

**EDGERTON CITY COUNCIL  
MEETING AGENDA  
CITY HALL, 404 EAST NELSON STREET  
August 26, 2021  
7:00 P.M.**

**Call to Order**

1. **Roll Call** \_\_\_\_ Roberts \_\_\_\_ Longanecker \_\_\_\_ Lewis \_\_\_\_ Brown \_\_\_\_ Beem
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 August 12, 2021 Regular City Council Meeting
5. Approve Renewing the appointments of John Daley and Deb Lebakken to the Edgerton Planning Commission, each for a three-year term expiring in September 2024

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.

**Business Requiring Action**

7. **PUBLIC HEARING FOR RESOLUTION NO. 08-26-21A OF THE CITY OF EDGERTON, KANSAS TO LEVY A PROPERTY TAX RATE EXCEEDING THE REVENUE NEUTRAL RATE**
8. **CONSIDER RESOLUTION NO. 08-26-21A OF THE CITY OF EDGERTON, KANSAS TO LEVY A PROPERTY TAX RATE EXCEEDING THE REVENUE NEUTRAL RATE**

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

9. **PUBLIC HEARING REGARDING THE 2022 RECOMMENDED BUDGET**

10. **CONSIDER AGREEMENT WITH INCITE DESIGN STUDIO FOR GREENSPACE PROJECT**

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

11. **CONSIDER ORDINANCE NO. 2092 RESTATING ARTICLE 12 – SIGN REGULATIONS OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF EDGERTON KANSAS TO UPDATE CERTAIN SECTIONS AND INCLUDE SIGNAGE REGULATIONS FOR L-P DISTRICT ZONING DESIGNATIONS AS AMENDED AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH**

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

**12. CONSIDER ORDINANCE NO. 2093 AMENDING CHAPTER XIV OF THE EDGERTON, KANSAS MUNICIPAL CODE TO INCORPORATE THE 2021 STANDARD TRAFFIC ORDINANCE, SUBJECT TO EXISTING LOCAL TRAFFIC PROVISIONS IN THE CITY CODE WHICH SUPPLEMENT AND/OR MODIFY CERTAIN SECTIONS THEREOF**

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

**13. CONSIDER ORDINANCE 2094 AMENDING CHAPTER XI, ARTICLE I, SECTION 11-101 OF THE CODE OF THE CITY OF EDGERTON, KANSAS, CONCERNING THE UNIFORM PUBLIC OFFENSE CODE.**

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

**14. Report by the City Administrator**

**15. Report by the Mayor**

- Future Meetings Schedule for Remainder of 2021

**16. Future Meeting Reminders:**

- September 9<sup>th</sup>: City Council Meeting – 7:00PM
- September 14<sup>th</sup>: Planning Commission Meeting – 7:00PM
- September 23<sup>rd</sup>: City Council Meeting – 7:00PM
- October 12<sup>th</sup>: Planning Commission Meeting – 7:00PM
- October 14<sup>th</sup>: City Council Meeting – 7:00PM
- October 28<sup>th</sup>: City Council Meeting – 7:00PM

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

**EVENTS**

August – Early September: JCPRD Walk & Read at Big Bull Creek Park

August 28<sup>th</sup>: Nocturnal Nature at Big Bull Creek

September 1<sup>st</sup>: Craft Night at Community Hall

September 6<sup>th</sup>: City Hall Closed for Labor Day

**City of Edgerton, Kansas  
Minutes of City Council Regular Session  
August 12, 2021**

A Regular Session of the City Council (the Council) was held in the Edgerton City Hall, 404 E. Nelson, Edgerton, Kansas on August 12, 2021. The meeting convened at 7:01 PM with Mayor Roberts presiding.

**1. ROLL CALL**

|                  |         |
|------------------|---------|
| Clay Longanecker | present |
| Josh Lewis       | present |
| Josh Beem        | present |
| Jody Brown       | absent  |

With a quorum present, the meeting commenced.

Staff in attendance:

- City Administrator Beth Linn
- City Attorney Lee Hendricks
- City Clerk Alexandria Clower
- Development Services Director Katy Crow
- Accountant Justin Vermillion
- Public Works Director Dan Merkh
- CIP Manager Brian Stanley

**2. WELCOME**

**3. PLEDGE OF ALLEGIANCE**

**Consent Agenda**

- 4. Approve Minutes from July 22, 2021 Regular City Council Meeting
- 5. Approve Final Acceptance of 1<sup>st</sup> & Meriwood Stormwater Repairs and Final Payment to J. Richardson Construction Co.

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

**Regular Agenda**

- 6. **Declaration.** No Councilmember had anything to declare at this time.

**Business Requiring Action**

- 7. **CONSIDER THE RECOMMENDATION OF THE CITY OF EDGERTON PLANNING COMMISSION TO APPROVE APPLICATION ZA2020-02 FOR THE REZONING OF APPROXIMATELY 106.131 ACRES OF LAND GENERALLY LOCATED SOUTHEAST OF THE INTERSECTION AT W 199TH STREET AND SOUTH GARDNER ROAD IN EDGERTON, KANSAS FROM JOUHNSON COUNTY "RUR" (RURAL DISTRICT) TO CITY OF EDGERTON "L-P" (LOGISTICS PARK) ZONING DISTRICT**

**APPLICANT HAS WITHDRAWN APPLICATION ZA2020-02. NO FURTHER ACTION WILL OCCUR RELATED TO THIS APPLICATION.**

Mayor Roberts stated the applicant at any point could bring this item back, but in doing so, would have to start the process over completely. This includes letters to surrounding area residents, new applications, etc.

**8. CONSIDER ORDINANCE NO. 2087 ADOPTING THE PLANNING COMMISSION'S RECOMMENDATION TO APPROVE A CONDITIONAL USE PERMIT (CU2021-03) ALLOWING AN INTERSTATE POLE SIGN ON PROPERTY LOCATED AT 32501 W. 200TH STREET, EDGERTON, KANSAS**

Ms. Katy Crow, Development Services Director, addressed the Council. She stated City Staff received a new Conditional Use Permit (CUP) application which proposed a new location for the pole sign. She stated the sign has been relocated out of the detention basin and onto the paved surface adjacent to the parking lot. She stated the applicant has indicated that the sign needs an access road to allow for easier access for maintenance to be performed on the sign. She stated the only items that change on this Conditional Use from the previous one issued is the location of the sign and the ground elevation. She stated the height of the sign has been changed to 77 feet to comply with the requirements of the City of Edgerton Unified Development Code. She stated the sign display will remain the same.

Ms. Crow stated the Planning Commission did add some stipulations to this CUP, including no blinking lights, the location of sign is to remain in this location, the angle of the sign is perpendicular to I-35, etc. The full list of stipulations is included in Council's packet.

Ms. Crow stated the although the height is different in this CUP, the overall height seen from the horizon is the same height as before, and meets the regulations spelled out by the Edgerton Unified Development Code.

Mayor Roberts asked how many lumens the sign will put out.

Mr. Judd Claussen with Phelps Engineering introduced Mr. Bill Brown from KC Sign Co, the makers of the pole sign.

Mr. Brown stated they do not have an exact number as the sign is internally illuminated and does not project light out. He stated if people are worried about the sign output at night, the sign does dim down at night because it cannot be too bright for those driving by. He stated parking lot lights would have a greater output than the pole sign.

Mr. Brown stated to measure the lumens the sign must be erected and lit.

Mayor Roberts asked what the lumens are for the LEDs within the sign.

Mr. Brown stated he estimates it to be about 85 lumens per square foot within.

Mayor Roberts asked how many square feet the sign is.



Ms. Crow stated the sign is 872 square feet.

Mayor Roberts stated he wants the sign to be seen but does not want it to be a sore thumb either. He asked if this is a standard lit sign and comparable to those in the surrounding area.

Mr. Brown stated this sign is just like the one seen at the truck stop in Wellsville. He stated it is a comparable sign in size and illumination to those in the general area.

Mayor Roberts stated he is asking for the general number of projection of lumens because he would like to see a maximum output level added to our City Code. He asked Mr. Claussen if there was a possibility to get a standard number for lumen output.

Mr. Claussen stated they can work to get a measurement of brightness within, from a certain number of feet away, etc. and work to develop a standard for how it can be measured. He stated this is a light source to allow people driving by to read the sign, and it is not intended to light the surrounding area or illuminate the ground like a streetlight would.

Councilmember Longanecker asked if there could be any adjustments once the sign is up.

Mr. Brown stated no, once the sign is up, it's up and there's no good way to adjust the lights within.

Mayor Roberts stated his thought going forward is that the City have a standard within the code of how bright the sign can be from so many feet away and then any person wanting to submit and have a project similar, will have to provide proof of the tests done.

Councilmember Lewis moved to approve Ordinance No. 2087, adopting the Planning Commission's recommendation to approve CU2021-03, with stipulations listed. Councilmember Longanecker seconded the motion. The Ordinance was approved, 3-0.

9. **CONSIDER RESOLUTION 08-12-21A PROVIDING A DEADLINE OF OCTOBER 14, 2021 TO RESOLVE A DANGEROUS AND UNFIT STRUCTURE EXISTING AT 707 W. NELSON STREET, #112, IN THE CITY OF EDGERTON, JOHNSON COUNTY, KANSAS PURSUANT TO CITY OF EDGERTON CITY CODE, CHAPTER IV, ARTICLE 4, SECTION 4-407**

Ms. Crow addressed the Council. She stated on May 18<sup>th</sup>, 2021, a fire occurred at a mobile home located within the mobile home park. She stated a few days later, staff met on site with the owner(s) of the home, the Fire Department, and the City's contracted building inspector. She stated at this time, it was determined the house was uninhabitable due to the extent of damage from the fire. She stated on May 25<sup>th</sup>, City Staff sent a letter to the owners of both the trailer and the mobile home park, providing deadline to inform the city of their decision to either repair, or remove the structure. She stated in this letter, staff gave until August 16, 2021 for the mobile home to either be removed, if not being repaired, or

for a building permit to be pulled for the necessary repairs to return the structure to a habitable state.

Ms. Crow stated the city has heard back from both parties regarding the status of the home. The owner of the lot the home sits on responded to the City and stated if he was responsible, he would need more time to remove the house. The owners of the mobile home stated they were unsure that repairs could be made and would need more time to find a contractor to do so, if possible.

Ms. Crow stated as the structure sits today, it is considered uninhabitable. She stated the City Code provides that when it appears to the public officer that the structure is dangerous, unsafe, or unfit for human habitation, the City has the ability to go through a process, have a Public Hearing, and at that time those who own or rent, lienholders, etc. can come forward to make their claim to say why it should not be considered unfit. She stated due to the timeline of this process, the next available date would be October 14<sup>th</sup>. City Staff along with the City Attorney determined it would be best to start the process and set the date for said Public Hearing.

Ms. Crow stated included in the packet are reports from the Fire Department at the time of the fire and a few days following, and the City's Building Inspector.

Councilmember Longanecker stated based on the report in the packet, the lot owner has said they believe they can remove the structure by the end of September. He stated this would give them plenty of time to do so while not holding up the City's process at the same time.

Ms. Crow agreed and said ultimately there may be some type of legal process for both the owner of the home and the lot.

Mr. Lee Hendricks, City Attorney, asked if there was any conversation as far as insurance proceeds.

Ms. Crow stated she addressed this with the homeowner, and they stated they did not have any insurance.

Mr. Hendricks stated even more reason the City should start the process and set a date for a Public Hearing.

Mayor Roberts asked if the City's process involves the landowner or the trailer owner.

Mr. Hendricks stated the landowner is the responsible party.

Councilmember Longanecker moved to approve Resolution No. 08-12-21A, providing a Public Hearing date of October 14, 2021 to determine if 707 W Nelson Street, Lot 112, is a Dangerous and Unfit Structure and to set a deadline for its repair or removal.

**10. CONSIDER ORDINANCE 2088 RESTATING CHAPTER XV OF THE MUNICIPAL CODE OF THE CITY OF EDGERTON, KANSAS TO REMOVE ACTUAL DOLLAR VALUES RELATED TO APPLICABLE FEES CHARGED AND INSTEAD REFERENCING THE CURRENT FEE RESOLUTION AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH**

Ms. Katy Crow, Development Service Director, addressed the Council. She stated during conversation between the Governing Body and City Staff, it was noted that the Utilities Chapter of the Municipal Code reflected static dollar amounts rather than referencing the current Fee Resolution.

Ms. Crow stated this Ordinance is considered a restatement of the Utilities Chapter and updates the verbiage throughout to coincide with the remainder of the code where reference for dollar amounts is directed to the current Fee Resolution.

Councilmember Lewis moved to approve Ordinance No. 2088, Restating the Utilities Chapter of the Edgerton Municipal Code, motion seconded by councilmember Beem. The Ordinance was approved, 3-0.

**11. CONSIDER ORDINANCE 2089 AMENDING CHAPTER I OF THE MUNICIPAL CODE OF THE CITY OF EDGERTON, KANSAS TO INCLUDE ARTICLE 8, SECTION 1-801 REGARDING THE COSTS OF COLLECTION AND REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH**

Ms. Beth Linn, City Administrator, addressed the Council. She stated at the May 13, 2021, City Council meeting, the Governing Body approved an Agreement with CBK, Inc. for collection services. Council provided direction to staff to bring forward an ordinance that would allow CBK to charge the customer for the collection fees instead of subtracting those amounts from the amount collected and turned over to the City.

Councilmember Lewis moved to approve Ordinance No. 2089, Amending Chapter 1 of the City of Edgerton Municipal Code. Councilmember Longanecker seconded the motion. The Ordinance was approved, 3-0.

**12. CONSIDER ORDINANCE 2090 AMENDING CHAPTER IV OF THE MUNICIPAL CODE OF THE CITY OF EDGERTON, KANSAS TO INCLUDE SECTION 4-414 REGARDING UNFIT DWELLINGS AND CONNECTION TO THE CITY WATER AND REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH**

Ms. Linn addressed the council. She stated Ordinances 2090 & 2091 are similar, stating that both are updates to the Municipal Code. She stated at the July 22, 2021 City Council meeting, the Governing Body provided direction to staff to draft ordinances that clarify the requirements for structures to be connected to the City's water system and pay the monthly customer service charges. She stated Ordinance 2090 updates Chapter 4 of the City Code, to deem a structure unfit for human habitation and use, and subject to the Dangerous and

Unfit Structure procedure contained in Section 4-404 of the City Code, if the structure is not connected to the City's water system and paying the monthly service charges.

Mr. Hendricks stated this is an update to the code to allow clarity for residents, using the same language in both chapters of the code, Unfit Dwelling section and Utilities section.

Councilmember Lewis moved to approve Ordinance No. 2090, updating section 4-414 of the Municipal Code to clarify the requirements for structures to be connected to the City's water system. Councilmember Beem seconded the motion. The Ordinance was approved, 3-0.

**13. CONSIDER ORDINANCE 2091 AMENDING CHAPTER XV OF THE MUNICIPAL CODE OF THE CITY OF EDGERTON, KANSAS TO INCLUDE SECTION 15-145 REGARDING UNFIT DWELLINGS AND CONNECTION TO THE CITY WATER AND REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH**

Ms. Linn stated just like the previous Ordinance, this ordinance amends chapter 15, reflecting section 15-145 of the Municipal Code to clarify requirements for structures to be connected to the City's water system.

Councilmember Lewis moved to approve Ordinance No. 2091, seconded by Councilmember Beem. The Ordinance was approved, 3-0.

**14. CONSIDER RESOLUTION NO. 08-12-21B ESTABLISHING FEES AND RATES FOR PERMITS, LICENSES AND SERVICES WITHIN THE CITY OF EDGERTON, KANSAS**

Ms. Linn stated as noted, the City keeps the fees associated with permitting, licensing, City rates, etc. in one place: the Fee Resolution. She stated this allows updates to occur on one document, rather than continual updates occurring through ordinance amendments. She stated on occasion, staff must bring forward updates to include new or updated fees.

Ms. Linn stated this resolution provides updates to fees for Open Records, Public Property, and Unconventional Vehicles.

Ms. Linn stated the Open Records amendment allows for the City to fully reflect the costs associated with producing documents and allows for a better record of time for the different levels of staff who work to produce said documents.

Ms. Linn stated after research from City Staff it was noted that a lot of the surrounding area parks charge for non-residential use, but the city does not currently do so. She stated staff would recommend that the city does not charge for residents, but would like to start charging for the non-residents who want to use park shelters. She stated the surrounding parks charged fees from \$0-110 per half day, so staff recommends charging non-residents \$50 per half day.

Ms. Linn stated on July 22, Council approved an ordinance which authorized the operation of UTVs, golf cars, low speed vehicles, etc., on city roadways. She stated with the update to the Fee Resolution, the fees associated to the application and permitting are established.

Councilmember Longanecker moved to approve Resolution No. 08-12-21B, establishing the updated and current Fee Resolution for the City of Edgerton. Councilmember Beem seconded the motion. The Fee Resolution was approved, 3-0.

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

- Marketing and Communications Update

Ms. Linn gave an update regarding the Marketing and Communications department. She referenced the flyer given to council. She stated the post with the most activity was the City's annual 3<sup>rd</sup> of July event.

Councilmember Lewis asked if there has been any data received related to Glendell Acres Park.

Ms. Linn stated City Staff is working to bring a report to council, but there were good numbers received and in attendance for public interaction.

Mr. Merkh stated there were about 115 surveys submitted.

- Solid Waste Contract Expiration & Bid

Ms. Linn stated the current contract for Solid Waste, expires at the end of 2021 and with permission from Council, staff would like to start the bid process. She stated staff is looking for direction from Council on what they would like to see included in this years Request for Bid for Solid Waste services.

Ms. Linn stated the City currently contracts with Gardner Disposal for residential solid waste collection, this contract also includes City facilities. She stated the current contracts includes the following items; Solid Waste/Recycle Materials, Yard Waste, Special Bulk Items, City Facilities, Annual Citywide Cleanup, Special Events and Future Facilities. She stated staff looking for direction from the Governing Body as to what they would like to see related to items currently in this contract, and items that could be in a new contract when starting the process for bids. She stated there are specific items for which staff would like direction from Council, however, Council can direct staff to make any changes they see fit for services.

She stated when the request for bids was last done in 2019, the requirements for sludge disposal were changed to allow the use of a third-party contractor, but not a separate contract, this was all handled by the contractor. She asked if Council would like to have this option again. She stated staff could also work to find a contractor who gives preference to an environmentally friendly way to dispose of sludge.

Mayor Roberts stated he would like to see an environmentally friendly manner to dispose of sludge, but that would not necessarily be a break of the main contract if the main contractor cannot. He stated rather the ones who do submit with this ability, giving them a point system to

possibly use for that specific purpose and work as a subcontractor under the main contract holder for that specific purpose.

Councilmember Longanecker stated he knows there are people that haul and take the dump to their farm, etc. and he is in favor of this approach. He stated it might cut down costs for the City and also help the farmers in the long run as well.

Ms. Linn stated the current contract also includes an Annual City-Wide Clean-up Day. She stated a few surrounding city's have already done away with this ability. She stated staff is looking for direction from Council if they would like to keep this service, and if so, are there specific items to explicitly include or prohibit.

Councilmember Longanecker stated tires are a big deal to the residents and he would like to see that remain an option.

Ms. Linn stated tire disposal is not currently offered by Gardner Disposal. She stated the City opens up Public Works for this specific event and residents are charged to drop off tires. She stated the biggest concerns are related to construction debris and clarification to what those items can be, like home improvement projects, carpet, lumber, paving stones, concrete, etc.

Mayor Roberts stated he would consider these items construction material, and if the contract currently states those services, it would be best to gain clarification on items the contractor considers construction debris and specifically list those.

Ms. Linn asked if there should be a weight limit included.

Councilmember Lewis stated if there is a weight limit, will scales be on the truck to make sure the limit is not exceeded. He questioned if the worker on the truck sees the items and thinks it is over the limit, do they just move on to the next house and how would that be enforced.

Councilmember Longanecker mentioned the use of a trash bag. He stated if it can be broken down and fit in a large yard bag, then it can be hauled off.

Mayor Roberts stated there's not currently a limit today on this type of material, so he likes the idea of having certain number of bags people can have out. He stated currently the contractor says if it can be picked up by two men, then it will be taken.

Ms. Linn asked for clarification. She asked if the bags are only related to the construction debris.

Mayor Roberts responded yes.

Councilmember Lewis stated he thinks the bags are a good idea for construction debris and may allow the garbage collectors to get through the process faster.

Mayor Roberts stated it is worth a try to use the bag route, he stated if it doesn't work and it turns out to be a horrible idea, then it can come back and it can be rehashed and a better solution can be found. He asked about computer parts.

Councilmember Lewis stated electronic recycling is a big one. He stated if the current contractor does not have the ability, it might be possible to reach out to Integrity Solutions in Gardner and see if something can be worked out.

Mayor Roberts stated he thinks it would be great to have an electronic recycling date for the community.

Ms. Linn stated staff would also like to know if there should be a more explicit definition for a furniture item.

Mayor and Councilmembers agreed. Mayor stated that it seems to be different with every person asked; for example, one day a mattress is considered furniture, the next day it is not. He stated it would be worth it to have clarity as to what is and is not allowed.

Ms. Linn asked if Council still wanted to offset the costs of services for the residents. She stated currently the City pays for 50% of services provided and this will be what goes out to bid unless Council would like to see something different.

All were in favor of keeping the monetary amount the same.

Ms. Linn stated the final recommendation from staff is to update the language to include future events.

Mayor Roberts asked if it can be added that the City has a certain number of receptacles per year, about 50 or so. He stated he believes this should take care of some larger events that happen throughout the year.

Ms. Linn took note of Mayors request. She stated in the packet, staff has included a calendar for the bidding process.

## **16. Report by the Mayor**

Mayor Roberts stated he had a citizen come to him with a concern regarding response times from the Sheriff's Department. He stated the citizen stated this is specifically related to the time it took for someone from the sheriff's department to respond to the mailbox that was knocked down presumably by a vehicle. It was noted by the citizen that the response time was close to 5 days. He stated he is not sure this is the case, but until it is proven otherwise, he is assuming the 5-day response time is accurate. He stated he will be having a meeting with the Sheriff's Department and would like to understand this issue more and gain more information.

## **17. Future Meeting Reminders:**

- August 26<sup>th</sup>: City Council Meeting – 7:00PM
- September 9<sup>th</sup>: Planning Commission Meeting – 7:00PM
- September 14<sup>th</sup>: City Council Meeting – 7:00PM
- September 23<sup>rd</sup>: City Council Meeting – 7:00PM

**18. CONSIDER RECESSING INTO EXECUTIVE SESSION PURSUANT TO K.S.A. 75-4319(B)(2) FOR CONSULTATION WITH AN ATTORNEY DEEMED PRIVILEGED IN THE ATTORNEY-CLIENT RELATIONSHIP TO INCLUDE CITY ATTORNEY AND CITY ADMINISTRATOR FOR THE PURPOSES OF CONTRACT NEGOTIATIONS**

Councilmember Beem moved to recess into executive session pursuant to K.S.A 75-4319(B)(2) to include the City Attorney and the City Administrator for the purposes of Contract Negotiations for 15 minutes. The open meeting will resume in the Council Chambers. Councilmember Longanecker seconded the motion.

The meeting recessed into executive session at 8:00 PM, 3-0.

Councilmember Longanecker moved to return to open session with no action being taken. Councilmember Lewis seconded the motion. Open session resumed at 8:15 PM, 3-0.

Mayor Roberts stated the On-the-Go Truck Stop is open for business. They currently do not have their kitchen completed, but people can still stop in and get coffee, breakfast burritos, etc. He stated he has heard some chatter regarding the Goodcents Subs that has been mentioned going in there. He stated because steel shipments are behind, their process is behind schedule as well. He added that it is now expected to be the end of 2022 before the opening.

**19. Adjourn**

Councilmember Longanecker moved to adjourn, seconded by Councilmember Lewis. The meeting adjourned at 8:22 PM, 3-0.

Submitted by Alexandria Clower, City Clerk

**EVENTS**

August – Early September: JCPRD Walk & Read at Big Bull Creek Park  
August 13<sup>th</sup>: Yappy Hour Dog Event at Martin Creek Park  
August 25<sup>th</sup>: Wake and Walk  
August 28<sup>th</sup>: Nocturnal Nature at Big Bull Creek  
September 6<sup>th</sup>: City Hall Closed for Labor Day



## City Council Action Item

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**Council Meeting Date:** August 26, 2021

**Department:** Administration

### **AGENDA ITEM: CONSIDER RESOLUTION NO. 08-26-21A OF THE CITY OF EDGERTON, KANSAS TO LEVY A PROPERTY TAX RATE EXCEEDING THE REVENUE NEUTRAL RATE**

#### **Background/Description of Item:**

In March 2021, Senate Bill 13 (SB 13) was signed by the Governor and became effective for the 2022 Budget. SB 13 repealed the previous tax lid which focused to the total property tax revenue required for the budget. SB 13 focuses on the mill rate and provides for the calculation of the Revenue Neutral Rate (RNR). The RNR calculation uses last year's property tax revenue and this year's estimated assessed valuation to arrive at the mill rate that would be required to receive the same property tax revenue as last year. SB 13 doesn't provide for any adjustments to the RNR to capture economic growth, issuance of debt or County errors in the assessed valuation numbers. Enclosed with this packet is an infographic from the League of Kansas Municipalities (LKM) illustrating the requirements of SB13.

At the Council Meeting on June 10, 2021, the City's Financial Advisor and City staff presented information about SB 13 and asked for direction from the Council regarding suggested adjustments to the RNR. The handout from that meeting is enclosed with this packet. Those adjustments are:

- Roll-off of all types of incentives (i.e., property tax abatements)
- New territory/annexations
- Growth in assessed value of non-residential property
- Growth in assessed value of residential property due to inflation based on the CPI-U
- Issuance of General Obligation (GO) debt
- Errors by Johnson County

The property tax revenue amount included in the 2022 General Fund Budget was calculated based on these adjustments. Please find enclosed the calculation of property tax revenue amount including these adjustment that was presented during the 2022 Budget Work Session on July 15, 2022.

The City is required to hold an RNR Public Hearing and pass a resolution setting the mill rate to be used for the 2022 Budget. The notice of the public hearing was published in the Gardner News on August 11, 2021, and on the City's website as required by State statute. The RNR public hearing was held earlier this evening. The attached draft Resolution No. 08-26-21A establishes the City's mill rate at 29.939 mills.

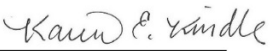
While the wording of the resolution was provided by the Kansas Municipal Services Office, the resolution is subject to review and approval by the City Attorney.

**Related Ordinance(s) or Statute(s):** K.S.A. 79-2925

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**Funding Source:** N/A

**Budget Allocated:** N/A

x 

**Finance Director Approval:** Karen Kindle, Finance Director

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**RECOMMENDATION: APPROVE RESOLUTION NO. 08-26-21A OF THE CITY OF EDGERTON, KANSAS TO LEVY A PROPERTY TAX RATE EXCEEDING THE REVENUE NEUTRAL RATE SUBJECT TO THE APPROVAL OF THE CITY ATTORNEY**

**Enclosed:** Resolution No. 08-26-21A  
SB 13 Infographic from LKM  
Amendments to Revenue from June 10, 2021  
Revenue Neutral Rate Calculation from July 15, 2021 Budget Work Session

**Prepared by:** Karen Kindle, Finance Director

Resolution No. 08-26-21A

**A RESOLUTION OF THE CITY OF EDGERTON, KANSAS TO LEVY A PROPERTY TAX RATE EXCEEDING THE REVENUE NEUTRAL RATE;**

**WHEREAS**, the Revenue Neutral Rate for the City of Edgerton was calculated as 23.995 mills by the Johnson County Clerk; and

**WHEREAS**, the budget proposed by the Governing Body of the City of Edgerton will require the levy of a property tax rate exceeding the Revenue Neutral Rate; and

**WHEREAS**, the Governing Body held a hearing on August 26, 2021 allowing all interested taxpayers desiring to be heard an opportunity to give oral testimony; and

**WHEREAS**, the Governing Body of the City of Edgerton, having heard testimony, still finds it necessary to exceed the Revenue Neutral Rate.

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

The City of Edgerton shall levy a property tax rate exceeding the Revenue Neutral Rate of 29.939 mills.

This resolution shall take effect and be in force immediately upon its adoption and shall remain in effect until future action is taken by the Governing Body.

**ADOPTED** this 26<sup>th</sup> day of August 2021 and **SIGNED** by the Mayor.

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Donald Roberts, Mayor

Attested:

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Alexandria Clower, City Clerk

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Lee W. Hendricks, City Attorney

# The Basics of SB 13/HB 2104: Legislation Requiring a Hearing to Exceed the Revenue Neutral Rate

## What are SB 13 and HB 2104?

During the 2021 legislative session, the tax lid was removed and the legislature enacted SB 13 and HB 2104. This legislation establishes new notice and public hearing requirements if the proposed budget will exceed the property tax levy's revenue neutral rate. These requirements take effect this year (2021), for a city's 2022 budget.

## What is a Revenue Neutral Rate (RNR)?

The tax rate in mills that would generate the same property tax revenue in dollars as levied the previous tax year using the current tax year's total assessed valuation.

## How is the Revenue Neutral Rate Calculated?

To calculate the revenue neutral rate, the County Clerk shall divide the property tax revenue for such taxing subdivision levied for the previous tax year by the total of all taxable assessed valuation in such taxing subdivision for the current tax year, and then multiply the quotient by 1,000 to express the rate in mills. (SB 13 Sec. 1(e)(2))

## What is a Tax Rate Hearing?

A Tax Rate Hearing is a hearing to exceed the Revenue Neutral Rate (RNR).

$$\text{RNR} = \frac{\text{Last year's total property tax raised in dollars}}{\text{This year's assessed valuation as of June 15}} \times 1,000$$

## Year-to-Year RNR Sample Calculation

### 2021 Budget

- City Levied \$900,000 in property tax
- Assessed Valuation of property = \$29,000,000
- Value of one mill = \$29,000
- Mill Rate =  $\left( \frac{\$900,000}{\$29,000,000} \right) \times 1,000$   
**31.034 mills**

### 2022 Budget

- In 2021 budget, City levied \$900,000
- Assessed Valuation changes to \$31,000,000
- Value of one Mill = \$31,000
- Revenue Neutral Rate =  $\left( \frac{\$900,000}{\$31,000,000} \right) \times 1,000$   
**29.032 Mills**

## What is the Process to Exceed the RNR (setting a mill levy higher than the RNR)?

1. Notify the County Clerk by July 20 with intent to exceed the revenue neutral rate.
2. Place a notice on the city website and in a newspaper of general circulation in the county 10 days prior to the hearing.
3. No earlier than August 20 and no later than September 20, conduct a tax rate and budget hearing giving taxpayers an opportunity to comment on the budget.
4. Adopt a resolution or ordinance to exceed the revenue neutral rate.
5. Adopt the proposed budget.
6. By October 1, certify to the County Clerk the amount of ad valorem tax to be levied by the City.



1. The tax lid was about actual dollars. The revenue neutral rate is about the MILL LEVY not total dollars!
2. If the City does not hold a hearing to exceed the revenue neutral rate, the City will need to work with the County Clerk to ensure that, when final assessed values are calculated, the City's mill levy does not exceed the revenue neutral rate. If it does, the city will need to amend the budget or refund any property taxes levied in excess of the revenue neutral rate.

# Applying SB 13/HB 2104 to the Budget Process



## STEP 1

Receive Revenue Neutral Rate from the County Clerk by June 15.

## STEP 2

Determine the budget needs for City's upcoming budget year and determine the amount of property tax will be required to fund the budget.

## STEP 3

Determine if the amount needed will require a tax levy exceeding the Revenue Neutral Rate.

### If YES, follow these steps:

1. Notify the County Clerk by July 20 with the City's intent to exceed the revenue neutral rate.
2. Beginning in 2021 (for 2022 budget year), publish a notice on the city website and a newspaper of general circulation in the county. Notice must be given 10 days before the hearing. The notice must provide details for both a tax rate hearing and budget hearing.
3. No earlier than August 20 and no later than September 20, conduct a tax rate and budget hearing giving taxpayers an opportunity to comment on the budget.
4. Adopt the proposed budget or any lesser amount. A budget cannot exceed the amount proposed.
5. On or before October 1, certify to the County Clerk the amount to be levied.

### If NO, follow these steps:

1. On or before August 5, publish the proposed budget and hearing notice (must include the RNR).
2. On or before August 15, hold a public hearing on the budget.
3. On or before August 25, certify the City budget and tax levies to the County Clerk.

**NOTE:** If the City does not hold a hearing to exceed the revenue neutral rate, the City will need to work with the County Clerk to ensure that, when final assessed values are calculated, the City's mill levy does not exceed the revenue neutral rate. If it does, the city will need to amend the budget or refund any property taxes levied in excess of the revenue neutral rate.



Beginning in 2022, the County Clerk will mail Revenue Neutral Rate notifications to all taxpayers.



Find this infographic, and other League infographics visit our website, [www.lkm.org/infographics](http://www.lkm.org/infographics).

Recommend City Council direct staff to prepare the budget to capture property tax revenue for the following categories:

1. Roll-off of all types of incentives (i.e. property tax abatements)

2. New Territory/Annexations

3. Growth in assessed value of non-residential property

4. Growth in assessed value of residential property due to inflation based on the CPI-U

5. Issuance of General Obligation (GO) Debt

6. Errors by Johnson County

City of Edgerton  
Calculation of the Adjustment to the RNR  
for the 2022 Budget

| Real Property       |                                      |               |               |                    |               |                    |     |                                  |  |
|---------------------|--------------------------------------|---------------|---------------|--------------------|---------------|--------------------|-----|----------------------------------|--|
| Class               | Description                          | Nov 2020      | 6/15/2021 AV  |                    |               | Change             |     | Council Policy                   |  |
|                     |                                      |               | #'s Co Clerk  | Pending Exemptions | Adj #'s       | Nov 2020-6/15/2021 | Adj |                                  |  |
| R                   | Residential Including Apartments     | \$ 10,804,682 | \$ 11,731,454 | \$ (22,797)        | \$ 11,708,657 | \$ 903,975         |     | capture revenue incr up to CIP-U |  |
| F                   | Residences on Farm Homesites         | \$ 271,573    | \$ 313,127    | \$ -               | \$ 313,127    | \$ 41,554          |     | capture revenue incr up to CIP-U |  |
| A                   | Agricultural Land Use & Improvements | \$ 126,771    | \$ 182,152    | \$ (2,484)         | \$ 179,668    | \$ 52,897          |     | capture all revenue              |  |
| C                   | Commercial & Industrial              | \$ 7,508,052  | \$ 17,246,457 | \$ (11,247,001)    | \$ 5,999,456  | \$ (1,508,596)     |     | capture all revenue              |  |
| V                   | Vacant Lots                          | \$ 2,241,845  | \$ 4,188,933  | \$ (14,479)        | \$ 4,174,454  | \$ 1,932,609       |     | capture all revenue              |  |
| N                   | Not for Profit                       | \$ -          | \$ -          | \$ -               | \$ -          | \$ -               |     | capture all revenue              |  |
| O                   | All Other Real Property              | \$ 1,275      | \$ 1,611      | \$ -               | \$ 1,611      | \$ 336             |     | capture all revenue              |  |
| U                   | Utilities                            | \$ -          | \$ -          | \$ -               | \$ -          | \$ -               |     | capture all revenue              |  |
| ED                  | Exempt Dam                           | \$ -          | \$ -          | \$ -               | \$ -          | \$ -               |     | capture all revenue              |  |
| EI                  | Exempt IRB                           | \$ -          | \$ -          | \$ -               | \$ -          | \$ -               |     | capture all revenue              |  |
| EIC                 | Exempt IRB for Com                   | \$ -          | \$ -          | \$ -               | \$ -          | \$ -               |     | capture all revenue              |  |
| EIR                 | Exempt IRB for Res                   | \$ -          | \$ -          | \$ -               | \$ -          | \$ -               |     | capture all revenue              |  |
| EIV                 | Exempt IRB for Vac                   | \$ -          | \$ -          | \$ -               | \$ -          | \$ -               |     | capture all revenue              |  |
| EX                  | Exempt Ec Dev                        | \$ -          | \$ -          | \$ -               | \$ -          | \$ -               |     | capture all revenue              |  |
| EXC                 | Exempt Ec Dev for Com                | \$ -          | \$ -          | \$ -               | \$ -          | \$ -               |     | capture all revenue              |  |
| EXR                 | Exempt Ec Dev for Res                | \$ -          | \$ -          | \$ -               | \$ -          | \$ -               |     | capture all revenue              |  |
| EXV                 | Exempt Ec Dev for Vac                | \$ -          | \$ -          | \$ -               | \$ -          | \$ -               |     | capture all revenue              |  |
| E                   | All Other Tax Exempt Property        | \$ -          | \$ -          | \$ -               | \$ -          | \$ -               |     | capture all revenue              |  |
| Total Real Property |                                      | \$ 20,954,198 | \$ 33,663,734 | \$ (11,286,761)    | \$ 22,376,973 | \$ 1,422,775       |     |                                  |  |

| Personal Property |                   |            |              |      |            |                    |     |                     |  |
|-------------------|-------------------|------------|--------------|------|------------|--------------------|-----|---------------------|--|
| Class             | Description       | Nov 2020   | 6/15/2021 AV |      |            | Change             |     | Council Policy      |  |
|                   |                   |            | #'s Co Clerk | Adj  | Adj #'s    | Nov 2020-6/15/2021 | Adj |                     |  |
|                   | Personal Property | \$ 150,793 | \$ 161,914   | \$ - | \$ 161,914 | \$ 11,121          |     | capture all revenue |  |

| State Assessed |                |               |               |      |               |                    |     |                     |  |
|----------------|----------------|---------------|---------------|------|---------------|--------------------|-----|---------------------|--|
| Class          | Description    | Nov 2020      | 6/15/2021 AV  |      |               | Change             |     | Council Policy      |  |
|                |                |               | #'s Co Clerk  | Adj  | Adj #'s       | Nov 2020-6/15/2021 | Adj |                     |  |
|                | State Assessed | \$ 30,698,727 | \$ 31,738,810 | \$ - | \$ 31,738,810 | \$ 1,040,083       |     | capture all revenue |  |

|              |               |               |                 |               |              |  |  |  |  |
|--------------|---------------|---------------|-----------------|---------------|--------------|--|--|--|--|
| Grand Totals | \$ 51,803,718 | \$ 65,564,458 | \$ (11,286,761) | \$ 54,277,697 | \$ 2,473,979 |  |  |  |  |
|--------------|---------------|---------------|-----------------|---------------|--------------|--|--|--|--|

| Calculation of Adjustment to RNR                                    |  |    |            |           |
|---|--|----|------------|-----------|
| Change in Assessed Value All Non-Residential                        |  |    | \$         | 1,528,450 |
| Allowable Change in Assessed Value - Residential per Council Policy |  |    |            |           |
| Assessed Value - Residential incl Apartments at Nov 2020            |  | \$ | 10,804,682 |           |
| Assessed Value - Residences on Farm Homesites                       |  | \$ | 271,573    |           |
| Total Residential Assessed Value at Nov 2020                        |  | \$ | 11,076,255 |           |
| Allowable Increase % Per Council Policy (CPI-U)                     |  |    | 1.4%       |           |
| Allowable Residential Assessed Value Increase Per Council Policy    |  |    | \$         | 155,068   |
| Total Allowable Change in Assessed Value Per Council Policy         |  |    | \$         | 1,683,518 |
| Nov 2020 Mill Rate for the 2021 Budget                              |  |    |            | 30.381    |
| Allowable increase in Property Tax Revenue per Council Policy       |  |    | \$         | 51,147    |
| Property Tax Levied 2020 for 2021 Budget                            |  |    | \$         | 1,573,849 |
| Total Property Tax Revenue for the 2022 Budget                      |  |    | \$         | 1,624,996 |
| Base Mill Rate Needed   |  |    |            | 29.939    |
| Mill Rate Needed for GO Debt Service                                |  | \$ | -          | -         |
| Total Mill Rate Needed  |  |    |            | 29.939    |
| RNR   |  |    |            | (23.995)  |
| Adjustment to the RNR   |  |    |            | 5.944     |





August 20, 2021

To: Mayor & City Council  
From: Beth Linn, City Administrator  
Karen Kindle, Finance Director  
Re: 2022 Budget Packet Updates

On August 26, 2021, Edgerton City Council will hold the required public hearing for the 2022 Budget. The City Council will consider adoption of the 2022 Budget for adoption on September 9, 2021.

The 2022 Budget information for the Water Fund, Sewer Fund, Special Highway Fund, Special Parks & Recreation Fund and the Bond & Interest Fund have not changed since the Budget Work Session held on July 15, 2021. Those documents are included in this packet.

Attached to this memo are the fund schedules for the TIF Funds and a revised General Fund schedule to reflect changes needed after processing the TIF information from the County. TIF information from the County was not available at the time the Budget Work Session packet was published. Since the work session, staff has received the information and reviewed it with the City's Bond Counsel, Scott Anderson. Based on the information and discussions with Mr. Anderson, staff prepared the attached schedules for the TIF funds.

There are four (4) TIF funds:

- **TIF – Edgerton Office**
  - Revenues and expenditures related to the Edgerton Office TIF
  - Approved by the Governing Body on August 22, 2019, via Ordinance No. 2020
  - To date, redevelopment project plans have not been adopted for this TIF
- **TIF – Homestead Ln – Redevelopment District A**
  - Revenues and expenditures related to the Homestead Ln Retail TIF District, Project Area A
  - Approved by the Governing Body on August 22, 2019, via Ordinance No. 2021
  - To date, only Project Plan A1 has been adopted for this TIF
- **TIF – Homestead Ln – Project Plan A1 (On-the-Go Travel Center)**
  - Revenues and expenditures related to the Homestead Ln Retail TIF District Project Plan A1 per the Disposition and Development Agreement (DDA) with My Store III approved by the Governing Body via Resolution No. 07-09-20A
- **TIF – Homestead Ln – Redevelopment District B**
  - Revenues and expenditures related to the Homestead Ln Retail TIF District, Project Area B
  - Approved by the Governing Body on August 22, 2019, via Ordinance No. 2021
  - To date, redevelopment project plans have not been adopted for this project area

The revenues for the TIF funds come from the incremental increase in the property taxes generated by the parcels included in the applicable TIF District. There are two parts to the incremental property taxes – (1) the portion that is related to the City mill levy; and (2) the portion that is related to the mill levies of the other taxing jurisdictions for the parcels. The



City's portion is taken out of the City's total property tax revenue and deposited into the applicable TIF funds. The portion related to the other jurisdictions is deposited directly into the applicable TIF funds. TIF revenues are received from the County on the same schedule as the regular property tax distribution (January, March, June, September, October).

The expenditures for the TIF funds are prescribed by State statute and may be further limited by DDAs approved for specific project plans. Allowable expenditures include spending for public infrastructure, such as streets/stormwater, water and sewer extensions, traffic signals, etc.

#### **TIF – Edgerton Office**

##### **Revenues**

- The 2021 Estimate reflects that there wasn't an incremental increase in assessed valuation, and therefore, no increase in incremental property taxes for this TIF.
- In 2019, the City paid for the TIF study. The 2021 Estimate includes a transfer in from the General Fund to cover the cost of the study.
- The 2022 Recommended reflects the small increase in the assessed value for this property, and therefore, a small increase in the incremental property taxes for this TIF.

##### **Expenditures**

- Because there have not been any project plans adopted for this TIF, the revenues will accumulate in this fund until one is adopted.
- The 2022 Recommended column shows spending the potential balance so that the City will have budget authority to make expenditures should a project plan be adopted in 2022.

#### **TIF – Homestead Ln – Redevelopment District A**

##### **Revenues**

- Revenues include the incremental property taxes for the parcels in the Project Area A that are not part of Project Plan A1.
- For the 2021 Estimate, those parcels did not have an increase in assessed value, and therefore, did not have any incremental property taxes.
- For the 2022 Recommended, the information from the County showed an increase in assessed value. The revenue amount shown is a combination of the increment from the City's mill levy and the increment from the other jurisdictions' mill levies.

##### **Expenditures**

- Expenditures in 2019 and 2020 were related to the creation of the TIF District and fees related to establishing the Project Plan A1. Starting in 2021, Project Plan A1 transactions will be processed in a separate fund.
- The 2022 Recommended Budget includes payment to the General Fund of the down payment on the initial administration fee (\$4,375). The revenue was received in 2020 and will need to be transferred to the General Fund in 2022.
- The rest of the expenditures represent the potential remaining balance in the fund. The amount is listed on the schedule so that the City will have budget authority to make expenditures should a project plan be adopted in 2022.

### **TIF – Homestead Ln – Project Plan A1 (On-the-Go Travel Center)**

#### **Revenues**

- Revenues include the incremental property taxes for the parcels that are part of Project Plan A1.
- For the 2021 Estimate, those parcels had a small increase in assessed value, and therefore, a small amount of incremental property taxes. The revenue amount shown is a combination of the increment from the City's mill levy and the increment from the other jurisdictions' mill levies.
- For the 2022 Recommended, the information from the County showed an increase in assessed value. The revenue amount shown is a combination of the increment from the City's mill levy and the increment from the other jurisdictions' mill levies.

#### **Expenditures**

- The 2022 Recommended Budget includes
  - Payment of the amount due to the developer per the DDA.
  - Payment of the remaining balance of the initial administration fee to the General Fund.
  - A transfer of funds to pay towards the temporary notes issued in 2020 to finance the City's cost for the 200<sup>th</sup> Street Intersection project.

### **TIF – Homestead Ln – Redevelopment District B**

#### **Revenues**

- Revenues include the incremental property taxes for the parcels in the Project Area B.
- For the 2021 Estimate, those parcels had an increase in assessed value, and therefore, an increase in incremental property taxes. The revenue amount shown is a combination of the increment from the City's mill levy and the increment from the other jurisdictions' mill levies.
- For the 2022 Recommended, the information from the County showed an increase in assessed value. The revenue amount shown is a combination of the increment from the City's mill levy and the increment from the other jurisdictions' mill levies.

#### **Expenditures**

- The 2022 Recommended column shows spending the potential balance so that the City will have budget authority to make expenditures should a project plan be adopted in 2022.

### **General Fund - Revised**

#### **Revenues**

- A line was added below the Ad Valorem Tax line to show the incremental City taxes that will go to the TIF funds.
- A line was added under the Transfers From Other Funds to show TIF administration fee revenue related to the Homestead Ln TIF-Project Plan A1.

#### **Expenditures**

- There were no changes made to the Expenditures or the Transfers to Other Funds.

City of Edgerton  
General Fund

|   |                |                |                |                |                  |                |                     |
|---|----------------|----------------|----------------|----------------|------------------|----------------|---------------------|
| Mill Rate:                                  | 29.919         |                | 30.881         |                | 30.381           |                | 29.939 calculated   |
| Revenue from 1 Mill:                        | \$46,317       |                | \$62,557       |                | \$51,804         |                | \$54,278 est.       |
|   | 2019<br>Actual | 2019<br>Budget | 2020<br>Actual | 2020<br>Budget | 2021<br>Estimate | 2021<br>Budget | 2022<br>Recommended |
| Balance 1/1                                 | \$ 1,725,650   | \$ 1,738,092   | \$ 1,698,769   | \$ 1,617,667   | \$ 1,978,605     | \$ 1,582,699   | \$ 1,855,359        |
| Revenues:                                   |                |                |                |                |                  |                |                     |
| Ad Valorem Tax                              | 1,790,880      | 1,385,761      | 2,374,119      | 1,931,860      | 1,573,849        | 1,573,849      | 1,624,996           |
| City TIF Increment                          | -              | -              | -              | -              | (8,430)          | -              | (38,157)            |
| LPKC PILOT                                  | -              | 437,123        | -              | 483,853        | 545,837          | 545,837        | 589,332             |
| Delinquent Tax                              | 1,952          | -              | 8,832          | -              | 480              | -              | -                   |
| Motor Vehicle Tax                           | 53,361         | 48,993         | 46,920         | 52,969         | 52,830           | 52,830         | 52,830              |
| Recreational Vehicle Tax                    | 1,133          | 775            | 994            | 933            | 835              | 835            | 835                 |
| 16/20M Vehicle Tax                          | 264            | 420            | 333            | 372            | 375              | 375            | 375                 |
| Local Alcoholic Liquor Tax                  | 3,463          | 2,725          | 1,999          | 2,780          | 5,000            | 2,780          | 5,000               |
| City 1% Use Tax                             | 182,087        | 180,000        | 204,506        | 113,600        | 200,000          | 182,000        | 200,000             |
| County Use Tax                              | 72,486         | n/a            | 100,653        | 70,000         | 100,000          | 70,000         | 100,000             |
| City 1% Sales Tax                           | 415,367        | 750,000        | 479,593        | 431,000        | 485,000          | 471,000        | 485,000             |
| County Sales Tax                            | 331,910        | n/a            | 372,940        | 334,000        | 375,000          | 322,000        | 375,000             |
| Franchise Tax                               | 162,372        | 110,000        | 197,313        | 110,000        | 180,000          | 110,000        | 180,000             |
| Licenses & Permits                          | 429,634        | 756,300        | 176,022        | 756,300        | 241,000          | 321,000        | 224,000             |
| Charges for Services                        | 84,322         | 123,000        | 121,428        | 118,000        | 93,700           | 118,000        | 98,700              |
| Fines & Forfeitures                         | 42,297         | 25,000         | 65,753         | 30,000         | 75,000           | 30,000         | 75,000              |
| Reimbursements                              | 46,610         | -              | 99,058         | -              | 7,800            | -              | -                   |
| Miscellaneous                               | -              | -              | -              | -              | -                | -              | -                   |
| Investment Income                           | 34,438         | 15,000         | 26,858         | 15,000         | 5,000            | 17,000         | 15,000              |
| Total Revenue                               | \$ 3,652,576   | \$ 3,835,097   | \$ 4,277,321   | \$ 4,450,667   | \$ 3,933,276     | \$ 3,817,506   | \$ 3,987,911        |
| Expenditures:                               |                |                |                |                |                  |                |                     |
| General Government                          | 812,676        | 941,959        | 846,356        | 961,959        | 953,975          | 983,479        | 1,050,748           |
| Law Enforcement                             | 326,894        | 359,525        | 495,491        | 502,868        | 502,281          | 507,043        | 556,036             |
| Public Works                                | 617,807        | 610,340        | 529,758        | 596,688        | 532,300          | 597,835        | 565,620             |
| Parks                                       | 193,479        | 282,236        | 154,336        | 253,490        | 256,785          | 264,727        | 315,043             |
| Facilities                                  | 109,224        | 110,740        | 115,949        | 115,450        | 122,535          | 126,325        | 143,570             |
| Fleet Maintenance                           | -              | -              | 41,868         | 51,200         | 52,574           | 54,200         | 52,700              |
| Community Development                       | 305,862        | 374,680        | 314,029        | 356,153        | 324,028          | 334,048        | 387,348             |
| Economic Development                        | 457,943        | 475,200        | 444,551        | 507,200        | 498,420          | 502,200        | 506,700             |
| Information Technology                      | 37,976         | 47,848         | 90,172         | 57,631         | 48,099           | 49,587         | 81,872              |
| Employee Benefits                           | 363,702        | 419,274        | 358,582        | 484,532        | 539,525          | 556,209        | 555,093             |
| Total Expenditures                          | \$ 3,225,563   | \$ 3,621,802   | \$ 3,391,092   | \$ 3,887,171   | \$ 3,830,522     | \$ 3,975,653   | \$ 4,214,730        |
| Revenues Over(Under) Expenditures           | \$ 427,013     | \$ 213,295     | \$ 886,229     | \$ 563,496     | \$ 102,754       | \$ (158,147)   | \$ (226,819)        |
| Other Financing Sources & Uses              |                |                |                |                |                  |                |                     |
| Transfers from Other funds:                 |                |                |                |                |                  |                |                     |
| Transfer from Capital Projects Fund         | \$ 41,097      | \$ -           | \$ 14,462      | \$ -           | \$ 10,500        | \$ -           | \$ -                |
| Transfer from TIF Funds-City TIF Fee        | \$ -           | \$ -           | \$ -           | \$ -           | \$ -             | \$ -           | \$ 17,656           |
| Transfers to Other Funds:                   |                |                |                |                |                  |                |                     |
| Transfer to Equipment Reserve Fund-General  | (79,250)       | (79,250)       | (325,000)      | (325,000)      | (125,000)        | (125,000)      | (125,000)           |
| Transfer to Mayor's Holiday Fund            | (150)          | -              | -              | -              | -                | -              | -                   |
| Transfer to Capital Projects Fund           | (415,591)      | (274,180)      | (295,855)      | (150,000)      | (111,500)        | (66,500)       | (195,000)           |
| Total Other Financing Sources & Uses        | \$ (453,894)   | \$ (353,430)   | \$ (606,393)   | \$ (475,000)   | \$ (226,000)     | \$ (191,500)   | \$ (302,344)        |
| Total Revenue/Sources Over(Under) Expd/Uses | \$ (26,881)    | \$ (140,135)   | \$ 279,836     | \$ 88,496      | \$ (123,246)     | \$ (349,647)   | \$ (529,164)        |
| Balance 12/31                               | \$ 1,698,769   |                | \$ 1,978,605   |                | \$ 1,855,359     |                | \$ 1,326,195        |

|  |              |              |
|--|--------------|--------------|
| Undesignated Reserve:                              | \$ 625,861   | \$ 666,504   |
| Portion Designated for Self-Insured Losses:        | \$ 50,000    | \$ 50,000    |
| Reserve Per Policy - 17% of Budgeted Expenditures: | \$ 675,861   | \$ 716,504   |
| Unencumbered Cash Over(Under) Requirement:         | \$ 1,179,498 | \$ 609,691   |
| Undesignated Reserve:                              | \$ 943,913   | \$ 1,003,683 |
| Portion Designated for Self-Insured Losses:        | \$ 50,000    | \$ 50,000    |
| Reserve Per Policy - 25% of Budgeted Expenditures: | \$ 993,913   | \$ 1,053,683 |
| Unencumbered Cash Over(Under) Requirement:         | \$ 861,445   | \$ 272,512   |

Funding Sources: Property tax, sales tax, franchise fees, user fees and charges

Expenditures: General operations of the City

## City of Edgerton TIF - Edgerton Office

|  | 2019<br>Actual    | 2020<br>Actual    | 2021<br>Estimate | 2022<br>Recommended |
|--|-------------------|-------------------|------------------|---------------------|
| <b>Balance 1/1</b>                         | \$ -              | \$ (5,000)        | \$ (5,000)       | \$ -                |
| <b>Revenues:</b>                           |                   |                   |                  |                     |
| Ad Valorem Property Tax                    | -                 | -                 | -                | 31                  |
| Charges for Services                       | -                 | -                 | -                | -                   |
| Reimbursements                             | -                 | -                 | -                | -                   |
| Total Revenue                              | \$ -              | \$ -              | \$ -             | \$ 31               |
| <b>Expenditures:</b>                       |                   |                   |                  |                     |
| Administration                             | 5,000             | -                 | -                | -                   |
| TIF Office Redevelopment                   | -                 | -                 | -                | 31                  |
| Total Expenditures                         | \$ 5,000          | \$ -              | \$ -             | \$ 31               |
| <b>Revenues Over(Under) Expenditures</b>   | <b>\$ (5,000)</b> | <b>\$ -</b>       | <b>\$ -</b>      | <b>\$ (0)</b>       |
| <b>Other Financing Sources &amp; Uses:</b> |                   |                   |                  |                     |
| <b>Transfers from Other Funds:</b>         |                   |                   |                  |                     |
| Transfer from General Fund                 | -                 | -                 | 5,000            | -                   |
| <b>Transfers to Other Funds:</b>           |                   |                   |                  |                     |
| None                                       |                   |                   |                  |                     |
| Total Other Financing Sources & Uses       | \$ -              | \$ -              | \$ 5,000         | \$ -                |
| <b>Balance 12/31</b>                       | <b>\$ (5,000)</b> | <b>\$ (5,000)</b> | <b>\$ -</b>      | <b>\$ (0)</b>       |

**Funding Sources:** Property tax revenue increment from area designated in TIF district documents

**Expenditures:** City administrative fee, reimbursements to developers per development agreements

# City of Edgerton

## TIF - Homestead Ln - Redevelopment District A

|   | 2019<br>Actual     | 2020<br>Actual    | 2021<br>Estimate  | 2022<br>Recommended |
|---|--------------------|-------------------|-------------------|---------------------|
| <b>Balance 1/1</b>                              | \$ -               | \$ (12,783)       | \$ (8,968)        | \$ (8,968)          |
| <b>Revenues:</b>                                |                    |                   |                   |                     |
| Ad Valorem Property Tax                         | -                  | -                 | -                 | 48,983              |
| Charges for Services                            | -                  | 4,375             | -                 | -                   |
| Reimbursements                                  | -                  | 16,500            | -                 | -                   |
| <b>Total Revenue</b>                            | <b>\$ -</b>        | <b>\$ 20,875</b>  | <b>\$ -</b>       | <b>\$ 48,983</b>    |
| <b>Expenditures:</b>                            |                    |                   |                   |                     |
| Administration                                  | 12,783             | 35                | -                 | -                   |
| TIF Project Plan A1                             | -                  | 17,025            | -                 | -                   |
| TIF Homestead Ln Redvelopment District A        | -                  | -                 | -                 | -                   |
| <b>Total Expenditures</b>                       | <b>\$ 12,783</b>   | <b>\$ 17,060</b>  | <b>\$ -</b>       | <b>\$ -</b>         |
| <b>Revenues Over(Under) Expenditures</b>        | <b>\$ (12,783)</b> | <b>\$ 3,815</b>   | <b>\$ -</b>       | <b>\$ 48,983</b>    |
| <b>Other Financing Sources &amp; Uses:</b>      |                    |                   |                   |                     |
| <b>Transfers to Other Funds:</b>                |                    |                   |                   |                     |
| Transfer to the General Fund                    | -                  | -                 | -                 | (4,375)             |
| Transfer to Capital Projects                    |                    |                   |                   | (35,640)            |
| <b>Total Other Financing Sources &amp; Uses</b> | <b>\$ -</b>        | <b>\$ -</b>       | <b>\$ -</b>       | <b>\$ (40,015)</b>  |
| <b>Balance 12/31</b>                            | <b>\$ (12,783)</b> | <b>\$ (8,968)</b> | <b>\$ (8,968)</b> | <b>\$ 0</b>         |

**Funding Sources:** Property tax revenue increment from area designated in TIF district documents

**Expenditures:** City administrative fee, reimbursements to developers per development agreements

# City of Edgerton

## TIF - Homestead Ln Project Plan A1 (On-the-Go Travel Center)

|   | 2019<br>Actual | 2020<br>Actual | 2021<br>Estimate | 2022<br>Recommended |
|---|----------------|----------------|------------------|---------------------|
| <b>Balance 1/1</b>                              | \$ -           | \$ -           | \$ -             | \$ 117              |
| <b>Revenues:</b>                                |                |                |                  |                     |
| Ad Valorem Property Tax                         | -              | -              | 117              | 62,246              |
| Charges for Services                            | -              | -              | -                | -                   |
| Reimbursements                                  | -              | -              | -                | -                   |
| <b>Total Revenue</b>                            | \$ -           | \$ -           | \$ 117           | \$ 62,246           |
| <b>Expenditures:</b>                            |                |                |                  |                     |
| Administration                                  | -              | -              | -                | -                   |
| TIF Project Plan A1                             | -              | -              | -                | 17,959              |
| <b>Total Expenditures</b>                       | \$ -           | \$ -           | \$ -             | \$ 17,959           |
| <b>Revenues Over(Under) Expenditures</b>        | \$ -           | \$ -           | \$ 117           | \$ 44,287           |
| <b>Other Financing Sources &amp; Uses:</b>      |                |                |                  |                     |
| <b>Transfers to Other Funds:</b>                |                |                |                  |                     |
| Transfer to General Fund - Admin Fee            | -              | -              | -                | (13,281)            |
| Transfer to Capital Projects                    |                |                |                  | (31,123)            |
| <b>Total Other Financing Sources &amp; Uses</b> | \$ -           | \$ -           | \$ -             | \$ (44,404)         |
| <b>Balance 12/31</b>                            | \$ -           | \$ -           | \$ 117           | \$ 0                |

**Funding Sources:** Property tax revenue increment from area designated in TIF district documents

**Expenditures:** City administrative fee, reimbursements to developers per development agreements

# City of Edgerton

## TIF - Homestead Ln - Redevelopment District B

|   | 2019<br>Actual | 2020<br>Actual | 2021<br>Estimate | 2022<br>Recommended |
|---|----------------|----------------|------------------|---------------------|
| <b>Balance 1/1</b>                              | \$ -           | \$ -           | \$ -             | \$ 33,236           |
| <b>Revenues:</b>                                |                |                |                  |                     |
| Ad Valorem Property Tax                         | -              | -              | 33,236           | 41,051              |
| Charges for Services                            | -              | -              | -                | -                   |
| Reimbursements                                  | -              | -              | -                | -                   |
| <b>Total Revenue</b>                            | <b>\$ -</b>    | <b>\$ -</b>    | <b>\$ 33,236</b> | <b>\$ 41,051</b>    |
| <b>Expenditures:</b>                            |                |                |                  |                     |
| Administration                                  | -              | -              | -                | -                   |
| TIF Homestead Ln Redevelopment District B       | -              | -              | -                | -                   |
| <b>Total Expenditures</b>                       | <b>\$ -</b>    | <b>\$ -</b>    | <b>\$ -</b>      | <b>\$ -</b>         |
| <b>Revenues Over(Under) Expenditures</b>        | <b>\$ -</b>    | <b>\$ -</b>    | <b>\$ 33,236</b> | <b>\$ 41,051</b>    |
| <b>Other Financing Sources &amp; Uses:</b>      |                |                |                  |                     |
| <b>Transfers to Other Funds:</b>                |                |                |                  |                     |
| Transfer to Capital Projects                    | -              | -              | -                | (74,287)            |
| <b>Total Other Financing Sources &amp; Uses</b> | <b>\$ -</b>    | <b>\$ -</b>    | <b>\$ -</b>      | <b>\$ (74,287)</b>  |
| <b>Balance 12/31</b>                            | <b>\$ -</b>    | <b>\$ -</b>    | <b>\$ 33,236</b> | <b>\$ 0</b>         |

**Funding Sources:** Property tax revenue increment from area designated in TIF district documents

**Expenditures:** City administrative fee, reimbursements to developers per development agreements

# **City of Edgerton 2022 Budget Work Session July 15, 2021**





## **Packet Items**

Other Funds Budget

Utility Funds Budget

General Fund Budget

Vehicles & Equipment



**City of Edgerton  
2022 Budget Work Session  
July 15, 2021**

# **Other Funds Budget**





July 2, 2021

To: Mayor and City Council Members

From: Beth Linn, City Administrator  
Karen Kindle, Finance Director

Re: Other Funds 2022 Recommended Budgets

Attached are the budget schedules for the other funds for which the City adopts a budget. The sections below provide additional information about the 2022 Recommended Budget for these funds.

