



City Council Meeting Minutes

March 22, 2021
6:00 p.m.

Mayor: John McTaggart
Councilmember Chuck Adams Carolyn Caiharr Garrett Mellott
Margaret Shriver Chuck Stites

This meeting was held using a hybrid of in-person and remote participants with Councilmembers Caiharr, Shriver, and Stites participating remotely.

1. **Consider approval of consent agenda items**
 - a) **Approve minutes of March 8, 2021**
 - b) **Statement of bills paid in the amount of \$933,037.20**
 - **Motion:** Councilmember Caiharr made the motion to approve the consent agenda items with an amendment to page 3 of the March 8 minutes regarding her comments on supervision of community service.
 - **Second:** Councilmember Shriver seconded the motion
 - **Vote:** Passes 5-0
2. **Requests or Comments from the public**
 - No public comments were heard or submitted.
3. **Consider recommendation of approval from the Cemetery, Parks and Public Spaces Board to authorize the City Manager to enter into a contract with Supreme Green Landworks for mowing services at the Edwardsville Cemetery**
 - Assistant City Manager Zack Daniel reviewed this item, noting that the low bid for the work was a company who is based out of Texas and Arizona and who intend on subcontracting the work.
 - The CPPS Board felt that was not in the best interest of the site and thus recommended Supreme Green Landworks for the contract citing their good references and familiarity with area cemeteries.
 - Mr. Daniel noted that, similar to previous contracts, this would be a one-year agreement with the option to extend for up to three years.
 - Mr. Daniel noted the estimated quantities of the mows as well as the possibility that contracted staff would mow the north section of the City Hall site if staff was otherwise assigned to different duties.
 - **Motion:** Councilmember Adams made the motion to authorize the City Manager to enter into a contract with Supreme Green for Cemetery mowing and other duties as needed.
 - **Second:** Councilmember Mellott seconded the motion
 - **Vote:** Passes, 5-0
4. **Consider Ordinance No. 1040 adopting contractor licensing**
 - City Manager Michael Webb reviewed this item and its history at the Planning Commission
 - Mr. Webb noted that this ordinance would establish the contractor licensing program originally formed by Johnson County. This licensing program has grown into a regional and national program. Many contractors who currently do work in the city

are licensed through this program, but the City does not currently ask for verification.

- Planning Commission Chair Mark Bishop also spoke in favor of the ordinance, noting it helps protect consumers by ensuring all contractors have met the minimum thresholds for insurance, training, and testing to practice in their specific field.
- Councilmember Caiharr stated she is not in favor of this ordinance because it may limit the options for property owners to hire who they want to hire for home contracting.
- Mr. Bishop noted that any electrician, for example, would need to have the proper licensing in place for certain work to be done whether this program was in place in Edwardsville or not, but that the program is a protective measure for all residents. It prevents non-reputable or underinsured groups from performing substandard work.
- Councilmember Caiharr again stated she was not in favor of the government imposing limits on consumer choice.
- Mr. Webb pointed out that most of the permits that come through the office are done by contractors, not homeowners, and many of them already have the appropriate licensure. This ordinance would bring Edwardsville in line with area communities regarding standards for the best interest of the public. This also
- Councilmember Stites clarified that this ordinance would not prevent homeowners from doing certain work themselves.
- Mr. Webb noted this ordinance would come at no cost to the City because Johnson County maintains all the records for their program.
- Assistant City Manager Zack Daniel pointed out that this also serves to protect renters, who may not have a choice in the contractors their landlords choose for work in their dwellings.
- **Motion:** Councilmember Mellott made the motion adopt Ordinance No. 1040
- **Second:** Councilmember Adams seconded the motion.
- **Vote:** Passes 4-1, with Councilmember Caiharr dissenting

5. Consider authorizing the City Manager to enter into a contract with Blue Moon Hauling, LLS for the Riverview Ave. & 102nd Street culvert installation project

- Public Works Director Dustin Zenger addressed this item, providing a summary of the bid process.
- Blue Moon Hauling was the low bidder on the project, coming in at \$40,349, out of the nine submissions received by City staff.
- Councilmember Adams asked why this and recent engineer's estimates seemed to come in low. BHC representative Randy Gorton noted that there are a number of variables which could affect final bids (cost of supplies when the project is reviewed, other projects groups have going on, etc.) but the tight grouping of responses indicated that the low bid would be accurate.
- There was additional discussion about future curbs and gutters as well as guardrails.
- Councilmember Stites asked about the start date and duration, which Mr. Zenger noted that the project should be able to start quickly, but there is no firm start date.
- **Motion:** Councilmember Adams made the motion to authorize the City Manager to enter into a contract with Blue Moon Hauling for this project
- **Second:** Councilmember Mellott seconded the motion
- **Vote:** Passes 5-0

