



MINUTES

City Council Meeting

6:30 PM - Tuesday, September 23, 2025
Council Room

1 CALL MEETING TO ORDER

The Council meeting was called to order on September 23, 2025, at 6:30 p.m. in the Council Room.

2 FLAG SALUTE

Council President **Nick Engle** led the flag salute.

3 INVOCATION

Pastor Joplin Emberson, **The Well Worship Center**, gave the invocation.

4 ROLL CALL

PRESENT:	Council Member Kristi Truitt Council Member Mike Neel Council President Nick Engle Mayor Mark Staats Council Member Jenny Webster Council Member Wayne Molt, Jr. Council Member Larry Gould
ABSENT:	Council Member Elizabeth Stanton Council Member Rick Coleman

5 ACCEPTANCE OF AGENDA

5.1 Adoption of the Agenda

Nick Engle moved, seconded by Jenny Webster, to approve the meeting agenda, as presented.

RESULT:	Carried
MOVER:	Nick Engle
SECONDER:	Jenny Webster
AYES:	Kristi Truitt, Mike Neel, Nick Engle, Jenny Webster, Wayne Molt, Jr., and Larry Gould
ABSENT:	Elizabeth Stanton and Rick Coleman

6 PRESENTATIONS

6.1 Fire Prevention Week Proclamation

Mayor Mark Staats presented the Proclamation to Fire Chief John Turner and Fire Marshal Jonathan Marr.

BACKGROUND:

- Fire Prevention Week in 2025 runs from October 5 to October 11.
- The theme for this year is "Charge into Fire Safety: Lithium-Ion Batteries in Your Home"
- Derby Fire Department plans several education events each year around Fire Prevention Week.
 - This year, as in years past, the department will visit all USD 260 elementary schools and present to children in grades kindergarten through 2nd grade.
 - The department also opens up to tours during this week so that home based daycares and children that attend school from home may learn and participate in fire prevention week as well.
 - Firefighters give a presentation about their trucks and gear, and guide students through the Fire Safety House.

Jonathan Marr, Fire Marshal, thanked Council and shared the National Fire Prevention Week video emphasizing the importance of safe use and disposal of lithium-ion batteries. These batteries are now commonplace in our homes, and as such have created an emerging problem across the United States. In our own community, just over the last few years we have seen trash truck fires we believe were a result of improperly disposed of lithium-ion batteries. Once a battery reaches the point of thermal runaway, we can do nothing to put out the fire; it simply continues to burn until it consumes itself. This has been a big year for our department in other areas of safety and prevention as well. We adopted Fire Pup this summer and have installed dozens of smoke and carbon monoxide detectors. Derby also started a first of its kind Fall Prevention Program to serve seniors in our community who experience repeated falls. This program is a collaboration of local organizations and businesses all working together to help remove risks from seniors' homes and is already producing results which will be shared in the next Zoom magazine that comes out. Thank you, again, for recognizing National Fire Prevention Week.

Mayor Mark Staats said the both the video and you mentioned that improper disposal of lithium-ion batteries is dangerous. Where and how do we properly dispose of them?

Fire Marshal Marr replied at the Derby Lowe's there is a recycling bin for lithium-ion batteries just inside the door on the east entrance.

Mayor Staats said a couple of weeks ago Chief Turner gave a great presentation on fire safety and from it I learned that even regular batteries can ignite a fire if just thrown into the trash. He suggested we wrap those in a paper towel before putting them in trash bins. That's something I had never heard of previously but is a simple step we all can take to increase safety.

6.2 Fire Department Promotions

John Turner, Fire Chief, conducted the promotion ceremony.

BACKGROUND:

- The Derby Fire Department is proud to announce the promotions of two members.
- Promotions are being done at City Council to not only honor the members being promoted, but to introduce the new members to the Council and to the public.
- Please join us in congratulating the following:
 - Captain Jon Purdy
 - Lieutenant Chris Harrold
- Their family and guests will join us in pinning on their new ranks.

John Turner, Fire Chief, announced the promotion of Chris Harrold to Lieutenant. He came to Derby in 2016 as a part-time EMT instructor. He then became our first paramedic on staff; we now have a team of 6 paramedics in our ranks. Harrold was the 2022-2023 State Firefighter of the Year. He is a task-force deployable asset for the State of Kansas serving as a search and rescue medical specialist. Lieutenant Harrold is an outstanding individual and well-deserving of this promotion.

Chief Turner led Lieutenant Harrold in reconfirming his Oath of Office, after which his son, Declan, completed the pinning.

