

City of Edgerton, Kansas
Minutes of City Council Regular Session
February 9, 2023

A Regular Session of the City Council (the Council) was held in the Edgerton City Hall, 404 E. Nelson, Edgerton, Kansas on February 9, 2023. The meeting convened at 7:00PM with Mayor Roberts presiding.

1. ROLL CALL

Clay Longanecker	present
Josh Lewis	present
Josh Beem	absent
Deb Lebakken	present
Bill Malloy	present

With a quorum present, the meeting commenced.

Staff in attendance:

- City Administrator, Beth Linn
- City Attorney, Lee Hendricks
- City Clerk, Alex Clower
- Finance Director, Karen Kindle
- Public Works Director, Dan Merkh
- Public Works Superintendent, Trey Whitaker
- CIP Manager, Brian Stanley
- Development Services Director, Zachary Moore
- Accountant, Justin Vermillion
- Marketing & Communications Manager, Kara Banks

2. WELCOME. Mayor Roberts welcomed all in attendance to the meeting.

3. PLEDGE OF ALLEGIANCE. All present participated in 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 from January 26, 2023 Regular City Council Meeting.
5. Approve Concurrence to Bid The Greenspace Project

With no questions or comments, Mayor Roberts requested motion to approve the consent agenda.

Councilmember Longanecker made a motion to approve, seconded by Councilmember Lewis. The consent agenda was approved, 4-0.

Regular Agenda

6. Declaration. There were no declarations made.

7. **Public Comments.** There were no public comments made.

Business Requiring Action

8. CONSIDER REVISED PURCHASING POLICY

Ms. Karen Kindle addressed the Council. She stated over the last couple of years while working on projects, staff has noticed that there have been times when items needed for project take longer than expected to acquire, causing delays in the project. In other situations, pricing has changed, sometimes on a daily or weekly basis which causes problems in the project budget. She stated this has occurred for organizations all over the county and many have addressed this issue by allowing of early procurement on certain items. She stated allowing early procurement will keep projects moving on time and in budget.

She stated the current policy of the city does not allow for early procurement. Staff recommends revising this policy to allow for approval of early procurement when one or more of the following circumstances affect the project: Lead time/fabrication time, delivery time, and pricing volatility/markup of item.

She stated early procurement approval is based on the same approval levels that exist in the current policy. She stated the recommended change to the policy also requires that the method of purchase be approved at the same time that the early procurement authority is granted. She stated there are other minor updates to the purchasing policy that have been included in the redline version in the packet.

Councilmember Lebakken asked if this change would expedite the purchasing process.

Ms. Kindle responded, that is correct.

Councilmember Lewis asked if this change should be approved through resolution.

Ms. Linn stated Council takes all types of actions without resolutions.

Mayor Roberts asked for clarification regarding the specialized equipment section.

Ms. Linn stated the paragraph was written previously as specialized services rather than specialized equipment related to vehicles and equipment.

Mayor Roberts stated there is a section that addresses specialized equipment under sole source, so specialized equipment could be almost anything.

Ms. Kindle stated in reference to section 8, the city did use the request for proposals process through obtaining bids for ERP Software. She stated maybe that section could be changed to reference technology instead.

Ms. Linn stated the policy currently does not allow for requests for qualifications, which has been done in the past. These changes will reflect that. She stated like the IT Services, the city

requests proposals version with qualifications and costs. The addition of the qualifications section will allow for either version to be obtained. She stated staff can reword the specialized equipment section.

Mayor Roberts stated he struggles with the wording in this section and why equipment is referenced.

Ms. Linn stated staff can remove equipment all together because it is referenced under the Vehicle and Equipment Policy which refers to this policy.

Ms. Kindle stated if it does not fall under professional services, it would fall under the general umbrella.

Mayor Roberts stated he thinks there is plenty of ways to buy equipment, it does not have to be under professional services only.

Ms. Kindle stated there is a section that refers to sole source and cooperative purchases.

Councilmember Lewis asked what the current policy and procurement time is now.

