

City of Edgerton, Kansas
Minutes of City Council Regular Session
May 8, 2025

A Regular Session of the City Council was held in the Edgerton City Hall, 404 E. Nelson, Edgerton, Kansas May 8, 2025. The meeting convened at 7:02 PM with Mayor Roberts presiding.

1. ROLL CALL

Donald Roberts	Present
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
- Assistant to the city Administrator, Kara Banks
- Assistant to the city Administrator, Trey Whitaker
- Interim City Clerk, Alex Firth
- City Attorney, Todd Luckman
- 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 April 24, 2025, Regular City Council Meeting

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

Regular Agenda

5. **Declaration.** Council members had nothing to declare.

6. **Public Comments.**

Mr. Bill La Falce discussed the flooding along West 4th Street around his home and his neighbors' homes. He requested Council create a plan to come up with a solution. He stated he has spent thousands of dollars on foundation repairs and drainage. He stated he felt that his neighborhood is being put second after the rest of the city with maintenance and snow removal. He stated that he feels like there could be better use of the money that is being made in the city. He thanked the Council for listening and he requested the name and email address of someone to whom he can send videos and photos of his property.

There were no additional public comments.

Business Requiring Action

7. **CONSIDER THE 2024 AUDIT OF FINANCIAL STATEMENTS AS PRESENTED BY VARNEY & ASSOCIATES**

April Swartz with Varney and Associates presented the annual audit to the Council. She stated that they work for the Governing Body and explained their process. She walked through the auditor's report and stated the City received a clean audit for 2024. The audit covers each fund that the City holds, including water and sewer utilities. She stated there were no violations during the audit. All funds had either a positive or zero balance. She stated city staff provided extra information for additional transparency and specifically referenced page 16 is where the auditors demonstrated the City's compliance with Kansas Budget Law.

Council members had no questions. City Administrator Beth Linn thanked the City's finance team for their work.

Mayor Roberts requested a motion to approve the audit.

With no further questions or comments, Councilmember Longanecker moved to approve, seconded by Councilmember Malloy. The motion carried, 4-0.

8. **CONSIDER AWARD OF CONSTRUCTION TO SUNFLOWER PAVING, INC. FOR THE 2025 STREET PRESERVATION PROGRAM CURB WORK IN THE AMOUNT OF \$87,440.02**

Mr. Todd Veeman presented the item to Council. He stated that on April 23rd there was a public bid with 7 submitted bids, which included a base bid and two alternate bids. He added that later this year, staff will bring back an item for approval to complete the Pavement Condition Index as part of the City's annual Street Preservation Program. Staff recommends awarding the contract to Sunflower Paving for the base and both alternates.

Councilmember Longanecker asked if we had investigated Sunflower Paving company. Mr. Veeman replied that this company does a lot of work in Topeka and staff did check references, which all came back positive.

Councilmember Longanecker asked about the work that would be completed. Mr. Veeman responded that there is quite a bit of curb damage at LPKC that will be fixed by this project as well as curb work on the residential side.

With no further questions or comments, Mayor Roberts requested a motion to approve a contract with Sunflower Paving.

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

9. CONSIDER CHANGE ORDER #1 TO CONTRACT WITH REDFORD CONSTRUCTION INC. FOR PHASE 1 OF THE DWYER FARMS WATER CONNECTIONS PROJECT FOR \$130,645

Mr. Dan Merkh presented the change order for Redford Construction. He stated new homes have been tied into City's water system and now staff is requesting a second connection, which is considerably larger and more complex than the other. The cost for this second connect is \$130,645, but the funding would be covered by the RHID.

Councilmember Longanecker asked why the cost was so much higher. Mr. Merkh responded that the first connection required fairly simple construction over a short distance, but this one requires a much longer connection with a valve and a vault. This second connection is more than double the length of the first. He added the construction is much more complicated as well, but the total cost is still well below what the City budgeted for this project based on the engineer's estimate.

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

10. CONSIDER ORDINANCE NO. 2179 ADOPTING THE RECOMMENDATION OF THE EDGERTON PLANNING COMMISSION TO APPROVE APPLICATION PUD2025-0001 FOR A REVISED PLANNED UNIT DEVELOPMENT CONCEPT PLAN FOR 80.4 ACRES OF LAND LOCATED AT THE SOUTHWEST CORNER OF 207TH STREET/BRAUN STREET AND 8TH STREET/EDGERTON ROAD IN EDGERTON, KANSAS

Mr. Moore presented Ordinance No. 2179, which is a request for a revised PUD for the entire Dwyer Farms development. He stated that two phases of the PUD have already been approved. He stated during the design for upcoming phase three, the applicants added 4 more lots and removed one stormwater tract. Code requires Council approval any time there is an increase in density. Mr. Moore stated all the approval conditions from the initial PUD are still included in this request and added that Planning Commission recommended approval unanimously.

