

CITY OF SPRING HILL
CITY COUNCIL MEETING

MINUTES

April 23, 2020

7:00 P.M.

Mayor Steve Ellis

Councilmembers in Attendance: Chris Leaton
Steve Owen
Tyler Graves
Chad Eckert
Andrea Hughes

Staff in Attendance: Jim Hendershot, City Administrator
Melanie Landis, Assistant City Administrator
Glenda Gerrity, City Clerk (via telephone)
Cindy Henson, Chief of Police
Jim Boyer, Public Works Director
Patrick Burton, Community Development Director
Monakisha Jones, HR Manager

Consultants in Attendance: Frank Jenkins, City Attorney
Dan Miller, City Engineer

(Spring Hill City Council Meeting Called to Order at 7:01 p.m.)

CALL TO ORDER

MAYOR ELLIS: Good evening. It is Thursday, April 23rd, 7:01 p.m. This is the meeting of the Governing Body of the City of Spring Hill, a regularly scheduled meeting. I'm Mayor Steve Ellis.

INVOCATION

MAYOR ELLIS: Our first order of business will be our Invocation. Councilman Leaton has agreed to lead us in prayer. Those present who wish to do so, please stand and join us.

MR. LEATON: Dear Lord, we come together now and would like to just remind us to be considerate and mindful of those who are struggling, who have needs in our community. Help us to remember to be just kind to one another as people continue to stay in confined spaces with limited interaction with each other. Help us to also be grateful and thankful for the things that we do have and that we can do to help one another as a community. We ask You these things in Your Name we pray, amen.

PLEDGE OF ALLEGIANCE

MAYOR ELLIS: And if you would continue standing for the Pledge of Allegiance.

(Pledge of Allegiance)

ROLL CALL

MAYOR ELLIS: Madam Clerk, would you call the roll, please?

MS. GERRITY: Yes. Mr. Leaton.

MR. LEATON: Here.

MS. GERRITY: Mr. Owen.

MR. OWEN: Here.

MS. GERRITY: Mr. Graves.

MR. GRAVES: Here.

MS. GERRITY: Mr. Eckert.

MR. ECKERT: Here.

MS. GERRITY: Mrs. Hughes.

MS. HUGHES: Here.

MS. GERRITY: Mayor, we have a quorum present.

MAYOR ELLIS: Thank you very much.

APPROVAL OF AGENDA

MAYOR ELLIS: Next item is Approval of the Agenda. I have no requested staff additions or deletions. Any requested Council changes to the Agenda? Hearing none.

MR. OWEN: I guess we have a thing we talked about on the phone -- is that going to be --

MAYOR ELLIS: It's the Executive Session.

MR. OWEN: Perfect. Okay.

MR. LEATON: Mr. Leaton. Move to approve the Agenda.

MR. ECKERT: Councilman Eckert. Second.

MAYOR ELLIS: We have a motion and a second. Is there any discussion? If not, all those in favor?

COUNCILMEMBERS: Aye.

MAYOR ELLIS: Motion carries 5-0-0.

[Therefore, the motion was made by Councilmember Leaton and seconded by Councilmember Eckert to approve the Agenda as presented. The motion carried 5-0-0.]

MAYOR ELLIS: Just to clarify, Madam Clerk, were there no citizen remarks to be read tonight?

MS. GERRITY: Correct.

MAYOR ELLIS: Okay.

MS. GERRITY: No comments were received.

MAYOR ELLIS: Okay. Very good.

CONSENT AGENDA

1. **Approval of Minutes: March 12, 2020, Regular Meeting**
2. **Approval of Minutes: April 9, 2020, Regular Meeting**
3. **Appropriation Order No. 2020-04-23**
4. **Consider Approval of Contract: Dayton Creek Benefit District Phase IV, Sixth Plat, R.D. Johnson Excavating**

MAYOR ELLIS: The next item is approval of the Consent Agenda.

MR. LEATON: Mr. Leaton. Move to approve the Consent Agenda.

MR. OWEN: Mr. Owen. Second.

MAYOR ELLIS: We have a motion and a second. Any discussion? If not, all those in favor?

COUNCILMEMBERS: Aye.

MAYOR ELLIS: Motion carries 5-0-0.

[Therefore, the motion was made by Councilmember Leaton and seconded by Councilmember Owen to approve the Consent Agenda as presented. The motion carried 5-0-0.]

FORMAL COUNCIL ACTION

5. **Consider Ordinance: Annexation No. A-000012-2020, 19640 W. 207th Street, Spring Hill, KS, Samuel J. Abbott**

MAYOR ELLIS: The first of our Formal Council Action items is consideration of an ordinance. This will be an annexation of 19640 W. 207th Street in Spring Hill.

Mr. Burton, welcome to the room. You have the floor, sir.

MR. BURTON: Good evening everyone. This is an annexation ordinance, and the Ordinance Number, I'm not sure.

MR. HENDERSHOT: Glenda has got it. Ms. Gerrity has it.

MR. BURTON: Okay. Samuel Abbot is the owner and they're petitioning. They're at 19640 W. 207th, which is north of Woodland Ridge right across 207th Street.

So, a little bit of the background there. It does adjoin the City limits. The owner has signed the petition and consent for annexation. Annexation of his property is desirable for both the owner and the City. From the owner's point of view it'll allow him future development and lot-splitting capability that the county would not allow. And they just said you're right at the City limits so you need to be in the City so they can control basically like the growth and all. The City will gain some tax value as well as he is looking to develop in the future. And with the new phase of Woodland Ridge that now makes another connection point on the 207th there will be sewer available right there across the street. Both the engineer and I have looked at that and made sure that it is accessible from the north, from this property actually.

So, the alternative is to deny the annexation. Mr. Jenkins, the City Attorney, has reviewed the documents and wrote the ordinance if I remember correctly. And then all the annexation application and the exhibit, it's 19.72 acres.

MR. LEATON: Do we have an ordinance number for this? We have an annexation number, but -

MS. GERRITY: Yes.

MR. BURTON: I didn't --

MR. LEATON: She was saying yes. Madam Clerk, the ordinance number, please.

MS. GERRITY: 2020-02.

MR. LEATON: Mr. Leaton. Are you done, Mr. Burton?

MR. BURTON: Yes, sir. Thank you.

MR. LEATON: Mr. Leaton. Move to approve Ordinance No. 2020-02.

MR. ECKERT: Councilman Eckert. Second.

MS. HUGHES: I have a question.

MAYOR ELLIS: We have a motion and a second. Any discussion?

MS. HUGHES: Yes. I might have been reading it wrong, but it said on the actual description, except the 19.2 acres. Is that what's that saying?

MR. BURTON: Oh, did it? That came from --

MS. HUGHES: Because I -- you said just now that it included it, but when I --

MR. BURTON: It should be 19 point --

MR. LEATON: What it says right in here, and I got it a little bit bigger. It says, "... thereof and except that part in road, containing ..."

MS. HUGHES: Is it? Yeah. [Inaudible].

MR. BURTON: Except or the road right-of-way.

MS. HUGHES: Except for the road, that was [inaudible].

MR. BURTON: Yes.

MR. LEATON: Containing 19.72 acres, more or less.

MS. HUGHES: I just wanted to make sure it was the whole thing.

MR. BURTON: Sure.

MR. LEATON: When I originally read it I had the same question.

MS. HUGHES: Okay. [Inaudible]. Yes.

MAYOR ELLIS: Any other discussion? If not, it's an ordinance and we'll vote by roll. Madam Clerk, if you would call the roll of the Council, please.

MS. GERRITY: Mr. Eckert.

MR. ECKERT: Yes.

MS. GERRITY: Mr. Owen.