### **Special Highway Fund**

The Special Highway Fund is the fund the City is required to establish by state statute to track the revenues and expenditures related to the state gasoline tax.

#### **Revenues**

The portion of the gas tax that is distributed to cities is distributed on a per capita basis. The League of Kansas Municipalities provides an estimate of the gas tax revenue for the current year and the budget year. The League shows an increase in the 2021 estimated revenue and a small decrease from that amount to the 2022 estimated revenue. The original 2021 estimate was provided during the early days of the pandemic when there was a significant transition to remote working.

#### **Expenditures**

Expenditures of gas tax revenues are limited to street maintenance by state statute. The City uses the gas tax revenue to fund the Annual Street Maintenance Program. The funds are transferred to the Capital Projects Fund and deposited into the Annual Street Maintenance Project.

### **Special Parks and Recreation Fund**

The Special Parks & Recreation Fund is the fund the City is required to establish by state statute to track the revenues and expenditures related to the tax on alcoholic beverages sold by any club, caterer or drinking establishment. A portion of the taxes paid within the City limits are returned to the City and must be allocated 50% to the General Fund and 50% to the Special Parks and Recreation Fund.

#### **Revenues**

The Kansas State Treasurer provides an estimate of the alcohol tax for the budget year. Staff reviewed that estimate as well as the two distributions received so far in 2021 and determined to increase the amount over the estimate provided by the State. The State's estimate didn't reflect the 2<sup>nd</sup> distribution in 2021. The increase in estimated revenues is due to the Full Draw opening in the 2<sup>nd</sup> half of 2020 and continuing operations for all of 2021 to date.

### **Expenditures**

Expenditures of the portion of the alcohol tax revenue deposited in the Special Parks & Recreation Fund are limited to park and recreation programs and improvements. Council has not designated any funds from this source for new programs or capital projects, so the balance has continued to accumulate. The 2022 Recommended Budget includes a transfer to the Capital Projects fund should the Council decide later to utilize the balance in this fund.

## **Bond & Interest Fund**

The Bond & Interest Fund contains the transactions related to some of the debt obligations of the City. Currently, this fund contains the transactions related to the Series 2020A General Obligation Bonds, which refunded the 2012A General Obligation Bonds related to the Sunflower Benefit District. Debt obligations related to water operations are paid from the Water Fund. Debt obligations related to the sewer operations are paid from the Sewer Fund. Debt obligations related to LPKC Phases 1 and 2 are paid from their respective Public Infrastructure Funds in accordance with the development agreements and master trust indentures.

### **Revenues**

The Recommended Budget includes the amount of special assessments payable to the City from the properties within the Sunflower Benefit District for 2022. The special assessments to be received have decreased from previous years due to KDOT's right-of-way purchase and their subsequent pre-payment of the special assessments related to the land they purchased. The amount prepaid by KDOT was used to reduce the outstanding balance when refunding the series 2012A General Obligation Bonds in April 2020. Collections are at 62% so far in 2021. There are two more property tax distributions in 2021. Also, there is adequate fund balance on hand to cover debt payments in addition to a reserve that is maintained in the Series 2020A Bond Reserve Fund.

### **Expenditures**

The expenditures in the Recommended Budget reflect the amount payable on the Series 2020A General Obligation Bonds related to the Sunflower Benefit District in 2022. Bond payments have been made according to the debt schedule each year.

## **TIF – Edgerton Office**

On August 22, 2019, the Governing Body approved Ordinance No. 2020 which established the Edgerton Office TIF covering Project Area A and Project Area B. Both project areas will contain a multi-story office building. To date, redevelopment project plans have not been adopted for either of the two project areas.

### **Revenues**

The majority of the revenues in this fund come from the incremental ad valorem property tax for properties included in the Project Areas. Other revenues include reimbursements for legal services and financial advisor services.

**Expenditures**

Expenditures include payment for legal and financial services, city administrative fee and eligible expenditures per future Disposition and Development Agreements (DDA) adopted via resolution of the Governing Body.

Budget information regarding TIFs is supplied by the County Clerk on July 1<sup>st</sup>. The information wasn't received in time to include a fund schedule for the Edgerton Office TIF Fund in the Budget Work Session packet. The fund schedule will be provided at the Budget Work Session.

**TIF – Homestead Lane Retail District**

On August 22, 2019, the Governing Body approved Ordinance No. 2021 which established the Homestead Lane Retail District TIF covering two project areas, Project Area A and Project Area B. On July 9, 2020, the Governing Body approved Ordinance No. 2041 adopting a redevelopment project plan for Project Plan A1, commonly known as the On-the-Go Travel Plaza. There currently aren't any redevelopment project plans for Project Area B.

**Revenues**

The majority of the revenues in this fund come from the incremental ad valorem property tax for properties included in the Project Areas. Other revenues include reimbursements for legal services and financial advisor services.

**Expenditures**

Expenditures include payment for legal and financial services, city administrative fee and eligible expenditures per the Disposition and Development Agreement (DDA) adopted by Resolution No. 07-09-20A between the City and My Store III, Inc., the developer of the On-the-Go Travel Plaza, and any future DDAs for other redevelopment project plans.

Budget information regarding TIFs is supplied by the County Clerk on July 1<sup>st</sup>. The information wasn't received in time to include a fund schedule for the Homestead Lane Retail TIF Fund in the Budget Work Session packet. The fund schedule will be provided at the Budget Work Session.

## City of Edgerton Special Highway Fund

|  | 2019<br>Actual   | 2020<br>Actual   | 2021<br>Estimate | 2022<br>Recommended |
|--|------------------|------------------|------------------|---------------------|
| <b>Balance 1/1</b>                         | \$ 4,419         | \$ 1,389         | \$ -             | \$ 6,100            |
| <b>Revenues:</b>                           |                  |                  |                  |                     |
| Gasoline Tax                               | 48,439           | 46,167           | 46,130           | 45,880              |
| Total Revenue                              | \$ 48,439        | \$ 46,167        | \$ 46,130        | \$ 45,880           |
| <b>Expenditures:</b>                       |                  |                  |                  |                     |
| Public Works                               | -                | -                | -                | -                   |
| Total Expenditures                         | \$ -             | \$ -             | \$ -             | \$ -                |
| <b>Revenues Over(Under) Expenditures</b>   | <b>\$ 48,439</b> | <b>\$ 46,167</b> | <b>\$ 46,130</b> | <b>\$ 45,880</b>    |
| <b>Other Financing Sources &amp; Uses:</b> |                  |                  |                  |                     |
| <b>Transfers to Other Funds:</b>           |                  |                  |                  |                     |
| Transfer to Capital Projects Fund          | 51,469           | 47,556           | 40,030           | 51,980              |
| Total Other Financing Sources & Uses       | \$ (51,469)      | \$ (47,556)      | \$ (40,030)      | \$ (51,980)         |
| <b>Balance 12/31</b>                       | <b>\$ 1,389</b>  | <b>\$ -</b>      | <b>\$ 6,100</b>  | <b>\$ -</b>         |
| <b>Expenditure Detail:</b>                 |                  |                  |                  |                     |
| Annual Street Maintenance Project          | \$ 51,469        | \$ 47,556        | \$ 40,030        | \$ 51,980           |
|  | \$ 51,469        | \$ 47,556        | \$ 40,030        | \$ 51,980           |

**Funding Sources:** State gasoline tax (per gallon)

**Expenditures:** Maintenance of City streets

## City of Edgerton Special Parks & Recreation Fund

|  | 2019<br>Actual   | 2020<br>Actual   | 2021<br>Estimate | 2022<br>Recommended |
|--|------------------|------------------|------------------|---------------------|
| <b>Balance 1/1</b>                         | \$ 25,039        | \$ 28,532        | \$ 30,531        | \$ 35,531           |
| <b>Revenues:</b>                           |                  |                  |                  |                     |
| Local Alcoholic Liquor Tax                 | 3,493            | 1,999            | 5,000            | 5,000               |
| Total Revenue                              | \$ 3,493         | \$ 1,999         | \$ 5,000         | \$ 5,000            |
| <b>Expenditures:</b>                       |                  |                  |                  |                     |
| Parks                                      | -                | -                | -                | -                   |
| Total Expenditures                         | \$ -             | \$ -             | \$ -             | \$ -                |
| <b>Revenues Over(Under) Expenditures</b>   | <b>\$ 3,493</b>  | <b>\$ 1,999</b>  | <b>\$ 5,000</b>  | <b>\$ 5,000</b>     |
| <b>Other Financing Sources &amp; Uses:</b> |                  |                  |                  |                     |
| <b>Transfers to Other Funds:</b>           |                  |                  |                  |                     |
| Transfer to Capital Projects Fund          | -                | -                | -                | 40,531              |
| Total Other Financing Sources & Uses       | \$ -             | \$ -             | \$ -             | \$ (40,531)         |
| <b>Balance 12/31</b>                       | <b>\$ 28,532</b> | <b>\$ 30,531</b> | <b>\$ 35,531</b> | <b>\$ -</b>         |

### Expenditure Detail:

|                 |                  |
|-----------------|------------------|
| Transfer to CIP | \$ 40,531        |
|                 | <u>\$ 40,531</u> |

**Funding Sources:** Special alcohol tax per K.S.A. 79-41a04 (1/2 of total alcohol tax received by the City)

**Expenditures:** Park & Recreation programs and improvements

## City of Edgerton Bond & Interest Fund

|  | 2019<br>Actual    | 2020<br>Actual      | 2021<br>Estimate   | 2022<br>Recommended |
|--|-------------------|---------------------|--------------------|---------------------|
| <b>Balance 1/1</b>                         | \$ 673,695        | \$ 728,720          | \$ 600,758         | \$ 538,924          |
| <b>Revenues:</b>                           |                   |                     |                    |                     |
| Special Assessments                        | 312,830           | 238,954             | 238,954            | 238,954             |
| Investment Income                          | -                 | -                   | -                  | -                   |
| Total Revenue                              | \$ 312,830        | \$ 238,954          | \$ 238,954         | \$ 238,954          |
| <b>Expenditures:</b>                       |                   |                     |                    |                     |
| Debt Service                               | 257,805           | 370,177             | 300,788            | 301,580             |
| Total Expenditures                         | \$ 257,805        | \$ 370,177          | \$ 300,788         | \$ 301,580          |
| <b>Revenues Over(Under) Expenditures</b>   | <b>\$ 55,025</b>  | <b>\$ (131,223)</b> | <b>\$ (61,834)</b> | <b>\$ (62,626)</b>  |
| <b>Other Financing Sources &amp; Uses:</b> |                   |                     |                    |                     |
| Transfers from Other funds:                | -                 | 3,261               | -                  | -                   |
| Transfers to Other Funds:                  | -                 | -                   | -                  | -                   |
| Total Other Financing Sources & Uses       | \$ -              | \$ 3,261            | \$ -               | \$ -                |
| <b>Balance 12/31</b>                       | <b>\$ 728,720</b> | <b>\$ 600,758</b>   | <b>\$ 538,924</b>  | <b>\$ 476,298</b>   |

**Funding Sources:** Special assessments

**Expenditures:** Debt service payments on the City's 2020 outstanding GO bonds

**Notes:** The City's 2020 outstanding GO bonds will be paid off in 2030.



**City of Edgerton  
2022 Budget Work Session  
July 15, 2021**

# **Utility Funds Budget**





July 2, 2021

To: Mayor and City Council Members

From: Beth Linn, City Administrator  
Karen Kindle, Finance Director  
Dan Merkh, Public Works Director

Re: 2022 Recommended Water Fund Budget

Attached please find the 2022 Recommended Budget for the Water Fund. This fund contains the water utility operation of the City.

### Revenues

The water utility operations are considered an enterprise, and as such, the funding for operations come from user charges. The user charges needed to fund the utility operations are calculated based on the operation and maintenance costs required to run the utility, the debt service payments required on outstanding debt and any costs for capital outlay, such as equipment or capital improvements to the system.

#### **Charges for Services**

- The revenues are from the 2021 Rate Study Report prepared by Raftelis included in this packet for reference. Raftelis will present the study results at the budget work session on July 15<sup>th</sup>. The 2021 Rate Study Report recommends a slight increase of 91 cents per month for the average customer for 2022. At less than dollar a month, the recommended increase is lower than the price of a pack of gum or a two-liter bottle of soda. The study also includes a comparison of neighboring jurisdictions.
  - If there is consensus to adopt the recommendation in the 2021 Rate Study Report, staff would bring back the updated fee resolution for Council consideration at a meeting in September.
- This category also includes the tower rent received from AT&T.

#### **Fines & Forfeitures**

- The 2022 Budget is the same as the 2021 Budget.

#### **Investment Income**

- The 2021 Estimate and 2022 Budget reflect the low rates experienced in the current market.

### Expenditures

#### **Fleet Maintenance**

- The increase is related to vehicle and equipment maintenance. Staff considered the advanced age of the equipment used by the water utility operations, as well as

information from maintenance records, in development of the maintenance cost estimates.

### **Information Technology**

- Includes the replacement of IT equipment according to the replacement schedule.
- The majority of the increase is due to the first year fees for the new software system. The rest of the increase comes from an increase in the IT provider contract.

### **Production**

- Includes the cost to purchase water that is sold to customers of the system.

### **Distribution**

- No significant changes were made to this department.

### **Administrative-Water**

- The staff allocations between the water and sewer utility operations are unchanged from the 2021 Budget. A majority of the increase in this department is due to funds added for the rate study. The water operations don't change significantly from year to year so an update to the study is only needed every other year.
- The 2022 Budget includes funds to upgrade the City's fiber connection to obtain a higher speed.

### **Employee Benefits**

- Includes a 10% increase in health insurance premiums and a 3% increase in dental and vision insurance premiums based on information provided by the City's provider, Midwest Public Risk. The City has been fortunate that actual increases the last two years have been less than 10%.

### **Debt Service**

- Includes the State Revolving Loan payments for water system improvements that will be paid off in 2022.
- Includes the State Revolving Loan payments for the AMI meter system. The loan is scheduled to be paid off in 2037.

### **Transfers to Other Funds**

- The recommended budget includes a \$25,000 transfer to the Equipment Reserve Fund-Water.

## **Ending Balance and Reserves**

The reserve calculations have been updated to reflect the Reserve Policy adopted by the Governing Body. The projected balance at the end of 2022 meets the required reserves.

### **Future Considerations**

The financial plan presented in the 2021 Rate Study Report is a forecast that relies on assumptions made about expenditures, customer base, debt service requirements, etc. These factors can change, and as more information is obtained, the assumptions will be updated.

Staff is analyzing system components and developing a replacement plan. That plan, along with the Vehicle and Equipment Plan already in place, will provide information about future funding needs that are not currently reflected in the financial plan. Another future consideration that might affect the financial plan is the wholesale water contract renewal with the City of Baldwin City.

The Water System Analysis requested by Council during the 2021 Budget process is in progress.

# City of Edgerton Water Fund

|   | 2019<br>Budget | 2019<br>Actual | 2020<br>Budget | 2020<br>Actual | 2021<br>Budget | 2021<br>Estimate | 2022<br>Recommended |
|---|----------------|----------------|----------------|----------------|----------------|------------------|---------------------|
| <b>Balance 1/1</b>  | \$ 295,602     | \$ 225,868     | \$ 219,376     | \$ 191,220     | \$ 225,037     | \$ 197,784       | \$ 176,502          |
| <b>Revenues:</b>  |                |                |                |                |                |                  |                     |
| Charges for Services                                      | 479,500        | 463,792        | 462,450        | 451,247        | 482,450        | 460,233          | 462,222             |
| Fines & Forfeitures                                       | 23,000         | 20,866         | 23,000         | 16,548         | 20,000         | 20,000           | 20,000              |
| Reimbursements  | -              | 564            | -              | 524            | -              | -                | -                   |
| Investment Income   | 2,000          | 3,173          | 2,000          | 1,996          | 2,500          | 2,500            | 2,500               |
| <b>Total Revenue</b>                                      | \$ 504,500     | \$ 488,395     | \$ 487,450     | \$ 470,315     | \$ 504,950     | \$ 482,733       | \$ 484,722          |
| <b>Expenditures:</b>                                      |                |                |                |                |                |                  |                     |
| Fleet Maintenance   | -              | -              | 4,200          | 2,720          | 5,700          | 5,415            | 6,075               |
| Information Technology                                    | 30,062         | 24,120         | 32,559         | 20,470         | 25,379         | 24,110           | 49,878              |
| Production  | 172,200        | 167,116        | 175,000        | 166,189        | 175,000        | 166,250          | 175,000             |
| Distribution  | 50,790         | 50,175         | 46,740         | 53,441         | 54,130         | 51,424           | 54,505              |
| Administrative - Water                                    | 152,383        | 146,909        | 125,815        | 120,453        | 132,715        | 126,082          | 143,054             |
| Employee Benefits   | 35,941         | 37,378         | 32,042         | 31,510         | 35,143         | 33,385           | 36,429              |
| Debt Service  | 97,345         | 97,345         | 97,345         | 97,345         | 97,349         | 97,349           | 56,153              |
| <b>Total Expenditures</b>                                 | \$ 538,721     | \$ 523,043     | \$ 513,701     | \$ 492,128     | \$ 525,416     | \$ 504,015       | \$ 521,094          |
| <b>Revenues Over(Under) Expenditures</b>                  | \$ (34,221)    | \$ (34,648)    | \$ (26,251)    | \$ (21,813)    | \$ (20,466)    | \$ (21,282)      | \$ (36,372)         |
| <b>Other Financing Sources &amp; Uses:</b>                |                |                |                |                |                |                  |                     |
| <b>Transfers from Other funds:</b>                        |                |                |                |                |                |                  |                     |
| Transfer from Water Reserve Fund                          |                | -              |                | 28,377         |                | -                | -                   |
| Transfer from Capital Projects Fund                       |                | -              |                | -              |                | -                | -                   |
| <b>Transfers to Other Funds:</b>                          |                |                |                |                |                |                  |                     |
| Transfer to Equipment Reserve Fund-Water                  | 0              | -              | -              | -              | -              | -                | 25,000              |
| Transfer to Capital Projects Fund                         | -              | -              | -              | -              | -              | -                | -                   |
| <b>Total</b>  | \$ -           | \$ -           | \$ -           | \$ -           | \$ -           | \$ -             | \$ 25,000           |
| <b>Total Other Financing Sources &amp; Uses</b>           | \$ -           | \$ -           | \$ -           | \$ 28,377      | \$ -           | \$ -             | \$ (25,000)         |
| <b>Balance 12/31</b>                                      | \$ 261,381     | \$ 191,220     | \$ 193,125     | \$ 197,784     | \$ 204,571     | \$ 176,502       | \$ 115,130          |
| <i>Reserve Per Policy - 17% of Budgeted Expenditures:</i> |                |                |                |                | \$ 89,321      |                  | \$ 88,586           |
| <i>Unencumbered Cash Over(Under) Requirement:</i>         |                |                |                |                | \$ 87,181      |                  | \$ 26,544           |
| <i>Reserve Per Policy - 25% of Budgeted Expenditures:</i> |                |                |                |                | \$ 131,354     |                  | \$ 130,274          |
| <i>Unencumbered Cash Over(Under) Requirement:</i>         |                |                |                |                | \$ 45,148      |                  | \$ (15,144)         |

**Funding Sources:** Charges to users of the City's water system

**Expenditures:** Water system operation and maintenance



July 2, 2021

To: Mayor and City Council Members

From: Beth Linn, City Administrator  
Karen Kindle, Finance Director  
Dan Merkh, Public Works Director

Re: 2022 Recommended Sewer Fund Budget

Attached please find the 2022 Recommended Budget for the Sewer Fund.

**Revenues**

The sewer utility operations are considered an enterprise, and as such, the funding for operations come from user charges. The user charges needed to fund the utility operations are calculated based on the operation and maintenance costs required to run the utility, the debt service payments required on outstanding debt and any costs for capital outlay such as equipment or capital improvements to the system.

**Charges for Services**

- The revenues are from the 2021 Rate Study Report prepared by Raftelis included in this packet for reference. Raftelis will present the study results at the budget work session on July 15<sup>th</sup>. The 2021 Rate Study Report recommends a slight increase of \$1.54 per month for the average customer for 2022. At less than two dollars a month, the recommended increase is lower than the price of a bag of chips or one gallon of gas. The study also includes a comparison of neighboring jurisdictions.
  - If there is consensus to adopt the recommendation in the 2021 Rate Study Report, staff would bring back the updated fee resolution for Council consideration at a meeting in September.

**Investment Income**

- The 2021 Estimate and 2022 Budget reflect the low rates experienced in the current market.

**Expenditures****Fleet Maintenance**

- The budget includes the cost for maintenance and repairs of vehicles and equipment as well as fuel costs.
- No significant change was made to this department for 2022.

**Information Technology**

- Includes the replacement of IT equipment according to the replacement schedule.
- The majority of the increase is due to the first year fees for the new software system. The rest of the increase comes from an increase in the IT provider contract.

### **Treatment Plant**

- The decrease is due to a reduction in estimated property/casualty insurance premiums.

### **Sewer Line Maintenance**

- Funds have been added for additional rental costs for a sewer line camera. Staff anticipates additional work in this area as a result of the Wastewater Master Plan.

### **Lift Stations/Vaults**

- Added the generator maintenance contract for the BBCLS.
- Increase in trash costs anticipated with the expiration of the current contract with Gardner Disposal on 12/31/2021.
- Increase equipment maintenance costs to reflect the trend in the last few years.

### **Administrative-Sewer**

- The staff allocations between the water and sewer utility operations are unchanged from the 2020 Budget.
- The 2022 Budget includes funds to upgrade the City's fiber connection to obtain a higher speed.

### **Employee Benefits**

- Includes a 10% increase in health insurance premiums and a 3% increase in dental and vision insurance premiums based on information provided by the City's provider, Midwest Public Risk.

### **Debt Service**

- Includes the payment for the Series 2016A and 2016B General Obligation Bonds for the conversion of the old treatment plant to a lift station. The project was completed in 2017. The bonds are scheduled to be paid off in 2046 and 2048, respectively.

### **Transfers to Other Funds**

- A \$25,000 Transfer to Equipment Reserve has been included to continue funding future equipment purchases.
- A \$125,000 Transfer to Capital Projects has been included to fund future capital projects.

|                                    |
|------------------------------------|
| <b>Ending Balance and Reserves</b> |
|------------------------------------|

The reserve calculations have been updated to reflect the Reserve Policy adopted by the Governing Body. The projected balance at the end of 2022 exceeds the required reserves, leaving funding available for projects or other priorities.

### **Future Considerations**

The financial plan presented in the 2021 Rate Study Report is a forecast that relies on assumptions made about expenditures, customer base, debt service requirements, etc. These factors can change, and as more information is obtained, the assumptions will be updated.

The Wastewater Master Plan process is currently underway. That plan, along with the Vehicle and Equipment Plan already in place, will provide information about future funding needs that are not currently reflected in the financial plan.



## City of Edgerton Sewer Fund

|   | 2019<br>Budget    | 2019<br>Actual    | 2020<br>Budget    | 2020<br>Actual    | 2021<br>Budget    | 2021<br>Estimate  | 2022<br>Recommended |
|---|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|---------------------|
| <b>Balance 1/1</b>  | \$ 188,269        | \$ 434,960        | \$ 476,681        | \$ 508,001        | \$ 413,698        | \$ 520,138        | \$ 438,155          |
| <b>Revenues:</b>  |                   |                   |                   |                   |                   |                   |                     |
| Licenses & Permits  | -                 | 350               | -                 | 250               | -                 | -                 | -                   |
| Charges for Services                                      | 657,750           | 692,285           | 741,000           | 660,579           | 682,408           | 723,522           | 761,529             |
| Reimbursements  | -                 | 564               | -                 | 1,044             | -                 | -                 | -                   |
| Bond Proceeds   | -                 | -                 | -                 | -                 | -                 | -                 | -                   |
| Investment Income   | 2,000             | 10,588            | 3,500             | 9,455             | 3,500             | 3,500             | 3,500               |
| Total Revenue   | \$ 659,750        | \$ 703,787        | \$ 744,500        | \$ 671,328        | \$ 685,908        | \$ 727,022        | \$ 765,029          |
| <b>Expenditures:</b>                                      |                   |                   |                   |                   |                   |                   |                     |
| Fleet Maintenance   | -                 | -                 | 4,700             | 2,777             | 5,700             | 5,700             | 6,075               |
| Information Technology                                    | 25,295            | 24,671            | 33,326            | 20,470            | 25,499            | 25,499            | 49,879              |
| Treatment Plant   | 169,100           | 111,722           | 204,945           | 162,103           | 198,330           | 198,330           | 195,674             |
| Sewer Line Maintenance                                    | 8,100             | 7,409             | 7,100             | 1,767             | 10,700            | 10,700            | 11,700              |
| Lift Stations/Vaults                                      | 23,300            | 20,445            | 21,114            | 23,697            | 29,967            | 29,967            | 34,562              |
| Administrative - Sewer                                    | 257,736           | 297,871           | 223,811           | 165,405           | 214,858           | 214,858           | 224,738             |
| Employee Benefits   | 44,286            | 44,190            | 56,193            | 54,873            | 61,513            | 61,513            | 63,261              |
| Debt Service  | 94,438            | 94,438            | 94,438            | 94,438            | 94,438            | 94,438            | 94,438              |
| Total Expenditures  | \$ 622,255        | \$ 600,746        | \$ 645,627        | \$ 525,530        | \$ 641,005        | \$ 641,005        | \$ 680,327          |
| <b>Revenues Over(Under) Expenditures</b>                  | \$ 37,495         | \$ 103,041        | \$ 98,873         | \$ 145,798        | \$ 44,903         | \$ 86,017         | \$ 84,702           |
| <b>Other Financing Sources &amp; Uses:</b>                |                   |                   |                   |                   |                   |                   |                     |
| <b>Transfers from Other funds:</b>                        |                   |                   |                   |                   |                   |                   |                     |
| Transfer from Sewer Reserve Fund                          | -                 | -                 | -                 | 16,330            | -                 | -                 | -                   |
| Transfer from Capital Projects Fund                       | -                 | -                 | -                 | -                 | -                 | -                 | -                   |
| <b>Transfers to Other Funds:</b>                          |                   |                   |                   |                   |                   |                   |                     |
| Transfer to Equipment Reserve Fund-Sewer                  | 30,000            | 30,000            | 50,000            | 50,000            | 50,000            | 50,000            | 25,000              |
| Transfer to Capital Projects Fund                         | -                 | -                 | 100,000           | 99,991            | 118,000           | 118,000           | 125,000             |
| Total Other Financing Sources & Uses                      | \$ (30,000)       | \$ (30,000)       | \$ (150,000)      | \$ (133,661)      | \$ (168,000)      | \$ (168,000)      | \$ (150,000)        |
| <b>Balance 12/31</b>                                      | <b>\$ 176,098</b> | <b>\$ 508,001</b> | <b>\$ 425,554</b> | <b>\$ 520,138</b> | <b>\$ 290,601</b> | <b>\$ 438,155</b> | <b>\$ 372,857</b>   |
| <i>Reserve Per Policy - 17% of Budgeted Expenditures:</i> |                   |                   |                   |                   | \$                | 108,971           | \$ 115,656          |
| <i>Unencumbered Cash Over(Under) Requirement:</i>         |                   |                   |                   |                   | \$                | 329,184           | \$ 257,201          |
| <i>Reserve Per Policy - 25% of Budgeted Expenditures:</i> |                   |                   |                   |                   | \$                | 160,251           | \$ 170,082          |
| <i>Unencumbered Cash Over(Under) Requirement:</i>         |                   |                   |                   |                   | \$                | 277,904           | \$ 202,775          |

**Funding Sources:** Charges to users of the City's sewer system

**Expenditures:** Sewer system operation and maintenance



# Utility Rates FY 2022



2022 Proposed Average Monthly Water Charge



Water

**\$40.57**

an increase of  
**\$0.91**

2022 Proposed Average Monthly Sewer Charge

**\$31.72**

an increase of  
**\$1.54**



Sewer



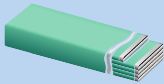
2022 Proposed Total Increase

**\$2.45** per month

That's less than...



a pouch of baby wipes



a pack of gum



bag of chips



hand soap

one large coffee



a single gallon of gas

Total monthly bill is  
less than...



Monthly cable plan

Concert tickets



One new  
car tire

## Why the increase?



*Note: Trash services will be  
rebid for 2022, which may  
impact total bills.*

Both water and sewer are considered enterprise funds, which means they operate like a business. The user charges are based on how much money is needed to run the utility, any debt service payments and capital costs.

# CITY OF **Edgerton**

## **Water and Wastewater Rate Study**

Draft Report / June 2021



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## 1.1 Introduction

### 1.1.1.BACKGROUND OF THE STUDY

The City of Edgerton retained Raftelis in 2021 to update the City's Utility Rate Study (Study). The purpose of the Study was to develop financial plans and rates to promote self-sustainability of the City's separate water and sewer utilities and recommend retail rates for service consistent with the financial plans for the utilities.

### 1.1.2.OBJECTIVES OF THE STUDY

The major objective of the study was to update financial plans for the water and sewer enterprises to ensure financial sufficiency, meet operation and maintenance (O&M) expense, debt service, and continue the financial health of the utilities.

### 1.1.3.CUSTOMER DATA

During the course of this project, the City provided Raftelis with a variety of financial information, including but not limited to, audited and unaudited financial results, customer billing data, and cost and revenue data. Raftelis did not independently assess or test for the accuracy of such data – historic or projected. We have relied on this data in the formulation of our findings and subsequent recommendations, as well as in the preparation of this report. Figure 1 shows customer account data for 2020. The Study assumes 0% account and usage growth among the City's retail customers over the study period. Sewer usage for LPKC was estimated using the most current data available and based on the customers connected to the City as of April 30, 2021.

**Figure 1: 2020 Units of Service**

| Utility | Annual Bills | Usage   |
|---------|--------------|---------|
| Water   | 8,243        | 30,125  |
| Sewer   | 7,358        | 117,058 |

### 1.1.4.REVENUE REQUIREMENTS

The revenue requirements for the City's water and sewer utility include the O&M expense for each utility as well as debt service. The operating and maintenance expense is escalated by an average of approximately 3% each year across the water and sewer utilities to reflect expected inflationary increases in costs in future years. The forecast also assumes the City will spend 95% of budgeted expenses. The debt service is based on the City's current outstanding debt, including the most recently issued debt used to finance improvements to the City's sewer utility. The financial plans do not currently include any capital improvements for the water utility and limited amounts for the sewer utility, though City Staff indicates such improvements may be necessary in the future.

## 1.2. Water Rate Study Findings

Raftelis updated a five-year water utility financial plan for the study period. This plan determines the financial status of the water utility under recommended rates. Raftelis recommends annually updating the water financial plan to recognize changes in capital improvements, customer's water usage characteristics, and system growth.

Based on the water utility's current revenue requirements, we are proposing an increase in all water rates of 2.25% in 2022 through 2026. The City's reserve policy requires that a reserve of 17-25% of budgeted operating/ debt service expenditures be maintained in the Water Fund. This plan will maintain the operating reserve at 25% of annual operating expenses and debt service and reserves additional surpluses to fund major future capital and equipment spending. The City meets or exceeds this target for each year of the study period. Current projections

suggest that these levels of rate increases are sufficient to recover operating expenses and debt service, as well as provide a small amount of additional funding in future years for equipment at the discretion of the Council. The forecast also includes periodic expenditures from the Equipment Reserve Fund.

Figures 2 and 3 present the water financial plan in tabular and graphic form.

**Figure 2: Proposed Water Financial Plan**

| Water Utility Cash Flow            | FY 2020           | FY 2021            | FY 2022            | FY 2023           | FY 2024           | FY 2025           | FY 2026           |
|------------------------------------|-------------------|--------------------|--------------------|-------------------|-------------------|-------------------|-------------------|
|                                    | Actual            | Estimate           | Forecast           | Forecast          | Forecast          | Forecast          | Forecast          |
| <b>Revenue</b>                     |                   |                    |                    |                   |                   |                   |                   |
| Retail Customer Revenue            | \$ 414,707        | \$ 421,733         | \$ 431,222         | \$ 440,925        | \$ 450,846        | \$ 460,990        | \$ 471,362        |
| Other Revenue                      | 83,984            | 61,000             | 53,500             | 53,500            | 53,500            | 53,500            | 53,500            |
| <b>Total: Revenue</b>              | <b>\$ 498,692</b> | <b>\$ 482,733</b>  | <b>\$ 484,722</b>  | <b>\$ 494,425</b> | <b>\$ 504,346</b> | <b>\$ 514,490</b> | <b>\$ 524,862</b> |
| <b>Proposed Revenue Adjustment</b> |                   |                    | <b>2.25%</b>       | <b>2.25%</b>      | <b>2.25%</b>      | <b>2.25%</b>      | <b>2.25%</b>      |
| <b>Revenue Requirement</b>         |                   |                    |                    |                   |                   |                   |                   |
| Operating Expenses                 | \$ 394,781        | \$ 406,664         | \$ 441,694         | \$ 452,415        | \$ 463,458        | \$ 474,838        | \$ 486,568        |
| Existing Debt Service              | 97,346            | 97,349             | 56,153             | 14,955            | 14,955            | 14,955            | 14,955            |
| Budgeted Transfers                 | -                 | -                  | 25,000             | 25,000            | 25,000            | 30,000            | 30,000            |
| <b>Total: Revenue Requirement</b>  | <b>\$ 492,127</b> | <b>\$ 504,013</b>  | <b>\$ 522,847</b>  | <b>\$ 492,370</b> | <b>\$ 503,414</b> | <b>\$ 519,793</b> | <b>\$ 531,523</b> |
| <b>Surplus/(Deficit)</b>           | <b>\$ 6,565</b>   | <b>\$ (21,279)</b> | <b>\$ (38,125)</b> | <b>\$ 2,055</b>   | <b>\$ 932</b>     | <b>\$ (5,304)</b> | <b>\$ (6,661)</b> |
| <b>Debt Service Coverage</b>       | <b>1.06</b>       | <b>0.78</b>        | <b>0.76</b>        | <b>2.80</b>       | <b>2.73</b>       | <b>2.65</b>       | <b>2.56</b>       |
| <b>Fund Balances (End of Year)</b> |                   |                    |                    |                   |                   |                   |                   |
| Operating (25% Budget)             | \$ 123,032        | \$ 126,003         | \$ 124,462         | \$ 116,842        | \$ 119,603        | \$ 122,448        | \$ 125,381        |
| Operating (Unencumbered)           | 74,753            | 50,502             | 13,919             | 23,593            | 21,764            | 13,615            | 4,021             |
| System Development                 | 21,472            | 21,472             | 21,472             | 21,472            | 21,472            | 21,472            | 21,472            |
| Equipment                          | 53,006            | 53,006             | 67,776             | 43,376            | 68,376            | 92,976            | 122,976           |
| <b>Total: Fund Balances</b>        | <b>\$ 272,263</b> | <b>\$ 250,983</b>  | <b>\$ 227,629</b>  | <b>\$ 205,283</b> | <b>\$ 231,215</b> | <b>\$ 250,512</b> | <b>\$ 273,850</b> |



Figure 3: Proposed Water Financial Plan Graph

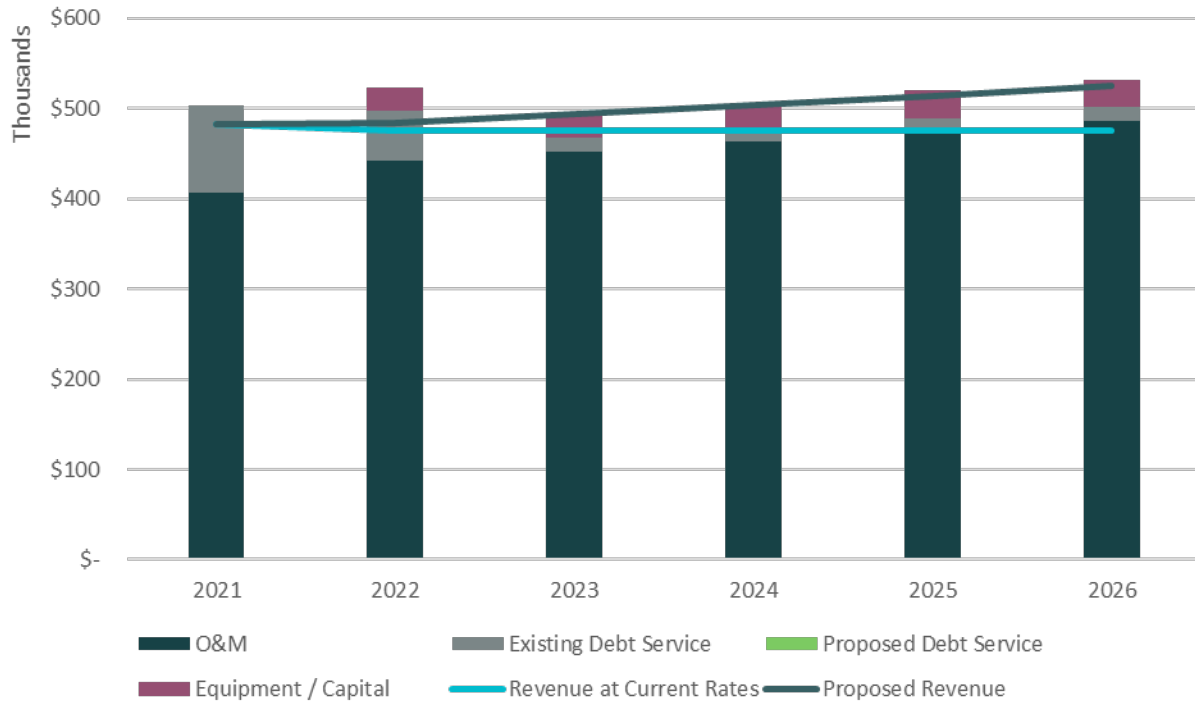


Figure 4 presents a forecast of the proposed inside city water rates.

Figure 4: Proposed Water Rates

| Proposed Water Rates            | FY 2020  | FY 2021  | FY 2022  | FY 2023  | FY 2024  | FY 2025  | FY 2026  |
|---------------------------------|----------|----------|----------|----------|----------|----------|----------|
|                                 | Actual   | Current  | Forecast | Forecast | Forecast | Forecast | Forecast |
| <b>Fixed Monthly Charge</b>     |          |          |          |          |          |          |          |
| 5/8"                            | \$ 20.83 | \$ 21.15 | \$ 21.63 | \$ 22.12 | \$ 22.62 | \$ 23.13 | \$ 23.66 |
| 1"                              | 24.76    | 25.14    | 25.71    | 26.29    | 26.89    | 27.50    | 28.12    |
| 1 1/2"                          | 31.30    | 31.77    | 32.49    | 33.23    | 33.98    | 34.75    | 35.54    |
| 2"                              | 39.17    | 39.76    | 40.66    | 41.58    | 42.52    | 43.48    | 44.46    |
| 3"                              | 57.52    | 58.39    | 59.71    | 61.06    | 62.44    | 63.85    | 65.29    |
| 4"                              | 83.71    | 84.97    | 86.89    | 88.85    | 90.85    | 92.90    | 95.00    |
| 6"                              | 149.22   | 151.46   | 154.87   | 158.36   | 161.93   | 165.58   | 169.31   |
| 8"                              | 227.84   | 231.26   | 236.47   | 241.80   | 247.25   | 252.82   | 258.51   |
| <b>Volume Rate (1,000 Gal.)</b> |          |          |          |          |          |          |          |
| Below 2000                      | \$ 4.29  | \$ 4.36  | \$ 4.46  | \$ 4.57  | \$ 4.68  | \$ 4.79  | \$ 4.90  |
| 2001 -10000                     | 9.64     | 9.79     | 10.02    | 10.25    | 10.49    | 10.73    | 10.98    |
| Above 10001                     | 13.30    | 13.50    | 13.81    | 14.13    | 14.45    | 14.78    | 15.12    |

### 1.3. Sewer Rate Study Findings

Raftelis updated a five-year sewer utility financial plan for the study period. This plan determines the financial status of the sewer utility under recommended rates. Raftelis recommends annually updating the sewer financial plan to recognize changes in capital improvements, customer's usage characteristics and system growth, especially as usage from the LPKC continues to evolve. Sewer volumes contributed by LPKC customers increased in 2020 following a sharp decrease in 2019. As LPKC usage patterns stabilize over time, projections will become more accurate.

Based on the revenue requirements for the sewer utility, Raftelis proposes 5% increases in the sewer rates for the City's retail customers in FY 2022 through FY 2026. These rate increases are necessary to provide the ability to pay principal on the utility's most recent debt issuance which will begin in FY 2023. The City's reserve policy requires that a reserve of 17-25% of budgeted operating/debt service expenditures be maintained in the Sewer Fund. This plan will maintain the operating reserve of 25% of annual operating expenses and debt service and provides an ongoing transfer for equipment purchases in future years.

**Figure 5: Proposed Sewer Financial Plan**

| Sewer Utility Cash Flow            | FY 2020            | FY 2021            | FY 2022            | FY 2023            | FY 2024            | FY 2025            | FY 2026            |
|------------------------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|
|                                    | Actual             | Estimate           | Forecast           | Forecast           | Forecast           | Forecast           | Forecast           |
| <b>Revenue</b>                     |                    |                    |                    |                    |                    |                    |                    |
| Retail Customer Revenue            | \$ 473,348         | \$ 508,074         | \$ 533,478         | \$ 560,152         | \$ 588,160         | \$ 617,568         | \$ 648,446         |
| Wholesale Revenue                  | 186,481            | 215,448            | 228,051            | 236,596            | 245,587            | 255,052            | 265,023            |
| Other Revenue                      | 27,829             | 3,500              | 3,500              | 3,500              | 3,500              | 3,500              | 3,500              |
| <b>Total: Revenue</b>              | <b>\$ 687,659</b>  | <b>\$ 727,023</b>  | <b>\$ 765,029</b>  | <b>\$ 800,248</b>  | <b>\$ 837,246</b>  | <b>\$ 876,120</b>  | <b>\$ 916,969</b>  |
| <b>Proposed Revenue Adjustment</b> |                    |                    | <b>5.00%</b>       | <b>5.00%</b>       | <b>5.00%</b>       | <b>5.00%</b>       | <b>5.00%</b>       |
| <b>Revenue Requirement</b>         |                    |                    |                    |                    |                    |                    |                    |
| Operating Expenses                 | \$ 431,094         | \$ 546,567         | \$ 585,889         | \$ 606,491         | \$ 628,123         | \$ 650,849         | \$ 674,740         |
| Existing Debt Service              | 94,438             | 94,438             | 94,438             | 194,438            | 192,438            | 195,438            | 193,338            |
| Budgeted Transfers                 | 149,991            | 168,000            | 150,000            | 50,000             | 50,000             | 50,000             | 50,000             |
| <b>Total: Revenue Requirement</b>  | <b>\$ 675,523</b>  | <b>\$ 809,005</b>  | <b>\$ 830,327</b>  | <b>\$ 850,929</b>  | <b>\$ 870,560</b>  | <b>\$ 896,286</b>  | <b>\$ 918,077</b>  |
| <b>Surplus/(Deficit)</b>           | <b>\$ 12,136</b>   | <b>\$ (81,982)</b> | <b>\$ (65,297)</b> | <b>\$ (50,681)</b> | <b>\$ (33,314)</b> | <b>\$ (20,167)</b> | <b>\$ (1,108)</b>  |
| <b>Debt Service Coverage</b>       | <b>2.71</b>        | <b>1.91</b>        | <b>1.89</b>        | <b>0.99</b>        | <b>1.08</b>        | <b>1.15</b>        | <b>1.25</b>        |
| <b>Fund Balances (End of Year)</b> |                    |                    |                    |                    |                    |                    |                    |
| Operating (25% Budget)             | \$ 131,383         | \$ 160,251         | \$ 170,082         | \$ 200,232         | \$ 205,140         | \$ 211,572         | \$ 217,019         |
| Operating (Unencumbered)           | 388,754            | 277,904            | 202,777            | 121,945            | 83,723             | 57,125             | 50,569             |
| System Development                 | 684,722            | 781,363            | 781,363            | 781,363            | 781,363            | 781,363            | 781,363            |
| Equipment                          | 117,612            | 142,112            | 167,112            | 58,112             | 58,112             | 39,712             | 39,712             |
| WWTP Major Maintenance             | 102,951            | 102,951            | 102,951            | 102,951            | 102,951            | 102,951            | 102,951            |
| <b>Total: Fund Balances</b>        | <b>\$1,425,422</b> | <b>\$1,464,582</b> | <b>\$1,424,285</b> | <b>\$1,264,604</b> | <b>\$1,231,290</b> | <b>\$1,192,723</b> | <b>\$1,191,615</b> |

Figure 6: Proposed Sewer Financial Plan Graph

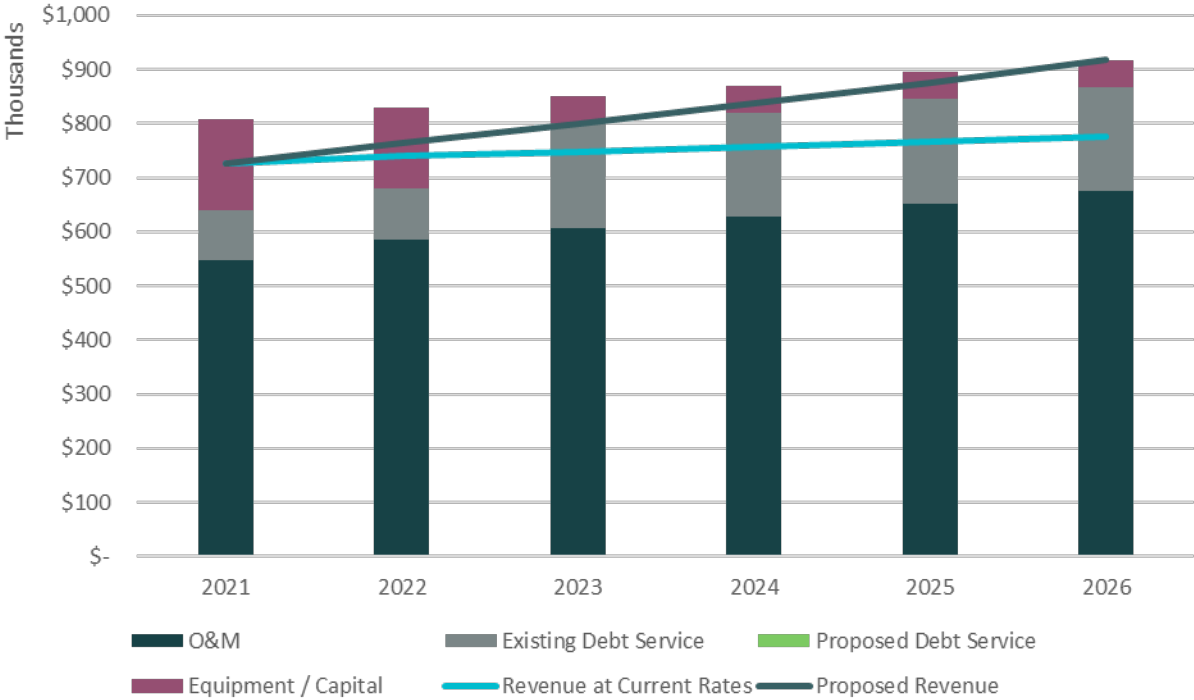


Figure 7 presents a forecast of the proposed sewer rates.

Figure 7: Proposed Sewer Rates

| Sewer Rates              | FY 2020 |      | FY 2021 |      | FY 2022  |      | FY 2023  |      | FY 2024  |      | FY 2025  |      | FY 2026  |       |
|--------------------------|---------|------|---------|------|----------|------|----------|------|----------|------|----------|------|----------|-------|
|                          | Actual  |      | Current |      | Forecast |      | Forecast |      | Forecast |      | Forecast |      | Forecast |       |
| Fixed Monthly Charge     | \$      | 6.55 | \$      | 6.75 | \$       | 7.09 | \$       | 7.45 | \$       | 7.83 | \$       | 8.23 | \$       | 8.65  |
| Volume Rate (1,000 Gal.) |         | 7.58 |         | 7.81 |          | 8.21 |          | 8.63 |          | 9.07 |          | 9.53 |          | 10.01 |

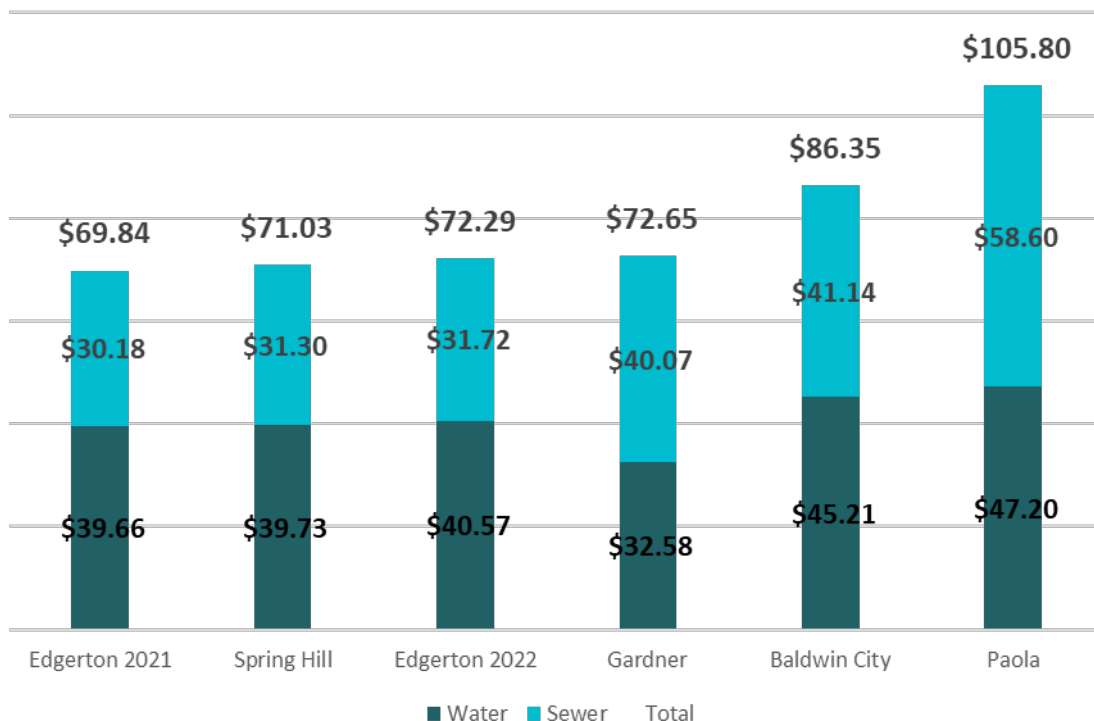
## 1.4. Bill Impacts

Figure 8 presents a typical residential water, sewer, and combined bill for varying levels of water use. Figure 9 compares 2021 and proposed 2022 typical water and sewer bill in the City of Edgerton to bills in neighboring communities in 2021.

**Figure 8: Bill Impacts**

| Bill Impacts  | Meter Size | Volume (kgal) | FY 2020  | FY 2021  | FY 2022  | FY 2023  | FY 2024  | FY 2025  | FY 2026  |
|---------------|------------|---------------|----------|----------|----------|----------|----------|----------|----------|
|               |            |               | Actual   | Current  | Forecast | Forecast | Forecast | Forecast | Forecast |
| Water Bill    |            |               |          |          |          |          |          |          |          |
| Small         | 5/8"       | 3             | \$ 39.05 | \$ 39.66 | \$ 40.57 | \$ 41.51 | \$ 42.47 | \$ 43.44 | \$ 44.44 |
| Medium        | 5/8"       | 8             | 87.25    | 88.61    | 90.67    | 92.76    | 94.92    | 97.09    | 99.34    |
| Large         | 5/8"       | 15            | 173.03   | 175.69   | 179.76   | 183.91   | 188.15   | 192.45   | 196.90   |
| Sewer Bill    |            |               |          |          |          |          |          |          |          |
| Small         |            | 3             | \$ 29.29 | \$ 30.18 | \$ 31.72 | \$ 33.34 | \$ 35.04 | \$ 36.82 | \$ 38.68 |
| Medium        |            | 8             | 67.19    | 69.23    | 72.77    | 76.49    | 80.39    | 84.47    | 88.73    |
| Large         |            | 15            | 120.25   | 123.90   | 130.24   | 136.90   | 143.88   | 151.18   | 158.80   |
| Combined Bill |            |               |          |          |          |          |          |          |          |
| Small         | 5/8"       | 3             | \$ 68.34 | \$ 69.84 | \$ 72.29 | \$ 74.85 | \$ 77.51 | \$ 80.26 | \$ 83.12 |
| Medium        | 5/8"       | 8             | 154.44   | 157.84   | 163.44   | 169.25   | 175.31   | 181.56   | 188.07   |
| Large         | 5/8"       | 15            | 293.28   | 299.59   | 310.00   | 320.81   | 332.03   | 343.63   | 355.70   |

**Figure 9: Monthly Bill Comparison - 3,000 Gallons**



**City of Edgerton  
2022 Budget Work Session  
July 15, 2021**

# **General Fund Budget**





July 2, 2021

To: Mayor and City Council Members

From: Beth Linn, City Administrator  
 Karen Kindle, Finance Director

Re: 2022 Recommended General Fund Budget

Please find enclosed with this memo the 2022 Recommended General Fund Budget. The General Fund contains the general operations of the City which are funded by a mixture of general-purpose revenues including property taxes, sales and use taxes, user fees and charges and payment in lieu of taxes for abated properties. Also included with this memo are (1) the calculation of the recommended mill rate for the 2022 Budget per Council direction given at the June 10, 2021, Council Meeting; and (2) the list of adjustments to the Revenue Neutral Rate (RNR) approved by Council on June 10th.

## Revenues

### **Property Tax Revenue**

In March 2021, Senate Bill 13 (SB 13) was signed by the Governor and became effective for the 2022 Budget. SB 13 repealed the previous tax lid which focused to the total property tax revenue required for the budget. SB 13 focuses on the mill rate and provides for the calculation of the RNR. This RNR calculation takes last year's property tax revenue divided by this year's estimated assessed valuation to arrive at the mill rate that would be required to receive the same property tax revenue. SB 13 doesn't provide for any adjustments to the RNR to capture economic growth, issuance of debt or County errors in the assessed valuation numbers. At the Council Meeting on June 10, 2021, the City's Financial Advisor and City staff presented information about SB 13 and asked for direction from the Council regarding suggested adjustments to the RNR. The property tax revenue amount included in the 2022 General Fund Budget was calculated based on the direction provided.

### **Mill Levy Rate**

Since 2009, the City of Edgerton has lowered the mill levy rate over 12 mills. The ability to lower the mill levy rate while maintaining or increasing property tax revenue collection is driven by the growth in the value of one mill.

The chart below shows the information regarding the RNR, adjustments for categories approved at the June 10<sup>th</sup> Council Meeting and the recommended mill rate for the 2022 Budget. In order to levy the recommended mill rate, the City Council will have hold a public hearing and pass a resolution. The public hearing is scheduled to occur during the August 26, 2021, Council Meeting. The City must also provide a notice of intent to hold the public hearing to the County Clerk no later than July 20, 2021.

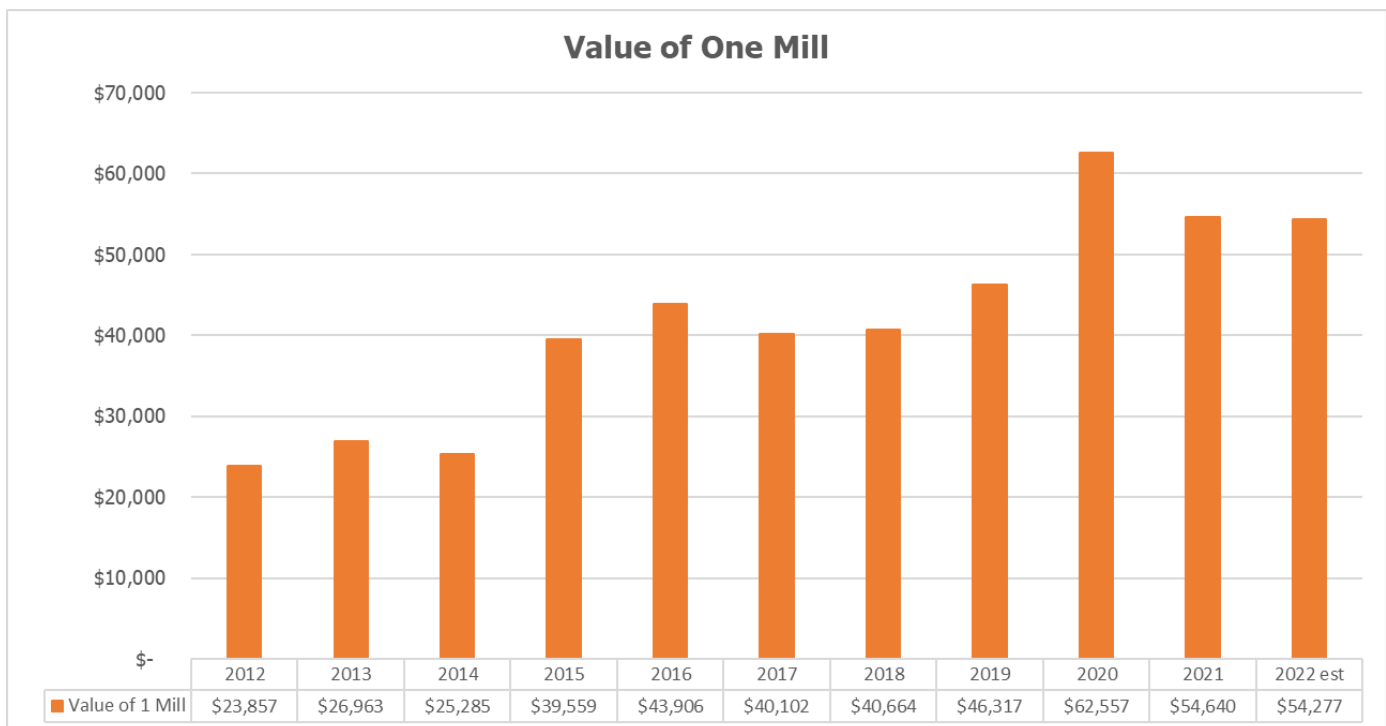
|                             | Revenue<br>Neutral<br>Rate (RNR) | Recommended<br>Adjustments<br>To the RNR | Recommended<br>Mill Rate for the<br>2022 Budget |
|-----------------------------|----------------------------------|--|---|
| <b>Property Tax Revenue</b> | \$1,573,849                      | \$51,147                                 | \$1,624,996                                     |
| <b>Estimated Mill Rate</b>  | 23.995                           | 5.944                                    | 29.939  |

The graph below shows a history of the City's mill rate since 2011 (for the 2012 Budget).



