

City of Edgerton, Kansas
Minutes of City Council Regular Session
October 24, 2024

A Regular Session of the City Council was held in the Edgerton City Hall, 404 E. Nelson, Edgerton, Kansas October 24, 2024. The meeting convened at 7:00PM with Mayor Roberts presiding.

1. ROLL CALL

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
- City Clerk, Alex Clower
- City Attorney, Todd Luckman
- Public Works Director, Dan Merkh
- Finance Director, Karen Kindle
- Parks and Recreation Director, Levi Meyer
- Development Services Director, Zach Moore
- Assistant to the City Administrator, Kara Banks
- Assistant to the City Administrator, Trey Whitaker
- Public Works Foreman, Chase Forrester
- Senior Accountant, Justin Vermillion
- CIP Project Manager, Holly Robertson

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 October 10, 2024 Regular City Council Meeting
5. Approve Subrecipient Grant Agreement between Johnson County, Kansas and the City of Edgerton to Accept Funding through a Community Development Block Grant of \$91,511.63 for the 2024 CDBG – 2nd and Hulett Sanitary Sewer Rehabilitation Project.
6. Approve Resolution No. 10-24-24A Waiving the City’s Compliance with Generally Accepted Accounting Principles for Financial Reporting and Causing Such Reports to be Prepared in Compliance with the Cash Basis and Budget Laws of the State of Kansas.
7. Approve Application FP2024-0003, Final Plat for Edgerton Crossing, Second Plat, Located At The Southwest Corner Of W. 200th Street and Homestead Lane, Edgerton, Kansas.

8. Approve Application FP2024-0004, Final Plat for Edgerton Crossing, Third Plat, Located At The Northeast Corner Of W. 200th Street and Jubilee Street, Edgerton, Kansas.
9. Approve Allocation of 2024 Gas Tax Revenue to the 2023 Street Preservation Program and Reducing the 2024 Street Preservation Program Budget
10. Approve Allocation of Funding for LPKC Phase 1 Sewer Projects
11. Approve Allocation of Additional Funding for the Martin Creek Park South Fence Project
12. Approve a Three-Year Agreement with Varney & Associates, CPAs, LLC, to Prepare the City's Financial Audit for Fiscal Years 2024, 2025 and 2026
13. Approve Submittal of Application to the Kansas Department of Transportation (KDOT) for a 2024 Innovative Technology Program Grant
14. Approve Resolution No. 10-24-24B Consenting to the Assignment of a Development Agreement for the Dwyer Farms RHID Project
15. Approve Resolution No. 10-24-24C Consenting to the Appointment of a Successor Trustee and the Assignment of a Base Lease, Lease Agreement and Other Bond Documents in Connection with the City's Industrial Revenue Bonds (Coldpoint Logistics Real Estate, LLC Project), Series 2016, and Authorizing an Estoppel Certificate
16. Approve Resolution No. 10-24-24D Consenting to the Assignment of a Base Lease, Lease Agreement and Other Bond Documents in Connection with the City's Industrial Revenue Bonds (Coldpoint Logistics Real Estate, LLC First Expansion Project), Series 2017, and Authorizing a Collateral Assignment, Estoppel and Subordination Agreement
17. Approve Resolution No. 10-24-24E Consenting to the Assignment of a Base Lease, Lease Agreement and Other Bond Documents in Connection with the City's Industrial Revenue Bonds (Coldpoint Logistics Real Estate, LLC Second Expansion Project), Series 2018, and Authorizing a Collateral Assignment, Estoppel and Subordination Agreement
18. Approve Resolution No. 10-24-24F Consenting to the Assignment of a Base Lease, Lease Agreement and Other Bond Documents in Connection with the City's Industrial Revenue Bonds (Coldpoint Logistics Real Estate, LLC Third Expansion Project), Series 2019, and Authorizing a Collateral Assignment, Estoppel and Subordination Agreement
19. Approve Resolution No. 10-24-24G Consenting to the Assignment of a Base Lease, Lease Agreement and other Bond Documents in Connection with the City's Industrial Revenue Bonds (ELHC XXXIII, LLC PROJECT), Series 2016

Councilmember Lebakken moved to approve the Consent Agenda, seconded by Councilmember Longanecker. The Consent Agenda was approved, 5-0.

Regular Agenda

20. Introduction – Sheriffs Candidates

Both candidates running for Johnson County Sheriff attended the meeting to introduce themselves to the Governing Body and answer any questions the Councilmembers may have.

