



# City Council Meeting Minutes

October 11, 2021  
6:06 p.m.

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

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1. **Consider approval of consent agenda items**
  - a) **Approve minutes of September 27, 2021**
  - b) **Statement of bills paid in the amount of \$239,336.01**
    - **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**
  - William Barajas, 1503 N. 132<sup>nd</sup> Terrace in Kansas City, KS. Mr. Barajas announced he was running for USD 204 school board.
3. **Consider authorizing the City Manager to enter into an agreement with Orrick & Erskine for right-of-way (ROW) acquisition services related to the 98<sup>th</sup> St. reconstruction project**
  - City Manager Michael Webb presented this item and summarized previous activity related to the 98<sup>th</sup> St. reconstruction project.
  - Mr. Webb noted that the cost for this contract is estimated at \$71,300 which would be paid for out of the project fund. This cost is not eligible for federal matching. The work would also include all of the necessary appraisal work.
  - Councilmember Caiharr asked if it would be appropriate to get bids for this work. Mr. Webb noted there are other firms in the area who do this work, but the City has had good experience with Orrick & Erskine and they are familiar with the City through other projects. They also have experience working with KDOT and have a demonstrated solid record keeping.
  - Councilmember Adams asked how many properties were involved, which Mr. Webb noted that there are 20 parcels which represent 17 property owners.
  - Councilmember Caiharr stated she felt that the cost may warrant going out to bid and that she had heard from residents who did not have good experience with Orrick & Erskine in previous City projects.
  - Mr. Webb noted that the staff member who has those interactions would not be on this project and that the City could go out for bids for this work if that is Council direction.
  - Mr. Webb provided additional input into the appraisal process on projects like this one.
  - **Motion:** Councilmember Stites made the motion to authorize the City Manager to enter into an agreement with Orrick & Erskine for ROW services for the amount of \$71,300
  - **Second:** Councilmember Shriver seconded the motion.
  - **Vote:** 4-1, with Councilmember Caiharr dissenting.

4. Consider recommendation of approval from the Planning Commission regarding the following items:
- a. Rezoning of 10600 Kaw Dr. from C-2, Commercial Retail District, to C-3, General Commercial District, and approval of Ordinance No. 1045 finalizing the same
  - b. Final Plat for 10600 Kaw Dr. and acceptance of dedicated public rights-of-way and easements
  - c. Preliminary/Final Development Plan for 10600 Kaw Dr.
    - City Planner Bradley Hocevar introduced the case, noting there would be several different approval actions required by the governing body. All items were recommended for approval by the Planning Commission.
    - In short, is looking to build a new 32,000 sq. ft. building on the north side of K-32/Kaw Dr. to support an office building and fleet vehicle maintenance services.
    - The primary reason for the zoning change is due to the fact that, while the uses are allowable under the current zoning, they often require special use permits. The rezoning would allow for the proposed work to take place (namely, comprehensive vehicle repairs and maintenance), without the additional layer of review and approval.
    - Mr. Hocevar noted that the plat included vehicle restrictions, limiting them to class 7 vehicles with no more than three axles.
    - Kevin Tubesing, representing the applicants, addressed the Council, providing additional information about the proposed development, noting he is currently in conversation with potential tenants for the space.
    - Councilmember Caiharr asked how many vehicles would be on site, which Mr Tubesing estimated at 50-60 company vehicles, which would deploy in the morning.
    - Councilmember Shriver asked how many employees are expected. Mr. Tubesing wasn't able to provide an exact number, but noted it would have a significant office component. He offered a broad guess of 50-60 office employees.
    - There was additional discussion of the classification of vehicles and using platting as the mechanism to restrict vehicles.
    - There was additional discussion about the C-3 zoning distinction in Edwardsville.
    - Councilmember Caiharr expressed concerns about the makeup of the K-32 corridor and wanting to be consistent with what the Council approves.
    - Councilmember Mellott asked about traffic counts along K-32, which Mr. Webb noted was around 12,000 vehicles, which Mr. Mellott disputed. There was additional discussion on deceleration lanes and the possible reduction of speed.
    - Mr. Webb reviewed the voting items and possible options based on state statute.
    - Mr. Hocevar noted how the proposed developed interacted with the Edwardsville Comprehensive Plan, noting that the plan does not obligate specific kinds of development.
    - Councilmember Stites expressed concerns with the potential types of vehicles that would be allowed, specifically the possibility of dump trucks. Mr. Tubesing noted that he was open to barring dump trucks in the platting process.
    - Councilmember Adams noted that this project would be a good compliment to the proposed RHID housing project also in the area.
    - Councilmember Caiharr asked why the rezoning was necessary, which Mr. Tubesing noted the work C-3 allowed that C-2 did not. He also noted that the building would largely not be visible from K-32.
    - **Motion:** Councilmember Adams made the motion to adopt Ordinance No. 1045
    - **Second:** Councilmember Mellott seconded the motion
    - **Vote:** Passes, 6-0 with Mayor McTaggart voting.

