

**EDGERTON CITY COUNCIL
MEETING AGENDA
CITY HALL, 404 EAST NELSON STREET
March 10, 2022
7:00 P.M.**

Call to Order

1. **Roll Call** _____ Roberts _____ Longanecker _____ Lewis _____ Brown
 _____ Beem _____ Stambaugh
2. **Welcome**
3. **Pledge of Allegiance**

Consent Agenda *(Consent Agenda items will be acted upon by one motion unless a Council member requests an item be removed for discussion and separate action)*

4. Approve Minutes from February 24, 2022 Regular City Council Meeting
5. Accept Easements for 8th & Braun Intersection Improvements

Motion: _____ Second: _____ Vote: _____

Regular Agenda

6. **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.
7. **Public Comments.** The City of Edgerton encourages public participation in local governance issues. To facilitate an efficient and effective meeting, persons wishing to address the City Council must sign-up before the meeting begins. Speakers must provide their name and address for the record and are limited to three (3) minutes. The maximum time limit for all speakers will be thirty (30) minutes. Comments on personnel matters or matters pending before court/other outside tribunals are not permitted. Any comments are for informational purposes only. No action will be taken.

The Mayor may modify these provisions, as necessary. The Mayor may limit any unnecessary, off-topic, or redundant comments or presentations. Speakers should address their comments to City Council members only and should not speak to fellow audience members. City Council members will not engage in a dialogue or debate with speakers. Speakers and audience members should conduct themselves in a civil and respectful manner. Disruptive conduct may result in removal from the meeting.

8. **Report by City Attorney.** Advisory Opinion returned from Kansas Governmental Ethics Commission.

Business Requiring Action

9. **CONSIDER RENEWAL OF CORPORATE INSURANCE POLICY FOR APRIL 1, 2022 – MARCH 31, 2023**

Motion: _____ Second: _____ Vote: _____

10. CONSIDER ORDINANCE NO. 2103 LEVYING SPECIAL ASSESSMENTS ON PARCELS OF GROUND FOR THE PURPOSE OF PAYING PROJECT COSTS WITHIN THE LPKC DISTRICT NO. 3 COMMUNITY IMPROVEMENT DISTRICT

Motion: _____ Second: _____ Vote: _____

11. CONSIDER RESOLUTION NO. 03-10-22A DETERMINING THE INTENT OF THE CITY OF EDGERTON, KANSAS, TO ISSUE ITS INDUSTRIAL REVENUE BONDS IN THE MAXIMUM AMOUNT OF \$26,000,000 TO PAY THE COST OF ACQUIRING, CONSTRUCTING AND EQUIPPING A COMMERCIAL PROJECT FOR THE BENEFIT OF ELHC CY, LLC.

Motion: _____ Second: _____ Vote: _____

12. CONSIDER RESULTS OF 191ST STREET/GARDNER ROAD/INTERSTATE 35 SAFETY STUDY

Motion: _____ Second: _____ Vote: _____

13. Report by the City Administrator

- KRWA Designation of Voting Delegate
- 2023 Budget Calendar

14. Report by the Mayor

15. Future Meeting Reminders:

- March 24th: City Council Meeting – 7:00PM
- April 12th: Planning Commission – 7:00PM
- April 14th: City Council Meeting – 7:00PM
- April 28th: City Council Meeting – 7:00PM

16. Adjourn Motion: _____ Second: _____ Vote: _____

EVENTS

March 14th: Ice Cream Cone Bird Feeders & Ice Cream Cone Cupcakes

March 16th: Senior Lunch and BINGO

March 17th: Leprechaun Hunt

March 19th: Annual Low-Cost Pet Vaccine Clinic

March 30th: Giant Paper Flower Peonies

City of Edgerton, Kansas
Minutes of City Council Regular Session
February 24, 2022

A Regular Session of the City Council (the Council) was held in the Edgerton City Hall, 404 E. Nelson, Edgerton, Kansas on February 24, 2022. The meeting convened at 7:00 PM with Mayor Roberts presiding.

1. ROLL CALL

Clay Longanecker	present
Josh Lewis	present
Josh Beem	present
Jody Brown	present
Josie Stambaugh	present

With a quorum present, the meeting commenced.

Staff in attendance: Public Works Director, Dan Merkh
 Assistant City Attorney, Todd Luckman
 City Clerk, Alexandria Clower
 Finance Director, Karen Kindle
 Accountant, Justin Vermillion
 Development Services Director, Katy Crow
 Marketing & Communications Manager, Kara Banks
 Recreation Coordinator, Brittany Paddock

2. WELCOME

3. PLEDGE OF ALLEGIANCE

Consent Agenda *(Consent Agenda items will be acted upon by one motion unless a Council member requests an item be removed for discussion and separate action)*

4. Approve Minutes from February 10, 2022 Regular City Council Meeting
5. Approve Final Acceptance of the 2021 Street Maintenance Program

Councilmember Beem moved to approve the consent agenda, seconded by Councilmember Longanecker. The consent agenda was approved, 5-0.

Regular Agenda

- 6. Declaration.** There were no declarations made by the Governing Body.

7. Public Comments.

Shana Sanford with GEHS Project Grad addressed the Council. She stated she would like to ask for a donation for the 2022 Project Grad.

Mayor Roberts stated this is an item that is brought forward during the City's budget season. Someone from the group is asked to present their request and give an update on the current status of Project Grad. He confirmed the amount of \$2,000 as the approved 2022 budget for the group.

He then requested motion to approve the donation of \$2,000 to the Project Grad committee.

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

She thanked Council for their time and donation to Project Grad.

Business Requiring Action

Walk On Item –

EDGE Announcement, presented by James Oltman with ElevateEdgerton!

James Oltman with ElevateEdgerton! addressed the Council.

He announced a new grant program that will be introduced in Edgerton beginning March 1, 2022. He stated the Encouraging Development and Growth in Edgerton (EDGE) grant program is for residents, property owners, small business owners, etc. in the community. He stated there is a beautification grant for residential and commercial projects to improve the façade of a structure for businesses and homes. He stated these grants are available for residents as a reimbursable grant of 50% of the project cost, up to \$500. He stated once the project is complete, the person will turn in receipts, invoices, etc. to request the reimbursement of funds they spent for the project.

He stated there is also a new small business expansion and attraction grant program to help new businesses get off the ground or to help those existing businesses expand their services. He stated these funds can be used for updates such as tenant improvements, renovations, the purchase of new equipment to offer new products, hiring additional staff, etc. He stated the small business grant provides a one-time reimbursable award up to \$2,500, but only business located in commercial properties are eligible.

He stated both grants will begin accepting applications on March 1st. There is no deadline to apply, however, the funds are on a first-come, first-served basis. He stated there is roughly \$5,000 set aside for each grant program. He stated the applications will be available on the Elevate website.

Councilmember Longanecker asked if it was \$500 per project.

Mr. Oltman stated the funds are available per property. He stated if the property is owned by a landlord and being rented out, the tenant and landlord cannot both apply because the funding will be tied to the address. He stated it will also be a 50% reimbursement up to \$500, so if the project total is \$800, the person will only get \$400 reimbursement.

Mayor Roberts stated he's eager to see how it works. He stated if it goes well, there might be a possibility of the city's participation, etc. to make it more substantial. He stated Louisburg has done this and they've upped their amount reimbursed to \$1,000.

Mr. Oltman stated Louisburg has awarded just over \$3,500 in grant funds, which would equate to more than \$11,000 worth of improvements throughout the community.

He thanked Council for their time and stated he's excited to see how the community responds to this program and looks forward to being able to offer in the future if it gets great feedback.

8. CONSIDER RENEWAL OF CORPORATE INSURANCE POLICY FOR APRIL 1, 2022 – MARCH 31, 2023

Ms. Alex Clower, City Clerk, addressed the Council. She stated annually the city considers the renewal of corporate insurance policies which include several coverages such as Property, Crime, Inland Marine, General Liability, Cyber Liability, Pollution Liability and more. She stated city coverages were moved to Travelers Insurance with the 2020-2021 renewal. Staff began working with Mr. O'Brien for the current renewal process in December 2021. She stated the current quote for approval does not include pollution control or cyber insurance quotes, but staff expects to have those anytime and will bring back the quotes for final approval on March 10, 2022.

Mr. Kevin O'Brien addressed the Council. He stated there have been slight increases due to added equipment and property value increases, as well as an increase in premiums from Travelers. He stated these increases are not specific to Edgerton; they are being seen across the board. He stated from quotes already received, pollution will stay the same as last year, but that will come back for final approval in a couple weeks. He stated Cyber insurance is becoming a hot topic in every industry and many companies that used to provide that insurance are no longer doing so because of the high costs. He stated overall, this year is a hard market as there are few players offering coverage and the restrictions for those that are offering are greater and more detailed. He stated across the insurance world, ransomware is becoming a top contributor to claims and has been for the last several months representing about 75% of claims with ransom payments tripling. He stated because of ransomware attacks all entities are moving toward a Multifactor Authentication process. The city is currently working to input an MFA, which for all companies sending in quotes is a requirement before consideration. He stated it is likely that the city can expect a premium increase due to the increase in cost for Cyber Liability. He stated the quotes already received are close to an average of fifteen thousand dollars, which is a dramatic increase from last year's cost. He stated he is working to receive a couple more quotes and hopes the amounts will be lower but wanted Council to be aware that there could be a great increase in cost.

With no questions or comments, Mayor Roberts then requested a motion to approve the Corporate Insurance Policy for a Premium amount not to exceed \$86,232, not including Cyber and Pollution Liability Insurance Premium costs.

Councilmember Longanecker moved to approve the motion, seconded by Councilmember Beem. The motion was approved, 5-0.

9. CONSIDER A GRANT MANAGEMENT POLICY

Ms. Karen Kindle, Finance Director, addressed the council. She stated before Council tonight is a Grant Management Policy for the City of Edgerton staff. She stated the City has increased its efforts to secure grant funding for various projects in the last few years and will continue to look at grant funding opportunities in the future. She stated many grants require written policies governing management of grants, which the City currently does not have. She stated what is before Council tonight is a draft policy for approval, which was created using the process already adopted by City staff.

She stated the policy will include the following practices: requirement of pre-application review and analysis of all grants; requirement of city administrator approval prior to submission of all grants; requirement of City Council approval of all grant awards, including sources of match funding, if required; responsibility of the sponsoring department in conjunction with the finance department; the requirement to meet all federal, state and local laws and city policies in addition to the applicable grant requirements; and this policy will address any grant close out, recordkeeping and audit responsibilities.

Councilmember Lewis asked if the City has any process they operate on right now.

Ms. Kindle stated this will be the first time the City will have a written policy. Currently the city does have a process which operates the same as what has been drafted, but it has not been a formally adopted policy.

With no further questions or comments, Mayor Roberts then requested motion to approve the grant management policy.

Councilmember Longanecker moved to approve the grant management policy, seconded by Councilmember Brown. The policy was approved, 5-0.

