director, addressed the council. She stated the City contracts with Gardner Disposal to provide trash collection containers and services to the City's customers. She stated in some instances, damage to the bin occurs and the City is then billed for the cost of repair or replacement of the carts. She stated City Code allows the City to charge the customer for the repair or replacement parts for the containers, however, the Code does not specifically allow the costs to be added to the customer's utility account. She stated currently staff sends a series of letters, and ultimately if the customer does not pay, the amount is then sent to the

Kansas Set Off Program. She stated that this method only works if there is money due to the customer from the State.

Ms. Kindle stated the Ordinance, if approved, would allow staff to add the repair cost to the customer's utility account, significantly increasing the chance of recouping the cost of the repair and reducing the amount of staff time spent trying to collect the amount due.

Councilmember Lewis asked how it is determined who is in the wrong for the damage.

Ms. Linn stated once a bill of damage is received, the first step is determining the extent and type of damage that has occurred and she will follow up with an internal administrative policy to outline the investigative process moving forward.

Ms. Kindle stated in the past when damage has occurred, the City's utility account technician has asked Gardner Disposal for proof that the customer has damaged the property before letters are sent requesting money to cover the extent of the damage.

Councilmember Smith moved to approve Ordinance No. 2077, seconded by Councilmember Longanecker. The Ordinance was approved, 5-0.

18. CONSIDER ORDINANCE 2078 AMENDING CHAPTER XV, ARTICLE 1, SECTION 15-118 OF THE MUNICIPAL CODE OF THE CITY OF EDGERTON, KANSAS REGARDING PROHIBITED ACTS INVOLVING WATER SERVICE TO INCLUDE POSSIBLE REMEDIES AND REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH

Ms. Karen Kindle addressed the council. She stated similar to damage on trash cars, the City has seen damage done to the meters and the antennas that pick up automated meter readings. She stated some of the damage the City has seen to the antennas has been the automated system being run over by a lawn mower. She stated currently when this happens, the City has to replace the damaged product. She stated this is yet another cost the water fund has to bear.

Ms. Kindle stated the City Code does currently allow the City to charge back the costs to the customer but does not allow the City to add these costs to the utility bill. She stated she worked with the City Attorney to prepare a new ordinance allowing these charges on the utility bill.

Ms. Beth Linn stated the City would first make sure the info is put out on the City's website, social media, and newsletters to make citizens aware of the changes because there are costs associated with this amendment to the code that directly impact customers.

Councilmember Conus asked how many times a replacement has occurred and what the costs are for that replacement.

Mr. Merkh, Public Works Director, stated there has been around a dozen or so replacements that have had to happen in the last year and it costs in the upwards of \$40 per replacement of the antenna.

Councilmember Lewis asked how it is determined that damage has been done.

Ms. Kindle stated the meters read automatically each month, so on meter read days, if a meter is not picking up the read, the utilities department will then go out and inspect said meter.

Ms. Linn stated for clarification, the City would only charge on damage to the meter due to negligence, not due to normal wear and tear.

Mr. Lee Hendricks, City Attorney, stated for clarification purposes, the City can currently collect on any damage done, but this is simply about the method of recouping those expenses and added them to the customers water bill instead of sending individual letters.

Councilmember Lewis moved to approve Ordinance No. 2078, seconded by Councilmember Longanecker. The ordinance was approved, 5-0.

19. Report by the City Administrator

- 1st Quarter Financials

Ms. Karen Kindle addressed the council. She stated the year-to-date totals encompass those until March 31st of this year. She stated the report included in the packet is broken down into columns including the Year-To-Date Actual, the adopted budget amount for 2021, percentage used, and the remaining budget left.

Ms. Kindle stated under the General Fund, the City has collected around \$1.5 million of property tax and PILOT together. She stated liquor tax is bringing in a lot more than what was expected when the budget was calculated for this year and the City has collected almost all of what was budgeted for the year in the first quarter alone. She stated the City is on track with Local Sales Tax, about a fourth of the way there. She stated Franchise Tax revenue continues to increase and the City is seeing about 50% of the budget line used. She stated there is revenue growing from Fines & Forfeitures, currently looking at about 90% percent of the budget line used in just the first quarter. She stated Investment Income is down and with the market changing quite a bit from last year, the City does not expect that amount to recover to the budgeted amount.

Ms. Kindle stated Expenditures should be close to 25% used. She stated IT is a little higher due to changing the Microsoft Licensing. She stated the City did not receive the refund from the original license until April.

Ms. Kindle mentioned there have been questions regarding the distribution schedule for Property Tax. She handed out a packet to the Council regarding the City of Edgerton General Fund with information including calculation method, distribution schedule and the assessed valuation of each line item making up the General Fund.

Ms. Kindle stated the City receives payments in January, March, June, September and October with the greatest amounts of those payments being received in January and June.

Ms. Kindle stated Sales Tax is made up of two components: the City's 1% tax on retail sales within the City and the City's share of County sales tax. She stated these two components also make up that of the Use Tax the City receives. She stated the City receives Sales and Use tax every month and it runs a month behind, so the City receives payment in May for the Sales and Use in April.

