

**EDGERTON CITY COUNCIL
MEETING AGENDA
CITY HALL, 404 EAST NELSON STREET
MARCH 26, 2026
7:00 P.M.**

Call to Order

1. Roll Call

____ Roberts ____ Longanecker ____ Lewis ____ Conus ____ Lebakken ____ Malloy

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 March 12, 2026, Regular City Council Meeting
5. Approve Application FP2026-0001, Final Plat for Replat of JCCC CDL Training Facility
6. Approve the Final Acceptance of the Contract with SAK Construction, LLC for the 2025 CDBG – 3rd and Hulett Sanitary Sewer Rehabilitation Project.
7. Approve an Annual Agreement for Bridgewater Lake Treatment Services

Motion: _____ Second: _____ Vote: _____

Regular Agenda

8. **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.
9. **Public Comments.** Members of the public are welcome to present their items of concern to the City Council. The Council will not discuss or debate these items, nor will the Council make decisions on items presented during this time. Speakers should address their comments to City Council only not members of the audience or staff.

Persons wishing to address the City Council must sign up before the meeting begins. Speakers must provide their name and address for the record and are limited to three (3) minutes. The maximum time limit for all speakers will be a total of thirty (30) minutes.

Written comments must be submitted by close of business on the day prior to the meeting at CityClerk@edgertonks.org. Written comments shall include name and address for the record.

10. PROCLAMATION FOR APRIL AS FAIR HOUSING MONTH

Business Requiring Action

11. CONSIDER FACILITY USE AND MAINTENANCE AGREEMENT WITH EDGERTON COMMUNITY FOOD PANTRY

Motion: _____ Second: _____ Vote: _____

12. CONSIDER RENEWAL OF CORPORATE INSURANCE POLICY FOR APRIL 1, 2026, TO MARCH 31, 2027

Motion: _____ Second: _____ Vote: _____

13. CONSIDER ORDINANCE NO. 2193 AMENDING ARTICLE 5 – INDUSTRIAL ZONING DISTRICTS – OF THE UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF EDGERTON, KANSAS AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH

Motion: _____ Second: _____ Vote: _____

14. Report by the City Administrator

- 2024-2025 Municipal Court Report
- Q1 Municipal Court Report

15. Report by the Mayor

16. Future Meeting Reminders:

April 9: City Council Meeting
April 14: Planning Commission Meeting
April 23: City Council Meeting
May 12: Planning Commission Meeting
May 14: City Council Meeting

17. Adjourn

EVENTS

April 6: Try It! Pickleball Workshop
April 10: All-Inclusive Sourdough Workshop
April 22: Teenage Summer Job Workshop
April 28: Toddler Gym Jam
May 2: Mom and Me Tea Party
May 6: Make & Take Mother's Day Bouquet
May 9: 2026 City-Wide Garage Sale

**City of Edgerton, Kansas
Minutes of City Council Regular Session
March 12, 2026**

A Regular Session of the City Council was held in the Edgerton City Hall, 404 E. Nelson, Edgerton, Kansas on March 12, 2026. The meeting convened at 7:17 PM with City Council Mayor Roberts presiding.

1. ROLL CALL

Donald Roberts	Present
Clay Longanecker	Present
Josh Lewis	Present
Deb Lebakken	Absent
Bill Malloy	Absent
Ron Conus	Present

With a quorum present, the meeting commenced.

Staff in attendance:

- City Administrator, Beth Linn
- City Attorney, Todd Luckman
- Assistant to the City Administrator, Kara Banks
- Assistant to the City Administrator, Trey Whitaker
- Assistant City Clerk, Alex Firth
- Public Works Director, Dan Merkh
- Finance Director, Karen Kindle
- Development Services Director, Zach Moore
- Public Works Foreman, Chase Forrester
- Construction Inspector, Todd Veeman
- Codes Enforcement Officer, Charlie Lydon

2. WELCOME. Mayor Roberts welcomed all in attendance.

3. PLEDGE OF ALLEGIANCE. All present participated in the Pledge of Allegiance.

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

4. Approve Minutes from February 26, 2026, Regular City Council Meeting

The provided minutes are a summarization of the official actions and formal decisions of the referenced City Council Meeting. The law does not require meeting minutes to be a full and complete transcription of the meeting. Minutes are retained in accordance with State record retention and archiving laws.

Mayor Roberts stated staff requested to remove the minutes from the consent agenda. Ms. Linn stated that Councilmember Lebakken requested to change one word on page 4 of the minutes from "parental" to "maternity." A copy of the corrected page was distributed to Council.

Councilmember Lewis moved to approve, seconded by Councilmember Longanecker to approve item 4. The motion carried 3-0 by the following vote:

Yes: Longanecker, Lewis, Conus
Absent: Lebakken, Malloy

Regular Agenda

5. **Declaration.** Council members had nothing to declare.

6. **Public Comments.** There were no public comments made.

6.5 Mayor Roberts introduced a representative from Ecowaste Solutions. Stacy Montgomery announced that Ecowaste wants to provide up to \$1000 for the local carnival to the Elementary school and to donate a trash truck for an experience for the kids. She asks that the City reach out to her if they need anything.

Councilmember Longanecker questioned Ms. Montgomery if Ecowaste has the same number as Gardner Disposal did. Stacy answered that Ecowaste will carry on the same way that Gardner disposal did. Ecowaste Solutions is committed to better and more efficient experience involving new technology.

Mayor stated that the City asked Ms. Montgomery to Council today because we have had resident complaints. He stated there have been some issues during the transition and he knows that Ecowaste wants to do better and wants to provide the best service.

City Administrator, Beth Linn posed a concern about the lack of pick-up of trash and bulky item pick up. She also reiterated that per the contract that Edgerton has with Ecowaste that the hours of collection are limited to 7am to 6pm. Ms. Montgomery stated that they will honor that limitation. Ms. Linn also questioned Ms. Montgomery about a report that Yard Waste will be on Saturday instead of the trash day on Wednesday.

Ms. Montgomery answered that with the transition, Ecowaste Solutions changed software as well. Loading data from one software to the next there was some missing data, and the new software used Saturday as a placeholder for the missing data. The customer service agent that was not trained properly to know that Saturday was entered as a placeholder and told the customer the incorrect information. Ms. Montgomery assured council that yard waste pickup day is still on Wednesday and that is not changing.

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Ms. Linn highly encouraged Ecowaste to get information out and get in front of issues, because the City continued to receive calls.

Ms. Linn stated that she encouraged Eco Waste Solutions to get involved with the carnival. She believes it is important for the company to show the community members that Ecowaste is here for the community. Lastly, Ms. Linn requested that the level of communication with Ecowaste and the community increase. Ms. Montgomery stated that this is only her 7th day with the company.

Councilmember Lewis stated that he feels that this is a cross-training issue between the current contract that they have in other places and then what was acquired here. He stated it is important for customer service that Ecowaste recognize that there is a difference from community to community. Ms. Montgomery agreed.

Mayor stated that the City had met with Eco Waste Solutions before Ms. Montgomery was brought on with the company and he feels that they are committed. He encouraged residents to reach out if there are any issues. Ms. Linn stated that if you call the Gardner Disposal number and someone is busy at the location that it will roll over to a call center that will answer.

Councilmember Lewis stated a social media push may be needed to let everyone know that nothing is changing and that there is just a transition period. Ms. Montgomery agreed.

Mayor said that he feels it is on a positive upswing. Change is difficult. Councilmember Lewis stated communication is key.

Ms. Montgomery thanked council for their time.

7. Presentation of Report on Fire Protection Services Governance Options by Emergency Services Consulting International (ESCI)

Assistant to the City Administrator, Trey Whitaker, introduced Jeff Grote with ESCI to give a presentation on the fire protection services governance options.

Jeffrey Grote of Emergency Services Consulting International (ESCI) presented findings from a study commissioned by the City of Edgerton regarding fire protection services governance options. He explained that the study was initiated following the 2025 consolidation of fire services, which became effective in January 2026. The primary concern prompting the study was the shift in governance from more local oversight from the fire board to oversight by the Board of County Commissioners.

Mr. Grote thanked the Mayor, City Council, City Administrator Beth Linn and staff, Fire District personnel, Fire Chief Morley, and county representatives for their participation and openness during the study process. He stated that the concern was not primarily operational fire service

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performance, but rather the governance structure above the fire chief level, including how decisions regarding funding and oversight are made.

He outlined four governance options considered in the report:

- Retain Current Services

ESCI identified benefits including service stability, shared fire protection costs across the district population, a strong ISO rating, no current staffing concerns, and high public approval. Concerns include Edgerton being part of a larger response area, reduced local voice in decision-making, and shared district responsibilities that may not directly align with Edgerton's needs.

- Detach from the Fire District and Contract Back for Service

Under this option, Edgerton could legally detach from the district and then negotiate a contract for continued fire protection services. Mr. Grote stated this could preserve service continuity while allowing the city greater influence through contract terms rather than advisory board participation. He noted drawbacks including less flexibility once a contract is established, responsibility for the city to collect fire service taxes, required tax roll adjustments, and the uncertainty of the formal detachment process. He also noted the possibility that if Edgerton were detached, the fire district might choose not to contract back.

- Establish an Edgerton Fire Department

Mr. Grote explained this option would provide the city full control over its fire organization and governance. However, he cautioned that it would likely require expansion of city government operations and would probably increase costs depending on the staffing and service model selected. Liability would also rest with the city if it established and operated its own department.

- Contract with Another Fire Department

Mr. Grote stated this option was also considered, though fewer details were discussed in the transcript. He noted liability under a contract model would generally remain with the contracted provider rather than the city.

During discussion, liability was addressed. It was clarified that if Edgerton established its own fire department, liability would belong to the city. Under the other options, liability would generally remain with the existing district or whichever agency contracted to provide service.

Mr. Grote also commented that lower-cost service models, such as volunteer-based departments, may reduce costs but could also result in changes to service delivery.

ESCI recommended that the City take an evaluative approach and allow the current governance structure additional time to develop. Mr. Grote encouraged the City to engage with the advisory board, consider community polling to gauge public sentiment, and seek independent legal counsel if further action is considered. He also noted that if the City were to explore forming its

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own department, major equipment needs, including a ladder truck, should be included in cost estimates.

Councilmember Conus referenced page 55 of the report and asked about historical issues during the early days of the intermodal area, specifically regarding a ladder truck. He asked whether a ladder truck was included in the cost estimate for Option Three (establishing a city fire department).

Mr. Grote responded that ESCI did not include that level of detail in the estimates. He stated the intent was to keep the analysis high-level so that once a model is selected, more detailed planning and cost analysis could be conducted.

The Mayor commented on the referenced Kubota building fire, stating that the issue at that time involved a fire truck breaking down on a hill. He noted that while the concern about equipment is valid, that specific incident was more of an isolated equipment issue rather than indicative of a broader infrastructure need.

Mr. Grote asked for clarification regarding infrastructure considerations.

The Mayor stated that while no one wants to be in a situation without adequate equipment, he believes the fire service could still respond effectively, though he would not recommend operating without appropriate equipment.

Chief Morley clarified that during the Kubota fire incident, the ladder truck functioned properly during operations. He explained that difficulty occurred only after the fire was mitigated, when bringing the ladder truck back down.

He further provided a recent example from earlier in the week involving a lightning strike at a warehouse in Edgerton, where ladder trucks were successfully used to provide quick roof access.

Councilmember Conus referenced page 61 and asked about the recommendation of 16 staff members, confirming whether they would be full-time and what salary assumptions were used in the estimate.

Mr. Grote confirmed that the 16 positions referenced represent an initial staffing level and are full-time. He stated that salary estimates were based on U.S. Department of Labor statistics for the Kansas City metropolitan area, including both Kansas and Missouri, and confirmed that employee benefits were included in the calculations.

The Mayor asked if there were additional questions and then thanked Mr. Grote and ESCI for their work. He acknowledged interest from firefighters and staff regarding the outcome of the study.

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The Mayor stated that his professional perspective aligns with ESCI's recommendation to move forward with the current structure while continuing to evaluate performance. He noted that if issues arise, the City retains the ability to explore other options.

He added that if the City were to consider establishing its own fire department, additional detailed study would be necessary. He also noted that any decision to move in that direction would need to be communicated early for budget planning purposes.

Councilmember Longanecker expressed support for retaining the current service model and evaluating performance over time. He stated that the City has received strong service and expressed concern that contracting services could reduce control and create uncertainty if a provider chose to discontinue service. He stated that the current arrangement appears to be the best option at this time.

Mr. Grote emphasized that all governance options remain available and do not expire, allowing the City flexibility to reconsider options in the future.

Councilmember Lewis stated that understanding the options provides reassurance. He noted that if service levels decline or the City's voice is not effectively represented on the advisory board, the City retains the ability to reconsider its position. He expressed confidence that the current system will continue to function effectively and that having options provides a level of control.

The Mayor expressed concern regarding long-term governance, particularly the role of the County Board of Commissioners and potential future inclusion of additional districts, such as District 3.

He noted concerns about financial impacts related to economic development, including tax abatements especially in regards to the Panasonic project if further consolidation happens, and how costs may be distributed across a larger district. He stated that future revenue growth may not reduce the mill levy as it might be under a smaller or more localized structure.

He emphasized that while he does not believe there is negative intent, decision-making at the county level is focused on county-wide interests rather than those of a single district.

The Mayor also referenced a recent article discussing challenges in recruiting volunteer firefighters. Drawing from his own 18 years of volunteer experience, he acknowledged the value of volunteer service but noted that service levels in the current district have improved with full-time staffing.

Councilmember Conus asked how the recommended 16 staff members translate into daily staffing levels, noting that Edgerton averages approximately one call per day.

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Mr. Grote explained that the 16 staff equate to approximately three personnel on duty at any given time, representing one engine company operating 24/7.

Chief Morley provided detailed context regarding staffing and operational needs. He explained that an effective fire response requires approximately 16 firefighters to arrive within 12 minutes to manage a residential fire and complete all necessary tasks.

He noted that the current fire district relies on mutual aid agreements with neighboring departments to meet these staffing levels and cannot always achieve this independently.

He described typical response requirements, including multiple apparatus, battalion chiefs, and ambulances for both fire and medical emergencies. He emphasized that mutual aid is reciprocal and requires all participating agencies to contribute resources.

Chief Morley also discussed challenges with volunteer staffing, noting that recruitment and retention are difficult, particularly due to training requirements and certification demands for EMS services. He stated that modern emergency response increasingly relies on full-time, highly trained personnel.

He further explained that while Edgerton may average one call per day within city limits, fire crews also respond to calls outside the city as part of the district's broader service area. He highlighted specialized equipment and centralized resources that support advanced life-saving efforts. Chief Morley stated that the district provides comprehensive services, including training, liability coverage, and coordination across multiple communities. He expressed pride in the organization and appreciation for the opportunity to work with ESCI.

The Mayor reiterated that while 16 firefighters may sound significant, it represents the minimum staffing needed to provide continuous 24/7 service.

Councilmember Conus stated that his questions had been answered.

The Mayor acknowledged ongoing concerns regarding governance but stated that these issues can be addressed over time and may evolve with future elections. He expressed hope that the discussion provides useful information for future decision-making.

Chief Morley reiterated his appreciation for working with ESCI and noted that the district values the data and analysis provided. He indicated interest in continuing to work with ESCI on future initiatives.

Business Requiring Action

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8. CONSIDER OUTSIDE CITY LIMITS WATER SERVICE APPLICATION

Mr. Dan Merkh, Public works Director, presented the item. He stated the applicants live along 200th Road in Wellsville, outside of the corporate city limits. The City has received their application and consent to annex the property, both of which are required to be approved by the Governing Body. If approved, the applicants are responsible for the cost of installing the water line to connect to the City's main, which borders the north side of the property.

The Mayor initiated discussion by asking whether the City requires a warranty period for construction work, specifically related to utility installations. He noted that this may not have been addressed previously and questioned whether such a requirement should apply. He clarified that while private installations typically do not fall under City responsibility, the City ultimately owns the infrastructure being installed. He stated that he has observed many fire hydrant installations and noted that issues are uncommon but suggested considering protections for the City.

The Mayor acknowledged that the current agenda item pertains to water meters, not fire hydrants, but stated that the same general concern applies. He explained that the City would own the line up to the meter, as well as the meter pit and meter itself.

Mr. Merkh stated that he was unsure whether a warranty requirement currently exists and indicated that he would need to conduct research to provide a definitive answer. He noted that, historically, contractors may provide warranties directly to homeowners when the homeowner is responsible for the cost, but additional clarification would be needed for City-owned infrastructure.

He clarified that the current item under discussion relates only to the water meter and that a separate discussion regarding fire hydrants would be brought back at a later date. Mr. Merkh added that there would be no boring into existing water lines for this installation and estimated that costs associated with this work would be in the low four-digit range.

He further stated that while the discussion is not necessarily focused on risk mitigation, costs for services outside city limits are significantly higher than those within city limits. He indicated that he could research and provide additional information on this topic. Mr. Merkh provided specific fee information from the application, stating that the water connection charge is \$7,500 and the system development fee is \$4,300.

Councilmember Longanecker clarified that the discussion was focused on a potential warranty for the line extending from the main.

Mr. Luckman asked about the potential cost of implementing a warranty or related requirement.

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He expressed concern that a warranty alone may not be sufficient protection, noting that property ownership can change over time, which could complicate enforcement. He suggested that a more secure approach might include requiring a financial assurance mechanism such as a deposit, letter of credit, or bond that would remain accessible if issues arise in the future. Mr. Luckman also noted that since the City would ultimately own the system up to the meter, long-term responsibility may rest with the City regardless of initial installation arrangements.

The Mayor acknowledged the discussion regarding ownership and risk, noting that once installed, the infrastructure becomes part of the City system. He reiterated that potential repair costs are likely manageable and that the City has historically accepted this level of risk. He concluded that the current policy may be appropriate at this time but agreed that additional review could be beneficial.

Council consensus indicated interest in maintaining the current approach for the time being while exploring the potential for additional protections, such as warranties or financial assurances, in the future.