10. CONSIDER RESOLUTION NO. 02-24-22A AUTHORIZING THE CLOSURE OF CERTAIN PUBLIC STREETS DURING SCHEDULED EDGERTON COMMUNITY EVENTS IN 2022

Ms. Brittany Paddock, Recreation Coordinator, addressed the Council. She stated the resolution before Council lists the closures needed for the current scheduled events in 2022. She stated these events include Cyclones in the Outfield with a new event added called Cyclones Cruisin', Summer Kickoff Block Party, Frontier Days and the newest event, a Kansas City Barbeque Society sanctioned event called Meat Inferno. She stated typically the resolutions for closures coincide with Council dates surrounding the event, but because they are scheduled with no anticipation of change, staff decided to bring forward all of the street closures in one resolution for approval tonight.

With no questions or comments, Mayor Roberts then requested motion to approve Resolution No. 02-24-22A authorizing the closure of certain public streets for events in 2022.

Councilmember Beem moved to approve the motion, seconded by councilmember Lewis.

11. Report by the City Administrator.

There was no report given.

12. Report by the Mayor

Mayor Roberts stated the last emergency order related to COVID has expired and he will not be issuing a new one at this time.

13. Future Meeting Reminders:

- March 8th: Planning Commission – 7:00PM
- March 10th: City Council Meeting – 7:00PM
- March 24th: City Council Meeting – 7:00PM
- April 12th: Planning Commission – 7:00PM
- April 14th: City Council Meeting – 7:00PM
- April 28th: City Council Meeting – 7:00PM

14. Adjourn

Councilmember Lewis moved to adjourn, seconded by Councilmember Brown. All in favor. The meeting was adjourned at 7:39 PM.

Submitted by Alexandria Clower, City Clerk

RIGHT OF WAY EASEMENT

This Right of Way Easement is made on this ____ day of _____, 2022. **GLYN R. POWERS and JANICE E. POWERS**, a married couple, (hereinafter jointly called "Grantors"), for the consideration of One Thousand Two Hundred Thirty-Two Dollars (\$1,232.00) in hand paid, convey and transfer to the City of Edgerton, Kansas (hereinafter "Grantee"), free and clear of all liens and encumbrances, a road right of way easement for the following described real property in Johnson County, Kansas:

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 15 SOUTH, RANGE 21 EAST OF THE 6TH P.M., IN THE CITY OF EDGERTON, JOHNSON COUNTY, KANSAS, DESCRIBED BY AL DIEBALL, P.S. 758 ON SEPTEMBER 23, 2021, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

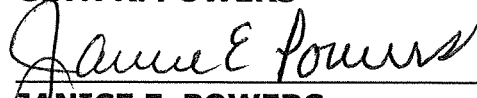
BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 12; THENCE ALONG THE SOUTH LINE OF SAID SECTION 12 S.88°17'49"W. (BEING AN ASSUMED BEARING) 60.00 FEET; THENCE N.01°36'02"W. 35.00 FEET; THENCE N.88°17'49"E. 15.00 FEET; THENCE N.01°36'02"W. 134.18 FEET TO THE NORTH LINE OF A PARCEL CONVEYED TO GLYN R. POWERS AND JANICE E. POWERS, RECORDED IN VOLUME 3317 ON PAGE 258 AT THE JOHNSON COUNTY RECORDS & TAX ADMINISTRATION; THENCE ALONG THE NORTH LINE OF SAID POWERS PARCEL N.88°17'49"E. 45.00 FEET TO THE EAST LINE OF SAID SECTION 12; THENCE ALONG THE EAST LINE OF SAID SECTION 12 S.01°36'02"E. 169.18 FEET TO THE POINT OF BEGINNING, CONTAINING 8,138 SQUARE FEET INCLUDING 5,675 SQUARE FEET OF EXISTING R/W AND 2,463 SQUARE FEET OF ADDITIONAL EASEMENT.

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

GRANTORS:



GLYN R. POWERS



JANICE E. POWERS

GRANTEE:

CITY OF EDGERTON, KANSAS,
A Municipal Corporation

By: _____
Beth Linn, City Administrator

(SEAL)

ATTEST:


Alexandria Clower, City Clerk

ACKNOWLEDGMENT

STATE OF KANSAS)
) ss:
COUNTY OF JOHNSON)

BE IT REMEMBERED, That on this 14 day of February, 2022, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came **GLYN R. POWERS and JANICE E. POWERS**, a married couple, who are personally known to me to be the same persons who executed the foregoing instrument of writing and said persons duly acknowledged the execution of the same to be their act and deed.

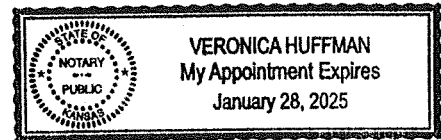
IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year last above written.



Notary Public

My Appointment Expires:

01/28/25



ACKNOWLEDGMENT

STATE OF KANSAS)
) ss:
COUNTY OF JOHNSON)

BE IT REMEMBERED, That on this ____ day of _____, 2022, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came **BETH LINN**, City Administrator of the City of Edgerton, Kansas, and **ALEXANDRIA CLOWER**, City Clerk of said City, who are personally known to me to be the same persons who executed, as such officers, the within instrument on behalf of said City, and such persons duly acknowledged the execution of the same to be the act and deed of said City.

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

Notary Public

My Appointment Expires:

City Project: 8th and Braun Intersection
Parcel No. BF211512-4001

TEMPORARY CONSTRUCTION EASEMENT

THIS AGREEMENT, Made and entered into this _____ day of _____, 2022, by and between **GLYN R. POWERS** and **JANICE E. POWERS**, a married couple, hereinafter called Grantors, and the **CITY OF EDGERTON, KANSAS**, a Municipal Corporation, located in the County of Johnson, State of Kansas, hereinafter called Grantee.

NOW, THEREFORE, for the sum of One Hundred and Fourteen (\$114.00) and other good and valuable consideration, including just compensation paid for all property damage resulting from the public improvement and from those factors set forth in K.S.A. 26-513 and other factors arising from the public improvement to be made, including but not limited to access to the property; productivity, convenience, use to be made of the property remaining; view; severance of the tract; changes of grade; loss or impairment of access; loss of landscaping, trees and shrubbery; loss of fences; damage to property remaining due to change of grade; medians; and increased water run-off or drainage as indicated on the construction plan; the sufficiency of which is hereby acknowledged, the Grantors do hereby grant to Grantee, its successors and assigns, a Temporary Construction Easement in, on, over, under and through the following described real estate, to wit:

TWO TRACTS OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 15 SOUTH, RANGE 21 EAST OF THE 6TH P.M., IN THE CITY OF EDGERTON, JOHNSON COUNTY, KANSAS, DESCRIBED BY AL DIEBALL, P.S. 758 ON SEPTEMBER 20, 2021, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 12; THENCE ALONG THE SOUTH LINE OF SAID SECTION 12 S.88°17'49"W. (BEING AN ASSUMED BEARING) 60.00 FEET; THENCE N.01°36'02"W. 20.00 FEET TO THE POINT OF BEGINNING; THENCE

S.88°17'49"W. 15.00 FEET; THENCE
N.01°36'02"W. 5.00 FEET; THENCE
N.88°17'49"E. 15.00 FEET; THENCE
S.01°36'02"E. 5.00 FEET TO THE POINT OF BEGINNING, CONTAINING 75
SQUARE FEET.

AND

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 12; THENCE
ALONG THE EAST LINE OF SAID SECTION 12
N.01°36'02"W. (BEING AN ASSUMED BEARING) 35.00 FEET; THENCE
S.88°17'49"W. 45.00 FEET TO THE POINT OF BEGINNING; THENCE
S.88°17'49"W. 10.00 FEET; THENCE
N.01°36'02"W. 134.18 FEET TO THE NORTH LINE OF A PARCEL CONVEYED TO
GLYN R. POWERS AND JANICE E. POWERS, RECORDED IN VOLUME 3317 ON
PAGE 258 AT THE JOHNSON COUNTY RECORDS & TAX ADMINISTRATION;
THENCE ALONG THE NORTH LINE OF SAID POWERS PARCEL
N.88°17'49"E. 10.00 FEET; THENCE
S.01°36'02"E. 134.18 FEET TO THE POINT OF BEGINNING, CONTAINING 1,342
SQUARE FEET.

This Temporary Construction Easement shall be for a two (2) year period starting with the date of the Construction Work Order (CWO) which begins the project and expiring two (2) years thereafter, or February 28, 2024, whichever is the earliest date. Grantors agree that if the project is delayed and not completed within the temporary construction easement area prior to the expiration date set forth herein, Grantee, upon the filing of an Affidavit of Notice of Extension of Temporary Construction Easement with the Record and Tax Administration in Johnson County, Kansas, shall be granted a period of time not to exceed one (1) year from the original expiration date, to complete said project within the easement area. In no event shall the actual work of the project within the temporary construction easement area exceed a time period of two years.

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

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

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

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

Grantors covenant that they are the owner of the premises and have the right, title and capacity to grant the easements herein conveyed.

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

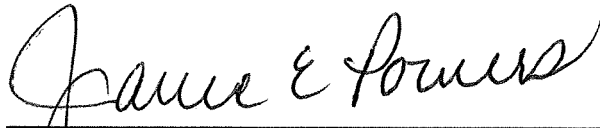
TO THESE COVENANTS, the Grantors do hereby consent and agree.

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

GRANTORS:



GLYN R. POWERS



JANICE E. POWERS

GRANTEE:

CITY OF EDGERTON, KANSAS,
A Municipal Corporation

(SEAL)

ATTEST:

By: _____
Beth Linn, City Administrator

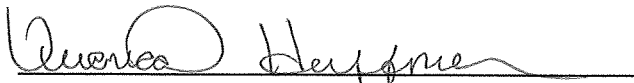
Alexandria Clower, City Clerk

ACKNOWLEDGMENT

STATE OF KANSAS)
) ss:
COUNTY OF JOHNSON)

BE IT REMEMBERED, That on this 14 day of February 2022, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came **GLYN R. POWERS** and **JANICE E. POWERS**, a married couple, who are personally known to me to be the same persons who executed the foregoing instrument of writing and said persons duly acknowledged the execution of the same to be their act and deed.

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


Notary Public

My Appointment Expires:

01/28/25



ACKNOWLEDGMENT

STATE OF KANSAS)
) ss:
COUNTY OF JOHNSON)

BE IT REMEMBERED, That on this _____ day of _____, 2022, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came **BETH LINN**, City Administrator of the City of Edgerton, Kansas, and **ALEXANDRIA CLOWER**, City Clerk of said City, who are personally known to me to be the same persons who executed, as such officers, the within instrument on behalf of said City, and such persons duly acknowledged the execution of the same to be the act and deed of said City.

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

Notary Public

My Appointment Expires:

City Council Action Item

Council Meeting Date: March 10, 2022

Department: Administration

Agenda Item: Consider Renewal of Corporate Insurance Policy for April 1, 2022 – March 31, 2023

Background/Description of Item:

At the February 24, 2022, City Council Meeting, the Governing Body approved the cost for the corporate insurance policy to include Property, Liability, Auto, Umbrella Coverage. At that time, we did not have quotes back for Cyber and Pollution insurance. We now have the quotes for Cyber and Pollution Control.

Mr. O'Brien recommends renewing the Pollution Control policy with Crum & Forster with no increase in premium over last year.

