



CITY COUNCIL MEETING MINUTES

April 25, 2016

7:25 pm

The regular City Council meeting began later than scheduled due to the City Council Work Session on existing incentive policies immediately preceding.

The following councilmembers were present with Mayor John McTaggart presiding:

Jason Gillam Chuck Adams
Margaret Shriver Chuck Stites

The following staff members were present:

- Michael Webb, City Manager
- Peter Yazbec, Public Works Director
- David Duckers, City Attorney
- Cliff Oblinger, Police Lieutenant
- Zack Daniel, Assistant to the City Manager/City Clerk

APPROVE MINUTES OF APRIL 11, 2016

Councilmember Adams made the motion to approve the minutes. Councilmember Shriver seconded the motion. Mayor McTaggart requested a roll call vote, which passed unanimously.

STATEMENT OF BILLS PAID \$127,376.55

Prior to Council action, City Manager Michael Webb made note that there is a revised cash report, the difference of which is reflected in the General Fund for items that had not cleared at the time the report was put together. Cash balance actually increased by \$549.50.

Councilmember Stites made the motion to approve the statement of bills paid. Councilmember Adams seconded. Mayor McTaggart requested a roll call vote, which passed unanimously.

REQUESTS OR COMMENTS FROM THE PUBLIC

Terry Dunn, 1601 S. 105th Terrace took the podium for public comment. He requested information as to why he was not approached for the vacancy on the City Council created by Councilmember Crider's departure. He noted that he had more votes than the individual who he believed would be selected, and would like to be considered for the appointment.

CONSIDER MAYOR McTAGGART'S APPOINTMENT TO FILL THE VACANCY ON THE EDWARDSVILLE CITY COUNCIL

Mayor McTaggart requested that City Attorney David Duckers review the process and statutory requirements associated with filling vacancies on the City Council. Mr. Duckers stated that the appointment is the prerogative of the Mayor and requires the consent of the City Council. If the Council fails to approve the appointment, a resolution would need to be prepared stating the specific reasons why the nominee is unfit or unqualified for the position. If that resolution failed to pass, and 45 days elapsed from the time of tonight's meeting without action, the appointment would stand.

At this point, Mayor McTaggart announced the selection of Garrett Mellott to fill the vacancy left by Craig Crider. Mayor McTaggart cited Mr. Mellott's past experience on the City Council



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and Planning Commission as well as his familiarity with ongoing City issues as the basis for his decision. The Mayor noted that he felt the significance of upcoming City Council decisions warranted an experienced individual to serve until the term expires in 2019.

Councilmember Adams made the motion to accept the Mayor's nominee for City Council. Councilmember Gillam seconded. At this point, Councilmember Stites stated he did not disagree with the appointment, but was curious as to the decision making process. He stated that he would have liked to see some contact made with an individual who had made the effort to stage a campaign. The Mayor responded that the process was open to anyone who was interested, and that he did reach out to select individuals. The Mayor also noted that, by law, the process is largely left up to the mayor. The Mayor then requested a roll call vote, which passed 3-1, with Councilmember Stites voting in opposition.

At this point, Assistant to the City Manager/City Clerk Zack Daniel officially swore in Garrett Mellott to serve on the Edwardsville City Council. All of the action of the City Council from this point forward will reflect Mr. Mellott's addition.

CONSIDER ORDINANCE NO. 961 STATING ALL ELECTIONS OF THE CITY OF EDWARDSVILLE, KANSAS SHALL BE NONPARTISAN

Mr. Webb noted that this action, among others the Council has taken in the past, is due to changes in state legislation regarding elections. The proposed ordinance would affirm that the City's elections for local offices shall remain nonpartisan, as they have been in the past. Councilmember Adams asked if the City has any say in the order of issues as they are presented on the ballot, which Mr. Webb responded that the County Elections Office sets that order. There was also clarification that the ordinance would not allow candidates to list party affiliation on their ballot. Councilmember Stites also clarified that this ordinance was proposed at the suggestion of the League of Kansas Municipalities.

Councilmember Gillam made the motion to adopt Ordinance No. 961. Councilmember Adams seconded. Mayor McTaggart requested a roll call vote, which passed unanimously.

CONSIDER RESOLUTION 2016-09 CONFIRMING THE SALE OF 213 S. 5TH ST.

Mr. Webb stated that this is the final action required by the title company to finalize the sale of the property located at 213 S. 5th St. He noted that the purchaser has met all of the terms outlined in the contract for deed.

Councilmember Gillam made the motion to adopt Resolution 2016-09. Councilmember Shriver seconded. Mayor McTaggart requested a roll call vote, which passed unanimously.

CONSIDER ORDINANCE NO. 962 AMENDING THE CODE OF THE CITY OF EDWARDSVILLE, KANSAS, ARTICLE 9.02, REGARDING BOND REQUIREMENTS

Mr. Webb noted that current ordinance requires a number of officials to have bonds, which is meant to protect the City in instances of employee misconduct or theft. Upon review, it appeared that Midwest Public Risk (MPR), the City's current risk management pool, also provided



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Employee Crime & Fidelity coverage that offered identical service for all employees at an increased level of coverage. It was determined that Cities of the second class have no bond requirements based on state law, and that having both the coverage from MPR and the existing bonds was redundant. The ordinance would remove the requirement from the City's Code of Ordinances.