### **Value of One Mill**

Growth in the value of one mill results from citywide increase in appraised valuation. Since 2009, the value of one mill has grown \$44,681. The most significant factor in increasing the city's appraised valuation is the new construction at Logistics Park Kansas City and surrounding area.



### **Other Revenue**

The chart below provides information about changes from the 2021 Budget to the 2022 Budget in the other sources of revenue for the General Fund.

| <b>Revenue Item</b>  | <b>Change from 2021 Budget to 2022 Budget</b>   |
|--|---|
| <b>LPKC Pilot</b>  | The revenue from payments in lieu of taxes for abated properties at LPKC has increased to reflect the addition of Inland Port VII, for which the first year of abatement is the 2022 budget.  |
| <b>Motor Vehicle Tax<br/>Recreational Vehicle Tax<br/>16/20M Vehicle Tax</b> | Very little change based on the estimate provided by the County Treasurer.  |
| <b>Local Alcoholic Liquor Tax</b>  | Small increase based on estimates provided by the Kansas State Treasurer.   |
| <b>Use Tax</b>   | Increase in both Local Use Tax and County Use Tax to match the trend of distributions so far in 2021 which are on track to match what was received in 2020.   |
| <b>Sales Tax</b>   | Increase in both Local Sales Tax and County Sales Tax to match the trend of distributions so far in 2021 which are on track to match what was received in 2020.   |
| <b>Franchise Tax</b>   | Increased to reflect the trend in the actuals for the last few years.   |
| <b>Licenses &amp; Permits</b>  | For the 2021 Budget, staff developed a more detailed calculation for the estimate for this revenue item. The calculation includes revenue for 3 buildings at LPKC, one commercial project, a 15-home single family development and miscellaneous residential improvements. Staff has removed one of the 3 LPKC buildings from both the 2021 Estimate and the 2022 Recommended, thereby, reducing the expected revenue. If the number of projects included in the estimate don't come to fruition, the related contracted inspection and plan review services expenditures will also be less than estimated. |
| <b>Fines &amp; Forfeitures</b>   | The increase in this revenue source reflects the growth in the court docket over the last few years.  |
| <b>Charges for Services</b>  | In the past, the City accounted for public infrastructure inspection fees paid by developers and the corresponding inspection costs in the General Fund. Since these revenues and related expenditures result from economic development, staff has moved the accounting for these items to the Economic Development Fund.   |
| <b>Reimbursements/Miscellaneous</b>  | The City doesn't typically budget any funds in this category. This category is used to account for reimbursements for things like insurance claims, eligible grant expenditures and other small receipts not categorized elsewhere. In 2019 the City had insurance claims related to traffic signals. In 2020 the City received reimbursement for CARES Act eligible expenditures for the COVID-19 Pandemic response.   |
| <b>Investment Income</b>   | This revenue source has declined due to market conditions resulting from the COVID-19 Pandemic. The 2021 Estimate and the 2022 Budget reflect receiving approximately half of the revenue received in 2019.   |

## Expenditures

The budget amount is an estimate of resources needed to carry out the level of services the Governing Body offers its citizens. The approved budget sets the legal level of budget authority at the fund level, which the City cannot exceed without going through the budget amendment process.



Actual expenditures will differ from the budget due to costs coming in lower than anticipated. Staff strives to be good stewards of the City’s resources and look for opportunities to reduce costs whenever possible. Another reason for lower actual expenditures is position vacancies. Personal services are a significant portion of the City’s budget since the City provides services vs. producing goods, so a vacancy can produce noticeable dollar savings. The effect on service provision and remaining staff members, however, is not as easily seen in the numbers.

Changes in expenditures between budget years can occur for several reasons: (1) inflation; (2) change in level of service, including corresponding changes in personnel; (3) more refined budgeting for a program(s) based on actual experience, etc.

Appendix A includes information about the change in each department from year to year – both between budgets and actual vs budget.

**Other Sources & Uses**

Transfers to/from other funds are listed in this section of the fund schedule. These transactions are more of a one-time occurrence than they are routine - like operating revenues and expenditures.

Transfers to Equipment Reserve are typically done each year to systematically save for replacement of the City’s vehicles and equipment. Staff has included a \$125,000 transfer to equipment reserve in the 2022 recommended budget, which is the same as the transfer in the 2021 budget.

Transfers to capital projects will vary from year to year depending to the projects approved and the funding sources for those projects. The Governing Body reviews projects and discusses priorities and staff available capacity at the CIP work session in October each year. At a meeting following that work session, the Governing Body approves the CIP, setting the budget and timing for projects. After the CIP is approved, the budget for transfers to capital projects is updated to reflect the approved plan.

**Ending Balance and Reserves**

The carryforward balance from 2020 to 2021 was greater than estimated during the 2021 Budget process due to lower expenditures for 2020 than originally forecast. The projected balance at the end of 2022 exceeds the required reserves, leaving funding available for projects or other priorities.

## Appendix A – Expenditures Year-to-Year Detail

### General Government

| 2019   | 2020  | 2021  | 2022  |
|--|---|---|---|
|  | <b><u>2019 Budget vs 2020 Budget</u></b> <ul style="list-style-type: none"> <li>Changed allocation of Finance Director to 100% General Fund</li> <li>Added Accountant position, which is split 1/3 with Water and Sewer and offset by the reallocation of funding for a part-time position.</li> <li>Added the cost for the biennial Citizen Survey.</li> <li>Reduced the cost for use of outside consultants.</li> </ul> | <b><u>2020 Budget vs 2021 Budget</u></b> <ul style="list-style-type: none"> <li>Changed allocation for Asst. City Administrator position from 25% to 100% to reflect a change in focus for the duties of this position from project management to general administration (human resources, risk management, insurance) and reduced the number of months in 2021 that the position would be filled from 12 months to 6 months.</li> <li>Removed the cost for the biennial Citizen Survey.</li> </ul> | <b><u>2021 Budget vs 2022 Recommended</u></b> <ul style="list-style-type: none"> <li>Reflects an entire year of the Assistant City Administrator position being filled.</li> <li>Added the cost for the biennial Citizen Survey.</li> <li>Increased legal services to reflect increase in legal matters requiring the use of the City Attorney.</li> <li>Reduced Marketing/Advertising to reflect spending levels the last few years since adding the Marketing/Communications Manager.</li> <li>Reduced consulting services since some of those items will be handled by the Asst. City Administrator position.</li> </ul> |
| <b><u>2019 Actual vs Budget</u></b><br>Actual implementation of the Compensation and Benefits Study was less than estimated. | <b><u>2020 Actual vs Budget</u></b> <ul style="list-style-type: none"> <li>Actual implementation of the Compensation and Benefits Study was less than estimated.</li> <li>Asst. City Admin position was vacant all of 2020.</li> <li>City Clerk position was vacant for most of 2020.</li> </ul>  | <b><u>2021 Estimate vs Budget</u></b> <ul style="list-style-type: none"> <li>Estimating approximately 97% of budget will be spent.</li> </ul>   |   |

### Law Enforcement

| 2019 | 2020   | 2021   | 2022   |
|------|--|--|--|
|      | <b><u>2019 Budget vs 2020 Budget</u></b> <ul style="list-style-type: none"> <li>Reflects a 6.3% increase in the policing contract with the Sheriff's Department.</li> <li>Reflects the addition of the Community Officer.</li> </ul> | <b><u>2020 Budget vs 2021 Budget</u></b> <ul style="list-style-type: none"> <li>Reflects a 0.8% increase in the contract with the Sheriff's Department for policing services.</li> <li>Maintains the Community Officer.</li> <li>Includes a small increase related to the prosecutor for the Municipal Court.</li> </ul> | <b><u>2021 Budget vs 2022 Recommended</u></b> <ul style="list-style-type: none"> <li>Reflects a 1.00% decrease in the contract with the Sheriff's Department for policing services.</li> <li>Maintains the Community Officer.</li> <li>Includes a small increase related to the prosecutor for the Municipal Court.</li> </ul> |

|   |  |   |   |
|---|--|---|---|
| <b><u>2019 Actual vs Budget</u></b> <ul style="list-style-type: none"> <li>Court Clerk position vacant all of 2019.</li> <li>Expenditures for Court related legal services, such as prosecutor and as prosecutor and court appointed attorneys were less than estimated.</li> </ul> | <b><u>2020 Actual vs Budget</u></b><br>Court cancelations due to COVID-19. | <b><u>2021 Estimate vs Budget</u></b> <ul style="list-style-type: none"> <li>Estimating approximately 97% of budget will be spent.</li> </ul> | <ul style="list-style-type: none"> <li>Includes the expenditures related to the addition of a 2<sup>nd</sup> court docket.</li> </ul> |
|---|--|---|---|

## Public Works

| 2019  | 2020  | 2021  | 2022  |
|---|---|---|---|
|   | <b><u>2019 Budget vs 2020 Budget</u></b> <ul style="list-style-type: none"> <li>Moved equipment/vehicle maintenance and fuel cost to the new Fleet Management Department.</li> <li>Added cost for major maintenance of the school crossing lights.</li> <li>Added electric cost for new streetlights on 207<sup>th</sup>/Homestead and 207<sup>th</sup>/Waverly.</li> </ul> | <b><u>2020 Budget vs 2021 Budget</u></b> <ul style="list-style-type: none"> <li>Converted the Foreman position to a Maintenance Tech II position.</li> <li>Added dollars for career progression for Public Works staff.</li> <li>Reduced electric costs for streetlights and traffic signals to be more in line with actuals.</li> <li>Increased ice control due to the increased expenditures for responding to storms.</li> <li>Increased traffic control to account for the increase in sign work required.</li> </ul> | <b><u>2021 Budget vs 2022 Recommended</u></b> <ul style="list-style-type: none"> <li>Moved Infrastructure Inspection costs to the Economic Development Fund.</li> </ul> |
| <b><u>2019 Actual vs Budget</u></b> <ul style="list-style-type: none"> <li>City Engineer expenditures more than anticipated due to development activity.</li> </ul> | <b><u>2020 Actual vs Budget</u></b> <ul style="list-style-type: none"> <li>City Engineer expenditures more than anticipated due to development activity.</li> </ul>   | <b><u>2021 Estimate vs Budget</u></b> <ul style="list-style-type: none"> <li>Moved Infrastructure Inspection costs to the Economic Development Fund.</li> <li>Estimating approximately 97% of budget will be spent.</li> </ul>  |   |

## Parks

| 2019 | 2020  | 2021  | 2022   |
|------|---|---|--|
|      | <b><u>2019 Budget vs 2020 Budget</u></b> <ul style="list-style-type: none"> <li>Reduced professional services to reflect reduced usage of consultants.</li> </ul> | <b><u>2020 Budget vs 2021 Budget</u></b> <ul style="list-style-type: none"> <li>Increased support for the Frontier Days 50<sup>th</sup> anniversary.</li> </ul> | <b><u>2020 Budget vs 2021 Recommended</u></b> <ul style="list-style-type: none"> <li>\$5,000 reduction in support for Frontier Days since it isn't an anniversary year.</li> </ul> |

|  |  |   |  |
|--|--|---|--|
| <p><b><u>2019 Actual vs Budget</u></b></p> <ul style="list-style-type: none"> <li>Maintenance Tech II position converted to Maintenance Tech I.</li> <li>Position vacancies throughout the year in the Maintenance Tech I/II positions.</li> </ul> | <ul style="list-style-type: none"> <li>Moved equipment/vehicle maintenance and fuel cost to the new Fleet Management Department.</li> </ul> <p><b><u>2020 Actual vs Budget</u></b></p> <ul style="list-style-type: none"> <li>Recreation Coordinator position was vacant for 9 months of 2020.</li> <li>Cancellation of community events and classes due to COVID-19.</li> </ul> | <ul style="list-style-type: none"> <li>Increased costs for other community events based on actual expenditures.</li> </ul> <p><b><u>2021 Estimate vs Budget</u></b></p> <ul style="list-style-type: none"> <li>Estimating approximately 97% of budget will be spent.</li> </ul> | <ul style="list-style-type: none"> <li>Based on recent feedback from Edgerton citizens, staff included an additional \$50,000 in Parks and Recreation to add a new community-wide event. The 2020 Citizen Survey ranked City special events and festivals as the second most important priority for the City to emphasize over the next two years. This was confirmed by the Recreation Programming survey in fall 2020 which ranked community events as the top priority in the Priority Investment Ranking.</li> </ul> |
|--|--|---|--|

## Facilities

| 2019   | 2020  | 2021  | 2022   |
|--|---|---|--|
| <p><b><u>2019 Actual vs Budget</u></b></p> <ul style="list-style-type: none"> <li>Expenditures on target with budget.</li> </ul> | <p><b><u>2019 Budget vs 2020 Budget</u></b></p> <ul style="list-style-type: none"> <li>Reflects a 10% increase in utility rates.</li> </ul> <p><b><u>2020 Actual vs Budget</u></b></p> <ul style="list-style-type: none"> <li>City Hall HVAC system was replaced with CARES Act funding.</li> <li>Other COVID-19 responses expenditures reimbursed with CARES Act funding.</li> </ul> | <p><b><u>2020 Budget vs 2021 Budget</u></b></p> <ul style="list-style-type: none"> <li>Reflects a 10% increase in utility rates.</li> <li>Reflects a small increase in the rental rate for the Studio B.</li> <li>Increased cost for internet service due to upgrading the service in late 2019.</li> <li>Increased building and ground maintenance to cover supply costs.</li> <li>Increased trash service related to the dumpster and recycling at the Public Works Facility.</li> </ul> <p><b><u>2021 Estimate vs Budget</u></b></p> <ul style="list-style-type: none"> <li>Estimating approximately 97% of budget will be spent.</li> </ul> | <p><b><u>2021 Budget vs 2022 Recommended</u></b></p> <ul style="list-style-type: none"> <li>Increased cost for internet service due to upgrading the service in 2022.</li> </ul> |

## Fleet Maintenance

| 2019                    | 2020  | 2021   | 2022  |
|-------------------------|---|--|---|
| New department in 2020. | <p><b><u>2019 Budget vs 2020 Budget</u></b></p> <ul style="list-style-type: none"> <li>New department in 2020.</li> </ul> <p><b><u>2020 Actual vs Budget</u></b></p> <ul style="list-style-type: none"> <li>Lower fuel costs due to gas prices and vacant positions.</li> </ul> | <p><b><u>2020 Budget vs 2021 Budget</u></b></p> <ul style="list-style-type: none"> <li>Increased maintenance to reflect additions to the fleet and the age of some of the items in the fleet.</li> </ul> <p><b><u>2021 Estimate vs Budget</u></b></p> <ul style="list-style-type: none"> <li>Lower fuel costs due to gas prices and vacant positions.</li> </ul> | <p><b><u>2021 Budget vs 2021 Recommended</u></b></p> <ul style="list-style-type: none"> <li>Increased maintenance to reflect additions to the fleet and the age of some of the items in the fleet.</li> <li>Reduced fuel costs based on spending the last few years.</li> </ul> |

## Community Development

| 2019   | 2020  | 2021  | 2022   |
|--|---|---|--|
| <p><b><u>2019 Actual vs Budget</u></b></p> <ul style="list-style-type: none"> <li>Utilized professional services less than anticipated, including City Attorney services.</li> </ul> | <p><b><u>2019 Budget vs 2020 Budget</u></b></p> <ul style="list-style-type: none"> <li>Decreased professional services due to less anticipated use of outside consultants</li> <li>Moved vehicle maintenance and fuel costs to the new Fleet Management Department.</li> </ul> <p><b><u>2020 Actual vs Budget</u></b></p> <ul style="list-style-type: none"> <li>Building Inspector position vacation all of 2020.</li> <li>Increased utilization of professional services to handle duties that would have been performed by the building inspector position.</li> </ul> | <p><b><u>2020 Budget vs 2021 Budget</u></b></p> <ul style="list-style-type: none"> <li>Decrease in salaries due to budgeting Building Inspector position at lower portion of the range.</li> <li>Increase in veterinary services due to change in policy at the Lawrence Humane Society.</li> <li>Increase in legal fees to reflect increased usage of the City Attorney for various code enforcement matters.</li> <li>Increase in abatement costs due to potential properties that might be subject to the process.</li> </ul> <p><b><u>2021 Estimate vs Budget</u></b></p> <ul style="list-style-type: none"> <li>Estimating approximately 97% of budget will be spent.</li> </ul> | <p><b><u>2021 Budget vs 2022 Recommended</u></b></p> <ul style="list-style-type: none"> <li>Increase in professional services due to not filling building inspector position.</li> </ul> |

## Economic Development

| 2019  | 2020  | 2021   | 2022   |
|---|---|--|--|
| <p><b><u>2019 Actual vs Budget</u></b></p> <ul style="list-style-type: none"> <li>Utilized professional services for the Financial Advisor and Bond Counsel less than anticipated.</li> </ul> | <p><b><u>2019 Budget vs 2020 Budget</u></b></p> <ul style="list-style-type: none"> <li>Includes an increase in support for Elevate Edgerton!, including funding for a special marketing campaign for LPKC.</li> <li>The BNSF increment that is transferred to the PIF for LPKC Phase 1 increased (offset by a corresponding revenue source).</li> <li>The amount of utility sales tax to be transferred to the PIF was increased to reflect more tenants at LPKC (offset by a corresponding revenue source).</li> </ul> <p><b><u>2020 Actual vs Budget</u></b></p> <ul style="list-style-type: none"> <li>Utilized professional services for the Financial Advisor and Bond Counsel less than anticipated.</li> </ul> | <p><b><u>2020 Budget vs 2021 Budget</u></b></p> <ul style="list-style-type: none"> <li>Small increase in the BNSF increment.</li> <li>Removed Chamber membership and related sponsorship for the magazine.</li> </ul> <p><b><u>2021 Estimate vs Budget</u></b></p> <ul style="list-style-type: none"> <li>Estimating approximately 97% of budget will be spent.</li> </ul> | <p><b><u>2021 Budget vs 2022 Recommended</u></b></p> <ul style="list-style-type: none"> <li>Small increase in the BNSF increment.</li> </ul> |

## Information Technology

| 2019   | 2020  | 2021   | 2022   |
|--|---|--|--|
| <p><b><u>2019 Actual vs Budget</u></b></p> <ul style="list-style-type: none"> <li>Restructuring of the IT contract in mid-2019 reduced cost of IT services.</li> </ul> | <p><b><u>2019 Budget vs 2020 Budget</u></b></p> <ul style="list-style-type: none"> <li>Includes a small increase for special projects outside the routine monthly services.</li> <li>Increase in number and cost of PCs to be replaced according to the replacement schedule and the end of life for Windows 7.</li> </ul> <p><b><u>2020 Actual vs Budget</u></b></p> <ul style="list-style-type: none"> <li>The 2020 actual was greater than the budget due to the addition of several IT projects funded by CARES Act grant dollars.</li> </ul> | <p><b><u>2020 Budget vs 2021 Budget</u></b></p> <ul style="list-style-type: none"> <li>Decrease due to restructuring the contract with the IT provider which occurred after the 2020 budget was adopted.</li> </ul> <p><b><u>2021 Estimate vs Budget</u></b></p> <ul style="list-style-type: none"> <li>Estimating approximately 97% of budget will be spent.</li> </ul> | <p><b><u>2021 Budget vs 2022 Recommended</u></b></p> <ul style="list-style-type: none"> <li>Estimating 10% increase in IT Provider contract</li> <li>Rest of increase due to first year of annual maintenance for new software system</li> </ul> |

|   |  |  |  |
|---|--|--|--|
| <ul style="list-style-type: none"> <li>Lower costs for software subscriptions.</li> </ul> |  |  |  |
|---|--|--|--|

## Employee Benefits

| 2019   | 2020  | 2021  | 2022  |
|--|---|---|---|
| <p><b><u>2019 Actual vs Budget</u></b></p> <ul style="list-style-type: none"> <li>Actual health plan increase was 17.3%.</li> <li>Actual dental/vision increase was 0%.</li> <li>Position vacancies resulted in benefits savings (Building Inspector, Asst. City Admin, Marketing/Comm)</li> <li>Implementation period for the 457 match resulted in a partial year for this expenditure.</li> <li>Actual implementation of the Compensation and Benefits Study was less than estimated</li> </ul> | <p><b><u>2019 Budget vs 2020 Budget</u></b></p> <ul style="list-style-type: none"> <li>Includes benefits for the new accountant position.</li> <li>Estimated 20% increase in health insurance premiums.</li> <li>Estimated 10% increase in dental and vision premiums.</li> <li>First full year for the 457 Match, which was implemented in mid-2019.</li> </ul> <p><b><u>2020 Actual vs Budget</u></b></p> <ul style="list-style-type: none"> <li>Several positions were vacant for extended periods of time in 2020: <ul style="list-style-type: none"> <li>City Clerk – 9 months</li> <li>Recreation Coordinator – 9 months</li> <li>Asst. City Administrator – 12 months</li> <li>Building Inspector – 12 months</li> <li>Public Works Maint Techs – 6 months</li> </ul> </li> <li>Actual health plan increase was 5.8%.</li> </ul> | <p><b><u>2020 Budget vs 2021 Budget</u></b></p> <ul style="list-style-type: none"> <li>Reduced budget for position vacancies <ul style="list-style-type: none"> <li>Asst. City Admin – 6 months</li> <li>Building Inspector – 2 months</li> <li>Rec Coordinator – 2 months</li> </ul> </li> <li>First year that the Asst. City Administrator was allocated 100% to the General Fund.</li> <li>Estimated 20% increase in health insurance premiums.</li> <li>Estimated 10% increase in dental and vision premiums.</li> </ul> <p><b><u>2021 Estimate vs Budget</u></b></p> <ul style="list-style-type: none"> <li>Estimating approximately 97% of budget will be spent.</li> </ul> | <p><b><u>2021 Budget vs 2022 Recommended</u></b></p> <ul style="list-style-type: none"> <li>Estimated 10% increase in health insurance premiums.</li> <li>Estimated 3% increase in dental and vision premiums.</li> </ul> |

City of Edgerton  
General Fund

|   |                        |                        |                        |                        |                          |                        |                             |
|---|------------------------|------------------------|------------------------|------------------------|--------------------------|------------------------|-----------------------------|
| Mill Rate:                                  | 29.919                 |                        | 30.881                 |                        | 30.381                   |                        | 29.939 calculated           |
| Revenue from 1 Mill:                        | \$46,317               |                        | \$62,557               |                        | \$51,804                 |                        | \$54,278 est.               |
|   | <b>2019<br/>Actual</b> | <b>2019<br/>Budget</b> | <b>2020<br/>Actual</b> | <b>2020<br/>Budget</b> | <b>2021<br/>Estimate</b> | <b>2021<br/>Budget</b> | <b>2022<br/>Recommended</b> |
| <b>Balance 1/1</b>                          | \$ 1,725,650           | \$ 1,738,092           | \$ 1,698,769           | \$ 1,617,667           | \$ 1,978,605             | \$ 1,582,699           | \$ 1,855,359                |
| <b>Revenues:</b>                            |                        |                        |                        |                        |                          |                        |                             |
| Ad Valorem Tax                              | 1,790,880              | 1,385,761              | 2,374,119              | 1,931,860              | 1,573,849                | 1,573,849              | 1,624,996                   |
| LPKC PILOT                                  | -                      | 437,123                | -                      | 483,853                | 545,837                  | 545,837                | 589,332                     |
| Delinquent Tax                              | 1,952                  | -                      | 8,832                  | -                      | 480                      | -                      | -                           |
| Motor Vehicle Tax                           | 53,361                 | 48,993                 | 46,920                 | 52,969                 | 52,830                   | 52,830                 | 52,830                      |
| Recreational Vehicle Tax                    | 1,133                  | 775                    | 994                    | 933                    | 835                      | 835                    | 835                         |
| 16/20M Vehicle Tax                          | 264                    | 420                    | 333                    | 372                    | 375                      | 375                    | 375                         |
| Local Alcoholic Liquor Tax                  | 3,463                  | 2,725                  | 1,999                  | 2,780                  | 5,000                    | 2,780                  | 5,000                       |
| City 1% Use Tax                             | 182,087                | 180,000                | 204,506                | 113,600                | 200,000                  | 182,000                | 200,000                     |
| County Use Tax                              | 72,486                 | n/a                    | 100,653                | 70,000                 | 100,000                  | 70,000                 | 100,000                     |
| City 1% Sales Tax                           | 415,367                | 750,000                | 479,593                | 431,000                | 485,000                  | 471,000                | 485,000                     |
| County Sales Tax                            | 331,910                | n/a                    | 372,940                | 334,000                | 375,000                  | 322,000                | 375,000                     |
| Franchise Tax                               | 162,372                | 110,000                | 197,313                | 110,000                | 180,000                  | 110,000                | 180,000                     |
| Licenses & Permits                          | 429,634                | 756,300                | 176,022                | 756,300                | 241,000                  | 321,000                | 224,000                     |
| Charges for Services                        | 84,322                 | 123,000                | 121,428                | 118,000                | 93,700                   | 118,000                | 98,700                      |
| Fines & Forfeitures                         | 12,200                 | 2,000                  | 55,700                 | 3,000                  | 75,000                   | 30,000                 | 75,000                      |
| Reimbursements                              | 6,600                  | -                      | 99,000                 | -                      | 7,800                    | -                      | -                           |
| Miscellaneous                               | -                      | -                      | -                      | -                      | -                        | -                      | -                           |
| Investment Income                           | 34,400                 | 15,000                 | 26,858                 | 10,000                 | 5,000                    | 17,000                 | 15,000                      |
| Total Revenue                               | \$ 3,652,576           | \$ 3,835,097           | \$ 4,277,321           | \$ 4,450,667           | \$ 3,941,706             | \$ 3,817,506           | \$ 4,026,068                |
| <b>Expenditures:</b>                        |                        |                        |                        |                        |                          |                        |                             |
| General Government                          | 812,676                | 941,959                | 846,353                | 961,959                | 953,975                  | 983,479                | 1,050,748                   |
| Law Enforcement                             | 25,804                 | 259,523                | 415,499                | 602,818                | 502,281                  | 507,043                | 556,036                     |
| Public Works                                | 617,807                | 610,340                | 523,758                | 590,668                | 532,300                  | 597,835                | 565,620                     |
| Parks                                       | 193,479                | 282,236                | 154,336                | 253,490                | 256,785                  | 264,727                | 315,043                     |
| Facilities                                  | 109,222                | 118,747                | 15,909                 | 115,450                | 122,135                  | 126,325                | 143,570                     |
| Fleet Maintenance                           | -                      | -                      | 41,808                 | 51,200                 | 52,114                   | 54,200                 | 52,700                      |
| Community Development                       | 305,862                | 374,680                | 314,029                | 356,153                | 324,028                  | 334,048                | 387,348                     |
| Economic Development                        | 457,943                | 475,200                | 444,551                | 507,200                | 498,420                  | 502,200                | 506,700                     |
| Information Technology                      | 37,976                 | 47,848                 | 90,172                 | 57,631                 | 48,099                   | 49,587                 | 81,872                      |
| Employee Benefits                           | 363,702                | 419,274                | 358,582                | 484,532                | 539,525                  | 556,209                | 555,093                     |
| Total Expenditures                          | \$ 3,225,563           | \$ 3,621,802           | \$ 3,391,092           | \$ 3,887,171           | \$ 3,830,522             | \$ 3,975,653           | \$ 4,214,730                |
| <b>Revenues Over(Under) Expenditures</b>    | <b>\$ 427,013</b>      | <b>\$ 213,295</b>      | <b>\$ 886,229</b>      | <b>\$ 563,496</b>      | <b>\$ 111,184</b>        | <b>\$ (158,147)</b>    | <b>\$ (188,662)</b>         |
| <b>Other Financing Sources &amp; Uses</b>   |                        |                        |                        |                        |                          |                        |                             |
| <b>Transfers from Other funds:</b>          |                        |                        |                        |                        |                          |                        |                             |
| Transfer from Capital Projects Fund         | \$ 41,097              | \$ -                   | \$ 14,462              | \$ -                   | \$ 10,500                | \$ -                   | \$ -                        |
| <b>Transfers to Other Funds:</b>            |                        |                        |                        |                        |                          |                        |                             |
| Transfer to Equipment Reserve Fund-General  | 79,250                 | 79,250                 | 325,000                | 325,000                | 125,000                  | 125,000                | 125,000                     |
| Transfer to Mayor's Holiday Fund            | 150                    | -                      | -                      | -                      | -                        | -                      | -                           |
| Transfer to Capital Projects Fund           | 415,591                | 274,180                | 295,855                | 150,000                | 111,500                  | 66,500                 | 195,000                     |
| Transfer to Homestead Lane TIF Fund         | -                      | -                      | -                      | -                      | 8,430                    | -                      |                             |
| Transfer to Edgerton Office TIF Fund        |                        |                        |                        |                        | -                        |                        |                             |
| Total Other Financing Sources & Uses        | \$ (453,894)           | \$ (353,430)           | \$ (606,393)           | \$ (475,000)           | \$ (234,430)             | \$ (191,500)           | \$ (320,000)                |
| Total Revenue/Sources Over(Under) Expd/Uses | \$ (26,881)            | \$ (140,135)           | \$ 279,836             | \$ 88,496              | \$ (123,246)             | \$ (349,647)           | \$ (508,662)                |
| <b>Balance 12/31</b>                        | <b>\$ 1,698,769</b>    |                        | <b>\$ 1,978,605</b>    |                        | <b>\$ 1,855,359</b>      |                        | <b>\$ 1,346,697</b>         |

|  |              |              |
|--|--------------|--------------|
| Undesignated Reserve:                              | \$ 625,861   | \$ 666,504   |
| Portion Designated for Self-Insured Losses:        | \$ 50,000    | \$ 50,000    |
| Reserve Per Policy - 17% of Budgeted Expenditures: | \$ 675,861   | \$ 716,504   |
| Unencumbered Cash Over(Under) Requirement:         | \$ 1,179,498 | \$ 630,193   |
| Undesignated Reserve:                              | \$ 943,913   | \$ 1,003,683 |
| Portion Designated for Self-Insured Losses:        | \$ 50,000    | \$ 50,000    |
| Reserve Per Policy - 25% of Budgeted Expenditures: | \$ 993,913   | \$ 1,053,683 |
| Unencumbered Cash Over(Under) Requirement:         | \$ 861,445   | \$ 293,014   |

Funding Sources: Property tax, sales tax, franchise fees, user fees and charges

Expenditures: General operations of the City



**City of Edgerton  
2022 Budget Work Session  
July 15, 2021**

# **Vehicles & Equipment**





July 2, 2021

To: Mayor and City Council Members

From: Beth Linn, City Administrator  
Karen Kindle, Finance Director

Re: Vehicles Equipment 2021-2026

Staff has reviewed and updated the Vehicles & Equipment Plan for 2021-2026. The document is divided into the following sections:

- Approved 2020-2022 Program – Program approved on 8/13/2020.
- Recommended Current Program – items scheduled for replacement in 2021-2022.
- Future Program – items scheduled for replacement in 2023 or later.
- Unfunded Equipment – items that have been requested but have not been funded.

The Vehicle & Equipment Process includes the following steps:

- Review the plan and obtain consensus on funding new requests, if any, at the budget work session.
- Staff updates the plan documents to reflect Governing Body direction given at the work session and brings back the plan for formal approval with the other 2022 Budget documents. This approval sets the budget for the purchase of the equipment items.
- After approval of the plan, purchase of the individual items will be made in 2021/2022 in accordance with the City's Purchasing Policy, including obtaining Governing Body approval if required by the Purchasing Policy.

### **Approved 2020-2021 Program (Exhibit A)**

This document was approved at the August 12, 2020, Council meeting. It shows the items approved as well as the timing and budget approved.

### **Recommended Current Program 2021-2022 (Exhibit B)**

Items on this list are recommended for replacement within the next two years. Items that were scheduled for 2020 but not completed in 2020 are highlighted and the payment year changed. There are columns that indicate the budget that was approved last year, the year a piece of equipment will be ordered and the year the payment will be made for the equipment item. For large equipment, it sometimes takes 9-12 months for the equipment to arrive after the order is placed, so having the two columns showing order year and payment year clarify when the funding is actually needed for cash flow and forecasting purposes.

We have broken the document into three sections: (1) purchases that will need to come back through Council for approval per the Purchasing Policy; (2) purchases that can be approved by the City Administrator per the Purchasing Policy; and (3) payments required per lease agreements or other similar contracts. In each section we have listed the items in the order of priority.

- Timing for items in the Recommended Current Program were updated as follows:
  - The payment year on the Ford F-250 4WD truck was updated from 2020 to 2021 as the truck wasn't received until earlier this year.
- Amounts for existing items in the Recommended Current Program were not updated.
- The Street Sweeper Lease was removed as the lease was paid in full in November 2020.
- Added the BBCWWTP Aeration Diffuser Replacement to 2021. There are several pipes that have degraded significantly and will need to be replaced as soon as possible. The lifespan of these pipes is usually 5-7 years and they have been in place for 8 years.
- Added the Edgerton Rd Tank Altitude Valves Replacement to 2022. The valves have been in place since 1982 and are well past their useful life.

### **Future Program (Exhibit C)**

Items on this list have been reviewed by staff and have been determined to not need replacement within the immediate two years. Items on this list above the black line (items in years 2023-2026 of the plan) are evaluated each year to verify the recommended replacement year and replacement amounts are still accurate. As a result of that review this year, the following updates were made:

- Items purchased in 2020 were added to the appropriate year in the future program.
  - Crack Seal Machine - 2033
  - Wheel Loader - 2040
  - Motor Grader Scarifier - 2040
  - PW Radios - 2030
- Costs were reviewed and updated for items in 2023-2026
  - Hustler mower Z HD 60RD – from \$11,172 to \$13,000
  - Hustler mower Z HD 72RD – from \$11,337 to \$13,500
  - Ford F250 4WD (Truck #104) – from \$27,000 to \$38,000
    - Due to poor condition of truck #108, it will be replaced with truck #104 until 2023. Truck #104 was replaced in early 2021; however, it is better condition than truck #108. Staff is recommending disposal of truck #108 in 2021.
  - Case 1840 Uni-Loader – from \$50,000 to \$30,000.
    - The Utility Department will purchase the Public Works Skid Steer if Council approves the replacement of that skid steer with a larger capacity skid steer with tracks. The \$30,000 is the approximate value of the Public Works skid steer.
  - Ford F150 EcoBoost (Qty=2) – from \$30,000 each to \$32,500 each
  - 60 Inch Bad Boy Zero Turn Mower – from \$7,000 to \$13,000
  - Wright Stander 61 Inch Zero Turn Mower – from \$9,083 to \$12,850
- Minimum requirements were updated resulting in updated costs for the following items in 2023-2026
  - Ford F350 4WD Flat Bed – from \$39,500 to \$48,497 to reflect increased towing capacity for towing trailered equipment as well as safety lighting.

- Ford F250 4WD Truck – from \$27,000 to \$46,500 to reflect increasing to a Ford F350 for towing capacity for towing trailered equipment, obtaining our new minimum standards for snow plow operations, as well as safety lighting.
- The SCADA System item was broken down into the component parts and related costs. The replacement year was changed to 2031.
- Replacement of the Neptune water meters was added over four years starting in 2027.

### **Fund Summary (Exhibit D)**

This schedule shows the estimated revenues and expenditures for 2021-2026 based on the Recommended Current Program and the Future Program.

#### **Revenues During 5-Year Plan**

- The Equipment Reserve Fund – General shows an annual funding of \$125,000 occurring in each year of the plan.
- The Equipment Reserve Fund – Water shows transfers from the Water Fund beginning in 2022. They begin at \$25,000 per year in years 2022-2024 and increase to \$30,000 in years 2025-2026.
- The Equipment Reserve Fund – Sewer shows transfers from the Sewer Fund in 2020 and 2021 of \$50,000 each to bolster the fund balance to cover purchases in later years of the plan. The Recommended 2022 Budget includes a decreased transfer of \$25,000.

#### **Ending Fund Balances During the 5-Year Plan**

- Equipment Reserve Fund – General
  - The balance at the end of the 5-year plan is positive; however, there are items on the unfunded list in addition to the replacement needs noted in the Future Program.
- Equipment Reserve Fund – Water
  - The balance at the end of the 5-year plan is positive; however, there are water items on the unfunded list. In addition, Utility staff are inventorying the system components which will result in more information about future equipment replacement needs.
- Equipment Reserve Fund – Sewer

The balance at the end of the 5-year plan is positive; however, there are a few items on the unfunded list. Also, Utility staff are performing an inventory of all system components in order to help determine future equipment replacement needs of the sewer utility.

### **Unfunded Equipment (Exhibit E)**

The items on the Unfunded Equipment List are new items that have been requested by staff or the item requested is a significant change from the item being replaced and is, therefore, being treated as a new request.

There are two parts to this list. The first part is the list of requests that staff recommends be funded. The second part of the list are the requests that staff does not recommend funding at this time. There are several equipment items that staff is recommending for funding during the five years of the plan. There is an alternate Fund Summary which shows the effect on fund balances if all recommended equipment were approved for funding. The balances at the end of the forecast period are less under the scenario where all recommended equipment is funded but are still positive and available to fund future equipment replacement items.

Individual sheets containing more detailed information about these equipment requests are included in Exhibit E.

### **Items Recommended for Disposal (Exhibit F)**

The list includes items no longer needed. Proceeds from the disposal of equipment are deposited into the Equipment Reserve Funds according to the allocation percentages assigned to the individual equipment items. The proceeds become part of the balance in the fund and will be used to fund future equipment purchases.

### **Other Items of Note**

- The Starlight Utility Trailer scheduled for replacement in 2025 has had some repair issues. Staff has repaired the trailer and to prevent further issues until replacement; however, the towing capacity has been reduced, making the trailer not as effective.
- Staff continues to inventory components for the Water and Sewer systems in order to be ready for the Water System Analysis and the implementation of the ERP system.

City of Edgerton  
Vehicle Equipment Replacement  
Recommended Current Program 2020-2021

| Priority #                  | Equipment Description                        | Dept. | Equip Type  | Purch Year | Model Year | Current Mileage/ Hours | Est. Yearly Mileage/ Hours | Usage Frequency | General Condition | Effectiveness | Approved Budget | Projected Replace Cost | Order Year | Payment Year | Alloc % Fund 13 General | Alloc % Fund 27 Water | Alloc % Fund 37 Sewer |
|-----------------------------|--|-------|-------------|------------|------------|------------------------|----------------------------|-----------------|-------------------|---------------|-----------------|------------------------|------------|--------------|-------------------------|-----------------------|-----------------------|
| Purchase Approval - Council |  |       |             |            |            |                        |                            |                 |                   |               |                 |                        |            |              |                         |                       |                       |
| 1                           | Asphalt Crack Seal Machine (trailer mounted) | PW    | Equipment   | New        | New        | New                    | New                        | New             | New               | New           | \$ 50,000       | \$ 80,000              | 2020       | 2020         | 100%                    | 0%                    | 0%                    |
| 2                           | Wheel Loader                                 | PW    | Equipment   | New        | New        | New                    | New                        | New             | New               | New           | \$ 200,000      | \$ 184,000             | 2020       | 2020         | 100%                    | 0%                    | 0%                    |
| 3                           | Ford F-250 4WD                               | PW    | Vehicle     | 2000       | 2000       | 102,721                | 8000 +                     | Daily           | Good              | Effective     | \$ 45,000       | \$ 45,000              | 2020       | 2020         | 100%                    | 0%                    | 0%                    |
| 4                           | Tandem Dump Truck                            | PW    | Heavy Truck | New        | New        | New                    | New                        | New             | New               | New           | \$ 250,000      | \$ 250,000             | 2020       | 2021         | 100%                    | 0%                    | 0%                    |
| 5                           | Storm Siren                                  | PW    | Storm Siren | New        | New        | New                    | New                        | New             | New               | New           | \$ 26,000       | \$ 26,000              | 2021       | 2021         | 100%                    | 0%                    | 0%                    |
| 6                           | Storm Siren                                  | PW    | Storm Siren | New        | New        | New                    | New                        | New             | New               | New           | \$ 26,000       | \$ 26,000              | 2022       | 2022         | 100%                    | 0%                    | 0%                    |

Purchase Approval - City Administrator

|   |                        |    |           |     |     |     |     |     |     |     |           |          |      |      |      |    |    |
|---|------------------------|----|-----------|-----|-----|-----|-----|-----|-----|-----|-----------|----------|------|------|------|----|----|
| 1 | Motor Grader Scarifier | PW | Equipment | New | New | New | New | New | New | New | \$ 10,000 | \$ 4,900 | 2020 | 2020 | 100% | 0% | 0% |
| 2 | Portable Radios        | PW | Equipment | New | New | New | New | New | New | New | \$ 8,800  | \$ 7,300 | 2020 | 2020 | 100% | 0% | 0% |

Contract Payments

|   |                                   |    |           |      |      |     |       |        |           |                |           |             |             |             |      |    |    |
|---|-----------------------------------|----|-----------|------|------|-----|-------|--------|-----------|----------------|-----------|-------------|-------------|-------------|------|----|----|
| 1 | Elgin Broom Badger Street Sweeper | PW | Equipment | 2016 | 2016 | 500 | 1,500 | Weekly | Excellent | Very Effective | \$ 39,456 | lease 16-20 | lease 16-20 | lease 16-20 | 100% | 0% | 0% |
|---|-----------------------------------|----|-----------|------|------|-----|-------|--------|-----------|----------------|-----------|-------------|-------------|-------------|------|----|----|

Year updated.

City of Edgerton  
Vehicle Equipment Replacement  
Recommended Current Program 2021-2022

| Priority #                             | Equipment Description                       | Dept. | Equip Type  | Purch Year | Model Year | Current Mileage/ Hours | Est. Yearly Mileage/ Hours | Usage Frequency | General Condition | Effectiveness | Approved Budget | Projected Replace Cost | Order Year | Payment Year | Alloc % Fund 13 General | Alloc % Fund 27 Water | Alloc % Fund 37 Sewer |
|--|---|-------|-------------|------------|------------|------------------------|----------------------------|-----------------|-------------------|---------------|-----------------|------------------------|------------|--------------|-------------------------|-----------------------|-----------------------|
| Purchase Approval - Council            |   |       |             |            |            |                        |                            |                 |                   |               |                 |                        |            |              |                         |                       |                       |
| 1                                      | Ford F-250 4WD                              | PW    | Vehicle     | 2000       | 2000       | 102,721                | 8000 +                     | Daily           | Good              | Effective     | \$ 45,000       | \$ 45,000              | 2020       | 2021         | 100%                    | 0%                    | 0%                    |
| 2                                      | Tandem Dump Truck                           | PW    | Heavy Truck | New        | New        | New                    | New                        | New             | New               | New           | \$ 250,000      | \$ 250,000             | 2020       | 2021         | 100%                    | 0%                    | 0%                    |
| 3                                      | BBCWWTP Aeration Basin Diffuser Replacem    | UT    | Sewer Syst  | 2013       | 2013       | NA                     | NA                         | Daily           | Poor              | Moderate      | \$ -            | \$ 25,500              | 2021       | 2021         | 0%                      | 0%                    | 100%                  |
| 4                                      | Storm Siren                                 | PW    | Storm Siren | New        | New        | New                    | New                        | New             | New               | New           | \$ 26,000       | \$ 26,000              | 2021       | 2021         | 100%                    | 0%                    | 0%                    |
| 5                                      | Edgerton Rd Tank Butterfly Valves Replaceme | UT    | Water Syst  | 1982       | 1982       | NA                     | NA                         | Daily           | Poor              | Moderate      | \$ -            | \$ 10,230              | 2022       | 2022         | 0%                      | 100%                  | 0%                    |
| 6                                      | Storm Siren                                 | PW    | Storm Siren | New        | New        | New                    | New                        | New             | New               | New           | \$ 26,000       | \$ 26,000              | 2022       | 2022         | 100%                    | 0%                    | 0%                    |
| Purchase Approval - City Administrator |   |       |             |            |            |                        |                            |                 |                   |               |                 |                        |            |              |                         |                       |                       |
| None.                                  |   |       |             |            |            |                        |                            |                 |                   |               |                 |                        |            |              |                         |                       |                       |
|  |   |       |             |            |            |                        |                            |                 |                   |               |                 |                        |            |              |                         |                       |                       |
| Contract Payments                      |   |       |             |            |            |                        |                            |                 |                   |               |                 |                        |            |              |                         |                       |                       |
| None.                                  |   |       |             |            |            |                        |                            |                 |                   |               |                 |                        |            |              |                         |                       |                       |

City of Edgerton  
Vehicle Equipment Replacement Future Program (2023+)

| Item # | Equipment Description                            | VIN/Serial #      | Item Number | Dept. | Equip Type  | Purch Year | Model Year | Current Mileage/ Hours | Est. Yearly Mileage/ Hours | Usage Frequency | General Condition | Effectiveness  | Projected Replace Cost | Updated Est. Replacement Year | Alloc % Fund 13 General | Alloc % Fund 27 Water | Alloc % Fund 37 Sewer |
|--------|--|-------------------|-------------|-------|-------------|------------|------------|------------------------|----------------------------|-----------------|-------------------|----------------|------------------------|-------------------------------|-------------------------|-----------------------|-----------------------|
| 1      | Hustler Super Z HD 60RD - HTE934935              | 17073115          | N-305       | PK    | Equipment   | 2017       | 2017       | 338.0                  |                            | Seasonally      | Good              | Effective      | \$ 13,000              | 2023                          | 100%                    | 0%                    | 0%                    |
| 2      | Hustler Super Z HD 72RD - HTE934976              | 17090534          | N-310       | PK    | Equipment   | 2017       | 2017       | 438.0                  |                            | Seasonally      | Good              | Effective      | \$ 13,500              | 2023                          | 100%                    | 0%                    | 0%                    |
| 3      | Ford F-250 4WD                                   | 1FTNF21L41EB39836 | 108         | UT    | Vehicle     | 2000       | 2000       | 131,863                | 8000 +                     | Daily           | Poor              | Moderate       | \$ 38,000              | 2023                          | 0%                      | 50%                   | 50%                   |
| 4      | Case 1840 Uni-Loader                             | JAF0266786        |             | PW    | Equipment   | ?          | 1995       | 1,416                  | ?                          | Daily           | Poor              | Moderate       | \$ 30,000              | 2023                          | 0%                      | 50%                   | 50%                   |
| 5      | Sewer Equipment Sewer Jet (trailer)              | 1S9KU21278C381582 | 319         | UT    | Equipment   | 2009       | 2009       | 105                    | 17                         | Daily           | Fair              | Effective      | \$ 75,000              | 2023                          | 0%                      | 0%                    | 100%                  |
| 6      | Baldwin Booster Pump Replacement                 |                   |             |       | Water Syst  |            |            | NA                     | NA                         | Daily           | Fair              | Effective      | \$ 15,400              | 2023                          | 0%                      | 100%                  | 0%                    |
| 7      | Storm Siren - 1100 W. Braun                      |                   | EM02        | PW    | Storm Siren | 1999       | 1999       | NA                     | NA                         | Occasionally    | Good              | Effective      | \$ 26,000              | 2024                          | 100%                    | 0%                    | 0%                    |
| 8      | Ford F-350 4WD - Flat Bed                        | 1FTRF3B61FEA88523 | 107         | PW    | Vehicle     | 2014       | 2014       | 45,361                 | 8000 +                     | Daily           | Good              | Effective      | \$ 48,497              | 2024                          | 100%                    | 0%                    | 0%                    |
| 9      | Phone System                                     |                   | 301         | AD    | Equipment   | 2017       | 2017       | NA                     | NA                         | Daily           | Excellent         | Very Effective | \$ 5,000               | 2025                          | 34%                     | 33%                   | 33%                   |
| 10     | Ford F150 EcoBoost (Bldg. Inspector)             | 1FTEX1EP9FKE51454 | 101         | CD    | Vehicle     | 2015       | 2015       | 31,317                 |                            | Daily           | Good              | Effective      | \$ 32,500              | 2025                          | 100%                    | 0%                    | 0%                    |
| 11     | Ford F-150 EcoBoost (Charlie)                    | 1FTEX1EPXFKD30819 | 102         | CD    | Vehicle     | 2015       | 2015       | 43,024                 | 6,000                      | Daily           | Good              | Effective      | \$ 32,500              | 2025                          | 100%                    | 0%                    | 0%                    |
| 12     | Simplicity 32 walk behind mower (Codes)          | 2014429254        | 304         | CD    | Equipment   | 2010       | 2010       | 215                    |                            | Seasonally      | Fair              | Moderate       | \$ 3,000               | 2025                          | 100%                    | 0%                    | 0%                    |
| 13     | Ford F-250 4WD Truck ->F350 plow                 | 1ZTRF3B61FEA88530 | 106         | PW    | Vehicle     | 2014       | 2014       | 61,390                 | 8000 +                     | Daily           | Good              | Effective      | \$ 46,500              | 2025                          | 100%                    | 0%                    | 0%                    |
| 14     | Storm Siren - 207th & Columbine Cemetery         |                   | EM06        | PW    | Storm Siren | New Req    | New Req    | NA                     | NA                         | Occasionally    | New Req           | New Req        | \$ 26,000              | 2025                          | 100%                    | 0%                    | 0%                    |
| 15     | 60 Inch Bad Boy Outlaw Zero Turn Mower (BBCWWTP) |                   | 320         | UT    | Equipment   | 2015       | 2015       | 159                    |                            | Seasonally      | Good              | Effective      | \$ 13,000              | 2025                          | 0%                      | 0%                    | 100%                  |
| 16     | Starlight Utility Trailer                        | 1HWFS162541       | 323         | UT    | Equipment   |            | 1987       | NA                     | NA                         | Daily           | Poor              | Ineffective    | \$ 7,500               | 2025                          | 0%                      | 50%                   | 50%                   |
| 17     | Wright Stander 61" Zero Turn Mower               | WSZK61s61E8E-49s  |             | PW    | Equipment   | 2018       | 2018       | 734.0                  |                            | Seasonally      | Fair              | Effective      | \$ 12,850              | 2025                          | 100%                    | 0%                    | 0%                    |
| 18     | Ford F-350 4WD (Parks)                           | 1FT8W3B60HEE05312 | N-103       | PK    | Vehicle     | 2017       | 2017       | 29,488                 | 6,000                      | Daily           | Excellent         | Very Effective | \$ 46,500              | 2027                          | 100%                    | 0%                    | 0%                    |
| 19     | Snow Plow (Parks Truck)                          | 17022110090376900 | P103        | PK    | Snow & Ice  | 2017       | 2017       | NA                     | NA                         | Seasonally      | Excellent         | Very Effective | \$ 8,000               | 2027                          | 100%                    | 0%                    | 0%                    |
| 20     | Boss 8' to 10' EXT Snow Plow STB19200            | 401250652         | N-P106      | PW    | Snow & Ice  | 2017       | 2017       | NA                     | NA                         | Seasonally      | Excellent         | Very Effective | \$ 8,000               | 2027                          | 100%                    | 0%                    | 0%                    |
| 21     | Boss 8' to 10' EXT Snow Plow STB19200            | 401250953         | N-P106      | PW    | Snow & Ice  | 2017       | 2017       | NA                     | NA                         | Seasonally      | Excellent         | Very Effective | \$ 8,000               | 2027                          | 100%                    | 0%                    | 0%                    |
| 22     | Buyers Salt Dogg - 8ft Elect.                    | oo4780            | N-S107      | PW    | Snow & Ice  | 2017       | 2017       | NA                     | NA                         | Seasonally      | Excellent         | Very Effective | \$ 6,500               | 2027                          | 100%                    | 0%                    | 0%                    |
| 23     | Neptune Water Meters (1/4 of all meters)         |                   |             | UT    | Meter       | 2016       | 2016       | NA                     | NA                         | Daily           | Good              | Effective      | \$ 36,750              | 2027                          | 0%                      | 100%                  | 0%                    |
| 24     | Neptune Water Meters (1/4 of all meters)         |                   |             | UT    | Meter       | 2016       | 2016       | NA                     | NA                         | Daily           | Good              | Effective      | \$ 36,750              | 2028                          | 0%                      | 100%                  | 0%                    |
| 25     | Ford F-350 CC                                    | 1FD8W3H64KED68646 | N-105       | PW    | Vehicle     | 2019       | 2019       | 12,116                 | 8000 +                     | Daily           | Excellent         | Very Effective | \$ 42,500              | 2028                          | 100%                    | 0%                    | 0%                    |
| 26     | Future Line - Rancher Flat Bed                   |                   | FB-105      | PW    | Vehicle     | 2019       | 2019       | NA                     | NA                         | Daily           | Excellent         | Very Effective | \$ 9,000               | 2028                          | 100%                    | 0%                    | 0%                    |
| 27     | Meyers 9.0 LP Commercial                         |                   | PL-105      | PW    | Snow & Ice  | 2019       | 2019       | NA                     | NA                         | Daily           | Excellent         | Very Effective | \$ 7,200               | 2028                          | 100%                    | 0%                    | 0%                    |
| 28     | Ford R-350 CC                                    | 1FD8W3H64KED68647 | 109         | UT    | Vehicle     | 2019       | 2019       | 20,631                 | 8000 +                     | Daily           | Excellent         | Very Effective | \$ 42,500              | 2028                          | 0%                      | 50%                   | 50%                   |
| 29     | Palfinger - PCB 20 Utility Bed                   |                   | UB-109      | UT    | Vehicle     | 2019       | 2019       | NA                     | NA                         | Daily           | Excellent         | Very Effective | \$ 11,000              | 2028                          | 0%                      | 50%                   | 50%                   |
| 30     | Palfinger - PSC 3218 Service Crane               |                   | SC-109      | UT    | Equipment   | 2019       | 2019       | NA                     | NA                         | Daily           | Excellent         | Very Effective | \$ 22,000              | 2028                          | 0%                      | 50%                   | 50%                   |
| 31     | Neptune Water Meters (1/4 of all meters)         |                   |             | UT    | Meter       | 2016       | 2016       | NA                     | NA                         | Daily           | Good              | Effective      | \$ 36,750              | 2029                          | 0%                      | 100%                  | 0%                    |
| 32     | John Deere 50G Compact Excavator                 | 1FF050GXPGH284368 | 313         | PW    | Equipment   | 2017       | 2017       | 171.1                  | NA                         | Daily           | Excellent         | Very Effective | \$ 70,000              | 2029                          | 34%                     | 33%                   | 33%                   |
| 33     | Neptune Water Meters (1/4 of all meters)         |                   |             | UT    | Meter       | 2016       | 2016       | NA                     | NA                         | Daily           | Good              | Effective      | \$ 36,750              | 2029                          | 0%                      | 100%                  | 0%                    |
| 34     | Utility Task Vehicle (Kubota)                    | A5KC2GDBAHG034584 | 324         | PK    | Equipment   | 2017       | 2017       | 430.6                  | NA                         | Daily           | Excellent         | Very Effective | \$ 20,000              | 2030                          | 100%                    | 0%                    | 0%                    |
| 35     | UTV Plow V5289                                   | 21615504          | P324        | PK    | Snow & Ice  | 2017       | 2017       | NA                     | NA                         | Seasonally      | Excellent         | Very Effective | \$ 5,000               | 2030                          | 100%                    | 0%                    | 0%                    |
| 36     | Mack Granite GU 432                              | 1M2AX34C2HM010728 | N - 203     | PW    | Heavy Truck | 2017       | 2017       | 0                      | 3,000                      | Weekly          | Excellent         | Very Effective | \$ 140,500             | 2030                          | 100%                    | 0%                    | 0%                    |
| 37     | Tough Equipment ARM SPX 10ft Plow                | 7796              | N - P203    | PW    | Snow & Ice  | 2017       | 2017       | NA                     | NA                         | Seasonally      | Excellent         | Very Effective | \$ 7,500               | 2030                          | 100%                    | 0%                    | 0%                    |
| 38     | Tough Equipment ARM Tail Gate Spreader           | 9.14.2017         | N - S203    | PW    | Snow & Ice  | 2017       | 2017       | NA                     | NA                         | Seasonally      | Excellent         | Very Effective | \$ 4,500               | 2030                          | 100%                    | 0%                    | 0%                    |
| 39     | Traffic CAD Software                             | 229968H BC170600  | PWS03-2     | PW    | Equipment   | 2017       | 2017       | NA                     | NA                         | Weekly          | Excellent         | Very Effective | \$ 3,300               | 2030                          | 100%                    | 0%                    | 0%                    |
| 40     | Graphtec FC8600-130 Sign Plotter                 |                   | PWS03       | PW    | Equipment   | 2017       | 2017       | NA                     | NA                         | Weekly          | Excellent         | Very Effective | \$ 9,500               | 2030                          | 100%                    | 0%                    | 0%                    |
| 41     | 48" HSRA Squeeze Roller                          |                   | PWS03-3     | PW    | Equipment   | 2017       | 2017       | NA                     | NA                         | Weekly          | Excellent         | Very Effective | \$ 2,300               | 2030                          | 100%                    | 0%                    | 0%                    |
| 42     | Portable Radios (4)                              |                   |             | PW    | Equipment   | 2020       | 2020       | NA                     | NA                         | Daily           | Excellent         | Very Effective | \$ 9,800               | 2030                          | 100%                    | 0%                    | 0%                    |
| 43     | Allen-Bradley PLC (Baldwin BPS)                  |                   |             | UT    | SCADA       | 2016       | 2016       | NA                     | NA                         | Daily           | Good              | Effective      | \$ 3,000               | 2031                          | 0%                      | 100%                  | 0%                    |
| 44     | Allen-Bradley PLC (Spoon Creek BPS)              |                   |             | UT    | SCADA       | 2016       | 2016       | NA                     | NA                         | Daily           | Good              | Effective      | \$ 3,000               | 2031                          | 0%                      | 100%                  | 0%                    |
| 45     | Allen-Bradley PLC (Control Valve Hwy 56)         |                   |             | UT    | SCADA       | 2016       | 2016       | NA                     | NA                         | Daily           | Good              | Effective      | \$ 3,000               | 2031                          | 0%                      | 100%                  | 0%                    |
| 46     | Allen-Bradley PLC (Control Valve 207th)          |                   |             | UT    | SCADA       | 2016       | 2016       | NA                     | NA                         | Daily           | Good              | Effective      | \$ 3,000               | 2031                          | 0%                      | 100%                  | 0%                    |
| 47     | Allen-Bradley PLC (Water Tower-County Line)      |                   |             | UT    | SCADA       | 2016       | 2016       | NA                     | NA                         | Daily           | Good              | Effective      | \$ 3,000               | 2031                          | 0%                      | 100%                  | 0%                    |
| 48     | Allen-Bradley PLC (Water Tower-Edgerton Rd)      |                   |             | UT    | SCADA       | 2016       | 2016       | NA                     | NA                         | Daily           | Good              | Effective      | \$ 3,000               | 2031                          | 0%                      | 100%                  | 0%                    |
| 49     | Allen-Bradley PLC (Water Tower-Manor Tank)       |                   |             | UT    | SCADA       | 2016       | 2016       | NA                     | NA                         | Daily           | Good              | Effective      | \$ 3,000               | 2031                          | 0%                      | 100%                  | 0%                    |
| 50     | MDS iNET II Radio (Baldwin BPS)                  |                   |             | UT    | SCADA       | 2016       | 2016       | NA                     | NA                         | Daily           | Good              | Effective      | \$ 2,500               | 2031                          | 0%                      | 100%                  | 0%                    |



