



# City Council Meeting Minutes

March 28, 2022  
6:00 p.m.

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

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1. **Consider approval of consent agenda items**
  - a) **Approve minutes of March 14, 2022**
  - b) **Statement of bills paid in the amount of \$233,748.70**
  - c) **Consider Ordinance No. 1052 amending Chapter 5 of the City of Edwardsville Municipal Code including updates related to the 2018 International Fire Code (IFC)**
  - d) **Consider recommendation of approval from the Planning Commission regarding a replat/final plat located at 9301 Woodend Rd.**
  - e) **Consider recommendation of approval from the Planning Commission regarding a preliminary development plan related to 9301 Woodend Rd.**
    - **Motion:** Councilmember Mellott made the motion to approve the consent agenda items
    - **Second:** Councilmember Shriver seconded the motion
    - **Vote:** Passes, 5-0
  
2. **Requests or Comments from the public**
  - Charisse Sparks, 10526 Richland Ave., took the podium and noted her opposition to the substation application to be considered later in the evening. Ms. Sparks noted both her and Rhonda Smiley's opposition, citing the reasons and motion made at the February 16 Planning Commission, the objections noted in Ms. Smiley's comments at that meeting, the supposed additional and/or changed information included with the application. Ms. Sparks also noted the reduction of property values on similar projects. Finally, Ms. Sparks presented pictures of other poles used at other substations as a way to demonstrate their incompatibility in the area.
  - William Shaftman, 10549 Richland, also noted his opposition to the substation application, noting the buzzing noises he expects to be a part of the project as well as its potential detrimental effects on livestock.
  - Roseanne Gortengurg, 134 S. 102<sup>nd</sup> St., noted this project would border the west side of the property and noted her concerns with the size of the transmission lines that would be required. She also noted that the project is noisy and not a good fit for the area. She also brought up unconfirmed studies related to health concerns.
  
3. **Consider a motion to recess into Executive Session pursuant to K.S.A. 75-4319 (b)(2) for consultation with legal counsel which would be deemed privileged in the attorney-client relationship as it relates to the development agreement involving the Kincaid Project**
  - **Motion:** Councilmember Bishop made the motion to recess into Executive Session for the reasons stated, with the regular meeting to resume at 6:30 p.m.
  - **Second:** Councilmember Adams seconded the motion
  - **Vote:** Passes, 5-0
  - *Council conducts their executive session, and returned at 6:30 p.m.*

- **Motion:** Councilmember Mellot made the motion to return to regular session
  - **Second:** Councilmember Shriver seconded the motion
  - **Vote:** Passes, 5-0
  - Scott Anderson, the City's bond counsel, then took the podium to provide an overview of the development agreement that was discussed. Mr. Anderson noted that the agreement stipulates membership in the Bonner Springs-Edwardsville Area Chamber of Commerce, a split of the TIF revenues for up to a 20-year term which would end when the City is reimbursed for the estimated \$350,000 in sewer costs, an annual \$500 contribution to the City's community foundation
  - The other TIF documents will still need later Council approval
  - **Motion:** Councilmember Adams made the motion to approve the agreement
  - **Second:** Councilmember Bishop
  - **Vote:** Passes, 5-0
4. **Consider authorizing the City Manager to enter into a contract for roof repairs and maintenance at Edwardsville City Hall**
- Public Works Director Dustin Zenger reviewed this item, summarizing the bid results for the project which would include replacement of the area in the south portion of the building. Four bids were received for this project.
  - The estimated total for the work, which would not include total shingle replacement, comes to \$69,739.
  - Mayor Caiharr asked if there was a warranty, which Mr. Zenger confirmed a 20-year warranty.
  - There was additional discussion on the materials to be used.
  - **Motion:** Councilmember Mellott made the motion to authorize the City Manager to enter into a contract with Alpha Roofing for the City Hall roof replacement project.
  - **Second:** Councilmember Adams seconded the motion
  - **Vote:** Passes, 5-0
5. **Consider the following items recommended for approval by the Cemetery, Parks, and Public Spaces (CPPS) Board**
- a. **Authorizing the City Manager to enter into a contract with White Lawn and Landscaping for mowing services at the City Cemetery**
    - Assistant City Manager Zack Daniel introduced this item, noting that this approval was only for the Cemetery portion of the RFP and the remaining areas will be considered at a later date after review with the Public Works Director.
    - Mr. Daniel noted that White was the previous contractor for the Cemetery, but lost out on the contract last year due to not being the low bidder.
    - Mr. Daniel also noted that the other areas of the mowing RFP will be presented at a later date.
    - **Motion:** Councilmember Adams made the motion to authorize the City Manager to enter into a contract with White Lawn and Landscape for the Cemetery mowing contract
    - **Second:** Councilmember Member Scott seconded the motion.
    - **Vote:** Passes, 5-0
  - b. **Authorizing the use of Special Sales Tax funds to contract with BHC for surveying services related to the River Front Park Redevelopment Project**
  - c. **Authorizing the use of Special Sales Tax funds to contract with Stantec Consulting for Design Development materials related to the River Front Park Redevelopment Project**
    - Mr. Daniel reviewed these two items, as well as the history of the project to this point and the work the CPPS Board.

