



City Council Meeting Agenda

October 10, 2022

6:00 p.m.

Mayor: Carolyn Caiharr
Councilmember: Chuck Adams Mark Bishop Garrett Mellott
 Greg Scott Margaret Shriver

Please stand for the **Pledge of Allegiance**

1. Consider approval of consent agenda items
 - a. Approve minutes of September 26, 2022
 - b. Statement of Bills paid \$158,567.51
2. Requests or Comments from the public
(As a courtesy to your fellow citizens, please try to limit your comments to three minutes)
3. Hear presentation from USD 204 Superintendent regarding district initiatives, enrollment trends, school safety, and more
4. Hear staff update regarding the City's ARPA allocation and allowable uses
5. City Manager Report
6. Council and Mayor Comments



City Council Meeting Minutes

September 26, 2022

6:00 p.m.

Mayor: Carolyn Caiharr
Councilmember Chuck Adams Mark Bishop Garrett Mellott
Greg Scott Margaret Shriver

1. Consider approval of consent agenda items

a) Approve minutes of September 12, 2022

b) Statement of bills paid in the amount of \$296,002.27

c) Authorization of use of grant funds for the purchase and installation of wall lockers for the Edwardsville Fire Station

- **Motion:** Councilmember Mellott made the motion to approve the consent agenda items.
- **Second:** Councilmember Scott seconded the motion
- **Vote:** Passes, 5-0 with Councilmember Adams abstaining

2. Requests or Comments from the public

- David Streit, 1396 S. 104th St., addresses some of the UPOC verbiage recently discussed. He referenced his children in the USD 204 district. He encouraged the Council and the rest of the community to consider going further than what the school is able to do to protect kids. He stated that we should jump at the opportunity to tighten certain restrictions if it helps protect kids. He referenced “furries” and school fights as disruptive elements in the classroom that school officials cannot always respond to effectively.
- Mellissa Camus, 216 Blake St., encouraged the Council to protect the children where they can. She stated her belief that the Council has the ability to rewrite the UPOC as they see fit and encourages them to do so to protect kids like her own.
- Camilla Adcox, 1500 S. 104th Terrace, also stated the Council can change the language. She also reviewed the current language in the UPOC and her worries. She worried about the effect on children’s brains, and the body image effects on young girls after being exposed to obscene materials. She also noted that the current language is an open door for grooming by increasing risk of victimization.
- Mike Vernon, pastor at Edwardsville Christian Church, stated he knows the Council has the community’s best interest in mind and encourages them to take extra steps to protect children.
- John Altevogt, 10601 Shawnee Rd., supported the proposed amendments to the UPOC and noted he is a court-appointed special advocate for kids who have been abused and he relayed the damage he has seen. He referenced recent cases where he believes the current UPOC language would have let predators go free.
- Ryan Parker, 1040 Edwardsville Dr., supported the proposed amendments and relayed the difference in curriculum. He stated his employer forbids him from stating his position but he does note he serves the community in some capacity.
- Sandy Bonfield, 507 S. 110th, noted she is a Head Start Preschool in Bonner Springs, and worried for her students and the materials they may be exposed to.
- James Everheart, 10512 Shelton Ave., also representing his wife Christy, noted he felt it was important to protect children to protect our future. He noted one of his

children who went through USD 204 and is now in KU. He referenced schoolboard meetings where inappropriate material is being discussed.

- Kenny Shaw, 602 Newton, thanked the Council for discussing this issue proactively. He noted he felt the proposed changes would also help protect teachers.

