

City of Edgerton, Kansas
Minutes of City Council Regular Session
October 22, 2020

A Regular Session of the City Council (the Council) was held in the Edgerton City Hall, 404 E. Nelson Edgerton, Kansas on October 22, 2020. The meeting convened at 7:00 PM with Mayor Roberts presiding.

1. ROLL CALL

Ron Conus	present
Clay Longanecker	present
Josh Lewis	present
Katee Smith	present
Josh Beem	present

With a quorum present, the meeting commenced.

Staff in attendance:

- City Administrator Beth Linn
- City Attorney Lee Hendricks
- City Clerk Alexandria Clower
- Development Director Katy Crow
- Finance Director Karen Kindle
- Accountant Justin Vermillion
- Public Works Superintendent Trey Whitaker
- Marketing and Communications Manager Kara Banks
- Code Enforcement/Animal Control Officer Charlie Lydon

2. WELCOME

3. PLEDGE OF ALLEGIANCE

CONSENT AGENDA

4. Approve Minutes for October 8, 2020 Regular City Council Meeting
5. Consider Approving Resolution 10-22-20A Providing for a Hearing to Discuss a Possible Dangerous and Unfit Structure Existing at 502 East 2nd St. in the City of Edgerton, Kansas Pursuant to City of Edgerton City Code, Chapter IV, Article 4, Section 4-405
6. Approve One-Year Contract Extension with Clements Cleaning Service to Provide Janitorial Services for the Edgerton City Hall and Auxiliary Office Space for 2021
7. Approve Large Animal Permit for Darius Crist, 510 W Braun St.
8. Approve Large Animal Permit for Homer M. & Billie K. Damet, 202 W 8th St.
9. Approve Large Animal Permit for Michael Mabrey, 1200 W Braun St.
10. Approve Large Animal Permit for Rick Magee, 1301 W 8th St.
11. Approve Large Animal Permit for Marvin Vail, 1405 W 8th St.
12. Approve Contract with Weather or Not, Inc. To Provide Weather Forecasting Services

Councilmember Longanecker motioned to approve the Consent Agenda, motion seconded by Councilmember Lewis. The Consent Agenda was approved, 5-0.

REGULAR AGENDA

13. Public Comments

- There were no public comments made at this time.

14. Declarations

- There were no declarations made by any of the Councilmembers.

BUSINESS REQUIRING ACTION

15. CONSIDER RECOMMENDATION OF CITY ENGINEER TO AWARD CONSTRUCTION OF 1ST AND MERIWOOD STREET STORMAWATER REPAIR PROJECT TO J. RICHARDSON CONSTRUCTION CO AND AUTHORIZE THE MAYOR TO EXECUTE THE CONTRACT

Ms. Linn, City Administrator, addressed the council. She stated that on October 24, 2019, City Council approved the 2020-2024 Capital Improvement Program which included the 1st Street and W. Meriwood Street Stormwater Repairs. She stated that on June 11, 2020, City Council approved the agreement with BG Consultants for the engineering and design services for 1st and Meriwood Street Stormwater Repair Project. The project consists of replacement of the cross-road pipe in the west road right-of-way of 1st Street and crossing under W. Meriwood Street. She said this section of storm water pipe (approximately 45 linear feet) has caused issues in the area including water overtopping the roadway, residential flooding issues, degradation of stormwater network in the area and damage to the edge of the adjacent roadways.

Ms. Linn stated that on October 13, 2020, the bid letting was conducted. Six (6) bids were received that ranged from \$42,579.68 to \$135,586.80, with the engineer's estimate of \$59,912.50. The lowest bid was submitted by J. Richardson Construction Co. She stated that staff recommends awarding the lowest and best bid to J. Richardson Construction Co. in a contract amount not to exceed \$42,579.68.

Ms. Linn said that J. Richardson Co. is not a company that the city has worked with before, but with the research done by the city engineer and their reference work from other municipalities, the city is excited to have the opportunity to work with a new company and expand our relationships with local contractors.

Councilmember Lewis asked if there was a visible difference in the bids received from the different contractors to have such a wide range between the lowest and highest bidder. Ms. Linn explained that because it is a closed bid and contractors are submitting bids from all over, their line items can range in different costs from different companies. Mayor Roberts stated that in his research of J. Richardson Co., he found that they are often a sub-contractor, which could play a role in their bid being lower than some general contractors and major companies.

Councilmember Longanecker motioned to approve the recommendation of City Engineer to Award Construction of 1st and Meriwood Street Stormwater Repair Project to J. Richardson Construction Company, motion seconded by Councilmember Conus. Motion was approved, 5-0

16. Report by The City Administrator

- Quarterly Financial Report by the Finance Director

Ms. Karen Kindle addressed the council. She stated the City is on track for the 2020 budget year and that expenditures and revenues continue to remain within the estimates of the 2020 budget.

Councilmember Lewis asked about the lack of revenue in the Payment In Lieu Of Taxes (PILOT) budget line, questioning if construction out at Logistics Park Kansas City (LPKC) will get back on track this year. Ms. Linn stated that there are no plans for construction this year, but that hopefully there will be some movement after the first of the year. Mayor Roberts stated that if the city sees revenue in that budget line, the city also sees expenditures. If the city sees no revenue, the city has no expenditures.

Ms. Kindle spoke about the transfer to equipment reserve and capital projects fund. She said the City will be on track by the end of the year.

Councilmember Conus asked for more information about the budget reserves and if those were set by the governing body or were statutorily required. Ms. Kindle responded that the reserve policy is set by council, based on advice from the City's financial advisor and best practices.