Councilmember Longanecker moved to approve, seconded by Councilmember Conus to approve Item 8. The motion carried 3-0 by the following vote:

Yes: Longanecker, Lewis, Conus

Absent: Lebakken, Malloy

9. CONSIDER ORDINANCE NO. 2192 AMENDING ARTICLE 12 – SIGNS - OF THE UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF EDGERTON, KANSAS AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH

Mr. Zach Moore, Development Services Director presented item 9 to council. He stated while the City is currently undergoing an overall rewrite to the UDC, this proposed update is intended to address existing sign regulations, with the holistic rewrite portion of Article 12 coming later. He stated the most notable updates with this proposal are in regard to Monument Signs in the commercial districts and updating regulations for signs in the I-G (General Industrial) and I-H (Heavy Industry) Districts to align with the existing sign regulations of the L-P (Logistics Park) District. A full summary of the updates included with this proposal is provided in the Planning Commission memo which is included in this packet.

He stated a draft of the new proposed regulations was presented to the Planning Commission at their February 10, 2026 meeting, where a public hearing was held with no public comment. The Planning Commission voted to recommend approval of the new draft sign regulations with a 4-0 vote.

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The Mayor presented a question submitted by Councilmember Lebakken, asking whether the proposed ordinance would affect existing businesses or only apply when businesses remodel or fully replace their signage. He further clarified the question, asking whether businesses currently located along Highway 56 would be required to comply immediately, or only upon renovation or remodeling of their signs.

Mr. Moore confirmed that the ordinance would not affect existing businesses unless changes are made. He explained that compliance would only be required if a business remodels or replaces its signage. He noted that under previous allowances, signage along Highway 56 could be as large as 200 square feet, and that the proposed ordinance would significantly reduce that allowable size moving forward.

Mr. Moore outlined additional proposed updates to the sign code, including:

- Updating monument sign standards in the IG (Industrial General) and IH (Industrial Heavy) districts to align with those currently permitted in the LP (Logistics Park) district.
- Requiring external directional signs to be constructed on a solid base.
- Removing the allowance for home occupation signs (e.g., a resident placing a sign in their yard for a home-based business such as a CPA).
- Updating enforcement language in the LP district so that enforcement responsibilities would fall under the designated official or department rather than solely the building official.

The Mayor reiterated the question to confirm that existing businesses along Highway 56 would not be required to comply unless they choose to renovate or remodel their signage.

Mr. Moore confirmed that if a business makes changes, they cannot deviate further from compliance and must follow the updated code requirements.

Mr. Luckman noted that existing signage would be considered a legal nonconforming use, meaning it can remain as-is but cannot be expanded or significantly altered beyond its current state. He added that determining how much modification is allowed under nonconforming status can be complex and may vary depending on the extent of the changes.

Mr. Moore provided an example, stating that if an existing business (such as Dollar General) were to vacate a building, a new business could occupy the space and continue using the existing sign structure at its current size.

The Mayor clarified that if a business were to fully renovate or replace the sign, it would then be required to meet the new monument sign standards under the proposed ordinance.

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Mr. Moore added that routine maintenance of existing signage would still be allowed. However, if the sign is abandoned, no longer used, or significantly altered, the legal nonconforming status would be lost, and the sign would then need to comply with current code requirements.

Councilmember Lewis moved to approve, seconded by Councilmember Longanecker to approve Item 8. The motion carried 3-0 by the following vote:

Yes: Longanecker, Lewis, Conus
Absent: Lebakken, Malloy

10. Report by the City Administrator

- UDC Article 5

Mr. Zach Moore passed out copies of revisions to Article 5 of the UDC. He explained that as part of preparation for a future comprehensive code update, a review of existing district regulations identified opportunities to improve the IG (Industrial General) and IH (Industrial Heavy) districts.

He noted that the LP (Logistics Park) district standards have been functioning effectively, particularly regarding design guidelines and development standards. Based on this, staff proposed aligning the IG and IH district regulations more closely with the LP district.

The proposed update primarily consists of incorporating LP district standards into the IG and IH districts, while still allowing for the more intensive uses permitted in those districts.

The Mayor acknowledged the internal effort required to complete the review and updates, noting that it represents a significant workload for staff. He expressed appreciation for the work completed and commented that the proposed changes appear straightforward.

- Annual Review of Water Emergency and Water Conservation Plans

Mr. Dan Merkh, reported that the City Council originally approved the Water Conservation Plan and Water Emergency Plan in September 2020. The City is required to review both plans annually, and any revisions must be approved by the City Council and submitted to the State of Kansas for review and acceptance. No changes are recommended to the Water Emergency Plan for this review cycle.

The Water Conservation Plan requires a minor update to reflect current water usage data from the newest Kansas Department of Agriculture's Municipal Water Use Report.

Staff stated that verification of the Council's annual review will be submitted to the Kansas Water Office.

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- **STORMWATER & STREETS Dedicated Sales Tax Update**

Mr. Whitaker provided an update regarding the Stormwater and Streets special dedicated sales tax. He reported that the election was held on March 3, 2026. Unofficial results were received on election day, followed by certified official results on March 10.

Election results were as follows:

Yes: 98 votes

No: 89 votes

Total Votes Cast: 187

Voter Turnout: Approximately 17% of the 1,050 registered voters

Projected revenue from the approved sales tax is estimated at approximately \$700,000 annually, totaling \$7 million over a 10-year period.

Mr. Whitaker noted sales tax collection is anticipated to begin in October. The City expects to receive its first distribution in December 2026 or January 2027.

Mr. Luckman stated that there is another resolution that needs to be passed, but it is just a formality.

11. Report by the Mayor

He wished Beth Linn a happy birthday and pointed out that staff had decorated her office to celebrate.

12. Future Meeting Reminders:

Mayor reminded the Council of the future meetings for the Council and Planning Commission, as well as the events scheduled at The Greenspace.

- March 16-20: Edgerton Spring Break Activities
- March 24: Toddler Gym Jam
- March 26: City Council Meeting

13. CONSIDER RECESSING INTO EXECUTIVE SESSION PURSUANT TO THE ATTORNEY/CLIENT EXCEPTION TO INCLUDE CITY ATTORNEY, CITY

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ADMINISTRATOR, DEVELOPMENT SERVICES DIRECTOR, AND CODE ENFORCEMENT OFFICER FOR THE PURPOSES OF ATTORNEY/CLIENT COMMUNICATION (K.S.A. 75- 4319(B)(2))

Mayor Roberts requested motion to recess into executive session for discussions related to Attorney/Client Communication. The justification for such executive session is for a consultation with the City Attorney, which is deemed privileged in an attorney-client relationship (K.S.A. 75-4319B(2)). Present in the executive session will be the Governing Body and the following staff members: City Administrator, Beth Linn, Development Services Director, Zach Moore, Code Enforcement Officer, Charlie Lydon, and City Attorney, Todd Luckman.

The executive session will start at 8:38 PM and last 15 minutes to reconvene at 8:53pm. The open meeting will resume in the Council Chambers.

Councilmember Longnecker moved to recess into executive session pursuant to K.S.A 75-4319(B)(2) for the purpose which is deemed privileged in an attorney-client relationship. Councilmember Lewis seconded the motion.

The meeting recessed into executive session at 8:38 PM, 3-0.

At 8:53 PM, Councilmember Longanecker moved to return to open session with no action being taken. Seconded by Councilmember Lewis. Motion passed unanimously and the open session resumed at 8:53 PM.

At 8:54 PM, Councilmember Longnecker made a motion to recess back into executive session for an additional 10 minutes and Councilmember Conus seconded the motion. Motion passed unanimously, 3-0.

Councilmember Lewis moved to return to open session with no action being taken. Councilmember Conus seconded the motion. Open session resumed at 9:04 PM, 3-0.

14. Adjourn

Councilmember Lewis moved to adjourn, seconded by Councilmember Conus. The motion carried 9:05 by the following vote:

Yes:

Absent:

The meeting was adjourned at 9:05 PM.
Submitted by Alex Firth, Assistant City Clerk.

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City Council Action Item

Council Meeting Date: March 26, 2026

Department: Community Development

Agenda Item: Consider Application FP2026-0001, Final Plat for Replat of JCCC CDL Training Facility, Located At 30332 W. 191st Street.

Background/Description of Item:

The City of Edgerton has received Application FP2026-0001 for the Final Plat of *Replat of JCCC Training Facility* located at 30332 W. 191st Street which is along the north side of W. 191st Street, east of its intersection with Waverly Road. This Final Plat request is a replat that will vacate 16,255 square feet of drainage easement to accommodate a driving pad expansion at the existing CDL training facility. The remaining drainage easement in the southeast corner of the subject property will be 62,146 square feet in size and is sized appropriately to accommodate the development. All other existing dedications on the property are to remain as is.

The original plat for JCCC CDL Training Facility (FP2023-0016) was approved by the Planning Commission on December 12, 2023 and by the Governing Body on January 1, 2024. It was then recorded with Johnson County on March 12, 2024. The Final Site Plan (FSP2023-0100) for the JCCC CDL Training Facility was originally approved by the Planning Commission on December 12, 2023, and the revised Final Site Plan (FSP2025-0003) for the driving pad expansion was approved on March 18, 2026.

City staff has reviewed the Final Plat submittal for conformance with requirements of Section 13.3 of Article 13 (Subdivision Approval Procedures) of the Edgerton Unified Development Code (UDC). This Final Plat has been reviewed by the City Engineer and found to be in compliance with City Code requirements.

The Planning Commission voted to recommend approval of the Final Plat (FP2026-0001) for *Replat of JCCC CDL Facility* with a 4-0 vote at their meeting on March 10, 2026.

Related Ordinance(s) or Statue(s): K.S.A. 12-741, K.S.A 12-749, K.S.A. 12-752.

Funding Source: N/A

Budget Allocated: N/A

Finance Director Approval: N/A

Recommendation: Approve Application FP2026-0001, Final Plat for Replat of JCCC CDL Training Facility, Located At 30332 W. 191st Street, Edgerton, Kansas.

Enclosed:

- Final Plat dated February 2, 2026.
- Staff Report from March 10, 2026 Planning Commission including Final Plat Application FP2026-0001
- Excerpt of March 10, 2026 Planning Commission Meeting Draft Minutes – *Replat of JCCC CDL Facility* portion only.

Prepared by: Zachary Moore, Development Services Director

FINAL PLAT - REPLAT OF JCCC CDL TRAINING FACILITY

Application FP2026-0001
30332 W. 191st Street

QUICK FACTS

PROJECT SUMMARY AND REQUESTED APPROVALS

The Applicant is requesting approval of a Replat located at 30332 W. 191st Street.

Owner and Applicant

Brett Edwards,
Johnson County
Community College
and Cam Hinton,
Hollis and Miller
Architects

Existing Zoning and Land Use

The property was rezoned to City of Edgerton L-P (Logistics Park) District on September 9, 2021 (Ord. 2095 and 2096). The property is currently used as a CDL School.

Parcel Size

10.05 acres

Staff Report Prepared by

Chris Clinton



BACKGROUND

1. Proposal

This Replat request is being made in preparation for the expansion of the Johnson County Community College (JCCC) Commercial Driver's License (CDL) training facility. The proposed replat will vacate approximately 16,255 square feet (0.34 acres) of the existing 1.80-acre Drainage Easement that was included on the original plat of the property (FP2023-0016). The remaining 1.43 acres of the Drainage Easement will remain unchanged. This vacation is being made to accommodate an additional three (3) training pads for the school to the north and southeast of the existing driving pad. There are no other proposed changes on the Replat.

2. Subject Site History

The 10.05-acre subject property was annexed on June 10, 2021 (Ordinance 2081) and was rezoned to the L-P (Logistics Park) District on September 9, 2021 (Ordinance 2095 and Ordinance 2096). The original Plat (FP2023-0016) for the subject property was recorded on March 12, 2024. The Final Site Plan (FSP2023-0100) for the CDL training facility was approved by the Planning Commission on December 12, 2023 and a Building Permit was later issued on February 21, 2024.

FINAL PLAT REVIEW

City staff has reviewed the Final Plat submittal for compliance with the requirements in Section 13.3.G and Section 13.8 of Article 13 of the Edgerton UDC. The document proposes vacating a small portion of the existing Drainage Easement. There are no other proposed changes to the plat. A stormwater study is being reviewed by the City Engineer to ensure that the remaining Drainage Easement will capture the runoff from the existing development, as well as the additional pads proposed. The Replat will need to meet the Johnson County Subdivision Plat requirements.

Existing platted easements from the original plat and the platted building line on the subject property will remain with this replat. These easements include utility easements (U/E), a waterline easement (W/E), and a drainage easement. The platted building lines established a 50-foot setback adjacent to the southern property line and 25-foot setbacks to the east, west, and north property lines.

NOTICE OF CITY CODES AND PERMITS

The Applicant is subject to all applicable City codes – whether specifically stated in this report or not – including, but not limited to, Zoning, Buildings and Construction, Subdivisions, and Sign Code. The Applicant is also subject to all applicable local, State, and Federal laws.

Various permits may be required in order to complete this project and the project may also be subject to obtaining permits and/or approvals from other local, County, State, or Federal agencies.

DOCUMENTS INCLUDED IN PACKET

Sheet #	Title	Date on Document
1	Final Plat	02/06/2026

STAFF RECOMMENDATION

City Staff recommends approval of Final Site Plan **Application FP2026-0001** *Replat of JCCC CDL Training Facility*, subject to the following stipulations:

1. The applicant must meet all requirements of Recording a Final Plat as defined in Section 13.5 of the Edgerton UDC, and all requirements of Financial Assurances as defined in Section 13.7 of the Edgerton UDC.
2. Prior to issuance of a building permit, the following must occur:
 - a. The Stormwater Management Plan must be approved by the City Engineer.

Note: For application FP2026-0001 the Planning Commission will be the approving authority for the application. However, the Governing Body must accept all dedication of land for public use, and the Final Plat will be presented to the Governing Body on March 26, 2026.

**PLANNING COMMISSION
March 10, 2026 Minutes**

A regular session of the Edgerton Planning Commission (the Commission) was held in the Edgerton City Hall, 404 E. Nelson Street, Edgerton, Kansas on March 10, 2026. The meeting was convened when Chair Tina Mathos called the meeting to order at 7:00 PM.

1. ROLL CALL

Jeremy Little	present
Tina Mathos	present
Adam Draskovich	present
Ray Soemer	absent
Jordyn Mueller	present

With a quorum present, the meeting commenced.

Staff in attendance: Zachary Moore, Development Services Director
Chris Clinton, Planning and Zoning Coordinator
Hailey Vaughn, Customer Service Representative II

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

CONSENT AGENDA

4. Minutes from February 10, 2026, Planning Commission Meeting.
5. Approval of FP2026-0001 Final Plat – Replat of JCCC CDL Training Facility

Commissioner Little moved to approve the Consent Agenda. The motion was seconded by Commissioner Draskovich. The Consent Agenda was approved, 4-0.

Regular Agenda

- 6. Declaration.** There were no declarations made.

New Business

- 7. UDCA2026-0002 AMENDMENTS TO ARTICLE 5, INDUSTRIAL ZONING DISTRICTS, OF THE CITY OF EDGERTON UNIFIED DEVELOPMENT CODE**

Mr. Zachary Moore, Development Services Director, proposed an update to Article 5 to the Unified Development Code (UDC). Mr. Moore explained that in the recent months during the process of the code update, Staff have identified an area which could use an update prior to the new regulations being fully drafted and ready. While going through the UDC, Staff noticed



EDGERTON
global routes. local roots.

404 East Nelson
Edgerton, KS 66021
P: 913.893.6231
EDGERTONKS.ORG

City Council Action Item

Council Meeting Date: March 23, 2026

Department: Public Works

Agenda Item: Consider Final Acceptance of the Contract with SAK Construction, LLC for the 2025 CDBG – 3rd and Hulett Sanitary Sewer Rehabilitation Project.

Background/Description of Item:

On May 9, 2024, City Council approved the submission of an application to Johnson County for the 3rd and Hulett Sanitary Sewer Project for Community Development Block Grant (CDBG) funding.

In January 2025 Johnson County notified staff of the proposed award of the maximum funding request (\$200,000). The amount is based on estimated funding, as the County had yet to receive their allocation from U.S. Department of Housing and Urban Development (HUD).

On March 27, 2025, City Council approved the contract with George Butler and Associates (GBA) for the design of the project and scope.

On September 25, 2025 the City of Edgerton awarded the construction contract to SAK Construction for a total contract amount of \$149,150.00.

On October 23, 2025 City Council approved change order #1 that increase the construction contract by \$76,860, bringing the total contract amount to \$226,010.

This project has been completed, and all required reimbursement forms have been submitted to CDBG. City Staff and GBA have conducted the final inspection, and the official letter of acceptance is attached.

Staff recommends the approval of final acceptance for the contract with SAK Construction.

Related Ordinance(s) or Statue(s):

Funding Source: Sewer Fund, CDBG Grant

Budget Allocated: \$300,000

x Karen E. Kindle

Finance Director Approval:

Karen Kindle, Finance Director

Agenda Item: Approve Final Acceptance of the Contract with SAK Construction, LLC for the 2025 CDBG – 3rd and Hulett Sanitary Sewer Rehabilitation Project.

Enclosed:

Letter of Acceptance

Prepared by:

Todd Veeman, Construction Inspector



9801 Renner Boulevard
Lenexa, KS 66219

March 3, 2026

City of Edgerton, Kansas
404 E. Nelson St.
Edgerton, KS 66021

SUBJECT: Letter of Acceptance
E. 3rd Street & Hulett Street Sanitary Sewer Rehabilitation Project
City Project No. SAN0017-25
GBA Project No. 16806

We have made final inspection of the above referenced project. This project was accepted by the City and GBA on **March 3, 2026**

We certify that this project was completed in accordance with the plans and specifications approved by City.

We hereby recommend that the above referenced project be accepted by City under the condition that the Performance Bond for this project will be in full effect through the guarantee period.

Sincerely,

GEORGE BUTLER ASSOCIATES, INC.

A handwritten signature in blue ink that reads 'Jacob B Cox'.

Jacob Cox, PE

Project Manager

cc: Daria Sakarova, PE - GBA
Nick Jacobs – SAK Construction

City Council Action Item

Council Meeting Date: March 26, 2026

Department: Parks and Recreation

Agenda Item: Consider an Annual Agreement for Bridgewater Lake Treatment Services

Background/Description of Item:

The Bridgewater Lake Treatment Agreement provides lake management services such as algae mitigation and nuisance aquatic plant removal at Bridgewater Lake. The City contracts these services annually, and the only change from the 2025 Agreement is the addition of the option to renew services annually following exceptional service, successful treatments, and mutually agreed upon annual fee updates if needed.

Following the City's purchasing policy, staff contacted 4 vendors for quotes. The City requested a minimum of 6 monthly treatments beginning in April; however, the vendors were able to respond with their recommendation on the number of treatments they felt would be best for the location.

