

**EDGERTON CITY COUNCIL  
MEETING AGENDA  
CITY HALL, 404 EAST NELSON STREET  
August 14, 2014  
7:00 PM**

**Call to Order**

1. **Roll Call** \_\_\_\_ Roberts\_\_\_\_Longanecker \_\_\_\_Crooks\_\_\_\_Cross\_\_\_\_Wiseman\_\_\_\_ Brown
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. Agenda Approval
5. Approval of Meeting Minutes for June 26, 2014
6. Approval of Meeting Minutes for July 24, 2014
7. Accept Agreement Not to Protest Formation of Benefit District for construction of sidewalks or street improvements on the JB Hunt Transport Project located at approximately 30700 West 191<sup>st</sup> Street
8. Accept Agreement Not to Protest Formation of Benefit District for construction of sidewalks or street improvements on the Nickell Gardner Kansas Properties located on the northeast corner of 191<sup>st</sup> Street and Waverly Road
9. Accept a Deed of Dedication and Temporary Construction Easement from Widmer Farms, LLC for property along 199<sup>th</sup> Street west of Homestead Lane in regards to the Johnson County shoulder improvement project

**Regular Agenda**

10. **Public Comments.** Persons who wish to address the City Council regarding items not on the agenda and that are under the jurisdiction of the City Council may do so when called upon by the Mayor. Comments on personnel matters and matters pending before court or other outside tribunals are not permitted. Please notify the City Clerk before the meeting if you wish to speak. Speakers are limited to three (3) minutes. Any presentation is for informational purposes only. No action will be taken.
11. **Declaration.** At this time Council members may declare any conflict or communication they have had that might influence their ability to impartially consider today's issues.

**Business Requiring Action**

12. **CONSIDER RECOMMENDATION OF APPOINTMENT OF \_\_\_\_\_ TO CITY COUNCIL MEMBER**

Motion: \_\_\_\_\_ Second: \_\_\_\_\_ Vote: \_\_\_\_\_

13. **CONSIDER ORDINANCE NO. 974 AMENDING SECTION 9-107 OF ARTICLE 1 OF CHAPTER IX OF THE EDGERTON, KANSAS MUNICIPAL CODE PERTAINING TO MUNICIPAL COURT**

Motion: \_\_\_\_\_ Second: \_\_\_\_\_ Vote: \_\_\_\_\_

- 14. CONSIDER ORDINANCE NO. 975 ANNEXING LAND OWNED BY LARRY ALSUP, AND LOCATED APPROXIMATELY AT I-35 AND HOMESTEAD LANE, INTO THE CITY OF EDGERTON, KANSAS**

Motion: \_\_\_\_\_ Second: \_\_\_\_\_ Vote: \_\_\_\_\_

- 15. CONSIDER APPLICATION FP-05-29-2014, FINAL PLAT, JB HUNT CONTAINER STORAGE FACILITY AT APPROXIMATELY 30700 WEST 191ST STREET**

Motion: \_\_\_\_\_ Second: \_\_\_\_\_ Vote: \_\_\_\_\_

- 16. CONSIDER UPDATED SAFETY MANUAL**

Motion: \_\_\_\_\_ Second: \_\_\_\_\_ Vote: \_\_\_\_\_

- 17. CONSIDER PURCHASE OF TANDEN AXEL SNOW PLOW**

Motion: \_\_\_\_\_ Second: \_\_\_\_\_ Vote: \_\_\_\_\_

- 18. CONSIDER FINAL ACCEPTANCE OF EDGERTON QUIET ZONES PROJECT (NELSON STREET AND 199TH STREET)**

Motion: \_\_\_\_\_ Second: \_\_\_\_\_ Vote: \_\_\_\_\_

- 19. PUBLIC HEARING REGARDING RECOMMENDED 2015 BUDGET**

- 20. CONSIDER THE 2015 BUDGET**

Motion: \_\_\_\_\_ Second: \_\_\_\_\_ Vote: \_\_\_\_\_

- 21. Report by the City Administrator**

- Update regarding conditional use application for Bettis Asphalt
- Update on Edgerton Cut Out Project

- 22. Report by the Mayor**

- Adopt the Children Charity Shoot Sat, Sept 20 - Participants

- 23. 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 BOND COUNSEL AND CITY ADMINISTRATOR**

Motion: \_\_\_\_\_ Second: \_\_\_\_\_ Vote: \_\_\_\_\_

**RECONVENE INTO OPEN SESSION**

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

- August 20<sup>th</sup> Noon – Senior Lunch
- August 28<sup>th</sup> 7:00 PM – City Council Meeting
- September 1<sup>st</sup> - City Hall Closed for Labor Day
- Week of September 1<sup>st</sup> – Trash Pickup Friday
- Southwest Johnson County Elected Officials Forum – Hosted by USD 231 at District Office Building, 231 E. Madison St. - 6-7:30 PM

25. **Adjourn** Motion: \_\_\_\_\_ Second: \_\_\_\_\_ Vote: \_\_\_\_\_

**City of Edgerton, Kansas**  
**Minutes of City Council Regular Session**  
**June 26, 2014**

A Regular Session of the City Council was held in the Edgerton City Hall, 404 E. Nelson, Edgerton Kansas on June 26, 2014. The meeting convened at 7:00 p.m. with Mayor Roberts presiding, and City Clerk Janeice L. Rawles recording.

**1. ROLL CALL**

Heidi Wiseman	present
Frances Cross	present
Cindy Crooks	present
Clay Longanecker	present
Jody Brown	absent

With a quorum present, the meeting commenced.

Staff in attendance:                      City Administrator Beth Linn  
   City Attorney Patrick Reavey

Consultants in attendance:        Johnson County Sheriff Representative

**WELCOME**

**2. PLEDGE OF ALLEGIANCE**

**3. CONSENT AGENDA**

- A. Agenda Approval
- B. Minutes of June 12, 2014

Motion by Crooks, seconded by Cross, to approve the consent agenda.

Motion carried, 4-0.

**4. PUBLIC COMMENTS**

- A. Glyn Powers, President of Edgerton Frontier Days Association, gave an update on this year's event. Everything went very smooth. He offered a big "Thank you" to Tegan Meadors, City of Edgerton Park and Recreation Coordinator, Casey Carter, Joel Johns, Charlie Troutner, John Daley and anyone else who volunteered. Thank you also to the City of Edgerton Public Works for all their help. Mr. Powers said that this year's turnout was larger than usual.

**5. DECLARATIONS BY COUNCIL MEMBERS**

- A. None

**6. CONCURRENCE TO BID CONSTRUCTION OF 2014 STREET MAINTENANCE PROGRAM WAS CONSIDERED**

City Administrator Beth Linn presented a draft five-year street maintenance program to Mayor and City Council. She indicated the City Attorney approved a draft project manual for bidding and construction purposes. A bidding and construction schedule was presented and considered, with the process to begin on July 2 with the Advertisement for Bid.

Motion by Longanecker, seconded by Crooks, to grant Concurrence to Bid Construction of 2014 Street Maintenance Program.

Motion carried, 4-0.

**7. FINAL ACCEPTANCE OF BIG BULL CREEK WASTEWATER TREATMENT FACILITY AND CONVEYANCE SYSTEM WAS CONSIDERED**

Beth Linn, City Administrator, gave some background information about Big Bull Creek Wastewater Treatment Facility and Conveyance System (BBCWWTP) and announced the project is now complete. She indicated the final pay application for the city to consider acceptance of the project has been received.

Motion by Cross, seconded by Longanecker, to approve the Final Acceptance of Big Bull Creek Wastewater Treatment Plant.

Motion carried, 4-0.

**8. REPORT BY THE CITY ADMINISTRATOR**

The July 3<sup>rd</sup> Community Picnic and Fireworks celebration is coming together and a rain out date of July 5<sup>th</sup> is set. The No Parking Signs on East 6<sup>th</sup> street will be installed before the event on the 3<sup>rd</sup>. The Mayor asked council members to sign up to serve as in past years.

A review of a traffic impact study for the conditional use application for Bettis Asphalt was presented for discussion. Ms. Linn presented a letter from City Engineer David Hamby with several observations based on the traffic study.

At 7:30 pm, Council member Jody Brown arrived at the meeting.

The Mayor asked that the City Engineer letter be attached with the letter from The City of Edgerton to The Johnson County Commissioners regarding the Mid-State Quarry's conditional use permit.

**9. REPORT BY THE MAYOR**

The Mayor announced that July 25th is the last official meeting for Council member Heidi Wiseman, as she has turned in her resignation. The Mayor thanked Ms. Wiseman for giving the city time to find a replacement and also thanked her for serving on the Council.

**10. FUTURE MEETING/EVENT REMINDERS**

- July 3<sup>rd</sup> 6:30 PM – Edgerton Community Picnic and Fireworks
- July 4<sup>th</sup> – City Offices Closed
- July 8<sup>th</sup> 7:00 PM – Planning Commission
- July 10<sup>th</sup> 7:00 PM – City Council Meeting and Budget Work Session
- July 16<sup>th</sup> Noon – Senior Lunch
- July 24<sup>th</sup> 7:00 PM – City Council Meeting
- July 31<sup>st</sup> 7:00 PM – City Council Work Session – Truck Related Ordinances

**11. ADJOURN**

Motion by Cross, seconded by Crooks, to adjourn.

Motion carried, 5-0.

Meeting adjourned at 7:49 p.m.

---

Janeice L. Rawles, CMC

Approved by the Governing Body on \_\_\_\_\_.

**City of Edgerton, Kansas**  
**Minutes of City Council Regular Session**  
**July 24, 2014**

A Regular Session of the City Council was held in the Edgerton City Hall, 404 E. Nelson, Edgerton Kansas on July 24, 2014. The meeting convened at 7:00 p.m. with Mayor Roberts presiding, and Administrative Assistant Debra S. Gragg recording.

**1. ROLL CALL**

Heidi Wiseman	present
Frances Cross	present
Clay Longanecker	present
Cindy Crooks	absent
Jody Brown	absent

With a quorum present, the meeting commenced.

Staff in attendance:                      City Administrator Beth Linn  
   City Attorney Patrick Reavey

Consultants in attendance:        Johnson County Sheriff Representative

**2. PLEDGE OF ALLEGIANCE**

**3. CONSENT AGENDA**

A. Agenda Approval

Motion by Longanecker, seconded by Wiseman, to approve the consent agenda.

The motion was approved, 3-0.

**4. PUBLIC COMMENTS**

Kenny Pritchard, Edgerton, KS, spoke to the Council in regards to the quarry issues. He stated there is no representation from Edgerton on the Southwest Consolidated Zoning Board. He also noted concerns from the two meetings he attended and the truck route. He stated the trucks leave illegally from the quarry site and added additional concerns with the hours of operations, entrance/exit, and blasting.

Mayor Roberts responded to some of Mr. Pritchard's questions regarding memberships on the Zoning Board and the truck route. He indicated the matter is a conditional use permit for an asphalt-concrete service, noting the existing use is not in question. He indicated that Johnson County Board of County Commissioners will be considering this matter on August 28, 2014 and at that time will have more options available. Mr. Roberts informed Mr. Pritchard and the audience the Council will be discussing trucks and truck routes at the work session of July 31, 2014.

City Attorney Reavey overviewed the role of the Zoning Board and overviewed the criteria of the conditional use permit and the "Golden Criteria" as ruled by the Kansas Supreme Court.

**5. DECLARATIONS BY COUNCIL MEMBERS**

A. None

**6. AN AWARD OF CONSTRUCTION CONTRACT OF THE 2014 STREET MAINTENANCE PROGRAM TO VANCE BROTHERS WAS CONSIDERED.**

The City Administrator Beth Linn overviewed the project, the bidding process and result. She indicated the bid submitted is \$48,478.22 and overviewed the schedule, if awarded. She noted the City Engineer reviewed the bids and recommends approval.

Motion by Longanecker, seconded by Cross, to award the contract to Vance Brothers.

The motion was approved, 3-0.

**7. MOTION 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 CITY ATTORNEY AND CITY ADMINISTRATOR WAS CONSIDERED.**

Motion by Longanecker, seconded by Wiseman, to recess into Executive Session under the noted exception for ten (10) minutes.

The motion was approved, 3-0.

The meeting recessed at 8:00 p.m.

The meeting reconvened at 8:15 p.m. with all members present.

Motion by Cross, seconded by Wiseman, to return to regular session and noted no additional items were discussed, and no actions would be taken from the Executive Session.

The motion was approved, 3-0.

**8. THE ADDITION OF COMMUNITY DEVELOPMENT DIRECTOR AS AUTHORIZED PAID POSITION WAS CONSIDERED.**

The City Administrator overviewed the rationale and needs for this position.

Mayor Roberts stated this position would be off-set by funds collected for the development process. He stated it makes sense for this action.

Motion by Cross, seconded by Longanecker, to approve the addition of Community Development Director as a paid position.

The motion was approved, 3-0.



**9. ORDINANCE NO. 973 PROVIDING FOR THE RANGE OF SALARIES AND COMPENSATION OF VARIOUS CITY OFFICERS AND EMPLOYEES OF THE CITY OF EDGERTON WAS CONSIDERED.**

Ms. Linn informed the Council this ordinance adds Job Range 8 for position of Community Development Director, as well as corrects the contract hourly fee for the City Attorney.

Motion by Wiseman, seconded by Longanecker, to approve Ordinance No. 973 providing for the range of salaries and compensation of various officers and employees.

The motion was approved, 3-0.

**10. REPORT BY THE CITY ADMINISTRATOR**

Ms. Linn spoke about the recent Southwest Consolidated Zoning Board meeting in regards to the Bettis Asphalt conditional use permit application for an asphalt-concrete plant to be located at the Mid-States Materials, LLC Edgerton Quarry site. She informed the members the Board recommended approval with stipulations, which included restricting hours on weekend. Ms. Linn stated the City requested continuance due to the late submittal of the amended traffic plan, which included larger capacity trucks with heavier loads to decrease truck trips and for concerns over the environmental and financial impacts. She noted the City needs to show how the applicant's use would impact the City using the elements of the "Golden Criteria."

Ms. Linn indicated the work session, scheduled for July 31, 2014, would focus on truck traffic, truck routes, exhaust brakes, overweight limits, and content/material loads within the trucks.

The City Administrator overviewed the Boil Water Advisory event of July 12, 2014. She informed the Council two control valves experienced a fault and neither opened. She noted there is no known cause for the fault. She also noted the alarm notification for staff did not operate correctly and has since been corrected. She then spoke about the process of monitoring the water and public notification. She indicated staff will investigate the process and costs for participating in Notify JOCO.

**11. REPORT BY THE MAYOR**

It was announced tonight's meeting was the last for Councilmember Wiseman. She was presented with a floral arrangement and Edgerton Historical Book. The Mayor noted her work on the Council was appreciated. Members noted and thanked her for her service and noted she would be sorely missed.

Mayor Roberts reminded all of the upcoming July 31, 2014 work session. He also reminded the members of upcoming meetings and events.

## **12. FUTURE MEETING/EVENT REMINDERS**

- July 31st 7:00 PM – City Council Work Session – Truck Related Ordinances
- August 12<sup>th</sup> 7:00 PM – Planning Commission
- August 14<sup>th</sup> 7:00 PM – City Council Meeting and 2015 Budget Public Hearing
- August 20<sup>th</sup> Noon – Senior Lunch
- August 28<sup>th</sup> 7:00 PM – City Council Meeting

Councilmember Cross asked the other members if a tour of quarries would be of interest – she indicated she would check into the matter.

## **13. ADJOURN**

Motion by Cross, seconded by Wiseman, to adjourn.

The motion was approved, 3-0.

Meeting adjourned at 8:25 p.m.

---

Debra S. Gragg, CMC-AAE  
Administrative Assistant

Approved by the Governing Body on \_\_\_\_\_.

## AGREEMENT

NOW, on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the City of Edgerton, Kansas, a municipal corporation, hereinafter referred to as party of the first part, and J B HUNT TRANSPORT INC, his/her successors in title and assigns, hereinafter referred to as party of the second part, in consideration of the mutual understanding and promises contained herein, do hereby agree as follows:

1. That the party of the first part will approve the site plan titled J B Hunt Transport dated \_\_\_\_\_ for the following legally described property, to-wit: See Exhibit A.
2. That the party of the first part will not require at this time the construction of sidewalks or street improvements for/on the above described property. If at any time the party of the first part requires the party of the second part to construct sidewalks or street improvements on the above-described property which are not financed by a benefit district as described in Paragraph 3 below, then the waiver by the party of the second part in Paragraph 3 below shall become null and void and have no further force or effect, and the party of the first part shall thereafter have no further right to enforce said waiver against the party of the second part.
3. That the party of the second part waives and relinquishes any right he/she may have under K.S.A. 12-6A06 to protest the formation of a benefit district to pay for the construction of sidewalks or street improvements for/on the above described property for a period of thirty (30) years, and that such agreement is intended to be a covenant running with the land for said period of time.

IN WITNESS WHEREOF, the said parties of the first and second parts have hereunto set their hands, and the Mayor of the City of Edgerton has signed this agreement on behalf of the said party of the first part, and the owner of the subject property has signed this agreement on behalf of the said party of the second part, and the said party of the first part has caused these presents to be attested by its clerk and the seal of said City to be hereto attached, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

City of Edgerton, Kansas

ATTEST:

\_\_\_\_\_  
City Clerk

By \_\_\_\_\_  
Mayor  
Party of the First Part

By *Deak Kennemer*  
J B HUNT TRANSPORT INC  
Party of the Second Part

STATE OF Arkansas)

:SS

COUNTY OF Washington

BE IT REMEMBERED, that on this 8th day of July, 2014, before me, the undersigned, a Notary Public in and for the County and State aforesaid came Deak Kennemer, of J B HUNT TRANSPORT INC, who is personally known to me to be the same person who executed the within and foregoing instrument of writing, and duly acknowledged the execution of the same.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

*Melinda Propps*  
Notary Public

My Commission Expires:

9-30-2022

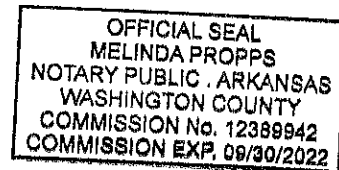


EXHIBIT A

LEGAL DESCRIPTION

J B HUNT TRANSPORT

**THE NORTH HALF OF THE WEST HALF OF THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER AND THE EAST QUARTER OF THE SOUTHWEST OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 14 SOUTH, RANGE 22 EAST, BOTH IN JOHNSON COUNTY, KANSAS**

## AGREEMENT

NOW, on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the City of Edgerton, Kansas, a municipal corporation, hereinafter referred to as party of the first part, and Nickell Gardner Kansas Properties, LLC, his/her successors in title and assigns, hereinafter referred to as party of the second part, in consideration of the mutual understanding and promises contained herein, do hereby agree as follows:

1. That the party of the first part will approve the site plan titled Planning Development Plan for Nickell Intermodal dated \_\_\_\_\_ for the following legally described property, to-wit:  
See Exhibit A.
2. That the party of the first part will not require at this time the construction of sidewalks or street improvements for/on the above described property.
3. That the party of the second part waives and relinquishes any right he/she may have under K.S.A. 12-6A06 to protest the formation of a benefit district to pay for the construction of sidewalks or street improvements for/on the above described property for a period of thirty (30) years, and that such agreement is intended to be a covenant running with the land for said period of time.