Councilmember Longanecker asked for each individual's thoughts on the American Farmer here in Johnson County, especially because there has been controversy over chemicals, waste, etc.

Both candidates agreed that the American farmer is what builds America and puts food on our tables.

Councilmember Longanecker asked if the community officer will change or if the plan is to continue that here.

Mr. Byron Roberson stated he thinks they could enhance this position to make it more about the community and getting the community involved with the department. He does not believe that what is going on right now is necessarily community policing. He wants the department to want to be involved with the community and this starts at the top.

Mr. Doug Bedford stated the Governing Body gets to decide within the contract that they hold what they want the impact of this community officer to be. If crime increases during certain hours, those hours can change to coincide with that. If you want more presence during the summer months on the weekend for the kids, that should be done. If the Sheriff has the staffing to create that then it should be enhanced to what Edgerton wants to see.

Mayor and Council thanked them for coming and thanked them for their service. He thanked them for stepping up and running.

21. Declaration. There were no declarations made.

22. Public Comments.

Mr. Lafalce addressed the Council. He stated the city needs some sort of system in the event of an emergency. He stated we cannot trust FEMA and the government as it stands today. The tragedies that have occurred from the hurricane are proof that the government does not care for people. He pointed to recent FEMA payments of \$750. He would like to see tabletop exercises happen for not only staff, but the community so everyone can be prepared. He pointed to the potential dangers posed by trains carrying unknown materials. He stated in a county wide disaster, the fire department and sheriff belong to the county, not Edgerton, so having our own police force would be wise. He stated the other thing he would ask is that the next time the Mayor or staff meet with state representatives, they ask them why they are taking his money and sending it overseas instead of investing it here in our community.

Councilmember Conus stated he was with FEMA for over twelve years and would tend to agree with Mr. Lafalce. He stated he participated in a tabletop exercise from the Fire Department a few years ago and would encourage we look into doing that again and be involved as a city. The intermodal does pose a potential threat for having hazardous materials so close and agrees preparation is key.

Mr. Lafalce stated when Superstorm Sandy hit, the director had everything sent to their neighborhood to keep them going, everyone else was left to fend for themselves. The old civil defense had things for everyone.

Councilmember Lebakken stated she'd like to clarify that the \$750 was an immediate relief for the people, they can apply for further help.

Mr. Lafalce stated undocumented aliens are getting over \$3,000, free apartments, EBT cards, and help with everything. Our citizens are getting a pre-paid loan and FEMA is denying their claims for further help.

23. Presentation by Johnson County Fire District No. 1 Representatives. Representatives from Fire District No. 1 attended the Council meeting to introduce themselves and inform the governing body of the plans for the 2025 and the effects to the budget. This includes short-term and long-term plans. Those plans include staffing and benefits for those employed, emergency equipment needed and upkeep for current equipment and facilities, and having a strategic plan for the future to better allow transparency.

Mayor and Council thanked them for attending and appreciates what they do for this community and those surrounding. Mayor stated public safety is the utmost importance and he appreciates the additional transparency moving forward.

Business Requiring Action

24. CONSIDER PROFESSIONAL SERVICES AGREEMENT BETWEEN BURNS & MCDONNELL INC. AND THE CITY OF EDGERTON, KANSAS FOR THE ENGINEERING SERVICES FOR DWYER FARMS SANITARY SEWER IMPROVEMENTS – SITES 2 & 3

Councilmember Lewis stated he works for Burns & McDonnell but has no direct connection or ownership to this project and wanted to be transparent.

Mr. Merkh addressed the Council regarding the Dwyer Farms project, located at the southwest corner of 8th and Braun Street. This project is proposed single family residential and requires the need for sanitary sewer improvements at the onset of development. The Dwyer Sewer Project includes constructing approximately 1,800 linear feet of 18-inch sanitary sewer to serve the Dwyer Farms new residential development and large watershed (Site #1). To serve this development, the City will also improve the City Pump Station to install an equalization basin, construct a 30-inch gravity main at the City Pump Station, and upsize approximately 245 linear feet of existing 8-inch sanitary sewer (Site #2). Additional improvements to accommodate the Dwyer Farms development are expected at the Big Bull Creek Wastewater Treatment Plant (BBCWWTP) including SCADA upgrades and replacement of aged equipment (Site #3). The final recommendations are pending completion of this design phase of the project.

