

**City of Edgerton, Kansas
Minutes of City Council Regular Session
August 27, 2020**

A Regular Session of the City Council (the Council) was held in the Edgerton City Hall, 404 E. Nelson Edgerton, Kansas on August 27, 2020. The meeting convened at 7:00 PM with Mayor Roberts presiding.

1. ROLL CALL

Ron Conus	present
Clay Longanecker	present
Josh Lewis	absent
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/Planning and Zoning Coordinator Chris Clinton
- Development Services Director Katy Crow
- Finance Director Karen Kindle
- Public Works Director Dan Merkh
- Public Works Superintendent Trey Whitaker
- Marketing and Communications Manager Kara Banks
- Accountant Justin Vermillion

2. WELCOME

3. PLEDGE OF ALLEGIANCE

CONSENT AGENDA

4. Approve Minutes for August 13, 2020 Regular City Council Meeting
5. Approve Application FP2020-02, Final Plat for Block 11, Lots 1-5, located at 321 E Martin Street, Edgerton, Kansas

Councilmember Longanecker motioned to approve the Consent Agenda, motion seconded by Councilmember Smith. The Consent Agenda was approved, 4-0.

REGULAR AGENDA

6. Public Comments

- There were no public comments made at this time.
- Mr. Dan Merkh, Public Works Director, addressed the Council. He introduced a new hire to the Public Works Department. Mr. Mario Perez was recently hired as a Maintenance

Worker I. Mr. Merkh stated Mr. Perez currently resides in Edgerton. Mr. Perez spoke to the Council as he introduced himself. He stated he has lived in Edgerton for four (4) months and joined the public works crew because he thought his mechanical expertise would help the team. He said he loves working on cars and anything with wheels. Mayor Roberts inquired what Mr. Perez has experienced in his short time as a resident of Edgerton. Mr. Perez replied all of his neighbors have been welcoming and nice. Mr. Merkh stated another new employee has joined the Parks Maintenance team and will be introduced next Council meeting. He said he is happy to be close to full staff again. Mayor Roberts asked when the last time was that public works was fully staffed. Mr. Merkh replied it has been at least six (6) months.

7. Declarations

- There were no declarations made by any of the Councilmembers.

WALK ON ITEM: CONSIDER RESOLUTION NO. 08-27-20C APPROVING THE MAYORAL APPOINTMENTS FOR THE CITY TREASURER, CITY ATTORNEY/CITY PROSECUTOR, AND MUNICIPAL JUDGE, AND DESIGNATION OF THE OFFICIAL CITY NEWSPAPER FOR THE CITY OF EDGERTON, KANSAS

Ms. Beth Linn, City Administrator, stated Chapter 1, Article 3, Section 1-301 of the Edgerton Municipal Code states that at the first regular meeting in May of each year the Mayor, by and with the consent of the council, shall appoint a City Treasurer, and may appoint a City Attorney, Municipal Judge, and such other officers as may be deemed necessary for the best interest of the City. She explained the draft Resolution No. 08-27-20C includes the appointment of a new Municipal Judge, Mr. Nathan Sutton. Mr. Sutton currently serves as City Prosecutor for both the City of Spring Hill and the City of Louisburg. This appointment is the only change to the municipal appointments since last approved by the City Council in May.

Mayor Robert said Judge Karen Torline has served the community well, but Mr. Sutton has worked in smaller jurisdictions and could help push Edgerton forward. Councilmember Longanecker motioned to approve Resolution No. 08-27-20C approving mayoral appointments of the City Treasurer, City Attorney/City Prosecutor, and Municipal Judge, and designation of the Official City Newspaper for the City of Edgerton, Kansas. Councilmember Beem seconded the motion. Resolution No. 08-27-20C was approved, 4-0.

