

**City of Edgerton, Kansas
Minutes of City Council Session
July 25, 2024**

A Regular Session of the City Council was held in the Edgerton City Hall, 404 E. Nelson, Edgerton, Kansas July 25, 2024. The meeting convened at 7:00PM with Mayor Roberts presiding.

1. ROLL CALL

Clay Longanecker	present
Josh Lewis	present
Deb Lebakken	present
Bill Malloy	absent
Ron Conus	present

With a quorum present, the meeting commenced.

Staff in attendance:

- City Administrator, Beth Linn
- City Clerk, Alex Clower
- City Attorney, Lee Hendricks
- Assistant to the City Administrator, Kara Banks
- Public Works Director, Dan Merkh
- Public Work Superintendent, Trey Whitaker
- Parks and Recreation Director, Levi Meyer
- CIP Project Manager, Holly Robertson
- Development Services Director, Zach Moore
- Director of Finance, Karen Kindle
- Accountant, Justin Vermillion

2. WELCOME. Mayor Roberts welcomed all in attendance.

3. PLEDGE OF ALLEGIANCE. All present participated in the Pledge of Allegiance.

Consent Agenda *(Consent Agenda items will be acted upon by one motion unless a Council member requests an item be removed for discussion and separate action)*

4. Approve Minutes from July 11, 2024 Regular City Council Meeting

Councilmember Longanecker moved to approve the Consent Agenda, seconded by Councilmember Lebakken. The Consent Agenda was approved, 4-0.

Regular Agenda

5. **Declaration.** Mayor Roberts stated all Councilmembers received an email from a resident on Peppertree Ln.

6. Public Comments.

William Lafalce addressed the Council. He stated he thinks the city is growing and needs a civil defense director. He explained civil defense is focused more on rations, emergency water, food, etc. He stated he is not suggesting the city stockpile but asking that the city consider as we grow to have a program manager on staff to coordinate these types of needs. He stated we cannot rely on the county, state, or federal government. He stated some have probably done training on NIMS, but there are quite a few gaps even in that. Having a member on staff that can be the coordinator, provide info, and has the qualifications would be beneficial. He stated we do not have fallout shelter, we do not educate our children on nuclear weapons, there is no warning outside of emergency broadcasts. He stated this cannot continue and with the logistics park here, there are many things that can happen with the rail system. He questioned the preparedness if a train carrying biochemicals had an accident. He stated there are a lot of moving parts and danger that comes with having the intermodal. He added that as the city grows, law enforcement should be a consideration, especially having our own department again instead of relying on the Sheriff's Office.

Councilmember Lebakken stated Yellowstone is reminding everyone that it is there too. Mr. Lafalce agreed.

Jason Sowers addressed the Council. He stated he is speaking on behalf of the Peppertree neighborhood and himself asking for a barrier to be placed between their homes and the new development. He stated as many are aware, the rezoning took place in 2011 with the only stipulation being a landscape screen. He stated covid has forever changed how we live and work together, further showcasing a need for a barrier. He stated the neighborhood is asking for an amendment to add a clause about some type of opaque barrier, concrete or stone ideally. He stated all 13 members of the neighborhood signed the petition. He asked that the city take care of the residents and surrounding areas.

Sheira Kennedy addressed the Council. She stated she has a cat problem at her house. She stated she feeds about 10 strays; they will not go away, and it keeps getting worse and worse. She stated that she has tried to find homes for them, but the shelters will not help because they do not want them or have room for them. She asked the Council about bringing a trap-neuter-release program to Edgerton.

There were no further public comments.

Mayor Roberts asked Ms. Clower to read the emails provided to Councilmembers regarding the desire for a barrier between Peppertree and Edgerton Crossing development.

Mayor Roberts then addressed the public comments brought before Council, starting with Ms. Kennedy's concern. He stated the City used to have a program like this for cats, however it did not eliminate the cat problem. He asked her to reach out to staff to discuss options for the cats.

She stated she has been told that if the cat is being fed by her, it is her responsibility.

Mayor Roberts stated that is correct, if you feed them, they are then technically yours. He stated feeding feral cats is against city code. He stated it's better to trap and rehome them.

Ms. Linn stated when she first arrived, it was not a successful program. She stated if council would like, she can get more info on the possibility of it.