MR. OWEN: Yes.

MS. GERRITY: Mr. Graves.

MR. GRAVES: Yes.

MS. GERRITY: Mrs. Hughes.

MS. HUGHES: Yes.

MS. GERRITY: Mr. Leaton.

MR. LEATON: Yes.

MAYOR ELLIS: Ordinance carries 5-0-0. Thank you, Mr. Burton.

MR. BURTON: You're welcome.

MAYOR ELLIS: Don't go too far.

[Therefore, the motion was made by Councilmember Leaton and seconded by Councilmember Eckert to approve Ordinance No. 2020-02. The motion carried 5-0-0.]

6. Consider Approval Resolution No. 2020-R-05: Designating the Days Authorized for the Discharge of Fireworks

MAYOR ELLIS: The next item on the agenda is consideration of approval of a resolution designating authorized days for the discharge of fireworks. Mr. Burton, you still have the floor.

MR. BURTON: Thank you. So, in Section 6-104, the Spring Hill Municipal Code, it requires the Governing Body to annually establish the legal dates for discharge of fireworks. Every year the Governing Body does this. The flexibility of the dates were created to allow weekend celebrations in the community with the legal discharge of fireworks.

As noted above, the flexibility for the -- to allow fireworks through the weekend by the City residents. This year July 4th falls on a Saturday. This is establishing the dates for discharge as July 2nd, 3rd, 4th, and 5th. That would be a Thursday through Sunday. The hours of discharge would remain 8 a.m. to 11 p.m. And then also a date for discharging fireworks on New Year's holiday would be December 31st through January 1, 11 p.m. to 12:30 a.m.

You can deny, approve, or direct staff to further review the issue. The City Attorney has reviewed the draft resolution. The funding -- and it is the staff's recommendation for approval of Resolution --

MAYOR ELLIS: Resolution Number, Madam Clerk.

MS. GERRITY: Can you hear me, Mayor?

MAYOR ELLIS: Yes.

MS. GERRITY: Okay. Resolution No. 2020-R-05.

MR LEATON: 0-5.

MR. BURTON: Okay. So, it's the recommendation of staff to approve Resolution No. 2020-R-05, establishing the legal dates of discharge of fireworks.

MR. LEATON: Mr. Leaton. Move to approve. Do you have a question?

MR. ECKERT: I do.

MR. LEATON: Okay. Go ahead.

MR. ECKERT: What are the dates set by the state to sell fireworks? Because that's something they set, we don't impose upon, right?

MR. BURTON: That's correct. And the dates are within that realm of the days that they set.

MAYOR ELLIS: Generally it's one or two days before --

MR. BURTON: It is.

MAYOR ELLIS: -- and another day after to give them time to kind of wind down. So, then the 28th is usually --

MR. ECKERT: Yeah. I thought it was the 28th, right. June 28th, they can go on sale which is a Monday.

MR. BURTON: Yes.

MR. ECKERT: And then they can sell July 5th also.

MR. BURTON: July 5th, yes, one day after.

MR. ECKERT: Yeah. Okay. Very good.

MR. LEATON: Move to approve Resolution No. 2020-R-05.

MR. ECKERT: Councilman Eckert. Second.

MR. LEATON: Mr. Leaton. Did I say that?

MAYOR ELLIS: You didn't. You're fine.

MR. LEATON: Sorry.

MAYOR ELLIS: Mr. Eckert.

MR. ECKERT: Councilman Eckert. Second.

MAYOR ELLIS: We have a motion and a second. Is there any discussion? If not, all those in favor.

COUNCILMEMBERS: Aye.

MAYOR ELLIS: Motion carries 5-0-0.

MR. BURTON: Mr. Burton. Thank you all.

MAYOR ELLIS: Thank you, Mr. Burton.

[Therefore, the motion was made by Councilmember Leaton and seconded by Councilmember Eckert to approve Resolution No. 2020-R-05. The motion carried 5-0-0.]

7. Consider Approval of Employee Health Insurance

MAYOR ELLIS: All right. The next item is consideration of approval of employee health insurance. We have with us this evening Monakisha Jones, our Human Resources Manager. Ms. Jones, welcome, and you have the floor.

MS. JONES: Hello everybody.

MAYOR ELLIS: Good evening.

MS. JONES: So, I'm here to talk to you about the renewal of our employee health benefits, specifically our medical, dental, vision plans with MPR, our third-party administrator. The agenda review item was sent out that had a lot of information in there. I wanted to make sure that the new Councilmembers had an understanding of where the City was last year as well as provide an overview of how we're changing for this current new year that starts in July. So, I won't read everything exactly how it is on the memo. So, if you have any questions, just feel free to ask.

But the background is that the City wants to remain a competitive municipal employer by offering a comprehensive health insurance package. So, with MPR that allows us to offer medical, dental, and vision at the most comparable rates that we can get them, and they also offer a confidential employee assistance program as well. And for the medical side of things Cigna is the partner with them. So, that's where the health insurance comes from.

With the current plans that we have there is two in-network plans and one open access plan. And historically the City has offered 90 percent of the cost of those plans for employees for single plans. And those where they have either the employee and the child, the employee and the spouse or family member, the City has compensated 80 percent of that particular plan.

So, prior to last year the raises and increases in plans have been ten percent or less, but the 2019-2020 year is where we saw a significant jump in the rates. They went up by about 23 percent. And so with that increase in rates the City was approved to absorb all of that, so the employees did not see an increase in the amount that they were paying for their plans. And with that type of change that is not something that's sustainable for the City itself. And customarily with, in case you guys don't know, I'll just give a general overview with benefits. There's several factors that impact benefits. There is the general increases in the industry as a whole, then there is the utilization by the entity, in this case the City, the health of our employees, and all of those factors that go into what is going to end up being the cost of the particular plan. And so as of last year -- when last year came around and we decided to have the City to absorb those costs, it was stated that the City would try to go out to market and see if we could get some lower rates for our employees. And so I did pursue that option, but several factors such the lack of data to support them giving us really low rates in the beginning and not being gouged or highly increased for the second year as well as issues with when we get the final numbers from MPR with regards to their rates were some of the things that decided us to say, hey, we should just go ahead and stay with MPR for right now.

And so for the upcoming year for the employee plans which starts July 1st of this year and they'll go to June 30th of 2021, the rates that we have they see an increase of about 7.8 percent for open access plans and 8.8 percent for in-network plans. So, those rates are more favorable and in line with what we've seen in the past. But the fact that the City absorbed the 23 percent from last year

that is also going to be switched over to our employees as well. So, they are going to see quite a change in their monthly premium for their benefits.

So, with that, we looked at several different options of either changing how we contribute to the plan, maybe going 90, maybe changing that kind of -- that 90-80, changing that as well as offering more plans as a way to give some flexibility to our employees. And so what we -- management landed on was going back to our true 90-80 contribution towards the monthly rate and then offering two additional plans to our employees so they can make some choices.

I do have a caveat to this that I just learned of as of today that MPR strongly recommends that we only offer three plans. So, we will need to take away two of the plans before open enrollment starts. So, that'll be a communication with our employees that if we go with five plans to give them the choice right now that two of the plans that we're offering we will not be offering next year.

MAYOR ELLIS: Could I ask why that is?

MS. JONES: Well, the direction that I was given by MPR is that -- well, okay. So, I'll take a step back. So, generally speaking, an organization the size of Spring Hill, I personally wouldn't recommend us offering more than three plans just because of our size. And when you go over three plans the managing of that plan it can be a little bit difficult. And generally employees really don't understand everything. It just confuses the whole situation. So, I understand from their standpoint of why they only want to go with three plans. But that is their policy that they only go with three plans.