Chief Turner also announced the promotion of Jon Purdy to Captain. Captain Purdy is a U.S. Army combat veteran and two-time Bronze Star recipient who came to our department in 2014. Within 3 years, he quickly rose to the rank of Lieutenant in 2017 and now has earned the rank of Captain. He also holds an MBA and previously worked as an accountant. Derby Fire and Rescue is fortunate to have Captain Purdy leading and serving with us.

Chief Turner led Captain Purdy in reconfirming his Oath of Office, after which his wife, Sara, completed the pinning.

7 PUBLIC FORUM & ANNOUNCEMENTS

Council Member Mike Neel noted this summer, Lieutenant Harrold responded to a call at our home to assist by cutting my wife's wedding ring off my son's finger. What my son thought was a funny idea turned out to be a bit of an expensive lesson. I also want to give a shout out to our Police Department. At last night's school board meeting, District Safety & Security Officer Matt Liston presented about Derby's SRO program. Liston travels throughout the U.S. training SRO's and giving presentations; he mentioned that Derby is looked at with praise and admiration for the relationship that exists between our schools, police, and City regarding the SRO program.

Kiel Mangus, City Manager, mentioned last week we had Third Thursday where the DRC held the Sing-Off competition. It was a huge success again this year with a large

crowd in attendance. Our final Third Thursday for the year is coming up on October 16. It will be at Decarsky Park and feature a dog Halloween costume contest.

Mayor Mark Staats offered thanks to former mayor, Randy White, for filling in as a judge for the Sing-Off. Mr. Bronson and I were on a civic leader trip with McConnell Air Force Base, and I was unable to return in time to judge the competition this year.

8 CONSENT AGENDA

- 8.1 Consideration of Minutes
- 8.2 Assessment Ordinance for Nuisance Abatement

BACKGROUND:

- City ordinance requires debris be removed from properties and lawns be maintained at 10 inches or less to protect the public health and safety.
- The City has incurred costs in abating nuisances found to exist on 20 properties (4 of these incurred multiple abatements): 9 owner-occupied, 3 rentals, and 10 vacant lots.
- Because affected lots are often in foreclosure or in the process of being sold, timely assessment is important to an equitable recovery of City funds.

FINANCIAL/SUSTAINABILITY CONSIDERATIONS:

- Costs total \$8,590, which include the City's mowing and debris removal costs plus administrative fees.

LEGAL CONSIDERATIONS:

- City ordinance authorizes staff to mow excessively tall vegetation and remove debris when property owners fail to do so. Staff seeks to collect reimbursement through informal efforts to avoid the need for formal remedies. Charges not timely paid may be assessed against the properties on which the work was performed.
- The City is authorized to recover costs incurred for mowing and/or debris removal by levying assessments against respective lots and parcels upon which such remedial work was performed by or on behalf of the City.

RECOMMENDED MOTION

- Adopt an ordinance levying special assessments upon certain properties the costs incurred by the City of Derby in abating nuisances found to exist thereon.

8.3 Street Closure for First Responders 5K Run

BACKGROUND:

- The First Responders Foundation of Kansas is holding their annual 5K run/walk and Community Day on Saturday, October 4, 2025, at Derby Middle School from 8:00 a.m. until 11:00 a.m. benefiting Derby PD.

- In addition to the run, the Foundation will have hot dogs, music, Touch a Truck, bounce houses, and other activities for members of the community to enjoy.
- The run will begin at Derby Middle School moving southward on Woodlawn to Chet Smith, then along Chet Smith for a loop through Garrett Park and then back to DMS following the same route in reverse. (A map of the route is attached.)
- To better ensure the safety of participants, for the duration of the race (8 a.m. to 9:30 a.m.) the lane for northbound traffic on Woodlawn will be narrowed to allow a buffer for runners. The portion of the race along Chet Smith will be on the sidewalk. Barricades will be placed at Market & Woodlawn; Woodlawn & Chet Smith; and Sharon Dr. & Chet Smith. Event coordinators will reopen streets to regular traffic as soon as possible.
- Members of the First Responders Foundation will distribute flyers to residents in the area where runners will cross, alerting them of the event and the temporary street closure. The Foundation also historically places signs near affected intersections ahead of the event to help raise awareness to look for runners.

FINANCIAL/SUSTAINABILITY CONSIDERATIONS:

- Two police officers will assist in manning barricades and directing traffic at the intersections of Woodlawn & Chet Smith and Sharon & Chet Smith.
- Public Works will drop off barricades and cones in advance and later pick them up.

LEGAL CONSIDERATIONS:

- The City Council has authority to close roads for specific times to facilitate the safety of public events.

RECOMMENDED MOTION

- Approve the street closure as proposed.