WALK ON ITEM: CONSIDER ORDINANCE NO. 2046 AMENDING CHAPTER IX, ARTICLE 1, SECTION 9-107 OF THE MUNICIPAL CODE OF THE CITY OF EDGERTON, KANSAS TO REFLECT A REVISED DATE AND START TIME FOR MUNICIPAL COURT AND REPEALING ALL ORDINANCE OR PARTS OF ORDINANCE IN CONFLICT THEREWITH

Ms. Linn explained Edgerton Municipal Court is currently held the fourth Tuesday each month, with a start time of 5:30 PM. To better accommodate the appointed Municipal Court Judge and City Prosecutor and to reduce overtime for Edgerton staff, City Staff recommends changing the start time for Edgerton Municipal Court from 5:30 PM to 3:00

PM and moving the day court is held to the third Tuesday of the month. She stated the draft ordinance would become effective October 1st providing ample time for City Staff to provide notice of the change in date and time to any defendants scheduled for October court. Additionally, earlier this year the Johnson County Sheriff's Office (JCSO) implemented DigiTicket, an electronic ticket system. If the date and time change is approved, any new citation issued would be scheduled on the new date and time through the new electronic ticket system.

Ms. Linn stated the City is averaging fifty (50) each court docket. She said the time change will not affect many people as defendants are showing up at 3:00 PM for 5:30 PM court time. Councilmember Longanecker asked why there so many people on the docket. Mayor Roberts said there are more code cases going to court and the addition of a full-time officer in Edgerton has led to more tickets being issued and people going to court. Mayor Roberts said this does not necessarily mean more crime, just more crime being caught, and residents should be seeing less speeders on the roads.

Councilmember Longanecker motioned to approve Ordinance No. 2046 amending Chapter IX, Article 1, Section 9-107 of the Municipal Code of the City of Edgerton, Kansas to reflect a revised date and start time for Municipal Court and repealing all ordinances or parts of ordinances in conflict therewith. Councilmember Smith seconded the motion. Ordinance No. 2046 was approved, 4-0.

8. CONSIDER THE REQUEST OF WAIVING THE DEVELOPMENT FEES FOR JOHNSON COUNTY FIRE DISTRICT #1

Ms. Linn addressed the Council. She said on July 20, 2020 the City received a request from Johnson County Fire District #1 (JCFD1) to waive the City of Edgerton Development Fees associated with the construction of a new fire facility at 33364 W. 191st Street. This new facility is proposed to include a fire station with bays and a bunkhouse and administrative offices with meeting rooms. A rezoning of the parcel will be heard by the Planning Commission on September 8, 2020.

Ms. Linn stated JCFD1 has indicated that the building will be approximately 27,000 square feet with a building permit valuation of \$8,000,000. The Plat is approximately 486,565 square feet. Final development applications for the project have not been received by City Staff, so the assumptions used are an estimate based upon representations from JCFD1. Ms. Linn said estimated development and building permit fees associated with this project are calculated by using the City's Fee Calculator for Commercial Projects. Additional fees include planning and zoning application fees, land disturbance fees, blasting fees, et cetera. She explained the combined approximate total of development and building permit fees related to this project is approximately \$132,000. Fees will vary some based upon final square footage of both the building and the Final Plat. Final Development applications for the project have not been received by the City to calculate exact fees. Ms. Linn showed the Council the letter submitted by Chief Rob Kirk, a map of the parcel, and the fee calculator.

Chief Dennis Meyers approached the Council. He stated this project was supposed to be at 199th Street and Homestead Lane as the developer offered two and a half (2.5) to three (3) acres to JCFD1. The developer has since pulled out after JCFD1 purchased bonds and

drafted the building. He explained JCFD1 then had to find another parcel for their new station. Due to the call load increase in Logistics Park Kansas City (LPKC), JCFD1 wanted a station in the area. The ten and a half (10.5) acres became available at 191st Street and Four Corners Road for \$900,000. Chief Meyers said the land and utilities were provided previously with the agreement of the developer, but now JCFD1 has to front those costs. In attempts to save costs, JCFD1 is requesting the Council waive the development fees for the new station. He explained JCFD1 is Edgerton's fire dept and is an extension of the City Staff. JCFD1 would be moving their headquarters to Edgerton. Mr. Meyers said the current station in the residential area of town would not be closed and would still serve the residents of Edgerton. Mr. Meyers said there have been changes in the design.

Mayor Roberts said more land purchased than what was going to be provided and inquired to what the extra land would be used for. Chief Meyers said the proposed station will be on east end of the property and JCFD1 wants to have a training facility on the west end of their property and have a full fire department complex. JCFD1 no longer needs to worry about the noise or type of construction as they are farther away from residential neighbors. He said this parcel is at the right location for JCFD1. The only downside was the cost of land.