Company	Bid Amount (Annually)		
	Cost	Qty	Est. Annual
Blue Valley Labs	\$ 324.00	6	\$ 1,944.00
Aquatic Ecosystem Consultants	\$ 331.00	6	\$ 1,986.00
Solitude Lake Management	\$ 330.00	14	\$ 4,620.00
	\$ 517.50	14	\$ 7,245.00
Midwest Lake Companies	\$ 2,470.00	10	\$ 24,700.00
	\$ 2,600.00	5	\$ 13,000.00
Budget #100-415-3248			\$4,550.00

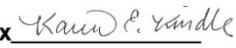
Staff recommend approving the contract with Blue Valley Labs, who was the most recent service provider and has the lowest bid. Additionally, staff would recommend approving the agreement not to exceed \$1,944.

Related Ordinance(s) or Statue(s): NA

Funding Source: General Fund – Parks & Recreation

Budget Allocated: \$4,550

Finance Director Approval:

x 
Karen Kindle, Finance Director

Recommendation: Approve Agreement for Bridgewater Lake Treatment Services with Blue Valley Labs for an Amount not to Exceed \$1,944.

Enclosed:

Annual Contract for Bridgewater Lake Treatment Services, Edgerton
Form Contractual Provisions Agreement.

Prepared by:

Levi Meyer, Parks and Recreation Director



"Water Treatment Professionals Since 1973"

Partial Year Aquatic Plant Control Contract

March 16th, 2026

This agreement is made between Blue Valley Laboratories Inc. and:

**City of Edgerton, KS
Attn. Levi Meyer, Parks & Recreation Director
404 East Nelson
Edgerton, KS 66021
(after this referred to as the "Client")**

For the mutual benefits herein contained, the parties hereto agree as follows:

1. **Agreement:** Blue Valley Laboratories will provide services to the Client, for the following:

**One (1) landscape pond, termed Bridgewater Lake,
approximately 1.44 acres in area, and a mean depth of 5 ft.**

The treatment or services of the above listed area shall include the following:

- a. Control of floating and submerged algae.
- b. Control of floating and submerged pondweeds.
- c. Limited control of emergent plants (such as cattails).
- d. Addition of beneficial bacteria cultures.
- e. Addition of lake colorant.

DRAFT

2. **Term of Agreement: 6 Treatments from April 1, 2026 to September 30, 2026.**

Renewal Option- The City reserves the right to renew this Agreement for three (3) additional annual service periods. Adjustments in cost and frequency of treatments, if outside what is outlined in this contract (6 treatments per year), must be agreed upon by both parties at the beginning of each renewal period. All requested increases or adjustments must be accompanied by justification acceptable to the City to establish the increased amount. The City shall notify the Service Provider in writing of the intent to exercise the renewal option, however, failure to notify the Service Provider does not waive the City's right to exercise the renewal option. In the event the Service Provider is seeking an increase in compensation for any given renewal period, Service Provider must notify the City no less than sixty (60) days prior to the natural expiration of the existing Agreement and shall provide the justification required herein to substantiate the requested increase.

3. **Services Provided:** Field inspections shall be made at least monthly. Treatments will be made as necessary to control excessive growth of vegetation listed above. Reports will be made of field conditions and treatments performed during the visit. Copies of reports will be provided to the appointed contract administrator. Blue Valley Laboratories requests at least a two week notice prior to any special lake use or events (including fish stocking) in order to schedule the application of aquatic herbicides as to not interfere with the event.

4. **Lake Access and Information:** The Client agrees to make available to Blue Valley Laboratories any information it may have concerning lake conditions and the schedules of fish stocking programs. The client grants permission to use existing boat launching sites, or to launch boats and amphibious equipment from the best available site. The client grants unrestricted access during daylight hours for work, inspection, testing or sampling of the above listed lake or lakes. The client grants unrestricted parking adjacent to the above listed lake or lakes while performing work relevant of this contract.

5. **Cost and Terms of Payment:** Payment shall be made by the Client to Blue Valley Laboratories as follows:
\$324.00 per month, or \$1,944.00 for the term.



"Water Treatment Professionals Since 1973"

Lake Management Contract: Standard Page 2

6. **Permits and Licenses:** It may be necessary to obtain certain state and/or local permits prior to the commencement of certain types of water management services. The provisions of this agreement are subject to all terms and conditions of all state and/or local laws or regulations. When necessary, Blue Valley Laboratories shall apply for all necessary permits for the Client. The Client will cooperate with Blue Valley Laboratories in completing such applications and obtaining such permits. Blue Valley Laboratories agrees to maintain the proper certifications, personnel training, and licenses from the appropriate governmental agencies for the commercial application of aquatic herbicides. Blue Valley Laboratories agrees to maintain insurance that may be required by the above listed licenses and/or permits.
7. **Insurance and Liability:** Blue Valley Laboratories agrees to save the Client harmless from any liability which may result from its operations for the Client. Blue Valley Laboratories agrees to maintain insurance or bonds that may be required by the above listed licenses and/or permits. Blue Valley Laboratories maintains Workers Compensation and Employers Liability Insurance. Blue Valley Laboratories also maintains general liability insurance in the amount of one million dollars.
8. **Warning Signs:** Certain lake treatment agents may require temporary water use restrictions as indicated on the package label or within federal regulations (usually from one to three days). If the material used for lake treatment should require posting the lake to restrict activities such as drinking, swimming, or fishing, Blue Valley Laboratories shall provide and install the necessary signs. The client agrees to assist Blue Valley Laboratories in the proper public notification and to strive to maintain the signs during the required notification period.
9. **Client Authorization:** The Client represents that this agreement has been duly authorized, and that the persons executing this agreement have the authority to do so on the Client's behalf.
10. **Miscellaneous:** This agreement shall be construed under and in the courts of the State of Missouri. Venue shall be in Jackson County. If the client fails to make proper payments for this contract: interest of 9% (Ref: Mo Statute 408.020), reasonable attorneys fees for collection, and court costs shall be paid by the client. This agreement constitutes the entire understanding between the parties, and it may be amended only in writing by the properly authorized representative, successors, and assigns. This agreement shall insure to the benefit of and be binding upon the parties, hereto, and their respective personal representative, successor, and assigns.

In Witness Whereof, the parties hereunto set their hands and seals the days below indicated.

BLUE VALLEY LABORATORIES, Inc.

Authorized BVL Representative

Signature Date: _____

Clients Representative

Signature Date: _____



7561 SW Prairie Ridge Rd
Polo, MO 64671
816-804-5604

March 16, 2026

City of Edgerton, KS

Bridgewater Lake - Pond Maintenance Proposal 2026

I. Scope of Proposed Work

Aquatic Vegetation/Filamentous Algae Control & Periodic Visits

This letter serves as a bid for pond maintenance services for the pond located at 519 W Martin St in Edgerton, KS. Most urban retention ponds are typified by having expanses of shallow water created by the accumulated sediment and organic matter which provides **very** favorable conditions for the proliferation of nuisance aquatic weeds and algae.

In order to maintain such ponds in an aesthetically-pleasing, desirable state, most ponds should be treated regularly during the growing season. Regarding your pond, we propose a Pond Maintenance Program that would entail Midwest Lake Management performing on-site visits and treatments approximately every three weeks during the growing season (April through October). This equates to a total of ten treatments over the course of seven months.

During our visits, we will use a comprehensive approach to maintain the pond and keep it as weed-free and algae-free as possible between treatments. This will include the application of beneficial bacteria, aquatic dye, and aquatically-approved herbicides/algacides. The precise amount of each of these products that will be needed is uncertain at this point as we will need to see how the pond responds. Every pond is different and has unique nuances. The ability for a pond to grow weeds and algae differs from pond to pond and from year to year within the same pond.

This proposal is specific in that only ten visits will occur, every three weeks from April through October (Option A below), or a five visit protocol with trips approximately every six weeks from April through October (Option B below).

There are benefits to a regular treatment protocol. First, the pond will remain in a more aesthetically pleasing state throughout the growing season, rather than the "boom and bust" cycle of infestation and subsequent chemical treatment. In addition, you will have a set budget for the entire year rather than a guess as to what the annual cost will be.

Will-call Aquatic Vegetation/Algae Control

If you would rather have us treat the pond as needed, when you call, rather than on a regular treatment schedule, we will be glad to do so. However, the price to perform such will-call treatments will likely vary, depending upon the weed species and coverage at the time of

treatment. If you choose this type of service, we will attempt to respond in as timely a manner as possible, but it might be a few days between the time you call and the time we can treat the pond.

II. Compensation for Services

Option A: 10 treatment maintenance plan: \$2,470/treatment x 10 treatments = \$24,700/season

Option B: 5 treatment maintenance plan: \$2600/treatment x 5 treatments= \$13,000

Option C: Will-call treatments as needed: \$2,550-\$2,900/treatment (depends upon species present and degree of infestation)

We will invoice you after each treatment. Payment is due within 14 days of receiving each bill. We will bill as we work for Item B. A 10% late fee will be assessed for any late payment.

Note: Item A does not cover the eradication of duckweed, watermeal, or algae of the genus *Pithophora*. These weed species are extremely difficult to control with most aquatically-approved herbicides. Our applications will provide marginal control of these species as a bonus, but we make no claims regarding the effectiveness of our treatments to control duckweed, watermeal, and/or *Pithophora*. We do the best we can with these species, but we make no guarantees to reduce their prevalence with the maintenance program. Should these species establish, we will consult with you on alternative treatment options.

I, _____, representative of City of Edgerton, approve the following services for the 2025 season:

- ☐ Option A, \$24,700
- ☐ Option B, \$13,000
- ☐ Option C, variable

*****This quote is valid through March 27, 2026.*****



P.O. Box 425
Paola, KS 66071
913.426.9515

**2026
Proposal for Lake Management
City of Edgerton**

Proposal Summary

Aquatic Ecosystem Consultants, LLC hereby proposes a Lake Management Program for the purpose of treating filamentous algae and pondweeds in Bridgewater Lake located at W 7th St and W. Martin St, Edgerton, KS. Aquatic Ecosystem Consultants, LLC hereinafter will be called Consultant. City of Edgerton, who declares they have control over the body of water in which lake management procedures will be implemented, hereinafter will be called Owner.

Management Program Guidelines

Algae and plant control materials employed in the program will be applied using the Consultant's application equipment. The Consultant will provide all materials and labor for the outlined program.

The materials employed in the program for vegetation control will be registered for aquatic usage with the Environmental Protection Agency and the State of Kansas.

The Consultant will obtain and process all necessary permits for the treatment of said body of water.

The Consultant will conduct treatments in a professional manner and all treatment material will be applied in compliance with the manufacturers' guidelines for each product.

Treatments will be performed in strict adherence with regulations set forth by the State of Kansas and will be conducted by a Certified Commercial Applicator.

Prior to treatments requiring restrictions on water usage, the Owner will be responsible for notifying all potential water users that a treatment will be made and that restrictions may be required on water usage.

The Consultant agrees to work on the proper management of the lake and will be available to consult on areas of pond management that are of concern to the Owner.

The Consultant will make six (6) scheduled treatments throughout the summer for filamentous algae and pondweeds.

Program Schedule

A. Submission of Necessary State Permits:

As Required

B. Initial Treatment:

April 2026

C. Additional Treatments:

May 2026

June 2026

July 2026

August 2026

September 2026

Note: The above schedule may be altered due to weather conditions and other uncontrollable circumstances.

Payment

City of Edgerton will pay the sum of \$1,986 to Aquatic Ecosystem Consultants, LLC for the above outlined Lake Management Program.

Payment shall be made according to the following guidelines:

A. \$331 due April 1, 2026

B. \$331 due May 1, 2026

C. \$331 due June 1, 2026

D. \$331 due July 1, 2026

E. \$331 due August 1, 2026

F. \$331 due September 1, 2026

A charge of 1.5% per month will be applied to past due balances.

This proposal shall become contract upon acceptance by the Owner.

Please sign the original contract and return it to our office.

Submitted: 

Timothy G. Snyder, AEC Manager

Date submitted: February 3, 2026

Note: This price is good for 30 days from the date submitted.

Acceptance of Proposal: The above price(s), specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined. I authorize Aquatic Ecosystem Consultants, LLC to act as my agent in obtaining the permit for use of algaecide and herbicide in waters of the State.

Signature of Approved Representative: _____ Date: _____

Name of Owner: _____

Name of Contact Person: _____

Telephone Number: _____

Email Address of Contact Person: _____

Mailing/Billing Address: _____

Billing Email: _____



Restoring Balance. Enhancing Beauty.

Proposal for Services Pond Management

PROPOSAL FOR:

City of Edgerton
Levi Meyer
404 East Nelson Street
Edgerton, KS 66021
lmeyer@edgertonks.org

PROPOSAL BY:

Jennifer Bonzani
Business Development Consultant
SOLitude Lake Management
jbonzani@solitudelake.com

March 13, 2025





POND MANAGEMENT SERVICES

Monitoring:

1. A SOLitude Aquatic Specialist will visit the site and inspect the pond(s) on a **two (2) times per month basis** during the months of **April through October**.
2. Observations and data collected during the inspections will be used to inform and guide all activities required to fulfill the requirements of this contract as specified in the description of services below.

Visual Inspections:

1. A visual inspection of the pond(s) will be performed during each visit to the site. The inspections shall include the following:
 - Water levels
 - Water clarity or quality
 - Turbidity
 - Beneficial Aquatic Vegetation
 - Nuisance, Invasive, or Exotic Aquatic Vegetation
 - Algae
 - Physical components such as above ground pipes, inlet and outlet structures, trash racks, emergency spillways, and dams
 - Erosion
 - Issues with shoreline and bank stabilization measures such as rip rap stone, bulkheads, retaining walls, etc.
 - Forebays and inflowing or outflowing swales, ditches, and stream channels
 - Vegetated buffers
 - Sedimentation
 - Nuisance animal activity
 - Fish habitat
 - Mosquito breeding conditions and habitat
 - Trash and debris
2. Any issues or deficiencies that are observed during this visual monitoring will be documented by our staff in the field notes of the service order completed at the time the issue was first observed and reported to the Customer in writing as part of that month's service report.
3. Customer will be notified immediately if there are any deficiencies observed that appear in the judgment of our staff to be posing an immediate risk or otherwise jeopardizing the integrity of the pond(s) structures.

Competitively Sensitive & Proprietary Materials – The information contained herein is the intellectual property of SOLitude Lake Management. Recipient may not disclose to any outside party any proprietary information, processes or pricing contained in this document or any of its attachments without prior written consent of SOLitude Lake Management. This document is provided to the recipient in good faith and it shall be the responsibility of the recipient to keep the information contained herein confidential.





SERVICES (CONTINUED)

Pond Algae Control:

1. Any algae found in the pond(s) with each inspection shall be treated and controlled through the application of algaecides, aquatic herbicides, and aquatic surfactants as needed for control of the algae present at the time of service.

Shoreline Weed Control:

1. Shoreline areas will be inspected for any growth of cattails, phragmites, or other unwanted shoreline vegetation found within the pond areas shall be treated and controlled through the application of aquatic herbicides and aquatic surfactants as required for control of the plants present at time of application.
2. Any growth of unwanted plants or weeds growing in areas where stone has been installed for bank stabilization and erosion control shall be treated and controlled through the application of aquatic herbicides and aquatic surfactants as required to control the unwanted growth present at the time of application.

Biological Augmentation:

1. Pond(s) will be inoculated with a combination of **Beneficial Aerobic Bacteria, Enzymes,** and other **microbial or natural nutrient binding** and limiting products as necessary for the proper maintenance of the pond(s) once the sustained water temperature reaches approximately 55 degrees.
2. Pond(s) will receive maintenance rate applications of Beneficial Aerobic Bacteria, Enzymes, and other microbial products throughout the contract period, or until such time as the sustained water temperature drops below 50 degrees.
3. Application of Beneficial Aerobic Bacteria, Enzymes, and other microbial products are made for the purpose of metabolizing excess nutrients in the water and digesting organic matter and bottom sludge, thus removing the primary cause of algae and preventing future algae growth.
4. Reduction in the amount of organic matter and bottom sludge in the pond will also help to extend the overall life of the pond and reduce the amount of maintenance dredging required to maintain the functionality of the pond.

Water Quality Restoration:

1. As necessary, **Eutrosorb** will be applied to reduce eutrophication and remove free radical phosphorus from the water column, thus reducing its availability in the pond(s) and limiting the primary excess nutrient responsible for water quality degradation and excessive nuisance algae and invasive aquatic weed growth.

Eutrosorb is a revolutionary proprietary product formulation offered exclusively to our Customers as part of our long standing nationally recognized status as a SePRO Preferred Applicator

Competitively Sensitive & Proprietary Materials – The information contained herein is the intellectual property of SOLitude Lake Management. Recipient may not disclose to any outside party any proprietary information, processes or pricing contained in this document or any of its attachments without prior written consent of SOLitude Lake Management. This document is provided to the recipient in good faith and it shall be the responsibility of the recipient to keep the information contained herein confidential.





April - October: 7 Months - 14 Visits

SERVICE OPTIONS	BASE PROGRAM	PROACTIVE PROGRAM
Monitoring	X	X
Inspection	X	X
Algae Control	X	X
Aquatic Weed Control		
Shoreline Weed Control	X	X
Biological Augmentation		X
Water Quality Restoration		X
TOTAL PRICE:	\$4,620.00 (\$660.00 per month)	\$7,245.00 (1,035.00 per month)

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GENERAL QUALIFICATIONS

General Qualifications:

1. Company is a licensed pesticide applicator in the state in which service is to be provided.
2. Individual Applicators are Certified Pesticide Applicators in Aquatics, Public Health, Forestry, Right of Way, and Turf/Ornamental as required in the state in which service is to be provided.
3. Company is a SePRO Preferred Applicator and dedicated Steward of Water. Each individual applicator has been trained and educated in the water quality testing and analysis required for prescriptive site-specific water quality management and utilizes an integrated approach that encompasses all aspects of ecologically balanced management. Each applicator has received extensive training in the proper selection, use, and application of all aquatic herbicides, algaecides, adjuvants, and water quality enhancement products necessary to properly treat our Customers' lakes and ponds as part of an overall integrated pest management program.
4. Company guarantees that all products used for treatment are EPA registered and labeled as appropriate and safe for use in lakes, ponds, and other aquatic sites, and are being applied in a manner consistent with their labeling.
5. All pesticide applications made directly to the water or along the shoreline for the control of algae, aquatic weeds, or other aquatic pests as specified in this contract will meet or exceed all of the Company's legal regulatory requirements as set forth by the EPA and related state agencies for NPDES and FIFRA. Company will perform treatments that are consistent with NPDES compliance standards as applicable in and determined by the specific state in which treatments are made. All staff will be fully trained to perform all applications in compliance with all federal, state, and local law.
6. Company will furnish the personnel, vehicles, boats, equipment, materials, and other items required to provide the foregoing at its expense.