8.4 Land Acquisition for Sewer and Lift Station Easements

BACKGROUND:

- A force main is needed in combination with the STAR Bond lift station and North Interceptor Sewer to serve both STAR bond improvements and additional developments such as Skyridge and the proposed Greenwood Village Development north of 55th St.
- The City is still in need of easements (one temporary and one permanent from the same parcel) in order to complete the project.
- The City has been in contact with the property owner (Columbian Acres) and its counsel since last year in an effort to obtain the required easements.
- A framework for acquisition has been reached, and the parties are finalizing the documents and approvals necessary to acquire the easements.

FINANCIAL/SUSTAINABILITY CONSIDERATIONS:

- The parties have reached tentative agreement on a reasonable purchase price for acquiring the easements. \$20K is the proposed price.
- Costs of land acquisition were included in the project budget.

LEGAL CONSIDERATIONS:

- City staff believes the proposed purchase price is reasonable.
- The property owner will retain limited surface rights over and across the easement area and access for future sewer hookup and permission to cross the City's easement are terms included as part of the acquisition agreement.
- The City will pay just compensation for the property interest acquired.

RECOMMENDED MOTION

- Authorize the City Manager to negotiate and approve a contract for the purchase of easements on the Columbian Acres property in a total amount not to exceed \$20,000 and authorize the City Manager to approve and finalize terms of the acquisition and close the transaction in his discretion.

Jenny Webster moved, seconded by Wayne Molt, Jr., to approve the Consent Agenda, as presented.

RESULT:	Carried
MOVER:	Jenny Webster
SECONDER:	Wayne Molt, Jr.
AYES:	Kristi Truitt, Mike Neel, Nick Engle, Jenny Webster, Wayne Molt, Jr., and Larry Gould
ABSENT:	Elizabeth Stanton and Rick Coleman

9 NEW BUSINESS

9.1 North Interceptor Force Main Award Correction

Alex Lane, City Engineer, gave the agenda report.

BACKGROUND:

- The North Interceptor force main construction contract with Nowak Construction was authorized at the August 26 council meeting for \$2,289,913.86.
- The amount authorized at the August 26 meeting was in error, the actual authorization should have been \$2,298,913.86.

FINANCIAL/SUSTAINABILITY CONSIDERATIONS:

- The corrected amount is \$9,000 higher than what was previously authorized but remains well below the value allowed by the authorizing resolution (\$2.7M).

RECOMMENDED MOTION

- Authorize the City Manager to execute a contract with Nowak Construction in an amount not to exceed \$2,298,913.86.

Wayne Molt, Jr. moved, seconded by Mike Neel, to authorize the City Manager to execute a contract with Nowak Construction in an amount not to exceed \$2,298,913.86.

RESULT:	Carried
MOVER:	Wayne Molt, Jr.
SECONDER:	Mike Neel
AYES:	Kristi Truitt, Mike Neel, Nick Engle, Jenny Webster, Wayne Molt, Jr., and Larry Gould
ABSENT:	Elizabeth Stanton and Rick Coleman

9.2 Updates to Personnel Policy Manual

Jenny Turner, Human Resources Director, gave the agenda report.

BACKGROUND:

- Each year, City staff reviews the Personnel Policy Manual (PPM) and recommends changes to meet the needs of the organization and ensure compliance with federal and state laws.
- This year's PPM updates reflect requests from members of the management team and the City Employee Advisory Committee (CEAC).
- All recommended changes are shown in red print, unless it is a "new" policy, and most have been reviewed with the City's Management Team and the City Employee Advisory Committee (CEAC).
- The following are highlights of the changes, in addition to general clean-up:
 - Adds a Veteran's Preference policy in compliance with state law to provide veteran's preference to honorably discharged veterans, spouse of a veteran who has a service-connected disability and surviving spouse of veteran who died due to service-connected injuries.
 - Updates Appearance policy to clarify that inflammatory, political, or polarizing messages on clothing are not permitted.
 - Updates Outside Employment policy to specify that outside employment includes self-employment, freelance work, and other activity for which compensation is received.
 - Updates Use of City Vehicles policy to clarify driving violations that make an employee ineligible to be covered by the City's commercial liability insurance and makes it clear that ineligibility to drive may lead to termination of employment.
 - Updates Use of Personal Vehicles for City Business policy to clarify that choosing to use your own vehicle or being ineligible to drive a City vehicle makes you ineligible for mileage reimbursement.
 - Updates Light Duty for Off-the-Job Injury to reflect that the City Manager will now be involved in approving light duty for off-the-job injuries.