Site#1 is currently under construction by Beemer Construction, which was approved by council on May 23, 2024.

Requests for Qualifications were due August 15, 2024 and interviews with selected teams were conducted, two responses were provided to the RFQ. The selection committee recommends Burns & McDonnell Engineering Company Inc. as the best, most qualified team for the project. The selection committee recommends the team based on their existing experience providing these services to municipalities both of similar size and larger populations. Burns & McDonnell were the engineers of record for the current Big Bull Creek Wastewater Treatment Plant.

Enclosed is the draft Professional Services Agreement between the City of Edgerton and Burns & McDonnell for the project. The project consists of two phases with the current contract being the first phase. The first phase contract amount is \$175,947, which includes the analysis of the City's needs, building an overall list of items, as well as a cost estimate. Once the City and Burns & McDonnell understands the balance of needed scope and available funds, the second phase can be estimated. This revision to the contract, once ready, will be brought to council at a future meeting.

The proposed improvements to Edgerton's Wastewater System for the Dwyer Sewer Project are estimated to be \$5,000,000.00 and will be funded under the low interest Kansas Water Pollution Control Revolving Fund Program through the Kansas Department of Health and Environment (KDHE). The loan repayment will be made with Rural Housing Incentive District (RHID) funds generated by Dwyer Farms Development.

This agreement is still under review by both parties. Upon completion of any revisions needed by City Attorney, staff recommends approving the agreement.

He stated a representative from Burns & McDonnell is here this evening for any questions the City might have.

Mayor Roberts questioned the limited liability language. He stated he is not willing to not give the liability to the engineer on the work they do.

Ms. Hamrick, a representative with Burns & McDonnell stated they are proposing to do some geotechnical investigations where the de-commissioned lagoon is located. That statement in there is really to leverage the previous work done and that we get that results of that previous work.

She stated she thinks Burns & McDonnell was the company previously who did this work, so they should have all the info they need for that.

With no further discussion, Mayor Roberts requested motion to approve the agreement with Burns & McDonnell in the amount of \$175,947 for engineering services for Dwyer Farms Sanitary Sewer Improvements, Sites 2 and 3, pending any changes from the City Attorney and authorizes the Mayor to execute the agreement.

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

25. CONSIDER AWARDING IT MANAGED SERVICE PROVIDER CONTRACT TO IMAGINE IT

Ms. Banks stated the current contract with Strategy is expiring at the end of this year for managed IT Services. Proposals were sent out in August for this service and twelve companies were considered. After review from the selection committee and interviews of the top candidates, Imagine IT was selected to serve as the IT Managed Service provider. She stated

the details of the candidates are included in the packet, which include pricing, service times, etc. for each.

Councilmember Lewis asked who the current provider is and if they submitted a bid.

Ms. Banks stated we currently use Strategy. They were one of the higher proposals submitted and they also had limits on help desk time.

Mayor Roberts asked how much of an increase will this contract be.

Ms. Banks stated this will be a decrease from our current provider.

With no further discussion, Mayor Roberts requested motion to approve the contract with Imagine IT for Managed IT Services for 2025.

Councilmember Lewis moved to approve, seconded by Councilmember Lebakken. The contract with Imagine IT was approved, 5-0.

26. CONSIDER AGREEMENT WITH GARDNER DISPOSAL FOR SOLID WASTE COLLECTION AND DISPOSAL SERVICES FOR JANUARY 1, 2025 THROUGH DECEMBER 31, 2027

Ms. Banks stated the City currently contracts with Gardner Disposal for trash services. The contract is set to expire at the end of this year. With the direction from Council, staff worked with Gardner Disposal for extension of this contract with some changes to rates, city buildings, holidays, etc. She stated a draft version of the agreement is included. The change in rates still includes the City paying for 50% of the costs for the residents.

Councilmember Longanecker asked about the bulk item pickup and if the weight limit is 100lb, would they still pick up a couch.

Mr. Tim Henry stated couches are still included. The new contract will allow for items that are a little bigger but that can still fit into the back of the truck. He stated his biggest concern is items that contain glass or tile, when those get loaded and break, that is then their mess to clean up and it is a hazard.

Councilmember Conus asked if this will still include electronics.

Mr. Henry stated yes.

With no further discussion, Mayor Roberts requested motion to approve the 3-Year contract with Gardner Disposal.