City of Edgerton  
Vehicle Equipment Replacement Future Program (2023+)

| Item # | Equipment Description                           | VIN/Serial #      | Item Number | Dept. | Equip Type     | Purch Year | Model Year | Current Mileage/ Hours | Est. Yearly Mileage/ Hours | Usage Frequency | General Condition | Effectiveness  | Projected Replace Cost | Updated Est. Replacement Year | Alloc % Fund 13 General | Alloc % Fund 27 Water | Alloc % Fund 37 Sewer |
|--------|---|-------------------|-------------|-------|----------------|------------|------------|------------------------|----------------------------|-----------------|-------------------|----------------|------------------------|-------------------------------|-------------------------|-----------------------|-----------------------|
| 51     | MDS iNET II Radio (Spoon Creek BPS)             |                   |             | UT    | SCADA          | 2016       | 2016       | NA                     | NA                         | Daily           | Good              | Effective      | \$ 2,500               | 2031                          | 0%                      | 100%                  | 0%                    |
| 52     | MDS iNET II Radio (Control Valve-Hwy 56)        |                   |             | UT    | SCADA          | 2016       | 2016       | NA                     | NA                         | Daily           | Good              | Effective      | \$ 2,500               | 2031                          | 0%                      | 100%                  | 0%                    |
| 53     | MDS iNET II Radio (Control Valve-207th)         |                   |             | UT    | SCADA          | 2016       | 2016       | NA                     | NA                         | Daily           | Good              | Effective      | \$ 2,500               | 2031                          | 0%                      | 100%                  | 0%                    |
| 54     | MDS iNET II Radio (Water Tower-County Line)     |                   |             | UT    | SCADA          | 2016       | 2016       | NA                     | NA                         | Daily           | Good              | Effective      | \$ 2,500               | 2031                          | 0%                      | 100%                  | 0%                    |
| 55     | MDS iNET II Radio (Water Tower-Edgerton Rd)     |                   |             | UT    | SCADA          | 2016       | 2016       | NA                     | NA                         | Daily           | Good              | Effective      | \$ 2,500               | 2031                          | 0%                      | 100%                  | 0%                    |
| 56     | MDS iNET II Radio Water Tower-Manor Tank)       |                   |             | UT    | SCADA          | 2016       | 2016       | NA                     | NA                         | Daily           | Good              | Effective      | \$ 2,500               | 2031                          | 0%                      | 100%                  | 0%                    |
| 57     | Rotory SMO14 - Vehicle Lift                     | FA7147            | PWS01       | PW    | Equipment      | 2016       | 2016       | NA                     | NA                         | Daily           | Excellent         | Very Effective | \$ 13,500              | 2032                          | 100%                    | 0%                    | 0%                    |
| 58     | Seal Master Crack Pro 125 Asphalt Crack Sealant | 1S9P1151XL0420511 |             | PW    | Equipment      | 2020       | 2020       | 37                     | NA                         | Seasonally      | Excellent         | Very Effective | \$ 58,000              | 2033                          | 100%                    | 0%                    | 0%                    |
| 59     | Animal Control Truck Bed Insert - Dogs          |                   |             | CD    | Equipment      | 2019       | 2019       | NA                     | NA                         | Daily           | Excellent         | Very Effective | \$ 4,500               | 2034                          | 100%                    | 0%                    | 0%                    |
| 60     | Cub-Cadet Snow Blower - 31DH975W710             | 16174B10153       | 324         | PW    | Equipment      | 2015       | 2015       | NA                     | NA                         | Seasonally      | Excellent         | Very Effective | \$ 3,200               | 2035                          | 100%                    | 0%                    | 0%                    |
| 61     | Storm Siren - IMF Lift Station                  |                   | EM05        | PW    | Storm Siren    | 2015       | 2015       | NA                     | NA                         | Occasionally    | Good              | Effective      | \$ 26,000              | 2035                          | 100%                    | 0%                    | 0%                    |
| 62     | Kubota SSV75 Skid Steer - 23116/8HL2632         | JKUS075K10J23116  | 318         | UT    | Equipment      | 2017       | 2017       | 322.3                  | 50                         | Weekly          | Excellent         | Very Effective | \$ 46,500              | 2036                          | 0%                      | 50%                   | 50%                   |
| 63     | Cold Planer - AP450HD                           | C13117            | CP-318      | UT    | Equipment      | 2018       | 2018       | NA                     | NA                         | Seasonally      | Excellent         | Very Effective | \$ 13,480              | 2036                          | 0%                      | 50%                   | 50%                   |
| 64     | Kubota SSV75 Skid Steer - Tooth Bucket          | 1031804K          | TB-318      | UT    | Equipment      | 2017       | 2017       | NA                     | NA                         | Weekly          | Excellent         | Very Effective | incl w/skid steer      | 2036                          | 0%                      | 50%                   | 50%                   |
| 65     | Kubota SSV75 Skid Steer - Smooth Bucket         | 1011803K          | SB-318      | UT    | Equipment      | 2017       | 2017       | NA                     | NA                         | Weekly          | Excellent         | Very Effective | incl w/skid steer      | 2036                          | 0%                      | 50%                   | 50%                   |
| 66     | John Deere Smooth Bucket                        | X2010041649       |             | PW    | Equipment      | 2016       | 2016       | NA                     | NA                         | Monthly         | Excellent         | Very Effective | incl w/skid steer      | 2036                          | 100%                    | 0%                    | 0%                    |
| 67     | Apprentice Tool Set                             | Cornwell -        | PWS02       | PW    | Equipment      | 2016       | 2016       | NA                     | NA                         | Daily           | Excellent         | Very Effective | \$ 6,000               | 2036                          | 100%                    | 0%                    | 0%                    |
| 68     | Homestead Ln (S) @ I35                          | 20336lc/ts        |             | PW    | Traffic Signal | 2016       | 2016       | NA                     | NA                         | Daily           | Excellent         | Very Effective | \$ 145,000             | 2036                          | 100%                    | 0%                    | 0%                    |
| 69     | Homestead Ln (N) @ I35                          | 20365lc/ts        |             | PW    | Traffic Signal | 2016       | 2016       | NA                     | NA                         | Daily           | Excellent         | Very Effective | \$ 145,500             | 2036                          | 100%                    | 0%                    | 0%                    |
| 70     | Homestead Ln @ 199th St                         | 32708lc/ts        |             | PW    | Traffic Signal | 2016       | 2016       | NA                     | NA                         | Daily           | Excellent         | Very Effective | \$ 130,000             | 2036                          | 100%                    | 0%                    | 0%                    |
| 71     | Homestead Ln @ 191th St                         | 19108lc/ts        |             | PW    | Traffic Signal | 2016       | 2016       | NA                     | NA                         | Daily           | Excellent         | Very Effective | \$ 207,000             | 2036                          | 100%                    | 0%                    | 0%                    |
| 72     | Storm Siren - Manor Park                        |                   | EM01        | PW    | Storm Siren    | 2016       | 2016       | NA                     | NA                         | Occasionally    | Good              | Effective      | \$ 26,000              | 2036                          | 100%                    | 0%                    | 0%                    |
| 73     | Mahindra 2555 HST Compact Tractor               | 55HC K00859       | N-311       | PK    | Equipment      | 2018       | 2018       | 83.4                   | 150                        | Weekly          | Excellent         | Very Effective | \$ 34,000              | 2037                          | 100%                    | 0%                    | 0%                    |
| 74     | Mahindra 2555 Loader                            | 55CL K00383       | L-311       | PK    | Equipment      | 2018       | 2018       | NA                     | NA                         | Weekly          | Excellent         | Very Effective | incl with tractor      | 2037                          | 100%                    | 0%                    | 0%                    |
| 75     | Mahindra Box Blade                              | 245749            |             | PK    | Equipment      | 2018       | 2018       | NA                     | NA                         | Monthly         | Excellent         | Very Effective | \$ 1,172               | 2037                          | 100%                    | 0%                    | 0%                    |
| 76     | Mahindra Aerator-12                             | K13361-1          |             | PK    | Equipment      | 2018       | 2018       | NA                     | NA                         | Monthly         | Excellent         | Very Effective | \$ 3,350               | 2037                          | 100%                    | 0%                    | 0%                    |
| 77     | Lamar 83" x 18' Trailer                         | 5RVUC182XJP056353 | N-307       | PK    | Equipment      | 2017       | 2017       | NA                     | NA                         | Daily           | Excellent         | Very Effective | \$ 3,500               | 2037                          | 100%                    | 0%                    | 0%                    |
| 78     | Cat 12m3 AWD Motor Grader                       | CAT0012MHN9B00409 | 316         | PW    | Equipment      | 2017       | 2017       | 238.0                  |                            | Weekly          | Excellent         | Very Effective | \$ 300,000             | 2037                          | 100%                    | 0%                    | 0%                    |
| 79     | V-Plow (Cat 12m3 AWD Motor Grader)              |                   | VP316       | PW    | Equipment      | 2014       | 2014       | NA                     | NA                         | Seasonally      | Excellent         | Very Effective | \$ 25,000              | 2037                          | 100%                    | 0%                    | 0%                    |
| 80     | Volvo DD25B Roller                              | VCE0D25BF0H661034 | N-317       | PW    | Equipment      | 2018       | 2018       | 7.0                    | 50                         | Seasonally      | Excellent         | Very Effective | \$ 36,000              | 2037                          | 100%                    | 0%                    | 0%                    |
| 81     | 191st St @ Waverly Rd                           |                   |             | PW    | Traffic Signal | 2017       | 2017       | NA                     | NA                         | Daily           | Excellent         | Very Effective | \$ 211,000             | 2037                          | 100%                    | 0%                    | 0%                    |
| 82     | Diamond C 13 Deckover Equipment Trailer         | 46UFU2426J1195966 |             | PW    | Equipment      | 2018       | 2018       | NA                     | NA                         | Daily           | Excellent         | Very Effective | \$ 8,290               | 2038                          | 34%                     | 33%                   | 33%                   |
| 83     | Diamond C 48HDT                                 | 46UF2423J1203361  |             | PW    | Equipment      | 2018       | 2018       | NA                     | NA                         | Daily           | Excellent         | Very Effective | \$ 9,359               | 2038                          | 100%                    | 0%                    | 0%                    |
| 84     | Catepillar 926M Wheel Loader w/3 yd bucket      | D8T628932J308897  |             | PW    | Equipment      | 2020       | 2020       | 167                    | NA                         | Weekly          | Excellent         | Very Effective | \$ 157,000             | 2040                          | 100%                    | 0%                    | 0%                    |
| 85     | Dynamax Grapple Bucket for Wheel Loader         | 170430            |             | PW    | Equipment      | 2020       | 2020       | NA                     | NA                         | Weekly          | Excellent         | Very Effective | \$ 22,000              | 2040                          | 100%                    | 0%                    | 0%                    |
| 86     | Catepillar Fork Attachement for Wheel Loader    | 532-8222          |             | PW    | Equipment      | 2020       | 2020       | NA                     | NA                         | Weekly          | Excellent         | Very Effective | \$ 3,500               | 2040                          | 100%                    | 0%                    | 0%                    |
| 87     | Motor Grader Scarifier                          | 8AW02416          |             | PW    | Equipment      | 2020       | 2020       | NA                     | NA                         | Weekly          | Excellent         | Very Effective | \$ 5,000               | 2040                          | 100%                    | 0%                    | 0%                    |
| 88     | Streetlights - Homestead Ln Interchange         |                   |             | PW    | Streetlight    | 2013       | 2013       | NA                     | NA                         | Daily           | Excellent         | Very Effective | \$ 228,000             | 2043                          | 100%                    | 0%                    | 0%                    |
| 89     | Streetlights - Waverly Rd Bridge                |                   |             | PW    | Streetlight    | 2016       | 2016       | NA                     | NA                         | Daily           | Excellent         | Very Effective | \$ 222,300             | 2046                          | 100%                    | 0%                    | 0%                    |
| 90     | Streetlights - Homestead & 207th                |                   |             | PW    | Streetlight    | 2019       | 2019       | NA                     | NA                         | Daily           | Excellent         | Very Effective | \$ 417,640             | 2049                          | 100%                    | 0%                    | 0%                    |

## Exhibit D

### City of Edgerton Vehicle & Equipment Replacement Fund Summary 2020-2026

#### Fund 13 - General Equipment Reserve Fund

|                                | 2020       | 2021       | 2022       | 2023       | 2024       | 2025       | 2026       |
|--------------------------------|------------|------------|------------|------------|------------|------------|------------|
| Beginning Balance, Jan 1       | \$ 379,280 | \$ 429,452 | \$ 233,452 | \$ 332,452 | \$ 430,952 | \$ 481,455 | \$ 451,405 |
| Transfers in or Other Revenues | 342,574    | 125,000    | 125,000    | 125,000    | 125,000    | 125,000    | 125,000    |
| Vehicle/Equipment Purchases    | (292,402)  | (321,000)  | (26,000)   | (26,500)   | (74,497)   | (155,050)  | -          |
| Ending Balance, 12/31          | \$ 429,452 | \$ 233,452 | \$ 332,452 | \$ 430,952 | \$ 481,455 | \$ 451,405 | \$ 576,405 |

#### Fund 27 - Water Equipment Reserve Fund

|                                | 2020      | 2021      | 2022      | 2023      | 2024      | 2025      | 2026       |
|--------------------------------|-----------|-----------|-----------|-----------|-----------|-----------|------------|
| Beginning Balance, Jan 1       | \$ 53,006 | \$ 53,006 | \$ 53,006 | \$ 67,776 | \$ 43,376 | \$ 68,376 | \$ 92,976  |
| Transfers in or Other Revenues | -         | -         | 25,000    | 25,000    | 25,000    | 30,000    | 30,000     |
| Vehicle/Equipment Purchases    | -         | -         | (10,230)  | (49,400)  | -         | (5,400)   | -          |
| Ending Balance, 12/31          | \$ 53,006 | \$ 53,006 | \$ 67,776 | \$ 43,376 | \$ 68,376 | \$ 92,976 | \$ 122,976 |

#### Fund 37 - Sewer Equipment Reserve Fund

|                                | 2020       | 2021       | 2022       | 2023       | 2024      | 2025      | 2026      |
|--------------------------------|------------|------------|------------|------------|-----------|-----------|-----------|
| Beginning Balance, Jan 1       | \$ 67,612  | \$ 117,612 | \$ 142,112 | \$ 167,112 | \$ 58,112 | \$ 58,112 | \$ 39,712 |
| Transfers in or Other Revenues | 50,000     | 50,000     | 25,000     | -          | -         | -         | -         |
| Vehicle/Equipment Purchases    | -          | (25,500)   | -          | (109,000)  | -         | (18,400)  | -         |
| Ending Balance, 12/31          | \$ 117,612 | \$ 142,112 | \$ 167,112 | \$ 58,112  | \$ 58,112 | \$ 39,712 | \$ 39,712 |

**Exhibit E**

**City of Edgerton  
Unfunded Equipment**

**Unfunded New Vehicle and Equipment Request - Recommended**

| Item # | Equipment Description       | Dept. | Equip Type | Estimated Cost | Recommended Year | Alloc % Fund 13 General | Alloc % Fund 27 Water | Alloc % Fund 37 Sewer |
|--------|-----------------------------|-------|------------|----------------|------------------|-------------------------|-----------------------|-----------------------|
| 1      | Traffic Counters            | PW    | Equipment  | \$ 24,000      | 2022             | 100%                    |                       |                       |
| 2      | Message Boards              | PW    | Equipment  | \$ 34,000      | 2022             | 100%                    |                       |                       |
| 3      | Compact Track/Wheel Loader  | PW    | Equipment  | \$ 85,000      | 2023             | 100%                    |                       |                       |
| 4      | Hydraulic Hammer Attachment | PW    | Equipment  | \$ 17,000      | 2023             | 100%                    |                       |                       |
| 5      | Concrete Saw                | PW    | Equipment  | \$ 20,000      | 2024             | 100%                    |                       |                       |
| 6      | Trailer Mounted Generator   | PW    | Equipment  | \$ 30,000      | 2025             | 100%                    |                       |                       |
|        |                             |       |            |                |                  |                         |                       |                       |
|        |                             |       |            |                |                  |                         |                       |                       |
|        |                             |       |            |                |                  |                         |                       |                       |

**Unfunded New Vehicle and Equipment Request - Not Recommended**

| Item # | Equipment Description                            | Dept. | Equip Type  | Estimated Cost | Recommended Year | Alloc % Fund 13 General | Alloc % Fund 27 Water | Alloc % Fund 37 Sewer |
|--------|--|-------|-------------|----------------|------------------|-------------------------|-----------------------|-----------------------|
| 1      | PTO Overseeder (tractor attachment) (ballfields) | PK    | Equipment   | \$ 10,000      | n/a              | 100%                    | 0%                    | 0%                    |
| 2      | Concrete Crack Seal Machine (trailer mounted)    | PW    | Equipment   | \$ 80,000      | n/a              | 100%                    | 0%                    | 0%                    |
| 3      | Diagnostic Scan Tool                             | PW    | Equipment   | \$ 10,000      | n/a              | 100%                    | 0%                    | 0%                    |
| 4      | Dump Truck                                       | PW    | Heavy Truck | \$ 80,000      | n/a              | 100%                    | 0%                    | 0%                    |
| 5      | GPS Data Collection System                       | PW    | Equipment   | \$ 15,000      | n/a              | 100%                    | 0%                    | 0%                    |
| 6      | Snow Blower attachment for UTV (trail size)      | PW    | Equipment   | \$ 22,000      | n/a              | 100%                    | 0%                    | 0%                    |
| 7      | Storm Siren                                      | PW    | Storm Siren | \$ 26,000      | n/a              | 100%                    | 0%                    | 0%                    |
| 8      | Generator for 8th Street Lift Station            | UT    | Equipment   | \$ 35,000      | n/a              | 0%                      | 0%                    | 100%                  |
| 9      | Sewer Inspection Camera                          | UT    | Equipment   | \$ 60,000      | n/a              | 40%                     | 0%                    | 60%                   |
| 10     | Sewer Push Camera                                | UT    | Equipment   | \$ 12,500      | n/a              | 40%                     | 0%                    | 60%                   |
| 11     | Trench Box                                       | UT    | Equipment   | \$ 22,000      | n/a              | 50%                     | 25%                   | 25%                   |

## Exhibit E

### City of Edgerton Vehicle & Equipment Replacement Fund Summary 2020-2026

#### Scenario 1: All Recommended Unfunded Equipment is Funded

#### Fund 13 - General Equipment Reserve Fund

|                                | 2020       | 2021       | 2022       | 2023       | 2024       | 2025       | 2026       |
|--------------------------------|------------|------------|------------|------------|------------|------------|------------|
| Beginning Balance, Jan 1       | \$ 379,280 | \$ 429,452 | \$ 233,452 | \$ 274,452 | \$ 270,952 | \$ 301,455 | \$ 241,405 |
| Transfers in or Other Revenues | 342,574    | 125,000    | 125,000    | 125,000    | 125,000    | 125,000    | 125,000    |
| Vehicle/Equipment Purchases    | (292,402)  | (321,000)  | (84,000)   | (128,500)  | (94,497)   | (185,050)  | -          |
| Ending Balance, 12/31          | \$ 429,452 | \$ 233,452 | \$ 274,452 | \$ 270,952 | \$ 301,455 | \$ 241,405 | \$ 366,405 |

#### Fund 27 - Water Equipment Reserve Fund

|                                | 2020      | 2021      | 2022      | 2023      | 2024      | 2025      | 2026       |
|--------------------------------|-----------|-----------|-----------|-----------|-----------|-----------|------------|
| Beginning Balance, Jan 1       | \$ 53,006 | \$ 53,006 | \$ 53,006 | \$ 67,776 | \$ 43,376 | \$ 68,376 | \$ 92,976  |
| Transfers in or Other Revenues | -         | -         | 25,000    | 25,000    | 25,000    | 30,000    | 30,000     |
| Vehicle/Equipment Purchases    | -         | -         | (10,230)  | (49,400)  | -         | (5,400)   | -          |
| Ending Balance, 12/31          | \$ 53,006 | \$ 53,006 | \$ 67,776 | \$ 43,376 | \$ 68,376 | \$ 92,976 | \$ 122,976 |

#### Fund 37 - Sewer Equipment Reserve Fund

|                                | 2020       | 2021       | 2022       | 2023       | 2024      | 2025      | 2026      |
|--------------------------------|------------|------------|------------|------------|-----------|-----------|-----------|
| Beginning Balance, Jan 1       | \$ 67,612  | \$ 117,612 | \$ 142,112 | \$ 167,112 | \$ 58,112 | \$ 58,112 | \$ 39,712 |
| Transfers in or Other Revenues | 50,000     | 50,000     | 25,000     | -          | -         | -         | -         |
| Vehicle/Equipment Purchases    | -          | (25,500)   | -          | (109,000)  | -         | (18,400)  | -         |
| Ending Balance, 12/31          | \$ 117,612 | \$ 142,112 | \$ 167,112 | \$ 58,112  | \$ 58,112 | \$ 39,712 | \$ 39,712 |

**City of Edgerton**  
**New Vehicle/Equipment Request Form**

**Equipment Description:** Traffic Counters (Quantity = 4) - Provide the ability to count traffic volume, speed and vehicle classification for roadways. The models priced have the capability to differentiate between truck and car.

**Department:** 14765656 Public Works

**Estimated Cost:** \$ 24,000      **Outside Funding Available?** No

**Allocation %:** \$ 100 General    0 Water    0 Sewer

**Notes:**

**City of Edgerton**  
**New Vehicle/Equipment Request Form**

**Equipment Description:** Message Boards (Quantity = 2) - Providing advanced traffic control notice to motorists. The message boards are the key for our larger traffic control needs.

14765656

**Department:** Public Works

**Estimated Cost:** \$ 34,000

**Outside Funding Available?** No

**Allocation %:** \$ 100 General 0 Water 0 Sewer

**Notes:**

**City of Edgerton**  
**New Vehicle/Equipment Request Form**

**Equipment Description:** Compact Track/Wheel Loader - The replacement of our current Skid Loader with a Compact Track/Wheel Loader provides additional ability with lifting, less disruption to the site or ground within the work area, better in all weather conditions and expands the capability of the department. The unit purchased will include a smooth bucket, tooth bucket and pallet forks.

14765656

**Department:** Public Works

**Estimated Cost:** \$ 85,000

**Outside Funding Available?** No

**Allocation %:** \$ 100 General 0 Water 0 Sewer

**Notes:** Operating capacity increased to 3700+ lbs.

**City of Edgerton**  
**New Vehicle/Equipment Request Form**

**Equipment Description:** Hydraulic Hammer/Concrete Breaker - Provides the ability to remove concrete curb, concrete panels, and asphalt around water valves, rings and other areas.

**Department:** 14765656 Public Works

**Estimated Cost:** \$ 17,000 **Outside Funding Available?** No

**Allocation %:** \$ 100 General 0 Water 0 Sewer

**Notes:**



**City of Edgerton**  
**New Vehicle/Equipment Request Form**

**Equipment Description:** As we refine the Street Maintenance Program, the department continues to identify areas of LPKC that consist of roadways that are growing in age. As these roads age the initial maintenance operation is crack sealing/joint filling. In this process, to clean the joints prior to sealing/filling is done by a concrete saw. This reestablishes all joints and cleans them in preparation for the application of the sealer. Additionally this unit will be capable of cutting a depth of 12 to 13 inches which will allow for panel repair and removal.

**Department:** 14765656  
Public Works

**Estimated Cost:** \$ 20,000      **Outside Funding Available?** No

**Allocation %:** \$ 100 General    0 Water    0 Sewer

**Notes:**

**City of Edgerton**  
**New Vehicle/Equipment Request Form**

**Equipment Description:** Trailer Mounted Generator - Provide portable power for events, field work and other.

**Department:** 14765656  
Public Works

**Estimated Cost:** \$ 30,000      **Outside Funding Available?** No

**Allocation %:** \$ 100 General    0 Water    0 Sewer

**Notes:**

**Exhibit F**

**City of Edgerton**  
**Equipment Recommended for Disposal**

| Items for Recommended for Disposal |                                 |                   |             |       |            |                        |            |                          |                                |                         |                       |                       |
|------------------------------------|---------------------------------|-------------------|-------------|-------|------------|------------------------|------------|--------------------------|--------------------------------|-------------------------|-----------------------|-----------------------|
| Item #                             | Equipment Description           | VIN/Serial #      | Item Number | Dept. | Equip Type | Current Mileage/ Hours | Purch Year | Date of Council Approval | Intended Method of Disposition | Alloc % Fund 13 General | Alloc % Fund 27 Water | Alloc % Fund 37 Sewer |
| 1                                  | Excavator Bucket - Large        |                   |             | PW    | Equipment  | n/a                    |            |                          | Online Auction                 | 100%                    |                       |                       |
| 2                                  | Excavator Bucket - Small        |                   |             | PW    | Equipment  | n/a                    |            |                          | Online Auction                 | 100%                    |                       |                       |
| 3                                  | Backhoe Bucket - Large          |                   |             | PW    | Equipment  | n/a                    |            |                          | Online Auction                 | 100%                    |                       |                       |
| 4                                  | Backhoe Bucket - Small          |                   |             | PW    | Equipment  | n/a                    |            |                          | Online Auction                 | 100%                    |                       |                       |
| 5                                  | Backhoe Bucket - Ditch          |                   |             | PW    | Equipment  | n/a                    |            |                          | Online Auction                 | 100%                    |                       |                       |
| 6                                  | Animal Control Truck Bed Insert |                   |             | CD    | Equipment  | n/a                    |            |                          | Online Auction                 | 100%                    |                       |                       |
| 7                                  | Chevrolet 2 Wheel (2003) #108   | 1GCEC19Z43Z304694 | #108        | UT    | Vehicle    | 97,183                 | 2012       |                          | Online Auction                 |                         | 50%                   | 50%                   |

# FY 2022 Budget Work Session: Revenue Sources

## Ad Valorem

**Ad valorem** is a tax on all real and personal property that is not exempt. Ad valorem (from Latin) means it is based on value.

State law requires that all real and tangible personal property be assessed at fair market value.

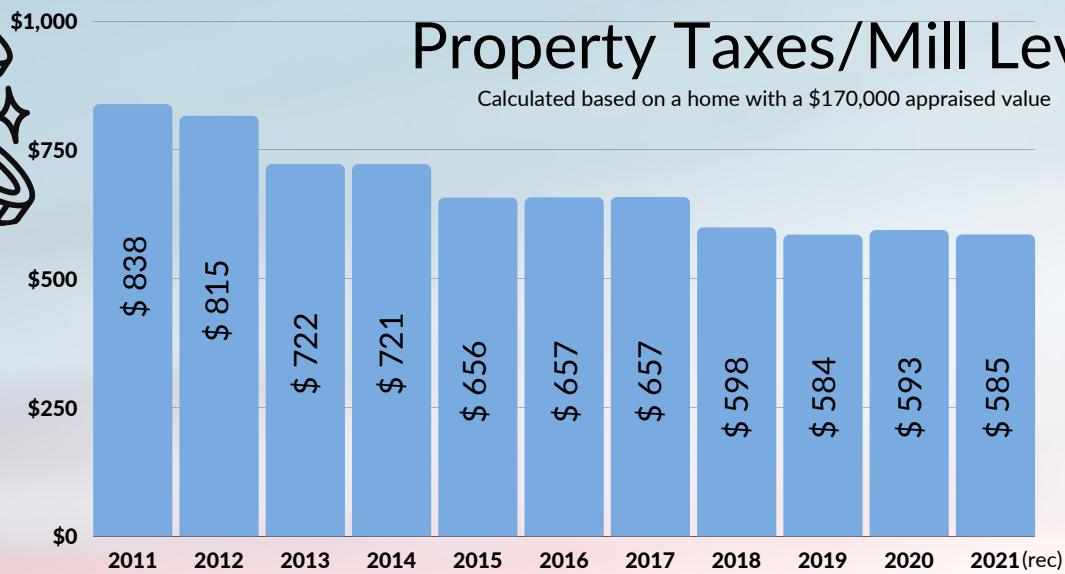
Ad valorem taxes are calculated based on the assessed valuation of taxable real property as of January 1 each year. The Johnson County Appraiser sets the 2021 average home value in Edgerton at:

Appraised Value \$170,000  
Assessment Percentage 11.5%  
Assessed Value \$19,550



## Property Taxes/Mill Levy

Calculated based on a home with a \$170,000 appraised value

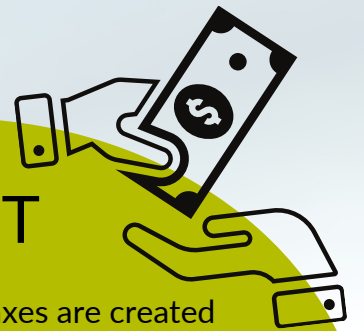


The mill levy is the dollar amount of property tax to be raised. The mill levy is calculated based on the final assessed valuation and the mill rate set by the Governing Body.

## PILOT

Payments in Lieu of Taxes are created in development agreements with companies receiving tax abatements. PILOTs run for 10 years on a building. Failure to pay results in the loss of the abatement.

All taxing jurisdictions receive distributions based on their portion of the mill levy.



## Liquor Tax

10% tax on liquor sold by clubs, caterers & drinking establishments.

70% of tax paid within the City is returned to the City - half into the General Fund, half to Parks & Rec



## Motor Vehicle Tax

Motor Vehicle Tax is a county-wide average mill rate applied to the assessed valuation of vehicles registered in Edgerton. Paid annually at time of registration.



## Sales & Use Tax

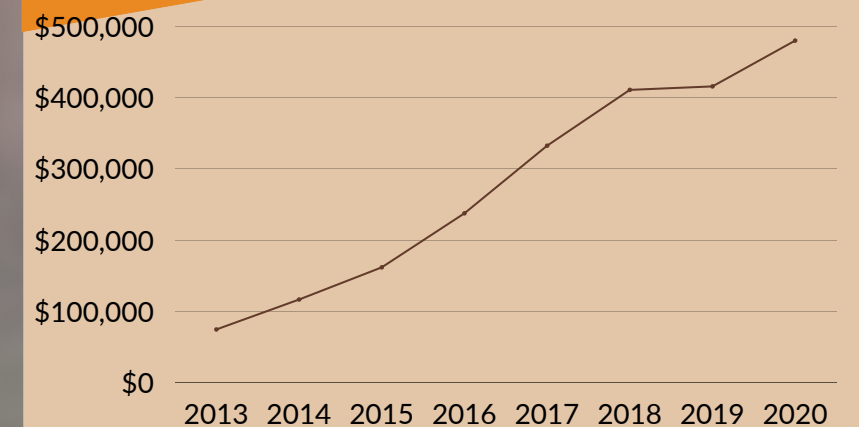
Two components: City's 1% tax on retail sales within the City & City's share of County sales taxes.

The largest portion of our sales taxes come from LPKC, especially equipment and repair services.

Use tax is a tax on goods purchased by Kansans from outside Kansas on which no sales tax was paid. Use tax fluctuates from year to year.



### City's 1% Sales Tax Collections



## Other Revenue Sources

Franchise Tax - 5% of gross receipts for utilities operating within the City, includes electric, gas, cable, phone

Permits & Fees - Building permits, business licenses, animal licenses

Charges for Services - Residential trash fees and paid Parks & Rec programs

Fines and Forfeitures - Based on Municipal Court fines and forfeitures of bonds

## City Council Action Item

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**Council Meeting Date:** August 26, 2021

**Department:** Public Works

### **Agenda Item: Consider Agreement With Incite Design Studio for Greenspace Project**

**Background/Description of Item:**

At the October 24, 2019, Council Meeting, the City Council approved the CIP Budget for 2020-2024. The Greenspace project was included in that budget with a project time frame from April 2019 through May of 2021 and a budget of \$4,130,000. The funding source is listed as general obligation bonds.

This project includes the design and construction of The Greenspace facility. The project includes a building of approximately 20,000 – 30,000 square feet. Public engagement was completed by City Staff, identifying program elements including but not limited to; multi-use sports courts, meeting spaces, Admin/management spaces, walking track, Game, weight, fitness movie room, storm shelter, and splash pad. These details are to be finalized during phase I with the proposed architect.

During the uncertainty of the Covid-19 pandemic in 2020, City Staff proposed revising the scope and schedule to the project. During CIP and Covid-19 impact discussions in 2020, Council approved the staff recommendations to change delivery method to design-bid-build and the schedule to have design slated in 2021.

Requests for Qualifications were sent out in June 2021 and were due July 07, 2021, with a total of nine (9) submissions. The selection committee (City Engineer, Public Works Director, CIP Project Manager, and City Administrator) recommends incite Design Studio as the best, most qualified team for the project. The selection committee recommends the team based on their existing experience providing these services to municipalities both of similar size and larger populations as well as experience designing buildings of similar size.

The funding source for the project is identified as GO Bonds by the CIP. The budget for the project listed in the CIP is \$4,130,000. Staff is currently working with incite Design Studio to finalize the scope and fee for the project. A draft is provided in the packet. This contract is drafted into a 2-phase approach. Phase I includes the finalizing of public input, schematic design, delivery method assessment, and finalizing scope and construction estimates. Additional services are listed in the draft exhibit. Phase II will be to finalize design and documents, and upon completion of Phase I, this Phase II will be brought back to council at a

later date. Phase I contract amount is \$30,600. Upon final approval from City Attorney and City Engineer staff recommends authorizing the Mayor to execute the agreement.

If approved, staff anticipates beginning the design of the project immediately. The completion date is greatly dependent on final design and the ability to obtain the needed materials. Any changes to the schedule impacting completion date will be brought to council.

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

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**Funding Source:** GO Bonds

**Budget Allocated:** \$4,130,000

**Finance Director Approval:** x   
Karen Kindle, Finance Director

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**Recommendation: Approve Agreement With Incite Design Studio For Greenspace Project, Pending Approval From City Attorney And City Engineer, Authorizing The Mayor To Execute The Agreement**

**Enclosed:** Draft Agreement for Professional Services  
Draft Exhibit 1 – Scope of Work

**Prepared by:** Dan Merkh, Public Works Director

**PROFESSIONAL  
SERVICES  
AGREEMENT  
CONSULTANT-CLIENT**

**THIS PROFESSIONAL SERVICES AGREEMENT (this "Agreement")** is made and entered into as of the \_\_\_\_\_ day \_\_\_\_\_, \_\_\_\_\_ (the "Effective Date") by and between \_\_\_\_\_, party of the first part, (the CONSULTANT), and CITY OF EDGERTON, KANSAS, party of the second part, (the CLIENT).

WHEREAS, the CLIENT is authorized and empowered to contract with the CONSULTANT for the purpose of obtaining Professional Services for the following improvement/services (hereinafter referred to as the "Project"):

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

WHEREAS, the CONSULTANT is licensed in accordance with the laws of the State of Kansas and is qualified to perform the Professional Services desired by the CLIENT now therefore:

IT IS AGREED by and between the two parties aforesaid as follows:

## SECTION 1 – DEFINITIONS

As used in this Agreement, the following terms shall have the meanings ascribed herein unless otherwise stated or reasonably required by this contract, and other forms of any defined words shall have a meaning parallel thereto.

- 1.1 "Additional Services" means any Services requested by the CLIENT which are not covered by **Exhibit 1** of this Agreement.
- 1.2 "Agreement" means this contract and includes change orders issued in writing.
- 1.3 "CLIENT" or "Client" means the City of Edgerton.
- 1.4 "CONSULTANT" or "Consultant" means the company identified on page 1 and any additional parties they might employ (upon the approval of CLIENT) to perform pursuant to this contract.
- 1.5 "Contract Documents" means those documents so identified in the Agreement for this Project.. Terms defined in General Conditions shall have the same meaning when used in this Agreement unless otherwise specifically stated or in the case of a conflict in which case the definition used in this Agreement shall prevail in the interpretation of this Agreement.
- 1.6 "Engineering Documents" or "Architectural Documents" or "Survey Documents" means plans, specifications, reports, drawings, tracings, designs, calculations, computer models, sketches, notes, memorandums or correspondence related to the work described in Exhibit 1 attached hereto.
- 1.7 "Consulting Services" or "Engineering Services" or "Architectural Services" or "Survey Services" means the professional services, labor, materials, supplies, testing and other acts or duties required of the CONSULTANT under this Agreement, together with Additional Services as CLIENT may request and evidenced by a supplemental agreement pursuant to the terms of this Agreement.
- 1.8 "Services" is a description of the required work as shown in **Exhibit 1**.

## SECTION 2 – RESPONSIBILITIES OF CONSULTANT

- 2.1 SCOPE OF SERVICES: The CONSULTANT shall furnish and perform the various Professional Services of the Project to which this Agreement applies, as specifically provided in **Exhibit 1** for the completion of the Project.
- 2.2 GENERAL DUTIES AND RESPONSIBILITIES
  - 2.2.1. **Personnel:** The CONSULTANT shall assign qualified personnel to perform professional Services concerning the Project. At the time of execution of this Agreement, the parties anticipate that the following individual will perform as the principal point of contact on this Project.

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_



- 2.2.2. **Standard of Care:** In the performance of professional Services, CONSULTANT will use that level of care and skill ordinarily exercised by reputable members of CONSULTANT's profession currently practicing in the same locality under similar conditions.
- 2.2.3. **Independent Contractor:** The CONSULTANT is an independent contractor and as such is not an employee of the Client.
- 2.2.4. **Insurance:** CONSULTANT will maintain insurance for this Agreement, as specifically provided in **Exhibit 2**.
- 2.2.5. **Subcontracting of Service:** The CONSULTANT shall not subcontract or assign any of the Services to be performed under this Agreement without first obtaining the approval of the Client regarding the Services to be subcontracted or assigned and the firm or person proposed to perform the Services. Neither the CLIENT nor the CONSULTANT shall assign any rights or duties under this Agreement without the prior consent of the other party.
- 2.2.6. **Endorsement:** When applicable, the CONSULTANT shall sign and seal final plans, specifications, estimates and data furnished by the CONSULTANT according to Kansas Statutes and Rules and Regulations.
- 2.2.7. **Force Majeure:** Should performance of Services by CONSULTANT be affected by causes beyond its reasonable control, Force Majeure results. Force Majeure includes, but is not restricted to, acts of God; acts of a legislative, administrative or judicial entity; fires; floods; labor disturbances; epidemics; and unusually severe weather. CONSULTANT will be granted a reasonable time extension and the parties will negotiate an equitable adjustment to the price of any affected Work Order, where appropriate, based upon the effect of the Force Majeure on performance by CONSULTANT.
- 2.2.8. **Inspection of Documents:** The CONSULTANT shall maintain Project records for inspection by the CLIENT during the contract period and for five (5) years from the date of final payment.

## **SECTION 3 – CLIENT RESPONSIBILITIES**

### **3.1 GENERAL DUTIES AND RESPONSIBILITIES**

- 3.1.1. **Communication:** The CLIENT shall provide to the Consultant information and criteria regarding the CLIENT's requirement for the Project; examine and respond in a timely manner to the Consultant's submissions and give notice to the Consultant whenever the CLIENT observes or otherwise becomes aware of any defect in the Services. The CLIENT represents that all information they provide is accurate. CONSULTANT'S review and use of the information will be to the standard of care and any delays or additional costs due to inaccurate information will be the responsibility of the CLIENT.
- 3.1.2. **Access:** The CLIENT will provide access agreements for the Consultant to enter public and private property when necessary.
- 3.1.3. **Duties:** The CLIENT shall furnish and perform the various duties and Services in all phases of the Project which are outlined and designated in Exhibit 1 as the CLIENT's responsibility.
- 3.1.4. **Program and Budget:** The CLIENT shall provide full information stating the CLIENT's objectives, schedule, budget with reasonable contingencies and necessary design criteria so that CONSULTANT is able to fully understand the project requirements.

- 3.1.5. **Testing:** Any additional tests required to supplement the Scope of Services or tests required by law shall be furnished by the CLIENT.
- 3.1.6. **Legal, Insurance, Audit:** The CLIENT shall furnish all legal, accounting and insurance counseling Services as may be necessary at any time for the Project. The CLIENT shall furnish all bond forms required for the Project.
- 3.1.7. **Project Representative:** The CLIENT will assign the person indicated below to represent the CLIENT in coordinating this Project with the CONSULTANT, with authority to transmit instructions and define policies and decisions of the CLIENT.

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_

## SECTION 4 – PAYMENT

### 4.1 COMPENSATION

- 4.1.1. **Fee and Expense:** The CLIENT agrees to pay the CONSULTANT a fee based on the actual hours expended on the Project at the rates indicated in the attached Fee Schedule; Exhibit 3 and the actual reimbursable expenses permitted under this Agreement and incurred on the Project. This fee is based on the scope of Services outlined in Exhibit 1 of this Agreement. Payment is due within thirty (30) days of billing by the CONSULTANT and any late payment will incur an interest charge of one (1) percent per month.
- 4.1.2. **Hourly Rate:** Any Additional Services which are not set forth in this Agreement will be charged on the basis of the hourly rate schedule attached hereto as Exhibit 3. No Additional Services or costs shall be incurred without proper written authorization of the CLIENT.
- 4.1.3. **Reimbursable Expenses:** Reimbursable expenses shall be charged following approval by CLIENT. Reimbursable expenses include, but are not limited to, expenses of transportation in connection with the Project; expenses in connection with authorized out-of-town travel; expenses of printing and reproductions; postage; expenses of renderings and models requested by the CLIENT and other costs as authorized by the CLIENT.
- 4.1.4. **Billing:** CONSULTANT shall bill the CLIENT monthly for services and reimbursable expenses according to **Exhibit 3**. The bill submitted by CONSULTANT shall itemize the services and reimbursable expenses for which payment is requested, notwithstanding any claim for interest or penalty claimed in a CONSULTANT's invoice. The CLIENT agrees to pay within thirty (30) days of billing by the CONSULTANT and any late payment will incur an interest charge of one and (1) percent per month.
- 4.1.5. **Change in Scope:** For modifications in authorized scope of services or project scope and/or modifications of drawings and/or specifications previously accepted by the CLIENT, when requested by the CLIENT and through no fault of the CONSULTANT, the CONSULTANT shall be compensated for time and expense required to incorporate such modifications at CONSULTANT's standard hourly rates per Exhibit 3. CONSULTANT shall correct or revise errors or deficiencies in its designs, drawings or specifications without additional compensation when due to CONSULTANT's negligence, error or omission.

- 4.1.6. **Supplemental Agreement:** This Agreement may be amended to provide for additions, deletions and revisions in the Services or to modify the terms and conditions thereof by written amendment signed by both parties. The contract price and contract time may only be changed by a written supplemental agreement approved by the CLIENT, unless it is the result of an emergency situation, in which case the CLIENT may give verbal, e-mail or facsimile approval which shall be the same as written and approved supplemental agreement.

## SECTION 5 – MUTUAL PROVISIONS

### 5.1 TERMINATION

- 5.1.1. **Notice:** The CLIENT reserves the right to terminate this Agreement for either cause or for its convenience and without cause or default on the part of the CONSULTANT, by providing written notice of such termination to the CONSULTANT. Such notice will be with Twenty Four (24) hours' notice.

The CONSULTANT reserves the right to terminate this Agreement based on any material breach by the CLIENT, but only upon giving notice to CLIENT of the alleged breach and providing CLIENT thirty (30) days to cure such alleged breach.

Upon receipt of such notice from CLIENT, the CONSULTANT shall, at CLIENT's option as contained in the notice; Immediately cease all Services and meet with CLIENT to determine what Services shall be required of the CONSULTANT in order to bring the Project to a reasonable termination in accordance with the request of the CLIENT. The CONSULTANT shall also provide to the CLIENT digital and/or mylar copies of drawings and documents completed or partially completed at the date of termination. The CONSULTANT is entitled to terminate this agreement by providing thirty (30) days written notice.

- 5.1.2. **Compensation for Convenience Termination:** If CLIENT shall terminate for its convenience, as herein provided, CLIENT shall compensate CONSULTANT for all Services completed to date prior to receipt of the termination notice.
- 5.1.3. **Compensation for Default Termination:** If the CLIENT shall terminate for cause or default on the part of the CONSULTANT, the CLIENT shall compensate the CONSULTANT for the reasonable cost of Services completed to date of its receipt of the termination notice. Compensation shall not include anticipatory profit or consequential damages, neither of which will be allowed.
- 5.1.4. **Incomplete Documents:** Neither the CONSULTANT, nor its subconsultant, shall be responsible for errors or omissions in documents which are incomplete as a result of an early termination under this section, the CONSULTANT having been deprived of the opportunity to complete such documents and certify them as ready for construction and/or complete.

### 5.2 DISPUTE RESOLUTION

- 5.2.1. If a claim, dispute or controversy arises out of or relates to the interpretation, application, enforcement or performance of Services under this Agreement, CONSULTANT and CLIENT agree first to try in good faith to settle the dispute by negotiations between senior management of CONSULTANT and CLIENT. If such negotiations are unsuccessful, CONSULTANT and CLIENT agree to attempt to settle the dispute by good faith mediation. If the dispute cannot be settled through mediation, and unless otherwise mutually agreed, the dispute shall be settled by litigation in an appropriate court in Kansas. Except as

otherwise provided herein, each party shall be responsible for its own legal costs and attorneys' fees.

### 5.3 OWNERSHIP OF INSTRUMENTS OF SERVICE

5.3.1. Reports, drawings, plans or other documents (or copies) furnished to CONSULTANT by the CLIENT shall, at CLIENT's written request, be returned upon completion of the Services hereunder. Reports, drawings, plans, documents, software, field notes and work product (or copies thereof) in any form prepared or furnished by CONSULTANT under this Agreement are instruments of service. Exclusive ownership, copyright and title to all instruments of service remain with CONSULTANT. CLIENT is hereby granted a License to Use instruments of service with use limited to use on this project. The instruments of service are not intended or represented to be suitable for reuse by CLIENT or others on extensions of the work or on any other project.

### 5.4 INDEMNIFY AND HOLD HARMLESS

5.4.1. CLIENT shall indemnify and hold CONSULTANT, its officers and employees harmless from and against any claim, judgment, demand or cause of action to the extent caused by: (i) CLIENT's breach of this Agreement; (ii) the negligent acts or omissions of CLIENT or its employees, contractors or agents.

5.4.2. CONSULTANT shall indemnify and hold CLIENT and its employees and officials from loss to the extent caused by: ~~(i) CONSULTANT'S breach of this Agreement;~~ (ii) incurred as a result of the negligence, errors or omissions of the CONSULTANT, its officers or employees in performance of Services pursuant to this Agreement.

### 5.5 ENTIRE AGREEMENT

5.5.1. This Agreement constitutes the entire agreement between the parties and supersedes all prior agreements, whether oral or written, covering the same subject matter. This Agreement may not be modified or amended except in writing mutually agreed to and accepted by both parties to this Agreement.

### 5.6 APPLICABLE LAW

5.6.1. This Agreement is entered into under and pursuant to, and is to be construed and enforceable in accordance with laws of the State of Kansas.

### 5.7 ASSIGNMENT OF AGREEMENT

5.7.1. This Agreement shall not be assigned or transferred by either the CONSULTANT or the CLIENT without the written consent of the other.

### 5.8 NO THIRD PARTY BENEFICIARIES

5.8.1. Nothing contained herein shall create a contractual relationship with, or any rights in favor of, any third party.

### 5.9 COMPLIANCE WITH LAWS

5.10.1 CONSULTANT shall abide by known applicable federal, state and local laws, ordinances and regulations applicable to this Project until the Consulting Services required by this Agreement are completed consistent with the Professional Standard of Care. CONSULTANT

shall secure occupational and professional licenses, permits, etc., from public and private sources necessary for the fulfillment of its obligations under this Agreement.

5.10 TITLES, SUBHEADS AND CAPITALIZATION

5.11.1 Titles and subheadings as used herein are provided only as a matter of convenience and shall have no legal bearing on the interpretation of any provision of the Agreement. Some terms are capitalized throughout the Agreement but the use of or failure to use capitals shall have no legal bearing on the interpretation of such terms.

5.11 SEVERABILITY CLAUSE

5.11.1. Should any provision of this Agreement be determined to be void, invalid or unenforceable or illegal for whatever reason, such provisions shall be null and void; provided, however that the remaining provisions of this Agreement shall be unaffected hereby and shall continue to be valid and enforceable.

5.12 FIELD REPRESENTATION

5.12.1. Unless otherwise expressly agreed to in writing, CONSULTANT shall not be responsible for the safety or direction of the means and methods at the contractor's project site or their employees or agents, and the presence of CONSULTANT at the project site will not relieve the contractor of its responsibilities for performing the work in accordance with applicable regulations, or in accordance with project plans and specifications. If necessary, CLIENT will advise any contractors that Consultant's Services are so limited. CONSULTANT will not assume the role of "prime contractor", "constructor", "controlling employer", "supervisor" or their equivalents, unless the scope of such Services are expressly agreed to in writing.

5.13 HAZARDOUS MATERIALS

5.13.1. The CONSULTANT and the CONSULTANT's subconsultants shall have no responsibility for the discovery, presence, handling, removal or disposal or exposure of persons to hazardous materials in any form at the Project site.

5.14 AFFIRMATIVE ACTION

5.14.1. The CONSULTANT agrees to comply with the provisions of K.S.A. 44-1030 in the Kansas Acts Against Discrimination.

5.15 SPECIAL PROVISIONS

5.15.1. Special Provisions may be attached and become a part of this agreement as **Exhibit 4**.

IN WITNESS WHEREOF, the parties have executed this Agreement in duplicate this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**CONSULTANT:**

**CLIENT:**

\_\_\_\_\_  
**(Firm Name)**

**City of Edgerton,  
Kansas**

By: \_\_\_\_\_

By: \_\_\_\_\_

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

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

Title: \_\_\_\_\_

Title: \_\_\_\_\_

END OF CONSULTANT-CLIENT AGREEMENT

**EXHIBIT 1**  
**SCOPE OF SERVICES**

## **EXHIBIT 2**

### **CITY OF EDGERTON, KS INSURANCE REQUIREMENTS FOR DESIGN & CONSULTING SERVICES - 2020**

Consultant shall procure and maintain at its sole cost and expense, the following insurance coverage for the duration of the project and for a period of at least two (2) years (five years for professional liability insurance) following termination of this agreement, with minimum acceptable limits as follows:

**(1) COMMERCIAL GENERAL LIABILITY**

\$1,000,000 Per Occurrence

\$2,000,000 Aggregate

Coverage shall be written on ISO occurrence form CG 0001 or equivalent. Endorsements or policy provisions that limit contractual liability are not acceptable. It shall also name City, its officers, officials, employees, and agents as additional insureds on a primary basis, not contributing with any insurance maintained by the additional insured, using ISO additional insured endorsement CG 2010, or its equivalent, copies of which are required to be attached to the certificate of insurance.

**(2) WORKERS COMPENSATION - STATUTORY & EMPLOYERS LIABILITY**

\$100,000 Each Accident

\$500,000 Policy Limit - Disease

\$100,000 Each Employee – Disease

Coverage shall apply to all workers and employees related to the work, including sole proprietors, partners, members of an LLC, and officers of a corporation, regardless of whether or not such persons come under the statutory requirements to carry this coverage. Firms domiciled outside the state of Kansas must have "other states" coverage in effect.

**(3) PROFESSIONAL LIABILITY / ERRORS & OMISSIONS**

\$1,000,000 Per Claim

\$2,000,000 Aggregate

This coverage, shall apply to actual or alleged negligent wrongful acts, errors or omissions resulting in claim(s) for damages related to the work involving the operations of Consultant, and/or its sub-Consultant(s) if any are utilized in the completion of the work. If such policy is "claims-made" form, the retroactive date must be shown and must be before the date of the Agreement or the beginning of work set forth in the Agreement. This insurance must be maintained and evidence of insurance must be provided for at least Five (5) years after termination of this Agreement. If coverage is canceled or non-renewed and not replaced with another "claims-made" policy form with a Retroactive Date prior to the Agreement effective date, Consultant must purchase "extended reporting period" (tail) coverage for a minimum period representing at least Five (5) years after termination of this agreement.



**CITY OF EDGERTON, KS**  
**INSURANCE REQUIREMENTS FOR DESIGN & CONSULTING SERVICES – 2020, CONT'D**

**(4) WAIVER OF SUBROGATION**

Consultant, and in addition, its insurers, through policy endorsement, and to the fullest extent permitted by law, waives all rights against City, its officers, officials, employees, and agents for recovery of damages to the extent that these damages are covered by commercial general liability, commercial umbrella liability, business auto liability or workers compensation and employers liability insurance maintained per the requirements stated above.

**(5) CERTIFICATE OF INSURANCE**

Prior to commencing the work, Consultant shall furnish an acceptable certificate(s) of insurance, identifying insurers that write Consultant's coverages, with minimum Best's Guide Rating of A- and Class VIII or better, and authorized to do business in the state of Kansas. Certificate will evidence the required coverage and endorsements stated above. Should any of the above described policies be cancelled or non-renewed, the City shall first be provided 30 days prior written notice, except 10 days for non-payment of premium. This cancellation provision shall be indicated on the certificate of insurance. City also reserves the right to obtain copies of Consultant's policies to validate coverage in effect if certificates are ambiguous. Annually, Consultant agrees to provide a new/replacement formal certificate of insurance five (5) days prior to the expiration date. If any portion of the work is to be subcontracted, Consultant shall require that the subcontracted Consultant(s) shall comply with the same indemnification agreement terms and be required to provide and maintain all insurance coverages and provisions as stated above, with a formal certificate of insurance acceptable to City evidencing same. Self-Insured retentions must be declared to and approved by City. If consultant is self-insured for any of the above coverages, such self-insurance must be approved by City, which may require written guarantees for payment of self insured

losses and related investigation, administration, and defense costs. And it must provide claims handling procedures acceptable to the City. Acceptance of any certificate that does not comply with the above requirements shall not operate as a waiver of Consultant's obligations hereunder. And the fact that insurance is obtained by Consultant shall not be deemed to release or diminish the liability of Consultant including, without limitation, liability under the indemnity provisions of this contract. Damages recoverable by City shall not be limited by the amount of the required insurance coverage. Consultant shall notify City in writing as soon as possible after any occurrence that could potentially lead to any lawsuit and/or after it receives notice or knowledge of any demand, claim, cause of action, lawsuit, or action arising out of the work performed under this contract.

**EXHIBIT 3**  
**COST AND SCHEDULE**

**EXHIBIT 4**  
**SPECIAL PROVISIONS**

**EXHIBIT 1**

City of Edgerton - The Greenspace  
Architecture / Engineering Design Services  
August 26, 2021

incite Design Studio (iDS) is pleased to submit this proposal to provide Architecture / Engineering Services for the above-referenced project. This proposal summarizes understanding of the project and presents anticipated scope of Work. Also included are Typical Fees, an estimated cost for Services, and Notice to Proceed. Please provide your authorization to proceed with the Services by returning a signed and dated copy of this agreement.

**Scope of Work (Phase 1):**  $\$3,600,000 \text{ Construction Cost} \times 8.5\% \text{ Fee} = \$306,000 \times 10\% = \mathbf{\$30,600}$

Scope includes design services\* (further defined below) for preliminary planning and half of Schematic Design for a new gathering space/recreational complex for the City of Edgerton. As well as a Space Needs Study on the existing City Hall. The scope is further defined in detail below:

**Basic Design Services:**

- Architecture
- Interior Design
- Civil Engineering / Landscape Architecture
- Surveying / Geotechnology Engineering
- Structural Engineering
- Mechanical, Electrical, and Plumbing Engineering

**Program Elements for the recreational complex (the Greenspace) (but not limited to):**

1. Multi-use sports court
2. Meeting space(s)
3. Admin/management space(s)
4. Walking track
5. Game, weight, fitness, and movie room
6. Storm shelter
7. Splash pad

**Process Elements for the recreational complex (but not limited to):**

1. Meet with the Owner to develop overall project goals (minimum two meetings per month).
2. Create, modify and refine a program of desired spaces and needs.
3. Provide a Boundary Survey and Geotechnical Report for the Greenspace future site.
4. Research and guide the Owner in potential outside funding sources (e.g. FEMA).
5. Analyze typical construction delivery methods and help establish a preferred method for the project.
6. Review existing public/community input and (if necessary) host a follow up meeting for updated input.
7. Develop initial schematic level site plan, floor plans, and renderings.
8. Evaluate construction materials in the current climate (e.g. availability, lead time, premium prices, etc).
9. Produce opinion of probable costs throughout design and/or work w / Construction Manager to provide.
10. Provide final Phase 1 opinion of probable cost prior to City Council presentation.
11. Present Phase 1 documentation to City Council for approval and discussions to move into Phase 2.

**Process Elements for the space needs study (but not limited to):**

1. Meet with the Owner to develop overall study goals.
2. Provide a facility assessment of the existing building into applicable building components and categories.

**Fee Structure:**

- The fee for Phase 1 was developed based on achieving 50% of Schematic Design (or 10% of the total project) multiplied by a preliminary budget that was provided by the Client and iDS typical fee structure.

**Scope of Work (Phase 2):**

Based on Size and Construction Cost from Phase 1 = \$TBD

Future scope that includes a continuation of design services from Phase 1 through construction observation. Scope definition and Fee will be finalized after completion of Phase 1.

**Fee Structure:**

- The fee for Phase 2 will be determined after scope, size, and budget of the project is determined in Phase 1. The fee from Phase 1 will be rolled into Phase 2, no overlap of fee will occur.

**General Conditions:****Additional Services:**

Should the scope of work or project change appreciably, or should the Owner request additional services, additional time and compensation would be required. The fees for the additional services shall be negotiated prior to work commencement. incite Design Studio will notify the Owner at once if this occurs and will not proceed without your approval.

**Reimbursables:**

The following items will be reimbursed by the owner at cost with no markup:

- Printing
- Courier Service (if needed)

**Design Process:****Phases of Design:**

There are four phases during design and construction; Schematic Design, Design Development, Construction Documents, and Construction Administration.

Schematic Design: 20%

- Initial Site Plan, Floor Plan, Renderings, Cost Estimate, etc.

Design Development: 20%

- Further development of the design.

Construction Documents: 40%

- Finalizing the details and drawings to create a Bid Set of documents for contractors to bid.

Construction Administration: 20%

- Bidding and Negotiation as well as Construction Observation.

**Notice to Proceed:**

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Dan Merkh, Public Works Director  
City of Edgerton

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Date

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Patrick Smith, Office Director  
incite Design Studio

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Date

## City Council Action Item

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**Council Meeting Date:** August 26, 2021

**Department:** Community Development

### **Agenda Item: Approval of Ordinance No. 2092 Restating Article 12 – Sign Regulations of the Unified Development Code of the City of Edgerton Kansas to Update Certain Sections and Include Signage Regulations for L-P District Zoning Designations as Amended and Repealing All Ordinances or Parts of Ordinances in Conflict Therewith**

**Background/Description of Item:**

The City of Edgerton's Uniform Development Code (UDC) was adopted to encourage the most appropriate use of land and to ensure the logical and compatible growth of various districts within the City. The UDC is intended to implement the planning goals and policies contained in the Comprehensive Plan 2000-2020, other planning documents, and policies of the City Council and Planning Commission.

The current UDC was initially adopted in 2004 (Ordinance 758) and has been revised several times. In 2019, the core contents of *Article 12 – Sign Regulations* underwent a complete update along with the signage requirements specific to Commercial zoning districts. City Staff has continued to evaluate the UDC so that it remains relevant as it relates to growth and development within the boundaries of the City of Edgerton, while complimenting Edgerton's Comprehensive Plan and the Governing Body's vision for the growth of Edgerton.

As it is written today, the sign regulations for the Logistics Park (L-P) District are not included in *Article 12 - Sign Regulations* but are instead included in *Article 5, Section 5.2 – Logistics Park (L-P) District* with general district zoning regulations. This is the only zoning designation within the UDC that includes signage regulations within the zoning district article.

In order to bring consistency to the UDC, City Staff recommended to the Planning Commission that the signage for the L-P District be moved from *Article 5, Section 5.2* to *Article 12*. This will provide clarification when discussing sign code requirements with applicants and when administering sign code enforcement. In July and August of this year, the Planning Commission held Public Hearings related to *Article 5, Section 5.2(P) – Logistics Park District signage* and *Article 12 – Sign Regulations*.

In addition to the incorporation mentioned above, City Staff presented information regarding portions of the current Article 5 sign code where clarification is needed due to conflicts within

the code content. Staff recommended updates to the L-P sign code related to temporary signs, internal and external directional signage, and yard signs.

At the August Public Hearing, staff presented Application UDCA2021-02 which reflected the changes the Commission discussed at the July Public Hearing. This included incorporating the updates to *Article 5, Section 5.2(P)* content into *Article 12*. The majority of *Section 5.2(P)* was already included in *Article 12* when that article went through a major revision in 2019. If there was relevant information in *Section 5.2(P)* that was not included in *Article 12*, it has been added to the L-P District Table 12-4 or to the overall sign code in general.