MAYOR ELLIS: Okay. So, it wasn't their recommendation, it was their policy. Okay. That's what I wanted to be clear about.

MS. JONES: Yeah. So, I wanted to put that in there because I found that out today and I didn't want there to be any surprises on that.

So, the way things stand right now with the information that was sent out, with the current -- the way the budget impact is that there was a ten percent projected increase over the allocated budget dollars. So, for the remainder of this year, starting from July of 2020 to December 2020, we have a savings of about -- below the budgeted allocated amount of \$60,874.50, assuming our employees pick the same plans that they have and they stay at the same levels.

We have police officers and a street superintendent that once those -- when those vacancies are filled, and assuming they choose the highest plan available, which is the family plan, then that will impact the budget to be \$18,488.46 below the budget for the remainder of this year. I don't know what the impact for 2021 would be for the first six months because that's not decided right now.

So, with recommending returning to the 90 percent of associated costs for employees and 80 percent for dependents as well as approving the plans for MPR to include the five options, the options for the Council are to approve the plan and the rates as they are, deny the rates and direct us to research further, or table the issue. I will say that I do need to give them an answer soon only because they start the process of getting all the materials together and ensuring that we have insurance cards and everything sent out to employees before the July 1st start date.

MR. ECKERT: Ms. Jones, comparatively to other municipalities we're paying 90 for a single and 80 for a family. What are other municipalities doing?

MS. JONES: It really can range. Speaking to some of my network individuals, some of them do do a 90-80. Some of them do less and they are in bigger, a little bit cities and they maybe offer HSA dollars for the high deductible plans, so they're doing different things.

MAYOR ELLIS: Is a health savings account option something that we're looking at going forward?

MS. JONES: While the high deductible plan is one of the option that we put in here, at this time we didn't select the -- or didn't recommend providing dollars for the HSA, but that could change.

MAYOR ELLIS: No, I understand that. Right. I understand that for now.

MS. JONES: Yes.

MAYOR ELLIS: But as we move forward.

MS. JONES: Yes.

MAYOR ELLIS: Okay. Ms. Jones, I'd also, just for everyone's education, the timing of when Midwest Public Risk gives us our rate versus when they expect us to commit.

MS. JONES: Yes. So, they give us our rate about mid-March and they tell us we have to make a decision to stay with them by April 1st.

MAYOR ELLIS: Okay. And also a point of clarification, if we opt to not go with Midwest Public Risk and then decide we want to come back, they are under no obligation to take us back.

MS. JONES: Correct.

MAYOR ELLIS: So, okay. There are a few things there that I think we'll be working on over the remainder of this year with some elected officials at other municipalities to see if we can get a little better understanding of some of those policies. That has a tendency to put us over a barrel. One of the issues that we have is, is that we get the rates from other providers, but we don't really have the chance to take a deep dive and evaluate those because we just don't have enough time. The problem with getting a lower rate from a new provider is that it tends to be a teaser rate. And then the next year you may have a 20, 30, 40 percent increase based upon what their experience with you is. So, from a taxpayer perspective, we're going to be looking at how we might be able to drive some change here, but also from an employee fairness perspective as well.

MS. JONES: Right.

MAYOR ELLIS: So, Mr. Owen.

MR. OWEN: This contract is for '20 and '21, correct?

MS. JONES: Right. July --

MR. OWEN: And after that point if we elected to go to somebody else we can opt to go to somebody else, right?

MS. JONES: Uh-huh.

MR. LEATON: It's July to July. It's not a two-year contract.

MR. OWEN: So, basically we could be accepting this and then start doing research even now --

MAYOR ELLIS: Uh-huh. Correct.

MR. OWEN: -- to advance us to, you know -- my history has been we went through a retirement system to get the insurance and different options of doing how they paid for it. It was more of a cafeteria plan where the employee got a flat rate of money and they could do what they want with it and the City paid a flat rate where here it stacks up with if you have a wife or kids it's a higher rate where -- in the past, we used to have it where it was considered unfair because a single employee got a certain amount of money and a married employee got more money. But maybe these are things we could look at as we go forward in advancing or researching of a different way of doing the insurance if we need to.

MS. JONES: Yes. I will say though to clarify that while the single employee does get 90 percent of their cost, the actual costs of the plan is less as well.

MR. OWEN: Right.

MS. JONES: So, when you look at what it ends up being for the employee only and the employee plus family, the difference isn't astronomical.

MR. OWEN: It actually ends up getting pretty close then.

MS. JONES: Depending on the plan it could be a couple of hundred dollars.

MR. OWEN: Okay. All right.

MAYOR ELLIS: And we've talked about a cafeteria plan approach previously. But I think the healthcare savings account is going to be one of the key factors going forward.

MS. JONES: Oh, yes. When you go that way --

MAYOR ELLIS: Offering a high deductible and allowing people that opportunity to put money away pre-tax, transfer the excess over --

MS. JONES: Yes.

MAYOR ELLIS: -- into an investment fund for the employee. One of the other things that I think that does, anecdotally at least, I don't -- I mean I don't have any empirical evidence to support this. When it's a lot of your own money going in one tends to be maybe a little more judicious about how that is being spent. So, I think it may help to drive a little better understanding of healthcare costs across the board and give, I think give employees a little more empowerment over their healthcare.

MS. JONES: Yes. And one of the other things that I started working on since I came in and then trying to fine tune is just the wellness strategy too that encompasses not only just the physical side of things but the emotional side of things, the social well-being side of things because all of that impacts the --

MAYOR ELLIS: Oh, absolutely. Absolutely. Delighted that you're looking into that and taking that more holistic view.

MR. LEATON: I did have a couple things. One is just a simple comment for anybody that might even be on the phone listening to this is that we're going -- we're looking at going back to the 90-80 because we paid the difference in the premiums last year, which artificially elevated it above the 80 and 90 percent last year.

MS. JONES: Yeah. Yeah. It was conservative.

MR. LEATON: And then I also had a conversation with Mr. Hendershot very similar to what Mr. Owen was talking about, but -- and Mr. Eckert, with the fact that I'd like to have us look at like with what Johnson County with what they do because they provide very good insurance. And if we can start now we might be able to see what we could do with that and maybe contact their staff. Because my wife works for the county, and it's very good insurance. The thing though that I was asking from a procedural standpoint is, is that you're saying that we're going to be below budget for the year. We have an approved budget for the year. So, I'm trying to understand why we need to actually go through the approval process and if this is just a consensus or an actual approval. Why do we need to approve it if it's a budgeted item and we're under budget?

MAYOR ELLIS: It's an actual contract that goes with it.

MR. LEATON: Are we approving the actual contract?

MAYOR ELLIS: Is my understanding. We have to actually sign an agreement with Midwest Public Risk, don't we?

MS. JONES: That's how I understand it too.

MAYOR ELLIS: Okay.

MS. JONES: And so --

MAYOR ELLIS: So, are you requesting an approval of the agreement?

MS. JONES: Uh-huh.

MAYOR ELLIS: Okay.

MS. JONES: Right.

MAYOR ELLIS: So, we don't have that agreement though, do we?

MS. JONES: No. I don't have an agreement because I didn't -- I have to select the plans that we're going to choose and go through that whole process, so.

MAYOR ELLIS: So, you want us to approve the recommendation?

MS. JONES: Yes.

MAYOR ELLIS: Okay.

MS. JONES: You approve the recommendation and then I will go in tomorrow into the system and select everything and then that will start the process. And anything that does have to approved and stuff, I can --

MR. LEATON: And then you'll be bringing a contract back to us for approval before the July date. Is what I'm understanding?

MS. JONES: That is my understanding. And I apologize if I'm not very clear on that since this is my first time doing it, but that is how I understand it to be. And so if there is any deviation from that I'll make sure that that is communicated to you guys.