Councilmember Longanecker stated this change removes a planned tract for storm water retention and he is concerned that there will be an issue, especially with hearing from Mr. La

False earlier in this meeting. Councilmember Conus echoed Councilmember Longanecker's concern.

Mr. Moore responded that the engineers have looked at it and do not believe there will be any issues because the storm water will be redirected to another area.

Councilmember Longanecker stated flooding has been an issue in the past and he does not want it to be a problem going forward.

With no further comments or questions, Mayor Roberts requested a motion to approve Ordinance 2179.

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

11. CONSIDER THE PURCHASE OF A 2025 RAVO I5 STREET SWEEPER FROM RED EQUIPMENT

Mr. Chase Forester presented the request to purchase a new street sweeper. He stated the street sweeper was included in the Vehicle and Equipment Replacement schedule that the Council sees each year. The lifespan of this equipment was downgraded from 10 years to 7 years. The current street sweeper was purchased in 2016, and it is facing more downtime for repairs. He added that it is a mechanical sweeper and does not do as good of a job as staff would like. He reviewed the available options for street sweepers. Staff is recommending a vacuum truck because it would be more in line with the needs in town and at LPKC. He stated that while sweeper technology has developed significantly in the past decade, there are few retailers. Staff recommends purchasing a RAVO R5 with a price not to exceed \$330,000.

Councilmember Longanecker asked about the available options and why the City would need an articulating arm and light vacuum. Mr. Forrester stated that those would allow crews to reach into storm boxes and remove leaves and debris.

Councilmember Malloy asked if this company has local mechanics. Mr. Forrester stated they do have local repair technicians. Councilmember Malloy asked if there is a warranty and preventative maintenance plan. Mr. Forrester responded there is a warranty and local mechanics to fix it. Mr. Merkh added there is a two-year warranty on the machine, but it does not have a preventative maintenance plan.

Mayor Roberts requested a motion to approve the purchase of a RAVIO R5 Street Sweeper with a price not to exceed \$330,000.

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

Mayor Roberts recommended that staff show the new streetsweeper to Council once it is received. Councilmember Longanecker asked if there was a trade-in value on it. Mr. Merkh responded that there was not, but the City will auction the old machine online.

12. Report by the City Administrator

- CIP Project Update
 - Ms. Robertson reminded the Council about how CIP Projects are created. She stated project can be shifted based on needs, grants, funding, etc. She then reviewed all of the City's current CIP Projects.
 1. Glendell – The project is in warranty period, and they are working with the landscaping contractor to make sure plants survived the winter and the grass looks good. She stated park signage is coming soon.
 2. Greenspace – The project is substantially complete. A few items remaining, including the sidewalk concrete issue, final connection to the back-up generator and some minor punch list items.
 3. Dwyer Sanitary Sewer – This project is substantially complete. Site 2 and 3 are in active design. Once preliminary design is finished, staff will begin working on the STAG grant requirements, which will offset some of the costs.
 4. E 2nd Street Reconstruction – The contract was awarded in April 2025 and a public meeting was held on Tuesday. She stated construction could begin in early June.
 5. Street Preservation Program – She stated the 2025 contract was awarded tonight.
 6. Pavement condition index – She stated the City is still awaiting KDOT grant award notice. Once that is received, staff will put together the project documents.
 7. CDBG sanitary sewer rehab – She stated the City has not received the agreement from Johnson County yet due to confusion with president's executive order pausing grants.
 8. Lead and Copper – The service line inventory is complete, but staff is now keeping it up to date. She stated currently galvanized pipe is not required to be replaced, but it might be in the future. The City's consultant is working on creating SOP's for keeping the inventory up to date.
 9. Trails Master Plan – She stated the first draft is in review and there will be more public engagement coming this summer
 10. Martin Creek Park Exploration – This project is set to go out for bids this summer.
 11. Tech Specs – She stated the water and sanitary sewer technical specifications are complete. The City has begun drafting general specs and streets specs.

12. Space Needs Study – This study aims to utilize City Hall more efficiently and effectively to house all staff and also includes historic preservation of Grange Hall, which is City Hall.

13. Upcoming – Safe Streets 4 All – She stated that federal funding is muddled, and staff is still working on that agreement with FHWA.

14. 2026 Street Prez and 2027 CARS project in planning.

