

**EDGERTON CITY COUNCIL  
MEETING AGENDA  
CITY HALL, 404 EAST NELSON STREET  
April 14, 2016**

**Call to Order**

1. **Roll Call** \_\_\_\_ Roberts \_\_\_\_ Longanecker \_\_\_\_ Crooks \_\_\_\_ Troutner \_\_\_\_ Brown \_\_\_\_ Crist
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. Approve City Council Meeting Minutes March 24, 2016
6. Approve Resolution No. 04-14-16A To Address Registration Of Dogs Or Cats In The City Of Edgerton As Of March 31, 2016, But That Had Not Yet Reached The Age Of Six Months
7. Approve Ordinance No. 1014 Amending Subsection (C) Of Section 2-105 Of Article 1 Of Chapter II Of The Edgerton, Kansas Municipal Code To Clarify The City's Permit Requirements For Dog And Cat Breeders, And Also Amending Article 3 Of Chapter II Of Said Code To Include Additional Regulations Pertaining To Keeping Animals Within The City Of Edgerton
8. Approve Resolution No. 04-14-16B Establishing Fees And Rates For Permits, Licenses And Services Within The City Of Edgerton, Kansas
9. Approve Resolution No. 04-14-16C Approving the Closure of the Public Streets Named Herein During the Edgerton Summer Kickoff Block Party

**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 CHARTER ORDINANCE NO. 22 EXEMPTING THE CITY OF EDGERTON, KANSAS, FROM THE PROVISIONS OF K.S.A. 12-617 ET SEQ. AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT RELATING TO SEWER IMPROVEMENTS AND THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING FOR SAID IMPROVEMENTS.**

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

**13. CONSIDER RESOLUTION NO. 04-14-16D AUTHORIZING CONDITIONAL NOTICE OF PREPAYMENT OF A LOAN RELATED TO SEWER SYSTEM IMPROVEMENTS OF THE CITY OF EDGERTON, KANSAS**

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

**14. CONSIDER RESOLUTION NO. 04-14-16E AUTHORIZING THE OFFERING FOR SALE OF GENERAL OBLIGATION BONDS, SERIES 2016, OF THE CITY OF EDGERTON, KANSAS**

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

**15. CONSIDER THE PURCHASE OF SKID STEER**

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

**16. CONSIDER APPLICATION FP2016-01, FINAL PLAT, LOGISTICS PARK KANSAS CITY PHASE IV, SECOND PLAT**

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

**17. Report by the City Administrator**

**18. Report by the Mayor**

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

- April 20<sup>th</sup> Noon – Senior Lunch
- April 28<sup>th</sup> 7:00 PM – City Council Meeting
- April 30<sup>th</sup> – Citywide Garage Sale
- May 4<sup>th</sup> 4:00 PM – 7:00 PM – Learning & Career Center Hiring Fair
- May 7<sup>th</sup> – Citywide Cleanup

**20. CONSIDER RECESSING INTO EXECUTIVE SESSION PURSUANT TO K.S.A. 75-4319 (b) (2) CONSULTATION WITH AN ATTORNEY DEEMED PRIVILEGED IN THE ATTORNEY-CLIENT RELATIONSHIP TO INCLUDE CITY ATTORNEY, CITY ADMINISTRATOR AND FINANCIAL ADVISOR**

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

**RECONVENE INTO OPEN SESSION**

**21. CONSIDER RECESSING INTO EXECUTIVE SESSION PURSUANT TO K.S.A. 75-4319 (b) (6) FOR PRELIMINARY DISCUSSION RELATED TO ACQUISITION OF REAL PROPERTY TO INCLUDE CITY ATTORNEY AND CITY ADMINISTRATOR**

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

**RECONVENE INTO OPEN SESSION**

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

**City of Edgerton, Kansas  
Minutes of City Council Regular Session  
March 24, 2016**

A Regular Session of the City Council was held in the Edgerton City Hall, 404 E. Nelson, Edgerton, Kansas on March 24, 2016. The meeting convened at 7:00 p.m. with Mayor Roberts presiding, and City Clerk Janeice L. Rawles recording.

**1. ROLL CALL**

Charlie Troutner	present
Clay Longanecker	present
Darius Crist	present
Jody Brown	present
Cindy Crooks	present

With a quorum present, the meeting commenced.

Staff in attendance:	City Administrator Beth Linn
	Community Development Director Kenny Cook
	City Attorney Patrick Reavey
	Public Works Superintendent
	Johnson County Sheriff Department Representative

**2. WELCOME**

**3. PLEDGE OF ALLEGIANCE**

**CONSENT AGENDA**

**MEETING AGENDA**

4. Proposed agenda was considered.

**MEETING MINUTES**

5. Meeting Minutes of February 25, 2016 were considered.

A motion by Longanecker, seconded by Troutner, to approve the Consent Agenda.

Motion was approved, 5-0.

**6. PUBLIC COMMENTS**

Michael Sleister, 400 First Street, appeared to speak to the Council in regards to dogs. Mr. Sleister wanted to know where we are with his questions. After some discussion, Mayor Roberts explained that the council is taking another look at some of the items in the new code and the animal ordinance will be brought back to another meeting in the future.



Terry Nugent, 107 E. Martin Street, asked why the breeder fee is so high. The response was , that is being revisited by the council.

**7. DECLARATION**

None

**BUSINESS REQUIRING ACTION**

**PUBLIC HEARING INDUSTRIAL REVENUE BONDS**

**8. PUBLIC HEARING REGARDING RESOLUTION NO. 03-24-16A CONSENTING TO THE PARTIAL ASSIGNMENT OF A RESOLUTION OF INTENT FROM EDGERTON LAND HOLDING COMPANY, LLC TO ELHC XXXII, OR IT'S SUCCESSORS IN INTEREST WAS CONSIDERED.**

Beth Linn, City Administrator, introduced Scott Anderson with SA Legal Advisors LC to present information about Industrial Revenue Bonds for 31450 W. 196<sup>th</sup> Street.

Mayor Roberts opened the public hearing at 7:08pm.

Mike Sleister commented and wanted to know what is going to be stored there?

The reply from Mayor Roberts was that we do not know who is going to be in that building, it is a speculative building. The building is being built with no tenant.

There were no further questions.

Mayor Roberts closed the public hearing at 7:10 pm.

**RESOLUTION NO. 03-24-16A INDUSTRIAL REVENUE BONDS**

**9. RESOLUTION NO. 03-24-16A CONSENTING TO THE PARTIAL ASSIGNMENT OF A RESOLUTION OF INTENT FROM EDGERTON LAND HOLDING COMPANY, LLC TO ELHC XXXII, OR ITS SUCCESSORS IN INTEREST WAS CONSIDERED.**

Scott Anderson was present to answer questions from the public, Mayor and Council. There were no questions or discussion. Columbia Capital Municipal Advisors completed the cost-benefit analysis for ELHC XXXII, LLC. Kansas State Statue 12-1749d (2) requires notification of anticipated abatements only to counties or school districts affected. As a result, our analysis focuses on financial impacts to the City, Johnson County and the Gardner/Edgerton schools.

A letter from the Gardner Edgerton USD 231 Superintendent of Schools Pam Stranathan was passed out to Mayor and Council.

A motion by Brown, seconded by Longanecker, to approve Resolution No. 03-24-16A consenting to the partial assignment of a resolution of intent from Edgerton Land Holding Company, LLC to ELHC XXXII, or its successors in interest.

Motion was approved, 5-0.

**PUBLIC HEARING—INDUSTRIAL REVENUE BONDS**

- 10. A PUBLIC HEARING REGARDING RESOLUTION NO. 03-25-16B RESOLUTION CONSENTING TO THE PARTIAL ASSIGNMENT OF A RESOLUTION OF INTENT FROM EDGERTON LAND HOLDING COMPANY, LLC TO ELHS XXXIII, LLC, OR ITS SUCCESSORS IN INTEREST WAS CONSIDERED.**

Scott Anderson was present to answer any questions or take comments from the audience.

Mayor Roberts opened the public hearing at 7:11.

Council member Crooks commented on the letter from the School District. Has the City of Edgerton had communication in the past and are we continuing the communication. Mayor Roberts stated that there has been communication with the school district in the past, but with other administrators and that the communication continues. Council member Troutner asked if there was a representative from the school district in the audience. The answer was no, the fact that no one was there from the school district is very concerning to Council member Troutner

Mayor Roberts closed the public hearing at 7:18 pm.

**RESOLUTION NO. 03-24-16B—INDUSTRIAL REVENUE BONDS**

- 11. RESOLUTION NO. 03-24-16B RESOLUTION CONSENTING TO THE PARTIAL ASSIGNMENT OF A RESOLUTION OF INTENT FROM EDGERTON LAND HOLDING COMPANY, LLC TO ELHS XXXIII, LLC OR ITS SUCCESSORS IN INTEREST WAS CONSIDERED.**

Scott Anderson was present to answer questions from the public, Mayor and Council. There were no questions or discussion. Columbia Capital Municipal Advisors completed the cost-benefit analysis for ELHC XXXIII, LLC. Kansas State Statue 12-1749d (2) requires notification of anticipated abatements only to counties or school districts affected. As a result, our analysis focuses on financial impacts to the City, Johnson County and the Gardner/Edgerton schools.

Motion by Crooks, seconded by Crist, to approve Resolution No. 03-24-16B consenting to the partial assignment of a resolution of intent from Edgerton Land Holding Company, LLC to ELHC XXXIII, LLC or its successors in interest.

Motion was approved 5-0.

**ORDINANCE NO. 1012 – INDUSTRIAL REVENUE BONDS**

- 12. ORDINANCE NO. 1012 AUTHORIZING THE CITY OF EDGERTON, KANSAS, TO ISSUE INDUSTRIAL REVENUE BONDS (ELHC V, LLC PROJECT) SERIES 2016, IN AN AGGREGATE MAXIMUM PRINCIPAL AMOUNT NOT TO EXCEED \$31,500,000, FOR THE PURPOSE OF PROVIDING FUNDS TO PAY THE COST OF ACQUIRING, PURCHASING, CONSTRUCTING, INSTALLING AND EQUIPPING A COMMERCIAL PROJECT, CONSISTING OF A WAREHOUSE AND DISTRIBUTION FACILITY, INCLUDING LAND, BUILDINGS, STRUCTURES, IMPROVEMENTS, FIXTURES, MACHINERY AND EQUIPMENT; AUTHORIZING THE CITY TO ENTER INTO A TRUST INDENTURE WITH UMB BANK, N.A., AS TRUSTEE; AUTHORIZING THE CITY TO ENTER INTO A LEASE AGREEMENT WITH ELHC V, LLC; AUTHORIZING THE CITY TO ENTER INTO A BOND PURCHASE AGREEMENT IN CONNECTION WITH THE BONDS, AND AUTHORIZING AND APPROVING THE EXECUTION OF CERTAIN**

**DOCUMENTS AND THE TAKING OF OTHER ACTIONS IN CONNECTION WITH THE ISSUANCE OF THE BONDS WAS CONSIDERED.**

The City of Edgerton received an application for a project located in the Logistics Park, consisting of approximately 653,000 square feet for a warehouse and distribution facility. Ordinance No.1012 authorizes the City to issue industrial revenue bonds for the project.

A motion by Troutner, seconded by Longanecker, to approve Ordinance No.1012 and to authorize Mayor Roberts to sign Ordinance No.1012.

Motion was approved, 5-0.

**CORPORATE INSURANCE POLICY**

**13. CORPORATE INSURANCE POLICY FOR APRIL 1, 2016 TO MARCH 31, 2017**

Beth Linn, City Administrator, presented the renewal of the Corporate Insurance for April 1, 2016 to March 31, 2017. In 2014, Edgerton chose to move forward with coverage from One Beacon. Based on the research from 2014, city staff and the city's agent negotiated with One Beacon on a proposal for renewal for policy year April 1, 2016 to March 31, 2017. A new coverage was introduced this year, Pollution Liability: Edgerton Wastewater Treatment Plants Coverage. There are two pollution premiums quoted, one is without terrorism and one with terrorism. After some discussion, some council members are in support of the with terrorism coverage. One part of the discussion was the Edgerton Wastewater Treatment Plant that will be out of service within a year.

Motion by Crooks, seconded by Longanecker, to approve the corporate insurance policy for one year and to revisit the pollution liability because there will only be one treatment plant.

Motion was approved 5-0.

**14. REPORT BY THE CITY ADMINISTRATOR**

- Introduced Trey Whitaker our new Public Works Superintendent
- Mike Mabrey is now the Utility Superintendent:
- Announced two new public works employees: Colton Fielden and Chase Forrester
- Clarify the language about animal breeders: Hobby, Residential, and Commercial Breeders.

**15. REPORT BY THE MAYOR**

Amazon.com made the announcement today that they are coming to Edgerton. The Mayor offers a big "Thank you" to everyone that assisted with Amazon.

There will be a job fair on Wednesday the 4<sup>th</sup> of May.

Thank you to North Point, Scott Anderson, Bond Counsel for the City of Edgerton, and Jeff White, Financial Advisor for the City of Edgerton.

Council member Troutner asked “when will they start hiring?” Keep checking on “Kansasworks.com” they will post there.

Council member Crooks has received questions about the Park at 1<sup>st</sup> and Martin, what is the hold up? Staff indicated the city is waiting for the equipment to be delivered.

**16. FUTURE MEETING/EVENT REMINDERS:**

- April 12<sup>th</sup> 7:00 PM – Planning Commission Meeting
- April 14<sup>th</sup> 7:00 PM – City Council Meeting
- April 20<sup>th</sup> Noon – Senior Lunch
- April 28<sup>th</sup> 7:00 PM – City Council Meeting

**RESOLUTION NO. 03-24-16C – INDUSTRIAL REVENUE BOND - AGENDA ADDITION #1**

**17. RESOLUTION NO. 03-24-16C CONSENTING TO THE EXECUTION AND DELIVERY OF A SUBORDINATION AND RECOGNITION AGREEMENT WAS CONSIDERED.**

The City of Edgerton, Kansas issued Industrial Revenue Bonds for the purpose of acquiring, purchasing, improving, equipping and constructing a commercial project, consisting of approximately 822,500 sq. ft. warehouse and distribution facility. The project was leased by ELHC XIV, LLC to the City pursuant to a Base Lease Agreement between the Tenant and the City, and the project was subleased by the City to Tenant pursuant to a lease agreement dated as of December 1, 2015. Tenant desires to enter into a lease (the “Sublease”) with Amazon.com.ksdc LLC. The agreement allows the Governing body of the City hereby to consent to the sublease of the Project from Tenant to Subtenant.