IN WITNESS WHEREOF, the said parties of the first and second parts have hereunto set their hands, and the Mayor of the City of Edgerton has signed this agreement on behalf of the said party of the first part, and the owner of the subject property has signed this agreement on behalf of the said party of the second part, and the said party of the first part has caused these presents to be attested by its clerk and the seal of said City to be hereto attached, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

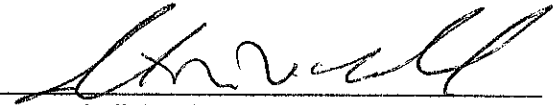
City of Edgerton, Kansas

ATTEST:

By \_\_\_\_\_

Mayor  
Party of the First Part

\_\_\_\_\_  
City Clerk

By   
Nickell Gardner Kansas Properties, LLC  
Party of the Second Part

STATE OF Kansas)

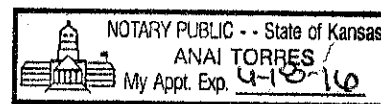
:SS

COUNTY OF Johnson)

BE IT REMEMBERED, that on this 10 day of June, 2014, before me, the undersigned, a Notary Public in and for the County and State aforesaid came David R. McNeil Nickell Gardner Kansas Properties, LLC who is personally known to me to be the same person who executed the within and foregoing instrument of writing, and duly acknowledged the execution of the same.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

  
Notary Public



My Commission Expires: 4-18-16

EXHIBIT A

LEGAL DESCRIPTION FOR  
NICKELL INTERMODAL  
SW1/4 OF SEC. 34-14S-22E  
JOHNSON COUNTY, KANSAS

All of the East Half of the West Half of the Southwest Quarter of Southwest Quarter of Section 35, Township 14, Range 22, Johnson County, Kansas

and

All of the North Half of the West Half of the East Half of the Southwest Quarter of the Southwest Quarter of Section 35, Township 14 South, Range 22, East of the Sixth Principal Meridian

and

All of the South Half of the West Half of the East Half of the Southwest Quarter of the Southwest Quarter of Section 35, Township 14 South, Range 22, East of the Sixth Principal Meridian

and

The West One-Fourth (W 1/4) of the Southwest One-Forth (SW 1/4) of the Southwest One-Forth (SW 1/4) of Section Thirty-Five (S 35), Township Fourteen (T 14) South, Range Twenty-Two (R 22) East of the 6th Principal Meridian, in Johnson County, Kansas, containing ten (10) acres more or less, subject to any public utility or pipeline easement or right-of-way of record, if any. Except that part in street.



**DEED OF DEDICATION**

This deed of dedication is made on July 1<sup>st</sup>, 2014. Widmer Farms, L.L.C. (hereinafter "Grantor"), for the consideration of \$10.00 in hand paid, sells, conveys, and deeds to the City of Edgerton, Kansas (hereinafter "Grantee"), free and clear of all liens and encumbrances, fee title to the following described real property in Johnson County, Kansas:

The south 40.00 feet of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of Section 4, Township 15 South, Range 22 East of the Sixth Principal Meridian, EXCEPT, beginning two hundred seventy (270) feet east of the southwest corner of the Southeast Quarter (SE 1/4) of Section 4, Township 15S, Range 22E, for a point of beginning; thence North seventy-five (75) feet; thence East fifty (50) feet; thence South seventy-five (75) feet; thence West fifty (50) feet to the point of beginning. Subject to existing rights of way. Contains 0.568 acres, more or less, of new right of way.

IN WITNESS WHEREOF, the parties above named have hereunto set their hands and seals the date first above written.

**GRANTOR:**

**WIDMER FARMS, L.L.C.**

By: Robert S. Widmer  
Printed Name: Robert S. Widmer  
Title: Manager  
Street Address: 10844 Beverly Street  
City, State & Zip: Overland Park, KS 66211

**GRANTEE:**

**CITY OF EDGERTON, KANSAS,**  
A Municipal Corporation

By: \_\_\_\_\_  
Beth Linn, City Administrator

ATTEST:

\_\_\_\_\_  
Janetice Rawles, City Clerk  
(SEAL)

ACKNOWLEDGMENT

STATE OF KANSAS                     )  
  ) ss:  
COUNTY OF JOHNSON            )

BE IT REMEMBERED, That on this 1st day of July, 2014, before me, the undersigned, a Notary Public in and for the County And State aforesaid, came Robert S. Wilkner, who is personally known to me to be the same person who executed as such officer/member the foregoing instrument of writing on behalf of said entity and said person duly acknowledged the execution of the same to be the act and deed of said entity.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year last above written.



NOTARY PUBLIC - STATE OF KANSAS  
J. MICHAEL HASON  
MY COM. EXPIRES 7/29/2016

My Appointment Expires:

9/29/2016

[Signature]  
Notary Public

ACKNOWLEDGMENT

STATE OF KANSAS                     )  
  ) ss:  
COUNTY OF JOHNSON            )

BE IT REMEMBERED, That on this \_\_\_\_\_ day of \_\_\_\_\_, 2014, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came **BETH LINN**, City Administrator of the City of Edgerton, Kansas, and **JANEICE RAWLES**, City Clerk of said City, who are personally known to me to be the same persons who executed, as such officers, the within instrument on behalf of said City, and such persons duly acknowledged the execution of the same to be the act and deed of said City.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

My Appointment Expires: \_\_\_\_\_

Notary Public

**TEMPORARY CONSTRUCTION EASEMENT**

THIS AGREEMENT, Made and entered into this 1<sup>st</sup> day of JULY, 2014, by and between Widmer Farms, L.L.C., a Kansas limited liability company, hereinafter called Grantor, and the **CITY OF EDGERTON, KANSAS**, a Municipal Corporation, located in the County of Johnson, State of Kansas, hereinafter called Grantee.

NOW, THEREFORE, for the sum of One and No/100 Dollar (\$1.00) and other good and valuable consideration, including just compensation paid for all property damage resulting from the public improvement and from those factors set forth in K.S.A. 26-513 and other factors arising from the public improvement to be made, including but not limited to access to the property; productivity, convenience, use to be made of the property remaining; view; severance of the tract; changes of grade; loss or impairment of access; loss of landscaping, trees and shrubbery; loss of fences; damage to property remaining due to change of grade; medians; and increased water run-off or drainage as indicated on the construction plan; the sufficiency of which is hereby acknowledged, the Grantor does hereby grant to Grantee, its successors and assigns, a Temporary Construction Easement in, on, over, under and through the following described real estate, to wit:

The north 10.00 feet of the south 50.00 feet of the east 150 feet of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of Section 4, Township 15S, Range 22E of the 6th P.M. Subject to existing rights of way. Contains 0.034 acres, more or less, of Temporary Construction Easement.

The above described easement is to be used for the purpose of constructing, grading, improving, reconstructing and inspecting the project shown by the plans of said proposed improvement. This Temporary Construction Easement includes the right of ingress and egress in, on, over, under and through the above-described real estate.

This Temporary Construction Easement shall be for a two (2) year period starting with the date of the Construction Work Order (CWO) which begins the project and expiring two (2) years thereafter. Grantor agrees that if the project is delayed and not completed within the temporary construction easement area prior to the expiration date set forth herein, Grantee, upon the filing of an Affidavit of Extension of Temporary Construction Easement with the Record and Tax Administration in Johnson County, Kansas, shall be granted a period of time not to exceed one (1) year from the original expiration date, to complete said project within the easement area. In no event shall the actual work of the project within the temporary construction easement area exceed a time period of two years.

For one year after the expiration date or extension of the expiration date set forth in this easement, Grantee shall have the right to perform maintenance work on or repair of the improvement and to perform landscaping work related thereto.

Grantor reserves the right to fully use and enjoy the premises except for such use as may unreasonably interfere with the exercise by Grantee of the rights granted herein.

After completion of construction, Grantee shall restore the premises and improvement within the temporary construction easement to as near as possible the conditions set out in the project plans and specifications. Said improvement within the temporary construction easement shall be permanent.

Grantee agrees to restore the temporary construction easement by seeding, replacement of sod or paving as set out in the improvement plans and specifications. Grading within the temporary construction easement may result in a permanent grade change.

Grantor covenants that it is the owner of the premises and has the right, title and capacity to grant the easements herein conveyed.

This agreement is binding upon the heirs, executors, administrators, successors and assigns of the Grantor and Grantee, and it is understood that this agreement cannot be changed or altered in any way except by writing, legally signed by both Grantor and Grantee.

TO THESE COVENANTS, the Grantor does hereby consent and agree.

IN WITNESS WHEREOF, the parties above named have hereunto set their hands and seals the date first above written.

**GRANTOR:**

**WIDMER FARMS, L.L.C.**

By: Robert S. Widmer  
Printed Name: Robert S. Widmer  
Title: Manager  
Street Address: 10841 Beverly Street  
City, State & Zip: Overland Park, KS 66211

**GRANTEE:**

**CITY OF EDGERTON, KANSAS,**  
A Municipal Corporation

By: Beth Linn, City Administrator

**ATTEST:**

Janeice Rawles, City Clerk  
(SEAL)

ACKNOWLEDGMENT

STATE OF KANSAS                     )  
  ) ss:  
COUNTY OF JOHNSON            )

BE IT REMEMBERED, That on this 1st day of July, 2014,  
before me, the undersigned, a Notary Public in and for the County and State aforesaid,  
came Robert S. Wilmer, who is personally known to me to  
be the same person who executed as such officer/member the foregoing instrument of  
writing on behalf of said entity and said person duly acknowledged the execution of the  
same to be the act and deed of said entity.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my  
official seal the day and year last above written.



J. Michael Linn  
Notary Public

My Appointment Expires:

9/29/2016

ACKNOWLEDGMENT

STATE OF KANSAS                     )  
  ) ss:  
COUNTY OF JOHNSON            )

BE IT REMEMBERED, That on this \_\_\_\_\_ day of \_\_\_\_\_, 2014,  
before me, the undersigned, a Notary Public in and for the County and State aforesaid,  
came **BETH LINN**, City Administrator of the City of Edgerton, Kansas, and **JANEICE**  
**RAWLES**, City Clerk of said City, who are personally known to me to be the same  
persons who executed, as such officers, the within instrument on behalf of said City,  
and such persons duly acknowledged the execution of the same to be the act and deed  
of said City.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the  
day and year first above written.

My Appointment Expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

## AGENDA ITEM INFORMATION FORM

**Agenda Item:** Consider Recommendation Of Appointment Of \_\_\_\_\_ To City Council Member

**Department:** City Council

**Background/Description of Item:** In June 2014, Council Member Wiseman submitted her resignation from the Edgerton City Council. Ms. Wiseman's last council meeting was July 25, 2014. In July, the City of Edgerton solicited letters of interest from residents wishing to be considered for serving on the City Council for the remainder of the term ending in May 2017. Mayor Roberts and Council President Longanecker conducted interviews with the interested candidates. Based on those interviews, Mayor Roberts will recommend a candidate for consideration by City Council on August 14, 2014.

City Attorney provided the state statute references below regarding a vacancy on the City Council and appointments to fill that vacancy.

**15-201. Election of officers; terms; vacancies**

Every two years an election shall be held for a mayor, and five council members. The mayor and council members shall hold their offices for two years and until their successors are elected and qualified.

Subject to the provisions of K.S.A. 12-16,128, and amendments thereto, in case of a vacancy in the council occurring by reason of resignation, death, or removal from office or from the city, the mayor, by and with the advice and consent of the remaining council members, shall appoint an elector to fill the vacancy until the next election for that office. In case any person elected as a council member neglects or refuses to qualify within 30 days after election, the council member shall be deemed to have refused to accept the office and a vacancy shall exist. Subject to the provisions of K.S.A. 12-16,128, and amendments thereto, the mayor may, with the consent of the remaining council members, appoint a suitable elector to fill the vacancy.

In case of a vacancy in the office of mayor, the president of the council shall become mayor until the next regular election for that office and a vacancy shall occur in the office of the council member becoming mayor.

**12-16,128. Mayoral appointments; governing body approval; time limits; other requirements**

From and after July 1, 2008, any appointment to any board, commission, advisory group or other body made by the mayor of any city which is subject to approval of the governing body of the city must be acted upon by the governing body within 45 days of the appointment by the mayor or the appointment shall be deemed approved. The governing body of the city shall approve such appointment unless the governing body makes a specific finding by the passage of a resolution that the person is either unqualified to hold the office or is not fit to hold the office or position.

**Recommendation:**

**Funding Source:** N/A

Prepared by: Beth Linn, City Administrator

Date: August 12, 2014

## AGENDA ITEM INFORMATION FORM

**Agenda Item:** Consider Ordinance No. 974 Amending Section 9-107 Of Article 1 Of Chapter IX Of The Edgerton, Kansas Municipal Code Pertaining To Municipal Court

**Department:** Administration

**Background/Description of Item:** The Municipal Court Judge has requested moving the day of the month Edgerton Municipal Court is held. Currently court is held on the third Tuesday of each month as described in the Edgerton Code. The Judge has coordinated with the Prosecutor, Sheriff's Office and city staff to request court be moved to the fourth Tuesday of each month at 7:00 p.m. at the Edgerton Community Building, 404 East Nelson, Edgerton, Kansas 66021.

City Attorney has drafted an ordinance for this change. The ordinance also adds the ability for the municipal judge to change the date, time, and location of municipal court on a temporary basis to accommodate holidays or other scheduling conflicts, so long as court staff and defendants scheduled to appear are notified of the change. Staff would anticipate only using this ability in case of a holiday or unavailability of pro-tem judge or prosecutor if necessary.

Staff did confirm with the Sheriff's Office that tickets have already been issued with the third Tuesday in September listed as court date. Therefore, staff would request the ordinance be effective beginning with October 2014 court.

Enclosure: Draft Ordinance No. 974

**Related Ordinance(s) or Statute(s):** Chapter IX, Article 1, Section 9-107 of Edgerton City Code

**Recommendation:** Approve Ordinance No. 974 Amending Section 9-107 Of Article 1 Of Chapter IX Of The Edgerton, Kansas Municipal Code Pertaining To Municipal Court

**Funding Source:** N/A

Prepared by: Beth Linn, City Administrator

Date: August 12, 2014



**ORDINANCE NO. 974**

**AN ORDINANCE AMENDING SECTION 9-107 OF ARTICLE 1 OF CHAPTER IX OF THE EDGERTON, KANSAS MUNICIPAL CODE PERTAINING TO MUNICIPAL COURT**

WHEREAS, based on a request by the city municipal court judge, the Governing Body believes it is appropriate to amend the portion of the City Code with regard to scheduling of monthly court dates.

**NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF EDGERTON, KANSAS:**

**SECTION 1:** Section 9-107 of Article 1 of Chapter IX of the City Code is amended to read as follows:

9-107. MUNICIPAL COURT; LOCATION, TIME. The municipal court of the city of Edgerton shall be held on the fourth Tuesday of each month at 7:00 p.m. at the Edgerton Community Building, 404 East Nelson, Edgerton, Kansas 66021. The date, time, and location of municipal court may be changed on a temporary basis by the municipal judge to accommodate holidays or other scheduling conflicts, so long as court staff and defendants scheduled to appear are notified of the change.

**SECTION 2: Repeal.** Former Section 9-107 of Article 1 of Chapter IX of the Edgerton Municipal Code is hereby repealed in its entirety.

**SECTION 3: Effective Date.** This Ordinance shall be effective after its passage, approval and publication once in the City's official paper.

ADOPTED BY THE GOVERNING BODY AND APPROVED BY THE MAYOR OF EDGERTON, KANSAS ON THE 14<sup>th</sup> DAY OF AUGUST, 2014.

---

Donald Roberts, Mayor

ATTEST:

---

Janeice Rawles, City Clerk

APPROVED AS TO FORM:

---

Patrick G. Reavey, City Attorney

**ORDINANCE NO. 975**

**AN ORDINANCE ANNEXING LAND OWNED BY LARRY ALSUP, AND LOCATED APPROXIMATELY AT I-35 AND HOMESTEAD LANE, INTO THE CITY OF EDGERTON, KANSAS**

**WHEREAS**, the land legally described below, which is generally located at I-35 and Homestead Lane, is located in Johnson County, Kansas; and

**WHEREAS**, a request for annexation of the following described property submitted by the owner thereof, was filed with the City Clerk of Edgerton, Kansas, pursuant to K.S.A. 12-520c, as amended; and

**WHEREAS**, pursuant to Resolution No. 029-14 the Board of County Commissioners of Johnson County, Kansas, has found and determined that the annexation of the following described land will not hinder or prevent the proper growth and development of the area or that of any other incorporated city within the county, pursuant to K.S.A. 12-520c, as amended; and

**WHEREAS**, the Governing Body of the City of Edgerton, Kansas finds it advisable to annex such land.

**NOW THEREFORE**, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF EDGERTON, KANSAS:

**SECTION 1.** That the land described in the attached **Exhibit A** is hereby annexed and made a part of the City of Edgerton, Kansas.

**SECTION 2.** This ordinance shall take effect and be in force from and after its publication in the official city newspaper.