Ms. Kindle stated on the Revenue side of the Water Fund, the City is right on target with predicted amounts. She stated the City's Fund Balance is in excess of what the City requires in the reserves and it is within the budget authority.

Ms. Kindle stated on the Revenue side of the Sewer Fund, the City is right on target with forecasted amounts, as well. She stated as summer comes along and there is more watering of properties, there will most likely be an increase in sewer revenues. She stated the Fund Balance is within the budget authority.

- 2022 Budget Calendar

Ms. Kindle stated new legislation has been passed in relation to the budgeting process. She stated at the time the budget was published, she had not yet been to the annual budget training. She stated due to the changes from Senate Bill 13 the calendar is most likely going to change, but she would like to walk through the calendar items that will stay intact. She stated typically when decisions are made in legislation, the changes would go into effect the following budget year, but this time the changes go into effect this year.

Mayor Roberts stated these changes affect for all taxing jurisdictions with a mill levy, except the state.

Ms. Kindle stated on the 2022 Budget Calendar, Council has heard the presentation for the 2020 Audit. She stated on May 27th, ElevateEdgerton! and other organizations will be at Council to present their 2022 Funding Requests. She stated there will be one budget work session this year on July 15th. She stated all dates after the work session are subject to change because of SB 13, but the schedule currently calls for the budget to be finalized for publication by July 28th and the budget would be adopted at the Council Meeting on August 12th. She stated work will then begin on the 2023 budget in October with a budget work session October 14th for the 2022-2026 CIP, which would be adopted at the following Council Meeting on October 28th.

- Monthly Update – 502 E 2nd Street

Ms. Katy Crow addressed the council. She stated she has been conducting walk throughs and providing Council with a monthly report since January. She stated she met GBA on site and had a conversation with Mr. Abundiz. She stated significant progress has been made. She stated they have removed the pile of wood and 5th wheel trailer from the yard and the lot has been cleaned up nicely. She stated they were not able to do much to the exterior but have done the North and South walls. She stated the owners are hopeful that next month they will be able to do the other sides as well as the roof so they can move into the interior of the home.

Ms. Crow stated there are two more inspections before the July 22nd deadline provided by Council.

Councilmember Longanecker stated the deadline of July 22nd does not mean it has to be finished.

Ms. Crow stated that is correct and if council would like to grant more time, they can do that.

Mr. Hendricks stated it would be in the minutes that the Dangerous Structure has been resolved, assuming they have made progress, or an extension of time could be granted with monthly check-ins, etc.

Mayor Roberts stated the City Staff and community has dealt with this house for many years and he is proud of the progress and dedication this couple has to completing this house.

20. Future Meeting Reminders:

- 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

21. CONSIDER RECESSING INTO EXECUTIVE SESSION PURSUANT TO K.S.A. 75-4319(B)(12) TO DISCUSS CERTAIN MATTERS RELATED TO SECURITY MEASURES AND PUBLIC SAFETY TO INCLUDE CITY ATTORNEY, CITY ADMINISTRATOR AND EDGERTON'S COMMUNITY POLICING OFFICER, BRAD JOHNSON

Councilmember Beem moved to recess into executive session pursuant to K.S.A 75-4319(B)(12) to include the City Attorney, City Administrator and Edgerton's Community Policing Officer for the purposes of security measures and public safety for 10 minutes.

Councilmember Smith seconded the motion. The meeting recessed into executive session at 8:24 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 8:34 PM, 5-0.

22. Report by the Mayor

Mayor Roberts stated he understands Council's commitment to the community and in the last few weeks there has been 2 major occurrences of gun fire with over \$100,000 worth of damage done to date. He stated Council stands strong in not accepting this type of activity in or around the community. He stated there will be a strong approach of action taken with the company and city staff that he expects to be released the coming weekend. He stated the City and Governing Body do not take lightly the events that have happened and will not accept people randomly shooting without regard to their surroundings.

23. 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) to include the City Attorney and City Administrator for the purposes of contract negotiations for 15 minutes. Councilmember Lewis seconded the motion. The meeting recessed into executive session at 8:40 PM, 5-0.

Councilmember Smith motioned to return to open session with no action being taken. Councilmember Lewis seconded the motion. Open session resumed at 8:55 PM, 5-0

Councilmember Smith motioned to recess into executive session pursuant to K.S.A 75-4319(B)(2) for an additional 5 minutes. Councilmember Lewis seconded the motion. The meeting recessed into executive session at 9:00 PM, 5-0.

Councilmember Smith motioned to return to open session with no action being taken. Councilmember Lewis seconded the motion. Open session resumed at 9:05 PM, 5-0

Councilmember Smith motioned to recess into executive session pursuant to K.S.A 75-4319(B)(2) for an additional 5 minutes. Councilmember Lewis seconded the motion. The meeting recessed into executive session at 9:10 PM, 5-0.

Councilmember Longanecker motioned to return to open session with no action being taken. Councilmember Lewis seconded the motion. Open session resumed at 9:15 PM, 5-0

24. Adjourn

Councilmember Smith moved to adjourn, seconded by Councilmember Lewis. The meeting adjourned at 9:15 PM.

Submitted by Alexandria Clower, City Clerk

EVENTS

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