

City of Spring Hill, Kansas
Minutes of City Council Regular Session
May 11, 2023

A Regular Session of the City Council was held in the Spring Hill Civic Center, 401 N. Madison, Council Chambers, Spring Hill, Kansas on May 11, 2023. The meeting convened at 7:00p.m. with Mayor Berkey presiding and Glenda Gerrity, City Clerk, recording.

Councilmembers in attendance: Diana Roth
 Brian Peel
 Wendy North
 Chip VanHouden

Councilmembers absent: Chad Young

Staff in attendance: Lane Massey, City Administrator
 Cindy Henson, Chief of Police
 Jackie Messer, Director of Public Works
 Monakisha Jones, Human Resources Director

Consultants in attendance: Spencer Low, City Attorney
 Dan Miller, City Engineer
 Tyler Ellsworth, Bond Counsel

INVOCATION

The invocation was given by the mayor.

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 revise the agenda with the following requests:

- ADD: FORMAL ACTION ITEM NO. 6 - Consider Approval of Change Order 1 for 2023 Street Maintenance – Base Repair and Crack Seal Project with McAnany Construction, Inc.
- ADD: FORMAL ACTION ITEM NO. 7. – Consider Deferment of Approval of Final Plat, Dayton Creek, Ninth Plat (PLAT-000051-2022) and Final Plat, Dayton Creek, Tenth Plat (PLAT-000052-2022)
- ADD: EXECUTIVE SESSION – Pursuant to Attorney-Client Privilege Exception

Motion by Roth, seconded by North, to approve the agenda as amended. Motion carried 4-0-0.

CITIZEN PARTICIPATION

Robert McRae, 22366 S. Madison, spoke about the proposed project, Reserves at Sweetwater Flats.

DISCUSSION

Sewer System Study

Jon Shellhorn and Andrew Conard, Lamp Rynearson, presented the Wastewater Treatment and Collection Evaluations. The City Council will evaluate the information and make a final decision at a future meeting.

CONSENT AGENDA

Motion by Roth, seconded by Peel, to approve the consent agenda as presented.

- 1. Approval of Minutes: April 27, 2023, Regular Meeting**
- 2. Consider Approval of Final Plat Application (PLAT-000076-2023): Garrett Ranch, First Plat, 199th Street and Ridgeview Road, Gaten Properties LLC**
- 3. Consider Approval of Improvement Agreement: Garrett Ranch, First Plat, 199th Street & Ridgeview Road, Gaten Properties LLC**
- 4. Consider Approval of Site Plan Application (SP-000068-2023): Cummins 12K Lease Buildings, 185th Terrace and Webster Street, Store What?, LLC**

Motion carried 4-0-0.

FORMAL COUNCIL ACTION

5. Consider Approval of Appropriation Order No. 2023-05-11

Motion by Roth, seconded by North, to approve Appropriation Order No. 2023-05-11.

Motion passed by roll call vote of the City Council 4-0-0 with exception stated by Councilmember Roth. Peel=yes, North=yes, VanHouden=yes, Roth=yes, with the exception that I abstain from any invoices pertaining to J & T Auto.

6. Consider Approval of Change Order 1 for 2023 Street Maintenance – Base Repair and Crack Seal Project with McAnany Construction, Inc.

Motion by Roth, seconded by Peel, to approve Change Order 1 for 2023 Street Maintenance – Base Repair and Crack Seal Project with McAnany Construction, Inc., in the amount of \$464,388.65.

Motion carried 4-0-0.

7. Consider Deferment of Approval of Final Plat, Dayton Creek, Ninth Plat (PLAT-000051-2022) and Final Plat, Dayton Creek, Tenth Plat (PLAT-000052-2022)

Motion by Roth, seconded by North, to defer approval of the Final Plat, Dayton Creek, Ninth Plat, PLAT-000051-2022 and Final Plat, Dayton Creek, Tenth Plat, PLAT-000052-2022 for thirty days to allow staff time to further review application.

Motion passed 4-0-0.

ANNOUNCEMENTS and REPORTS

Announcements and reports were given by the Governing Body and city staff.

EXECUTIVE SESSION No. 1

Motion by Roth, seconded by Peel, to recess into Executive Session for 15 minutes to receive advice of counsel to discuss contract negotiations 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 8:15p.m. No formal action is anticipated following the session. Persons to be in attendance are the following: Lane Massey (City Administrator), Glenda Gerrity (City Clerk and Director of Community Services), Spencer Low (City Attorney) and Tyler Ellsworth (Bond Counsel).

Motion carried 4-0-0.

With the exception of Councilman VanHouden, everyone was present and the mayor stated to let the record reflect that the Governing Body reconvened into the open meeting at 8:15p.m. No votes were taken, or decisions made during the executive session. The discussion was limited to the subject stated.

EXECUTIVE SESSION No. 2

Motion by Roth, seconded by Peel, to recess into Executive Session for 15 minutes to receive advice of counsel 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 8:32p.m. No formal action is anticipated following the session. The person to be in attendance is Spencer Low, City Attorney.

Motion carried 3-0-0.

With everyone present, the mayor stated to let the record reflect that the Governing Body reconvened into the open meeting at 8:32p.m., with everyone present. No votes were taken, or decisions made during the executive session. The discussion was limited to the subjects stated.

ADJOURN

Motion by Peel, seconded by North, to adjourn. Motion carried 4-0-0.

The meeting adjourned at 8:33p.m.

/s/ Glenda Gerrity
Glenda Gerrity, City Clerk

Approved by the Governing Body on May 25, 2023.