**PASSED AND APPROVED** by the Governing Body of the City of Edgerton, Kansas, this 14th day of August, 2014.

\_\_\_\_\_  
Donald Roberts

ATTEST:

\_\_\_\_\_  
Janeice L. Rawles, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Patrick Reavey, City Attorney

# EXHIBIT A

## *Alsup Legal Description*

*All that part of the Southeast Quarter of Section 09, Township 16 South, Range 22 East, Sixth Principal Meridian, Johnson County, Kansas described as follows; Commencing at the Northeast corner of the Southeast Quarter of said Section 09; thence South 88 degrees 26 minutes 35 seconds West along the North line of the Southeast Quarter of said Section 09, a distance of 630.50 feet to a point on the Northerly right of way line for Interstate 35 as now established; Thence South 31 degrees 44 minutes 01 seconds West along said highway right of way, a distance of 512.96 feet; thence South 31 degrees 44 minutes 59 seconds West along said highway right of way, a distance of 277.13 feet; thence South 88 degrees 22 minutes 28 seconds West, a distance of 985.18 feet; thence North 02 degrees 09 minutes 43 seconds West, a distance of 288.67 feet; thence North 61 degrees 23 minutes 59 seconds East, a distance of 820.43 feet to a point on the North line of the Southeast Quarter of said Section 09; thence North 88 degrees 26 minutes 35 seconds East along the North line of the Southeast Quarter of said Section 09, a distance of 691.24 feet to the point of beginning containing 659,710 square feet or 15.14 acres more or less.*

## AGENDA ITEM INFORMATION FORM

**Agenda Item:** Consider Ordinance No. 975 Annexing Land Owned By Larry Alsup, and Located Approximately At I-35 and Homestead Lane, Into The City Of Edgerton, Kansas

**Department:** Administration

**Background/Description of Item:** On November 14, 2014 Larry S. Alsup, owner of Parcel #4F221509-3004 at the northwest corner of the Homestead Lane/I-35 interchange (directly south of the Thorp property) submitted a Consent for Annexation Form to request annexation into the City of Edgerton a portion of their property most adjacent to Homestead Lane and I-35.

The Alsup property does not satisfy the “adjoining” requirement for annexation pursuant to K.S.A. 12-520(a)(3) because it only adjoins land that was annexed into the City pursuant to K.S.A. 12-520c. Therefore, the City of Edgerton City Council passed a resolution on November 14, 2014 to request consideration of this annexation to the Johnson County Board of County Commissioners. The Governing Body based this request on the finding that such annexation, at the request of the property owner, is advisable, desirable, beneficial, and in the interest of the public.

On June 19, 2014 the Board of County Commissioners of Johnson County, Kansas, determined that the annexation of such land will not hinder or prevent the proper growth and development of the area or that of any other incorporated city located within Johnson County, Kansas, all as provided in K.S.A. 12-520c.

City Attorney has drafted Ordinance No. 975 to annex such property into the City of Edgerton.

Enclosure: Draft Ordinance No. 975  
Property Maps

**Related Ordinance(s) or Statute(s):** K.S.A. 12-520

**Recommendation:** Approve Ordinance No. 975 Annexing Land Owned By Larry Alsup, and Located Approximately At I-35 and Homestead Lane, Into The City Of Edgerton, Kansas

**Funding Source:** N/A

Prepared by: Beth Linn, City Administrator  
Date: August 13, 2014

**ORDINANCE NO. 975**

**AN ORDINANCE ANNEXING LAND OWNED BY LARRY ALSUP, AND LOCATED APPROXIMATELY AT I-35 AND HOMESTEAD LANE, INTO THE CITY OF EDGERTON, KANSAS**

**WHEREAS**, the land legally described below, which is generally located at I-35 and Homestead Lane, is located in Johnson County, Kansas; and

**WHEREAS**, a request for annexation of the following described property submitted by the owner thereof, was filed with the City Clerk of Edgerton, Kansas, pursuant to K.S.A. 12-520c, as amended; and

**WHEREAS**, pursuant to Resolution No. 029-14 the Board of County Commissioners of Johnson County, Kansas, has found and determined that the annexation of the following described land will not hinder or prevent the proper growth and development of the area or that of any other incorporated city within the county, pursuant to K.S.A. 12-520c, as amended; and

**WHEREAS**, the Governing Body of the City of Edgerton, Kansas finds it advisable to annex such land.

**NOW THEREFORE**, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF EDGERTON, KANSAS:

**SECTION 1.** That the land described in the attached **Exhibit A** is hereby annexed and made a part of the City of Edgerton, Kansas.

**SECTION 2.** This ordinance shall take effect and be in force from and after its publication in the official city newspaper.

**PASSED AND APPROVED** by the Governing Body of the City of Edgerton, Kansas, this 14th day of August, 2014.

\_\_\_\_\_  
Donald Roberts

ATTEST:

\_\_\_\_\_  
Janeice L. Rawles, City Clerk

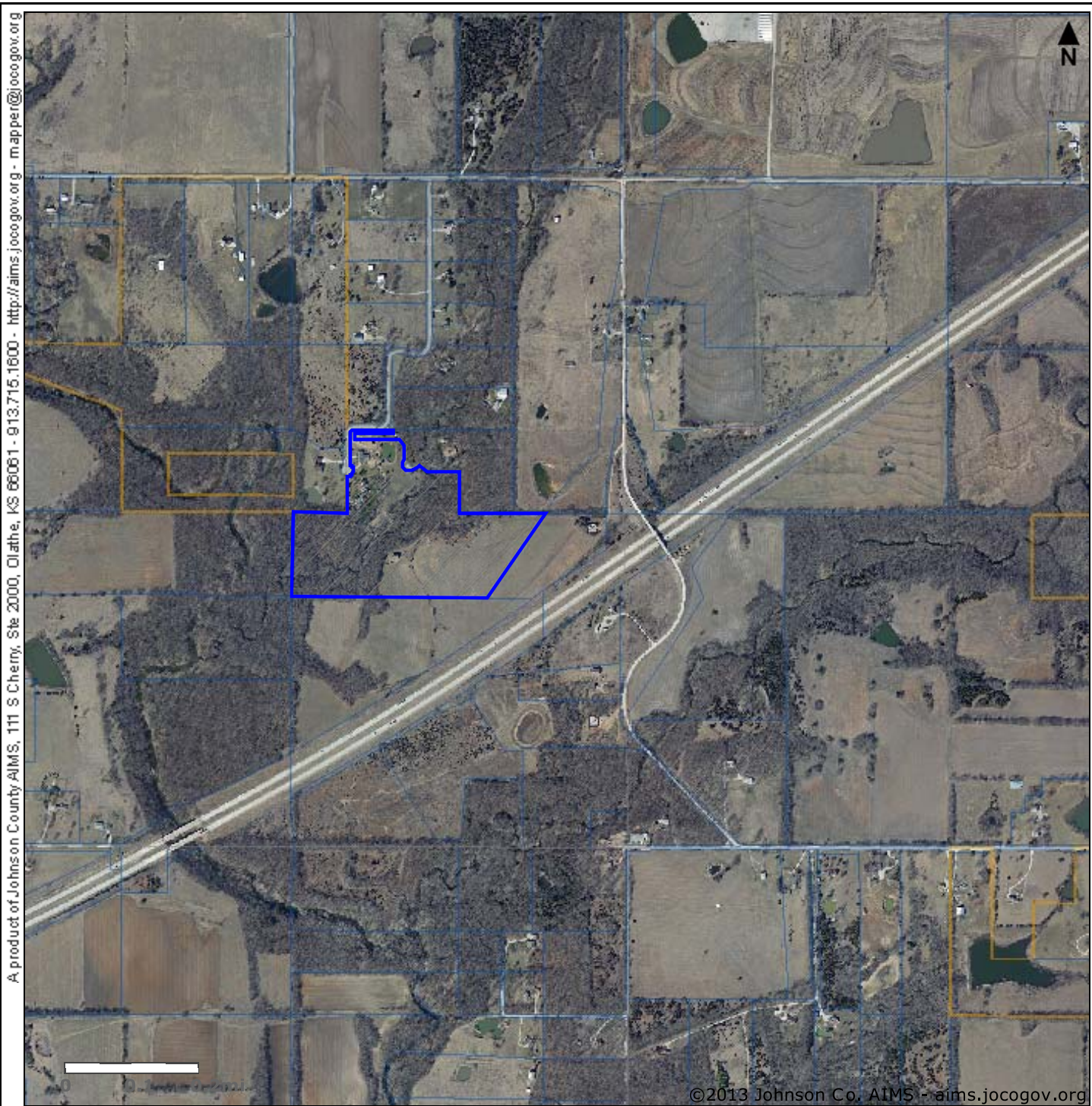
APPROVED AS TO FORM:

\_\_\_\_\_  
Patrick Reavey, City Attorney

# EXHIBIT A

## *Alsup Legal Description*

*All that part of the Southeast Quarter of Section 09, Township 16 South, Range 22 East, Sixth Principal Meridian, Johnson County, Kansas described as follows; Commencing at the Northeast corner of the Southeast Quarter of said Section 09; thence South 88 degrees 26 minutes 35 seconds West along the North line of the Southeast Quarter of said Section 09, a distance of 630.50 feet to a point on the Northerly right of way line for Interstate 35 as now established; Thence South 31 degrees 44 minutes 01 seconds West along said highway right of way, a distance of 512.96 feet; thence South 31 degrees 44 minutes 59 seconds West along said highway right of way, a distance of 277.13 feet; thence South 88 degrees 22 minutes 28 seconds West, a distance of 985.18 feet; thence North 02 degrees 09 minutes 43 seconds West, a distance of 288.67 feet; thence North 61 degrees 23 minutes 59 seconds East, a distance of 820.43 feet to a point on the North line of the Southeast Quarter of said Section 09; thence North 88 degrees 26 minutes 35 seconds East along the North line of the Southeast Quarter of said Section 09, a distance of 691.24 feet to the point of beginning containing 659,710 square feet or 15.14 acres more or less.*



# Johnson Co AIMS Map

## LEGEND

AIMS Imagery: 2012

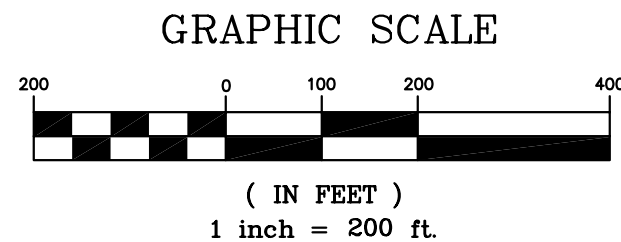
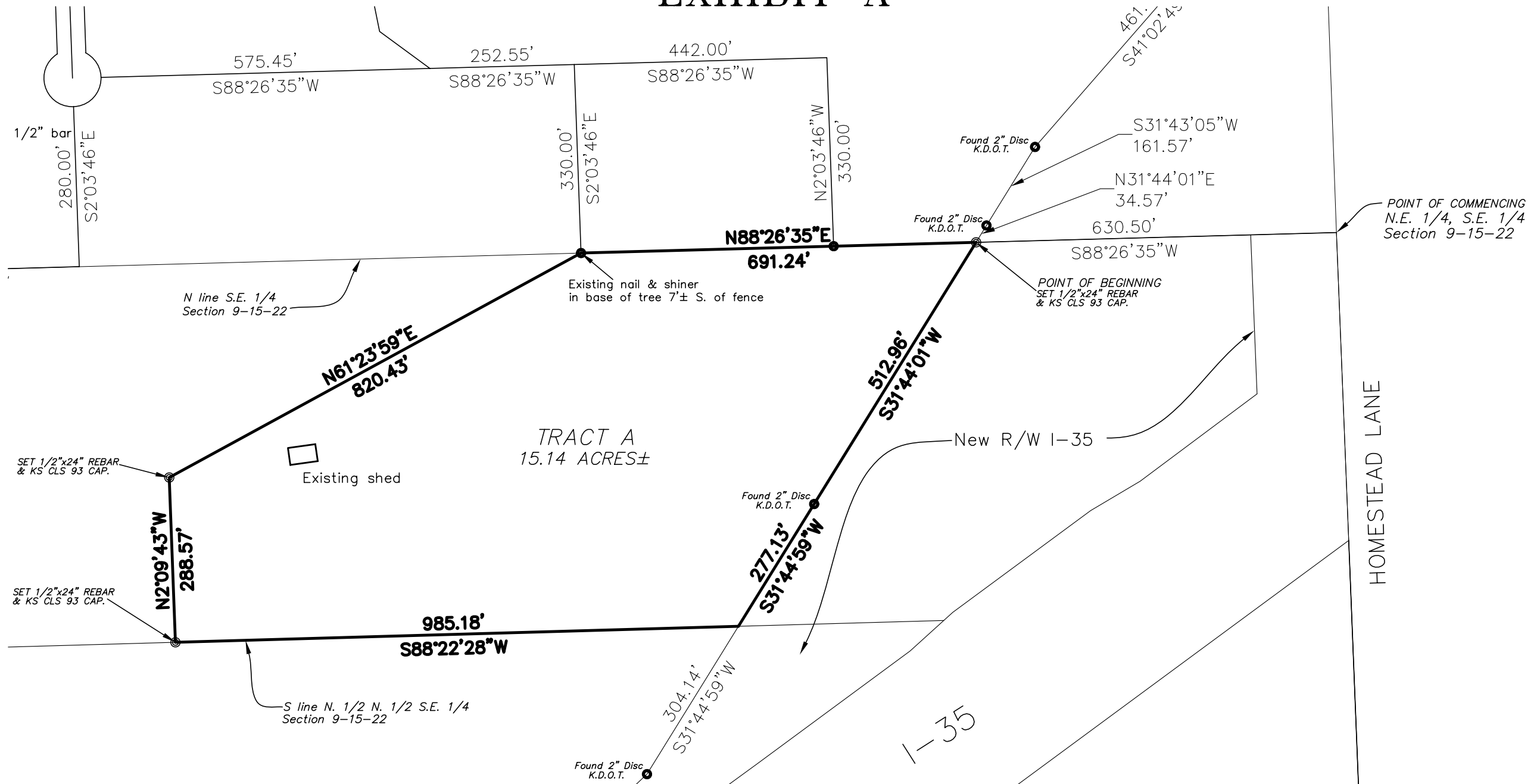
- Parcel Line
- Plat
  - Lot Line
  - Original Lot
  - Section



**AIMS** Disclaimer: No person shall sell, give, reproduce, or receive for the purpose of selling or offering for sale, any portion of the data provided herein. Johnson County makes every effort to produce and publish the most current and accurate information possible. Johnson County assumes no liability whatsoever associated



# EXHIBIT A



CIVIL ENGINEERS  
LAND SURVEYORS - LAND PLANNERS

122 N. WATER STREET  
OLATHE, KANSAS 66061  
PHONE: (913) 764-1076  
FAX: (913) 764-8635

14 W. PEORIA  
PAOLA, KANSAS 66071  
PHONE: (913) 557-1076  
FAX: (913) 557-6904



### *Alsup Legal Description*

*All that part of the Southeast Quarter of Section 09, Township 15 South, Range 22 East, Sixth Principal Meridian, Johnson County, Kansas described as follows; Commencing at the Northeast corner of the Southeast Quarter of said Section 09; thence South 88 degrees 26 minutes 35 seconds West along the North line of the Southeast Quarter of said Section 09, a distance of 630.50 feet to a point on the Northerly right of way line for Interstate 35 as now established; Thence South 31 degrees 44 minutes 01 seconds West along said highway right of way, a distance of 512.96 feet; thence South 31 degrees 44 minutes 59 seconds West along said highway right of way, a distance of 277.13 feet; thence South 88 degrees 22 minutes 28 seconds West, a distance of 985.18 feet; thence North 02 degrees 09 minutes 43 seconds West, a distance of 288.57 feet; thence North 61 degrees 23 minutes 59 seconds East, a distance of 820.43 feet to a point on the North line of the Southeast Quarter of said Section 09; thence North 88 degrees 26 minutes 35 seconds East along the North line of the Southeast Quarter of said Section 09, a distance of 691.24 feet to the point of beginning containing 659,710 square feet or 15.14 acres more or less.*

## AGENDA ITEM INFORMATION FORM

**Agenda Item:** Consider Application FP-05-29-2014, Final Plat, JB Hunt Container Storage Facility at approximately 30700 West 191st Street

**Department:** Administration

**Background/Description of Item:** The City of Edgerton has received Application FP-05-29-2014 for final plat of the JB Hunt Container Storage Facility at approximately 30700 West 191st Street. The property owner intends to operate a cargo container storage, repair and maintenance facility to serve Logistics Park Kansas City.

Staff, including City Engineer and Johnson County Planning, has reviewed the Final Plat submittal for compliance with the Approved Preliminary Plat and requirements in Section 13.3 of Article 13 of the Edgerton UDC. Review comments are detailed in the attached staff report.

The Planning Commission reviewed the application on July 8, 2014. The Edgerton Planning Commission recommended approval of Application FP-05-29-2014 for Final Plat for JB Hunt Container Storage Facility subject to compliance with the following stipulations as listed in the staff report dated July 7, 2014:

1. All Final Plat requirements of the City listed above shall be met or addressed prior to recording of the Plat.
2. The commencement of any improvements shall not occur prior to the approval and endorsement of the final plat and the submittal to and approval of construction plans for all streets, sidewalks, storm water sewers, sanitary sewers, and water mains contained within the final plat by the Governing Body. Sanitary sewer drawings and specifications must be submitted to and approved by the City of Edgerton and Kansas Department of Health and Environment prior to the commencement of any improvements.
3. A Public Improvement Inspection Fee, established by the Fee Schedule for the Unified Development Code, shall be submitted with the document of financial assurance as defined in Section 13.7 prior to the commencement of any improvements.
4. The applicant shall meet all requirements of Recording a Final Plat as defined in Section 13.5 of the Edgerton Unified Development Code, including payment of excise tax.
5. The applicant shall meet all requirements of Financial Assurances as defined in Section 13.7 of the Edgerton Unified Development Code.

Enclosure: Staff Report from July 8, 2014 Planning Commission  
Final Plat  
Final Plat Application FP-05-29-2014 for JB Hunt Container Storage Facility

**Recommendation:** Approve Application FP-05-29-2014, Final Plat, JB Hunt Container Storage Facility at approximately 30700 West 191st Street

**Funding Source:** N/A

Prepared by: Beth Linn, City Administrator  
Date: July 24, 2014

## STAFF REPORT

July 7, 2014

To: Edgerton Planning Commission  
Fr: Beth Linn, City Administrator  
Mike Mabrey, Zoning Administrator  
Re: Application FP-05-29-2014, Final Plat, JB Hunt Container Storage Facility at approximately 30700 West 191st Street

### APPLICATION INFORMATION

<b>Applicant/Property Owner:</b>	J.B. Hunt Transport, Inc.
<b>Requested Action:</b>	Final Plat of JB Hunt Container Storage Facility
<b>Legal Description:</b>	Part of Section 35, Township 14, Range 22
<b>Site Address/Location:</b>	Approximately 30700 West 191st Street
<b>Existing Zoning and Land Uses:</b>	City of Edgerton L-P Logistics Park on vacant land with approved preliminary plat and a Conditional Use Permit (CUP) for Cargo Container Storage, Maintenance and Repair Facility
<b>Existing Improvements:</b>	None
<b>Site Size:</b>	Approximately 20 acres

### BACKGROUND AND PROJECT DESCRIPTION

The property was annexed into Edgerton city limits in 2013 and zoned L-P, Logistics Park. The City's Unified Development Code (UDC) defines this district as a limited multimodal industrial zone created to support activities related to truck, rail and other transport services. The property has an approved preliminary plat and final site plan. The planned use for this property is a cargo container storage, maintenance and repair facility.

