

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

A Regular Session of the City Council (the Council) was held in the Edgerton City Hall, 404 E. Nelson, Edgerton, Kansas on July 8, 2021. The meeting convened at 7:32 PM with Mayor Roberts presiding.

1. ROLL CALL

Ron Conus	present
Clay Longanecker	present
Josh Lewis	absent
Josh Beem	absent
Jody Brown	present

With a quorum present, the meeting commenced.

Staff in attendance:

- City Administrator Beth Linn
- City Attorney Lee Hendricks
- City Clerk Alexandria Clower
- Development Services Director Katy Crow
- Accountant Justin Vermillion
- Public Works Director Dan Merkh
- CIP Manager Brian Stanley
- Public Works Superintendent Trey Whitaker
- Marketing and Communications Manager Kara Banks
- Recreation Coordinator Brittany Paddock

2. WELCOME

3. PLEDGE OF ALLEGIANCE

Consent Agenda

- 4. Approve Minutes from June 24, 2021 Regular City Council Meeting
- 5. Accept Easements for Sunflower Road Crossing at Martin Creek Park

Councilmember Longanecker asked that item 5 be removed for further questions and comments.

Councilmember Conus moved to approve the Consent Agenda with item 5 removed, seconded by Councilmember Longanecker. The Consent Agenda was approved, 3-0.

Councilmember Longanecker stated he thought Council already accepted these easements.

Mr. Merkh stated the city received a verbal agreement, but the documentation had not yet been signed and presented for the pedestrian crossing.

Councilmember Longanecker moved to approve the acceptance of the Easements for Sunflower Road Crossing at Martin Creek Park, seconded by Councilmember Conus. The Easements were approved, 3-0.

Regular Agenda

6. Declaration. None

7. **Presentation.** At this time, James Oltman with ElevateEdgerton! gave a presentation to Council regarding the Edgerton Housing Study and provided Council with a packet summarizing the information.

He stated that in May a representative from United Community Services spoke to Council regarding the County-wide housing study and some findings that were relevant to Edgerton. He stated ElevateEdgerton! had been researching the possibility of completing a study solely based on Edgerton. He stated the Board of Directors for ElevateEdgerton! contracted with RDG Planning and Design to conduct the housing assessment for the City in 2020. He stated during this time RDG was also contracted with United Community Services to complete their county-wide housing study.

He stated the process to complete the study included a pre-site visit analysis in which RDG researched market trends, activity in and around Edgerton, etc. He stated the company then sent personnel to the community where a tour was given, showing areas of growth and areas that could grow within the community. He stated RDG completed focus groups with City Staff, City Council/Planning Commission, area real estate professionals, community members, LPKC employers, etc. to hear from those that are directly affected by the changes within and around the community. He stated part of the process was a review of the City's current building codes. He stated this gave the ability to see if there might be any requirements creating an undue burden or if there is something another community is doing that could benefit Edgerton. He stated the final step in the process was the final report that showed the market analysis, overview of housing challenges and assets, directions for moving forward and a memo regarding the code review.

Mr. Oltman referred to the Housing Assessment Packet handout. He stated in regard to the construction activity, demolitions have outpaced construction in Edgerton with 23 houses lost and 6 constructed. He stated 79% of Edgerton's housing stock was constructed between 1970 and 2009 with 36% being in the 1970s and less than 1% being built in the last 10 years.

Mayor Roberts clarified the 23 houses demolished. He stated the 23 houses were houses that only became part of the City of Edgerton due to the annexations and were not in Edgerton prior to 2010.

Mr. Oltman agreed with Mayor Roberts.

Mr. Oltman stated regarding the Housing Affordability, that according to the US Government, households spending more than 30% of their income on housing are considered cost burdened. He stated 22% of Edgerton homeowners pay more than 30% and 39% of Edgerton renters pay more than that 30%. He stated a variety of rental units

are not available allowing existing rental landlords the ability to charge higher prices even if the quality is low. He stated Edgerton's median rent is the third lowest in Johnson County at \$756. He stated this rate is up 14% since 2010.