Mayor Roberts stated he likes the idea of rehoming if possible. He stated another downside to feeding cats outside is then the attraction of further wildlife.

Councilmember Longanecker asked if the cats are catchable because he has lots of farmer friends who have been looking for barn cats.

Ms. Linn stated the key is to catch them as early as possible. Animal Control Officer Charlie Lydon has loaned some traps out in the past.

Mayor Roberts then moved on to other public comments. He stated he appreciates Mr. Lafalce's comments tonight and as far as Mr. Stower's request, there is a development agreement on the agenda tonight and Council can address those comments there.

7. **Proclamation.** Declaring August 21, 2024 National Fentanyl Prevention and Awareness Day

Mayor Roberts read the proclamation.

Sharen and Lee Lucero thanked Mayor Roberts and Council for this. Sharen stated they lost their daughter Jataya one year ago on June 7th to this drug. She stated through her death, five people have lived through organ donation. She stated every office, work vehicle, home, etc. should have access to the opioid reversal drug Narcan. She stated you never know when you might need it. She stated 7 out of 10 pills now have enough fentanyl to kill, people need to be aware.

Mayor Roberts stated he is sorry for their loss, adding that they are turning tragedy into positive action to bring awareness.

Mr. Lucero stated eventually, everyone will have someone affected by this.

Mrs. Lucero stated not everyone who dies from fentanyl is an addict either.

Mayor Roberts stated emergency personnel are dying just from contact with this. It is a crisis.

8. **Presentation.** City Clerk and Municipal Finance Officers Association Award

Mr. Eric Stimple, representative and treasurer for CCMFOA thanked Council for having him. He stated beginning in 2023, CCMFOA has announced a Rookie of the Year Award. Nominations

come from various sources, peers, staff, other clerks, etc. and many are encouraged to submit. He stated the award recognizes municipal clerks who have demonstrated an outstanding performance and dedication to their communities. He stated he is pleased to announce Alex Clower as this year's recipient.

Ms. Clower thanked Mayor, Council, Ms. Linn and staff for allowing her the opportunity to continue to further her growth within this field. She stated she loves what she does and looks forward to the growth that is to come in her career.

Council congratulated Alex on her award and stated it is well deserved.

WALK ON: Presentation by Kevin O'Brien

Mr. O'Brien stated the City made a switch to EMC Insurance in 2023. One of the reasons behind his recommendation of EMC was the possibility for the City to earn a dividend at the end of the plan year. He stated it is basically a program where the insurance creates a safety group and if there is money left over at the end of the year after paying expenses and claims, the money is then returned to members of the group. He stated the great news is the City has earned this dividend from the 2023-2024 Policy term. He stated the City received a check for \$6,795.78.

Mayor Roberts stated for all the years he has served, he has never seen insurance money come back this way. He stated he would not expect it every year but this is super exciting and he appreciates Kevin coming to Council to present this.

He stated Kevin really goes above and beyond for Edgerton as a broker. He stated when the flood happened, he worked tirelessly to ensure we were taken care of.

Business Requiring Action

9. CONSIDER RESOLUTION NO. 07-25-24A AUTHORIZING THE CITY OF EDGERTON, KANSAS TO ENTER INTO A SECOND AMENDMENT TO DEVELOPMENT AGREEMENT FOR THE EDGERTON CROSSING WOODSTONE PROJECT

Mr. Scott Anderson reviewed the documents provided in the Council packet. He stated the City is in a development agreement with Woodstone. The current agreement states they are to be in vertical construction by July 1. He stated if the developer is not in compliance, the agreement does give the city the option to declare fault. He stated the developer is asking for an extension for vertical construction, adding they anticipate construction starting soon but no later than the November date requested in the amendment. He stated the resolution authorizes that second amendment, only changing that vertical construction date. They anticipate all other dates in the project schedule to remain the same.

Councilmember Longanecker stated July 1st has already passed, so what else is there to do.

Councilmember Lebakken asked why they are asking now and not before the July 1 date.

Ms. Linn stated this item was supposed to be discussed at their last meeting in June, but Council did not have quorum.

Mayor Roberts stated Shannon McMurdo is in the audience and invited him up to speak.

