

City of Edgerton, Kansas
Minutes of City Council Regular Session
March 27, 2025

A Regular Session of the City Council was held in the Edgerton City Hall, 404 E. Nelson, Edgerton, Kansas March 27, 2025. The meeting convened at 7:00PM with Mayor Roberts presiding.

1. ROLL CALL

Clay Longanecker	present
Josh Lewis	absent
Deb Lebakken	present
Bill Malloy	present
Ron Conus	present

With a quorum present, the meeting commenced.

Staff in attendance:

- City Administrator, Beth Linn
- City Clerk, Alex Clower
- City Attorney, Todd Luckman
- Assistant to the City Administrator, Kara Banks
- Assistant to the City Administrator, Trey Whitaker
- Public Works Director, Dan Merkh
- CIP Project Manager, Holly Robertson
- Finance Director, Karen Kindle
- Senior Accountant, Justin Vermillion
- Development Services Director, Zach Moore
- Parks and Recreation Director, Levi Meyer
- Construction Inspector, Todd Veeman

2. WELCOME. Mayor Roberts welcomed all in attendance.

3. PLEDGE OF ALLEGIANCE. All present participated in the 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 March 13, 2025 Regular City Council Meeting

Councilmember Lebakken moved to approve, seconded by Councilmember Longanecker. The Consent Agenda was approved, 4-0.

Regular Agenda

5. Declaration. There were no declarations made.

6. Public Comments.

Mr. Jason Sowers at 19911 Peppertree Ln. addressed the Council.

He asked if there were any brightness or light transmission studies done as part of the audit involved in item 8 on tonight's agenda. He stated the TA sign emits a lot of light and ruins the appeal of Edgerton as well as being a safety hazard for those on the highway. He stated when he looks at QT, they have a more pleasant light and it puts out less illumination. He stated he would like some sign luminescent regulations on how bright lights can be, especially with the new Maverick coming soon.

Mayor Roberts stated they will not discuss any items during public comment but requested he hang around until the item so that hopefully his questions could be addressed.

Ms. Linette Rutledge at 513 W Cumberland Dr. addressed the Council.

She stated she enjoys having her windows open when the weather is nice but she has concerns with the neighbors dog. She stated the dog barks non-stop all night long. She stated last night the dog started barking at 3:30 in the morning and didn't stop till 6 this evening. She stated she has called the county after recommendation of Charlie but they did not do anything. She stated she would like to know what her options are.

Mayor Roberts thanked her for coming and stated he would be happy to discuss this tomorrow and that he would give her a call.

7. Proclamation Declaring April 2025 as Fair Housing Month

Mayor Roberts read the proclamation declaring April 2025 as Fair Housing Month.

Business Requiring Action

8. CONSIDER ORDINANCE NO. 2178 AMENDING ARTICLE 12 – SIGN REGULATIONS - OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF EDGERTON, KANSAS AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH

Mr. Moore addressed the Council. He stated the item is for consideration of an ordinance to update the city's sign code. He stated during a recent audit of the commercial sign code, city staff found 3 things worth clarifying within the code. This includes signs related to passenger vehicles and truck traffic as well as free standing canopies. He stated the three sign types are external directions, external canopy and truck scale. He stated at the Logistics Park, there are existing external directional signs, example given, "Employee Only", "Deliveries Here", etc. Staff recommends that we take the same standards within the LP District and apply those to C2 and C3 Districts. Those districts have uses like convenient stores where large trucks and passenger vehicles share use. He stated staff does recommend signs be constructed on a solid base moving forward.

Councilmember Conus asked why a solid base instead of a post.

Mr. Moore stated it is a cleaner, more cohesive look throughout the city. He stated it is also sturdier to withstand heavy winds.

Mayor Roberts asked what the process is for this change, from start to finish.

Mr. Moore stated staff has been doing an audit of the code on various levels, and are in the research stage of updating the entire code. He stated this is just one small piece of a larger scale. Staff brings the information to Planning Commission, Planning Commission then has a public hearing, following that it comes to Council based on Planning Commission recommendation.

Next, staff recommends allowing truck scales within the C2 and C3 Districts. He stated the details related to what is and is not allowed concerning, type, dimensions, etc. are included in the packet. He stated one sign will be allowed per truck scale. This would not intend to allow TA to put a truck scale at entrance and then further down the road, it would only allow for a sign at the truck scale. He stated it also requires masonry material, which is already there today.