Ms. Linn offered an example using playground equipment for Glendell Acres Park. She stated the city could go through the traditional bid process and pay that way or Council could approve early procurement and purchase items now when prices are lower and have them installed later by a contractor. She stated the city would still go through competitive bid process in which staff will obtain bids, go through competitive purchasing, etc. before a contractor would bid so the City could remove some of the lead time for the equipment.

Mayor Roberts stated purchases will still go through bidding process.

Councilmember Lewis asked how early procurement would impact contractor bids.

Ms. Linn stated there are specific pieces of equipment, like playground equipment, that must be installed by certified installers. She stated the city would let bidders know that equipment has already been purchased in the RFP and that they must be a certified installer for the equipment. Once a contractor has been selected, the City would provide this equipment to them and have them complete the install.

She stated as far as wording for the policy, staff is comfortable with taking section 8 out and if there should be a reason to reference it at a later date, staff could bring a revised policy forward then.

With no further questions or comments, Mayor Roberts requested motion to approve the Revised Purchasing Policy with any reference to specialized equipment in Section 8 being removed.

Councilmember Lewis moved to approve the motion, seconded by Councilmember Lebakken. The Revised Purchasing Policy with Council changes was approved, 4-0.

9. CONSIDER A PROFESSIONAL SERVICES AGREEMENT WITH TETRA TECH TO PROVIDE DESIGN SERVICES FOR THE 2023 CDBG 1ST AND HULETT SANITARY SEWER REHABILITATION PROJECT

Mr. Brian Stanley addressed the Council. He stated in May 2022, the City Council approved the submission of an application to Johnson County for the 1st & Hulett Sanitary Sewer Project for CBDG funding. He stated in October 2022, the county notified staff of the proposed award of the partial funding request of \$100,000. He stated this amount is based on estimated funding as the county has yet to receive their allocation from the US Department of Housing and Urban Development. He stated the program year starts at the new year and costs can be incurred after that date, final authorization is dependent on Congress approving the budget, and at that time city staff will coordinate with the county appropriately.

He stated in years past, the city has requested and received two years worth of funding, in the amount of \$200,000. This saved both the City and County from excessive and repeated processing efforts, however this year the county has only awarded the one year maximum of \$100,000. He stated in response to this lowered award amount, the city has reduced the scope of the project to allow for matching dollars to be available in 2024 for another submission for funding. He stated the budget listed in the CIP is \$328,500. That number was revised down to \$175,000.

He stated the work proposed in this project is the same as the 2021 CDBG project at 7th & Nelson. The project reduces the amount of Inflow and Infiltration (I&I) from this area. He stated I&I is the wastewater system receiving stormwater, then conveying it to the plant for treatment. He stated in the City's Wastewater Master Plan, this area is identified as an area of emphasis for I&I reduction within the city.

He stated with this scope and intended goal of the project being identical to the 2021 project, staff reviewed the request for qualifications from the 2021 CDBG 7th & Nelson Project. He stated Tetra Tech plans to utilize a project approach that minimizes design time by partnering with the contractor for field analysis efforts. He stated this approach should lower the cost of design and allow the city to maximize system improvements. He stated staff recommends Tetra Tech based on their experience providing services to municipalities both of similar size and larger populations, as well as experience with grant funding. He stated the funding source for the project is the Sewer Fund as well as the CDBG funding. He stated the draft agreement has been reviewed and approved by both the City Attorney and City's Insurance Representative.

He stated if approved, staff anticipates beginning the design of the project immediately with construction to be completed in 2023.

Mayor Roberts asked for a picture of the project area map. Ms. Linn brought up the project map.

Mr. Dan Merkh addressed the Council. He stated once the award was lowered, the original scope had to be refined and will now focus on half block south of Nelson St. from 5th to W Martin. He stated staff will apply again next year and if approved will continue to complete the original scope of work.

With no further questions or comments, Mayor Roberts requested motion to approve the Professional Services Agreement with Tetra Tech to provide design services for the 2023 CDBG 1st and Hulett sanitary sewer rehabilitation project.

Councilmember Lebakken moved to approve the motion, seconded by Councilmember Malloy. The motion was approved, 4-0.