The BNSF intermodal facility is located to the northwest across Waverly Road and the warehouse industrial (logistics) park is across Waverly Road directly to the west, beyond the similar Nickell container storage operation under construction. Demand for businesses to store and maintain cargo containers and chassis is a by-product of the activity on and around the intermodal facility. The logistics park and intermodal's primary function is to transport and redistribute containers and the products they contain. Since they are not in the business of

storing containers for an extended period of time, there is a need for companies, like the applicant's, that specialize in storage and maintenance.

## **INFRASTRUCTURE AND SERVICES**

Infrastructure was reviewed previously per the rezoning and preliminary plat.

- a. Access is provided by 191st Street, which is 26 feet wide with no shoulders, but is planned for future improvement to pavement that will support intermodal and logistic park traffic. Proceeding west on 191st Street and the newly constructed Homestead Road to the south provides access to Interstate 35.
- b. The property is located within the Big Bull Creek watershed, which flows south from 167th Street to the southern edge of the county at Homestead Lane.
- c. The property does not have any areas within the flood plain.
- d. The property intends on using a holding tank until a connection to the Big Bull Creek Wastewater Conveyance system is available in the vicinity of the property.
- e. The property is within the Water District 7 service area, but the nearest water main is over 1,000 feet to the west at the Waverly Road intersection. A new main will need to be extended to this property.
- f. Police protection is provided by the Johnson County Sheriff's Department under contract with the City of Edgerton. Fire protection is provided by Johnson County Rural Fire District No. 1. A fire station is located in the City of Edgerton, to the southwest.

## **FINAL PLAT REVIEW**

Staff has reviewed the Final Plat submittal for compliance with the Approved Preliminary Plat and requirements in Section 13.3 of Article 13 of the Edgerton UDC. Review comments are listed below.

1. Scale, the same used for the preliminary plat; North point; vicinity map. ***Final Plat complies.***
2. The words "FINAL PLAT" followed by the name of the subdivision at the top of the sheet, and then followed by a metes and bounds description of the tract. ***Final Plat complies.***
3. The instrument of survey which shows the point of beginning, corners, bearings, courses, distances, exterior boundaries, interior lot boundaries, abandoned lot lines, pins, monuments found or set. All P.I.'s corners, boundaries must be monumented with a 2" x 24" metal bar. ***The boundary corners at the 191<sup>st</sup> Street R/W line should be monumented.***
4. A boundary survey of third order surveying accuracy (maximum closure error one in five thousand (1' in 5,000), with bearings and distances referenced to section or fractional section corners or other base line shown on the plat and readily reproducible on the ground. ***Closure error has not been provided.***
5. Individual notations and a TABLE showing: lot area, setbacks, and building envelopes. ***Only front and west setbacks have been provided and table has not been provided. Building envelope has not been shown.***
6. A number for each lot, starting (if practical) in the northwest corner. ***Final Plat complies.***
7. All easements with widths, and roads with curve data. ***Drainage easements should be provided for the detention areas and 1% event storm water conveyance.***

***Final plat has been submitted to Water District 7 for review. Applicant shall dedicate easement if requested by Water 7 to extend water main service to property.***

8. Ingress/egress limitations if required. ***Final Plat complies.***
9. The location of existing utility easements. ***Final Plat complies.***
10. A written legal description from the survey. ***Final Plat complies.***
11. An instrument of dedication for all roads and easements. ***Easement dedication should include Drainage Easement.***
12. Special notations required as a condition of platting by the Planning Commission. ***Final Plat complies.***
13. Approved phases – clearly delineated. ***Final Plat complies.***
14. Private travel easements. ***Final Plat complies.***
15. The Owner's Certificate with Notary Seal. ***Final Plat complies.***
16. Certificate of the Governing Body with City Clerk's attest and Seal. ***Final Plat complies.***
17. Edgerton City Planning Commission chair and secretary approval. ***Final Plat complies.***
18. Certificate of the Register of Deeds. ***Not provided.***
19. Surveyor's Certificate and Seal and certificate for survey review by the County Surveyor or designated Land Surveyor. ***County Surveyor approval block has not been provided.***
20. Certificate of the Zoning Administrator. ***Final Plat complies.***

#### **General Design Standards**

1. Rights-of-way must conform to the current standards of the American Public Works Association, and greater widths may be required by the Zoning Administrator after preliminary review; utility easements must be a minimum of fifteen (15) feet wide or, 7.5 feet for appurtenant utility easements on interior lots. Street lighting and fire hydrants must be indicated in areas planned for residential use. Cul-de-sacs are limited to 800 feet in length. ***Final plat has been submitted to Water District 7 for review. Applicant shall dedicate easement if requested by Water 7 to extend water main service to property.***
2. All portions of the tract being subdivided shall be taken up in lots (or phases), streets, planned open areas or other uses so that remnants and landlocked areas are not created. ***Final Plat complies.***
3. All lots must front on a public right-of-way. When a subdivision is located along arterial roads adequate buffers must be maintained between the right-of-way and the building line. ***Final Plat complies.***
4. Corner lots shall have minimum side-yard setbacks of twenty (20) feet to the street right-of-way and nine (9) feet to the property line of the adjacent interior lot unless approved by the Zoning Administrator. ***Final Plat complies.***
5. Side lot lines shall be substantially at right angles to street lines. ***Final Plat complies.***
6. Drainage and watercourse easements are required. Building setbacks from watercourses should be measured from the thread of the stream. Flowage easements may be used to calculate required minimum lot sizes. ***Drainage easements should be provided for the detention areas and 1% event storm water conveyance. Easement dedication should include Drainage Easement.***

7. The lot depth to front lot width ratio shall be no more than 3 to 1. ***Final Plat complies.***
8. If the development is to be served with public water or sewer, the plat must bear a notation that the subdivision is to be served by these facilities. The Zoning Administrator may not issue a building permit for a lot notated "SERVICED BY PUBLIC WATER/SEWER" without written verification from the public water or sewer district that all distribution or collection lines have been installed and that all lots are either connected or are capable of being connected to central utilities. ***Appropriate notation should be provided.***

#### **Other Comments**

- Final Plat complies with Approved Preliminary Plat.
- The approval block located 2<sup>nd</sup> down on the right side may not be necessary. It is the one with the signature block that reads "City of Engineer".
- Provide preparation and revision dates on the plat so it can be tracked.

#### **RECOMMENDATION**

City staff recommends approval of the Final Plat for JB Hunt Container Storage Facility subject to compliance with the following stipulations:

1. All Final Plat requirements of the City listed above shall be met or addressed prior to recording of the Plat.
2. The commencement of any improvements shall not occur prior to the approval and endorsement of the final plat and the submittal to and approval of construction plans for all streets, sidewalks, storm water sewers, sanitary sewers, and water mains contained within the final plat by the Governing Body. Sanitary sewer drawings and specifications must be submitted to and approved by the City of Edgerton and Kansas Department of Health and Environment prior to the commencement of any improvements.
3. A Public Improvement Inspection Fee, established by the Fee Schedule for the Unified Development Code, shall be submitted with the document of financial assurance as defined in Section 13.7 prior to the commencement of any improvements.
4. The applicant shall meet all requirements of Recording a Final Plat as defined in Section 13.5 of the Edgerton Unified Development Code, including payment of excise tax.
5. The applicant shall meet all requirements of Financial Assurances as defined in Section 13.7 of the Edgerton Unified Development Code.

#### **ATTACHMENTS**

Final Plat Application FP-05-29-2014 for JB Hunt Container Storage Facility  
Final Plat

NAME OF PROPOSED SUBDIVISION: J.B. Hunt Container Storage FacilityLOCATION OR ADDRESS OF SUBJECT PROPERTY: ± 30700 W. 191st StreetLEGAL DESCRIPTION: See Attached SheetCURRENT ZONING ON SUBJECT PROPERTY: RUR CURRENT LAND USE: AgriculturalTOTAL AREA: 20.04 Acres NUMBER OF LOTS: 1 AVG. LOT SIZE: 873,001 Sq. Ft.DEVELOPER'S NAME(S): Lynn Boyd PHONE: (479) 659-6970COMPANY: J.B. Hunt Transport FAX: (479) 820-5282MAILING ADDRESS: 705 - B N. Bloomington Lowell AR 72745  
Street City State ZipPROPERTY OWNER'S NAME(S): — PHONE: —COMPANY: J.B. Hunt Transport FAX: —MAILING ADDRESS: 705 N. Bloomington Lowell AR 72745  
Street City State ZipENGINEER'S NAME(S): Jim Anderson PHONE: (913) 894-5150COMPANY: Kaw Valley Engineering FAX: (913) 894-5977MAILING ADDRESS: 14700 W. 114th Tce Lenexa KS 66215  
Street City State ZipSIGNATURE OF OWNER OR AGENT: *Derek Hanna*  
If not signed by owner, authorization of agent must accompany this application.

NOTE: Ten (10) copies of the proposed preliminary plat must accompany this application for staff review. One (1) reduced copy (8 ½ x 11) must also be submitted with the application.

**FOR OFFICE USE ONLY**Case No.: P- 05-29-2014 Amount of Fee Paid: \$ 310.00 Date Fee Paid: 5/29/14Received By: Beth Riv Date of Hearing: 7/8/14. cept 32694**FINAL PLAT INSTRUCTIONS**

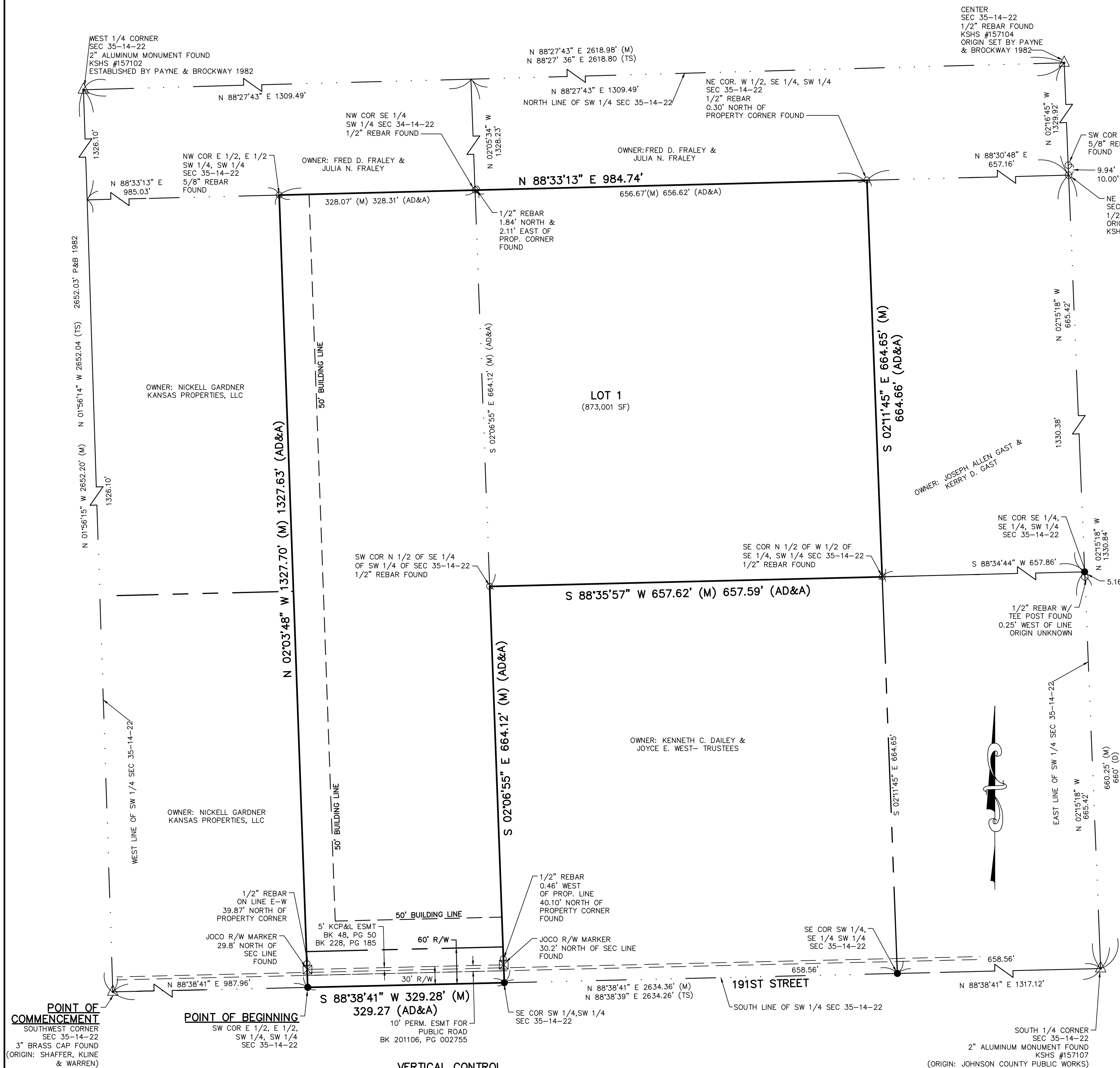
**SUBMITTAL DEADLINE:** The applicant shall submit an application at least forty-five (45) days prior to a scheduled meeting. If the final plat complies with the preliminary plat, Planning Commission and Governing Body may consider approval without notice or public hearing.

A TRACT OF LAND BEING LOCATED IN THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 14 SOUTH, RANGE 22 EAST IN THE CITY OF EDGERTON, JOHNSON COUNTY, KANSAS, AS RECORDED AT THE JOHNSON COUNTY RECORDER OF DEEDS OFFICE IN DEED BOOK 828, PAGE 339 AND DEED BOOK 4623, PAGE 638, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE N 88°38'41" E ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 987.96 FEET TO THE SOUTHWEST CORNER OF THE EAST HALF OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SAID SOUTHWEST QUARTER AND THE POINT OF BEGINNING; THENCE N 02°03'48" W ALONG THE WEST LINE OF SAID EAST HALF, A DISTANCE OF 1327.70 FEET TO THE NORTHWEST CORNER OF SAID EAST HALF SAID POINT BEING ON THE NORTH LINE OF THE SOUTH HALF OF SAID SOUTHWEST QUARTER; THENCE N 88°33'13" E ALONG SAID NORTH LINE, A DISTANCE OF 984.74 FEET TO THE NORTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SOUTHWEST QUARTER; THENCE S 02°11'45" E ALONG THE EAST LINE OF THE NORTH HALF OF THE SOUTH HALF OF OF THE SOUTHEAST QUARTER OF SAID SOUTHWEST QUARTER, A DISTANCE OF 664.65 FEET TO THE SOUTHEAST CORNER OF SAID NORTH HALF; THENCE S 88°35'57" W ALONG THE SOUTH LINE OF SAID NORTH HALF, A DISTANCE OF 657.62 FEET TO THE SOUTHWEST CORNER OF SAID NORTH HALF; THENCE S 02°06'55" E ALONG THE EAST LINE OF SAID EAST HALF, A DISTANCE OF 664.12 FEET TO THE SOUTH LINE OF SAID SOUTHWEST QUARTER; THENCE S 88°38'41" W ALONG SAID SOUTH LINE, A DISTANCE OF 329.28 FEET TO THE POINT OF BEGINNING. CONTAINS 873,001 SQUARE FEET OR 20.04 ACRES, MORE OR LESS.



FINAL PLAT OF JB HUNT CONTAINER STORAGE FACILITY  
A SUBDIVISION IN THE CITY OF EDGERTON, JOHNSON COUNTY, KANSAS  
SECTION 35, TOWNSHIP 14 SOUTH, RANGE 22 EAST



**POINT OF COMMENCEMENT**  
SOUTHWEST CORNER  
SEC 35-14-22  
3\" BRASS CAP FOUND  
(ORIGIN: SHAFFER, KLINE & WARREN)

**POINT OF BEGINNING**  
SW COR E 1/2, E 1/2,  
SW 1/4, SW 1/4  
SEC 35-14-22

**HORIZONTAL DATUM:**  
KANSAS STATE PLANE, NORTH ZONE NAD 83-HARN  
COMBINED ADJUSTMENT FACTOR (CAF): 0.99988619  
SCALED AROUND 0.0

**DATUM CONTROL:**  
JCPW 1024  
N:172242.08 (STATE PLANE GRID)  
E:2163243.55 (STATE PLANE GRID)  
EL:1001.09

NCS- BULL  
N:183103.52  
E:2193385.91  
EL:1001.09

JCPW 1073  
N:198832.60  
E:2166275.99  
EL:990.20

**LEGEND:**  
○ MONUMENT FOUND  
● 1/2\"x24\" REBAR W/CLS 20 CAP SET  
(UNLESS NOTED OTHERWISE)  
(AD&D) ALLENBRAND, DREWS & ASSOCIATES (SEE SURVEY REFERENCE NOTE)  
(M) MEASURED

**VERTICAL CONTROL**  
JCPW BM 1190  
LOCATION CENTER NORTH END OF THE WEST HEADWALL RCB.  
DIRECTIONS FROM THE INTERSECTION OF WAVERLY ROAD  
AND 183RD STREET, GO NORTH 0.15 MILES TO THE RCB.  
ELEVATION 1023.06 FT VERTICAL DATUM NAVD 88

**SURVEY REFERENCE:**  
1. CERTIFICATE OF SURVEY DATED 4-21-95 BY KENNETH E. NELLOR,  
PROJECT NUMBER 10023. ALLENBRAND, DREWS & ASSOCIATES (AD&A)  
2. CERTIFICATE OF SURVEY DATED 4-27-95 BY KENNETH E. NELLOR,  
PROJECT NUMBER 10062. ALLENBRAND, DREWS & ASSOCIATES (AD&A)

**GRAPHIC SCALE**  
( IN FEET )  
1 inch = 100 ft.

**DESCRIPTION:**  
A TRACT OF LAND BEING LOCATED IN THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 14 SOUTH, RANGE 22 EAST IN THE CITY OF EDGERTON, JOHNSON COUNTY, KANSAS, AS RECORDED AT THE JOHNSON COUNTY  
RECORDER OF DEEDS OFFICE IN DEED BOOK 828, PAGE 339 AND DEED BOOK 4623, PAGE 638, BEING MORE  
PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE N 88°38'41\" E ALONG THE  
SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 987.96 FEET TO THE SOUTHWEST CORNER OF THE  
EAST HALF OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SAID SOUTHWEST QUARTER AND THE POINT  
OF BEGINNING; THENCE N 02°03'48\" W ALONG THE WEST LINE OF SAID EAST HALF, A DISTANCE OF 1327.70  
FEET TO THE NORTHWEST CORNER OF SAID EAST HALF SAID POINT BEING ON THE NORTH LINE OF THE SOUTH  
HALF OF SAID SOUTHWEST QUARTER; THENCE N 88°33'13\" E ALONG SAID NORTH LINE, A DISTANCE OF 984.74  
FEET TO THE NORTHEAST CORNER OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SAID SOUTHWEST  
QUARTER; THENCE S 02°11'45\" E ALONG THE EAST LINE OF THE NORTH HALF OF THE SOUTH HALF OF OF THE  
SOUTHWEST QUARTER OF SAID SOUTHWEST QUARTER, A DISTANCE OF 664.65 FEET TO THE SOUTHEAST  
CORNER OF SAID NORTH HALF; THENCE S 88°35'57\" W ALONG THE SOUTH LINE OF SAID NORTH HALF, A  
DISTANCE OF 657.62 FEET TO THE SOUTHWEST CORNER OF SAID NORTH HALF; THENCE S 02°06'55\" E ALONG  
THE EAST LINE OF SAID EAST HALF, A DISTANCE OF 664.12 FEET TO THE SOUTH LINE OF SAID SOUTHWEST  
QUARTER; THENCE S 88°38'41\" W ALONG SAID SOUTH LINE, A DISTANCE OF 329.28 FEET TO THE POINT OF  
BEGINNING. CONTAINS 873,001 SQUARE FEET OR 20.04 ACRES, MORE OR LESS.