He stated the final item for consideration tonight is related to free standing canopies. He stated this is not introduced as a new type, rather making a clarification. He stated the change is related to anything safety related being exempt from needing another permit.

Councilmember Longanecker asked about regulations on lighting, concerning Mr. Sowers public comment.

Mr. Moore stated there is a light meter reading that is done, and the code allows for a maximum allowance. He stated the city doesn't currently have luminary standards, but it is something that staff is considering while doing research for future code updates.

Mayor Roberts stated the code does say 0 off the property.

Mr. Moore stated that is correct.

Mayor stated this doesn't mean however, that you cannot still see the light shining from other properties.

With no further questions or comments, Mayor Roberts requested motion to approve Ordinance No. 2178.

Councilmember Longanecker moved to approve, seconded by Councilmember Conus. The motion carried, 4-0.

9. CONSIDER CHANGE ORDER #1 TO CONTRACT WITH GEORGE BUTLER ASSOCIATES, INC. FOR CONSTRUCTION ADMINISTRATION AND CONSTRUCTION OBSERVATION SERVICES FOR THE DWYER FARMS SANITARY SEWER EXTENSION PROJECT

Ms. Robertson addressed the Council. She stated in May 2024, Council approved an agreement with GBA to provide construction administration and observation services for Dwyer Sanitary Sewer Improvements Project. Construction began in September 2024.

She stated the original contract with GBA was for 12, 40-hour weeks of construction related services for an estimated max not to exceed \$105,418. She stated the project schedule has greatly surpassed the original time frame given the unforeseen factors encountered during construction. GBA is requesting an additional 3 weeks to complete the remaining construction observation services for the project.

She stated staff has been working with GBA to take over some of the project close out construction inspection services to limit the change order as much as possible. The price for this change order is \$23,156. She stated the original contract with GBA is for \$105,418, with this change order the new contract amount would be \$128,574.

She stated this change order is expected to be the only and final change order from GBA with the tentative substantial completion for the project anticipated this week. She stated funding for this project is anticipated to be initially funded through the KDHE State Revolving Loan Fund, with long-term funding through the Dwyer Farms RHID.

She stated staff recommends approving the Change Order from GBA for an amount not to exceed \$23,156.

There were no questions or comments.

Mayor Roberts requested motion to approve the change order with GBA for Construction Administration and Construction Observation Services for the Dwyer Farms Sanitary Sewer Extension project for an amount of \$23,156.

Councilmember Longanecker moved to approve, seconded by Councilmember Malloy. The motion carried, 4-0.

10. CONSIDER PROFESSIONAL SERVICES AGREEMENT WITH GEORGE BUTLER ASSOCIATES, INC., FOR DESIGN ENGINEERING SERVICES FOR THE 2025 CDBG 3RD AND HULETT SANITARY SEWER REHABILITATION PROJECT.

Ms. Robertson stated in May 2024, Council approved the submission of an application to Johnson County for the 3rd and Hulett Sanitary Sewer Project for CDBG funding.

She stated in January, staff was notified of the proposed award of the full funding request of \$200,000. The amount is based on estimated funding, as the County has yet to receive their allocation from U.S. Department of Housing and Urban Development (HUD). She stated the program year starts at the new year, and costs can be incurred after that date. Eligible costs can be incurred prior to the execution of the subrecipient agreement with the County; however, reimbursements cannot be made until the agreement is fully executed, expected in

early fall. She stated the 2025 funding award is the maximum \$200,000 for a two-year period; therefore, the City will be ineligible to apply for the 2026 CDBG grant program.

She stated the work proposed in this project is the same as the 2021, 2023, and 2024 CDBG projects which encompassed sanitary sewer rehabilitation work in multiple areas in Edgerton. The project reduces the amount of Inflow and Infiltration (I&I) from this area. I&I is the wastewater system receiving stormwater, then conveying it to the plant for treatment. In the City's Wastewater Master Plan, this area is identified an area of emphasis for I&I reduction within the City.

She stated the 2025 CDBG project scope includes a construction administration phase within the contract for the design engineer to review submittals and revise plans based on observed conditions during pre-construction CCTV. City Staff released a Request for Qualifications on January 21, 2025. Seven submissions were received by the deadline. The selection committee (City Engineer, Public Works Director, CIP Project Manager, and Infrastructure Inspector) reviewed all submissions and recommends GBA as the most qualified design consultant for this project.