- Adds Whistleblower Protection policy as required by state law, which provides employees with protection for certain reporting activities.
- Adds Facility Closures Due to Emergency Situations policy, which clarifies the expectations for departments and explains what is expected from non-essential and essential personnel when closures occur.
- Updates Personnel Records and Rules policy to clarify what items employees may see and may not see from their personnel files.
- Updates Pay Study Process and Implementation Policy to reflect current practices.
- Updates Special Duty Pay to remove obsolete language.
- Updates Bonus and Recognition Program language to reflect revisions made to the bonus nomination form.
- Updates Holiday and Sick Leave (conversion to wellness) policies to provide 12 hours, rather than 11.2 hours to Firefighters who work 56-hours per week.
- Updates Jury Duty policy to no longer require employees to sign over their jury duty payments to receive compensation for time served on jury duty.
- Updates Mandatory Referral policy to clarify that mandatory referral appointments with the EAP will count as time worked.
- Updates Information Technology Use policy to reflect new language and new systems, such as Microsoft 365. Also expands Artificial Intelligence (AI) Chatbot section to include other AI systems as well.
- Updates Appendix B Acceptable Use Agreement for Information Technology to include all electronic systems and to reflect changes in the Information Technology Use policy.
- Updates Regulated Substance Abuse Policy and Testing Procedures (FMCSA/DOT) to add language required by drug and alcohol testing vendor. Provides educational information about each drug for which testing occurs and specifies that Medical Marijuana and CBD oil are no excuse for a positive test. Better defines drug test refusal and adds language about the FMCSA Clearinghouse.

FINANCIAL/SUSTAINABILITY CONSIDERATIONS:

- The estimated cost increase for changing the holiday leave payout for 56-hour Firefighters from 11.2 hours to 12 hours is \$2,621 in 2025, based on 5 holidays remaining and \$5,968 in 2026 based on 11 holidays (not including personal holiday since it does not pay out).
- Clarifying the liability of using personal vehicles for City business may increase the use of City vehicles for short trips within the City, which could increase the cost for gasoline. However, it may also decrease the cost of mileage reimbursement, so this is expected to be a cost neutral change.
- Clarifying that mandatory referral appointments are treated as time worked is not anticipated to increase costs, as even if leave was used previously, it was still paid time.

POLICY IMPLICATIONS:

- Routinely updating the Personnel Policy Manual ensures that it reflects current federal and state laws, as well as the changing needs and priorities of the organization.

RECOMMENDED MOTION

- Approve changes to the Personnel Policy Manual, as presented.

Mayor Mark Staats asked about the Facility Closures Due to Emergency Situations policy. Most positions, those deemed "non-essential", are sent home or stay home with pay. Do those who have to remain at work or on duty receive any additional pay? I could see this being viewed by some as unfair.

Jenny Turner, Human Resources Director, replied we did some research on the matter because it was a question we had as well. We found that our current practice is what most other employers do.

Kiel Mangus, City Manager, said the research HR did was in response to a feeling of unfairness that was shared by employees. In the end, you sign on for a certain job, and some of those require working your shift, no matter the weather. Just like some of our positions allow the opportunity to work from home but others do not such as a police officer or street maintenance worker. After Covid we have made it easier for several positions to work remotely through the purchase of additional laptops, so when offices are closed for weather, many positions are still working, just not on site.

Council Member Kristi Truitt thanked Ms. Turner and staff for always staying up to date on the changes in employment law as well as seeking input from employees regarding policy. Through the employee committee's review of changes, were any items of particular concern or not supported?

Ms. Turner said the weather item brought about a lot of discussion and the follow-up research mentioned.

Mr. Mangus said our various employee committees meet regularly throughout the year with ideas, concerns and requests for changes. Some are implemented while others are not, but we do look into each item. It's a good process, but we may try to move the timeline for those discussions and reviews to work better within our budget timeline in the future, so if changes made have a financial impact, those are included in the budget process and discussions and not after like we are currently seeing.

Kristi Truitt moved, seconded by Wayne Molt, Jr., to approve changes to the Personnel Policy Manual, as presented.

Mayor Staats said I appreciate the time and effort put into all of the policies for our employees. As a former City employee, I sometimes see things through a little different lens than others on the bench. You and the management team

work with CEAC, PEAC, and FEAC to really listen to them and work with them. I'd guess probably 80% to 90% of their suggestions are used in some way or fashion. You cannot say that of most employers. I think Derby has historically done a great job of looking at each item, explaining why it cannot be done, how it could be done, or why we do it this way instead. Thank you for that.

Ms. Turner pointed out some of the requests don't even come to Council as policy matters. For example, you may have noticed the addition of a picnic table near the west entrance to City Hall. That was a suggestion from CEAC. Mr. Mangus approved it, and Public Works was able to give us one to place there. Now employees have a place to sit and take a break outside. I love that we are able to do things like that for employees.

