

City of Spring Hill, Kansas
Minutes of City Council Regular Session
July 14, 2022

A Regular Session of the City Council was held in the Spring Hill Civic Center, 401 N. Madison, Council Chambers, Spring Hill, Kansas on July 14, 2022. The meeting convened at 7:00p.m. with Mayor Berkey presiding and Glenda Gerrity, City Clerk, recording.

Councilmembers in attendance: Diana Roth
 Brian Peel
 Chad Young, via telephone
 Wendy North
 Chip VanHouden

Staff in attendance: Lou Ann Armstrong, Finance Director
 Cindy Henson, Chief of Police
 Jackie Messer, Director of Public Works
 Monakisha Jones, Human Resources Director

Staff absent: Patrick Burton, Interim City Administrator

Consultants in attendance: F. Charles Dunlay, City Attorney
 Dan Miller, City Engineer
 Tyler Ellsworth, Bond Counsel
 Ben Hart, Financial Advisor

INVOCATION

The invocation was given by Mayor Berkey.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

The City Clerk called the roll of the City Council. With a quorum present, the meeting commenced.

APPROVAL OF THE AGENDA

The Mayor requested to add two executive sessions.

Motion by Roth, seconded by North, to approve the agenda as amended. Motion passed unanimously.

CITIZEN PARTICIPATION

Bill Peterman, 19431 W. 200th Street, spoke about the proposed sewer line to Bucyrus.
Roy Riffel, 20024 Barker Street, spoke about charter ordinances.

CONSENT AGENDA

Motion by North, seconded Roth, to approve the consent agenda.

1. **Approval of Minutes: June 23, 2022, Regular Meeting**
2. **Consider Approval of Special Event Permit: Rest Stop for Sunflowers to Roses Bicycle Ride at City Park**
3. **Consider Approval of Purchase of Promotional Items from Alcohol and Tax Fund**
4. **Consider Approval of Invoice for Lift Station Chemical Purchase: Evoqua**
5. **Consider Approval of Invoice for Locating Services: Integrity Locating Services**
6. **Consider Approval of Generator Repair for the Wastewater Treatment Plant: CK Power**
7. **Consider Approval of Contract Services for Chip-Seal Project, Vance Brothers**
8. **Consider Approval of One Permanent Sanitary Sewer Easement Dedication for Country Meadows Industrial Park 4th Plat, Lot 15**

Motion carried 5-0-0.

FORMAL COUNCIL ACTION

9. **Consider Appointment of Finance Director**

Mayor Berkey nominated Rhonda Dunn to fill the appointment of Finance Director.

Motion by Roth, seconded by North, to approve Mayor Berkey's appointment of Rhonda Dunn as Finance Director. Motion carried 5-0-0.

10. **Consider Ordinance No. 2022-25: Authorizing the Issuance and Delivery of \$[3,025,000] Principal Amount of General Obligations Bonds, Series 2022A, of the City of Spring Hill, Kansas; and providing for the Levy and Collection of an Annual Tax for the purpose of paying the principal of and Interest on the Bonds as they become due**

Motion by Roth, seconded by Peel, to adopt Ordinance No. 2022-25, authorizing the issuance and delivery of \$2,905,000 principal amount of General Obligation Bonds, Series 2022A, of the City of Spring Hill, KS; and providing for the levy and collection of an annual tax for the purpose of paying the principal of and interest on the bonds as they become due.

Motion carried by roll of the City Council 5-0-0. North=yes, VanHouden=yes, Roth=yes, Peel=yes, Young=yes. Mayor announced Ordinance No. 2022-25 passed 5-0-0.

11. **Consider Resolution No. 2022-R-13: Prescribing the Form and Details of and Authorizing the Delivery of \$[3,025,000] Principal Amount of General Obligations Bonds, Series 2022A, of the City of Spring Hill, Kansas, Previously Authorized by an Ordinance of the City**

Motion by Roth, seconded by North, to adopt Resolution No. 2022-R-13, prescribing the form and details of and authorizing the delivery of \$2,905,000 principal amount of General Obligation Bonds, Series 2022A, of the City of Spring Hill, KS, previously authorized by an Ordinance of the City.

Motion carried 5-0-0.

12. Consider Approval of Funding Agreement with Ad Astra Land Holdings, LLC and Spring Hill Venture, LLC. for Wiswell Farm Project

Motion by Roth, seconded by Peel, to approve the funding agreement with Ad Astra Land Holdings, LLC and Spring Hill Venture, LLC.

Motion passed 5-0-0.

13. Consider Approval of Appropriation Order No. 2022-07-14

Motion by Roth, seconded by North, to approve appropriation order no. 2022-07-14.

Motion passed by roll call vote of the City Council 5-0-0 with exception stated by Councilmember Roth. Roth-yes, with the exception that I abstain from any invoices pertaining to J & T Auto, Peel-yes, Young-yes, North-yes, VanHouden-yes.