3. Consider Ordinance No. 1059 adopting the 2022 Unified Public Offense Code for Kansas cities – *OLD BUSINESS*

- City Manager Michael Webb noted that the ordinance in the packet is the same ordinance that has been presented in the past with the standard amendments that have been included over the years.
- Mr. Webb then reviewed the role of staff and legal counsel in making recommendations as it relates to UPOC adoption. He reviewed the proposed amendments from Mayor Caiharr in section 11 of the UPOC.
- Mr. Webb stressed that the current language does not offer broad immunity from prosecution for teachers for engaging in exposing children to harmful materials, as some have stated. He also referenced a possible change from defense to prosecution to 'affirmative' defense to prosecution.
- Mayor Caiharr summarized her proposed changes and emphasized the amendments the City include every year during UPOC review/adoption. She referenced unnamed attorneys and teachers she spoke to who felt the City was well within their authority to make the proposed changes to the UPOC and that the document only serves as a suggestion to cities. She also referenced home rule statutes in support of her position. She continued by reviewing the current section 11 language and the definitions provided. She provided hypothetical scenarios by which children could be exposed to harmful materials. She closed by questioning the motivation to include this language in the UPOC to begin with and ask that everyone be held to the same standards when it comes to protection of children. She then summarized the three options for the Council: the ordinance as written and recommended by staff and legal counsel, 2) adoption of the UPOC changing 'defense to prosecution' to 'affirmative defense of prosecution' which the City's legal staff was comfortable with, though did not recommend, and 3) moving forward with UPOC adoption with the standard amendments and proposed Mayoral amendments to section 11.
- **Motion:** Councilmember Shriver made the motion adopt Ordinance No. 1059 with the standard amendments in addition to the amendments striking sections 11.1 d, 11.2 c, and 11.7 b and 11.7 d in their entirety.
- Councilmember Scott asked additional questions related to the items that would be stricken.
- City Attorney Lisa Dehon noted that most of the comments made during the public comments did not relate to the item being discussed, and would likely be treated as felonies to be heard outside the municipal court processes. She noted that it is not illegal to make any of the changes that have been recommended, but that in her legal opinion and the opinion of the legal counsel of the League of Kansas Municipalities, the specific amendments to section 11 would run counter to state statute, which could create procedural problems in a hypothetical case. It would create a larger pool of potential defendants. She stressed there is no protection for any teachers who are exposing children to materials with a prurient intent.
- Councilmember Adams referenced the vetoed Parent's Bill of Rights at the state level and restated his opinion that these changes should come at the state level vs. addressing them at this level, though he noted his disgust with the activity being described.
- There was additional discussion on other legal matters as it relates to the proposed amendment.

- **Second:** City Councilmember Scott seconded the motion.
 - **Vote:** Passes, 3-2, with Councilmembers Adam and Mellott dissenting. Adams contextualized his “no” vote by noting his concern for being in conflict with State law in future criminal prosecutions. Mellot stated his dissenting vote because he felt he did not have enough time to review all of the options presented thoroughly.
4. **Hear presentation from BHC regarding the 2022 Sanitary Sewer & Inventory Inspection project**
- Randy Gorton from BHC reviewed the project, authorized earlier in the year.
 - Mr. Gorton ran through the data collected via an online web portal that contains map and infrastructure information.
 - Mr. Gorton noted that 251 manholes were located and 13 were determined not to be owned by the City. There were also 11 manholes that were inaccessible during the time of the inventory.
 - There was additional discussion on the overall condition of the system, with Mr. Gorton highlighting the areas that would need the most attention in the shortest amount of time.
 - Mr. Webb noted that this project is coming in under budget due the smaller amount of manholes that originally anticipated.
 - Mr. Gorton noted that the final USB drive of data still needs to be delivered to City staff, as well as mapping data that could be made available to departments who may need it.
 - No action was requested or required as part of this presentation.
5. **Selection of Gordon CPA to serve as the City’s auditor for the year ending December 31, 2022**
6. **Consider Resolution 2022-13 regarding GAAP waiver for the 2022 audit**
- Assistant City Manager Zack Daniel reviewed these two items, recapping the City’s history with Gordon CPA.
 - If approved, this would be the first extension of the 2019 agreement with Gordon, which allows up to two extensions before the requirement to go back out for bid.
 - Mr. Daniel then reviewed the GAAP waiver resolution, a routine procedure which allows the City to follow a cash basis form of accounting for audit purposes.
 - Mr. Webb added that retention of the City’s current auditor is also advised due to the current vacancy in the Finance Manager position, as the auditor will help ensure consistency as the position gets filled.
 - **Motion:** Councilmember Mellott made the motion to approve the selection of Gordon CPA as the City’s FY22 auditor
 - **Second:** Councilmember Shriver seconded the motion
 - **Vote:** Passes, 5-0
 - **Motion:** Councilmember Mellott made the motion to adopt Resolution 2022-13 regarding the GAAP waiver for the 2022 audit
 - **Second:** Councilmember Scott seconded the motion
 - **Vote:** Passes, 5-0
7. **Consider Resolution 2022-14 supporting a grant application for home buyer assistance**
- Mr. Webb reviewed this grant opportunity, noting it is for a moderate-income housing program. The City is working on this in conjunction with the developer behind the recent RHID housing development.
 - Generally, the grant would provide an opportunity for home buyers to receive a \$10,000 payment to assist with closing costs, interest buy-downs, etc. It is not a