- Mr. Webb reviewed the Planning Commission recommendation, which limits the kinds of vehicles as referenced in the discussion earlier in the evening. Mr. Tubesing noted that the zoning change also places restrictions on outside storage.
- Councilmember Stites had question on weight limits of vehicles. Mr. Tubesing steered the restrictions away from that and would prefer the recommendations of the Planning Commissions stand (namely, the axle limit and vehicle classifications).
- Councilmember Adams had questions on the makeup of the motion and what would need to be included
- **Motion:** Councilmember Adams made the motion to approve the plat with the four conditions noted by the Planning Commission, striking the vehicle classification restriction of class 7 or below, and accept the dedicated easements and rights-of-way.
- **Second:** Councilmember Mellott seconded the motion
- Councilmember Stites provided more information on the weights of specific vehicles.
- **Vote:** Passes, 6-0 with Mayor McTaggart voting.
- There was discussion on the deviation that is being requested regarding the masonry threshold. Mr. Tubesing noted that the deviation actually makes construction more expensive, but he believes it will be a more aesthetically pleasing building.
- Mr. Tubesing reminded the group he is not requesting a tax abatement for this project.
- **Motion:** Councilmember Adams made the motion to approve the Preliminary Plan with the noted conditions, striking condition no. 3.
- **Second:** Councilmember Mellott seconded the motion.
- **Vote:** Passes, 6-0 with Mayor McTaggart voting
- **Motion:** Councilmember Adams made the motion to approve the final plan with the same conditions noted.
- **Second:** Councilmember Mellott seconded the motion.
- Prior to the vote, the City Planner noted there are actually eight conditions in the Planning Commission recommendation.
- Councilmember Adams then withdrew his motion.
- **Motion:** Councilmember Adams made the motion to accept the final development plan submitted August 26 with the eight conditions noted by the Planning Commission.
- **Second:** Councilmember Mellott seconded the motion.
- Councilmember Stites had additional question on condition 7, which essentially noted that the applicant would support a reduction of speed from 55 mph to 45 mph along K-32.
- Councilmember Adams asked what the implications would be to reduce the speed limit even further.
- Mr. Tubesing noted he would support a recommendation to reduce the speed in this area of K-32.
- **Motion:** Councilmember Adams made the motion to amend his motion to change the wording on condition 7 to note a letter of support for a reduction of speed, absent
- **Second:** Councilmember Mellott seconded
- **Vote:** 5-0
- **Vote** (on the original motion as amended in the previous vote): Passes 6-0, with Mayor McTaggart voting.

**5. City Manager Report**

- Mr. Webb noted it is Home Rule City Day in Kansas.

**6. Council and Mayor Comments**

Councilmember Shriver asked about the timeline for the project. Mr. Webb noted that the group is in the process of marketing the site but no construction timeline is set yet, but he guessed spring 2022. She also asked when the bulky item pickup day was, which Mr. Daniel noted would be Nov. 6.

Councilmember Stites noted he was glad to see more development come to Edwardsville and appreciated the discussion. He asked that staff look into a/v improvements and possible electronic agenda solutions.

Councilmember Adams noted that Mayor McTaggart was awarded the E.A. Moeser Award at the recent LKM Conference. Mayor McTaggart thanked staff and noted that he also shared the award with Carl Gulak.

**ADJOURNMENT**

The meeting was adjourned at 8:37 p.m.

Zachary Daniel

City Clerk