MAYOR ELLIS: Okay.

MR. LEATON: Okay. So, we're just providing a procedural guidance for her for almost like a consensus and then she'll bring a contract back.

MAYOR ELLIS: We're authorizing her to actually execute it.

MR. LEATON: Right.

MAYOR ELLIS: Because I imagine once the plan is selected, she is actually the one who is executing it.

MS. JONES: Right. And one the plans are selected and everything. Because this all done online. So, I have to go in and say, yes, we're going to offer these particular five plans and then they do their side, their back end side of things and put all of that into place.

MR. LEATON: And that's why I'm asking it. Because if it's an actual contract --

MAYOR ELLIS: I don't believe that it is. Mr. Jenkins.

MR. LEATON: That's why I was getting some clarification.

MR. JENKINS: Mayor, Frank Jenkins, City Attorney. I had an opportunity to look at the type of documents that they would be submitting. Usually in a policy, an insurance policy would require some type of execution. And so if the issue is you need to move forward tonight, then it would be a motion authorizing and directing her to sign the contract. We don't normally do it that way. Just have you sign the contract. The preferred the approach would be to have it brought back to you for formal execution.

MAYOR ELLIS: Why don't we approve the request tonight and then any follow-up documents would be brought later for approval. How about that?

MS. JONES: Yes. And if you want I can ask Melanie because she handled it last year in the absence of an HR manager and find out --

MR. LEATON: When do we have to have the executed contract? Not tomorrow though, right?

MS. JONES: No. I'm just being able to enter in the selections tomorrow.

MS. HUGHES: Because we're going back to 90 percent.

MAYOR ELLIS: That won't have any impact to Midwest Public Risk.

MS. JONES: No.

MAYOR ELLIS: That's all internal.

MS. JONES: That's internal. The only thing that Midwest -- MPR, Midwest Public Risk, needs to know is that what are three to five plans that we're going to offer so they know how to build the system to invoice us and do all of that.

MR. LEATON: And also to provide the contract probably at that point.

MS. JONES: Yes.

MR. LEATON: Okay. So, what we'll do is just provide approval for the insurance for the 20-21 plan year. Okay. All right.

MS. JONES: Yes.

MR. LEATON: Mayor, Mr. Leaton. Move to approve the health insurance rates for the 2020 to 2021 plan for the 90-80 percentage.

MR. OWEN: Mr. Owen. Second.

MAYOR ELLIS: I have a motion and a second. Is there any additional discussion? If not, all those in favor.

COUNCILMEMBERS: Aye.

MAYOR ELLIS: Motion carries 5-0-0. Ms. Jones, thank you very much.

MS. JONES: Thank you, guys.

MAYOR ELLIS: We appreciate your work on this.

MS. JONES: Thank you.

[Therefore, the motion was made by Councilmember Leaton and seconded by Councilmember Owen to approve the health insurance rates for the 2020 to 2021 plan for the 90/80 percentage. The motion carried 5-0-0.]

8. Consider Approval of Task Order for Wastewater Treatment Plant Aeration & Clarification Rehabilitation Design Engineering with Lamp Rynearson, Inc.

MAYOR ELLIS: The next item on the agenda is consideration of approval of a task order for Wastewater Treatment Plant Aeration & Clarification Rehab Design with Lamp Rynearson. Is our City Engineer here tonight?

MR. HENDERSHOT: Yes.

MAYOR ELLIS: Okay. That will be Dan Miller. Mr. Miller, you have the floor.

MR. MILLER: Good evening, Mayor and members of the Council. Somebody has got -- I don't have my second page. Which of our agenda items is first? I have two of them.

MAYOR ELLIS: This is on the task order for wastewater treatment aeration and clarification rehab.

MR. MILLER: Okay. That's the design engineering with Lamp Rynearson. Right. So, I come here before you this evening for formal -- requesting formal action on this item. The issue is to consider, as the Mayor mentioned, approval of the task order for the wastewater treatment plant aeration and clarification rehabilitation design engineering with Lamp Rynearson, Inc.

A little bit of background. This project has been in planning and in the City's program for some time. Originally it was designed to be completed in 2020 and construction in 2021. Due to the failure of Clarifier Number 1, which is the subject of our next agenda item, construction has been advanced to 2020. We're informed that the Wastewater Fund can accommodate that. This task order is for design of both the coordination of the design of the emergency repairs in that contract, and design contract administration, construction administration of the complete repair of the overall project that was previously scheduled for 2021. The task order is consistent with the previous tasks orders completed under our on-call City engineering contract. And the recommendation is being presented in accordance with the Spring Hill purchasing policy and the on-call agreement with Lamp Rynearson. The construction, as I mentioned, is being funded by the Wastewater Utility which has adequate funds for this purpose and was planning for this work.

Staff recommends the Governing Body authorize Mayor Ellis to execute the task order with Lamp Rynearson. And we have the task order attached in the amount of \$22,117, along with a detailed scope and fee estimate for that work. At this point I'd be happy to answer any questions that you might have.

MR. ECKERT: This would be considered routine maintenance?

MR. MILLER: No. It's a reconstruction of the critical elements of the aeration and clarification basins.

MR. ECKERT: Because of the failure.

MR. MILLER: Well, the next task order, the next contract is directly related to the failure. But this is -- these parts, the parts that failed would have been included in this overall project, yes.

MR. ECKERT: Thank you.

MR. MILLER: Related to it for sure.

MR. LEATON: Mr. Leaton. Move to approve the task order for water, excuse me, for wastewater treatment plant aeration and clarification rehabilitation design engineering with Lamp Rynearson, Incorporated in the amount of \$22,117.

MR. ECKERT: Councilman Eckert. Second.

MAYOR ELLIS: We have a motion and a second. Is there any discussion? If not, all those in favor.

COUNCILMEMBERS: Aye.

MAYOR ELLIS: Motion carries 5-0-0.

[Therefore, the motion was made by Councilmember Leaton and seconded by Councilmember Eckert to approve the Task Order for Wastewater Treatment Plant Aeration & Clarification Rehabilitation Design Engineering with Lamp Rynearson, Inc. The motion carried 5-0-0.]

9. Consider Approval of Proposal for Wastewater Treatment Plant Clarifier Emergency Repairs with Enviro-Line Company, Inc.

MAYOR ELLIS: That takes us to Item Number 9, the last of our Formal Council Action Items, consideration of approval of proposal for Wastewater Treatment Plant. Mr. Miller.

MR. MILLER: Thank you, Mayor. I come before you again for a formal action request to consider the proposal with Enviro-Line. A little bit of background. The wastewater treatment plant improvements, as I mentioned, have been in planning since last year, was designed to be completed in 2020, and construction in 2021. Recently Clarifier 1 equipment failed and was taken offline. Staff is operating the plant at a maximum of half capacity right now. We're also bypassing a considerable flow just about the capacity of the lagoon system to accept flow. We can manage this period for a short period of time unless a failure occurs on the other side of the plant in Clarifier 2, which as you know is the same age and same probably similar condition as Clarifier 1. So, we're really concerned about performing emergency repairs through a contract with Enviro-Line to expedite the manufacture and installation of the critical equipment. This will allow us in a fairly short period of time to enable Clarifier 1 to be used in case there is a failure of the currently operating components. We do intend to probably leave that clarifier down and empty as long as we don't have any more failures to make it a little bit easier to get in there and begin the overall project upgrade. But if something goes wrong on the other side of the plant, we will then have the opportunity to bring Clarifier 1 back up online and essentially be operating at half capacity but with this side of the plant instead of the side that's currently operating.