Mr. McMurdo thanked the council for having him. He stated he has had good conversations with the residents and addressed the barrier with them. He stated with the zoning placed in 2011, they have met all requirements. He stated he has been out there to the residents property and there is a cut in the woods that is close to his driveway, making it easier to see the development. He stated if it were him, he would want an evergreen tree there as a natural barrier. He stated he would be more than happy to plant a tree, but he does not have it in his budget to build a wall. He stated he has done everything required and he wants to be a good neighbor, so if they want a tree, he is happy to help make that happen.

Mr. Moore stated the zoning ordinance does require ample space between residential and commercial development. He stated once final site plans come into play, we will then review that against the UDC and make sure there is sufficient berm, if needed, trees, brush, etc. He stated there's also a 30-foot-wide sanitary sewer easement between the development area and the property lines of the homes, so there is separation.

Mayor Roberts stated he drove around the area in Olathe to see the wall requested by the neighborhood. He suggested that it seemed to be something that the HyVee did on their own and was likely not a requirement of that city.

Mr. Moore stated south of the Hy-Vee there was intended to be 3 separate buildings, that development wasn't ever intended to be just that. He stated the development can go up to 20 feet from the property line.

Mayor Roberts stated the development agreement really is not the place to make these changes. If that is something the council wants to do, it should be done through the development code to make it consistent throughout the community.

Mr. Lee Hendricks agreed.

With no further questions or comments, Mayor Roberts requested motion to approve Resolution No. 07-25-24A, Authorizing the Second Amendment to the Development Agreement for the Edgerton Crossing Woodstone Project.

Councilmember Longanecker moved to approve the motion, seconded by Councilmember Lebakken. Resolution No. 07-25-24A was approved, 4-0.

10. CONSIDER APPLICATION PUD2024-0101, FINAL PUD PLAN/PLAT FOR DWYER FARMS, PHASE 2, LOCATED SOUTHWEST OF THE INTERSECTION OF BRAUN STREET/207TH STREET AND W. 8TH STREET/EDGERTON ROAD, EDGERTON, KANSAS

Mr. Moore addressed the Council. He stated Rausch Coleman Homes has submitted an application for a final PUD Plan/Plat of Dwyer Farms, Phase 2. He stated this proposal is the second phase of a phased development of single-family homes that will include a total of 275 residences. He stated this phase includes 105 homes. The common tract shown will all be owned and maintained by the HOA and will be used for landscaping and a subdivision monument sign.

He stated included with this Final PUD Plan/Plat application is the request to accept the dedication of land for public use for utility, drainage, ingress-egress, sanitary sewer, and public street right-of-way easements for Braun Street/W. 207th Street, as well as the road network on the interior of the development.

He stated the 23.8 acre parcel of land was annexed into the City in April 2022 and was rezoned to the PUD District in August 2022. He stated the Conceptual PUD Plan was also approved by the Governing Body in August 2022 with Ordinance No. 2114, and this Final PUD Plan/Plat is consistent with the previously approved Conceptual PUD, PUD2022-01.

He stated Planning Commission voted to recommend approval of PUD2024-0101, the Final PUD Plan/Plat for Dwyer Farms, Phase 2 at the July 9 meeting.

He stated City Staff has reviewed the Final PUD Plan/Plat submittal for conformance with the approved Conceptual PUD Plan and requirements in the UDC. The applicant's engineer will update the Final Plat as required by stipulations listed in the staff report prior to the Final Plat being recorded with the County. He stated this Final Plat has been reviewed by the City Engineer and found to be in compliance with City Code requirements.

Councilmember Longanecker stated he reads this as once Rausch Coleman is done with phase 1, they then develop phase 2.

Mr. Moore stated that is correct. This allows for them to be ready to move on phase 2 home development once they complete Phase 1.

Councilmember Conus asked if this is different than City land.

Mr. Moore stated yes, it is different, it will be maintained by the homes association.

Councilmember Longanecker asked if there was supposed to be a park ground there.

Mr. Moore stated there is an area that will remain as open space.

Mayor Roberts asked if they could get an updated timeline.

Mr. Lee Ryherd with SMH Consultants addressed the Council. He stated Phase 1 has begun and they are planning on doing curb work next week. He stated the idea is to get Phase 2 approved

so that once they begin building homes, they can just continue. He stated the rough schedule is to start utility work this winter, and then have streets this time next year for Phase 2.

Mayor Roberts asked if they started starting prices yet.

Mr. Brian O'Banion stated they are trying to get close to the \$250,000-\$270,000 range, but they are working through the last little bit to make that official. He stated that may even come down, they are starting to see some savings that may help that fluctuate.

