

**City of Spring Hill, Kansas**  
**Minutes of City Council Regular Session**  
**September 12, 2019**

A Regular Session of the City Council was held in the Spring Hill Civic Center, 401 N. Madison, Council Chambers, Spring Hill, Kansas on September 12, 2019. The meeting convened at 7:04p.m. with President Chris Leaton presiding and Glenda Gerrity, City Clerk, recording.

Councilmembers in attendance:           Chris Leaton, via telephone  
  Floyd Koder  
  Chad Eckert  
  Andrea Hughes

Councilmembers absent:                   Mayor Steven M. Ellis  
  Tim Pittman

Staff in attendance:                       Jim Hendershot, City Administrator  
  Melanie Landis, Asst. City Administrator  
  Cindy Henson, Chief of Police  
  Jim Boyer, Utilities Superintendent  
  Patrick Burton, Community Development Director

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

**INVOCATION**

The invocation was given by Councilman Eckert.

**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.

**MOTION:**

President Leaton requested to yield the meeting over to Councilman Koder as Chair since he was attending the meeting via telephone.

**Motion by** Hughes, seconded by Eckert, to have Councilman Koder chair the meeting. Motion carried 4-0-0.

The City Attorney noted that Councilman Koder does not forfeit his right to vote as acting Chair.

## APPROVAL OF THE AGENDA

Chair Koder requested to correct Item 1 to read August 22, 2019 minutes instead of August 8, 2019 minutes.

**Motion by** Hughes, seconded by Eckert, to approve the agenda as amended. Motion carried 4-0-0.

## CITIZEN PARTICIPATION

Kurt & Debbie Trenary, 409 S. Franklin, addressed the City Council about the ordinance that does not allow poultry in the City. With the support of the FFA and 4-H, they questioned why this would be a problem and asked if this code could be changed. The Council stated that they recently reviewed the codes allowing poultry and bees within the City. The City Administrator reported that poultry is allowed in the agriculture and rural residential zones. The City Administrator will contact the Mayor and report back to the Trenary's regarding poultry in residential districts.

Scott Snavely, 410 W. King, addressed the City Council about the City policy regarding code violations. He asked if a "letter of closure" could be sent when the violation is remedied. He stated his concerns about the condition and striping of Webster Street and asked if the City could focus on road conditions in the western portion of the City. Staff will reach out to Johnson County Public Works regarding the striping of Webster Street. Staff is currently researching funding sources and improvement options for Webster Street.

Steve Boswell, 504 N. Jackson, addressed the City Council about proper notification of code violations. A Point of Order was announced by the City Attorney, who stated, that due to pending litigation in a current case before the Spring Municipal Court involving code violations, recommended that this matter not be discussed. Chairman Koder informed Mr. Boswell that the City Council could listen but would not comment. Mr. Boswell said that was fine and he understood. Mr. Boswell continued commenting about proper procedure to follow for notification of abatement for code violations. Mr. Boswell believes that he was not properly notified for a trash violation and referenced his probation order from the Spring Hill Municipal Court.

## CONSENT AGENDA

**Motion by** Eckert, seconded by Hughes, to approve the consent agenda as presented.

1. **Approval of Minutes:** ~~August 8, 2019~~ August 22, 2019
2. **Appropriation Order 2019-09-12**
3. **Consider Approval of Cereal Malt Beverage Renewal: K & M BBQ, 603, N. Webster**
4. **Consider Approval of Special Event Permit: Spring Hill Fall Festival, Street Dance**
5. **Consider Approval of Special Event Permit: Rescheduled 2nd Annual Block Party, Historic Main Street Merchants, September 14, 2019, 2:00p.m. – 6:00p.m.**
6. **Consider Approval of Special Event Permit: Glow Run, Spring Hill Recreation Commission, September 14, 2019, 7:00pm – 9:30p.m.**
7. **Consider Approval of Contract: Additional Crossing Guard Hours for USD 230, All City Management**
8. **Consider Approval of Purchasing Contracts: Policy and Procedure Related Services and Roll Call Training "Bridge", Law Enforcement Risk Management Group, Inc.**

9. Consider Approval of Contract: Pre-Employment Psychological Screening, Spring Hill Police Department, Insight Public Safety and Forensic Consulting, LLC
10. Consider Approval of Agreement: True Lease Schedule 010 to Master Lease Agreement, Dell Financial Services
11. Consider Approval of Agreement: Verizon GSA Funding Agreement
12. Consider Approval of Payment: Pump and Motor Repairs, Wastewater Treatment Facility, Douglas Pump
13. Consider Approval of Contract: Design of 199th & Ridgeview Roundabout
14. Resolution No. 2019-R-20: Resolution adopting a policy granting the authority to the City Administrator to consider request for waiver of license fees and permit fees from community-based organizations whose primary purpose is serving the residents of Spring Hill
15. Resolution No. 2019-R-21: Providing support and assistance for the United States Census of 2020

Motion carried 4-0-0.

#### FORMAL COUNCIL ACTION

##### **16. Ordinance No. 2019-16: 2019 Standard Traffic Ordinance**

The City Attorney presented the ordinance regulating traffic within the corporate limits of Spring Hill incorporating by reference the 2019 Standard Traffic Ordinance (STO). Mr. Jenkins presented the significant changes in the STO from the 2018 edition to the 2019 edition.

It was recommended to adopt Ordinance 2019-16 incorporating by reference the 2019 Standard Traffic Ordinance.

Discussion included the penalty for overtaking and passing a school bus since this has been a problem within the community. The City Attorney will research the fines for school bus infractions.