THE UNDERSIGNED PROPRIETOR OF THE ABOVE DESCRIBED TRACT OF LAND HAS CAUSED THE SAME TO BE  
SUBDIVIDED IN THE MANNER AS SHOWN ON THE ACCOMPANYING PLAT, WHICH SUBDIVISION SHALL  
HEREAFTER BE KNOWN AS "JB HUNT CONTAINER STORAGE FACILITY".

**STREET DEDICATION:**  
THE STREETS AND ROADS SHOWN ON THIS PLAT AND NOT HERETOFORE DEDICATED TO PUBLIC USE AS THOROUGHFARES ARE HEREBY DEDICATED SUBJECT TO THE RIGHT  
HEREBY RESERVED TO THE PRESENT OWNER AND ITS SUCCESSORS AND ASSIGNS FOR THE LOCATION, CONSTRUCTION AND MAINTENANCE OF CONDUITS, WATER, GAS AND  
SEWER PIPES, POLES AND WIRE, UNDER, OVER AND UPON SAID ROADWAYS.

**EASEMENT DEDICATION:**  
AN EASEMENT OR LICENSE IS HEREBY GRANTED TO THE CITY OF EDGERTON, JOHNSON COUNTY, KANSAS, AND TO ALL PUBLIC UTILITY COMPANIES DULY INCORPORATED  
AND LICENSED TO DO BUSINESS IN EDGERTON, JOHNSON COUNTY, KANSAS, TO ENTER UPON, CONSTRUCT AND MAINTAIN POLES, WIRES, ANCHORS, PIPES, CONDUITS,  
SEWERS, SURFACE DRAINAGE FACILITIES, SIDEWALKS, ETC., UPON, OVER AND UNDER THOSE AREAS OUTLINED AND DESIGNATED ON THIS PLAT AS "UTILITY EASEMENT" OR  
"U/E".

IN TESTIMONY WHEREOF, THE UNDERSIGNED PROPERTIES HAVE HEREUNTO SUBSCRIBED THEIR NAMES

OWNER - J.B. HUNT TRANSPORT, INC. (MANAGING MEMBER)

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_, KS.

BE IT REMEMBERED THAT ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, CAME  
TO ME PERSONALLY KNOWN TO BE THE SAME PERSON WHO EXECUTED THE FOREGOING INSTRUMENT OF WRITING AND DULY ACKNOWLEDGED THE  
EXECUTION OF SAME. IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARY SEAL THE DAY AND YEAR ABOVE WRITTEN.

NOTARY PUBLIC

MY COMMISSION EXPIRES: \_\_\_\_\_

**PLANNING COMMISSION CERTIFICATION:**  
THIS PLAT OF "JB HUNT CONTAINER STORAGE FACILITY" HAS BEEN  
SUBMITTED TO AND APPROVED BY THE EDGERTON PLANNING COMMISSION  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

CHAIR OF PLANNING COMMISSION

SECRETARY

APPROVED BY THE EDGERTON CITY COUNCIL THIS \_\_\_\_\_ DAY OF  
\_\_\_\_\_, 20 \_\_\_\_ BY \_\_\_\_\_

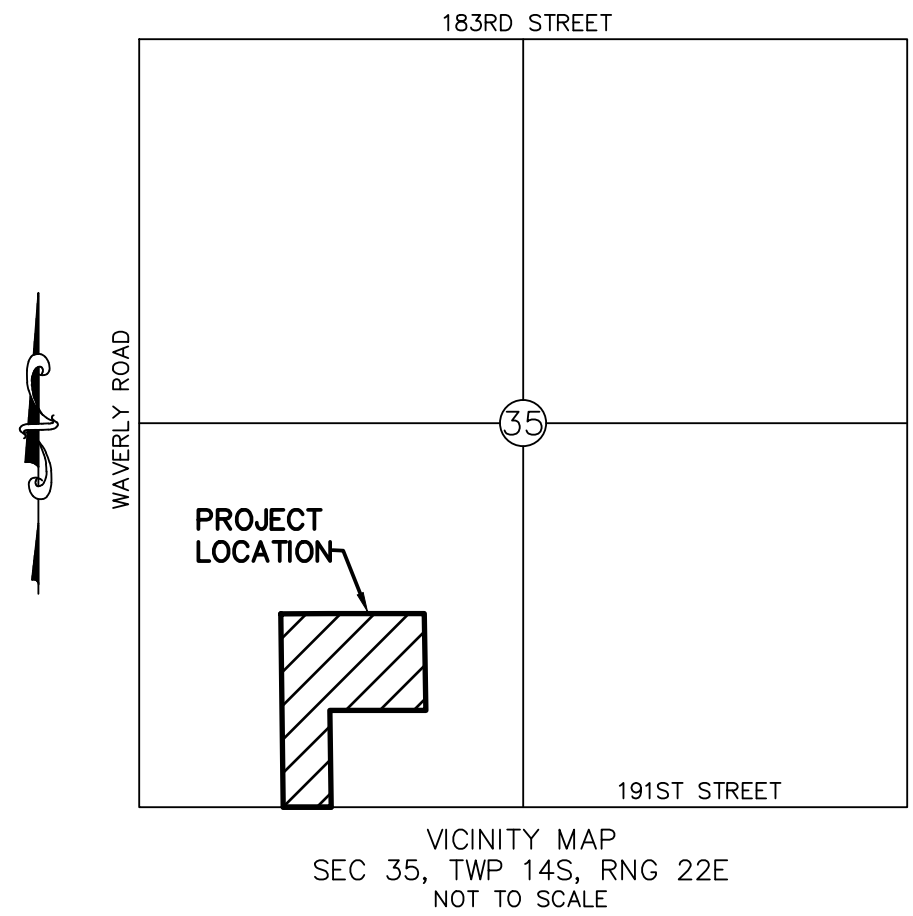
MAYOR

ATTEST:

CITY CLERK

**SURVEYOR'S CERTIFICATION:**  
I, KENNETH J. DEDRICK, BEING A DULY REGISTERED AND LICENSED LAND SURVEYOR IN THE STATE OF KANSAS, HEREBY CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH  
IT WAS BASED WAS MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND MEETS OR EXCEEDS THE CURRENT KANSAS MINIMUM STANDARDS FOR BOUNDARY SURVEYS. THAT THE LINES  
OF POSSESSION ARE DEPICTED HEREON, THE COURSES AND DISTANCES SHOWN HEREON ARE THOSE MEASURED ON THE DATE OF THE SURVEY AND THAT THE SURVEY WAS COMPLETED  
IN THE FIELD AND ON THE GROUND AND MAY BE RELIED UPON BY THE PARTIES CERTIFIED AS TO BEING CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE.  
DATE OF PLAT OR MAP: MAY 12, 2014

KENNETH J. DEDRICK \_\_\_\_\_  
KANSAS RLS NO. 1067



	<b>KAW VALLEY ENGINEERING, INC.</b> CONSULTING ENGINEERS - LAND SURVEYORS 14700 WEST 114TH TERRACE LENEXA, KANSAS 66215 PH. (913) 894-5150   FAX (913) 894-5977 lx@kveng.com   www.kveng.com	PROJECT NO. <b>C13-7401</b>
		DRAWN BY <b>NJN</b>
		CHECKED BY <b>KJD</b>
		CFN <b>7401PLAT</b>
		SHEET <b>1 OF 1</b>
PREPARED FOR:	KAW VALLEY ENGINEERING, INC., IS AUTHORIZED TO OFFER SURVEYING SERVICES BY KANSAS STATE CERTIFICATE OF AUTHORIZATION NO. LS-20. EXPIRES 12/31/14	

## AGENDA ITEM INFORMATION FORM

**Agenda Item:** Consider Updated Safety Manual

**Department:** Administration

**Background/Description of Item:** The City of Edgerton contracts with Kansas Municipal Insurance Trust (KMIT) to provide workman's compensation insurance for city employees. As part of that program, KMIT has a program to incentivize by offering premium discounts to its members that cultivate a safe work environment as a commitment to safety has been shown to decrease the rate of employee accident and injury and mitigate costs for care provided by employers.

Each year a representative from KMIT performs an audit of the city's safety program to review items such as the safety manual, ongoing safety training, inspections of work stations, etc. During the 2014 audit, one area of concern identified by KMIT was the age of the current safety manual. The last revision adopted by Edgerton City Council was in 2002. KMIT recommends review of the safety manual every two years. Based on the audit, staff contracted to have the safety manual to be updated.

Enclosed is the proposed updated safety manual. When preparing this update, staff and the consultant worked closely with public works staff to develop a manual that would incorporate the industry safety standards but also be easily read, understood and implemented by employees. The key to cultivating a culture of safety is to include those most affected by the procedures and have the procedures protect the employee and employer without being so cumbersome that no employee will abide.

The draft manual has been review by City Attorney. City Attorney identified two items of concerns. First, the original accident investigation form provided by KMIT had space for a cause of the accident to be listed. City Attorney was concerned from standpoint of who will be filling the form out, and what process will precede listing of "cause". For obvious reasons, whatever is listed as the "cause", even if listed in error, likely will bind the city in any legal claim by a third party. Staff agreed and has removed that section from the form as in many cases the cause may be determined at a future date after investigation. Second, City Attorney raised concern about practices that may be different that what the city currently does, in particular more onerous (such as confined space entry) that what employees are actually doing. Staff agreed as the updated manual is meant to include practices that will be adhered to by employees. In particular staff research confined space entry as this is one of the most onerous sections of the manual. Staff confirmed that the City is required to comply with the OSHA requirements for confined space entry (i.e. water meter pits, sanitary sewer manholes, etc.). Inspections for that compliance are performed by Kansas Department of Labor. Therefore, staff believes the proposed manuals balances the requirements of OSHA while making it as practical as possible for the employees. In meeting with Public Works Staff, entry into confined space does not occur frequently as the city has purchased equipment that can now be used rather than entry. However, when entry has to occur the procedures outlined in the manual will need to be followed by employees. Public Works staff understands the importance of this practice.

If approved by City Council, staff will begin work on a training and implementation program for the new manual. The manual also includes the formation of a safety committee with representation across departments to assist in growing the culture of safety awareness.

**Related Ordinance(s) or Statute(s):**

**Recommendation:** Approve Safety Manual

**Funding Source:** N/A

Prepared by: Beth Linn, City Administrator

Date: August 12, 2014

# **Safety Manual**

**July 2014**



## Table of Contents

MANAGEMENT COMMITMENT AND INTRODUCTION	2
GOVERNING BODY ADOPTION STATEMENT	3
EMPLOYEE STATEMENT OF AGREEMENT AND UNDERSTANDING	4
LOSS CONTROL AND SAFETY COMMITTEE	5
BLOOD BORNE PATHOGENS EXPOSURE CONTROL PLAN	7
CHEMICAL SAFETY	8
CONFINED SPACE ENTRY	10
DRIVING POLICIES	13
FIRST AID	15
LOCKOUT/ TAGOUT PROCEDURE	19
TRENCHING AND EXCAVATIONS	22
PERSONAL PROTECTIVE EQUIPMENT	24
APPENDICES	25
Accident Investigation Procedures	
Accident Investigation Report Form	
Confined Space Entry Permit	
Confined Space Entry Communications Log Sheet	
Trenching and Excavations Checklist	

DRAFT

## MANAGEMENT COMMITMENT AND INTRODUCTION

Every employee of the City of Edgerton has the right to a workplace free from safety and health hazards. Furthermore, the KMIT believes that most accidents can be prevented. This program provides the framework and structure for safety concerns to be managed like any other function of government through planning, organization, leadership, training and communication. The City of Edgerton is committed to maintaining a safe and healthful work environment for every employee and the citizens we serve on a daily basis through the safe delivery of quality services.

This manual has been prepared in consultation with staff in order to provide personnel with a comprehensive set of written safety policies and procedures. We are also committed to reviewing the Safety Manual as necessary to ensure it reflects the City's best and safest practices. Additional safety materials specific to individual departmental operations may be provided from time to time.

These policies and procedures have been developed, and are expected to be followed in an effort to minimize incidents in all departments and agencies. Every employee will be expected to review and acknowledge their commitment to maintaining a safe work environment.

Safety is no accident.



## GOVERNING BODY ADOPTION STATEMENT

The governing body and City Administrator for the City of Edgerton realize that employees are one of our most valuable assets. In order to protect our employees, our property, and ultimately our financial stability, this organization fully supports the loss prevention efforts of the executive management. Realizing the management is fully aware of all pertinent and applicable federal, state laws, rules, regulations or ordinances, the authority for development, implementation, monitoring, and revision of the loss control program is placed with the City Administrator, or her designee.

**ADOPTED BY THE GOVERNING BODY OF THE CITY OF EDGERTON, KANSAS  
THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2014.**

\_\_\_\_\_  
Donald Roberts, Mayor

\_\_\_\_\_  
Janeice Rowles, City Clerk



## EMPLOYEE STATEMENT OF AGREEMENT AND UNDERSTANDING

I have received a copy of the City of Edgerton Employee Safety Manual. I understand it is my responsibility to review the manual and become familiar with the proposed safety procedures and to ask questions if they arise.

I also understand and agree to abide by all recognized federal and state safety rules, regulations, and laws as well as departmental safety policies, rules or procedures. Failure to do so may be grounds for discipline up to and including termination.

Following are some basic rules to follow to help each employee enjoy a safe and healthful workplace.

- Look the job over and make it safe before you start to work.
- Have the proper tools in good condition to do the job.
- Wear the proper safety equipment for the necessary job.
- Stay alert and watch for changing conditions and situations.
- Make sure all employees know his or her responsibilities and what they are to accomplish.
- Don't get in such a rush that hazards are overlooked, or unnecessary chances are taken.
- Make sure all employees are aware of people and equipment working in the area.
- Make sure all equipment is properly locked and tagged out before servicing.
- Report any hazards.
- Keep work areas clean and free of litter.
- Secure first-aid immediately and report injuries as soon as possible on the day of the injury.

EMPLOYEE SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

## LOSS CONTROL AND SAFETY COMMITTEE

The goal of the City Safety Committee is to ensure safety is maintained as the highest priority among every employee. In an effort to promote a safe workplace, an employee representative from each department will meet with the City Administrator monthly to review the City's safety priorities. When deemed appropriate, outside agencies contracting services on the City's behalf such as Consolidated Fire District #1, and the Johnson County Sheriff's Department will be invited to attend. The Safety Committee shall include 1 staff member from each of the following service areas: Public Works, Utilities, Parks, Community Development and Administration. The committee will also discuss upcoming training opportunities; employee suggestions; injury prevention; any changes in personnel or positions which require new training; any personal protective equipment needs; changes to facilities or equipment which could impact safety; and to review any accidents which have occurred and how such accidents could be prevented in the future.

The following are examples of the expected behaviors of every member of the Edgerton team in promoting a safe and healthful workplace.

Management will:

- Delegate appropriate responsibility and duties to supervisors.
- Provide supervisors with the training that they need to effectively encourage and manage safety in the workplace.
- Make accident prevention efforts a part of the total operation.
- Keep themselves and supervisors informed of accident problems and of the newest approaches to accident prevention.
- Be alert to potential hazards by monitoring of the workplace.
- Review reports of accidents as well as documentation of safety inspections.
- Consult with loss control representatives of its insurance company, and other outside authorities having jurisdiction.
- Stress the importance that management attaches to positive results when discussing accident prevention.
- Stress that a successful accident prevention program requires everyone's cooperation.

Supervisors should realize that employees see them as representatives of management. Therefore, supervisors' conduct and attitudes are critical to the success of any accident prevention program. Supervisors should have a thorough knowledge of the hazards of any operations within their departments. They must run their operations with a firm commitment to the principles that every accident is preventable and that operating safely also means operating efficiently.

Supervisors will:

- Provide or arrange for adequate basic job training and safety instruction for all employees they supervise. They will also maintain adequate documentation of all training activities.

- Be fully accountable for any preventable losses and liabilities that their employees cause.
- Implement all management accident prevention policies and make certain that employees under their supervision understand and comply with them.
- Provide ongoing safety instruction to constantly focus attention upon potential hazards, changes in equipment or work assignments, as well as new conditions that may adversely affect employees or the public.
- Continually monitor and evaluate work conditions and procedures to uncover and correct any conditions or practices that might result in an accident.
- Make certain that the department has the necessary safety equipment and other protective devices for each job and communicate any needed equipment with their department head or City Administrator.
- Make sure employees are using safety equipment and other protective devices properly.