rent subsidy or a way to enrich builders, but is meant to encourage home ownership.

- Mayor Caiharr provided additional details on the current market conditions for first time home buyers.
- **Motion:** Councilmember Adams made the motion to authorize the grant application via adoption of Resolution 2022-14
- **Second:** Councilmember Bishop seconded the motion
- **Vote:** Passes, 5-0

8. City Manager Report

- Mr. Webb reviewed the goDotte discussion recently held at the Planning Commission level and noted it would be in front of the City Council at some point in the future. Mr. Webb also updated the group on the search for a Public Works Director.

9. Council and Mayor Comments

Councilmember Scott thanked the public for their comments and noted his surprise that the current state laws do not do a better job protecting students and teachers. He thanked the Mayor for doing her due diligence and bringing it to the Council's attention.

Councilmember Adams asked for more details about the police canine competition, which Deputy Chief Short provided. He restated he felt the UPOC discussion earlier should have been handled at the school board and state level and noted he was concerned about the unintended consequences.

Councilmember Bishop noted his complaints about a recent social media posting where the Bonner Springs Police Department appeared to ticket the Edwardsville Fire Department. He did not find the posting funny and requested that the mutual aid arrangement between the City be re-addressed in light of this treatment as well as other instances related to north end development.

Councilmember Shriver thanked Zack and the other City staff for their work putting together the AutumnFest event. She asked about the planned bulky item pickup planned for November. Mr. Daniel noted he had a call scheduled with KC Disposal scheduled for tomorrow to finalize the date and start getting the word out. She closed by noting a road failure on 110th St. by Ani-Pals, which Mr. Webb noted is likely a BPU issue and that he would be discussing it with the proper officials.

Councilmember Mellott thanked the public for their input and stressed the difficult decisions the Council has to make. He noted his 'no' vote was due to not believing he had enough information on the amendments and that he trusted the school board and USD 204 officials to do the right thing for their students and for the community. He added he was not against the intent of the amendments, but felt the City likely overstepped its position to be in opposition to state statute. He closed by adding to his request for more pressure to be put on KDOT to clean up K-32.

Mayor Caiharr thanked staff for putting together the AutumnFest event as well as Fastenal for organizing the 5K out of their facility. She noted her recent work gathering information on state and federal money for infrastructure and broadband projects. She also wanted to clarify slides on the 9/12 budget presentation, noting it was her request to see the mill levy at the levels noted, but that the specific

recommendations on the slide were not developed by her. She thanked the Council for their vote on the UPOC item earlier in the night

ADJOURNMENT

The meeting was adjourned at 8:13 p.m.

Zachary Daniel
City Clerk

ITEM #1b

TO: MAYOR & CITY COUNCIL
FROM: ZACK DANIEL, ASSISTANT CITY MANAGER
DATE: OCTOBER 10, 2022
SUBJECT: STATEMENT OF BILLS

FOR YOUR REVIEW

Statement of Bills AP 9/24/22 through 10/7/22

RECOMMENDATION

City Council to approve the Statement of Bills as submitted in amount of \$158,567.51

FINANCIAL IMPACT

The total of the Statement of Bills is as follows:

General	\$95,211.50
Payroll (9/30/22)	--
Cash Bond	\$2,200.00
General Obligation Bond	\$60.00
Electronic Funds Transfer	--
Pre-Authorized Payments	\$22,994.59
Pre-Authorized Payroll	\$38,101.42
Total	\$158,567.51

NYP CPA has completed the preliminary bank reconciliation through the month of August. A full recap of departmental expenses and revenues is expected to be included in the October 24, 2022 agenda packet, following the City's standard reporting schedule. A preliminary fund balance report is included as an attachment to this agenda memo.