Chief Meyers supplied the Council of renderings of the proposed building. He said the design is for the future of the fire department. It is to house eleven (11) people twenty-four (24) hours a day. He said JCFD1 expects LPKC more growth at LPKC so that is why it will always be staffed. There are extra offices for administration as the fire department continues to grow as well. Chief Meyers said they are in the process with City Staff to develop the parcel. The rezoning will be heard at the next Planning Commission meeting and the plats will be applied for shortly.

Councilmember Smith inquired to how much revenue is being lost by the City. Mayor Roberts answered JCFD1 represents the City's residents and is funded by their tax dollars. Councilmember Smith asked if the City would be losing money if they waived the development fees. Mayor Roberts replied the only lost funds are due to staff time and inspections of the work. JCFD1 covers Edgerton and Gardner but the City needs to be a better partner by helping JCFD1. Mayor Roberts said he wants a guarantee that the station stays in the residential part of Edgerton. He has received concerns from the community regarding the possible loss of the station. Councilmember Smith inquired if the estimated fees of \$130,000 was coming out of the City's budget. Ms. Linn replied there will be some costs associated with plan review and inspections so the exact amount could vary but the City is not paying the fees for JCFD1. Mayor Roberts said if it were a commercial development, the developer would have to pay the fees. Councilmember Conus asked if there are upgrades needed to the infrastructure and if the City would be paying for the upgrades. Ms. Linn replied the road has already been improved and JCFD1 is responsible for paying to get utilities to the site, but the utilities are close to the parcel. Chief Meyers said JCFD1 is working on getting utilities to the site but there is no need to run pipe for miles like there would have been at the other location. Mayor Roberts said there would not be an extension of City utilities or cost for the utilities for the City to pay. Mayor Roberts inquired if an interlocal agreement could be drafted to keep the residential station staffed. Chief Rob Kirk said it JCFD1 states it will be staffed, then it will be and agrees to have an interlocal agreement drafted.

Councilmember Longanecker motioned to waive the City's development fees for JCFD1. Councilmember Conus seconded the motion. The development fees were waived for JCFD1, 4-0.

9. **CONSIDER RESOLUTION 08-27-20A PROVIDING FOR A DEADLINE OF SEPTEMBER 28, 2020 TO RESOLVE A DANGEROUS AND UNFIT STRUCTURE EXISTING AT 502 EAST 2ND STREET IN THE CITY OF EDGERTON, JOHNSON COUNTY, KANSAS PURSUANT TO CITY OF EDGERTON CITY CODE, CHAPTER IV, ARTICLE 4, SECTION 4-407**

Ms. Katy Crow, Development Services Director, spoke before the Council. She stated on June 25, 2020 the Governing Body approved Resolution No. 06-25-20C providing for a public hearing on August 13, 2020 to discuss a possible dangerous and unfit structure existing at 502 East 2nd Street pursuant to Chapter IV, Article 4, Section 4-405 of the Edgerton Municipal Code. Public notice for the public hearing was published in the Gardner News on July 1, 2020 and July 8, 2020. Ms. Crow explained City Staff sent notification via Certified Mail to the property owner, R-7 Capital Funding, on July 1, 2020. The letter was accepted on July 3, 2020. City Staff sent a second notice again via Certified Mail on July 14, 2020 and it was accepted July 18, 2020.

Ms. Crow stated a public hearing regarding this property was held on August 13, 2020. No representative of R-7 Capital Funding, LLC was present at the hearing and the property remains unfit for human habitation and is in violation of City Code. Pursuant to Chapter IV, Article 4, Section 4-407, and hearing no comment from the owner stating otherwise, the Governing Body made the determination that the structure under consideration is dangerous, unsafe or unfit for human use or habitation and a time frame of thirty (30) days for abatement of said conditions was set. Upon conclusion of the public hearing, City Staff was directed to return to council with a resolution outlining the findings of said hearing. She explained the City Attorney prepared Resolution No. 08-27-20A, which requires that the property either be brought into compliance by September 28, 2020 or the City by its agent may demolish and remove the structure. Costs associated with the removal of the structure will be charged against the described property as provided in Chapter IV, Article 4, Section 4-411 and the City Clerk shall certify to the County Clerk the costs of the associated cleanup. The County Clerk shall extend the same on the tax roll so that it shall be collected by the County Treasurer and paid to the City as other City taxes are collected and paid. Ms. Crow stated City Staff has not had any contact with the property owner regarding this property to date.