RESULT:	Carried
MOVER:	Kristi Truitt
SECONDER:	Wayne Molt, Jr.
AYES:	Kristi Truitt, Mike Neel, Nick Engle, Jenny Webster, Wayne Molt, Jr., and Larry Gould
ABSENT:	Elizabeth Stanton and Rick Coleman

9.3 Pay Matrix Update

Jenny Turner, Human Resources Director, gave the agenda report.

BACKGROUND:

- The revised pay matrix reflects the reclassification of one IT Technician position to a Cyber Security Administrator position, as approved in the 2025 Revised Budget.
- The Cyber Security Administrator position is in a higher pay grade than the IT Technician position.

FINANCIAL/SUSTAINABILITY CONSIDERATIONS:

- There are no costs associated with these changes because they are already accounted for in the 2025 revised budget.

POLICY IMPLICATIONS:

- By making organizational changes as needed, the City is better able to meet changing needs and ensure efficiencies within City operations.

RECOMMENDED MOTION

- Approve changes to the pay matrix, as presented.

Nick Engle moved, seconded by Kristi Truitt, to approve changes to the pay matrix, as presented.

RESULT:	Carried
MOVER:	Nick Engle
SECONDER:	Kristi Truitt
AYES:	Kristi Truitt, Mike Neel, Nick Engle, Jenny Webster, Wayne Molt, Jr., and Larry Gould
ABSENT:	Elizabeth Stanton and Rick Coleman

9.4 Fire Engine 82 Purchase

John Turner, Fire Chief, gave the agenda report.

BACKGROUND:

- City Council recently approved the purchase of a new fire engine in the 2025 revised budget.
 - The purchase was originally in the 2027 budget for replacement but was moved due to the extended timeframe being experienced with constructing new fire engines.
 - Purchasing Engine 82 this year will put Derby Fire Department on the waiting list for a new engine with delivery likely not to occur until sometime around 2029.
- The current Engine 82 is a 2019 Pierce Engine on a Velocity chassis.
 - By the time the new engine is completed, the current engine will be at 10 years old. The current engine would then go into a reserve status, replacing a 2001 model engine.
 - This would be the first time in the Fire Department's history to have a modern engine in reserve status.
- The Fire Department Apparatus Committee reviewed the specifications of new Engine 81, purchased in 2023 with an expected delivery of spring 2026, and determined that the same specifications would meet the needs of the department.
- A quote was requested and received from Conrad Fire Equipment, the Pierce Manufacturer dealer. We would like to purchase from Pierce so the engine matches our current equipment being used by the Department.

FINANCIAL/SUSTAINABILITY CONSIDERATIONS:

- The engine purchase is budgeted in the Equipment Replacement Plan at \$1,190,000.
- The purchase price includes two ground ladders but no other equipment.
 - Any equipment not transferred from the current engine will be purchased separately.
- The purchase would be made utilizing the Houston Galveston Area Council (HGAC) Cooperative Purchasing Program, of which the City of Derby is a member.
 - HGACBuy is a buying consortium that provides a volume discount model of pricing directly from the manufacturers and we have used HGACBuy to purchase our other fire engines recently and the ladder truck.
- Conrad Fire Equipment provides two different options for payment. Option 1 would be the purchase price paying for it up front and Option 2 is the purchase price paying for it upon delivery. Staff recommends Option 1 paying for it up front, saving the City nearly \$180K.

Option 1 (with pre-payment discount)	Option 2 (without pre-payment discount)
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Apparatus Purchase Price	\$1,182,224.48	Apparatus Purchase Price	\$1,182,224.48
Pre-Payment Discount	-\$178,533.06	Pre-Payment Discount	\$0.00
Option Contingency	\$15,000.00	Option Contingency	\$15,000.00
Due Upon Order	\$1,018,691.42	Due Upon Order	\$1,197,224.48

POLICY IMPLICATIONS:

- The City of Derby purchasing policy states that competitive bidding isn't required when the good or service is available from another governmental entity or purchasing program at a price deemed less than commercially available.
- HGACBuy is a specialty governmental cooperative purchasing program that provides the discounted pricing. The City has purchased our last several fire trucks through the HGACBuy program.

RECOMMENDED MOTION

- Authorize the City Manager to enter into an agreement with Conrad Fire Equipment and HGACBuy for purchase of a new fire engine in the amount of \$1,018,691.42.

Council Member Wayne Molt, Jr. said it is crazy how expensive these trucks are becoming as well as how long a lead time there is for getting one. I appreciate your diligence in trying to stay ahead of the schedule for these needs as well as getting savings where we can on them.

Wayne Molt, Jr. moved, seconded by Nick Engle, to authorize the City Manager to enter into an agreement with Conrad Fire Equipment and HGACBuy for purchase of a new fire engine in the amount of \$1,018,691.42.