Councilmember Lewis moved to approve, seconded by Councilmember Conus. The agreement was approved, 5-0.

27. CONSIDER ADOPTION OF THE 2025-2029 CIP

Ms. Kindle addressed the Council. She stated the City held their annual CIP Work Session on October 12th where Council directed staff to build out the next 5-Year CIP Budget including the funding of two new projects as recommended by staff. This includes the Edgerton Safety Action Plan and the East 3rd Street Reconstruction. Adoption of the CIP will establish funding, budget and time frame for the funded project schedule. As project move through their project life, staff will bring contract, funding/cost changes, etc. to council for approval.

With no questions or comments, Mayor Roberts requested motion to approve the adoption of the 2025-2029 CIP.

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

28. CONSIDER RESOLUTION NO. 10-24-24H PURSUANT TO K.S.A. § 26-201 SETTING FORTH THE NECESSITY FOR CONDEMNATION OF PRIVATE PROPERTY AND AUTHORIZING PREPARATION OF A SURVEY AND LEGAL DESCRIPTIONS OF THE PROPERTIES TO BE CONDEMNED

Ms. Robertson stated the City is reconstructing East 2nd Street / COOP Road from Nelson Street to the south City Limits and East Edgewood/West Edgewood Road from East 2nd Street / COOP Road to West 4th Street. The project includes complete reconstruction of the pavement down to subgrade, new sidewalks, streetlights, new stormwater infrastructure, utility improvements, and drainage improvements along the project.

The City needs temporary construction easements and permanent drainage easements, permanent pedestrian easements, and right-of-way easements from 44 properties along the project.

She stated since June 2024, City Staff has contacted property owners and are currently in discussions with the majority of owners. Similar to previous projects, staff intends on continuing the easement acquisition process by providing official easement offers to property owners with a 30-day time frame for all properties. Staff will continue to negotiate easements with the property owners as the preferred method to acquire the easements. However, in the case negotiations do not reach a conclusion that satisfies both parties, staff recommends moving forward with the condemnation process.

She stated the first step in that process would be for City Council to pass a resolution confirming the necessity for condemnation and authorizing the preparation of survey and legal description. In an effort to meet the tight project schedule, staff is requesting that City Council approve this resolution for all easements necessary. Passing the resolution does not prohibit the City from continuing to negotiate and/or acquire the easements – it simply authorizes the

preparation of the descriptions. Any property where an easement is acquired through negotiation can be removed from the condemnation process in the future.

The resolution is in draft form, currently under review by City Attorney. All revisions will be made prior to approval.

Mayor Roberts stated if Council does get any phone calls regarding this, please make sure they are directed to speak to staff so that if there is any negotiation that can happen, it can be done with staff to bring to Council for final approval.

With no discussion, Mayor Roberts requested a motion to approve Resolution No. 10-24-24H. Councilmember Lewis moved to approve, seconded by Councilmember Lebakken. The motion carried, 5-0.

29. CONSIDER A BUDGET ADJUSTMENT FOR THE 2024 CDBG – 2ND AND HULETT SANITARY SEWER REHABILITATION PROJECT

Mr. Merkh stated in May 2023, Council approved the submission of an application for the 2nd and Hulett Sanitary Sewer Project for CDBG funding. In October 2023, staff was notified of partial funding of just over \$90,000. At the time Council approved the CIP, the total project budget was \$145,012, assuming the construction bids would come in within the construction estimate provided by the design engineer, however the bids came in higher than expected.

On the agenda following this item is the consideration of awarding bid to a contractor in the amount of \$104,555. Utilizing that bid, expenditures for design, and estimates for construction inspection services, the project budget is proposed to be \$198,257.81. The packet includes the summary of the costs.

He stated funding for this project consists of the CDBG award and the sewer fund. Staff has identified additional funding remaining from the 2021 CDBG Project to utilize. A breakdown of the funding sources is included in the packet. With the transfer of 2021 CDBG remaining funds, there is sufficient funds for the 2024 CDBG – 2nd and Hulett Sanitary Sewer Rehabilitation Project.

With no discussion, Mayor Roberts requested motion to approve the budget adjustment for the 2024 CDBG – 2nd & Hulett Sanitary Sewer Rehabilitation Project from \$145,012 to \$198,257.81.