Competitively Sensitive & Proprietary Materials – The information contained herein is the intellectual property of SOLitude Lake Management. Recipient may not disclose to any outside party any proprietary information, processes or pricing contained in this document or any of its attachments without prior written consent of SOLitude Lake Management. This document is provided to the recipient in good faith and it shall be the responsibility of the recipient to keep the information contained herein confidential.





COMMUNICATION AND PAYMENT REQUIREMENTS

Communication and Service Reporting:

1. Customer will be provided with a service report detailing all of the work performed as part of this contract after each visit.
2. Company will schedule monthly service visits with the designated community contact.
3. Company will notify the designated contact at least twenty-four (24) hours prior to service visit.

Payment Requirements:

1. SOLitude shall invoice Customer for the services to be provided under this Agreement on the first day of each month when service is due. Payment is due by the end of that same month.
2. Invoices will be sent via email to the billing email address provided by the Customer.
3. SOLitude Lake Management provides a complimentary customer portal for all customers to easily access upcoming service appointments, service history reports, invoices, and more. For further information, please click the following link: <https://www.youtube.com/watch?v=PhDsg1AQgqs>

Service Report Example:

Service Report

SOLITUDE LAKE MANAGEMENT

Work Order Number: 0011111
Created Date: 2/8/2023

Account Contact: Jana Doe
Address: 1111 Lake Blvd
Orlando, FL 32809

Work Details

Specialist Comments to Customer: Site has been treated for aquatic algae and shoreline weeds

Assigned Resource:

Work Order Assets

Asset Name	Status	Product Work Type
Community Has LAKE ALL	Treated	

EXAMPLE

Invoice Example:

SOLITUDE LAKE MANAGEMENT

INVOICE
Page: 1

Please Remit Payment to:
SOLITUDE LAKE MANAGEMENT, LLC
1320 Brookwood Drive
Suite H
Little Rock, AR 72202
Phone #: (800) 480-5253
Fax #: (888) 358-0088

Invoice Number: PSI-11111
Invoice Date: 2/1/2023

Bill To: Community HOA
C/O Management Co.
1111 Lake Blvd
Orlando, FL 32809

Ship To: Community HOA
C/O Management Co.
1111 Lake Blvd
Orlando, FL 32809

Customer ID: 1111
P.O. Number:
P.O. Date:
Our Order No.:

EXAMPLE

Competitively Sensitive & Proprietary Materials – The information contained herein is the intellectual property of SOLitude Lake Management. Recipient may not disclose to any outside party any proprietary information, processes or pricing contained in this document or any of its attachments without prior written consent of SOLitude Lake Management. This document is provided to the recipient in good faith and it shall be the responsibility of the recipient to keep the information contained herein confidential.





**A PROCLAMATION DESIGNATING APRIL AS FAIR HOUSING MONTH
IN THE CITY OF EDGERTON, KANSAS**

WHEREAS, the Congress of the United States of America passed the Civil Rights Act of 1968, of which Title VIII declared that the law of the land would now guarantee the rights of equal housing opportunity; and

WHEREAS, the City of Edgerton, Kansas is committed to the mission and intent of Congress to provide fair and equal housing opportunities for all, and today, many realty companies and associations support fair housing laws; and

WHEREAS, the Fair Housing groups and the U.S. Department of Housing and Urban Development have, over the years, received thousands of complaints of alleged illegal housing discrimination and found too many that were proven upon investigation to be violations of the fair housing laws; and

WHEREAS, equal housing opportunity is a condition of life in our City that can and should be achieved.

NOW, THEREFORE BE IT RESOLVED, that I, Donald Roberts, Mayor of the City of Edgerton, Kansas, do hereby proclaim the month of April 2026 as FAIR HOUSING MONTH to promote fair housing practices throughout the City. In witness whereof, I have hereunto set my hand and caused the Seal of the City of Edgerton, Kansas to be affixed this 26th day of March 2026.

CITY OF EDGERTON, KANSAS

By: _____
Donald Roberts, Mayor

ATTEST:

Dusti Callahan, City Clerk



EDGERTON
global routes. local roots.

404 East Nelson
Edgerton, KS 66021
P: 913.893.6231
EDGERTONKS.ORG

City Council Action Item

Council Meeting Date: March 26, 2026

Department: Administration

Agenda Item: Consider Facility Use and Maintenance Agreement with Edgerton Community Food Pantry

Background/Description of Item: During the March 13, 2025 Council Meeting, the Edgerton Community Food Pantry (Food Pantry) was approved to utilize storage space at The Greenspace for their operation.

The only change in the new agreement from the 2025 agreement was updating to reflect the new 501c status for the operation.

Below is a summary of the City responsibilities:

- Provide the Room (southwest corner) ready to use for storage for the Food Pantry
- Allows Use of City Property (Martin Creek Park) for Distribution.
- Temporary Signage only
- Building Maintenance (including clear sidewalks, maintain all building systems, etc.)
- Pay Utility Bills
- Security of Building provided by issuance of key fobs
- Insurance of Building

Below is a summary of the Food Pantry Responsibilities:

- Establish and maintain a Food Pantry
- Operate only during operating hours of The Greenspace
- The Greenspace will only be used for storage, sorting and preparation. Distribution of food will occur off-site
- Rent amount to be set by City Council
- Security of Contents
- Insurance of Contents and Volunteers

The agreement, if approved, is valid for the rest of the calendar year beginning March 26, 2026 through December 31, 2026. Either party may elect not to renew the agreement with two months prior notice.

Similar to the Agreement for the Edgerton Museum, City Council determines an appropriate amount for the rent and insert it into the Agreement. Last year, City Council set the rent at \$2 for the entirety of that agreement year.

The agreement is under review by the City Attorney. Any changes will be reviewed at the City Council meeting.

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

Funding Source: N/A

Budget Allocated: N/A

Finance Director Approval: N/A

Recommendation: Approve Facility Use and Maintenance Agreement with Edgerton Community Food Pantry
--

Enclosed: Draft Facility Use and Maintenance Agreement

Prepared by: Levi Meyer, Parks and Recreation Director

FACILITY USE AND MAINTENANCE AGREEMENT

THIS FACILITY USE AND MAINTENANCE AGREEMENT (the Agreement) is made this ____th day of March, 2026, by and between the City of Edgerton (hereinafter the “City”) and Edgerton Community Food Pantry, INC, doing business as the Edgerton Community Food Pantry (hereinafter “ECFP”). The parties agree as follows:

SECTION ONE: City’s Agreement to Make a Facility Available for the Edgerton Community Food Pantry. City owns The Greenspace located at 303 East Nelson (hereinafter “the Facility”) and desires to enter into a Use and Maintenance Agreement (hereinafter “the Agreement”) authorizing ECFP to use an agreed area of the Facility (hereinafter the “Food Pantry”) for the purposes of establishing and maintaining the Edgerton Community Food Pantry.

SECTION TWO: ECFP’s Agreement to Maintain a Food Pantry at the Facility. ECFP has approved the establishment and maintenance of the Edgerton Community Food Pantry at the Facility.

SECTION THREE: CITY’S RESPONSIBILTIES

1. Making the Facility Ready for Use; Compliance with Codes and Laws. The City agrees that it shall, prepare the Facility and the Food Pantry Site for use by ECFP. The City warrants that the Facility and the Food Pantry Site will be completed in a manner that assures that the Facility and the Food Pantry Site will be in compliance with all federal, state, county, and city laws and building and zoning codes, and that the City will bring the Facility or Food Pantry Site into compliance with such laws or codes, in the event that the parties are advised of a violation of any one of such laws or codes.
2. Use of City Property for Distribution. The City agrees to allow the Food Pantry to use Martin Creek Park, city-owned park located at 20200 Sunflower Road, as a distribution site for the Food Pantry if desired.
3. Signage. The City agrees that ECFP shall be permitted to place temporary election-style signs on the exterior of the property identifying the Food Pantry, subject to City zoning and building codes.
4. Maintenance of the Facility. The City agrees that it will, at its sole expense, maintain the grounds and sidewalk surrounding the Facility; mow the grass; remove snow and ice from the parking lot, ADA ramp and sidewalk areas around the Facility; maintain all electrical, plumbing, mechanical, heating, ventilation, and air condition systems in good repair; maintain the floors, roof, walls, windows, entry areas and common areas of the Facility in a manner that makes the Facility safe and free of hazards for use by ECFP patrons; arrange for pest and insect control; and arrange for capital improvements of the Facility that are needed to assure that the Facility is in good condition for use by ECFP patrons and the citizens of Edgerton. ECFP may perform capital improvements to the Food Pantry but only with the written consent and approval of the City. The City may enter the

Food Pantry at any time to inspect and/or verify building structure and/or systems are functioning properly.

5. Utilities. The City will be responsible to make all payments due for utilities used at the Food Pantry Site.

SECTION FOUR: ECFP'S RESPONSIBILITIES

1. Agreement to Use the Food Pantry Site. ECFP agrees to establish and maintain a public community Food Pantry at the Food Pantry Site of the Facility. The parties agree that Food Pantry services and selection of materials are the sole prerogative of ECFP.
2. Food Pantry Operations. During the term of this Agreement, ECFP shall operate the hours of the Food Pantry as determined by ECFP so long as those hours of operation are within those that The Greenspace is open to the public.
3. Facility Only Used for Storage, Sorting and Preparation. The Food Pantry Site at the Facility will only be used for storage, sorting and preparation. Distribution of food to patrons will occur off-site from the Facility.
4. Usage and Maintenance Fee. ECFP agrees to pay the City a Usage and Maintenance Fee (hereinafter the "Fee") in the sum of \$ ____ per year. The Fee shall be paid annually by the first day of the year.
5. Security. ECFP shall be solely responsible for securing the Food Pantry Site and safeguarding ECFP materials used in the operation of the public community Food Pantry at the Food Pantry Site. The City agrees all such security measures are the sole prerogative of ECFP. The City will control the locks for entrance into the building including providing card-access for use by ECFP and updating the access as necessary.
6. Maintenance of Food Pantry Site and Payment of Utilities. ECFP agrees to maintain and keep in good repair the Food Pantry Site (excluding capital improvements to the common areas, walls, floors, or ceiling) and agrees, at its sole expense, to keep the Food Pantry Site safe and clean.

SECTION FIVE: TERM

The term of this Agreement shall be one year beginning March 26, 2026 through December 31, 2026. In the event that one of the parties elects not to renew this Agreement, it shall give the other party two months prior written notice of its intent not to renew.

SECTION SIX: INSURANCE AND HOLD HARMLESS

1. City's Insurance. The City agrees to maintain insurance for the structure.

2. ECFP's Insurance. ECFP agrees to maintain throughout the term of this lease (and provide The City with a formal Accord 25 certificate of insurance documenting such coverage is in force), the following minimum coverages:
 - a. Commercial General Liability on an occurrence basis, with a limit of not less than \$1,000,000 each occurrence and \$2,000,000 aggregate. The City shall be included as an additional insured, on a primary basis, non-contributory with any other insurance carried by The City.
 - b. Commercial Property insurance covering all items of ECFP property on the premises and tenant improvements and alterations. The City and ECFP hereby waive and request that their insurers waive any right of recovery/subrogation against each other on account of any loss or damage to property, to the extent covered by the commercial property insurance required above.
 - c. Workers Compensation insurance providing statutory benefits to ECFP employees and employers liability insurance with limits of not less than \$500,000.
 - d. Directors & Officers and Employment Practices Liability insurance with a per claim limit of not less than \$500,000, and with defense costs provided in addition to such limit of liability. EPL coverage is also to extend to third party claimants.
3. Hold Harmless. Each party agrees to protect, defend, indemnify and hold the party and their officers, employees, and agents free and harmless from and against any and all losses, penalties, damages, settlements, costs, charges, professional fees, or other expenses or liabilities of every kind and character arising out of or relating to any and all claims, liens, demands, obligations, actions, proceedings or causes of action of every kind and character in connection with or arising directly out of its error, omission or negligent act.
4. Waiver of Subrogation. Each of the parties releases the other party from all liability for damage due to any act or neglect of the other party (except as hereinafter provided) occasioned to property owned by the parties which is or might be incident to or the result of a fire or any other casualty against loss for which either of the parties is now carrying or hereafter may carry insurance; provided, however, that these releases shall not apply to any loss or damage occasioned by the willful, wanton, or premeditated negligence of either of the parties, and the parties hereto further covenant that any insurance that they obtain on their respective properties shall contain an appropriate provision whereby the insurance company, or companies, consent to the mutual release of liability contained in this paragraph.
5. Kansas Tort Claims Act. Nothing herein shall be construed as the City waiving its immunities and liability limitations afforded to the City by the Kansas Tort Claims Act.

IN WITNESS WHEREOF, the parties have set their hands this ____ day of March, 2026.

CITY OF EDGERTON, KANSAS

EDGERTON COMMUNITY FOOD PANTRY

Donald Roberts, Mayor

President

ATTEST:

ATTEST:

Dusti Callahan, City Clerk

Secretary

APPROVED AS TO FORM:

APPROVED AS TO FORM:

Todd Luckman, City Attorney

Attorney

City Council Action Item

Council Meeting Date: March 26, 2026

Department: Administration

Agenda Item: Consider Renewal of Corporate Insurance Policy for April 1, 2026 to March 31, 2027

Background/Description of Item:

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

The same methodology has been employed with regards to the coverage for this policy year as it has in past years. Staff determines which properties are to be insured in which manner (replacement cost, actual cash value (ACV), or self-insured). A comprehensive list was developed with those methods of coverage valuation and Council adopted those methods of replacement.

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

Replacement Cost

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

Actual Cash Value (ACV)

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

Self-Insure

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

For the 2026-27 coverage year, there are several items of note:

- (1) The Museum was added back under the blanket limit for 2026-27, so all City locations are now on the blanket limit.
- (2) Overall values increased 4% over last year
- (3) EMC does not cover inflatables for Parks and Recreation events, so separate liability coverage was required. The City's insurance broker was able to secure this coverage at much lower cost than originally anticipated.
- (4) Cyber insurance increased due to the higher incidence of ransomware and impersonation fraud claims and the impact of Artificial Intelligence.

Attached is the coverage comparison between 2025/2026 to 2026/2027 from EMC Insurance, which is also summarized in the table below. The annual premium quote from EMC for the 2026-2027 coverage period is \$118,311.74, which is a decrease of \$319.85 from last year's coverage period.

Insurance premium cost comparison is below:

Insurance Type	2025-2026	2026-2027	Change
Property, Liability, Auto, Umbrella Coverage	\$109,925.00	\$108,102.00	(\$1,823.00)
Pollution Liability	\$6,337.59	\$6,960.74	\$623.15
Cyber Liability	\$2,369.00	\$3,249.00	\$880.00
Total Insurance Coverage Quote	\$118,631.59	\$118,311.74	(\$319.85)

Included with the Insurance Proposal is a Coverage Comparison Summary and the City's updated property lists.

The City's insurance agent, Mr. Kevin O'Brien, recommends renewing Property, Liability, Auto and Umbrella Coverage Insurance with EMC, as well as Pollution Liability Insurance with Crum

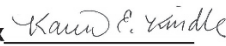
& Forster. The Cyber Liability Insurance will renew with CFC, a Lloyds of London syndicate, for this year's renewal.

The total 2026 Budget allocated for insurance premiums is \$134,562. The insurance premium is within the budgeted amount.

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

Funding Source: Funding for property insurance premiums is provided for in the General Fund, Water Fund and the Sewer Fund.

Budget Allocated: \$134,562

x 

Finance Director Approval: Karen Kindle, Finance Director

Recommendation: Purchase Corporate Insurance Policy for the Period of April 1, 2026 – March 31, 2027, for a Premium Amount Not to Exceed \$118,311.74

Enclosed:

Insurance Proposal with Summary & Comparison provided by Kevin O'Brien of The Reilly Company

Prepared by: Dusti Callahan, City Clerk



City of Edgerton
404 E Nelson St
Edgerton, KS 66021

Policy Term:

April 1, 2026
to
April 1, 2027

Presented: March 26, 2026

ACCOUNT SERVICING TEAM

No matter how comprehensive or price competitive your insurance program is, it's still people who service it to ensure that the coverage will respond when it's needed. We feel our people are our greatest asset - courteous professionals who know that you expect and deserve the very best.

These are the people who will be handling your account:

KEVIN O'BRIEN	AGENT	kevin.obrien@reillyinsurance.com
KAREN LORE	ACCOUNT MANAGER	karen.lore@reillyinsurance.com
BOBBIE JONES	CLAIMS/BONDS	bobbie.jones@reillyinsurance.com

The Reilly Company
Leavenworth Office: 608 Delaware, Leavenworth, KS 66048
Phone: 913-682-1234; FAX: 913-682-8136
Kansas City Office: 11225 College Blvd., Ste 210, Overland Park, KS
Phone: 913-708-8700; FAX: 913-708-8880

This presentation is designed to give you an overview of the insurance coverages we recommend for your company. It is intended only as a general understanding of your insurance needs and should not be construed as a legal interpretation of the insurance policies that will be written for you. Please refer to your specific insurance contracts for details on coverages, conditions and exclusions.

In evaluating your exposures to loss, we have been dependent upon information provided by you. If there are any other areas that need to be evaluated prior to binding of coverage, please bring these areas to our attention. Should any of your exposures change after coverage is bound, such as your beginning new operations, hiring employees in new states, buying additional property, etc., please let us know so proper coverage can be discussed.

COMMERCIAL PROPERTY COVERAGE

Named Insured: City of Edgerton
Company Name: EMC Insurance (rated **A** by A.M. Best)
Policy Term: April 1, 2026 to April 1, 2027

Causes of Loss: Special Form subject to policy exclusions
Deductible: \$5,000 for All Perils Except \$50,000 on Wind/Hail and 10% on Earthquake (per Occurrence); 72 Hours for Business Income
Valuation: Replacement Cost
Coinsurance: Waived by Agreed Value
Inflation Increase: 4%

Blanket Limit of Property Insured - **\$31,276,163** – This is 90% of the Total 100% Values on the Schedule Provided (copy attached).

