

**CITY OF EDGERTON, KS
EDGERTON CITY COUNCIL
SPECIAL MEETING AGENDA
DECEMBER 17, 2020**

A Special Session of the City Council (the Council) was held in the Edgerton City Hall, 404 E. Nelson Edgerton, Kansas on December 17, 2020. The meeting convened at 7:00 PM with Mayor Roberts presiding.

1. ROLL CALL

Ron Conus	present via videoconference
Clay Longanecker	present via videoconference
Josh Lewis	absent
Katee Smith	present via videoconference
Josh Beem	present via videoconference

With a quorum present, the meeting commenced.

Staff in attendance:

- City Administrator Beth Linn
- City Attorney Lee Hendricks (via videoconference)
- City Clerk Alexandria Clower
- Development Services Director Katy Crow
- Finance Director Karen Kindle (via videoconference)
- Public Works Director Dan Merkh (via videoconference)
- Marketing and Communications Manager Kara Banks (via videoconference)

2. WELCOME

3. PLEDGE OF ALLEGIANCE

Consent Agenda

4. Confirm Request for a Special Meeting of The Edgerton City Council

Councilmember Longanecker motioned to approve, seconded by councilmember Smith. The consent agenda was approved. 4-0

Regular Agenda

5. Public Comments.

Mayor Roberts requested that all public comments for the business item be held until that item is discussed. No other public comments were made.

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

Business Requiring Action

7. CONSIDER ORDINANCE NO. 2058 ANNEXING CERTAIN LAND INTO THE CITY OF EDGERTON, KANSAS

Ms. Beth Linn, City Administrator, addressed the council. She stated the City of Edgerton has received seven consents for annexation of property. Kansas Statute 12-520 states that the governing body of any city, by ordinance, may annex land to such city if that land adjoins the city and a written petition for consent to annexation is filed with the city. She stated the property owners have filed the required petition for Consent for Annexation and the properties are contiguous to property within the City of Edgerton corporate city limits.

Ms. Linn showed a map to reference the parcels in consideration. The land that was annexed through the annexation ordinance (Ordinance No. 2057) passed at the December 10 council meeting makes these properties adjacent and contiguous, which is required for annexation.

Mayor Roberts stated this ordinance, if passed, is just for annexation of the land into the Edgerton city limits. To start such annexation, the property owner must submit a petition for annexation. He stated annexations do not require notification to the public, but future applications such as rezoning will require notification to the public and adjacent homeowners as defined by Edgerton Unified Development Code.

Mayor Roberts opened the meeting for public comments.

Shane Brown, located at 29445 W 199th St., addressed the council. He asked if the current zoning of the land was agricultural. Beth Linn, City Administrator, responded the land is currently rural residential. Mr. Brown asked if and when that zoning will change. Lee Hendricks, City Attorney stated the current zoning stays in effect until the property owner applies for rezoning.

Mike McGuire, located at 20216 S Gardner Rd., addressed the council. He stated he thought the property owners on the east side of Gardner Road did not close their sale until Friday [December 11] and that the Council could not approve that annexation before the sale was complete. Ms. Linn stated the property owners closed on Thursday and the city held a council meeting that Thursday night [December 10]. It is required for the city to publish the ordinance (Ordinance No. 2057), which occurred December 16th, allowing the city to bring this annexation ordinance tonight.

Mary Cunningham, located at 29245 W 199th St., addressed the council. She asked if larger parcels are bought next to a property that might have a home on it, can that property be absorbed into an annexation. Mayor Roberts responded, absorption does not happen, however, the city can force an annexation. He stated as long as he is Mayor that the City of Edgerton has no intention of forcing a property owner to annex. Mr. Hendricks reiterated that the current Mayor and City Council has stated that the City has no intention to annex any property except as petitioned by a willing property owner for consent to annex.

Mayor Roberts invited all in attendance to sign up for notifications through the City's website.

Mr. Brown asked if there is currently a plan to run utilities to the properties annexed. He stated that he and his neighbors are currently on septic and running sewer could affect residents currently living in that area. Mayor Roberts stated Edgerton could place sewer because the city built and placed the sewer plant to serve a larger region, but there is currently no plan for the City of Edgerton to expand services.

Ms. Geneva Muro located at 29345 W 199th St. called City Hall and requested to make public comment. She stated she wants to let council know that the Board of County Commissioners rejected a different development proposal at the corner of 207th and Gardner Road to keep the area rural residential. She stated she is concerned about potential rezoning of this site and making sure that she is notified about any rezoning before it occurs. Ms. Muro also stated she wants council to know that she and her adjacent property owners are on gas wells and she is concerned about the potential impact.

Councilmember Beem referenced the map. He asked if the parcel containing houses on the Northeast corner of Gardner Rd. and 215th St. was being annexed. Mayor Roberts responded that those houses are not being annexed.

Councilmember Conus stated he agrees with Mayor Roberts on forced annexations. He stated he would only support voluntary annexations into the City of Edgerton requested by the landowners of such property.

Councilmember Longanecker motioned to approve, seconded by councilmember Conus. Ordinance No. 2058 was approved, 4-0

8. Adjourn

Councilmember Longanecker motioned to adjourn, seconded by councilmember Smith. Meeting adjourned at 7:30PM