Councilmember Smith asked about what type of transactions fall into the miscellaneous budget line. Ms. Kindle responded that these are items like scrap or trash stickers that are returned to the general fund.

Ms. Kindle went through the water and sewer funds. The fines and forfeitures budget line in the water fund is behind estimates because the City waived penalties during the Stay-At-Home Order from May through July. She said the City is on track for debt service because all payments have been made.

- Parks Master Plan Discussion

Ms. Linn handed out the current Parks Master Plan with few edits since it was first brought to council in 2017. She asked Council Members to review it in hopes that staff can bring it back for final approval and finalize at the first meeting in November.

- CARES Funding Update

Ms. Linn gave updates on the city's response related to CARES funding through Johnson County, KS.

Ms. Linn stated that the city has been reimbursed for expenditures related to COVID-19 through the CARES Act. Phase 1 included Edgerton making reimbursement requests for expenditures the city has already made, for example; masks, personal protective equipment, Plexiglas, etc. The City of Edgerton has received a total reimbursement of \$8,502.00 for this phase.

Ms. Linn stated the second phase of this funding is the Resource Planning Process, which is where the city submits for allocated dollars that will be spent on future projects and purchases. In this process, the city submitted for certain categories related to telework, additional supplies such as Plexiglas, and replacement of the HVAC system that feeds city hall. These items must consist of items that were not previously budgeted expenses. She stated the county has approved purchases that will be reimbursed in full, up to a total amount of \$66,852.00. These approved funds must be spent by December 30, 2020.

Ms. Linn requested authority from council as the City Administrator, to approve those purchases needed for future use during COVID-19, with no impact to the operating budget. Expenses would not exceed the amount allocated from Johnson County for the City of Edgerton.

Councilmember Lewis asked what kind of equipment the city is looking at purchasing. Ms. Linn explained the city will use the money for telework, remote meetings, moving server information to the cloud to make it more accessible to employees, upgrade the phone system, barrier supplies, etc.

Councilmember Longanecker motioned to approve granting the City Administrator authority to approve purchases related to CARES Funding, Resource Planning, motion seconded by Councilmember Lewis. Motion was approved. 5-0.

17. Report by the Mayor

- Mayor Roberts had nothing to report at this time.

18. Future Meeting Reminders:

- November 10th: Planning Commission Meeting – 7:00PM
- November 12th: City Council Meeting – 7:00PM
- November 26th: City Council Meeting – CANCELED
- December 8th: Planning Commission Meeting – 7:00PM
- December 10th: City Council Meeting – 7:00PM

18.5. CONSIDER RECESSING INTO EXECUTIVE SESSION PURSUANT TO K.S.A. 75-4319(B)(2) FOR CONSULTATION WITH AN ATTORNEY DEEMED PRIVILEGED IN THE ATTORNEY-CLIENT RELATIONSHIP TO INCLUDE CITY ATTORNEY AND CITY ADMINISTRATOR FOR THE PURPOSES OF CONTRACT NEGOTIATIONS

Councilmember Beem motioned to recess into executive session pursuant to K.S.A 75-4319(B)(2) for consultation with an attorney deemed privileged in the attorney-client relationship to include the City Attorney and City Administrator for the purposes of contract negotiations for 5 minutes. Councilmember Smith seconded the motion. The meeting recessed into executive session at 7:40 PM, 5-0.

Councilmember Smith motioned to return to open session with no action being taken. Councilmember Lewis seconded the motion. Open session resumed at 7:45 PM, 5-0.

19. CONSIDER RECESSING INTO EXECUTIVE SESSION PURSUANT TO K.S.A. 75-4319(B)(2) FOR CONSULTATION WITH AN ATTORNEY DEEMED PRIVILEGED IN THE ATTORNEY-CLIENT RELATIONSHIP TO INCLUDE CITY ATTORNEY FOR THE PURPOSES OF NON-ELECTED PERSONNEL

Councilmember Smith motioned to recess into executive session pursuant to K.S.A 75-4319(B)(2) for consultation with an attorney deemed privileged in the attorney-client relationship to include the City Attorney for the purposes of non-elected personnel for 20 minutes. Councilmember Lewis seconded the motion. The meeting recessed into executive session at 7:55 PM, 5-0.

Councilmember Longanecker motioned to return to open session with no action being taken. Councilmember Smith seconded the motion. Open session resumed at 8:15 PM, 5-0.

Councilmember Longanecker motioned to recess into executive session pursuant to K.S.A 75-4319(B)(2) for consultation with an attorney deemed privileged in the attorney-client relationship to include the City Attorney for the purposes of non-elected personnel for an additional 5 minutes. Councilmember Smith seconded the motion. The meeting recessed into executive session at 8:15 PM, 5-0.

Councilmember Conus motioned to return to open session with no action being taken. Councilmember Lewis seconded the motion. Open session resumed at 8:20 PM, 5-0.

Councilmember Longanecker motioned to approve the City Administrator's annual review with a high-quality standard giving a 3.5% compensation increase to be initiated in the next pay-period. Motion seconded by councilmember Smith. Motion was approved 5-0.

20. Adjourn

Councilmember Smith motioned to adjourn the meeting, seconded by Councilmember Beem. The motion carried and the meeting adjourned at 8:25 PM, 5-0.

EVENTS

October 25th: Frontier Days Halloween Party

November 11th: City Hall Closed for Veterans Day

November 26th – 27th: City Hall Closed for Thanksgiving Holiday

December 4th: Mayor's Christmas Tree Lighting Ceremony