We reviewed the proposal. Enviro-Line has extensive experience with the plant as the local Schreiber representative. And all the components being replaced under this emergency contract will be compatible with the complete plant rehabilitation being designed by Lamp Rynearson.

Again, the recommendation as presented in accordance with the purchasing policy and the construction is being funded by the Wastewater Utility. Staff recommends the Governing Body authorize Mayor Ellis to execute the Enviro-Line company proposal in the amount of \$61,251. That concludes my remarks and I would be happy to answer any questions you may have.

MR. LEATON: Mr. Leaton. Question. We did talk quite a bit before the meeting with a lot of the questions I had for you on this. But one that has struck me is you have the two clarifiers, same age, same age equipment. You said that in our Capital Improvement Plan we were planning on replacing this next year.

MR. MILLER: Correct.

MR. LEATON: Were we planning on replacing both or just one next year?

MR. MILLER: All of the -- both sides of the plant.

MR. LEATON: Okay.

MR. MILLER: The equipment and the clarifiers and the aeration basins.

MR. LEATON: So, that goes back to my question is -- they're both the same age of equipment. They both could potentially fail at the same time. We had this one go first. Are we looking at going ahead and trying to -- we're still going to be on track for replacing the other one next year? Is that what we're planning on doing?

MR. MILLER: This year. We intend to get this contract fast-tracked, the overall contract, and get this work done this year this summer.

MR. LEATON: For both clarifiers?

MR. MILLER: Yes.

MS. HUGHES: Is this the dollar amount for both clarifies? Sorry for interrupting.

MR. MILLER: That's just for the design. No. The dollar is about 350 to 400,000 complete. So, the big project will be like 350. The interim that does the critical components in Clarifier 1 is the 60, what did I say, 2,000 -- \$61,000. So, this is, yeah, for the parts that go into -- some of the parts to at least get Clarifier 1 back in operation. But the overall rehab of both clarifiers, both aeration basins is around \$350,000.

MR. ECKERT: Councilman Eckert. What is the life of those products typically?

MR. MILLER: Well, the plant is 20 years old. And that was with galvanized equipment below the surface. We're going to be replacing everything below the water level with 304 stainless steel. So, we should get more than 20 years. It's served us pretty well. It's about as long you could [inaudible].

It's done pretty well, but now they're -- I think when they originally built the plant they were trying, as I understand it, you know, trying to save some economy and they put galvanized down there instead of the stainless. But we're going to put stainless back on both the temporary and the proposed repairs, the final repairs.

MR. LEATON: Mr. Leaton. To Ms. Hughes' point, are you saying we're going to pull the 300 -- are we wanting to pull that \$300,000 expense for the Capital Improvement Plan for next year into this year?

MR. MILLER: Yes.

MR. LEATON: Okay. When are we planning on doing that? And is there any impacts that we've looked at on possible utility rates?

MAYOR ELLIS: This is Steve Ellis. We had already budgeted for it next year. The Reserve Fund and the Sewer Fund is very healthy. I don't anticipate that there would be any impact to rates as a result of the change or the repairs or by moving up the improvements. That doesn't mean there wouldn't be impacts for other reasons, but not related to this.

MR. LEATON: Okay. And that's what my concern was is that we're not dipping into a reserve or something that we were expecting somewhere else to fund something and now we're hitting ourselves and getting ourselves short.

MAYOR ELLIS: Correct. But what I want to be clear though is this doesn't mean that there wouldn't be a rate increase. If we were to have a substantive loss of funds due to non-payment, any other types of issues that may come up. But specific to this issue no impact to rates as a result.

MR. LEATON: And that's one of my points though is, is that because of what we're experiencing in the market right now with the COVID-19 and other things happening, do we -- we need to probably consider maybe not being -- how aggressive we want to be on that. Because do we need to -- I guess what I'm concerned about is do we want to hold back on that and make sure that we get through all of this possibly before we start pulling and hitting reserve funds?

MAYOR ELLIS: What do we anticipate the added cost being of coming back and waiting until next year?

MR. MILLER: You know, I don't have a very good crystal ball for that, but we're getting good bid prices. And I would think that you would have a -- would get a really good bid price yet this summer, I anticipate, for the project.

MS. HUGHES: Probably bid prices are lower now because people are wanting to do projects and fill projects.

MR. MILLER: No. You know, the -- they do. Overall, there's that opportunity. It's not so much here, but in construction in general, you know, fuel prices are really low. So, asphalt, you know, other prices get down too. It's not as big a deal here, but I think you've got a good opportunity. And I've certainly been advising my clients to go ahead and keep the engineering going on things because we have been seeing good bid prices.

MR. LEATON: Then the only concern I have is that we're going to possibly take a hit on like service fee, you know, like hook-up fees and all those other things that come along that we're looking at income into that Utility Fund. I just want us to have some --

MAYOR ELLIS: Absolutely. But just to your point after 350,000 in anticipated repairs, the Wastewater Reserve still has \$2.9 million. Some of that obviously is to protect ongoing debt payments et cetera. But it does have a healthy reserve fund. Mr. Hendershot.

MR. HENDERSHOT: Yes. Thank you. One of the things that Mr. Miller and I and some consultants from providers, et cetera, talked about was the exact thing that Mr. Eckert brought up was the age of the plant. Both basins the same age. My fear was that both basins would be down at the same time. If that's the case, then we're in a bad way as far as the wastewater treatment. We're out of operation and we're trying to adjust. Now, I've asked Mr. Boyer to develop some contingency plans in the event that that could happen. But it was critical to me to get these emergency repairs made, and realizing the condition that that basin was in, assuming the other basin was just as bad and could fail at any minute, to bring both of those to the surface now rather than wait. Just in the event has -- we can't have a total plant failure.

MAYOR ELLIS: And I think Mr. Leaton raises some really important points --

MR. HENDERSHOT: Absolutely.

MAYOR ELLIS: -- which is that, you know, we don't quite know what the economic impact to the community as a whole is going to be. But I do think that that fund is one of our healthiest funds can absorb this and help us to avoid the potential of having to repeat this repair and then still do the upgrade.

MR. LEATON: Mr. Leaton. The issue is not the 61,251 in the emergency fund it's just talking about the process going ahead. Because when I was first on Council that fund was not in very good shape at all. And we had to make a loan from one utility, the water utility to the sewer utility and I just want to make sure that we're putting in a thought process that we don't get ourselves in that position again where we have to do something like that.

MR. HENDERSHOT: Understood.

MR. LEATON: And what I'm just trying to make sure that we don't do, so.

MR. HENDERSHOT: Understood. And Ms. Landis has been brought into those conversations as well as the Mayor and I. We're confident in the direction that we're going.

MR. LEATON: Okay. Mr. Leaton. Move to approve the proposal of water -- I keep wanting to say water. Move to approve the proposal for wastewater treatment plant clarifier emergency repairs with Enviro-Line Company in the amount of \$61,251.

MR. ECKERT: Councilman Eckert. Second.

MAYOR ELLIS: We have a motion and a second. Is there any additional discussion? If not, all those in favor.

COUNCILMEMBERS: Aye.

MAYOR ELLIS: Motion carries 5-0-0. Thank you, Mr. Miller.

[Therefore, the motion was made by Councilmember Leaton and seconded by Councilmember Eckert to approve the proposal for wastewater treatment plant clarifier emergency repairs with Enviro-Line Company in the amount of \$61,251. The motion carried 5-0-0.]