Mr. Oltman stated the greatest shortage of housing demand is for households in higher income ranges making more than \$75,000 a year. He stated when you look at the average wages at LPKC right now, those wages for one person are right at about 40,000 a year. He stated if you have a household where both adults work at LPKC, that household will be making over \$80,000 or more a year. He stated most employees come from within a 30-minute average radius, but some come from as far as Kansas City, Missouri. He stated there is an opportunity because many of those people would be interested in moving closer to work. He stated the affordable or entry-level housing needs do not have to be met through new construction, they can be met when existing owners upgrade into new construction because they have outgrown their current plan. He stated when the City does get new housing stock, people will upgrade to those newer homes and put their homes on the market for those first-time home buyers.

Mr. Oltman stated Edgerton does have some housing growth issues. He stated the largest barrier to growth is the lack of buildable lots. He stated there are several builders who would like to build, but there are not enough small lots ready to go to build on. He stated there are places that some might think could be developed, but when proximity of infrastructure to available parcels is considered, this makes it almost impossible for most places to be built on without an excess of money being spent to make the infrastructure available. He stated the cost of land is inflated right now and numbers to purchase and build do not work right now. He stated developers are averse to taking on the risk to extend infrastructure in what is seen as an untested market. He stated the final issue is the shortage of quality rental options. He stated no market rate multi-family construction has occurred in Edgerton in over 20 years and this type of housing allows an individual or family to transition into a community. When renting, the person or family has the ability to try before they buy and see if the community is right for them.

Mr. Oltman stated according to focus group participants, 92% said a mid-size three-bedroom house would be the most successful product for the market, 82% said a small two-or three-bedroom house, 72% said a townhouse or duplex, 58% said a larger home with four or more bedrooms and 43% said large lot residential.

Mr. Oltman stated to be successful, the City must have landowners willing to sell their land in line with the current market rate, land that is in close proximity to utilities and off-site improvements, a developer interested in a partnership and that is invested in the community as a whole and City participation and support for that development to occur.

Mr. Oltman stated as far as strategic objectives, the City must find ways to share the risk with the private market that may see Edgerton as untested and thus a high risk. He stated the City needs help to provide a range of housing types that meet housing needs for households at different points in their life as well as a continued effort to invest in the community's quality of life assets such as internet, parks and trails.

Councilmember Conus asked what the gist of the code review was.

Mr. Oltman stated he can get the full report to Councilmember Conus.

Business Requiring Action

8. CONSIDER ORDINANCE NO. 2084 AUTHORIZING THE CREATION OF THE LPKC DISTRICT NO. 3 COMMUNITY IMPROVEMENT DISTRICT, LEVYING SPECIAL ASSESSMENTS WITHIN SUCH DISTRICT, AND APPROVING A DEVELOPMENT AGREEMENT

Mr. Scott Anderson, Bond Counsel, addressed the Council. He stated in the Phase 2 Development Agreement for the Logistics Park, the City agreed to allow the Developer to petition the City for the creation of a community improvement district on some or all of the Phase Two Land. He stated the parties agreed that the petition could only seek financing by special assessments and would be funded on a pay as you go method. He stated the development agreement further stated that special assessments would be equal to \$0.05 a square foot for all structures constructed within the district that are 50,000 sq ft. or larger and constitute being a warehouse, manufacturing or distribution facility. He stated the special assessments will run for a 10-year term.

He stated the city has received a petition from ELHC LII, LLC for LPKC Community Improvement District number 3. He stated the district covers what is known as ELHC LII, LLC project. The petition requests the city to levy the special assessments provided for in the Development Agreement. He stated the special assessments will be used to pay for the demolition of existing improvements within the district and the design and construction of utility infrastructure improvements to accommodate industrial facilities to be constructed within the district.

He stated the Ordinance provided if approved, creates LPKC CID 3 and levies the special assessments. He stated the Ordinance also approves the development agreement. The Development Agreement contains the means for reimbursement of project costs to ELHC LII. He stated the Development Agreement also states that the district will continue until such time that the City and ELHC LII agree that the project is complete. He stated this is very similar to CID districts 1 and 2 previously approved.

Mayor Roberts asked for confirmation of how the CID itself is paid.

Mr. Anderson stated it is a pay as you go CID, so it is paid for solely by the owner of the property.