10. CONSIDER THE PURCHASE OF TWO COMMERCIAL MOWERS (60" & 72"), TO BE PURCHASED FROM HERITAGE TRACTOR/JOHN DEERE

Mr. Merkh addressed the Council. He stated in July 2022, staff presented a vehicle and equipment replacement program to the Council and as part of this presentation staff made recommendations for funding the current program 2023-2027. He stated outlined in this recommendation was the purchase of two commercial mowers, 60" and 72" cut widths. In September 2022, the council approved this purchase as part of the 2023 Annual Budget.

He stated in 2017 the city purchased two Hustler Commercial mowers of the same cut width as part of the 2017 Flood recovery process. He stated the current mowers have been used in every facet of the ground's maintenance for Parks, Public Works, and Utilities areas. He stated the workload of the Parks Department has grown with the addition of mowing areas, which has required a shift in equipment specification from the previous procurement process. He stated for the 2022 specification, staff is requesting to move away from rear discharge mowers and into side discharge models. Staff feels these mowers will provide a better cut and reduce the overall mowing time.

He stated the Vehicle and Equipment Policy requires the preparation of the specifications for the replacement of equipment with an effort to those to be as "standard" as possible to provide for economical and efficient repairs. He stated traditionally the city has used cooperative purchasing and partnerships to access bids for this type of equipment, however, in the current procurement climate staff took the competitive bidding approach. He stated in this competitive bidding process staff solicited four bids from local vendors, Heritage Tractor (John Deere), Coleman Equipment (Scag), Blue Valley Tractor (Wright), and Kansas Golf and Turf (Hustler). He stated all units outlined are of the same specification.

He stated staff recommends purchase of a new 72" and 60" John Deere Zero Turn mowers for a price not to exceed \$28,700. This price exceeds the allocated \$26,500 budget allocation and staff would suggest taking the \$2,200 out of the 2023 General Budget – Parks – Equipment. He stated this line item has the funds to cover the shortfall.

He stated in the current economic climate, the lead time for new equipment is close to 6 months. He stated Heritage Tractor (John Deere) has the requested units on site and will be available for delivery once formal purchase request has been made. He stated staff anticipates delivery to be within 30 days.

Councilmember Longanecker stated he is surprised John Deere was the lowest cost.

Councilmember Lebakken asked if these mowers would be adequate to mow the bridge area.

Mr. Merkh stated staff can mow portions, but these will mainly be used for the park areas.

Mayor Roberts stated that area would be better served with a brush hog.

Mr. Merkh stated staff would use these and run between curb/trail and curb/sidewalk throughout the city.

With no further questions or comments, Mayor Roberts requested motion to approve the purchase of two mowers from Heritage Tractor, John Deere.

Councilmember Lewis moved to approve the motion, seconded by Councilmember Longanecker. The motion was approved, 4-0.

11. Report by the City Administrator

- Pavement Preservation Program Update (2023 and 2024 Street Preservation Program)
Mr. Trey Whitaker addressed the Council to give an update on the current Street Preservation Program. He stated staff is working to identify needs for street maintenance throughout the city. He stated for this year, staff will be picking up where we left off last year and continue to treat with UBAS and Chip Seal. He referenced the map shown for this year's program and explained the portions of the roadways to be affected and what treatment will be used.

Ms. Linn asked if Mr. Whitaker and Mr. Merkh could give some insight on the annual ditch maintenance.

Mr. Merkh stated when road projects escalate, that is when staff begins looking at adjacency of stormwater repair, etc. He stated overlay is just a layer of road material and not an entire reconstruction. He stated in-house ditch work reviews the entirety of town with disturbed flow, grading issues, etc. He stated this is typically done in the spring/fall when staff can see fairly quickly how rain runs through the system. He stated when it comes to trash in the ditch, there is not a standard procedure, but staff can take an increased look at 1st and Meriwood area.

Mayor Roberts stated at some point, it will have to be a discussion for projects related to Stormwater Master Plan.

Mr. Whitaker stated for 2023, the budget is \$158,063, but the hope is to be below that. He stated for 2024, the program will consist of Mill and Overlay to several sections of roadway. He stated the scope of work will include repair and replacement of curb and gutter for identified failed sections as well as addressing any ADA Ramp needs.

Mayor Roberts asked if there were any plans to address curb line potholes showing throughout town.

