

**City of Edgerton, Kansas**  
**Minutes of City Council Regular Session**  
**August 22, 2024**

A Regular Session of the City Council was held in the Edgerton City Hall, 404 E. Nelson, Edgerton, Kansas August 22, 2024. The meeting convened at 7:00PM with Mayor 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 Clerk, Alex Clower
- City Attorney, Todd Luckman
- Assistant to the City Administrator, Kara Banks
- Public Works Director, Dan Merkh
- Public Works Superintendent, Trey Whitaker
- Parks and Recreation Director, Levi Meyer
- Development Services Director, Zach Moore
- Director of Finance, Karen Kindle
- Recreation Superintendent, Brittany Paddock

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 August 8, 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. **Proclamation.** Honoring Raymond "Ray" Braun on his posthumous induction into the Gardner Edgerton Unified School District 231 Alumni Hall of Fame and setting August 22, 2024 as Ray Braun day.

Mr. Charlie Troutner proudly accepted the proclamation on behalf of the Braun family. He stated the family was watching on Facebook live. He stated this will be included as part of the museum tribute to Mr. Braun.

8. **Introduction** of New Hire Trenton Fowler, Public Works Maintenance Technician I. Mayor Roberts stated he will push this item to a future meeting.

### **Business Requiring Action**

9. **CONSIDER AN AGREEMENT WITH BG CONSULTANTS, INC. FOR TECHNICAL SPECIFICATIONS AND STANDARD DETAILS UPDATE**

Mr. Merkh addressed the Council. He stated in October 2023, staff presented the 2024-2028 Unfunded CIP Projects, which included the Technical Specifications as a project recommended for funding. He stated the adopted CIP Budget included this project as funded for 2024 and 2025. He stated as presented, this project will prepare technical specifications, design criteria, and standard details for the various infrastructure types, primarily street and sanitary sewer. He stated as development continues, having set standards will allow developers to know the clear expectations for city-owned infrastructure. He stated currently, the city has its own water technical specifications and quotes outside sources for standards, such as the APWA. He stated having city specific standards will incorporate lessons learned from past development as well as provide a more accessible set of information to developers. He stated this would consist of streets, stormwater, sanitary sewer, water, streetlighting, and any other areas that come up during the project.

He stated staff recommends utilizing our on-call agreement with BG Consultants for Technical Specification and Standard Details Update. He stated selection of BG Consultants will expedite the start date for the project. He stated in addition, the City Engineer, has been involved in many other aspects of the design and development of projects within Edgerton and are familiar with our existing standards and specifications.

He stated staff and BG Consultants will utilize the same agreement for services as previously agreed upon for other City projects as the City Engineer. He stated the agreement work order will be billed based on actual hours worked on the projects for a not to exceed amount of \$45,000. He stated the technical specifications to be included in this scope of work are in the attached work order.

Mayor Roberts asked when they can expect the work to be completed.

Mr. Merkh stated it would likely be the later part of next year.

Councilmember Longanecker asked if the Olathe specs are what the City currently uses right now.

Mr. Merkh stated that is the starting point.

Ms. Linn stated the City has used standards from surrounding municipalities in the past, but nothing has been adopted.

With no further questions or comments, Mayor Roberts requested motion to approve the agreement with BG Consultants for Technical Specifications and Standard Details Update for an amount not to exceed \$45,000.

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

**10. PUBLIC HEARING FOR RESOLUTION NO. 08-22-24A OF THE CITY OF EDGERTON, KANSAS TO LEVY A PROPERTY TAX RATE EXCEEDING THE REVENUE NEUTRAL RATE**

Ms. Kindle addressed the Council. She stated we are in the last few steps of the 2025 Budget process. She stated the first part is the public hearing to consider exceeding the revenue neutral rate (RNR).

Ms. Linn played a video that explains how property taxes are calculated and disbursed among taxing jurisdictions. The video is available on the City's website at [this link](#).

Ms. Kindle stated SB13 became effective in March 2021. SB13 created the RNR. Based on the previous years property tax revenue and the current years assessed values, the estimated mill rate set is 25.990, a decrease from 2024. She stated the 2025 budget was prepared using the previous mill rate.

She stated at the Council Meeting on June 10, 2021, the City's Financial Advisor and City staff presented information about SB 13 and asked for direction from the Council regarding suggested adjustments to the RNR. She stated the resulting policy direction document is attached.

The property tax revenue amount included in the 2025 General Fund Budget was calculated based on these adjustments.