As noted at the meeting on February 24th, the cyber premium will increase significantly over last year's premium. In addition, the carrier the City had last year is no longer writing cyber insurance policies. Mr. O'Brien received five (5) bids for the cyber policy, with costs ranging from \$4,293 to over \$16,000. Due to cost and incompleteness of coverage, Mr. O'Brien narrowed the available options to three (3). EVOLVE has the best level of coverage and the lowest premium at \$4,293. Mr. O'Brien recommends the cyber policy from EVOLVE. See the table of premiums at the end of this document for the updated summary of premiums.

Annually, the City of Edgerton considers the renewal of its corporate insurance policies. The corporate insurance policies include several coverages, such as Property, Crime (for employee theft), Inland Marine (contractor's equipment), General Liability, Public Officials Errors and Omissions, Employment Practices, Business Automobile, Pollution Liability (from the treatment plant) and Cyber Liability.

City coverages were moved to Travelers with the 2020-2021 renewal. City staff began working with Mr. O'Brien on the insurance renewal process for 2022-2023 in December. Mr. O'Brien has worked with Travelers to renew the City's insurance program. Currently, we do not have the pollution control or the cyber insurance quotes. We are expected to have those anytime and will bring them back March 10, 2022 for final approval.

At the renewal in 2019, Council directed staff to determine which property was to be insured in which manner (replacement cost, actual cash value (ACV), or self-insured). A comprehensive list was developed with those methods of coverage valuation and Council

adopted those methods of replacement on March 28, 2019. That same methodology has been employed with regards to the coverage for this policy year.

The property of the City can be insured in one of three ways: (1) at replacement cost, (2) actual cash value; or (3) self-insured.

Replacement Cost

- Assets insured at replacement cost are insured at a value that represents the cost to replace/rebuild including materials and labor with no deduction for depreciation.
- Council included assets at replacement cost when the cost to replace the asset is significant or when the need to replace the asset is immediate or is an emergency.
- To determine replacement cost, staff contacted contractors for pricing for assets in today's dollars, looked at prices recently paid by the City for similar items and researched the costs on the internet. For buildings, staff used a per square foot reconstruction cost researched on the internet and multiplied it by the square footage of City buildings as noted in the County Appraiser's records.

Actual Cash Value (ACV)

- Assets insured at ACV are insured at a value that represents the asset's current market value (replacement cost less depreciation).
- Council included assets at ACV when the City would not replace the asset or replace it in the same location or with the same type of asset.
- Staff determined the current value of an asset by depreciating the asset using the straight-line method of depreciation for assets that still have more than 25% of their useful life left. The straight-line depreciation method takes the cost of the asset less any value that might be left at the end of the asset's useful life and divides the result evenly over the useful life of the asset.
- For assets with less than 25% of their useful life left, staff researched the internet for a current value.

Self-Insure

- Assets that are self-insured are not included in the City's insurance policy. The cost to replace the asset will be paid in full by the City from reserves.
- Council included assets as self-insured when the cost to replace the asset is low or when the need to replace the asset isn't immediate or an emergency.

Attached are the proposed coverages and the associated costs from Travelers. Also attached are the revised property, equipment, IT equipment and vehicle lists.

- The annual premium quote from Travelers for the 2022-2023 coverage period is \$86,232.
- Overall, the proposed cost of the City's insurance program renewal will increase \$7,681, or 9.8%, over the cost of the 2021-2022 program, primarily due to the 8% property value increase, 5% equipment value increase, 8% auto increase due to adding the new Tandem Dump Truck.

At the bottom of the attached Insurance Program Comparison Summary – 2021-22 to 2022-23, Mr. O'Brien has provided some notes regarding the coverage quote outlined. All deductibles and other coverage levels remain the same for this plan year.

Insurance premium costs provided by Travelers compare as follows:

Insurance Type	2021-2022	2022-2023	Change
Property, Liability, Auto, Umbrella Coverage	\$78,551	\$86,232	\$7,681
Pollution Liability	\$5,671	\$5,671	\$0
Cyber Liability	\$1,943	\$4,293	\$2,350
Total Insurance Coverage Quote	\$86,165	\$96,196	\$10,031

The total 2022 budget allocated for insurance premiums is \$96,202. The budget is adequate to cover the cost of premiums.

Related Ordinance(s) or Statue(s): N/A

Funding Source: Funding for property insurance premiums is provided for in the General Fund (Administration and Parks), Water Fund (Administration) and the Sewer Fund (Treatment Plant, Lift Stations and Administration).

Budget Allocated: \$96,202

Finance Director Approval:

x 
Karen Kindie, Finance Director

<p>Recommendation: Purchase Cyber Insurance from EVOLVE for a cost not to exceed \$4,293 and purchase Pollution Control Insurance from Crum & Forster for a cost not to exceed \$5,671.</p>
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Enclosed:

- (1) Revised Insurance Summary & Comparison which now includes Cyber and Pollution Control provided by Kevin O'Brien of The Reilly Company.
- (2) Cyber Policy Comparison

Prepared by: Alexandria Clower, City Clerk

Item of Coverage**Property**

Blanket Building & Personal Property Values - RC
 Earthquake (\$25,000 Deductible)
 Flood (see property list) (\$25,000 Deductible)
 Total Property Values Insured
 Bus Interruption & Extra Expense (72 hour Deductible)
 Computer Equipment Coverage
 Property Deductible
 Wind-Hail Deductible
 Cosmetic Damage Exclusion
RC=Replacement Cost / ACV=Depreciated Value

Crime

Employee Dishonesty (Excluding Treasurer)
 Forgery & Alteration
 Money & Securities
 Money Orders and Counterfeit Paper Currency
 Computer Fraud
 Deductible

Inland Marine

Contractor's Equipment - Unscheduled (ACV) -
 Contractor's Equipment - Scheduled (ACV)
 Leased/Rented Equipment (ACV)
 Flood & Earthquake (\$25,000 Deductible)
 Total Equipment Values
 Inland Marine Deductible
ACV = Actual Cash Value = Market Value

General Liability (Occurrence Form)

Limit of General Liability - Each Occurrence
 KS Tort Cap - where applicable
 Annual Aggregate Limit
 Employee Benefits Legal Liability (EBL)*
 Sexual Abuse & Molestation
 Pesticide & Herbicide Coverage
 Failure to Supply
 General Liability Deductible per claim
 Sewer Backup (resulting from negligence) *
 * Except \$1,000 ded for Sewer Backup and EBL

Public Official Errors & Omissions Liability

Limit of Liability - Each Claim
 Annual Aggregate Limit
 Public Official Liability Deductible
 Cyber/Network Security/Data Breach Coverage
 Retroactive Date
 Number of Employees - Full time / Part time

	2021-22	2022-23
	Travelers	Travelers
	\$ 21,134,453	\$ 22,863,435
	\$ 2,500,000	\$ 2,500,000
	\$ 2,500,000	\$ 2,500,000
	\$ 21,134,453	\$ 22,863,435
	\$ 250,000	\$ 250,000
	\$ 250,000	\$ 250,000
	\$ 5,000	\$ 5,000
	\$ 25,000	\$ 25,000
	No	No
	Travelers	Travelers
	\$ 200,000	\$ 200,000
	\$ 25,000	\$ 25,000
	\$ 25,000	\$ 25,000
	\$ 25,000	\$ 25,000
	\$ 25,000	\$ 25,000
	\$ 1,000	\$ 1,000
	Travelers	Travelers
	\$ 20,000	\$ 20,000
	\$ 802,579	\$ 841,758
	\$ 75,000	\$ 75,000
	Included	Included
	\$ 897,579	\$ 936,758
	\$ 1,000	\$ 1,000
	Travelers	Travelers
	\$ 1,000,000	\$ 1,000,000
	\$ 500,000	\$ 500,000
	\$ 2,000,000	\$ 2,000,000
	\$ 1,000,000	\$ 1,000,000
	\$ 1,000,000	\$ 1,000,000
	\$ 1,000,000	\$ 1,000,000
	\$ 1,000,000	\$ 1,000,000
	*None	*None
	\$ 1,000,000	\$ 1,000,000
	Travelers	Travelers
	\$ 1,000,000	\$ 1,000,000
	\$ 2,000,000	\$ 2,000,000
	\$ 2,500	\$ 2,500
	Excluded	Excluded
	4/1/2004	4/1/2004
	20 / 3	20 / 3

<u>Item of Coverage</u>	<u>2021-22</u>	<u>2021-22</u>
Employment Practices Liability	Travelers	Travelers
Limit of Liability - Each Claim	\$ 1,000,000	\$ 1,000,000
Annual Aggregate Limit	\$ 2,000,000	\$ 2,000,000
Employment Practices Liability Deductible	\$ 2,500	\$ 2,500
Workplace Violence Expenses	\$ 250,000	\$ 250,000
Defense in Addition or Reduces Coverage Limit	In Addition	In Addition
Third Party Coverage - Defense Only or Full Cover	Full Coverage	Full Coverage
Retroactive Date (None or an older date is better)	4/1/2004	4/1/2004
Number of Employees - Full time / Part time	20 / 3	20 / 3
Business Automobile	Travelers	Travelers
Limit of Liability - Each Occurrence	\$1,000,000	\$1,000,000
Uninsured/Underinsured Motorist	\$1,000,000	\$1,000,000
Comprehensive Deductible	\$1,000	\$1,000
Collision Deductible	\$1,000	\$1,000
Valuation of Claim is ACV = Actual Cash Value = Market Value	ACV	ACV
Number of Vehicles Insured/Trailers	12 / 5	13 / 5
Excess Liability	Travelers	Travelers
Limit of General Liability - Each Occurrence	\$ 4,000,000	\$ 4,000,000
Annual Aggregate Limit	\$ 4,000,000	\$ 4,000,000
Excess Over: General Liability & Auto Liability	YES	YES
Employment Practices Liability	YES	YES
Public Official Liability	YES	YES
Subtotal Premium	\$ 78,551.00	\$ 86,232.00
Pollution Liability	Crum & Forster	Crum & Forster
Limit of General Liability - Each Claim	\$ 1,000,000	\$ 1,000,000
Annual Aggregate Limit	\$ 2,000,000	\$ 2,000,000
Retroactive Date	4/1/2016	4/1/2016
Deductible	\$ 5,000	\$ 5,000
Pollution Premium	\$ 5,671.00	\$ 5,671.00
Cyber Liability	HDI Global	EVOLVE
Limit of General Liability - Each Claim	\$ 1,000,000	\$ 1,000,000
Annual Liability Aggregate Limit	\$ 1,000,000	\$ 1,000,000
Deductible	\$5,000 / 8 Hours	\$5,000 / 6 Hours
Cyber Premium	\$ 1,943.00	\$ 4,293.00
Total Premium	\$ 86,165.00	\$ 96,196.00

Notes:

Overall, the Travelers renewal premium is up, primarily due to increased exposures:

- 1) Property values increased 8%: 3% for inflation and City added another \$1,121,300 due to new exposures
- 2) Computer Equipment Coverage increased to \$250,000 at no additional premium
- 3) Equipment values increased 5% for new items and Leased / Rented value increased to \$75,000 at no cost
- 4) Workplace Violence Expense Coverage for \$250,000 was included again at no additional premium
- 5) Auto number of vehicles increased by 1 with a new 2022 Mack Truck and Dump body
- 6) Pollution coverage renewed at same premium as expiring policy
- 7) Cyber Coverage will be replaced by EVOLVE Cyber Program per spreadsheet attached