14. Consider Approval of Bid for Veterans Park Memorial Plaza and Fishing Jetties

Motion by Peel, seconded by Young, to reject the base and alternate bid, because it is too high of a price, and direction to the staff to rebid this at some point in the future and reevaluate if we bid this project as a whole and request an update at the next meeting.

Motion carried 5-0-0.

15. Consider Approval of Bid for Bar Screen Repair at Wastewater Plant

Motion by Roth, seconded by North, to accept the Enviroline bid for an in-kind replacement.

Motion passed 5-0-0.

16. Consider Waiver of Bid Process and Acceptance of Bid for Lincoln Street

Motion by Peel, seconded by Roth, to approve waiver of the bid process and accept NewCo's bid for \$73,700.00 for the Lincoln Street repairs.

Motion passed 5-0-0.

17. Consider Authorization to Provide the Johnson County Clerks Notification of the Intent to Exceed the Revenue Neutral Rate and Establish a Date to Hold a Revenue Neutral Rate Hearing

Motion by Roth, seconded by VanHouden, to authorize and direct the City Clerk to submit, in substantial form, the proposed notification to the Miami and Johnson County Clerks of the intent of the City to exceed the revenue neutral rates to the properties that are within and outside the boundaries of our Fire District service area, with the no fire at 23.500, and within fire at 36.500 as a cap.

Motion carried 5-0-0.

ANNOUNCEMENTS AND REPORTS

The Governing Body and staff presented announcements and report.

EXECUTIVE SESSION NO. 1

Motion by Roth, seconded by Peel, moved that the City Council recess into executive session for ten (10) minutes to receive advice of counsel regarding litigation pursuant to the attorney-client privilege exception of K.S.A. 75-4319(b)(2) of the Kansas Open Meetings Act. The open meeting will resume in the City Council Chambers at 9:35P.M. No formal action is anticipated following the session. Persons to be in attendance are the following: F. Charles Dunlay, City Attorney.

Motion carried 5-0-0.

The meeting recessed at 9:23P.M. with the executive session beginning at 9:25P.M.

The Mayor stated, let the record reflect that the Governing Body reconvened into the open meeting at 9:35P.M. No votes were taken or decisions made during the executive session. The discussion was limited to the subjects stated. North, Peel and Roth were present. VanHouden and Young remained in the room where the executive session was held.

EXECUTIVE SESSION NO. 2

Motion by Roth, seconded by North, moved that the City Council recess into executive session for twenty (20) minutes* to discuss contract negotiations and potential employment pursuant to the nonelected personnel exception, K.S.A. 75-4319(b)(1), of the Kansas Open Meetings Act. The open meeting will resume in the City Council Chambers at 9:51P.M.* No formal action is anticipated following the session. Persons to be in attendance are the following: F. Charles Dunlay, City Attorney, and Monakisha Jones, Human Resources Director.

Motion carried 3-0-0. (North, Peel and Roth)

(*The executive session indicated twenty (20) minutes; however, the resume time only allowed 15 minutes)

The meeting recessed at 9:36P.M.

The meeting reconvened at 9:51P.M. with North, Peel and Roth present. VanHouden and Young remained in the room where the executive session was held.

EXTENDED

Motion by Peel, seconded by Roth, to extend the executive session for an additional 5 minutes to be completed by at 9:57P.M. Motion carried 3-0-0. (North, Peel and Roth)

The meeting recessed at 9:52P.M.

The Mayor stated, let the record reflect that the Governing Body reconvened into the open meeting at 9:58P.M. No votes were taken or decisions made during the executive session. The discussion was limited to the subjects stated. North, Peel and Roth present. VanHouden and Young remained in the room where the executive session was held.

EXECUTIVE SESSION NO. 3

Motion by Roth, seconded by North, that the City Council recess into executive session for fifteen (15) minutes to receive advice of counsel regarding administrative action and litigation pursuant to the attorney-client privilege exception of K.S.A. 75-4319(b)(2) of the Kansas Open Meetings Act. The open meeting will resume in the City Council Chambers at 10:15P.M. No formal action is anticipated following the session. Persons to be in attendance are the following: F. Charles Dunlay, City Attorney.
Motion carried 3-0-0. (North, Peel and Roth)

The meeting recessed at 10:00P.M.

The Mayor stated, let the record reflect that the Governing Body reconvened into the open meeting at 10:15P.M. No votes were taken or decisions made during the executive session. The discussion was limited to the subjects stated. All members were present.

ADJOURN

Motion by Roth, seconded by Peel, to adjourn. Motion carried 5-0-0.

The meeting adjourned at 10:16p.m.

/s/ Glenda Gerrity
Glenda Gerrity, City Clerk

Approved by the Governing Body on July 28, 2022.