



City Council Meeting Minutes

March 8, 2021
6:27 p.m.

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

The regular City Council meeting opened at 6:27 p.m. following a 6:00 p.m. work session to review the 2020 Departmental Reports

1. Consider approval of consent agenda items

a) Approve minutes of February 22, 2021

b) Statement of bills paid in the amount of \$168,967.69

- **Motion:** Councilmember Mellott made the motion to approve the consent agenda items
- **Second:** Councilmember Adams seconded the motion
- **Vote:** Passes 5-0

2. Requests or Comments from the public

- Mr. Daniel read the following comments submitted to the City Clerk's office prior to the meeting:
 - Louis Roberts, property owner along K-32, voiced her opposition to public housing being built in Edwardsville and pushed the Council to consider "the right kind" of development, specifically mentioning restaurants.
 - Dan Cerran, 805 S. 110th St., submitted public comments in opposition to the building of new municipal facilities. Mr. Cerran stressed the need for a focus on public safety and the reopening of the north fire station.

3. Hear a presentation by Alcove Development for the Towne Center project and consideration of any necessary actions

- Dustin Baker representing Alcove Development presented this item.
- Mr. Baker summarized the findings of the housing study, which was completed by Novogradac Consulting and reviewed the primary market area (PMA).
- Mr. Baker reviewed the findings, which noted there was a lack of comparable properties in the PMA, as well as the rent/vacancy/absorption data.
- Other considerations for the apartments and amenities were discussed.
- There was additional discussion on the level of investment from the private developer as well as the request for the City to provide site preparation, engineering, utility upgrades, stormwater improvements, etc.
- Mr. Baker asked that, if the Council reaches a consensus on the concept for the area, then a development agreement could be put together and Phase 1 entered into.
- Councilmember Caiharr asked what would need to be done before the "go/no go" decision, which Mr. Baker noted that many of these details would be addressed in a development agreement.
- Councilmember Shriver asked about the prep work required, which Mr. Webb responded he estimated the work would be about \$175,000 for the engineering. The exact cost of the site work wouldn't be clear until the engineering piece is completed. This would allow the City to know the full cost before moving forward.

Mr. Webb stressed that this preliminary engineering piece would be required for any development project on the site.

- Scott Anderson laid out the preliminary details of the proposed development agreement and what work was still needed in this area.
- Councilmember Stites asked about the timeframe for phase 2, which Mr. Baker noted that this would be market driven. Councilmember Caiharr asked for clarification the need to demolish City Hall, which Mr. Webb noted that the concept would be that the existing City Hall is demolished and the City would become a temporary tenant in the new buildings until such time a new municipal facility is built.
- Greg Kindle from the Wyandotte County Economic Development Council commended the developer for the work that has already been done as well as the public-private partnership concept that is being discussed. He compared it to the activity at the City of Lenexa in their City Center area, which encouraged development.
- Mr. Webb summarized the short-term next steps if a consensus has been met.
- Councilmember Caiharr noted she wanted to review the development plan to see what kind of retail was being targeted for the site.
- Councilmember Adams thanked the developer for working with the City on this effort and for the work already done.
- Councilmember Stites noted that he does not believe a consensus has been met because he was unaware of certain details related to the relocation of City Hall activity.
- No formal action was taken at this time.

4. Consider Ordinance No. 1038 repealing sections of City Code related to removal of snow and ice from sidewalks

- City Manager Michael Webb reviewed this item and the previous discussions with Council.
- He noted these ordinances are typical among many cities, but rarely enforced. He noted that the City would recommend taking an encouragement and education stance related to snow and ice removal rather than maintaining the ability to cite violations.
- **Motion:** Councilmember Caiharr made the motion adopt Ordinance No. 1038
- **Second:** Councilmember Shriver seconded the motion.
- **Vote:** Passes 5-0

5. Consider Ordinance No. 1039 amending sections of City code related to sidewalks maintenance

- Mr. Webb reviewed this item as well and noted the new language in the ordinances.
- Mr. Webb noted that sidewalks and trails installed using public funds, it would remove the requirement for private property owners to maintain. Sidewalks privately installed would still be required to be maintained by the property owners.
- **Motion:** Councilmember Caiharr made the motion to adopt Ordinance No. 1039
- **Second:** Councilmember Adams seconded the motion
- **Vote:** Passes 5-0

6. Consider Ordinance 1040 related to community service sentencing in the Edwardsville Municipal Court

- Assistant City Manager Zack Daniel reviewed this item, noting it would grant the Municipal Court Judge the explicit authority to sentence community service.

