



City Council Meeting Minutes

February 27, 2023

6:17 p.m.

Mayor: Carolyn Caiharr
Councilmember Chuck Adams Mark Bishop (*not present*) Garrett Mellott
Greg Scott Margaret Shriver

1. Requests or Comments from the public

- Lane Cooper, 1535 S. 105th Terrace, addressed the Council discussing his concerns with the amount of executive session the City conducted in 2022, noting that he felt the public had a different interpretation of “transparency.”

2. Consider approval of consent agenda items

- a) Approve minutes of February 13, 2023
- b) Statement of bills paid in the amount of \$91,291.87
- c) Consider Mayoral appointments of the following positions
 - i. Municipal Court Judge
 - ii. Judge Pro Tem
 - iii. City Prosecutor

- **Motion:** Councilmember Scott made the motion to approve Consent Agenda items 2a-2b, with 2c to be considered separately
- **Second:** Councilmember Shriver seconded the motion
- **Vote:** Passes, 5-0
- Assistant City Manager Zack Daniel reviewed item 2c, noting that these all were reappointments of existing officials. None of these positions have stipulated term limits in the City’s ordinances, as terms are spelled out in individual Independent Contractor Agreements. The City Prosecutor, Amy Mitchell, is at the end of her term and is requesting an increase in her monthly payment. The judge positions have no set term limit, but Mayor Caiharr requested these positions carry an annual reappointment process, built into their contracts. As such, their reappointment is taking place to reset the calendar. Consideration of reappointment for all of these officials would take place a year from now.
- Councilmember Adams asked about disposition numbers in municipal court. Police Chief Mathies noted that this represented the number of decisions rendered within a calendar year.
- **Motion:** Councilmember Adams made the motion to approve the reappointments as noted.
- **Second:** Councilmember Shriver seconded the motion
- **Vote:** Passes, 4-0

3. Hear presentation from Wyandotte County District 7 Commissioner Chuck Stites

- Commissioner Stites addressed the City Council, providing updates on projects related to CiFi funding, K-32 maintenance, property tax appraisals, BPU fees, and more.
- Mr. Stites also thanked the Chamber of Commerce for their recent banquet and noted he would be participating in the Polar Plunge for charity event on March 11.
- No action was required as part of this presentation.

4. **Consider any action stemming from the discussion held in the Agenda Development Workshop**
 - There was no discussion or action related to this item.

5. **Consider variance request for a right-of-way application from Evergy concerning work taking place between Kaw Drive and the 1100 Block of South 98th St.**
 - City Manager Michael Webb reviewed this item, noting the ROW application history that led to the variance request.
 - Mr. Webb reviewed the typical variance process for other applications, noting that similar standard were being applied when considering this variance.
 - In short, the City denied Evergy's right-of-way application for the installation of new distribution lines along 98th St. due to the fact that it did not conform with the underground utility ordinance adopted by the Council in 2022. Evergy's primary stance is that their application materials were being developed prior to the underground requirement.
 - Representatives from Evergy were present who provided additional context for the project as well as future plans related to electric infrastructure.
 - There was additional discussion about the need for phase 3 power that is needed at the City's north lift station.
 - Councilmember Adams noted his frustration with Evergy's lack of forthrightness regarding the specifics of their plans and projects in the area, leading to distrust and confusion.
 - Mayor Caiharr noted need to establish a precedence for variance request reviews for like projects.
 - There was discussion regarding a potential open house Evergy could hold to better inform residents on this project and other projects in the City.
 - **Motion:** Councilmember Adams made the motion requesting Evergy to hold an open house to display plans to the public regarding pole placement, to take place immediately prior to the 3/13/23 City Council meeting.
 - Evergy representatives requested some kind of threshold for the level of detail that would need to be provided related to the variance request. He also noted this was outside the normal procedure with other projects.
 - **Second:** Councilmember Shriver seconded the motion.
 - **Vote:** Passes, 4-0

6. **Consider Ordinance No. 1064 amending dates relating to fireworks sales and discharge in the City of Edwardsville**
 - Fire Chief Tim Whitham detailed this ordinance, noting it would expand sale and discharge dates for fireworks to last from June 27 until July 4.
 - This change would more closely follow the schedule allowed by the State of Kansas and would allow the City an additional four days of sales tax collection.
 - Chief Whitham pointed out that the item stems from a request to review from one of the City's current fireworks sales permit holders.
 - There was some discussion regarding discharge dates, with Chief Witham and Police Chief Mathies both noting the difficulty in catching violators outside of the allowable dates and that having the same discharge and sale dates was the most simple method.
 - **Motion:** Councilmember Scott made the motion to adopt Ordinance No. 1064 as presented.
 - **Second:** Councilmember Mellott seconded the motion.
 - **Vote:** Fails, 3-1, with Councilmembers Adams, Mellott, and Shriver dissenting

- **Motion:** Councilmember Shriver made the motion to adopt Ordinance No. 1065, changing the discharge dates to July 1-4.
- **Second:** Councilmember Adams seconded the motion
- **Vote:** Passes, 3-2, with Councilmembers Scott and Mellott dissenting and the Mayor Caiharr providing the tiebreaker vote in the affirmative.

7. Consider Ordinance No. 1065 amending Appendix A Fee Schedule of the Edwardsville Code of Ordinances

- Assistant City Manager Zack Daniel reviewed this item, noting the changes would increase the cost for fireworks sales permits to correspond with the expansion of sale dates, as well as codify existing fees charged in the planning department related to special and temporary use permits as well as zoning verification letters.
- **Motion:** Councilmember Mellott made the motion to adopt Ordinance No. 1065
- **Second:** Councilmember Shriver seconded the motion.
- **Vote:** Passes, 4-0

8. City Manager Report

- City Manager highlighted the Panasonic information sheet from a recent meeting he attended regarding upcoming development in the region.
- Chief Mathies provided a brief staffing updated for the EPD. He also recognized Officer Josh Brooks for his 15 years of service to the EPD.
- Public Works Director C.E. Goodall reviewed recent departmental activity.

9. Council and Mayor Comments

Prior to Councilmember comments, Mayor Caiharr announced the upcoming retirement of City Manager Michael Webb. She read a prepared statement summarizing Mr. Webb’s contributions to the City and thanked him for his 16 years of service.

Councilmember Adams thanked Mr. Webb for this service and all of the work he has done to get the City in good financial standing.

Councilmember Mellott provided additional context to his comments regarding transparency during the workshop held earlier in the evening. He also asked for an update on the RHID project, which Mr. Webb noted that the project is expected to start construction soon.

Councilmember Shriver thanked Mr. Webb for his service to the City as well as the recent work done by Commissioner Stites at Wyandotte County.

Councilmember Scott thanked Mr. Webb for his 16-year service to the City and his availability to residents over that amount of time. He noted he was interested to see how the Evergy project move forward.

Mayor Caiharr reviewed recent Harvesters food pantry events. She also requested that copies of the LKM code of procedure be provided to the City Council as it continues to review agenda development processes. She closed by referencing recent activity related to the Wyandotte County landbank, asking that staff look into it more.

ADJOURNMENT

The meeting was adjourned at 9:32 p.m.

Zachary Daniel

City Clerk