



City Council Meeting Minutes

January 9, 2023

6:00 p.m.

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

Following the pledge of allegiance and moment of silence, Mayor Caiharr recognized Pastor Mike Vernon of the Edwardsville Christian Church, who led the group in prayer to begin the new year.

1. Consider approval of consent agenda items

a) Approve minutes of December 12, 2022

b) Statement of bills paid in the amount of \$159,094.57

c) Commercial Lease Agreement with Julian Rae, LLC for the Edwardsville Party Shop addressed at 640 S. 4th St.

- *Note: due to the item being removed from the consent agenda, this item was discussed and action taken following the requests for public comments.*
- Assistant City Manager Zack Daniel noted that other than the rental rate adjustment is the only significant change to the existing terms of the contract. The proposed version contains a 15% increase in the monthly rent paid to the City.
- **Motion:** Councilmember Bishop made the motion to approve the proposed lease agreement with an amendment setting the monthly rental rate at \$1,000.
- **Second:** Councilmember Adams seconded the motion
- Mayor Caiharr asked about the possibility of facilities projects affecting the lease, and staff noted sections of the agreement that account for that potentiality.
- **Vote:** Passes, 4-0

d) Consider authorization of use of Special Sales Tax funds for the purchase of Zoll X Series cardiac monitors/defibrillators

e) Consider approval of the Edwardsville Fire Department SAFER grant application

- Mayor Caiharr noted an email she had received inquiring about a \$36,00 payment noted on page 4 of the financial report attachments. City Manager Michael Webb noted that the payment was related to the Police and Fire retirement dues.
- Councilmember Adams asked for clarification on the items that are included in this item, which Assistant City Manager Zack Daniel provided.
- **Motion:** Councilmember Bishop made the motion to remove item 1c from the consent agenda for additional discussion
- **Second:** Councilmember Adams seconded the motion
- **Vote:** Passes, 4-0
- **Motion:** Councilmember Bishop made the motion to approve consent agenda items 1a, 1b, 1d, and 1e
- **Second:** Councilmember Shriver seconded the motion
- **Vote:** Passes, 4-0

2. Consider the following recommendations from the Edwardsville Planning Commission

- Assistant City Manager Zack Daniel reviewed the addition of a Planning consent agenda, to streamline review of items that have previously been reviewed by the

Edwardsville Planning Commission. This would allow for the items to meet the appropriate voting threshold related to land use items.

- **Motion:** Councilmember Adams made the motion to remove all four items from the consent agenda for additional discussion.
 - **Second:** Councilmember Mellott seconded the motion
 - **Vote:** Passes, 4-0
 - *Note: the agenda items noted below were discussed after discussion of Consent Agenda Item 1c*
- a) **Recommendation of denial regarding the rezoning of property located at 10600 Kaw Dr. (2022-18-Z)**
- City Planner Bradley Hocevar provided a review of this item and its history in the Planning Commission. He recapped the public hearing related to this application and the basis for the recommendation of denial from the Planning Commission.
 - Councilmember Adams had questions about the distinctions between the existing zoning and requested zoning. City Manager Michael Webb noted the primary difference in this case relates the level of maintenance that can be provided to vehicles. The existing C-2 zoning allows for minor repairs, while C-3 zoning allows for more intensive maintenance which may involve additional machinery and/or equipment.
 - **Motion:** Councilmember Adams made the motion to accept the Planning Commission recommendation.
 - **Second:** Councilmember Bishop seconded the motion
 - **Vote:** Passes, 5-0, with the Mayor voting
- b) **Recommendation of approval regarding a Special Use Permit (SUP) located at 2029 Orchard St. (2022-15-SUP)**
- City Manager Michael Webb reviewed the purpose for the SUP, which relates to the use of the property as a short-term rental. City Planner Hocevar provided additional details, noting the property owner would still be on the property and the rentals were taking place in a different unit on the property.
 - Councilmember Adams asked if transient guest taxes would be collected, which Mr. Webb confirmed.
 - **Motion:** Councilmember Adams made the motion to accept the Planning Commission's recommendation.
 - **Second:** Councilmember Mellott seconded the motion
 - **Vote:** Passes, 5-0 with Mayor Caiharr voting
- c) **Recommendation of approval regarding a final plat located at 1139 S. 98th St./1300 S. 94th St. (2022-17-FPT)**
- City Manager Michael Webb reviewed the background on this item, noting the potential housing project planned for the site and its history as part of the Raintree Hotel project a number of years back.
 - There was additional discussion on the planned retention pond on the site.
 - **Motion:** Councilmember Adams made the motion to accept the Planning Commission recommendation, subject to the additional conditions noted in the memo.
 - **Second:** Councilmember Bishop seconded the motion
 - **Vote:** Passes, 4-0
- d) **Recommendation of approval regarding a final plat located at 10600 Kaw Dr. (2022-19-FPT)**
- Staff reviewed a map of this item and detailed why the rezoning was recommended for denial, but his item was recommended for approval.

