

**City of Edgerton, Kansas**  
**Minutes of City Council Regular Session**  
**November 10, 2022**

A Regular Session of the City Council (the Council) was held in the Edgerton City Hall, 404 E. Nelson, Edgerton, Kansas on November 10, 2022. The meeting convened at 7:03 PM with Mayor Roberts presiding.

**1. ROLL CALL**

Clay Longanecker	present
Josh Lewis	present
Josh Beem	absent
Deb Lebakken	present

With a quorum present, the meeting commenced.

Staff in attendance:      City Administrator, Beth Linn  
                                    City Attorney, Lee Hendricks  
                                    City Clerk, Alex Clower  
                                    Public Works Director, Dan Merkh  
                                    Finance Director, Karen Kindle  
                                    Capital Improvement Project Manager, Brian Stanley  
                                    Accountant, Justin Vermillion  
                                    Marketing & Communications Manager, Kara Banks  
                                    Recreation Coordinator, Brittany Paddock

**2. WELCOME**

**3. 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 27, 2022 Regular City Council Meeting
5. Approve Ordinance No. 2124 Amending and Restating Ordinance No. 2123 in Connection with the Community Improvement District (Edgerton Crossing Woodstone Project)
6. Approve Year-End Longevity Bonus for Employees
7. Approve Ordinance No. 2125 Providing for the Range of Salaries and Compensation of Various City Officers and Employees
8. Approve Large Animal Permit for Darius Crist, 510 W Braun Street
9. Approve Large Animal Permit for Galaz Trust (Sergio Galaz Trustee), 1300 W Braun Street
10. Approve Large Animal Permit for Michael Mabrey, 1200 W Braun Street
11. Approve Large Animal Permit for Glyn Powers, 1606 W 8<sup>th</sup> Street
12. Approve Large Animal Permit for Marvin Vail, 1405 W 8<sup>th</sup> Street
13. Approve Final Acceptance of 200<sup>th</sup> Street Road Public Improvements Project

Councilmember Longanecker asked that item 7 be removed for further conversation.

With item 7 removed, Mayor Roberts requested motion to approve the remaining items on the consent agenda.

Councilmember Longanecker moved to approve the consent agenda with item 7 removed, seconded by Councilmember Lewis. The consent agenda was approved, 3-0.

Councilmember Longanecker asked if the ranges are now including the 7% COLA that was approved a few months ago.

Ms. Kindle stated yes, when the COLA was approved through council, staff applied that increase to not only the individual employees' wages, but also the listing of specific job titles and the salary ranges with them.

Councilmember Longanecker thanked Ms. Kindle for the clarification.

With no further questions or comments, Mayor Roberts then requested motion to approve item 7, Ordinance No. 2125 Range of Salaries and Compensation for Various City Officers and Employees.

Councilmember Longanecker moved to approve Ordinance No. 2125 seconded by Councilmember Lewis. The ordinance was approved, 3-0.

### **Regular Agenda**

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

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

### **Business Requiring Action**

#### **16. CONSIDER 2023 FUNDING RECOMMENDATION FOR THE HUMAN SERVICE FUND**

Ms. Julie Brewer addressed the Council. She provided the Council with feedback from the previous year funding. She stated Edgerton has now been participating in the Human Service Fund (HSF) for a decade. She stated UCS has been supporting the county for nearly 60 years and supporting residents within the county that are at or below the Federal poverty level. She stated UCS provides job training, assists in finding housing and healthcare, as well as many other supportive programs throughout the county. She stated the dollars provided by jurisdictions provide services for individuals and families, which include services such as dental appointments, meals, safe shelter, etc. The funding provided by the city are proportionate to the population for each city. She stated in 2021, UCS came before the governing body and requested an increase in funding allocation and will likely come back in 2024/2025 to request an increase. She stated this year there was more than \$46,000 requested over what was available in the fund.

Councilmember Longanecker asked if UCS was affiliated with Meals on Wheels.

She stated Meals on Wheels is overseen by another jurisdiction within Johnson County - Johnson County Aging and Human Services - and they are not a recipient of UCS funding. She stated when the Human Service Fund was established, it was an opportunity for jurisdictions to set aside operating funds to support community programs where there might be gaps or insufficient services provided to fill those gaps.

Mayor Roberts asked if Ms. Brewer could touch a little more on the grant recipients.