Councilmember Smith inquired if the current taxes are being paid on the property. Ms. Crow answered all past due taxes has been paid the property owner would have just received a new tax bill. Mayor Roberts said the property was delinquent on taxes many years and changed ownership many times so taxes were not collected. The City has started this process before but due to the change of ownership, it has been made difficult to complete the abatement process. Councilmember Smith asked how the City will be reimbursed for the cost to abate the issues if needed. Ms. Linn replied City Staff certifies the amount for the abatement and ask the County to be put a lien on the property. Mr. Lee Hendricks, City Attorney, stated just because deadline is September 28, 2020 does not mean on September 29, 2020 the City demolishes the building. He said if the property sells before next August,

it would be hard to get the costs reimbursed. The costs can be set as a lien on the property with the Register of Deeds, so it is seen by any transfer of ownership and the City gets the funds back. Mayor Roberts said he would rather see the property owner fix the issue, but with no response from the owner, the City needs to be prepared to take action.

Councilmember Smith motioned to Approve Resolution No. 08-27-20A providing for a deadline of September 28, 2020 to resolve a dangerous and unfit structure existing at 502 East 2nd Street in the City of Edgerton, Johnson County, Kansas pursuant to City of Edgerton City Code, Chapter IV, article 4, Section 4-407. Councilmember Longanecker seconded the motion. Resolution No. 08-27-20A was approved, 4-0.

10. CONSIDER APPROVING RESOLUTION 08-27-20B SETTING A DATE FOR PUBLIC HEARING REGARDING COMMUNITY IMPROVEMENT DISTRICT FOR ON THE GO TRAVEL CENTER

Mr. Scott Anderson, Bond Council, approached the Council. He stated My Store III Inc. (the Developer) is constructing a truck stop, truck parking, truck maintenance facility, truck wash, and associated infrastructure on 12.162 acres located at the northeast corner of Interstate 35 (I-35) and Homestead Lane. The Developer and the City previously entered into an Amended and Restated Development Agreement to set forth certain agreements with respect to the development. Mr. Anderson said the Amended and Restated Development Agreement provides that the Developer will develop the project and the City will consider various incentives. One (1) of the incentives is a 1% Community Improvement District (CID) sales tax with the proceeds going to the City to reimburse the City for certain public infrastructure improvements. He explained the City can use these funds to pay for the Homestead Lane intersection reconstruction. Mr. Anderson outline the requirements to create a CID. The Developer has submitted the petition requesting the creation of the CID. Mr. Anderson said if the Council desires to proceed with the creation of the CID, the Council is required to adopt a resolution gibing notice of a public hearing on the creation of the CID.

Councilmember Longanecker inquired if the CID is for a general obligation bond. Mayor Roberts replied a CID allows the City to capture extra funds from the retail sales in the outlined area of the CID. He explained the agreement allows CID funds to be used only on specific items, and in this agreement, it is infrastructure in the CID. Councilmember Conus requested the projection the CID will generate for the City. Ms. Linn and Mr. Anderson could not remember the projected income the feasibility study listed. Mr. Anderson stated he will have the projections for the public hearing. He estimated the retail sales would be around \$2,000,000 to \$3,000,000 per year, so the City would receive close to \$500,000 over the life of the CID, which is around twenty (20) years. Mayor Roberts stated Councilmember Conus asked a great question and would like the projections for the public hearing. Ms. Linn stated this would be is an additional 1% sales tax in the CID and will not replace the current sales tax rate the City has on retail sales. Mr. Anderson was able to locate the projections. He stated the feasibility study showed two (2) incentives, the Tax Increment Financing (TIF), and the CID. The feasibility study estimated annual sales be close to \$4,000,000 million. This would lead to about \$1,230,000 in CID revenues for the City. Mayor Roberts said new development should be paid by the developer and eventually pay for itself. He explained the City has not used residential tax dollars for any development. This will be a need for Edgerton and LPKC.