Business Income/Extra Expense - \$1,000,000

Equipment Breakdown – Included

Earthquake - \$2,500,000

Debris Removal - \$250,000 per Building

Key Exclusions:

Cyber Incidents

Cannabis

Virus or Bacteria

Limitation on Coverage for Roof Surfacing - Cosmetic Damage

Flood

***The Historical Museum was NOT included in the Blanket Limit last year but it is this year.**

Description	Location	Building / Property in the Open Value	Contents Value
City Hall	404 E. Nelson St	\$2,516,878	\$42,576
Traffic Lights and Street Signals	Throughout the City	\$2,819,159	\$0
Water Tanks & Telemetry Equipment (150,000 gallons)	900 W 8th St	\$547,393	\$0
Fence - Water Tower	900 W 8th St	\$5,110	\$0
Water Tanks & Telemetry Equipment (50,000 gallons)	408-410 1st St at E. Martin St Manor Park	\$456,162	\$0
Fence - Water Tower	408-410 1st St at E. Martin St Manor Park	\$3,649	\$0
Outdoor Warning Siren	408-410 1st St at E. Martin St Manor Park	\$31,626	\$0
Playground Equipment	408-410 1st St at E. Martin St Manor Park	\$52,513	\$0
Rubber Mulch	408-410 1st St at E. Martin St Manor Park	\$25,532	\$0
Shelter	408-410 1st St at E. Martin St Manor Park	\$34,693	\$0
Parks Maintenance Building	710 E. Nelson St	\$162,549	\$6,083
Public Works Building	710 E. Nelson St	\$475,025	\$42,576
Fence	710 E. Nelson St	\$340,600	\$0
Barn (Lean To w/Equipment) (80x40)	710 E. Nelson St	\$98,316	\$0
Salt Storage Barn (Quonset Hut) (65x30)	710 E. Nelson St	\$28,840	\$0
Edgerton Waste Water Lift Station (EWWLS)	710 E. Nelson St	\$891,642	\$0
EWWLS Fence	710 E. Nelson St	\$41,360	\$0
EWWLS Generator	710 E. Nelson St	\$38,925	\$0
Shelter House #1	501 E. 6th St Edgerton Lake Park	\$22,898	\$0
Shelter House #2	501 E. 6th St Edgerton Lake Park	\$34,693	\$0
Shelter House #3	501 E. 6th St Edgerton Lake Park	\$22,898	\$0
Concessions Building	20200 Sunflower Road Martin Creek Park	\$91,761	\$6,083
Poles/Lights (field 1)	20200 Sunflower Road Martin Creek Park	\$182,465	\$0
Poles/Lights (field 2)	20200 Sunflower Road Martin Creek Park	\$182,465	\$0
Poles/Lights (field 3)	20200 Sunflower Road Martin Creek Park	\$182,465	\$0
Shelter	20200 Sunflower Road Martin Creek Park	\$54,739	\$0
Tennis Court Lights	20200 Sunflower Road Martin Creek Park	\$182,465	\$0
Playground Equipment	20200 Sunflower Road Martin Creek Park	\$16,142	\$0

Baseball backstops (field #1 & #2)	20200 Sunflower Road Martin Creek Park	\$5,157	\$0
Baseball Fence (field #1 & #2)	20200 Sunflower Road Martin Creek Park	\$3,649	\$0
8th Street Sewer Lift Station	W. 7th & W. 8th St	\$573,300	\$0
Library (not on historic register)	319 E. Nelson St	\$1,137,075	\$0
Water Tower (200,000 gallons) (County Line)	20325 County Line Rd	\$729,856	\$0
Fence - Water Tower (County Line)	20325 County Line Rd	\$15,814	\$0
Baldwin Booster Pump Station	200 Road	\$170,300	\$0
Fence - Baldwin Booster Pump Station	200 Road	\$11,374	\$0
Edgerton Historical Museum	406 E. Nelson St	\$144,196	\$0
Pavillion	310 W. Edgewood Dr Glendell Acres Park	\$51,584	\$0
Skate Park	310 W. Edgewood Dr Glendell Acres Park	\$6,160	\$0
Playground Equipment	310 W. Edgewood Dr Glendell Acres Park	\$135,200	\$0
Fitness Equipment	310 W. Edgewood Dr Glendell Acres Park	\$28,633	\$0
Surfacing	310 W. Edgewood Dr Glendell Acres Park	\$51,566	\$0
IMF Lift Station	32882 W. 191st St	\$573,300	\$0
IMF Lift Station - Fence	32882 W. 191st St	\$5,378	\$0
IMF Lift Station - Generator	32882 W. 191st St	\$27,978	\$0
Outdoor Warning Siren-IMF Lift Station	32882 W. 191st St	\$31,626	\$0
Big Bull Creek WWTP	20600 Homestead	\$7,552,918	\$0
Big Bull Creek WWTP - Solids Bldg	20600 Homestead	\$1,966,310	\$0
Big Bull Creek WWTP - Admin Bldg	20600 Homestead	\$1,120,798	\$30,411
Big Bull Creek WWTP - Headworks Bldg	20600 Homestead	\$694,763	\$0
Big Bull Creek WWTP - Fence/Gate	20600 Homestead	\$64,471	\$0
Big Bull Creek WWTP - Generator	20600 Homestead	\$145,971	\$0
Outdoor Warning Siren - Braun St.	1100 W. Braun St	\$31,626	\$0
Water Control Vault w/Telemetry Equipment-US 56	100 W. 8th Street	\$5,475	\$0
Water Control Vault w/Telemetry Equipment-207th Street	900 W. Braun	\$3,649	\$0
Government Offices	312B E. Nelson St #B	\$0	\$18,248
Essex Waste Water Lift Station	19129 Essex St	\$912,321	\$0
Essex Waste Water Lift Station - Generator	19129 Essex St	\$121,644	\$0

Essex Waste Water Lift Station - Fence	19129 Essex St	\$15,510	\$0
Big Industrial Waste Water Lift Station	18517 Waverly Rd	\$573,300	\$0
Big Industrial Waste Water Lift Station - Generator	18517 Waverly Rd	\$27,978	\$0
Big Industrial Waste Water Lift Station - Fence	18517 Waverly Rd	\$15,024	\$0
BBCLS	32500 W 207th St	\$573,300	\$0
BBCLS Generator	32500 W 207th St	\$27,164	\$0
BBCLS Fencing	32500 W 207th St	\$14,586	\$0
Spoon Creek Booster Pump Station	20690 Spoon Creek	\$328,435	\$0
Spoon Creek Booster Pump Station - Fence	20690 Spoon Creek	\$3,831	\$0
Government offices	414 E. 4th Street	\$351,992	\$49,140
Community Center (The Greenspace)	303 E Nelson	\$6,531,200	\$228,800
Total 100% Values		\$34,327,375	\$423,917
Inflation Increase: 4%		\$34,751,292 x 90% = \$31,276,162	

EQUIPMENT COVERAGE

Named Insured: City of Edgerton
 Company Name: EMC Insurance (rated **A** by A.M. Best)
 Policy Term: April 1, 2026 to April 1, 2027

 Causes of Loss: Special Form subject to policy exclusions
 Deductible: \$1,000
 Valuation: Actual Cash Value (except Replacement Cost on highlighted items)
 Coinsurance: 80%

<u>Limits</u>	<u>Coverage Description</u>
\$1,003,175	Scheduled Equipment – As Per Schedule Attached
\$ 20,000	Unscheduled Owned Equipment (\$2,500 Per Item)
\$ 75,000	Unscheduled Equipment Owned by Others (Leased/Rented)
\$ 5,000	Rental Costs Reimbursement (72 Hours Waiting Period)
\$224,000	Electronic Data Processing – Hardware
\$ 50,000	Electronic Data Processing - Media

Contractors' Equipment Form Includes Coverage for Earthquake and Flood

Data Processing Form Includes Coverage for Earthquake and Sewer Back-Up, but not Flood

Key Exclusions:

Virus or Bacteria
 Cannabis

Note: EMC allows Replacement Cost valuation if a scheduled item is less than 6 years old. As a result, there are 8 highlighted items on the next two pages that are insured at Replacement Cost, reflected in the total value of \$1,003,175.

Year	Manufacturer	Model	Description	Serial #	Value
2017	Kubota	RTVX1100	Utility Vehicle	A5KC2GDBAHG034584	\$11,265
2017	Caterpillar	PNG0729	12M3 AWD Motor Grader	CAT0112MHN9B00409	\$265,963
2020	Caterpillar	212-6231	Motor Grader Scarifier	8AW02416	\$3,136
2018	Volvo	DD25B	Roller	VCE0D25BF0H661034	\$35,029
2017	Kubota	SSV75PHFRC	Skid Loader w/ Cab, Pilot Controls, Hydraulic Coupler	JKUS0751K00J23116	\$35,107
2017	Kubota	AP-HD74	Skid Steer Tooth Bucket	1031804K	\$1,037
2017	Kubota	AP-HD74	Skid Steer Smooth Bucket	1011803K	\$1,037
2018	Coneqtec Universal	AP450HD	Mill Head	C13117	\$11,741
2019	Kubota	AP-HB74-16	Box Broom Attach - Skid Loader	1072694K	\$8,900
2017	John Deere	50G	Compact Excavator	1FF050GXPGH284368	\$51,514
2016	John Deere	AT439374	12" Bucket	2067093	Incl w/ 50G
2016	John Deere	AT316565	36" (Smooth) Bucket	2045041	Incl w/ 50G
2016	John Deere	AT316562G	18" Bucket	2380913	\$508
2018	Mahindra	2555HTS Cab	Tractor Product #25554CHIL	55HCK00859	\$29,266
2018	Mahindra	2555	Loader & Bucket	55CL K00383	Incl w/tractor
2018	Mahindra	20KPL3PT72-M	Aerator	K13361-1	\$1,809
2018	KOD	KBSHD6	Heavy Duty 6' Box Blade	245749	\$4,882
1998	Case	1840	Skid Steer UniLoader	JAF0248235	\$8,200
2020	Caterpillar	926M	W/ 3yd Bucket - 360-3323	D8T628932J308897	\$156,879
2020	Dymax	Grapple Bucket	With 2020 CAT - Model DX-BK-GL-3	170430	\$20,010
2020	Caterpillar	Fork Attachment	With 2020 CAT	532-8222	\$2,549
2020	Seal Master	Crack Pro 125	Crack Seal Machine	1S9P1151XL0420511	\$57,804
2021	VariTech	AI1620-HCL-3NBPDN	Anti Ice Unit	14180	\$16,674
2018	Wright Stander	WSZK61s61E8E-49s	61" Zero Turning Mower	107296EF	\$3,078
2015	Bad Boy	Outlaw	61' Zero Turn Mower	BB0612T74002151006	\$3,129
2017	Graphtec	FC8600-130	54' Sign Plotter	20170301 - 70335736	\$1,886
2017	Kubota	V5289	72' Comm'l Plow Blade for UTV	21615504	\$1,653

2017	Boss	STB19200 - EXT	8'-10' Plow w/ Rubber deflector	401250953	\$2,149
2017	Boss	STB19200 - EXT	8'-10' Plow w/ Rubber deflector	401250652	\$2,180
2014	Caterpillar	230-7098	V-Plow for Cat Motor Grader	7YW03939	\$5,497
2017	ARM	SPX-10	10 ft Plow	7796	\$1,870
2017	Western	MVP - 76980		1702211-0090376980	\$1,738
2019	Meyers	Lot Pro	9 ft Lot Pro	00251809403	\$2,095
2021	Henke	36R12IS-ECT	12 ft Highway Plow	32232	\$15,000
2016	Cornwell		Apprentice Tool Set		\$3,604
2016	Rotary	SM014	Vehicle Lift	FA7147	\$8,109
2021	Wacker Neuson	ABCe	Concrete Vibrator w/ Battery	5100028231-5100050080	\$2,857
2021	ABI	Rascal Pro	Infield Groomer 10-99077	A-112037	\$4,089
2021	Cyclone Rake	Z-10	Leaf Vacuum	1L23V0013F12103245561575	\$3,600
2017	Buyers	BU-1400601SS	8' Electric Spreader	4780	\$1,516
2017	ARM	UTC	Tail Gate Spreader		\$935
2021	Warren	AC-2400-16	16' Spreader	SC20815	\$20,000
2022	John Deere	970R Z Track	60 in commercial mower	1TC970RCCNT100425	\$17,000
2022	John Deere	970R Z Track	72 in commercial mower	1TC970RDANT101299	\$17,500
2020	Motorola		(4) Portable Radios		\$11,079
2022	Motorola		(2) Portable Radios		\$5,116
	Armadillo		(5) Trackers with GPS		\$19,700
2024	Takeucki	TL12R-2	Compact Track Loader	412108229	\$120,000
2024	Indeco	HP800FS	Hydraulic Hammer Attachment	IN24001 46205864	\$11,400
2021	Boss		9' Commercial Snow Plow	407983212	\$8,000
Total Values					\$1,003,175

COMMERCIAL CRIME COVERAGE

Named Insured: City of Edgerton
Company Name: EMC Insurance (rated **A** by A.M. Best)
Policy Term: April 1, 2026 to April 1, 2027

<u>Limits</u>	<u>Deductible</u>	<u>Coverage Description</u>
\$200,000	\$4,000	Employee Dishonesty
\$ 25,000	\$1,000	Forgery and Alteration
\$ 25,000	\$1,000	Theft Disappearance & Destruction-Inside Premises
\$ 25,000	\$1,000	Theft Disappearance & Destruction-Outside Premises
\$ 25,000	\$1,000	Computer and Funds Transfer Fraud
\$ 25,000	\$1,000	Robbery or Safe Burglary Inside/Outside Premises

COMMERCIAL GENERAL LIABILITY COVERAGE

Named Insured: City of Edgerton
 Company Name: EMC Insurance (rated **A** by A.M. Best)
 Policy Term: April 1, 2026 to April 1, 2027

Coverage Written On: ☒ Occurrence Form
 Deductible: \$500 for Property Damage per Claim

<u>Limits</u>	<u>Coverage Description</u>
\$1,000,000	Each Occurrence - Bodily Injury and Property Damage
\$2,000,000	General Aggregate
\$2,000,000	Products and Completed Operations Aggregate
\$1,000,000	Personal and Advertising Injury
\$ 500,000	Fire Damage (any one fire)
\$ 10,000	Medical Expense
\$1,000,000	Employee Benefits Liability/Each Employee / \$1,000 deductible
\$2,000,000	Employee Benefits Liability Aggregate Limit / 4/1/2000 Retro
\$1,000,000	Abuse or Molestation Each Offense
\$2,000,000	Abuse or Molestation Aggregate Limit

Includes:

- Premises and Operations
- Products and Completed Operations
- Owners and Contractors Liability
- Employees as Additional Insureds
- Incidental Malpractice
- Non-Owned Aircraft
- Non-Owned Watercraft Liability under 60 ft
- Government Subdivisions
- Pesticide/Herbicide Applicator Coverage – Weed Control and Mosquito Fogging
- Municipal Violence Expenses-\$25,000 per person/\$100,000 agg
- Kansas Tort Claims Act - \$500,000
- **Additional Insured; Primary and Non-Contributory**
- **Waiver of Subrogation**

****When required by written contract.**

COMMERCIAL GENERAL LIABILITY COVERAGE (CONTINUED)

(S) GROSS SALES - PER \$1,000/SALES (A) AREA - PER 1,000/SQ. FT. (M) ADMISSIONS - PER 1,000/ADM
(P) PAYROLL - PER \$1,000 PAY (C) TOTAL COST - PER \$1,000/COST (U) UNIT - PER UNIT (E) Each
(O) Other

Exposure/Classification	State	Premium Basis
Dam, Levee or Dike – Existence Hazard Only	KS	1 E
Water Companies	KS	\$154,337 P
Town Liability Incl Work Subcontracted to Others	KS	1,800 O
Parades	KS	If Any
Skateboard Park	KS	1 E
Special Events – Kickoff Summer Block Party / 3 rd of July Picnic / October Meat Inferno	KS	3 E
Fireworks Exhibitions – Sponsor Risk Only	KS	1 E

*General Liability Subject to Annual Audit

Key Exclusions:

Medical Payments (goodwill coverage) Applicable to Skate Park
Punitive Damages Related to Terrorism
Silica, Asbestos, Lead, Fungi or Bacteria, Nuclear Energy Liability
Employment Related Practices (but included in Linebacker coverage)
Failure to Supply
Injury to Volunteer Firefighters
Communicable Disease
Services furnished by Healthcare Providers
Perfluoroalkyl/Polyfluoroalkyl Substances
Cyber Incidents and Data Privacy
Cannabis
Operation of any Mechanical Amusement Device (see next page for separate coverage)
War

GENERAL LIABILITY – INFLATABLES – SPECIAL EVENTS

Named Insured: City of Edgerton
 Company Name: West Bend Insurance (rated **A** by A.M. Best)
 Policy Term: March 20, 2026 to July 4, 2026

Coverage Written On: ☒ Occurrence Form

Limits

\$1,000,000
 \$2,000,000
 \$2,000,000
 \$1,000,000
 \$ 100,000
 Excluded
 \$ 250

Coverage Description

Each Occurrence - Bodily Injury and Property Damage
 General Aggregate
 Products and Completed Operations Aggregate
 Personal and Advertising Injury
 Fire Damage (any one fire)
 Medical Expense
 Deductible per Claim / \$2,500 Maximum per Occurrence

Exposures	Rate
Exhibition – March 20th	\$50.490
Exhibition – June 6th	\$50.490
Special Event – July 3rd	\$584.442

Total Premium \$686.00

Key Exclusions:

Bungee Run
 MindWinder
 Medical Payments
 Athletic or Sports Participants
 Abuse or Molestation
 Water Activities
 Liquor Liability
 Firearms or Weapons
 Amusement Rides
 Fireworks
 Trampolines
 Human Trafficking

PUBLIC ENTITY MANAGEMENT LIABILITY AND EMPLOYMENT PRACTICES LIABILITY AKA LINEBACKER COVERAGE

Named Insured: City of Edgerton
 Company Name: EMC Insurance (rated **A** by A.M. Best)
 Policy Term: April 1, 2026 to April 1, 2027

Coverage Written On: Claims-Made Form
 Retroactive Date: 4/1/2004

<u>Limits</u>	<u>Coverage Description / Features</u>
\$1,000,000	Each Loss
\$2,000,000	Aggregate for Each Policy Term
\$ 2,000	Deductible Each Claim

Linebacker public officials' errors and omissions (E&O) and employment practices liability covers defense and judgements protecting:

- The organization named in the declarations
- The organization's past, present and future employees, volunteers and lawfully elected or appointed officials
- Lawfully appointed members of the commissions, boards or other units operated under the organization's jurisdiction and within an allocation of the organization's operating budget
- The estates, heirs or legal representatives of deceased persons who were policyholders
- Policyholders serving on boards of other tax-exempt entities at the direction of the insured organization

Public Officials Wrongful Acts

- Acts, omissions, neglect or breach of duty by a policyholder in the discharge of organizational duties including actual or alleged errors, misstatements or misleading statements

Employment Wrongful Acts The following actual or alleged practices directed against your clients' employees, leased workers, temporary employees, former employees and applicants for employment for which remedy is sought under any federal, state or local statutory or common civil employment law:

- Employment-related misrepresentation
- Harassment, coercion, discrimination or humiliation as a consequence of race, color, creed, national origin, marital status, gender, age, pregnancy, sexual orientation (where applicable) and more
- Oral or written publication of material that slanders, defames or libels an employee or invades right of privacy

LINEBACKER COVERAGE (CONTINUED)

- Wrongful demotion, negligent evaluation, negligent reassignment or wrongful discipline
- Wrongful failure to promote or deprivation of career opportunity
- Wrongful refusal to employ
- Wrongful termination of employment including retaliatory or constructive discharge

Note: Refer to policy and forms for all terms, conditions and exclusions.