Motion by Crooks, seconded by Longanecker, to approve Resolution No. 03-24-16C.

Motion was approved, 5-0.

**ORDINANCE NO. 1013 ECONOMIC DEVELOPMENT GRANT AGREEMENT -AGENDA ADDITION #2**

**18. ORDINANCE NO. 1013 AUTHORIZING THE CITY OF EDGERTON, KANSAS, TO ENTER INTO AN ECONOMIC DEVELOPMENT GRANT AGREEMENT WITH AMAZON.COMKSDC, LLC AND AN AGREEMENT WITH THE SECRETARY OF THE KANSAS DEPARTMENT OF TRANSPORTATION FOR REIMBURSEMENT FOR THE COSTS OF A ROAD PROJECT WAS CONSIDERED.**

Amazon.comksdc LLC, desires to sublease the Facility from ELHC on the condition that it receive a \$1,800,000 economic development grant from the City and the Secretary of the Kansas Department of Transportation (KDOT) it presented the City with an agreement whereby KDOT proposes to reimburse the City of up to \$1,800,000 of the costs of the Road Project on the condition that the Company lease the facility from ELHC.

Motion by Longanecker, seconded by Brown, to approve Ordinance No. 1013.

Motion was approved, 5-0.

**RESOLUTION NO. 03-24-16D MASTER TRUST – AGENDA ADDITION #3**

**19. RESOLUTION NO. 03-24-16D AUTHORIZING THE CITY TO EXECUTE AND DELIVER A FIRST AMENDMENT TO MASTER TRUST INDENTURE WAS CONSIDERED.**

The City and the Trustee (Commerce Bank) with the consent of ELHC, desire to amend the Original Indenture by entering into a First Amendment to Master Trust Indenture dated as of April 1, 2015 (the "First Amendment"), between the City and the Trustee which creates an additional fund and modifies the flow of revenues in the Original Indenture, and ELHC desires to consent to the First Amendment and the City approves entering into the First Amendment.

Motion by Crooks, seconded by Crist, to approve Resolution 03-24-16D.

Motion was approved, 5-0

At this time Beth Linn, City Administrator introduced Kevin O'Brien with The Reilly Insurance Company. Earlier in the meeting, corporate insurance policy was approved with One Beacon Insurance. One Beacon is the current insurance carrier for the City of Edgerton.

Mayor Roberts recessed the meeting at 8:38 pm.

Mayor Roberts reconvened the meeting at 8:44 pm.

**EXECUTIVE SESSION**

**20. RECESS INTO EXECUTIVE SESSION PURSUANT TO K.S.A. 75-3419 (b) (2) CONSULTATION WITH AN ATTORNEY DEEMED PRIVILEGED IN THE ATTORNEY-CLIENT RELATIONSHIP WAS CONSIDERED.**

Motion by Crooks, seconded by Troutner, to recess into executive session.

Motion was approved, 5-0

Meeting recessed at 8:45 for ten minutes.

Motion by Crooks, seconded by Brown, to reconvene the meeting.

Motion was approved, 5-0.

Meeting reconvened at 8:56 pm.

Motion by Crooks, seconded by Brown, to recess back into executive session.

Motion was approved, 5-0.

Meeting recessed at 8:48 pm for five minutes.

Motion by Crooks, seconded by Crist, to reconvene the meeting.

Motion was approved, 5-0.

Meeting reconvened at 9:04 pm. with no action taken.

**EXECUTIVE SESSION**

**21. RECESS INTO EXECUTIVE SESSION PURSUANT TO K.S.A. 75.4319 (b) (1) PERSONNEL MATTERS OF NONELECTED PERSONNEL WAS CONSIDERED.**

Motion by Crooks, seconded by Longanecker, to recess into executive session for five minutes.

Motion was approved, 5-0.

Meeting recessed at 9:07 pm for five minutes.

Motion by Crooks, seconded by Crist, to reconvene the meeting.

Motion was approved, 5-0.

Meeting reconvened at 9:12 pm, with no action taken.

City Attorney Patrick Reavey talked with Mayor and council about the earlier conversation about animals.

**22. ADJOURNMENT**

Motion by Crooks, seconded by Troutner, to adjourn the meeting.

Motion was approved, 5-0.

Meeting adjourned at 9:20 pm.

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Janeice L. Rawles, CMC

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

## AGENDA ITEM INFORMATION FORM

**Agenda Item:** Consider Resolution No. 04-14-16A to Address Registration of Dogs or Cats in The City of Edgerton as of March 31, 2016, But That Had Not Yet Reached the Age of Six Months

**Department:** Community Development

**Background/Description of Item:** On Edgerton City Council approved updates the animal ordinances in including a limitation on the number animals allowed per residence. Based on those changes, an Edgerton resident expressed concern regarding the deadline to register a pet younger than six months of age before the March 31, 2016 deadline. This resolution clarifies that concern.

Resolution No. 04-14-16A states that the City understands that, on and before March 31, 2016, there were dogs and/or cats under the age of six months and, therefore, they were not registrable on or before March 31, 2016.

For year 2016, if an owner of a dog or cat produces sufficient evidence to the City Animal Control Officer that, as of March 31, 2016, their dog or cat was in their possession within the City but had not yet reached the age of six months, said owner will be permitted to register the dog or cat for year 2016, and thereafter keep the dog or cat even if said cat or dog puts the owner over the recently adopted limits as to the maximum number of dogs and cats a resident may have within the City.

Enclosure: Draft Resolution No. 04-14-16A

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

**Recommendation:** Approve Resolution No. 04-14-16A to Address Registration of Dogs or Cats in The City of Edgerton as of March 31, 2016, But That Had Not Yet Reached the Age of Six Months

**Funding Source:** N/A

Prepared by: Beth Linn, City Administrator  
Date: April 8, 2016

**RESOLUTION NO. 04-14-16A**

**A RESOLUTION TO ADDRESS REGISTRATION OF DOGS OR CATS IN THE CITY OF EDGERTON AS OF MARCH 31, 2016, BUT THAT HAD NOT YET REACHED THE AGE OF SIX MONTHS**

**WHEREAS**, the City recently adopted revisions to Chapter II of the Edgerton Municipal Code pertaining to the keeping of animals within the City of Edgerton; and

**WHEREAS**, one such revision permitted residents to keep dogs or cats in their possession as of March 31, 2016 (even if the number of dogs or cats exceeded the newly imposed limits) so long as each dog or cat was properly registered with the City for 2016 on or before March 31, 2016; and

**WHEREAS**, the City understands that, on and before March 31, 2016, there were dogs and/or cats under the age of six months and, therefore, they were not registrable on or before March 31, 2016; and

**WHEREAS**, the City wishes to address this issue so as to avoid the un-registered dog or cat, described herein above, from being in violation of the City Code at the point it reaches six months of age.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF EDGERTON, KANSAS, AS FOLLOWS:**

**Section 1. Limited Extension of Registration Deadline.** For year 2016, if an owner of a dog or cat produces sufficient evidence to the City Animal Control Officer that, as of March 31, 2016, their dog or cat was in their possession within the City but had not yet reached the age of six months, said owner will be permitted to register the dog or cat for year 2016, and thereafter keep the dog or cat even if said cat or dog puts the owner over the recently adopted limits as to the maximum number of dogs and cats a resident may have within the City.

**Section 2. Effective Date.** This Resolution will become effective upon its adoption by the Governing Body.

ADOPTED April 14, 2016.

CITY OF EDGERTON, KANSAS

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

(SEAL)

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
City Clerk, Janeice Rawles

\_\_\_\_\_  
City Attorney, Patrick G. Reavey



## AGENDA ITEM INFORMATION FORM

**Agenda Item:** Consider Ordinance No. 1014 Amending Subsection (C) Of Section 2-105 Of Article 1 Of Chapter II Of The Edgerton, Kansas Municipal Code To Clarify The City's Permit Requirements For Dog And Cat Breeders, And Also Amending Article 3 Of Chapter II Of Said Code To Include Additional Regulations Pertaining To Keeping Animals Within The City Of Edgerton

**Department:** Community Development

**Background/Description of Item:** The Edgerton City Council recently adopted new regulations regarding animals within the city limits. This draft ordinance clarifies the city's permit requirements for dog and cat breeders in addition to other regulations.

The draft ordinance clarifies the three levels of cat/dog breeders:

- Hobby Breeder: produce 1 litter of animals per property, per year; no permit required; no fee required
- Residential Breeder: produce 2 litters of animals per property, per year; require annual Residential Breeder's Permit; Residential Breeder's Permit Fee (drafted in fee resolution at \$100); require inspection of property
- Commercial Breeder: produce more than 2 litters of animals per year; require inspections at least once annually; on land meeting certain zoning requirements; require annual Commercial Breeder's Permit; Commercial Breeder's Permit Fee (drafted in fee resolution at \$500)

The recently adopted animal ordinances also inadvertently removed the language regarding excessive/untimely barking and proper disposal of excreta. The draft ordinance adds back in the language to address those nuisances in Section 2-303 similar to previous City Code.

Enclosure: Draft Ordinance No. 1014

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

**Recommendation:** Approve Ordinance No. 1014 Amending Subsection (C) Of Section 2-105 Of Article 1 Of Chapter II Of The Edgerton, Kansas Municipal Code To Clarify The City's Permit Requirements For Dog And Cat Breeders, And Also Amending Article 3 Of Chapter II Of Said Code To Include Additional Regulations Pertaining To Keeping Animals Within The City Of Edgerton

**Funding Source:** N/A

Prepared by: Beth Linn, City Administrator  
Date: April 11, 2016

## **ORDINANCE NO. 1014**

**AN ORDINANCE AMENDING SUBSECTION (c) OF SECTION 2-105 OF ARTICLE 1 OF CHAPTER II OF THE EDGERTON, KANSAS MUNICIPAL CODE TO CLARIFY THE CITY'S PERMIT REQUIREMENTS FOR DOG AND CAT BREEDERS, AND ALSO AMENDING ARTICLE 3 OF CHAPTER II OF SAID CODE TO INCLUDE ADDITIONAL REGULATIONS PERTAINING TO KEEPING ANIMALS WITHIN THE CITY OF EDGERTON**

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

**SECTION 1:** Subsection (c) of Section 2-105 of Article 1 of Chapter II of the Edgerton, Kansas Municipal Code is hereby amended to reflect the following revisions:

(c) Residents wishing to breed dogs or cats on residential property must apply for an annual Residential Breeder's Permit, which will require an inspection of the property and a fee set forth in the City Fee Resolution. Said permit will only allow a total of 2 litters of animals per property, per year. Any breeding operation which results in more than 2 litters per year ("Commercial Breeder's Permit") will be subject to inspections (at least once annually), must be on land meeting certain zoning requirements for said operation, and the permit will be subject to fees set forth in the City Fee Resolution. Hobby breeders (defined as not producing more than 1 litter of animals per year) will not be required to secure a permit from, or pay any breeder permit fees to, the city.

**SECTION 2:** Article 3 of Chapter II of the Edgerton, Kansas Municipal Code is hereby amended to read as follows:

### **ARTICLE 3. ANIMAL PROHIBITIONS**

**2-301. NUISANCES PROHIBITED.** Any person who maintains any animal or fowl in any building, pen or enclosure on his or her premises which is not maintained, kept in a state of repair, clean, sanitary and free from filth, debris, garbage and offensive odors at all times or, because of the animal or fowl, becomes unsightly or offensive to those residing in the vicinity shall be deemed to be in violation of this Chapter and maintaining a nuisance. Allowing any yard, pen, room, building, enclosure or other place where animals or game are dressed, or kept alive or dead, to be filthy, offensive, unwholesome or annoying, or to allow any decayed, putrid or offensive matter to accumulate thereon, shall also constitute a violation of this Chapter and a nuisance. Such nuisances shall be abated pursuant to the procedure

set forth in chapter 8 of this code and/or the person in violation will be subject to citation issued by the animal control officer. (Ord. 739, 2002; Ord. 556, 1986)

**2-302. CERTAIN ANIMALS PROHIBITED.** It shall be unlawful to keep, harbor, own or in any way possess within the corporate limits of the city:

- (a) Any warm-blooded, carnivorous or omnivorous, wild or exotic animal (including but not limited to non-human primates, raccoons, skunks, foxes and wild and exotic cats).
- (b) Any animal having a venomous bite.
- (c) Any animal determined to be a dangerous animal.

**2-303. CONTROL OR PROTECTION OF ANIMALS IN GENERAL.**

- (a) Every owner of any animal shall exercise proper care and control of the animal to prevent it from becoming a public nuisance. It shall be unlawful, and it shall be a nuisance, for an animal to be at large, to molest or attack persons or other domestic animals, damage property, chase vehicles, deposit excretory matter on property other than the property of its owner, or to engage in excessive or untimely barking or other noisy behavior. The owner of every animal shall forthwith remove and sanitarily dispose of any excreta deposited by the animal on property other than the owner's property including, but not limited to, public sidewalks, streets, public recreation areas and private property.
- (b) It is unlawful for any person to permit an animal to run or be at large, except that dogs may be allowed off leash while within the designated boundaries of off-leash areas.
- (c) In addition to impoundment, any law enforcement or animal control officer may issue a citation to any owner as defined in this chapter whose animal is, or is kept, in violation of the provisions of this chapter. (Ord. 855, 2009; Ord. 739, 2002; Ord. 556, 1986).

**2-304. CRUELTY TO ANIMALS PROHIBITED.** Except for the exemptions provided in KSA. 21-4310(b), it shall be unlawful for any person to:

- (a) Intentionally kill, main, injure, torture or mutilate any animal;
- (b) Abandon or leave any animal within the city limits without making provisions for its proper care; or
- (c) Have physical custody of any animal and fail to provide such food, potable water, protection from the elements, opportunity for exercise and other care as needed for the health or well-being of such kind of animal;
- (d) Make accessible to any animal, with the intent to cause harm or death, any substance which has in any manner been treated or prepared with harmful or poisonous substances. It is not the intent of this subsection to prohibit the use of poisonous substance for the control of vermin of significance to the public health.