ANNOUNCEMENTS AND REPORTS

MAYOR ELLIS: This takes us to Announcements and Reports. A few things to share. Sharon Mitchell, our Chamber Executive Director and CEO, has formed a Business Impact Back to Normal Business Task Force through the Chamber. I had the opportunity, along with Councilmember Graves, both of us as Chamber members, being able to participate in that. One of the things, and I think Mr. Hendershot, who participated from the City's perspective, hit the nail on the head. One of the things that was I think so promising in there, aside from the fact that there was I think a lot of positivity, a lot of support for businesses, is also the amount of planning that each of these businesses has done when it comes time to reopen in order to protect their patrons as well as to protect their staff. So, I just want to commend Ms. Mitchell for her leadership in putting that task force together. She's going to have a -- these are going to be an ongoing series of meetings and I'm just absolutely delighted with the positive outlook of our business community. So, I think that's good news for all of us.

Johnson County, Ed Eilert, Chairman of the Johnson County Commission, has also formed a task force. That one putting together thoughts with regard to whether or not the current stay-at-home orders will be extended. As you'll recall the Johnson County order was originally scheduled to expire tomorrow. Governor Kelly's order, however, supersedes that. That extends to May 3rd. And two members of the Core 4, Jackson County and Kansas City, Missouri have already extended to May 15th. Johnson County will not make the determination as to extend to May 15th until Monday, April 27th. So, unfortunately we're still in a bit of a holding pattern and don't quite know what that looks like. In the last phone call that I participated on with the mayors of Johnson County and Chairman Eilert, it appears that any reopening or back to normal is going to be in a phased approach, probably looking at who has the highest degree of congregants. So, when you have professional service firms, accountants, engineers, lawyers, they don't tend to have large groups of people coming in, those may be some of the first phasing in over a period of three or four weeks other businesses. We don't know that that's what the task force is going to come up with, but that was what was discussed last week. So, I'll be anxious to hear more from the County Commission on the 27th.

Tomorrow Mr. Hendershot should be sending out a budget impact scenario sheet that establishes budget impacts in all of our funds at a moderate level, a medium level, and a high level of anticipated impact due to COVID-19. That called for up to a 15 percent impact to property tax and a low, medium, and high to sales tax, the medium and high being 25 and 40. What I have recommended is that we budget to the worst case scenario for property tax fees and municipal court at 15 percent and that we budget to a blend between the 25 and 40 percent for sales tax. And the reason for that is about half of our sales tax comes from the county. So, the counties share their sales tax with the cities. Miami County is about 200,000. Johnson County is about 700,000. We expect that there is going to be a pretty significant impact in Johnson County. So, those numbers will be budgeted as

40 percent loss, the City portion at 20 percent. And what you'll be able to see when you look at that is in each one of those models what is the impact. So, Mr. Hendershot is going to get that sent out tomorrow along with some notes that I think will help everybody to better understand what each one of those models is. I've also asked him to have Ms. Shupert put together a PowerPoint presentation to put online so that there is a detailed explanation for our residents as to what each scenario may mean for us.

One of the most important things to point is that there is obviously a set of scenarios for the Aquatics Center. The Aquatics Center opening on time, the Aquatics Center opening in June, the Aquatics Center not opening at all. I want to make very clear there has been no decision made on the Aquatics Center. We're going to have to take our lead from the county. The county's health official is going to tell us what we can and can't do. However, we may have to make some difficult decisions. We're still proceeding as normal. We're trying to hire lifeguards. We're making contingent offers to folks. But we are still about a dozen lifeguards short. We've got an agreement with Osawatomie, I believe. Is it the Y in Osawatomie, Mr. Hendershot?

MR. HENDERSHOT: I believe so, yes.

MAYOR ELLIS: Okay. So, the YMCA in Osawatomie to provide training. They're going to double up on weekend training programs for lifeguards. The Red Cross has extended for six months certifications for existing lifeguards. So, those whose certification would have otherwise expired won't have to get recertified this year. With all of that, we're still about a dozen people short. So, until we have a better idea of what the county may let us do with regard to the Aquatics Center we're still proceeding as normal. We still want people to apply for those positions. We're still interviewing. We're still hopeful that we'll be able to open. All right. That is all I have. Mr. Owen.

MR. OWEN: Nothing.

MAYOR ELLIS: Mr. Leaton.

MR. LEATON: To go on with what you were saying about the hiring for the pool. One thing to consider is that there will be available people probably looking for those positions and we need to make sure that people know about them. And the reason why I say that is there's people that are not getting jobs that they were going to get before. For instance, my daughter had a job, two job opportunities lined up to do internships at very good universities over the summer and they have canceled both of those. So, she is in the process of looking for a summer or possibly, depending on what happens with the schools in the fall, even a full-time job in the fall. So, my point is, is that I think there will be possibly people that would be interested in these positions. I just think we need to make sure that we keep them out there and let people know that we are 12 people short. Because I think there would be people who would be willing to take those on.

MAYOR ELLIS: And we will continue to do that.

MS. HUGHES: Do we have a plan for hygiene and cleanliness above and beyond anything we already had for when the pool opens such as like a cleaning schedule or anything like that? We do.

MAYOR ELLIS: Yes. Jim and his --

MS. HUGHES: I just want people to feel safe going to the pool when it does open. I want them to feel we've taken little extra steps and made that really clear.

MAYOR ELLIS: Right. Our Facilities Manager, Ms. Landis and Mr. Hendershot have been working on those plans.

MS. HUGHES: Great.

MAYOR ELLIS: All right. Ms. Hughes.

MS. HUGHES: I have no updates.

MAYOR ELLIS: All right. Mr. Eckert.

MR. ECKERT: Bull Creek is selling hand sanitizer. So, you can buy it in big quantities out there, so.

Also today I happened to notice that 41 Action News was getting some footage in Maple Ridge subdivision. My speculation is, is that there has been significant complaints about internet providers dropping off, failing, and performing horribly in that area. So, that may be what it's about. I hope that's what it's about and not something that would blindside us on that. So, that is it, Mr. Mayor.

MAYOR ELLIS: All right. Thank you very much. Mr. Graves.

MR. GRAVES: No reports.

MAYOR ELLIS: All right. We'll move on to Staff Reports. Mr. Hendershot.

MR. HENDERSHOT: Thank you, Mayor. I might add I've got some department heads out in the hall that have some announcements as well. My announcement this evening is that Mr. Boyer, Public Works Director, has submitted his retirement notice. And that will be effective as of May 31st. And I want to congratulate him on a long career and a well-deserved retirement. And that's all I have, sir.

MAYOR ELLIS: All right. Very good.

MS. HUGHES: Can we come back to me?

MAYOR ELLIS: Yes. Ms. Hughes.

MS. HUGHES: Sorry. Andrea Hughes. I was hoping, Mr. Hendershot, if you could provide us with an update from outside Council regarding the investigation into the internet. I know that the internet company that we had chose is on hold and we can't start contract negotiations until we get that wrapped up. And I'd really like to know where we stand on that. I don't think we've had an update for a while.

MR. HENDERSHOT: With the District Attorney?

MS. HUGHES: Yes. I think the outside counsel was asking or keeping in contact with them about their process and how far along they've gotten.

MR. HENDERSHOT: I have not had any contact with them. Mr. Jenkins, perhaps you could provide an update to that.

MAYOR ELLIS: That comes from me.

MR. JENKINS: Frank Jenkins, City Attorney.

MAYOR ELLIS: I've got it, Frank. So, last week the District Attorney's Office received some additional information that it had requested through special counsel. Special counsel indicates that they put that together and they submitted it to the investigator. Beyond that, they don't provide an update to us as to where they're at or what they anticipate their next steps to be.

MS. HUGHES: Okay.

MAYOR ELLIS: So, that is the -- that's the latest information that I had heard.

MS. HUGHES: Thanks for the update.

MAYOR ELLIS: All right. Mr. Boyer, you have some good news. Please come up to the lectern.