She stated staff recommends GBA based on their experience providing similar services to municipalities both of similar and larger sizes, as well as their experience with CDBG Grant funding, and their recent experience providing inspection services for the City.

The funding source for the project is identified in the CIP as the Sewer Fund and CDBG Grant. GBA provided a lump sum fee of \$54,592 for design and construction phase services and the budget for the project listed in the CIP is \$300,000. The draft scope and fee have been reviewed by City Staff and is within budget. The City of Edgerton's standard Professional Services Agreement will be used for this project and has previously been approved by the City Attorney.

With no questions or comments, Mayor Roberts requested motion to approve the agreement with GBA for design engineering services for the 2025 CDBG 3rd and Hulett Sanitary Sewer Rehab Project for a lump sum of \$54,592.

Councilmember Lebakken moved to approve, seconded by Councilmember Longanecker. The motion carried, 4-0.

11. CONSIDER AWARD OF BID FOR 2025 LPKC AND GRADE SEPARATION MOWING TO SCARECROW FARM AND LAWN

Mr. Chase Forrester addressed the Council. He stated since the 2016 mowing season, staff has contracted out the right-of-way (ROW) mowing along Homestead Lane for various reason, primarily safety and consistency in level of service. He stated over the last several seasons, mowing was conducted on a bi-weekly basis, roughly 16 total mows for the 2025 season, which will include curb line trimming as well. He stated staff requested a bid-alternate for the mowing of the 207th street bridge separation acreage.

He stated in preparation for Spring and Summer maintenance activities, the City of Edgerton solicited bids for ROW Mowing Services. The City's purchasing policy requires competitive bidding of purchases over \$1,000. He stated staff contacted local contractors to submit bid/quotes for the 2025 LPKC mowing, as well as the 2025 Grade Separation mowing. Staff communicated with five local vendors and received responses from three of them. He stated each of the bids/quotes followed the provided bid/quote outline. This outline included cost per location and trimming and edging activities broken out.

He stated all of the bids received are compiled into a bid tabulation sheet, shown in the packet. Bids ranged from \$22,320 to \$49,840, including the bid-alternate.

He stated staff recommends approving a one-year contract with Scarecrow Farm and Lawn as the preferred mowing provider for the 2025 mowing season, due to past knowledge, understanding and expectation of the service requested as well as the lowest combined overall cost. He stated staff recommends approving the contract for both the base bid (LPKC ROW) and the bid alternate (207th Street Grade Separation) for a combined annual bid amount of \$22,320.

He stated the 207th Grade Separation more than doubled the amount of acreage mowed/maintained by the Parks & Recreation staff from 32 acres to 78 acres. Using the outside contractor for the 207th Grade Separation mowing/maintenance would allow the Parks & Recreation Department Staff to focus on Parks including The Greenspace and The Lawn in downtown.

He stated the combined annual bid amount of \$22,320 is within the allocated 2025 Annual Budget.

Councilmember Longanecker asked if they're mowing 78 acres all together.

Mr. Merkh stated no, 78 is the total of what parks has, 36 of that is just the 207th Street Bridge.

Councilmember Longanecker asked how much parks crews mow.

Mr. Merkh stated 42 acres.

With no further comments or questions, Mayor Roberts requested motion to approve the award of mowing in the LPKC and 207th Street Grade Separation to Scarecrow Farm and Lawn for an amount not to exceed \$22,320.

Councilmember Longanecker moved to approve the motion, seconded by Councilmember Conus. The motion carried, 4-0.

12. Report by the City Administrator

- Marketing & Communications Update
- Ms. Banks reviewed the report provided.

Councilmember Lebakken asked if the City is on TikTok and suggested adding that social media account if not.

Ms. Linn stated the platforms the City currently uses, were set by Council. She stated the immediate concern with TikTok would be the amount of staff time it would take because it requires multiple posts a day to get noticed for the algorithm.

Mayor Roberts asked if Council wanted staff to look into this.

Councilmember Lebakken stated the reason she brings it up is that TikTok is ranked number 5 and Facebook is rated number 1 for social media platforms. Twitter, or X, isn't even ranked in top 10 anymore.

Ms. Banks stated the City is on Facebook, X and LinkedIn, although posts on X and LinkedIn are rare.

Mayor Roberts stated with Facebook being number one, and without making this a burden for staff, the City should continue its current social media. If Facebook continues to climb, he believes this is the way to go.