Information incorporated into *Article 12* is highlighted in red in the DRAFT form included in this packet. Information highlighted in blue in the DRAFT form of *Article 12* is information that was discussed during the Public Hearings and are recommended updates or changes per those discussions.

Upon conclusion of the Public Hearing on August 10, 2021, the Planning Commission made motion to recommend to the Governing Body adoption of the revisions to *Article 12 – Sign Regulations* included in this packet. The City Attorney has reviewed the amended Article 12 and approved the updates. Because so many changes are incorporated into Article 12, Ordinance 20XX is a restatement of the entire article.

**Related Ordinance(s) or Statue(s):** City of Edgerton Ordinance 758

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**Funding Source:** N/A

**Budget Allocated:** N/A

**Finance Director Approval:** N/A

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**Recommendation: Approval of Ordinance No. 2092 Restating Article 12 – Sign Regulations of the Unified Development Code of the City of Edgerton Kansas to Update Certain Sections and Include Signage Regulations for L-P District Zoning Designations as Amended and Repealing All Ordinances or Parts of Ordinances in Conflict Therewith**

**Enclosed:** Planning Commission Staff Report – August 10, 2021 Meeting  
DRAFT *Article 12 – Sign Regulations* with updates from Public Hearing on August 10, 2021  
Excerpt of Draft Minutes from August 10, 2021 Planning Commission Meeting  
Ordinance 2092 which incorporates a clean copy of Article 12

**Prepared by:** Katy Crow, Development Services Director

## STAFF UPDATE

Date: August 10, 2021  
To: Edgerton Planning Commission  
From: Katy Crow, Development Services Director  
Re: Consider amendments to the Unified Development Code pertaining to Application **UDCA 2021-01** - *Article 5 – Industrial Zoning Districts, Section 5.2 (P) – Logistics Park District Signage* (continued from the July 13, 2021 Planning Commission Meeting) and Application **UDCA2021-02** – *Article 12 – Sign Regulations*

### BACKGROUND INFORMATION

At the July 13, 2021 Planning Commission Meeting, a public hearing was held related to Application **UDCA2021-01** for amendments to City of Edgerton's Uniform Development Code (UDC) - *Article 5, Section 5.2(P) – Logistics Park District signage*. Staff recommended that the signage section of Article 5 be incorporated into Article 12, so that it is consistent with all other zoning districts. Additionally, City staff presented information regarding portions of the current Article 5 sign code where clarification is needed due to conflicts within the current code content. Staff recommended updates to the L-P sign code related to temporary signs, internal and external directional signage, and yard signs.

Application **UDCA2021-02** reflects the changes the Commission requested staff bring back, incorporated into Article 12, along with sample photos of the sign types which need to be further defined/clarified in the sign code. Included with this packet is the following information:

- Article 12 – Sign Regulations. Staff has incorporated Article 5, Section 5.2 content into Article 12. For the most part, the information from Section 5.2 was already included in Article 12 when that Article went through a major revision in 2019. If there was relevant information in Section 5.2 that was not included in Article 12, it has been added to the L-P District or to the overall sign code in general. Incorporated information is included in red. Information in Table 12-4 that is noted in blue, is information that was updated as the result of discussions held during the July 13, 2021 public hearing regarding Section 5.2.
- Sign examples. During the public hearing on July 13, the Commission requested clarification on what internal and external directional signage might look like. Staff has included photos of signage which has been approved to date in the L-P District. Additionally, staff has included samples of what constitutes a "yard sign" per the definition provided in Article 12.

### STAFF RECOMMENDATION

At this time staff would ask the Planning Commission to convene a public hearing to discuss the proposed updates to Article 12 of the UDC which incorporate Article 5, Section 5.2 and the discussions held during the public hearing held last month. Upon review and recommendation by the Planning Commission, the final form of Article 12 would go to the City Attorney for his review and then the Governing Body for approval and adoption.



## Article 12 Sign Regulations

|               |                                    |
|---------------|------------------------------------|
| Section 12.1  | Intent and Purpose                 |
| Section 12.2  | Applicability                      |
| Section 12.3  | Permits                            |
| Section 12.4  | Exemptions                         |
| Section 12.5  | Prohibited Signs                   |
| Section 12.6  | Nonconforming Signs                |
| Section 12.7  | General Restrictions               |
| Section 12.8  | Design, Material, and Construction |
| Section 12.9  | Special Sign Regulations           |
| Section 12.10 | Severability and Substitution      |
| Section 12.11 | Sign Terminology and Definitions   |
| Section 12.12 | Permitted Signs                    |

- 12.1 Intent and Purpose.** The Edgerton Governing Body and the Planning Commission finds that an unregulated proliferation of signs results in visual clutter, is harmful to aesthetics and property values, contributes to traffic hazards, and is not productive to the goals of community development. It is the intent and purpose of this section to establish a level of visual quality for signs by limiting the type, place, size, manner, height and materials of signs and advertising devices in the City of Edgerton. This section provides minimum standards to insure traffic safety; safeguard life, health and property values; provide guidelines for the maintenance of signs; reduce distractions and obstructions by signs that would adversely affect traffic safety, and to alleviate hazards caused by signs projecting over or encroaching upon public ways; ensure that signs provide orientation and adequately identify new uses and activities; and, preserve or enhance small town character by encouraging new and replacement signage that is:
- A. Conducive to Public Safety
  - B. Creative and distinctive
  - C. Compatible with the surroundings;
  - D. Appropriate to the general type of activity to which it pertains;
  - E. Expressive of the identity of individual persons and entities; and
  - F. Appropriately sized in its context.
- 12.2 Applicability.** No sign may be erected, placed, painted, established, or maintained in the City of Edgerton except in conformance with the standards, exemptions and procedures set forth in this Article. ~~Signs located in the L-P District must also comply with the regulations contained in Article 5 of the Unified Development Code as it relates to signage for that District.~~ Specifically, this section is intended to:
- A. Establish a permit system to allow various types of signs, subject to the standards and permit procedures contained herein;
  - B. Allow certain signs that are unobtrusive and incidental to the principal use of land;
  - C. Prohibit all signs not expressly permitted by this Article;
  - D. Provide for the enforcement of these provisions.
- 12.3 Permits.** Unless exempted by this Article, it shall be unlawful for any person to erect, construct, alter, relocate or convert any sign or advertising device (as defined in this section) without first obtaining a sign permit.

An application for a sign permit shall be made on the appropriate form provided by the Zoning Administrator and shall include the following at time of submission:

- A. Two sets of plans drawn to scale, indicating the sign location, size, type, materials of both sign and structure if applicable, method of illumination, colors, method of attachment and general layout are required with the application. Plans should include showing the sign location in relation to nearby buildings or structures, existing signs, property lines, driveways, public streets, fences, and sidewalks.
- B. A Sign Fee, established within the Fee Schedule for the Unified Development Code, shall be submitted with the sign application.
- C. Upon initial review of the sign permit application and materials, the Zoning Administrator may require additional information to demonstrate compliance with this section.
- D. If submitted as part of a Site Plan approval, the sign shall be designed in accordance with these regulations and all items listed in A through C above shall be included with the Site Plan submission.
- E. Approval of a sign permit does not authorize the maintenance of an unlawful sign and does not constitute a defense in an action to abate an unlawful sign.
- ~~F.~~ Once approved by the Zoning Administrator, any changes to the approved sign design must be resubmitted for approval to insure compliance with these regulations.
- ~~F.G.~~ If the work authorized under a sign permit has not been completed within ninety (90) days after issuance, the said permit shall become null and void.

**12.4 Exemptions.** The followings signs and devices shall be exempt from the provisions of this Article:

- A. Official signs erected by a city, or county, State of Kansas, or the federal government.
- B. Signs erected for public information, safety or direction by any utility, governmental authority, or public service district.

**12.5 Prohibited Signs.**

- A. No sign shall be erected in any location where, by reason of position, location, shape, or color, it interferes with or obstructs the view of pedestrian or vehicular traffic.
- B. A sign that is an attention/attraction that rotates or is animated, or consists of pennants, ribbons, streamers, sheets, spinners, or other moving device not specifically allowed by these resolutions - except for use as a Temporary Sign.
- C. Any sign which may be confused with an authorized traffic sign, signal, device, or emergency sign is not allowed.
- D. Pole signs are only allowed as a Conditional Use in the C-2 and C-3 Zoning Districts and are subject to the regulations in Section 12.9 and Article 7.
- E. Any sign (including its enclosing structure) that is located on a building or premises which becomes vacant or unoccupied for a period of six months or more, or any sign which pertains to time, event, or purpose which no longer applies, or exists shall be deemed to be abandoned. An abandoned sign shall be removed by its owner or the owner of the premises within thirty (30) days of notification from the Codes Enforcement Officer and the facade or land area site shall be restored to its normal appearance.
- F. The following specific sign types are not allowed:

1. Roof or rooftop signs;
2. Exterior exposed neon tube signs are not allowed on building exteriors. These types of signs may be used in a window if it meets the defined parameters for the Zoning District;
3. Flashing signs and signs that convey movement;
4. Off-premises signs unless allowed by type in a specific Zoning District;
5. Billboards;
6. Signs with glaring illumination;
7. Any sign mounted on, attached or displayed on a trailer or motor vehicle, whether operable or inoperable that is placed on the premises (this does not apply to trucks, delivery vehicles or other vehicles that are parked on the premises during normal operations or to Temporary Signs which have obtained a sign permit). Signs attached to or upon any motorized vehicle shall be prohibited where any such vehicle is allowed to remain parked in the same location or the same vicinity, at frequent or extended periods of time where the intent is apparent to be one of using the vehicle for signage.
8. Obscene material. Any obscene signs, flags, banners of any type are prohibited. Obscene is defined as any material specifically defined by Kansas Statutes (K.S.A. 21-6401).

**12.6 Nonconforming Signs.** Signs which were erected or established prior to the effective date of this ordinance, and are not in conformance with these regulations, may continue to exist subject to the following conditions:

- A. Such sign shall not be structurally altered or moved unless the altered sign conforms to these regulations. However, the sign may be maintained and repaired, and the display may be changed provided it is not larger in area than the existing signage.
- B. If any nonconforming sign is abandoned for a period of sixty (60) days, it must be removed from the premise. Any replacement sign shall be in conformance with these regulations.
- C. Any nonconforming sign that has been damaged by fire, wind, explosion or other means to the extent that fifty percent (50%) or more of the sign has been destroyed shall be restored or rebuilt in conformance with the sign regulations. Any sign destroyed less than fifty percent (50%) may be restored or rebuilt to its condition prior to its damage.
- D. Such sign is not in violation of any state or federal law or regulation.

However, this exemption does not extend to signs which were erected in violation of the provisions of the UDC at the time at which the sign was erected.

## 12.7 General Restrictions

- A. All signs and sign support structures, together with all of their supports, braces, guys and anchors, shall be well-maintained, be of safe and sound structural condition and in compliance with all applicable provisions of the building codes of the City of Edgerton. All signs must have a clean and neat appearance. The land adjacent to signage located on the ground shall be kept free from weeds and trash. If signs are not being maintained as described, the City ~~make~~may order that the sign be removed.
- B. No sign shall be attached to any tree, fence, or utility pole, except signs issued or properly posted by a utility, public authority, or agency of government.
- C. No sign shall be erected or allow to project into a public right-of-way or on a public easement.
- D. No sign shall be located as to obstruct the vision or sight distance of vehicle operators or pedestrians at any intersection or street crossing. In order to maintain visual

clearance and sight distance for vehicle operators and pedestrians, the following is required:

1. A 20 foot by 20 foot Visibility Triangle shall be provided.

2. A sign in direct line of vision of any signal light, traffic control sign, or any other such device from any point in a moving traffic lane must be at least fifty (50) feet from such device, unless the Director of Public Works, or designee, approves the placement of such sign.

G.E. No private sign shall be erected or maintained on public property without express permission of the Governing Body.

F. If the Codes Enforcement Officer finds that any sign or advertising device is unsafe or in disrepair he/she shall notify the property owner in writing. The owner shall immediately remove or repair the sign to bring it into compliance and/or make it safe. If the owner fails to remove or repair the sign within 10 days, the City may bring a nuisance action, or any others means of enforcement to compel the owner to remove or repair such sign.

G. No sign shall be constructed nearer than three (3) feet from any public or private underground utilities. No ground sign or accessories to such sign shall be located within ten (10) feet vertically and six (6) feet horizontally of electrical wires or conductors in free air carrying more than forty eight (48) volts, whether or not such wires or conductors are insulated or otherwise protected.

D.H. Any sign installed or placed on public property, except in conformance with the requirements of these regulations, shall be forfeited to the public and subject to confiscation. In addition to other remedies hereunder, the city shall have the right to recover from the owner or person placing such a sign, the full costs of removal and disposal of such sign.

## **12.8 Design, Material, and Construction.**

### **A. Design.**

1. Sign Area - In determining the area of a sign face, the following is applicable:

- a. The sign face includes the advertising surface and any framing, trim, molding, cabinet, panel or any visually or architecturally distinct area enclosing the copy, logo and any other graphic component of the sign.
- b. Where individual letters or graphics are used, and no distinct enclosed are is present, the sign face is the rectangle, box, circle, or other regular geometric shape, or combinations thereof, enclosing the letters, logo or other graphic elements.
- c. If a sign is composed of letters only, with no connection by the advertising structure between the letters, the copy area shall be determined by measuring the distance from the outside edges of the outside letters and from the top of the largest letter to the bottom of the lowest letter. If one letter is unequally large or small in comparison to the other letters composing the sign, the unequal letter shall be square off, the remaining letters shall be measured from the outside edges and the two areas added together for a total copy area determination.
- d. The area of all signage (wall, window, awning, etc.) on one building (standalone or multitenant) shall not exceed ten (10) percent of the wall area of the wall façade on which multiple signs are located.

d-e. The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. When two identical sign faces are placed back to back, so that both faces cannot be viewed from any point at the same time, and when such sign faces are substantially similar and are part of the same sign structure, the sign area shall be computed by the measurement of one of the faces.

2. Monument Signs - Design standards for all monument signs are as follows and are in addition to the specific requirements outlined by Zoning District in Tables 12-1 through 12-7:

a. Base & Support Structure

- i. Monument sign must be built on a solid base.
- ii. Monument signs shall incorporate a supporting base that is a minimum of 50 percent of the width of the monument at its widest point.
- iii. The base and support structure shall not exceed the sign face area by more than 10 percent.
- iv. Base must be faced with appropriate materials (natural flagstone, rock, stone, river rock, brick, etc.) designed to match the look of associated buildings in texture and color.
- v. Architectural elements should be provided on the top and/or sides of the sign.

b. Sign Face

- i. The sign face area of a monument sign shall include the sign panel but not the sign base on which it is mounted.
- ii. Each side of a double-faced monument sign is limited to the maximum allowable sign area.
- iii. Cabinet-type signs with translucent panels or panels with reflective surfaces, including but not limited to acrylic fiberglass, plastic, or metal or channel letter signs with translucent backlit panels are prohibited.
- iv. Artistic elements to the sign may include small areas of translucent, backlit surfaces that exceed no more than 5% of the total sign face.
- v. Sign face shall provide individually cut letters including channel letter signs (may be Halo lit); stenciled panels with three-dimensional push-through graphics; cast letters and logos; case metal; or engraved.
- vi. Background of Sign face is encouraged to be comprised of natural design materials that are compatible with the building façade.
- vii. Electrical transformer boxes and raceways shall be concealed from public view.
- viii. The use of external lighting sources is permitted. External lighting shall be designed so that the light source is directed away or shielded from passersby, adjacent properties and motorists.

c. Landscaping

- i. The base of a monument sign shall be softened with landscaping sufficient to cover an area extending not less than 2.5 feet around the base of the sign.
- ii. The applicant shall designate the area and the type of plantings in the sign permit application.
- iii. Said landscaping shall not obstruct the sign face.

- B. Material. Except for Flags, Temporary and Window signs, all permanent signs shall be constructed of permanent materials supported by the ground, attached to a building, or affixed to another structure. Permanent Signs may be constructed from acrylic, fiberglass, plastic, DiBond, polycarbonate, marine grade plywood (MDO), redwood, aluminum, aluminum composite materials (ACM), plastic, metal, masonry materials, glass, tile, and/or other similar materials. Flags or Temporary signs may be constructed of sturdy fabric, canvas or vinyl. Window signs may be constructed of any of the above materials, or paper products.
- C. Construction.
1. All illuminated signs shall be internally or indirectly illuminated. Neon tubes, incandescent bulbs, fluorescent tubes, and other sources of direct illumination that are exposed to the human eye are not permitted. Indirect illumination shall be directed away from pedestrian walkways and shall not shine into adjacent property or cause glare for motorists or pedestrians.
  2. All internally illuminated signs in residential districts shall be designed in such a way that light is reflected or directed away from any residential dwelling. (Ord. 827; 2007)
  3. All signs shall comply with all other Codes in effect relating to design, structural members and connections. An electrical permit is required for illuminated signage.
  4. Where ground is uneven or sloped the allowed height of the sign shall be measured from the average between the highest and lowest grades of the area where the sign is to be installed.
  5. When applicable, utility locates must be requested and marked prior to sign installation.
  6. Signs in excess of fifty (50) square feet and/or taller than ten (10) feet in height shall be designed by a structural engineer registered in the State of Kansas. These signs shall be constructed to withstand a minimum wind load of thirty (30) pounds per square foot and a minimum dead load as required by the adopted building code. Other signage, at the discretion of the Building Official, may require plans to be prepared by a registered professional engineer. The original signature of the engineer is required and said engineer shall be certified by the State of Kansas.
- D. Computation of Height – The height of a sign shall be computed as the mean distance from the base(s) of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of existing grade prior to construction or the new established grade after construction, exclusive of any filling, berming, mounding or excavating solely for the purpose of locating the sign.

## 12.9 Special Sign Regulations

- A. Where person or entity (a “sub-tenant”) leases space and conducts business within another person or entity (the “primary tenant”), but does not have an exterior business façade or an exterior door leading to their sub-tenant space, one wall sign is permitted for the sub-tenant provided the sub-tenant is a separate legal entity and not a department, division or subsidiary of the primary tenant and the total area for all the signs does not exceed the total allowable sign area. This section does not apply to enclosed shopping malls.
- B. Where any person or entity has an establishment located in a building and such person or entity has departments which may or may not have an exterior façade or door,

such person or entity may have an additional two signs for individual departments provided the total area for all signs does not exceed the total allowable sign area for wall signage (10% as determined by Section 12.8(1d)).

- C. The transfer of sign rights is permitted only in the C-1, C-2 and C-3 Zoning Districts and shall be governed by the following:
  - 1. A use that does not front on a main road may transfer monument signage rights to property located on a main or frontage road.
  - 2. Multiple uses on one-site may transfer all or part of their monument or wall sign rights to a single on-site monument or kiosk sign.

#### 12.10 Severability and Substitution

- A. Severability. If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term or word in this Article is declared invalid, such invalidity shall not affect the validity or enforceability of the remaining portions of this Article or this Code.
- B. Substitution. Signs containing non-commercial speech are permitted anywhere that advertising or business signs are permitted, subject to the same regulations applicable to business signs.

#### 12.11 Sign Terminology and Definitions. The following definitions shall be used to classify the type, shape and use of all signs in the City of Edgerton.

- A. **Abandoned Sign.** A sign, including the base, structure, pole or any other part, which no longer contains a message regarding the location of the premises on which the sign is located or regarding the activity conducted on the premises to which the sign refers.
- B. **Awning Sign.** A non-illuminated sign, painted on or attached to an awning. Only individual letters and/or logos may be painted, stenciled, or otherwise placed on these devices.
- C. **Banner Sign.** A sign made of a flexible, sturdy material and affixed to a structure, pole, line, or framing. This definition does not include official flags of any nation, county, municipalities, and national or internationally recognized nonprofit organizations.
- D. **Billboard Sign.** A freestanding outdoor advertising structure, on or off site, which advertises a product or service or relays a message to the public with a per face area greater than two hundred (200) square feet.
- E. **Blade (Projecting) Sign.** A sign extending from the face of the building to which it is attached, usually at a right angle.
- F. **Changeable Copy Sign.** A sign capable of displaying words, symbols, figures or images that can be electronically or mechanically controlled remotely or automatically.
- F.G. **External Directional Sign.** A sign adjacent to the driveway of the site that is used to direct traffic onto the site.
- G.H. **Flag.**  
A piece of cloth, varying in size, shape, color, and design, usually attached at one edge to a pole or staff, and used as the symbol of a nation, state, or organization.



- H.I. Freestanding Canopy Façade Sign.** A sign placed on the canopy façade of a free-standing canopy. It may contain logo or word copy but is restricted to size requirements listed in the specific Zoning District.
- I.J. Glaring Illumination.** Light of such brilliance and so positioned as to blind or impair the vision or affect the aesthetic value of the area.
- J.K. Highway Adjacent Monument Sign.** A monument style sign which is allowed on parcels which are within close proximity to an interstate highway where a minimum of fifty (50) percent of the parcel is within 1) 800 ft. of the centerline of the highway or 2) 500 ft. of the right of way of the highway (whichever is less).
- K.L. Institutional sign.** A sign identifying a club, association, school, hospital, church, fire station, cemetery or any other entity or facility.
- L.M. Kiosk.** A free-standing sign monument sign designed to provide advertising space for two or more entities, activities or businesses on a single premises or group of contiguous premises. Signs are framed in a metal structure that is permanently affixed to the ground by means of a base. Individual removable sign panels within the metal frame are to be maintained with current tenant information.
- N. Illumination.** (Internal) An internally-illuminated sign is one with the light source concealed or contained within the sign face itself, and which becomes visible in darkness by shining through a surface. (External) A sign illuminated by lights attached to the sign or placed on the ground or building.
- M.O. Internal Directional Sign.** A sign located on-premise which helps direct traffic flow within the site.
- N.P. Monument Sign.** A free-standing sign, independent of the building it serves, supported by a base constructed of materials consistent with said building. No poles or posts are visible. May be constructed of wood, synthetic materials, masonry or stone. The sign bottom is attached directly and permanently to the ground on a base while physically separated from any other structure. For purposes of this Article, the maximum height limit is measured from the natural or average grade.
- O.Q. Off-premises Sign.** A sign which displays any message directing attention to a business, product, service, profession, commodity, person, event, institution or other matter or entity that is not at or offered on premises.
- P.R. On-premises Sign.** A sign which displays any message directing attention to a business, product, service, profession, commodity, person, event, institution or other matter or entity that is at or offered on premises.
- Q.S. On-site Identification Sign.** A sign giving the name and address of a building or location which may include a recognized logo or symbol.
- R.T. Parked Vehicle Service Sign.** A sign adjacent to parked vehicle stalls in a parking area.
- S.U. Permanent Sign.** Any wall, monument, or other sign that is fixed, lasting, stable, enduring, not subject to change, and intended to remain for an indefinite period of time.
- T.V. Pole Sign.** A sign that is permanently supported in a fixed location by a structure of poles, posts or braces from the ground and is not supported by a building or base.



- U-W. **Portable Device.** Any instrument designed to temporarily draw attention to a business and is not permanently affixed into the ground or a structure. Examples include, but are not limited to, spotlights and inflatables of any kind.
- V-X. **Portable Sign.** A sign not designed or intended to be permanently affixed into the ground or to a structure.
- W-Y. **Post Sign.** A temporary sign constructed of sturdy materials which may be used on an unplatted or undeveloped site.
- X-Z. **Projecting (Blade) Sign.** A sign extending from the face of the building to which it is attached, usually at a right angle.
- Y-AA. **Public Way or Right-of-Way.** Any way designed for vehicular or pedestrian use and is maintained with public funds.
- Z-BB. **Roof Sign.** A sign erected, constructed or maintained on the roof of building, but does not include a sign on the parapet of a building.
- AA-CC. **Safety Control Signs.** Warning, control, traffic, or required public safety signs.
- BB-DD. **Sign.** A sign is an object, device, or structure, or part thereof other than a flag, situated outdoors, visible from a public way, which is used to display a message, by any means including words, letters, figures, design, symbols, fixtures, colors, illuminations or projected images. Each substantially different face of a sign shall constitute a separate sign.
- CC-EE. **Sign Area.** The facing of a sign, including copy, insignia, background, and borders.
- FF. **Signable Area.** The signable area of a building is the square footage of each building façade where signage would be allowed.
- GG. **Sign Panel.** An individual sign placard displaying directional information on a kiosk sign.
- DD-HH. **Sign Setback.** The spacing between a sign and a lot line or two (2) signs. The distance is measured horizontally from a vertical plane at the outer extremity of each sign.
- EE-II. **Subdivision Sign.** A monument sign identifying a subdivision located in a residential zoning district.
- FF-JJ. **Temporary Sign.** Any sign that is not intended to remain on the premises on which it is located, on a permanent basis. A temporary sign may be displayed for no more than two, (14) day-periods within any calendar year.
- GG-KK. **Vehicle Drive Lane Sign.** A sign adjacent to a drive lane used to convey a message to the vehicle driver. May contain an auditory speaker.
- HH-LL. **Vehicle Drive Lane Accessory Sign.** A sign adjacent to a drive lane. May not be placed within 15 feet of a Vehicle Drive Lane Sign.
- II-MM. **Yard Sign.** A temporary sign constructed of plastic with a metal frame, that is not intended to remain on the premises on which it is located on a permanent basis.
- JJ-NN. **Wall Sign.** A sign painted or constructed and placed in the signable area of a building and attached to the exterior surface of a wall and does not project more

than twelve (12) inches from said wall or project above the top of the wall on which it is attached or displayed.

~~KK.OO.~~ **Wall Sign – Accessory Building.** (for accessory structure) A sign placed on the wall of an accessory building that gives information about the activity within the building or gives directions to another area.

~~LL.PP.~~ **Window Sign.** A sign or graphic that is affixed, etched, or painted on the interior side of a window, or a sign made of other materials that is permanently affixed to the interior of a window.

**12.12 Permitted Signs.** The following tables outline permitted signage for all zoning districts as indicated.  
~~For signs in the L-P Logistics Park District, see Article 5, Section 5.2 for additional requirements.~~

**A. Table 12-1 Signs Permitted in All Districts.**

| Permitted Signs in All Districts       |          |             |       |                                  |             |            |  |
|--|----------|-------------|-------|----------------------------------|-------------|------------|--|
| Type                                   | Max Size | Max Ht (ft) | Max # | Min Setback                      | Permit Req. | Illum Type | Notes  |
| Real estate                            | exempt   | exempt      |       | Not located in the right of way. | no          | none       |  |
| Political                              | exempt   | exempt      |       | Not located in the right of way. | no          | none       | Not located on public property                                       |
| Lots for sale                          | exempt   | exempt      |       | Not located in the right of way. | no          | none       | On-site signs only   |
| Auction                                | exempt   | exempt      |       | Not located in the right of way. | no          | none       | On-site and off site signs   |
| Construction                           | exempt   | exempt      |       | Not located in the right of way. | no          | none       | Repairs, contractors or builders                                     |
| Special events at commercial locations |          |             |       | Not located in the right of way. | yes         | none       | Grand openings, sales, promotions or similar signs - 30 days maximum |

| Permitted Signs in All Districts             |            |             |       |                                  |             |            |  |
|--|------------|-------------|-------|----------------------------------|-------------|------------|--|
| Type   | Max Size   | Max Ht (ft) | Max # | Min Setback                      | Permit Req. | Illum Type | Notes  |
| Special events - public, private, charitable | exempt     | exempt      |       | Not located in the right of way. | no          | none       | Rallies, picnics, fairs, festivals, displays, promotions |
| Future building site                         | 20 sq. ft. | 8 ft.       |       | Not located in the right of way  | yes         | none       | Announces future building project Monument style only    |
| Day care or adult care                       | 20 sq. ft. | 6 ft.       |       | Not located in the right of way  | yes         | none       | Monument style, ground style or wall                     |

**B. Table 12-2 Signs Permitted in Residential Districts.**

| Permitted Signs in R-1, Single Family Residential Districts |                                     |             |        |  |             |   |  |
|---|-------------------------------------|-------------|--------|--|-------------|---|--|
| Type  | Max Size                            | Max Ht (ft) | Max #. | Min Setback  | Permit Req. | Illum Type  | Notes  |
| Home Occupations  | 8 sq. ft. and 2 x 3 ft. on building | 6 ft.       | 2      | 2 required yard setback  | yes         | external  | Monument or ground style and a sign attached to building |
| Institutional   | 36 sq. ft.                          | 6 ft.       | 1      | Not located in the right of way. and cannot create a traffic hazard. | yes         | external or internal (must reflect or direct light away from residential dwellings) | Monument only  |

### Permitted Signs in R-1, Single Family Residential Districts

| Type             | Max Size   | Max Ht (ft) | Max #. | Min Setback  | Permit Req. | Illum Type | Notes         |
|------------------|------------|-------------|--------|--|-------------|------------|---------------|
| Subdivision name | 16 sq. ft. | 6 ft.       | 1      | Not located in the right of way. and cannot create a traffic hazard. | yes         | external   | Monument only |

### R-2 & R-3, Multi-Family Residential District & MHP

| Type   | Max Size                            | Max Ht (ft)  | Max #. | Min Setback   | Permit Req. | Illum Type  | Notes   |
|--|-------------------------------------|--------------|--------|---|-------------|---|---|
| Name plate for building                      | 4 sq. ft.                           | Per building |        |   | no          |   | per building  |
| Place name - gives name of apartment complex | 24 sq. ft.                          | 6 ft.        | 1      | Not located in the right of way. and cannot create a traffic hazard | yes         | external  | Monument or ground style only - name of apartment complex |
| Home Occupation                              | 8 sq. ft. and 2 x 3 ft. on building | 6 ft.        | 2      | 2 required yard setback   | yes         | external  | Monument or ground style and a sign attached to building  |
| Institutional                                | 36 sq. ft.                          | 6 ft.        | 1      | Not located in the right of way. and cannot create a traffic hazard | yes         | external or internal (must reflect or direct light away from residential dwellings) | Monument only   |

|                |            |       |   |   |     |          |                          |
|----------------|------------|-------|---|---|-----|----------|--------------------------|
| <b>MH Park</b> | 16 sq. ft. | 8 ft. | 1 | Not located in the right of way. and cannot create a traffic hazard | yes | external | Monument or ground style |
|----------------|------------|-------|---|---|-----|----------|--------------------------|

| Planned Unit Development Districts |           |             |           |   |             |            |  |
|------------------------------------|-----------|-------------|-----------|---|-------------|------------|--|
| Type                               | Max Size  | Max Ht (ft) | Max #.    | Min Setback   | Permit Req. | Illum Type | Notes  |
| <b>All Permanent Signs</b>         | By review | By review   | By review | Not located in the right of way. and cannot create a traffic hazard | yes         | By review  | All permanent signs in a PUD are approved during the review of the preliminary and final plans |

**C. Table 12-3 Signs Permitted in Commercial Districts – CD, C1, C2, C3**

| Permitted Signs in CD- Downtown Commercial District |                |  |   |            |                                   |                 |  |   |
|---|----------------|--|---|------------|-----------------------------------|-----------------|--|---|
| Type  | Perm. Or Temp. | Max. Size  | Max Height (ft.)                            | Max #      | Min. Setback                      | Permit Required | Illum. Type  | Notes   |
| <b>Awning</b>                                       | Permanent      | Graphic text cannot exceed 30% of the total exterior surface area of the awning;<br><br>If side panels are provided they may not carry text or images greater than 20% of the awning panel area; | N/A – sign coverage limited to awning face. | See notes. | May not protrude from awing face. | Yes             | Decorative downlights above awning only;<br><br>No illumination allowed on awning. | One sign face per window or door opening as allowed by district design standards;<br><br>When multiple awnings occur in a row on a building side, every other awning surface should be left free of sign graphics or text;<br><br>The square footage of the text and graphics on an awning surface or |

## Permitted Signs in CD- Downtown Commercial District

| Type  | Perm. Or Temp. | Max. Size   | Max Height (ft.)   | Max #  | Min. Setback   | Permit Required | Illum. Type  | Notes  |
|---|----------------|---|--|--|--|-----------------|--|--|
|   |                | Text and graphics on a valance shall not be larger than 8 inches in height.   |  |  |  |                 |  | valance count toward the total allowed square footage for a wall sign at the same location.  |
| <b>Blade Sign<br/>(AKA Projection Sign)</b> | Permanent      | 12 sq. ft. in area per side; may have two sign faces.   | Shall maintain not less than 8 ft. clearance between the bottom of the sign and the finished grade;<br><br>May not extend more than 2 ft. above the building parapet/roofline. | 1  | May not extend more than 3 ft. from the wall façade or into public right of way. | Yes             | Internal illumination only.  | May only be placed on a front façade;<br><br>May not be used in conjunction with a wall sign.  |
| <b>Monument Sign</b>                        | Permanent      | 36 sq. ft. in area per sign face; may be single or double faced.  | 6 ft. from natural grade or average grade including base.  | 1 per principal building per street frontage.  | 7 ft. setback from property lines.   | Yes             | Light source may be internal or external; if external, it must be directed away or shielded from passersby, adjacent properties and motorists. | See Section 12.8 for design details regarding Monument Signs.  |
| <b>Wall Sign</b>                            | Permanent      | On a standalone building or a multitenant complex, the total area of the wall sign shall be one and a half square feet of sign area for each one foot of linear | Wall height; may not extend past roofline or parapet.  | 1 per front or side of building facing a street up to a total of 3 maximum; may not be | N/A – may not protrude off of wall of building.                                  | Yes             | External or internal illumination; decorative downlights required for external illumination; must  | If a tenant is part of a multitenant complex, each tenant shall be allowed one (1) wall sign no greater than ten (10) percent of the tenant wall area upon which the sign is placed. |

## Permitted Signs in CD- Downtown Commercial District

| Type                                    | Perm. Or Temp. | Max. Size  | Max Height (ft.)                           | Max #                       | Min. Setback                                    | Permit Required | Illum. Type   | Notes   |
|---|----------------|--|--|-----------------------------|---|-----------------|---|---|
|   |                | footage of the building façade facing the street.  |  | placed on rear of building. |   |                 | be directed away or shielded from passersby, adjacent properties and motorists.                     | <p>Corner tenant spaces will be allowed one (1) additional wall sign no greater than ten (10) percent of the wall area upon which it is placed so that one may be placed on each side of a corner façade.</p> <p>Signs facing the rear of a building are prohibited.</p> <p>See section 12.8 for calculation of sign area parameters.</p> |
| <b>Wall sign for Accessory Building</b> | Permanent      | 16 sq. ft in area  | Wall height; may not extend past roofline. | 1                           | N/A – may not protrude off of wall of building. | No              | External only; must be directed away or shielded from passersby, adjacent properties and motorists. | 1 sign per accessory building; must be constructed out of permanent material.   |
| <b>Window sign</b>                      | Permanent      | <p>1 per window not to exceed 10% of total glass area unless no wall sign is provided;</p> <p>If no wall sign is provided then window sign can be 20% of total glass area.</p> | Within window confines                     | 1                           | N/A   | No              | External or internal  | <p>Sign may be painted or etched on glass – must be on interior surface of window;</p> <p>Sign made from materials (not etched or painted on glass) must be hung inside;</p> <p>Neon signs may be used as a window sign and may encompass 25% of total glass area as long as no other window signage is present.</p>                      |



## Permitted Signs in C-1 - General Commercial District

| Type                                    | Perm. Or Temp. | Max. Size   | Max Height (ft.)   | Max #                   | Min. Setback   | Permit Required | Illum. Type  | Notes   |
|---|----------------|---|--|-------------------------|--|-----------------|--|---|
| <b>Awning</b>                           | Permanent      | Graphic text cannot exceed 30% of the total exterior surface area of the awning;<br><br>If side panels are provided they may not carry text or images greater than 20% of the awning panel area;<br><br>Text and graphics on a valance shall not be larger than 8 inches in height. | N/A – sign coverage limited to awning face.  | See notes.              | May not protrude from awing face.  | Yes             | Decorative downlights above awning only;<br><br>No illumination allowed on awning.                             | One sign face per window or door opening as allowed by district design standards.<br><br>When multiple awnings occur in a row on a building side, every other awning surface should be left free of sign graphics or text;<br><br>The square footage of the text and graphics on an awning surface or valance count toward the total allowed square footage for a wall sign at the same location. |
| <b>Blade Sign (AKA Projection Sign)</b> | Permanent      | 12 sq. ft. in area per side; may have two sign faces.   | Shall maintain not less than 8 ft. clearance between the bottom of the sign and the finished grade;<br><br>May not extend more than 2 ft. above the building parapet/roofline. | 1                       | May not extend more than 3 ft. from the wall façade or into public right of way. | Yes             | Internal illumination only.  | May only be placed on a front façade;<br><br>May not be used in conjunction with a wall sign.   |
| <b>Flags</b>                            | Permanent      | No single flag shall exceed 40 sq. ft. in area.   | 35 ft. above finished grade.   | 3 per development site. | Must meet Zoning District requirements.  | No              | External illumination required if flag is to fly at night; light source must be directed away or shielded from |   |

## Permitted Signs in C-1 - General Commercial District

| Type   | Perm. Or Temp. | Max. Size  | Max Height (ft.)                            | Max #                                  | Min. Setback  | Permit Required | Illum. Type                                   | Notes  |
|--|----------------|--|---|--|---|-----------------|---|--|
|  |                |  |   |  |   |                 | passersby, adjacent properties and motorists. |  |
| <b>Freestanding Canopy Façade Sign</b>           | Permanent      | Sign area shall not exceed 10 (ten) percent of the canopy façade where sign is placed. | Cannot extend above canopy façade roofline. | 1 per side facing public right of way. | Depth of content cannot extend a depth of more than 6 inches.                         | Yes             | Internal only.                                | Pertains to canopies for drive-through facilities.   |
| <b>Interstate/Highway Adjacent Monument Sign</b> | Permanent      | Area per face shall not exceed 200 sq. ft., maximum two faces permitted.               | 30 ft. above the natural or average grade   | 1 per parcel                           | Shall not be closer than 30 ft. of all property lines or located within any easement. | Yes             | Internal Only                                 | <p>May contain a changeable copy sign;</p> <p>No flashing, intermittent or moving lights; LED signs must display image for at least 8 seconds;</p> <p>Changeable copy content and logo are used to calculate total sq. ft. when calculating maximum sq. ft. per sign side;</p> <p>Allowed if a minimum of 50% of the site is within 800 ft. of the centerline or 500 ft. of the right of way (whichever is less) of an Interstate or Highway.</p> <p>The width of the base of the sign shall not be less than 20% of the width of the sign face or more than 60% of the width of the sign face.</p> <p>Landscaping such as flowering trees, shrubs and bushes shall be provided around the base of the sign as approved.</p> |

## Permitted Signs in C-1 - General Commercial District

| Type                               | Perm. Or Temp. | Max. Size  | Max Height (ft.)   | Max #   | Min. Setback                        | Permit Required | Illum. Type  | Notes  |
|------------------------------------|----------------|--|--|---|-------------------------------------|-----------------|--|--|
|                                    |                |  |  |   |                                     |                 |  | See Section 12.8 for design details regarding Monument Signs.  |
| <b>Monument Sign</b>               | Permanent      | .5 sq. ft. in area per linear foot of street frontage;<br><br>Maximum of 120 sq. ft. in area per sign face; may be single or double faced. | 10 ft. from natural grade or average grade including base. | 1 per principal building per street frontage. | 12 ft. setback from property lines. | Yes             | Light source may be internal or external; if external, it must be directed away or shielded from passersby, adjacent properties and motorists. | May contain a changeable copy sign;<br><br>No flashing, intermittent or moving lights; LED signs must display image for at least 8 seconds;<br><br>Changeable copy content and logo are used to calculate total sq. ft. when calculating maximum sq. ft. per sign side;<br><br>See Section 12.8 for design details regarding Monument Signs. |
| <b>On-Site Identification Sign</b> | Permanent      | 4 sq. ft. in area per face; may be double faced.   | 4 ft.  | 1 per site or driveway entrance.              | Not in right of way.                | Yes             | None allowed.  | Must be constructed of permanent materials;<br><br>May be wall mounted or installed using metal two-inch square posts;<br><br>Wooden posts are not allowed unless they are metal wrapped.  |

## Permitted Signs in C-1 - General Commercial District

| Type                                     | Perm. Or Temp. | Max. Size  | Max Height (ft.) | Max #   | Min. Setback   | Permit Required | Illum. Type                  | Notes   |
|--|----------------|--|------------------|---|--|-----------------|------------------------------|---|
| <b>Parked Vehicle Service Signs</b>      | Permanent      | 6 sq. ft. in area per face; may be installed back to back. | 6 ft.            | 1 per order station   | Same as parking setback for applicable zoning district.    | Yes             | Internal illumination only.  | May contain visual or auditory communication system.  |
| <b>Vehicle Drive Lane Sign</b>           | Permanent      | 32 sq. feet in area  | 6 ft.            | 1 per drive lane  | Same as parking setback for applicable zoning district.    | Yes             | Internal illumination only.  | <p>May be attached to wall or freestanding;</p> <p>If freestanding, must be built on a solid base that is at least 50% of the width of the sign face;</p> <p>Shall be located along the sides or rear of the building;</p> <p>If visible from a public street, additional landscaping and/or screening is required to screen board from view from public street;</p> <p>Must be constructed to match the aesthetics of the main building including building materials used;</p> <p>May contain visual or auditory communication system.</p> |
| <b>Vehicle Drive Lane Accessory Sign</b> | Permanent      | 15 sq. ft.   | 6 ft.            | <p>1 per drive through lane;</p> <p>Must be separated from any Vehicle Drive Lane Sign by at least 15 ft.</p> | Must be placed within 3 ft. of adjacent drive through lane | Yes             | Internal illumination alone. | <p>May be attached to wall or freestanding;</p> <p>If freestanding, must be built on a solid base that is at least 50% of the width of the sign face;</p> <p>Shall be located along the sides or rear of the building;</p>  |

## Permitted Signs in C-1 - General Commercial District

| Type             | Perm. Or Temp. | Max. Size   | Max Height (ft.)                                      | Max #  | Min. Setback                                    | Permit Required | Illum. Type   | Notes   |
|------------------|----------------|---|---|--|---|-----------------|---|---|
|                  |                |   |   |  |   |                 |   | <p>If visible from a public street, additional landscaping and/or screening is required to screen board from view from public street.</p> <p>Must be constructed to match the aesthetics of the main building including building materials used.</p>  |
| <b>Wall Sign</b> | Permanent      | On a standalone building or a multitenant complex, the total area of the wall sign shall be one and a half square feet of sign area for each one foot of linear footage of the building façade facing the street. | Wall height; may not extend past roofline or parapet. | 1 per front or side of building facing a street up to a total of 3 maximum; may not be placed on rear of building. | N/A – may not protrude off of wall of building. | Yes             | External or internal illumination; decorative downlights required for external illumination; must be directed away or shielded from passersby, adjacent properties and motorists. | <p>If a tenant is part of a multitenant complex, each tenant shall be allowed one (1) wall sign no greater than ten (10) percent of the tenant wall area upon which the sign is placed.</p> <p>Corner tenant spaces will be allowed one (1) additional wall sign no greater than ten (10) percent of the wall area upon which it is placed so that one may be placed on each side of a corner façade.</p> <p>Signs facing the rear of a building are prohibited.</p> <p>See section 12.8 for calculation of sign area parameters.</p> |

## Permitted Signs in C-1 - General Commercial District

| Type                                    | Perm. Or Temp. | Max. Size   | Max Height (ft.)                           | Max # | Min. Setback                                    | Permit Required | Illum. Type   | Notes  |
|---|----------------|---|--|-------|---|-----------------|---|--|
| <b>Wall sign for Accessory Building</b> | Permanent      | 16 sq. ft in area   | Wall height; may not extend past roofline. | 1     | N/A – may not protrude off of wall of building. | No              | External only; must be directed away or shielded from passersby, adjacent properties and motorists. | 1 sign per accessory building; must be constructed out of permanent material.  |
| <b>Window sign</b>                      | Permanent      | 1 per window not to exceed 30% of total glass area unless no wall sign is provided. | Within window confines                     | 1     | N/A   | No              | External or internal  | <p>Sign may be painted or etched on glass – must be on interior surface of window;</p> <p>Sign made from materials (not etched or painted on glass) must be hung inside;</p> <p>Neon signs may be used as a window sign and may encompass 30% of total glass area as long as no other window signage is present.</p> |

## Permitted Signs in C-2 - Heavy Service Commercial District

| Type                                    | Perm. Or Temp. | Max. Size   | Max Height (ft.)  | Max #                   | Min. Setback   | Permit Required | Illum. Type   | Notes  |
|---|----------------|---|---|-------------------------|--|-----------------|---|--|
| <b>Awning</b>                           | Permanent      | Graphic text cannot exceed 30% of the total exterior surface area of the awning;<br><br>If side panels are provided they may not carry text or images greater than 20% of the awning panel area;<br><br>Text and graphics on a valance shall not be larger than 8 inches in height. | N/A – sign coverage limited to awning face.   | See notes.              | May not protrude from awing face.  | Yes             | Decorative downlights above awning only;<br><br>No illumination allowed on awning.  | One sign face per window or door opening as allowed by district design standards.<br><br>When multiple awnings occur in a row on a building side, every other awning surface should be left free of sign graphics or text; The square footage of the text and graphics on an awning surface or valance count toward the total allowed square footage for a wall sign at the same location. |
| <b>Blade Sign (AKA Projection Sign)</b> | Permanent      | 12 sq. ft. in area per side; may have two sign faces  | Shall maintain not less than 8 ft. clearance between the bottom of the sign and the finished grade;<br><br>May not extend more than 2 ft. above the building parapet/roofline | 1                       | May not extend more than 3 ft. from the wall façade or into public right of way. | Yes             | Internal illumination only.   | May only be placed on a front façade;<br><br>May not be used in conjunction with a wall sign.  |
| <b>Flags</b>                            | Permanent      | No single flag shall exceed 40 sq. ft. in area.   | 35 ft. above finished grade.  | 3 per development site. | Must meet Zoning District requirements.  | No              | External illumination required if flag is to fly at night; light source must be directed away or shielded from passersby, |  |

## Permitted Signs in C-2 - Heavy Service Commercial District

| Type   | Perm. Or Temp. | Max. Size  | Max Height (ft.)                            | Max #                                  | Min. Setback  | Permit Required | Illum. Type                        | Notes  |
|--|----------------|--|---|--|---|-----------------|------------------------------------|--|
|  |                |  |   |  |   |                 | adjacent properties and motorists. |  |
| <b>Freestanding Canopy Façade Sign</b>           | Permanent      | Sign area shall not exceed 10 (ten) percent of the canopy façade where sign is placed. | Cannot extend above canopy façade roofline. | 1 per side facing public right of way. | Depth of content cannot extend a depth of more than 6 inches.                         | Yes             | Internal only.                     | Pertains to canopies for drive-through facilities.   |
| <b>Interstate/Highway Adjacent Monument Sign</b> | Permanent      | Area per face shall not exceed 200 sq. ft., maximum two faces permitted.               | 30 ft. above the natural or average grade   | 1 per parcel                           | Shall not be closer than 30 ft. of all property lines or located within any easement. | Yes             | Internal Only                      | <p>Allowed if a minimum of 50% of the site is within 800 ft. of the centerline or 500 ft. of the right of way (whichever is less) of an Interstate or Highway.</p> <p>May contain a changeable copy sign;</p> <p>No flashing, intermittent or moving lights; LED signs must display image for at least 8 seconds;</p> <p>Changeable copy content and logo are used to calculate total sq. ft. when calculating maximum sq. ft. per sign side;</p> <p>The width of the base of the sign shall not be less than 20% of the width of the sign face or more than 60% of the width of the sign face.</p> <p>Landscaping such as flowering trees, shrubs and bushes shall be provided around the base of the sign as approved.</p> |



## Permitted Signs in C-2 - Heavy Service Commercial District

| Type                        | Perm. Or Temp. | Max. Size   | Max Height (ft.)  | Max # | Min. Setback                        | Permit Required                           | Illum. Type   | Notes  |
|-----------------------------|----------------|---|---|-------|-------------------------------------|---|---|--|
|                             |                |   |   |       |                                     |   |   | See Section 12.8 for design details regarding Monument Signs.  |
| <b>Interstate Pole Sign</b> | Permanent      | 900 sq. ft. in area per sign side which includes total of all individual sign faces; may be single or double sided. | 60 ft. above finished grade of adjacent city roadway to a maximum height of 100 ft. | 1     | 30 ft. setback from property lines. | Yes; Conditional Use Permit also required | Internal illumination only; see notes for changeable copy illumination. | <p>Allowed in C-2/C-3 District only and also requires a conditional use permit;</p> <p>May contain a changeable copy sign;</p> <p>No flashing, intermittent or moving lights; LED signs must display image for at least 8 seconds;</p> <p>Changeable copy content and logo are used to calculate total sq. ft. when calculating maximum sq. ft. per sign side;</p> <p>Allowed if a minimum of 50% of the site is within 800 ft. of the centerline or 500 ft. of the right of way (whichever is less) of an Interstate.</p> <p>May only be placed on premise.</p> |

## Permitted Signs in C-2 - Heavy Service Commercial District

| Type                                | Perm. Or Temp. | Max. Size  | Max Height (ft.)   | Max #   | Min. Setback  | Permit Required | Illum. Type  | Notes   |
|-------------------------------------|----------------|--|--|---|---|-----------------|--|---|
| <b>Monument Sign</b>                | Permanent      | .5 sq. ft. in area per linear foot of street frontage;<br><br>Maximum of 250 sq. ft. in area per sign face; may be single or double faced. | 25 ft. from natural grade or average grade including base. | 1 per principal building per street frontage. | 30 ft. setback from property lines.                     | Yes             | Light source may be internal or external; if external, it must be directed away or shielded from passersby, adjacent properties and motorists. | See Section 12.8 for design details regarding Monument Signs.   |
| <b>On-Site Identification Sign</b>  | Permanent      | 4 sq. ft. in area per face; may be double faced.   | 4 ft.  | 1 per site or driveway entrance.              | Not in right of way.                                    | Yes             | None allowed.  | Must be constructed of permanent materials;<br><br>May be wall mounted or installed using metal two-inch square posts;<br><br>Wooden posts are not allowed unless they are metal wrapped.   |
| <b>Parked Vehicle Service Signs</b> | Permanent      | 6 sq. ft. in area per face; may be installed back to back.   | 6 ft.  | 1 per order station.                          | Same as parking setback for applicable zoning district. | Yes             | Internal illumination only.  | May contain visual or auditory communication system.  |
| <b>Vehicle Drive Lane Sign</b>      | Permanent      | 32 sq. feet in area  | 6 ft.  | 1 per drive lane.                             | Same as parking setback for applicable zoning district. | Yes             | Internal illumination only.  | May be attached to wall or freestanding;<br><br>If freestanding, must be built on a solid base that is at least 50% of the width of the sign face;<br><br>Shall be located along the sides or rear of the building;<br><br>If visible from a public street, additional landscaping and/or screening is required to screen board from view from public street; |

## Permitted Signs in C-2 - Heavy Service Commercial District

| Type                                     | Perm. Or Temp. | Max. Size   | Max Height (ft.)                                      | Max #  | Min. Setback   | Permit Required | Illum. Type   | Notes   |
|--|----------------|---|---|--|--|-----------------|---|---|
|  |                |   |   |  |  |                 |   | <p>Must be constructed to match the aesthetics of the main building including building materials used;</p> <p>May contain visual or auditory communication system.</p>  |
| <b>Vehicle Drive Lane Accessory Sign</b> | Permanent      | 15 sq. ft.  | 6 ft.   | <p>1 per drive through lane;</p> <p>Must be separated from any Vehicle Drive Lane Sign by at least 15 ft.</p>      | Must be placed within 3 ft. of adjacent drive through lane | Yes             | Internal illumination alone.  | <p>May be attached to wall or freestanding;</p> <p>If freestanding, must be built on a solid base that is at least 50% of the width of the sign face;</p> <p>Shall be located along the sides or rear of the building;</p> <p>If visible from a public street, additional landscaping and/or screening is required to screen board from view from public street.</p> <p>Must be constructed to match the aesthetics of the main building including building materials used.</p> |
| <b>Wall Sign</b>                         | Permanent      | On a standalone building or a multitenant complex, the total area of the wall sign shall be one and a half square feet of sign area for each one foot of linear footage | Wall height; may not extend past roofline or parapet. | 1 per front or side of building facing a street up to a total of 3 maximum; may not be placed on rear of building. | N/A – may not protrude off of wall of building.            | Yes             | External or internal illumination; decorative downlights required for external illumination; must be directed away or shielded from | If a tenant is part of a multitenant complex, each tenant shall be allowed one (1) wall sign no greater than ten (10) percent of the tenant wall area upon which the sign is placed.  |

## Permitted Signs in C-2 - Heavy Service Commercial District

| Type                                    | Perm. Or Temp. | Max. Size   | Max Height (ft.)                           | Max # | Min. Setback                                    | Permit Required | Illum. Type   | Notes   |
|---|----------------|---|--|-------|---|-----------------|---|---|
|   |                | of the building façade facing the street.   |  |       |   |                 | passersby, adjacent properties and motorists.   | <p>Corner tenant spaces will be allowed one (1) additional wall sign no greater than ten (10) percent of the wall area upon which it is placed so that one may be placed on each side of a corner façade.</p> <p>Signs facing the rear of a building are prohibited.</p> <p>See section 12.8 for calculation of sign area parameters.</p> |
| <b>Wall sign for Accessory Building</b> | Permanent      | 16 sq. ft in area   | Wall height; may not extend past roofline. | 1     | N/A – may not protrude off of wall of building. | No              | External only; must be directed away or shielded from passersby, adjacent properties and motorists. | 1 sign per accessory building; must be constructed out of permanent material.   |
| <b>Window sign</b>                      | Permanent      | 1 per window not to exceed 30% of total glass area unless no wall sign is provided. | Within window confines                     | 1     | N/A   | No              | External or internal  | <p>Sign may be painted or etched on glass – must be on interior surface of window;</p> <p>Sign made from materials (not etched or painted on glass) must be hung inside;</p> <p>Neon signs may be used as a window sign and may encompass 30% of total glass area as long as no other window signage is present.</p>                      |

## Permitted Signs in C-3 - Highway Service Commercial District

| Type                                    | Perm. Or Temp. | Max. Size   | Max Height (ft.)  | Max #                   | Min. Setback   | Permit Required | Illum. Type   | Notes  |
|---|----------------|---|---|-------------------------|--|-----------------|---|--|
| <b>Awning</b>                           | Permanent      | Graphic text cannot exceed 30% of the total exterior surface area of the awning;<br><br>If side panels are provided they may not carry text or images greater than 20% of the awning panel area;<br><br>Text and graphics on a valance shall not be larger than 8 inches in height. | N/A – sign coverage limited to awning face.   | See notes.              | May not protrude from awing face.  | Yes             | Decorative downlights above awning only;<br><br>No illumination allowed on awning.  | One sign face per window or door opening as allowed by district design standards.<br><br>When multiple awnings occur in a row on a building side, every other awning surface should be left free of sign graphics or text; The square footage of the text and graphics on an awning surface or valance count toward the total allowed square footage for a wall sign at the same location. |
| <b>Blade Sign (AKA Projection Sign)</b> | Permanent      | 12 sq. ft. in area per side; may have two sign faces  | Shall maintain not less than 8 ft. clearance between the bottom of the sign and the finished grade;<br><br>May not extend more than 2 ft. above the building parapet/roofline | 1                       | May not extend more than 3 ft. from the wall façade or into public right of way. | Yes             | Internal illumination only.   | May only be placed on a front façade;<br><br>May not be used in conjunction with a wall sign.  |
| <b>Flags</b>                            | Permanent      | No single flag shall exceed 40 sq. ft. in area.   | 35 ft. above finished grade.  | 3 per development site. | Must meet Zoning District requirements.  | No              | External illumination required if flag is to fly at night; light source must be directed away or shielded from passersby, |  |

## Permitted Signs in C-3 - Highway Service Commercial District

| Type   | Perm. Or Temp. | Max. Size  | Max Height (ft.)                            | Max #                                  | Min. Setback  | Permit Required | Illum. Type                        | Notes  |
|--|----------------|--|---|--|---|-----------------|------------------------------------|--|
|  |                |  |   |  |   |                 | adjacent properties and motorists. |  |
| <b>Freestanding Canopy Façade Sign</b>           | Permanent      | Sign area shall not exceed 10 (ten) percent of the canopy façade where sign is placed. | Cannot extend above canopy façade roofline. | 1 per side facing public right of way. | Depth of content cannot extend a depth of more than 6 inches.                         | Yes             | Internal only.                     | Pertains to canopies for drive-through facilities.   |
| <b>Interstate/Highway Adjacent Monument Sign</b> | Permanent      | Area per face shall not exceed 200 sq. ft., maximum two faces permitted.               | 30 ft. above the natural or average grade   | 1 per parcel                           | Shall not be closer than 30 ft. of all property lines or located within any easement. | Yes             | Internal Only                      | <p>Allowed if a minimum of 50% of the site is within 800 ft. of the centerline or 500 ft. of the right of way (whichever is less) of an Interstate or Highway.</p> <p>May contain a changeable copy sign;</p> <p>No flashing, intermittent or moving lights; LED signs must display image for at least 8 seconds;</p> <p>Changeable copy content and logo are used to calculate total sq. ft. when calculating maximum sq. ft. per sign side;</p> <p>The width of the base of the sign shall not be less than 20% of the width of the sign face or more than 60% of the width of the sign face.</p> <p>Landscaping such as flowering trees, shrubs and bushes shall be provided around the base of the sign as approved.</p> |

## Permitted Signs in C-3 - Highway Service Commercial District

| Type                        | Perm. Or Temp. | Max. Size  | Max Height (ft.)  | Max #   | Min. Setback                        | Permit Required                           | Illum. Type  | Notes  |
|-----------------------------|----------------|--|---|---|-------------------------------------|---|--|--|
|                             |                |  |   |   |                                     |   |  | See Section 12.8 for design details regarding Monument Signs.  |
| <b>Interstate Pole Sign</b> | Permanent      | 900 sq. ft. in area per sign side which includes total of all individual sign faces; may be single or double sided.                        | 60 ft. above finished grade of adjacent city roadway to a maximum height of 100 ft. | 1   | 30 ft. setback from property lines. | Yes; Conditional Use Permit also required | Internal illumination only; see notes for changeable copy illumination.  | <p>Allowed in C-2/C-3 District only and also requires a conditional use permit;</p> <p>May contain a changeable copy sign;</p> <p>No flashing, intermittent or moving lights; LED signs must display image for at least 8 seconds;</p> <p>Changeable copy content and logo are used to calculate total sq. ft. when calculating maximum sq. ft. per sign side;</p> <p>Allowed if a minimum of 50% of the site is within 800 ft. of the centerline or 500 ft. of the right of way (whichever is less) of an Interstate.</p> <p>May only be placed on premise.</p> |
| <b>Monument Sign</b>        | Permanent      | .5 sq. ft. in area per linear foot of street frontage;<br><br>Maximum of 250 sq. ft. in area per sign face; may be single or double faced. | 25 ft. from natural grade or average grade including base.                          | 1 per principal building per street frontage. | 30 ft. setback from property lines. | Yes                                       | Light source may be internal or external; if external, it must be directed away or shielded from passersby, adjacent properties and motorists. | See Section 12.8 for design details regarding Monument Signs.  |

## Permitted Signs in C-3 - Highway Service Commercial District

| Type                                | Perm. Or Temp. | Max. Size  | Max Height (ft.) | Max #                            | Min. Setback  | Permit Required | Illum. Type                 | Notes   |
|-------------------------------------|----------------|--|------------------|----------------------------------|---|-----------------|-----------------------------|---|
| <b>On-Site Identification Sign</b>  | Permanent      | 4 sq. ft. in area per face; may be double faced.           | 4 ft.            | 1 per site or driveway entrance. | Not in right of way.                                    | Yes             | None allowed.               | <p>Must be constructed of permanent materials;</p> <p>May be wall mounted or installed using metal two-inch square posts;</p> <p>Wooden posts are not allowed unless they are metal wrapped.</p>  |
| <b>Parked Vehicle Service Signs</b> | Permanent      | 6 sq. ft. in area per face; may be installed back to back. | 6 ft.            | 1 per order station.             | Same as parking setback for applicable zoning district. | Yes             | Internal illumination only. | May contain visual or auditory communication system.  |
| <b>Vehicle Drive Lane Sign</b>      | Permanent      | 32 sq. feet in area  | 6 ft.            | 1 per drive lane.                | Same as parking setback for applicable zoning district. | Yes             | Internal illumination only. | <p>May be attached to wall or freestanding;</p> <p>If freestanding, must be built on a solid base that is at least 50% of the width of the sign face;</p> <p>Shall be located along the sides or rear of the building;</p> <p>If visible from a public street, additional landscaping and/or screening is required to screen board from view from public street;</p> <p>Must be constructed to match the aesthetics of the main building including building materials used;</p> <p>May contain visual or auditory communication system.</p> |



## Permitted Signs in C-3 - Highway Service Commercial District

| Type                                     | Perm. Or Temp. | Max. Size   | Max Height (ft.)                                      | Max #  | Min. Setback   | Permit Required | Illum. Type   | Notes  |
|--|----------------|---|---|--|--|-----------------|---|--|
| <b>Vehicle Drive Lane Accessory Sign</b> | Permanent      | 15 sq. ft.  | 6 ft.   | 1 per drive through lane;<br><br>Must be separated from any Vehicle Drive Lane Sign by at least 15 ft.             | Must be placed within 3 ft. of adjacent drive through lane | Yes             | Internal illumination alone.  | May be attached to wall or freestanding;<br><br>If freestanding, must be built on a solid base that is at least 50% of the width of the sign face;<br><br>Shall be located along the sides or rear of the building;<br><br>If visible from a public street, additional landscaping and/or screening is required to screen board from view from public street.<br><br>Must be constructed to match the aesthetics of the main building including building materials used. |
| <b>Wall Sign</b>                         | Permanent      | On a standalone building or a multitenant complex, the total area of the wall sign shall be one and a half square feet of sign area for each one foot of linear footage of the building façade facing the street. | Wall height; may not extend past roofline or parapet. | 1 per front or side of building facing a street up to a total of 3 maximum; may not be placed on rear of building. | N/A – may not protrude off of wall of building.            | Yes             | External or internal illumination; decorative downlights required for external illumination; must be directed away or shielded from passersby, adjacent properties and motorists. | If a tenant is part of a multitenant complex, each tenant shall be allowed one (1) wall sign no greater than ten (10) percent of the tenant wall area upon which the sign is placed.<br><br>Corner tenant spaces will be allowed one (1) additional wall sign no greater than ten (10) percent of the wall area upon which it is placed so that one may be placed on each side of a corner façade.   |

## Permitted Signs in C-3 - Highway Service Commercial District

| Type                                    | Perm. Or Temp. | Max. Size         | Max Height (ft.)                           | Max # | Min. Setback                                    | Permit Required | Illum. Type   | Notes  |
|---|----------------|-------------------|--|-------|---|-----------------|---|--|
|   |                |                   |  |       |   |                 |   | Signs facing the rear of a building are prohibited.<br><br>See section 12.8 for calculation of sign area parameters. |
| <b>Wall sign for Accessory Building</b> | Permanent      | 16 sq. ft in area | Wall height; may not extend past roofline. | 1     | N/A – may not protrude off of wall of building. | No              | External only; must be directed away or shielded from passersby, adjacent properties and motorists. | 1 sign per accessory building; must be constructed out of permanent material.  |

## Permitted Signs in C-3 - Highway Service Commercial District

| Type               | Perm. Or Temp. | Max. Size   | Max Height (ft.)       | Max # | Min. Setback | Permit Required | Illum. Type          | Notes  |
|--------------------|----------------|---|------------------------|-------|--------------|-----------------|----------------------|--|
| <b>Window sign</b> | Permanent      | 1 per window not to exceed 30% of total glass area unless no wall sign is provided. | Within window confines | 1     | N/A          | No              | External or internal | <p>Sign may be painted or etched on glass – must be on interior surface of window;</p> <p>Sign made from materials (not etched or painted on glass) must be hung inside;</p> <p>Neon signs may be used as a window sign and may encompass 30% of total glass area as long as no other window signage is present.</p> |

NOTE: Information included in **RED** is existing information incorporated from Article 5. Information included in **BLUE** is new information.