Councilmember Longanecker moved to approve Ordinance No. 2084, seconded by Councilmember Brown. The Ordinance was approved, 3-0.

9. CONSIDER RESOLUTION NO. 07-08-21A AUTHORIZING FIRST AMENDMENT TO PROJECT PLAN A1 DISPOSITION AND DEVELOPMENT AGREEMENT

Mr. Scott Anderson, Bond Counsel, addressed the Council. He stated the City created the Homestead Lane Retail TIF District generally located at the northeast and northwest corners of I-35 and Homestead Lane. He stated the City approved Project Plan A1 for the district which consists of the construction of a truck stop, truck maintenance facility, truck wash, restaurants,

and associated infrastructure improvements on property generally located on 12 acres in the northeast corner of I-35 and Homestead Lane.

He stated to implement Project Plan A1, the City and My Store III, Inc. entered into a Project Plan A1 Disposition and Development Agreement which requires the developer to complete the project by December 31, 2021.

He stated construction has been delayed due to delays in structural steel and other construction materials. Current structural steel delivery is taking over 40 weeks. Due to these delays, the developer has requested more time to complete the project.

He stated this Resolution, if approved, authorizes the City to enter into a First Amendment to the agreement and will allow the developer until October 1, 2022 to complete the project.

Councilmember Brown moved to approve Resolution No. 07-08-21A, seconded by Councilmember Longanecker. The Resolution was approved, 3-0.

10. CONSIDER RESOLUTION NO. 07-08-21B APPROVING THE CLOSURE OF THE PUBLIC STREETS NAMED HEREIN DURING THE BIKE RODEO AT SUMMER MOVIE NIGHT

Ms. Brittany Paddock, Recreation Coordinator, addressed the Council. She stated the Recreation Department will hold a Bike Rodeo that promotes child biking safety at the Edgerton Summer Movie Night. She stated the City received a grant from BNSF which allows the City to provide safety gear as giveaways. She stated there will be a bike course and a bike tune up, a water slide, and a food truck. To support this event, City staff is requesting the closure of Nelson Street, between East 4th Street and East 3rd Street, from 5:00 PM – 11:00 PM to create a safe environment for the kids to ride. The intersections at both E 4th Street/Nelson Street and E 3rd Street/Nelson Street will remain open to traffic. She stated the Johnson County Bike Team and Paramedics are planning to attend as well.

Councilmember Conus moved to approve Resolution No. 07-08-21B, seconded by Councilmember Longanecker. The Resolution was approved, 3-0.

Ms. Paddock gave a short update on the 3rd of July event. She stated she would estimate about 1,500 to 1,800 people in attendance for the event. She stated there was great weather despite the week of rain prior, which did cause some issues for parking on the soccer field. She stated like years past, the City used a bus to shuttle people from the Edgerton Community Hall and Edgerton Elementary. She stated everything was free and the city provided quite a few activities for the community. She stated overall this was a great event to reunite the community and the fireworks show was fantastic. She thanked Arrowhead, LPKC and New City Church for sponsoring the event.

11. CONSIDER ORDINANCE NO. 2085 AMENDING CHAPTER IX, ARTICLE 1, SECTION 9-107 OF THE CITY CODE OF THE CITY OF EDGERTON, KANSAS AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH

Ms. Beth Linn, City Administrator, addressed the Council. She stated over the past several months, the court docket has grown significantly with the average number of cases a month reaching 110. She stated due to this growth, the Judge, Prosecutor, and staff have identified the need to expedite cases, specifically those involving Code Enforcement. She stated having only one court docket a month can add a significant amount of time to the court case depending on factors such as requesting a court appointed attorney, defendants not appearing in court, and requests from defendants for continuances or time to pay.

She stated after deliberation with the Judge and Prosecutor, staff would recommend that the City move to having two court dockets a month with those dockets being held on the first and third Tuesdays at 3:00PM. This would allow Edgerton to limit the number of cases heard per docket and expedite defendants through the process. She stated if approved, this would go into effect beginning in August.

Councilmember Conus asked if this was a permanent change or just an effort to catch up because of the rise of case numbers seen.

Ms. Linn stated this would be a permanent change, but Council could always choose to change it back if they see a need to do so.

