**City of Edgerton, Kansas**

**Minutes of City Council Regular Session**

**August 8, 2019**

A Regular Session of the City Council was held in the Edgerton City Hall, 404 E. Nelson Edgerton, Kansas on August 8, 2019. The meeting convened at 7:00 p.m. with Mayor Roberts presiding.

1. **ROLL CALL**

Ron Conus present

Clay Longanecker present

Josh Lewis present

Katee Smith present

Jody Brown present

With a quorum present, the meeting commenced.

Staff in attendance: City Administrator Beth Linn

Assistant City Administrator Scott Peterson

City Attorney Lee Hendricks

City Clerk Rachel James

Public Works Director Dan Merkh

Marketing and Communications Manager Kara Banks

Elevate Edgerton President James Oltman

1. **WELCOME**
2. **PLEDGE OF ALLEGIANCE**

**CONSENT AGENDA**

1. Approve Minutes for July 25, 2019 Regular City Council Meeting
2. Approve Re-appointment of Tim Berger to Planning Commission for a Term Ending

September 2022

Motion by Smith, Second by Lewis to approve the consent agenda.

Motion passed, 5-0.

**REGULAR AGENDA**

1. **Public Comments**.

Bill Lafalce of 516 W 4th Street stated he was a 30-year Edgerton resident. He commended Code Enforcement Charlie Lydon but said he was concerned about the amount of blight in certain areas of the community. Mr. Lafalce had several suggestions for dealing with this problem and was also concerned about rentals and rental inspection in town. Mayor Roberts suggested that later in the fall Council could have a work session in regard to rental inspection guidelines and code updates.

Zachary Norsby of 611 N Elm in Gardner presented on his idea for his Eagle Scout Project. He wants to restore sections of the roof and porch at the Edgerton City Museum. He requested a donation. Mayor Roberts stated Mr. Norsby should meet with members of City Staff to review and detail out a plan and then return to council with those details. Councilmember Smith also suggested Mr. Norsby contact Home Depot to solicit donations after he meets with Staff to determine what he’ll need to complete the project before asking council for a donation.

1. **Declaration**.None.

**BUSINESS REQUIRING ACTION**

1. **CONSIDER APPROVAL OF ORDINANCE NO. 2015 ADOPTING THE PLANNING COMMISSION’S RECOMMENDATION TO APPROVE AN AMENDMENT TO THE EDGERTON UNIFIED DEVELOPMENT CODE TO INCLUDE AN UPDATED VERSION OF ARTICLE 12 – SECTION 12.1 THROUGH 12.12**

Beth Linn, City Administrator, introduced the Ordinance which was tabled at the City Council meeting on July 25, 2019. Only the Commercial Districts (C-D, C-1, C-2, C-3) were updated with regards to permanent signage requirements. Several significant changes were made including changing the height allowed for pole signs and the requirement of a Conditional Use Permit when they are brought forward for consideration. Two different types of monument signs are proposed, including a taller one which would be allowed adjacent to

interstates and highways. No changes were made to the existing sign code related to General Signs, Residential Zoning Districts, or Manufacturing Districts.

Mayor Roberts stated that he would like to see an update to the max height of the pole signs based off the road height. Lee Hendricks, City Attorney, stated that Council could make these updates and the amendment would not have to go back to Planning Commission. Mayor Roberts stated that specifically on page 12-15 he would like to see the max height be increased from 25 feet to 60 feet. Ms. Linn drew attention to the maximum overall height can not go above 100 feet. Councilmember Longanecker stated his support of this change because it is important to be able to see signage when on I-35. Councilmember Smith asked if this would also apply to Highway 56. Ms. Linn stated the change was specific to the interstate corridor.

Motion by Conus, Second by Lewis to accept the recommendation of the Planning Commission to approve amendment pending update to the UDC subject to one exception amending the maximum sign height along Interstate from 25 feet to 60 feet and amending the approval date to the 8th of August, 2019.

Motion passed 5-0.

1. **CONSIDER THE STRATEGIC COMMUNICATIONS PLAN FOR THE CITY OF EDGERTON**

Kara Banks, Marketing and Communications Manager, introduced the communications plan for the City in order to be able to effectively communicate with residents using a variety of social media platforms in addition to the City’s website, newsletter, and Notify Joco account.

The City’s website will be the primary source for information for residents. Social media accounts will link back to the website when appropriate, supplementing the City’s efforts to reach residents and stakeholders. The City will continue to send the monthly newsletter and utilize Notify JoCo to alert residents. However, Notify JoCo will be used more for alerts and news that residents need to be aware of immediately. In order to keep social media a part of open records, there will be a quarterly export to the City’s server. During the first year, Council will have a quarterly update on social media engagement. After the first year, there will be an annual review of the City’s social media engagement.

Mayor Roberts stated his support of the quarterly update and referred to the results of the Citizen Survey which found that 51% of Edgerton citizens are getting their information from Facebook. Mayor Roberts stated that it was important to have an official voice on that platform. Ms. Banks stated there would be a Phase 2 of other social media platforms but the first two would be Facebook and Twitter.

Councilmember Lewis expressed his support and stated the importance of reaching all demographics. Councilmember Brown expressed his concern about Facebook and social media.