- (e) Permit any dog fight, cockfight, bullfight, or other combat between animals or between animals and humans;
- (f) Give away any live animal, fish, reptile, or bird as a prize for, or as an inducement to enter a place of amusement or offer such animal as an incentive to enter into any business agreement whereby the offer was for the purpose of attracting trade. (Ord. 556, 1986)

**2-305. ANIMAL FEEDING RESTRICTIONS.** The placement of food or other items -- in an outside area within the city for the purpose of attracting or keeping animals (wild or domesticated, but not to include wild birds) that are not licensed and/or permitted through the city pursuant to this chapter (and by the person responsible for placement of the food or other item) -- is strictly prohibited. The leaving of outside food within the city, intended for an animal that is licensed or permitted by the person leaving the food, is prohibited if it is left in such a way or for a period of time that it results in creating a nuisance by attracting other animals or rodents.

**SECTION 2: Repeal.** Former Subsection (c) of Section 2-105 of Article 1 of Chapter II, and Article 3 of Chapter II, of the Edgerton Municipal Code are hereby repealed.

**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 APRIL, 2016.

---

Donald Roberts, Mayor

ATTEST:

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Janeice Rawles, City Clerk

APPROVED AS TO FORM:

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Patrick G. Reavey, City Attorney

## AGENDA ITEM INFORMATION FORM

**Agenda Item:** Consider Resolution No. 04-14-16B Establishing Fees And Rates For Permits, Licenses And Services Within The City Of Edgerton, Kansas

**Department:** Community Development

**Background/Description of Item:** The City wishes to amend the fees to be charged for dog and cat breeders' permits. The draft Fee Resolution No. 04-14-16B establishes the fees for the Residential Breeder's Permit at \$100 and Commercial Breeder's Permit at \$500.

Enclosure: Draft Resolution No. 04-14-16B

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

**Recommendation:** Approve Resolution No. 04-14-16B Establishing Fees And Rates For Permits, Licenses And Services Within The City Of Edgerton, Kansas

**Funding Source:** N/A

Prepared by: Beth Linn, City Administrator  
Date: April 11, 2016

## RESOLUTION NO. 04-14-16B

### A RESOLUTION ESTABLISHING FEES AND RATES FOR PERMITS, LICENSES AND SERVICES WITHIN THE CITY OF EDGERTON, KANSAS.

**WHEREAS**, pursuant to Ordinance No. 1006, the City Council indicated that all City Fees that previously were spread throughout the City Code, and would require an Ordinance amending that particular part of the Code to change the fee, would instead be consolidated into a City Fee Resolution such that all fees could be better monitored and, any revisions thereto, could be accomplished via resolution instead of an ordinance; and

**WHEREAS**, City Staff continues to work on consolidating said fees into this Fee Resolution and, as those fees are added in, revised versions of this Resolution will be presented for Council approval; and

**WHEREAS**, the City wishes to amend the fees to be charged for dog and cat breeders' permits.

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

#### **SECTION 1: FEES.**

The following fees shall be due and payable to the City Clerk:

#### **ANIMAL CONTROL**

##### **Animal Registration Fees:**

Neutered/Spayed dog or cat	\$5.00
Unneutered/Non-spayed dog or cat	\$25.00
Seniors (60 plus) with neutered/spayed dog or cat	\$ No Charge
Chicken registration	\$50.00
Residential Breeder's Permit	\$100.00
Commercial Breeder's Permit	\$500.00
Late Registration Fee	\$25.00

##### **Animal Redemption Fees:**

Registered	
First pick up	\$ No charge
Second pick up	\$50.00
Third pick up	\$100.00
Non-Registered, Neutered/Spayed	
First pick up	\$50.00

Non-Registered, Unneutered/unspayed First pick up	\$100.00
City provided rabies vaccination	\$50.00
Habitual Violator (dog picked up more than three times in one year)	\$250.00
Boarding Fee	\$10.00 per day

## **WASTEWATER**

**[Customer Service Charge + Vol. Rate = Monthly Bill]**

### **Customer Service Charge**

---

\$5.84

### **Volumetric Rate**

---

\$6.76 [per 1,000 gallons]<sup>1</sup>

## **WATER**

**[Customer Service Charge + Vol. Rate = Monthly Bill]**

### **Customer Service Charge**

<b>Meter Size</b>	<b>Inside City</b>	<b>Outside City</b>
5/8"	\$19.23	\$28.85
3/4"	\$20.44	\$30.66
1"	\$22.87	\$34.31
1 1/2"	\$28.92	\$43.38
2"	\$36.19	\$54.29
3"	\$53.14	\$79.71
4"	\$77.36	\$116.04
6"	\$137.90	\$206.85
8"	\$210.56	\$315.84

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<sup>1</sup> For residential use properties, Section 15-305(b) of Article 3 of Chapter XV of the City Code will determine the level of gallons.

Volumetric Rate		
Tiers	Inside City	Outside City
0-2,000	\$3.95	\$5.93
2,001-10,000	\$8.89	\$13.34
>10,000	\$12.27	\$18.41

**SECTION 2: Effective Date.** This Resolution shall become effective upon its approval.

**SECTION 3: Repealer.** Any fees or resolutions inconsistent herewith are hereby repealed, and references to particular sewer and water rates -- and/or the methods to calculate the same that are mentioned in the City Code (and which are inconsistent with what is stated herein above) -- will be disregarded by City Staff when calculating the appropriate rates to charge users, and said City Code references (along with other specific fee references throughout the City Code that will now be controlled by the Fee Resolution) will be formally withdrawn via a future ordinance.

ADOPTED BY THE GOVERNING BODY OF THE CITY OF EDGERTON, KANSAS  
ON THIS 14<sup>TH</sup> DAY OF APRIL, 2016.

\_\_\_\_\_  
DONALD ROBERTS, MAYOR

ATTEST:

\_\_\_\_\_  
JANEICE L. RAWLES, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
PATRICK REAVEY, CITY ATTORNEY



## AGENDA ITEM INFORMATION FORM

**Agenda Item:** Consider Resolution No. 04-14-16C Authorizing the Closure of Certain Public Streets During the Edgerton Summer Kickoff Block Party

**Department:** Parks and Recreation

**Background/Description of Item:** The Parks and Recreation Coordinator has requested the closure of the following street on May 14, 2016 from 12:00 PM – 7:00 PM:

- Nelson Street between East 4<sup>th</sup> Street and East 5<sup>th</sup> Street

City staff has reviewed the proposed street closures and does not anticipate any conflicts or issues. City staff will inform the Johnson County Sheriff's Office, Johnson County Fire District 1 and Johnson County Med-Act of the proposed closings.

Enclosure: Draft Resolution No. 04-14-16C  
Summer Kickoff Block Party Special Event Application

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

**Recommendation:** Approve Resolution No. 04-14-16C Authorizing the Closure of Certain Public Streets During the Edgerton Summer Kickoff Block Party

**Funding Source:** N/A

Prepared by: Beth Linn, City Administrator  
Date: April 11, 2016

**RESOLUTION NO. 04-11-16C**

**A RESOLUTION APPROVING THE CLOSURE OF THE PUBLIC STREETS NAMED HEREIN DURING THE EDGERTON SUMMER KICKOFF BLOCK PARTY**

**WHEREAS**, the City Council of the City of Edgerton, Kansas wishes to provide a safe and enjoyable Summer Kickoff Block Party and;

**WHEREAS**, City staff has reviewed the proposed street closure and does not anticipate any conflicts or issues that would prevent said closure;

**WHEREAS**, the following public street shall be closed to vehicular traffic during Summer Kickoff Block Party on May 14, 2016 from 12:00 PM to 7:00 PM: East Nelson Street from East 4<sup>th</sup> Street to East 5<sup>th</sup> Street

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EDGERTON, KANSAS** that the City hereby authorizes the closure of the public street named above for the duration named above for the Summer Kickoff Block Party.

**SECTION ONE: EFFECTIVE DATE**

This Resolution shall take effect and be in full force immediately after its adoption by the Governing Body.

ADOPTED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR OF THE CITY OF EDGERTON, KANSAS ON THE 14<sup>th</sup> DAY OF APRIL, 2016.

ATTEST:

**CITY OF EDGERTON, KANSAS**

\_\_\_\_\_  
Janeice Rawles, City Clerk

By: \_\_\_\_\_  
Donald Roberts, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Patrick G. Reavey, City Attorney

**City of Edgerton, Kansas**  
**Special Event Permit Application**

**Cover Page**

Summer Kickoff Block Party 5/14/16

Attachments Included with Application:

- \_\_\_\_\_ List of services requested by the City and/or County
- \_\_\_\_\_ Description of publicly owned property for event
- \_\_\_\_\_ Description of publicly owned vehicles/equipment for event
- \_\_\_\_\_ Classification of dangerous and/or exotic animals
- \_\_\_\_\_ Operator's Certificate of Insurance
- \_\_\_\_\_ Sponsoring Agency's Certificate of Insurance
- \_\_\_\_\_ Completed Indemnification Statement
- \_\_\_\_\_ Site/Route/Staging/Dispersal/Parking Plans (Including, but not limited to, bulleted items below)
  - Assembly areas
  - Fire hydrant locations
  - Normal routes of fire department vehicle access (20 Foot-wide minimum)
  - Main Entrances/Exits
  - Food Vendor Fire Extinguishers, with minimum rating of 2A10BC
  - Ensure Extension Cord(s) used to power food production or other portable equipment is minimum 12-gauge.
  - Vendor Sites (includes food, merchant, non-commercial vendor)
  - Barricade/signs
  - Street/Sidewalk closures
- \_\_\_\_\_ Fee
- \_\_\_\_\_ Emergency Plan (for reporting fire or other emergency)

City of Edgerton, Kansas  
Special Event Permit Application

Submit this application, with supporting documentation and fees to:

City of Edgerton, KS  
404 W. Nelson  
P.O. Box 255  
Edgerton, Kansas 66021

For assistance, call 913/893-6231 during regular business hours.

**APPLICANT INFORMATION (Primary Contact):**

Name: \_\_\_\_\_

Address: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Driver's License Number and State Issue: \_\_\_\_\_

Home phone: \_\_\_\_\_ Cell phone: \_\_\_\_\_

E-Mail: \_\_\_\_\_ Employer's Number: \_\_\_\_\_

**OPERATOR/ORGANIZATION/AUTHORIZED MEMBER/SPONSOR:**

Operator/Organization/Authorized Member/Sponsor:

City of Edgerton

Address: 404 E Nelson Edgerton Zip Code: 66021

Business Phone: 913-893-6231 Fax: \_\_\_\_\_

E-Mail: tmeadors@edgertonks.org Web-Site: www.edgertonparks.org

Is the event for profit? \_\_\_\_\_ Yes ☒ No

If no, who is beneficiary: \_\_\_\_\_

Registration/Entry Fee for event? \_\_\_\_\_ Yes ☒ No

(If available, please attach a copy of the event flier or information listing)

**EVENT INFORMATION:**

Please complete the following. In addition, Fliers/Informational Brochures may be attached for detailed information.

Date/s of Event: 5-14-16/Rain Out Date 5-21-16

Hours of Event: 2pm-5pm

Location of Event: Downtown (Nelson St. between 4<sup>th</sup> + 5<sup>th</sup> St.  
and library greenspace)

**Type of Event:** Festival    Parade    Sporting    Competition    Circus  
Trade Show    Car Show    Other: Community Event

**Event Details:** \_\_\_\_\_ Alcohol/Cereal Malt Beverage Served  
\_\_\_\_\_ Alcohol /Cereal Malt Beverage Sales  
2 \_\_\_\_\_ Number of Food Vendors  
\_\_\_\_\_ Number of Merchant Vendors  
\_\_\_\_\_ Number of Non-Commercial Vendors  
\_\_\_\_\_ Animals  
1 X \_\_\_\_\_ Street/Sidewalk Closure

**Equipment at Event:**

1 \_\_\_\_\_ Amplified Speaking/Music  
Hours: 1pm to 6pm  
2 \_\_\_\_\_ Portable Restrooms  
\_\_\_\_\_ Stage/Props/Production  
\_\_\_\_\_ Dumpsters/Receptacles  
\_\_\_\_\_ Signage  
4 \_\_\_\_\_ Barricades (Number of volunteers staffing)  
\_\_\_\_\_ Other item/s: \_\_\_\_\_

**State Sales Tax Information:** State of Kansas Tax Identification Number(s) must be provided for ALL food and merchant vendors. (Event sponsors are required to provide the Kansas Department of Revenue with notification of an event and a list of participating vendors.)

Food Vendor Tax Information: \_\_\_\_\_  
Merchant Vendor Tax Information: \_\_\_\_\_

**COMMUNITY NOTIFICATION:** Provide copy of written notification or log of personal contacts to identify surrounding residents/businesses of street closure, if applicable.

**COMPLETION OF EVENT:** Plan for cleaning and disposing of refuse from this event location. Who will complete the cleaning of the area and how long after close of event will this occur.

Kona Ice: 270373032

A Cup Above:  
004-463902965F-01

**INSURANCE:** The operator of a special event shall furnish with application an original copy of a certificate of insurance indicating the City as certificate holder and executed within the previous ten (10) days. The certificate of insurance must provide evidence of occurrence form general liability insurance coverage of at least \$500,000 combined single limit per occurrence for bodily injury and property damage with a minimum aggregate limit of \$1,000,000, and shall include the City as an additional insured. Any sponsoring agency of a special event shall also provide to the City an original copy of a certificate of insurance indicating the City as certificate holder and executed within the previous ten (10) days. The certificate of insurance must provide evidence of occurrence form general liability insurance coverage of at least \$500,000 combined single limit per occurrence for bodily injury and property damage with a minimum aggregate limit of \$1,000,000, and shall include the city as an additional insured.

The operator and sponsoring agency, if any, shall complete and submit a hold harmless and indemnification agreement for review and approval of City officials.

**APPLICANT'S STATEMENT OF AGREEMENT:**

Everything stated on this application is true and correct to the best of my knowledge. I further understand that the facilities for this event must be in compliance with all the City regulations (including adopted codes by reference). It is further understood that failure to comply with these regulations may result in permission to operate being withheld until all codes are met. I understand this permit, if granted, is not transferable and is revocable at any time at the absolute discretion of the City of Edgerton. I, Tegan Meadors, the undersigned, agree to abide by the provision in this application and regulations of the City of Edgerton.

