

City of Edgerton, Kansas
Minutes of City Council Regular Session
June 13, 2024

A Regular Session of the City Council (the Council) was held in the Edgerton City Hall, 404 E. Nelson, Edgerton, Kansas June 13, 2024. The meeting convened 7:00 PM with Mayor Donald 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 Attorney, Lee Hendricks
- City Clerk, Alex Clower
- Assistant to the City Administrator, Kara Banks
- Finance Director, Karen Kindle
- Accountant, Justin Vermillion
- Public Works Director, Dan Merkh
- Public Work Superintendent, Trey Whitaker
- Parks and Recreation Director, Levi Meyer
- Recreation Superintendent, Brittany Paddock
- CIP Project Manager, Holly Robertson
- Development Services Director, Zach Moore

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 23, 2024 Regular City Council Meeting

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

Regular Agenda

5. **Declaration.** There were no declarations made.

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

7. CONSIDER ACCEPTANCE OF A PROPOSAL FOR FITNESS EQUIPMENT AT THE GREENSPACE WITH JOHNSON FITNESS AND WELLNESS FOR \$15,889.18

Ms. Robertson addressed the council. She stated in July 2023, Council awarded construction of The Greenspace project to Combes Construction, LLC. Construction began in August.

She stated staff has reviewed fitness equipment of facilities of similar size to The Greenspace and requested recommendations for equipment from two equipment providers. She stated consideration for future operations, flexibility, maintenance, and durability were top deciding factors for the items selected. She stated staff would recommend accepting the proposal with Johnson Fitness and Wellness to purchase the fitness equipment, which includes one bi-annual maintenance visit, all of which is outlined in the contract.

She stated the proposal includes the equipment shown in the attached layout. Additional details are included in the agreement and quote attached.

She stated the agreement includes purchase of the attached list of equipment and one bi-annual maintenance for a lump sum fee of just over \$15,000. She stated in alignment with the purchasing policy, the agreement incorporates reduced prices for municipalities through cooperative purchasing. The amount is within the initial budget estimated for finishes, furnishing, and equipment to prepare the project budget. She stated there will be other costs yet to be determined within this budget, including gym and janitorial equipment. She stated staff will continue to monitor the project budget and periodically update the Governing Body as categories of cost are set.

Mayor Roberts asked if there is something in the contract that estimates the costs outside of the bi-annual maintenance.

Ms. Robertson stated the annual maintenance is at \$568 year. She stated this includes 2 visits, cleaning and maintenance of the systems.

Mayor Roberts asked what if there is a need for a third visit.

Mr. Meyer stated that would be assessed at a call-out cost.

Councilmember Longanecker asked if there is a warranty.

Ms. Robertson stated there is a 3-5 year warranty.

Mr. Meyer stated it is a 5-year parts and 3-year labor warranty.

Ms. Linn stated staff can look for in the new agreement what the callout costs would be and know that in advance to budget for it.

With no further questions or comments, Mayor Roberts requested motion to approve the agreement with Johnson Fitness and Wellness for The Greenspace Fitness Equipment for \$15,889.18

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

8. CONSIDER AGREEMENT WITH STRATEGY LLC FOR THE GREENSPACE PROJECT TO PROVIDE NETWORK RACK AND EQUIPMENT FOR \$19,208.35.

Ms. Robertson stated the City currently maintains a contract with Strategy for IT Services. She stated in February, Council approved an agreement with them to provide security and access controls for The Greenspace. She stated as the project includes data network equipment to The Greenspace facility, staff would recommend entering into an agreement with Strategy to provide network rack, firewall, cabling, internet access points, network power supply, and other networking equipment.

She stated this agreement structures payment for network rack and equipment for a lump sum fee of just over \$19,000. She stated this amount is within the budget initially estimated for IT to prepare the project budget. There will be other costs yet to be determined within this budget item, including workstations, printers, etc. She stated staff will continue to monitor the project budget and periodically update as categories and costs are set.

Councilmember Longanecker asked if this is for security cameras too.

Ms. Robertson stated security cameras were approved in a previous agreement, but they will be installed at the facility.