- Mr. Webb reviewed that the plat acceptance creates the legal lot but does not provide any land use rights outside what is currently allowed via its existing zoning distinction.
- He noted the benefit to the City lies in the updated records (which also benefits the property owner for sale or development purposes).
- Mr. Webb noted there is no benefit to delaying this item, as any future development will require acceptance of a final plat.
- **Motion:** Councilmember Adams recommended accepting the Planning Commission recommendation, along with the conditions noted in the memo, less item 3.
- **Second:** Councilmember Bishop seconded the motion.
- **Vote:** Passes, 4-0
- There was additional discussion related to the purpose of consent agendas and their potential use in the future. City Manager Michael Webb notes that plats are largely administrative and would recommend keeping those items on future consent agendas related to Planning items.

3. Requests or Comments from the public

- No comments from the public were made.

4. Consider Ordinance No. 1061 amending Appendix A Fee Schedule of the Edwardsville Code of Ordinances

- Assistant City Manager Zack Daniel reviewed the proposed updates to the fee schedule.
- Mr. Daniel noted that the updates related to solid waste (from \$18.70 per month to \$21.25) was in keeping with previous discussions related to rates involving the City's contracted solid waste hauler KC Disposal.
- Mr. Daniel then reviewed the proposed adjustments to the Community Center rental rates, which are recommended by the CPPS Board. It has been a number of years since these rates were updated and the adjustments bring them more in line with other public rental facilities in the County.
- Mr. Daniel also reviewed the long-term rental agreement structure, which would be a new fee schedule for the Center.
- Mayor Caiharr stated she believed the resident rates were being increased too high being that the Center is also used as a community storm shelter when needed.
- Mr. Daniel pointed out that the difference in the resident rental scenario amounts to \$250.
- Councilmember Shriver noted she was not present at the last CPPS Board meeting, but had a chance to review the fees ahead of time. She noted she believed the rates needed to be adjusted due to the fact that they have not been revisited in a number of years and were out of step with the fees she was aware of.
- There was some discussion on bringing it back to the CPPS Board with additional facilities included in the review and some calculation based on square footage.
- Councilmember Bishop noted that even with the increase, the proposed rates were still very affordable compared to other facilities he was familiar with.
- Councilmember Mellott pointed out the recent HVAC replacement project at the site, which was an unbudgeted expense in 2021.
- **Motion:** Councilmember Mellott made the motion adopt Ordinance No. 1061 as presented.
- **Second:** Councilmember Bishop seconded the motion
- **Vote:** Passes, 3-1 with Councilmember Shriver dissenting.