Tegan Meadors, City of Edgerton, Parks and Recreation  
Name of Applicant and Title, if any (Print or type) Coordinator

Tegan Meadors  
Signature of Applicant

Date: 3-24-14

E Hulett St

E 5th St

E Hulett St

E 4th St

E Hulett St

E 3rd St

E Hulett St

E 2nd St

Edgerton United Methodist Church

City of Edgerton, Kansas

US Post Office

E Nelson St

E Nelson St

E Nelson St

**Road Closure (from Noon - 7pm on 5/14)**

E Nelson

E 5th

E 4th St

E 3rd St

E 2nd St

Central Bank of the Midwest

Johnson County Library

Johnson County Fire District #1 Station 124

E Martin St

E 4th St

E Martin St

E 3rd St

E 2nd St

E Nelson

Edgerton City Lake

## AGENDA ITEM INFORMATION FORM

**Agenda Item:** Consider Charter Ordinance No. 22 Exempting The City Of Edgerton, Kansas, From The Provisions Of K.S.A. 12-617 Et Seq. And Providing Substitute And Additional Provisions On The Same Subject Relating To Sewer Improvements And The Issuance Of Bonds For The Purpose Of Paying For Said Improvements

**Department:** Administration

**Background/Description of Item:** On November 12, 2015, Edgerton City Council approved a Preliminary Design Build Agreement with Burns & McDonnell/CAS Constructors LLC for the Edgerton Wastewater Treatment Plant (EWWTP) Conversion Project. The design-build team has been working with staff to complete the items in the scope of work. Simultaneously to the Preliminary Design-Build Agreement, the City worked with Raftelis Financial Consultants, Inc. (RFC) to complete a comprehensive rate analysis for both water and sewer.

As part of that study, RFC evaluated the structure and amount of utility rates in Edgerton coupled with known future infrastructure projects. With this analysis, RFC recommended the City consider using General Obligation Bonds (GO Bonds) to finance the EWWTP project rather than Kansas Water Pollution Control Revolving Fund (KWPCRF). This method of financing provided the City far more flexibility in structuring the timing and inclination of the debt.

Staff met with the City's Financial Advisor, Bond Counsel and City Attorney to discuss the process for issuing GO Bonds for sanitary sewer improvement projects. Several items on the April 14, 2016 agenda build the foundation to issue GO Bonds for the project once City Council approves a Guaranteed Maximum Price (GMP) for the project.

Based on recommendations from the City's agents listed above, staff recommends the City Council consider chartering out of non-uniform statutes related to sewer improvements and the issuance of bonds for such purposes. Chartering out of these statutes would provide the City far more flexibility to perform all tasks necessary related to the EWWTP, which would otherwise be limited (in both types of work and costs of projects), particularly limiting with regarding to level of activity to decommission the current plant to standards desire by City Council.

The Charter Ordinance would allow the City to have the authority to build, construct, improve, repair or purchase sewer improvements, including the acquisition of land or an interest therein necessary therefor, or the costs of any decommissioning related thereto, within or without the limits of the City, to serve the City, including but not limited to the following: sewer mains, interceptor sewers, pumping stations, sewers, sewer service lines, drains, outlets and disposal works.

It would also allow the City to issue its general obligation bonds to pay the costs of such improvements when authorized to do so by the adoption of a resolution by the governing body of the City describing the type of sewer improvement to be provided for and the amount of Bonds to be issued. The Bonds shall be issued, sold, delivered and retired in accordance with the provisions of the general bond law except as herein otherwise expressly provided.

As summarized in the LKM Governing Body Handbook, a charter ordinance may be used when:



- (1) there is an applicable state enactment that contains provisions in conflict with the provisions of the proposed local law;
- (2) the state law does not apply uniformly to all cities; and
- (3) the state law does not deal with one of those subjects reserved to the legislature by the Home Rule Amendment.

If these conditions are met, a charter ordinance may be used to exempt from the whole or any part of the state enactment. In this instance the state law does not apply uniformly to all cities; therefore, the City of Edgerton can choose to charter out of the state statute.

Passage of a charter ordinance requires some special procedures that include the following:

- Must be passed by a 2/3 vote of the Governing Body (which includes the Mayor)
  - Must be published once a week for two consecutive weeks in the official city newspaper
  - There is a 60-day waiting period after publication to allow time for public to petition for referendum.
- If not petition is filed, charter ordinance becomes effective on the 61st day after second publication.

Charter Ordinance No. 22 has not yet been reviewed by City Attorney. City Attorney will review any changes at April 14<sup>th</sup> City Council meeting.

Enclosure: Draft Charter Ordinance No. 22

**Related Ordinance(s) or Statute(s):** K.S.A. 12-617

**Recommendation:** Approve Charter Ordinance No. 22 Exempting The City Of Edgerton, Kansas, From The Provisions Of K.S.A. 12-617 Et Seq. And Providing Substitute And Additional Provisions On The Same Subject Relating To Sewer Improvements And The Issuance Of Bonds For The Purpose Of Paying For Said Improvements

**Funding Source:** N/A

Prepared by: Beth Linn, City Administrator  
Date: April 11, 2016

(Published in *The Gardner News* on April 20, 2016 and April 27, 2016)

## **CHARTER ORDINANCE NO. 22**

### **A CHARTER ORDINANCE EXEMPTING THE CITY OF EDGERTON, KANSAS, FROM THE PROVISIONS OF K.S.A. 12-617 *ET SEQ.* AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT RELATING TO SEWER IMPROVEMENTS AND THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING FOR SAID IMPROVEMENTS.**

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**WHEREAS**, Article 12, Section 5 of the Constitution of the State of Kansas (the “Act”), provides that cities may exercise certain home rule powers, including passing charter ordinances which exempt such cities from non-uniform enactments of the Kansas Legislature; and

**WHEREAS**, the City of Edgerton, Kansas (the “City”) is a city, as defined in the Act, duly created and organized, under the laws of the State of Kansas; and

**WHEREAS**, K.S.A. 12-618, K.S.A. 12-619, K.S.A. 12-621 and K.S.A. 12-624 are part of an enactment of the Kansas Legislature (K.S.A. 12-617 *et seq.*) relating to sewer improvements and the issuance of bonds for such purposes, which enactment is applicable to the City, but is not uniformly applicable to all cities within the State of Kansas; and

**WHEREAS**, the governing body of the City desires, by charter ordinance, to exempt the City from the provisions of K.S.A. 12-618, K.S.A. 12-619, K.S.A. 12-621 and K.S.A. 12-624, and to provide substitute and additional provisions therefor.

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

**Section 1. Exemption.** The City, by virtue of the powers vested in it by the Act, hereby elects to exempt itself from and make inapplicable to it the provisions of K.S.A. 12-618, K.S.A. 12-619, K.S.A. 12-621 and K.S.A. 12-624, and shall be governed by the substitute and additional provisions contained herein.

**Section 2. Authorization of Sewer Improvements; Bonds.** The City shall have the authority to build, construct, improve, repair or purchase sewer improvements, including the acquisition of land or an interest therein necessary therefor, or the costs of any decommissioning related thereto, within or without the limits of the City, to serve the City, including but not limited to the following: sewer mains, interceptor sewers, pumping stations, sewers, sewer service lines, drains, outlets and disposal works. The City may issue its general obligation bonds (the “Bonds”) to pay the costs of such improvements when authorized to do so by the adoption of a resolution by the governing body of the City describing the type of sewer improvement to be provided for and the amount of Bonds to be issued. The Bonds shall be issued, sold, delivered and retired in accordance with the provisions of the general bond law except as herein otherwise expressly provided.

**Section 3. Severability.** If any provision or section of this Charter Ordinance is deemed or ruled unconstitutional or otherwise illegal or invalid by any court of competent jurisdiction, such illegality or invalidity shall not affect any other provision of this Charter Ordinance. In such instance, this Charter

Ordinance shall be construed and enforced as if such illegal or invalid provision had not been contained herein.

**Section 4. Effective Date.** This Charter Ordinance shall be published once a week for two consecutive weeks in the official City newspaper, and shall take effect sixty (60) days after final publication, unless a petition signed by a number of electors of the City equal to not less than ten percent (10%) of the number of electors who voted at the last preceding regular City election shall be filed in the office of the City Clerk demanding that this Charter Ordinance be submitted to a vote of the electors, in which event this Charter Ordinance shall take effect when approved by a majority of the electors voting at an election held for such purpose.

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**PASSED** with at least a two-thirds (2/3) vote of the entire governing body of the City of Edgerton, Kansas, on April 14, 2016 and **APPROVED AND SIGNED** by the Mayor.

(SEAL)

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Mayor

ATTEST:

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Clerk

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## AGENDA ITEM INFORMATION FORM

**Agenda Item:** Consider Resolution No. 04-14-16D Authorizing Conditional Notice Of Prepayment Of A Loan Related To Sewer System Improvements Of The City Of Edgerton, Kansas

**Department:** Administration

**Background/Description of Item:** Recently the City worked with Raftelis Financial Consultants, Inc. (RFC) to complete a comprehensive rate analysis for both water and sewer. As part of that study, RFC evaluated the structure and amount of utility rates in Edgerton coupled with known future infrastructure projects.

With this analysis, RFC recommended the City consider using General Obligation Bonds (GO Bonds) to finance the EWWTP project rather than Kansas Water Pollution Control Revolving Fund (KWPCRF). Additionally, RFC recommended the City use the same GO bond issue to refund the existing KWPCRF project the Belt Press.

The Belt Press project included the installation of a wastewater sludge disposal belt press, including feed pump and polymer system, construction of a sludge storage-building, yard piping modifications and related site improvements. The loan originated in May 2007 for \$197,257.63. The amount outstanding is \$39,086.86 set to mature March 1, 2018. Resolution No. 04-14-16D would notify KDHE that the City plans to retire the loan and use general obligation bonds in order to permanently finance the costs of such Improvements.

KWPCRF will remain intact for the Big Bull Creek Wastewater Treatment Facility as that repayment is made from the Public Infrastructure Fund.

Resolution No. 04-14-16D has not yet been reviewed by City Attorney. City Attorney will review any changes at April 14<sup>th</sup> City Council meeting.

Enclosure: Draft Resolution No. 04-14-16D

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

**Recommendation:** Approve Resolution No. 04-14-16D Authorizing Conditional Notice Of Prepayment Of A Loan Related To Sewer System Improvements Of The City Of Edgerton, Kansas

**Funding Source:** N/A

Prepared by: Beth Linn, City Administrator  
Date: April 11, 2016

## RESOLUTION NO. 04-14-16D

### RESOLUTION AUTHORIZING CONDITIONAL NOTICE OF PREPAYMENT OF A LOAN RELATED TO SEWER SYSTEM IMPROVEMENTS OF THE CITY OF EDGERTON, KANSAS.

**WHEREAS**, the City of Edgerton, Kansas (the “Issuer”), has previously authorized certain sewer system improvements (the “Improvements”):

Installation of a wastewater sludge disposal belt press, including feed pump and polymer system, construction of a sludge storage-building, yard piping modifications and related site improvements.

**WHEREAS**, the Issuer arranged for financing of a the Improvements by the execution of certain loan agreements described as follows:

<u>Lender</u>	<u>Loan No.</u>	<u>Dated Date</u>	<u>Maturity Date</u>	<u>Original Amount</u>	<u>Outstanding Amount</u>	<u>Redemption Date*</u>
KDHE	KWPCRF C20 1738 01	05-03-2007	03-01-2018	\$197,257.63	\$39,086.86	07-29-2016

\* or as soon thereafter as possible

(the “Loan”); and

**WHEREAS**, the Issuer desires to issue its general obligation bonds in order to permanently finance the costs of such Improvements and to retire the Loan.

### BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF EDGERTON, KANSAS, AS FOLLOWS:

**Section 1.** The Mayor, Clerk and the other officers and representatives of the Issuer, are hereby authorized and directed to take such action as may be necessary to provide conditional notice of prepayment of the Loan, subject to the effectiveness of Charter Ordinance \_\_\_\_\_ and the availability of funds therefore from the proceeds of general obligation bonds to be issued by the City.

**Section 2.** This Resolution shall be in full force and effect from and after its adoption.

**ADOPTED** by the governing body on April \_\_, 2016.

(SEAL)

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Mayor

ATTEST:

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Clerk

## AGENDA ITEM INFORMATION FORM

**Agenda Item:** Consider Resolution No. 04-14-16E Authorizing The Offering For Sale Of General Obligation Bonds, Series 2016, Of The City Of Edgerton, Kansas

**Department:** Administration

**Background/Description of Item:** On November 12, 2015, Edgerton City Council approved a Preliminary Design Build Agreement with Burns & McDonnell/CAS Constructors LLC for the Edgerton Wastewater Treatment Plant (EWWTP) Conversion Project. The design-build team has been working with staff to complete the items in the scope of work.

Simultaneously to the Preliminary Design-Build Agreement, the City worked with Raftelis Financial Consultants, Inc. (RFC) to complete a comprehensive rate analysis for both water and sewer. As part of that study, RFC evaluated the structure and amount of utility rates in Edgerton coupled with known future infrastructure projects. With this analysis, RFC recommended the City consider using General Obligation Bonds (GO Bonds) to finance the EWWTP project rather than Kansas Water Pollution Control Revolving Fund (KWPCRF). Additionally, RFC recommended the City use the same GO bond issue to refund the existing KWPCRF project for the Belt Press. This method of financing provides the City far more flexibility in structuring the timing and inclination of the debt.

Staff met with the City's Financial Advisor (Columbia Capital), Bond Counsel (Gilmore & Bell) and City Attorney (Patrick Reavey) to discuss the process for issuing GO Bonds for sanitary sewer improvement projects. Several items on the April 14, 2016 agenda build the foundation to issue GO Bonds for the project once City Council approves a Guaranteed Maximum Price (GMP) for the project.

Resolution No. 04-14-16D authorizes the City and its agents to take all actions required by statute necessary to carry out the sale of the Bonds. Resolution No. 04-14-16D states the City expects to make capital expenditures in connection with the sanitary sewer improvements and intends to reimburse itself for such expenditures with the proceeds of general obligation bonds and/or temporary notes in an amount not to exceed \$2,500,000, plus capitalized interest and costs of issuance. Any general obligation bonds and/or temporary notes issued under the authority of this Resolution may be used to reimburse expenditures made on or after the date that is 60 days before the date of adoption of this Resolution pursuant to U.S. Treasury Regulation §1.150-2.

