

**City of Edgerton, Kansas
Minutes of City Council Regular Session
May 26, 2016**

A Regular Session of the City Council was held in the Edgerton City Hall, 404 E. Nelson, Edgerton, Kansas on May 26, 2016. The meeting convened at 7:00 p.m. with Mayor Roberts presiding, and Administrative Assistant Debra Gragg recording.

1. ROLL CALL

Charlie Troutner	present
Clay Longanecker	present
Cindy Crooks	present
Jody Brown	present

Darius Crist	absent
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With a quorum present, the meeting commenced.

Staff in attendance: City Administrator Beth Linn
 Community Development Director Kenny Cook
 City Attorney Patrick Reavey
 Utilities Superintendent Mike Mabrey
 Johnson County Sheriff Dept. Representative

2. WELCOME

3. PLEDGE OF ALLEGIANCE

CONSENT AGENDA

4. The agenda for April 28, 2016 was considered.
5. City Council meeting Minutes of May 12, 2016 was considered.
6. Ordinance No. 1016 pertaining to Kansas Gas Service, A Division of One Gas, Inc., it successors, and assigns, extending the term of the current natural gas franchise current due to expire on June 8, 2016 was considered.

Motion by Crooks, seconded by Longanecker, to approve the consent agenda.

Motion was approved, 4-0.

7. PUBLIC COMMENTS

None

8. DECLARATION

None

BUSINESS REQUIRING ACTION

PROJECT – UTILITIES

9. PURCHASE OF MATERIALS FROM SCHULTE SUPPLY, INC. FOR AUTOMATED METER READING PROJECT WAS CONSIDERED.

The City Administrator overviewed this request noting is converting to new water meters. She overviewed the history and the financing loan from the Kansas Public Water Supply Loan Fund administered by the Kansas Department of Health and Environment (KDHE).

The mayor questioned if there is a local source for extra items.

Mike Mabrey, Utilities Superintendent, indicated a few extras may be obtained locally. He indicated a few of the old meters will be retained for use in temporary substitutions, if needed.

Mr. Longanecker noted since these are remote read, he questioned if there would be any readings by staff. Mr. Mabrey indicated that would be determined after installation and see how the process works.

Ms. Crooks asked if these could be read live by the customer. The Utilities Superintended stated that is not yet available, but may be an enhancement in the future.

Ms. Linn overviewed the KDHE loan process for this project. She indicated the final paperwork would be considered in June.

Motion by Longanecker, seconded by Brown, to approve purchase of materials from Schulte Supply, Inc. for Automated Meter Reading Project in the amount of \$205,328.10

Motion was approved, 4-0.

PUBLIC HEARING – COMMUNITY DEVELOPMENT BLOCK GRANT

10. A PUBLIC HEARING TO RECEIVE INPUT FROM THE PUBLIC ON THE POSSIBLE USE OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS IN RESOLVING LOCAL COMMUNITY DEVELOPMENT AND HOUSING NEEDS IN THE CITY OF EDGERTON WAS CONSIDERED.

Mayor Roberts opened the public hearing.

The City Administrator overviewed the CDBG program which includes tonight's public hearing. Ms. Linn overviewed the county's priority needs, which includes: non-housing community development of public facilities, public improvements, infrastructure, public services, and economic development; affordable housing; and homelessness.

No one appeared to oppose or support.

Mayor Roberts closed the hearing.

APPLICATION - COMMUNITY DEVELOPMENT BLOCK GRANT, 2017

11. SUBMITTAL OF APPLICATION TO JOHNSON COUNTY FOR NELSON STREET WATERLINE PROJECT FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDING FOR 2017 WAS CONSIDERED.

The City Administrator reviewed the request for waterline improvements on Nelson Street, East 3rd Street to West 5th Street. She informed the Council members that in 1988, the current Nelson Street was constructed, which included new ductile iron water main. Ms. Linn indicated the main has begun to corrode and experienced several leaks with service disruptions to home and the school. She noted the 2,100 linear foot replacement would contain PVC pipe that will not corrode. Ms. Linn stated the total project cost is estimated at \$291,491, which includes design, construction, inspection, etc., adding CDBG funds are used only for construction. She informed the members the project will begin after January 1, 2017 and be completed by December 31, 2017.

Mayor Roberts questioned the pipe size, noting for a small cost he favored installing 12" pipe instead of 8" pipe.

The City Administrator indicated the application would be submitted as is; any extra for increased size is the city's responsibility.

Motion by Crooks, seconded by Longanecker, to approve submittal of application to Johnson County for Nelson Street Waterline project for Community Development Block Grant funding for 2017.

Motion was approved, 4-0.

AGREEMENT – WASTEWATER PUMP STATION AND FORCE MAIN DESIGN-BUILD PROJECT

12. AN AGREEMENT WITH BURNS & McDONNELL/CAS CONSTRUCTION ON THE BASIS OF A STIPULATED PRICE WAS CONSIDERED.

Beth Linn, City Administrator, overviewed the need for the project and the prior items leading to this agreement. Ms. Linn spoke about the development of the Preliminary Design-Build Agreement with Burns & McDonnell/CAS Construction and overviewed the Executive Summary from Burns & McDonnell/CAS Construction which includes the scope of work and guaranteed maximum price (GMP) of \$2,787,950 and additional items noted as allowances.