Mayor Roberts stated at one point the City never saw citations, but now there's an average of 100 or so and that's a lot for one docket a month. He stated adding another docket would help speed the process up so codes cases specifically can be resolved faster.

Ms. Linn stated due to the City having a community policing officer who is certified for heavy load violations, etc. there has been a significant increase in traffic citations. She stated it is also important to remember that by the time a code enforcement citation comes to court, there has already been multiple attempts to work with the individual to resolve the issue. She stated approving an additional court date will allow for more touch-ins with the Judge and Prosecutor related to cases for efficiency and promptly closing court cases. She stated currently, there are some cases that have been in the court cycle for six to eight months or more.

Mayor Roberts stated it is important to remember that Council sets the policies for mandatory court appearances for certain violations, including high speeds, heavy loads, trucks without tarps, etc.

Councilmember Longanecker stated regarding the packet, the fine revenue is shooting over budget. He asked if that extra money goes somewhere.

Ms. Linn stated when the 2020 budget was approved, the city estimated \$30,000, the actual total is well over that number. She stated this amount goes into the general fund and any amount that goes in, offsets the cost of bills related to municipal court, such as Judge, Prosecutor, Court Appointed Attorney, etc.

Mr. Lee Hendricks, City Attorney, noted that Municipal Court is not a money maker. Typically any money that comes in is spent on fees that are remitted to the state, and to cover costs associated with court.

Ms. Linn agreed, she stated the fees that come into the fund also go out to pay for the Sheriff's Office Contract, the City's Law Enforcement Officer, etc.

Mr. Hendricks stated the biggest reason for the second docket is the efficiency. He stated right now the court system is not efficient and the city cannot continue to run dockets of this size with a limited number of staff.

Councilmember Longanecker moved to approve Ordinance No. 2085, seconded by Councilmember Brown. The Ordinance was approved, 3-0.

12. CONSIDER AWARD OF CONSTRUCTION OF 2021 STREET MAINTENANCE PROGRAM (CHIP SEAL) TO VANCE BROTHERS AND AUTHORIZE THE MAYOR TO EXECUTE THE CONTRACT

Mr. Dan Merkh, Public Works Director, addressed the Council. He stated the City of Edgerton requested proposals for the 2021 Street Maintenance Program, included in the RFP was two methods of street maintenance, Chip Seal and UBAS.

He stated for Chip Seal, a total of two bids were received which consisted of a base bid with three alternates. He stated Vance Brothers submitted the low bid for the project and based upon review of other submitted bids, staff recommends Vance Brothers as the qualified company to perform the scope of work for this project.

He stated together, the amounts of both low bids for the Chip Seal and UBAS totals about \$2,000 less than the budget allocated, this difference will be used to increase line items or to include one of the bid alternates, as needed to meet but not to exceed the budget allocated.

He stated funding for this project is from the Special Highway Fund, as identified in the 2021 CIP. He stated Special Highway Funds from 2020 are also allocated for this project.

Mayor Roberts asked what roads would be completed.

Mr. Merkh stated it would be the remaining blocks from 1st Street as well as on Hulett and McCarty.

Councilmember Longanecker moved to approve the Award of Construction of the 2021 Street Maintenance Program for Chip Seal to Vance Brothers. Seconded by Councilmember Conus. The Award of Construction for Chip Seal was approved, 3-0.

13. CONSIDER AWARD OF CONSTRUCTION OF 2021 STREET MAINTENANCE PROGRAM (UBAS) TO MCANANY AND AUTHORIZE THE MAYOR TO EXECUTE THE CONTRACT

Mr. Dan Merkh, Public Works Director, addressed the Council. He stated similar to previous item, this would be for the award of UBAS. He stated a total of three bids were received, which included a base bid with three alternates. He stated McAnany submitted the low bid for the

project and based upon review of the other submitted bids, staff would recommend McAnany as the qualified company to perform the scope of work for this project.

He stated the roadway included for the project is W Meriwood Ln from W 4th to W 8th.

Councilmember Brown moved to approve the Award of Construction of the 2021 Street Maintenance Program for UBAS to McAnany Construction. Seconded by Councilmember Longanecker. The Award of Construction for UBAS was approved, 3-0.