Resolution No. 04-14-16E has not yet been reviewed by City Attorney. City Attorney will review any changes at April 14<sup>th</sup> City Council meeting.

Enclosure: Draft Resolution No. 04-14-16E

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

**Recommendation:** Approve Resolution No. 04-14-16E Authorizing The Offering For Sale Of General Obligation Bonds, Series 2016, Of The City Of Edgerton, Kansas

**Funding Source:** N/A



Prepared by: Beth Linn, City Administrator  
Date: April 11, 2016

## RESOLUTION NO. 04-14-16E

### RESOLUTION AUTHORIZING THE OFFERING FOR SALE OF GENERAL OBLIGATION BONDS, SERIES 2016, OF THE CITY OF EDGERTON, KANSAS.

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**WHEREAS**, the City of Edgerton, Kansas (the “Issuer”), has previously arranged for financing certain sewer system improvements by the execution of a certain loan agreement described as follows:

<u>Lender</u>	<u>Loan No.</u>	<u>Dated Date</u>	<u>Maturity Date</u>	<u>Original Amount</u>	<u>Outstanding Amount</u>
KDHE	KWPCRF C20 1738 01	05-02-2007	03-01-2018	\$197,257.63	\$39,086.86

(the “Loan”); and

**WHEREAS**, the Issuer desires to undertake certain other improvements to its sewer system, including but not limited to decommissioning the existing Edgerton Wastewater Treatment Plant, establishing a new pump station at the location of the Edgerton Wastewater Treatment Plant, and constructing a new lift station and force main to connect the new pump station at the location of the Edgerton Wastewater Treatment Plant to the new Big Bull Creek Wastewater Treatment Facility (the “Improvements”); and

**WHEREAS**, the Issuer proposes to issue its general obligation bonds to permanently finance the costs of the Improvements and to retire the Loan; and

**WHEREAS**, the Issuer has selected the firm of Columbia Capital Management, LLC, (“Municipal Advisor”), as Municipal Advisor and Gilmore & Bell, P.C. (“Bond Counsel”) as Bond Counsel for a series of general obligation bonds of the Issuer to be issued in order to provide funds to permanently finance the Improvements and to retire the Loan; and

**WHEREAS**, the Issuer desires to authorize the Municipal Advisor and Bond Counsel to proceed with the offering for sale of said general obligation bonds and related activities; and

**WHEREAS**, one of the duties and responsibilities of the Issuer is to prepare and distribute a preliminary official statement relating to said general obligation bonds; and

**WHEREAS**, the Issuer desires to authorize the Municipal Advisor and Bond Counsel, in conjunction with the Clerk, to proceed with the preparation and distribution of a preliminary official statement and notice of bond sale and to authorize the distribution thereof and all other preliminary action necessary to sell said general obligation bonds.

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF EDGERTON, KANSAS, AS FOLLOWS:**

**Section 1.** The Issuer is hereby authorized to offer for sale the Issuer’s General Obligation Bonds, Series 2016 (the “Bonds”) as described by the presentation of the Municipal Advisor on this date. The Mayor, City Administrator and Clerk, in conjunction with the Municipal Advisor and Bond Counsel, are hereby authorized and directed to cause to be prepared a Notice of Bond Sale describing the terms of the Bonds, and to use such document in connection with the sale of the Bonds.

**Section 2.** The Mayor, City Administrator and Clerk, in conjunction with the Municipal Advisor and Bond Counsel, are hereby authorized and directed to cause to be prepared a Preliminary Official Statement and to use such document in connection with the sale of the Bonds.

**Section 3.** The Clerk, in conjunction with the Municipal Advisor and Gilmore & Bell, P.C., Kansas City, Missouri ("Bond Counsel"), is hereby authorized and directed to give notice of said bond sale by publishing a summary of the Notice of Bond Sale not less than 6 days before the date of the bond sale in a newspaper of general circulation in Johnson County, Kansas, and the ***Kansas Register*** and by distributing copies of the Notice of Bond Sale and Preliminary Official Statement to prospective purchasers of the Bonds. Proposals for the purchase of the Bonds shall be submitted upon the terms and conditions set forth in said Notice of Bond Sale, and shall be delivered to the governing body at its meeting to be held on such date, at which meeting the governing body shall review such bids and shall award the sale of the Bonds or reject all proposals.

**Section 4.** For the purpose of enabling the purchaser of the Bonds (the "Purchaser") to comply with the requirements of Rule 15c2-12 of the Securities and Exchange Commission (the "Rule"), the Mayor and Clerk or other appropriate officers of the Issuer are hereby authorized: (a) to approve the form of said Preliminary Official Statement and to execute the "Certificate Deeming Preliminary Official Statement Final" in substantially the form attached hereto as ***Exhibit A*** as approval of the Preliminary Official Statement, such official's signature thereon being conclusive evidence of such official's and the Issuer's approval thereof; (b) covenant to provide continuous secondary market disclosure by annually transmitting certain financial information and operating data and other information necessary to comply with the Rule to the Municipal Securities Rulemaking Board; and (c) take such other actions or execute such other documents as such officers in their reasonable judgment deem necessary to enable the Purchaser to comply with the requirement of the Rule.

**Section 5.** The Issuer agrees to provide to the Purchaser within seven business days of the date of the sale of Bonds or within sufficient time to accompany any confirmation that requests payment from any customer of the Purchaser, whichever is earlier, sufficient copies of the final Official Statement to enable the Purchaser to comply with the requirements of the Rule and with the requirements of Rule G-32 of the Municipal Securities Rulemaking Board.

**Section 6.** The Mayor, Clerk and the other officers and representatives of the Issuer, the Municipal Advisor and Bond Counsel are hereby authorized and directed to take such other action as may be necessary to carry out the sale of the Bonds.

**Section 7.** The Issuer expects to make capital expenditures in connection with the Improvements and intends to reimburse itself for such expenditures with the proceeds of general obligation bonds and/or temporary notes in an amount not to exceed \$2,500,000, plus capitalized interest and costs of issuance. Any general obligation bonds and/or temporary notes issued under the authority of this Resolution may be used to reimburse expenditures made on or after the date that is 60 days before the date of adoption of this Resolution pursuant to U.S. Treasury Regulation §1.150-2.

**Section 8.** This Resolution shall be in full force and effect from and after its adoption.

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**ADOPTED** by the governing body on April 14, 2016.

(SEAL)

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Mayor

ATTEST:

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Clerk

**CERTIFICATE DEEMING  
PRELIMINARY OFFICIAL STATEMENT FINAL**

\_\_\_\_\_, 2016

To:     [Purchaser Name]  
          [Purchase City, State]

Re:     Approximately \$\_\_\_\_\_ City of Edgerton, Kansas, General Obligation Bonds,  
          Series 2016

The undersigneds are the duly acting Mayor and Clerk of the City of Edgerton, Kansas (the “Issuer”), and are authorized to deliver this Certificate to the addressee (the “Purchaser”) on behalf of the Issuer. The Issuer has previously caused to be delivered to the Purchaser copies of the Preliminary Official Statement (the “Preliminary Official Statement”) relating to the above-referenced bonds (the “Bonds”).

For the purpose of enabling the Purchaser to comply with the requirements of Rule 15c2-12(b)(1) of the Securities and Exchange Commission (the “Rule”), the Issuer hereby deems the information regarding the Issuer contained in the Preliminary Official Statement to be final as of its date, except for the omission of such information as is permitted by the Rule, such as offering prices, interest rates, selling compensation, aggregate principal amount, principal per maturity, delivery dates, ratings, identity of the underwriters and other terms of the Bonds depending on such matters.

**CITY OF EDGERTON, KANSAS**

By: \_\_\_\_\_  
Title: Mayor

By: \_\_\_\_\_  
Title: Clerk

## AGENDA ITEM INFORMATION FORM

**Agenda Item:** Consider the Purchase of Skid Steer

**Department:** Streets, Utilities, Parks

**Background/Description of Item:** In 2015, The Edgerton City Council adopted a revised 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 decisions relating to replacement; and to act as a budgeting guide for the Governing Body and staff.

The 2016 Vehicle and Equipment Replacement Schedule identified the Case 1840 Uniloaders for replacement. The Uniloaders are 20 years old, and are at the end of their life for daily use. The purchase of the Skid Steer will assist the Public Works Department significantly in performing road work and other projects.

The Uniloaders have been used primarily for street/sidewalk and other non-utility work; however, they have occasionally been used by the Utilities Department. While the Uniloaders are no longer suitable for daily use, they are still a useful piece of equipment for the Utilities Department to use on a minimal basis. Staff recommends the purchase of the Skid Steer for Public Works use, and transferring the Uniloaders to the Utilities Department for use in the utility operations on a minimal basis.

Consistent with the City's Purchasing Policy, staff obtained three written quotes from the MARC HGAC as well as one quote from KC Bobcat for replacement of the Uniloaders. The purchase of a used Skid Steer was not evaluated because the Uniloaders were purchased new, and have served the City well for over 20 years and will continue to serve the City in a limited capacity. Staff felt for this type of equipment investment and the length of time the equipment will be in operation, purchasing new was the better option. The 2016 Vehicle and Equipment Schedule allocated \$44,500 for the purchase of a Skid Steer. Staff recommends purchasing a Bobcat Skid Steer and tool bucket attachment from K.C. Bobcat at a total cost of \$41,215.76. This is a savings of \$3,284.24 to the General Equipment Reserve Fund.

The estimated trade-in value of the Uniloaders (\$8,000) will be transferred from the Water/Sewer Equipment Reserve Funds to the General Equipment Reserve Fund since the Uniloaders will now be used in the Utilities Department.

Enclosure: Vehicle & Equipment Requisition Form  
Skid Steer Quotes  
Vehicle and Equipment Fund Summary

**Recommendation:** Approve the purchase of a Bobcat S650 T4 Skid Steer with a tooth bucket in the Amount of \$ 41,215.76 from KC Bobcat.

**Funding Source:** General Equipment Reserve Fund

Prepared by: Karen Kindle, Accountant and Michael Mabrey, Utility Superintendent  
Date: April 8, 2016

# VEHICLE & EQUIPMENT

Date 2/25/16 Funding Source: Street & Equip Reserve Funding Approved ☒ 13-00-441  
Kanu

Describe need for vehicle or equipment: This equipment is needed to maintain the lifespan of the city's infrastructure with its versatility to run multiple attachments for street repair, ditch and sidewalk, also unloading of deliveries to the city. The quotes below were through the MARC HGAC (Coleman Implement. and the Bobcat Company) and KC Bobcat. Also a quote for an additional tooth bucket was obtained to provide operators the ability to easily switch between activities.

Please input information for requested vehicle/equipment and attach bid documentation.

REQUESTED VEH/EQUIP	NEW/ USED	NAME / DESCRIPTION	COST	TRADE IN	ACTUAL	RECOMMENDED
Bobcat skid	New	Bobcat(MARC) S650 T4	\$ 40409.6	\$	\$	<input type="checkbox"/>
Case Skids	New	Coleman SV300 T4	\$ 51831.4	\$	\$	<input type="checkbox"/>
Bobcat Skid	New	KC Bobcat S650 T4	\$ 39876.7	\$	\$	<input checked="" type="checkbox"/>
Kubota Skid	New	Coleman SSV75	\$ 49910.0	\$	\$	<input type="checkbox"/>
Tooth bucket	New	KC Bobcat additional tooth bucket	\$ 1339.00	\$	\$	<input checked="" type="checkbox"/>

Requested by: \_\_\_\_\_ Date: \_\_\_\_\_

City Administrator Approval (\$15,000): \_\_\_\_\_ Date: \_\_\_\_\_

City Council Approval (> \$15,000): \_\_\_\_\_ Date: \_\_\_\_\_





# Bobcat

## Product Quotation

Quotation Number: TMZ-07149v2

Date: 2016-04-05 12:44:04

Customer Name/Address:

Bobcat Dealer

**ORDER TO BE PLACED WITH:**  
**Contract Holder/Manufacturer**

**CITY OF GARDNER**  
**Attn: MIKE MABREY**  
**329 MEADOWBROOK CIRCLE**  
**GARDNER, KS 66030**  
**Phone: (913) 856-6945**

**Eddie Keating**  
**K.C. Bobcat**  
**1220 S HAMILTON CIRCLE**  
**OLATHE KS 66061-5371**  
**Phone: (913) 829-4600**  
**Fax: (913) 829-1552**

**Bobcat Company**  
**PO Box 6000**  
**West Fargo, ND 58078**  
**Phone: 701-241-8755**  
**Fax: 701-280-7860**  
**Contact: Terri Zastrow**

### Description

#### **S650 T4 Bobcat Skid-Steer Loader**

**74 HP Tier 4 Turbo Diesel Engine**  
**Auxiliary Hydraulics: Variable Flow**  
**Backup Alarm**  
**Bob-Tach**  
**Bobcat Interlock Control System (BICS)**  
**Controls: Bobcat Standard**  
**Cylinder Cushioning - Lift, Tilt**  
**Engine/Hydraulic Systems Shutdown**  
**Glow Plugs (Automatically Activated)**  
**Horn**  
**Instrumentation: Engine Temp and Fuel Gauges,**  
**Hourmeter, RPM and Warning Lights**

**Part No**  
**M0269**

**Qty**

**Price Ea.**

**Total**

**1 \$30,912.12 \$30,912.12**

**Lift Arm Support**

**Lift Path: Vertical**

**Lights, Front & Rear**

**Operator Cab**

- Includes: Adjustable Cushion Seat, Top & Rear Windows, Parking Brake, Seat Bar, Seat Belt
- Roll Over Protective Structure (ROPS) meets SAE-J1040 & ISO 3471
- Falling Object Protective Structure (FOPS) meets SAE-J1043 & ISO 3449, Level I; (Level II is available through Bobcat Parts)

**Spark Arrestor Exhaust System**

**Tires: 12-16.5 12 PR Bobcat Heavy Duty**

**Warranty: 12 Months, Unlimited Hours**

**Factory**  
**Installed**

**A91 Option Package**

**M0269-P01-A91**

**1**

**\$6,893.16**

**\$6,893.16**

**Cab enclosure with Heat and AC**  
**High Flow Hydraulics**  
**Two-Speed Travel with SAPR Parking Brake**  
**Sound Reduction**  
**Hydraulic Bucket Positioning**

**Power Bob-Tach**

**Deluxe Instrument Panel**

**Keyless Start**

**Suspension Seat with 3-Point Belt**

**Engine Block Heater**

**Attachment Control Kit**

**Cab Accessories Package**

**Attachments**  
**Advanced Control System**  
**74" Low Profile Bucket**  
**----- Bolt-On Cutting Edge, 74"**

**M0269-R01-C03**

**1**

**\$1,022.72**

**\$1,022.72**

**6731421**

**1**

**\$809.40**

**\$809.40**

**6718007**

**1**

**\$239.36**

**\$239.36**

**Total of Items Quoted**  
**Quote Total - US dollars**

**\$39,876.76**

**\$39,876.76**

**\*Prices per the Kansas State Contract #39908. Event ID# 3363.**

**Contract Period: 1-1-2015 thru 12-31-2017**

**\*Terms Net 30 Days. Credit cards accepted.**

**\*FOB: Destination within the 48 Contiguous States.**

**\*TID# 38-0425350**

**\*Deliver: 90 days or less from ARO.**

**\*State Sales Taxes apply.**

**\*Orders Must be Placed With: Clark Equipment Co, dba Bobcat Company, Govt Sales, PO Box 6000, West Fargo, ND 58078.**

Prices & Specifications are subject to change. Please call before placing an order. Applies to factory ordered units only.





