

City of Edgerton, Kansas
Minutes of City Council Regular Session
April 10, 2025

A Regular Session of the City Council was held in the Edgerton City Hall, 404 E. Nelson, Edgerton, Kansas April 10, 2025. The meeting convened at 7:02 PM with Mayor Roberts presiding.

1. ROLL CALL

Clay Longanecker	Present
Josh Lewis	Absent
Deb Lebakken	Absent
Bill Malloy	Present
Ron Conus	Present

With a quorum present, the meeting commenced.

Staff in attendance:

- City Administrator, Beth Linn
- Assistant City Clerk, Alex Firth
- 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
- Public Works Foreman, Chase Forester

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 27, 2025, Regular City Council Meeting
5. Approve an Annual Agreement for Portable Restroom Services
6. Approve Bridgewater Lake Treatment Contract
7. Approve Resolution No. 4-10-25A Regarding Sale And Discharge Of Fireworks Withing The City Limits For 2025

Councilmember Longanecker moved to approve, seconded by Councilmember Malloy. The Consent Agenda was approved, 3-0.

Regular Agenda

8. Declaration.

9. Public Comments.

William La Falce, 516 W 4th St, addressed the Council. He spoke about flooding near his home in "The Horseshoe" and asked if there was any update or actions to alleviate storm water concerns in the area this year.

Mr. La Falce explained that the grading from the development built after his neighborhood creates floods and swamping on his property and others in his neighborhood. He feels that the action to fix this is simple and would like the solution for this soon.

Mr. Charlie Troutner, 707 W Nelson St, thanked the City for mowing and maintenance of the community museum.

Write-in Public Comment from Jason Sowers was read by Assistant City Clerk Alex Firth. The email is included as an attachment to these minutes.

Business Requiring Action

10. CONSIDER CONTRACT WITH BRAUN INTERTEC FOR \$16,028.00 TO EVALUATE THE CONCRETE SCALING OF EXTERIOR PAVEMENT AT THE GREENSPACE.

Ms. Holly Robertson addressed the Council. She stated on July 13, 2023, City Council awarded the contract with Combes Construction, LLC for construction of The Greenspace Project. Construction began in August of 2023. Additionally, the project architect Incite Design Studios (IDS) subcontracted Braun Intertec, Inc. to provide third party testing and inspection services for the project.

The exterior concrete pavement including sidewalks and drives was constructed in the late summer and into fall of 2024. During the winter months, City Staff noticed areas of concrete pavement where the surface was beginning to flake or scale off. City Staff and the Contractor spoke with the concrete provider and other concrete experts in the area; however, the cause of the scaling could not be definitively confirmed. It was recommended that petrographic analysis be performed on selected concrete cores to evaluate the concrete mix, air voids, finishing and other elements of the concrete placement that could be the cause of the concrete scaling. The results of this evaluation will assist the City and Contractor to determine the cause of the scaling and the next steps towards repairing or replacing areas of distressed concrete observed to ensure high quality concrete pavement at The Greenspace.

City Staff solicited proposals from three firms and two firms responded. City Staff provided each firm with detailed information regarding conditions observed since concrete placement, material submittals, and requested each firm perform an evaluation that includes petrographic testing and a detailed report to evaluate the cause of the concrete distressed observed. The

responses from the proposals are summarized in the Council Action Item.

City Staff recommends approving the contract with Braun Intertec as the most qualified proposal for \$16,028.00. This amount is within the remaining project budget. Staff will continue to monitor the project budget and update the Governing Body once final completion is achieved. The contract will use the City Attorney approved Contractual Provisions Attachment signed by Braun Intertec.

Councilmember Longanecker asked who is going to pay for this when it is all said and done. Ms. Robertson stated that the results of the evaluation will help us be able to determine who pays.

City Administrator Beth Linn stated that the city will pay for it now and when the error is determined it gives us evidence to have a conversation with whoever made the error. The cost of the investigation is small compared to what the solution may cost.

Mayor Donald Roberts asked if we find out that there are other areas, how far does this go? City Administrator Beth Linn answers that this contract is the first step on how we know what steps to take next.

Councilmember Conus questioned why the City would choose Braun, since they were hired to make sure the pours were up to specifications initially. Ms. Robertson stated Braun was hired to test the material, not the work, and staff believes this could be a finishing issue. Mr. Merkh added that there is a lot that happens with the concrete after it is tested, including weather, water mix, etc. Mrs. Robertson added that all of the test data that Braun did during the project passed the specifications.