## D. Table 12 – 4 Signs Permitted in Industrial Districts

| Permitted Signs in B-P, L-P, I-G and I-H Districts |           |               |        |                                 |             |                      |  |
|--|-----------|---------------|--------|---------------------------------|-------------|----------------------|--|
| B-P Business Park District                         |           |               |        |                                 |             |                      |  |
| Type   | Max. Size | Max. Ht. (ft) | Max. # | Min. Setback                    | Permit Req. | Illum. Type          | Notes  |
| Free-standing monument, ground signs               | By review | By review     |        | 4 ft. from right of way.        | yes         | internal or external | <ul style="list-style-type: none"> <li>Sign control standards are established by review of the preliminary park plan</li> </ul>  |
| Additional Signs                                   | By review | By review     |        |                                 | yes         | internal or external | <ul style="list-style-type: none"> <li>1 pole sign per principal building</li> </ul>   |
| L-P Logistics Park District                        |           |               |        |                                 |             |                      |  |
| Type   | Max. Size | Max. Ht. (ft) | Max. # | Min. Setback                    | Permit Req. | Illum. Type          | Notes  |
| Changing Message Signs                             | exempt    | exempt        |        | Not located in the right of way | No          | None                 | <p>The sign itself may not be altered. Only the copy or message may be changed with either static letters or through digital text messages. Examples of these type signs are theatre marquees, menus, fuel prices, directories, date, time, temperature, and the like.</p> |

## L-P Logistics Park District

| Type                             | Max. Size                                    | Max. Ht. (ft)            | Max. #                                    | Min. Setback   | Permit Req. | Illum. Type  | Notes   |
|----------------------------------|--|--------------------------|---|--|-------------|--|---|
| <b>External Directional Sign</b> | Maximum of 6 sq ft per building occupant     | 5'                       | 1 per site entrance per building occupant | Not located in the right of way, site triangle or off-premises | Yes         | Internal or external   | <p>Maximum allowed square footage is 6 SF per building occupant to maximum of 18 SF in total.</p> <p>Must be constructed of permanent materials.</p> <p>Installed using metal two-inch square posts.</p> <p>Wooden posts are not allowed unless they are metal wrapped.</p> |
| <b>Flags</b>                     | No single flag shall exceed 40 sq ft in area | 35' above finished grade | 3 per development site                    | A distance equal to the height of the pole                     | No          | External illumination required if flag is to fly at night; light source must be directed away or shielded from passersby, adjacent properties and motorists. | <p>Must be shown on site plan.</p> <p>Building permit required for pole installation and electrical if applicable.</p>  |
| <b>Internal Directional Sign</b> | 6 sq ft                                      | 5'                       | 4 total per site                          | Not located in the right of way, site triangle or off-premises | No          | None   | <p>Must be constructed of permanent materials.</p> <p>May be wall mounted or installed using metal two-inch square posts.</p> <p>Wooden posts are not allowed unless they are metal wrapped.</p>  |

## L-P Logistics Park District

| Type  | Max. Size  | Max. Ht. (ft)   | Max. #  | Min. Setback   | Permit Req. | Illum. Type          | Notes  |
|---|--|---|---|--|-------------|----------------------|--|
| Kiosk   | 4' width   | 12'   | One per project site or campus entrance; additional permitted onsite as part of a comprehensive signage plan.   | Not located in right of way, site triangle, or off premises  | Yes         | Internal             | <p>Kiosk sign structures shall be ladder type with individual sign panels of uniform design.</p> <p>The color of all kiosk sign structures and panel background color will be approved by the City.</p> <p>The City may by a duly executed services contract, grant to a qualified person or company the right to design, erect and maintain directional kiosk signs within the City.</p> <p>Sign panels advertising a business that has vacated the premises must be replaced with the new business or a blank panel within thirty (30) days of vacancy.</p>                |
| Monument Sign   | 1 SF per ten (10) linear feet of street frontage up to a maximum of 60 SF per sign face (does not include sign base or sign structure) | 8' above natural or average grade including base, support structure or other architectural elements | 1 per property; if parcel is more than 30 acres in size with more than 1 street frontage, a 2 <sup>nd</sup> monument sign is permitted on the additional street frontage. | 15 feet from all property lines; outside of site triangles and easements; minimum 400 feet from another freestanding sign located on the same property | Yes         | Internal or External | <p>Platted private roads may be considered a 2nd street frontage for purposes of determining the number of allowed monument signs.</p> <p>Base must be a minimum of two feet in height.</p> <p>The base shall extend a minimum of <math>\frac{3}{4}</math> the entire length of the sign.</p> <p>The total area of the base and support structure shall be at least 75% of the sign face area.</p> <p>The base and support structure shall not exceed the sign face area by more than 10 percent.</p> <p>The sign face may not exceed 50% of the overall sign structure.</p> |
| Scoreboards, Municipal Golf Course Tee Signs, Sports Field Fencing and Park Signs | exempt   | exempt  |   | Not located in the right of way  | No          | None                 |  |

## L-P Logistics Park District

| Type  | Max. Size  | Max. Ht. (ft)  | Max. #   | Min. Setback   | Permit Req. | Illum. Type   | Notes  |
|---|--|--|--|--|-------------|---|--|
| <b>Temporary Construction/ Development Signage – Highway Adjacent</b>     | 325 sq ft per side   | 30 feet  | 1  | Not located in the right of way  | Yes         | None  | Maximum length – 15 feet<br>Parcel must be highway adjacent - 50% of the site is within 800 feet of the centerline or 500 feet of the right of way (whichever is less) of an Interstate or Highway   |
| <b>Temporary Construction/ Development Signage – Not Highway Adjacent</b> | 90 sq ft per side  | 20 feet  | 1  | Not located in the right of way  | Yes         | None  | Maximum length – 15 feet   |
| <b>Temporary Banner or Sign (Not Yard Sign)</b>                           | 12 sq ft   | 5'   | 2 allowed per building occupant per permit request | May not be located in right of way. Must be setback 5' from any property line. | Yes         | External; shall not be flashing or intermittent; temporary electrical requirements shall be subject to the adopted electrical code. | Usage limited to 14 days per permit request, up to 2 permit requests per year.<br>Applicant must remove when usage limit has expired.<br>A banner shall not be used in lieu of a permanent sign, except in the case of new businesses where it may be used for a period not exceeding thirty (30) days.<br>Temporary Banners shall be secured at all points of attachment.<br>Torn or severely weathered banners are not permitted.<br>Temporary signs or banners found to be in violation of this section must be removed or made to conform within 24 hours of notification. |
| <b>Wall Sign – front façade</b>   | Min SF = 24 SF<br>Front Max SF= 1x length of building frontage or lease space frontage | Shall not extend above the roofline or façade of the building. | 1  | N/A – located on building wall only  | Yes         | Internal  | Attached signs that are internally illuminated shall be constructed only of materials that are noncombustible or slow burning in the case of plastic inserts and faces.<br>A wall sign shall not extend more than twelve (12) inches from the building wall to which it is attached.<br>Bottom of sign must be at least eight (8) feet from grade at wall where sign is installed.   |
| <b>Wall Sign- side façade</b>   | Side Max SF= .5x length of   | Shall not extend above the roofline or                         | 3 – total SF may not exceed total allowed SF       | N/A – located on building wall only  | Yes         | Internal  | Attached signs that are internally illuminated shall be constructed only of materials that are noncombustible or slow burning in the case of plastic inserts and faces.  |

|   |                       |                        |              |                                 |     |      |   |
|---|-----------------------|------------------------|--------------|---------------------------------|-----|------|---|
|   | side wall of building | façade of the building |              |                                 |     |      | A wall sign shall not extend more than twelve (12) inches from the building wall to which it is attached. |
| Window signage not readable from right of way | exempt                | exempt                 |              | N/A – located in window only    | No  | None |   |
| Yard Sign                                     | 6 sq ft               | 5 ft                   | 4 per parcel | Not located in the right of way | Yes | None | Usage limited to 14 days per permit request, up to 4 permit requests per year.                            |

**Table 12-4 Appendix - Additional Guidelines for L-P District Signage:**

- Illuminated signs shall not be erected within one hundred (100) feet of any residential zoning district unless properly and adequately shielded so that light from such sign is not directed toward such residential district.
- In no case can a sign be placed closer than fifteen (15) feet from a residential property.
- No high intensity lights shall be permitted as part of a sign display visible from an adjacent street.
- No sign shall be illuminated to intensity greater than two hundred (200) foot-candles. The restrictions of luminance in this section shall be determined from any other premise or from any public street right-of-way other than an alley.
- No cloth, paper, banner, flag, or similar advertising matter shall be suspended from, or allowed to hang loose from or over, any building or structure. Such advertising matter shall be a violation of this section and shall be removed immediately upon notice by the building official.

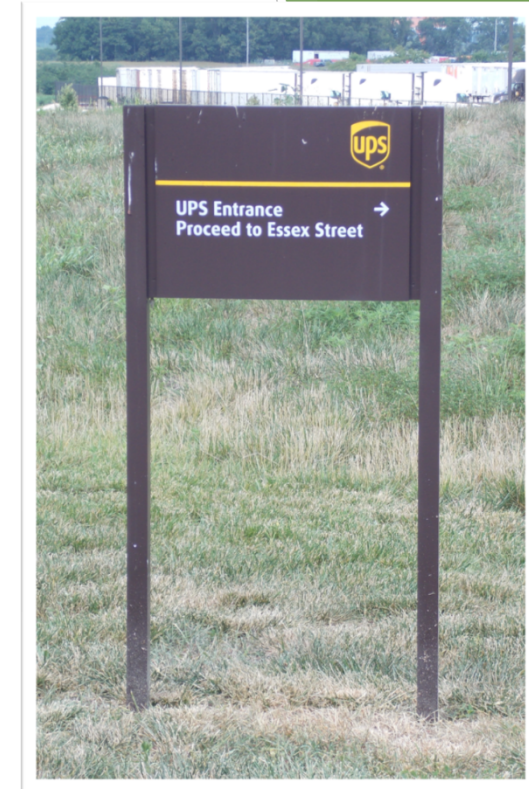
| I-G and I-H Industrial Districts     |                    |  |       |                          |             |                      |   |
|--------------------------------------|--------------------|--|-------|--------------------------|-------------|----------------------|---|
| Type                                 | Max Size           | Max Ht (ft)                              | Max # | Min Setback              | Permit Req. | Illum Type           | Notes   |
| Free-standing monument, ground signs | 80 sq. ft.         | height of principal building plus 20 ft. | 1     | 1 ft. from right of way. | yes         | internal or external | 1 monument, ground, or pole sign per 200 ft. of street frontage |
| Additional Signs                     | Same as commercial |  |       |                          | yes         | internal or external | Same as commercial  |



# Yard Sign



## External Directional Sign





## Internal Directional Sign



## Article 12 Sign Regulations

|               |                                    |
|---------------|------------------------------------|
| Section 12.1  | Intent and Purpose                 |
| Section 12.2  | Applicability                      |
| Section 12.3  | Permits                            |
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**12.1 Intent and Purpose.** The Edgerton Governing Body and the Planning Commission finds that an unregulated proliferation of signs results in visual clutter, is harmful to aesthetics and property values, contributes to traffic hazards, and is not productive to the goals of community development. It is the intent and purpose of this section to establish a level of visual quality for signs by limiting the type, place, size, manner, height and materials of signs and advertising devices in the City of Edgerton. This section provides minimum standards to insure traffic safety; safeguard life, health and property values; provide guidelines for the maintenance of signs; reduce distractions and obstructions by signs that would adversely affect traffic safety, and to alleviate hazards caused by signs projecting over or encroaching upon public ways; ensure that signs provide orientation and adequately identify new uses and activities; and, preserve or enhance small town character by encouraging new and replacement signage that is:

- A. Conducive to Public Safety
- B. Creative and distinctive
- C. Compatible with the surroundings;
- D. Appropriate to the general type of activity to which it pertains;
- E. Expressive of the identity of individual persons and entities; and
- F. Appropriately sized in its context.

**12.2 Applicability.** No sign may be erected, placed, painted, established, or maintained in the City of Edgerton except in conformance with the standards, exemptions and procedures set forth in this Article. ~~Signs located in the L-P District must also comply with the regulations contained in Article 5 of the Unified Development Code as it relates to signage for that District.~~ Specifically, this section is intended to:

- A. Establish a permit system to allow various types of signs, subject to the standards and permit procedures contained herein;
- B. Allow certain signs that are unobtrusive and incidental to the principal use of land;
- C. Prohibit all signs not expressly permitted by this Article;
- D. Provide for the enforcement of these provisions.

**12.3 Permits.** Unless exempted by this Article, it shall be unlawful for any person to erect, construct, alter, relocate or convert any sign or advertising device (as defined in this section) without first obtaining a sign permit.

An application for a sign permit shall be made on the appropriate form provided by the Zoning Administrator and shall include the following at time of submission:

- A. Two sets of plans drawn to scale, indicating the sign location, size, type, materials of both sign and structure if applicable, method of illumination, colors, method of attachment and general layout are required with the application. Plans should include showing the sign location in relation to nearby buildings or structures, existing signs, property lines, driveways, public streets, fences, and sidewalks.
- B. A Sign Fee, established within the Fee Schedule for the Unified Development Code, shall be submitted with the sign application.
- C. Upon initial review of the sign permit application and materials, the Zoning Administrator may require additional information to demonstrate compliance with this section.
- D. If submitted as part of a Site Plan approval, the sign shall be designed in accordance with these regulations and all items listed in A through C above shall be included with the Site Plan submission.
- E. Approval of a sign permit does not authorize the maintenance of an unlawful sign and does not constitute a defense in an action to abate an unlawful sign.
- ~~F.~~ Once approved by the Zoning Administrator, any changes to the approved sign design must be resubmitted for approval to ensure compliance with these regulations.
- ~~F-G.~~ If the work authorized under a sign permit has not been completed within ninety (90) days after issuance, the said permit shall become null and void.

**12.4 Exemptions.** The followings signs and devices shall be exempt from the provisions of this Article:

- A. Official signs erected by a city, or county, State of Kansas, or the federal government.
- B. Signs erected for public information, safety or direction by any utility, governmental authority, or public service district.

**12.5 Prohibited Signs.**

- A. No sign shall be erected in any location where, by reason of position, location, shape, or color, it interferes with or obstructs the view of pedestrian or vehicular traffic.
- B. A sign that is an attention/attraction that rotates or is animated, or consists of pennants, ribbons, streamers, sheets, spinners, or other moving device not specifically allowed by these resolutions - except for use as a Temporary Sign.
- C. Any sign which may be confused with an authorized traffic sign, signal, device, or emergency sign is not allowed.
- D. Pole signs are only allowed as a Conditional Use in the C-2 and C-3 Zoning Districts and are subject to the regulations in Section 12.9 and Article 7.
- E. Any sign (including its enclosing structure) that is located on a building or premises which becomes vacant or unoccupied for a period of six months or more, or any sign which pertains to time, event, or purpose which no longer applies, or exists shall be deemed to be abandoned. An abandoned sign shall be removed by its owner or the owner of the premises within thirty (30) days of notification from the Codes Enforcement Officer and the facade or land area site shall be restored to its normal appearance.
- F. The following specific sign types are not allowed:

1. Roof or rooftop signs;
2. Exterior exposed neon tube signs are not allowed on building exteriors. These types of signs may be used in a window if it meets the defined parameters for the Zoning District;
3. Flashing signs and signs that convey movement;
4. Off-premises signs unless allowed by type in a specific Zoning District;
5. Billboards;
6. Signs with glaring illumination.;
7. Any sign mounted on, attached or displayed on a trailer or motor vehicle, whether operable or inoperable that is placed on the premises (this does not apply to trucks, delivery vehicles or other vehicles that are parked on the premises during normal operations or to Temporary Signs which have obtained a sign permit). Signs attached to or upon any motorized vehicle shall be prohibited where any such vehicle is allowed to remain parked in the same location or the same vicinity, at frequent or extended periods of time where the intent is apparent to be one of using the vehicle for signage.;
8. Obscene material. Any obscene signs, flags, banners of any type are prohibited. Obscene is defined as any material specifically defined by Kansas Statutes (K.S.A. 21-6401).

**12.6 Nonconforming Signs.** Signs which were erected or established prior to the effective date of this ordinance, and are not in conformance with these regulations, may continue to exist subject to the following conditions:

- A. Such sign shall not be structurally altered or moved unless the altered sign conforms to these regulations. However, the sign may be maintained and repaired, and the display may be changed provided it is not larger in area than the existing signage.
- B. If any nonconforming sign is abandoned for a period of sixty (60) days, it must be removed from the premise. Any replacement sign shall be in conformance with these regulations.
- C. Any nonconforming sign that has been damaged by fire, wind, explosion or other means to the extent that fifty percent (50%) or more of the sign has been destroyed shall be restored or rebuilt in conformance with the sign regulations. Any sign destroyed less than fifty percent (50%) may be restored or rebuilt to its condition prior to its damage.
- D. Such sign is not in violation of any state or federal law or regulation.

However, this exemption does not extend to signs which were erected in violation of the provisions of the UDC at the time at which the sign was erected.

## 12.7 General Restrictions

- A. All signs and sign support structures, together with all of their supports, braces, guys and anchors, shall be well-maintained, be of safe and sound structural condition and in compliance with all applicable provisions of the building codes of the City of Edgerton. All signs must have a clean and neat appearance. The land adjacent to signage located on the ground shall be kept free from weeds and trash. If signs are not being maintained as described, the City ~~make~~may order that the sign be removed.
- B. No sign shall be attached to any tree, fence, or utility pole, except signs issued or properly posted by a utility, public authority, or agency of government.
- C. No sign shall be erected or allow to project into a public right-of-way or on a public easement.
- D. No sign shall be located as to obstruct the vision or sight distance of vehicle operators or pedestrians at any intersection or street crossing. In order to maintain visual

clearance and sight distance for vehicle operators and pedestrians, the following is required:

1. A 20 foot by 20 foot Visibility Triangle shall be provided.

2. A sign in direct line of vision of any signal light, traffic control sign, or any other such device from any point in a moving traffic lane must be at least fifty (50) feet from such device, unless the Director of Public Works, or designee, approves the placement of such sign.

G.E. No private sign shall be erected or maintained on public property without express permission of the Governing Body.

F. If the Codes Enforcement Officer finds that any sign or advertising device is unsafe or in disrepair he/she shall notify the property owner in writing. The owner shall immediately remove or repair the sign to bring it into compliance and/or make it safe. If the owner fails to remove or repair the sign within 10 days, the City may bring a nuisance action, or any others means of enforcement to compel the owner to remove or repair such sign.

G. No sign shall be constructed nearer than three (3) feet from any public or private underground utilities. No ground sign or accessories to such sign shall be located within ten (10) feet vertically and six (6) feet horizontally of any overhead lines, whether or not such wires or conductors are insulated or otherwise protected.

D.H. Any sign installed or placed on public property, except in conformance with the requirements of these regulations, shall be forfeited to the public and subject to confiscation. In addition to other remedies hereunder, the city shall have the right to recover from the owner or person placing such a sign, the full costs of removal and disposal of such sign.

## **12.8 Design, Material, and Construction.**

### **A. Design.**

1. Sign Area - In determining the area of a sign face, the following is applicable:
  - a. The sign face includes the advertising surface and any framing, trim, molding, cabinet, panel or any visually or architecturally distinct area enclosing the copy, logo and any other graphic component of the sign.
  - b. Where individual letters or graphics are used, and no distinct enclosed are is present, the sign face is the rectangle, box, circle, or other regular geometric shape, or combinations thereof, enclosing the letters, logo or other graphic elements.
  - c. If a sign is composed of letters only, with no connection by the advertising structure between the letters, the copy area shall be determined by measuring the distance from the outside edges of the outside letters and from the top of the largest letter to the bottom of the lowest letter. If one letter is unequally large or small in comparison to the other letters composing the sign, the unequal letter shall be square off, the remaining letters shall be measured from the outside edges and the two areas added together for a total copy area determination.
  - d. The area of all signage (wall, window, awning, etc.) on one building (standalone or multitenant) shall not exceed ten (10) percent of the wall area of the wall façade on which multiple signs are located.



d-e. The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. When two identical sign faces are placed back to back, so that both faces cannot be viewed from any point at the same time, and when such sign faces are substantially similar and are part of the same sign structure, the sign area shall be computed by the measurement of one of the faces.

2. Monument Signs - Design standards for all monument signs are as follows and are in addition to the specific requirements outlined by Zoning District in Tables 12-1 through 12-7:

a. Base & Support Structure

- i. Monument sign must be built on a solid base.
- ii. Monument signs shall incorporate a supporting base that is a minimum of 50 percent of the width of the monument at its widest point.
- iii. The base and support structure shall not exceed the sign face area by more than 10 percent.
- iv. Base must be faced with appropriate materials (natural flagstone, rock, stone, river rock, brick, etc.) designed to match the look of associated buildings in texture and color.
- v. Architectural elements should be provided on the top and/or sides of the sign.

b. Sign Face

- i. The sign face area of a monument sign shall include the sign panel but not the sign base on which it is mounted.
- ii. Each side of a double-faced monument sign is limited to the maximum allowable sign area.
- iii. Cabinet-type signs with translucent panels or panels with reflective surfaces, including but not limited to acrylic fiberglass, plastic, or metal or channel letter signs with translucent backlit panels are prohibited.
- iv. Artistic elements to the sign may include small areas of translucent, backlit surfaces that exceed no more than 5% of the total sign face.
- v. Sign face shall provide individually cut letters including channel letter signs (may be Halo lit); stenciled panels with three-dimensional push-through graphics; cast letters and logos; case metal; or engraved.
- vi. Background of Sign face is encouraged to be comprised of natural design materials that are compatible with the building façade.
- vii. Electrical transformer boxes and raceways shall be concealed from public view.
- viii. The use of external lighting sources is permitted. External lighting shall be designed so that the light source is directed away or shielded from passersby, adjacent properties and motorists.

c. Landscaping

- i. The base of a monument sign shall be softened with landscaping sufficient to cover an area extending not less than 2.5 feet around the base of the sign.
- ii. The applicant shall designate the area and the type of plantings in the sign permit application.
- iii. Said landscaping shall not obstruct the sign face.



- B. Material. Except for Flags, Temporary and Window signs, all permanent signs shall be constructed of permanent materials supported by the ground, attached to a building, or affixed to another structure. Permanent Signs may be constructed from acrylic, fiberglass, plastic, DiBond, polycarbonate, marine grade plywood (MDO), redwood, aluminum, aluminum composite materials (ACM), plastic, metal, masonry materials, glass, tile, and/or other similar materials. Flags or Temporary signs may be constructed of sturdy fabric, canvas or vinyl. Window signs may be constructed of any of the above materials, or paper products.
- C. Construction.
1. All illuminated signs shall be internally or indirectly illuminated. Neon tubes, incandescent bulbs, fluorescent tubes, and other sources of direct illumination that are exposed to the human eye are not permitted. Indirect illumination shall be directed away from pedestrian walkways and shall not shine into adjacent property or cause glare for motorists or pedestrians.
  2. All internally illuminated signs in residential districts shall be designed in such a way that light is reflected or directed away from any residential dwelling. (Ord. 827; 2007)
  3. All signs shall comply with all other Codes in effect relating to design, structural members and connections. An electrical permit is required for illuminated signage.
  4. Where ground is uneven or sloped the allowed height of the sign shall be measured from the average between the highest and lowest grades of the area where the sign is to be installed.
  5. When applicable, utility locates must be requested and marked prior to sign installation.
  6. Signs in excess of fifty (50) square feet and/or taller than ten (10) feet in height shall be designed by a structural engineer registered in the State of Kansas. These signs shall be constructed to withstand a minimum wind load of thirty (30) pounds per square foot and a minimum dead load as required by the adopted building code. Other signage, at the discretion of the Building Official, may require plans to be prepared by a registered professional engineer. The original signature of the engineer is required and said engineer shall be certified by the State of Kansas.
- D. Computation of Height – The height of a sign shall be computed as the mean distance from the base(s) of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of existing grade prior to construction or the new established grade after construction, exclusive of any filling, berming, mounding or excavating solely for the purpose of locating the sign.

## 12.9 Special Sign Regulations

- A. Where person or entity (a “sub-tenant”) leases space and conducts business within another person or entity (the “primary tenant”), but does not have an exterior business façade or an exterior door leading to their sub-tenant space, one wall sign is permitted for the sub-tenant provided the sub-tenant is a separate legal entity and not a department, division or subsidiary of the primary tenant and the total area for all the signs does not exceed the total allowable sign area. This section does not apply to enclosed shopping malls.
- B. Where any person or entity has an establishment located in a building and such person or entity has departments which may or may not have an exterior façade or door,

such person or entity may have an additional two signs for individual departments provided the total area for all signs does not exceed the total allowable sign area for wall signage (10% as determined by Section 12.8(1d)).

- C. The transfer of sign rights is permitted only in the C-1, C-2 and C-3 Zoning Districts and shall be governed by the following:
  - 1. A use that does not front on a main road may transfer monument signage rights to property located on a main or frontage road.
  - 2. Multiple uses on one-site may transfer all or part of their monument or wall sign rights to a single on-site monument or kiosk sign.

#### 12.10 Severability and Substitution

- A. Severability. If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term or word in this Article is declared invalid, such invalidity shall not affect the validity or enforceability of the remaining portions of this Article or this Code.
- B. Substitution. Signs containing non-commercial speech are permitted anywhere that advertising or business signs are permitted, subject to the same regulations applicable to business signs.

#### 12.11 Sign Terminology and Definitions. The following definitions shall be used to classify the type, shape and use of all signs in the City of Edgerton.

- A. **Abandoned Sign.** A sign, including the base, structure, pole or any other part, which no longer contains a message regarding the location of the premises on which the sign is located or regarding the activity conducted on the premises to which the sign refers.
- B. **Awning Sign.** A non-illuminated sign, painted on or attached to an awning. Only individual letters and/or logos may be painted, stenciled, or otherwise placed on these devices.
- C. **Banner Sign.** A sign made of a flexible, sturdy material and affixed to a structure, pole, line, or framing. This definition does not include official flags of any nation, county, municipalities, and national or internationally recognized nonprofit organizations.
- D. **Billboard Sign.** A freestanding outdoor advertising structure, on or off site, which advertises a product or service or relays a message to the public with a per face area greater than two hundred (200) square feet.
- E. **Blade (Projecting) Sign.** A sign extending from the face of the building to which it is attached, usually at a right angle.
- ~~F.~~ **Changeable Copy Sign.** A sign capable of displaying words, symbols, figures or images that can be electronically or mechanically controlled remotely or automatically.
- ~~F-G.~~ **External Directional Sign.** A sign adjacent to the driveway of the site that is used to direct traffic *onto* the site.
- ~~G-H.~~ **Flag.** A piece of cloth, varying in size, shape, color, and design, usually attached at one edge to a pole or staff, and used as the symbol of a nation, state, or organization.

- H.I. Freestanding Canopy Façade Sign.** A sign placed on the canopy façade of a free-standing canopy. It may contain logo or word copy but is restricted to size requirements listed in the specific Zoning District.
- I.J. Glaring Illumination.** Light of such brilliance and so positioned as to blind or impair the vision or affect the aesthetic value of the area.
- J.K. Highway Adjacent Monument Sign.** A monument style sign which is allowed on parcels which are within close proximity to an interstate highway where a minimum of fifty (50) percent of the parcel is within 1) 800 ft. of the centerline of the highway or 2) 500 ft. of the right of way of the highway (whichever is less).
- K.L. Institutional sign.** A sign identifying a club, association, school, hospital, church, fire station, cemetery or any other entity or facility.
- L.M. Kiosk.** A free-standing sign monument sign designed to provide advertising space for two or more entities, activities or businesses on a single premises or group of contiguous premises. Signs are framed in a metal structure that is permanently affixed to the ground by means of a base. Individual removable sign panels within the metal frame are to be maintained with current tenant information.
- N. Illumination.** (Internal) An internally-illuminated sign is one with the light source concealed or contained within the sign face itself, and which becomes visible in darkness by shining through a surface. (External) A sign illuminated by lights attached to the sign or placed on the ground or building.
- M.O. Internal Directional Sign.** A sign located on-premise which helps direct traffic flow within the site.
- N.P. Monument Sign.** A free-standing sign, independent of the building it serves, supported by a base constructed of materials consistent with said building. No poles or posts are visible. May be constructed of wood, synthetic materials, masonry or stone. The sign bottom is attached directly and permanently to the ground on a base while physically separated from any other structure. For purposes of this Article, the maximum height limit is measured from the natural or average grade.
- O.Q. Off-premises Sign.** A sign which displays any message directing attention to a business, product, service, profession, commodity, person, event, institution or other matter or entity that is not at or offered on premises.
- P.R. On-premises Sign.** A sign which displays any message directing attention to a business, product, service, profession, commodity, person, event, institution or other matter or entity that is at or offered on premises.
- Q.S. On-site Identification Sign.** A sign giving the name and address of a building or location which may include a recognized logo or symbol.
- R.T. Parked Vehicle Service Sign.** A sign adjacent to parked vehicle stalls in a parking area.
- S.U. Permanent Sign.** Any wall, monument, or other sign that is fixed, lasting, stable, enduring, not subject to change, and intended to remain for an indefinite period of time.
- T.V. Pole Sign.** A sign that is permanently supported in a fixed location by a structure of poles, posts or braces from the ground and is not supported by a building or base.

- ~~U-W~~. **Portable Device.** Any instrument designed to temporarily draw attention to a business and is not permanently affixed into the ground or a structure. Examples include, but are not limited to, spotlights and inflatables of any kind.
- ~~V-X~~. **Portable Sign.** A sign not designed or intended to be permanently affixed into the ground or to a structure.
- ~~W-Y~~. **Post Sign.** A temporary sign constructed of sturdy materials which may be used on an unplatted or undeveloped site.
- ~~X-Z~~. **Projecting (Blade) Sign.** A sign extending from the face of the building to which it is attached, usually at a right angle.
- ~~Y-AA~~. **Public Way or Right-of-Way.** Any way designed for vehicular or pedestrian use and is maintained with public funds.
- ~~Z-BB~~. **Roof Sign.** A sign erected, constructed or maintained on the roof of building, but does not include a sign on the parapet of a building.
- ~~AA-CC~~. **Safety Control Signs.** Warning, control, traffic, or required public safety signs.
- ~~BB-DD~~. **Sign.** A sign is an object, device, or structure, or part thereof other than a flag, situated outdoors, visible from a public way, which is used to display a message, by any means including words, letters, figures, design, symbols, fixtures, colors, illuminations or projected images. Each substantially different face of a sign shall constitute a separate sign.
- ~~CC-EE~~. **Sign Area.** The facing of a sign, including copy, insignia, background, and borders.
- ~~FF~~. **Signable Area.** The signable area of a building is the square footage of each building façade where signage would be allowed.
- ~~GG~~. **Sign Panel.** An individual sign placard displaying directional information on a kiosk sign.
- ~~DD-HH~~. **Sign Setback.** The spacing between a sign and a lot line or two (2) signs. The distance is measured horizontally from a vertical plane at the outer extremity of each sign.
- ~~EE-II~~. **Subdivision Sign.** A monument sign identifying a subdivision located in a residential zoning district.
- ~~FF-JJ~~. **Temporary Sign.** Any sign that is not intended to remain on the premises on which it is located, on a permanent basis. A temporary sign may be displayed for no more than two, (14) day-periods within any calendar year.
- ~~GG-KK~~. **Vehicle Drive Lane Sign.** A sign adjacent to a drive lane used to convey a message to the vehicle driver. May contain an auditory speaker.
- ~~HH-LL~~. **Vehicle Drive Lane Accessory Sign.** A sign adjacent to a drive lane. May not be placed within 15 feet of a Vehicle Drive Lane Sign.
- ~~II-MM~~. **Yard Sign.** A temporary sign constructed of plastic with a metal frame, that is not intended to remain on the premises on which it is located on a permanent basis.
- ~~JJ-NN~~. **Wall Sign.** A sign painted or constructed and placed in the signable area of a building and attached to the exterior surface of a wall and does not project more

than twelve (12) inches from said wall or project above the top of the wall on which it is attached or displayed.

~~KK.OO.~~ **Wall Sign – Accessory Building.** (for accessory structure) A sign placed on the wall of an accessory building that gives information about the activity within the building or gives directions to another area.

~~LL.PP.~~ **Window Sign.** A sign or graphic that is affixed, etched, or painted on the interior side of a window, or a sign made of other materials that is permanently affixed to the interior of a window.

**12.12 Permitted Signs.** The following tables outline permitted signage for all zoning districts as indicated. ~~For signs in the L-P Logistics Park District, see Article 5, Section 5.2 for additional requirements.~~

**A. Table 12-1 Signs Permitted in All Districts.**

| Permitted Signs in All Districts       |          |             |       |                                  |             |            |  |
|--|----------|-------------|-------|----------------------------------|-------------|------------|--|
| Type                                   | Max Size | Max Ht (ft) | Max # | Min Set-back                     | Permit Req. | Illum Type | Notes  |
| Real estate                            | exempt   | exempt      |       | Not located in the right of way. | no          | none       |  |
| Political                              | exempt   | exempt      |       | Not located in the right of way. | no          | none       | Not located on public property                                       |
| Lots for sale                          | exempt   | exempt      |       | Not located in the right of way. | no          | none       | On-site signs only   |
| Auction                                | exempt   | exempt      |       | Not located in the right of way. | no          | none       | On-site and off site signs   |
| Construction                           | exempt   | exempt      |       | Not located in the right of way. | no          | none       | Repairs, contractors or builders                                     |
| Special events at commercial locations |          |             |       | Not located in the right of way. | yes         | none       | Grand openings, sales, promotions or similar signs - 30 days maximum |

| Permitted Signs in All Districts             |            |             |       |                                  |             |            |  |
|--|------------|-------------|-------|----------------------------------|-------------|------------|--|
| Type   | Max Size   | Max Ht (ft) | Max # | Min Set-back                     | Permit Req. | Illum Type | Notes  |
| Special events - public, private, charitable | exempt     | exempt      |       | Not located in the right of way. | no          | none       | Rallies, picnics, fairs, festivals, displays, promotions |
| Future building site                         | 20 sq. ft. | 8 ft.       |       | Not located in the right of way  | yes         | none       | Announces future building project Monument style only    |
| Day care or adult care                       | 20 sq. ft. | 6 ft.       |       | Not located in the right of way  | yes         | none       | Monument style, ground style or wall                     |

**B. Table 12-2 Signs Permitted in Residential Districts.**

| Permitted Signs in R-1, Single Family Residential Districts |                                     |             |        |  |             |   |  |
|---|-------------------------------------|-------------|--------|--|-------------|---|--|
| Type  | Max Size                            | Max Ht (ft) | Max #. | Min Setback  | Permit Req. | Illum Type  | Notes  |
| Home Occupations  | 8 sq. ft. and 2 x 3 ft. on building | 6 ft.       | 2      | 2 required yard setback  | yes         | external  | Monument or ground style and a sign attached to building |
| Institutional   | 36 sq. ft.                          | 6 ft.       | 1      | Not located in the right of way. and cannot create a traffic hazard. | yes         | external or internal (must reflect or direct light away from residential dwellings) | Monument only  |

### Permitted Signs in R-1, Single Family Residential Districts

| Type             | Max Size   | Max Ht (ft) | Max #. | Min Setback  | Permit Req. | Illum Type | Notes         |
|------------------|------------|-------------|--------|--|-------------|------------|---------------|
| Subdivision name | 16 sq. ft. | 6 ft.       | 1      | Not located in the right of way. and cannot create a traffic hazard. | yes         | external   | Monument only |

### R-2 & R-3, Multi-Family Residential District & MHP

| Type   | Max Size                            | Max Ht (ft)  | Max #. | Min Setback   | Permit Req. | Illum Type  | Notes   |
|--|-------------------------------------|--------------|--------|---|-------------|---|---|
| Name plate for building                      | 4 sq. ft.                           | Per building |        |   | no          |   | per building  |
| Place name - gives name of apartment complex | 24 sq. ft.                          | 6 ft.        | 1      | Not located in the right of way. and cannot create a traffic hazard | yes         | external  | Monument or ground style only - name of apartment complex |
| Home Occupation                              | 8 sq. ft. and 2 x 3 ft. on building | 6 ft.        | 2      | 2 required yard setback   | yes         | external  | Monument or ground style and a sign attached to building  |
| Institutional                                | 36 sq. ft.                          | 6 ft.        | 1      | Not located in the right of way. and cannot create a traffic hazard | yes         | external or internal (must reflect or direct light away from residential dwellings) | Monument only   |



|                |            |       |   |   |     |          |                          |
|----------------|------------|-------|---|---|-----|----------|--------------------------|
| <b>MH Park</b> | 16 sq. ft. | 8 ft. | 1 | Not located in the right of way. and cannot create a traffic hazard | yes | external | Monument or ground style |
|----------------|------------|-------|---|---|-----|----------|--------------------------|

| Planned Unit Development Districts |           |             |           |   |             |            |  |
|------------------------------------|-----------|-------------|-----------|---|-------------|------------|--|
| Type                               | Max Size  | Max Ht (ft) | Max #.    | Min Setback   | Permit Req. | Illum Type | Notes  |
| <b>All Permanent Signs</b>         | By review | By review   | By review | Not located in the right of way. and cannot create a traffic hazard | yes         | By review  | All permanent signs in a PUD are approved during the review of the preliminary and final plans |

**C. Table 12-3 Signs Permitted in Commercial Districts – CD, C1, C2, C3**

| Permitted Signs in CD- Downtown Commercial District |                |  |   |            |                                    |                 |  |  |
|---|----------------|--|---|------------|------------------------------------|-----------------|--|--|
| Type  | Perm. Or Temp. | Max. Size  | Max Height (ft.)                            | Max #      | Min. Set-back                      | Permit Required | Illum. Type  | Notes  |
| <b>Awning</b>                                       | Permanent      | Graphic text cannot exceed 30% of the total exterior surface area of the awning;<br><br>If side panels are provided they may not carry text or images greater than | N/A – sign coverage limited to awning face. | See notes. | May not protrude from awning face. | Yes             | Decorative downlights above awning only;<br><br>No illumination allowed on awning. | One sign face per window or door opening as allowed by district design standards;<br><br>When multiple awnings occur in a row on a building side, every other awning surface should be left free of sign graphics or text;<br><br>The square footage of the text and graphics on an awning |

## Permitted Signs in CD- Downtown Commercial District

| Type                                    | Perm. Or Temp. | Max. Size  | Max Height (ft.)   | Max #   | Min. Set-back  | Permit Required | Illum. Type  | Notes  |
|---|----------------|--|--|---|--|-----------------|--|--|
|   |                | 20% of the awning panel area;<br><br>Text and graphics on a valance shall not be larger than 8 inches in height. |  |   |  |                 |  | surface or valance count toward the total allowed square footage for a wall sign at the same location.                 |
| <b>Blade Sign (AKA Projection Sign)</b> | Permanent      | 12 sq. ft. in area per side; may have two sign faces.  | Shall maintain not less than 8 ft. clearance between the bottom of the sign and the finished grade;<br><br>May not extend more than 2 ft. above the building parapet/roofline. | 1   | May not extend more than 3 ft. from the wall façade or into public right of way. | Yes             | Internal illumination only.  | May only be placed on a front façade;<br><br>May not be used in conjunction with a wall sign.                          |
| <b>Monument Sign</b>                    | Permanent      | 36 sq. ft. in area per sign face; may be single or double faced.   | 6 ft. from natural grade or average grade including base.  | 1 per principal building per street frontage. | 7 ft. setback from property lines.   | Yes             | Light source may be internal or external; if external, it must be directed away or shielded from passersby, adjacent properties and motorists. | See Section 12.8 for design details regarding Monument Signs.  |
| <b>Wall Sign</b>                        | Permanent      | On a standalone building or a multi-tenant complex, the total area of the  | Wall height; may not extend past roofline or parapet.  | 1 per front or side of building facing a      | N/A – may not protrude off of wall of building.                                  | Yes             | External or internal illumination; decorative downlights   | If a tenant is part of a multi-tenant complex, each tenant shall be allowed one (1) wall sign no greater than ten (10) |

## Permitted Signs in CD- Downtown Commercial District

| Type                                    | Perm. Or Temp. | Max. Size   | Max Height (ft.)                           | Max #   | Min. Set-back                                   | Permit Required | Illum. Type  | Notes  |
|---|----------------|---|--|---|---|-----------------|--|--|
|   |                | wall sign shall be one and a half square feet of sign area for each one foot of linear footage of the building façade facing the street.                                |  | street up to a total of 3 maximum; may not be placed on rear of building. |   |                 | required for external illumination; must be directed away or shielded from passersby, adjacent properties and motorists. | percent of the tenant wall area upon which the sign is placed.<br><br>Corner tenant spaces will be allowed one (1) additional wall sign no greater than ten (10) percent of the wall area upon which it is placed so that one may be placed on each side of a corner façade.<br><br>Signs facing the rear of a building are prohibited.<br><br>See section 12.8 for calculation of sign area parameters. |
| <b>Wall sign for Accessory Building</b> | Permanent      | 16 sq. ft in area   | Wall height; may not extend past roofline. | 1   | N/A – may not protrude off of wall of building. | No              | External only; must be directed away or shielded from passersby, adjacent properties and motorists.                      | 1 sign per accessory building; must be constructed out of permanent material.  |
| <b>Window sign</b>                      | Permanent      | 1 per window not to exceed 10% of total glass area unless no wall sign is provided;<br><br>If no wall sign is provided then window sign can be 20% of total glass area. | Within window confines                     | 1   | N/A   | No              | External or internal   | Sign may be painted or etched on glass – must be on interior surface of window;<br><br>Sign made from materials (not etched or painted on glass) must be hung inside;<br>Neon signs may be used as a window sign and may encompass 25% of total glass area as long as no other window signage is present.  |

## Permitted Signs in C-1 - General Commercial District

| Type                                    | Perm. Or Temp. | Max. Size   | Max Height (ft.)   | Max #                   | Min. Set-back  | Permit Required | Illum. Type  | Notes   |
|---|----------------|---|--|-------------------------|--|-----------------|--|---|
| <b>Awning</b>                           | Permanent      | Graphic text cannot exceed 30% of the total exterior surface area of the awning;<br><br>If side panels are provided they may not carry text or images greater than 20% of the awning panel area;<br><br>Text and graphics on a valance shall not be larger than 8 inches in height. | N/A – sign coverage limited to awning face.  | See notes.              | May not protrude from awning face.   | Yes             | Decorative downlights above awning only;<br><br>No illumination allowed on awning. | One sign face per window or door opening as allowed by district design standards.<br><br>When multiple awnings occur in a row on a building side, every other awning surface should be left free of sign graphics or text;<br><br>The square footage of the text and graphics on an awning surface or valance count toward the total allowed square footage for a wall sign at the same location. |
| <b>Blade Sign (AKA Projection Sign)</b> | Permanent      | 12 sq. ft. in area per side; may have two sign faces.   | Shall maintain not less than 8 ft. clearance between the bottom of the sign and the finished grade;<br><br>May not extend more than 2 ft. above the building parapet/roofline. | 1                       | May not extend more than 3 ft. from the wall façade or into public right of way. | Yes             | Internal illumination only.  | May only be placed on a front façade;<br><br>May not be used in conjunction with a wall sign.   |
| <b>Flags</b>                            | Permanent      | No single flag shall exceed 40 sq. ft. in area.   | 35 ft. above finished grade.   | 3 per development site. | Must meet Zoning District requirements.  | No              | External illumination required if flag is to fly at night; light source must be    |   |

## Permitted Signs in C-1 - General Commercial District

| Type   | Perm. Or Temp. | Max. Size  | Max Height (ft.)                            | Max #                                  | Min. Set-back   | Permit Required | Illum. Type  | Notes   |
|--|----------------|--|---|--|---|-----------------|--|---|
|  |                |  |   |  |   |                 | directed away or shielded from passersby, adjacent properties and motorists. |   |
| <b>Freestanding Canopy Façade Sign</b>           | Permanent      | Sign area shall not exceed 10 (ten) percent of the canopy façade where sign is placed. | Cannot extend above canopy façade roofline. | 1 per side facing public right of way. | Depth of content cannot extend a depth of more than 6 inches.                         | Yes             | Internal only.   | Pertains to canopies for drive-through facilities.  |
| <b>Interstate/Highway Adjacent Monument Sign</b> | Permanent      | Area per face shall not exceed 200 sq. ft., maximum two faces permitted.               | 30 ft. above the natural or average grade   | 1 per parcel                           | Shall not be closer than 30 ft. of all property lines or located within any easement. | Yes             | Internal Only  | <p>May contain a changeable copy sign;</p> <p>No flashing, intermittent or moving lights; LED signs must display image for at least 8 seconds;</p> <p>Changeable copy content and logo are used to calculate total sq. ft. when calculating maximum sq. ft. per sign side;</p> <p>Allowed if a minimum of 50% of the site is within 800 ft. of the centerline or 500 ft. of the right of way (whichever is less) of an Interstate or Highway.</p> <p>The width of the base of the sign shall not be less than 20% of the width of the sign face or more than 60% of the width of the sign face.</p> |

## Permitted Signs in C-1 - General Commercial District

| Type                               | Perm. Or Temp. | Max. Size  | Max Height (ft.)   | Max #   | Min. Set-back                       | Permit Required | Illum. Type  | Notes  |
|------------------------------------|----------------|--|--|---|-------------------------------------|-----------------|--|--|
|                                    |                |  |  |   |                                     |                 |  | Landscaping such as flowering trees, shrubs and bushes shall be provided around the base of the sign as approved.<br><br>See Section 12.8 for design details regarding Monument Signs.   |
| <b>Monument Sign</b>               | Permanent      | .5 sq. ft. in area per linear foot of street frontage;<br><br>Maximum of 120 sq. ft. in area per sign face; may be single or double faced. | 10 ft. from natural grade or average grade including base. | 1 per principal building per street frontage. | 12 ft. setback from property lines. | Yes             | Light source may be internal or external; if external, it must be directed away or shielded from passersby, adjacent properties and motorists. | May contain a changeable copy sign;<br><br>No flashing, intermittent or moving lights; LED signs must display image for at least 8 seconds;<br><br>Changeable copy content and logo are used to calculate total sq. ft. when calculating maximum sq. ft. per sign side;<br><br>See Section 12.8 for design details regarding Monument Signs. |
| <b>On-Site Identification Sign</b> | Permanent      | 4 sq. ft. in area per face; may be double faced.   | 4 ft.  | 1 per site or driveway entrance.              | Not in right of way.                | Yes             | None allowed.  | Must be constructed of permanent materials;<br><br>May be wall mounted or installed using metal two-inch square posts;<br><br>Wooden posts are not allowed unless they are metal wrapped.  |

## Permitted Signs in C-1 - General Commercial District

| Type                                     | Perm. Or Temp. | Max. Size  | Max Height (ft.) | Max #  | Min. Set-back  | Permit Required | Illum. Type                  | Notes   |
|--|----------------|--|------------------|--|--|-----------------|------------------------------|---|
| <b>Parked Vehicle Service Signs</b>      | Permanent      | 6 sq. ft. in area per face; may be installed back to back. | 6 ft.            | 1 per order station  | Same as parking setback for applicable zoning district.    | Yes             | Internal illumination only.  | May contain visual or auditory communication system.  |
| <b>Vehicle Drive Lane Sign</b>           | Permanent      | 32 sq. feet in area  | 6 ft.            | 1 per drive lane   | Same as parking setback for applicable zoning district.    | Yes             | Internal illumination only.  | <p>May be attached to wall or freestanding;</p> <p>If freestanding, must be built on a solid base that is at least 50% of the width of the sign face;</p> <p>Shall be located along the sides or rear of the building;</p> <p>If visible from a public street, additional landscaping and/or screening is required to screen board from view from public street;</p> <p>Must be constructed to match the aesthetics of the main building including building materials used;</p> <p>May contain visual or auditory communication system.</p> |
| <b>Vehicle Drive Lane Accessory Sign</b> | Permanent      | 15 sq. ft.   | 6 ft.            | <p>1 per drive through lane;</p> <p>Must be separated from any Vehicle Drive Lane Sign</p> | Must be placed within 3 ft. of adjacent drive through lane | Yes             | Internal illumination alone. | <p>May be attached to wall or freestanding;</p> <p>If freestanding, must be built on a solid base that is at least 50% of the width of the sign face;</p>   |

## Permitted Signs in C-1 - General Commercial District

| Type             | Perm. Or Temp. | Max. Size  | Max Height (ft.)                                      | Max #  | Min. Set-back                                   | Permit Required | Illum. Type   | Notes  |
|------------------|----------------|--|---|--|---|-----------------|---|--|
|                  |                |  |   | by at least 15 ft.   |   |                 |   | <p>Shall be located along the sides or rear of the building;</p> <p>If visible from a public street, additional landscaping and/or screening is required to screen board from view from public street.</p> <p>Must be constructed to match the aesthetics of the main building including building materials used.</p>  |
| <b>Wall Sign</b> | Permanent      | On a standalone building or a multi-tenant complex, the total area of the wall sign shall be one and a half square feet of sign area for each one foot of linear footage of the building façade facing the street. | Wall height; may not extend past roofline or parapet. | 1 per front or side of building facing a street up to a total of 3 maximum; may not be placed on rear of building. | N/A – may not protrude off of wall of building. | Yes             | External or internal illumination; decorative downlights required for external illumination; must be directed away or shielded from passersby, adjacent properties and motorists. | <p>If a tenant is part of a multi-tenant complex, each tenant shall be allowed one (1) wall sign no greater than ten (10) percent of the tenant wall area upon which the sign is placed.</p> <p>Corner tenant spaces will be allowed one (1) additional wall sign no greater than ten (10) percent of the wall area upon which it is placed so that one may be placed on each side of a corner façade.</p> <p>Signs facing the rear of a building are prohibited.</p> <p>See section 12.8 for calculation of sign area parameters.</p> |



## Permitted Signs in C-1 - General Commercial District

| Type                                    | Perm. Or Temp. | Max. Size   | Max Height (ft.)                           | Max # | Min. Set-back                                   | Permit Required | Illum. Type   | Notes  |
|---|----------------|---|--|-------|---|-----------------|---|--|
| <b>Wall sign for Accessory Building</b> | Permanent      | 16 sq. ft in area   | Wall height; may not extend past roofline. | 1     | N/A – may not protrude off of wall of building. | No              | External only; must be directed away or shielded from passersby, adjacent properties and motorists. | 1 sign per accessory building; must be constructed out of permanent material.  |
| <b>Window sign</b>                      | Permanent      | 1 per window not to exceed 30% of total glass area unless no wall sign is provided. | Within window confines                     | 1     | N/A   | No              | External or internal  | <p>Sign may be painted or etched on glass – must be on interior surface of window;</p> <p>Sign made from materials (not etched or painted on glass) must be hung inside;</p> <p>Neon signs may be used as a window sign and may encompass 30% of total glass area as long as no other window signage is present.</p> |

## Permitted Signs in C-2 - Heavy Service Commercial District

| Type                                    | Perm. Or Temp. | Max. Size   | Max Height (ft.)  | Max #                   | Min. Set-back  | Permit Required | Illum. Type  | Notes   |
|---|----------------|---|---|-------------------------|--|-----------------|--|---|
| <b>Awning</b>                           | Permanent      | Graphic text cannot exceed 30% of the total exterior surface area of the awning;<br><br>If side panels are provided they may not carry text or images greater than 20% of the awning panel area;<br><br>Text and graphics on a valance shall not be larger than 8 inches in height. | N/A – sign coverage limited to awning face.   | See notes.              | May not protrude from awning face.   | Yes             | Decorative downlights above awning only;<br><br>No illumination allowed on awning.                             | One sign face per window or door opening as allowed by district design standards.<br><br>When multiple awnings occur in a row on a building side, every other awning surface should be left free of sign graphics or text;<br>The square footage of the text and graphics on an awning surface or valance count toward the total allowed square footage for a wall sign at the same location. |
| <b>Blade Sign (AKA Projection Sign)</b> | Permanent      | 12 sq. ft. in area per side; may have two sign faces  | Shall maintain not less than 8 ft. clearance between the bottom of the sign and the finished grade;<br><br>May not extend more than 2 ft. above the building parapet/roofline | 1                       | May not extend more than 3 ft. from the wall façade or into public right of way. | Yes             | Internal illumination only.  | May only be placed on a front façade;<br><br>May not be used in conjunction with a wall sign.   |
| <b>Flags</b>                            | Permanent      | No single flag shall exceed 40 sq. ft. in area.   | 35 ft. above finished grade.  | 3 per development site. | Must meet Zoning District requirements.  | No              | External illumination required if flag is to fly at night; light source must be directed away or shielded from |   |

## Permitted Signs in C-2 - Heavy Service Commercial District

| Type   | Perm. Or Temp. | Max. Size  | Max Height (ft.)                            | Max #                                  | Min. Set-back   | Permit Required | Illum. Type                                   | Notes  |
|--|----------------|--|---|--|---|-----------------|---|--|
|  |                |  |   |  |   |                 | passersby, adjacent properties and motorists. |  |
| <b>Freestanding Canopy Façade Sign</b>           | Permanent      | Sign area shall not exceed 10 (ten) percent of the canopy façade where sign is placed. | Cannot extend above canopy façade roofline. | 1 per side facing public right of way. | Depth of content cannot extend a depth of more than 6 inches.                         | Yes             | Internal only.                                | Pertains to canopies for drive-through facilities.   |
| <b>Interstate/Highway Adjacent Monument Sign</b> | Permanent      | Area per face shall not exceed 200 sq. ft., maximum two faces permitted.               | 30 ft. above the natural or average grade   | 1 per parcel                           | Shall not be closer than 30 ft. of all property lines or located within any easement. | Yes             | Internal Only                                 | <p>Allowed if a minimum of 50% of the site is within 800 ft. of the centerline or 500 ft. of the right of way (whichever is less) of an Interstate or Highway.</p> <p>May contain a changeable copy sign;</p> <p>No flashing, intermittent or moving lights; LED signs must display image for at least 8 seconds;</p> <p>Changeable copy content and logo are used to calculate total sq. ft. when calculating maximum sq. ft. per sign side;</p> <p>The width of the base of the sign shall not be less than 20% of the width of the sign face or more than 60% of the width of the sign face.</p> <p>Landscaping such as flowering trees, shrubs and</p> |

## Permitted Signs in C-2 - Heavy Service Commercial District

| Type                        | Perm. Or Temp. | Max. Size   | Max Height (ft.)  | Max #   | Min. Set-back                       | Permit Required                           | Illum. Type  | Notes  |
|-----------------------------|----------------|---|---|---|-------------------------------------|---|--|--|
|                             |                |   |   |   |                                     |   |  | bushes shall be provided around the base of the sign as approved.<br>See Section 12.8 for design details regarding Monument Signs.   |
| <b>Interstate Pole Sign</b> | Permanent      | 900 sq. ft. in area per sign side which includes total of all individual sign faces; may be single or double sided. | 60 ft. above finished grade of adjacent city roadway to a maximum height of 100 ft. | 1   | 30 ft. setback from property lines. | Yes; Conditional Use Permit also required | Internal illumination only; see notes for changeable copy illumination.            | <p>Allowed in C-2/C-3 District only and also requires a conditional use permit;</p> <p>May contain a changeable copy sign;</p> <p>No flashing, intermittent or moving lights; LED signs must display image for at least 8 seconds;</p> <p>Changeable copy content and logo are used to calculate total sq. ft. when calculating maximum sq. ft. per sign side;</p> <p>Allowed if a minimum of 50% of the site is within 800 ft. of the centerline or 500 ft. of the right of way (whichever is less) of an Interstate.</p> <p>May only be placed on premise.</p> |
| <b>Monument Sign</b>        | Permanent      | .5 sq. ft. in area per linear foot of street frontage;  | 25 ft. from natural grade or average grade including base.                          | 1 per principal building per street frontage. | 30 ft. setback from property lines. | Yes                                       | Light source may be internal or external; if external, it must be directed away or | See Section 12.8 for design details regarding Monument Signs.  |

