



City Council Meeting Minutes

August 23, 2021
6:00 p.m.

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

1. Consider approval of consent agenda items

a) Approve minutes of August 9, 2021

b) Statement of bills paid in the amount of \$188,511.14

- **Motion:** Councilmember Adams made the motion to approve the consent agenda items
- **Second:** Councilmember Caiharr seconded the motion
- **Vote:** Passes 4-0-01 with Councilmember Shriver abstaining

2. Requests or Comments from the public

- Connie Henry, 1123 S. 102nd Terrace, addressed the Council regarding the FY22 budget development. She noted her support for the increased funding for road projects and the compensation adjustments for City staff. She expressed her concern with the proposed addition of a new EPD officer. She posed the question if the City can afford to add an additional officer or if there are other solutions that can be considered.

3. Consider staff update related to the property located at 9711 Steele Rd.

- City Manager Michael Webb reviewed this item, reviewing the previous Council actions and discussions on the matter.
- He noted that the City has collected demo bids for the project and is prepared to move forward if so directed.
- The property owner, Yao-Chieh Young, addressed the Council via phone participation. Mr. Young noted the difficulty in getting the necessary quotes for the needed work, which has lead to a delay in getting permit application materials to City staff. He noted he would have an architect would be onsite in the next week, but that he would likely not be ready to submit items before August 31.
- Councilmember Stites confirmed that the City can move forward with demolition after the August 31 deadline, which Mr. Webb confirmed.
- Councilmember Caiharr asked Mr. Young why he has not been communicating with the City regarding this matter. Mr. Young summarized his interactions with staff, including a disconnected phone call and e-mails
- Assistant City Manager Zack Daniel also summarized the staff efforts to contact Mr. Young to get updates on the project.
- Mr. Webb noted that contractors should be able to at least determine if the structure is salvageable by the August 31 deadline. There was additional discussion about the floodplain status of the home.
- Councilmember Stites noted that he would prefer sticking to the original timeline noted.
- Councilmember Caiharr noted that she would like to give the property owner until the next regular meeting, September 13, before directing staff to move forward with demolition.

- **Motion:** Councilmember Adams made the motion to delay action on this item until September 13, 2021. By that date, Mr. Young should have permit materials submitted to the City, and if demolition is required then the permit should be finalized and issued. He also noted he would like to see Mr. Young become a part of the community
 - **Second:** Councilmember Mellott seconded the motion.
 - City Attorney Lisa Dehon provided further clarification on the motion.
 - **Vote:** Passes 3-2, with Councilmembers Shriver and Stites dissenting
4. **Conduct a public hearing regarding the property located at 1951 S. 98th St. and record its determination of the matter through Resolution 2021-13**
- City Manager Michael Webb provided a summary of the condition of the property and the property owner's efforts to rehabilitate the structures.
 - **Motion:** Councilmember Stites made the motion to open the public hearing
 - **Second:** Councilmember Shriver seconded the motion
 - **Vote:** Passes 5-0
 - No public comments were provided for this hearing
 - **Motion:** Councilmember Stites made the motion to close the public hearing
 - **Second:** Councilmember Shriver seconded the motion
 - **Vote:** Passes 5-0
 - Mr. Webb reviewed the proposed resolution as well as the possible modifications that could be made.
 - Councilmember Stites asked if anyone was currently occupying the house, which Mr. Webb noted that no one is currently living in the structure being worked on.
 - Councilmember Caiharr asked about the nature of the work being done on the property, which Mr. Webb provided, noting that the work was initially being done without a permit issued by the City. She asked what work is a permit required, which Mr. Webb noted that structural improvements will typically require a permit while cosmetic changes often do not.
 - **Motion:** Councilmember Adams made the motion to adopt Resolution 2021-13, amending section 2 to allow for the structures to be removed or a building permit issues by September 30.
 - **Second:** Councilmember Caiharr seconded the motion
 - **Vote:** Passes 5-0
5. **Consider Ordinance No. 1043 adopting the 2021 Standard Traffic Ordinance for Kansas cities – OLD BUSINESS**
6. **Consider Ordinance No. 1044 adopting the 2021 Uniform Public Offense Code for Kansas cities – OLD BUSINESS**
- City Manager Michael Webb summarized both items but noted it would require two actions for each ordinance.
 - Mr. Webb noted that the changes in the UPOC and STO were largely statutory and that EPD did not recommend any changes beyond the ones in the proposed ordinances.
 - Mr. Webb noted that the ordinance language are the same as what was done in 2020.
 - Councilmember Adams asked about possible speed limit changes for K-32. Mr. Webb provided a response, noting that changing the limit in this area would require state action before the City can take action. There will likely be a discussion on this topic as properties continue to develop along Kaw Dr. Councilmember Adams noted that the request may be made to extend the City speed limit to the western edge of the City limits.