MR. BOYER: Thank you. Thank you, Mr. Mayor and members of Council. Can you hear me all right through this?

MAYOR ELLIS: Yes, sir.

MR. BOYER: Okay. Thank you. Yeah. I do have some good news. It's a two-phase part good news at Brookwood Farms. I've got the -- number one is the sewer odor control system update. I've got a short presentation here. On February 27, 2020, City staff provided the last official update to City Council on the progress of installing the Evoqua Water Technologies H₂S gas and sewer odor control system for the remediation of sewer gases in Brookwood Farms.

At the time, we anticipated the installation of equipment for the first week of March. After several delays in the delivery process, the equipment was finally delivered, installed, and began feeding product last week. It's been one week since this product injection commenced in the lift stations. And as of yesterday we began seeing positive results.

At 5:14 a.m. yesterday morning H₂S levels had dropped to 1.4 ppm (parts per million). At 1:41 p.m., they dropped to 0.7 ppm. And at 3:06 p.m. yesterday H₂S was at 0.0 ppm at the outflow manhole at Brookwood Farms. During the routine field inspections and while conducting sniff tests in the area yesterday morning and afternoon and today, City staff reported no detectible outdoor sewer odor.

MAYOR ELLIS: I drove through the neighborhood and was just absolutely amazed. So, it has been -- every other time I have driven through that neighborhood I could smell the gas. Tuesday night I could smell nothing.

MR. BOYER: Yes. You could actually drive through in your vehicle and detect it. I was out walking around the neighborhood today and I was just smiling.

MAYOR ELLIS: That's excellent work. Excellent work.

MR. BOYER: You know, I was really -- I was happy for not only the residents there but as a City as a whole.

MAYOR ELLIS: Very good.

MR. BOYER: This has been a long journey for the residents of Brookwood Farms, our elected officials, City staff, and the Evoqua team and many others. I would like to thank Mayor Ellis and the members of the City Council for authorizing staff to move forward with this sewer odor remediation service from Evoqua Water Technologies. And I am confident that this method of service will provide positive sewer odor control results for years to come.

MR. OWEN: Mr. Boyer, have the residents of the area been notified?

MR. BOYER: They have. I've been in contact with them daily.

MR OWEN: Okay.

MR. BOYER: And I've had daily responses from them thanking -- thanking us --

MR OWEN: All right.

MR. BOYER: -- for the commitment and staying with it and seeing it through to the end. So, I'm glad for that. I'm glad for the residents out there.

The other part, this was a two-fold situation. Out there in that same area we had stormwater issues. We had some flooding issues on some properties there just to the west coming off that farm field. Since then the berm has been completed through there and stormwater has now stopped entering a lot of those properties now. So, that's great news for those property owners. And I think we're good to go there for a while. Time will tell. You know, hopefully there will be some development out there and we'll get some -- I think there may be some plans for some other remediation projects out there on that property. So, anything they do out there will be positive, so.

MR. LEATON: Mr. Leaton. So, you were able to go back to the developer out there, kind of something similar to what we discussed, and get them to move forward with some changes? Or were they putting it back into place of what it was before?

MR. BOYER: I can't give you any details on that because I don't know. All I know is that there was -- there was conversations. And I think the developer had some ideas to do some remediation projects out there.

MR. LEATON: So, he was able to be motivated to move forward.

MR. BOYER: I think so, yes. I think he's been motivated.

MR. OWEN: Mr. Owen. I know Mr. Boyer, they were very happy with your services as of late in talking to them. They talked to me and I had to talk to you. They were very supportive of what you had been doing for them and they appreciated it.

MR. BOYER: Thank you. That's all I've got for tonight.

MAYOR ELLIS: All right. Mr. Boyer, thank you very much.

MR. BOYER: All right. Thank you.

MAYOR ELLIS: And also Mr. Hendershot shared with us your announcement of your retirement. We certainly couldn't be more happy for you or a little bit sad for ourselves. So, congratulations. We'll look forward to your next few months here.

MR. BOYER: Thank you. Thank you very much. I appreciate that.

MAYOR ELLIS: All right. Chief Henson, you also have some good news to share tonight.

CHIEF HENSON: Well, not as exciting as that.

MAYOR ELLIS: Still pretty exciting though.

CHIEF HENSON: Well, yeah. So, Ivan Delgado, our newest officer, has graduated the FTO program, so he is officially a solo officer. And Shaun Whitesell will officially take the position of investigator that we have had open for a year. He will take that position on May 3rd. So, we will have a full-time investigator now to help with some of the caseload. Outside of that I don't have any other announcements.

MAYOR ELLIS: Was Officer Delgado, was he already certified when he came here?

CHIEF HENSON: Yes. Yes, he was.

MAYOR ELLIS: Where did he come from?

CHIEF HENSON: Yes. He was certified and spent two years with Ottawa.

MAYOR ELLIS: Okay. Very good.

CHIEF HENSON: And we have somebody in the hiring process who is -- I'm getting to schedule him for a chief's interview which would be where if things go well a conditional offer would be provided, so.

MAYOR ELLIS: Terrific.

CHIEF HENSON: So, you should know if we have another coming in.

MR. LEATON: Mr. Leaton. Question on that. Do we have a training officer program for him that he'll go through or because he had previous experience not go through a training officer program?

CHIEF HENSON: No. They all do. Whether you have experience or you don't you'll go through the standard 12-week FTO program. It helps with not only understanding how things are done within the department that you are now working at, but it also helps with immersing you into the culture.

MR. LEATON: Okay.

MAYOR ELLIS: Chief, I'm going to go ahead and just broach the subject because the media was in town earlier this week. A new story came out. It's my understanding that there was a shooting of a dog and I don't know that everyone here knows what has happened or what role your department undertook. But I would appreciate it if you could give us an overview. I'm not asking for anything other than first page of an offense report type of information. So, strictly the information that is available to the public if you could share that.

CHIEF HENSON: What is known and what is available that's out there now is that on March 29th around five o'clock, a couple was walking along the sidewalk north on Main off of 219th Street. And another dog escaped from their home, ran through the garage and ran toward this couple that were walking their two dogs. As a result of the interaction between the dogs, the male walker fired his weapon and striking the dog and then the dog was later put down at Blue Pearl because the injuries -- it would be a little costly. As a result, we investigated the -- we have an open investigation currently. We have talked to witnesses. We have talked to the participants. We have and are compiling all the information to include the 911 tapes and all the body cam footage. It is going to be, and it has -- I'm sorry, it has officially been delivered to our prosecutor for review of charges. He will look at the whole case and make a determination on whether any charges will be filed against any or either party.

MAYOR ELLIS: Okay. And I would just encourage members of the public to let that process work itself out. It's my understanding that death threats are being leveled against the shooter. There is just no scenario under which that's acceptable in civilized society.

CHIEF HENSON: Right. And there are additional cases that have been filed as a result of this.

MAYOR ELLIS: Okay.

MR. LEATON: Civil or criminal?

CHIEF HENSON: They will be criminal.

MR. LEATON: Against the shooter?

CHIEF HENSON: Against those who were making the criminal threats.

MR. LEATON: Okay. That's what I wanted clarification on.

MAYOR ELLIS: But let's let the process work itself out. We have an independent judiciary. Nobody here attempts to influence what happens in the court at all. And we'll see -- we will see what happens. Okay.

CHIEF HENSON: I will say as well as the incident on Webster Street, that I have been told this afternoon and I have let the driver of the vehicle know, the D.A. is filing charges.

MAYOR ELLIS: I am delighted to hear that because I could not see a scenario in which we could file charges and maintain jurisdiction. So, I'm very happy to hear that.

MR. ECKERT: This is the 169 Highway stray bullet incident?