## Permitted Signs in C-2 - Heavy Service Commercial District

| Type                                | Perm. Or Temp. | Max. Size  | Max Height (ft.) | Max #                            | Min. Set-back   | Permit Required | Illum. Type   | Notes   |
|-------------------------------------|----------------|--|------------------|----------------------------------|---|-----------------|---|---|
|                                     |                | Maximum of 250 sq. ft. in area per sign face; may be single or double faced. |                  |                                  |   |                 | shielded from passersby, adjacent properties and motorists. |   |
| <b>On-Site Identification Sign</b>  | Permanent      | 4 sq. ft. in area per face; may be double faced.                             | 4 ft.            | 1 per site or driveway entrance. | Not in right of way.                                    | Yes             | None allowed.   | Must be constructed of permanent materials;<br><br>May be wall mounted or installed using metal two-inch square posts;<br><br>Wooden posts are not allowed unless they are metal wrapped.   |
| <b>Parked Vehicle Service Signs</b> | Permanent      | 6 sq. ft. in area per face; may be installed back to back.                   | 6 ft.            | 1 per order station.             | Same as parking setback for applicable zoning district. | Yes             | Internal illumination only.                                 | May contain visual or auditory communication system.  |
| <b>Vehicle Drive Lane Sign</b>      | Permanent      | 32 sq. feet in area  | 6 ft.            | 1 per drive lane.                | Same as parking setback for applicable zoning district. | Yes             | Internal illumination only.                                 | May be attached to wall or freestanding;<br><br>If freestanding, must be built on a solid base that is at least 50% of the width of the sign face;<br><br>Shall be located along the sides or rear of the building;<br><br>If visible from a public street, additional landscaping and/or screening is required to screen board from view from public street; |

## Permitted Signs in C-2 - Heavy Service Commercial District

| Type                                     | Perm. Or Temp. | Max. Size  | Max Height (ft.)                                      | Max #   | Min. Set-back   | Permit Required | Illum. Type  | Notes   |
|--|----------------|--|---|---|---|-----------------|--|---|
|  |                |  |   |   |   |                 |  | <p>Must be constructed to match the aesthetics of the main building including building materials used;</p> <p>May contain visual or auditory communication system.</p>  |
| <b>Vehicle Drive Lane Accessory Sign</b> | Permanent      | 15 sq. ft.   | 6 ft.   | <p>1 per drive through lane;</p> <p>Must be separated from any Vehicle Drive Lane Sign by at least 15 ft.</p> | <p>Must be placed within 3 ft. of adjacent drive through lane</p> | Yes             | Internal illumination alone.   | <p>May be attached to wall or freestanding;</p> <p>If freestanding, must be built on a solid base that is at least 50% of the width of the sign face;</p> <p>Shall be located along the sides or rear of the building;</p> <p>If visible from a public street, additional landscaping and/or screening is required to screen board from view from public street.</p> <p>Must be constructed to match the aesthetics of the main building including building materials used.</p> |
| <b>Wall Sign</b>                         | Permanent      | On a standalone building or a multi-tenant complex, the total area of the wall sign shall be one and a half square feet of sign area for each one foot of linear | Wall height; may not extend past roofline or parapet. | 1 per front or side of building facing a street up to a total of 3 maximum; may not be placed on              | N/A – may not protrude off of wall of building.                   | Yes             | External or internal illumination; decorative downlights required for external illumination; must be directed away or shielded from passersby, | If a tenant is part of a multi-tenant complex, each tenant shall be allowed one (1) wall sign no greater than ten (10) percent of the tenant wall area upon which the sign is placed.   |

## Permitted Signs in C-2 - Heavy Service Commercial District

| Type                                    | Perm. Or Temp. | Max. Size   | Max Height (ft.)                           | Max #             | Min. Set-back                                   | Permit Required | Illum. Type   | Notes   |
|---|----------------|---|--|-------------------|---|-----------------|---|---|
|   |                | footage of the building façade facing the street.                                   |  | rear of building. |   |                 | adjacent properties and motorists.  | <p>Corner tenant spaces will be allowed one (1) additional wall sign no greater than ten (10) percent of the wall area upon which it is placed so that one may be placed on each side of a corner façade.</p> <p>Signs facing the rear of a building are prohibited.</p> <p>See section 12.8 for calculation of sign area parameters.</p> |
| <b>Wall sign for Accessory Building</b> | Permanent      | 16 sq. ft in area   | Wall height; may not extend past roofline. | 1                 | N/A – may not protrude off of wall of building. | No              | External only; must be directed away or shielded from passersby, adjacent properties and motorists. | 1 sign per accessory building; must be constructed out of permanent material.   |
| <b>Window sign</b>                      | Permanent      | 1 per window not to exceed 30% of total glass area unless no wall sign is provided. | Within window confines                     | 1                 | N/A   | No              | External or internal  | <p>Sign may be painted or etched on glass – must be on interior surface of window;</p> <p>Sign made from materials (not etched or painted on glass) must be hung inside;</p> <p>Neon signs may be used as a window sign and may encompass 30% of total glass</p>  |

## Permitted Signs in C-2 - Heavy Service Commercial District

| Type | Perm. Or Temp. | Max. Size | Max Height (ft.) | Max # | Min. Set-back | Permit Required | Illum. Type | Notes   |
|------|----------------|-----------|------------------|-------|---------------|-----------------|-------------|---|
|      |                |           |                  |       |               |                 |             | area as long as no other window signage is present. |

## Permitted Signs in C-3 - Highway Service Commercial District

| Type                                    | Perm. Or Temp. | Max. Size   | Max Height (ft.)  | Max #      | Min. Set-back  | Permit Required | Illum. Type  | Notes   |
|---|----------------|---|---|------------|--|-----------------|--|---|
| <b>Awning</b>                           | Permanent      | Graphic text cannot exceed 30% of the total exterior surface area of the awning;<br><br>If side panels are provided they may not carry text or images greater than 20% of the awning panel area;<br><br>Text and graphics on a valance shall not be larger than 8 inches in height. | N/A – sign coverage limited to awning face.   | See notes. | May not protrude from awning face.   | Yes             | Decorative downlights above awning only;<br><br>No illumination allowed on awning. | One sign face per window or door opening as allowed by district design standards.<br><br>When multiple awnings occur in a row on a building side, every other awning surface should be left free of sign graphics or text;<br>The square footage of the text and graphics on an awning surface or valance count toward the total allowed square footage for a wall sign at the same location. |
| <b>Blade Sign (AKA Projection Sign)</b> | Permanent      | 12 sq. ft. in area per side; may have two sign faces  | Shall maintain not less than 8 ft. clearance between the bottom of the sign and the finished grade; | 1          | May not extend more than 3 ft. from the wall façade or into public right of way. | Yes             | Internal illumination only.  | May only be placed on a front façade;<br><br>May not be used in conjunction with a wall sign.   |



## Permitted Signs in C-3 - Highway Service Commercial District

| Type   | Perm. Or Temp. | Max. Size  | Max Height (ft.)   | Max #                                  | Min. Set-back   | Permit Required | Illum. Type  | Notes  |
|--|----------------|--|--|--|---|-----------------|--|--|
|  |                |  | May not extend more than 2 ft. above the building parapet/roofline |  |   |                 |  |  |
| <b>Flags</b>                                     | Permanent      | No single flag shall exceed 40 sq. ft. in area.  | 35 ft. above finished grade.                                       | 3 per development site.                | Must meet Zoning District requirements.   | No              | External illumination required if flag is to fly at night; light source must be directed away or shielded from passersby, adjacent properties and motorists. |  |
| <b>Freestanding Canopy Façade Sign</b>           | Permanent      | Sign area shall not exceed 10 (ten) percent of the canopy façade where sign is placed. | Cannot extend above canopy façade roofline.                        | 1 per side facing public right of way. | Depth of content cannot extend a depth of more than 6 inches.                         | Yes             | Internal only.   | Pertains to canopies for drive-through facilities.   |
| <b>Interstate/Highway Adjacent Monument Sign</b> | Permanent      | Area per face shall not exceed 200 sq. ft., maximum two faces permitted.               | 30 ft. above the natural or average grade                          | 1 per parcel                           | Shall not be closer than 30 ft. of all property lines or located within any easement. | Yes             | Internal Only  | Allowed if a minimum of 50% of the site is within 800 ft. of the centerline or 500 ft. of the right of way (whichever is less) of an Interstate or Highway.<br><br>May contain a changeable copy sign;<br><br>No flashing, intermittent or moving lights; LED signs must display image for at least 8 seconds; |

## Permitted Signs in C-3 - Highway Service Commercial District

| Type                        | Perm. Or Temp. | Max. Size   | Max Height (ft.)  | Max # | Min. Set-back                       | Permit Required                           | Illum. Type   | Notes  |
|-----------------------------|----------------|---|---|-------|-------------------------------------|---|---|--|
|                             |                |   |   |       |                                     |   |   | <p>Changeable copy content and logo are used to calculate total sq. ft. when calculating maximum sq. ft. per sign side;</p> <p>The width of the base of the sign shall not be less than 20% of the width of the sign face or more than 60% of the width of the sign face.</p> <p>Landscaping such as flowering trees, shrubs and bushes shall be provided around the base of the sign as approved.<br/>See Section 12.8 for design details regarding Monument Signs.</p> |
| <b>Interstate Pole Sign</b> | Permanent      | 900 sq. ft. in area per sign side which includes total of all individual sign faces; may be single or double sided. | 60 ft. above finished grade of adjacent city roadway to a maximum height of 100 ft. | 1     | 30 ft. setback from property lines. | Yes; Conditional Use Permit also required | Internal illumination only; see notes for changeable copy illumination. | <p>Allowed in C-2/C-3 District only and also requires a conditional use permit;</p> <p>May contain a changeable copy sign;</p> <p>No flashing, intermittent or moving lights; LED signs must display image for at least 8 seconds;</p> <p>Changeable copy content and logo are used to calculate total sq. ft. when calculating maximum sq. ft. per sign side;</p>   |

## Permitted Signs in C-3 - Highway Service Commercial District

| Type                                | Perm. Or Temp. | Max. Size   | Max Height (ft.)   | Max #   | Min. Set-back   | Permit Required | Illum. Type  | Notes  |
|-------------------------------------|----------------|---|--|---|---|-----------------|--|--|
|                                     |                |   |  |   |   |                 |  | <p>Allowed if a minimum of 50% of the site is within 800 ft. of the centerline or 500 ft. of the right of way (whichever is less) of an Interstate.</p> <p>May only be placed on premise.</p>    |
| <b>Monument Sign</b>                | Permanent      | <p>.5 sq. ft. in area per linear foot of street frontage;</p> <p>Maximum of 250 sq. ft. in area per sign face; may be single or double faced.</p> | 25 ft. from natural grade or average grade including base. | 1 per principal building per street frontage. | 30 ft. setback from property lines.                     | Yes             | Light source may be internal or external; if external, it must be directed away or shielded from passersby, adjacent properties and motorists. | See Section 12.8 for design details regarding Monument Signs.  |
| <b>On-Site Identification Sign</b>  | Permanent      | 4 sq. ft. in area per face; may be double faced.  | 4 ft.  | 1 per site or driveway entrance.              | Not in right of way.                                    | Yes             | None allowed.  | <p>Must be constructed of permanent materials;</p> <p>May be wall mounted or installed using metal two-inch square posts;</p> <p>Wooden posts are not allowed unless they are metal wrapped.</p> |
| <b>Parked Vehicle Service Signs</b> | Permanent      | 6 sq. ft. in area per face; may be installed back to back.  | 6 ft.  | 1 per order station.                          | Same as parking setback for applicable zoning district. | Yes             | Internal illumination only.  | May contain visual or auditory communication system.   |
| <b>Vehicle Drive Lane Sign</b>      | Permanent      | 32 sq. feet in area   | 6 ft.  | 1 per drive lane.                             | Same as parking setback for applicable zoning district. | Yes             | Internal illumination only.  | <p>May be attached to wall or freestanding;</p> <p>If freestanding, must be built on a solid base that is at</p>   |

## Permitted Signs in C-3 - Highway Service Commercial District

| Type                                     | Perm. Or Temp. | Max. Size  | Max Height (ft.) | Max #   | Min. Set-back  | Permit Required | Illum. Type                  | Notes   |
|--|----------------|------------|------------------|---|--|-----------------|------------------------------|---|
|  |                |            |                  |   |  |                 |                              | <p>least 50% of the width of the sign face;</p> <p>Shall be located along the sides or rear of the building;</p> <p>If visible from a public street, additional landscaping and/or screening is required to screen board from view from public street;</p> <p>Must be constructed to match the aesthetics of the main building including building materials used;</p> <p>May contain visual or auditory communication system.</p> |
| <b>Vehicle Drive Lane Accessory Sign</b> | Permanent      | 15 sq. ft. | 6 ft.            | <p>1 per drive through lane;</p> <p>Must be separated from any Vehicle Drive Lane Sign by at least 15 ft.</p> | Must be placed within 3 ft. of adjacent drive through lane | Yes             | Internal illumination alone. | <p>May be attached to wall or freestanding;</p> <p>If freestanding, must be built on a solid base that is at least 50% of the width of the sign face;</p> <p>Shall be located along the sides or rear of the building;</p> <p>If visible from a public street, additional landscaping and/or screening is required to screen board from view from public street.</p>  |

## Permitted Signs in C-3 - Highway Service Commercial District

| Type                                    | Perm. Or Temp. | Max. Size  | Max Height (ft.)                                      | Max #  | Min. Set-back                                   | Permit Required | Illum. Type   | Notes  |
|---|----------------|--|---|--|---|-----------------|---|--|
|   |                |  |   |  |   |                 |   | Must be constructed to match the aesthetics of the main building including building materials used.  |
| <b>Wall Sign</b>                        | Permanent      | On a standalone building or a multi-tenant complex, the total area of the wall sign shall be one and a half square feet of sign area for each one foot of linear footage of the building façade facing the street. | Wall height; may not extend past roofline or parapet. | 1 per front or side of building facing a street up to a total of 3 maximum; may not be placed on rear of building. | N/A – may not protrude off of wall of building. | Yes             | External or internal illumination; decorative downlights required for external illumination; must be directed away or shielded from passersby, adjacent properties and motorists. | <p>If a tenant is part of a multi-tenant complex, each tenant shall be allowed one (1) wall sign no greater than ten (10) percent of the tenant wall area upon which the sign is placed.</p> <p>Corner tenant spaces will be allowed one (1) additional wall sign no greater than ten (10) percent of the wall area upon which it is placed so that one may be placed on each side of a corner façade.</p> <p>Signs facing the rear of a building are prohibited.</p> <p>See section 12.8 for calculation of sign area parameters.</p> |
| <b>Wall sign for Accessory Building</b> | Permanent      | 16 sq. ft in area  | Wall height; may not extend past roofline.            | 1  | N/A – may not protrude off of wall of building. | No              | External only; must be directed away or shielded from passersby, adjacent properties and motorists.   | 1 sign per accessory building; must be constructed out of permanent material.  |

## Permitted Signs in C-3 - Highway Service Commercial District

| Type               | Perm. Or Temp. | Max. Size   | Max Height (ft.)       | Max # | Min. Set-back | Permit Required | Illum. Type          | Notes  |
|--------------------|----------------|---|------------------------|-------|---------------|-----------------|----------------------|--|
| <b>Window sign</b> | Permanent      | 1 per window not to exceed 30% of total glass area unless no wall sign is provided. | Within window confines | 1     | N/A           | No              | External or internal | <p>Sign may be painted or etched on glass – must be on interior surface of window;</p> <p>Sign made from materials (not etched or painted on glass) must be hung inside;</p> <p>Neon signs may be used as a window sign and may encompass 30% of total glass area as long as no other window signage is present.</p> |

NOTE: Information included in **RED** is existing information incorporated from Article 5. Information included in **BLUE** is new information.

## D. Table 12 – 4 Signs Permitted in Industrial Districts

| Permitted Signs in B-P, L-P, I-G and I-H Districts |  |               |   |  |             |                      |   |
|--|--|---------------|---|--|-------------|----------------------|---|
| B-P Business Park District                         |  |               |   |  |             |                      |   |
| Type   | Max. Size                                | Max. Ht. (ft) | Max. #                                    | Min. Setback   | Permit Req. | Illum. Type          | Notes   |
| Free-standing monument, ground signs               | By review                                | By review     |   | 4 ft. from right of way.                                       | yes         | internal or external | <ul style="list-style-type: none"> <li>Sign control standards are established by review of the preliminary park plan</li> </ul>   |
| Additional Signs                                   | By review                                | By review     |   |  | yes         | internal or external | <ul style="list-style-type: none"> <li>1 pole sign per principal building</li> </ul>  |
| L-P Logistics Park District                        |  |               |   |  |             |                      |   |
| Type   | Max. Size                                | Max. Ht. (ft) | Max. #                                    | Min. Setback   | Permit Req. | Illum. Type          | Notes   |
| External Directional Sign                          | Maximum of 6 sq ft per building occupant | 5'            | 1 per site entrance per building occupant | Not located in the right of way, site triangle or off-premises | Yes         | Internal or external | <p>Maximum allowed square footage is 6 SF per building occupant to maximum of 18 SF in total.</p> <p>Must be constructed of permanent materials.</p> <p>Installed using metal two-inch square posts.</p> <p>Wooden posts are not allowed unless they are metal wrapped.</p> |

## L-P Logistics Park District

| Type                      | Max. Size | Max. Ht. (ft) | Max. #  | Min. Setback   | Permit Req. | Illum. Type  | Notes  |
|---------------------------|-----------|---------------|---|--|-------------|--|--|
| Flags                     | Exempt    | 110'          | 5 per development site  | A distance equal to the height of the pole                     | No          | External illumination required if flag is to fly at night; light source must be directed away or shielded from passersby, adjacent properties and motorists. | Must be shown on site plan.<br>Building permit required for pole installation and electrical if applicable.  |
| Internal Directional Sign | 6 sq ft   | 5'            | 4 total per site  | Not located in the right of way, site triangle or off-premises | No          | None   | Must be constructed of permanent materials.<br><br>May be wall mounted or installed using metal two-inch square posts.<br><br>Wooden posts are not allowed unless they are metal wrapped.  |
| Kiosk                     | 4' width  | 12'           | One per project site or campus entrance; additional permitted onsite as part of a comprehensive signage plan. | Not located in right of way, site triangle, or off premises    | Yes         | Internal   | Kiosk sign structures shall be ladder type with individual sign panels of uniform design.<br>The color of all kiosk sign structures and panel background color will be approved by the City.<br>The City may by a duly executed services contract, grant to a qualified person or company the right to design, erect and maintain directional kiosk signs within the City.<br>Sign panels advertising a business that has vacated the premises must be replaced with the new business or a blank panel within thirty (30) days of vacancy. |



## L-P Logistics Park District

| Type  | Max. Size  | Max. Ht. (ft)   | Max. #  | Min. Setback   | Permit Req. | Illum. Type  | Notes  |
|---|--|---|---|--|-------------|--|--|
| <b>Monument Sign</b>  | 1 SF per ten (10) linear feet of street frontage up to a maximum of 60 SF per sign face (does not include sign base or sign structure) | 8' above natural or average grade including base, support structure or other architectural elements | 1 per property; if parcel is more than 30 acres in size with more than 1 street frontage, a 2 <sup>nd</sup> monument sign is permitted on the additional street frontage. | 15 feet from all property lines; outside of site triangles and easements; minimum 400 feet from another freestanding sign located on the same property | Yes         | Internal or External   | <p>Platted private roads may be considered a 2nd street frontage for purposes of determining the number of allowed monument signs.</p> <p>Base must be a minimum of two feet in height.</p> <p>The base shall extend a minimum of <math>\frac{3}{4}</math> the entire length of the sign.</p> <p>The total area of the base and support structure shall be at least 75% of the sign face area.</p> <p>The base and support structure shall not exceed the sign face area by more than 10 percent.</p> <p>The sign face may not exceed 50% of the overall sign structure.</p> |
| <b>Temporary Construction/ Development Signage – Highway Adjacent</b>     | 325 sq ft per side   | 30 feet   | 1   | Not located in the right of way  | Yes         | None   | <p>Maximum length – 15 feet</p> <p>Parcel must be highway adjacent - 50% of the site is within 800 feet of the centerline or 500 feet of the right of way (whichever is less) of an Interstate or Highway</p>  |
| <b>Temporary Construction/ Development Signage – Not Highway Adjacent</b> | 90 sq ft per side  | 20 feet   | 1   | Not located in the right of way  | Yes         | None   | Maximum length – 15 feet   |
| <b>Temporary Banner or Sign (Not Yard Sign)</b>                           | 12 sq ft   | 5'  | 2 allowed per building occupant per permit request  | May not be located in right of way. Must be setback 5' from any property line.   | Yes         | External; shall not be flashing or intermittent; temporary electrical requirements shall be subject to | <p>Usage limited to 14 days per permit request, up to 2 permit requests per year.</p> <p>Applicant must remove when usage limit has expired.</p> <p>A banner shall not be used in lieu of a permanent sign, except in the case of new businesses where it may be used for a period not exceeding thirty (30) days.</p> <p>Temporary Banners shall be secured at all points of attachment.</p> <p>Torn or severely weathered banners are not permitted.</p>   |

|  |  |  |  |                                     |     |                              |  |
|--|--|--|--|-------------------------------------|-----|------------------------------|--|
|  |  |  |  |                                     |     | the adopted electrical code. | Temporary signs or banners found to be in violation of this section must be removed or made to conform within 24 hours of notification.  |
| <b>Wall Sign – front façade</b>                      | Min SF = 24 SF<br>Front Max SF= 1x length of building frontage or lease space frontage | Shall not extend above the roofline or façade of the building. | 1  | N/A – located on building wall only | Yes | Internal                     | Attached signs that are internally illuminated shall be constructed only of materials that are noncombustible or slow burning in the case of plastic inserts and faces. A wall sign shall not extend more than twelve (12) inches from the building wall to which it is attached. Bottom of sign must be at least eight (8) feet from grade at wall where sign is installed. |
| <b>Wall Sign-side façade</b>                         | Side Max SF= .5x length of side wall of building                                       | Shall not extend above the roofline or façade of the building  | 3 – total SF may not exceed total allowed SF | N/A – located on building wall only | Yes | Internal                     | Attached signs that are internally illuminated shall be constructed only of materials that are noncombustible or slow burning in the case of plastic inserts and faces. A wall sign shall not extend more than twelve (12) inches from the building wall to which it is attached.  |
| <b>Window signage not readable from right of way</b> | exempt   | exempt   |  | N/A – located in window only        | No  | None                         |  |
| <b>Yard Sign</b>                                     | 6 sq ft  | 5 ft   | 4 per parcel                                 | Not located in the right of way     | Yes | None                         | Usage limited to 14 days per permit request, up to 4 permit requests per year.   |

**Table 12-4 Appendix - Additional Guidelines for L-P District Signage:**

- Illuminated signs shall not be erected within one hundred (100) feet of any residential zoning district unless properly and adequately shielded so that light from such sign is not directed toward such residential district.
- In no case can a sign be placed closer than fifteen (15) feet from a residential property.
- No high intensity lights shall be permitted as part of a sign display visible from an adjacent street.
- No sign shall be illuminated to intensity greater than two hundred (200) foot-candles. The restrictions of luminance in this section shall be determined from any other premise or from any public street right-of-way other than an alley.
- No cloth, paper, banner, flag, or similar advertising matter shall be suspended from, or allowed to hang loose from or over, any building or structure. Such advertising matter shall be a violation of this section and shall be removed immediately upon notice by the building official.

## I-G and I-H Industrial Districts

| Type  | Max Size           | Max Ht (ft)                              | Max # | Min Setback              | Permit Req. | Illum Type           | Notes   |
|---|--------------------|--|-------|--------------------------|-------------|----------------------|---|
| <b>Free-standing monument, ground signs</b> | 80 sq. ft.         | height of principal building plus 20 ft. | 1     | 1 ft. from right of way. | yes         | internal or external | 1 monument, ground, or pole sign per 200 ft. of street frontage |
| <b>Additional Signs</b>                     | Same as commercial |  |       |                          | yes         | internal or external | Same as commercial  |

## **DRAFT EXCERPT – Planning Commission Minutes August 10, 2021**

### **EDGERTON CITY HALL PLANNING COMMISSION MEETING August 10, 2021**

A regular session of the Edgerton Planning Commission (the Commission) was held in the Edgerton City Hall, 404 E. Nelson Edgerton, Kansas on August 10, 2021. The meeting convened when Chairperson John Daley called the meeting to order at 7:00 PM.

#### **1. ROLL CALL**

|                |         |
|----------------|---------|
| Jeremy Little  | present |
| Charlie Crooks | present |
| Tim Berger     | absent  |
| Deb Lebakken   | present |
| John Daley     | present |

With a quorum present, the meeting commenced.

Staff in attendance: Katy Crow, Development Services Director  
Chris Clinton, Planning and Zoning Coordinator

2. **WELCOME** Chairperson Daley welcomed all in attendance to the meeting.
3. **PLEDGE OF ALLEGIANCE** All present participated in the Pledge of Allegiance.

#### **CONSENT AGENDA**

4. Approve Minutes from the July 13, 2021 Planning Commission Meeting.

Commissioner Little moved to approve the consent agenda. Commissioner Crooks seconded the motion. The consent agenda was approved, 4-0.

#### **REGULAR AGENDA**

#### **5. DECLARATION**

The Commissioners did not have anything to declare at this time.

Ms. Katy Crow, Development Services Director, stated that last month there was a public hearing for Article 5 of the Unified Development Code so that is Old Business but for the flow of the meeting it was best to have it paired with the proposed amendments for Article 12 of the Unified Development Code which is Item 10 on the agenda.

#### **BUSINESS REQUIRING ACTION**

#### **NEW BUSINESS**

9. **HOLD A PUBLIC HEARING TO CONSIDER UDC AMENDMENTS APPLICATION UDCA2021-**

## **02 FOR AMENDMENTS TO ARTICLE 12 – SIGN REGULATIONS OF THE EDGERTON UNIFIED DEVELOPMENT CODE**

Chairperson Daley introduced this application. He opened the public hearing for Application UDCA2021-02.

Ms. Crow stated at the July 13, 2021 Commission meeting, a public hearing was held related to Application UDCA2021-01 for amendments to City of Edgerton's UDC – Article 5, Section 5.2(P) – Logistics Park District Signage. City Staff recommended that the signage section of Article 5 be incorporated into Article 12 so that it is consistent with all other zoning districts. Additionally, City Staff presented information regarding portions of the current Article 5 sign code where clarification is needed due to conflicts within the current code content. City Staff recommended updates to the L-P sign code related to temporary signs, internal and external directional signage, and yard signs.

Ms. Crow stated Application UDCA2021-02 reflects the changes the Commission requested City Staff bring back, incorporated into Article 12, along with sample photos of the sign types which need to be further defined and clarified in the sign code. She said included with the packet is the following information:

- Article 12 – Sign Regulations. City Staff has incorporated Article 5, Section 5.2 content into Article 12. For the most part, the information from Section 5.2 was already included in Article 12 when that Article went through a major revision in 2019. If there was relevant information in Section 5.2 that was not included in Article 12, it has been added to the L-P District or to the overall sign code in general. Incorporated information is included in red. Information in Table 12-4 that is noted in blue, is information that was updated as the result of discussions held during the July 13, 2021 public hearing regarding Section 5.2. She went through all of the updates made to Article 12.
- Sign Examples. During the public hearing on July 13, the Commission requested clarification on what internal and external directional signage might look like. City Staff has included photos of signage which has been approved to date in the L-P District. Additionally, City Staff has included samples of what constitutes as a yard sign per the definition provided in Article 12.

Ms. Crow said City Staff would ask the Commission to discuss the proposed updated to Article 12 of the UDC which incorporate Article 5, Section 5.2 and the discussions held during the public hearing last month. Upon review and recommendation by the Commission, the final form of Article 12 would go to the City Attorney for review and then the Governing Body for approval and adoption.

Commissioner Little asked why the voltage requirement was forty-eight (48) volts. Ms. Crow stated she does not know and asked if Mayor Donald Roberts knew. Mayor Roberts said it might be from usage of older lines or telephone lines. Commissioner Little said most telephone lines are at thirty-two (32) volts. Mayor Roberts recommend the Commission change it to stay away from any overhead line. Ms. Crow updated the UDC to read as such and the Commission agreed on the change.

Commissioner Crooks asked about political signs being driven deep and hitting a utility. Ms. Crow answered those are protected by State statute and cannot be regulated by the City. Commissioner Lebakken inquired about garage sale signs. Ms. Crow replied those have not been addressed at this

time as those are primarily in residentially zoned areas.

Chairperson Daley asked for clarification on the 'changeable message signs' noted in Table 12-4 as it says they can be unlimited height or size. Ms. Crow stated that is correct currently and these are more of a component of a sign. She explained these are the time and temperature sign that many banks have. Mayor Roberts asked about digital billboards and wondered if an applicant could argue that it is a changeable message sign. Chairperson Daley stated the section should be removed as many companies use these as components of a different type of sign. The Commission agreed the changeable message sign should be removed. Commissioner Crooks stated if a company does not want to meet the code, they would have to get a variance from the Board of Zoning Appeals. Ms. Crow stated that is correct.

Ms. Crow explained that today, flag poles are not addressed in the L-P sign code but City staff has received two requests for flag poles. She stated that she had added it to this section so that it could be regulated and used the exact specifications outlined in the Commercial sign code. Mayor Roberts asked what the height of a flagpole would be. Ms. Crow stated that it would be thirty-five (35) feet. Mayor Roberts asked would it be possible for a company to come in and fly a huge American flag. Ms. Crow stated that in the code amendment included, the maximum flag size is 40 sq ft. Mayor Roberts noted that in the L-P District, the maximum building height is 110 feet and flag poles should be allowed to go that tall. Mayor Roberts stated he remembers what the City of Gardner went through when a company wanted to have a large flag. Chairperson Daley confirmed that flag content cannot be dictated. Ms. Crow stated the setback should be the length of the flagpole so if it falls, it falls on the same property. Chairperson Daley recommended the height be limited at 110 feet, the size of the flag be removed, set the limit at five (5) flags, with the setback being the height of the pole, and keep the lighting of all of the flags. The Commission agreed with the changes.

Commissioner Crooks inquired why a metal wrapped wood post would be allowed for directional signs. Ms. Crow stated that it could help with the stability of the sign. Mayor Roberts added it also could make it a break away sign.

Ms. Crow asked the Commission if scoreboards, municipal golf course tee signs, sports field, fencing and park signs should be removed from the L-P sign code. Commissioner Little stated Garmin does have a soccer field between their buildings for their employees. Ms. Crow asked if it has a scoreboard. Commissioner Little stated it does not. Ms. Crow stated these are not permitted uses in the L-P District. The Commissioners agreed it should be removed.

Mayor Roberts asked if a yard sign has to be on the premises of the property it is advertising. Ms. Crow stated today the overall sign code does not allow off-premise signage. Mayor Roberts stated that could be dictating content as a company could get the approval of the property owner to advertise their business on a different lot. Ms. Crow stated it has been reviewed by the City Attorney, but City Staff will confer with the City Attorney to get clarification on this. Chairperson Daley asked if an applicant for a yard sign permit could split up the number of signs and have them out for a longer period of time. Ms. Crow replied that each request is treated as 1 request, regardless of the number of signs that are placed. Each request would be limited to a maximum of four (4) signs for fourteen (14) days, with a maximum of 4 requests annually.

Mayor Roberts stated that the Commission has reviewed signage code a lot in the recent past and he does not think they are done yet. Commissioner Little asked if it would be by the end of the year. Mayor Roberts said do not be surprised if it is not before then. Commissioner Lebakken stated cemetery signage would be another sign that should be considered. Ms. Crow stated residential signage has not been addressed yet.

Commissioner Crooks moved to close the public hearing. Commissioner Lebakken seconded the motion. The public hearing was closed, 3-0.

**10. CONSIDER UNIFIED DEVELOPMENT CODE AMENDMENTS APPLICATION UDCA2021-01 FOR AMENDMENTS TO ARTICLE 5, SECTION 5.2(P) – L-P LOGISTICS PARK DISTRICT – SIGNAGE, CONTINUED FROM JULY 13, 2021, AND UNIFIED DEVELOPMENT CODE AMENDMENTS APPLICATION UDCA2021-02 FOR AMENDMENTS TO ARTICLE 12 – SIGN REGULATIONS OF THE EDGERTON UNIFIED DEVELOPMENT CODE**

Commissioner Crooks moved to recommend approval of the amendments to the UDC outlined in Application UDCA2021-01 and Application UDCA2021-02 and as discussed during the public hearings to be reviewed by the City Attorney. Commissioner Lebakken seconded the motion. Applications UDCA2021-01 and UDCA2021-02 were recommended for approval, 4-0.

## ORDINANCE NO. 2092

AN ORDINANCE RESTATING ARTICLE 12 – SIGN REGULATIONS OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF EDGERTON, KANSAS TO UPDATE CERTAIN SECTIONS AND INCLUDE SIGNAGE REGULATIONS FOR L-P DISTRICT ZONING DESIGNATIONS, AS AMENDED, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH.

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

**SECTION 1.** Article 12 - Sign Regulations, of the Unified Development Code of the City of Edgerton, Kansas, which reads as follows, is hereby restated to amend certain sections and include signage regulations for L-P District zoning designations, as amended, as follows:

### **Article 12 Sign Regulations**

|               |                                    |
|---------------|------------------------------------|
| Section 12.1  | Intent and Purpose                 |
| Section 12.2  | Applicability                      |
| Section 12.3  | Permits                            |
| Section 12.4  | Exemptions                         |
| Section 12.5  | Prohibited Signs                   |
| Section 12.6  | Nonconforming Signs                |
| Section 12.7  | General Restrictions               |
| Section 12.8  | Design, Material, and Construction |
| Section 12.9  | Special Sign Regulations           |
| Section 12.10 | Severability and Substitution      |
| Section 12.11 | Sign Terminology and Definitions   |
| Section 12.12 | Permitted Signs                    |

**12.1 Intent and Purpose.** The Edgerton Governing Body and the Planning Commission finds that an unregulated proliferation of signs results in visual clutter, is harmful to aesthetics and property values, contributes to traffic hazards, and is not productive to the goals of community development. It is the intent and purpose of this section to establish a level of visual quality for signs by limiting the type, place, size, manner, height and materials of signs and advertising devices in the City of Edgerton. This section provides minimum standards to insure traffic safety; safeguard life, health and property values; provide guidelines for the maintenance of signs; reduce distractions and obstructions by signs that would adversely affect traffic safety, and to alleviate hazards caused by signs projecting over or encroaching upon public ways; ensure that signs provide orientation and adequately identify new uses and activities; and, preserve or enhance small town character by encouraging new and replacement signage that is:

- A. Conducive to Public Safety
- B. Creative and distinctive
- C. Compatible with the surroundings;
- D. Appropriate to the general type of activity to which it pertains;
- E. Expressive of the identity of individual persons and entities; and
- F. Appropriately sized in its context.



**12.2 Applicability.** No sign may be erected, placed, painted, established, or maintained in the City of Edgerton except in conformance with the standards, exemptions and procedures set forth in this Article. Specifically, this section is intended to:

- A. Establish a permit system to allow various types of signs, subject to the standards and permit procedures contained herein;
- B. Allow certain signs that are unobtrusive and incidental to the principal use of land;
- C. Prohibit all signs not expressly permitted by this Article;
- D. Provide for the enforcement of these provisions.

**12.3 Permits.** Unless exempted by this Article, it shall be unlawful for any person to erect, construct, alter, relocate or convert any sign or advertising device (as defined in this section) without first obtaining a sign permit.

An application for a sign permit shall be made on the appropriate form provided by the Zoning Administrator and shall include the following at time of submission:

- A. Two sets of plans drawn to scale, indicating the sign location, size, type, materials of both sign and structure if applicable, method of illumination, colors, method of attachment and general layout are required with the application. Plans should include showing the sign location in relation to nearby buildings or structures, existing signs, property lines, driveways, public streets, fences, and sidewalks.
- B. A Sign Fee, established within the Fee Schedule for the Unified Development Code, shall be submitted with the sign application.
- C. Upon initial review of the sign permit application and materials, the Zoning Administrator may require additional information to demonstrate compliance with this section.
- D. If submitted as part of a Site Plan approval, the sign shall be designed in accordance with these regulations and all items listed in A through C above shall be included with the Site Plan submission.
- E. Approval of a sign permit does not authorize the maintenance of an unlawful sign and does not constitute a defense in an action to abate an unlawful sign.
- F. Once approved by the Zoning Administrator, any changes to the approved sign design must be resubmitted for approval to ensure compliance with these regulations.
- G. If the work authorized under a sign permit has not been completed within ninety (90) days after issuance, the said permit shall become null and void.

**12.4 Exemptions.** The followings signs and devices shall be exempt from the provisions of this Article:

- A. Official signs erected by a city, or county, State of Kansas, or the federal government.
- B. Signs erected for public information, safety or direction by any utility, governmental authority, or public service district.

**12.5 Prohibited Signs.**

- A. No sign shall be erected in any location where, by reason of position, location, shape, or color, it interferes with or obstructs the view of pedestrian or vehicular traffic.
- B. A sign that is an attention/attraction that rotates or is animated, or consists of pennants, ribbons, streamers, sheets, spinners, or other moving device not specifically allowed by these resolutions - except for use as a Temporary Sign.

- C. Any sign which may be confused with an authorized traffic sign, signal, device, or emergency sign is not allowed.
- D. Pole signs are only allowed as a Conditional Use in the C-2 and C-3 Zoning Districts and are subject to the regulations in Section 12.9 and Article 7.
- E. Any sign (including its enclosing structure) that is located on a building or premises which becomes vacant or unoccupied for a period of six months or more, or any sign which pertains to time, event, or purpose which no longer applies, or exists shall be deemed to be abandoned. An abandoned sign shall be removed by its owner or the owner of the premises within thirty (30) days of notification from the Codes Enforcement Officer and the facade or land area site shall be restored to its normal appearance.
- F. The following specific sign types are not allowed:
  - 1. Roof or rooftop signs;
  - 2. Exterior exposed neon tube signs are not allowed on building exteriors. These types of signs may be used in a window if it meets the defined parameters for the Zoning District;
  - 3. Flashing signs and signs that convey movement;
  - 4. Off-premises signs unless allowed by type in a specific Zoning District;
  - 5. Billboards;
  - 6. Signs with glaring illumination;
  - 7. Any sign mounted on, attached or displayed on a trailer or motor vehicle, whether operable or inoperable that is placed on the premises (this does not apply to trucks, delivery vehicles or other vehicles that are parked on the premises during normal operations or to Temporary Signs which have obtained a sign permit). Signs attached to or upon any motorized vehicle shall be prohibited where any such vehicle is allowed to remain parked in the same location or the same vicinity, at frequent or extended periods of time where the intent is apparent to be one of using the vehicle for signage.
  - 8. Obscene material. Any obscene signs, flags, banners of any type are prohibited. Obscene is defined as any material specifically defined by Kansas Statutes (K.S.A. 21-6401).

**12.6 Nonconforming Signs.** Signs which were erected or established prior to the effective date of this ordinance, and are not in conformance with these regulations, may continue to exist subject to the following conditions:

- A. Such sign shall not be structurally altered or moved unless the altered sign conforms to these regulations. However, the sign may be maintained and repaired, and the display may be changed provided it is not larger in area than the existing signage.
- B. If any nonconforming sign is abandoned for a period of sixty (60) days, it must be removed from the premise. Any replacement sign shall be in conformance with these regulations.
- C. Any nonconforming sign that has been damaged by fire, wind, explosion or other means to the extent that fifty percent (50%) or more of the sign has been destroyed shall be restored or rebuilt in conformance with the sign regulations. Any sign destroyed less than fifty percent (50%) may be restored or rebuilt to its condition prior to its damage.
- D. Such sign is not in violation of any state or federal law or regulation.

However, this exemption does not extend to signs which were erected in violation of the provisions of the UDC at the time at which the sign was erected.

## **12.7 General Restrictions**

- A. All signs and sign support structures, together with all of their supports, braces, guys and anchors, shall be well-maintained, be of safe and sound structural condition and in compliance with all applicable provisions of the building codes of the City of Edgerton. All signs must have a clean and neat appearance. The land adjacent to signage located on the ground shall be kept free from weeds and trash. If signs are not being maintained as described, the City may order that the sign be removed.
- B. No sign shall be attached to any tree, fence, or utility pole, except signs issued or properly posted by a utility, public authority, or agency of government.
- C. No sign shall be erected or allow to project into a public right-of-way or on a public easement.
- D. No sign shall be located as to obstruct the vision or sight distance of vehicle operators or pedestrians at any intersection or street crossing. In order to maintain visual clearance and sight distance for vehicle operators and pedestrians, the following is required:
  - 1. A 20 foot by 20 foot Visibility Triangle shall be provided.
  - 2. A sign in direct line of vision of any signal light, traffic control sign, or any other such device from any point in a moving traffic lane must be at least fifty (50) feet from such device, unless the Director of Public Works, or designee, approves the placement of such sign.
- E. No private sign shall be erected or maintained on public property without express permission of the Governing Body.
- F. If the Codes Enforcement Officer finds that any sign or advertising device is unsafe or in disrepair he/she shall notify the property owner in writing. The owner shall immediately remove or repair the sign to bring it into compliance and/or make it safe. If the owner fails to remove or repair the sign within 10 days, the City may bring a nuisance action, or any others means of enforcement to compel the owner to remove or repair such sign.
- G. No sign shall be constructed nearer than three (3) feet from any public or private underground utilities. No ground sign or accessories to such sign shall be located within ten (10) feet vertically and six (6) feet horizontally of any overhead lines, whether or not such wires or conductors are insulated or otherwise protected.
- H. Any sign installed or placed on public property, except in conformance with the requirements of these regulations, shall be forfeited to the public and subject to confiscation. In addition to other remedies hereunder, the city shall have the right to recover from the owner or person placing such a sign, the full costs of removal and disposal of such sign.

## **12.8 Design, Material, and Construction.**

### **A. Design.**

- 1. Sign Area - In determining the area of a sign face, the following is applicable:
  - a. The sign face includes the advertising surface and any framing, trim, molding, cabinet, panel or any visually or architecturally distinct area enclosing the copy, logo and any other graphic component of the sign.
  - b. Where individual letters or graphics are used, and no distinct enclosed are is present, the sign face is the rectangle, box, circle, or other regular geometric shape, or combinations thereof, enclosing the letters, logo or other graphic elements.

- c. If a sign is composed of letters only, with no connection by the advertising structure between the letters, the copy area shall be determined by measuring the distance from the outside edges of the outside letters and from the top of the largest letter to the bottom of the lowest letter. If one letter is unequally large or small in comparison to the other letters composing the sign, the unequal letter shall be square off, the remaining letters shall be measured from the outside edges and the two areas added together for a total copy area determination.
  - d. The area of all signage (wall, window, awning, etc.) on one building (standalone or multitenant) shall not exceed ten (10) percent of the wall area of the wall façade on which multiple signs are located.
  - e. The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. When two identical sign faces are placed back to back, so that both faces cannot be viewed from any point at the same time, and when such sign faces are substantially similar and are part of the same sign structure, the sign area shall be computed by the measurement of one of the faces.
2. Monument Signs - Design standards for all monument signs are as follows and are in addition to the specific requirements outlined by Zoning District in Tables 12-1 through 12-7:
- a. Base & Support Structure
    - i. Monument sign must be built on a solid base.
    - ii. Monument signs shall incorporate a supporting base that is a minimum of 50 percent of the width of the monument at its widest point.
    - iii. The base and support structure shall not exceed the sign face area by more than 10 percent.
    - iv. Base must be faced with appropriate materials (natural flagstone, rock, stone, river rock, brick, etc.) designed to match the look of associated buildings in texture and color.
    - v. Architectural elements should be provided on the top and/or sides of the sign.
  - b. Sign Face
    - i. The sign face area of a monument sign shall include the sign panel but not the sign base on which it is mounted.
    - ii. Each side of a double-faced monument sign is limited to the maximum allowable sign area.
    - iii. Cabinet-type signs with translucent panels or panels with reflective surfaces, including but not limited to acrylic fiberglass, plastic, or metal or channel letter signs with translucent backlit panels are prohibited.
    - iv. Artistic elements to the sign may include small areas of translucent, backlit surfaces that exceed no more than 5% of the total sign face.
    - v. Sign face shall provide individually cut letters including channel letter signs (may be Halo lit); stenciled panels with three-dimensional push-through graphics; cast letters and logos; case metal; or engraved.
    - vi. Background of Sign face is encouraged to be comprised of natural design materials that are compatible with the building façade.
    - vii. Electrical transformer boxes and raceways shall be concealed from public view.
    - viii. The use of external lighting sources is permitted. External lighting shall

be designed so that the light source is directed away or shielded from passersby, adjacent properties and motorists.

c. Landscaping

- i. The base of a monument sign shall be softened with landscaping sufficient to cover an area extending not less than 2.5 feet around the base of the sign.
- ii. The applicant shall designate the area and the type of plantings in the sign permit application.
- iii. Said landscaping shall not obstruct the sign face.

B. Material. Except for Flags, Temporary and Window signs, all permanent signs shall be constructed of permanent materials supported by the ground, attached to a building, or affixed to another structure. Permanent Signs may be constructed from acrylic, fiberglass, plastic, DiBond, polycarbonate, marine grade plywood (MDO), redwood, aluminum, aluminum composite materials (ACM), plastic, metal, masonry materials, glass, tile, and/or other similar materials. Flags or Temporary signs may be constructed of sturdy fabric, canvas or vinyl. Window signs may be constructed of any of the above materials, or paper products.

C. Construction.

1. All illuminated signs shall be internally or indirectly illuminated. Neon tubes, incandescent bulbs, fluorescent tubes, and other sources of direct illumination that are exposed to the human eye are not permitted. Indirect illumination shall be directed away from pedestrian walkways and shall not shine into adjacent property or cause glare for motorists or pedestrians.
2. All internally illuminated signs in residential districts shall be designed in such a way that light is reflected or directed away from any residential dwelling. (Ord. 827; 2007)
3. All signs shall comply with all other Codes in effect relating to design, structural members and connections. An electrical permit is required for illuminated signage.
4. Where ground is uneven or sloped the allowed height of the sign shall be measured from the average between the highest and lowest grades of the area where the sign is to be installed.
5. When applicable, utility locates must be requested and marked prior to sign installation.
6. Signs in excess of fifty (50) square feet and/or taller than ten (10) feet in height shall be designed by a structural engineer registered in the State of Kansas. These signs shall be constructed to withstand a minimum wind load of thirty (30) pounds per square foot and a minimum dead load as required by the adopted building code. Other signage, at the discretion of the Building Official, may require plans to be prepared by a registered professional engineer. The original signature of the engineer is required and said engineer shall be certified by the State of Kansas.

D. Computation of Height – The height of a sign shall be computed as the mean distance from the base(s) of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of existing grade prior to construction or the new established grade after construction, exclusive of any filling, berming, mounding or excavating solely for the purpose of locating the sign.

## 12.9 Special Sign Regulations

- A. Where person or entity (a “sub-tenant”) leases space and conducts business within another person or entity (the “primary tenant”), but does not have an exterior business façade or an exterior door leading to their sub-tenant space, one wall sign is permitted for the sub-tenant provided the sub-tenant is a separate legal entity and not a department, division or subsidiary of the primary tenant and the total area for all the signs does not exceed the total allowable sign area. This section does not apply to enclosed shopping malls.
- B. Where any person or entity has an establishment located in a building and such person or entity has departments which may or may not have an exterior façade or door, such person or entity may have an additional two signs for individual departments provided the total area for all signs does not exceed the total allowable sign area for wall signage (10% as determined by Section 12.8(1d)).
- C. The transfer of sign rights is permitted only in the C-1, C-2 and C-3 Zoning Districts and shall be governed by the following:
  - 1. A use that does not front on a main road may transfer monument signage rights to property located on a main or frontage road.
  - 2. Multiple uses on one-site may transfer all or part of their monument or wall sign rights to a single on-site monument or kiosk sign.

## 12.10 Severability and Substitution

- A. Severability. If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term or word in this Article is declared invalid, such invalidity shall not affect the validity or enforceability of the remaining portions of this Article or this Code.
- B. Substitution. Signs containing non-commercial speech are permitted anywhere that advertising or business signs are permitted, subject to the same regulations applicable to business signs.

## 12.11 Sign Terminology and Definitions. The following definitions shall be used to classify the type, shape and use of all signs in the City of Edgerton.

- A. **Abandoned Sign.** A sign, including the base, structure, pole or any other part, which no longer contains a message regarding the location of the premises on which the sign is located or regarding the activity conducted on the premises to which the sign refers.
- B. **Awning Sign.** A non-illuminated sign, painted on or attached to an awning. Only individual letters and/or logos may be painted, stenciled, or otherwise placed on these devices.
- C. **Banner Sign.** A sign made of a flexible, sturdy material and affixed to a structure, pole, line, or framing. This definition does not include official flags of any nation, county, municipalities, and national or internationally recognized nonprofit organizations.
- D. **Billboard Sign.** A freestanding outdoor advertising structure, on or off site, which advertises a product or service or relays a message to the public with a per face area greater than two hundred (200) square feet.
- E. **Blade (Projecting) Sign.** A sign extending from the face of the building to which it is attached, usually at a right angle.

- F. **Changeable Copy Sign.** A sign capable of displaying words, symbols, figures or images that can be electronically or mechanically controlled remotely or automatically.
- G. **External Directional Sign.** A sign adjacent to the driveway of the site that is used to direct traffic *onto* the site.
- H. **Flag.** A piece of cloth, varying in size, shape, color, and design, usually attached at one edge to a pole or staff, and used as the symbol of a nation, state, or organization.
- I. **Freestanding Canopy Façade Sign.** A sign placed on the canopy façade of a free-standing canopy. It may contain logo or word copy but is restricted to size requirements listed in the specific Zoning District.
- J. **Glaring Illumination.** Light of such brilliance and so positioned as to blind or impair the vision or affect the aesthetic value of the area.
- K. **Highway Adjacent Monument Sign.** A monument style sign which is allowed on parcels which are within close proximity to an interstate highway where a minimum of fifty (50) percent of the parcel is within 1) 800 ft. of the centerline of the highway or 2) 500 ft. of the right of way of the highway (whichever is less).
- L. **Institutional sign.** A sign identifying a club, association, school, hospital, church, fire station, cemetery or any other entity or facility.
- M. **Kiosk.** A free-standing sign monument sign designed to provide advertising space for two or more entities, activities or businesses on a single premises or group of contiguous premises. Signs are framed in a metal structure that is permanently affixed to the ground by means of a base. Individual removable sign panels within the metal frame are to be maintained with current tenant information.
- N. **Illumination.** (Internal) An internally-illuminated sign is one with the light source concealed or contained within the sign face itself, and which becomes visible in darkness by shining through a surface. (External) A sign illuminated by lights attached to the sign or placed on the ground or building.
- O. **Internal Directional Sign.** A sign located on-premise which helps direct traffic flow *within* the site.
- P. **Monument Sign.** A free-standing sign, independent of the building it serves, supported by a base constructed of materials consistent with said building. No poles or posts are visible. May be constructed of wood, synthetic materials, masonry or stone. The sign bottom is attached directly and permanently to the ground on a base while physically separated from any other structure. For purposes of this Article, the maximum height limit is measured from the natural or average grade.
- Q. **Off-premises Sign.** A sign which displays any message directing attention to a business, product, service, profession, commodity, person, event, institution or other matter or entity that is not at or offered on premises.
- R. **On-premises Sign.** A sign which displays any message directing attention to a business, product, service, profession, commodity, person, event, institution or other matter or entity that is at or offered on premises.
- S. **On-site Identification Sign.** A sign giving the name and address of a building or location which may include a recognized logo or symbol.

- T. **Parked Vehicle Service Sign.** A sign adjacent to parked vehicle stalls in a parking area.
- U. **Permanent Sign.** Any wall, monument, or other sign that is fixed, lasting, stable, enduring, not subject to change, and intended to remain for an indefinite period of time.
- V. **Pole Sign.** A sign that is permanently supported in a fixed location by a structure of poles, posts or braces from the ground and is not supported by a building or base.
- W. **Portable Device.** Any instrument designed to temporarily draw attention to a business and is not permanently affixed into the ground or a structure. Examples include, but are not limited to, spotlights and inflatables of any kind.
- X. **Portable Sign.** A sign not designed or intended to be permanently affixed into the ground or to a structure.
- Y. **Post Sign.** A temporary sign constructed of sturdy materials which may be used on an unplatted or undeveloped site.
- Z. **Projecting (Blade) Sign.** A sign extending from the face of the building to which it is attached, usually at a right angle.
- AA. **Public Way or Right-of-Way.** Any way designed for vehicular or pedestrian use and is maintained with public funds.
- BB. **Roof Sign.** A sign erected, constructed or maintained on the roof of building, but does not include a sign on the parapet of a building.
- CC. **Safety Control Signs.** Warning, control, traffic, or required public safety signs.
- DD. **Sign.** A sign is an object, device, or structure, or part thereof other than a flag, situated outdoors, visible from a public way, which is used to display a message, by any means including words, letters, figures, design, symbols, fixtures, colors, illuminations or projected images. Each substantially different face of a sign shall constitute a separate sign.
- EE. **Sign Area.** The facing of a sign, including copy, insignia, background, and borders.
- FF. **Signable Area.** The signable area of a building is the square footage of each building façade where signage would be allowed.
- GG. **Sign Panel.** An individual sign placard displaying directional information on a kiosk sign.
- HH. **Sign Setback.** The spacing between a sign and a lot line or two (2) signs. The distance is measured horizontally from a vertical plane at the outer extremity of each sign.
- II. **Subdivision Sign.** A monument sign identifying a subdivision located in a residential zoning district.
- JJ. **Temporary Sign.** Any sign that is not intended to remain on the premises on which it is located, on a permanent basis. A temporary sign may be displayed for no more than two, (14) day-periods within any calendar year.
- KK. **Vehicle Drive Lane Sign.** A sign adjacent to a drive lane used to convey a message to the vehicle driver. May contain an auditory speaker.



- LL. **Vehicle Drive Lane Accessory Sign.** A sign adjacent to a drive lane. May not be placed within 15 feet of a Vehicle Drive Lane Sign.
- MM. **Yard Sign.** A temporary sign constructed of plastic with a metal frame, that is not intended to remain on the premises on which it is located on a permanent basis.
- NN. **Wall Sign.** A sign painted or constructed and placed in the signable area of a building and attached to the exterior surface of a wall and does not project more than twelve (12) inches from said wall or project above the top of the wall on which it is attached or displayed.
- OO. **Wall Sign – Accessory Building.** (for accessory structure) A sign placed on the wall of an accessory building that gives information about the activity within the building or gives directions to another area.
- PP. **Window Sign.** A sign or graphic that is affixed, etched, or painted on the interior side of a window, or a sign made of other materials that is permanently affixed to the interior of a window.