6. **Consider Resolution 2021-03 authorizing the reimbursement of funds for preliminary and final design, right-of-way acquisition, and other related expenses for the 98th St. project from future bonds or other tax-exempt proceeds**
7. **Consider authorizing the City Manager to enter into a contract with BHC for preliminary and final design work for the 98th St. project**
 - City Manager Michael Webb addressed both items 6 and 7 at the same time as they are related to the same project.
 - Mr. Webb reviewed the STP process related to this project as well as the money set aside from previous bond issuances. Mr. Webb noted that this resolution would allow costs for these projects to be reimbursed by future debt that is issued.
 - Mr. Webb then reviewed the maximum amount set for the proposed BHC contract, which is \$1,000,000, though he expects final costs to be lower than that amount.
 - **Motion:** Councilmember Adams made the motion to adopt Resolution 20201-03
 - **Second:** Councilmember Stites seconded the motion
 - **Vote:** Passes 5-0
 - **Motion:** Councilmember Mellott made the motions to enter into a contract with BHC for design work for the 98th St. project
 - **Second:** Councilmember Shriver seconded the motion
 - **Vote:** Passes, 5-0
8. **Consider motion to recess into Executive Session pursuant to K.S.A. 75-4319(b)(2) for consultation with legal counsel for matters which would be deemed privileged in the attorney-client relationship in regards to a sewer development agreement**
 - **Motion:** Councilmember Adams made the motion to recess into executive session with the regular meeting to resume at 7:40.
 - **Second: Councilmember Mellott seconded the motion**
 - **Vote: Passes, 5-0**
 - Executive session began with legal counsel Scott Anderson. Mr. Daniel noted the procedure for the session for the people participating online.
 - **Motion:** Councilmember Adams made the motion to return to regular session
 - **Second:** Councilmember Mellott seconded the motion
 - **Vote:** Passes, 5-0
9. **Consider Resolution 2021-04 authorizing the Mayor to enter into a Sewer Development Agreement with Compass Commodity Group 300, LLC and Scannell Properties #516, LLC**
 - Bond counsel Scott Anderson reviewed the proposed sewer development agreement. This would require an expansion of the sewer system in the northern end of the City, which would include a City sewer improvement servicing property in Edwardsville in the future as well as the “site” sewer improvements, which is a force main which will service the future Bonner Springs development.
 - The agreement notes that Scannell will design and engineer the improvements at their cost while the City would agree to allow the improvements if Scannell pays for the construction costs.
 - The City would request a dedication of all permanent utility easements as well as the dedication of the right-of-way for the Village South Parkway extension.
 - A \$100,000 connection fee would be required, in addition to all other sewer charges.
 - Jake Kerth, representing Scannell Properties, addressed the Council noting they are excited for the Bonner Springs project which they believe will lead to more economic development in the entire area, including Edwardsville.

- Mr. Kerth noted Scannell is extremely bullish on the site and hope to move forward with construction on a project soon.
- There was additional discussion on the term of the agreement, which gives the developers one year to begin development or else the agreement will become null and void.
- In response to Councilmember Caiharr's question, Scott Anderson noted it was appropriate that a developer would seek to get this kind of agreement before getting a tenant for the development site.
- **Motion:** Councilmember Adams made the motion to adopt the sewer development as written with the amendment that the easements and rights-of-way be dedicated within 120 days of the contract's execution and adopt Resolution 2021-04 to that affect.
- **Second:** Councilmember Mellott seconded the motion.
- Councilmember Caiharr voiced her concerns about the Bonner Springs development, specifically the landscaping along 110th St. and Speaker Road. She asked if the developers had plans to improve the appearance of the area.
- Chip Corcoran, representing RIC, noted these items would be discussed and reviewed as part of the standard planning processes.
- Councilmember Stites asked for clarification about the timeline in the agreement, which could conceivably be as far as two years out before construction begins.
- There was additional context given for this timeline, considering the design, review, and approval stages still yet to come.
- There was discussion between Scannell representatives and Jon Monson of Compass Commodities regarding the start of construction. Mr. Kerth from Scannell noted that some of these items would need to be reviewed by his team before approval.
- **Vote:** Passes, 4-1 with Councilmember Caiharr dissenting.

10. City Manager Report

- City Manager mentioned a potential City Council planning retreat which would take place prior to the budget process to be led by Mike Condiff.

11. Council and Mayor Comments

Councilmember Caiharr asked about the upcoming Chili Feed drive thru event, which Mr. Daniel noted the deadline to sign up is Tuesday, March 23 and noted that it will take place from 5:00 to 7:00 and will provide free meals to the high-rise facility. Councilmember Caiharr recapped the recent Harvesters event.

Councilmember Shriver thanked Councilmember Caiharr for the mobile pantry event planning.

Councilmember Adams thanked Public Works Director Zenger for the phone call related to upcoming activity along Riverview. He also asked that the Council schedule a work session related to the Towne Center project, which would take place on Thursday.

Councilmember Stites noted he believes the discussion regarding the sewer was important for the community to stay on top of north end development.

ADJOURNMENT

The meeting was adjourned at 9:10 p.m.

Zachary Daniel

City Clerk