

**City of Edgerton, Kansas  
Minutes of City Council Regular Session  
February 14, 2019**

A Regular Session of the City Council was held in the Edgerton City Hall, 404 E. Nelson Edgerton, Kansas on February 14, 2019. The meeting convened at 7:00 p.m. with Mayor Roberts presiding.

**1. ROLL CALL**

Ron Conus	present
Clay Longanecker	present
Josh Lewis	present
Katee Smith	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
- Finance Director Karen Kindle
- Public Works Director Dan Merkh
- Public Works Superintendent Trey Whitaker

**2. WELCOME**

**3. PLEDGE OF ALLEGIANCE**

**CONSENT AGENDA**

4. Approve Minutes for January 24, 2019 Regular City Council Meeting
5. Consider Cooperative Purchasing Agreement for Verizon Cellular Services
6. Consider Change Order #4 for 4<sup>th</sup> and Nelson

Motion by Smith, Second by Lewis, to approve consent agenda.

Motion was approved, 5-0.

**REGULAR AGENDA**

7. **Public Comments.** None.
8. **Declaration.** None.

**BUSINESS REQUIRING ACTION**

**9. CONSIDER RESOLUTION NO. 02-14-19A ESTABLISHING FEES, AND RATES FOR PERMITS, LICENSES AND SERVICES WITHIN THE CITY OF EDGERTON, KANSAS.**

Beth Linn, City Administrator, introduced the findings of the Raftelis wholesale wastewater rate study which was decided upon at the Big Bull Wastewater Treatment Plant Task Force. Raftelis recommends increasing the wholesale wastewater rate from \$3.29 per 1,000 gallons to \$3.36 per 1,000 gallons, an increase of 2%. Staff recommends that the Governing Body increase the wholesale wastewater rate as recommended in the rate study effective with the April 1, 2019 bill.

Councilmember Longanecker asked if the increase to the rate would be annual. Mayor Roberts responded that this increase was the result of the Council directed study and only will be impactful for the April 2019 increase.

Motion by Longanecker, Second by Brown to approve Resolution No. 02-14-19A.

Motion was approved, 5-0.

**10. CONSIDER ORDINANCE NO. 2002 AMENDING CHAPTER 7, ARTICLE 3, SECTION 7-303 REGARDING APPLICATION DEADLINE FOR RETAIL SALES OF FIREWORKS IN THE CITY OF EDGERTON, KANSAS.**

Scott Peterson, Assistant City Administrator, introduced Ordinance No. 2002 which moves the deadline date for retail sales of fireworks applications to the City to April 1 of each year, instead of the previous deadline date of the last Friday in November. In addition to changing the date, there were two (2) other minor updates: First, a bond or cashier's check of \$1,000 payable to the City will be required to ensure compliance with cleanup requirements. This check is collateral and will not be deposited unless cleanup does not occur. This is an update from the previous code which stated the fee could be a bond or personal check. Secondly, the prohibition of bottle rockets within City Limits has been added to match with state statutes.

There was general discussion amongst the Council about the \$1,000 deposit and form of holding payment – whether bond, cashier's check, or personal check. Councilmember Conus asked if the movement from November to April would impact the fire department, Ms. Linn stated it would not.

Motion by Longanecker, Second by Smith to approve Ordinance No. 2002.

Motion was approved, 5-0.

**11. CONSIDER RESOLUTION NO. 02-14-19B APPROVING 401 (a) SUPPLEMENTAL DEFINED CONTRIBUTION PLAN ADMINISTERED BY THE KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM (KPERs)**

Scott Peterson, Assistant City Administrator, introduced Resolution No. 02-14-19B which would give final approval for the 401(a) supplemental retirement plan for City Staff. Beth Linn, City Administrator, outlined the investment options available to the group. Mayor

Roberts stated this was a competitive plan and encouraged City Staff to participate. Councilmember Conus echoed this sentiment and stated it was a very good investment.