Ms. Brewer stated HSF sets funding priorities around safety, basic needs, and work support. She stated for many, transportation has become more of a barrier in recent years and that has become a greater focus for support provided. She referenced the listed grant pools. She stated roughly \$15,000 of small grants was recommended to programs such as Community Center of Shawnee, Gateway of Hope, and Pathway to Hope. She stated roughly \$400,000 of regular grants were recommended for returning and established programs such as Catholic Charities, Foster Adopt Connect, KidsTLC, SafeHome, Salvation Army Family Lodge, Sunflower House, etc. She stated new programs have been added, including Habitat for Humanity and Kansas Parents as Teachers Association. She stated Habitat for Humanity has HUD certified counselors that assist with funding for down payment assistance.

She stated in 2021, around 850 units of service were provided to residents in Edgerton.

Mayor Roberts stated it is diverse how the community is touched with this program.

Ms. Brewer stated county-wide poverty has risen to roughly 6% now. She stated single female head of household with children 5 and under is at 32% and access to childcare is a big barrier.

Mayor Roberts stated one of the most influential things UCS does is track the homeless population where they go out in rough conditions and complete a count every year. He stated he appreciates all UCS does and all the support they provide to Edgerton and the surrounding communities. He stated Edgerton funds \$2,500 and there were 300 citizens helped in one year. He stated he believes this is such a great stretch of Edgerton dollars to help the community.

With no further questions or comments, Mayor Roberts requested motion to approve the 2023 funding recommendation for the Human Service Fund.

Councilmember Longanecker moved to approve the motion, seconded by Councilmember Lebakken. The motion was approved, 3-0.

#### **17. CONSIDER AN AGREEMENT WITH STRATEGY, LLC, FOR INFORMATION TECHNOLOGY SERVICES**

Ms. Karen Kindle addressed the Council. She stated the city does not have an internal IT department so services for this are contracted out. She stated a year ago, staff conducted an RFP for services and Strategy was recommended to fulfill that contract. She stated Strategy has been the city's IT provider for a couple years and staff would recommend renewing the contract for

another year for 2023. She stated nothing has changed in this agreement except for the costs, she stated the cost per managed computer has increased from \$35 to \$50 due to increased costs of antivirus and monitoring software. She stated in addition, staff will be replacing Net2Phone with Microsoft Teams as the City's phone system, resulting in increased Microsoft licensing costs. She stated the increase in Teams license costs will be offset by the elimination of payments to Net2Phone. The 2023 IT Budget is adequate to cover the cost of this contract.

Councilmember Longanecker asked if staff was happy with them as a provider of this service.

Ms. Kindle stated yes, they hired new staff recently and they have been excellent to work with.

With no further questions or comments, Mayor Roberts requested motion to approve the agreement with Strategy for IT Services.

Councilmember Lewis moved to approve the motion, seconded by Councilmember Longanecker. The agreement with Strategy LLC for IT Services was approved, 3-0.

#### **18. CONSIDER RESOLUTION NO. 11-10-22A AUTHORIZING THE CLOSURE OF NELSON STREET DURING THE MAYOR'S CHRISTMAS TREE LIGHTING**

Ms. Brittany Paddock addressed the Council. She requested a road closure of Nelson St. between East 4<sup>th</sup> to East 3<sup>rd</sup> for the timeframe of the Mayor's Christmas Tree Lighting Ceremony. She stated she would just like to make this a safe and fun event for the community and in doing so, would like to have the road closed to provide a safe environment for everyone. She stated the intersections at both East 4<sup>th</sup> and East 3<sup>rd</sup> and Nelson will remain open to traffic.

With no questions or comments, Mayor Roberts requested motion to approve Resolution No. 11-10-22A, authorizing the closure of Nelson Street during the Mayor's Christmas Tree Lighting Ceremony.

Councilmember Lewis moved to approve the motion, seconded by Councilmember Longanecker. The resolution was approved, 3-0.

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

- 3<sup>rd</sup> Quarter Financial Report

Ms. Kindle addressed the Council and referred to the Quarterly Financial Report. She stated the General Fund is generally adequate and where it's expected to be. She stated the only line item that is a little low is the licensing and permits, and this is due to not having much activity on the permitting side. She stated on the flip side, the city is not spending as much on contract services for inspections. She stated for the General Fund, we are within budget authority and the reserve requirement.

She referenced the Water Fund. She stated generally funds are in line and all loan payments have been made on the expenditure side. She stated transfers have been made to

equipment reserve and at the end of the quarter, we are within budget authority and reserve requirement.

She referenced the Sewer Fund. She stated Gardner stopped sending their flow to the Big Bull Creek Wastewater Treatment Plant in September, so the City no longer sees that revenue. She stated on the expenditure side, the Treatment Plant line item is a little close but that is due to the sludge payments. She stated we are within budget authority and reserve requirement.

