



# City Council Meeting Minutes

August 10, 2020  
7:26 p.m.

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

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*Note: Prior to the meeting beginning, Councilmember Adams made the motion that the City Council amend the agenda of this evening's meeting to include an executive session (statute noted below). Councilmember Stites seconded the motion, which passed 5-0.*

**1. Approve minutes of the July 27, 2020**

- **Motion:** Councilmember Mellott made the motion to approve the minutes from July 27, 2020
- **Second:** Councilmember Shriver seconded the motion
- **Vote:** Passes 4-0-1 with Councilmember Adams abstaining

**2. Statement of Bills paid \$255,390.03**

- **Motion:** Councilmember Stites made the motion to approve the statement of bills paid in the amount of \$255,390.03
- **Second:** Councilmember Mellott seconded the motion
- **Vote:** Passes 5-0

**3. Requests or Comments from the public**

- Lane Cooper, 1532 S. 104<sup>th</sup> Terrace, addressed the City Council expressing his concerns regarding the mill levy. Mr. Cooper characterized the trash charges as an additional tax on the residents. He also noted his concerns regarding the City's debt.

**4. Consider recommendation of approval from the Planning Commission regarding a Special Use Permit for a communications tower at 725 S. 4<sup>th</sup> St. and adopting Resolution 2020-08 finalizing the same**

- City Planner Dave Knopick reviewed this item, including the processes involving the land bank of the Unified Government as well as the Planning process.
- Mr. Knopick also reviewed the Planning Commission's previous public hearing as well as the seven conditions recommended for approval noted in the agenda memo.
- Councilmember Adams asked about the service area for the proposed internet service, which the applicant Breck Ricketts noted it was low-speed internet meant to service the southern portion of the City. Trees begin to interfere with service levels the more you move north.
- Councilmember Caiharr asked about the length of the SUP, which Mr. Knopick noted it was a permanent SUP but that it only applied to the current owner. Any change in ownership would require issuance of a new SUP.
- There was additional discussion on the speed of the service and its potential uses
- **Motion:** Councilmember Adams made the motion to issue the special use permit with the staff conditions noted and approved Resolution 2020-08
- **Second:** Councilmember Caiharr seconded the motion

- **Vote:** Passes 5-0
5. **Consider a motion to recess into Executive Session pursuant to K.S.A. 75-43(b)(2) for consultation with legal counsel regarding information which would be deemed privileged in the attorney-client relationship related to the Village south at Edwardsville project with the open meeting to resume at 8:00 p.m.**
- **Motion:** Councilmember Adams made the motion to recess into executive session
  - **Second:** Councilmember Stites seconded the motion
  - **Vote:** Passes 5-0
  - *Executive Session*
  - **Motion:** Councilmember Mellot made the motion to return to regular session
  - **Second:** Councilmember Shriver seconded the motion
  - **Vote:** Passes 5-0
  - **Motion:** Councilmember Adams made the motion to authorize the Mayor to execute one or more confidentiality agreements in a form acceptable to the City Attorney and Kutak Rock as special counsel in connection with the Village South at Edwardsville litigation
  - **Second:** Councilmember Stites seconded the motion
  - **Vote:** Passes 5-0
6. **Hear City Manager presentation regarding CARES Act Projects**
- City Manager Michael Webb presented this item and reviewed the CARES application process to this point.
  - Mr. Webb noted the total amount received by Wyandotte County and reviewed the application and interview process which resulted in the formula detailed in the agenda memo. The formula was based on the population of each community, resulting in an award of \$449,400 for Edwardsville
  - Being that this amount was drastically reduced from the original request (\$926,678), the scope of the proposed projects was altered. Projects involving funding for the broadband initiative study, development of an outdoor lobby space, and PD booking rooms modifications fell off the list of priorities in favor of other projects. About \$164,000 of the awarded funds will go back into the General Fund under reimbursed expenses for payroll and purchases made directly related to COVID-19 response.
  - Mr. Webb stressed that the proposed projects are meant to strengthen the City in the wake of COVID-19 and not to make up for lost revenue in the General Fund. The preparedness of the local government and residents was paramount in prioritizing the projects.
  - Mr. Webb also noted that the advocacy of the City Council for increased representation of the non-Kansas City communities was beneficial to getting a spot on the committee.
  - There was additional discussion about possible projects that could benefit the residents in the case that school's go 100% remote before the end of the fall semester.
  - Councilmember Adams brought up that he'd like to see some kind of meeting or session with Wyandotte County Commissioners to hold them accountable for representation of western
  - Councilmember Caiharr raised several complaints regarding the process, including the funding requests made by the different taxing agencies in Wyandotte County. She thanked Mr. Webb for his role on the committee and posited that the award

would likely be less had Edwardsville not been represented on the CARES Act Committee.