**IF YOU HAVE ANY QUESTIONS REGARDING THE STATEMENT OF BILLS, PLEASE
FEEL FREE TO CALL PRIOR TO THE COUNCIL MEETING.**

CITY OF EDWARDSVILLE

FINANCIAL SNAPSHOT
MONTH ENDING 8/31/2022



Fund Nmbr	Fund Name	Audited Encumbered Cash Balance 12/31/2021	Unaudited Uncumbered Cash Balance 8/31/2022
101	General	\$ 941,243	\$ 1,479,821
105	Technology	22,178	18,101
108	Law Enforcement Trust	4,539	6,690
201	Special Parks & Rec	3,262	3,579
203	Special Events	5,901	10,722
227	Special Street/Highway	171,414	300,517
240	Transient Guest Tax	15,987	17,764
244	Economic Development	367,262	346,040
250	CID Special Revenue	34,624	14,381
255	TIF Special Rev Fund	96,396	116,404
275	Special Sales Tax Fund	237,699	363,153
300	Debt Service	54,900	894,496
301	CIP Fund	62,381	62,382
450	Grant Fund	514,695	811,437
505	Sewer Fund	806,778	1,078,945
515	Solid Waste Fund	23,829	15,391
727	Riverview Cross Roads	412,564	413,660
728	Property Acquisitoin	440,119	441,754
729	Towne Center	907,801	911,173
730	4th St Imp.	318,801	319,985
731	98th St Imp.	643,623	322,278
732	Street & Drainage Imp	402,444	402,187
999	Cemetery Board	74,241	84,134
	TOTAL	\$ 6,562,681	\$ 8,434,992