Mayor Roberts agreed that there are a lot of reasons that the finishing could have been bad and stated that is why the City should do the tests to determine what happened to the concrete.

With no further questions or comments, Councilmember Longanecker moved to approve, seconded by Councilmember Malloy. The motion carried, 3-0.

11. CONSIDER THE PURCHASE OF A COMMERCIAL MOWER (72"), TO BE PURCHASED FROM SMITTY LAWN AND GARDEN/HUSTLER

Public Works Foreman Mr. Chase Forester addressed the Council. He stated on August 22, 2024, staff presented the recommended 2025 Budget to City Council for approval. As part of this presentation staff made recommendations for funding the Current Vehicle & Equipment Program 2025-2029. Outlined in this recommendation was the purchase of a replacement for a 61" zero-turn mower with a 72" zero-turn mower. The budget set for this mower is \$16,500.

The Vehicle and Equipment Policy requires the preparation of the specifications for the replacement of equipment with an effort for those to be as "standard" as possible to provide for economical and efficient repairs. Traditionally the City has used cooperative purchasing partnerships to access bids for this type of equipment, however; in the current equipment and procurement climate staff took the competitive bidding approach. In this competitive bidding

process staff solicited 3 bids from local vendors, which are summarized in the Council packet.

Staff considered values for both auction site and trade-in for the old equipment and believes that an auction site will provide a greater return in value. Staff recommends approving the purchase of a Hustler 72" mower from Smitty Lawn and Garden for an amount not to exceed \$14,719.00, and disposal of the existing equipment utilizing an auction site in accordance with the Vehicle & Equipment Policy. This purchase is within approved budget.

Councilmember Longanecker asked if this mower has zero turn tracks, Mr. Forester replied that it does not.

Mayor Roberts asked about the trade-in value of the used mower. Mr. Merkh stated the City was offered about \$1800 dollars for trade-in at these locations. Mr. Forester stated he believes the City could get a higher return on the auction sites.

Councilmember Conus stated he appreciates that Mr. Forester and Mr. Merkh have taken the time to look into all of the information given in the CAI.

Councilmember Malloy moved to approve, seconded by Councilmember Conus. The motion carried, 3-0.

12. Report by the City Administrator

Development Services Director Mr. Zach Moore announced that building inspector Jim Brown will be retiring on April 18th at 3:30 pm. He invited Council to come to the celebration at The Greenspace. Mr. Moore stated we are happy for him but sad for us. He added the City still has a contract with GBA to cover inspections until a new hire is made.

Ms. Linn followed up Mr. Moore's announcement with another celebratory message: Utilities Superintendent Mike Mabrey had his 35-year anniversary with the city. She asked Council to congratulate him when they see him.

13. Report by the Mayor

Mayor did not have any report.

14. Future Meeting Reminders

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

15. CONSIDER RECESSING INTO EXECUTIVE SESSION PURSUANT TO THE ATTORNEY/CLIENT EXCEPTION TO INCLUDE CITY ADMINISTRATOR AND PARKS AND RECREATION DIRECTOR FOR THE PURPOSES OF CONTRACT NEGOTIATIONS (K.S.A. 75- 4319(B)(2)) Start at 7:32- 7:37

Mayor Roberts requested motion to recess into executive session for discussions related to Contract Negotiations. The justification for such executive session is for a consultation with the City Attorney, which is deemed privileged in an attorney-client relationship (K.S.A. 75-4319B(2)). Present in the executive session will be the Governing Body and the following staff members: City Administrator, Beth Linn, Parks and Recreation Director, Levi Meyer, and City Attorney, Todd Luckman.

The executive session will start at 7:32 PM and last 5 minutes. The open meeting will resume in the Council Chambers.

Councilmember Longanecker moved to recess into executive session pursuant to K.S.A 75-4319(B)(2) for the purpose of discussing contract negotiations. Councilmember Conus seconded the motion. The meeting recessed into executive session at 7:32 PM, 3-0.

Councilmember Conus moved to return to open session with no action being taken. Second by Councilmember Malloy. The motion passed unanimously and the open session resumed at 7:37 PM.

16. Adjourn

Councilmember Malloy moved to adjourn, seconded by Councilmember Conus. The meeting was adjourned at 7:38 with a 3-0 vote.

Submitted by Alex Firth, Assistant City Clerk