Employees are also responsible for safety and accident prevention. The City of Edgerton expects all employees to demonstrate by their actions that they share the city's commitment to a safe and healthful workplace and to preserving the municipality's resources.

Employees will:

- Promptly report to their supervisors all accidents and injuries -- no matter how slight -- that occur during their employment.
- Cooperate fully and assist in the investigation of accidents to identify correctable causes and prevent recurrences.
- Report to their supervisors any unsafe actions, practices, or conditions that they observe in the workplace.
- Learn about and follow approved safe work practices as they perform their assigned duties.
- Always keep work areas clean and orderly.
- Avoid horseplay and behavior that can distract coworkers from the safe performance of their jobs.

A copy of the City's *Accident Investigation Report* form is located in the Appendices of the Safety Manual.

## **BLOOD BORNE PATHOGENS EXPOSURE CONTROL PLAN**

BLOOD BORNE pathogens are disease and infection-causing microorganisms carried by blood and other potentially infectious materials. Two serious BLOOD BORNE pathogens are the human immune deficiency virus (HIV) and the hepatitis B virus (HBV). Although there is only a small risk of on-the-job infection from BLOOD BORNE pathogens, the City of Edgerton offers HBV vaccinations for employees who may be exposed to BLOOD BORNE diseases in the course of their work. If an employee is offered the vaccinations and chooses not to have them, he or she will be required to sign a refusal form. There is no cost to the employee for this protection. If an employee terminates during the vaccination series, remaining vaccinations will be administered at the employee's expense.

### **Work Practice Controls**

- The most important work practice control is Universal Precautions: treating all blood and other potentially infectious body fluids as if they are infected.
- Employees should wash hands repeatedly during the work day. Wash thoroughly with soap and water, even between fingers, for 10 to 15 seconds. Rinse thoroughly and dry with a clean towel.
- Wear gloves any time there is a possibility of contact with potentially infectious materials, contaminated items, or surfaces. Wear gloves that fit tightly around the wrist. Bandage any cuts or broken skin before putting on gloves.
- When removing gloves, use the gloved hand to remove the other glove from top to bottom. Hold the removed glove with the gloved hand. Use the ungloved hand to remove the other glove from the inside. Place the first glove in the second glove. Discard used disposable gloves or torn, peeling, and punctured gloves.
- Avoid eating, drinking, smoking, applying makeup or lip balm, or handling contact lenses in work areas where there is a likelihood of exposure to blood or other potentially infectious materials.
- All procedures should be conducted to minimize splashing, spraying, splattering, and generation of droplets of blood or other potentially infectious materials.
- Personal Protective Equipment (PPE) - gloves, goggles, face masks if needed, will be provided at no cost to employees.

## CHEMICAL SAFETY

Not all chemicals are hazardous, but if household and workplace chemicals are used and not handled with care, they can pose many hazards such as being highly toxic, carcinogenic, flammable, and an irritant.

### Labeling

Labels provide essential information and appear on cans, cylinders, barrels, drums, tanks, and boxes. Every container of a hazardous chemical, even common household chemicals such as pesticides, paints or cleaning products must have a label. It is the manufacturers' responsibility to analyze chemicals and provide accurate information.

Before handling, using, or storing chemicals, **READ THE LABEL**. All labels contain basic information. Labels use words, pictures, symbols or a combination to explain their product.

Pay attention to the chemical's physical hazards. This section will list in a word or two, such as "FLAMMABLE" or "EXPLOSIVE" which describes the physical hazard of the product. Usually the label will contain a symbol describing the physical hazard.

Original labels on containers containing hazardous chemicals shall not be removed. If transferred into another container, or if a different hazardous material is placed in the container, the label for the hazardous material contents must be changed to reflect the contents of the container. The label should include:

- Identity of the hazardous chemical(s).
- Appropriate hazard warnings including target organ effects.

Some labels will give you instructions on how to safely handle and store containers. A label might provide such information as:

- "use only in ventilated areas"
- "keep away from sparks, heat, and flame"
- "harmful if inhaled"

Some labels will report symptoms of exposure such as:

- "loud breathing"
- "headache"
- "nausea"
- Some labels will also report first aid instructions.

To use chemicals properly follow this label checklist for safety:

- Read the label before starting any job.

- Read the hazard warning.
- Don't depend on the label alone for protective information. See Material
- Safety Data Sheets (MSDS sheets) which are provided by the manufacturer and should be easily accessible in each affected department.
- Never use any chemical that doesn't have a label on the container.
- Report missing, dirty, or illegible labels so they can be replaced.
- Follow the instructions on the label
- Direct any questions to the supervisor.

### **Materials Safety Data Sheets (MSDS)**

Each staff representative to the City's Safety Committee will be responsible for obtaining and maintaining the MSDS sheets for any materials within their departments or service areas within the city.

Each staff representative to the City's Safety Committee will review data sheets for new significant health/safety information. This person will see that any new information is passed on to the affected (locations or workplace).

A book must be maintained with copies of MSDS's for all hazardous chemicals to which employees of Edgerton may be exposed. A list of the chemicals will be in the front of the book. The book must be kept in each facility with one master copy maintained by the City Clerk and be accessible to employees during working hours.

If any member of the Safety Committee discovers that a MSDS is not available or a new chemical is introduced to his/her area, he/she is to immediately contact the City Administrator or her designee.

The City of Edgerton will rely on the evaluation performed by the chemical manufacturer, distributor or importer for chemicals.

## **CONFINED SPACE ENTRY**

### **CONFINED SPACE ENTRY SAFETY PROCEDURE (Permit-Required Confined Space Entry)**

All City employees assigned to work in and around confined spaces must be trained and protected from the hazards that may be encountered. All persons including supervisors and management working in or around confined spaces shall follow these guidelines.

#### **Purpose**

The purpose of this procedure is to establish minimum standards for identification and classification of confined spaces and entry into those confined spaces.

#### **Scope**

This procedure applies to all personnel who are required to work in or near any confined space. This procedure is to be used by employees of the City of Edgerton to enter permit-required confined spaces. For the purposes of this procedure,

**Confined Space** is defined as any space that:

- Is large enough and so configured that an employee can bodily enter and perform assigned work; and
- Has limited or restricted means for entry or exit; and
- Is not designed for continuous employee occupancy.

Confined spaces include, but are not limited to, storage tanks, process vessels, bins, boilers, ventilation or exhaust ducts, sewers, underground utility vaults and manholes, pipelines and open top spaces more than four (4) feet in depth such as pits, tubs, vaults, and vessels.

#### **Testing and Monitoring**

Entry into a confined space is prohibited until the testing of the atmosphere has been completed from outside the structure prior to each entry or re-entry. Appropriate tests shall be made by trained personnel to ensure that the atmosphere is safe. The tests

performed shall include those for oxygen content, combustibles, and toxic materials as applicable.

Entry into a confined space shall be prohibited when tests indicate the concentration of combustible gases in the atmosphere is greater than 20% of the lower flammability limit. The percentage of oxygen for entry shall be no less than 19.5%.

All areas and levels of the confined space are to be tested. Some atmospheric contaminants are heavier than air, and will be found in the lower levels of the confined space, whereas, others are lighter than air and will be found in the upper levels of the confined space.

A continuous monitoring of the atmosphere is preferred. However, when it is not practical, a re-test of the atmosphere should be made at least every thirty (30) minutes.

### **Safety Equipment**

For the purpose of this procedure, at least the following is to be available:

- Gas detector
- Safety harness and life line with rope grab
- Appropriate traffic control devices and/or guards to protect the workers from traffic hazards.
- Proper personal protective equipment
- Entry/egress retrieval system.

If this equipment is not immediately available, wait for it. **DO NOT DO THE JOB WITHOUT IT.**

Qualified person(s) are to evaluate, plan and implement the procedures necessary to safeguard the personnel assigned to the job, and ensure proper equipment is available and used.

Before entering a manhole or other confined space:

- Warning devices, barricades or guards should be installed to provide an adequate protection to the workers and public.
- Check the atmosphere of the space at all levels for potential toxic atmosphere, combustibility, and oxygen content.
- If all of the tests are satisfactory, the space may be entered..

### **Sewer Cleaning**

Sanitary sewer cleaning operations that involve entering manholes to rod out accumulated blockage require strict attention to safe practices.

#### **Entering Manholes**



- Because of potential dangers in sanitary sewer cleaning operations, at least three persons should work on every sewer maintenance job.
- Metal rungs or ladders are not to be used for entry or egress.
- Check side walls for danger of collapse.
- All workers entering sanitary sewer manholes shall wear a life line to permit rapid removal in case of collapse.
- Smoking shall not be permitted in or within 10' of a sanitary sewer manhole.
- Because the atmosphere in a sanitary sewer can change quickly and without warning, it is advisable to continually monitor the atmosphere.

### **Personal Protective Equipment**

- Protective clothing for sanitary sewer workers shall include protective gloves, hard hats, steel toed rubber boots, and goggles or safety glasses.
- Protective clothing and equipment used in sewer line cleaning shall be inspected for flaws and defects after each use.
- Safety glasses with side shields or chemical goggles should be worn to prevent raw sewage from splashing into eyes.

### **Personal Hygiene**

Employees shall wear protective gloves when in contact with contaminated water, wastewater or sludge in any form.

## **DRIVING POLICIES**

The purpose of this policy is to ensure all personnel driving city owned vehicles or equipment, or personnel driving a personal vehicle while conducting city business follow certain minimum safety standards.

This policy for safe driving is in addition to any personnel policies of the City of Edgerton regulating the use of City vehicles and equipment. For additional driving guidelines please refer to the City's Personnel Manual.

### **General Procedures**

- Only specifically authorized employees who possess a valid license or permit for the vehicle or equipment being used shall operate City-owned motor vehicles or personally owned vehicles on City business.
- Employees are prohibited from texting and driving.
- Drivers shall know and obey all state and local motor vehicle laws applicable to the operation of their vehicle.
- The driver shall drive at safe speeds no greater than those posted and permitted by law. Traffic, road and weather conditions shall be given consideration in determining the safe speed, within the legal limit, which the vehicle shall be operated.
- A driver shall not permit unauthorized persons to drive, operate, or ride in or on a City vehicle.
- Seat belts shall be used by all occupants.
- Employees shall not permit anyone to ride on the running boards, fenders, truck box or any part of the vehicle except on the seats; except as required by special, approved job activities.
- Employees shall not ride on any trailer.
- Employees shall not jump on or off vehicles in motion.
- Keep floorboards free of debris.
- Red flags shall be displayed on the extreme ends of loads which project four feet or more behind any vehicle.
- Yellow flashing beacon lights/hazard lights shall be visible and used on vehicles as required.
- Windows shall be cleared of ice/snow before vehicle operations. Care should be taken during snow removal operations to maintain a clear windshield for safe driving purposes.
- For snow removal operations, care should be taken to avoid snow blindness, including the use of sunglasses if necessary.

## **Inspection of Equipment**

- The driver shall determine that brakes are in a safe condition before operating equipment.
- Report if brakes are not working properly, and they shall be corrected before the vehicle is used.
- The driver shall inspect the windshield wipers frequently to see that they are in good operating condition, and that the windows and windshield give sufficient visibility for safe operation of the vehicle.
- The vehicle lights and reflectors shall be inspected by the employee; and if found defective, they shall be reported immediately.
- The driver shall visually inspect the condition of the tires. Report any suspected concerns. Visually check if the tires appear flat.
- The driver shall report any defects that may have developed during the day. Items that affect the safe operation of the vehicle shall be repaired prior to continued vehicle operation.
- The load shall not exceed the manufacturer's vehicle weight specifications, or weight restrictions imposed by law.

## **Operation**

- The operator of a motor vehicle shall comply with all laws or ordinances pertaining to vehicle operation.
- The operator of a motor vehicle shall clearly signal any intentions of turning, passing, or stopping.
- Upon a signal from an emergency vehicle approaching, the driver of a City vehicle shall yield the right-of-way.
- Drivers shall be prepared to stop and yield the right-of-way in instances when necessary to avoid an accident.
- The driver of a vehicle shall be courteous toward other operators and pedestrians. The vehicle shall be operated in a safe manner, and the driver shall yield the right-of-way to pedestrians and other vehicles.
- The driver shall maintain sufficient distance behind other vehicles to safely stop the vehicle.

## **FIRST AID**

The following are intended to be used as general guidelines by personnel in the event of an accident or injury for administering first aid. In the event of a serious accident or emergency 911 should be called immediately.

### **General**

- Blood-borne pathogens cause diseases such as Hepatitis B and HIV. When administering any type of first aid, limit or eliminate contact with blood and bodily fluids.
- Immediately wash hands and all other possibly contaminated body parts. Remove contaminated clothing after administering first aid. Report all exposure to blood and bodily fluids to your supervisor.
- Employees shall be familiar with basic first aid so they may provide emergency treatment to fellow employees and the public until emergency responders arrive.
- Employees shall be knowledgeable of the treatment of traumatic shock, artificial respiration and control of bleeding. Also, employees shall know which medical services are available and how to obtain them.
- Employees shall be familiar with the location of first aid kits, contents and instructions given with the kit. The contents of the kits should be inspected periodically and expended items replaced.
- Every city-owned vehicle should be equipped with a first aid kit.

### **Working in Hot Weather**

- The following precautions shall be observed in hot weather:
  - to avoid sunburn, wear a shirt and long pants. Light colored clothing is preferred.
  - wear a hat when working in the sun. Avoid overexertion
  - drink plenty of water, but avoid excessive quantities of ice water.
  - avoid caffeinated beverages.
  - avoid heavy meals, eat lighter meals/snacks.
  - take more frequent, short breaks.
- Sunstroke or heatstroke is an extreme medical emergency and medical aid shall be obtained as soon as possible. A delay of one or two hours may mean the difference between life and death.

Symptoms of Heatstroke	Treatment
Hot, dry skin and high temperature Face red and flushed Dizziness, intense headache, hard breathing Possible convulsions and unconsciousness	Call for emergency help Move to a cool, shady spot Lay on back, head and shoulders raised Cool body with water or wet clothes Cool drink, not ice cold Do not give stimulants.

- Heat exhaustion or heat prostration is not as serious as sunstroke, but shall be treated promptly.

Symptoms of Heat Exhaustion	Treatment
Skin cold and clammy Face pale Possible chills, cramps or dizziness May vomit Weak, rapid pulse	Move to fresh, moving air Keep lying down with legs up Loosen clothing Rub arms and legs gently towards heart Get to a doctor ASAP in severe cases

### Working in Cold Weather

Sufficient clothing shall be worn to protect against the cold. Tight clothing which restricts the circulatory system shall be avoided. Frostbite on the nose, cheeks, ears, fingers, or toes is the most likely danger in cold weather. Frostbite develops most frequently when a high wind is blowing.

Symptoms of Frostbite	Treatment
Pain felt early, but subsides later Skin becomes grayish white Affected part feels intensely cold and numb Blisters may appear later	Do not rub the affected part with snow or the hands. Rewarm frozen part using moist rags or towels dipped in water at 90° - 100° F.

### Electrocution

- Do not rush in and become a casualty yourself. If possible, de-energize or insulate the power source. Remove the victim from the electric source with a dry, nonconductive material. When safe to do so, begin rescue procedures. (See Emergency First Aid Procedures)
- If the victim has been struck by lightning, immediately begin to administer first aid as the charge is no longer present.
- Call 911.

## **Animal Bite**

- If bite reddens or breaks the skin, notify owner and animal control about the bite.
- Notify your supervisor about the bite and proceed to get immediate treatment by a healthcare provider. The healthcare provider will report the bite to Animal Control.

## **Useful Rules for All Emergencies**

- Remain calm and evaluate the situation.
- Do not move a victim unless absolutely necessary.
- Solve the important problems first; i.e. stop bleeding, restore breathing, remove toxic gases.
- Perform first aid treatment.
- Make sure hands, instruments, bandages, and the general area around the wound are clean.

## Emergency First Aid Procedures

CPR/AED and Artificial Respiration	<b>Call for medical assistance immediately (911)</b> <ol style="list-style-type: none"> <li>1. Perform CPR only if properly trained and qualified</li> <li>2. Locate nearest AED unit. Hook up and follow AED prompts.</li> <li>3. Restore circulation using chest compression techniques</li> <li>4. Decide on treatment for other injuries</li> </ol>
Heart Attack (victim conscious)	<b>Call for medical assistance immediately (911)</b> <ul style="list-style-type: none"> <li>• Treat for shock (see below)</li> <li>• Keep person quiet</li> <li>• Administer oxygen, if available</li> </ul>
Choking (not able to cough)	<b>Use Heimlich maneuver</b> <ul style="list-style-type: none"> <li>• Stand behind victim, hold your arms around victim's waist over navel.</li> <li>• Hold your own fist firmly and thrust hard in upward direction. If victim is collapsed, strike sharply over the spine between the shoulder blades with the heel of your hand, roll onto back and administer abdominal thrusts.</li> <li>• If breathing stops, go to CPR/AED treatment above.</li> </ul>
Confined Space Rescue	<b>Contact 911 for immediate help.</b> <ul style="list-style-type: none"> <li>• If not trained in Confined Space Rescue, DO NOT ENTER SPACE BEFORE HELP ARRIVES.</li> <li>• Use proper protective equipment</li> </ul>
Severe Injuries: Hemorrhage Electrical shock Chemical burns Eye injuries Fracture	<b>Contact 911 for medical assistance immediately</b> <ul style="list-style-type: none"> <li>• Stop bleeding by using direct pressure</li> <li>• Treat for shock if necessary</li> <li>• Keep patient lying down and calm</li> <li>• Clean and dress wounds if possible</li> <li>• Flush chemical away from eye or skin with flushing solution (check MSDS sheet)</li> </ul>
Treatment for Shock	<b>Contact 911 for medical assistance immediately</b> <ul style="list-style-type: none"> <li>• Give artificial respiration, if necessary</li> <li>• Keep victim lying down, head level with body and turned</li> <li>• Elevate feet, if not painful for victim</li> <li>• Elevate head and chest if there is difficulty in breathing</li> <li>• Keep victim warm</li> <li>• Give sips of water, only if conscious and there is no abdominal pain</li> </ul>
Minor Injuries: Cuts, scratches Minor burns Head injuries Chest injuries Sprains Fainting	<ul style="list-style-type: none"> <li>• Wash and rinse wounds</li> <li>• Apply antiseptic and dressing</li> <li>• Cover puncture wounds containing foreign material, DO NOT remove material</li> <li>• Refer to physician if puncture wound is deep or injury seems complicated</li> <li>• Treat for shock, if necessary</li> <li>• Apply cold compress for nosebleeds, sprains and mild injuries</li> <li>• Hold burn under clean running water</li> </ul>

## **LOCKOUT/ TAGOUT PROCEDURE**

Machinery and equipment operate because some form of energy gives them power. During normal machinery operation it is evident energy is on because the machine is operating. During service or maintenance, a machine is turned off, but the energy source must also be turned off. Failure to do so could activate the machine during servicing and cause serious injury and even death.