14. CONSIDER PROJECT AUTHORIZATION FOR THE CONSTRUCTION OF CORLISS ROAD

Mr. Dan Merkh, Public Works Director, addressed the Council. He stated the City Council approved a Development Agreement with ELHC for the development of Phase II of LPKC. He stated similar to Phase I, this agreement established a new Public Infrastructure Fund (Ph. II PIF) for the collection of certain revenues associated with the development and payment of project expenditures as allowed by the Agreement.

He stated the Development Agreement describes the Public Infrastructure Improvements and Costs that are allowed project expenses to be paid from the Ph II PIF. He stated the construction of Corliss Rd. for approximately 0.5 miles, is included as an allowable project expense in LPKC Phase II.

He stated the proposed construction of Corliss Road will serve the semi-truck loading and parking areas of Inland Port 52, along with residents in the area.

He stated the proposed section of road is 42' back-to-back and will be installed with curb and gutter. A 14' center turn lane will be included with the two 12' drive lanes. He stated ELHC has submitted the recommendation for contractor award to Emery Sapp and Sons, Inc. at \$1,904,771.00. This cost will be borne entirely by ELHC until such time the project is converted to funded from Home Rule Revenue Bonds. He stated if the project is approved, staff will work with the Intermodal Bond Counsel and ELHC to include the allowable project costs into the next Home Rule Revenue Bond series.

Councilmember Brown asked if this road was behind Hostess.

Mr. Merkh stated it is East of Hostess, continuing North.

Mayor Roberts asked when it is converted, what pays those fees.

Mr. Merkh stated Funds from the Public Infrastructure Fund would pay those fees, this fund is completely funded by LPKC Development.

Mayor Roberts stated for clarification, this would be paid for by development, not the residents of Edgerton.

Councilmember Longanecker moved to approve the Project Authorization for the Construction of Corliss Road. Seconded by Councilmember Conus. The item was approved, 3-0.

15. CONSIDER AN AGREEMENT WITH BG CONSULTANTS FOR CONSTRUCTION ADMINISTRATION AND OBSERVATION SERVICES FOR THE CORLISS ROAD PROJECT

Mr. Dan Merkh, Public Works Director, addressed the Council. He stated similar to other large infrastructure projects constructed, a critical component to the success is partnering with a firm to perform the construction administration and observation services. He stated for projects designed by an outside firm, the City has contracted with BG Consultants to perform these services.

He stated BG Consultants prepared an Agreement to provide the construction observation services for the Corliss Road project. He stated this agreement includes the scope of work to include such services as performing inspections, notification of the City of any significant issues/changes to the plans, providing detailed daily reports of construction activity, reviewing testing reports and pay estimates, etc.

He stated the term of the agreement anticipates the project will be complete by June 1, 2022. The agreement includes an hourly rate schedule applicable for the term of the agreement and it is structured similarly to the Agreement for City Engineer services where the City is only billed for actual hours of work performed.

He stated the project will be paid for initially by the City of Edgerton, but the City will be reimbursed at full cost by ELHC.

Councilmember Brown moved to approve the Agreement with BG Consultants for Construction Administration and Observation Services for the Corliss Road Project. Seconded by Councilmember Longanecker. The item was approved, 3-0.

16. Report by the City Administrator

- Monthly Report on 502 E 2nd Street

Ms. Katy Crow addressed the Council. She provided updated photos to the Governing Body taken after the packet was published that shows progress made. She stated at the time the packet was published, the owner was working on rebuilding the front porch, since that time, he has added new decking and continues to make forward progress with hopes to make their way to the roof soon. She stated the owner plans to be in attendance for the Council Meeting regarding the time frame in the initial resolution and what the next steps will be.

All Councilmembers agreed that the house is coming together nicely and recognize the amount of work that goes into revitalizing this house.

Ms. Linn stated staff's assumption is that Council would like a Resolution brought back with the date left blank for further discussion with the homeowner and Council to fill that in.

Mayor Roberts stated he would think another 6 months would be a good amount to get them where they need to be but would like to discuss and hear from the homeowner before Council makes that decision.