- Mr. Daniel provided an overview of the concepts that the CPPS Board worked on with Stantec, which includes trail extensions, board ramp improvements, permanent restrooms, pedestrian lighting, and more.
- Mr. Daniel noted that the design documents will take these concepts and put them in more fine detail. Having design documents for the whole project will also allow the City to pursue external funding for portions of the project, which would effect the ordering of the phases. Stantec has already done work to identify possible external funding sources.
- Kelly Van Elders representing Stantec took the podium noting that the project has received an award of excellence for the project from the PGASLA group.
- City Manager Michael Webb noted that the design portion of the project will be done in whole, but that construction will be done in phases.
- **Motion:** Councilmember Adams made the motion to approve the \$58,900 Design Document contract with Stantec Consulting.
- **Second:** Councilmember Mellott seconded the motion
- Mayor Caiharr asked if the design costs could be reduced if certain areas do not make it into the project. Mr. Daniel noted that the final design will be found through this process, which would effect the ultimate construction costs.
- **Vote:** Passes, 5-0
- **Motion:** Councilmember Mellott made the motion to approve the \$21,500 with BHC for surveying services for the project
- **Second:** Councilmember Scott seconded the motion
- **Vote:** Passes, 5-0

**6. Consider recommendation of denial from the Planning Commission regarding a Special Use Permit for an electrical substation located at 1044 Riverview Ave.**

- City Planner Bradley Hocevar introduced this item and summarized the history of the application through staff review and the February 16 Planning Commission public hearing where the recommendation from that group was to deny the SUP.
- Mr. Hocevar then reviewed the updated materials provided by Evergy, which mainly include the options of the connection routs for the transmission lines (note: the SUP application is not directly related to the placement of transmission lines, which the City has no purview over).
- Mr. Hocevar reviewed the existing zoning and neighborhood makeup of the proposed area.
- City Manager Michael Webb then noted that the proposed use is an allowable use within the AG-R district, but requires the SUP due to certain factors. The application is not to rezone the area to allow for the use. Mr. Webb emphasized that only the City Council can issue an SUP, with the advice and counsel of the professional staff. He noted there is some subjectivity in the SUP criteria.
- Mr. Webb reviewed the possible reasonings to deny the permit, include the possible reduction of property values. He also spoke about the issues of screening and lighting on the site.
- Mr. Webb then noted that if approved, the SUP would be a permanent change for this address.
- Mr. Webb also noted that the substation in this area would also allow the City's lift station to be connected to 3-phase power as it was originally designed. As such, the lift station cannot operate at its maximum level with its current 1-phase power.
- Mr. Webb then reviewed the different service areas for Evergy (and the former Westar) and BPU. He noted that based on comments from Evergy, it will not have the capacity to provide power to the Edwardsville area within 3 years once BPU cuts off its access.

- Mr. Webb also noted that the staff is not providing a recommendation for or against the application, outside of the official recommendation from the Planning Commission. Mr. Webb again reviewed the voting options for this item.
- Richard Goode, representing Evergy, provided additional comments on the possible location of the transmission lines. There was additional discussion about the location of the poles and the possibility of moving those close to I-435.
- Councilmember Scott voiced his concerns with how the substation will fit in the proposed area. There was additional discussion about other possible locations in Edwardsville, specifically around the City's lift station. Mr. Goode noted the concerns they had with this location.
- Councilmember Adams noted that he was concerned with the narrow lots that would potentially be excluded from future building projects due to the easements under the transmission lines.
- Mayor Caiharr invited Planning Commission Chairman John Altevogt for additional context on the Planning Commission's motion to deny.
- Mr. Goode further emphasized that BPU has asked Evergy to be off their system by the end of 2023.
- Mayor Caiharr presented some informal data she collected from 83 realtors, the majority of which indicated that offers would be reduced if there was a substation in sight.
- Councilmember Scott had questions about the implications of the voting options.
- **Motion:** Councilmember Adams made the motion to send this item back to the Planning Commission in light of the new information that has been uncovered, specifically the plant's potential effects on property values, location of inbound/outbound lines
- **Second:** Councilmember Mellott seconded the motion
- **Vote:** Fails, 2-4 with Councilmembers Scott, Shriver, and Bishop and Mayor Caiharr dissenting.
- There was additional discussion on how a new motion could be phrased to encourage them to look at other sites. Mr. Webb noted that a new site would involve a new application and Planning Commission process.
- **Motion:** Councilmember Bishop made the motion to accept the Planning Commission recommendation and deny the Special Use Permit
- **Second:** Councilmember Scott seconded the motion
- **Vote:** Passes, 4-2 with Councilmembers Adams and Mellott dissenting.

## 7. City Manager Report

- City Manager Michael Webb noted he would be out of the office April 6-7. He also noted that the preliminary audit report was currently being reviewed by staff.
- Assistant City Manager Zack Daniel noted that he has the 2022 Narrative Budget ready to distribute.
- Public Works Director Dustin Zenger made the announcement he just had his first child and also provided an update on the sewer mapping project.

## 8. Council and Mayor Comments

Councilmember Bishop congratulated Dusty Zenger on his new child.

Councilmember Mellott congratulated Dusty and also asked about the progress of the QZ project, which Mr. Webb provided. He also noted that he has seen poles along the interstate and that he feels this possibility should be looked at more to ensure electrical service in the City's north end.

Councilmember Shriver thanked the citizens who attended this evening's meeting. She congratulated Dusty and thanked staff for the recent City Council work session.

Councilmember Scott thanked the residents who provided feedback to the substation item. He agreed that power is a need in the City and hopes to see a new plan and location from Evergy.

Mayor Caiharr noted the lack of activity related to the Quiet Zone project. She also thanked staff for the work shop and noted the City Manager will have more information from that meeting in the future. She thanked Stantec for their presentation and the award the River Front Park Project. She thanked Evergy for the work they put in on their application, and echoed the sentiment to look for a more appropriate location. She also noted to disregard any emails from her received that day as she has been hacked.

#### **ADJOURNMENT**

The meeting was adjourned at 8:26 p.m.

Zachary Daniel  
City Clerk