MAYOR ELLIS: Correct. Correct.

CHIEF HENSON: Yes.

MR. OWEN: Is it available to the public?

MAYOR ELLIS: I am also --

MR. OWEN: Don't say anything to the public about it.

CHIEF HENSON: Well, it's open now.

MAYOR ELLIS: Yeah. That's why we brought it up.

CHIEF HENSON: But that's all I can say. I mean that's still an ongoing thing as well.

MAYOR ELLIS: Right. And again, we'll let that process work itself out whether or not they pursue a criminal conviction, whether it goes to court, will have a judge, there may be a jury, we're going to let the system manage that. And also that is important as well. One of the other things we continue to work with the property owner about some other options that may be available. Mr. Burton, I checked with him today, there has not been any decisions there but he's going to follow-up with the property owner tomorrow. So, there may be some other things that we have available to us as well going forward. But again, social media is not the place to try and address this with alleged perpetrators. Everybody deserves their day in court. So, if the District Attorney is pursuing charges for which we're grateful, then we'll let that process work itself out.

Very good. Anything else?

CHIEF HENSON: I also have something on the topic of the incident over the weekend with the -- either the firing range and/or the explosions near 199th.

MR. OWEN: Reactive targets I think.

CHIEF HENSON: I'm sorry?

MR. OWEN: Was it reactive targets?

CHIEF HENSON: Yes. We are working with the county and attempting to look at again with codes and things of that nature to try to strengthen that, to reduce the use of that explosion.

MR. OWEN: I was going to ask you. It was rather loud. It rattled windows for quite a few houses.

CHIEF HENSON: Yep. And they've done that. And they'll stop when they're asked.

MR. ECKERT: And resume when they want to, right?

MR. OWEN: Yeah. When everybody is gone.

MAYOR ELLIS: Commissioner Klika, when he and I spoke a couple of weeks ago, that update that I provided at the meeting two weeks ago, his hope was to have some change in the code by year's end. My hope was that perhaps it would be a little sooner than that. So, I'll follow up with him as well.

CHIEF HENSON: But we are working very closely with the county on a lot of these incidents that are occurring on our borders, so.

MAYOR ELLIS: Good.

MR. LEATON: Mr. Leaton. Were the explosive targets were on county property?

CHIEF HENSON: Yes. They were in the --

MAYOR ELLIS: No. Not on county property.

MR. LEATON: Not county property. Outside the City limits.

CHIEF HENSON: Yeah. That's what I thought you meant.

MR. LEATON: Excuse me. Thank you.

MAYOR ELLIS: Okay. All right. Chief, thank you very much. Mr. Hendershot, I understand that you may have some additional information on Veterans Park you want to share.

MR. HENDERSHOT: Yes, sir. And I apologize, I failed to bring this up and put it in my notes. Very excited. I participated in a walkthrough of Veterans Park today along with Mr. Boyer, our Parks Superintendent Dillon Jones, the contractor, and members of the Verio Design team. The park is absolutely coming together and is beautiful. The bathrooms have been installed. The plumbing has been installed there. Sidewalks are all in. The fence is up around the dog park. They were working on the boat ramp today. If the weather holds out tomorrow they'll get a lot of that poured tomorrow. Trees are planted. They're bringing in grass seed, et cetera, working on some erosion of the silt that's there, but just putting that back, getting finish grade, but the park is really coming together. The playground is installed. We're waiting on our mulch and -- we've got the border to go around the playground area. So, when we're opened up for business out there I think the public is going to be very impressed.

MAYOR ELLIS: But to clarify the park is not open yet, so.

MR. HENDERSHOT: That is correct. Yes.

MR. LEATON: Mr. Leaton. When is the anticipated date? I've been pushing for this for years. So, I'm excited.

MR. HENDERSHOT: I believe, in talking to Mr. Boyer today, his estimate that was we were on schedule still for completion in June.

MR. OWEN: Any updates on the -- didn't we talk about flags? I know you were looking at designs.

MR. HENDERSHOT: Yeah. Verio is working with the design. And we've been in contact with the -- those that have made the sizeable donations to work their thoughts into that as well as well as the American Legion. I don't know exactly where they are in that process. But I'll be happy to find out and share that.

MR. OWEN: Sure. Yeah. [Inaudible].

MAYOR ELLIS: Thank you. Ms. Landis.

MR. HENDERSHOT: I don't know that she had anything.

MAYOR ELLIS: Okay.

MR. HENDERSHOT: Ask Melanie if she has anything. No.

MAYOR ELLIS: No report from Ms. Landis. Mr. Jenkins.

MR. JENKINS: No report, Mayor.

MAYOR ELLIS: Very good. I would entertain a motion to convene into --

MS. GERRITY: Mr. Mayor.

MAYOR ELLIS: Oh, Madam Clerk, I'm sorry.

MS. GERRITY: That's okay. I do have a report tonight. We'd like to chair as part of the Together Spring Hill campaign. City Hall is hosting a canned food drive for the Spring Hill Food Pantry. The community may drop off their food at both entrances to the Civic Center. We will have containers set out to accept the donations. And the food drive starts on Monday, April 27th through May 8th. And so Kate's been busy getting it out on social media and it will go in our newsletter. So, I did want to share that. So, we're excited to be able to help out hopefully the Food Pantry.

MAYOR ELLIS: Very good. Thank you very much. That's an excellent endeavor.

EXECUTIVE SESSION

MAYOR ELLIS: All right. I would entertain a motion to convene into Executive Session.

MR. LEATON: Do you want to entertain a five-minute break?

MAYOR ELLIS: I don't know that we need to.

MR. LEATON: It's 8:10, or do we want to move immediately into it? I'm just asking.

MAYOR ELLIS: I think we can jump right into it.

MR. LEATON: Immediately into it. Okay. Mr. Leaton. Mayor, I move the City Council recess into Executive Session for ten minutes to discuss employee performance pursuant to the non-elected 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 8:22 to get the time to get into it. Persons to be in attendance are the following: Jim Hendershot, City Administrator and Frank Jenkins, Junior City Attorney.

MR. ECKERT: Second. Councilman Eckert. Second.

MAYOR ELLIS: We have a motion and a second. All those in favor.

COUNCILMEMBERS: Aye.

MAYOR ELLIS: Motion carries 5-0-0. We're carry on in Executive Session.

[Therefore, the motion was made by Councilmember Leaton and seconded by Councilmember Eckert to recess into Executive Session with the open meeting to resume in Council Chambers at 8:22 p.m. The motion carried 5-0-0.]

(Spring Hill City Council in Executive Session from 8:10 p.m. to 8:22 p.m.)

MAYOR ELLIS: We are back in open session. The discussion was limited to the topic stated. No decisions were made. No votes were taken.

ADJOURN

MAYOR ELLIS: I would entertain a motion to adjourn.

MR. ECKERT: So moved. Councilman Eckert. So moved.

MR. LEATON: Mr. Leaton. Second.

MAYOR ELLIS: We have a motion and a second. All those in favor.

COUNCILMEMBERS: Aye.

MAYOR ELLIS: Motion carries 5-0-0. Thank you everyone. We are adjourned.

[Therefore, the motion was made by Councilmember Eckert and seconded by Councilmember Leaton to adjourn. The motion carried 5-0-0.]

Spring Hill City Council Meeting Adjourned)

CERTIFICATE

I certify that the foregoing is a correct transcript from the electronic sound recording of the proceedings in the above-entitled matter.

/das _____ May 4, 2020

Deborah A. Sweeney, WriteAway Transcription

SUBMITTED BY:

/gg _____

Glenda Gerrity, City Clerk

Approved by the Governing Body on May 14, 2020