Council President Nick Engle asked is there hope that in the future we might see more competition in providing specialized equipment like this to help bring prices down?

John Turner, Fire Chief, said yes. There was a congressional hearing about this very matter, and the potential for a monopoly among fire apparatus manufacturers, held just last week. The Fire Department Labor Union has also filed lawsuits regarding it. We will see what comes from those. A lot of the smaller apparatus companies have been purchased by the few larger remaining companies. An additional consideration for Derby Fire and Rescue is the need to have a maintenance provider fairly close. Conrad in Kansas City is the closest for us.

Mr. Molt asked if headway is made in that regard, could we potentially recover some of these costs as a result?

Chief Turner said I doubt there is much hope of that, but hopefully we may see a slowing of inflation for these vehicles.

Kiel Mangus, City Manager, said we are hopeful someone will address the gaps. As Chief said, many of these smaller companies have been bought out. Twenty-five years ago, there were significantly more companies from which you could order a fire truck. Post-Covid is really when the prices began to skyrocket for these. We originally had this as a 2027 budget purchase from the equipment reserve fund. In looking through budget matters, Mr. Bronson and Ms. Pater recognized the Derby Difference could assist in paying for this, although not directly. By having more of our other equipment needs for parks and streets funded by the Derby Difference, it leaves more in the equipment reserve, allowing us to make this a cash purchase in the 2025 Revised budget. The cash purchase includes a discount as well as getting the order in earlier since lead times have increased quite a bit.

Dan Bronson, Deputy City Manager, pointed out this agreement also extends to parts. Maintenance is a big issue for fire apparatus. Sometimes we have to bring people in from outside our area to work on them. On top of that, the labor and supply costs themselves are high. Having that included will hopefully make needed repairs more readily available and affordable for us.

RESULT:	Carried
MOVER:	Wayne Molt, Jr.
SECONDER:	Nick Engle
AYES:	Kristi Truitt, Mike Neel, Nick Engle, Jenny Webster, Wayne Molt, Jr., and Larry Gould
ABSENT:	Elizabeth Stanton and Rick Coleman

9.5 Resolutions Authorizing Bond Financing of Public Improvements

Megan Pater, Finance Director, gave the agenda report.

BACKGROUND:

- In the 2025/2026 budgets, the following projects were approved to be paid through financing of General Obligation Bonds:
 - Painting of the Sunset Water Tower \$710,000.
 - This project will be brought to Council early next year.
 - Wastewater Master Plan Improvements Phase 1A \$31,381,943
 - The construction contract was approved in November 2024 and approximately half of the project costs were bonded in 2024 (\$15,500,000). This resolution amends the authorized project amount, to include the remaining \$15,881,943.
 - McIntosh Road Reconstruction \$2,730,716
 - The design contract was approved in August 2024 for \$249,500. This resolution amends the authorized project amount to include the estimated construction costs of \$2,481,216.
 - This project is out for bid and results will be brought to Council on October 14 for approval.

FINANCIAL/SUSTAINABILITY CONSIDERATIONS:

- The resolutions presented tonight authorize financing for the projects by the issuance of general obligation bonds.

LEGAL CONSIDERATIONS:

- Gilmore & Bell serves as the City's bond counsel and has verified this is in full compliance with state laws and local resolutions and ordinances.

RECOMMENDED MOTION

- Approve resolutions authorizing certain public improvements and providing for the payment of the costs thereof.

Council President Nick Engle said that due to updates in compliance with my profession, I am no longer allowed to participate in any discussion or voting on bond items. I therefore recuse myself on this item and will abstain from the vote.

Council Member Mike Neel said the report shows the water tower painting as \$710,000, but it has not yet been bid. What happens if the bids for that job come in higher or lower than what we estimate?

Megan Pater, Finance Director, replied we actually have three water towers that need painting. So, if the price comes in higher, we have reserves in the water fund that can make up the difference. If it comes in lower, we could reauthorize those funds toward the cost of painting the second tower. We will have three of these over three years. We bonded this because we are using cash to pay for the dissolution of El Paso Water Company. Initially we thought we'd bond the dissolution and pay cash for painting the towers but are doing it the other way.

Kiel Mangus, City Manager, said our City Attorney, Finance Department and outside counsel have been working hard toward the dissolution of El Paso Water Company. We expect to bring that item this fall, so we may only have one or two water company meetings left before that occurs.

Council Member Wayne Molt, Jr. thanked Ms. Pater for bringing this forward. I hear quite often from folks about McIntosh Rd., so I'm glad to see us getting one step closer to fixing that problem.

Wayne Molt, Jr. moved, seconded by Mike Neel, to approve resolutions authorizing certain public improvements and providing for the payment of the costs thereof.