	Node International Nat'l Specialty Ins Co	Evolve Lloyds & Others	Cowbell Cyber Palomar E&S Ins Co
Security Breach Liability	1,000,000	1,000,000	1,000,000
Security Breach Expenses	1,000,000	1,000,000	1,000,000
Extortion Threats Expenses	50,000	1,000,000	1,000,000
Ransom Payment	500,000	1,000,000	500,000
Restoration of Electronic Data	1,000,000	1,000,000	1,000,000
Business Interruption/EE	1,000,000	1,000,000	1,000,000
Business Interruption/EE Deductible	8 Hours	6 Hours	12 Hours
Dependent Business Interruption	0	1,000,000	1,000,000
Public Relations Expense	50,000	1,000,000	500,000
Computer Fraud Transfer	1,000,000	250,000	250,000
Social Engineering	250,000	250,000	250,000
Social Engineering Deductible	10,000	5,000	25,000
Telecommunications Fraud	50,000	250,000	250,000
Website Media Content Liability	1,000,000	1,000,000	1,000,000
Post Breach Remediation	50,000	50,000	1,000,000
Hardware Replacement	50,000	1,000,000	1,000,000
Criminal Reward Coverage	0	50,000	100,000
Policy Aggregate for Incident Reponse Cyber Crime, and Business Interruption	1,000,000	No Aggregate	1,000,000
Retroactive Date/Full Prior Acts	Full Prior Acts	Full Prior Acts	Full Prior Acts
Deductible (unless shown above)	5,000	5,000	25,000
Annual Premium	5,549	4,293	16,508

Recommended Cyber Program

Note: Travelers and Coalition quotes are not shown due to inadequate coverage and/or high cost

CITY OF EDGERTON, KANSAS

COUNCIL AGENDA ITEM

Council Meeting Date: March 10, 2022

Agenda Item: Ordinance Assessing CID Special Assessments

Subject: LPKC District No. 3 Community Improvement District
ELHC 52

Summary:

The City has previously created the LPKC District No. 3 Community Improvement District to finance certain property at 20500 Corliss Road. Pursuant to the CID and the related Development Agreement, the City is to levy special assessments against the property in an amount equal to \$0.05 a square foot a year for all vertical improvements that exceed 50,000 square feet for a ten-year term. The maximum amount of the assessment is \$514,440. The assessments are to commence in the calendar year in which property tax abatement commences for the vertical structures.

Ordinance:

ELHC LII, LLC has constructed a warehouse and distribution facility within the CID district. The Ordinance assesses \$514,440 of special assessments, which is the maximum amount of special assessments that may be assessed against ELHC LII, LLC pursuant to the Development Agreement. One-tenth of the special assessments are paid each December, without interest, commencing December 2022.

[Summary Published in *The Gardner News* on March 16, 2022]

ORDINANCE NO. 2103

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS ON PARCELS OF GROUND FOR THE PURPOSE OF PAYING PROJECT COSTS WITHIN THE LPKC DISTRICT NO. 3 COMMUNITY IMPROVEMENT DISTRICT

WHEREAS, the Governing Body of the City of Edgerton, Kansas (the “City”), did on July 8, 2021 pass Ordinance No. 2084 (the “Ordinance”) creating LPKC District No. 3 Community Improvement District (the “CID”), and authorizing a project to be funded with special assessments on the property located within the CID; and

WHEREAS, the CID project to be funded by special assessments consists of infrastructure related to the redevelopment of certain privately-owned property located at 20500 Corliss Road (the “Project”); and

WHEREAS, the CID requires that the City assess a special assessment on any vertical structure within the CID that is at least 50,000 square feet in size in an annual amount of \$0.05 per square foot a year for a term of ten years commencing in the year that property tax abatement commences for such vertical improvements, but which amount shall not exceed \$514,440; and

WHEREAS, ELHC LII, LLC (the “Owner”) has constructed a warehouse and distribution building within the CID; and

WHEREAS, the Governing Body desires to levy the CID special assessments as required by the CID; and

WHEREAS, the Owner, which is the owner of all property to be assessed by this Ordinance within the CID, has executed and filed a Consent and Waiver with the City Clerk pursuant to which it has waived any formal notice of and the holding of a public hearing by the City for the purpose of considering the assessments, has consented to the levy of the special assessments as provided in this Ordinance, has waived any formal additional notice of the maximum special assessments, has waived all right to a pay-in period for such special assessments and has waived the 30-day statute of limitations provided in K.S.A. 12-6a32.

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

Section 1. Levy of Special Assessments. Special assessments to pay the cost of the CID Project, with no interest, are hereby levied against the tract(s) of land in the CID in the maximum amount as follows:

OWNER(S): ELHC LII, LLC
AMOUNT: \$514,440
PROPERTY ID: BP55860000 0002

LEGAL DESCRIPTION:

All of Lot 2, LOGISTICS PARK KANSAS CITY SOUTH, Third Plat, a subdivision of land in the City of Edgerton, Johnson County, Kansas, according to the recorded plat thereof.

Section 2. Supplemental Assessments. The Governing Body shall not be precluded from levying additional supplemental assessments as authorized by and for the reasons stated in K.S.A. 12-6a12 and amendments thereto.

Section 3. Payment in Installments. Special assessments are levied concurrent with general property taxes and shall be payable in ten (10) annual installments. The first installment shall be payable at the time of the payment of general property taxes in December 2022 unless this Ordinance is adopted and certified too late to permit collection at such time.

Section 4. No Interest. The assessments shall not bear interest.

Section 5. Certification and Collection. The assessments set forth herein shall be certified by the City Clerk to Johnson County, Kansas and collected in the same manner as other taxes.

Section 6. No Levy Against City. No special assessments shall be levied against the City-at-large and no full faith and credit notes or bonds shall be issued by the City to finance the Project.

Section 7. Effective Date. This Ordinance shall take effect and be in force from and after its passage, approval and publication in summary form in the official City newspaper.

PASSED by the Council of the City of Edgerton, Kansas, this 10th day of March, 2022.

Donald Roberts, Mayor

[SEAL]

ATTEST:

Alexandria Clower, City Clerk

Approved as to form:

Scott W. Anderson, Economic Development Counsel

CID Assessment Ordinance – ELHC LII

CITY OF EDGERTON, KANSAS

COUNCIL AGENDA ITEM

Council Meeting Date: March 10, 2022

Agenda Item: Resolution of Intent

Subject: ELHC CY, LLC Project

Hearing Notice Published: No Hearing Notice Required

Summary:

The City has received an application for the issuance of not to exceed \$26 million of industrial revenue bonds from ELHC CY, LLC for the construction and equipping of an approximately 10,000 sq. ft. commercial building and a storage container lot to be located at the northwest corner of Waverly Road and 187th Street in Edgerton, Kansas. The developer is requesting that the bonds be issued so that the project is eligible for a sales tax exemption certificate to be used for construction materials and personal property.

No ad valorem property tax abatement will be granted for this project at any time. Because there is no property tax abatement, a public hearing is not required for this project.

RESOLUTION NO. 03-10-22A

A RESOLUTION DETERMINING THE INTENT OF THE CITY OF EDGERTON, KANSAS, TO ISSUE ITS INDUSTRIAL REVENUE BONDS IN THE MAXIMUM AMOUNT OF \$26,000,000 TO PAY THE COST OF ACQUIRING, CONSTRUCTING AND EQUIPPING A COMMERCIAL PROJECT FOR THE BENEFIT OF ELHC CY, LLC.

WHEREAS, the City of Edgerton, Kansas (the “City”), desires to promote, stimulate and develop the general welfare and economic prosperity of the City and its inhabitants and to further promote, stimulate and develop the general welfare and economic prosperity of the state of Kansas; and

WHEREAS, the City is authorized and empowered under the provisions of K.S.A. 12-1740 to 12-1749d, inclusive (the “Act”), to issue industrial revenue bonds to pay the cost of certain facilities (as defined in the Act) for the purposes set forth in the Act and to lease or sublease such facilities to private persons or entities; and

WHEREAS, ELHC CY, LLC, a Kansas limited liability company (the “Company”), has requested the City to issue its industrial revenue bonds in the maximum principal amount of \$26,000,000 (the “Bonds”), for the purpose of financing the cost of acquiring, constructing and equipping a commercial project, consisting of an approximately 10,000 sq. ft. commercial building and a container storage lot (the “Project”) to be located at the northwest corner of Waverly Road and 187th Street in Edgerton, Kansas, and to sublease the Project to the Company all pursuant to the Act; and

WHEREAS, it is found and determined to be advisable and in the interest and for the welfare of the City and its inhabitants that the City issue the Bonds pursuant to the Act, such Bonds to be payable solely out of rentals, revenues and receipts derived from the sublease of the Project by the City to the Company, or its successors or assigns, as lessee; and

WHEREAS, the City will not grant an exemption from ad valorem taxes for the Project;

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

Section 1. Approval of Project. The Governing Body of the City finds and determines that the acquisition, construction and equipping of the Project will promote, stimulate and develop the general welfare and economic prosperity of the City through the promotion and advancement of commercial development of the City and the issuance of the Bonds to pay such costs will be in furtherance of the public purposes set forth in the Act.

Section 2. Intent to Issue Bonds. The Governing Body of the City determines and declares the intent of the City to assist the Company in completing the Project through the issuance of the

Bonds pursuant to the Act.

Section 3. Provision for the Bonds. Subject to the conditions of this Resolution, the City will (i) issue its Bonds to pay the costs of acquiring, constructing, improving and equipping the Project, with such maturities, interest rates, redemption terms and other provisions as may be determined by ordinance of the City; (ii) provide for the sublease (with an option to purchase) of the Project to the Company; and (iii) to effect the foregoing, adopt such resolutions and ordinances and authorize the execution and delivery of such instruments and the taking of such action as may be necessary or advisable for the authorization and issuance of the Bonds by the City and take or cause to be taken such other action as may be required to implement this Resolution.

Section 4. No Ad Valorem Tax Exemption. No exemption from ad valorem taxes shall result from the issuance of the Bonds.

Section 5. Conditions to Issuance. The issuance of the Bonds and the execution and delivery of any documents related to the Bonds are subject to:

- (i) obtaining any necessary governmental approvals;
- (ii) agreement by the City, the Company and the purchaser of the Bonds upon (a) mutually acceptable terms for the Bonds and for the sale and delivery thereof, and (b) mutually acceptable terms and conditions of any documents related to the issuance of the Bonds and the Project, including, but not limited to, provisions relating to the security for the payment of the Bonds and provisions relating to the maintenance of the Project; and
- (iii) compliance with the Act relating to the issuance of industrial revenue bonds.

Section 6. Sale of the Bonds/Authority to Proceed. The sale of the Bonds shall be the responsibility of the Company, but arrangements for the sale of the Bonds shall be subject to the City's approval. The Company is authorized to proceed with the acquisition and completion of the Project (provided all other City approvals and permits have been obtained) and to advance such funds as may be necessary to accomplish such purposes, and to the extent permitted by law, the City shall reimburse the Company for such expenditures out of the proceeds of the Bonds, when and if issued. Notwithstanding such authorization, the Company proceeds at its own risk and if for any reason the Bonds are not issued, the City shall have no liability to the Company for any reason. The Act provides that the City may only issue the Bonds by adoption of an ordinance authorizing the Bonds and providing for the terms and details of the Bonds. The City has not yet adopted an ordinance. This Resolution only evidences the intent of the current Governing Body to issue Bonds for the Project. Nothing herein shall be construed as a guaranty by the City that the Bonds will be issued.