Mayor Roberts opened the public hearing at 7:16PM

With no question or comments, Mayor Roberts then closed the public hearing at 7:16PM.

**11. CONSIDER RESOLUTION NO. 08-22-24A OF THE CITY OF EDGERTON, KANSAS TO LEVY A PROPERTY TAX RATE EXCEEDING THE REVENUE NEUTRAL RATE**

Ms. Kindle stated the City is required to hold a RNR Public Hearing and pass a resolution setting the mill rate to be used for the 2025 Budget. She stated the attached draft Resolution No. 08-22-24A establishes the City's estimated mill rate at 29.550 mills.

With no questions or comments, Mayor Roberts requested motion to approve Resolution No. 08-22-24A, exceeding the revenue neutral rate.

Councilmember Longanecker moved to approve the motion, seconded by Councilmember Malloy. Resolution No. 08-22-24A was approved, 4-0.

## **12. PUBLIC HEARING FOR THE PROPOSED 2025 BUDGET**

Ms. Linn played the Budget 101 video as found on the City's website at [this link](#). The budget sets the maximum amount of money that the City can spend each year. The budget details how the City uses its resources to meet community priorities and organizational objectives.

Ms. Kindle stated in July, the City held a work session to review all funds. She stated the current budget for approval has been updated to reflect the changes made as requested by Council. She stated these changes included reducing the allocation to Frontier Days and reducing the allocation to Project Grad.

She stated we also received the TIF information back from the County Clerk and that has now been added to the packet. She stated the last piece was a little more detail on the properties coming off of abatement. The information shows what they currently pay for PILOT, their assessed value today and then what we can expect with the estimated mill rate.

She stated for vehicles and equipment, part of that presentation at the budget work session included three items on the unfunded equipment list that staff recommended Council consider funding in 2029. The three items are the Brine Manufacturing System and two Outdoor Brine Storage Tanks. She stated council gave consensus to fund all three items. Staff has incorporated those items into Exhibit B.

Mayor Roberts opened the public hearing at 7:24PM.

Mayor Roberts then asked if there were any questions or comments regarding the Public Hearing for the 2025 Proposed Budget

With no questions or comments, Mayor Roberts then closed the public hearing at 7:25PM.

## **13. CONSIDER THE 2025 RECOMMENDED BUDGET**

Ms. Kindle stated if the budget is approved, Council will sign the certificate page and submit to the county by the deadline provided.

Mayor Roberts asked if there were any questions or comments.

With no questions or comments, Mayor Roberts requested motion to approve the 2025 Recommended Budget as presented by staff.

Councilmember Longanecker moved to approve the motion, seconded by Councilmember Lebakken. The 2025 Budget was approved, 3-1 with Councilmember Conus voting against.

**14. PUBLIC HEARING FOR RESOLUTION NO. 08-22-24B TEMPORARILY WAIVING CITY PROHIBITION AS TO THE SALE AND CONSUMPTION OF ALCOHOLIC LIQUOR ON CERTAIN PUBLIC PROPERTY FOR MEAT INFERNO EVENT**

Ms. Paddock addressed the council. She stated the annual barbecue contest Meat Inferno event is coming to Edgerton October 4<sup>th</sup> – 5<sup>th</sup>. She stated the Resolution for approval would allow for alcohol sales and consumption at the event on Friday night. She stated the Public Hearing and approval of the Resolution allows the City to temporarily waive the prohibition of this sale and consumption on public property.

Mayor Roberts opened the public hearing at 7:27PM.

With no questions or comments, Mayor Roberts then closed the Public Hearing at 7:27PM.

**15. CONSIDER RESOLUTION NO. 08-22-24B TEMPORARILY WAIVING CITY PROHIBITION AS TO THE SALE AND CONSUMPTION OF ALCOHOLIC LIQUOR ON CERTAIN PUBLIC PROPERTY FOR MEAT INFERNO EVENT**

With no questions or comments, Mayor Roberts requested motion to approve Resolution No. 08-22-24B, allowing for the temporary waiving of the prohibition of sale and consumption of alcohol on certain public property for the Meat Inferno event on October 4<sup>th</sup>.

Councilmember Lebakken moved to approve the motion, seconded by Councilmember Longanecker. Resolution No. 08-22-24B was approved, 4-0.