Councilmember Longanecker stated he thinks the houses will sell as fast as you can build them.

Mayor Roberts asked if they were preselling lots.

Mr. O'Banion stated yes, they will soon.

Mayor Roberts stated he would like to know when they begin doing that because he has had a lot of people ask and would like to put it out there.

With no further questions or comments, Mayor Roberts requested motion to approve PUD2024-0101, Final PUD Plan/Plat for Dwyer Farms, Phase 2.

Councilmember Lewis moved to approve the motion, seconded by Councilmember Conus. PUD2024-0101 was approved, 4-0.

11. CONSIDER ORDINANCE NO. 2163 AUTHORIZING THE ISSUANCE OF SPECIAL OBLIGATION TAX INCREMENT AND CID REVENUE BONDS (HOMESTEAD LANE RETAIL DISTRICT) SERIES 2024 IN THE MAXIMUM PRINCIPAL AMOUNT OF \$1,350,000 OF THE CITY OF EDGERTON, KANSAS, FOR THE PURPOSE OF FUNDING AND/OR REFINANCING THE COSTS OF A PROJECT; AND APPROVING CERTAIN DOCUMENTS AND ACTIONS IN CONNECTION WITH THE ISSUANCE OF THE BONDS

Mr. Scott Anderson addressed the council. He stated in 2019, the City established Homestead Lane TIF District. Two project plans have been approved within the district, Project Plan A1 which was approved in 2020 for On the Go Travel Center project, and Project Plan B1, which was approved in 2021 for the Edgerton Crossing (Woodstone) Project. He stated the City also established a community improvement district and levied a 1% sales tax for the On the Go Travel Center in 2020.

He stated both project plans and the CID ordinance approved a city project, which consists of public infrastructure improvements to Homestead Lane, including the new intersection at 200th Street. He stated the City has completed a significant portion of these public improvements. The City financed the costs of the public improvements with the issuance of General Obligation Temporary Notes, Series 2022-A. He stated the temporary notes mature September 1, 2024 and the City must obtain the funds to pay for the notes.

He stated the ordinance for approval authorizes the City to issue Special Obligation Tax Increment and CID Revenue Bonds. The proceeds of the bonds will be used to reimburse the City for project costs, fund a debt service reserve fund, and pay costs of issuance. He stated the City will then use the funds it receives as reimbursement to pay the temporary notes on or before September 1, 2024.

He stated the City will continue to collect the tax increment and CID sales tax. The City will first pay itself the annual administrative fee, and the City will then deduct each Developers share of the TIF revenue. He stated the Indenture then requires the City to pay the bond trustee all remaining funds in the TIF fund and the CID sales tax fund. The trustee will use this money to pay debt service on the bonds.

He stated the bonds are payable solely from the tax increment and CID sales tax. The bonds are not a general obligation of the City and are not payable from general tax revenues.

He referenced the ordinance for approval and walked through the different sections. He stated Section 1 describes the project. Section 2 states that the City has the authority to issue the bonds under home rule authority because there is nothing that says this is prohibited. He stated because we are complying with both the regulations of a TIF and CID Acts, we are in compliance. He stated Section 3 authorizes the bonds, right now they are carrying a rate around 6%, which is higher than what the City would get on general obligation debt. He stated they will be sold and mature no later than 2034. Section 4 authorizes the bond documents. He stated Section 5 approves the use of the official statement, which is what will go out to the parties that are interested in buying the bonds. Sections 6-8 are generalized throughout these types of ordinances that we've seen before. Section 9 authorizes the amendment language of the ordinance, stating the City will not issue any special obligation or full faith and credit the bonds pursuant to statutes. He stated the City Certificate authorizes the city to sign the document, then it goes on to discuss cost of improvements and interest. He stated all costs financing are eligible project costs.

Councilmember Conus asked about the interest. He stated the documents state the interest is roughly 6% and going from General Obligation to Revenue, the City does not pay that, correct?

Mr. Anderson stated they are paid by TIF and CID money from project revenues and are not general fund obligations of the City. He stated this is removes debt from shoulders of the tax-payers and onto the project.

Mayor Roberts asked about the additional revenue to be had in the future.