COMMERCIAL AUTOMOBILE COVERAGE

Named Insured: City of Edgerton
 Company Name: EMC Insurance (rated **A** by A.M. Best)
 Policy Term: April 1, 2026 to April 1, 2027

<u>Limits</u>	<u>Coverage Description</u>
\$1,000,000	Combined Single Limit - Bodily Injury and Property Damage
\$1,000,000	Uninsured/Underinsured Motorists
\$ 2,000	Medical Payments

Physical Damage Coverage (see attached automobile schedule)

Includes:

- ☒ Non-Owned Auto Liability
- ☒ Hired Auto Liability
- ☒ Hired Car Physical Damage – \$100,000

Automatic Coverages:

Temporary Substitute Auto Physical Damage	
Employee Hired or Rented Autos	
Kansas Tort Liability	\$500,000
Transportation Expenses	\$75 day/\$2,500 max (for total theft)
Rental Reimbursement (not theft)	\$75 day/30 days/\$2,250 max
Towing	\$100 private passenger/\$500 all other
Property of Others	\$500
Lockout/Key Expense	\$250 private passenger
Glass Repair	No deductible if repaired; \$500 for replacement
Loan/Lease Coverage	\$10,000; \$500 max for fees or penalties
Blanket Additional Insured	Included with written contract
Blanket Waiver of Subrogation	Included
Primary and Non-Contributory	Included

COMMERCIAL AUTOMOBILE COVERAGE (CONTINUED)

Commercial Automobile Schedule

Veh #	Year	Vehicle Make Vehicle Model Serial Number	Liab	Med Pay/KS PIP	UM/ UIM	Comp Deductible	Collision Deductible
1	2015	Ford F150 1FTEX1EPXFKD30819	x	x	x	\$1,000	\$1,000
2	2015	Ford F150 1FTEX1EP9FKE51454	x	x	x	\$1,000	\$1,000
3	2017	Ford F350 w/plow 1FT8W3B60HEE05312	x	x	x	\$1,000	\$1,000
4	2017	Mack Granite GU 432 1M2AX34C2HM010728	x	x	x	\$3,000	\$3,000
5	2018	Lamar Utility Trailer 5RVUC12XJP056353	x	x		\$1,000	\$1,000
6	2022	Trailer with Sewer Jetter mounted 1S9S22123ND381543	x	x		\$1,000	\$1,000
7	2018	Diamond C Flatbed Trailer 46UFU2426J1195966	x	x		\$1,000	\$1,000
8	2018	Diamond C Road Clipper Trailer 46UFU2423J1203361	x	x		\$1,000	\$1,000
9	1987	Starlight Utility Trailer 1HWFS162541	x	x		\$1,000	\$1,000
10	2019	Ford F350 w/ plow 1FD8W3H64KED68646	x	x	x	\$1,000	\$1,000
11	2019	Ford F350 w/ 9ft Utility Bed + Crane 1FD8W3H64KED68647	x	x	x	\$1,000	\$1,000
12	2021	Ford F350 1FT8X3B60MEC70520	x	x	x	\$1,000	\$1,000
13	2022	Mack Granite FR 1M2GR3GC3NM025427	x	x	x	\$3,000	\$3,000
14	2022	Wanco Trailer 5F12S1013N10005078	x	x		\$1,000	\$1,000
15	2022	Wanco Trailer 5F12S1013N10005079	x	x		\$1,000	\$1,000
16	2023	Ram 1500 1C6SRFGT5PN609526	x	x	x	\$1,000	\$1,000
17	2024	Ram 3500 3C63R3GJ2RG260306	x	x	x	\$1,000	\$1,000
18	2024	Ram 3500 3C63R3GJ7RG358442	x	x	x	\$1,000	\$1,000
19	2025	Ram 1500 1C6RRFGG4SN698354	x	x	x	\$1,000	\$1,000
20	2024	Ram 3500 3C63R3GJ6RG219368	x	x	x	\$1,000	\$1,000
21	2025	Ravo R5 XM45FEGB6SA020161	x	x	x	\$3,000	\$3,000

UMBRELLA COVERAGE

Named Insured: City of Edgerton
 Company Name: EMC Insurance (rated **A** by A.M. Best)
 Policy Term: April 1, 2026 to April 1, 2027

<u>Limits</u>	<u>Coverage Description</u>
\$4,000,000	Each Occurrence
\$4,000,000	Annual Aggregate
\$ 10,000	Retention

Underlying Insurance Information:

Auto Liability	\$1,000,000	Combined Single Limit
General Liability	\$1,000,000	Each Occurrence
	\$2,000,000	General Aggregate
	\$2,000,000	Products Aggregate
	\$1,000,000	Personal Injury
Employee Benefits Liability	\$1,000,000	Each Claim
	\$2,000,000	Aggregate
Public Entity Management Liability	\$1,000,000	Each Loss
& Employment Practices Liability	\$2,000,000	Aggregate

Exclusions:

Failure to Supply
 Lead
 Fungi or Bacteria
 Nuclear Energy Liability
 Communicable Disease
 Perfluoroalkyl/Polyfluoroalkyl
 Punitive Damages Related to Terrorism
 Unmanned Aircraft
 Silica
 Cannabis
 Violent Event Response
 Emergency Vehicles-Volunteer Firefighter
 Cyber Incidents
 Asbestos
 War

CYBER COVERAGE

Named Insured: City of Edgerton
 Company Name: CFC - Certain Underwriters at Lloyds of London (rated **A** by A.M. Best)
 Policy Term: April 1, 2026 to April 1, 2027

Retroactive Date: Full Prior Acts
 Waiting Period: 8 Hours
 Deductible: \$2,500 (unless shown differently below)

Clauses 1, 2, 3 and 4 are limits applicable to each and every claim

Clauses 5, 6, 7 & 9 limits are applicable to a \$1,000,000 aggregate limit, incl costs/expenses.

Limits

\$1,000,000
 \$1,000,000
 \$1,000,000
 \$1,000,000
 \$1,000,000
 \$1,000,000
 \$ 50,000

Insuring Clause 1 – Cyber Incident Response

Incident Response Costs (\$0 Deductible)
 Legal and Regulatory Costs
 IT Security and Forensic Costs
 Crisis Communication Costs
 Privacy Breach Management Costs
 Third Party Privacy Breach Management Costs
 Post Breach Remediation Costs (\$0 Deductible)

Limits

\$ 250,000
 \$ 250,000
 \$ 250,000
 \$ 50,000
 \$ 50,000
 \$ 250,000
 \$ 250,000
 \$ 250,000
 \$ 250,000
 \$ 250,000

Insuring Clause 2 – Cyber Crime

Funds Transfer Fraud
 Theft of Funds Held in Escrow
 Theft of Personal Funds
 Theft of Client Funds
 Customer Payment Fraud
 Corporate Identity Theft
 Telephone Hacking
 Invoice Manipulation
 New Vendor Fraud
 Physical Goods Transfer Fraud

Limits

\$1,000,000

Insuring Clause 3 – Cyber Extortion

Extortion

Limits

\$1,000,000
 \$1,000,000
 \$ 100,000
 \$1,000,000
 \$1,000,000
 \$ 25,000

Insuring Clause 4 – System Damage and Business Interruption

System Damage and Rectification Costs
 Income Loss and Extra Expense
 Emergency and Additional Operations Continuity Costs
 Dependent Business Interruption
 Consequential Reputational Harm
 Claim Preparation Costs (\$0 Deductible)

CYBER COVERAGE (CONTINUED)

\$1,000,000
 \$1,000,000
 \$1,000,000

Hardware Replacement Costs
 Voluntary and Regulatory Shutdown
 Lost or Missed Bids

Limits

\$1,000,000
 \$1,000,000
 \$1,000,000
 \$1,000,000
 \$1,000,000
 \$ 250,000

Insuring Clause 5 – Network Security and Privacy Liability

Network Security Liability
 Privacy Liability
 Management Liability
 Regulatory Fines
 Payment Card Industry Penalties and Assessments
 Contingent Bodily Injury

Limits

\$ 100,000

Insuring Clause 6 – Criminal Reward Cover

Limits

\$1,000,000
 \$1,000,000

Insuring Clause 7 – Media Liability

Defamation
 Intellectual Property Rights Infringement

Limits

No Coverage Given

Insuring Clause 8 – Technology Errors & Omissions

Limits

\$ 100,000

Insuring Clause 9 – Court Attendance Costs

Court Attendance Costs (\$0 Deductible)

Note: Rated off \$8,374,003 revenue per completed application (2025 - \$6,420,973)

POLLUTION LIABILITY COVERAGE

Named Insured: City of Edgerton
 Company Name: Crum & Forster Specialty Insurance Co (rated **A** by A.M. Best)
 Policy Term: April 1, 2026 to April 1, 2027

Coverage: Claims Made / Per Pollution Condition
 Retro Date: 04/01/2016
 Basis: 21 Acres

<u>Limits</u>	<u>Deductible</u>	<u>Coverage Description</u>
\$2,000,000		General Aggregate
\$1,000,000	\$5,000	Third Party Pollution Each Condition
\$1,000,000	\$5,000	Onsite Cleanup Each Pollution Condition

Additional Coverages / Exclusions:

Non-Owned Disposal Site Liability - \$1,000,000/\$2,000,000
 Covered Locations Endorsement – 20590 Homestead Lane, Edgerton, KS 66021
 Primary and Non-Contributory Additional Insured with Waiver of Subrogation*
 Exclusion – Communicable Disease
 Exclusion – Glyphosate
 Exclusion – PFAS
 Exclusion – Cyber Security

*Blanket when specifically required by written contract with named insured

PREMIUM SUMMARY

DESCRIPTION OF COVERAGE	2025/26 ANNUALIZED PREMIUM	2026/27 RENEWAL PREMIUM
Commercial Property + Crime	\$65,917.00	\$65,200.00
Commercial Inland Marine	\$ 9,058.00	\$ 8,904.00
Commercial General Liability	\$ 7,282.00	\$ 7,998.00
Public Entity Management Liability	\$ 6,607.00	\$ 6,607.00
Public Entity Employment Related Practices Liability	Included	Included
Commercial Auto	\$14,071.00	\$13,909.00
Excess Liability	\$ 6,990.00	\$ 5,484.00
Cyber Liability	\$ 2,369.00	\$ 3,249.00
Pollution Liability	\$ 6,337.59	\$ 6,960.74
Total Estimated Premium	\$118,631.59	\$118,311.74



EDGERTON
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Edgerton, KS 66021
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City Council Action Item

Council Meeting Date: March 26, 2026

Department: Community Development

Agenda Item: Consider Ordinance No. 2193 Amending Article 5 – Industrial Zoning Districts – Of The Unified Development Code (UDC) Of The City Of Edgerton, Kansas And Repealing All Ordinances Or Parts Of Ordinances In Conflict Therewith

Background/Description of Item:

The City of Edgerton's Unified 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 Envision Edgerton 2050 Comprehensive Plan, other planning documents, and policies of the City Council and Planning Commission.

Following the adoption of the Envision Edgerton 2050 Comprehensive Plan, it is common for cities to update their respective development codes to align with the goals, policies, and action items identified in their Comprehensive Plan. While the City is currently undergoing an overall rewrite to the UDC, this proposed update is intended to address the existing industrial district regulations, with the holistic rewrite portion of Article 5 forthcoming with the overall code rewrite.

Article 5 of the UDC includes regulations for each of the four zoning districts that are considered 'industrial' in nature. These include the B-P (Business Park), L-P (Logistics Park), I-G (General Industrial), and I-H (Heavy Industry) Districts. During a recent review of the UDC, staff identified that the development regulations in the I-G and I-H Districts were not as robust as desired. To address this prior to the holistic rewrite of these zoning districts, staff recommends adopting the same development regulations as are found in the L-P District, which the majority of the non-residential development within the City has developed under with success.

A draft of the new proposed regulations was presented to the Planning Commission at their March 10, 2026 meeting, where a public hearing was held with no speakers, though one individual provided written correspondence for the record, which is included within the attached draft minutes from that meeting. The Planning Commission voted to recommend approval of the new draft Article 5 regulations with a 4-0 vote, following their discussion. There have been no changes to the proposed UDC amendment since the Planning Commission meeting, and the language that was shared is included in the Draft Ordinance attached.

Staff is awaiting receiving the City Attorney review of the proposed regulations and staff recommends approval of the UDC Amendments to Article 12, pending City Attorney review.

Related Ordinance(s) or Statue(s): Edgerton UDC Article 5

Funding Source: N/A

Budget Allocated: N/A

Finance Director Approval: N/A

Recommendation: Approve Ordinance No. 2193 Amending Article 5 – Signs – Of The Unified Development Code Of The City Of Edgerton, Kansas And Repealing All Ordinances Or Parts Of Ordinances In Conflict Therewith

Enclosed: Planning Commission Memo – March 10, 2026 Meeting
Draft Planning Commission Minutes – March 10, 2026 Meeting
Draft Ordinance No. 2193

Prepared by: Zachary Moore, Development Services Director

**MEMORANDUM**

Date: March 10, 2026

To: City of Edgerton Planning Commission

From: Zachary Moore, Development Services Director

Re: Public Hearing for UDCA2026-0002 Regarding Amendments to Article 5 (Industrial Districts) of the Edgerton Unified Development Code (UDC)

As part of the overall rewrite of the City's Unified Development Code (UDC), staff identified several areas of Article 5 of the City's UDC, which pertains to the industrial zoning (B-P, L-P, I-G, I-H) districts and their development regulations within the City. As part of a standard Code audit in preparation for the holistic rewrite of the UDC, staff identified that the I-G (Industrial General) and I-H (Heavy Industry) Districts had only a limited amount of development regulation criteria, while that is not the intent of these districts. Staff recommends that both the I-G (Industrial General) and I-H (Heavy Industry) Districts be updated so that the development regulations for these two districts are in line with the requirements that are already established within the L-P (Logistics Park) District.

Other minor changes to these sections include formatting and cleaning up language where conflicting statements may exist in this section. Staff is continuing to evaluate lists of permitted uses within each district and will bring forward additional proposals regarding those at the Planning Commission meeting. Additionally, staff is evaluating permitted building materials in each of the districts and will seek discussion of permitted building materials and consideration of building materials that are not otherwise listed in Article 5. New language to a Section in Article 5 is included in the attached draft proposal in blue text, while recommended deletions are shown in red strikethrough.

Conclusion

Staff requests that the Commissioners provide any additional feedback regarding the proposed amendments, which have been included in this packet, to **Article 5 for Industrial Zoning Districts** standards. Staff will collect comments and feedback and incorporate them into an updated version of Article 5, which will be presented to the City Council for review, consideration, and adoption. Additional changes may be forthcoming based on feedback provided by the City Council. Prior to presentation to the City Council, staff will provide a revised copy of the UDC to the City Attorney for review.

**PLANNING COMMISSION
March 10, 2026 Minutes**

A regular session of the Edgerton Planning Commission (the Commission) was held in the Edgerton City Hall, 404 E. Nelson Street, Edgerton, Kansas on March 10, 2026. The meeting was convened when Chair Tina Mathos called the meeting to order at 7:00 PM.

1. ROLL CALL

Jeremy Little	present
Tina Mathos	present
Adam Draskovich	present
Ray Soemer	absent
Jordyn Mueller	present

With a quorum present, the meeting commenced.

Staff in attendance: Zachary Moore, Development Services Director
Chris Clinton, Planning and Zoning Coordinator
Hailey Vaughn, Customer Service Representative II

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

CONSENT AGENDA

4. Minutes from February 10, 2026, Planning Commission Meeting.
5. Approval of FP2026-0001 Final Plat – Replat of JCCC CDL Training Facility

Commissioner Little moved to approve the Consent Agenda. The motion was seconded by Commissioner Draskovich. The Consent Agenda was approved, 4-0.

Regular Agenda

- 6. Declaration.** There were no declarations made.

New Business

- 7. UDCA2026-0002 AMENDMENTS TO ARTICLE 5, INDUSTRIAL ZONING DISTRICTS, OF THE CITY OF EDGERTON UNIFIED DEVELOPMENT CODE**

Mr. Zachary Moore, Development Services Director, proposed an update to Article 5 to the Unified Development Code (UDC). Mr. Moore explained that in the recent months during the process of the code update, Staff have identified an area which could use an update prior to the new regulations being fully drafted and ready. While going through the UDC, Staff noticed

the Industrial General and Heavy Industry (I-G and I-H) Districts were lacking in regard to the development regulations. These two districts permit uses that are similar to the uses in the Logistic Park (L-P) District. Staff proposed to adopt the district regulations for the L-P district for both I-G and I-H. The reason why it is important to complete this adjustment before the overall re-write is because if an application was submitted today for a development in the I-G or I-H District, currently are no landscape standards and no architectural standards. There is limited I-G and I-H zoning throughout town, but if someone wants to rezone to one of these districts there would be limited restrictions. Staff found that the L-P District code to be efficient and has been successful. Therefore, until Staff is able to get the specific regulations completed it is recommended that the L-P District regulations be used for anything that may come in the future.