Motion by Conus, Second by Lewis to approve Resolution No. 02-14-19B.

Motion was approved, 5-0.

**12. CONSIDER APPROVAL OF AMENDMENT #1 TO OWNER-ENGINEER AGREEMENT BETWEEN THE CITY OF EDGERTON AND HDR, INC. FOR THE FINAL DESIGN OF THE 207<sup>TH</sup> STREET SEPARATION PROJECT IN AN AMOUNT NOT TO EXCEED \$741,450.00**

Scott Peterson, Assistant City Administrator, introduced Amendment #1 to the 207<sup>th</sup> Street Grade Separation, Off Alignment Design. The Preliminary Design Agreement was approved by City Council on January 11, 2018 for the amount of \$145,254. The proposed amendment is for the final design of the off-alignment bridge for \$741,450.

The 207<sup>th</sup> Street Grade Separation Project (design, construction, inspection, utility relocations, right-of-way acquisition, etc) is funded entirely from the Public Infrastructure Fund as part of the City's agreements with BNSF Railway and Edgerton Land Holding Company for Logistics Park Kansas City (LPKC). No city general fund dollars will be used for this project.

Motion by Longanecker, Second by Smith to approve Amendment #1 to Final Design of the 207<sup>th</sup> Street Grade Separation Project.

Motion was approved, 5-0.

**13. Report by the City Administrator**

- Smoke Testing Sewer Lines: There will be door hangars and a notify JoCo sent out to notify residents when this will be occurring.
- Storm Clean-up/ Limb Removal: Cleanup is a long process and Staff's plan is to not begin limb removal conversations until April 1<sup>st</sup>, 2019. The City Brush Pile will be open two (2) Saturdays in March. Resident can call City Hall at (913)893-6231 to set up time for a drop off at the brush pile
- Quarterly Financial Report for Q4 of 2018

**14. Report by the Mayor**

Council and Mayor Roberts wanted to take time to thank City Staff for the job the crews have done, diligently cleaning the streets during the multiple winter storm events. Councilmember Smith added her thanks and stated that many compliments have been posted on Facebook. Additionally, Mayor Roberts thanked Councilmember Smith for attending Chamber Coffee.

**15. Future Meeting/Event Reminders:**

- February 18<sup>th</sup>: Presidents' Day – City Offices Closed

- February 20<sup>th</sup>: Noon – Senior Lunch
- February 21<sup>st</sup>: 6PM – State of the City
- February 28<sup>th</sup>: 7PM – City Council Meeting
- March 5<sup>th</sup>: 7PM – Planning Commission Work Session
- March 12<sup>th</sup>: 7PM – Planning Commission

**16. 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**

Motion by Longanecker, Second by Smith to recess into an executive session pursuant to K.S.A. 75-4319(b)(2) for contract negotiations and to include City Attorney and City Administrator for thirty (30) minutes was considered.

Motion was approved 5-0.

Meeting recessed at 8:27 pm. Meeting reconvened at 8:57 pm.

Motion by Longanecker, Second by Smith to return to regular session.

Motion was approved 5-0.

Motion by Longanecker, Second by Smith to recess into an executive session pursuant to K.S.A. 75-4319(b)(2) for contract negotiations and to include City Attorney and City Administrator for fifteen (15) minutes was considered.

Meeting recessed at 8:58 pm. Meeting reconvened at 9:13 pm.

Motion by Longanecker, Second by Smith to return to regular session.

Motion was approved 5-0.

Motion by Longanecker, Second by Smith to recess into an executive session pursuant to K.S.A. 75-4319(b)(2) for contract negotiations and to include City Attorney and City Administrator for fifteen (15) minutes was considered.

Meeting recessed at 9:14 pm. Meeting reconvened at 9:29 pm.

Motion by Smith, Second by Longanecker to return to regular session.

Motion was approved 5-0.

**17. Adjourn**

Motion by Brown, Second by Lewis to adjourn.

Motion was approved 5-0. The meeting adjourned at 9:30 pm.