Agency Funds

107	Fire Insurance	3,113	3,113
205	Cash Bond	36,956	61,467
	Total Agency Funds	\$ 40,069	\$ 64,581

Check Register Report

Date: 10/07/2022

Time: 11:39 am

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City of Edwardsville

BANK: BANK MIDWEST-CHECKING

Check Number	Check Date	Status	Void/Stop Date	Reconcile Date	Vendor Number	Vendor Name	Check Description	Amount
BANK MIDWEST-CHECKING Checks								
154384	09/30/22	Printed			AS01	ASPHALT SALES CO INC	BM-2 FOR PATCHING VARIOUS LOCA	1,401.57
154385	09/30/22	Printed			BA49	BARDAVON HEALTH INNOVATIONS	JORDAN GUST-POET TESTING	75.00
154386	09/30/22	Printed			BH01	BHC RHODES CIVIL ENGINEERS	PROFESSIONAL SERVICE 8/22-9/22	8,821.50
154387	09/30/22	Printed			BO01	BOARD OF PUBLIC UTILITIES	BPU WATER BILLS	751.96
154388	09/30/22	Printed			BY01	BYERS GLASS AND MIRROR, INC	NEW DOOR FOR EVIDENCE ROOM	1,245.00
154389	09/30/22	Printed			CI25	CITY-WIDE MAINTENANCE	CITY-WIDE JANITORIAL	1,723.88
154390	09/30/22	Printed			CO05	COLEMAN EQUIPMENT, INC	BOOM MOWER REPAIR	1,068.35
154391	09/30/22	Printed			GA33	DAVID GARNER	PARK SHELTER RENTAL REFUND	20.00
154392	09/30/22	Printed			PC01	EDW PETTY CASH	POLICE OFFICE PETTY CASH	6.00
154393	09/30/22	Printed			KPL0	EVERGY	EVERGY ENERGY BILLS	553.71
154394	09/30/22	Printed			FR13	FRANKLIN LEGAL PUBLISHING	CODE OF ORDINANCE ONLINE HOSTI	1,599.00
154396	09/30/22	Printed			EX02	GO CAR WASH MANAGEMENT CORP.	FLEET CAR WASHES AUG 2022	140.00
154397	09/30/22	Printed			LE01	LEAGUE OF KANSAS MUNICIPALITIES	PW JOB POSTING	550.00
154398	09/30/22	Printed			PR38	LINDE GAS & EQUIPMENT INC	ACETYLENE FUEL	53.94
154399	09/30/22	Printed			MU16	MURPHY TRACTOR & EQUIPMENT CO	JOHN DEER MAINTENANCE	455.12
154400	09/30/22	Printed			NA32	NATIONWIDE DISCOUNT PRINTING	utility bill pastcard billing	149.84
154401	09/30/22	Printed			NE35	NETSTANDARD INC	ANTIVIRUS- RECURRING	1,763.75
154402	09/30/22	Printed			OF01	ODP BUSINESS SOLUTIONS LLC	OFFICE SUPPLIES	38.68
154403	09/30/22	Printed			SH43	QUICKSILVER AUTOMATION SOL	MONTHLY SECURITY MONITORING	32.95
154404	09/30/22	Printed			RE40	REDDI SERVICES KC	MISSION CREEK LIFT STATION REP	9,063.73
154405	09/30/22	Printed			PR35	REDISHRED KANSAS INC.	SHREDDING SERVICES	156.02
154406	09/30/22	Printed			SM18	SMITH & LOVELESS INC	MISSION CREEK LIFT STATION REP	215.85
154407	09/30/22	Printed			TI02	SPECTRUM BUSINESS	INTERNET SERVICE COMMUNITY CEN	664.96
154408	09/30/22	Printed			SU31	SUPREME GREEN LANDWORKS, LLC	MOWING MULTIPLE AREAS	11,436.00
154409	09/30/22	Printed			RA03	THE RADAR SHOP	SERVICE/CERT. RADAR TUNINGFORK	69.00
154410	09/30/22	Printed			TY01	TYLER TECHNOLOGIES INC	IMPLEMENT/TRAINING 4 MOBILE ME	11,442.16
154411	09/30/22	Printed			UN21	UNIFIED GOVERNMENT OF WYAN CTY	AUGUST 2022 SEWER SERVICE	28,726.85
154412	09/30/22	Printed			UN31	UNIFIRST	SUPPLIES	258.07
154413	09/30/22	Printed			UN30	UNIQUE PAVING MATERIALS CORP	KOLD FLOW CRACK SEALER FOR 22	2,211.61
154414	09/30/22	Printed			UN25	UNLEASHED PET RESCUE	ANIMAL INPOUND FEES FOR AUG 22	500.00
154415	10/07/22	Printed			DU08	DAVID K DUCKERS	SEPT. 22- MUNICIPAL JUDGE FEES	5,025.00
154416	10/07/22	Printed			FT01	FTC EQUIPMENT	PUMP FIELD CHECK PER JAMES	4,992.00

Total Checks: 32

Checks Total (excluding void checks):

95,211.50

Total Payments: 32

Bank Total (excluding void checks):

95,211.50

Check Register Report

Date: 10/07/2022

Time: 11:39 am

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City of Edwardsville

BANK: BANK MIDWEST CASH BOND

Check Number	Check Date	Status	Void/Stop Date	Reconcile Date	Vendor Number	Vendor Name	Check Description	Amount
BANK MIDWEST CASH BOND Checks								
1795	09/30/22	Printed			CI19	CITY OF EDWARDSVILLE, KANSAS	BOND FORFEITED TICKET #76148	2,045.00
1796	09/30/22	Printed			CA53	SHANE CALDWELL	BOND REFUNDED TICKET #77049	155.00
					Total Checks: 2		Checks Total (excluding void checks):	2,200.00
					Total Payments: 2		Bank Total (excluding void checks):	2,200.00

Check Register Report

Date: 10/07/2022

Time: 11:39 am

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City of Edwardsville

BANK: BANK MIDWEST-GO BONDS

Check Number	Check Date	Status	Void/Stop Date	Reconcile Date	Vendor Number	Vendor Name	Check Description	Amount
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BANK MIDWEST-GO BONDS Checks

1743	09/30/22	Printed			KA100	KANSAS DEPT. OF HEALTH & ENVIR	NOTICE OF INTENT	60.00
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Total Checks: 1	Checks Total (excluding void checks):	60.00
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Total Payments: 1	Bank Total (excluding void checks):	60.00
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Check Register Report