Mr. Anderson stated there are two things to consider. One, built into this, the underwriter has looked at the revenue stream but has not taken into account Edgerton Crossing side. He stated they put together a redemption schedule of bonds for revenue to come, so long we meet that schedule, 50% of revenue will spin off into a separate account until it his \$260,000 and the City can then use that money to pay for traffic signal. He stated other than that, all other revenues are tied up until bonds are paid. He stated if there is extra money, bonds can be paid back quicker.

Mayor Roberts and Mr. Anderson discussed moving the maturity date up to 2030 instead of 2034. Mayor Roberts and Mr. Anderson ultimately agreed to push the maturity date up as far forward as possible so that funds could be available earlier for more new projects in that corridor.

With no other questions or comments, Mayor Roberts requested motion to approve Ordinance No. 2163.

Councilmember Lewis moved to approve the motion, seconded by Councilmember Longanecker. Ordinance No. 2163 was approved, 4-0.

12. CONSIDER THE PURCHASE OF A TAKEUCHI TL12R2 TRACK LOADER & HYDRAULIC HAMMER ATTACHMENT, TO BE PURCHASED FROM KIRBY SMITH MACHINERY

Mr. Dan Merkh addressed the Council. He stated in July 2022, staff made recommendations for funding as part of the 2023-2027 Vehicle & Equipment program. He stated outlined in this recommendation was the purchase of a Compact Track Loader, this purchase was then approved as part of the adoption of the 2023 Annual Budget.

He stated for the 2024 calendar year, public works and utilities departments have requested a new Compact Track Loader. This unit would replace the existing Skid Steer, however this unit will not be surplused, instead it will be sold to the utilities department and their existing skid steer will be surplused.

He stated this transition request is based on the growing responsibilities of the department and the expanding maintenance mediums. He stated the functionality of a skid steer and compact track loader are similar, however the separation of the two comes with the ability of the functionality of the track loader equipment on various surfaces and weather conditions. He stated the skid steer is limited to working on hard surfaces, while the loader reduces ground pressure so it can operate efficiently on most surface types and in most weather conditions. He stated the loader will help streamline maintenance activities in the removal of snow from the downtown district, working in the parks and playground areas, and improving our asphalt milling capabilities. In addition to being able to operate on most working surfaces, the loader is more stable and provides additional traction.

He stated switching to this type of equipment will allow the department to complete more maintenance activities, especially working within the city parks and green spaces. He stated the significant reduction in ground pressure ensures minimal damage to surfaces.

The budget allocation for this equipment purchase is \$85,000. Bids were submitted by vendors with the lowest bid still above the budgeted allocation. Additionally, this bidding process included a hydraulic hammer attachment. The total bid for the track loader and the associated hydraulic hammer/breaker attachment ranged from \$106,619 - \$120,525.

He referenced the budget request included in the packet as well as the bids received. He stated staff recommends the purchase of the lowest and best bid at a purchase price not to exceed \$106,619.40. Additionally, staff recommends that the difference in budget dollars be provided from operations in the amount of \$4,619.40.

With no questions or comments, Mayor Roberts requested motion to approve the purchase of a Compact Track Loader & Hydraulic Hammer Attachment, to be purchased from Kirby-Smith Machinery, in an amount not to exceed \$106,619.40.

Councilmember Lewis moved to approve the motion, seconded by Councilmember Longanecker. The motion was approved, 4-0.

13. CONSIDER AMENDMENT #1 TO AGREEMENT WITH TETRA TECH FOR 2024 CDBG – 2ND AND HULETT SANITARY SEWER REHABILITATION PROJECT

Ms. Robertson addressed the Council. She stated in May 2023, City Council approved the submission of an application to Johnson County for the 2nd and Hulett Sanitary Sewer Project for CDBG funding. City staff was informed the project was awarded \$91,511.63 through this program.

She stated in April 2024, City Council approved the contract with Tetra Tech for the design of the project. City Staff is working with Tetra Tech as they complete design plans. Bidding for project construction is anticipated for August/September.

She stated in past CDBG projects, it has been useful to continue the contract with the design engineer into the construction phase. She stated this amendment would add construction management services to the agreement. Details on the services provided are outlined in the document included. She stated the method of design proposed by Tetra Tech includes finalizing design and recommendations based on the CCTV inspection footage provided by the contractor at the beginning of construction.