She also summarized the City's grant awards, which total roughly \$2.4 million

- **1ST Quarter Community Development Report**

- Mr. Moore presented the 1st Quarter Community Development Report. He stated there were 30 residential permits and 4 non-residential permits issued.

He stated there were 218 building inspections, the majority of which were for new home construction. The total permit valuation came in at over \$10 million last quarter.

He stated 32 homes currently have permits at Dwyer Farms and he welcomed the new residents who moved into their home today after closing.

He stated IHOP plans to open in late May next to the TA Express along Homestead and 200th Street.

He reviewed the code enforcement and animal control statistics from the 1st Quarter.

Councilmember Conus asked what projects made up the \$6 million in non-residential permits last quarter. Mr. Moore responded it was mostly Maverik and the tenant finishes at IP IX, where a new Lennox distribution center is moving in.

13. Report by the Mayor

Mayor Roberts welcomed the new residents at Dwyer Farms. He stated they do have two model homes open from 11am-6pm Tuesday through Sunday. He stated a ribbon cutting will be held before it gets too hot.

He invited the public and Council to a ribbon cutting for IHOP on May 27th at 8:30am.

He concluded his report with updates on the Maverik building site, which started pouring footings today. He believes that it will spark more development along the Homestead corridor.

14. Future Meeting Reminders

Mayor Roberts reminded the Council of the future meetings for the Council and Planning Commission. He then requested an executive session for contract negotiations and told the audience he believes there will be a motion after the executive session is complete.

15. CONSIDER RECESSING INTO EXECUTIVE SESSION PURSUANT TO THE ATTORNEY/CLIENT EXCEPTION TO INCLUDE CITY ATTORNEY AND CITY ADMINISTRATOR FOR THE PURPOSES OF CONTRACT NEGOTIATIONS (K.S.A. 75-4319(B)(2))

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, and City Attorney, Todd Luckman.

The executive session will start at 8:03 PM and last 20 minutes. The open meeting will resume in the Council Chambers at 8:23 PM.

Councilmember Malloy moved to recess into executive session pursuant to K.S.A 75-4319(B)(2) for the purpose of discussing contract negotiations. Councilmember Lebakken seconded the motion. The meeting recessed into executive session at 8:03 PM, 4-0.

Councilmember Lebakken moved to return to open session with no action being taken. Second by Councilmember Conus. The motion passed unanimously and the open session resumed at 8:23 PM.

16. WALK ON ITEM: CONSIDER DEVELOPMENT AGREEMENT WITH TURNER & COMPANY, INC

Ms. Linn presented a development agreement with Turner and Company. She stated this agreement calls for a new mixed-use development at the corner of US 56/Sunflower Road and 199th Street. The agreement calls for a minimum of 600 new housing units on 44 acres and at least 60,000 sq. ft. of commercial space on 15 acres. She stated this is not an intermodal or logistics related development.

Ms. Linn stated this project requires a lot of infrastructure development that is outside of the four corners of the property that the developer owns. She added Turner and Company would be responsible for developing the intersection and sewer extension, force main and lift station. The company would also front the costs of a concept phase for proposed wastewater system improvement.

Ms. Linn stated the agreement contemplates a Reinvestment Housing Incentive District (RHID) and Community Improvement District (CID) to pay for the infrastructure upgrades. Incentives are capped at \$32.6 million. The districts will collapse once the cap is reached. She added this is the first step in many more to come, including planning and zoning and statutory requirements for RHID. The developer would qualify for sales tax exemption for construction.

Ms. Linn stated the agreement has several timelines, including an 80% completion by the end of 2034. The developer can terminate any time before December 2025.

She stated there have been two updates to the agreement: 1) adding time to cure and 2) changing the amount to \$50,000 or less for the cost of the concept plan for sewer system improvements.

Mayor Roberts invited Derek Turner to introduce himself. Derek Turner stated his dad started the company and his son also works with the company so theirs is now a third-generation family business. He stated the reason they found this project is because a friend of his in Oklahoma owns the property. He added there are several issues with the area and the land that will require problem solving, but he is excited to develop the area.

The Mayor stated that the City has checked out their developments in the Oklahoma City area and he thinks that they will be a great partner for this project.

Mayor Roberts asked Council if they had any questions. There were none. He then asked for a motion to approve with Ms. Linn's suggested changes and authorizing the Mayor to sign the agreement. Councilmember Lebakken made the motion, seconded by Councilmember Longanecker. The vote passed unanimously, 4-0.

17. Adjourn

Councilmember Longanecker moved to adjourn, seconded by Councilmember Lebakken. The meeting was adjourned at 8:41 pm with a 4-0 vote.

Submitted by Kara Banks, Assistant to the City Administrator.