Section 7. Assignment. The Company may, without the consent of the City but with advance written notice to the City, assign all or a portion of its interest in this Resolution to any Affiliated Entity or, with the prior written consent of the City, to another entity, provided such assignee intends to acquire, equip and construct the Project. For the purposes of this Resolution, "Affiliated Entity" means any entity or person directly or indirectly controlling or controlled by or under direct or

indirect common control with the Company. "Control," when used with respect to a particular entity or person, means the possession, directly or indirectly, of the power to direct or cause the direction of management and policies of such entity whether through the ownership of voting stock, by contract or otherwise. The Company may assign all or a portion of its interest in this Resolution to any party that is not an Affiliated Entity only with the consent of the City.

Section 8. Limited Obligations of the City. The Bonds and the interest thereon shall be special, limited obligations of the City payable solely out of the rents, revenues and receipts of the City derived from the sublease of the Project to the Company. The Bonds shall not constitute a general obligation of the City, the State of Kansas or any other political subdivision thereof, shall not constitute a pledge of the full faith and credit of the City, the State of Kansas or any other political subdivision thereof and shall not be payable in any manner by taxation.

Section 9. Further Action. SA Legal Advisors LC, Bond Counsel for the City, and officers and employees of the City, are authorized to work with the purchaser of the Bonds, the Company, their respective counsel and others, to prepare for submission to and final action by the City all documents necessary to effect the authorization, issuance and sale of the Bonds and other actions contemplated hereunder.

Section 10. Effective Date. This Resolution shall take effect and be in full force immediately after its adoption by the Governing Body of the City.

ADOPTED March 10, 2022.

CITY OF EDGERTON, KANSAS

(Seal)

Donald Roberts, Mayor

ATTEST:

Alexandria Clower, City Clerk

Approved as to form:

Scott W. Anderson, Bond Counsel

City Council Action Item

Council Meeting Date: March 10, 2022

Department: Public Works

Agenda Item: Consider Results of 191st Street/Gardner Road/Interstate 35 Safety Study

Background/Description of Item:

In October 2021, the Edgerton City Council entered into an Agreement with Renaissance Infrastructure Consulting (RIC) for a Safety Study for 191st Street/Gardner Road/Interstate 35 area. Over the last several years, Edgerton City Council has heard numerous safety concerns related to traffic around Gardner Road Interchange at Interstate 35, particularly related to the proximity of 191st Street and Nike Elementary School. Edgerton has previously responded that any improvements in the area would be the responsibility of various other agencies (i.e. City of Gardner, Kansas Department of Transportation, Johnson County, etc.)

The Safety Study analyzed existing and projected future conditions to identify specific trouble areas and potential remediation. To evaluate current traffic conditions, traffic counts were collected for the AM and PM peak periods at six different intersections. A copy of the Safety Study is included with this packet.

To understand the existing conditions, RIC reviewed previous traffic studies, reviewed area truck routes, analyzed crash history, collected and analyzed existing traffic counts, and collected on-site observations at several locations. Of particular note, the Study observed a considerable amount of traffic using the Phillips 66 gas station as a cut-through to access Locust Street. "Vehicles routinely drove at unsafe speeds through the parking lot...traffic is using Phillips 66 in-place of the removed 191st Street and are not utilizing 188th St/Locust Street fully.

RIC then performed an intersection capacity analysis for both existing conditions and existing condition + approved project scenario. As noted in the Study, the intersection with a failing Level of Service was the Phillips 66 & Gardner Road driveway.

Based on the Safety Study, RIC prepared the following four recommendations.

1. **Cut-through Traffic at Phillips 66** – Emphasizing enforcement to curb cut-through traffic at Phillips 66
2. **Truck Route Signage** – Leave current dynamic message board on I-35 and remove Truck Route sign posted on 191st Street just east of Edgerton/Gardner city limits
3. **Driveway Closure at Phillips 66** – Consider limiting access to Phillips 66 from Gardner Road

4. **Closure of 191st Street Connection** – Consider Closing 191st Street prior to the Edgerton/Gardner city boundary.

As stated on Page 21, while City of Edgerton has specific safety concerns about cut-through traffic outlined in the study, Edgerton does not have jurisdictional rights over the study area, nor the jurisdictional authority recommendations 1-3. Therefore the Safety Study recommends the "City of Edgerton consider closing 191st Street prior to the Edgerton/Gardner boundary." The Study further recommends the engineering detail for the closure to include a combination of cul-de-sac and Type 4 Object Markers as shown on page 21.


As directed by City Council, staff will notify our public safety partners that the Safety Study is complete and will invite them to attend City Council meeting related to this item.

If City Council would choose to close 191st Street, Staff would continue to work with BG Consultants to finalize the design of the improvements, acquire any right-of-way necessary and package the project for bid and construction.

Related Ordinance(s) or Statue(s):

Funding Source: Public Infrastructure Fund for Logistics Park Kansas City (LPKC) Phase I

Budget Allocated:

x 
Karen Kindle, Finance Director

Recommendation:

Enclosed: Safety Study – Gardner Road & Interstate 35

Prepared by: Beth Linn, City Administrator

SAFETY STUDY

Gardner Road & Interstate 35



Prepared For:

City of Edgerton, KS

Prepared By:

Renaissance Infrastructure Consulting

March 2022

March 7, 2022

Beth Linn
City Administrator
City of Edgerton, KS
404 East Nelson
Edgerton, KS 66021

**RE: Gardner Road & I-35 Safety Study
Edgerton, KS**

Dear Ms. Linn,

In response to your request, RIC has completed a safety study for the Gardner Road and I-35 Interchange and nearby roadways in Gardner, KS. The purpose of this study was to assess existing and future traffic conditions based on planned growth in the surrounding area. The following report documents our analysis and recommendations.

Please do not hesitate to contact us should you have any questions.

Sincerely,

Renaissance Infrastructure Consulting

Grant Niehus, PE, PTOE
Traffic Engineer

Table of Contents

1	Introduction.....	4
2	Study Scope	4
2.1	Study Area.....	4
2.2	Analysis Scenarios.....	4
2.3	Analysis Methodology	6
3	Existing Conditions	6
3.1	Overview of Study Area	6
3.2	Review of Previous Traffic Studies.....	7
3.3	Truck Routes	8
3.4	Crash Review Analysis	8
3.5	Data Collection	10
3.6	Field Observations	10
3.6.1	Traffic turning into Phillips 66	10
3.6.2	Traffic Backing up on Westbound I-35 Ramp	11
3.6.3	Cut-Through Traffic at Phillips 66	11
3.6.4	School Traffic.....	13
4	Traffic Analysis	14
4.1	Existing Conditions	14
4.2	Existing Conditions + Approved Projects Scenario.....	15
4.3	191st Street Connection Removal Scenario.....	17
4.4	Future Scenario	18
5	Discussion and Recommendations.....	19
5.1	Cut-Through Traffic at Phillips 66.....	19
5.2	Truck Route Signage	20
5.3	Closure of 191st Street Connection	20

1 Introduction

Gardner Road is a major corridor in the city of Gardner, Kansas. As development has increased on the corridor and surrounding areas, traffic volumes have increased, and traffic flow is congested at peak times, due in part to the number of closely spaced intersections and the nearby Logistics Park of Kansas City to the southwest. Intersections and driveways are typically the locations where vehicular conflicts and crashes are most prevalent. Edgerton city staff has concerns about traffic flow and safety along the corridor and Interstate-35 interchange area. Considering these concerns, city staff requested Renaissance Infrastructure Consulting to prepare the following study to identify improvements to manage traffic along the corridor more effectively. Specifically, the objective of the study was to analyze existing and projected future conditions and identify specific trouble areas and potential remediation. To evaluate current traffic conditions, traffic counts were collected for the AM and PM peak periods at six different intersections.

2 Study Scope

Guidance provided by the City of Edgerton, KS was used in the development of this analysis.

2.1 Study Area

The study area for this analysis includes the following intersections:

- *Gardner Road & Interstate 35 EB Ramp*
- *Gardner Road & Interstate 35 WB Ramp*
- *Gardner Road & Phillips 66 Driveway*
- *Gardner Road & 188th Street*
- *Locust Street & Phillips 66 North Driveway*
- *Locust Street & Phillips 66 South Driveway*

2.2 Analysis Scenarios

For this memo, analysis was completed for the following scenarios:

- *Existing Conditions*
- *Existing Conditions Plus Approved Projects*
- *191st Street Connection Removal*
- *Future Scenario (2024)*

CITY OF
GARDNER

188th St

Locust

Gardner Rd

UNINCORPORATED
JOHNSON COUNTY

191st St

191st St

CITY OF
EDGERTON

35

35

Gardner Rd

LEGEND

- Study Intersections
- City Limits
- Study Route



2.3 Analysis Methodology

For all study intersections, trip generation estimates were developed for both the AM and PM peak hours using ITE's Trip Generation Manual, 10th Edition. Intersection sight distance checks were conducted for each of the proposed access points using AASHTO's A Policy on Geometric Design of Highways and Streets. Intersection Capacity Analysis was performed using PTV VISTRO 2021 which uses Highway Capacity Manual (HCM) methodology for the analysis.

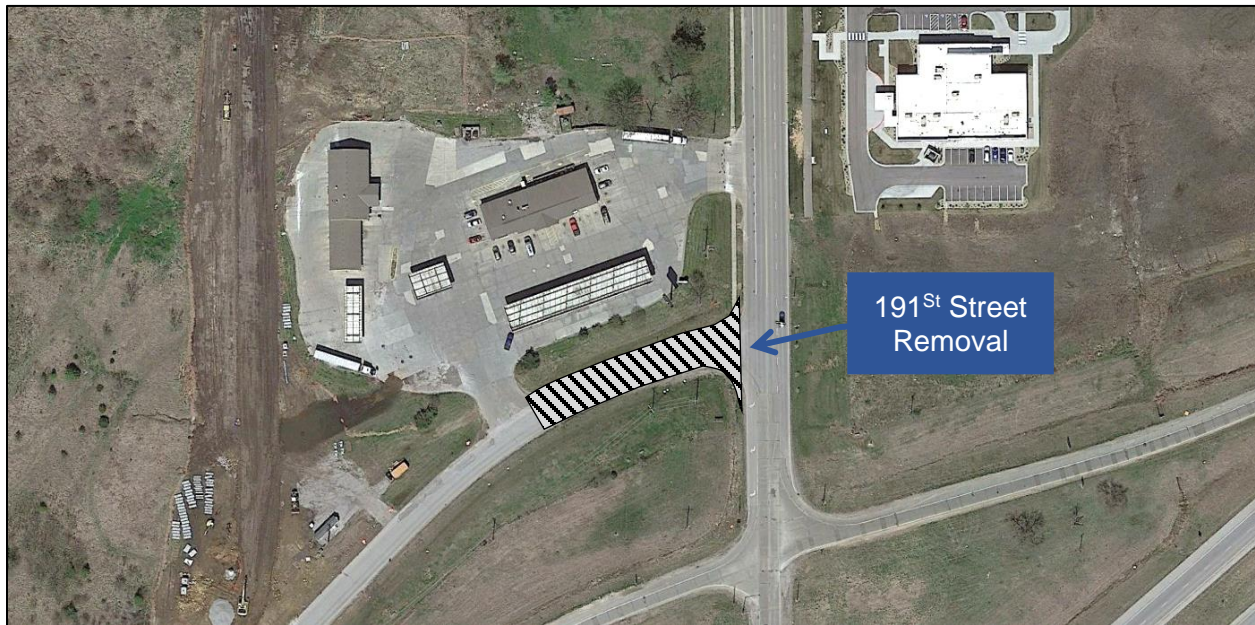
3 Existing Conditions

3.1 Overview of Study Area

Gardner Road is a primary north/south corridor through Gardner, Kansas that originates near the north city limits of Gardner and extends south to Hillsdale Reservoir in Miami County. Functionally, Gardner Road acts as a primary route to Interstate 35 (I-35). It also provides access to Main Street, north of I-35 where it is renamed to Center Street for approximately 2 miles. The Mid-American Regional Council (MARC) Roadway Functional Classification System classifies Gardner Road as a 'Minor Arterial' north of I-35 and a 'Major Collector' south of I-35. The posted speed limit within the study area, just north of 188th Street to just south of I-35 is 40 miles per hour. In addition to providing access to I-35 and Main Street, Gardner Road is used to access the nearby Logistics Park of Kansas City (LPKC) and BNSF Intermodal Facility located to the west in Edgerton, KS.