- Update on Adopt a Highway Litter Removal Services

Ms. Clower addressed the council. She stated in June 2022, the Governing Body approved agreements with Adopt a Highway for litter removal services. Since services beginning in July, a total of 625 lbs. of trash has been removed from 56 Highway.

Mayor Roberts stated he feels like it is working but still sees this as a trial phase, he stated if it continues to work, there may be possibility at budget time to bring back options for additional roadways.

All Councilmembers agreed they have noticed a difference.

- CIP Update

Mr. Merkh addressed the Council. He stated he would like to bring an update to the Governing Body regarding ongoing Capital Improvement Projects.

For the 8<sup>th</sup> & Braun intersection improvements, there will be no change in schedule. The current plan is to do the south as well as east and west at the same time.

He then addressed the County's Community Development Block Grant program. He stated CDBG has changed their funding structure. He stated typically applications for funding are submitted every other year and the City asks for 2 years' worth of funding. Now only one year is granted at a time with a maximum of \$100,000. He stated if funding is granted for 2 years, the city is ineligible for the next year to apply. He stated staff is looking to make a recommendation for 2024 and plans to reduce match funding for application.

Mayor Roberts stated years ago, Edgerton could not apply for these grants because the funding match requirement.

## **20. Report by the Mayor**

Mayor Roberts stated Planning Commission training at the last meeting was great. He stated the purpose was to give insight on how process should move throughout staff, planning commission and council. He stated he believes that goal was accomplished rather well.

Councilmember Lewis stated he thought it was fantastic and highlights a lot of conversations that take place with owners and developers and how the city manages those relationships while also deciding if things are worth having here, etc.

Councilmember Lebakken stated it was eye-opening to see the amount of vetting done by staff before things even make it to council. She stated it is a lot of work.

Mr. Lee Hendricks, City Attorney, addressed the Council. He stated he was asked to give an update to Council following the lawsuits filed after annexations and rezoning of parcels. He stated there were three lawsuits filed from homeowners near Kubota. All three were filed in 2021 and focused on two issues: zoning and annexation.

In one of the zoning cases filed in 2021, upon filing the City filed an answer immediately and then filed discovery to force the filing party to clarify their stance. The court then sent a case management order which sets deadlines and etc., but nothing was sent in response from the opposing side. He stated there was no movement in the case until August of this year when they changed attorneys and notice was sent by court. The plaintiffs then filed a request to revive the case and requested new deadlines to be set for the case, and then they changed lawyers again. Although it seemed as though the filing party intended to proceed with the case, they recently made request of the City and the Court to dismiss the case. The court granted that dismissal and the plaintiffs cannot refile.

He stated there are still the two outstanding cases related to annexation and zoning. He stated one is an appeal. The City has filed a motion to dismiss that case. We are awaiting a response from the court on the most recent filings.

He stated the final lawsuit is still in process and a deposition was completed this week.

**21. Future Meeting Reminders:**

- November 10<sup>th</sup>: City Council Meeting – 7:00PM
- December 1<sup>st</sup>: Special City Council Meeting – 7:00PM
- December 8<sup>th</sup>: City Council Meeting – 7:00PM
- December 13<sup>th</sup>: Planning Commission Meeting – 7:00PM

**22. CONSIDER RECESSING INTO EXECUTIVE SESSION PURSUANT TO K.S.A. 75-4319(B(2)) UNDER THE ATTORNEY/CLIENT EXCEPTION TO INCLUDE THE CITY ATTORNEY, CITY ADMINISTRATOR, AND PUBLIC WORKS DIRECTOR TO DISCUSS CONTRACT NEGOTIATIONS.**

Mayor Roberts stated he would like to recess into executive session pursuant to KSA 75-4319(B)(2) to include City Attorney, City Administrator, and Public Works Director to discuss contract negotiations. He stated there will be no motion afterwards and it is expected to last only 5 minutes. Mayor Roberts then requested motion to recess into executive session.

Councilmember Longanecker moved to recess into executive session for 5 minutes, seconded by Councilmember Lebakken.

The meeting recessed into executive session at 7:49PM, 3-0.

Councilmember Longanecker made motion to return to open session with no action taken, seconded by Councilmember Lewis.

Open session resumed at 7:54PM, 3-0.

### **23. Adjourn**

With no further business, Mayor Roberts requested motion to adjourn the meeting.

Councilmember Lewis moved to adjourn, seconded by Councilmember Lebakken. The meeting was adjourned at 7:54PM, 3-0.

Submitted by Alexandria Clower, City Clerk