- Councilmember Caiharr asked a question regarding the STO, asking that it be specified that ATVs/utility vehicles are allowed on private property. Police Chief Mathies noted that that is currently the understanding of the statute, noting that it is unlawful only on City streets but is allowed on private property (zoning permitted).
 - **Motion:** Councilmember Mellott made the motion to adopt Ordinance No. 1043
 - **Second:** Councilmember Shriver seconded the motion
 - **Vote:** Passes 5-0
 - **Motion:** Councilmember Mellott made the motion to adopt Ordinance No. 1044
 - **Second:** Councilmember Shriver seconded the motion
 - **Vote:** Passes 5-0
 - Councilmember Mellott also added he would be in support of the speed limit changes proposed for K-32/Kaw Dr.
7. **Consider authorizing the City Manager to enter into a contract with McAnany Construction for the 2021 102nd Street full-depth repair project**
- Public Works Director Dustin Zenger reviewed this project and showed a map of the affected areas.
 - Mr. Zenger noted that if approved the City would have dedicated \$497,000 worth of road improvement work, impacting a third of the City's street system. He reviewed the results of the bid, which garnered five responses.
 - McAnany Construction came in with the low bid of \$34.75 per square yard, under the initial staff element.
 - Mr. Zenger also reviewed the possible need to make additions to the project considering the cost savings.
 - Councilmember Stites asked why the cost estimates were so high. Mr. Zenger noted there are several variables that effect the cost and that the City's engineers tend to estimate on the high side.
 - Councilmember Caiharr asked about the timeline, which Mr. Zenger noted it would likely last a few weeks after starting in late September.
 - Mr. Webb added further comments on the potential additions to the project if the Council were to give that direction.
 - **Motion:** Councilmember Adams made the motion to enter into an agreement with McAnany Construction for this project, adding authorization for a change order up to \$75,000 related to the street section of 102nd St. north of Richland Ave.
 - **Second:** Councilmember Stites seconded the motion.
 - **Vote:** Passes 5-0
8. **Conduct a public hearing for the purposes of considering exceeding the revenue neutral rate (RNR) developed by Wyandotte County for the Fiscal Year 2022 Annual Budget and take any necessary actions**
- Assistant City Manager Zack Daniel reviewed the previous actions the Council took related to the RNR. He summarized the proposed resolution, which would set the maximum mill levy at 42.298, which exceeds the Wyandotte County-developed RNR of 39.579146.
 - Mr. Daniel reviewed the shortcomings of the application of the RNR statute, specifically as it relates to Edwardsville's IRB payments. If the RNR rate were adopted, the City would actually lose revenue rather than collect the same amount.
 - **Motion:** Councilmember Adams made the motion to open the public hearing.
 - **Second:** Councilmember Caiharr seconded the motion
 - **Vote:** Passes 5-0
 - There was no public comments offered during the public hearing
 - **Motion:** Councilmember Adams made the motion to close public hearing

- **Second:** Councilmember Caiharr seconded the motion
- **Vote:** Passes 5-0
- **Motion:** Councilmember Adams made the motion to adopt Resolution 2021-14
- **Second:** Councilmember Mellott seconded the motion
- Councilmember Caiharr asked if this action sets the budget or only sets the cap. Mr. Daniel noted it sets the maximum mill levy exceeding the RNR and that the budget certification is a separate item.
- **Vote:** Passes 5-1 with Mayor McTaggart voting and Councilmember Stites dissenting