The majority of land use along Gardner Road in the study area is commercial. As you travel further north past the study area the land use turns more residential. Nike Elementary School is located to the south of I-35 and if you continue further south on Gardner Road, the majority of land is undeveloped. However, future plans call for industrial park developments near 207th Street.

Recent improvements to Gardner Road have included intersection improvements at both I-35 ramps that converted the intersections from one-way stop controlled intersections to signalized intersections. The eastbound I-35 ramp also added an auxiliary southbound left turn lane on Gardner Road. Additionally, the three-way intersection at Gardner Rd. & 191st Street, just north of I-35 was removed. These improvements were completed in the Summer of 2021.

Figure 2 – 191st Street Removal

There were also some improvements completed in late 2021 that include widening of Gardner Road north of Phillips 66 to just north of 188th Street and converting Gardner Road & 188th Street to a signalized intersection. The widening added auxiliary left turn lanes at 189th Terrace and 188th Street along Gardner Road.

3.2 Review of Previous Traffic Studies

A traffic analysis of the I-35 & Gardner Road Interchange was completed in 2019. The purpose of this study was to assess current conditions of the interchange and provide a recommendation through an alternative analysis process looking at multiple improvement options for the interchange. Ultimately the report recommended that a Diverging Diamond Interchange be constructed at I-35 and Gardner Road.

A Truck Prohibition Safety Examination for W. 191st Street was also developed in conjunction with the traffic analysis completed in 2019. This technical memorandum documented safety concerns with trucks utilizing 191st Street to access LPKC from I-35 and recommended that the current truck prohibition signage on 191st Street remain in place until improvements to Gardner Road and/or the Gardner Road & I-35 interchange have been made.

HDR was selected in early 2019 to perform the design of interchange improvements with letting of the construction phase of the project currently scheduled to occur in late 2023. While the ultimate plan is to have a Diverging Diamond Interchange, an interim diamond interchange with new bridge is being designed for construction starting in 2024.

3.3 Truck Routes

Current published truck routes for Edgerton and Gardner were reviewed to determine their applicability within the study area. The city of Gardner lists their official designated Truck Routes in Chapter 10.15 of the city's municipal code. The truck routes listed include Main Street (US 56 Hwy), Old US 56 Hwy, 175th Street (I-35 to east city limits), Center Street/Gardner Road (I-35 to Main Street), and Moonlight Road (north of Main Street). The city of Edgerton's designated truck routes are included in Edgerton's City Code section 14-203(d). 191st Street from Four Corners Road east to the city limits is included in the list of designated truck routes.

Within the study area, Gardner Road, north of I-35 is a designated truck route, but 191st Street east of Edgerton/Gardner city limits is not. However, there is a truck route sign on 191st Street just east of the Edgerton/Gardner city limits that should be removed to reflect that it is not a truck route.

In late 2020, KDOT added a dynamic message sign on southbound I-35, north of the Gardner Road interchange directing intermodal truck traffic to use Homestead Lane.

Federal rules require States to allow trucks that meet the Surface Transportation Assistance Act (STAA) requirements for length and width to have reasonable access between the National Network and terminals and facilities for food, fuel, repairs and rest. Reasonable access is defined as access within one mile to the nearest National Network roadway or beyond one mile via any route that a test drive or application of vehicle templates to plans of the route show that a vehicle subject to Federal width and length requirements could safely negotiate. However, access may be denied on the basis of a safety and engineering analysis of an access route. The Truck Prohibition Safety Examination completed in 2019 allows the 191st Street connection route to be marked as prohibited for trucks while still in compliance with the STAA requirements.

3.4 Crash Review Analysis

Crash history was provided for this study by the City of Gardner Police Department and the Kansas Department of Transportation (KDOT). Data from the City of Gardner was limited to January of 2018 to November of 2021 and KDOT's data included years 2011 to 2020.

General trends showed that the majority of crashes were of Rear-End type (47%) followed by Angle - Side Impact type. No fatalities were reported in the data provided. **Table 1** includes the reported data broken down by intersection and the origination of the crash report. Some crash data provided was not intersection related and was filtered out for this analysis.

Table 1 – Crash History

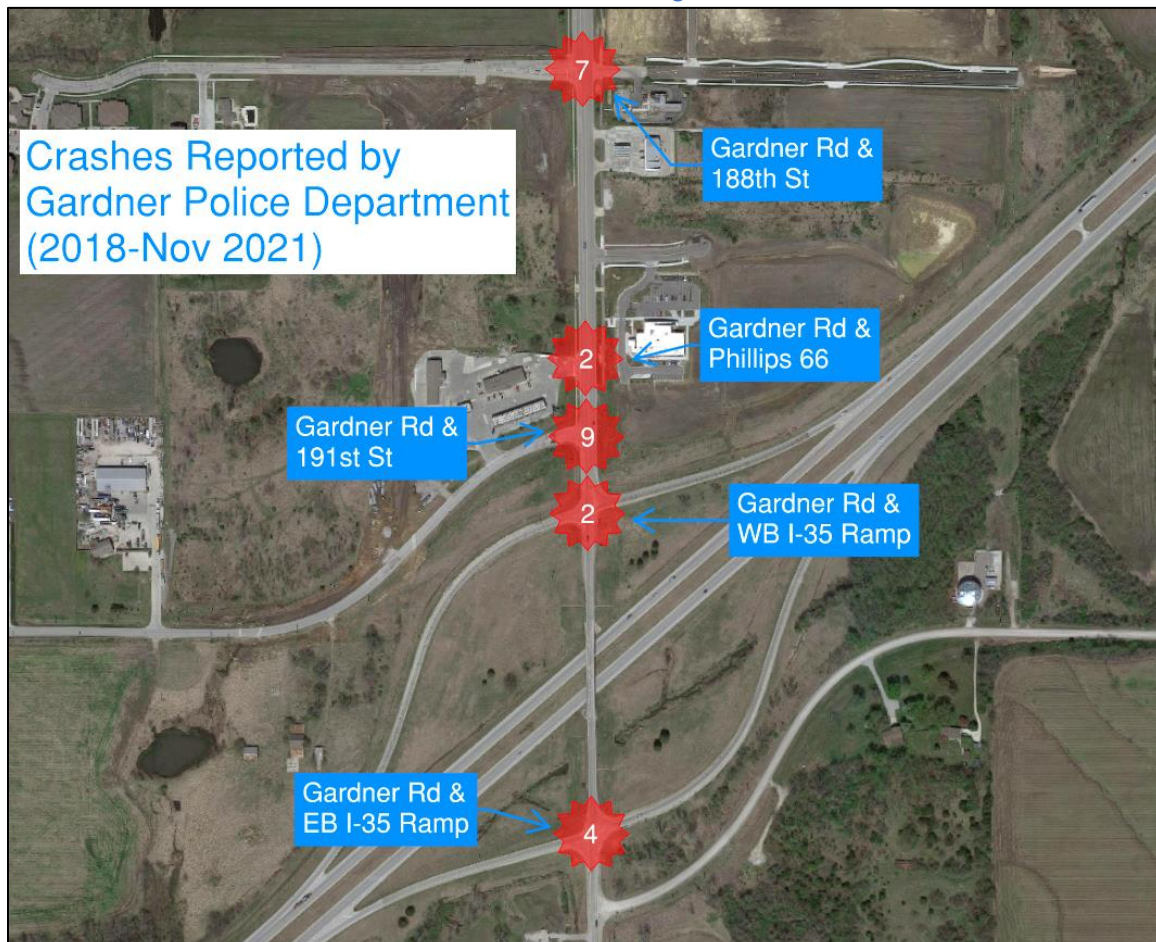
Intersection	Number of Crashes Gardner PD* (2018-Nov 2021)	Number of Crashes KDOT** (2011-2020)
Gardner Rd & I-35 Ramps	6	22
Gardner Rd & 191 st St	9	1
Gardner Rd & Phillips 66	2	0
Gardner Rd & 189 th St	0	0
Gardner Rd & 188 th St	7	0

* City of Gardner data included intersection level data. 4 crashes reported for the EB ramp, and 2 crashes reported for the WB ramp.

** KDOT's crash reports do not have a level of detail enough to discern between the EB or WB I-35 ramp, so for this analysis the two intersections were combined.

A review of crash trends shows that Gardner Road & 191st and Gardner Road & 188th Street intersections generated the majority of crash reports from Gardner PD. However, the 191st intersection has since been removed and 188th Street will be converted to a signalized intersection in early 2021, both expected to improve safety along the corridor.

Figure 3 – Gardner PD Crash Locations



3.5 Data Collection

Peak Hour traffic counts were collected in November and December of 2021 at six intersections in the study area. Counts were collected on November 17th and 18th, and December 1st and 2nd, between the hours of 6:00 AM to 9:00 AM and 3:00 PM to 6:00 PM. Intersections where data was collected:

- *Gardner Road & Interstate 35 EB Ramp*
- *Gardner Road & Interstate 35 WB Ramp*
- *Gardner Road & Phillips 66 Driveway*
- *Gardner Road & 188th Street*
- *Locust Street & Phillips 66 North Driveway*
- *Locust Street & Phillips 66 South Driveway*

The averaged data revealed that there are three different peaks within the timeframe that data was collected. The AM Peak Hour was 7:30 AM to 8:30 AM while the PM time period had two separate peak hours. The first was between 3:00 PM - 4:00 PM (referred to as PM 1) and the second was between 4:30 PM – 5:00 PM (referred to as PM 2). It should be noted that some construction activity was present during the days data was collected. Specifically, one lane was closed on Gardner Road in both directions of travel just north of I-35. The PM Peak Period on December 2nd also had an incident on I-35, so that data was removed from the overall averages. A detailed summary of existing traffic counts is included in **Appendix A**.

