



# City Council Meeting Minutes

September 14, 2020

7:00 p.m.

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

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1. **Approve minutes of the August 24, 2020**
  - **Motion:** Councilmember Caiharr made the motion to approve the minutes from August 24, 2020 with the typo correction noted by Councilmember Mellott.
  - **Second:** Councilmember Shriver seconded the motion
  - **Vote:** Passes 5-0 with Councilmember Adams abstaining
2. **Statement of Bills paid \$459,078.78**
  - **Motion:** Councilmember Mellott made the motion to approve the statement of bills paid in the amount of \$459,07.78
  - **Second:** Councilmember Caiharr seconded the motion
  - **Vote:** Passes 5-0
3. **Requests or Comments from the public**
  - John Altevogt, 10601 Shawnee, addressed the City Council providing some additional context related to the rezoning item later on in the agenda. He noted his concerns were related to the development precedent this project would set for the area.
  - Craig Brandt, 449 S. 98<sup>th</sup> St., addressed the City Council asking for updates on 98<sup>th</sup> St. repairs. He also thanked the Councilmember Stites and City Manager Michael Webb for working with him on an issue involving railroad ties.
4. **Consider a motion to recess into Executive Session in accordance with K.S.A. 75-4319(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**
  - **Motion:** Councilmember Adams made the motion to recess into Executive Session with the regular meeting to resume at 7:20
  - **Second:** Councilmember Mellott seconded the motion
  - **Vote:** Passes 5-0
  - *Executive Session held with regular meeting resuming at 7:20*
  - **Motion:** Councilmember Mellott made the motion to resume regular session
  - **Second:** Councilmember Adams seconded the motion
  - **Vote:** Passes 5-0
  - No action was taken as a result of this executive session
5. **Consider recommendation of approval from the Planning Commission regarding the replat/final plat for 10326 Richland/316 S. 102<sup>nd</sup> St. and acceptance of dedicated public rights-of-way and easements**
  - City Planner Dave Knopick introduced this item, summarizing the Planning Commission activity and review to date.

- Mr. Knopick noted the property would be platted into three lots, requiring dedication of right of way related to potential road improvements in the future.
- He also noted that the new lot being created needed a public access to the site.
- Councilmember Caiharr if this was related to an earlier planning item which Mr. Knopick noted it was unrelated but in the same area
- **Motion:** Councilmember Stites made the motion to approve the replat/final plat for the property and acceptance of dedicated easements and rights-of-way along with the conditions noted in the agenda memo.
- **Second:** Councilmember Adams seconded the motion
- **Vote:** Passes 6-0 with Mayor McTaggart voting

**6. Consider recommendation of approval from the Planning Commission regarding the Preliminary and Final Development Plans for the proposed transportation center at 9207/9233 Woodend Rd.**

- City Planner Dave Knopick reviewed this item and its history in the Planning Commission, noting that it involved two parcels that were previously known as the Kincaid properties.
- Mr. Knopick noted that the property is zoned correctly for the proposed use.
- Mr. Knopick reviewed the conditions noted in the staff report which involve some architectural items, signage, as well as the standard items.
- Councilmember Caiharr asked for details on what exactly a transportation center was. The applicant and Mr. Knopick noted that there would be two bays for minor repairs, maintenance, etc. along with some office space.
- **Motion:** Councilmember Adams made the motion to approve the preliminary development plans for the site with the conditions noted.
- **Second:** Councilmember Caiharr seconded the motion
- **Vote:** motion passes 5-0, with the Mayor voting and Councilmember Stites recusing himself
- **Motion:** Councilmember Adams made the motion to approve the final development plan with the noted conditions
- **Second:** Councilmember Mellott seconded the motion
- **Vote:** Motion passes 5-0 with Mayor McTaggart voting and Councilmember Stites recusing himself

**7. Consider recommendation of approval from the Planning Commission regarding an application to rezone property at 10625/10635 Kaw Dr. and adopt Ordinance No. 1031 finalizing the same**

- City Planner Dave Knopick reviewed this item and its activity at the Planning Commission
- Mr. Knopick reviewed the zoning history of the item as well as the Planning Commission discussion related to the rezone. The second motion to approve the rezoning passed with a 3-2 margin after the first motion to deny the request failed 2-3
- There was discussion about the surrounding zoning and other C-3 zoning areas in the City, the only other one of which is located in the City's north end. There was additional discussion about the difficulty of moving forward with their project in the current zoning distinction, which Mr. Knopick noted.
- Councilmember Adams expressed concerns about access onto K-32 and would feel more comfortable on moving forward after KDOT provides input.
- The civil engineer for the project noted a traffic study was recently conducted, which would be a requirement of the future development plan.

