

**City of Spring Hill, Kansas**  
**Minutes of City Council Regular Session**  
**June 9, 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 June 9, 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  
  Wendy North  
  Chip VanHouden

Staff in attendance:                   Patrick Burton, Interim City Administrator  
  Lou Ann Armstrong, Finance Director  
  Cindy Henson, Chief of Police  
  Jackie Messer, Director of Public Works

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

**INVOCATION**

The invocation was given by Councilmember Chip VanHouden.

**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**

**Motion by** Roth, seconded by North, to approve the agenda. Motion carried unanimously.

**PRESENTATION**

**Bucyrus Waste Management Project**

Miami County Commissioner Tyler Vaughan explained that Miami County Sewer District 2 serves unincorporated Bucyrus, which is six miles east of Spring Hill. Miami County is exploring alternatives to replace the wastewater treatment plant since the plant no longer treats sewage to permitted levels. Miami County previously contacted city staff about Spring Hill receiving the wastewater. Mr. Paul Ownings, engineer with BG Consultants, gave a brief report to consider a sewer connection with Spring Hill. After discussion, it was the consensus of the Governing Body to partner with Miami County in pursuing the Bucyrus Waste Management Project.

## **CITIZEN PARTICIPATION**

- Dan & Shelly Broyles – 21127 W 186<sup>th</sup> Terr, spoke about special assessments for Dayton Creek, Phase IV
- Bill Peterman, 19431 W. 200<sup>th</sup> Street, spoke about codes and Spring Hill police officer training and Spring Hill School District.

## **PUBLIC HEARING**

### **Special Assessments for Dayton Creek Phase IV Special Benefit District**

The Mayor opened the public hearing.

The Mayor opened the public comment portion of the hearing. Thereupon, the courtesy of the floor was extended to:

- Bill Peterman, 19431 W. 200<sup>th</sup> Street, Spring Hill, Kansas
- Dan & Shelly Broyles, 21127 W. 186<sup>th</sup> Terr., Spring Hill, Kansas
- Jonathan Waterman, 21110 W. 186<sup>th</sup> Terr., Spring Hill, Kansas

The Mayor called for further comments from the public and, hearing none, closed the public comment portion of the hearing.

## **CONSENT AGENDA**

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

- 1. Approval of Minutes: May 26, 2022, Regular Meeting**
- 2. Consider Approval of Encumbrance of Funds for COPS Grant (2023-2027)**
- 3. Consider Approval of Payment of C&B Equipment Invoice for Aquatic Center Pump Repairs**
- 4. Consider Approval of Payment of Evoqua Invoice for Bioxide (at pump station)**
- 5. Consider Renewal of Agreement: Right to Access Microsoft Office 365 (Microsoft Exchange), LiftOff, LLC, and Purchase Order**
- 6. Consider Approval of Commercial Fireworks Retail Sales Permit: FS-000151-2022, Firework Mania Superstore, 20650 W. 191<sup>st</sup> St. (NE corner of 191<sup>st</sup> St. & US 169 Hwy), Mark Stenberg**
- 7. Consider Approval of Commercial Fireworks Retail Sales Permit: FS-000178-2022, Jake's Fireworks, 22399 S. Harrison St. (empty lot next to ice machine), Karen Spielbusch**
- 8. Consider Approval of Commercial Fireworks Retail Sales Permit: FS-000215-2022, Pyro Papas, 18781 US 169 Hwy (187<sup>th</sup> & US 169 Hwy), Carol Lang**
- 9. Consider Approval of Commercial Fireworks Retail Sales Permit: FS-000216-2022, Pyro Papas, 20020 Webster St. (199<sup>th</sup> & US 169 Hwy), Carol Lang**
- 10. Consider Approval of Commercial Fireworks Retail Sales Permit: FS-000220-2022, Dale Shay, 20501 Lone Elm St. (Lone Elm & US 169 Hwy)**
- 11. Consider Approval of Commercial Fireworks Retail Sales Permit: FS-000239-2022, Eddie's Fireworks, 22200 S. Webster St (223<sup>rd</sup> & Webster), Adam Shay**

Motion passed unanimously.

## **FORMAL COUNCIL ACTION**

- 12. Consider Approval of Appropriation Order No. 2022-06-09**

**Motion by** Roth, seconded by North, to approve Appropriation Order No. 2022-06-09

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

**13. Consider Ordinance No. 2022-16: An ordinance levying and assessing special assessments to pay for improvements related to Dayton Creek Phase IV Special Benefit District, Plat 6**

**Motion by** Roth, seconded by Young, to adopt Ordinance No. 2022-16, levying and assessing special assessments on certain lots, pieces, and parcels of land liable for such special assessments to pay the costs of certain improvements in the City of Spring Hill, KS (Dayton Creek Phase IV Special Benefit District).

Motion passed 4 – 1 (North) – 0.

**14. Consider Resolution No. 2022-R-11: Authorizing the public sale of approximately \$3,025,000 principal amount of General Obligation Bonds, Series 2022A, of the City of Spring Hill, Kansas**

**Motion by** Roth, seconded by Young, to adopt Resolution No. 2022-R-11, authorizing the public sale of approximately \$3,025,000 of general obligation bonds, Series 2022A.

Motion carried 5-0-0.

**15. Consider Approval of Engineering Agreement with HNTB Corporation for 223rd Street Improvements - US 169 to Victory Rd.**

**Motion by** Roth, seconded by North, to approve the Engineering Agreement with HNTB Corp. in the amount of \$133,735.00 for the 223<sup>rd</sup> Street Improvements design.

Motion passed unanimously.

**EXECUTIVE SESSION**

**Motion by** Roth, seconded by Peel, to recess into executive session for fifteen (15) minutes to receive advice of counsel regarding ongoing and potential 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 9:05P.M. No formal action is anticipated following the session. Persons to be in attendance are the following: F. Charles Dunlay, City Attorney, and Patrick Burton, Interim City Administrator.

Motion carried 5-0-0.

The meeting recessed at 8:45p.m. with the executive session beginning at 8:50p.m.

The meeting reconvened at 9:05p.m. with everyone present.

Mayor Berkey announced that no votes were taken or decisions made during the executive session. The discussion was limited to the subject stated.

**ADJOURN**

**Motion by** Roth, seconded by North, to adjourn.

The meeting adjourned at 9:06p.m.

/s/ Glenda Gerrity  
Glenda Gerrity, City Clerk

Approved by the Governing Body on June 23, 2022.