Staff are proposing regulation additions for I-G and I-H including district regulations, design guidelines, architectural design standards, parking and loading standards, off street parking standards, off street loading standards, photometrics, landscape standards, and diesel emission requirements. In the packet, the new text is blue, and anything recommended for removal is in red text.

Chairperson Mathos opened the Public Hearing. Mr. Chris Clinton, Planning and Zoning Coordinator, read written comment that was submitted by email (attached) from Mr. Jason Sowers, 19911 Pepper Tree Lane, Edgerton, KS, expressed his concerns about the language written in the UDCA2026-002. Specifically focusing on the verbiage 'may' and how that term could lead to ambiguity and non-compliance. He recommends the verbiage be changed to 'shall' and he recommends defining the specific criteria that allows for an exception to fencing requirements. He suggests that this could allow developers and City staff to spend less time debating requirements for future developments.

Commissioner Mueller moved to close the public hearing. Commissioner Draskovich seconded the motion. The public hearing was closed, 4-0.

Commissioner Little mentioned that in the Federal Aviation Administration (FAA) there is no mention of the word 'may,' there is only the word 'shall'. Chair Mathos asked if there was a specific reason that the word 'may' was used instead of 'shall'. Mr. Moore explains that this particular section was written prior to his time working here. So, though he can't say for certainty, but his best guess would be that a fence may be required unless a certain situation exists. In the terms of the UDC, the Zoning Administrator may require the fence and present the case to the Commission. If a situation would arise where an industrially zoned property was developed and was adjacent to a residentially zoned property, City staff would likely require a fence. Mr. Moore agrees to Mr. Sowers point, that he typically does not like the term 'may' unless there is a potential for a circumstance where the situation where something might not be required due a certain circumstance. An example that he used was if there was an industrial development on a 60' cliff, hypothetically, that is adjacent to residential property. At this point the eight (8) foot tall fence is not doing anything so having the term 'may' would be a positive in a situation like this. Chairperson Mathos asked if these were the only two (2) places that 'may' is used. Mr. Moore responded he didn't know for certain, but that code written for the L-P District is very clear on defining the words 'shall' and 'must'. Another piece of information that Mr. Moore shared was that having the word required stated in that clause will allow for the Staff some discretion. Commissioner Draskovich mentioned adding some

kind of verbiage like “will require this unless” which could allow for a case-by-case bias. Mr. Moore states something we could do is add “developers must provide an eight (8) foot wall or fence when adjacent to residential properties” giving staff flexibility to adapt to a unique situation. Mr. Moore explains in his experience this kind of verbiage could cause much more push-back in negotiations. He expresses that the language used today could work or Staff could adjust the language but ultimately the language will have the same results.

Mr. Clinton stated that the amendments are a quick fix and the full re-write will be coming later. Chairperson Mathos agreed that the language is only temporary. Mr. Moore pointed out there is limited land in Edgerton that is zoned I-H and it is already developed. He stated a property owner could request to rezone their property, but it is currently unlikely there would be additional industrially zoned property near residential Edgerton. Chairperson Mathos stated when reviewing the code, she did not have any qualms with the term ‘may’. Mr. Moore said having flexibility for City staff to enforce the code as they see fit is best. He agrees that the term ‘may’ is not the best term for development code and prefers terms such as ‘must’ or ‘must not.’

Commissioner Little inquired if Mr. Sowers is concerned that a fence may not be required. Mr. Moore replied he believes that is the case. Mr. Moore explained where Mr. Sowers lives and the development that is adjacent to his property. Mr. Sowers lives near a commercial development, and the commercial section of the UDC uses the terms ‘shall’ or ‘must’ provide a fence when adjacent to a residentially zoned property. The commercial section of the UDC is more robust at the current time in terms of fencing requirements. The way Mr. Moore interprets the code, is that a fence may not be required and the developer won’t put it on the details of the plans, the City staff will add it as a stipulation, and it is then up to the Commission to include that stipulation or not. Commissioner Draskovich mentioned that the residences next to the Edgerton Crossing development were wanting a fence for security purposes and not to necessarily block the line-of-sight. Commissioner Little stated a lot of farmers use a fence as a marker of boundary lines as well.

Mr. Clinton confirmed that the commercial article of the UDC states that the developer shall provide a fence or wall. Chairperson Mathos stated a commercial property is a lot more likely to abut a residential property than an industrial property so it would make more sense to have stricter language in the commercial zoning districts. Mr. Moore added that during the overall re-write that City staff can add different transitions to protect residential areas from abutting industrial uses. The Future Land Use Map only designates one property with a Future Land Use designation of ‘Industrial’, which is the BNSF Intermodal Facility.

Commissioner Draskovich moved to recommend approval of Application UDCA2026-0002, Amendments to Article 5, Industrial Zoning Districts, of the City of Edgerton UDC. The motion was seconded by Commissioner Little. Application UDCA2026-0002 was recommended for approval, 4-0.

8. Future Meeting Reminders

Chairperson Mathos stated that the next regular sessions are scheduled for; April 14, 2026, at 7:00 PM; May 12, 2026, at 7:00 PM; and June 23, 2026 at 7:00 PM.

9. **ANNOUNCEMENTS**

Mr. Moore stated that the Street and Stormwater tax was passed. The election results were published March 3, 2026. The revenue from the tax will fund future projects related to streets and stormwater.

Mr. Moore explained that the Planned Unit Development article of the UDC was approved by the City Council, and the signage amendments will be presented later this week.

Mr. Moore said Scoopy's Café located in Downtown has closed, but a new business is moving in. Happy Cow Café is opening this upcoming Friday. Chairperson Mathos inquired if it is a local business. Mr. Moore replied it is and will offer cookies, brownies, take and bake pizza. Chairperson Mathos asked if Mr. Moore knew their hours. He replied they will be opening at 11:00 Friday morning with modified hours until around Memorial Day. The City is excited to have a new business located in Downtown.

Commissioner Mueller inquired about another café opening along 56 Highway. Mr. Moore replied that a building permit has been submitted, and they are working with the applicant to get it issued and their goal is to be open as soon as possible. Commissioner Draskovich inquired if they would have a drive thru. Mr. Moore replied he believes that is in the long-term plans.

10. **ADJOURN**

Commissioner Little moved to adjourn the meeting. Commissioner Mueller seconded the motion. The meeting was adjourned at 7:24 PM, 4-0

Submitted by Hailey Vaughn, Customer Service Representative II

ORDINANCE NO. 2193

AN ORDINANCE AMENDING ARTICLE 5 OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF EDGERTON, KANSAS REGARDING REGULATIONS FOR INDUSTRIAL ZONING DISTRICTS 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 5 of the Edgerton Unified Development Code shall be amended to read as provided in Exhibit A:

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 26th Day of March, 2026.

DONALD ROBERTS, Mayor

ATTEST:

DUSTI CALLAHAN, City Clerk

APPROVED AS TO FORM:

TODD LUCKMAN for
Stumbo Hanson, LLP, City Attorneys

Article 5

Industrial Zoning Districts

Section 5.1	B-P Business Park District
Section 5.2	L-P Logistics Park District
Section 5.3	I-G General Industrial District
Section 5.4	I-H Heavy Industrial District

5.1 B-P Business Park District

A. Purpose. This district is created to allow a mix of office, research, wholesaling, light industrial and limited ancillary retail and service uses in a designed business park setting. This district is designed to provide for high quality and master planned development with increased site amenities and open space. The district is intended for areas designated business park or industrial in the comprehensive plan, which is primarily located along the I-35 corridor, and provided adequate public infrastructure and services are available.

B. Use Restrictions. In District B-P, no building, structure, land or premises shall be used, and no building or structure shall be hereafter erected, constructed, reconstructed, moved, or altered, except for those listed as permitted or conditional and contained below.

C. Permitted Uses.

1. Auditoriums, convention centers, and conference facilities.
2. Building and construction contractor offices, including display areas.
3. Business and trade schools.
4. Colleges and universities.
5. Commercial pick-up and delivery services.
6. Display or catalog showrooms.
7. Laboratories and research facilities.
8. Manufacturing, processing, fabrication or assembly of commodity - limited.
9. Motion picture production stations.
10. Photographic processing facilities.
11. Printing and publishing.
12. Public or private golf courses, tennis or other courts, and swimming pools.
13. Public parks and recreation facilities.
14. Radio and television broadcasting stations.
15. Research establishments of industrial, medical or scientific nature.
16. Restaurants, not including drive-up or drive-thru services.
17. Warehousing.
18. Mailing, packaging, parcel service and storage.
19. Printing, communications, mail orders.
20. Sales outlets.
21. Retail sales in conjunction with a manufacturing or fabrication use.
22. Health and hospital supplies; office supplies.
23. Copy, printing and duplication services.
24. Internet service providers.
25. Sale, servicing, and repair of electrical and other electronic devices.

26. Government facilities.
27. Retail and wholesale of furniture and home furnishings, carpet, paint and wallpaper, and plumbing and lighting fixtures.
28. Sales and installation of cellular phones, stereos, radios and similar electronic equipment for vehicles.
29. Veterinary hospitals and clinics.
30. Accessory uses.

D. Uses Permitted by Condition (Conditional Uses). The following uses may be permitted with a conditional use permit obtained pursuant to the provisions of Article 7.

1. Churches and places of worship.
2. Communication transmission towers over sixty (60) feet, subject to the provisions in Article 7.

E. Setback, Yard and Area Regulations.

Table of Site Development Standards			
Use	Minimum District Size	Minimum Open Space	Maximum Building Height
Principal Buildings	10 acres	25%	45'

1. All buildings or structures shall be set back a minimum of 50 feet from any public right-of-way forming the peripheral property line of the business park.
2. All buildings or structures shall be set back a minimum of 30 feet from any internal street right-of-way.
3. All buildings or structures shall be set back a minimum of 45 feet from the property line of any residentially zoned property, where such property is already developed for residential use or is designated for residential on the comprehensive plan.
4. All buildings or structures shall be set back a minimum of 20 feet from any peripheral property line other than a street right-of-way line or residentially zoned property.
5. All buildings, structures or parking areas shall be set back a minimum of 15 feet from the lot line of any lot within the business park where such lot line does not abut a street right-of-way or the property line of another property other than the business park property.

F. District Regulations.

1. All buildings with a metal exterior shall provide a facia material composed or brick, stone, wood, or a combination of these materials that extends to three walls of the building unless modified by the Planning Commission.
2. All operations, other than limited storage of motorized machinery and equipment, materials, products or equipment, shall be conducted within a fully enclosed building.
3. All storage of motorized machinery and equipment, materials, products or equipment shall be within a fully enclosed building, or in a storage area or yard. Said storage shall be limited to twenty percent (20%) of the ground floor area of the building or tenant space. All storage materials shall be one hundred (100) percent screened from public view, except when adjacent to another storage area, which is one hundred (100) percent screened from public view. For the purposes of this section,

the phrase “screened from public view” means not visible at eye level from adjoining properties or any street right-of-way. Use of landscaping materials is encouraged in lieu of privacy fencing. All storage areas shall be paved or surfaced.

G. Design Guidelines.

1. When more than one (1) building is planned for business park district property, the development plan shall demonstrate integration and coordination of the architectural design for buildings, structures, and landscaping and open space.
2. Buildings should be oriented so that the front or side of the building faces the public street frontage of the property. The Planning Commission will consider an exception to orient a rear elevation towards a public street for unique situations due to the configuration of the lot.
3. The Planning Commission may require that loading and service areas are screened from public view with landscaping, berming, facade walls, or fencing.
4. The Planning Commission may require a solid or semi-solid fence, or wall at least six feet (6'), but not more than eight feet (8') high, and having a density of not less than eighty percent (80%) per square foot be provided adjacent to an adjoining residential district unless the adjacent residential district and the office development are separated by a street right-of-way. The wall shall incorporate architectural elements similar to what the primary buildings are constructed with, such as stone or masonry. The fence design should vary in order to break up long expanses of single material in a straight line. For example, brick or rock walls may be varied in pattern or location, including offsets; wooded privacy fences may be varied through use of brick, rock, or wrought iron details. The owner or owners of the property in the B-P District shall maintain the fence or wall in good condition.
5. When development is proposed adjacent to any existing residential development, site plan approval, including building elevations, landscaping, and screening shall be approved by the Planning Commission.
6. Pedestrian access within a development and adjacent public and private property shall be considered as a component to the design of an employment center.

H. Parking and Loading.

1. Each establishment shall provide sufficient off-street parking spaces for all employees, customers, visitors and others who may spend time at the establishment during working hours. Such parking space shall be at least nine (9) feet by twenty (20) feet.
2. One (1) off-street parking space shall be provided for each 1,000 square feet storage area in warehousing
3. One (1) off-street parking space shall be provided for each two-hundred-fifty (250) square feet of service floor area in office and research buildings.
4. All parking areas shall be set back a minimum of thirty feet (30") from any street right-of-way.
5. All parking areas shall be setback a minimum of 30 feet from the property line of any residentially owned property, where such property is already developed for residential use or is designated for residential on the Comprehensive Plan.
6. All parking areas shall be setback a minimum of 30 feet from the right-of-way of a public street.

7. All parking areas shall be set back a minimum of 10 feet from any peripheral property line other than a street right-of-way line or residentially zoned property line.
8. Each establishment shall provide adequate loading space within a building or in a side or rear yard, in such a way that all storage, standing and maneuvering of trucks shall be off the public right-of-way.
9. No portion of a parking or loading space, including maneuvering areas, except the necessary drives, shall be located closer than 30 feet from a public street right-of-way.
10. All parking shall be on a surface prepared from concrete or asphalt.
11. All commercial buildings shall provide a designated off-street space for the loading and unloading of goods and merchandise.
12. See Article 10 for additional parking requirements.

5.2 L-P Logistics Park District

- A. Purpose.** The purpose of the Logistics Park, L-P District is to create a limited multimodal industrial zone that provides for a modern type of industrial uses or industrial park created to support activities related to trade and rail and other transport service. Limitations are placed on the uses in this district to significantly restrict the outside activities and outside storage of materials, noise, vibration, smoke, pollution, fire and explosive hazard, glare and other potentially adverse influences.

This zone is intended for industrial parks and larger, cleaner types of industries. The manufacturing uses should be conducted within a totally enclosed building. Any activities conducted outside should be screened and buffered, and external effects such as excessive noise or odor should not extend beyond the property lines. Residential uses should be discouraged from locating near the L-P District to protect the industries from residential complaints.

Areas should not be zoned to the L-P District unless they are located adjacent or near to arterial thoroughfares capable of carrying commercial and truck traffic, as well as being located close to major truck routes. It is the general intent of this District to provide for a mutually beneficial, economically viable, well-planned development poised for long-term success including:

1. To provide for the distribution of and appropriate relationships between various land uses and to minimize conflict between land uses;
2. To describe desired future physical conditions within the L-P District;
3. To manage growth in an orderly manner; and
4. To serve as a basis for future development recommendations within the L-P District and set the precedent for sound planning and sustainable development practices throughout the L-P District area of influence.

- B. Compliance with Code Required.** All development of land within the boundaries of the L-P District herein shall conform to the requirements of the L-P District Code, and no person may use, occupy, sell or develop land, buildings or other structures, or authorize

or permit the use, occupancy, sale or development of land, buildings or other structures under his/her control, except in accordance with all applicable provisions of this Code.

C. Diagrams and Drawings. The L-P District contains diagrams and drawings. When diagrams and drawings appear in this Code, they are presented for explanation purposes only unless otherwise specified in the text of this Code. The text governs over any diagram or drawing when any discrepancy exists. The provisions of this Section do not extend to concept plans or site plans which are required and approved under this Code.

D. Use Restrictions. In L-P District, no building, structure, land or premises shall be used, and no building or structure shall be hereafter erected, constructed, reconstructed, moved, or altered, except for those listed as permitted or conditional and contained below.

E. Permitted Uses.

1. Building and construction contractor offices, including display areas.
2. Business and trade schools.
3. Commercial pick-up and delivery services.
4. Display or catalog showrooms.
5. Laboratories and research facilities.
6. Manufacturing, processing, fabrication or assembly of commodity - limited.
7. Motion picture production studios and stations.
8. Photographic processing facilities.
9. Printing and publishing.
10. Radio and television broadcasting stations.
11. Research establishments of industrial, medical or scientific nature.
12. Restaurants, including drive-up or drive-thru services.
13. Warehousing/Distribution centers, including trucking and courier services; public warehousing and storage; and motor freight transportation terminals and maintenance facilities.
14. Mailing, packaging, parcel service and storage.
15. Printing, communications, mail orders.
16. Sales outlets and wholesale trade.
17. Retail sales in conjunction with a manufacturing or fabrication use.
18. Health and hospital supplies; office supplies.
19. Copy, printing and duplication services.
20. Internet service providers.
21. Sale, servicing, and repair of electrical and other electronic devices.
22. Government facilities.
23. Retail and wholesale of furniture and home furnishings, carpet, paint and wallpaper, and plumbing and lighting fixtures.
24. Sales and installation of cellular phones, stereos, radios and similar electronic equipment for vehicles.
25. Veterinary hospitals and clinics.
Accessory uses.
26. Agricultural.
27. Auto and truck motor fuel facilities and repair.
28. Auto and truck washing.
29. Recreational vehicle sales and service.
30. Towing and impound yard.
31. Trailer or truck sales and rental.
32. Building materials yard and lumber yard.
33. Mini-Warehouse and self storage.

34. Recycling collection center.
35. Similar uses.

F. Uses Permitted by Condition (Conditional Uses). The following uses may be permitted with a conditional use permit obtained pursuant to the provisions of Article 7.

1. Churches and places of worship.
2. Communication transmission towers over sixty (60) feet, subject to the provisions in Article 7.
3. Truck stops with fuel and accessory services;
4. Private or public owned playgrounds, playfields, and recreational facilities (e.g. public or private golf courses, tennis or other courts, and swimming pools) open for public or commercial use;
5. Auditoriums, convention centers, and conference facilities
6. Colleges and universities.
7. Transportation storage and trucking yards.
8. Cargo container storage, repair or maintenance.