Motion by Lewis, Second by Conus to approve the Strategic Communications Plan for the City of Edgerton.

Motion passed, 4-1, with Brown voting against.

1. **CONSIDER FINAL AGREEMENT WITH MILES EXCAVATING INC. AND OVERALL PROJECT COST FOR 2019 STREET RECONSTRUCTION PROJECT**

Dan Merkh, Public Works Director, overviewed the draft of the Final Agreement with Miles Excavating Inc. Approval would be subject to updates from the City Attorney and the City Engineer but would be the final step and allow the City to start construction and complete the project by the end of the year. Project Cost Estimates are included in the Agenda packet.

Councilmember Conus had questions regarding the mechanism of temp note funding. Ms. Linn explained that process. Councilmember Conus also thanked Staff, especially Mr. Merkh and Ms. Banks on the updates regarding the project and being proactive in engaging the community in the process.

Motion by Lewis, Second by Longanecker to approve Final Agreement with Miles Excavating, Inc. and the overall project cost for 2019 Street Reconstruction pending changes from the City Attorney and authorize the Mayor to execute the agreement.

Motion passed, 5-0.

1. **CONSIDER AN AGREEMENT WITH BG CONSULTANTS FOR CONSTRUCTION ADMINISTRATION AND OBSERVATION SERVICES FOR THE 2019 STREET RECONSTRUCTION PROJECT**

Dan Merkh, Public Works Director, overviewed the agreement with BG Consultants for construction administration and observation services for the 2019 Street reconstruction project. Similar to other large infrastructure projects constructed by the City of Edgerton, a critical component to the success of the expansion of a major road and utility relocation is partnering with a firm to perform the construction administration and observation services. For projects designed by an outside firm, Edgerton has contracted with BG Consultants to perform these services.

Motion by Lewis, Second by Longanecker to approve Agreement with BG Consultants for Construction Administration and Observation Services for the 2019 Street Reconstruction Project.

Motion passed, 5-0.

1. **CONSIDER RESOLUTION NO. 08-08-19A AUTHORIZING THE IMPROVEMENT OR REIMPROVEMENT OF CERTAIN MAIN TRAFFICWAYS WITHIN THE CITY OF EDGERTON, KANSAS; AND PROVIDING FOR THE PAYMENT OF THE COSTS THEREOF**

Beth Linn, City Administrator, outlined Resolution 08-08-19A, which is the next step in the issuance of the temporary notes. The resolution authorizes the project and provides for the payment of the project costs. The resolution includes a description of the project and the cost of the project, as well as how much of the project will be funded with temporary notes.

Motion by Longanecker, Second by Brown to approve Resolution No. 08-08-19A.

Motion passed, 5-0.

1. **CONSIDER ORDINANCE NO. 2017 APPROVING THE DESCRIPTION AND SURVEY OF LANDS NECESSARY FOR ACQUISITION OF EASEMENTS AND ROAD RIGHT-OF-WAY NEEDED FOR CONSTRUCTING 207TH STREET EAST OF WAVERLY PROJECT AND ASSOCIATED IMPROVEMENTS**

Scott Peterson, Assistant City Administrator, introduced Ordinance No. 2017 which is necessary for the acquisition of easements and road right-of-way needed for the 207th Street East of Waverly Project. This project includes the design and construction of 207th Street East of Waverly. The project will be designed and constructed so that standard 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.

Mr. Peterson stated that this Ordinance by no means precludes the City from continued negotiations with the property owner. However, in case negotiations do not reach a conclusion that satisfies both parties, staff would like to proceed with the next step in the condemnation process in the meantime.

Glen Dorsey on behalf of Geraldine Dorsey, property owner near 207th and Waverly, asked how the condemnation can occur if the property is not within City Limits. Lee Hendricks, City Attorney, replied that the property is contiguous to roadway owned by the City, and therefore the City has a legal right to condemnation of it for the necessary roadway expansion and utility relocations.

Motion by Lewis, Second by Conus to approve Ordinance No. 2017.

Motion passed, 5-0.

1. **Report by the City Administrator** none.
2. **Report by the Mayor** none.
3. **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, CITY ADMINISTRATOR, AND PUBLIC WORKS DIRECTOR**

Motion by Longanecker, Second by Smith to recess into executive session pursuant to K.S.A. 75-4319 (b)(2) for the purpose of discussing contract negotiations to include City Attorney, City Administrator, and Public Works Director for ten (10) minutes.

Motion was approved, 5-0.

Session recessed at 8:04 pm. Meeting reconvened at 8:14 pm.

Motion by Smith, Second by Longanecker to return to open session.

Motion was approved, 5-0.

1. **Future Meeting/Event Reminders:**

* July 31st: Public Information Session – 2019 Street Reconstruction Project 7PM @ City Hall
* August 3rd: Movie Night feat. How to Train Your Dragon 3: The Hidden World – 8PM
* August 6th: National Night Out with Johnson County Sheriff’s Office – 6PM to 8PM @ Martin Creek Park
* August 8th: City Council Meeting – 7PM
* August 13th: Planning Commission – 7PM

1. **Adjourn**

Motion by Smith, Second by Longanecker to adjourn.

Motion was approved 5-0. The meeting adjourned at 8:15 pm.