With no further questions or comments, Mayor Roberts requested motion to approve the agreement with Strategy LLC for The Greenspace Project to provide Network Rack and Equipment for \$19,208.35

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

9. CONSIDER A CONTRACT WITH BRIGHTSPEED TO PROVIDE INTERNET SERVICE AT PUBLIC WORKS AND BIG BULL CREEK WASTEWATER TREATMENT PLANT

Ms. Banks addressed the Council. She stated the City's current internet service provider at the treatment plant is Lumen. With the recent price increases due to the contract ending, staff requested new quotes for dedicated internet access at the facility. She stated the service speed at the treatment plant is currently 100MB.

She stated staff also requested quotes to improve service at the Public Works facility, which currently operates with DSL, which is inadequate for current and future internet needs.

She stated staff requested bids to provide internet services from Brightspeed, Lumen and Kwikom. She stated Kwikom indicated that a tower would be required to bring service to the treatment plant and access to public works facility would be problematic because of the railroad. She stated the packet includes the quotes from the two companies.

She stated staff recommends approval of 200M at \$978 a month for internet services for the treatment plant and also for public works. She stated this is a significant service improvement at a lower monthly cost for the treatment plant. For the public works facility, this is a significant service improvement but is an increased cost from the current DSL provider. She stated upgrading the services to 200M would be the same level of service for city operations at City Hall and 312B Nelson.

She stated included in the contract and pricing listed, Brightspeed offers a 99.99% up time guarantee, a 24/7 managed router with next day replacement and local technicians in case the circuit goes down.

With no questions or comments, Mayor Roberts requested motion to approve the agreement with Brightspeed to provide internet services at Public Works and the Wastewater Treatment Plant for \$978 per month, per facility and a \$500 one-time installation fee per facility.

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

10. CONSIDER A THREE-YEAR CONTRACT WITH KWIKOM TO PROVIDE INTERNET SERVICES AT THE GREENSPACE LOCATED AT 303 EAST NELSON

Ms. Banks addressed the Council. She stated in December, Council approved a contract with Kwikom to provide internet services for downtown City-owned facilities once available. She stated Kwikom started services in April for 312 E Nelson St., 404 E Nelson St., and 414 E 4th St.

She stated as The Greenspace (303 E Nelson) construction continues, the City needs internet services to the new building. Staff requested a quote from Kwikom to provide internet service to the building for city operations, and also to provide public Wi-Fi in The Lawn for a three-year term. She stated the costs are included in the packet.

She stated staff would recommend approval of the 200M at \$675 a month for direct internet access connection to The Greenspace for city operations. She stated this is the same price and level of service for city operations at City Hall and 312B Nelson.

She stated staff recommends approval of the 1G Public Wi-Fi option with managed services for \$175 per month in The Lawn outdoors of The Greenspace. She stated if approved, this contract includes the equipment installation and month management of the Public Wi-Fi in The Lawn.

She stated with this service, Kwikom manages all aspects of the public wi-fi without the need for support from city staff or the city's contracted IT service provider.

She stated if approved, there is a one-time set-up cost for both services, this would be paid from The Greenspace project budget. The monthly recurring cost will be included in the annual budgets, starting in 2025.

Councilmember Lebakken asked about the public Wi-Fi costs. Ms. Banks responded that the total is the monthly fee, plus \$20 per month for managed services.

With no further questions or comments, Mayor Roberts requested motion to approve the agreement with Kwikom to provide internet services at The Greenspace, including public wi-fi in the lawn.

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

11. Report by the City Administrator

- Update on 312 E 5th Street

Mr. Moore addressed the Council. He stated in May, Council adopted a resolution that required the property owner to resolve the dangerous structure by June 10. That resolution did state Council could be agreeable to extend, providing the owner makes effort. He stated a stipulation of this was for the owner to activate city utilities. He stated they did complete that application and payment for connection to city services, this was done in advance of the deadline they were given. He stated the dilapidated trailer has been removed as of last Monday. He stated no permits have been applied for as of Council, the City Council can grant an extension, otherwise the City can abate. He stated since publication of the packet, staff has received one bid from the property owner for demolition of the structure and the owner is currently reviewing this bid.

Councilmember Longanecker stated things are happening.
Mr. Moore stated concurred.

The owners representative was present and addressed the Council. He stated the plan is to demolish. He stated the decision is not final, however he can say there is not a bid submitted for repair of the property. He stated once authorization is received from client and sent to contractor, there is 65 days to complete all work with the demolition.

Mayor Roberts asked if there is a time frame for the bid.

He stated he did not see a drop-dead date on the bid, but it is a very time sensitive issue. He stated there is a meeting tomorrow to discuss next steps.