She stated staff recommends approving the contract amendment with City Attorney approval. This amendment would revise the contract with Tetra Tech to include the construction phase scope for an additional \$16,000. She stated this increase is within the project budget.

With no questions or comments, Mayor Roberts requested motion to approve amendment 1 to the agreement with Tetra Tech for 2024 CDBG – 2nd and Hulett Sanitary Sewer Rehabilitation Project in the amount of \$16,000.

Councilmember Longanecker moved to approve the motion, seconded by Councilmember Lebakken. The motion was approved, 4-0.

WALK ON: CONSIDER AN INVOICE FOR UTILITY INSPECTION & ROADWAY WORKER IN CHARGE SERVICES FROM WILSON & COMPANY FOR \$124,800.00 FOR

DWYER SEWER EXTENSION PROJECT.

Ms. Robertson stated in August 2023, Council approved an agreement with BNSF for a pipeline license to access property to perform the work related to the Dwyer Sewer Extension beneath the railroad. She stated the agreement was executed and a permit was issued by BNSF to the City. Part of the agreement includes additional services including inspection coordination and flagging/safety oversight known as Roadway Worker In Charge (RWIC). She stated the costs for these additional services are based on days and hours required by the contractor to perform the work within the BNSF right of way.

She stated in May 2024, Council approved a contract with Beemer Construction, Inc. for the construction of the Dwyer Sewer Extension. She stated since then, the contractor has reviewed all necessary permits and mobilized to site. In preparation for the work within the BNSF right of way, the contractor provided the City with an estimated number of days where RWIC services will be needed. She stated staff then coordinated with BNSF through Wilson & Company who provides these services to schedule inspections.

She stated in order to schedule the inspections and RWIC services, prepayment of all estimated hours needed for the project must be paid. She stated the prepayment invoice includes 40 working days of 10-hour days and working on Saturdays as requested by the contractor. The invoice attached shows the breakdown of hours, with the overtime being based on travel time beyond the 10 hours on site. She stated any unused funds not used at the end of the project will be returned to the City.

She stated this invoice is through the same agreement executed with BNSF with Wilson & Company working on behalf of BNSF. The cost for BNSF inspections and RWIC are budgeted within the construction budget for the Dwyer Sewer Extension project. She stated by billing this invoice directly to the City, we are saving the likely mark-up associated with processing this work through the contractor. She stated City staff recommends approving the prepayment invoice of \$124,800.00.

With no questions or comments, Mayor Roberts requested motion to approve the invoice for utility inspection & RWIC services from Wilson & Company for \$124,800 for the Dwyer Sewer Extension project.

Councilmember Lebakken moved to approve the motion, seconded by Councilmember Longanecker. The pre-payment invoice for \$124,800.00 for Wilson & Company was approved, 4-0.

14. Report by the City Administrator

- 2nd Quarter Finance Report

Ms. Kindle reviewed the 2nd Quarter Finance Report included in the council packet, to include Revenues and Expenditures of the General, Water and Sewer Funds. She stated all funds are in balance, within reserve and budget authority.

- 2nd Quarter Community Development Report

Mr. Moore reviewed the Community Development Report included in the council packet. He stated it has been a very busy quarter, including 22 building permits: 17 residential and 5 non-residential. He stated this is up from 10 in the previous quarter, however the permit valuation is slightly down from the last quarter.

He stated the animal control stats are consistent, code enforcement is usually pretty busy with tall grass and weeds notices. He stated there are 11 fewer violations than in quarter 1, if you remove tall grass and weeds.

He reviewed the progress made at 502 E 2nd Street. The final certificate of occupancy was given out recently.

- Request from Johnson County for Homeless Services Center Operational Support

Ms. Linn reviewed the memo in the packet regarding the County's new homeless shelter and displayed some of the presentation from the County asking for \$1,310.22 from Edgerton. She stated staff is asking for direction if Council would like to include this cost in the 2025 Budget.

Councilmember Longanecker said he thinks it is a good idea.

Mayor Roberts stated it is pretty late in the budget season, adding he expressed that concern to Chairman Kelly. He stated he has been thinking about the man who was living in his car in Edgerton and he knows there are people who are at risk here. He stated he cannot say whether anyone in Edgerton would use it though.

Councilmember Conus stated he thinks it should be privately funded.

Councilmember Lewis asked if there was a public-private partnership.

Councilmember Conus stated he thinks it is his personal responsibility to fund projects like this, not the governments.