RESULT:	Carried
MOVER:	Wayne Molt, Jr.
SECONDER:	Mike Neel
AYES:	Kristi Truitt, Mike Neel, Jenny Webster, Wayne Molt, Jr., and Larry Gould
ABSTAINED:	Nick Engle
ABSENT:	Elizabeth Stanton and Rick Coleman

Megan Pater, Finance Director, gave the agenda report, recognizing Garth Herrmann, Gilmore & Bell, P.C., in attendance.

BACKGROUND:

- The proposed action is to authorize marketing of bonds and notes, which is the final step before approval of the sale of general obligation bonds.
- Special Assessment Bonds:
 - Permanent financing for the following projects will be included:
 - Hendricks Addition - Sanitary Sewer, Water Line, Streets and Sidewalks
 - Meadowlark Landing Addition - Paving Phase 1, Sanitary Sewer Phase 1, Storm Water Drain, Water Line Phase 1, Water Main
 - Sterling East Addition - Paving Phase 1, Sanitary Sewer Phase 1, Water Line Phase 1, Storm Water Drain Phase 1, Sanitary Sewer Main, Madison Water Main
- General Obligation Bonds:
 - Patriot & Triple Creek Intersection
 - A resolution was approved on June 10, 2025, to provide for the construction of the improvements. Estimated project cost \$890,035
 - High Park Remodel
 - A resolution was approved on September 9, 2025 to provide for the construction of the improvements. Estimated project cost \$4,600,000
 - Wastewater Master Plan Improvements Phase 1A
 - In 2024, bonds were issued for approximately half of the project at \$15,500,000. At tonight's meeting, an amended resolution was presented to provide for the remaining construction costs. Estimated remaining cost \$15,881,943
 - Water Tower Painting
 - At tonight's meeting, a resolution was presented to provide for the contracted service. Estimated project cost \$710,000
 - McIntosh Road Reconstruction -
 - At tonight's meeting, an amended resolution was presented to provide for the design and construction improvements. Estimated project cost \$2,730,716
- Temporary Notes:
 - Foxfire Addition - Paving (Corporate Park Drive), Paving Ph2, Sanitary Sewer Ph2, Sidewalk (55th Street South), Stormwater Ph2, Water Ph2
 - Courtyards at CrossWater (Renewal of 2023-1 Notes) - Sanitary Sewer Lift Station and Force Main, Paving Arterial, Storm Water Grading, Paving Ph1, Sanitary Sewer Ph1A, Sanitary Sewer Ph1B, Sanitary Sewer Ph1C, Water Ph1

FINANCIAL/SUSTAINABILITY CONSIDERATIONS:

- The competitive sale will be held October 22. The sale resolution contains parameters that allow for the Mayor to award the sale.
 - G.O. Bond Series 2025-B has a maximum principal amount of \$34,700,000 and true interest cost shall not exceed 6.15%.
 - Temporary Note Series 2025-2 has a maximum principal amount of \$7,700,000 and true interest cost shall not exceed 5.31%.
- The City Council will be asked at the October 28 meeting to ratify the sale by adopting an ordinance and resolution or reject proposals.

LEGAL CONSIDERATIONS:

- Gilmore and Bell serves as the City's bond counsel and has verified this issue is in full compliance with state laws and local resolutions and ordinances.

POLICY IMPLICATIONS:

- Upon issuance of this bond on November 25, 2025, the statutory direct debt as a percentage of assessed valuation will increase to 17.69% from the 15.96% ratio, which was calculated with the 2025-A issuance in May. This percentage will decrease after December 1, when the City makes the annual principal payments on its outstanding bonds.

RECOMMENDED MOTION

- Approve a resolution authorizing the sale of General Obligation Bonds Series 2025-B and Temporary Note Series 2025-2 of the City of Derby.

Jenny Webster moved, seconded by Wayne Molt, Jr., to approve a resolution authorizing the sale of General Obligation Bonds Series 2025-B and Temporary Note Series 2025-2 of the City of Derby.

Kiel Mangus, City Manager, commented for the last couple of years, we have gone out to the bond market once or twice a year, depending on the number and cost of projects. Moving forward, as we have more and more projects and growth in Derby, you can expect us to go to the bond market at least twice per year. I agree it is good to see rate cuts starting to occur. It is hard to beat those years we had extremely low interest rates, but it is encouraging to see current rates coming down.

RESULT:	Carried
MOVER:	Jenny Webster
SECONDER:	Wayne Molt, Jr.
AYES:	Kristi Truitt, Mike Neel, Jenny Webster, Wayne Molt, Jr., and Larry Gould
ABSTAINED:	Nick Engle
ABSENT:	Elizabeth Stanton and Rick Coleman

9.7 Adoption of the Standard Traffic Ordinance

Jacque Butler, City Attorney, gave the agenda report.