Lockout is the preferred method of isolating machines or equipment from energy sources. That means placing a lockout device (lock) on an energy isolating device to ensure the energy isolating device and equipment being controlled can't be operated until the lockout device is removed.

If a lockout device is not available or will not work on a particular piece of equipment, a Tagout device may be used. A tagout device is a tag that warns people not to start the machine.

### **Definition**

Tagout: Use of "Tag" only to warn employees not to use the equipment.

Lockout: Use of a padlock and tag to prohibit operation of the equipment.

### **Responsibility**

Appropriate employees shall be instructed in the safety significance of the lockout (or tagout) procedure. Each new or transferred employee and other employees whose work operations are in or may be in the area shall be instructed in the purpose and use of the lockout or tagout procedure.

### **Preparation for Lockout or Tagout**

Make a survey to locate and identify all isolating devices to be certain which switch(s), valve(s), or other energy isolating devices apply to the equipment to be locked or tagged out. More than one energy source may be involved. All energy sources must be locked out or tagged out.

### **Sequence of Lockout or Tagout System Procedure**

- Notify all affected employees that a lockout or tagout system is going to be utilized and the reason. The authorized employee shall know the type and magnitude of energy that the machine or equipment utilizes and shall understand the hazards.
- Energized equipment includes all forms of energy --- electrical, hydraulic (any type of liquid, including water under pressure), pneumatic (gas, air, etc. under



pressure), and mechanical (potential or “built-up” energy, such as spring energy, that may cause equipment parts to move without warning).

- If the machine or equipment is operating, shut it down by the normal stopping procedure.
- Operate the switch, valve, or other energy isolating device(s) so that the equipment is isolated from its energy source(s). Stored energy must be dissipated or restrained by methods such as repositioning, blocking, bleeding down, etc.
- Lockout and/or tagout the energy isolating devices with assigned individual lock(s) or tag(s).
- After ensuring that no personnel are exposed, and as a check on having disconnected the energy sources, operate the push button or other normal operating controls to make certain the equipment will not operate.

**CAUTION:** Return operating control(s) to “neutral” or “off” position after the test.

- The equipment is now locked out or tagged out.

### **Restoring Machines or Equipment to Normal Production Operations**

- After the servicing and/or maintenance is complete and equipment is ready for normal production operations, check the area around the machines or equipment to ensure the area is clear of people or other obstacles.
- After all tools have been removed from the machine or equipment, guards have been reinstalled and employees are in the clear, remove all lockout or tagout devices.
- Operate the energy isolating devices to restore energy to the machine or equipment.

### **Procedure Involving More than One Person**

In the preceding steps, if more than one individual is required to lockout or tagout equipment, each shall place his/her own personal lockout device or device on the energy isolating device(s). When an energy isolating device cannot accept multiple locks or tags, a multiple lockout or tagout device (hasp) may be used. Each employee will then use his/her own lock to secure the energy isolating device. As each person no longer needs to maintain his or her lockout protection, that person will remove his or her lock from the energy isolating device.

## **Basic Rules for Using Lockout or Tagout System Procedure**

- All equipment shall be locked out or tagged out to protect against accidental or inadvertent operation when such operation could cause injury to personnel. Do not attempt to operate any switch, valve, or other energy isolating device where it is locked or tagged out.
- Each employee authorized to use the lockout or tagout procedures shall use a tag which will identify the person that has locked out or tagged out the equipment. This shall be used in conjunction with any locks and shall be the preferred procedure. Only in special circumstances may a “tag” only be used and only with extreme caution.
- Only the employee who installed the lockout or tagout may remove it. (A supervisor, after conferring with the employee who installed it, may remove the lockout or tagout, if necessary).

## **TRENCHING AND EXCAVATIONS**

**(Contact Kansas One Call \*811 before doing any digging)**

OSHA requires that all excavations over five feet deep be sloped, shored, sheeted, braced or otherwise supported. When soil conditions are unstable, excavations shallower than five feet also must be sloped, supported or shored.

### **General Excavation Preparation**

- Personal protective equipment shall be worn as required.
- Workers shall work at a safe distance from each other to avoid striking each other with tools.
- The competent person in charge of the work site shall determine what is needed to complete a safe excavation job. A soil check must be performed to determine whether to shore, slope, or step back and the amount required.
- Prior to excavation, all utility companies will be notified by contacting "Kansas One Call" and having all utilities marked in advance of starting any work.
- Open excavations shall be barricaded. Walkways, crosswalks, and roadways shall be provided as needed.

### **Safety Specifics**

- Excavations must be properly shored, shielded or sloped to eliminate possible exposure to cave in. No one is to enter such excavation until this has been done. The soil type will always be considered as unstable.
- The edges of excavations shall be cleared back at least two feet to assure that soil piles or other items will not fall into the trench. If the top of the trench is to be used as a work area or a walkway, the soil piles shall be cleared back more than two feet from the open trench.
- Barricades shall be placed to warn others of the opening with special attention to after-work-hour conditions and traffic.
- The use of heavy equipment and other sources of vibration must not be permitted to cause an imminent risk to cave-in or fall-in mishaps.
- A ladder or ramp must be used in every trench 4 feet or more in depth. Access shall be located to require more than 25 feet lateral travel.
- Portable trench boxes or sliding trench shields may be used for the protection of personnel in lieu of a shoring system or sloping. Where such trench boxes or shields are used, they shall be designed, constructed, and maintained in a manner which will provide protection equal to or greater than the sheeting or shoring required for the trench.
- Undercuts and overhanging banks must be removed as the trench is opened up.

### **Trench Maintenance**

- The competent person in charge shall inspect the trench for deficiencies at least twice per shift or as conditions warrant. Items to be checked are shoring, sloping, overhangs, cracks, freezing and thawing conditions, water saturation and drying out. Each worker shall report deficient conditions promptly to supervision.

### **Underground or Buried Utility Lines**

- When it is necessary to excavate, drill, or break into ground, floor, walls, or other locations where service lines are embedded, the supervisor in charge of the work shall be responsible for having all maps and prints checked for the locations of such lines.

**Contact Kansas One Call \*811**

### **Drilling, Digging, Cutting**

- Breaching or penetrating the surface of any existing structure or ground surface requires the employee to ensure that any energy source is located and identified to eliminate the potential of coming in contact with the drill, digging or cutting device.
- These operations shall include but are not limited to:
  - Excavation and digging – manual or powered.
  - Drilling – including core drilling, pneumatic drilling, or use of powder actuated stud guns.
  - Chipping, jack hammering, or sawing holes of any sort.
  - Sinking or driving of any pole, post or piling.
  - Burning – including oxygen/acetylene.
- If applicable, prior to starting any operation of drilling, digging or cutting, Kansas One Call must be contacted.
- To identify hazards, a thorough review of the work and work site shall be conducted before work is authorized. The review shall consist of but is not limited to:
  - Review of drawings.
  - Walkthrough of site.
  - Discussion with experienced co-workers or peers, and supervisor.
  - Use of locating equipment.

## **PERSONAL PROTECTIVE EQUIPMENT**

### **Purpose**

The purpose of this program is to assess the need for appropriate Personal Protective Equipment (PPE). Each unique job designation which incorporates specific use of equipment and/or procedures will be assessed for the need of specific PPE's and documented within this program.

### **Equipment**

All equipment shall be certified PPE's. Equipment specified within the job assessments will be used while performing work duties for that operation. Affected employees are not permitted to substitute any equipment in place of the specified PPE's unless first cleared with management and the safety coordinator.

### **Training**

All employees will be trained on the following topics concerning the required PPE's for their work area and/or function:

- When PPE is necessary
- What PPE is necessary
- How to properly don, doff, adjust, and wear PPE
- The limitations of the PPE
- The proper care, maintenance, useful life and disposal of the PPE

All employees will demonstrate an understanding of the training topics and proper use of the equipment.

### **Compliance**

Any employee who is not in compliance with the PPE requirements and procedures will be immediately subject to the appropriate reprimand procedures.

## **APPENDICES**

Accident Investigation Report Form

Confined Space Entry Permit

Confined Space Entry Communications Log Sheet

Trenching and Excavations Checklist

DRAFT

## **ACCIDENT INVESTIGATION PROCEDURES**

### **Objective**

To determine what went wrong in the workplace that resulted in an accident, or near miss, so that effective corrective action can be taken to prevent recurrence.

### **Responsibilities**

The supervisor of the department in which the incident, illness or near miss occurred shall assure a complete and thorough accident investigation is conducted. Copies of this report should be sent to the City Administrator for processing and follow-up.

The City Administrator or her designee will review the report to assure completeness and accuracy and maintain a copy in a central accident file.

A copy of any accident report will also be maintained in the employees personnel file.

Employees must immediately report all occupational incidents, illness and near misses to their immediate supervisor **WITHIN 24 HOURS**.

The City Administrator or her designee will ensure the proper notification of authorities per Federal, State, and Local regulations.

### **Procedures**

- Contact 911 for emergency services in the event of a serious accident or injury.
- Provide for first aid if necessary.
- Go to the scene of the accident at once.
- Talk with injured person, if possible. Talk to witnesses. Stress getting the facts, not placing blame or responsibility. Ask open-ended questions.
- Listen for clues in the conversations around you. Unsolicited comments often have merit.
- Encourage people to give their ideas for preventing a similar accident.
- Study possible causes - unsafe conditions, unsafe practices.
- Confer with interested persons about possible solutions.

- Write your accident report give a complete, accurate account of the accident. Do not offer opinions.
- Follow-up to make sure conditions are corrected. If they cannot be corrected immediately, report this to your supervisor.
- Publicize corrective action taken so that all may benefit from the experience.

## **Completing the Investigation Report**

Once the investigation process is complete and the facts are known, preparing the report should not be difficult. Refer to Accident Investigation Report

### Report Questions

#### (1) THROUGH (15)

These questions are self-explanatory but are important for administrative and follow-up reasons. The name of the treating physician and clinic/hospital address may not be immediately known by the supervisor investigating the accident, and can be completed later.

#### (16) INJURY RESULT IN LOST TIME

This information is important as the starting point for the City's Loss Control Prevention Program.

### **Injury**

#### (17) ACCIDENT TYPE

This explains the type of incident being investigated, i.e., fall from ladder, stepped on nail, electrical shock, struck by a vehicle, fire, lifting materials, etc.

#### (18) SOURCE

This describes the object or substance inflicting the injury or otherwise involved in the incident. Some examples are power tools, an icy floor, shredder, shear, electrical wiring, etc.

#### (19) NATURE OF INJURY

This identifies the kind of injury resulting from the accident, such as an electrical burn, concussion, back strain, asphyxiation, etc.

#### (20) PART OF BODY INJURY - SELF-EXPLANATORY



## Property Damage

- (21) Describe what was damaged as a result of the accident (or near miss), i.e., backhoe, power tool, building, maintenance vehicle, etc.

(22) NATURE OF DAMAGE

This deals with the extent of the damaged property such as a crushed fender, backhoe rollover, destroyed tool, broken ladder, conveyor collapse, etc.

(23) SOURCE - OBJECT INFLICTING DAMAGE

The source of the accident could be such things as a faulty electrical system, an excavation cave-in resulting in an injury, a disrepaired ladder, a snow covered parking lot.

(24) ESTIMATED COST OF REPAIR - SELF-EXPLANATORY

## Description

- (25) Describe in complete detail what happened, the activity the worker was involved in, who else was involved and ask open ended investigative questions such as where - when - why - how.

## Evaluation

### (26) SEVERITY POTENTIAL

The supervisor should be able to determine the accident severity based on the facts of the case. For example, the injury or death severity potential for a 10 foot trench collapse in sandy soil is much greater (major), than a 4 foot trench collapse in clay.

### (27) RECURRENCE POTENTIAL

The experience of the employee, crew and nature of the work will help determine the possibility of like accidents happening sometime in the future. The supervisor needs to evaluate the failure possibilities of the management control systems in place at the time of the accident.

### (28) HAVE SIMILAR ACCIDENT(S) OCCURRED BEFORE?

This directly relates to Question 27. If similar accidents did in fact take place in the past, it strongly indicates that some management system, some device or control measure failed.

### (29) REASONS FOR RECURRENCE - FULLY DESCRIBE WHAT FAILED AND WHY.

## Correction

- (30) Based on the information developed through Questions 26, 27, 28 and 29, clearly define steps that must be taken to prevent similar accidents in the future. That is, permanently fix the problem.

## Follow-up

- (31) Based on the severity potential (Question 26), state when follow-up to suggested corrective action (Question 30) must be taken.

For example, if the severity potential for a like accident is major (Question 26) or the recurrence potential is frequent (Question 28), then obviously the follow-up to corrective action should be immediate.

The department supervisory should review the accident investigation report for completeness and accuracy, initial and date the report, and forward it to the City Administrator for further processing as necessary.

## ACCIDENT INVESTIGATION REPORT

### IDENTIFICATION

1. City \_\_\_\_\_ 2. Department \_\_\_\_\_
3. Date of Accident \_\_\_\_\_ 4. TIME \_\_\_\_\_ a.m. p.m. 5. Date Reported \_\_\_\_\_
6. Name of Injured \_\_\_\_\_ 7. Age \_\_\_\_\_
8. Job Title \_\_\_\_\_ 9. Experience \_\_\_\_\_ (yrs./months)
10. Sex M ☐ F ☐ 11. SSN \_\_\_\_\_
12. On Premises ☐ 13. Off Premises ☐
14. Employee Death ☐ Y ☐ N
15. Person treating injury (Physician/Hospital named and address)
- \_\_\_\_\_
- \_\_\_\_\_
16. Did the injury result in Lost Time? \_\_\_\_\_ Change in Duties? \_\_\_\_\_

### INJURY

17. Accident Type \_\_\_\_\_
18. Source - The Object or substance inflicting injury \_\_\_\_\_
- \_\_\_\_\_
19. Nature of Injury \_\_\_\_\_
20. Part of Body \_\_\_\_\_

## PROPERTY DAMAGE

21. What damaged \_\_\_\_\_

22. Nature of damage \_\_\_\_\_

23. Source - Object inflicting damage \_\_\_\_\_

24. Estimated cost of repair \_\_\_\_\_

DESCRIPTION (describe what happened - who was involved - where - when - why - how)

25. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## EVALUATION

26. Severity potential Major ☐ Serious Minor ☐

27. Recurrence potential Frequent ☐ Occasional ☐ Rare ☐

28. Have similar accident(s) occurred before? \_\_\_\_\_

29. Reasons for recurrence \_\_\_\_\_  
\_\_\_\_\_

CORRECTION (describe steps taken to prevent future accidents)

30. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

FOLLOW-UP (send a copy of the report for follow-up)

31. Immediate ☐      7 days ☐      30 days ☐      60 days ☐

Activity (list actions taken and dates)

\_\_\_\_\_

**1. DATE & TIME ISSUED:** \_\_\_\_\_

Page 34

Requirements Completed		
Ventilation Breathing Apparatus	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Resuscitator – Inhalator	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Full Body Harness w/"D" ring	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Emergency Escape Retrieval Equip	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Extinguishers	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Protective Clothing	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Gloves	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Glasses	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Mask	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Respirator(s) (Air Purifying)	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable

#### COMMUNICATIONS:

Pre –Program - Contact Johnson County Fire District and Sheriff's Department

Regular Check-in

Access to Public Works Department or Utilities Department

☐ by phone

☐ by radio

INTERVALS: Beginning Confined Space process at Inlet and at Conclusion of Inspections and testing as noted above and below.

Emergency - 911

#### 4. TERMINATION BY ENTRY SUPERVISOR

Authorization: I certify that all required precautions have been taken and the necessary entry equipment has been provided to safely work in this confined space.

Date and Time Terminated: \_\_\_\_\_

Print Name: \_\_\_\_\_ Signature: \_\_\_\_\_



**CONFINED SPACE ENTRY - UTILITIES  
COMMUNICATIONS LOG SHEET**

Date: \_\_\_\_\_

**EMERGENCY - 911**

Work Site Location / Address: \_\_\_\_\_

Work Description:

\_\_\_\_\_  
\_\_\_\_\_

Employees at Work Site:

\_\_\_\_\_  
\_\_\_\_\_

Time of Entry: \_\_\_\_\_

Time of Report Back to Public Works/Utilities: \_\_\_\_\_

Time Follow-up Report: \_\_\_\_\_

Time Follow-up Report: \_\_\_\_\_

Time Follow-up Report: \_\_\_\_\_

Time of Exit / Termination: \_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_



## TRENCHING AND EXCAVATIONS -CHECK-LIST

### Before Trenching or Excavation

- CHECK: ☐ Soil conditions or other material to be dug.
- CHECK: ☐ Proximity to utilities, buildings and sources of vibration.
- CHECK: ☐ Owners of utilities, service, or transmission piping, etc. and arrange for shutdown or relocating of facilities, if necessary.
- CHECK: ☐ For previously disturbed ground.
- CHECK: ☐ For trees, boulders, or other employee hazards.
- CHECK: ☐ Adequacy and availability of all equipment, including personal protective gear, shoring materials, signs, barricades, and machinery.

### During Trenching or Excavation

- CHECK: ☐ For changing ground conditions, particularly after rainfall.
- CHECK: ☐ For possible oxygen deficiency or gaseous conditions.
- CHECK: ☐ Adequacy of shoring and/or sloping as work progresses.
- CHECK: ☐ For maintenance of entrance and exit facilities.
- CHECK: ☐ All sheeting, bracing, shoring and underpinning.
- CHECK: ☐ For changes in vehicular and machinery operational patterns.