Councilmember Stites made the motion to adopt Ordinance No. 962. Councilmember Shriver seconded. Mayor McTaggart requested a roll call vote, which passed unanimously.

CONSIDER SPECIAL EVENT APPLICATION FOR BIKERS AGAINST CHILD ABUSE ON OCTOBER 8, 2016

Mr. Webb provided a summary of Bikers Against Child Abuse, or B.A.C.A., and their activities related to advocacy for victims of child abuse. He also provided preliminary details on the *Slick Pigs for Kids* event that the group wishes to hold at Edwardsville City Park. He introduced Ken Anderson, B.A.C.A member, who also provided details on the group's history and the purpose of the event. Councilmember Stites stated his support of the group and their efforts and offered assistance in promoting the event if it were approved by the Council. Other Councilmembers agreed and stated they were happy to support this kind of activity.

Councilmember Stites made the motion to approve the special event application, waiving the \$25.00 daily fee usually required. Councilmember Gillam seconded. Mayor McTaggart requested a roll call vote, which passed unanimously.

CONSIDER RESOLUTION 2016-10 AUTHORIZING THE ISSUANCE AND DELIVERY OF GENERAL OBLIGATION TEMPORARY NOTES FOR THE PURPOSE OF FINANCING THE LTC SEWER PROJECT

Mr. Webb summarized the funding process for the LTC sewer project, including the sale of temporary notes. The bid opened the morning of April 25, 2016, at 10:00 a.m. where the winning bid would place a deposit of \$25,100 which occurred that afternoon. Dustin Avey of Piper Jaffrey & Co., noted that Country Club Bank was the winning bidder with an interest rate of 1.102%.

Councilmember Adams made the motion to adopt Resolution 2016-10, authorizing the issuance and delivery of general obligation temporary notes for the purpose of financing the LTC sewer project awarded to Country Club Bank in the amount of \$1,215,000. Councilmember Gillam seconded the motion. Mayor McTaggart requested a roll call vote, which passed 4-0-1, with Councilmember Mellott abstaining.

ADVISORY REPORT

CITY MANAGER

Mr. Webb pointed out a letter from the Mayor that states its support of a TIGER grant made by the Unified Government to the Kansas Secretary of Transportation. He reminded Council of Edwardsville Days happening this weekend. Mr. Webb also noted that auditors were in the office



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and would be for the remainder of the week. Mr. Webb reviewed the work being done in the former records room and LIFE Center. He noted that the City's YouTube channel is now up and running. Mr. Webb reminded everyone of the public meeting regarding upcoming 102nd St. projects happening Tuesday, April 26. Finally, a copy of the draft zoning ordinance was distributed to Council for their review prior to the May 9 meeting.

In closing, Mr. Webb noted that this was Peter Yazbec's last meeting as the Public Works Director. He thanked him for the excellent job he has done in his position and for bringing the department to a new level of service delivery.

CHIEFS (POLICE & FIRE)

It was noted that both the Police Chief and Police Captain were at an offsite training. Lt. Oblinger provided an updated on the hiring and recruitment processes for the department.

Chief Whitham provided an updated on the firetruck which was being repaired. Chief Whitham also noted that the power cot has been delivered and training has started for that equipment. Finally, the multi-purpose vehicle is on track to be delivered this summer.

PUBLIC WORKS

Mr. Yazbec gave an update on the Kansas Ave. project, including the potential to open up Kansas Ave. and 98th St. in the next few weeks. He also noted that 190 kids have signed up for summer ball leagues through the City's Park and Recreation program. Finally, he thanked all of the staff and the elected officials for their support during his term as Public Works Director.

CITY ATTORNEY

No comments.

COUNCIL AND MAYOR COMMENTS

Councilmember Mellott stated he appreciated the confidence of the City Council to approve his nomination and complimented the use of the Edwardsville Hotshot E-Newsletter.

Councilmember Stites welcomed Councilmember Mellott to the City Council. He also asked for an updated on the bids for the Old City Hall building, which staff provided. Finally, he thanked Mr. Yazbec for his accomplishments as Public Works Director.

Councilmember Shriver thanked staff and guests for the work session on current City incentives. She also applauded Ken Anderson and B.A.C.A. for their events. She then inquired on the number of applicants for citizen advisory boards. Finally, she thanked Mr. Yazbec for his work and wished him luck in the future.

Councilmember Gillam stated he was proud of Mr. Yazbec's accomplishments as Public Works Director and was confident his skillset would serve him well in the police force.



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Councilmember Adams echoed Councilmember Gillam's words and stated he was glad he was continuing his service to the City in Edwardsville. He also noted he would not make the planned 102nd St. meeting.

Mayor McTaggart stated he was proud of Mr. Yazbec and was excited for him as he takes this next step.

ADJOURNMENT

The meeting was adjourned at 8:52 pm

Zachary Daniel

City Clerk