- Mr. Daniel noted this would be the third part of the community service program, after the voluntary program and the pending partnership with MCSP.
- There was additional discussion on the need to supervise the participants in the program, which Mr. Daniel noted would be done by the Code Enforcement Officer (CSO) who would provide verification that the work sentenced was done to an acceptable level. Mr Daniel noted that participants would be non-violent offenders, which typically do not require constant supervision. If their work is not completed, they will not be considered in compliance with their sentence.
- Mr. Daniel noted the additional ways the City is getting out the word on the voluntary program.
- Councilmember Caiharr stressed her belief that constant supervision and participation by police or CSO staff should be a part of this program. Councilmember Mellott disagreed that police should be used for supervision.
- Councilmember Caiharr noted that she also felt that the Grounds Maintenance position out of Parks should also spend time on the weekends participating and supervising in this program.
- City Attorney Lisa Dehon noted that the program as it has been proposed is in line with other programs she was aware of. She noted that constant supervision is not typical in these kinds of programs.
- Mr. Daniel noted that these conversations are outside of the parameters of Ordinance No. 1040, which only deals with the Judge's ability to sentence community service.
- Councilmember Caiharr asked if it was possible to amend the language to only allow sentencing of Community Service within the Edwardsville City limits, which Mr. Daniel that could be considered in a motion.
- Councilmember Stites noted he was not sure why this program did not involve more police oversight.
- Councilmember Adams disagreed that community service should only be limited to work with in the City limits and for the City, as it would cut out nonprofits such as local churches or aid groups who service Edwardsville.
- **Motion:** Councilmember Adams made the motion to adopt Ordinance No. 1040
- **Second:** Councilmember Mellott seconded the motion
- **Vote:** Fails, 2-3, with Councilmembers Caiharr, Shriver, and Stites dissenting

7. Consider appointment of David Duckers as permanent judge pro tempore

- Mr. Daniel reviewed this item, noting it would allow former City Attorney David Duckers to be the "stand-by" temporary judge should the regular Judge not be able to make a scheduled court docket.
- **Motion:** Councilmember Mellott made the motion to approve Mr. Duckers as permanent Judge Pro Tempore
- **Second:** Councilmember Adams seconded the motion
- Councilmember Caiharr asked if this effects any financial items, which Mr. Daniel noted this would be cost neutral as it relates to budget.
- **Vote:** Passes 5-0

8. City Manager Report

- City Manager reviewed the City Manager's report, highlighting the updates on the Riverview Crossroads project.
- He also noted that the League of Kansas Municipalities released information about changes to the property tax lid that will take effect as part of this year's budget review and adoption.

- Police Chief Mathies provided additional data on the Department's work with the District Attorney's office.

9. Council and Mayor Comments

Councilmember Adams asked about the drop in police calls, which Chief Mathies noted was related to COVID. These numbers began to jump up after the spring stay-at-home orders.

Councilmember Caiharr mentioned the upcoming Harvesters Food Pantry event. She also read a prepared statement where she stressed the need to remove the City from Wyandotte County public health orders due to the current state of the spread of the virus. She also noted she would have supported the community service ordinance from earlier in the night had the language been amended restricting the work to only taking place in Edwardsville, for the City.

Councilmember Mellott asked about the status of the 4th Street improvements, which Mr. Webb noted that the project for utility relocation will go out later this month.

Councilmember Shriver asked about the status of the City-Wide Clean Up, which Mr. Daniel noted this program is being planned to take place on the normal weekend in May in addition to a bulky-item pickup in the fall. She also asked for an update on the sign project, which Mr. Webb did not have at this time.

Councilmember Stites asked staff to review the microphone situation before next meeting for remote participants.

ADJOURNMENT

The meeting was adjourned at 8:27 p.m.

Zachary Daniel
City Clerk