3.6 Field Observations

In addition to the data collected for turning movement counts, on-site observations were conducted on November 17th and December 2nd. A few specific observations are noted below.

3.6.1 Traffic turning into Phillips 66

Traffic attempting to turn into the Phillips 66 gas station from Gardner Road going northbound to westbound must yield to oncoming traffic and there is no auxiliary left turn lane for vehicle storage. This creates a condition where traffic backs up south of the Phillips 66 intersection when there is heavy southbound traffic. The northbound lane closure compounded the issue and caused traffic to back up through the I-35 ramp intersection and down the ramp itself during the AM Peak period. It is expected that conditions will improve when both northbound lanes are open, however, with the lack of an auxiliary left turn lane, traffic will continue to back up on Gardner Road and does create an unsafe situation where cars attempt to change lanes to get around the turning vehicle.

3.6.2 Traffic Backing up on Westbound I-35 Ramp

During the AM time period, traffic occasionally will back up on the I-35 westbound ramp to the end of the ramp, filling up all available storage space for vehicles. The worst time period for ramp congestion was approximately 6:30 AM to 7:00 AM. A couple factors contribute to the occasional backup on the ramp. The first is a byproduct of traffic attempting to turn into the Phillips 66 that causes traffic to queue back up through the I-35 Westbound ramp and extend down the ramp. It is expected when the current construction is completed on Gardner Road, this specific condition will be significantly lessened. The second primary factor is that there is only one lane on the exit ramp which means if a left turning vehicle is queued up waiting for the light to turn green, vehicles are unable to take a right-turn on red from the ramp.

3.6.3 Cut-Through Traffic at Phillips 66

It was observed that a considerable amount of traffic uses the Phillips 66 gas station as a cut-through to access Locust Street. Vehicles routinely drove at unsafe speeds through the parking lot, with a high concentration of cut-through traffic occurring around the top of the hour. It is believed that those vehicles are using the I-35 interchange to cut through the Phillips 66 lot and navigate to LPKC. With the recent removal of the 191st Street Intersection, just north of I-35, traffic accessing LPKC was to use the new 188th Street/Locust Street connector, approximately ¼ mile north of I-35. Instead, traffic is using Phillips 66 in-place of the removed 191st Street and are not utilizing 188th St/Locust Street fully.

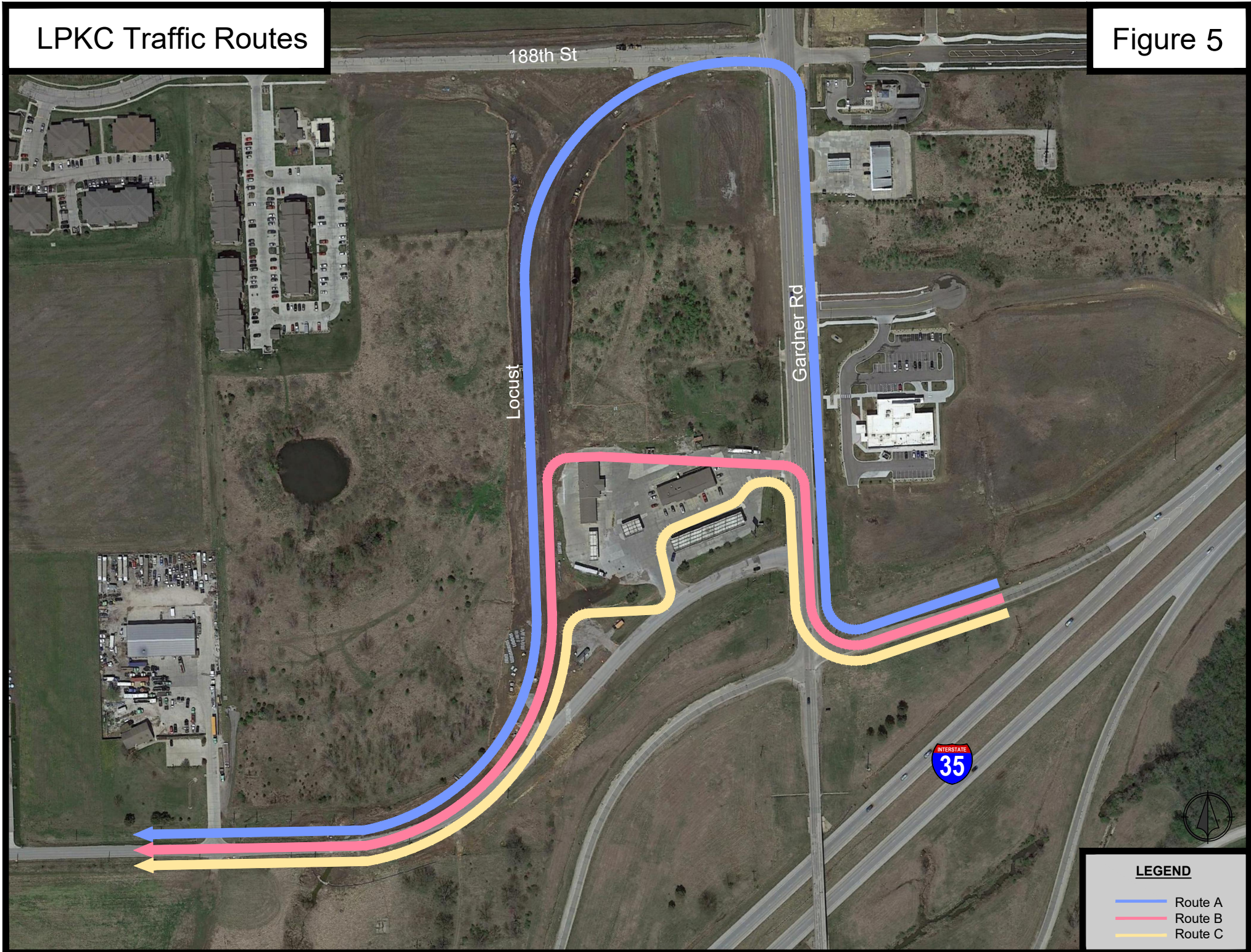
Aerial drone footage was collected on November 17th from 8:00 AM – 8:30 AM to analyze that driver behavior closer.

Figure 4 – Phillips 66 Cut-Through Traffic



LPKC Traffic Routes

Figure 5

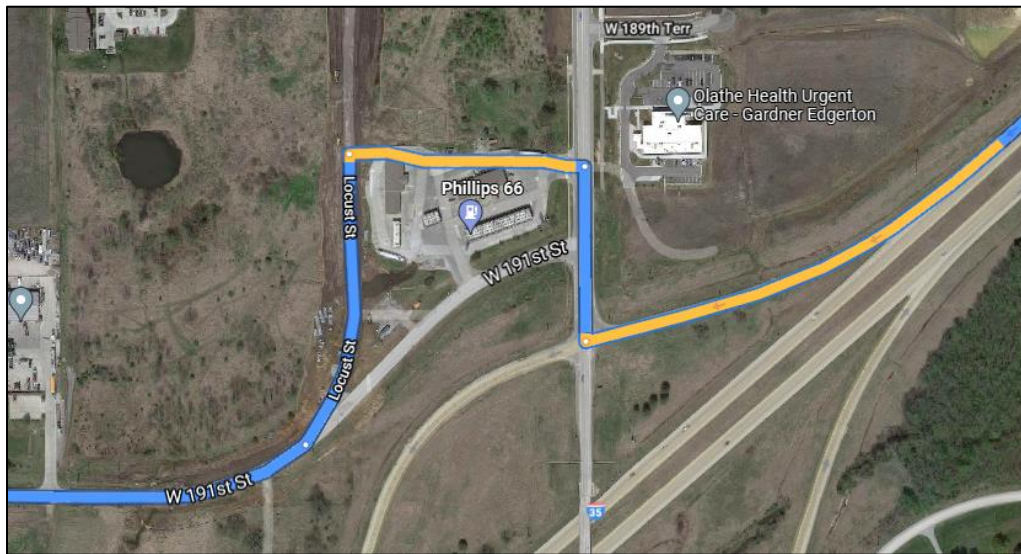


The following driver behaviors were observed via the drone footage collected.

Table 2 – Phillips 66 Cut Through Traffic	
Cut-Through Traffic	80%
Cut-Through Traffic that Stopped at Gas Station	13%
Cut-Through Traffic that used Route B	50%
Cut Through Traffic that used Route C	50%

A contributing factor to the extremely high cut-through rate is that Google Maps, the most popular GPS navigation app, routes traffic through the Phillips 66 private lot to access 191st street as opposed to 188th Street. Two other popular GPS apps, Waze and Apple Maps, were tested, but those apps correctly routed traffic up through the Gardner Road & 188th Street intersection.

Figure 6 – Google Maps Routing



3.6.4 School Traffic

Nearby Nike Elementary generates quite a bit of traffic, including busses and student drop off. The school is located south of I-35 on Gardner Road, so a considerable amount of traffic navigates north and south on Gardner Road through the study area. Volumes increase around school start at 8:25am and school release at 3:25pm.

4 Traffic Analysis

To analyze traffic operations, PTV Vistro, a macroscopic analysis and optimization software was used. PTV Vistro is based on study procedures outlined in the Highway Capacity Manual, 6th edition. The analysis determines the “Level of Service” of the intersections and is based on factors such as the number and types of lanes, signal timing, traffic volumes, pedestrian activity, etc. This manual, which is used universally by traffic engineers to measure roadway capacity, establishes six levels of traffic service: Level A (“Free Flow”) to Level F (“Fully Saturated”).

Table 3 – Level of Service Criteria

Level of Service	Signalized Intersection (sec/veh)	Unsignalized Intersection (sec/veh)
A	< 10 seconds	< 10 seconds
B	< 20 seconds	< 15 seconds
C	< 35 seconds	< 25 seconds
D	< 55 seconds	< 35 seconds
E	< 80 seconds	< 50 seconds
F	≥ 80 seconds	≥ 50 seconds

Level of Service “D” is typically considered the minimum acceptable LOS, however in some cases Level of Service “E” is acceptable in peak times. The above table shows the thresholds for Levels of Service A through F for signalized and unsignalized intersections.

4.1 Existing Conditions

Intersection capacity analysis was performed for Existing Conditions for weekday AM peak hour and two PM peak hour traffic conditions at all study intersections. Intersection geometrics were modeled based on the recent improvements to Gardner Road. Locust Street intersections were included in the analysis, but due to their low volumes and to simplify the study we have left off the results from the summary tables. Detailed capacity analysis for all intersections can be found in **Appendix B**.

