

**EDGERTON CITY COUNCIL
MEETING AGENDA
CITY HALL, 404 EAST NELSON STREET
July 26, 2018
7:00 P.M.**

Call to Order

1. **Roll Call** ___ Roberts ___ Longanecker ___ Brown ___ Conus ___ Lewis
2. **Welcome**
3. **Pledge of Allegiance**

Consent Agenda *(Consent Agenda items will be acted upon by one motion unless a Council member requests an item be removed for discussion and separate action)*

4. Approve Minutes for July 12, 2018 Regular City Council Meeting

Regular Agenda

5. **Public Comments.** Persons who wish to address the City Council regarding items not on the agenda and that are under the jurisdiction of the City Council may do so when called upon by the Mayor. Comments on personnel matters and matters pending before court or other outside tribunals are not permitted. Please notify the City Clerk before the meeting if you wish to speak. Speakers are limited to three (3) minutes. Any presentation is for informational purposes only. No action will be taken.

6. **Declaration.** At this time Council members may declare any conflict or communication they have had that might influence their ability to impartially consider today's issues.

Business Requiring Action

7. **Report by the City Administrator**

8. **Report by the Mayor**

9. **Future Meeting/Event Reminders:**

- August 4th: Dusk – Summer Movie Night featuring Cars 3
- August 9th: 7:00 PM – City Council Meeting
- August 14th: 7:00 PM – Planning Commission
- August 23rd: 7:00 PM – City Council Meeting

10. **CONSIDER 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**

RECONVENE INTO OPEN SESSION

11. **Adjourn** Motion: _____ Second: _____ Vote: _____

**City of Edgerton, Kansas
Minutes of City Council Regular Session
July 12, 2018**

A Regular Session of the City Council was held in the Edgerton City Hall, 404 E. Nelson Edgerton, Kansas on June 28, 2018. The meeting convened at 7:00 p.m. with Mayor Roberts presiding.

1. ROLL CALL

Ron Conus	present
Clay Longanecker	present
Josh Lewis	present
Jody Brown	present

With a quorum present, the meeting commenced.

Staff in attendance: City Administrator Beth Linn
 Assistant City Administrator Scott Peterson
 City Clerk Rachel James
 City Attorney Lee Hendricks
 Development Services Director Katy Crow
 Public Works Director Dan Merkh

2. WELCOME

3. PLEDGE OF ALLEGIANCE

CONSENT AGENDA

- 4.** Approve Updated Minutes for March 22, 2018 Regular City Council Meeting
- 5.** Approve Minutes for June 28, 2018 Regular City Council Meeting

Motion by Lewis, Second by Longanecker, to approve the consent agenda.

Motion was approved, 4-0.

REGULAR AGENDA

6. Public Comments. None.

7. Declaration. None.

8. ElevateEdgerton! 2019 Budget Presentation by James Oltman

Mr. James Oltman presented on Elevate Edgerton's 2019 Funding Request and 2018/2019 Deliverables. Elevate Edgerton's stated goal is to promote and facilitate growth of Edgerton, KS and Logistics Park Kansas City (LPKC) community by taking advantage of opportunities available because of the Burlington Northern Santa Fe Intermodal Facility. Elevate Edgerton plans on

taking an active approach to organized growth and a collaborative approach to compete for new business. Elevate Edgerton also plans to focus on growing the workforce, ensure investors feel values from organization, and identify new organizations to join Elevate Edgerton. The 2018/2019 deliverables include housing development efforts, retail/commercial recruitment efforts, growing and investing in the LPKC workforces, and representing Edgerton across the region.

Elevate Edgerton! Requested funding amount of \$50,000 in cash contributions as well as \$10,000 in-kind contributions from City of Edgerton Marketing and Communications employee.

BUSINESS REQUIRING ACTION

9. CONSIDER A FIRST AMENDMENT TO CONTRACT FOR SERVICES FOR CONSTRUCTION OF WASTEWATER IMPROVEMENTS AND TRANSPORTATION AND TREATMENT OF WASTEWATER IN AN AREA BETWEEN THE CITY OF EDGERTON, KANSAS AND GARDNER, KANSAS

Lee Hendricks, City Attorney, stated that there are five places in the contract where the language needs to be updated from Homestead Lane Lift Station to Widmer Lift Station. This update is the last step before joint members will meet to resolve any remaining issues. Beth Linn, City Administrator, commented that the content of the contract is the same, this change just updates the location.

Motion by Longanecker, Second by Lewis to approve a first amendment to construction of wastewater improvements and transportation and treatment of wastewater contract to update location from Homestead to Widmer.

Motion passed 4-0.

10. CONSIDER DESIGN-BUILD AGREEMENT BETWEEN CITY OF EDGERTON AND MILES EXCAVATING, INC. FOR HOMESTEAD LANE/ 207TH STREET PROJECT

Beth Linn, City Administrator, presented on the draft of the Design-Build agreement between City of Edgerton and Miles Excavating, Inc. Ms. Linn outlined project details and a summary of the draft which includes the Lump-Sum Contract, Contract Time, and Liquidated Damages.

Mayor Roberts asked if \$1000 a day to liquidate damages was low. Ms. Linn replied that the City Engineer used the inspector cost per day. Ms. Linn confirmed this is not the only expense but it an easily calculated rate. The City could increase the interim milestone of the project in case of project delays. Lee Hendricks, City Attorney, addressed the counsel regarding the liquidated damages, project costs, and the general contract.

Mayor Roberts stated he wanted to follow best practice and is concerned with legal consequences the city might face if the project is delayed.

Motion by Longanecker, Second Brown to approve the design-build agreement between City of Edgerton and Miles Excavating, Inc. for Homestead Lane/ 207th Street Project.

Motion passed 4-0.

12. Report by the City Administrator

- Presentation of Recommended 2019 Other Fund Budgets
- Introduction of new Public Works Director, Dan Merkh, to Council

13. Report by the Mayor

Mayor Roberts thanked the City of Edgerton for the wonderful turn out for the 3rd of July Community Picnic and Fireworks Show. He thanked Ms. Linn and said it really continues to get better every year.

Councilmember Brown commended Ms. Linn and her staff for a wonderful event. Councilmember Lewis said he heard from many residents that it was one of the best shows they've seen.

Mayor Roberts also wanted to take time to extend his, city council's and city staff's sympathies to the family of Rick Poppitz. Mayor Roberts spoke of Mr. Poppitz big heart, his contributions to the Gardner community, and how much Mr. Poppitz will be missed.

14. Future Meeting/Event Reminders:

- July 13th: Noon – 6:00 PM – Blood Drive
- July 14th: Dusk – Summer Movie Night featuring Disney's Coco
- July 26th: 7:00 PM – City Council Meeting
- July 26th: 7:00 PM – City Council Meeting

15. Adjourn

Motion by Brown, Second by Lewis to adjourn.

Motion passed 4-0.