BACKGROUND:

- Prior to January 2015, Derby followed the Standard Traffic Ordinance for Cities (STO) in establishing and enforcing traffic regulations within the city.
 - The STO is published annually by the League of Kansas Municipalities.
 - It collates the state's uniform traffic regulations and other local traffic provisions into book form for incorporation and adoption by cities throughout the state.
- In 2014, the Derby Police Department requested a move to a local traffic ordinance to ease electronic access issues for officers.
- The League of Kansas Municipalities now makes the STO available electronically and offers licensing to cities to allow website publication.
- With the improvements in electronic access and a desire to simplify annual updates due to legislative actions, it was determined that a move back to the STO was in Derby's best interests.
- Adopting the STO and the Uniform Public Offense Code (UPOC) were placed on the City Council's priority list in 2024.
- The UPOC was adopted with local amendments at the September 9th meeting.

FINANCIAL/SUSTAINABILITY CONSIDERATIONS:

- Financial impacts are anticipated to be minimal.
- The license permitting website publication has been obtained at a cost of \$150 per year. Printed book versions of the STO are available for purchase at costs ranging from \$12-\$15.50 each depending on the number ordered.
 - While a small number of printed copies of the STO are obtained and utilized by the City Clerk, the Municipal Judge/Court and the City Prosecutor, it is anticipated that most DPD officers will access the STO through the City's website.

LEGAL CONSIDERATIONS:

- State law permits cities to incorporate published codes by reference in an adopting ordinance.
- Many traffic regulations within the state are uniform and local provisions in conflict with uniform state traffic regulations are not permitted. However, local amendments and additions not in conflict with state law are allowed.
- The ordinance adopting and incorporating the STO contains the following modifications or amendments:
 - Addition of Careless Driving provision currently found in the local traffic ordinance
 - Amendment to provision concerning Highway Construction and Maintenance to retain more stringent local standard.
 - Amendment to provision concerning Parking Disabled and Other Vehicles to include local standard concerning trailers.
 - Amendment to provision concerning Commercial and Delivery Vehicles to include restriction of two-hour parking in residential neighborhoods.
 - Addition of local provision limiting Truck Parking in Residential Areas.

- Amendment to provision concerning Unlawful Operation of a Golf Cart to retain Derby's current regulations.
- Addition of local provisions concerning Special Purpose Vehicles requiring registration and standards for operation.
- Amendment to provision concerning Driving Upon a Sidewalk to include reference to City's OPMD guidelines.
- Deletion of provision concerning Motorized Skateboards and Amendment to provision concerning Electric-Assisted Scooters to provide for inclusion of City's current local provision for Micromobility Device Operation and their parking.
- Amendment to provision concerning Use of Coasters, Roller Skates and Similar Devices to incorporate current local standard restricting use of such devices in certain locations within the city.
- In addition to the ordinance adopting and incorporating the STO, a second ordinance is proposed to retain certain local regulations not contained in the STO and reorder their numbering to better fit the structure of the municipal code following the repeal of so many individual provisions.

POLICY IMPLICATIONS:

- Because state law requires uniformity in most traffic regulations, adoption of the STO will not result in major substantive changes to traffic regulations in the city.

RECOMMENDED MOTION

- Adopt an ordinance adopting and incorporating by reference the 52nd Edition of the *Standard Traffic Ordinance for Kansas Cities* with certain local amendments and adopt an ordinance amending and updating supplemental traffic regulations found in Title 10 of the Derby Municipal Code.

Nick Engle moved, seconded by Mike Neel, to adopt an ordinance adopting and incorporating by reference the 52nd Edition of the *Standard Traffic Ordinance for Kansas Cities* with certain local amendments and adopt an ordinance amending and updating supplemental traffic regulations found in Title 10 of the Derby Municipal Code.

RESULT:	Carried
MOVER:	Nick Engle
SECONDER:	Mike Neel
AYES:	Kristi Truitt, Mike Neel, Nick Engle, Jenny Webster, Wayne Molt, Jr., and Larry Gould
ABSENT:	Elizabeth Stanton and Rick Coleman

10 ADJOURNMENT

Jenny Webster moved, seconded by Wayne Molt, Jr., to adjourn the meeting at 7:28 p.m.

RESULT:	Carried
MOVER:	Jenny Webster
SECONDER:	Wayne Molt, Jr.

AYES:	Kristi Truitt, Mike Neel, Nick Engle, Jenny Webster, Wayne Molt, Jr., and Larry Gould
ABSENT:	Elizabeth Stanton and Rick Coleman

City Clerk

Mayor

DRAFT