Ms. Crow stated staff will work on a Resolution to bring back with the completion date left blank to allow for further discussion. She stated she has discussed this option with the City Attorney, and he sees no problem with this approach.

- Request for Waiver of Fees Associated with System Development at 321 E Martin Street

Ms. Linn addressed the Council. She stated Council heard a request for waiver of fees related to System Development at the last Council meeting. She provided Council with a handout of fees associated to the development at 321 E Martin that was provided to the homeowner around the time she first made contact with the City after purchasing the home.

She stated this first page is a fee calculation for residential projects, and this form is the exact one in relation to this address. She stated the following page is the City's Fee Resolution that is annually reviewed and approved by Council. She stated she has highlighted the sections related to System Development. She stated the final page given to Council is a spreadsheet that shows the monthly fees that would have been paid if services were to have been left on since 2012.

She stated the previous owner terminated services, and under the City Code, this technically is not allowed. She stated in preparation for the new software system, the City conducted an audit of services and this is not the only account where this has happened. She stated the reason the code is written to have a monthly connection charge even though the water is off, is because there is still maintenance that must be done to the system. She stated if this address would have remained apart of the system since 2012 and incurred the monthly charges, there would be no question today regarding the new system development and the amount that was presented to the new owner when the house was purchased in March of 2020. She stated there is a brand new meter at this address that was not paid for by the owner of the house at the time of the install, so there are costs incurred by the City for that new meter. She stated had the account been in the correct standing, they would have been required to pay the monthly fees associated. She stated thankfully, the new system will not allow for this type of error to occur. She stated staff is recommending that the monthly fees from time of termination to current be paid in full, if Council wants to discuss waiver of fees or discount possibilities.

Mayor Roberts stated there are other people that have been paying their monthly fees for many years and have had to pay the new development fees if their account was terminated and they needed to start service. He stated if he were those people, he would not be too happy right now that that this was allowed to happen.

Councilmember Conus asked if staff was recommending that Council approve the replacement of the \$11,000 owed with the roughly \$3,000.

Ms. Linn stated what was gathered from Council was that there was an interest in exploring the significant cost for Ms. Hill related to system development and that Council would like to see possibilities of discounts or waiving fees. She stated staff did share this cost with Ms. Hill well before now so she could include it in her budget for building this new home. She stated if Council is wanting to look at a discount, staff would suggest she pay at least the monthly fees that would have been incurred from time of termination until now.

Mr. Hendricks stated for clarification that staff is not recommending anything, this is purely a policy-based decision.

Councilmember Longanecker stated how many others will then bring this same problem. He stated if Council approves this for her, then they will have no choice but to approve it for others too.

Mayor Roberts stated whatever Council decides should be consistent. He asked if the City could create a district for renovations or for new construction where each district has different costs and fees associated. He then asked what does the City do about those that have consistently paid over the years.

Mr. Hendricks stated there has to be consistency. He stated he has seen other jurisdictions use a policy that if the amount owed is not paid, then the person loses their benefit, and they will have to rebuy because the previous benefit was not paid.

Councilmember Longanecker stated that Ms. Hill is putting quite a bit of money into the house.

Ms. Linn stated the info on the colored sheet provided to Council was the sheet provided to the new owner in March of 2020, right about the time she purchased the house and had her first conversations with the City about the next steps.

Mayor Roberts stated if Council would like to do something, he thinks it will take more time to make it fair for others. He stated he is in favor of encouraging redevelopment, but staff and council will then have to look at everyone who has been paying, etc. and make sure the solution is fair to everyone.

Councilmember Conus stated if she is charged according to the monthly fee's spreadsheet, is the city not picking up the fees that were not previously paid. He asked if there are any costs to the city to reinitiate water supply.

Ms. Linn stated the city replaced the meter on the property with no participation from the property owner at that time. All the other property owners participate in that cost.

Mr. Merkh stated typically when a water line is off for an extended amount of time and gets turned back on, there is a higher possibility of finding seals out or that the connection overtime has become unpressured, etc. He stated it is not uncommon for some maintenance to be performed.

Ms. Linn stated nothing is connected at the property currently. She stated when a new connection occurs, there will also have to be inspection of water and sewer, etc. and there are costs associated with that.