**16. CONSIDER RESOLUTION NO. 08-22-24C AUTHORIZING SPECIAL EVENT PERMIT FOR SALE AND CONSUMPTION OF ALCOHOLIC LIQUOR ON CERTAIN PUBLIC PROPERTY WITHIN THE CITY OF EDGERTON, KANSAS**

Ms. Paddock stated this resolution for approval will authorize the sale and consumption of alcohol on certain public property on October 4<sup>th</sup> for the Meat Inferno event.

With no questions or comments, Mayor Roberts requested motion to approve Resolution No. 08-22-24C, authorizing the special event permit for sale and consumption of alcohol on certain public property on October 4<sup>th</sup> for the Meat Inferno event.

Councilmember Lebakken moved to approve the motion, seconded by Councilmember Longanecker. Resolution No. 08-22-24C was approved, 4-0.

**17. CONSIDER RESOLUTION NO. 08-22-24D AUTHORIZING THE CLOSURE OF CERTAIN PUBLIC STREETS FOR MEAT INFERNO.**

Ms. Paddock stated the closure of streets remains roughly the same as in years past. It is adjusted slightly to accommodate the construction crew since the City is closing Nelson St.

Mayor Roberts asked if there are going to be detours.

Ms. Paddock stated there will be a truck route detour. She stated they will put up signs to direct them over the bridge.

With no further questions or comments, Mayor Roberts requested motion to approve Resolution No. 08-22-24D, authorizing the closure of certain public streets for Meat Inferno.

Councilmember Longanecker moved to approve the motion, seconded by Councilmember Malloy. Resolution No. 08-22-24D was approved, 4-0.

**18. CONSIDER RESOLUTION NO. 08-22-24E FOR TEMPORARY NO PARKING RELATED TO MEAT INFERNO**

Ms. Paddock reviewed the no parking/street closure map for the event. She stated staff is requesting that parking be prohibited along certain streets during the event to help with traffic around the event and protect pedestrian safety. She stated staff is requesting no parking on certain streets as listed from October 3<sup>rd</sup> at 12:00PM to October 7<sup>th</sup> at 12:00PM.

With no questions or comments, Mayor Roberts requested motion to approve Resolution No. 08-22-24E, allowing for temporary no parking on certain public streets for the Meat Inferno event.

Councilmember Malloy moved to approve the motion, seconded by Councilmember Longanecker. Resolution No. 08-22-24E was approved, 4-0.

**19. CONSIDER RESOLUTION NO. 08-22-24F APPROVAL OF INDEMNITY AGREEMENT BETWEEN THE CITY AND THE EDGERTON UNITED METHODIST CHURCH FOR USE OF THE CHURCH PARKING LOTS DURING THE MEAT INFERNO EVENT**

Ms. Paddock stated in previous years, the City has entered into an agreement with the Edgerton United Methodist Church to use their parking lots for the Meat Inferno event. She stated the the church is requesting that larger trailers not be parked on their paved parking lot. She stated the agreement states they are allowed to have a booth at the event if they choose, and they are covered on the City's insurance for the duration of the event. She stated the agreement has already been signed by the church.

With no questions or comments, Mayor Roberts requested motion to approve Resolution No. 08-22-24F, approving the indemnity agreement with the Edgerton United Methodist Church.

Councilmember Longanecker moved to approve the motion, seconded by Councilmember Lebakken. Resolution No. 08-22-24F was approved, 4-0.

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

- Recreation Update

Ms. Paddock gave an update on the summer programs offered by the city. She stated there was as steady increase in attendance compared to previous years as well as a few more classes offered. She stated the step into spring walking challenge was more popular than what she thought it would have been.

Mayor Roberts and Council thanked Brittany for all her hard work to provide these events for the community.

- 312 E 5<sup>th</sup> Street Update

Mr. Moore addressed the Council. He stated at the May, Council declared this property dangerous or unsafe. The Resolution approved at that meeting required the property owner to take action to resolve the structure by demolition or repair. He stated in June, an update was given on the progress that had occurred, in which they needed more time. Council then gave that extension until July 11<sup>th</sup> and again gave another extension at that council date. He stated they are looking for quotes to either demolish or repair. He stated a note was made about the basement egress doors at that council meeting, those have now been secure and locked. He stated they are now waiting on bids and since publication of the packet, he has learned the structural engineer report will not be complete until mid-September and their hope is to have a determination by then. He stated tonight the property owner is requesting additional time. He stated a representative for the property owner is in attendance tonight.

Councilmember Longanecker asked if they have decided yet to rehab or tear it down. He said he thought that is what the Council is waiting on.