# Bobcat

## Product Quotation

Quotation Number: CMS-31267v3

Date: 2016-01-29 08:50:00

Customer Name/Address	Bobcat Dealer	ORDERS TO BE PLACED WITH Contract Holder/Manufacturer
CITY OF EDGERTON		Bobcat Company
EDGERTON, KS 66021		PO Box 6000
POC: RITA PARKER		West Fargo, ND 58078
		Phone: 701-241-8719
		Fax: 701-280-7860
		Contact: Crystal Stram
		Crystal.stram@doosan.com

Description	Part No	Qty	Price Ea.	Total
<b>S650 T4 Bobcat Skid-Steer Loader</b>	M0269	1	\$31,821.30	\$31,821.30
74 HP Tier 4 Turbo Diesel Engine	Lift Arm Support			
Auxiliary Hydraulics: Variable Flow	Lift Path: Vertical			
Backup Alarm	Lights, Front & Rear			
Bob-Tach	Operator Cab			
Bobcat Interlock Control System (BICS)	<ul style="list-style-type: none"> <li>Includes: Adjustable Cushion Seat, Top &amp; Rear Windows, Parking Brake, Seat Bar, Seat Belt</li> <li>Roll Over Protective Structure (ROPS) meets SAE-J1040 &amp; ISO 3471</li> <li>Falling Object Protective Structure (FOPS) meets SAE-J1043 &amp; ISO 3449, Level I, (Level II is available through Bobcat Parts)</li> </ul>			
Controls: Bobcat Standard	Spark Arrestor Exhaust System			
Cylinder Cushioning - Lift, Tilt	Tires: 12-16 5 12 PR Bobcat Heavy Duty			
Engine/Hydraulic Systems Shutdown	Warranty: 12 Months, Unlimited Hours			
Glow Plugs (Automatically Activated)				
Horn				
Instrumentation: Engine Temp and Fuel Gauges				
Hourmeter, RPM and Warning Lights				
<b>Factory Install A91 Option Package</b>	M0269-P01-A91	1	\$7,095.90	\$7,095.90
Cab enclosure with Heat and AC	Power Bob-Tach			
High Flow Hydraulics	Deluxe Instrument Panel			
Two-Speed Travel with SAPR Parking Brake	Keyless Start			
Sound Reduction	Suspension Seat with 3-Point Belt			
Hydraulic Bucket Positioning	Engine Block Heater			
	Attachment Control Kit			
	Cab Accessories Package			
<b>Attachments</b>	<del>Air Ride Seat 3-pt Belt</del>	<del>M0269-R05-G12</del>	<del>1</del>	<del>\$219.80</del>
	<del>74" Low Profile Bucket</del>	<del>6731421</del>	<del>1</del>	<del>\$809.40</del>
	<del>Bolt-On Teeth (8)</del>	<del>6737322</del>	<del>8</del>	<del>\$36.28</del>
				<del>\$290.24</del>

Total of Items Quoted  
Freight Charges  
Quote Total - US dollars

~~\$39,726.60~~ ~~\$40,236.64~~  
\$683.00  
~~\$40,409.60~~ ~~\$40,919.64~~

\*Prices per the Texas HGAC Contract #EM06-15. Contract Period: 6-01-16 to 5-31-2017

\*Must be a member of the coop to purchase off contract.

\*Terms Net 30 Days. Credit cards accepted.

\*FOB: Origin - Prepay and Add to Quote.

\*Delivery: 60 days from ARO.

\*State Sales Taxes apply.

\*TID# 38-0425350

\*ORDERS MUST BE PLACED WITH: Clark Equipment Company dba Bobcat Company, PO Box 6000, West Fargo, ND 58078.

Prices & Specifications are subject to change. Please call before placing an order. Applies to factory ordered units only









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January 28, 2016

Mike Mabrey  
City of Edgerton, KS.

RE: Kubota SSV75HFRC Skid Steer, HGAC pricing

An HGAC purchase by a City for a Kubota product is a "Direct Purchase" between the City and Kubota. As the Dealer, Coleman Equipment coordinates this, but the Purchase Order from the City is to Kubota Tractor Corporation, the Invoice to the City is from Kubota, and payment from the City is to Kubota. They do not go through Mid-America Regional Council.

Kubota SSV75 HFRC:

- Cab, heat, a/c
- High Flow Auxiliary Hydraulics
- Self-leveling bucket and Vertical lift
- Ride Control
- Multifunction controls with 14 pin connector
- 74" long floor, smooth bucket with bolt-on cutting edge and side cutting edges
- 12.00 x 16.5 tires

The Kubota SSV75 High Flow has 30.4 GPM at 3271 PSI from its High Flow outlets. This equates to 52.2 hydraulic horse power.

An 18" asphalt planer requires a minimum of 41 hydraulic horse power, thus the SSV75 has adequate hydraulic horse power to operate it. A 24" asphalt planer requires a minimum of 50 hydraulic horse power, so the SSV75 would not match-up to that size of asphalt planer.

The Standard Flow couplers can be connected and disconnected under pressure while the machine is running. The cab door opens over your head to allow you into and out of a big cab.

Loader controls are foot controlled, and steering controls are hand controls.

The following price is an estimate, but will be very close. Kubota will give you an official quote if you would like me to submit it, and they will respond to the City directly with the official quote.

HGAC price delivered to Edgerton, KS.....\$49,910.60

Thank you,

Ed Goldsmith  
Coleman Equipment

A handwritten signature in blue ink that reads "Ed Goldsmith". The signature is stylized with a large, sweeping "E" and a cursive "Goldsmith".

## Mike Mabrey

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**From:** Rita Parker <rita.parker@kcrpc.com>  
**Sent:** Friday, January 22, 2016 2:07 PM  
**To:** Mike Mabrey  
**Subject:** RE: Bobcat quote S650 series - revised

Out of curiosity, I checked the discounts and thought this might help with getting approvals. Also checked previous orders and to date, no purchases of a CAT.

CAT discount is 11% off 2/12/15 price list  
Case discount is 24-32% off 2/12/15 price list  
Bobcat discount is 30% off 4/1/15 price list  
Just let me know if you need any other information.

**From:** Mike Mabrey [mailto:mmabrey@edgertonks.org]  
**Sent:** Friday, January 22, 2016 1:49 PM  
**To:** Rita Parker <rita.parker@kcrpc.com>  
**Subject:** RE: Bobcat quote S650 series - revised

Sounds good thank you.. Mike

**From:** Rita Parker [mailto:rita.parker@kcrpc.com]  
**Sent:** Friday, January 22, 2016 1:30 PM  
**To:** Mike Mabrey <mmabrey@edgertonks.org>  
**Subject:** RE: Bobcat quote S650 series - revised

Definitely! These contracts were awarded based on competitive bids. Getting at least two quotes for comparison should be sufficient.

**From:** Mike Mabrey [mailto:mmabrey@edgertonks.org]  
**Sent:** Friday, January 22, 2016 1:26 PM  
**To:** Rita Parker <rita.parker@kcrpc.com>  
**Subject:** RE: Bobcat quote S650 series - revised

Yes we did, so with that you believe the two is sufficient. Mike

**From:** Rita Parker [mailto:rita.parker@kcrpc.com]  
**Sent:** Friday, January 22, 2016 1:14 PM  
**To:** Mike Mabrey <mmabrey@edgertonks.org>  
**Subject:** RE: Bobcat quote S650 series - revised

Hi Mike – I think I can save both of us some time! Edgerton adopted resolution allowing use of our cooperative contracts.

**From:** Mike Mabrey [mailto:mmabrey@edgertonks.org]  
**Sent:** Friday, January 22, 2016 8:07 AM  
**To:** Rita Parker <rita.parker@kcrpc.com>  
**Subject:** RE: Bobcat quote S650 series - revised

City of Edgerton  
Vehicle & Equipment Replacement  
Fund Summary  
As of 4-7-2016

**Fund 13 - General Equipment Reserve Fund**

	2014	2015	2016	2017	2018	2019	2020
Beginning Balance, Jan 1	\$ 73,970	\$ 205,374	\$ 93,804	\$ 7,551	\$ (5,962)	\$ (75,679)	\$ (175,556)
Transfers in from Other Funds	242,250	110,556	87,250	79,250	79,250	79,250	79,250
Vehicle/Equipment Purchases	(110,846)	(222,126)	(173,503)	(92,763)	(148,967)	(179,127)	(35,500)
Ending Balance, 12/31	\$ 205,374	\$ 93,804	\$ 7,551	\$ (5,962)	\$ (75,679)	\$ (175,556)	\$ (131,806)

**Fund 27 - Water Equipment Reserve Fund**

	2014	2015	2016	2017	2018	2019	2020
Beginning Balance, Jan 1	\$ 148,970	\$ 140,596	\$ 141,496	\$ 1,048	\$ (49,000)	\$ (75,080)	\$ (75,080)
Transfers in from Other Funds	-	900	-	-	-	-	-
Vehicle/Equipment Purchases	(8,374)	-	(140,448)	(50,049)	(26,080)	-	-
Ending Balance, 12/31	\$ 140,596	\$ 141,496	\$ 1,048	\$ (49,000)	\$ (75,080)	\$ (75,080)	\$ (75,080)

**Fund 37 - Sewer Equipment Reserve Fund**

	2014	2015	2016	2017	2018	2019	2020
Beginning Balance, Jan 1	\$ 73,970	\$ 42,336	\$ 38,212	\$ 26,292	\$ 17,910	\$ (8,170)	\$ (8,170)
Transfers in from Other Funds	-	2,830	-	-	-	-	-
Vehicle/Equipment Purchases	(31,634)	(6,954)	(11,920)	(8,382)	(26,080)	-	-
Ending Balance, 12/31	\$ 42,336	\$ 38,212	\$ 26,292	\$ 17,910	\$ (8,170)	\$ (8,170)	\$ (8,170)

**Notes:**

The amount for 2016 is the amount to be included in the 2016 budget as of this date.  
The amounts in years beyond 2016 are left the same as the 2016 amount.

## AGENDA ITEM INFORMATION FORM

**Agenda Item:** Consider Application FP2016-01, Final Plat, Logistics Park Kansas City Phase IV, Second Plat

**Department:** Community Development

**Background/Description of Item:** The City of Edgerton has received Application FP2016-01 for final plat of the Logistics Park Kansas City Phase IV, 2<sup>nd</sup> Plat and which is located at the Northwest corner of 196<sup>th</sup> Street and Waverly Road. The final plat includes 113.725 acres made up of three lots and one tract. The Plat does not contain the dedication of any additional Public Street ROW as the Waverly Road and 196<sup>th</sup> Street right-of-way was dedicated as part of the First Plat for Phase IV. The three lots shown on this plat are currently proposed to include 378,022, 764,785 and 927,112 square foot structures.

Staff, including City Engineer, 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 Edgerton Planning Commission reviewed the application on March 8, 2016. The Planning Commission recommended approval of Application FP2016-01 for Final Plat for Logistics Park Kansas City Phase IV, Second Plat subject to compliance with the following stipulations as listed in the staff report dated March 1, 2016:

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 March 8, 2016 Planning Commission  
Final Plat

Final Plat Application FP2016-01 for Logistics Park Kansas City Phase IV, Second Plat

**Recommendation:** Approve Application FP2016-01, Final Plat, Logistics Park Kansas City Phase IV, Second Plat located Northwest of 196<sup>th</sup> Street and Waverly Road.

**Funding Source:** N/A

Prepared by: Kenneth Cook, Community Development Director  
Date: April 11, 2016



**STAFF REPORT**

March 1, 2016

To: Edgerton Planning Commission  
Fr: Kenneth Cook, AICP, CFM, Community Development Director  
Re: FP2016-01 Final Plat for Logistics Park Kansas City Phase IV, Second Plat

**APPLICATION INFORMATION**

**Applicant/Property Owner:** Edgerton Land Holding Company

**Requested Action:** Final Plat – Logistics Park Kansas City Phase IV, 2nd Plat

**Legal Description:** See Final Plat attached

**Site Address/Location:** East side of Montrose Road and South of 191<sup>st</sup> Street

**Existing Zoning and Land Uses:** City of Edgerton L-P Logistics Park on vacant land

**Existing Improvements:** None

**Site Size:** 113.725 Acres

**PROJECT DESCRIPTION**

This is additional development of the Logistics Park Kansas City by Edgerton Land Holding Company (ELHC), a subsidiary of NorthPoint Development. The property will serve the BNSF intermodal facility to the northwest of the subject site. The intermodal facility's purpose is to transfer loaded cargo containers from trains to trucks. LPKC is a 1500 acre master planned development. ELHC, the applicant for this project, is BNSF's partner for developing warehousing which is planned to eventually surround the intermodal facility.