**12.12 Permitted Signs.** The following tables outline permitted signage for all zoning districts as indicated.

**A. Table 12-1 Signs Permitted in All Districts.**

| Permitted Signs in All Districts       |          |             |       |                                  |             |            |  |
|--|----------|-------------|-------|----------------------------------|-------------|------------|--|
| Type                                   | Max Size | Max Ht (ft) | Max # | Min Set-back                     | Permit Req. | Illum Type | Notes  |
| Real estate                            | exempt   | exempt      |       | Not located in the right of way. | no          | none       |  |
| Political                              | exempt   | exempt      |       | Not located in the right of way. | no          | none       | Not located on public property                                       |
| Lots for sale                          | exempt   | exempt      |       | Not located in the right of way. | no          | none       | On-site signs only   |
| Auction                                | exempt   | exempt      |       | Not located in the right of way. | no          | none       | On-site and off site signs   |
| Construction                           | exempt   | exempt      |       | Not located in the right of way. | no          | none       | Repairs, contractors or builders                                     |
| Special events at commercial locations |          |             |       | Not located in the right of way. | yes         | none       | Grand openings, sales, promotions or similar signs - 30 days maximum |

| Permitted Signs in All Districts             |            |             |       |                                  |             |            |  |
|--|------------|-------------|-------|----------------------------------|-------------|------------|--|
| Type   | Max Size   | Max Ht (ft) | Max # | Min Set-back                     | Permit Req. | Illum Type | Notes  |
| Special events - public, private, charitable | exempt     | exempt      |       | Not located in the right of way. | no          | none       | Rallies, picnics, fairs, festivals, displays, promotions |
| Future building site                         | 20 sq. ft. | 8 ft.       |       | Not located in the right of way  | yes         | none       | Announces future building project Monument style only    |
| Day care or adult care                       | 20 sq. ft. | 6 ft.       |       | Not located in the right of way  | yes         | none       | Monument style, ground style or wall                     |

**B. Table 12-2 Signs Permitted in Residential Districts.**

| Permitted Signs in R-1, Single Family Residential Districts |                                     |             |        |  |             |   |  |
|---|-------------------------------------|-------------|--------|--|-------------|---|--|
| Type  | Max Size                            | Max Ht (ft) | Max #. | Min Setback  | Permit Req. | Illum Type  | Notes  |
| Home Occupations  | 8 sq. ft. and 2 x 3 ft. on building | 6 ft.       | 2      | 2 required yard setback  | yes         | external  | Monument or ground style and a sign attached to building |
| Institutional   | 36 sq. ft.                          | 6 ft.       | 1      | Not located in the right of way. and cannot create a traffic hazard. | yes         | external or internal (must reflect or direct light away from residential dwellings) | Monument only  |

## Permitted Signs in R-1, Single Family Residential Districts

| Type             | Max Size   | Max Ht (ft) | Max #. | Min Setback  | Permit Req. | Illum Type | Notes         |
|------------------|------------|-------------|--------|--|-------------|------------|---------------|
| Subdivision name | 16 sq. ft. | 6 ft.       | 1      | Not located in the right of way. and cannot create a traffic hazard. | yes         | external   | Monument only |

## R-2 & R-3, Multi-Family Residential District & MHP

| Type   | Max Size                            | Max Ht (ft)  | Max #. | Min Setback   | Permit Req. | Illum Type  | Notes   |
|--|-------------------------------------|--------------|--------|---|-------------|---|---|
| Name plate for building                      | 4 sq. ft.                           | Per building |        |   | no          |   | per building  |
| Place name - gives name of apartment complex | 24 sq. ft.                          | 6 ft.        | 1      | Not located in the right of way. and cannot create a traffic hazard | yes         | external  | Monument or ground style only - name of apartment complex |
| Home Occupation                              | 8 sq. ft. and 2 x 3 ft. on building | 6 ft.        | 2      | 2 required yard setback   | yes         | external  | Monument or ground style and a sign attached to building  |
| Institutional                                | 36 sq. ft.                          | 6 ft.        | 1      | Not located in the right of way. and cannot create a traffic hazard | yes         | external or internal (must reflect or direct light away from residential dwellings) | Monument only   |

|                |            |       |   |   |     |          |                          |
|----------------|------------|-------|---|---|-----|----------|--------------------------|
| <b>MH Park</b> | 16 sq. ft. | 8 ft. | 1 | Not located in the right of way. and cannot create a traffic hazard | yes | external | Monument or ground style |
|----------------|------------|-------|---|---|-----|----------|--------------------------|

| <b>Planned Unit Development Districts</b> |           |             |           |   |             |            |  |
|---|-----------|-------------|-----------|---|-------------|------------|--|
| Type                                      | Max Size  | Max Ht (ft) | Max #.    | Min Setback   | Permit Req. | Illum Type | Notes  |
| <b>All Permanent Signs</b>                | By review | By review   | By review | Not located in the right of way. and cannot create a traffic hazard | yes         | By review  | All permanent signs in a PUD are approved during the review of the preliminary and final plans |

**C. Table 12-3 Signs Permitted in Commercial Districts – CD, C1, C2, C3**

| <b>Permitted Signs in CD- Downtown Commercial District</b> |                |  |   |            |                                    |                 |  |  |
|--|----------------|--|---|------------|------------------------------------|-----------------|--|--|
| Type   | Perm. Or Temp. | Max. Size  | Max Height (ft.)                            | Max #      | Min. Set-back                      | Permit Required | Illum. Type  | Notes  |
| <b>Awning</b>  | Permanent      | Graphic text cannot exceed 30% of the total exterior surface area of the awning;<br><br>If side panels are provided they may not carry text or images greater than | N/A – sign coverage limited to awning face. | See notes. | May not protrude from awning face. | Yes             | Decorative downlights above awning only;<br><br>No illumination allowed on awning. | One sign face per window or door opening as allowed by district design standards;<br><br>When multiple awnings occur in a row on a building side, every other awning surface should be left free of sign graphics or text;<br><br>The square footage of the text and graphics on an awning |

## Permitted Signs in CD- Downtown Commercial District

| Type                                    | Perm. Or Temp. | Max. Size  | Max Height (ft.)   | Max #   | Min. Set-back  | Permit Required | Illum. Type  | Notes  |
|---|----------------|--|--|---|--|-----------------|--|--|
|   |                | 20% of the awning panel area;<br><br>Text and graphics on a valance shall not be larger than 8 inches in height. |  |   |  |                 |  | surface or valance count toward the total allowed square footage for a wall sign at the same location.                 |
| <b>Blade Sign (AKA Projection Sign)</b> | Permanent      | 12 sq. ft. in area per side; may have two sign faces.  | Shall maintain not less than 8 ft. clearance between the bottom of the sign and the finished grade;<br><br>May not extend more than 2 ft. above the building parapet/roofline. | 1   | May not extend more than 3 ft. from the wall façade or into public right of way. | Yes             | Internal illumination only.  | May only be placed on a front façade;<br><br>May not be used in conjunction with a wall sign.                          |
| <b>Monument Sign</b>                    | Permanent      | 36 sq. ft. in area per sign face; may be single or double faced.   | 6 ft. from natural grade or average grade including base.  | 1 per principal building per street frontage. | 7 ft. setback from property lines.   | Yes             | Light source may be internal or external; if external, it must be directed away or shielded from passersby, adjacent properties and motorists. | See Section 12.8 for design details regarding Monument Signs.  |
| <b>Wall Sign</b>                        | Permanent      | On a standalone building or a multi-tenant complex, the total area of the  | Wall height; may not extend past roofline or parapet.  | 1 per front or side of building facing a      | N/A – may not protrude off of wall of building.                                  | Yes             | External or internal illumination; decorative downlights   | If a tenant is part of a multi-tenant complex, each tenant shall be allowed one (1) wall sign no greater than ten (10) |

## Permitted Signs in CD- Downtown Commercial District

| Type                                    | Perm. Or Temp. | Max. Size   | Max Height (ft.)                           | Max #   | Min. Set-back                                   | Permit Required | Illum. Type  | Notes  |
|---|----------------|---|--|---|---|-----------------|--|--|
|   |                | wall sign shall be one and a half square feet of sign area for each one foot of linear footage of the building façade facing the street.                                |  | street up to a total of 3 maximum; may not be placed on rear of building. |   |                 | required for external illumination; must be directed away or shielded from passersby, adjacent properties and motorists. | percent of the tenant wall area upon which the sign is placed.<br><br>Corner tenant spaces will be allowed one (1) additional wall sign no greater than ten (10) percent of the wall area upon which it is placed so that one may be placed on each side of a corner façade.<br><br>Signs facing the rear of a building are prohibited.<br><br>See section 12.8 for calculation of sign area parameters. |
| <b>Wall sign for Accessory Building</b> | Permanent      | 16 sq. ft in area   | Wall height; may not extend past roofline. | 1   | N/A – may not protrude off of wall of building. | No              | External only; must be directed away or shielded from passersby, adjacent properties and motorists.                      | 1 sign per accessory building; must be constructed out of permanent material.  |
| <b>Window sign</b>                      | Permanent      | 1 per window not to exceed 10% of total glass area unless no wall sign is provided;<br><br>If no wall sign is provided then window sign can be 20% of total glass area. | Within window confines                     | 1   | N/A   | No              | External or internal   | Sign may be painted or etched on glass – must be on interior surface of window;<br><br>Sign made from materials (not etched or painted on glass) must be hung inside;<br>Neon signs may be used as a window sign and may encompass 25% of total glass area as long as no other window signage is present.  |

## Permitted Signs in C-1 - General Commercial District

| Type                                    | Perm. Or Temp. | Max. Size  | Max Height (ft.)  | Max #                   | Min. Set-back  | Permit Required | Illum. Type   | Notes  |
|---|----------------|--|---|-------------------------|--|-----------------|---|--|
| <b>Awning</b>                           | Permanent      | <p>Graphic text cannot exceed 30% of the total exterior surface area of the awning;</p> <p>If side panels are provided they may not carry text or images greater than 20% of the awning panel area;</p> <p>Text and graphics on a valance shall not be larger than 8 inches in height.</p> | N/A – sign coverage limited to awning face.   | See notes.              | May not protrude from awning face.   | Yes             | <p>Decorative downlights above awning only;</p> <p>No illumination allowed on awning.</p> | <p>One sign face per window or door opening as allowed by district design standards.</p> <p>When multiple awnings occur in a row on a building side, every other awning surface should be left free of sign graphics or text;</p> <p>The square footage of the text and graphics on an awning surface or valance count toward the total allowed square footage for a wall sign at the same location.</p> |
| <b>Blade Sign (AKA Projection Sign)</b> | Permanent      | 12 sq. ft. in area per side; may have two sign faces.  | <p>Shall maintain not less than 8 ft. clearance between the bottom of the sign and the finished grade;</p> <p>May not extend more than 2 ft. above the building parapet/roofline.</p> | 1                       | May not extend more than 3 ft. from the wall façade or into public right of way. | Yes             | Internal illumination only.   | <p>May only be placed on a front façade;</p> <p>May not be used in conjunction with a wall sign.</p>   |
| <b>Flags</b>                            | Permanent      | No single flag shall exceed 40 sq. ft. in area.  | 35 ft. above finished grade.  | 3 per development site. | Must meet Zoning District requirements.  | No              | External illumination required if flag is to fly at night; light source must be           |  |



## Permitted Signs in C-1 - General Commercial District

| Type   | Perm. Or Temp. | Max. Size  | Max Height (ft.)                            | Max #                                  | Min. Set-back   | Permit Required | Illum. Type  | Notes   |
|--|----------------|--|---|--|---|-----------------|--|---|
|  |                |  |   |  |   |                 | directed away or shielded from passersby, adjacent properties and motorists. |   |
| <b>Freestanding Canopy Façade Sign</b>           | Permanent      | Sign area shall not exceed 10 (ten) percent of the canopy façade where sign is placed. | Cannot extend above canopy façade roofline. | 1 per side facing public right of way. | Depth of content cannot extend a depth of more than 6 inches.                         | Yes             | Internal only.   | Pertains to canopies for drive-through facilities.  |
| <b>Interstate/Highway Adjacent Monument Sign</b> | Permanent      | Area per face shall not exceed 200 sq. ft., maximum two faces permitted.               | 30 ft. above the natural or average grade   | 1 per parcel                           | Shall not be closer than 30 ft. of all property lines or located within any easement. | Yes             | Internal Only  | <p>May contain a changeable copy sign;</p> <p>No flashing, intermittent or moving lights; LED signs must display image for at least 8 seconds;</p> <p>Changeable copy content and logo are used to calculate total sq. ft. when calculating maximum sq. ft. per sign side;</p> <p>Allowed if a minimum of 50% of the site is within 800 ft. of the centerline or 500 ft. of the right of way (whichever is less) of an Interstate or Highway.</p> <p>The width of the base of the sign shall not be less than 20% of the width of the sign face or more than 60% of the width of the sign face.</p> |

## Permitted Signs in C-1 - General Commercial District

| Type                               | Perm. Or Temp. | Max. Size  | Max Height (ft.)   | Max #   | Min. Set-back                       | Permit Required | Illum. Type  | Notes  |
|------------------------------------|----------------|--|--|---|-------------------------------------|-----------------|--|--|
|                                    |                |  |  |   |                                     |                 |  | Landscaping such as flowering trees, shrubs and bushes shall be provided around the base of the sign as approved.<br><br>See Section 12.8 for design details regarding Monument Signs.   |
| <b>Monument Sign</b>               | Permanent      | .5 sq. ft. in area per linear foot of street frontage;<br><br>Maximum of 120 sq. ft. in area per sign face; may be single or double faced. | 10 ft. from natural grade or average grade including base. | 1 per principal building per street frontage. | 12 ft. setback from property lines. | Yes             | Light source may be internal or external; if external, it must be directed away or shielded from passersby, adjacent properties and motorists. | May contain a changeable copy sign;<br><br>No flashing, intermittent or moving lights; LED signs must display image for at least 8 seconds;<br><br>Changeable copy content and logo are used to calculate total sq. ft. when calculating maximum sq. ft. per sign side;<br><br>See Section 12.8 for design details regarding Monument Signs. |
| <b>On-Site Identification Sign</b> | Permanent      | 4 sq. ft. in area per face; may be double faced.   | 4 ft.  | 1 per site or driveway entrance.              | Not in right of way.                | Yes             | None allowed.  | Must be constructed of permanent materials;<br><br>May be wall mounted or installed using metal two-inch square posts;<br><br>Wooden posts are not allowed unless they are metal wrapped.  |

## Permitted Signs in C-1 - General Commercial District

| Type                                     | Perm. Or Temp. | Max. Size  | Max Height (ft.) | Max #  | Min. Set-back  | Permit Required | Illum. Type                  | Notes   |
|--|----------------|--|------------------|--|--|-----------------|------------------------------|---|
| <b>Parked Vehicle Service Signs</b>      | Permanent      | 6 sq. ft. in area per face; may be installed back to back. | 6 ft.            | 1 per order station  | Same as parking setback for applicable zoning district.    | Yes             | Internal illumination only.  | May contain visual or auditory communication system.  |
| <b>Vehicle Drive Lane Sign</b>           | Permanent      | 32 sq. feet in area  | 6 ft.            | 1 per drive lane   | Same as parking setback for applicable zoning district.    | Yes             | Internal illumination only.  | <p>May be attached to wall or freestanding;</p> <p>If freestanding, must be built on a solid base that is at least 50% of the width of the sign face;</p> <p>Shall be located along the sides or rear of the building;</p> <p>If visible from a public street, additional landscaping and/or screening is required to screen board from view from public street;</p> <p>Must be constructed to match the aesthetics of the main building including building materials used;</p> <p>May contain visual or auditory communication system.</p> |
| <b>Vehicle Drive Lane Accessory Sign</b> | Permanent      | 15 sq. ft.   | 6 ft.            | <p>1 per drive through lane;</p> <p>Must be separated from any Vehicle Drive Lane Sign</p> | Must be placed within 3 ft. of adjacent drive through lane | Yes             | Internal illumination alone. | <p>May be attached to wall or freestanding;</p> <p>If freestanding, must be built on a solid base that is at least 50% of the width of the sign face;</p>   |

## Permitted Signs in C-1 - General Commercial District

| Type             | Perm. Or Temp. | Max. Size  | Max Height (ft.)                                      | Max #  | Min. Set-back                                   | Permit Required | Illum. Type   | Notes  |
|------------------|----------------|--|---|--|---|-----------------|---|--|
|                  |                |  |   | by at least 15 ft.   |   |                 |   | <p>Shall be located along the sides or rear of the building;</p> <p>If visible from a public street, additional landscaping and/or screening is required to screen board from view from public street.</p> <p>Must be constructed to match the aesthetics of the main building including building materials used.</p>  |
| <b>Wall Sign</b> | Permanent      | On a standalone building or a multi-tenant complex, the total area of the wall sign shall be one and a half square feet of sign area for each one foot of linear footage of the building façade facing the street. | Wall height; may not extend past roofline or parapet. | 1 per front or side of building facing a street up to a total of 3 maximum; may not be placed on rear of building. | N/A – may not protrude off of wall of building. | Yes             | External or internal illumination; decorative downlights required for external illumination; must be directed away or shielded from passersby, adjacent properties and motorists. | <p>If a tenant is part of a multi-tenant complex, each tenant shall be allowed one (1) wall sign no greater than ten (10) percent of the tenant wall area upon which the sign is placed.</p> <p>Corner tenant spaces will be allowed one (1) additional wall sign no greater than ten (10) percent of the wall area upon which it is placed so that one may be placed on each side of a corner façade.</p> <p>Signs facing the rear of a building are prohibited.</p> <p>See section 12.8 for calculation of sign area parameters.</p> |

## Permitted Signs in C-1 - General Commercial District

| Type                                    | Perm. Or Temp. | Max. Size   | Max Height (ft.)                           | Max # | Min. Set-back                                   | Permit Required | Illum. Type   | Notes  |
|---|----------------|---|--|-------|---|-----------------|---|--|
| <b>Wall sign for Accessory Building</b> | Permanent      | 16 sq. ft in area   | Wall height; may not extend past roofline. | 1     | N/A – may not protrude off of wall of building. | No              | External only; must be directed away or shielded from passersby, adjacent properties and motorists. | 1 sign per accessory building; must be constructed out of permanent material.  |
| <b>Window sign</b>                      | Permanent      | 1 per window not to exceed 30% of total glass area unless no wall sign is provided. | Within window confines                     | 1     | N/A   | No              | External or internal  | <p>Sign may be painted or etched on glass – must be on interior surface of window;</p> <p>Sign made from materials (not etched or painted on glass) must be hung inside;</p> <p>Neon signs may be used as a window sign and may encompass 30% of total glass area as long as no other window signage is present.</p> |

## Permitted Signs in C-2 - Heavy Service Commercial District

| Type                                    | Perm. Or Temp. | Max. Size   | Max Height (ft.)  | Max #                   | Min. Set-back  | Permit Required | Illum. Type  | Notes   |
|---|----------------|---|---|-------------------------|--|-----------------|--|---|
| <b>Awning</b>                           | Permanent      | Graphic text cannot exceed 30% of the total exterior surface area of the awning;<br><br>If side panels are provided they may not carry text or images greater than 20% of the awning panel area;<br><br>Text and graphics on a valance shall not be larger than 8 inches in height. | N/A – sign coverage limited to awning face.   | See notes.              | May not protrude from awning face.   | Yes             | Decorative downlights above awning only;<br><br>No illumination allowed on awning.                             | One sign face per window or door opening as allowed by district design standards.<br><br>When multiple awnings occur in a row on a building side, every other awning surface should be left free of sign graphics or text;<br>The square footage of the text and graphics on an awning surface or valance count toward the total allowed square footage for a wall sign at the same location. |
| <b>Blade Sign (AKA Projection Sign)</b> | Permanent      | 12 sq. ft. in area per side; may have two sign faces  | Shall maintain not less than 8 ft. clearance between the bottom of the sign and the finished grade;<br><br>May not extend more than 2 ft. above the building parapet/roofline | 1                       | May not extend more than 3 ft. from the wall façade or into public right of way. | Yes             | Internal illumination only.  | May only be placed on a front façade;<br><br>May not be used in conjunction with a wall sign.   |
| <b>Flags</b>                            | Permanent      | No single flag shall exceed 40 sq. ft. in area.   | 35 ft. above finished grade.  | 3 per development site. | Must meet Zoning District requirements.  | No              | External illumination required if flag is to fly at night; light source must be directed away or shielded from |   |

## Permitted Signs in C-2 - Heavy Service Commercial District

| Type   | Perm. Or Temp. | Max. Size  | Max Height (ft.)                            | Max #                                  | Min. Set-back   | Permit Required | Illum. Type                                   | Notes  |
|--|----------------|--|---|--|---|-----------------|---|--|
|  |                |  |   |  |   |                 | passersby, adjacent properties and motorists. |  |
| <b>Freestanding Canopy Façade Sign</b>           | Permanent      | Sign area shall not exceed 10 (ten) percent of the canopy façade where sign is placed. | Cannot extend above canopy façade roofline. | 1 per side facing public right of way. | Depth of content cannot extend a depth of more than 6 inches.                         | Yes             | Internal only.                                | Pertains to canopies for drive-through facilities.   |
| <b>Interstate/Highway Adjacent Monument Sign</b> | Permanent      | Area per face shall not exceed 200 sq. ft., maximum two faces permitted.               | 30 ft. above the natural or average grade   | 1 per parcel                           | Shall not be closer than 30 ft. of all property lines or located within any easement. | Yes             | Internal Only                                 | <p>Allowed if a minimum of 50% of the site is within 800 ft. of the centerline or 500 ft. of the right of way (whichever is less) of an Interstate or Highway.</p> <p>May contain a changeable copy sign;</p> <p>No flashing, intermittent or moving lights; LED signs must display image for at least 8 seconds;</p> <p>Changeable copy content and logo are used to calculate total sq. ft. when calculating maximum sq. ft. per sign side;</p> <p>The width of the base of the sign shall not be less than 20% of the width of the sign face or more than 60% of the width of the sign face.</p> <p>Landscaping such as flowering trees, shrubs and</p> |

## Permitted Signs in C-2 - Heavy Service Commercial District

| Type                        | Perm. Or Temp. | Max. Size   | Max Height (ft.)  | Max #   | Min. Set-back                       | Permit Required                           | Illum. Type  | Notes  |
|-----------------------------|----------------|---|---|---|-------------------------------------|---|--|--|
|                             |                |   |   |   |                                     |   |  | bushes shall be provided around the base of the sign as approved.<br>See Section 12.8 for design details regarding Monument Signs.   |
| <b>Interstate Pole Sign</b> | Permanent      | 900 sq. ft. in area per sign side which includes total of all individual sign faces; may be single or double sided. | 60 ft. above finished grade of adjacent city roadway to a maximum height of 100 ft. | 1   | 30 ft. setback from property lines. | Yes; Conditional Use Permit also required | Internal illumination only; see notes for changeable copy illumination.            | <p>Allowed in C-2/C-3 District only and also requires a conditional use permit;</p> <p>May contain a changeable copy sign;</p> <p>No flashing, intermittent or moving lights; LED signs must display image for at least 8 seconds;</p> <p>Changeable copy content and logo are used to calculate total sq. ft. when calculating maximum sq. ft. per sign side;</p> <p>Allowed if a minimum of 50% of the site is within 800 ft. of the centerline or 500 ft. of the right of way (whichever is less) of an Interstate.</p> <p>May only be placed on premise.</p> |
| <b>Monument Sign</b>        | Permanent      | .5 sq. ft. in area per linear foot of street frontage;  | 25 ft. from natural grade or average grade including base.                          | 1 per principal building per street frontage. | 30 ft. setback from property lines. | Yes                                       | Light source may be internal or external; if external, it must be directed away or | See Section 12.8 for design details regarding Monument Signs.  |



## Permitted Signs in C-2 - Heavy Service Commercial District

| Type                                | Perm. Or Temp. | Max. Size  | Max Height (ft.) | Max #                            | Min. Set-back   | Permit Required | Illum. Type   | Notes  |
|-------------------------------------|----------------|--|------------------|----------------------------------|---|-----------------|---|--|
|                                     |                | Maximum of 250 sq. ft. in area per sign face; may be single or double faced. |                  |                                  |   |                 | shielded from passersby, adjacent properties and motorists. |  |
| <b>On-Site Identification Sign</b>  | Permanent      | 4 sq. ft. in area per face; may be double faced.                             | 4 ft.            | 1 per site or driveway entrance. | Not in right of way.                                    | Yes             | None allowed.   | <p>Must be constructed of permanent materials;</p> <p>May be wall mounted or installed using metal two-inch square posts;</p> <p>Wooden posts are not allowed unless they are metal wrapped.</p>   |
| <b>Parked Vehicle Service Signs</b> | Permanent      | 6 sq. ft. in area per face; may be installed back to back.                   | 6 ft.            | 1 per order station.             | Same as parking setback for applicable zoning district. | Yes             | Internal illumination only.                                 | May contain visual or auditory communication system.   |
| <b>Vehicle Drive Lane Sign</b>      | Permanent      | 32 sq. feet in area  | 6 ft.            | 1 per drive lane.                | Same as parking setback for applicable zoning district. | Yes             | Internal illumination only.                                 | <p>May be attached to wall or freestanding;</p> <p>If freestanding, must be built on a solid base that is at least 50% of the width of the sign face;</p> <p>Shall be located along the sides or rear of the building;</p> <p>If visible from a public street, additional landscaping and/or screening is required to screen board from view from public street;</p> |

## Permitted Signs in C-2 - Heavy Service Commercial District

| Type                                     | Perm. Or Temp. | Max. Size  | Max Height (ft.)                                      | Max #   | Min. Set-back   | Permit Required | Illum. Type  | Notes   |
|--|----------------|--|---|---|---|-----------------|--|---|
|  |                |  |   |   |   |                 |  | <p>Must be constructed to match the aesthetics of the main building including building materials used;</p> <p>May contain visual or auditory communication system.</p>  |
| <b>Vehicle Drive Lane Accessory Sign</b> | Permanent      | 15 sq. ft.   | 6 ft.   | <p>1 per drive through lane;</p> <p>Must be separated from any Vehicle Drive Lane Sign by at least 15 ft.</p> | <p>Must be placed within 3 ft. of adjacent drive through lane</p> | Yes             | Internal illumination alone.   | <p>May be attached to wall or freestanding;</p> <p>If freestanding, must be built on a solid base that is at least 50% of the width of the sign face;</p> <p>Shall be located along the sides or rear of the building;</p> <p>If visible from a public street, additional landscaping and/or screening is required to screen board from view from public street.</p> <p>Must be constructed to match the aesthetics of the main building including building materials used.</p> |
| <b>Wall Sign</b>                         | Permanent      | On a standalone building or a multi-tenant complex, the total area of the wall sign shall be one and a half square feet of sign area for each one foot of linear | Wall height; may not extend past roofline or parapet. | 1 per front or side of building facing a street up to a total of 3 maximum; may not be placed on              | N/A – may not protrude off of wall of building.                   | Yes             | External or internal illumination; decorative downlights required for external illumination; must be directed away or shielded from passersby, | If a tenant is part of a multi-tenant complex, each tenant shall be allowed one (1) wall sign no greater than ten (10) percent of the tenant wall area upon which the sign is placed.   |

## Permitted Signs in C-2 - Heavy Service Commercial District

| Type                                    | Perm. Or Temp. | Max. Size   | Max Height (ft.)                           | Max #             | Min. Set-back                                   | Permit Required | Illum. Type   | Notes   |
|---|----------------|---|--|-------------------|---|-----------------|---|---|
|   |                | footage of the building façade facing the street.                                   |  | rear of building. |   |                 | adjacent properties and motorists.  | <p>Corner tenant spaces will be allowed one (1) additional wall sign no greater than ten (10) percent of the wall area upon which it is placed so that one may be placed on each side of a corner façade.</p> <p>Signs facing the rear of a building are prohibited.</p> <p>See section 12.8 for calculation of sign area parameters.</p> |
| <b>Wall sign for Accessory Building</b> | Permanent      | 16 sq. ft in area   | Wall height; may not extend past roofline. | 1                 | N/A – may not protrude off of wall of building. | No              | External only; must be directed away or shielded from passersby, adjacent properties and motorists. | 1 sign per accessory building; must be constructed out of permanent material.   |
| <b>Window sign</b>                      | Permanent      | 1 per window not to exceed 30% of total glass area unless no wall sign is provided. | Within window confines                     | 1                 | N/A   | No              | External or internal  | <p>Sign may be painted or etched on glass – must be on interior surface of window;</p> <p>Sign made from materials (not etched or painted on glass) must be hung inside;</p> <p>Neon signs may be used as a window sign and may encompass 30% of total glass</p>  |

## Permitted Signs in C-2 - Heavy Service Commercial District

| Type | Perm. Or Temp. | Max. Size | Max Height (ft.) | Max # | Min. Set-back | Permit Required | Illum. Type | Notes   |
|------|----------------|-----------|------------------|-------|---------------|-----------------|-------------|---|
|      |                |           |                  |       |               |                 |             | area as long as no other window signage is present. |

## Permitted Signs in C-3 - Highway Service Commercial District

| Type                                    | Perm. Or Temp. | Max. Size   | Max Height (ft.)  | Max #      | Min. Set-back  | Permit Required | Illum. Type  | Notes   |
|---|----------------|---|---|------------|--|-----------------|--|---|
| <b>Awning</b>                           | Permanent      | Graphic text cannot exceed 30% of the total exterior surface area of the awning;<br><br>If side panels are provided they may not carry text or images greater than 20% of the awning panel area;<br><br>Text and graphics on a valance shall not be larger than 8 inches in height. | N/A – sign coverage limited to awning face.   | See notes. | May not protrude from awning face.   | Yes             | Decorative downlights above awning only;<br><br>No illumination allowed on awning. | One sign face per window or door opening as allowed by district design standards.<br><br>When multiple awnings occur in a row on a building side, every other awning surface should be left free of sign graphics or text;<br>The square footage of the text and graphics on an awning surface or valance count toward the total allowed square footage for a wall sign at the same location. |
| <b>Blade Sign (AKA Projection Sign)</b> | Permanent      | 12 sq. ft. in area per side; may have two sign faces  | Shall maintain not less than 8 ft. clearance between the bottom of the sign and the finished grade; | 1          | May not extend more than 3 ft. from the wall façade or into public right of way. | Yes             | Internal illumination only.  | May only be placed on a front façade;<br><br>May not be used in conjunction with a wall sign.   |

## Permitted Signs in C-3 - Highway Service Commercial District

| Type   | Perm. Or Temp. | Max. Size  | Max Height (ft.)   | Max #                                  | Min. Set-back   | Permit Required | Illum. Type  | Notes  |
|--|----------------|--|--|--|---|-----------------|--|--|
|  |                |  | May not extend more than 2 ft. above the building parapet/roofline |  |   |                 |  |  |
| <b>Flags</b>                                     | Permanent      | No single flag shall exceed 40 sq. ft. in area.  | 35 ft. above finished grade.                                       | 3 per development site.                | Must meet Zoning District requirements.   | No              | External illumination required if flag is to fly at night; light source must be directed away or shielded from passersby, adjacent properties and motorists. |  |
| <b>Freestanding Canopy Façade Sign</b>           | Permanent      | Sign area shall not exceed 10 (ten) percent of the canopy façade where sign is placed. | Cannot extend above canopy façade roofline.                        | 1 per side facing public right of way. | Depth of content cannot extend a depth of more than 6 inches.                         | Yes             | Internal only.   | Pertains to canopies for drive-through facilities.   |
| <b>Interstate/Highway Adjacent Monument Sign</b> | Permanent      | Area per face shall not exceed 200 sq. ft., maximum two faces permitted.               | 30 ft. above the natural or average grade                          | 1 per parcel                           | Shall not be closer than 30 ft. of all property lines or located within any easement. | Yes             | Internal Only  | Allowed if a minimum of 50% of the site is within 800 ft. of the centerline or 500 ft. of the right of way (whichever is less) of an Interstate or Highway.<br><br>May contain a changeable copy sign;<br><br>No flashing, intermittent or moving lights; LED signs must display image for at least 8 seconds; |

## Permitted Signs in C-3 - Highway Service Commercial District

| Type                        | Perm. Or Temp. | Max. Size   | Max Height (ft.)  | Max # | Min. Set-back                       | Permit Required                           | Illum. Type   | Notes  |
|-----------------------------|----------------|---|---|-------|-------------------------------------|---|---|--|
|                             |                |   |   |       |                                     |   |   | <p>Changeable copy content and logo are used to calculate total sq. ft. when calculating maximum sq. ft. per sign side;</p> <p>The width of the base of the sign shall not be less than 20% of the width of the sign face or more than 60% of the width of the sign face.</p> <p>Landscaping such as flowering trees, shrubs and bushes shall be provided around the base of the sign as approved.<br/>See Section 12.8 for design details regarding Monument Signs.</p> |
| <b>Interstate Pole Sign</b> | Permanent      | 900 sq. ft. in area per sign side which includes total of all individual sign faces; may be single or double sided. | 60 ft. above finished grade of adjacent city roadway to a maximum height of 100 ft. | 1     | 30 ft. setback from property lines. | Yes; Conditional Use Permit also required | Internal illumination only; see notes for changeable copy illumination. | <p>Allowed in C-2/C-3 District only and also requires a conditional use permit;</p> <p>May contain a changeable copy sign;</p> <p>No flashing, intermittent or moving lights; LED signs must display image for at least 8 seconds;</p> <p>Changeable copy content and logo are used to calculate total sq. ft. when calculating maximum sq. ft. per sign side;</p>   |

## Permitted Signs in C-3 - Highway Service Commercial District

| Type                                | Perm. Or Temp. | Max. Size   | Max Height (ft.)   | Max #   | Min. Set-back   | Permit Required | Illum. Type  | Notes  |
|-------------------------------------|----------------|---|--|---|---|-----------------|--|--|
|                                     |                |   |  |   |   |                 |  | <p>Allowed if a minimum of 50% of the site is within 800 ft. of the centerline or 500 ft. of the right of way (whichever is less) of an Interstate.</p> <p>May only be placed on premise.</p>    |
| <b>Monument Sign</b>                | Permanent      | <p>.5 sq. ft. in area per linear foot of street frontage;</p> <p>Maximum of 250 sq. ft. in area per sign face; may be single or double faced.</p> | 25 ft. from natural grade or average grade including base. | 1 per principal building per street frontage. | 30 ft. setback from property lines.                     | Yes             | Light source may be internal or external; if external, it must be directed away or shielded from passersby, adjacent properties and motorists. | See Section 12.8 for design details regarding Monument Signs.  |
| <b>On-Site Identification Sign</b>  | Permanent      | 4 sq. ft. in area per face; may be double faced.  | 4 ft.  | 1 per site or driveway entrance.              | Not in right of way.                                    | Yes             | None allowed.  | <p>Must be constructed of permanent materials;</p> <p>May be wall mounted or installed using metal two-inch square posts;</p> <p>Wooden posts are not allowed unless they are metal wrapped.</p> |
| <b>Parked Vehicle Service Signs</b> | Permanent      | 6 sq. ft. in area per face; may be installed back to back.  | 6 ft.  | 1 per order station.                          | Same as parking setback for applicable zoning district. | Yes             | Internal illumination only.  | May contain visual or auditory communication system.   |
| <b>Vehicle Drive Lane Sign</b>      | Permanent      | 32 sq. feet in area   | 6 ft.  | 1 per drive lane.                             | Same as parking setback for applicable zoning district. | Yes             | Internal illumination only.  | <p>May be attached to wall or freestanding;</p> <p>If freestanding, must be built on a solid base that is at</p>   |

## Permitted Signs in C-3 - Highway Service Commercial District

| Type                                     | Perm. Or Temp. | Max. Size  | Max Height (ft.) | Max #   | Min. Set-back  | Permit Required | Illum. Type                  | Notes   |
|--|----------------|------------|------------------|---|--|-----------------|------------------------------|---|
|  |                |            |                  |   |  |                 |                              | <p>least 50% of the width of the sign face;</p> <p>Shall be located along the sides or rear of the building;</p> <p>If visible from a public street, additional landscaping and/or screening is required to screen board from view from public street;</p> <p>Must be constructed to match the aesthetics of the main building including building materials used;</p> <p>May contain visual or auditory communication system.</p> |
| <b>Vehicle Drive Lane Accessory Sign</b> | Permanent      | 15 sq. ft. | 6 ft.            | <p>1 per drive through lane;</p> <p>Must be separated from any Vehicle Drive Lane Sign by at least 15 ft.</p> | Must be placed within 3 ft. of adjacent drive through lane | Yes             | Internal illumination alone. | <p>May be attached to wall or freestanding;</p> <p>If freestanding, must be built on a solid base that is at least 50% of the width of the sign face;</p> <p>Shall be located along the sides or rear of the building;</p> <p>If visible from a public street, additional landscaping and/or screening is required to screen board from view from public street.</p>  |



## Permitted Signs in C-3 - Highway Service Commercial District

| Type                                    | Perm. Or Temp. | Max. Size  | Max Height (ft.)                                      | Max #  | Min. Set-back                                   | Permit Required | Illum. Type   | Notes  |
|---|----------------|--|---|--|---|-----------------|---|--|
|   |                |  |   |  |   |                 |   | Must be constructed to match the aesthetics of the main building including building materials used.  |
| <b>Wall Sign</b>                        | Permanent      | On a standalone building or a multi-tenant complex, the total area of the wall sign shall be one and a half square feet of sign area for each one foot of linear footage of the building façade facing the street. | Wall height; may not extend past roofline or parapet. | 1 per front or side of building facing a street up to a total of 3 maximum; may not be placed on rear of building. | N/A – may not protrude off of wall of building. | Yes             | External or internal illumination; decorative downlights required for external illumination; must be directed away or shielded from passersby, adjacent properties and motorists. | <p>If a tenant is part of a multi-tenant complex, each tenant shall be allowed one (1) wall sign no greater than ten (10) percent of the tenant wall area upon which the sign is placed.</p> <p>Corner tenant spaces will be allowed one (1) additional wall sign no greater than ten (10) percent of the wall area upon which it is placed so that one may be placed on each side of a corner façade.</p> <p>Signs facing the rear of a building are prohibited.</p> <p>See section 12.8 for calculation of sign area parameters.</p> |
| <b>Wall sign for Accessory Building</b> | Permanent      | 16 sq. ft in area  | Wall height; may not extend past roofline.            | 1  | N/A – may not protrude off of wall of building. | No              | External only; must be directed away or shielded from passersby, adjacent properties and motorists.   | 1 sign per accessory building; must be constructed out of permanent material.  |

| Permitted Signs in C-3 - Highway Service Commercial District |                |   |                        |       |               |                 |                      |  |
|--|----------------|---|------------------------|-------|---------------|-----------------|----------------------|--|
| Type   | Perm. Or Temp. | Max. Size   | Max Height (ft.)       | Max # | Min. Set-back | Permit Required | Illum. Type          | Notes  |
| Window sign  | Permanent      | 1 per window not to exceed 30% of total glass area unless no wall sign is provided. | Within window confines | 1     | N/A           | No              | External or internal | <p>Sign may be painted or etched on glass – must be on interior surface of window;</p> <p>Sign made from materials (not etched or painted on glass) must be hung inside;</p> <p>Neon signs may be used as a window sign and may encompass 30% of total glass area as long as no other window signage is present.</p> |

**D. Table 12 – 4 Signs Permitted in Industrial Districts**

| Permitted Signs in B-P, L-P, I-G and I-H Districts |           |               |        |                          |             |                      |   |
|--|-----------|---------------|--------|--------------------------|-------------|----------------------|---|
| B-P Business Park District                         |           |               |        |                          |             |                      |   |
| Type   | Max. Size | Max. Ht. (ft) | Max. # | Min. Setback             | Permit Req. | Illum. Type          | Notes   |
| Free-standing monument, ground signs               | By review | By review     |        | 4 ft. from right of way. | yes         | internal or external | <ul style="list-style-type: none"> <li>Sign control standards are established by review of the preliminary park plan</li> </ul> |
| Additional Signs                                   | By review | By review     |        |                          | yes         | internal or external | 1 pole sign per principal building  |

## L-P Logistics Park District

| Type                             | Max. Size                                | Max. Ht. (ft) | Max. #                                    | Min. Setback   | Permit Req. | Illum. Type  | Notes   |
|----------------------------------|--|---------------|---|--|-------------|--|---|
| <b>External Directional Sign</b> | Maximum of 6 sq ft per building occupant | 5'            | 1 per site entrance per building occupant | Not located in the right of way, site triangle or off-premises | Yes         | Internal or external   | <p>Maximum allowed square footage is 6 SF per building occupant to maximum of 18 SF in total.</p> <p>Must be constructed of permanent materials.</p> <p>Installed using metal two-inch square posts.</p> <p>Wooden posts are not allowed unless they are metal wrapped.</p> |
| <b>Flags</b>                     | Exempt                                   | 110'          | 5 per development site                    | A distance equal to the height of the pole                     | No          | External illumination required if flag is to fly at night; light source must be directed away or shielded from passersby, adjacent properties and motorists. | <p>Must be shown on site plan.</p> <p>Building permit required for pole installation and electrical if applicable.</p>  |
| <b>Internal Directional Sign</b> | 6 sq ft                                  | 5'            | 4 total per site                          | Not located in the right of way, site triangle or off-premises | No          | None   | <p>Must be constructed of permanent materials.</p> <p>May be wall mounted or installed using metal two-inch square posts.</p> <p>Wooden posts are not allowed unless they are metal wrapped.</p>  |

## L-P Logistics Park District

| Type          | Max. Size  | Max. Ht. (ft)   | Max. #  | Min. Setback   | Permit Req. | Illum. Type          | Notes  |
|---------------|--|---|---|--|-------------|----------------------|--|
| Kiosk         | 4' width   | 12'   | One per project site or campus entrance; additional permitted onsite as part of a comprehensive signage plan.   | Not located in right of way, site triangle, or off premises  | Yes         | Internal             | <p>Kiosk sign structures shall be ladder type with individual sign panels of uniform design.</p> <p>The color of all kiosk sign structures and panel background color will be approved by the City.</p> <p>The City may by a duly executed services contract, grant to a qualified person or company the right to design, erect and maintain directional kiosk signs within the City.</p> <p>Sign panels advertising a business that has vacated the premises must be replaced with the new business or a blank panel within thirty (30) days of vacancy.</p>                |
| Monument Sign | 1 SF per ten (10) linear feet of street frontage up to a maximum of 60 SF per sign face (does not include sign base or sign structure) | 8' above natural or average grade including base, support structure or other architectural elements | 1 per property; if parcel is more than 30 acres in size with more than 1 street frontage, a 2 <sup>nd</sup> monument sign is permitted on the additional street frontage. | 15 feet from all property lines; outside of site triangles and easements; minimum 400 feet from another freestanding sign located on the same property | Yes         | Internal or External | <p>Platted private roads may be considered a 2nd street frontage for purposes of determining the number of allowed monument signs.</p> <p>Base must be a minimum of two feet in height.</p> <p>The base shall extend a minimum of <math>\frac{3}{4}</math> the entire length of the sign.</p> <p>The total area of the base and support structure shall be at least 75% of the sign face area.</p> <p>The base and support structure shall not exceed the sign face area by more than 10 percent.</p> <p>The sign face may not exceed 50% of the overall sign structure.</p> |

## L-P Logistics Park District

| Type   | Max. Size  | Max. Ht. (ft)  | Max. #   | Min. Setback  | Permit Req. | Illum. Type   | Notes  |
|--|--|--|--|---|-------------|---|--|
| <b>Temporary Construction/Development Signage – Highway Adjacent</b>     | 325 sq ft per side   | 30 feet  | 1  | Not located in the right of way   | Yes         | None  | Maximum length – 15 feet<br>Parcel must be highway adjacent - 50% of the site is within 800 feet of the centerline or 500 feet of the right of way (whichever is less) of an Interstate or Highway   |
| <b>Temporary Construction/Development Signage – Not Highway Adjacent</b> | 90 sq ft per side  | 20 feet  | 1  | Not located in the right of way   | Yes         | None  | Maximum length – 15 feet   |
| <b>Temporary Banner or Sign (Not Yard Sign)</b>                          | 12 sq ft   | 5'   | 2 allowed per building occupant per permit request | May not be located in right of way. Must be set-back 5' from any property line. | Yes         | External; shall not be flashing or intermittent; temporary electrical requirements shall be subject to the adopted electrical code. | Usage limited to 14 days per permit request, up to 2 permit requests per year.<br>Applicant must remove when usage limit has expired.<br>A banner shall not be used in lieu of a permanent sign, except in the case of new businesses where it may be used for a period not exceeding thirty (30) days.<br>Temporary Banners shall be secured at all points of attachment.<br>Torn or severely weathered banners are not permitted.<br>Temporary signs or banners found to be in violation of this section must be removed or made to conform within 24 hours of notification. |
| <b>Wall Sign – front façade</b>  | Min SF = 24 SF<br>Front Max SF= 1x length of building frontage or lease space frontage | Shall not extend above the roofline or façade of the building. | 1  | N/A – located on building wall only   | Yes         | Internal  | Attached signs that are internally illuminated shall be constructed only of materials that are noncombustible or slow burning in the case of plastic inserts and faces.<br>A wall sign shall not extend more than twelve (12) inches from the building wall to which it is attached.<br>Bottom of sign must be at least eight (8) feet from grade at wall where sign is installed.   |

| L-P Logistics Park District                    |  |   |  |                                     |             |             |   |
|--|--|---|--|-------------------------------------|-------------|-------------|---|
| Type   | Max. Size  | Max. Ht. (ft)   | Max. #                                       | Min. Setback                        | Permit Req. | Illum. Type | Notes   |
| Wall Sign-side façade                          | Side Max SF= .5x length of side wall of building | Shall not extend above the roofline or façade of the building | 3 – total SF may not exceed total allowed SF | N/A – located on building wall only | Yes         | Internal    | Attached signs that are internally illuminated shall be constructed only of materials that are noncombustible or slow burning in the case of plastic inserts and faces. A wall sign shall not extend more than twelve (12) inches from the building wall to which it is attached. |
| Window sign-age not readable from right of way | exempt   | exempt  |  | N/A – located in window only        | No          | None        |   |
| Yard Sign                                      | 6 sq ft  | 5 ft  | 4 per parcel                                 | Not located in the right of way     | Yes         | None        | Usage limited to 14 days per permit request, up to 4 permit requests per year.  |

**Table 12-4 Appendix - Additional Guidelines for L-P District Signage:**

- Illuminated signs shall not be erected within one hundred (100) feet of any residential zoning district unless properly and adequately shielded so that light from such sign is not directed toward such residential district.
- In no case can a sign be placed closer than fifteen (15) feet from a residential property.
- No high intensity lights shall be permitted as part of a sign display visible from an adjacent street.
- No sign shall be illuminated to intensity greater than two hundred (200) foot-candles. The restrictions of luminance in this section shall be determined from any other premise or from any public street right-of-way other than an alley.
- No cloth, paper, banner, flag, or similar advertising matter shall be suspended from, or allowed to hang loose from or over, any building or structure. Such advertising matter shall be a violation of this section and shall be removed immediately upon notice by the building official.

## I-G and I-H Industrial Districts

| Type                                 | Max Size           | Max Ht (ft)                              | Max # | Min Set-back             | Permit Req. | Illum Type           | Notes   |
|--------------------------------------|--------------------|--|-------|--------------------------|-------------|----------------------|---|
| Free-standing monument, ground signs | 80 sq. ft.         | height of principal building plus 20 ft. | 1     | 1 ft. from right of way. | yes         | internal or external | 1 monument, ground, or pole sign per 200 ft. of street frontage |
| Additional Signs                     | Same as commercial |  |       |                          | yes         | internal or external | Same as commercial  |

**SECTION 2. REPEAL OF CONFLICTING ORDINANCES.** All ordinances or sections of ordinances in conflict herewith are hereby repealed.

**SECTION 3. EFFECTIVE DATE.** This ordinance shall take effect and be in force from and after its passage, approval and publication once in the City's official paper.

PASSED by the Council and APPROVED by the Mayor on this 26<sup>th</sup> Day of August, 2021

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DONALD ROBERTS, Mayor

ATTEST:

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ALEXANDRIA CLOWER, City Clerk

APPROVED AS TO FORM:

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LEE W. HENDRICKS, City Attorney



## City Council Action Item

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**Council Meeting Date:** August 26, 2021

**Department:** Administration

**Agenda Item: Consider Ordinance No. 2093 Amending Chapter XIV of the Edgerton, Kansas Municipal Code to Incorporate the 2021 Standard Traffic Ordinance, Subject to Existing Local Traffic Provisions in the City Code Which Supplement and/or Modify Certain Sections Thereof**

**Background/Description of Item:**

Annually, the League of Kansas Municipalities prepares and publishes the code known as the Standard Traffic Ordinance (STO) for Kansas Cities. This ordinance will adopt the Standard Traffic Ordinance for Kansas Cities, 48<sup>th</sup> Edition, published in 2021 except such articles, sections, parts or portions as are omitted, deleted, modified, or changed by Sections 14-102 through 14-105 of the Code of the City of Edgerton.

The Kansas State Legislature made multiple changes to the STO during the 2021 session. The full list of changes is attached. The most notable for Edgerton are listed below:

- Article 1 - Definitions for All-Terrain Vehicle, Golf Cart and Recreational Off-Highway Vehicle
  - Weights and sizes of vehicles have been adjusted
- Section 179 - Spilling of Loads
  - Livestock trailers and semitrailers are exempt if equipped with a properly functioning clean-out trap
  - Trucks, trailers, and semitrailers are exempt if hauling hay bales or other bundled forage commodities
- Section 201.1 – Failure to Comply with a Traffic Citation
  - Allows a person who is assessed a fine or court costs to petition the court for a waiver of payment if the amount due will impose a hardship on the person or the person's immediate family.

The City Attorney has reviewed and approved Ordinance 2093 as submitted for adoption.

**Related Ordinance(s) or Statue(s):** Edgerton City Code Chapter XIV

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**Funding Source:** N/A

**Budget Allocated:** N/A

**Finance Director Approval:** N/A

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| <p><b>Recommendation: Approve Ordinance No. 2093 Amending Chapter XIV of The Edgerton, Kansas Municipal Code to Incorporate The 2021 Standard Traffic Ordinance, Subject to Existing Local Traffic Provisions in the City Code Which Supplement and/or Modify Certain Sections Thereof</b></p> |
|--|

**Enclosed:** Draft Ordinance No. 2093  
Summary of Changes to the STO, 48<sup>th</sup> Edition from League of Kansas Municipalities

**Prepared by:** Kara Banks, Marketing and Communications Manager

## ORDINANCE NO. 2093

**AN ORDINANCE AMENDING CHAPTER XIV OF THE EDGERTON, KANSAS MUNICIPAL CODE TO INCORPORATE THE 2021 STANDARD TRAFFIC ORDINANCE, SUBJECT TO EXISTING LOCAL TRAFFIC PROVISIONS IN THE CITY CODE WHICH SUPPLEMENT AND/OR MODIFY CERTAIN SECTIONS THEREOF.**

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

**SECTION 1:** Chapter XIV, Section 14-101 of the Edgerton, Kansas Municipal Code is hereby amended to state the following:

### ARTICLE 1. STANDARD TRAFFIC ORDINANCE

14-101. UNIFORM CODE INCORPORATED. There is hereby incorporated by reference for the purpose of regulating traffic within the corporate limits of the City of Edgerton, Kansas, that certain code known as the "Standard Traffic Ordinance for Kansas Cities," 48th Edition, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas, save and except such articles, sections, parts or portions as are omitted, deleted, modified, or changed by Section 14-102 of the existing Code of the City of Edgerton. No fewer than one copy of said Standard Traffic Ordinance shall be marked or stamped "Official Copy as Adopted by Ordinance No. 2093" with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance and filed with the City Clerk to be open for inspection and available to the public at all reasonable hours. The Sheriff's Department of Johnson County, Kansas, the municipal judge and all administrative departments of the City charged with enforcement of the Ordinance shall be supplied, at the cost to the city, such number of official copies of such Standard Traffic Ordinance similarly marked, as may be deemed expedient.

**SECTION 2:** Article 2 of Chapter XIV of the Edgerton, Kansas Municipal Code is hereby preserved and any modifications or supplements to the Standard Traffic Ordinance stated therein are now applicable to the 2021 "Standard Traffic Ordinance for Kansas Cities," 48th Edition.

**SECTION 3: Repeal.** Former Chapter XIV, Section 14-101 of the Edgerton Municipal Code is hereby repealed and replaced.

**SECTION 4: 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 26<sup>th</sup> DAY OF AUGUST, 2021.

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DONALD ROBERTS, Mayor

ATTEST:

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ALEXANDRIA CLOWER, City Clerk

APPROVED AS TO FORM:

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LEE W. HENDRICKS, City Attorney

# 2021 Changes to the Standard Traffic Ordinance and Uniform Public Offense Code

## Amanda Stanley, General Counsel

The 2021 legislative session was extremely busy. There were 116 bills enrolled, many impacting the Standard Traffic Ordinance (STO) and the Uniform Public Offense Code. This summary is to highlight the changes made to both publications.

### ***Changes to the 48<sup>th</sup> Edition of the STO***

#### *Article 1 Definitions*

In Article 1 Definitions, the following have been amended: All-Terrain Vehicle (SB 95), Antique (HB 2165), Golf Cart (SB 95), and Recreational Off-Highway Vehicle (SB 95). There are also new definitions for Authorized Utility or Telecommunication Vehicle (SB 67), Funeral Escort (SB 67), Funeral Lead Vehicle (SB 67), and Funeral Procession (SB 67).

#### *New Section 10.1 Funeral Procession; Section 119 Parades and Processions*

SB 67 modified how funerals are treated under the traffic code. The STO previously contained provisions relating to funerals (that the organizers notify the chief of police, and that no driver not involved in the funeral procession insert themselves into the procession of vehicles) in sections 119, Parades and processions, and Section 120 Driving through Procession.

The new requirements in SB 67 are found in New Section 10.1 of the STO. The legislation sets out the duties of both the operators of vehicles in the funeral procession and of other vehicles and pedestrians who encounter funeral processions in the context of traffic laws and right-of-way at intersections. Cities are allowed to require prior notice of a planned funeral procession and make additional requirements that go beyond, but are not in conflict with, the requirements of the act.

Section 119 Parades and Processions has been updated to remove the funeral procession provisions now in New Section 10.1.

#### *Section 30.4 Impounded Motor Vehicle*

While this section was not modified, a new editor's note has been added drawing the reader's attention to SB 36 which amended the requirements for the disposition of such vehicle.

#### *Section 31 Fleeing or Attempting to Elude a Police Officer*

Section 31 has been amended to match the language in SB 60. The intent requirement has been modified to a knowingly standard (previously a willfully standard). The sentencing language has also been modified. SB 60 elevated certain offenses to a felony.

#### *New Section 40.2 Passing a Stationary Authorized Utility or Telecommunications Vehicle*

SB 67 created a new traffic offense for failing to move over when approaching an authorized utility or telecommunications vehicle. This is contained in New Section 40.2.

#### *Section 106 Transportation of Alcoholic Beverage*

A new editor's note has been added to Section 106. HB 2137 made several changes to Kansas alcohol statutes regarding liquor and CMB to go; however, K.S.A. 8-1599 regarding the transportation of said liquor or CMB was not amended to reflect the changes. An editor's note has been added to explain this discrepancy and list the requirements establishments must follow under HB 2137.

#### *Section 115 Unlawful Riding on Vehicles; Persons 14 years of age and older*

An eagle-eyed city attorney noticed an error in (c)(1) of this section in previous editions. It has been updated accordingly.

#### *New Section 126.1.1 Display of License Plate*

Section 126.1.1 has been added to the STO in response to HB 2167 which established new rules for the locations of license plates on certain types of vehicles.

### *Section 179 Spilling Loads on Highway*

Section 179 has been amended to match the changes made in SB 89.

### *Section 201.1 Failure to Comply with a Traffic Citation*

Section 201.1 was amended in SB 127 to allow a person who is assessed a fine or court costs for a traffic citation to petition the court for waiver of payment of the fine or costs at any time if the amount due will impose a manifest hardship on the person or the person's immediate family. The corresponding section has been updated to match the changes to state law.

## **Changes in the 37th Edition of the UPOC**

### *Section 1.1 Definitions*

Two definitions were modified in Section 1.1: Class A Club and Drinking Establishment (HB 2137).

### *Section 3.2.1 Sexual Battery*

Section 3.2.1 was amended to remove the spousal exception to sexual battery per SB 60. The editor's note was also updated in response to *City of Shawnee v. Adem*, 58 Kan. App. 2d 560 (2020).

### *Section 5.5 Watercraft*

Section 5.5 was updated in response to SB 142's new requirements for approved personal flotation devices.

### *Section 6.2 Intent; Permanently Deprive*

SB 60 made changes to this section of law when dealing with the theft of a motor vehicle. Those changes have been added to Section 6.2.

### *New Section 6.7.2 Trespassing on a critical infrastructure facility*

SB 172 created several new criminal offenses. One of the offenses, trespassing on a critical infrastructure facility, is a misdemeanor and has been added to the UPOC in New Section 6.7.2.

### *New Section 7.1 Unlawfully tampering with electronic monitoring equipment*

While not often used, municipal courts can require court ordered supervision in some instances. HB 2026 amended the offense of unlawfully tampering with electronic monitoring equipment. This has been added as new Section 7.1.

### *New Section 7.5 Distribution of unattributed applications for advance voting ballots*

This is a new election offense created in HB 2323. It has been added as new Section 7.5

### *Section 7.14 Electioneering.*

HB 2183 amended the offense of electioneering and added new limitations for when a ballot can be handled by a candidate.

### *New Section 9.3 Violation of Executive Order under K.S.A 48-925 mandating a curfew or prohibiting public entry*

The legislature made several changes to the Kansas Emergency Management Act in SB 40. One change relevant to the UPOC was making certain violations of executive orders mandating a curfew or prohibiting public entry criminal offenses. This has been added as New Section 9.3.

### *Section 11.3 Commercialization of Wildlife*

The Legislature fixed a grammatical error in K.S.A. 32-1005. This has been updated in Section 11.3.

## City Council Action Item

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**Council Meeting Date:** August 26, 2021

**Department:** Administration

**Agenda Item: Consider Ordinance 2094 Amending Chapter XI, Article I, Section 11-101 of the Code of the City of Edgerton, Kansas, Concerning the Uniform Public Offense Code.**

**Background/Description of Item:**

Annually, the League of Kansas Municipalities prepares and publishes the code known as the Uniform Public Offense Code (UPOC) for Kansas Cities. This ordinance will adopt the Uniform Public Offense Code Edition 2021, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas, save and except such articles, sections, parts or portions as are omitted, deleted, modified, or changed Section 11-102 of the existing Code of the City of Edgerton. Included with this item is a document prepared by LKM which outlines the changes between the 2020 and 2021 editions of the UPOC.

The change that is most applicable to the City of Edgerton comes from SB 172 which created several new criminal offenses, including trespassing on a critical infrastructure facility. This new law allows for anyone who enters a wastewater or water treatment facility to be charged with a misdemeanor. This would apply to the Big Bull Creek Wastewater Treatment Facility.

The City Attorney has reviewed and approved Ordinance 2094 as submitted for adoption.

**Related Ordinance(s) or Statue(s):** Edgerton City Code Chapter XI

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**Funding Source:** N/A

**Budget Allocated:** N/A

**Finance Director Approval:** N/A

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**Recommendation: Approve Ordinance No. 2094 Amending Chapter XI, Article 1, Section 11-101 of the Code of the City Of Edgerton, Kansas, Concerning the Uniform Public Offense Code**

**Enclosed:** Ordinance No. 2094  
Summary of changes to the UPOC, 37<sup>th</sup> Edition provided by the League of Kansas  
Municipalities

**Prepared by:** Kara Banks, Marketing and Communications Manager



**ORDINANCE NO. 2094**

**AN ORDINANCE AMENDING CHAPTER XI, ARTICLE 1, SECTION 11-101 OF THE CODE OF THE CITY OF EDGERTON, KANSAS, CONCERNING THE UNIFORM PUBLIC OFFENSE CODE**

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

**SECTION 1:** That Chapter XI, Article 1, Section 11-101 of the Code of the City of Edgerton is hereby amended to read as follows:

11-101.UNIFORM CODE INCORPORATED. There is hereby incorporated by reference for the purpose of regulating public offenses within the corporate limits of the City of Edgerton, Kansas, that certain code known as the "Uniform Public Offense Code," 37<sup>th</sup> Edition 2021, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas, save and except such articles, sections, parts or portions as are omitted, deleted, modified, or changed by Section 11-102 of the existing Code of the City of Edgerton. No fewer than one copy of said Uniform Public Offense Code "Official Copy as Adopted by Ordinance No. 2094" with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the City Clerk to be open for inspection and available to the public at all reasonable hours. The Sheriff's Department of Johnson County, Kansas, the municipal judge and all administrative departments of the City charged with enforcement of the Ordinance shall be supplied, at the cost to the city, such number of official copies of such Uniform Public Offense Code similarly marked, as may be deemed expedient.

**SECTION 2: Repeal.** Former Chapter XI, Article 1, Section 11-101 of the Edgerton Municipal Code is 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 26th DAY OF AUGUST, 2021.

\_\_\_\_\_  
DONALD ROBERTS, Mayor

ATTEST:

\_\_\_\_\_  
ALEXANDRIA CLOWER, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
LEE W. HENDRICKS, City Attorney

# **2021 Changes to the Standard Traffic Ordinance and Uniform Public Offense Code**

## **Amanda Stanley, General Counsel**

The 2021 legislative session was extremely busy. There were 116 bills enrolled, many impacting the Standard Traffic Ordinance (STO) and the Uniform Public Offense Code. This summary is to highlight the changes made to both publications.

### **Changes to the 48<sup>th</sup> Edition of the STO**

#### *Article 1 Definitions*

In Article 1 Definitions, the following have been amended: All-Terrain Vehicle (SB 95), Antique (HB 2165), Golf Cart (SB 95), and Recreational Off-Highway Vehicle (SB 95). There are also new definitions for Authorized Utility or Telecommunication Vehicle (SB 67), Funeral Escort (SB 67), Funeral Lead Vehicle (SB 67), and Funeral Procession (SB 67).

#### *New Section 10.1 Funeral Procession; Section 119 Parades and Processions*

SB 67 modified how funerals are treated under the traffic code. The STO previously contained provisions relating to funerals (that the organizers notify the chief of police, and that no driver not involved in the funeral procession insert themselves into the procession of vehicles) in sections 119, Parades and processions, and Section 120 Driving through Procession.

The new requirements in SB 67 are found in New Section 10.1 of the STO. The legislation sets out the duties of both the operators of vehicles in the funeral procession and of other vehicles and pedestrians who encounter funeral processions in the context of traffic laws and right-of-way at intersections. Cities are allowed to require prior notice of a planned funeral procession and make additional requirements that go beyond, but are not in conflict with, the requirements of the act.

Section 119 Parades and Processions has been updated to remove the funeral procession provisions now in New Section 10.1.

#### *Section 30.4 Impounded Motor Vehicle*

While this section was not modified, a new editor's note has been added drawing the reader's attention to SB 36 which amended the requirements for the disposition of such vehicle.

#### *Section 31 Fleeing or Attempting to Elude a Police Officer*

Section 31 has been amended to match the language in SB 60. The intent requirement has been modified to a knowingly standard (previously a willfully standard). The sentencing language has also been modified. SB 60 elevated certain offenses to a felony.

#### *New Section 40.2 Passing a Stationary Authorized Utility or Telecommunications Vehicle*

SB 67 created a new traffic offense for failing to move over when approaching an authorized utility or telecommunications vehicle. This is contained in New Section 40.2.

#### *Section 106 Transportation of Alcoholic Beverage*

A new editor's note has been added to Section 106. HB 2137 made several changes to Kansas alcohol statutes regarding liquor and CMB to go; however, K.S.A. 8-1599 regarding the transportation of said liquor or CMB was not amended to reflect the changes. An editor's note has been added to explain this discrepancy and list the requirements establishments must follow under HB 2137.

#### *Section 115 Unlawful Riding on Vehicles; Persons 14 years of age and older*

An eagle-eyed city attorney noticed an error in (c)(1) of this section in previous editions. It has been updated accordingly.

#### *New Section 126.1.1 Display of License Plate*

Section 126.1.1 has been added to the STO in response to HB 2167 which established new rules for the locations of license plates on certain types of vehicles.

### *Section 179 Spilling Loads on Highway*

Section 179 has been amended to match the changes made in SB 89.

### *Section 201.1 Failure to Comply with a Traffic Citation*

Section 201.1 was amended in SB 127 to allow a person who is assessed a fine or court costs for a traffic citation to petition the court for waiver of payment of the fine or costs at any time if the amount due will impose a manifest hardship on the person or the person's immediate family. The corresponding section has been updated to match the changes to state law.

## ***Changes in the 37th Edition of the UPOC***

### *Section 1.1 Definitions*

Two definitions were modified in Section 1.1: Class A Club and Drinking Establishment (HB 2137).

### *Section 3.2.1 Sexual Battery*

Section 3.2.1 was amended to remove the spousal exception to sexual battery per SB 60. The editor's note was also updated in response to *City of Shawnee v. Adem*, 58 Kan. App. 2d 560 (2020).

### *Section 5.5 Watercraft*

Section 5.5 was updated in response to SB 142's new requirements for approved personal flotation devices.

### *Section 6.2 Intent; Permanently Deprive*

SB 60 made changes to this section of law when dealing with the theft of a motor vehicle. Those changes have been added to Section 6.2.

### *New Section 6.7.2 Trespassing on a critical infrastructure facility*

SB 172 created several new criminal offenses. One of the offenses, trespassing on a critical infrastructure facility, is a misdemeanor and has been added to the UPOC in New Section 6.7.2.

### *New Section 7.1 Unlawfully tampering with electronic monitoring equipment*

While not often used, municipal courts can require court ordered supervision in some instances. HB 2026 amended the offense of unlawfully tampering with electronic monitoring equipment. This has been added as new Section 7.1.

### *New Section 7.5 Distribution of unattributed applications for advance voting ballots*

This is a new election offense created in HB 2323. It has been added as new Section 7.5

### *Section 7.14 Electioneering.*

HB 2183 amended the offense of electioneering and added new limitations for when a ballot can be handled by a candidate.

### *New Section 9.3 Violation of Executive Order under K.S.A 48-925 mandating a curfew or prohibiting public entry*

The legislature made several changes to the Kansas Emergency Management Act in SB 40. One change relevant to the UPOC was making certain violations of executive orders mandating a curfew or prohibiting public entry criminal offenses. This has been added as New Section 9.3.

### *Section 11.3 Commercialization of Wildlife*

The Legislature fixed a grammatical error in K.S.A. 32-1005. This has been updated in Section 11.3.