### After Trenching or Excavation

- CHECK: ☐ Depth of trench or excavation, its sloping and shoring.
- CHECK: ☐ Sloping or banks, sides, and walls in relation to depth of cut, water content of soil, vibrations.
- CHECK: ☐ Entrance and exit facilities.
- CHECK: ☐ Location of heavy equipment-power shovels, derricks, trucks.
- CHECK: ☐ That excavated material is two feet or more from edge of opening.
- CHECK: ☐ The adequacy of portable trench boxes or trench shields, if used.
- CHECK: ☐ For correct positioning of cross braces or trench jacks to prevent sliding, falling or kickouts.

## AGENDA ITEM INFORMATION FORM

**Agenda Item:** Consider Purchase of Tandem Axel Snow Plow

**Department:** Public Works

**Background/Description of Item:** In 2010, the Edgerton City Council adopted a Vehicle and Equipment Replacement Policy. The stated purpose of the policy is to provide effective guidelines for administering and accounting for the City's vehicle and equipment replacement; to provide a framework for decision relating to replacement; and to act as a budgeting guide for the Governing Body and staff.

Staff presented the 2014 Annual Vehicle and Equipment Inventory in April. During the last budget work session, staff reviewed the proposed 2014 and 2015 Vehicle and Equipment purchases. One of the most significant purchases for 2014 is the recommendation by staff for the purchase of a tandem axel snow plow.

Beginning in Winter 2014, the City of Edgerton will be responsible for snow and ice control for an additional six (6) miles of roadway. These roadways, including Homestead Lane and 191<sup>st</sup> Street, are large roadways serving Logistics Park Kansas City, a facility that operates 365/24/7.

In anticipation of that responsibility, staff has been researching types of trucks and equipment, industry best practices and local vendors to develop the recommended piece of equipment to best serve Edgerton. Staff recommends the purchase of a New International Tandem Axel truck chassis. This chassis is the same type is used by Johnson County with great success. In addition, it was the low bid in the MARC cooperative purchasing pool rather than MACK, Kenworth or Freightliner. For equipment, staff recommends Warren model dump bed and Henke model plow and spreader. This equipment is the same manufacturer as the recently purchased white snow plow and includes service by local vendors. Staff has established relationships with those vendors and is familiar with maintenance of the equipment.

The Vehicle and Equipment Policy requires the Department Director to prepare the specifications for the replacement vehicle with an effort for those to be as "standard" as possible to provide for economical and efficient repairs. It also requires that the City first use cooperative purchasing partnerships. The City's purchasing policy requires that purchases over \$25,000 must first be approved before bids are acquired. Staff met these criteria by using the Mid America Regional Council (MARC) Metro Vehicle Bid List.

Please find enclosed the Vehicle and Equipment Reserve Fund Summary which includes \$150,000 allocated for the purchase of this piece of equipment.

Staff recommends the approval of the purchase of the New International Tandem Axel truck with equipment from American Equipment. If approved, staff anticipates delivery of the vehicle in early to mid-December.

Enclosure: Vehicle and Equipment Reserve Fund Summary  
Equipment Request with corresponding bid information

**Related Ordinance(s) or Statute(s):**

**Recommendation:** Approve Purchase of Tandem Axel Snow Plow

<b>Funding Source:</b> Vehicle and Equipment Reserve Fund
---

Prepared by: Beth Linn, City Administrator  
Date: August 13, 2014

City of Edgerton  
Vehicle & Equipment Replacement  
Fund Summary  
As of 8-12-2014

**Fund 13 - General Equipment Reserve Fund**

	2014	2015	2016	2017	2018	2019
Beginning Balance, Jan 1	\$ 73,970	\$ 86,855	\$ 82,377	\$ 50,458	\$ (25,657)	\$ (112,647)
Transfers in from Other Funds	234,250	79,250	79,250	79,250	79,250	79,250
Vehicle/Equipment Purchases	(221,365)	(83,729)	(111,169)	(155,365)	(166,240)	(25,000)
Ending Balance, 12/31	\$ 86,855	\$ 82,377	\$ 50,458	\$ (25,657)	\$ (112,647)	\$ (58,397)

**Fund 27 - Water Equipment Reserve Fund**

	2014	2015	2016	2017	2018	2019
Beginning Balance, Jan 1	\$ 148,970	\$ 87,588	\$ 72,588	\$ 9,558	\$ 1,176	\$ 1,176
Transfers in from Other Funds	-	-	-	-	-	-
Vehicle/Equipment Purchases	(61,382)	(15,000)	(63,030)	(8,382)	-	-
Ending Balance, 12/31	\$ 87,588	\$ 72,588	\$ 9,558	\$ 1,176	\$ 1,176	\$ 1,176

**Fund 37 - Sewer Equipment Reserve Fund**

	2014	2015	2016	2017	2018	2019
Beginning Balance, Jan 1	\$ 73,970	\$ 42,288	\$ 34,288	\$ (13,742)	\$ (22,124)	\$ (22,124)
Transfers in from Other Funds	-	-	-	-	-	-
Vehicle/Equipment Purchases	(31,682)	(8,000)	(48,030)	(8,382)	-	(50,000)
Ending Balance, 12/31	\$ 42,288	\$ 34,288	\$ (13,742)	\$ (22,124)	\$ (22,124)	\$ (72,124)

**Notes:**

Transfers In number for 2014 is what was included in the 2014 budget except for (1) General, which is what was in the budget plus \$150,000 for the dump truck to be purchased outright using a transfer from the General Fund's unencumbered fund balance; and (2) water. Due to the projected balance in the equipment reserve fund for water 2014 transfer won't be made. The amount for 2015 is the amount to be included in the 2015 budget as of this date. Amounts in years beyond 2015 are left the same as the 2015 amount.

## Kenneth Oshel

---

**From:** Howard Gentry [howard.gentry@summittruckgroup.com]  
**Sent:** Monday, August 04, 2014 11:09 AM  
**To:** Kenneth Oshel  
**Subject:** Update proposal  
**Attachments:** SKMBT\_C55414080411040.pdf; SKMBT\_C55414080411050.pdf

Hi Kenny,

Attached is an update proposal for your New International Tandem axle truck. I also attached the most recent equipment proposal.

Chassis price    \$79,713.00

Equipment       \$69,022.00

Total            \$148,735.00

As we discussed in the past, you will be paying me for the chassis and American Equipment for the equipment.

Please let me know if you have any questions

Thank you,

**Howard Gentry**  
Transportation Consultant

Toll #: 800-279-8500  
Tel #: 816-455-1833 x 11304  
Mobile #: 816-835-5637  
Fax #: 816-455-2796



[www.summittruckgroup.com](http://www.summittruckgroup.com)

7700 NE 38th Street | Kansas City, MO 64161 | 800-279-8500

*Disclaimer Confidentiality Notice:* This e-mail, and any attachments and/or documents linked to this email, are intended for the addressee and may contain information that is privileged, confidential, proprietary, or otherwise protected by law. Any dissemination, distribution, or copying is prohibited. This notice serves as a confidentiality marking for the purpose of any confidentiality or nondisclosure agreement. If you have received this communication in error, please contact the original sender.

Please consider the environment before printing this email

# American

EQUIPMENT CO.

3250 Harvester Road

Kansas City, Kansas 66115

(Phone) 913-342-1450 (Fax) 913-342-1377

sales@americanequipment.us

## QUOTATION

DATE	Quotation #
6/9/2014	060914/IJB

NAME / ADDRESS
City of Edgerton P/O Box 255 Edgerton, KS 66021

TO CONFIRM ORDER
Quote Accepted by _____
Date _____
P.O. # _____

LEAD TIME	TERMS	REP	FOB	PHONE	FAX #
90-120 days ...	Due on Rece...	JLB	KC,KS	913 893 6231	

QTY	ITEM	DESCRIPTION	U/M	COST	Total
1	300	Warren Model FL-15 Dump: - 15' long (13 to 16 cubic yards) - 3/16" A1011 floor - 40" sides 10 GA. A1011 - 48" air-operated tailgate 10 GA. A1011 - 1/2 cab shield - 6" 3 stage 126" stroke T-hoist - Mudflaps & backup alarm - 1" pull plate, 30 ton pintle, D-rings, & trailer plug - Painted white Henke Model HXC2000 V-box salt spreader: - 13' 8.83 Capacity - 84" wide & 54.5" tall - Pintle chain removable cartridge - 304 stainless steel construction - Inverted V & top screens - Storage leg kit - 100 gal. tanks (2) total - Tailgate latch bar & ratchet straps Henke Model EXP11AK Plow - Alaska style with 3/16" rolled plate moldboard with integral snow shield - (4) adjustable slotted trip springs - Universal quick hitch - Steel cutting edge - 3" x 10" x 2" angle cylinders - Snow plow lights		69,022.00	69,022.00
Quoted by John Blogin				<b>Total</b>	

This quote is valid for 30 days. Applicable taxes not included.



EQUIPMENT CO.  
3250 Harvester Road  
Kansas City, Kansas 66115  
(Phone) 913-342-1450 (Fax) 913-342-1377  
sales@americanequipment.us

## QUOTATION

DATE	Quotation #
6/9/2014	060914/1JB

NAME / ADDRESS
City of Edgerton P/O Box 255 Edgerton, KS 66021

TO CONFIRM ORDER
Quote Accepted by _____
Date _____
P.O. # _____

LEAD TIME	TERMS	REP	FOB	PHONE	FAX #		
90-120 days ...	Due on Rece...	JLB	KC,KS	913 893 6231			
QTY	ITEM	DESCRIPTION			U/M	COST	Total
		Certified Power Central hydraulics & controls: - System to include hydraulics & controls for dump, plow, spreader, & anti-ice: - Front mounted pump - Hydraulic lines ran with qd's ALL OF THE ABOVE INSTALLED OPTION/S:  (4) Oval amber LED strobes & (1) LED amber mini-light bar. (ADD 975)  Dual 100 gal. tanks per side 400 gal. total (ADD \$ 1,975)					
Quoted by John Blogin				Total		\$69,022.00	

This quote is valid for 30 days. Applicable taxes not included.

**FINAL BID TABULATION**

		Shawnee Mission Ford Shawnee, KS	RobertsChevrolet Buick Platte City, MO	Olathe Ford Sales, Inc. Olathe, KS	Westfall GMC Truck, Inc. Kansas City, MO
Item	Item Name	Unit Price	Unit Price	Unit Price	Unit Price
1	Group I-Cab & Chassis- Van Cutaway	\$19,996.00	\$20,708.00	\$19,927.00	No bid
	2014 E-350 Cutaway		Chevrolet CG33503	FORD E350 E3F	
2	Group I-Cab & Chassis- 1-Ton	\$21,181.00	\$22,786.00	\$20,738.00	No bid
	2014 F-350 Cab & Chassis 4x2 XL SR		Chevrolet Cab& Chassi	FORD F350 CC SRW	
3	Group I-Cab & Chassis-15,000 GVWR	\$27,468.00	No bid	\$27,013.00	No bid
	2014 F-450 Cab & Chassis 4x2 XL DRW			FORD F450 F4G	
4	Group I-Cab & Chassis-17,500 GVWR	\$28,425.00	No bid	\$27,968.00	No bid
	2014 F-550 Cab & Chassis 4x2 XL DRW			FORD F550 F5G	
5	Group I-Cab & Chassis-21,000 GVWR	No bid	No bid	\$54,479.00	No bid
				FORD F650 F6F	
6	Group I-Cab & Chassis-29,000 GVWR	No bid	No bid	\$60,636.00	No bid
				FORD F650 F6F	
7	Group I-Cab & Chassis-34,000 GVWR	No bid	No bid	disqualified-does not meet minimum specifications	\$80,724.79
8	Group I-Cab & Chassis-56,000 GVWR	No bid	No bid	No bid	MACK GU5 34K GVW \$98,782.85
9	Group I-Cab & Chassis-66,000 GVWR	No bid	No bid	No bid	MACK GU8 56K GVW \$101,337.85
10	Group II-Cars - Subcompact Sedan	No bid	\$15,823.00	No bid	MACK GU8 66K GVW No bid
			Chevrolet Sonic		
11	Group II-Cars - Compact Sedan	\$15,843.00	\$16,474.00	\$15,843.00	No bid
	2014 Ford Focus SE		Chevrolet Cruze	FORD FOCUS P3F SE	
12	Group II-Cars - Mid-Size Sedan	\$16,981.00	\$18,107.00	\$16,981.00	No bid
	2014 Ford Fusion S		Chevrolet Malibu	FORD FUSION FWD S	
13	Group II-Cars - Full-Size Sedan FW Drive	\$20,242.00	\$18,189.00	\$20,242.00	No bid
	2014 Ford Taurus SE		Chevrolet Impala Limited	FORD TAURUS FWD SE	
14	Group II-Cars - Full-Size Sedan RW Drive	No bid	No bid	No bid	No bid
15	Group III-SUVs - Subcompact	\$22,633.00	\$22,156.00	\$22,734.00	No bid
	2014 Ford Escape 4x4 SE		Chevrolet	FORD ESCAPE SE 4WD	



MHC Kenworth Kansas City Kansas City, MO	LANDMARK DODGE Independence, MO	Dick Smith Ford Raytown, MO	Diamond International Kansas City, MO	Kansas City Freightliner Kansas City, MO	Cable Dahmer Chevrolet Independence, MO
Unit Price	Unit Price	Unit Price	Unit Price	Unit Price	Unit Price
No bid	No bid	\$21,778.00	No bid	\$35,562.00	No bid
No bid	RAM	Ford E350	No bid	Freightliner Sprinter F3CC144	No bid
No bid	3500	Ford F350	No bid	\$0.00	No bid
No bid	No bid	Ford F450	No bid	\$0.00	No bid
No bid	No bid	Ford F550	\$43,086.00	\$0.00	No bid
No bid	No bid	No bid	INTERNATIONAL Terrastar	\$0.00	No bid
\$64,550.00	No bid	No bid	INTERNATIONAL 4300M7	\$66,906.00	No bid
T370-Kenworth	No bid	No bid	INTERNATIONAL 4300M7	Freightliner 108SD 108SD 29,000	No bid
\$86,460.00	No bid	No bid	\$65,576.00	\$71,081.00	No bid
T470-Kenworth	No bid	No bid	INTERNATIONAL 7300	Freightliner 108SD 108SD 37,700	No bid
\$83,335.00	No bid	No bid	\$73,253.00	\$81,077.00	No bid
T370-Kenworth	No bid	No bid	INTERNATIONAL 7400	Freightliner 108SD 108SD 56,000	No bid
\$100,301.00	No bid	No bid	\$77,630.00	\$95,567.00	No bid
T470-Kenworth	No bid	No bid	INTERNATIONAL 7400	Freightliner 114SD 114SD 66,000	No bid
No bid	No bid	\$14,837.00	No bid	No bid	\$15,865.00
No bid	No bid	Ford Fiesta	No bid	No bid	Chev Sonic
No bid	No bid	withdrawn bid std trans in error	No bid	No bid	\$16,850.00
No bid	\$16,241.00	\$16,994.00	No bid	No bid	\$18,790.00
No bid	Dodge Avenger	Ford Fusion	No bid	No bid	Chev Malibu
No bid	No bid	\$20,189.00	No bid	No bid	No bid
No bid	No bid	Ford Taurus	No bid	No bid	No bid
No bid	\$22,061.00	No bid	No bid	No bid	No bid
No bid	DODGE CHARGER	\$22,579.00	No bid	No bid	\$22,222.00
No bid	JEEP	Ford Escape	No bid	No bid	Chev Equinox

## AGENDA ITEM INFORMATION FORM

**Agenda Item:** Consider Final Acceptance of Edgerton Quiet Zones Project (Nelson Street and 199<sup>th</sup> Street)

**Department:** Public Works

**Background/Description of Item:** On February 24, 2011, the Edgerton City Council approved an Agreement for Consulting Services with Olsson Associates for the Professional Design Services of the Edgerton Quiet Zones. The agreement included the design of the two quiet zones located on Nelson Street near Edgerton Lake and on 199<sup>th</sup> Street just east of Highway 56. Both Quiet Zone Projects are included in Stage 1 of the Financing Plan for the Burlington Northern Santa Fe (BNSF) Intermodal/Logistics Park KC (LPKC). In October 2013, Edgerton City Council awarded the construction contract to Kansas Heavy Construction.

The project is now complete. The construction firm has submitted final pay application for city to consider acceptance of the project. The City contracted with Pfeifferkorn & Baldrige Engineering LLC to inspect the construction for conformance to plans and city standards. Both the City's Construction Inspector and the City Engineer has indicated that the project has been completed in general conformance to the plans and specifications approved by the City of Edgerton.

In June 2014, the City of Edgerton was officially notified by the Federal Railroad Administration (FRA) that the supplemental safety measures (raised medians, signage, etc.) installed along 199<sup>th</sup> Street and Nelson Street do not meet the federal guidelines for the establishment of a Quiet Zone. The City of Edgerton is working closely with the FRA and railroad partners to ensure corrections are made to meet the required guidelines.

The City has temporarily removed the "No Train Horn" signs at Nelson Street and 199<sup>th</sup> Street until the corrections are complete. Once complete, the City will file the required Notice of Establishment and begin the 21-day waiting period for the establishment of a quiet zone corridor at 199<sup>th</sup> Street and Nelson Street.

Staff would recommend final acceptance of this portion of the project in order to release final payment to the contractor, begin the warranty period and consider this portion of construction complete.

**Related Ordinance(s) or Statute(s):**

**Recommendation:** Approve Final Acceptance of Edgerton Quiet Zones Project (Nelson Street and 199<sup>th</sup> Street)

**Funding Source:** N/A

Prepared by: Beth Linn, City Administrator  
Date: August 13, 2014

## AGENDA ITEM INFORMATION FORM

**Agenda Item:** Consider the 2015 Recommended Budget

**Department:** Administration

**Background/Description of Item:** In May, June and July, Edgerton City Council held several work session to develop the recommended 2015 budget. Staff will recap the recommended budget during the official public hearing held on August 14<sup>th</sup> as required by state law. Enclosed is the required notice published in the Gardner News on July 30, 2014.

**Enclosures:** Public Hearing Notice

**Related Ordinance(s) or Statute(s):** N/A

**Recommendation:** Approve the 2015 Budget

**Funding Source:** N/A

Prepared by: Beth Linn, City Administrator

Date: August 12, 2014

## 2015

**Edgerton**

Detailed budget information is available at City Hall, 404 East Nelson, Edgerton, KS 66021 and will be available at this hearing.

Proposed Budget 2015 Expenditures and Amount of 2014 Ad Valorem Tax establish the maximum limits of the 2015 budget.

Estimated Tax Rate is subject to change depending on the final assessed valuation.

\*Tax rates are expressed in mills

City Official Title: City Administrator