Mr. Whitaker stated there are sections that can be addressed with hot patch until more extensive repairs can be made.

Mr. Merkh stated now is the time of year when they start looking for major degradations that occurred over the winter. He stated the current scope is based on the PCI performed a few years ago. For streets not included in the current year's plan, minor repairs will be performed. He stated some will have to be dug out and repaired a little more extensively.

Mayor Roberts stated a few weeks ago when interviewing for the Assistant City Administrator position, all were very impressed with the quality of roads here. He stated that is a compliment to the work Public Works staff has done. He stated years ago the plan was to touch every inch of roadway in the residential core and that goal has been accomplished.

Councilmember Lewis stated there is a great long term process in place and appreciates the thought behind it to try to save money by combining projects.

Mayor Roberts stated the work done and effort really does show.

There were no further questions or comments.

- 4th Quarter Community Development Report

Mr. Zach Moore addressed the Council to present the 4th Quarter Community Development report.

He stated the number of building permits issued decreased, which is not unusual for winter months. He stated this quarter also saw the lowest number of violations, with trash and inoperable vehicles being the highest making up roughly 75% of all violations. He stated updates to the UDC were made related to signs, and staff plans to have a work session in the near future regarding the building code. He stated work is still underway regarding the Envision Edgerton: Comprehensive Plan. He is hoping to have some dates soon for the steering committee to begin draft review. He stated the animal vaccine clinic will be held on March 4th this year and registration is currently open.

Councilmember Longanecker asked about the timeline for the steering committee for Comprehensive Plan.

Mr. Moore stated they are aiming toward summer. He stated this is a big undertaking and they want to have good solid discussions between staff, the consultant and steering committee members. He stated ideally staff would like to approach this with work sessions before going to Planning Commission and then Council for approval so all members have a good idea of what the Comprehensive Plan entails. He stated he believes it will be beneficial to have a few work sessions to complete the review.

Ms. Linn stated another piece for community development is the ICC Update. The city currently operates off the 2006 code and staff is evaluating a move to 2018 code. She stated this too will be completed in work sessions moving forward in manageable chunks so staff, council and any consultants are on the same page.

- **WALK ON:** Update in ERP Software.

Ms. Linn stated the new utility billing software has rolled out and as of today, we are considered live. She stated long term the software has many things that will be positive for the residents and staff. She stated so far, all comments have been relatively positive about the ease of transfer to the new system. She stated the services available in the portal will be beneficial moving forward.

She stated this is a long project for staff and appreciates all the work the Finance Department has been doing to keep this process moving forward. She stated there are always a few hiccups when projects like this occur but believes this roll out has been positive overall.

With Mayor Robert's permission, Ms. Linn pulled up the Mayor's account online to show the portal and the access residents have on their end, to see their bill, usage, payments, etc.

Mayor Roberts stated this system will be a lot more user-friendly.

12. Report by the Mayor

Mayor Roberts stated it is always fun to track legislation and see what bills are proposed. He stated he is not going to go over all of them, but a few bills currently proposed could affect the city's future.

He stated the State of the City will be held before Council on February 23rd at 6:00PM. He stated this year looks a little different as the County and USD231 will be presenting as well. He also congratulated USD231 and Edgerton Elementary for being nominated again at the Federal level as a Blue Ribbon School.

13. Future Meeting Reminders:

- February 14th: Planning Commission Meeting – 7:00PM

Ms. Linn stated this meeting will be where the items for The Greenspace will be brought before Planning Commission including the rezoning request for the lot where the Yellow-House currently sits. She stated the preliminary plat, final plat and site plan will also be

on the agenda. She stated also on the agenda will be a final site plan for Inland Port 9. The original plan was for two buildings, but the developer is now bringing forward a plan for only one.

- February 23rd: City Council Meeting – 7:00PM
- March 9th: City Council Meeting – 7:00PM
- March 14th: Planning Commission – 7:00PM
- March 23rd: City Council Meeting – 7:00PM

14. Adjourn

With no further business, Mayor Roberts requested motion to adjourn the meeting.

Councilmember Lewis moved to adjourn, seconded by Councilmember Lebakken. The meeting was adjourned at 8:00PM, 4-0

Submitted by Alexandria Clower, City Clerk