Councilmember Beem motioned to approved Resolution No. 08-27-20B providing for notice of a public hearing to consider the establishment of a CID for On the Go Travel Plaza. Councilmember Longanecker seconded the motion. Resolution No. 08-27-20B was approved, 4-0.

11. CONSIDER ORDINANCE NO. 2045 DESIGNATING HOMESTEAD LANE WITHIN THE CITY OF EDGERTON, KANSAS, AS A MAIN TRAFFICWAY

Ms. Karen Kindle, Finance Director, addressed the Council. She stated on November 14, 2019, the Council approved a restated and amended development agreement with My Store III, which was amended on May 28, 2020. The agreement included a clause requiring the City to build an intersection at Homestead Lane and West 200th Street. The initial cost of the intersection project will be funded from proceeds of the City's general obligation (GO) temporary notes expected to be issued in September 2020, as set forth below. Ms. Kindle explained pursuant to K.S.A 12-685 *et seq.* (the "Main Trafficway Act"), authorizing the issuance of GO notes or bonds for street improvement project involves a two-step process. The first step is the passage and publication of an ordinance designating the streets as main trafficways. The second step is adopting a resolution authorizing the issuance of GO notes or bonds to finance the improvement of such main trafficways.

Ms. Kindle stated upon approval, Ordinance No. 2045 will by published int eh Gardner News. The next step will occur at the September 10, 2020 Council meeting where the Council would need to approve a resolution authorizing the financing of the project with GO notes and a resolution authorizing the issuance and approving the final terms of the sale of the temporary notes. She explained the City's financial advisor, Columbia Capital, has negotiated with U.S. Bank to include the temporary notes for the Homestead Lane intersection project in the notes that are being issued to renew the Series 2019A temporary notes for the 2019 Street Reconstruction Project. She said Columbia Capital was able to get an interest rate of 0.86%.

Ms. Kindle explained City Staff recommends passing this ordinance as the first step in the process to authorize the issuance of GO notes for the project. Assuming the GO notes are issued for the project, the notes will be general obligations and backed by the full faith and credit of the City. She said the City may consider several alternatives to provide long-term permanent financing for the improvements upon maturity of the notes, which is expected in October of 2022, including the issuance of notes or bonds to be repaid in part with TIF and/or CID revenues generated within the respective TIF/CID districts located at the project site. Ms. Kindle said such long-term financing options would be subject to approval or approvals of the Council at a later date. She provided an anticipated calendar of event related to the sale of the series 2020A Temporary Notes.

Councilmember Longanecker motioned to approve Ordinance No. 2045 designating Homestead Lane within the City of Edgerton, Kansas as a main trafficway. Councilmember Beem seconded the motion. Ordinance No. 2045 was approved, 4-0.

12. CONSIDER RECOMMENDATION OF ENGINEER TO AWARD CONSTRUCTION OF THE HOMESTEAD LANE INTERSECTION TO _____ AND AUTHORIZE THE MAYOR TO EXECUTE THE CONTRACT

Mr. Merkh spoke before the Council. He said on August 22, 2019, the Council create a TIF Redevelopment District generally located at the northeast and northwest corners of I-35 and Homestead Lane. The district plan for the Redevelopment District includes commercial retail facilities such as truck stops/travel plazas, truck maintenance facilities, restaurants, hotels and other transportation and workforce related services. Mr. Merkh stated on November 14, 2020 the Council approved the Agreement with BG Consultants for the engineering and design services for Homestead Lane Intersection Improvements. This project consists of providing full access into the parcels on either side of Homestead Lane at West 200th Street. He stated the Council approved the concurrence to bid the project on June 25, 2020.

Mr. Merkh explained the City held a public bid opening on August 25, 2020. A total of eight (8) bids were received, opened and read aloud to the public. This project consisted of the base bid, with no alternated. He stated the base bids ranged from a low of \$770,752.14 to a high of \$1,176,907.11 with an engineers' estimate of \$1,014,286.70. Mr. Merkh said Miles Excavating Inc. submitted the low bid for the project. Based upon review of the bids and the City's prior direct experience, City Staff's recommendation is Miles Excavating Inc is qualified to perform the scope of work included in this project. City Staff in conjunction with BG Consultants will administer the project including the bidding process and construction oversight, City Staff will bring any agreements for inspection duties during the project at a later Council meeting. Mr. Merkh explained funding for the project is reimbursement from the TIF Redevelopment District.