Jeff Keller, Burn & McDonnell, appeared to address the scope of work; part of which includes new pump station, force main to Big Bull Creek Wastewater Treatment Plant (BBCWWTP), and address elevation changes. He overviewed the proposed project improvements with power point slides and overviewed steps toward decommissioning the plan per KDHE requirements.

Mayor Roberts stated he is not supportive of just filling in the aerator with concrete, asking if there was a better way.

Mike Hafling briefly discussed the proposed design-build schedule, noting it should be complete by April 15, 2017. He stated the only unknown factor is possible delays in property acquisition. He also overviewed the breakdown for the lump sum price (\$2,787,950), with some allowances

The mayor questioned the reason for going along Sunflower Road, as opposed to going along 199th Street. Mr. Keller indicated that would require more property acquisition and creek crossings. Mayor Roberts also spoke about crossing to 207th, and then gravity feed to BBCWWTP. Mr. Keller indicated there was a lot of park property in area.

The City Administrator overviewed the GMP, which does not include the easement negotiations, \$200,800 preliminary costs, and engineering and inspection costs. Mayor Roberts stated he favors the GMP be reduced to \$2,500,000 as proposed under the preliminary GMP.

Ms. Crooks stated she does not see a potential of a decrease.

The City Administrator suggested tabling the agreement to allow the design-build team to bring back more details.

The City Attorney indicated he has some concerns with the contract, which should be discussed in executive session. It was decided to move up the executive session.

EXECUTIVE SESSION – ATTORNEY CLIENT RELATIONSHIP

13. RECESSING INTO EXECUTIVE SESSION PURSUANT TO K.S.A. 75-4319 (b) (2) FOR CONSULTATION WITH AN ATTORNEY DEEMED PRIVILEGED IN THE ATTORNEY-CLIENT RELATIONSHIP TO INCLUDE CITY ATTORNEY AND CITY ADMINISTRATOR WAS CONSIDERED.

Motion by Crooks, seconded by Longanecker, to recess into Executive Session pursuant to K.S.A. 75-4319 (b) (s) for consultation with an attorney deemed privileged in the attorney-client relationship to include City Attorney and City Administrator.

The vote on the motion: YEA: Crooks, Longanecker, and Brown. NAY: Troutner. Motion was approved, 3-1.

The meeting recessed at 8:55 to begin after a five minute comfort break.

Motion by Crooks, seconded by Longanecker, to reconvene back in to regular session noting no action was taken.

Motion was approved, 4-0.

The meeting reconvened at 9:01 p.m.

The agreement with Burns & McDonnell/CAS Construction was considered.

Motion by Longanecker, seconded by Brown, to table the agreement for two weeks in order to consider more details.

The vote on the motion: YEA: Brown and Longanecker. NAY: Troutner and Crooks. Mayor voted in support.

Motion was approved, 3-2.

15. REPORT BY THE CITY ADMINISTRATOR

The City Administrator introduced Kenneth Cook, Community Development Director, to overview the 8th Street sidewalk project. Mr. Cook distributed preliminary views for the project and spoke about items regarding alignment, design, codes, drainage, intersection width, ADA ramps, berm at south end, and concrete overflow impeding sidewalk (may need to build closer to street), and ADA ramps leading to street, but with no sidewalk connection. Fencing at the manufactured home park was discussed.

The consensus was not to include ramp at south end, and construct the fencing at the manufactured home park as a 72" privacy fence and address the triangle site plan. Mr. Cook will meet with the property owner to discuss the project.

Councilmember Brown left the meeting at 10:06 p.m. and returned at 10:07 p.m.

Captain Rokusek, Johnson County Sheriff's Office, spoke about the bicycling units and shared a picture of one of the bicycles. He also noted the Sheriff's Office would be officing out of the elementary school. It was indicated the bicycle unit, move to school, and focus on railroad safety would be placed in an upcoming newsletter.

16. REPORT BY THE MAYOR

The Mayor informed the Council and audience of the new fire department pumper located in town.

17. FUTURE MEETING/EVENT REMINDERS

- May 28th 8:00 p.m. – Downtown Summer Movie Night – The Good Dinosaur
- June 1st 2:00 p.m. – Waverly Road Ribbon Cutting
- June 9th 7:00 p.m. – City Council Meeting
- June 14th 7:00 p.m. – Planning Commission
- June 15th Noon – Senior Lunch
- June 17-18 – Frontier Days
- June 23rd 7:00 p.m. – City Council Meeting
- June 30th – City Council Budget Work Session

18. ADJOURNMENT

Motion by Longanecker, seconded by Crooks, to adjourn the meeting.

Motion was approved, 4-0.

Meeting adjourned at 10:20 p.m.

Debra S. Gragg, CMC
Acting Recorder

Approved by the Governing Body on _____