- There was no action to take on this item

**7. Consider Ordinance No. 1030 adopting the 2020 Uniform Public Offense Code for Kansas cities**

- City Manager Michael Webb reviewed this item, noting that there is no update required for the Standard Traffic Ordinance in 2020. Mr. Webb then reviewed the changes in the Uniform Public Offense Code (UPOC) for this year.
- There was discussion on some of the changes made to the section related to firearms. The Council had concerns about the term “reckless” as its used in the UPOC as well as the definition of the term “shooting range”.
- Councilmember Caiharr and Councilmember Stites voiced their support for adding a definition of the term “reckless” in the City’s codes to reduce the confusion around the code. There was additional discussion on the confusion the term “shoot zone” causes among residents.
- Police Chief Mark Mathies weighed in as well, detailing some of the exceptions built into the City’s code and the UPOC.
- Councilmember Caiharr suggested researched Leavenworth County’s regulation related to shooting on private property.
- Councilmember Caiharr asked a series of questions regarding other UPOC changes, some of which the City Manager pointed out were not misdemeanor offenses and such would not be prosecuted in municipal court. She also pointed out one of the changes was related to an action the Council opted not to take regarding violations of the public health orders. Mr. Webb noted this could be exempted from the City’s adoption of the ordinance.
- No action was taken at this time, but the Council gave staff direction to provide more clarity in the UPOC ordinance, specifically around the language related to firearms and shooting in the City.

**8. Hear a presentation regarding the 2020 Quarterly Budget Review and consider setting the maximum Fiscal Year 20201 Budget and calling for a public hearing on August 24, 2020**

- City Council gave the direction to forgo the staff presentation at this time, but did receive the written report for their own review.
- Assistant City Manager Zack Daniel noted that the group still needed to make a motion to set the maximum budget for next year and to call the public hearing.
- Councilmember Caiharr asked for clarification that the maximum published budget and spending authority could be reduced at the next meeting but could not be raised, which Mr. Daniel confirmed.
- **Motion:** Councilmember Caiharr made the motion to set the maximum Fiscal Year 2021 Budget as was presented by staff, which calls for an overall mill levy of 43.790 (note: as was noted in the City Council work session, it is expected this mill levy will raise after final valuation is determined)
- **Second:** Councilmember Shriver seconded the motion
- **Vote:** Passes 5-0

**9. Advisory Reports**

City Manager Michael Webb provided noted some of the actions the Council would need to take at their next meeting, including a resolution related to debt.

Assistant City Manager Zack Daniel noted that the Census deadline has been shortened and now all responses will be due by the end of September.

Police Chief Mathies provided updates related to the Department's outreach efforts.

Fire Chief Tim Whitham updated the Council on departmental staffing and recent activity.

## **10. City Council and Mayor Comments**

Stites: Councilmember Stites stressed his desire to see the mill levy lowered to provide relief to Edwardsville residents and to promote economic development. He also asked about the status of the community service sentencing requirements that have been discussed previously.

Shriver: Councilmember Shriver thanked the Police Department for being proactive in getting public safety updates online and on social media.

Mellott: Councilmember Mellott asked on the status of the quiet zone project, which Mr. Webb provided an update.

Caiharr: Councilmember Caiharr asked if an update related to community service by the next meeting, noting she'd like to see the program in operation before the end of September.

Adams: Councilmember Adams again noted his desire to see more accountability on the part of the Wyandotte County Commission to the resident of Edwardsville, which lead to additional discussion on the appropriate venue for that discussion.

McTaggart: Mayor McTaggart thanked staff for their work on the budget to this point.

### **ADJOURNMENT**

The meeting was adjourned at 8:11 p.m.

Zachary Daniel  
City Clerk