Table 4 – Capacity Analysis (Existing Conditions)

Intersection	Traffic Control	Time Period	Level of Service (95 th Percentile Queue Length)				
			Overall	NB	SB	EB	WB
Gardner Rd & 188th St	Signalized	AM Peak	B	B (50')	B (100')	C (50')	C (50')
		PM 1 Peak	B	B (75')	B (75')	C (50')	C (25')
		PM 2 Peak	B	B (75')	B (50')	B (50')	C (25')
Gardner Rd & Phillips 66 Driveway	EB Stop Controlled	AM Peak	D*	A (25')	A (0')	B (25')	-
		PM 1 Peak	D*	A (25')	A (0')	B (25')	-
		PM 2 Peak	D*	A (25')	A (0')	D (100')	-
Gardner Rd & Interstate 35 WB Ramp	Signalized	AM Peak	A	A (50')	A (75')	-	B (75')
		PM 1 Peak	B	B (100')	B (225')	-	C (150')
		PM 2 Peak	B	B (75')	B (200')	-	C (150')
Gardner Rd & Interstate 35 EB Ramp	Signalized	AM Peak	A	A (25')	A (125')	D (100')	-
		PM 1 Peak	A	A (25')	A (100')	C (100')	-
		PM 2 Peak	A	A (25')	A (75')	B (50')	-

* Overall Level of Service is reported for stop-controlled intersections as the worst performing individual turning movement (See Appendix for detailed analysis)

All study intersections resulted in an acceptable level of service. Both I-35 ramps performed acceptably with a Level of Service not exceeding letter B. The discrepancy between observed queues and modeled queues is most likely explained by the lane closures during data collection.

4.2 Existing Conditions + Approved Projects Scenario

A recently approved QuikTrip Travel Center is planned to be constructed on the southwest corner of 188th Street and Gardner Road in 2022. The proposed development will have 16 regular fueling pumps, 5 diesel pumps and a 7,300 square foot building. The development is expected to generate a significant amount of traffic to the surrounding transportation network, so a scenario was developed that combines existing conditions and expected traffic from QuikTrip using ITE's Trip Generation Manual. While diesel pumps are not expected to generate as much traffic as a regular fueling pump, the diesel pumps were included in the total number of pumps to be conservative in the traffic generation estimate.

Gas Stations typically generate significant pass-by vehicle trips, which represent trips which have other final destinations that are interrupted to visit the proposed development. Hence, pass-by trips do not add new traffic to the adjoining street system. A pass-by percentage of 50% for the AM and PM peak periods for Super Convenience Market/Gas Station was applied based on data in the ITE Trip Generation Manual for Gasoline/Service Station with Convenience Market. While this is not an exact land use match, it is expected that the pass-by percentage will be similar.

It is expected that diverted trips from I-35 will have a significant contribution to the total trips expected for the development. A diverted trip represents a vehicle trip made as an intermediate stop while traveling from an origin to a primary destination with a route diversion from a primary route to another roadway to gain access to the site. The diverted trip reduction was assumed to be 50% of the total pass-by trips. The results of the pass-by reduction and diverted trips are included in **Table 5** below.

Table 5 – Trip Generation w/ Pass-By Trips & Diverted Trips Correction

Land Use	Intensity	ITE Code	Weekday	AM Peak Hour			PM Peak Hour		
				Total	In	Out	Total	In	Out
Super Convenience Market/Gas Station	21 Fuel Positions	960	4841	590	295	295	482	241	241
Total Development Trips			4841	590	295	295	482	241	241
Pass-by Trip Reduction ⁽¹⁾			-1210	-148	-74	-74	-121	-60	-60
Diverted Trip Reduction ⁽²⁾			-1210	-148	-74	-74	-121	-60	-60
Primary Development Trips			2421	295	148	148	241	121	121

(1) Pass-by Trips are calculated as 50% of the pass-by trips reported by ITE

(2) Remaining 50% of pass-by trips reported by ITE were considered as Diverted Trips.

Table 6 – Capacity Analysis (Exist. + Approved Projects)

Intersection	Traffic Control	Time Period	Level of Service (95 th Percentile Queue Length)				
			Overall	NB	SB	EB	WB
Gardner Rd & 188th St	Signalized	AM Peak	B	B (50')	B (100')	C (25')	C (25')
		PM 2 Peak	B	B (75')	B (75')	C (50')	C (25')
Gardner Rd & Phillips 66 Driveway	EB Stop Controlled	AM Peak	E*	A (25')	A (0')	C (25')	-
		PM 2 Peak	D*	A (25')	A (0')	C (50')	-
Gardner Rd & Interstate 35 WB Ramp	Signalized	AM Peak	B	A (75')	B (25')	-	C (100')
		PM 2 Peak	C	B (150')	B (325')	-	D (250')
Gardner Rd & Interstate 35 EB Ramp	Signalized	AM Peak	B	A (75')	B (250')	D (125')	-
		PM 2 Peak	A	A (25')	A (100')	C (75')	-

* Overall Level of Service is reported for stop-controlled intersections as the worst performing individual turning movement (See Appendix for detailed analysis)

Similar results were observed for the Existing Plus Approved Projects Scenario as compared to the Existing Conditions scenario. The only intersection with a failing Level of Service was the Phillips 66 & Gardner Road driveway. The remaining intersections have an acceptable Level of Service but do show slight degradation in Levels of Service and queue lengths.

4.3 191st Street Connection Removal Scenario

A scenario was developed to re-direct all traffic that currently accesses LPKC or other land uses west of Gardner Road using 191st Street via Locust Street. The alternative route would likely become the Homestead Lane and I-35 interchange approximately 2.5 miles to the south of the Gardner Road interchange. This scenario was developed by removing 80% of the northbound left

Figure 7 – 191st St Connection Removal Volume Reduction



turning traffic into Phillips 66 in the AM Peak period as observed via drone footage. Cut-through traffic was observed to be less in the PM Peak time period so only 50% of northbound left traffic was removed for that scenario. It was also estimated that 50% of northbound left and eastbound right traffic at Gardner Road & 188th Street was using 191st Street to access LPKC. Traffic was also removed from both I-35 ramps, with 80% of the removed traffic subtracted from the westbound ramp and 20% from the eastbound ramp. Figure X displays the full volume reduction at each intersection.

Table 7 – Capacity Analysis (191st St Connection Removal)

Intersection	Traffic Control	Time Period	Level of Service (95th Percentile Queue Length)				
			Overall	NB	SB	EB	WB
Gardner Rd & 188th St	Signalized	AM Peak	B	B (50')	B (100')	C (25')	C (25')
		PM 2 Peak	B	B (75')	B (50')	C (25')	C (25')
Gardner Rd & Phillips 66 Driveway	EB Stop Controlled	AM Peak	C*	A (25')	A (0')	B (25')	-
		PM 2 Peak	D*	A (25')	A (0')	C (25')	-
Gardner Rd & Interstate 35 WB Ramp	Signalized	AM Peak	A	A (50')	A (50')	-	C (75')
		PM 2 Peak	C	B (150')	B (225')	-	D (250')
Gardner Rd & Interstate 35 EB Ramp	Signalized	AM Peak	A	A (50')	A (150')	D (100')	-
		PM 2 Peak	A	A (25')	A (50')	B (75')	-

* Overall Level of Service is reported for stop-controlled intersections as the worst performing individual turning movement (See Appendix for detailed analysis)

The 191st St Connection Removal scenario improves conditions over the Existing Plus Approved Projects Scenario. Most notably, the Gardner Rd & Phillips 66 driveway no longer has a failing level of service and the I-35 Westbound Ramp improves its level of service to an A for AM Peak hour.

4.4 Future Scenario

A future scenario was developed to model the expected traffic conditions in the surrounding area in 2024 just prior to when the Gardner Road interchange project is scheduled to begin. The 2019 I-35 & Gardner Road Interchange Traffic Study projected an average yearly background growth rate of 1.5% for the surrounding area so that was used for this analysis. This scenario also includes all traffic volume from the Existing Conditions + Approved Projects Scenario but does not include the removal of the 191st Street connection.

Table 8 – Capacity Analysis (Future 2024)

Intersection	Traffic Control	Time Period	Level of Service (95 th Percentile Queue Length)				
			Overall	NB	SB	EB	WB
Gardner Rd & 188th St	Signalized	AM Peak	B	B (50')	B (100')	C (25')	C (25')
		PM 2 Peak	B	B (75')	B (75')	C (50')	C (25')
Gardner Rd & Phillips 66 Driveway	EB Stop Controlled	AM Peak	E*	A (25')	A (0')	C (25')	-
		PM 2 Peak	E*	A (25')	A (0')	C (50')	-
Gardner Rd & Interstate 35 WB Ramp	Signalized	AM Peak	B	A (75')	B (225')	-	C (125')
		PM 2 Peak	C	C (200')	C (400')	-	D (300')
Gardner Rd & Interstate 35 EB Ramp	Signalized	AM Peak	B	A (100')	B (325')	D (150')	-
		PM 2 Peak	A	A (25')	A (125')	C (75')	-

* Overall Level of Service is reported for stop-controlled intersections as the worst performing individual turning movement (See Appendix for detailed analysis)

It is projected that traffic conditions in 2024, just prior to construction of the new Gardner Road and I-35 Interchange, will operate acceptably at all study intersections. Gardner Road & Phillips 66 Driveway is expected to have a Level of Service E, but the 95th percentile queue length is not expected to extend beyond approximately 2 vehicles. Both I-35 ramp intersections are expected to operate acceptably.

5 Discussion and Recommendations

5.1 Cut-Through Traffic at Phillips 66

It is recommended that an emphasis on enforcement for Driving Through or On Private Property to Avoid Traffic Control Devices (Section 118 of the *Standard Traffic Ordinance For Kansas Cities*) be conducted by local police. It is expected that the majority of cut-through traffic are repeat offenders that work in the area and that periodic targeted enforcement would prove successful in curbing the unsafe behavior.

It is also recommended that a service ticket be submitted to Google Maps to request removal of the Phillips 66 as a public street. It is believed that a significant percentage of cut-through traffic is generated from drivers using GPS navigation through Google Maps.

5.2 Truck Route Signage

It is recommended that the current Dynamic Message Sign on southbound Interstate 35, north of the Gardner Road exit directing truck traffic to use Homestead Lane be kept in place until the interchange project is completed. Once that project has been completed, the City of Edgerton and City of Gardner should analyze and determine if 191st Street should be designated as a Truck Route.

It was also discovered during on-site visits that there is a Truck Route sign posted going eastbound on 191st Street, just east of the Gardner/Edgerton city limits. This sign should be removed to be consistent with the City of Gardner's defined Truck Routes and current signage on I-35.

Figure 8 – Existing Truck Route Signage



5.3 Driveway Closure at Phillips 66

Consideration of limiting access to the Phillips 66 property, either through closing the west driveways or closing the driveway on Gardner Road, should be made. By removing access on one side of the property, the cut-through traffic would be forced to find alternative routes to their final destinations. Closing access driveways to private property typically require property owner coordination so it is recommended that those discussions be had as soon as possible.

5.4 Closure of 191st Street Connection

It is acknowledged that while the city of Edgerton has specific safety concerns about cut through traffic as outlined in this study, they do not have jurisdictional rights over the area in question near the I-35 and Gardner Road interchange. As a result, it is recommended that the City of Edgerton consider closing 191st Street prior to the Edgerton/Gardner city boundary. Should the City of Edgerton decide to close the 191st Street connection to LPKC, the closure should be performed by using Manual on Uniform Traffic Control Devices (MUTCD) Type 4 Object Markers or more permanent solutions such as a cul-de-sac/turnaround.

Figure 9 – Type 4 Object Marker Road Closure



In this case, it is recommended that a combination of cul-de-sac and Type 4 Object Markers be used to close the roadway. Just west of the city limit a cul-de-sac should be constructed to provide a turnaround location for vehicles. To the west of that, at the first private driveway into LPKC, Type 4 object markers should be placed on the east leg of the intersection.

Figure 10 – 191st Street Connection Closure

