

City of Edgerton, Kansas
Minutes of City Council Regular Session
June 12, 2025

A Regular Session of the City Council was held in the Edgerton City Hall, 404 E. Nelson, Edgerton, Kansas June 12, 2025. The meeting convened at 7:00 PM with Mayor Roberts presiding.

1. ROLL CALL

Donald Roberts	Present
Clay Longanecker	Present
Josh Lewis	Present
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
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
Utilities Superintendent, Mike Mabrey

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 May 22, 2025, Regular City Council Meeting

Councilmember Longanecker moved to approve, seconded by Councilmember Lebakken. The minutes were approved, 5-0.

Regular Agenda

5. Declaration. Council members had nothing to declare.

6. Public Comments.

- Mr. Bill LaFalce at 516 W 4th St addressed the Council. Mr. La Falce brought his bread to council again, as a symbol to Council that when his issue is resolved he will break bread with them. He thanked Council for bringing IHOP to Edgerton, but he requested more family and adult dining like Greek, Italian, or fine dining. He voiced concerns about the "No Kings" protests and the potential for the intermodal and surrounding businesses to be targeted. Mr. La Falce referenced a Kansas statute that says that a Mayor can call forth any 18+ male in the city to form of a militia to aid law enforcement. Mr. La Falce reached his maximum time to speak, so Mayor Roberts asked Mr. La Falce to wrap things up and Mr. La Falce thanked the Council.
- Darel Mason, Home Sales Consultant for Rausch Coleman homes at Dwyer Farms, thanked the City Council for the Grand Opening and stated that there was a great turnout. They were able to sell another four homes during the week.

7. Presentation by Kevin O'Brien

Kevin O'Brien addressed the council. He is an insurance agent with the Riley Company, which handles the City's insurance. He congratulated Council and presented the city with a dividend check. He stated that the City has been awarded this because they provide an excellent safety culture. The check is for \$7,065.52. Mr. O'Brien states that EMC is one of the only companies that celebrate the City and their staff for their efforts to mitigate risk and provide a better job environment.

Mayor Roberts stated this is the second year in a row that we have had insurance money come back to the City and he is astounded that we are able to receive this.

Business Requiring Action

8. CONSIDER AWARD OF AN EMERGENCY REPAIR ON CULVERT PIPE ON 191ST STREET BETWEEN WAVERLY ROAD AND MONTROSE STREET TO KANSAS HEAVY CONSTRUCTION LLC

Mr. Dan Merkh, Public Works Director, presented to Council. He stated that during a recent storm, the culvert that runs under 191st Street between Waverly and Montrose washed away base rock and a section of drainage pipe. He stated the damage requires an urgent repair to avoid subsidence and undermining of the road section along 191st Street.

The repair would remove approximately 40 linear feet of 36" CMP and replace with 36" RCP as well as install a new 36" RCP end section and rip rap. The Public Works Department will provide traffic control and detours for this project. Staff anticipate the road closure to be one week. Staff requested bids from three contractors and received two responses and recommend approving the bid from Kansas Heavy Construction to complete the work. He stated staff recommends using unencumbered fund balance from the General Fund for this work.

Mr. Longanecker asked how long the temporary patch will hold up. Mr. Merkh answered that the plates should span the undermining of the pavement the temporary patch may last weeks, but because of the heavy use of the road, it is important that we get this fixed immediately.

Mayor Roberts asked if the City does the improvement now, would it last 5 years until the city planned for the next improvements on this road. Mr. Merkh answered that most likely this improvement would stay but may need to be widened when improvements are done next on that road. Ms. Linn adds that the location of the culvert is where the natural drainage is today.

Mayor Roberts asked if this project is a hindrance to the city and the businesses surrounding it and questioned why the City should spend \$30,000 on a project that could get ripped out in five years. Ms. Lebakken asked what kind of traffic does the road get now. Mr. Merkh stated that there are lots of 18-wheeler and warehouse employee traffic due to LPKC. He stated the road count is high enough it has added to the issue. Every winter there are also issues with trucks falling into the ditch area due to the drop on the shoulder, which leads to road closures.

Mr. Longanecker asked if it would make more sense to make the culvert longer now instead of later. Mr. Merkh answered making it longer now could be a challenge with the surrounding businesses, but adding pipe to the end of it can be done.

Mr. Lewis asked what short-term and more cost-effective options will fix the issue if we think there is something that could change in the next five years. Mr. Merkh answered that the short-term options for this kind of repair are limited, the best is to dig it out and put it back properly. There are a few very short term solutions, but you would have to do multiple solutions over time that would not be as effective. Ms. Linn stated that this project is like finding the goldilocks zone, the right amount of money right now for it to last long enough but not be too temporary that the fix does not work. She added that due to the type of traffic that goes over this spot we are trying to make sure that it is the right level of investment in this emergency project. Mr. Merkh stated that there is a high likelihood of this project being reused on the next road project. Ms. Lebakken stated that she has seen first-hand what happens when the repair does not take place and it does not end well.

Mayor Roberts asked if the City could shut down the road and detour. Mr. Merkh stated shutting down the road and detouring would deteriorate the roads adjacent to the problem and create more to repair in the future due to additional traffic to those roads. Ms. Linn stated anything that shuts down the road for any reason would make the solution more complicated.

Mr. Longanecker asked for clarification on whether the culvert is a concrete pipe culvert and not a box; Mr. Merkh answered that it would be a round pipe culvert. Mr. Lewis asked what about corrugated pipe there instead. Mr. Merkh says that corrugate today is now frowned upon, and it is not an approved material anymore. Mr. Lewis stated he was unaware of the new standards.

