

**City of Edgerton, Kansas**  
**Minutes of City Council Regular Session**  
**July 12, 2018**

A Regular Session of the City Council was held in the Edgerton City Hall, 404 E. Nelson Edgerton, Kansas on June 28, 2018. The meeting convened at 7:00 p.m. with Mayor Roberts presiding.

**1. ROLL CALL**

Ron Conus	present
Clay Longanecker	present
Josh Lewis	present
Jody Brown	present

With a quorum present, the meeting commenced.

Staff in attendance:      City Administrator Beth Linn  
Assistant City Administrator Scott Peterson  
City Clerk Rachel James  
City Attorney Lee Hendricks  
Development Services Director Katy Crow  
Public Works Director Dan Merkh

**2. WELCOME**

**3. PLEDGE OF ALLEGIANCE**

**CONSENT AGENDA**

- 4.** Approve Updated Minutes for March 22, 2018 Regular City Council Meeting
- 5.** Approve Minutes for June 28, 2018 Regular City Council Meeting

Motion by Lewis, Second by Longanecker, to approve the consent agenda.

Motion was approved, 4-0.

**REGULAR AGENDA**

**6. Public Comments.** None.

**7. Declaration.** None.

**8. ElevateEdgerton! 2019 Budget Presentation by James Oltman**

Mr. James Oltman presented on Elevate Edgerton's 2019 Funding Request and 2018/2019 Deliverables. Elevate Edgerton's stated goal is to promote and facilitate growth of Edgerton, KS and Logistics Park Kansas City (LPKC) community by taking advantage of opportunities available because of the Burlington Northern Santa Fe Intermodal Facility. Elevate Edgerton plans on

taking an active approach to organized growth and a collaborative approach to compete for new business. Elevate Edgerton also plans to focus on growing the workforce, ensure investors feel values from organization, and identify new organizations to join Elevate Edgerton. The 2018/2019 deliverables include housing development efforts, retail/commercial recruitment efforts, growing and investing in the LPKC workforces, and representing Edgerton across the region.

Elevate Edgerton! Requested funding amount of \$50,000 in cash contributions as well as \$10,000 in-kind contributions from City of Edgerton Marketing and Communications employee.

## **BUSINESS REQUIRING ACTION**

### **9. CONSIDER A FIRST AMENDMENT TO CONTRACT FOR SERVICES FOR CONSTRUCTION OF WASTEWATER IMPROVEMENTS AND TRANSPORTATION AND TREATMENT OF WASTEWATER IN AN AREA BETWEEN THE CITY OF EDGERTON, KANSAS AND GARDNER, KANSAS**

Lee Hendricks, City Attorney, stated that there are five places in the contract where the language needs to be updated from Homestead Lane Lift Station to Widmer Lift Station. This update is the last step before joint members will meet to resolve any remaining issues. Beth Linn, City Administrator, commented that the content of the contract is the same, this change just updates the location.

Motion by Longanecker, Second by Lewis to approve a first amendment to construction of wastewater improvements and transportation and treatment of wastewater contract to update location from Homestead to Widmer.

Motion passed 4-0.

### **10. CONSIDER DESIGN-BUILD AGREEMENT BETWEEN CITY OF EDGERTON AND MILES EXCAVATING, INC. FOR HOMESTEAD LANE/ 207TH STREET PROJECT**

Beth Linn, City Administrator, presented on the draft of the Design-Build agreement between City of Edgerton and Miles Excavating, Inc. Ms. Linn outlined project details and a summary of the draft which includes the Lump-Sum Contract, Contract Time, and Liquidated Damages.

Mayor Roberts asked if \$1000 a day to liquidate damages was low. Ms. Linn replied that the City Engineer used the inspector cost per day. Ms. Linn confirmed this is not the only expense but it an easily calculated rate. The City could increase the interim milestone of the project in case of project delays. Lee Hendricks, City Attorney, addressed the counsel regarding the liquidated damages, project costs, and the general contract.

Mayor Roberts stated he wanted to follow best practice and is concerned with legal consequences the city might face if the project is delayed.

Motion by Longanecker, Second Brown to approve the design-build agreement between City of Edgerton and Miles Excavating, Inc. for Homestead Lane/ 207<sup>th</sup> Street Project.

Motion passed 4-0.

## **12. Report by the City Administrator**

- Presentation of Recommended 2019 Other Fund Budgets
- Introduction of new Public Works Director, Dan Merkh, to Council

## **13. Report by the Mayor**

Mayor Roberts thanked the City of Edgerton for the wonderful turn out for the 3<sup>rd</sup> of July Community Picnic and Fireworks Show. He thanked Ms. Linn and said it really continues to get better every year.

Councilmember Brown commended Ms. Linn and her staff for a wonderful event. Councilmember Lewis said he heard from many residents that it was one of the best shows they've seen.

Mayor Roberts also wanted to take time to extend his, city council's and city staff's sympathies to the family of Rick Poppitz. Mayor Roberts spoke of Mr. Poppitz big heart, his contributions to the Gardner community, and how much Mr. Poppitz will be missed.

## **14. Future Meeting/Event Reminders:**

- July 13<sup>th</sup>: Noon – 6:00 PM – Blood Drive
- July 14<sup>th</sup>: Dusk – Summer Movie Night featuring Disney's Coco
- July 26<sup>th</sup>: 7:00 PM – City Council Meeting
- July 26<sup>th</sup>: 7:00 PM – City Council Meeting

## **15. Adjourn**

Motion by Brown, Second by Lewis to adjourn.

Motion passed 4-0.