Mayor Roberts asked if there is an update on the agenda for next council meeting.

Mr. Moore stated he will work with the owner rep to have an update ready for the next council meeting.

Mayor Roberts stated he appreciates them moving forward and would like to see that continue.

Councilmember Conus asked if he understood it right that they are to be connected to utilities for demolishing the structure.

Mr. Moore stated per our code, they are to be connected for services, however the water is not on.

Councilmember Conus asked if there is a time requirement for demo.

Mr. Moore stated code states that it must be done in a reasonable amount of time, but does not give the number of days.

Mayor Roberts stated he would like a report back on the decision on the bid for demolition at the next meeting.

With no further questions or comments, Mayor Roberts requested motion to grant an extension until June 27 with a report back to council on the decision of demolition of the structure.

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

- Public Works Quarterly Update

Mr. Whitaker addressed the Council and referred to the Public Works update provided in the council packet.

Councilmember Conus asked what valve exercising and the jetting program are.

Mr. Whitaker stated it is a requirement by the state to exercise the water system valves. If the valves are not working correctly, staff will notate that and complete the necessary work. He stated the jetting is to clear the sewer lines and make sure there are no plugs.

Ms. Linn stated it is a preventative maintenance piece that ensures staff can isolate a water main break when it happens.

Councilmember Lebakken asked how often the tennis courts get used.

Ms. Linn stated the courts are unused and they have been locked off. Now that staff has done some minor repairs to the surface, they can be used for events. She stated Council could decide to do a full renovation as part of the master plan and elevate that piece to have them fixed.

Councilmember Lebakken stated she saw someone commenting about having pickleball courts, so she wanted to ask.

Ms. Linn stated there was not a way to convert the courts without funding, so staff removed the fence to allow the paved surface to be used for events.

12. Report by the Mayor

Mayor Roberts stated he has no report to give.

13. Future Meeting Reminders

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

14. CONSIDER RECESSING INTO EXECUTIVE SESSION PURSUANT TO THE ATTORNEY/CLIENT EXCEPTION TO INCLUDE CITY ATTORNEY, CITY ADMINISTRATOR, PUBLIC WORKS DIRECTOR, AND CIP PROJECT MANAGER FOR DISCUSSIONS RELATED TO ACQUISITION OF REAL PROPERTY (K.S.A. 75-4319(B)(6))

Mayor Roberts requested motion for the City Council to recess into executive session for discussions related to acquisition of real property. 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(6)). Present in the executive session will be the Governing Body and the following staff members: City Administrator Beth Linn, City Attorney Lee Hendricks, Public Works Director Dan Merkh, and CIP Project Manager Holly Robertson. The executive session will start at 7:30PM and last 15minutes. 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)(6) to discuss acquisition of real property. Councilmember Conus seconded the motion. The meeting recessed into executive session at 7:30PM, 4-0.

Councilmember Malloy moved to return to open session with no action being taken. Councilmember Lebakken seconded the motion. Open session resumed at 7:45PM, 4-0.

15. WALK ON: CONSIDER RECESSING INTO EXECUTIVE SESSION PURSUANT TO THE ATTORNEY/CLIENT EXCEPTION TO INCLUDE CITY ATTORNEY AND CITY ADMINISTRATOR FOR DISCUSSIONS OF PERSONNEL MATTERS OF NONELECTED PERSONNEL (K.S.A. 75- 4319(B)(1))

Mayor Roberts requested motion to recess into executive session to discuss personnel matters of nonelected personnel. He stated the justification of such is for consultation with the City Attorney, which is deemed privileged in an attorney-client relationship (KSA 75-4319 B(1)).

Present in the executive session will be the Governing Body, City Administrator, and City Attorney.

He stated the executive session will start at 7:49PM and last for 5 minutes. The open meeting will resume in the Council Chambers.

Councilmember Longanecker moved to recess into executive session to discuss personnel matters of nonelected personnel. Councilmember Lebakken seconded the motion. The meeting recessed into executive session at 7:49PM.

Councilmember Lebakken moved to return to open session with no action being taken. Councilmember Conus seconded the motion. Open session resumed at 7:54PM.

16. Adjourn

Councilmember Lebakken moved to adjourn, seconded by Councilmember Malloy. The meeting was adjourned at 7:56PM 4-0.

Submitted by Alexandria Clower, City Clerk