Ms. Ashlee Yager, representative for the owners of the property stated there are a lot of players in this - from the owner to government to stake holders with interest in the property. She stated the owner wants to complete an equity analysis to know if it makes sense to repair and sell a habitable structure or is it too far gone that they should demolish. She stated the structural engineer has come out and they are working on getting a written report, which is due September 3<sup>rd</sup>. She stated this report will identify specific issues to

address. At that time, bids for repair can go out. She stated once those costs are then analyzed, an equity analysis and informed decision can be made. She stated the goal is the middle of September. She stated there are a few action items that are out of her clients hands, but they are pushing to get information as soon as possible. She stated they would request kindness and grant an extension until the end of September. They're hoping for the full project plan by October 10<sup>th</sup>.

Councilmember Longanecker asked if this plan could be guaranteed by that date.

She stated the hope is that they would know something by September 26<sup>th</sup> but vendors and contractors should for sure be in place by October 10<sup>th</sup>.

Mayor Roberts stated they really just want to know what the driving direction is for this structure. He encouraged the owners not to wait until contractors are in place before telling the City what the plan is for the property.

She stated she will provide updates as soon as they come through and advise the City as soon as info is finalized. She stated it depends though what council is asking for. She asked do they want to know demo or repair plan, or if they want project plan. If it's project plan, that requires more time.

Mayor Roberts stated he wants to know what direction the client chooses. He added Council is not dictating what direction the owner should choose, but Council needs to know something.

Councilmember Conus stated he does not see why this needs to be prolonged after September 3<sup>rd</sup>.

She stated they will not have all of the relevant information on September 3<sup>rd</sup>, only the structural engineer report is due then. She stated after that, they will then request bids. She stated they cannot make a decision until they have information on financial obligations. She stated they have to have finance models to view, and once they are prepared, they can then have an answer. She stated they would request to have until September 26<sup>th</sup> for that to take place.

Mayor Roberts stated they want an update on September 26<sup>th</sup>.

She stated she understands the bids are not of the concern of the council, but they have to be received for owner to understand if the building is worth repairing.

Mayor Roberts stated this is the same thing they heard the first two months and no decisions have been made. He stated he would like to know, in good faith, what the decision will be. He stated the first two months in talking about this resolution they were working on bids, and now, they are still working on bids. He stated the City could have moved forward on this resolution three months go, but did not because we wanted to work with the property owner. He stated they are very interested to know the answer here.



Councilmember Malloy asked what date the structural engineer visited the property. He stated the report stated July 11<sup>th</sup> they were planned, but it seems like they are dragging their feet and keep giving the same excuses.

She stated the first structural engineer fell through and the owners had to secure a second. She stated they might be on their third at this point.

Mayor Roberts stated he is willing to go to September 26<sup>th</sup> but want a direction point by then. He requested motion to extend to September 26<sup>th</sup> to have finalized plan in place.

Councilmember Conus moved to approve, seconded by Councilmember Longanecker. Councilmembers were unanimously in favor of that approach. The motion was approved, 4-0.

**WALK ON:** Gardner Edgerton Student Council Request

Representatives from the Gardner Edgerton Student Council came with a request. They stated this year they have set an ambitious goal to raise \$9,000 to be able to give out homecoming shirts to every student to unify the student body. She stated they want to provide the shirts for free so those students that may not have the resources are able to participate. She stated they are requesting a \$100 donation from different organizations.

Mayor Roberts stated typically to have funding requests heard and approved, this would have had to be presented in May to get next year's funding. He stated they missed that deadline for the city to give. He stated however he himself would like to challenge council to give \$20 and if each member gives, they will have met their \$100 goal. He thanked the students for serving on student council and being willing to step up and ask. Council members opened their wallets and each gave \$20 to the students.

- Discussion Regarding Residential Solid Waste Contract

Ms. Linn stated at the end of 2024 the contract with Gardner Disposal will conclude. The contract language does include an option to extend the contract by two years. She asked Council how they would like to move forward.

Mayor Roberts stated the overall public response is that Gardner Disposal is miles ahead of the previous providers.

Councilmember Longanecker stated he would have to agree and he would like to negotiate an extension of the current contract if possible.

The consensus of the Governing Body was to move forward in negotiation of the current contract with Gardner Disposal.

**21. Report by the Mayor**

Mayor Roberts stated he had no report to give.

**22. Future Meeting Reminders**

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

**23. Adjourn**

Councilmember Lebakken moved to adjourn, seconded by Councilmember Longanecker. The meeting was adjourned at 8:10PM with a 4-0 vote.

Submitted by Alex Clower, City Clerk