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

30. CONSIDER AWARD OF CONSTRUCTION CONTRACT TO SAK CONSTRUCTION, LLC FOR THE 2024 CDBG – 2ND AND HULETT SANITARY SEWER REHABILITATION PROJECT IN THE AMOUNT OF \$104,555.00

Mr. Merkh stated in April, Council approved a contract with Tetra Tech for the design and scope of the project for 2nd and Hulett Sanitary Sewer Rehab. On October 7th, the City held a public bid opening with four total bids received for the project, which consisted of a base bid and no alternatives. The bids ranged from the lowest being \$92,337.05 to a high of \$113,310.00. Tetra tech provided an opinion of probable cost of just over \$69 Thousand. Due to the volatility of the market, they have provided a letter to disregard the opinion. This letter also provided their recommendation to reject municipal pipe tool due to exceeding the maximum mobilization bid item. In the end, Tetra Tech recommended SAK Construction, LLC as the most qualified and apparent low bidder. Based on review of the bids, the recommendations made by Tetra Tech and the requirements from the US HUD for CDBG project, staff also recommends the apparent low bidder, SAK Construction, LLC to complete the project.

With no discussion, Mayor Roberts requested motion to approve the award of construction to SAK Construction, LLC for the 2024 CDBG – 2nd & Hulett Sanitary Sewer Rehabilitation Project.

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

31. CONSIDER A PROFESSIONAL SERVICES AGREEMENT WITH RENAISSANCE INFRASTRUCTURE CONSULTING TO PROVIDE CONSTRUCTION INSPECTION SERVICES FOR THE 2024 CDBG – 2ND AND HULETT SANITARY SEWER REHABILITATION PROJECT

Mr. Merkh stated similar to other large infrastructure projects constructed by the City, a critical component to the success of the 2024 CDBG 2nd and Hulett Sanitary Sewer Rehabilitation Project is partnering with a firm to perform the construction inspection services. Renaissance Infrastructure Consulting (RIC) has submitted bids and gone through previous interview processes with staff, they have performed the construction inspection services for multiple projects in the past few years with a high level of satisfaction and attention to detail. RIC is a valued partner with the City of Edgerton and ElevateEdgerton! having worked with the City on multiple occasions. RIC has extensive knowledge of how Edgerton conducts projects and have a team with over 30 years' experience.

Staff recommends utilizing RIC for Construction Inspection services of the construction associated with the 2024 CDBG 2nd and Hulett Sanitary Sewer Rehabilitation Project. Selection of RIC will expedite the start date for the project. Staff and RIC will utilize the same agreement for services as previously agreed upon for the aforementioned projects. The Agreement provides a scope of work to include such services as performing inspections, notification of the City of any significant issues/changes to the plans, providing detailed reports of construction activity, reviewing testing reports and pay estimates, etc.

The Agreement also includes an hourly rate schedule applicable for the term of the Agreement. The Agreement is structured similar to the Agreement for City Engineer services where the City is only billed for actual hours of work performed. As with prior projects, RIC provided an estimate for the project (\$36,202.81), staff will work with RIC to best prioritize the use of their services to limit the project budget.

With no discussion, Mayor Roberts requested motion to approve the agreement with RIC for construction inspection services for the 2024 CDBG – 2nd & Hulett Sanitary Sewer Rehabilitation Project for a not to exceed amount of \$36,202.81.

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

32. CONSIDER A SUPPLEMENTAL AGREEMENT NO. 1 WITH BG CONSULTANTS, INC TO PROVIDE CONSTRUCTION INSPECTION SERVICES OF THE GLENDELL ACRES PARK RENOVATION PROJECT

Mr. Merkh stated in February, Council approved an update to the project budget and contract with CM Concrete for construction of the improvements at Glendell Acres Park. In March, Council approved a contract with BG Consultants for inspection services. The Agreement provides a scope of work to include such services as performing inspections, notification of the City of any significant issues/changes to the plans, providing detailed reports of construction activity, reviewing testing reports and pay estimates, etc. The Agreement also includes an hourly rate schedule applicable for the term of the Agreement. The City is only billed for actual hours of work performed. As with prior projects, BG Consultants provided an original estimate for the project (\$10,000).

On October 10, 2024, City Council approved a no cost change order for CM Concrete for extra days within the contract. BG Consultants will need to inspect construction for the remainder of the project, including the extra days previously approved. This ensures proper installation and completion of various construction activities. Throughout the project, BG has played a crucial role in working with the contractor to provide a high level of workmanship. The inspection needs placed on BG Consultants are elevated in comparison to other projects.