Councilmember Beem inquired if Miles Excavating Inc. would be held to this price or what would happen if the price is not correct. Mr. Merkh answered should nothing go awry; the bided price is what the price would be for the project. If there are any discrepancies to happen, the fees would have to be within the City's purchasing policy. Ms. Linn said there could be renegotiated dues because of changes in quantities of items. Councilmember Longanecker said he is surprised Miles Excavating Inc. is the lowest bid but is happy they are. Mayor Roberts said the street reconstruction project Miles Excavating completed for the City had challenges, but they did a great job. Councilmember Conus commented Miles Excavating Inc. on their open lines of communication with residents who were affected by the construction. Councilmember Smith stated Miles Excavating Inc. did work in front of her house and they did a great job there.

Councilmember Longanecker motioned to approve City Staff's recommendation of the City Engineer to award construction of the Homestead Lane Intersection to Miles Excavating Inc. and authorize Mayor Roberts to execute the contract. Councilmember Smith seconded the motion. The Council approved City Staff's recommendation, 4-0.

13. CONSIDER ORDINANCE NO. 2043 AMENDING CHAPTER XI, ARTICLE I, SECTION 11-101 OF THE CODE OF THE CITY OF EDGERTON, KANSAS, CONCERNING THE UNIFORM PUBLIC OFFENSE CODE

Ms. Crow spoke before the Council. She stated Councilmember Longanecker requested some clarification on an item that was updated in the Uniform Public Offense Code (UPOC). Mr. Hendricks stated sections of the UPOC were removed regarding the sale, purchase, transfer, ownership, storage, carry, transporting or taxation of firearms or ammunition. He explained in 2015, the Kansas statute was amended and the UPOC was amended this year to reflect the statute. Mr. Hendricks stated he has never had a court case regarding this law and they have all been on the County level.

Councilmember Longanecker motioned to approve Ordinance No. 2043 amending Chapter XI, Article 1, Section 11-101 of the Code of the City of Edgerton, Kansas, concerning the UPOC. Councilmember Smith seconded the motion. Ordinance No. 2043 was approved, 4-0.

14. CONSIDER OPTION FOR REMOVAL OF STRUCTURES AT 410 W BRAUN, AS PART OF 207TH GRADE SEPARATION PROJECT

Mr. Merkh approached the Council. He stated on August 21, 2020 the City took possession of the properties at 410 W. Braun Street for the 207th Grade Separation Project. The address consists of 3 parcels, with 2 building on the properties with a third location consisting of a concrete pad. He said the remaining structures need to be demolished for the project, which is scheduled to begin in the Spring of 2021. Mr. Merkh explained there are 3 scenarios that are possible to demolish the structures. The first one is to allow JCFD1 to use the buildings in a test burn. This is a practice scenario for a structure fire, allowing JCFD1 to train personnel using real life conditions. The second option is to create a public bid process for the sale and relocation of the house. The winning bidder would be allotted time to coordinate utilities and remove the structure. Mr. Merkh said the final option is to proceed with demolition, utilizing the existing contract with Midland Wrecking for the demolition of 36790 W. 207th Street, which is another property associated to the 207th Grade Separation Project. He said there will be varying levels of work needed to complete demolition by the contractor regardless of which option is selected.

Mr. Merkh explained City Staff recommends allowing JCFD1 to use the structures for training purposes. The project has a primary goal of allowing public safety to access the residential side of town without interruption of a railroad crossing. This recommendation further allows an improvement to the public safety service provided to the residents.

Mr. Merkh said as of August 21, 2020 the property had one building removed. Midland Wrecking was requested to quote the demolition of the remaining 2 buildings. The price quoted comes to a total of \$15,840. The price does not include work for removal of hazardous waste, utility disconnects, tree removal, and maintenance of the ground. He stated the larger concrete pad for the third building remains and City Staff recommends holding a City-controlled contingency of an additional \$3,000, making the total not to exceed \$18,840. Mr. Merkh explained City Staff anticipates the prices being lower after JCFD1 utilizes the structure for training.

Councilmember Longanecker inquired when City Staff would like to have the buildings removed from the site and if the bidding process would help with recuperate some of the costs. Mr. Merkh replied City Staff plans to have the project go up for bid in a few weeks.