9. Conduct a public hearing regarding the Fiscal Year 2022 Annual Budget

10. Consider certifying the Fiscal Year 2022 Annual Budget

- City Manager Michael Webb reviewed the budget review process to this point.
- Mr. Webb noted the proposed revenues in the General Fund (\$6.5M) and the proposed expenditure levels (\$6.6M). Highlights in the General Fund include compensation adjustments for City staff, \$50,000 in funding for capital projects for existing public facilities, addition of public safety staff and part-time administrative staff, maintaining the 15% reserve minimum, and a reduction of the mill levy by 1 mill.
- Mr. Webb reviewed the “deficit” spending, noting that the City purposely underestimates revenue to mitigate potential shortfalls in the coming year. In all but two years, the city has added to the fund balance even when “deficit” budgets are adopted.
- Mr. Webb then reviewed the other funds and their proposed year-end fund balance as proposed.
- **Motion:** Councilmember Adams made the motion to open the public hearing
- **Second:** Councilmember Shriver seconded the motion
- **Vote:** Passes 5-0
- No public comments were presented
- **Motion:** Councilmember Adams made the motion to close the public hearing
- **Second:** Councilmember Shriver seconded the motion
- **Vote:** Passes 5-0
- Councilmember Caiharr asked what efforts were made to present a budget where revenues matched expenditures. Mr. Webb noted that the staff recommendation remains the same, noting that the items that could be cut but that staff felt that service levels would begin to suffer.
- Councilmember Caiharr asked for estimates on the City’s property tax for a \$200,000 home. There was some discussion as to this calculation, generally noting a difference of \$5.38 per month if the proposed mill levy were adopted.
- There was additional discussion on possible mill levy decreases, which Mr. Webb noted would likely come out of the debt service fund. He did not recommend this direction.
- There was additional discussion on the value of the proposed FY22 additions, including compensation and capital projects.
- Police Chief Mathies provided a presentation that detailed the need for an additional officer. He provided real-world staffing examples which show the deficiencies in the current staffing model. The impact of adding an additional patrol officer would reduce the number of 1-man shifts, thus increasing departmental response.
- Councilmember Stites had questions about the use of the additional officer, specifically its impact on the Detective position. Mr. Webb clarified that the additional staff would be a patrol officer, which would allow the department to staff a dedicated detective.

- Mr. Webb reviewed the certificate page before the Council that comes from the state workbook.
- **Motion:** Councilmember Adams made the motion to adopt the budget for FY22 as presented in the certification document
- **Second:** Councilmember Mellott seconded the motion
- **Vote:** Fails, 3-3 with Mayor McTaggart voting and Councilmembers Caiharr, Shriver, and Stites dissenting.
- Mayor McTaggart expressed his disappointment in the vote.
- Councilmember Caiharr noted she would prefer the City do more to lessen the tax burden considering the difficulties of 2020 and 2021. She would prefer to see the budget be more balanced in revenues and expenditures.
- Mayor McTaggart asked Councilmember Stites his reason for voting in the dissent, which Mr. Stites declined. After further disagreements between Mayor McTaggart and Councilmember Stites, Councilmember Stites exited the meeting.
- Staff noted that due to the RNR process, the budget could be certified at a later meeting.
- Mr. Webb asked for clarification on Councilmember Caiharr's comments so staff can provide further work on the budget. Councilmember Caiharr noted she would like options so tax bills wouldn't be increasing and that expenditures match revenues more closely.
- Councilmember Shriver provided input on the proposed staffing additions, noting she would like to be confident all other options have been explored.
- Assistant City Manager Zack Daniel noted that a reduction in the mill levy would increase the amount of "deficit" between revenues and expenditures. Reducing by an additional mill would create a \$200,000 gap vs. the proposed \$126,000 gap. He also noted that the "deficit" being discussed does not account for the existing fund balance, which is estimated to be approximately \$1,000,000 at year end of FY22.
- Councilmember Caiharr stated she would spend time doing additional research to provide additional options.

11. City Manager Report

- City Manager Michael Webb had no additional comments other than what was noted in the written report.
- Assistant City Manager Zack Daniel thanked the sponsors which have committed funding to the AutumnFest event.

12. Council and Mayor Comments

Councilmember Adams noted he was frustrated with the evening. He noted he fully supports the staffing additions proposed by staff. He noted he was disappointed in the 9711 Steele Rd. discussion, stating he felt the Council was overly aggressive on a new property owner in the community.

Councilmember Caiharr asked if staff had moved forward with reaching out to Wyandotte County regarding a pop-up splash pad. Mr. Daniel noted he would follow up with Parks & Rec staff.

Councilmember Mellott noted he was also disappointed with the mill levy discussion. He felt that the mill levy cannot continually be lowered and meet the needs that residents have communicated in the areas of road repairs and public safety. He noted that the County consistently raises the tax burden on residents and Edwardsville is unfairly making up that difference.

Councilmember Shriver thanked staff for their work on the budget. She noted she was looking forward to seeing the alternative budget options.

Mayor McTaggart noted he will not apologize for his earlier frustration and arguments with Councilmember Stites. He thanked the other Councilmembers who provided insight into their votes. He felt that the Council has overstepped their roles in trying to manage staffing decisions made by specific departments.

ADJOURNMENT

The meeting was adjourned at 9:22 p.m.

Zachary Daniel

City Clerk