Staff recommends approving Supplemental Agreement No. 1 with BG Consultants with a not to exceed price increase of \$8,200. The total contract amount for inspections if approved would be \$18,200. The KDHE Waste Tire Grant provided \$24,791.36 dollars, thus freeing up allocated dollars within the project. If this is approved, the project budget is \$3,489 under budget.

With no discussion, Mayor Roberts requested motion to approve the Change Order to BG Consultant to provide construction inspection services of Glendell Acres Park Renovation with a not to exceed amount of \$8,200.

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

33. Report by the City Administrator

- 3rd Quarter Financial Report

Ms. Kindle reviewed the financial report provided and stated the funds are trending on track for the end of the year. Each fund is within the reserve and budget authority.

Councilmember Conus asked a question about the investment income. Ms. Kindle responded it is a little higher because the bonds for The Greenspace are listed within that line, however it is still tracking as it should and gives a little more cash balance. There were no further questions.

- **Sludge Contract**

Mr. Merkh stated much like the trash contract, the city holds an annual contract for sludge hauling at the treatment plant. This contract was approved 2 years ago with Digital Erth. Staff is requesting council direction to either put out a bid or to extend contract, similar to how we approach the extension of the contract with Gardner Disposal. Staff has experienced great service with Digital Erth.

Councilmember Longanecker asked if their contract was less costly than that of the others who placed bids.

Mr. Merkh stated yes, considerably less.

Councilmember Longanecker stated he does not see them changing the cost that much from then to now. He thinks it would be worth negotiating an extension.

Council unanimously agreed to negotiate an extension with our current provider and bring it back for approval at a later council date.

- **Other Items**

Ms. Linn stated Mayors Christmas Tree Trivia is coming up. There is limited seating at Whitetail Run with six teams limited to that event.

She stated a sneak peak of The Greenspace was posted on the City's social media. The newsletter mentioned the Glendell opening and we are working on a date for the ribbon cutting.

She stated staff is also requesting a special meeting for recreation software. The timing did not work to get it done for tonight but would need to begin sooner than the next council meeting. She requested Tuesday, October 29th at 4pm. The council unanimously agreed to that time for the special meeting.

34. Report by the Mayor

- **November/December Council Meeting Schedules**

Mayor Roberts requested motion to cancel the second meetings in both November and December due to them falling on or around the holidays.

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

Mayor Roberts stated Council normally considers an extra day off for staff during the holidays to thank them for all their hard work they continue to do. He stated with Christmas

falling in the middle of the week, he would recommend allowing an extra day on top of Christmas Eve that is typically given. He recommended the 23rd and 24th as additional holidays for staff.

Councilmember Lebakken asked about allowing the days after with New Years.

Mayor Roberts stated staff is not expecting any of the days and really would appreciate either one. He recommends before Christmas because that allows travel time for those families that need it.

Councilmember Longanecker moved to approve, seconded by Councilmember Conus. The additional days of December 23rd and December 24th were approved unanimously as closure days for the City.

35. Future Meeting Reminders

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

36. CONSIDER RECESSING INTO EXECUTIVE SESSION PURSUANT TO THE ATTORNEY/CLIENT EXCPTION TO INCLUDE CITY ATTORNEY, CITY ADMINISTRATOR, AND ECONOMIC DEVELOPMENT COUNSEL FOR THE PURPOSES OF CONTRACT NEGOTIATIONS (K.S.A. 75- 4319(B)(2))

Mayor Roberts requested motion to recess into executive session for discussions related to Contract Negotiations. 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(2)). Present in the executive session will be the Governing Body and the following staff members: City Administrator, Beth Linn, City Economic Development Counsel, Scott Anderson, and City Attorney, Todd Luckman.

The executive session will start at 9:00PM and last 15minutes. The open meeting will resume in the Council Chambers.

Councilmember Lewis moved to recess into executive session pursuant to K.S.A 75-4319(B)(2) for the purpose of discussing contract negotiations. Councilmember Conus seconded the motion.

The meeting recessed into executive session at 9:00PM, 5-0.

Councilmember Lebakken moved to return to open session with no action being taken. Councilmember Conus seconded the motion. Open session resumed at 9:15PM, 5-0.

37. Adjourn

Councilmember Lewis moved to adjourn, seconded by Councilmember Conus. The meeting was adjourned at 9:15PM with a 5-0 vote.

Submitted by Alex Clower, City Clerk