- Councilmember Caiharr was hesitant in approving the rezoning, thus committing the applicant to more expenditures for a project that may not ultimately be approved.
  - Mr. Knopick reviewed the possible actions of the Council as well as the voting thresholds for each.
  - There was additional discussion about the reversionary zoning on the property, which would be tied to approval of the development plan and final plat.
  - *Note: Mr. Knopick took time to review the ramifications of taking no action and came back after the following item to provide details, resulting in no action being taken).*
  - **Motion:** Councilmember Stites made the motion to table this item for continued discussion at a later date
  - **Second:** Councilmember Mellott seconded the motion
  - **Vote:** Passes 5-0
8. **Consider Ordinance No. 1030 adopting the Uniform Public Offense Code for Kansas cities with edits and amendments – OLD BUSINESS**
- City Manager Michael Webb distributed an additional page of the proposed agenda, noting it was originally included in the August 24, 2020 review and was inadvertently left of this draft. It concerned target shooting within the City limits.
  - Mr. Webb noted the changes the draft ordinance as undergone over the last month of Council and staff review. The primary changes in the most recent version involved the discharge of certain items within the City limits and the elimination of the “shoot zone” map.
  - Mr. Webb reviewed the proposed process for granting permission from the Police Chief related to discharge of certain items.
  - Councilmember Caiharr asked for more time to review section 10.5 in the ordinance but Mr. Webb noted that that section was in the previous draft and is unchanged. The reason it was not voted on at that time was for further review of section 10.6
  - Councilmember Caiharr asked about the state language related to “reckless” shooting, which was read from the cited state statute.
  - There was additional discussion on how this information would be made available to the public, with staff noting that online links could be developed relatively quickly.
  - **Motion:** Councilmember Stites made the motion to adopt Ordinance No. 1030
  - **Second:** Councilmember Shriver seconded the motion
  - **Vote:** Passes 5-0
9. **Consider Resolution 2020-11 regarding the City’s acceptance of CARES Act funding**
- City Manager Michael Webb reviewed this item, noting the \$449,400 approved figure as well as the process required for formal acceptance of the funds.
  - There was additional discussion regarding the allocation process for the funds. Many councilmembers voiced their displeasure in the process and felt that Edwardsville and USD 204 were not given adequate consideration when it came to funding decisions.
  - Councilmember Caiharr asked if there was any possibility to resubmit for a higher amount of funding for some of the projects that were cut after the allocations were announced. Mr. Webb noted that the funding decisions related to specific projects was not a County decision, but rather a decision by the City to make the most out of the available dollars.
  - Councilmember Adams voiced complaints about the funding decisions related to the different school districts within the County, feeling like USD 204 was not appropriately funded.
  - Mr. Webb reviewed the project areas that the City will be pursuing once funding is secured.

- **Motion:** Councilmember Mellott made the motion to adopt Resolution 2020-11
- **Second:** Councilmember Stites seconded the motion
- **Vote:** Passes 5-0

**10. Consider entering into a mutual aid agreement with the City of Kansas City, Kansas for Fire and Emergency Medical Services**

- Fire Chief Tim Whitham took the podium and addressed this item.
- Chief Whitham provided some background on the item, noting that a recent leadership change at the KCK Fire Department paved the way for the development of this new agreement.
- The agreement does not obligation any financial support in either direction and has been reviewed by the City's legal counsel.
- City Councilmember Stites asked if a similar agreement is in place with the City of Bonner Springs, which Chief Whitham responded there have been previous agreements in the past and that all three communities are currently reviewing the status of the existing agreements.
- There was additional discussion on the worker's comp implications of this agreement.
- **Motion:** Councilmember Adams made the motion to approve entering into a mutual aide agreement with the KCK Fire Department
- **Second:** Councilmember Caiharr seconded the motion
- **Vote:** Passes 5-0

**11. Consider selecting Gordon CPA to serve as the City's auditor for the year ending December 31, 2020**

**12. Consider Resolution 2020-12 regarding the GAAP waiver for the 2020 Audit**

- Finance Director Sean Milleson reviewed items 11 & 12 on the agenda.
- Mr. Milleson reviewed the 2019 audit process and noted the cost for the 2020 audit as stipulated in the City's current agreement with Gordon CPA
- Related to the Solid Waste fund, Mr. Webb noted that bids for a new contract that would begin in 2021 are being solicited now. The Council should begin reviewing those responses at their September 28 meeting.
- **Motion:** Councilmember Caiharr made the motion to select Gordon CPA for auditing services for the fiscal year 2020
- **Second:** Councilmember Adams seconded the motion
- **Vote:** Passes 5-0
- **Motion:** Councilmember Stites made the motion to adopt Resolution 2020-12
- **Second:** Councilmember Shriver seconded the item
- **Vote:** Passes 5-0

**13. Advisory Reports**

State Representative/Unified Government Commissioner Tom Burroughs addressed the Council, including some of their concerns with the CARES Act funding decision making process. He was also amenable to continued coordination between all of the communities in the County.

City Manager Michael Webb discussed future rounds of CARES Act funding. Mr. Webb also provided a roadmap for future discussions on street maintenance and major capital projects.

Assistant City Manager Zack Daniel noted several events coming up and noted that the City has scheduled a bulky item pick up day on November 14 rather than move forward with the traditional City-Wide Clean Up event.

Police Chief Mathies provided some community safety and illegal dumping updates.

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

Adams: Councilmember Adams stated his displeasure that the City-Wide Clean Up was cancelled and stated he'd like to see other alternatives provided.

Caiharr: Councilmember Caiharr thanked public safety departments for their recent grant applications. She also provided information she had researched regarding COVID-19 spread. She asked that staff ask health department officials for firmer metrics on what the community is working toward in regards to preventing further spread of the virus in Wyandotte County. Councilmember Caiharr closed with a request that in the future, the City Council formally recognize the events and victims of September 11 in some way (she offered the suggestion of a proclamation).

Mellott: Councilmember Mellott thanked Rep. Burroughs for his appearance. He stressed the need to be careful when spending CARES funding to stay within the scope of the project. He also asked that staff look into potential drainage issues along Newton St.

Shriver: Councilmember Shriver had additional comments about mutual aide agreements between Edwardsville and Bonner Springs fire departments. She also asked for an update on dispatch issues brought up a few weeks ago.

Stites: Councilmember Stites agreed that continued dialogue between the City and County officials would be beneficial. He also asked for an update on community service trash pick-up, which Mr. Webb responded to.

McTaggart: Mayor McTaggart provided some additional details regarding the COVID-19 community update calls he participates in.

#### **ADJOURNMENT**

The meeting was adjourned at 10:23 p.m.

Zachary Daniel  
City Clerk