He said the bidding process would add time and require additional City Staff and there is no way to know how much the building would go for at an auction.

Mayor Roberts asked the value of the training JCFD1 would get from the structure. Chief Rob Kirk, JCFD1, replied the training is priceless. He explained about 1% of their firefighters' jobs consist of going into live fire. It is obviously dangerous, so it requires the most training. He said they assist on medical emergency calls many times a day, so they do not need to practice those skills as much. Chief Kirk explained a smoke-filled house that is on fire is what kills a firefighter. There have been some demolitions to make way for some of the warehouses and JCFD1 has been able to do some, but they always strive for more training. He explained the house is structurally sound and intact and it would be perfect for training. Chief Kirk stated smoke machines are used to fill the house so the firefighters can experience what it looks like to be in a burning house. JCFD1 will light fires throughout the house and have teams put the fires out. If there is a basement, it allows JCFD1 practice to get out of the basement without the stairs which can happen during a fire. Chief Kirk invited the public to the site to witness the training. He explained the proper channels will be followed to get the asbestos inspection. He added JCFD1 using the building for training would also lower the cost of demolition. Councilmember Smith inquired how quickly JCFD1 would get on site. Chief Kirk answered JCFD1 has already been out there doing some training and building scenarios.

Councilmember Longanecker asked if JCFD1 would front the costs of the asbestos tests and remediation. Chief Kirk replied that responsibility would be on the property owner, which is the City. Ms. Linn stated that is typical and it would be the same as the other buildings the City has demolished and will only take about seven (7) business days. Mayor Roberts asked what the costs were when asbestos remediation occurred at another house the City demolished. Mr. Merkh replied it costs a few hundred dollars. He said it was in the ceiling tiles in the old police station that was demolished. Mayor Roberts said he is not sure where it could be but does not think there is any in this house.

Mayor Roberts stated he has his doubts on if the winning bid would be worth the hassle of going through the bidding process. He said there is no value to the training as you cannot put a value on human life which is what the training would be helping the firefighters do if there is somebody in a house fire. Chief Kirk said JCFD1 will do an assessment of the house and damage after a fire. He stated the value of the damage is low due to the training that JCFD1 is able to do in houses like this. The firefighters know what to do so they are not damaging items unnecessarily during a fire. Mayor Roberts said there have been 2 house fires in town and the JCFD1 has responded and kept the damage to a minimum. Chief Kirk said that is correct and the teams were able to keep the fires contained. He said 1 of the fires fill the house full of smoke and the firefighters could not see where they were going and relied on their training. Councilmember Beem said he is the person who called one of the house fires in and JCFD1 did a great job of clearing the fire quickly. Chief Kirk said a little boy did start a fire in his closet and caught the closet on fire. The child was educated of fire safety, but damage was limited to the structured. Mayor Roberts said nobody was injured in either fire thankfully.

Mr. Merkh stated all of the structures are boarded up but, there might still be people on the property so it is best to get it demolished as quickly as it can be. Chief Kirk acknowledged

there have been squatters at houses JCFD1 was going to use for training. Mayor Roberts inquired how long would it be before the structures are demolished. Chief Kirk replied it would be about 2 weeks once they have the approval to do so. Mayor Roberts said it would take about a month with the asbestos testing and training in total time to have the structures demolished. Councilmember Conus said it is good use for the structure. Chief Kirk agreed and said JCFD1 does many training drills. He explained some of the drills that are done in these houses. Mayor Roberts said this kind of training is the best training that can be offered and the best training he received when he was a volunteer firefighter. Chief Kirk stated this also allows a firefighter to get accustomed to the equipment so they don't get injured on a call. He explained these scenarios also aid the Chiefs to read the smoke of a fire and direct the team accordingly.

Councilmember Smith motioned to approve allowing JCFD1 to utilize the structures at 410 W. Braun Street for training. Councilmember Longanecker seconded the motion. JCFD1 is allowed to use the structures for training, 4-0.

Councilmember Longanecker motioned to use Midland Wrecking for demolition of any structures that remain after JCFD1's training not to exceed \$18,840. The motion was seconded by Councilmember Conus. Midland Wrecking will be used for demolition, 4-0.