The subject property is located South of 191<sup>st</sup> Street and on the West side of Waverly Road and is zoned L-P, Logistics Park. The property is located to the South of the TSL Cargo Container Storage Facility and West of Inland Port XIV. 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 is located within the fourth phase of development and has an approved preliminary plat and preliminary site plan. The first plat for this phase included the water tower property and the dedication of right-of-way for the new 196<sup>th</sup> Street and additional width for Waverly Road. The applicants have also submitted Final Site Plans for Lots 2 & 4 which will also be considered for this site. The proposed subdivision includes three lots and one 9 acre tract (stormwater detention, wetland). The preliminary Plat originally showed this tract extending North to 191<sup>st</sup> Street. The applicant has specified their intent to submit an amended Preliminary Plat showing the remainder of the tract not included in this plat as an additional Lot that will be developed in the future. The

Site Plans that have been submitted for Lots 2 & 4 show proposed warehouses of 764,785 and 927,112 square foot respectively.

## INFRASTRUCTURE AND SERVICES

Infrastructure was reviewed previously per the rezoning and preliminary plat. Some conditions continue to exist as noted below.

- a. The construction of Waverly Road into a three-lane concrete road is nearly complete. The construction of 196<sup>th</sup> Street to the South is included in the Waverly Road project and is currently expected to be complete by July 1, 2016.
- 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. A small area located in the Eastern portion of this plat is shown as located within a Special Flood Hazard Area (X - 1% annual chance – Future Conditions).
- d. New Sanitary Service is currently under construction that will serve the property. The new sewer line will run across the Northern portions of Tract A and Lot 4.
- e. The property is located within the service area of Rural Water District No. 7. The new water tower for Water 7 is located on Lot 3 of the first plat of the Logistics Park Kansas City Phase IV, and which is located between the two properties which will also be considered as part of requests for Final Site Plans. A 12-inch water main is located along Waverly Road and is connected to the water tower by an 16-inch line.
- 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 Fire District No. 1. A fire station is located in the City of Edgerton, approximately 4.5 miles to the west and in the City of Gardner, approximately 2.5 miles North and East.

## 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. *A different scale is being used for the Final Plat as the Final Plat only includes a portion of the area shown in the Preliminary Plat. The change in scale allows for the Final Plat to show improved detail and staff considers the change acceptable. **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. **Update Final Plat**
  - *The plat currently shows all monuments being ½" x 24" Rebar while the regulations require 2" x 24" metal bar. Staff believes that the 2" measurement is a typographical error and that it should be ½".*
  - *No monuments are currently shown at the property corners between Lot 2 and Tract A.*
  - *The legend includes a description for "Found monument as noted." None of the monuments that are shown as found include any note describing the monuments.*



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. *The legal description for the subject plat does not appear to match the legal description along a shared property line between this plat and LPKC Phase IV, 1<sup>st</sup> Plat. The dimensions at the Northwest corner of 196<sup>th</sup> Street and Waverly and the first segment heading to the West both appear to not match. Update Final Plat.*
5. Individual notations and a TABLE showing: lot area, setbacks, and building envelopes. ***Final Plat Complies.***
6. A number for each lot, starting (if practical) in the northwest corner. *The applicant has discussed their plan to submit an updated Preliminary Plat that will show the balance of Tract A as a Lot. This new Lot would be anticipated to be Lot 5 and would be developed at some point in the future. Final Plat Complies.*
7. All easements with widths, and roads with curve data. ***Update Final Plat.***
  - *Include a reference to the recorded easement for the sanitary sewer along the Northern portion of the property.*
  - *An Access Easement is currently shown along the Northern portion of Lot 4 which ends at Tract A. The access drive then crosses tract A with no easement. Staff suggests that Lot 2 should be extended further North along the Eastern portion of Tract A so that the access easement provides a direct access point to Lot 2. This would also appear to require additional easements for drainage.*
  - *Does a future private drive need to be added in the Northern portion of Tract A to extend a drive for trucks to use to access the West side of Lot 2 in the case the building is divided for multiple tenants. This would be similar to what is being shown along the South portion of this lot on the Final Site Plan. Truck traffic has not typically been encouraged to go through car parking areas.*
  - *A Pedestrian Easement needs to be added for the sidewalk which is located North of the North parking area on Lot 4. This easement may also need to be extended to the North line of Lot 2 and possibly to Lot 1 to provide access. The location of this Pedestrian Easement/sidewalk may need to be adjusted so that the sidewalk does not conflict with the improvements for the storm water system.*
8. Ingress/egress limitations if required. ***Final Plat complies.***
9. The location of existing utility easements. *Document recording information should be added for the sewer easement. Update Final Plat.*
10. A written legal description from the survey. ***Final Plat complies.***
  - *Those portions of the legal description along the common boundary with LPKC Phase IV, First Plat and which refer to areas to the Northwest of the intersection of 196<sup>th</sup> Street and Waverly Road do not appear to match the legal from the previous plat.*
11. An instrument of dedication for all roads and easements. *The Final Plat includes wording for the dedication of streets and other types of similar rights-of-way but no such areas are included on the plat. The plat also It would appear that this dedication is not necessary. Update Final Plat.*
12. Special notations required as a condition of platting by the Planning Commission. ***Final Plat complies.***
13. Approved phases – clearly delineated. *Not proposed to be developed in phases. Final Plat complies.*

14. Private travel easements. *As is discussed above, either additional area on the East of Tract A needs to be added to Lot 2 or additional access easement needs to be provided. Additional access may also be needed in order to provide access to the West side of Lot 2 from the North. The current wording on the access easement specifies that the access easement is for the use of Lot 1 and Lot 2. Does this access easement need to be extended to the Northern portion of Lot 1? **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. **Register of Deeds uses their own stamp and requires space to be reserved in the top left corner. No certificate required. Final Plat Complies**
19. Surveyor's Certificate and Seal and certificate for survey review by the County Surveyor or designated Land Surveyor. **County Surveyor uses own stamp. No certificate required. Final Plat Complies.**
20. Certificate of the Zoning Administrator. **Final Plat Complies.**

## **RECOMMENDATION**

City staff recommends approval of the Final Plat for Logistics Park Kansas City Phase IV, Second Plat, 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**

Application FP2016-01

Preliminary Plat for Logistics Park Kansas City Phase IV

Final Plat for Logistics Park Kansas City Phase IV, Second Plat

NAME OF PROPOSED SUBDIVISION: Logistics Park Kansas City Phase IV, 2nd PlatLOCATION OR ADDRESS OF SUBJECT PROPERTY: NW Corner of 196th and WaverlyLEGAL DESCRIPTION: Please see Final PlatCURRENT ZONING ON SUBJECT PROPERTY: LP CURRENT LAND USE: N/ATOTAL AREA: 113.725 Acres NUMBER OF LOTS: 4 AVG. LOT SIZE: 28.43 Sq. Ft.DEVELOPER'S NAME(S): John Thomas PHONE: 816-888-7380COMPANY: Northpoint Development FAX: 816-888-7399MAILING ADDRESS: 5015 NW Canal St. Suite 200 Riverside Mo 64150  
Street City State ZipPROPERTY OWNER'S NAME(S): Same as Above PHONE: \_\_\_\_\_

COMPANY: \_\_\_\_\_ FAX: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_  
Street City State ZipENGINEER'S NAME(S): Mick Slutter PHONE: 816-800-0950COMPANY: Renaissance Infrastructure Consulting FAX: 816-800-0951MAILING ADDRESS: 5015 NW Canal St. Suite 100 Riverside Mo 64150  
Street City State ZipSIGNATURE OF OWNER OR AGENT: 

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 1/2 x 11) must also be submitted with the application.

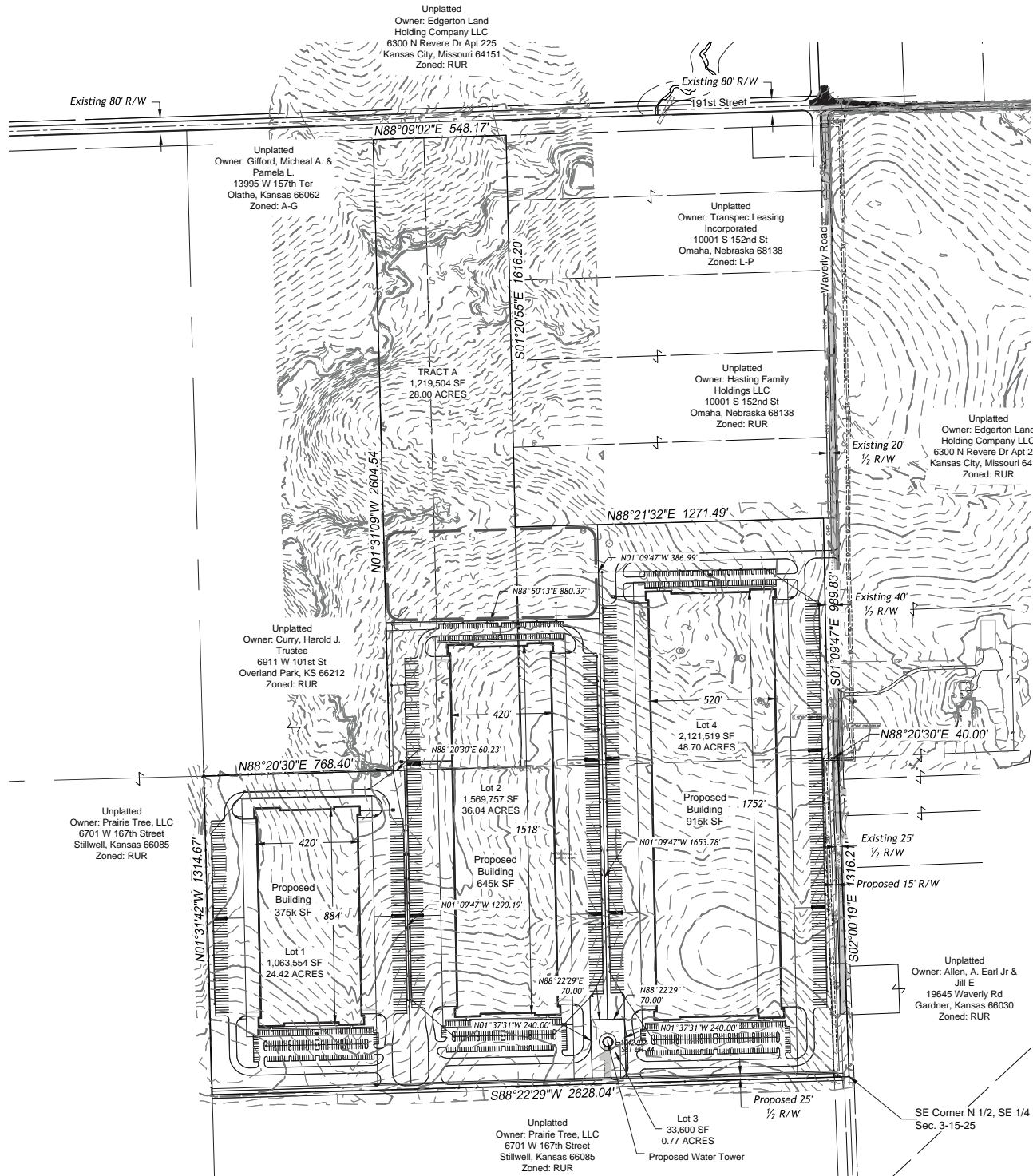
**FOR OFFICE USE ONLY**Case No.: FB 2016-000 Amount of Fee Paid: \$ 340.00 Date Fee Paid: 2-29-16Received By: Nikki Walz Date of Hearing: N/A**FINAL PLAT INSTRUCTIONS**

**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.

PRELIMINARY PLAT AND REZONING PLAN

# LOGISTICS PARK KANSAS CITY PHASE IV

A SUBDIVISION OF LAND IN THE CITY OF EDGERTON, JOHNSON COUNTY, KANSAS



LEGAL DESCRIPTION:

Tract 1

Beginning at the southeast corner of the northeast 1/4 of section 3, township 15 south, range 22 east, Johnson County, Kansas; thence north 990.0 feet and along the east line of said 1/4 section; thence west 1,319.6 feet and parallel to the south line of said 1/4 section; thence south 990.0 feet and parallel to the east line of said 1/4 section to a point on the south line of said 1/4 section; thence east 1,320.7 feet and along the south line of said 1/4 section to the point of beginning, except any part used or dedicated for streets, roads or highways, also being more particularly described as follows: all that part of the northeast quarter of section 3, township 15 south, range 22 east, sixth principal meridian, Johnson County, Kansas, described as follows: commencing at the southeast corner of the northeast quarter of said section 3; thence north 89° 48' 35" west, along the south line of the northeast quarter of said section 3, a distance of 40.00 feet to the point of beginning; thence continuing north 89° 48' 35" west along said south line, a distance of 1268.40 feet measured (1280.70 feet deduced) to the southwest corner of the east half of the northeast quarter of said section 3; thence north 00° 29' 36" east measured (north 00° 44' 12" east deduced), along the west line of the east half of the northeast quarter of said section 3, a distance of 989.98 feet measured (990.00 feet deduced), thence south 89° 48' 35" east, a distance of 1271.50 feet measured (1279.60 feet deduced) to a point being 40.00 feet west of the east line of the northeast quarter of said section 3, thence south 00° 40' 22" west, parallel to the east line of the northeast quarter of said section 3, a distance of 990.00 feet to the point of beginning, except any part used or dedicated for streets, roads or highways.

and also;

Tract 2

The north 1/2 of the southeast 1/4 of section 3, township 15, range 22, in Johnson County, Kansas, being more particularly described as follows: beginning at the northeast corner of the southeast quarter of said section 3; thence south 00° 10' 34" east, along the east line of the southeast quarter of said section 3, a distance of 1316.57 feet to the southeast corner of the north half of the southeast quarter of said section 3, thence north 89° 47' 10" west, along the south line of the north half of the southeast quarter of said section 3, a distance of 2627.95 feet to the southwest corner of the north half of the southeast quarter of said section 3; thence north 00° 19' 17" east, along the west line of the southeast quarter of said section 3, a distance of 1315.19 feet to the northwest corner of the southeast quarter of said section 3, thence south 89° 48' 57" east, along the north line of the southeast quarter of said section 3, a distance of 2616.52 feet to the point of beginning, except any part used or dedicated for streets, roads or highways.

and also;

Tract 3

The west half of the northeast quarter of section 3, township 15 south, range 22 east, in Johnson County, Kansas; except the west 768.4 feet, and further except any part used for dedicated streets, roads or highways.