Councilmember Conus stated the roughly \$3,000 noted would cover the water meter, but not necessarily any problems with reinitiating water supply.

Mayor Roberts stated there could also be costs associated with the sewer line, which could be clay tile or have significant issues.

Mr. Merkh stated it is hard to estimate any costs when there are so many unknowns due to this property being offline for so long.

Councilmember Conus stated he wonders if it might be best to charge based upon collecting the past due monthly fees, plus the cost incurred by the city to reinitiate services.

Mayor Roberts asked the City Attorney if the City could add a fee to pay for any expenses, parts and labor and require the new owner to catch up on the fees due.

Mr. Hendricks stated he would like to look into it further.

Mayor Roberts stated he would like to do something but does not know what that looks like quite yet to be fair to everyone.

Mr. Hendricks stated he thinks there is a way to separate the amounts out in a way to incentivize people to revitalize homes and build but not punish those who have been paying these fees over time.

Mayor Roberts stated he is in favor of tabling this to allow the City Attorney time to look it over and have staff bracket out the costs that could happen for water and wastewater, etc. He stated he would like Council to think about creating a program, as an example, where there's a renovation district that gets 50% off fees associated, etc.

Councilmember Longanecker stated he thinks this could take a work session. He asked if the problem of terminating utility services when they are not supposed to has been corrected.

Ms. Linn stated staff has corrected this and the city does not terminate service if there's a structure connected to the service on that property.

Mayor Roberts stated he is in favor of a work session at the end of the month.

Ms. Linn stated the city can issue a contingent building permit until Council makes a decision so Ms. Hill is not held up in building her new home.

Mayor Roberts stated there is a commitment from staff and the governing body to get this done in a shorter amount of time to benefit Ms. Hill and keep her process going.

17. Report by the Mayor

Mayor Roberts stated he would like more information from Lesley Rigney from the Miami County Conservation District. He stated she had said we are rapidly approaching 20 percent of impervious surface for the watershed. He would like to understand how she got that number. He stated he read a piece from the Army Corps of Engineers that says the water quality has been improving every year since about 2010 at Hillsdale Lake. He stated he would like to check with the Corps and check for accuracy on that. Mayor Roberts stated there has been 3 major problems for Hillsdale Lake and those have been phosphorus, nitrogen and sedimentation. He stated all three are in this area and most are tied to cattle lots and plow fields more so than industrial development. He stated when he double checks the numbers and things that are said, it does not seem to add up.

Councilmember Conus stated he would like to thank the Sheriff's Office and Deputy Johnson for the ability to do a ride along. He stated he learned about Deputy Johnson's job and how he interacts with the city.

Mayor Roberts requested a short recess to recognize Ms. Beth Linn as she celebrates her 10-year anniversary with the City of Edgerton.

The meeting recessed at 7:12PM

The meeting reconvened at 7:24PM

Item (18) in the published packet was removed per the Mayor.

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 PENDING LITIGATION**

Councilmember Longanecker moved to recess into executive session pursuant to K.S.A 75-4319(B)(2) to include the City Attorney and the City Administrator for the purposes of pending litigation for 5 minutes.

Councilmember Brown seconded the motion. The meeting recessed into executive session at 9:30 PM, 3-0.

Councilmember Brown moved to return to open session with no action being taken.

Councilmember Longanecker seconded the motion. Open session resumed at 9:35 PM, 3-0.

19. Future Meeting Reminders:

- July 13th: Planning Commission Meeting – 7:00PM
- July 15th: 2022 Budget Work Session – 7:00PM
- July 22nd: City Council Meeting – 7:00PM

- August 10th: Planning Commission Meeting – 7:00PM
- August 12th: City Council Meeting – 7:00PM
- August 26th: City Council Meeting – 7:00PM

20. **Adjourn**

Councilmember Brown moved to adjourn, seconded by Councilmember Longanecker. All in favor. The meeting adjourned at 9:36 PM.

Submitted by Alexandria Clower, City Clerk

EVENTS

July 23rd: Animal Wonders at City Hall

July 24th: Summer Movie Night & Open House for Glendell Acres

Renovation Project at Glendell Acres Park

August 7th: Summer Movie Night