15. Report by The City Administrator

- Ms. Linn stated there was recent discussions about future meeting reminders and adding work sessions to the reminders. She stated the 2022 Budget process will start with a work session on October 8, 2020. There will be another work session regarding All-Terrain Vehicles on September 24, 2020. On October 22, 2020, code enforcement City Staff will make a presentation during a work session.
- Ms. Linn said if a Councilmember is interested in touring any of City Facilities to contact her to schedule a time to do so. Mayor Roberts said it would be best if it is scheduled during business hours to limit staff overtime. Councilmember Smith inquired how long should the tours take. Ms. Linn said a couple of hours to get all the information in. Mayor Roberts agreed and it said at least 2 to four (4) hours.
- Ms. Linn explained City Staff will be bringing a contract for inspections of the Homestead Lane Intersection Project. BG Construction will not be inspecting the work as they designed the intersection. She explained it will be an acceleration proposal process.
- Ms. Linn informed the Council of the Cops and Bobbers event on September 12, 2020. She said City Staff is still looking helpers and volunteers. The event will be from 9:30 AM to around 1:00 PM. Councilmember Beem asked if he can help but allow his children to fish. Ms. Kara Banks, Marketing and Communications Manager, said that would be fine. Mayor Roberts said this is a great event for the kids of the community. Councilmember Smith stated she will help as well.

16. Report by the Mayor

- Mayor Roberts stated he has seen comments on social media regarding the tax abatements in LPKC. He explained Edgerton has done a diligent job at not putting tax dollars at risk. He said no property taxes are being used and the funds come from the development. Mayor Roberts explained the property tax abatements are not tied to the business in the warehouse but to the vertical construction and the warehouse itself. He said at this moment, the City does receive a payment made by the developer that is not the full value of the assessed property tax, but the City will receive that amount when the abatement rolls off. Mayor Roberts requested people reach out to himself or City Staff if there are questions regarding this issue. He said the City wants to be transparent about everything. Edgerton is on a good path for the future and it will take some time, but that time is coming.
- Ms. Sheree Chrisjohn, 601 E 3rd Street, Apartment C, Edgerton, Kansas, stated there is a lot of speeding on a cul-de-sac and tire tracks were left and inquired if the City could erect a sign requesting people drive slower due to children playing. Mayor Roberts replied cities who have put in those signs have open themselves for liability as kids playing in the street is against the law. Mr. Hendricks agreed and said the best thing is to alert the City so law enforcement can be alerted to the area. Ms. Linn stated there is a community officer and he is open to listening to residents' concerns. Mayor Roberts said the community officer has seen it on social media. He said social media has brought light on some issues. Mayor Roberts commented since the addition of the community officer, there are less speeders. That does not mean everybody is following the law, but the court docket shows more people are getting caught than before.
- Mayor Roberts said there were also social media posts asking about mosquito control. He stated there are public health affects with the chemicals used for control. Mayor Roberts sees the mosquitos too but has a lot of wasps this year. Councilmember Smith stated she has not seen as many mosquitos as she has in the past. Mayor Roberts said it has never been considered by the Council to treat for mosquitos and recommended residents try other remedies that are available for purchase at home improvement stores.

17. **Future Meeting Reminders:**

- September 8th: Planning Commission Meeting – 7:00 PM
- September 10th: City Council Meeting – 7:00 PM
- September 24th: City Council Meeting – 7:00 PM
- October 8th: City Council Meeting – 7:00 PM
- October 8th: City Council Work Session Regarding CIP
- October 13: Planning Commission Meeting – 7:00 PM
- October 22nd: City Council Meeting – 7:00 PM

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 PERSONNEL MATTERS

Councilmember Smith motioned to recess 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 the City Attorney and the City Administrator for the purposes of personnel matters for five (5) minutes. Councilmember Longanecker seconded the motion. The meeting recessed into executive session at 8:30 PM, 4-0.

Councilmember Smith motioned to return to open session with no action being taken. Councilmember Longanecker seconded the motion. Open session resumed at 8:35 PM, 4-0.

18. Adjourn

Councilmember Smith motioned to adjourn the meeting, seconded by Councilmember Beem. The motion carried and the meeting adjourned at 8:35 PM, 4-0.

EVENTS

September 16: Senior Lunch and BINGO at New City Church

September 22nd: Municipal Court