**Motion by** Eckert, seconded by Hughes, to approve Ordinance 2019-16 incorporating the 2019 Standard Traffic Ordinance as presented by Mr. Jenkins.

Motion carried by roll of the City Council 4-0-0. Koder-yea, Hughes-yea, Leaton-yea, Eckert-yea.

##### **17. Ordinance No. 2019-17: 2019 Uniform Public Offense Code**

The City Attorney presented the ordinance adopting the 2019 Uniform Public Offense Code (UPOC). Mr. Jenkins presented the significant changes in the UPOC from the 2018 edition to the 2019 edition.

It was recommended to adopt Ordinance 2019-17 adopting the 2019 Uniform Public Offense Code.

**Motion by** Eckert, seconded by Hughes, to approve Ordinance 2019-17 incorporating the 2019 Uniform Public Offense Code as stated.

Motion carried by roll of the City Council 4-0-0. Koder-yea, Hughes-yea, Leaton-yea, Eckert-yea.

**18. Ordinance No. 2019-18: Ordinance Repealing Article 6, Chapter 11 of the Spring Hill Municipal Code relating to Drug Violations**

The City Attorney presented the ordinance repealing Article 6, Chapter 11 of the Spring Hill Municipal Code relating to drug violations. Mr. Jenkins reported that Article 6, Chapter 11 of the Spring Hill Municipal Code and the 2019 Public Offense Code both pertain to drug violations. The Uniform Public Offense Code would continue to be utilized relating to drug violations.

It was recommended to adopt Ordinance 2019-18 repealing Article 6, Chapter 11 of the Spring Hill Municipal Code.

**Motion by** Eckert, seconded by Hughes, to approve Ordinance 2019-18 repealing Article 6, Chapter 11 of the Spring Hill Municipal Code.

Motion carried by roll of the City Council 4-0-0. Hughes-yea, Leaton-yea, Eckert-yea, Koder-yea.

**19. Resolution No. 2019-R-22: Establishing a List of Persons Authorized to Sign City Warrant Checks**

The Assistant City Administrator presented the Resolution relating to the designated depositories of the City and authorizing and directing the Mayor to execute resolutions with designated depositories.

The City has designated the following as depositories for the City of Spring Hill: A) First Option Bank; B) State Bank of Spring Hill; and C) TriCentury Bank. Each depository requires a resolution of their own form to be executed by the Mayor of the City. The proposed Resolution authorizes and directs the Mayor to execute the appropriate resolutions with each designated depository further designating authorized officers and authorized signers for city warrant checks.

Staff recommended approval of Resolution No. 2019-22 relating to the designated depositories of the City of Spring Hill, authorizing and directing the Mayor to execute resolutions with the designated depositories.

**Motion by** Hughes, seconded by Eckert, to approve Resolution 2019-R-22 as stated.

Motion carried 4-0-0.

**20. Resolution No. 2019-R-23: Reimbursement Resolution for Certain Equipment, (Mini Skid Steer)**

The Assistant City Administrator presented the resolution of intent to finance certain equipment. When purchasing equipment, leasing is a viable option when cash is not readily available. During the 2019 budget process, it was determined that the purchase of a mini skid steer would be financed through a lease purchase. A Request for Proposal for the purchase of the mini skid steer is being prepared by staff; therefore, the resolution was prepared with the maximum expected expense of \$40,000 and will allow the City to purchase the equipment prior to having the lease details complete. Principal and interest payments will be paid from the general fund, parks department budget. The City has used a lease process with local banks the last several years and has had great success with low interest rates and would expect the same to continue with the proposed 2019 process.

Staff recommended to approve Resolution 2019-R-23 of intent to finance certain equipment with the issuance of federally tax-exempt debt.

**Motion by** Hughes, seconded by Eckert, to approve Resolution No. 2019-R-23 as stated.  
Motion carried 4-0-0.

**21. Consider Acceptance of Construction Bid: Veterans Park**

The City Administrator presented revised construction bids for Veterans Park. Earlier in 2019, staff issued a Request for Proposal (RFP) to receive bids for construction of the first phase or base items of Veteran’s Park with a budget of approximately \$1,000,000. In July 2019, Council took action to reject the two bids and instructed staff to work with the design engineer to revise the bid documents and request revised bids from both bidders, Wilcott Construction and Mega Industries. When analyzing the bids, including the required system development fees for water and electric services, the true comparison revealed the following bid results:

- Wilcott Construction     \$1,033,624.80
- Mega Industries             \$1,006,640.00

Representatives from Vireo and city staff contacted references for both companies. Overall the responses regarding quality or work, communications, scheduling, etc, were more positive for Mega Industries.

Staff recommended that the City Council accept the revised bids from Mega Industries and Wilcott Construction. Also, staff and the design team from Vireo, recommended to enter into contract negotiations with Mega Industries for the construction of Veterans Park base bid items as detailed on the revised bid documents in the amount of \$1,006,640.00.

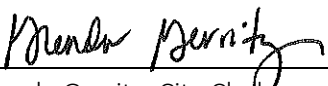
Discussion included the possibility of donations to help reduce the cost of the project. Staff reported that a fund can be established to accept donations for this project. The Assistant City Administrator also reported that available funds for this project is approximately 1.1M. Councilman Koder requested a timeline of the project and that it be posted on the City’s website.

**Motion by** Eckert, seconded by Hughes to accept the bids as Mr. Hendershot stated.

**ADJOURN**

**Motion by** Hughes, seconded by Eckert, to adjourn.

The meeting adjourned at 7:53p.m.

  
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Glenda Gerrity, City Clerk

Approved by the Governing Body on September 26, 2019.