Mr. Conus said that he feels that the City should fix the culvert now and start planning financially for the longer road project in the future. Mr. Malloy stated that he does not see how this project can wait with the emergent nature of this issue. Mayor Roberts said that he thinks

that we could detour, but Mr. Malloy countered that this would impact warehouse employees negatively who are driving into Gardner for lunch.

With no further discussion, Councilmember Malloy moved to approve the bid from Kansas Heavy, seconded by Councilmember Lebakken. The motion carried, 5-0.

9. CONSIDER AN AGREEMENT WITH THE KANSAS DEPARTMENT OF COMMERCE TO ACCEPT AWARD OF A TOWNS PROGRAM GRANT OF \$10,000.00 FOR PARK FURNISHINGS

Mr. Levi Meyer, Park and Recreation Director presented to Council. He stated the City applied to the Kansas Department of Commerce (KDC) TOWNS Grant Program, which supports small cities who make investments into quality of life initiatives. The City applied for a grant to buy bike racks/skateboard racks at The Greenspace and Glendell Acres and the replacement and upgrade of the trash receptacle and park bench at Bridgewater Park. Park furnishings were budgeted in the 2025 Parks budget and \$3,000 of this budget was included as a grant match if awarded.

Mr. Meyer stated the City was notified that we won the award in May. He added the project will require staff time to procure and install the park furnishings as well as manage the grant. The projects must be completed within 12 months.

City Staff recommend accepting this award pending City Attorney review and approval. City Attorney Todd Luckman gave a thumb up and stated that he has already looked at this and approved.

Councilmember Lewis moved to approve, seconded by Councilmember Longanecker. The motion carried, 5-0.

10. CONSIDER APPROVAL OF ENCROACHMENT AGREEMENT WITH KPC PIPELINE LLC RELATED TO THE EAST 2ND STREET RECONSTRUCTION PROJECT

Mr. Merkh introduced the item but informed council that he will be making a different recommendation than the CAI states. Mr. Merkh's recommendation is to table this item for the City Attorney to review and remove certain language. Mr. Merkh presented the item to council.

He stated staff recommends tabling this item for City Attorney to do two things: first, to find out the implications of not having an encroachment agreement, and two, to remove the language which specifies private utilities that are not city owned.

Mr. Luckman noted that this is likely a canned agreement that is used regularly by the company. He added that when the City is improving a road, they can ask for utilities to be moved but you can't be unreasonable about it. Once the utilities get out of the way, he is uncertain that the city can say anything more on specifics than you can't be within a certain amount of feet from the line.

Mayor Roberts stated that he thinks it is wrong for the company to ask this of the utility companies. If the pipeline wants those agreements that they should ask the private utility companies themselves about agreements with them to be moving the utilities for the pipeline.

Councilmember Longanecker moved to table, seconded by Councilmember Lebakken. The motion carried, 5-0.

11. CONSIDER AN AGREEMENT WITH AERIAL FX FOR FIREWORKS SHOW FOR JULY 3, 2025

Because he is the pyro shooting the July 3rd fireworks show, Mayor Roberts requested Mr. Longanecker preside over this item and then removed himself from the room.

Ms. Linn presented the item to Council. She stated annually, the City of Edgerton contracts with Aerial FX to provide the fireworks show on July 3rd at the annual Community Picnic and Fireworks Show. This year, Aerial FX requested to formalize the terms with the attached agreement. The terms of the Agreement match the services provided to the City of Edgerton for the last 10+ years.

City Staff recommends accepting this award pending City Attorney review and approval.

Mr. Conus asked if this is the same price as last year, Ms. Linn answered that it is the same and it is the budgeted amount.

Councilmember Conus moved to approve, seconded by Councilmember Malloy. The motion carried, 5-0.

Mayor Roberts returned to the room once the vote was completed.

12. Report by the City Administrator

- Public Works and Utilities Q1 Report was presented by Assistant to the City Administrator Trey Whitaker, who reviewed the stats for Public Works from January through May. He highlighted the City's snow operations and the new streetsweeper that the City recently purchased.
- The Utilities Quarterly Update was presented by Utilities Superintendent Mike Mabrey. He reviewed the amount of water purchased and flushed, the gallons treated at the wastewater treatment plant, the number of utility locates and emergency locates as well as maintenance and compliance efforts undertaken by staff between January and May.
- Mr. Merkh announced to the council that the City was awarded a \$25,000 grant from the Kansas Department of Transportation for an innovative transportation project. The funding will support the use of artificial intelligence to create a road condition index for city streets. This grant was secured through the efforts of Holly Robertson, who was recognized for her continued success in writing competitive grant applications.
- Ms. Linn encouraged folks to look at Parks and Rec guide. She stated it is very robust program this summer.

13. Report by the Mayor

- Mayor Roberts thanked Ms. Lebakken for the email from a resident that said the tornado siren had failed. A resident was concerned that tornado sirens were not alarmed during a recent June 3rd Tornado warning. City staff confirmed with Johnson County Emergency Management that the sirens functioned correctly but clarified that sirens are intended for outdoor use and not reliable for indoor warnings. The council encouraged residents to sign up for Notify JoCo, a free emergency alert system that provides weather and utility notifications. Staff and Council members emphasized the importance of personal responsibility and the use of multiple alert systems.
- Mayor Roberts announced Scoopy's Café ribbon cutting will be held on Friday, June 13. He wants to encourage everyone to go and support Scoopy's.

14. Future Meeting Reminders

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

15. Adjourn

Councilmember Lewis moved to adjourn, seconded by Councilmember Lebakken. The meeting was adjourned at 8:24 pm with a 5-0 vote.

Submitted by Alex Firth, Interim City Clerk.