Mayor Roberts stated he was unaware when this project first came out that that the cities would be asked to fund this project.

Councilmember Longanecker motioned to approve the funding, stating this is to help our fellow man.

Councilmember Lewis stated the City already provides funding to other organization for similar benefits. He asked how many different ones the city is going to give to for the same benefit. He acknowledged it is different than other charities because the shelter is a building, but other organizations do homeless outreach too.

Mayor Roberts stated he does not know if any of the money for UCS goes directly to homelessness, it does go to outside organizations that do work with the homeless.

Councilmember Lewis asked for specifics about the funding request.

Mayor Roberts stated Lenexa will not have to pay because they will lose the revenue from the hotel, but every other city is receiving a similar request from the County.

He requested a second to Councilmember Longanecker's motion. Motion dies from lack of a second.

Councilmember Lewis made motion not to fund. Councilmember Conus seconded the motion. The motion passed with 3 to 1 vote, with Councilmember Longanecker voting against.

- **WALK ON:** Job Descriptions

Ms. Linn presented council with job descriptions and career progressions included in the 2025 Budget and reviewed the budget impacts.

With no questions or comments, Mayor Roberts requested motion to approve the job descriptions.

Councilmember Lewis moved to approve, seconded by Councilmember Lebakken. The motion was approved, 4-0.

Ms. Linn talked about the vandalism at The Greenspace. Councilmember Conus asked about the damage done and Ms. Linn responded that they would prefer not to discuss as it is an active investigation. Councilmember Lebakken asked about what time it happened. Ms. Linn responded overnight.

Ms. Linn then brought forward Councilman Conus' question from the previous Council meeting asking about the cost-benefit analysis on the SRF Loan to pay for the sewer extension project. She stated it would take 12 homes to pay for the loan that covers site one of the project and about 36 homes to pay for the entirety of the loan.

- CIP Project Update for Glendell Acres Park Renovation

Ms. Robertson reviewed the work completed for Glendell Acres Park thus far, including the retention basins, skate area, majority of the sidewalk and the subbase for the playground and fitness equipment. She stated in early August the playground and fitness equipment will be installed.

She stated as far as budget review, the grant covered exactly half of the estimate for the playground surfacing. The project is currently under budget with an extra \$11,000 for contingency remaining.

Ms. Linn thanked Lee as this is his last council meeting with the City.

15. Report by the Mayor

Mayor Roberts thanked Councilman Longanecker for standing in for him at the last meeting while he was with his grandson at the national trap tournament.

16. Future Meeting Reminders

Mayor Roberts reminded the Council of the future meetings for the Council and Planning Commission.

17. CONSIDER RECESSING INTO EXECUTIVE SESSION PURSUANT TO THE ATTORNEY/CLIENT EXCEPTION TO INCLUDE CITY ATTORNEY AND CITY ADMINISTRATOR FOR DISCUSSIONS RELATED TO PENDING LITIGATION (K.S.A. 75- 4319(B)(2))

Mayor Roberts requested motion to recess into executive session for discussions related to Pending Litigation. The justification for such executive session is for a consultation with the City Attorney, which is deemed privileged in an attorney-client relationship (K.S.A. 75-4319B(2)). Present in the executive session will be the Governing Body and the following staff members: City Administrator Beth Linn and City Attorney Lee Hendricks. The executive session will start at 9:27PM and last 5 minutes. The open meeting will resume in the Council Chambers.

Councilmember Longanecker moved to recess into executive session pursuant to K.S.A 75-4319(B)(2) to discuss pending litigation. Councilmember Lewis seconded the motion. The meeting recessed into executive session at 9:27PM, 4-0.

Councilmember Lewis moved to return to open session with no action being taken. Councilmember Lebakken seconded the motion. Open session resumed at 9:32PM, 4-0.

Ms. Linn stated there was an error on the July 11th minutes approved earlier this evening. She requested a motion to amend the minutes to include the time and duration of the executive session.

Councilmember Longanecker made a motion to approve the amendment in the minutes for final approval, Councilmember Lebakken seconded the motion. The motion was approved, 4-0.

18. Adjourn

Councilmember Lewis moved to adjourn, seconded by Councilmember Lebakken. The meeting was adjourned at 9:35PM with a 4-0 vote.

Submitted by Alex Clower, City Clerk