Date: 10/07/2022

Time: 11:39 am

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City of Edwardsville

BANK: PRE-AUTHORIZED PAYMENTS

Check Number	Check Date	Status	Void/Stop Date	Reconcile Date	Vendor Number	Vendor Name	Check Description	Amount
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PRE-AUTHORIZED PAYMENTS Checks

6704	09/30/22	Printed			MA07	MARC	PLANNING COMMISSIONER TRAINING	234.00
6705	09/30/22	Printed			UMB01	UMB BANK	UMB SEP 2022	22,760.59

Total Checks: 2

Checks Total (excluding void checks): 22,994.59

Total Payments: 2

Bank Total (excluding void checks): 22,994.59

**TO: MAYOR & CITY COUNCIL
FROM: MICHAEL WEBB, CITY MANAGER
DATE: OCTOBER 10, 2022
SUBJECT: ARPA PROJECT UPDATE**

RECOMMENDATION

City Council to hear staff update regarding the City’s ARPA allocation and allowable uses.

FINANCIAL IMPACT

The City of Edwardsville was awarded \$685,978.14 in American Rescue Plan Act (ARPA) dollars. Additionally, the City has requested additional funding through Wyandotte County’s ARPA allocation in the following areas:

Project Request	Funding Request
Connecting Edwardsville (sidewalks, trails, pedestrian safety)	\$1,005,625
STEM Learning Lab	\$556,000
Stormwater infrastructure and equipment	\$640,100
Police Department safety equipment, drug storage	\$99,000
Backup power generator for public facilities	\$565,200
Development/construction of splash pad (via Edwardsville Community Fund)	\$677,000

BACKGROUND

The American Rescue Plan Act (ARPA) was signed into law in March of 2021, providing local government entities with resources to help respond to the COVID-19 pandemic and recover economically due to market disruptions during the pandemic. The City of Edwardsville received \$685,978.14 in ARPA dollars directly from the federal government. The U.S. Department of Treasury issued the final rule regarding use of these funds in January of 2022. Additionally, the City requested nearly \$3,000,000 in additional funding from Wyandotte County’s ARPA award, in the areas detailed in the table above.

City staff will review the potential uses of ARPA funds, the timeline by which funds need to be allocated, and more. This presentation is meant for informational purposes and to generate discussion on City Council priorities for use of ARPA funds. No authorization for specific projects is being requested at this time, as staff anticipates several meetings before funds are dedicated to specific projects.

CITY COUNCIL MEETING – OCTOBER 10, 2022

CITY MANAGER REPORT

ADMINISTRATION

- A Community Health Worker from CHC of Wyandotte County will begin office hours in the City Hall training room on Friday, October 17, helping residents get connected to resources for healthcare, maternity needs, food, housing, and more. This is the beginning of a six-month engagement with the City.
- The curbside bulky item pickup has been set for November 5, 2022. Notification has gone out via social media, traditional mail, and the City's text-alert system.
- The review committee for the facilities RFQ review has been set, with a roster made up of Mayor Caiharr, City Councilmember Mark Bishop, Planning Commissioners Ian Abbot and Mickey Schwartzkopf, Edwardsville resident Jena Woodbury, and the City Manager serving as ex officio.

FIRE DEPARTMENT/EMS

- EFD continues to take part in training inside the structures on Highland Dr., including work with agencies from Bonner Springs and the Kansas City, KS fire departments.
- The Highland Dr. locations have also allowed EFD to expand the existing partnership with the Johnson County Community College, allowing EFD the ability to train and evaluate potential future fire personnel.
- McCray Lumber donated cull material to support EFD training. Staff thanks McCray for their support and the cost savings incurred due to the donation.

PUBLIC WORKS

- Clifford "C.E." Goodall has accepted an offer to join the City of Edwardsville as Public Works Director with a tentative start date of October 24. Mr. Goodall has 18-years of experience in Public Works in Richmond and Maryville, MO.

PARKS & REC

- Planning is underway for the 2022 Spooky Express, which is set to take place on Sunday, October 30. Online vehicle registration is now live.
- The mill and overlay project was completed at the Edwardsville Cemetery. Striping will follow in the coming weeks.
- An RFP for masonry work in the Cemetery was released on Friday, October 7, for work on the center planter and gazebo. The results of the RFP will be reviewed by the CPPS Board at their November meeting.