CERTIFICATION

Received and placed on record this \_\_\_\_ day of \_\_\_\_\_, 2014.

by \_\_\_\_\_  
(Zoning Administrator)

Approved by the Edgerton City Planning Commission this \_\_\_\_ day of \_\_\_\_\_, 2014.

by \_\_\_\_\_  
(Chair of Planning Commission)

Approved By: \_\_\_\_\_  
City Engineer

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

Approved By: \_\_\_\_\_  
Mayor

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

NOTES:

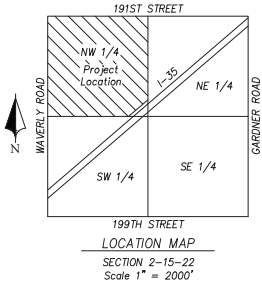
1. Flood Plain Note: According to the F.E.M.A. Flood Insurance Rate Map Number 20091C0134G, revised August 3, 2009, portions of this tract lie in:

OTHER AREAS, ZONE X, defined as areas determined to be outside the 0.2% annual chance floodplain.

OTHER FLOOD AREAS, ZONE X (Future Base Flood), defined as areas of 1% annual chance flood based on future conditions hydrology. No Base Flood Elevations determined.

SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD, ZONE AE, defined as base flood elevations determined.

2. Date Surveyed: 07-15-13.



SITE DATA TABLE

Existing Zoning: RUR & A-G  
Proposed Zoning: L-P  
Total Land Area: 140.61 Acres  
Street Right-of-Way: 2.68 Acres  
Net Land Area: 137.93 Acres  
Proposed Use: Logistics Park

Legend:

- △ FOUND SECTION CORNER AS NOTED
- SET 1/2" X 24" REBAR WITH RUC KSELS 234 CAP
- U/E UTILITY EASEMENT
- SS/E SANITARY SEWER EASEMENT
- A/E ACCESS EASEMENT
- D/E DRAINAGE EASEMENT
- W/E WATERLINE EASEMENT
- E/E KOPAL ELECTRIC EASEMENT
- T/E TEMPORARY EASEMENT
- B/L BUILDING SETBACK LINE

PROPERTY OWNER:

Edgerton Land Holding Co., LLC  
5015 NW Canal Street  
Suite 200  
Riverside, Mo. 64150



SHEET

1 OF 2

PRELIMINARY PLAT AND REZONING PLAN

14-02261  
LOGISTICS PARK KANSAS CITY  
PHASE IV

PRELIMINARY SITE  
PLAN

ORIGINAL SUBMITTAL  
REVISION



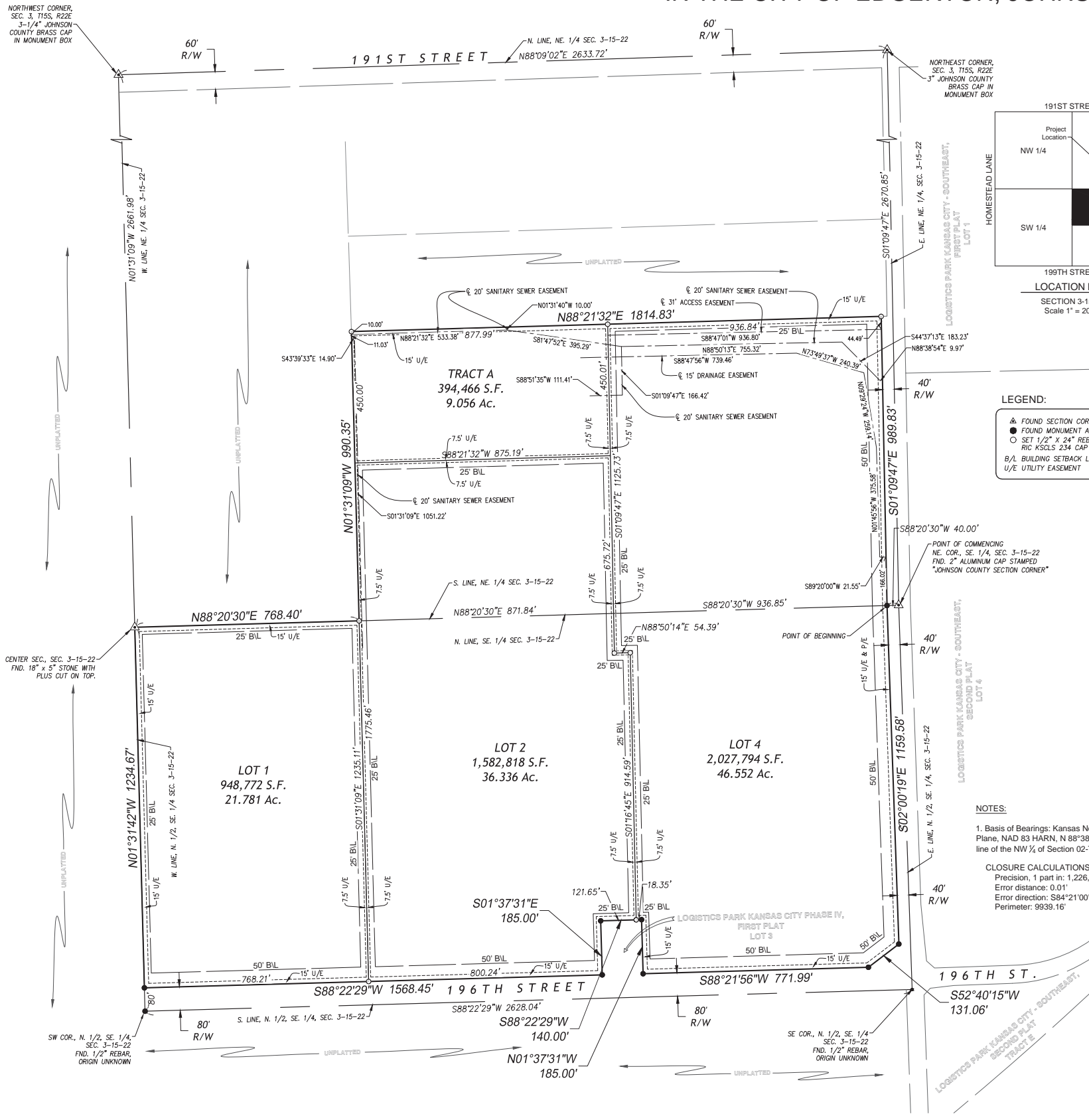
5015 NW CANAL STREET, SUITE 200  
RIVERSIDE, MISSOURI 64150  
P: 800.0950  
WWW.RIC-CONSULT.COM



# FINAL PLAT

## LOGISTICS PARK KANSAS CITY PHASE IV, 2ND PLAT

A PART OF THE NORTHEAST QUARTER AND THE NORTH ONE-HALF OF THE SOUTHEAST QUARTER OF  
SECTION 3, TOWNSHIP 15 NORTH, RANGE 22 WEST,  
IN THE CITY OF EDGERTON, JOHNSON COUNTY, KANSAS



### DESCRIPTION

That part of the Northeast and the North One-Half of the Southeast Quarter of Section 3, Township 15 South, Range 22 East, in the City of Edgerton, Johnson County, Kansas, more particularly described as follows:

Commencing at the Northeast corner of said Southeast Quarter; thence coincident with the north line of said Southeast Quarter, South 88°20'30\"/>

### DEDICATION

The undersigned proprietors of the above described tract of land have caused the same to be subdivided in the manner as shown on the accompanying plat, which subdivision and plat shall hereafter be known as \"LOGISTICS PARK KANSAS CITY PHASE IV, SECOND PLAT\".

The undersigned proprietor of said property shown on this plat does hereby dedicate for public use and public ways and thoroughfares, all parcels and parts of land indicated on said plat as streets, terraces, places, roads, drives, lanes, parkways, avenues and alleys not heretofore dedicated. Where prior easement rights have been granted to any person, utility or corporation on said parts of the land so dedicated, and any pipes, lines, poles and wires, conduits, ducts or cables heretofore installed thereupon and therein are required to be relocated, in accordance with proposed improvements as now set forth, the undersigned proprietor hereby assents and agrees to indemnify the City of Edgerton, Kansas, from any expense incident to the relocation of any such existing utility installations within said prior easement.

An easement or license to enter upon, locate, construct, use and maintain or authorize the location, construction or maintenance and use of conduits, water, gas, sewer pipes, poles, wires, drainage facilities, irrigation systems, ducts and cables, and similar facilities, upon, over and under these areas outlined and designated on this plat as \"Utility Easement\" or \"U/E\" is hereby granted to the City of Edgerton, Kansas with subordinate use of the same by other governmental entities and public utilities as may be authorized by state law to use such easement for said purposes. Utility easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of public utilities located within the easement.

An easement or license to enter upon, locate, construct, use and maintain or authorize the location, construction, maintenance or use of conduits, surface drainage facilities, subsurface drainage facilities, and similar facilities, upon, over and through those areas outlined and designated on this plat as \"Drainage Easement\" or \"D/E\" is hereby granted to the City of Edgerton, Kansas. Drainage easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of storm drainage facilities.

A perpetual easement of access over, across and upon all areas designated on the plat as \"Access Easement\" or \"A/E\", is hereby granted for ingress and egress of all owners and occupants of Lots 1 & 2, and those tracts adjacent to said Lot 4, their guests and invitees.

An easement to lay construct, alter, repair, replace or operate one or more sewer lines and all appurtenances convenient for the collection of sanitary sewage, together with the right of ingress and egress, over and through those areas designated as \"Sanitary Sewer Easement\" or \"S/E\" on this plat are hereby dedicated to the City of Edgerton, Kansas. Utility easements shall be kept clear of obstructions that impair strength or interfere with the use and/or maintenance of public utilities located within the easement.

Areas designated on the accompanying plat as \"pedestrian access easement\" are hereby dedicated to the public for the purpose of pedestrian access (P/E). No fence, wall, planting, structure or other obstruction may be placed or maintained in said P/E without approval of said City Community Development Director of the City of Edgerton, Kansas.

### RESTRICTIONS

Tract \"A\" is intended to be used for stormwater detention and open space and shall be owned and maintained by Logistics Park Kansas City Owners' Association, its successors and assigns.

### CONSENT TO LEVY

The undersigned proprietors of the above described tracts of land hereby consent and agree that the Board of County Commissioners and the City of Edgerton, Johnson County, Kansas, shall have the power to release such land proposed to be dedicated for public use from the lien and effect of any special assessments, and that the amount of unpaid special assessments on such land dedicated, shall become and remain a lien on this land fronting and abutting on such dedicated public way or thoroughfare.

LOT INFORMATION				
LOT NO.	LOT AREA	FRONT SETBACK	SIDE SETBACK	REAR SETBACK
1	948,772 S.F. 21.781 Acres	50'	25'	25'
2	1,582,818 S.F. 36.336 Acres	50'	25'	25'
4	2,027,794 S.F. 46.552 Acres	50'	25'	25'
TRACT A	394,466 S.F. 9.056 Acres			

### EXECUTION

IN TESTIMONY WHEREOF, the undersigned proprietor has caused this instrument to be executed this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Edgerton Land Holding Company, LLC  
By: NorthPoint Development, LLC  
Its: Manager

Nathaniel Hagedorn, Manager

STATE OF MISSOURI )  
                                  ) SS  
COUNTY OF PLATTE )

BE IT REMEMBERED, that on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, before me a Notary Public in and for said County and State, came Nathaniel Hagedorn, Manager of NorthPoint Development, LLC, the Manager of Edgerton Land Holding Company, LLC, who is personally known to me to be the same person who executed the foregoing instrument of writing on behalf of said limited liability company, and he duly acknowledged the execution of the same to be the act and deed of said limited liability company.

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

Notary Public \_\_\_\_\_ My Appointment Expires: \_\_\_\_\_

### APPROVALS

APPROVED by the Planning Commission of the City of Edgerton, Johnson County, Kansas, on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Chuck Davis, Chairperson \_\_\_\_\_ Maria O'Neill, Secretary \_\_\_\_\_

APPROVED by the Governing Body of the City of Edgerton, Johnson County, Kansas, on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Attest: \_\_\_\_\_  
Donald Roberts, Mayor \_\_\_\_\_ Janeice Rawles, City Clerk \_\_\_\_\_

APPROVED by the Zoning Administrator, on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Kenneth A. Cook, Zoning Administrator \_\_\_\_\_

### SURVEYORS CERTIFICATION

This is to certify on the 18th day of February, 2015 this field survey was completed on the ground by me or under my direct supervision and that said survey meets or exceeds the \"Kansas Minimum Standards\" for boundary surveys pursuant to K.S.A. 74-7037.

Roger B. Dill, Kansas LS-1408 \_\_\_\_\_

## LOGISTICS PARK KANSAS CITY PHASE IV, SECOND PLAT



Prepared For:  
Edgerton Land Holding Co., LLC  
5015 NW Canal Street  
Suite 200  
Riverside, Mo. 64150



Date of Preparation:  
February 22, 2016

11690 STRANG LINE ROAD  
LENEXA, KANSAS 66215

913.317.9500  
WWW.RIC-CONSULT.COM



# LEARNING & CAREER CENTER — at LPKC —

## Job Fair WEDNESDAY MAY 4 4 – 7 P.M.

30750 W. 193rd Street  
Edgerton, KS • 66021

- See this ***new and innovative center*** for yourself; tours will be offered.
- Learn about ***employment opportunities*** available and speak with local employers involved with the LCC.
- Hear about the types of ***training and educational courses*** that can prepare you for an in-demand career with competitive wages and advancement potential.

## ATTENTION JOB SEEKERS!

*Attend the new Learning & Career Center Job Fair to learn more about jobs in and around Logistics Park Kansas City.*

The demand for skilled, adaptable and work-ready individuals to fill critical jobs in warehousing and distribution operations in our area has never been greater. The Learning & Career Center (LCC) at Logistics Park Kansas City (LPKC) was created to offer education, certifications and other workforce development opportunities for prospective employees of companies located in and around LPKC.

Plan now to attend this ***free and informative event!*** It could open the door to a new and exciting career for you! ***No RSVP needed.*** For more information about the Learning & Career Center, visit **[www.workatlpkc.com](http://www.workatlpkc.com)** or call **913.577.5900**.

*The Learning & Career Center is a collaborative effort between several Kansas City area public and private entities:*