Ms. Banks stated staff could also include the question on the 2026 Citizen Survey.

Mayor Roberts stated we have done that before and Facebook ranks second after the Newsletter.

Councilmember Lebakken stated she does not personally use TikTok but it is the trend for the younger generations. She agreed with Ms. Banks that the survey would be a great time to hear what the community wants.

The consensus of Council was to use Newsletter and Facebook as primary tools to get word out to the community.

- Discussion regarding Fire Protection Services

Ms. Linn referenced the memo provided in the packet. She reviewed the 3 options presented to the Governing Body regarding Fire Services. This stemmed from the BOCC's vote to consolidate Fire Districts 1 and 2 into a unified Fire District called Johnson County Consolidated Fire District No.1, JCCFD1.

She stated the 3 options are: 1) having fire protection services by the new consolidated fire district, 2) detaching from JCCFD1 and contracting services, similar to how we currently contract with the Sheriff's Office for policing services, and 3) detaching from JCCFD1 and creating a City Fire Department.

She reviewed the pros and cons to each of these options and stated if Council should decide on options 2 or 3, staff recommends contracting with a consultant to perform a feasibility study and request City Attorney research statutory method to detach from the fire district.

She stated staff solicited two proposals from consultants who specialize in assisting communities as subject matter experts in fire protection and emergency services. The proposals ranged from \$28,145 to \$74,750. She stated staff recommends approving the feasibility study with ESCI for an amount not to exceed \$28,145.

She then reviewed the scope of work for the feasibility study and stated this would take roughly 6 months to complete.

Mayor asked if there were any questions or comments.

Councilmember Longanecker stated this is a lot of money to spend.

Councilmember Lebakken agreed.

Mayor Roberts stated the city did a study years ago regarding water supplier, which then gave Council direction for long term needs. He stated he sees it the same as this. He voiced concerns about the governance structure because not one member of the BOCC lives within the consolidated fire district boundaries.

Mr. Luckman stated as a note for council. He stated the advisory board was a choice made by the County. The statute suggests a board of trustees, which is a governing body within the district, not having direct control like they have it. He stated there is a gap between how the two statutes are set up and there is nothing in the statute about an advisory committee.

Mayor Roberts stated this can also take on different look depending on members of the BOCC.

Councilmember Conus stated he served on the Fire Board for many years and while the consolidation makes sense financially, it adds another layer of bureaucracy. He stated the Fire Board really has no power and agreed with Mayor on the governance piece. He stated his opinion is that the board has more benefit for the County than the individuals that live within the community. He stated he is for doing the study.

Councilmember Malloy stated none of them live in the district, which he feels is wrong. He stated he agrees and stated at this point it makes sense to do the study to find out what we can do and the costs long term.

Mayor Roberts stated the BOCC is not here to misrepresent the community and they do care about safety, but they may not see the impact like someone who lives within the boundaries.

All Councilmembers agreed and came to consensus to do the study in an amount not to exceed \$28,145 with ESCI for the feasibility study.

Councilmember Conus made motion to approve the feasibility study, Councilmember Longanecker seconded the motion. The motion carried, 4-0.

Ms. Linn stated her last update tonight, is that Dwyer Farms has issued 27 building permits and there are a few lots that already have sold.

13. Report by the Mayor

- 2025 Fireworks Sales and Discharge

Mayor Roberts stated he was approved by the one fireworks tent operator. They have requested that there be an exemption to the sale and discharge of fireworks ordinance for this year. They have asked that we allow shooting and sale on Saturday for discharge over the weekend.

Ms. Linn stated the code states that fireworks can be sold between June 27th and July 4th with discharge on July 3rd and 4th.

Mayor Roberts stated his recommendation would be to extend it. He expects people will shoot off fireworks regardless and an extension could alleviate some of the pressure on the Sheriff's Office to respond to calls.

All Councilmembers agreed to bring the item back.

Mayor Roberts stated this would be to allow for sale and discharge on 5th of July and keeping the same time as what the code currently states.

14. Future Meeting Reminders

Mayor Roberts reminded the Council of the future meetings for the Council and Planning Commission.

15. Adjourn

Councilmember Lebakken moved to adjourn, seconded by Councilmember Longanecker. The meeting was adjourned at 7:59PM with a 4-0 vote.

Submitted by Alex Clower, City Clerk