5. **Consider bids for janitorial services in City facilities**
 - Assistant City Manager Zack Daniel reviewed this item, noting that staff seeks out bids when they feel like service is beginning to decline with the current contractor.
 - Mr. Daniel reviewed the two firms that responded, noting that KCK Maintenance came in as the low bid. By the per unit cost, the increase would amount to less than \$4,000 annually.
 - Mayor Caiharr asked if any Edwardsville companies were invited to bid. Mr. Daniel responded that the bid was posted and advertised publicly with a number of direct solicitations made. Staff conducted 4-5 facility walkthroughs with firms. None of the interested parties were Edwardsville-based businesses.
 - **Motion:** Councilmember Adams made the recommendation to approve a contract with KCK Maintenance for janitorial services.
 - **Second:** Councilmember Bishop seconded the motion
 - **Vote:** Passes, 4-0

6. **Consider recommendation of approval from the Cemetery, Parks, and Public Spaces (CPPS) Board regarding the masonry repair project at the City Cemetery**
 - Mr. Daniel reviewed the current condition of the retaining wall/planter, noting that after meeting with several firms, the consensus direction was to move forward with full reconstruction of the retaining wall.
 - Mr. Daniel reviewed the RFP process, noting one firm submitted correctly and on time (Holcomb Masonry for an amount of \$11,050). Anecdotally, Mr. Daniel noted that the responses that were not issued correctly were all higher than this amount.
 - Mr. Daniel reviewed Holcomb Masonry's previous work and reference checks.
 - **Motion:** Councilmember Adams made the motion to move forward with Holcomb Masonry LLC for this project as quoted
 - **Second:** Councilmember Shriver seconded the motion
 - **Vote:** Passes, 4-0

7. **Consider a motion to recess into executive Session pursuant to K.S.A. 75-4319(b)(6) for preliminary discussion of the acquisition of real property in the City of Edwardsville**
 - *Note: Agenda Item no. 7 was originally an executive session related to attorney-client privilege and the requirements for underground utilities. City Attorney Lisa Dehon was unable to attend the meeting due to a death in the family so staff opted to postpone this discussion. Item no. 8 on the agenda is being reviewed here.*
 - **Motion:** Councilmember Adams made the motion to recess into executive session for the reasons stated, with the regular meeting to resume at 7:20
 - **Second:** Councilmember Mellott seconded
 - **Vote:** Passes, 4-0
 - *Group returns to regular meeting at the appropriate time*
 - **Motion:** Councilmember Mellott made the motion to return to regular session
 - **Second:** Councilmember Shriver seconded the motion
 - **Vote:** Passes, 4-0
 - No action was taken as a result of this executive session.

8. **City Manager Report**
 - City Manager Michael Webb updated the group on ongoing discussions related to the wholesale wastewater agreement with the Unified Government and expects that those will include some adjustment in sewer rates sometime in 2022.

9. Council and Mayor Comments

Councilmember Adams noted his preference to keep items on the regular agenda to ensure Council is hearing the same information ahead of votes. His recommendation is to keep Planning items on regular agenda for discussion rather than include in a consent agenda. He also suggested a workshop on the construction of the agenda so there is some standard to go by. He noted his support for Mayor Caiharr's idea of moving public comments to the first item on the agenda ahead of the regular meeting items.

Councilmember Bishop agreed with Councilmember Adam's comments. He also requested that Evergy provide some update to the City regarding their intentions for infrastructure in the City.

Councilmember Mellott agreed with the comments about use of the consent agenda and his preference to keep Planning items on the regular agenda for discussion. There was additional discussion on the voting thresholds for Planning items, which Mr. Webb said staff would verify.

Councilmember Shriver noted she was sad to hear Roscoe's BBQ was closed. She also noted she would be at the February CPPS meeting acting as the ex-officio representative.

Mayor Caiharr reviewed year-end achievements and reminded the group about the upcoming Harvester's mobile food pantry event. She provided additional comments regarding the development of consent agenda items. She also noted she'd like to see comments from the public moved to the first item on agendas. She closed by stating she'd like to see the Council consider an ordinance that would not allow any changes to the City Council agenda within 48-hours of a scheduled meeting.

ADJOURNMENT

The meeting was adjourned at 7:47 p.m.

Zachary Daniel

City Clerk