G. Setback, Yard and Area Regulations.

Table of Site Development Standards

Table of Site Development Standards			
Use	Minimum District Size	Minimum Open Space	Maximum Building Height
Principal Buildings	No minimum lot area, depth, or width	50% lot coverage by structures and parking garages over one story	110'

1. **Lot Dimensions.** There shall be no minimum lot area, lot width or lot depth for the LP Sub-district.
2. **Floor Area Ratio (FAR).** The maximum FAR, as defined by the City of Edgerton, shall be 3:1.
3. **Building Coverage.** The maximum building coverage shall be 50%. Parking structures under one story shall be excluded from building coverage calculations.
4. **Setbacks**
 - a. **Front.** The minimum front building setback shall be fifty (50) feet with an allowed reduction to twenty-five (25) feet only adjacent to two-lane collectors or thoroughfares.
 - b. **Side (Typical).** The minimum side setback shall be twenty-five (25) feet. The minimum side building setback for buildings adjacent to any single-family residential use shall be fifty (50) feet for buildings in excess of twenty (20) feet in height; one hundred (100) feet for buildings in excess of forty-five (45) feet in height. Setback distances are measured from the finished grade. There shall be no minimum side setback requirement for buildings adjacent to a rail line or a rail spur.
 - c. **Side at Street (Typical).** The minimum side building setback adjacent to a roadway shall be fifty (50) feet, with an allowed reduction to twenty-five (25) feet only adjacent to two-lane collectors or thoroughfares any internal street right-of-

way.

- d. **Rear.** The minimum rear setback shall be twenty-five (25) feet. The minimum rear setback for buildings adjacent to any single-family residential use shall be fifty (50) feet for buildings in excess of twenty (20) feet in height; one hundred (100) feet for buildings in excess of forty-five (45) feet in height. Setback distances are measured from the finished grade. There shall be no minimum rear setback requirement for buildings adjacent to a rail or a rail spur.
5. **Maximum Building Height.** The maximum height of any building within the L-P District shall be one hundred ten (110) feet, as measured from the average elevation of the finished grade along the front of the building to the highest point of the roof of the building if it is a flat, mansard or shed roof; or to the midpoint of the roof if it is gable, hip or gambrel roof.
 - a. **Height Exceptions.** The following structures shall be exempt from the height limitations set forth in this Section.
 - Container cranes;
 - Church spires, religious domes, and religious ornamentation attached to a place of worship;
 - Water towers;
 - Ornamental towers and spires;
 - Chimneys;
 - Elevator bulkheads;
 - Smoke stacks;
 - Conveyors;
 - Flag poles;
 - Aircraft control towers;
 - Aircraft navigation aids;
 - Accessory radio towers;
 - Amateur Radio and Television Antennas;
 - Communication Towers; and
 - Parapet screening of mechanical equipment.
6. **Building Separation.** A minimum building separation of twenty (20) feet shall be provided between structures, or as required by fire code, if greater.
7. **Architectural Design Guidelines.** All provisions pertaining to Architectural Design Guidelines are contained in Section 5, Design Guidelines for Logistics Park Special District Section I, below, Design Guidelines.
8. **Accessory Building and Structure Regulations.** Accessory uses shall only be permitted in accordance with the Use Regulations set forth in Exhibit 1, Use Matrix, for the LP Sub-district. Any accessory building shall have a façade similar in character with the façade of the main building, including the utilization of similar fenestration and materials. In no case shall the façade of an accessory building consist of metal where the accessory building directly faces a public street, residential use or public open space.

H. District Regulations.

1. All buildings with a metal exterior shall provide a façade material composed of brick, glass, stone, wood, or a combination of these materials that extends to three walls of the building unless modified by the City.

2. All operations, other than limited storage of motorized machinery and equipment, materials, products or equipment, shall be conducted within a fully enclosed building.
3. All storage of motorized machinery and equipment, materials, products or equipment shall be within a fully enclosed building, or in a storage area or yard. Said storage shall be limited to twenty percent (20%) of the ground floor area of the building or tenant space. All storage materials shall be one hundred (100) percent screened from public view, except when adjacent to another storage area, which is one hundred (100) percent screened from public view. For the purposes of this section, the phrase "screened from public view" means not visible at eye level from adjoining properties or any street right-of-way. Use of landscaping materials is encouraged in lieu of privacy fencing. All storage areas shall be paved or surfaced.
4. Any exterior fuel tank(s) must be located below ground. All below ground fuel tanks must meet, at a minimum, International Building Code (IBC), International Fire Code (IFC), and Kansas Department of Health and Environment (KDHE) requirements. Below ground fuel tanks must be shown on Final Site Plans and must meet the appropriate code requisite building line and property line setbacks. Below ground tanks may only be installed once Final Site Plan approval has been received and a building permit has been issued. This section applies to all fuel tanks installed after January 1, 2021. Any above ground fuel tanks installed prior January 1, 2021 which are moved, repaired or replaced, must be located underground and must comply with this section.

I. Design Guidelines.

1. **Introduction.** The purpose of these guidelines is to encourage development that will contribute to the overall aesthetics of the L-P District as a unique place by enhancing the built environment. These guidelines are intended to ensure that new development and redevelopment will be compatible and will enhance the overall appearance of the L-P District.
2. **Exemptions.** Government or public Facility Buildings shall not be required to conform to the requirements set forth in this Section.
3. **General**
 - a. When more than one (1) building is planned for L-P district property, the development plan shall demonstrate integration and coordination of the architectural design for buildings, structures, and landscaping and open space.
 - b. Buildings should be oriented so that the front or side of the building faces the public street frontage of the property. The City will consider an exception to orient a rear elevation towards a public street for unique situations due to the configuration of the lot.
 - c. The City may require that loading and service areas are screened from public view with landscaping, berming, facade walls, or fencing.
 - d. The City may require a solid or semi-solid fence, or wall at least six feet (6'), but not more than eight feet (8') high, and having a density of not less than eighty percent (80%) per square foot be provided adjacent to an adjoining residential district unless the adjacent residential district and the office development are separated by a street right-of-way. The wall shall incorporate architectural elements similar to what the primary buildings are constructed with, such as stone or masonry. The fence design should vary in order to break up long expanses of single material in a straight line. For example, brick or rock walls may be varied in pattern or location, including offsets; wooded privacy fences may be varied through use of brick, rock, or wrought iron details. The owner or

owners of the property in the L-P District shall maintain the fence or wall in good condition.

- e. When development is proposed adjacent to any existing residential development, site plan approval, including building elevations, landscaping, and screening shall be approved by the City.
- f. Pedestrian access within a development and adjacent public and private property shall be considered as a component to the design of an employment center.

J. Architectural Design Standards

1. **Building Massing and Scale.** A building's massing is defined as its exterior volume. The height, width and depth of a structure create the overall massing of a building. A building's scale is the relationship of its overall size and its component parts with its adjoining spaces and buildings.
2. **Large Expanses.** Large expanses of blank walls of any material or metal siding are not allowed. Building facades over one hundred feet (100') long facing public right of way or residential property shall break up massing of buildings by dividing building façade into smaller components with a minimum of three (3) of the following elements;
 - a. Articulating details around doors, windows, balconies, plate lines, providing details such as "belly-bands," recessed design elements, interesting cornice treatment details, exposed expansion joints, reveals, change in texture, or other such methods of visual relief;
 - b. Avoiding long, repetitive, monotonous facades – particularly those that repeat the same design element several times along the same elevation;
 - c. Use of darker building color and varied wall treatments;
 - d. Varying roof lines (see Vertical Articulation section); and
 - e. Change of wall plane (see Horizontal Articulation section).
3. **Building Materials.** One hundred percent (100%) of the surface of each exterior wall (excluding doors and windows) facing a public street, residential use or public open space shall consist of materials including but not limited to stone, brick, glass block, tile, cast metal, cast or cultured stone, concrete (tilt-up walls), glass, or a combination of these materials.

The use of other cementitious products (e.g. stucco, Hardy Plank, or other similar materials) shall be limited to fifty percent (50%) of the buildings' exterior finishes where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, stucco may not be located in the first eight feet (8') above grade on a façade visible from a public right-of-way or a public area.

Exceptions to this requirement may be allowed on a case by case basis by the City upon submission and approval of elevation drawings of the subject structure, and material samples.

4. Façade Guidelines

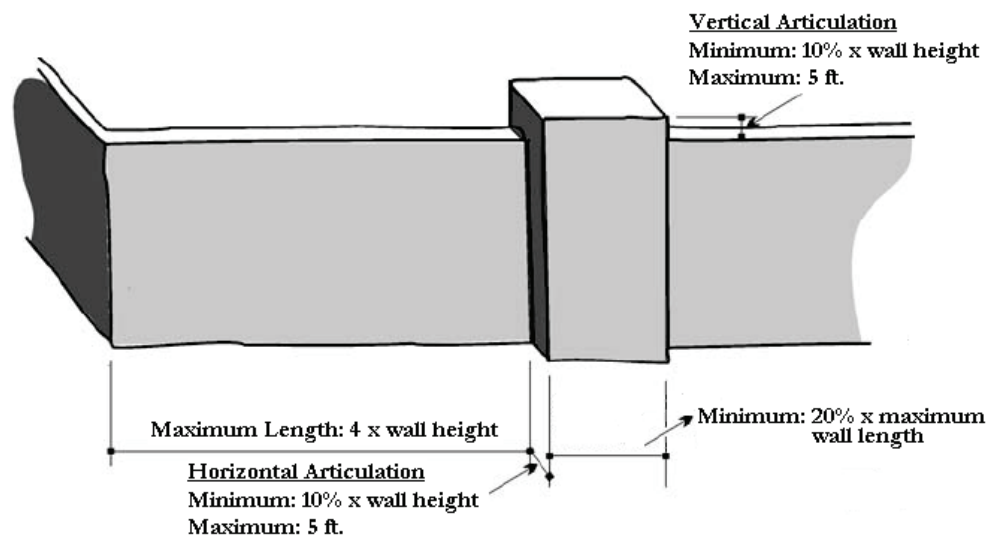
- a. **Horizontal Articulation.** Walls facing a public right-of-way or a residentially zoned property shall not extend for a distance greater than four (4) times the wall's height without having an off-set of ten percent (10%) of the wall's height (maximum of five (5) feet); the new plane shall extend for a distance equal to a minimum of twenty percent (20%) of the maximum length of the first plane. The City may allow exceptions to this requirement upon review and approval of a typical façade elevation.

Walls not facing a public right-of-way or a residentially zoned property and loading dock doors are exempt from the horizontal articulation requirement.

- b. **Vertical Articulation.** Walls facing a public right-of-way or a residentially zoned property shall not extend for a distance greater than four (4) times the height of the wall without changing height by a minimum of ten percent (10%) of the wall's height (maximum of five (5) feet). The City may allow exceptions to this requirement upon review and approval of a typical façade elevation.

Walls not facing a public right-of-way or residentially zoned properties are exempt from the vertical articulation requirement.

Figure 3. Horizontal and Vertical Articulation



- c. **Screening of Rooftop Equipment.** For buildings within the L-P District, all rooftop mounted mechanical, air conditioning, electrical, and satellite dish equipment shall not be visible. Rooftop equipment shall be screened from ground and street level view with parapets or other architectural design features constructed of the same materials used on the exterior walls.
- d. **Color Palette.** Earth tones, muted hues, and natural tones are permitted as structures' basic colors. Brighter hues are permitted only as an accent color on building elements such as awnings, doors, and trim. A mixed color palette on a single building should be carefully selected so all colors harmonize with each other.

Accent colors should be applied using the following guidelines:

	Required	Allowed
1st Accent Color	10%	20%
2nd Accent Color	0%	10%
3rd Accent Color	0%	10%

*Percentage calculations shall utilize the entire façade area.

K. Parking and Loading.

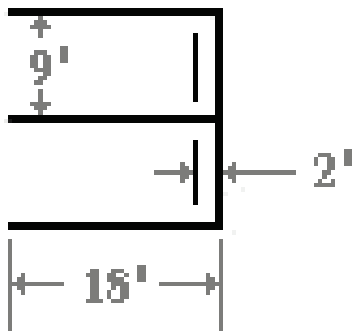
1. **General.** The purpose of this Section is to ensure the provision of functionally adequate, aesthetically pleasing and safe off-street parking, on-site circulation, driveways, loading, and access.
2. **Specific Requirements.**
 - a. Each establishment shall provide sufficient off-street parking spaces for all employees, customers, visitors and others who may spend time at the establishment during working hours. Such parking space shall be at least nine (9) feet by twenty (20) feet.
 - b. One (1) off-street parking space shall be provided for each 1,000 square feet storage area in non-warehousing uses.
 - c. One (1) off-street parking space shall be provided for each two-hundred-fifty (250) square feet of service floor area in office and research buildings.
 - d. All parking areas shall be set back a minimum of thirty feet (30') from any street right-of-way.
 - e. All parking areas shall be set back a minimum of 30 feet from the property line of any residentially zoned property, where such property is already developed for residential use or is designated for residential on the Comprehensive Plan.
 - f. All parking areas shall be set back a minimum of 10 feet from any peripheral property line other than a street right-of-way line or residentially zoned property line.
 - g. Each establishment shall provide adequate loading space within a building or in a side or rear yard, in such a way that all storage, standing and maneuvering of trucks shall be off the public right-of-way.
 - h. No portion of a parking or loading space, including maneuvering areas, except the necessary drives, shall be located closer than 30 feet from a public street right-of-way.
 - i. All parking shall be on a surface prepared from concrete or asphalt.
 - j. All commercial buildings shall provide a designated off-street space for the loading and unloading of goods and merchandise.
 - k. See Article 10 for additional parking requirements.
3. **Exception for Warehouse/Distribution Center and Large Building Parking Space Requirements.** Parking shall be required per City standard based upon individual land use, except Warehouse or Distribution Center land uses, which shall require one (1) space per two thousand (2,000) square feet of building area. Buildings in excess of one hundred thousand (100,000) square feet or users with specific parking needs may provide an independent parking study to the City for approval.

L. Off-Street Parking Standards.

1. **Maneuvering**
 - a. All maneuvering of vehicles shall take place on site or within a mutual access easement. No public right-of-way shall be used for backing or maneuvering into or from a parking space, or for circulation within the parking lot.
 - b. When off-street parking facilities are located adjacent to a public alley, the width of said alley may be assumed to be a portion of the maneuvering space requirement.
2. **Parking Spaces and Aisle Surfaces.** All parking spaces, aisles and maneuvering areas shall have an all-weather surface, whether enclosed or unenclosed, and shall be connected by an all-weather surfaced driveway to a street or alley.

3. **Parking Space and Aisle Dimensions.** All parking spaces and aisle dimensions shall conform to Article 10.2, Parking and Loading Standards, unless specifically approved by the City.
4. **Wheel Stops.** All passenger vehicle parking spaces on private property shall have a vehicle stopping device installed so as to prevent parking of motor vehicles in any required landscaped areas and to prevent any parked vehicle from overhanging a public right-of-way line or public sidewalk. The requirement shall apply only where spaces are adjacent to walks, rights-of-way, and required landscaping. Wheel stops shall be installed a minimum of two (2) feet from the end of the parking space.

Figure 5. Typical Parking Stall with Wheel Stop



5. Typical Off-Street Parking Modules

Figure 6. 60° Layout with One-Way Traffic

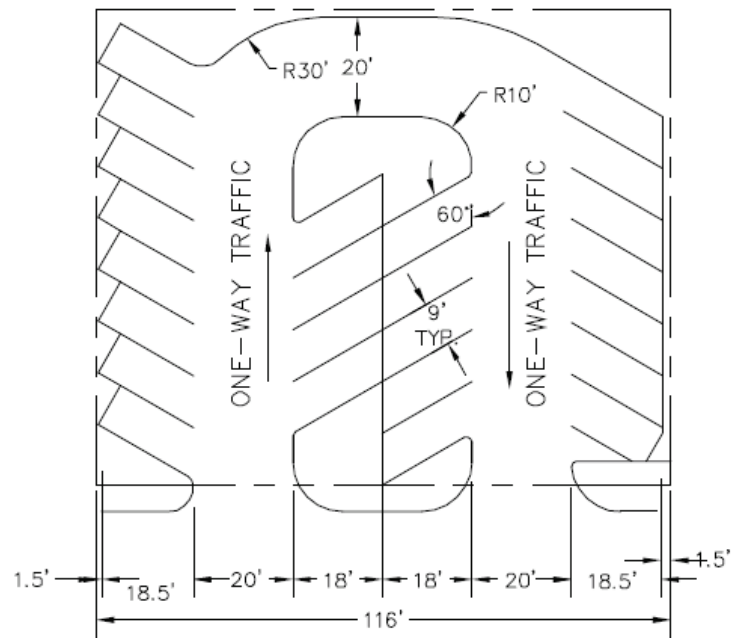


Figure 7. 60° Layout with Two-Way Traffic

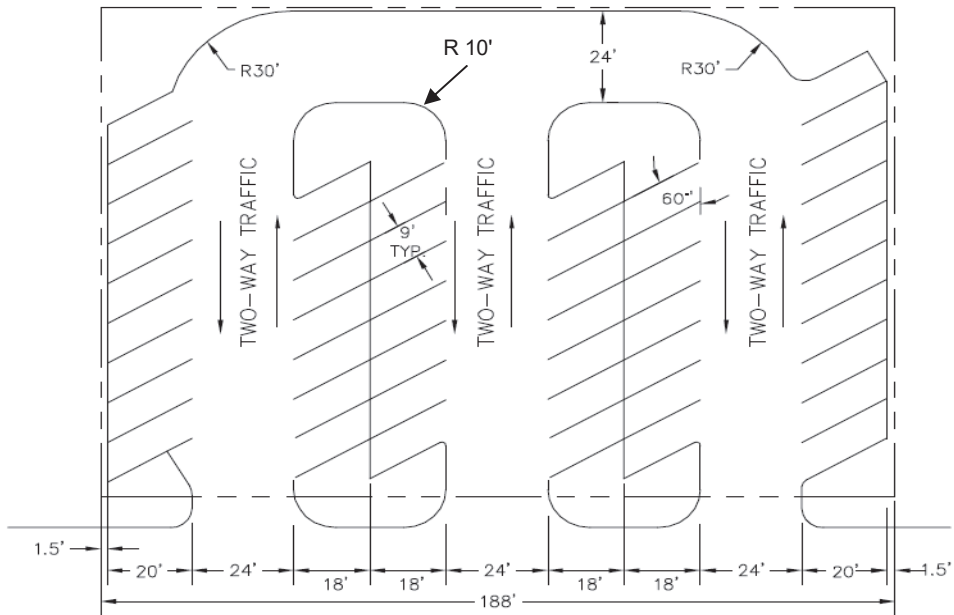
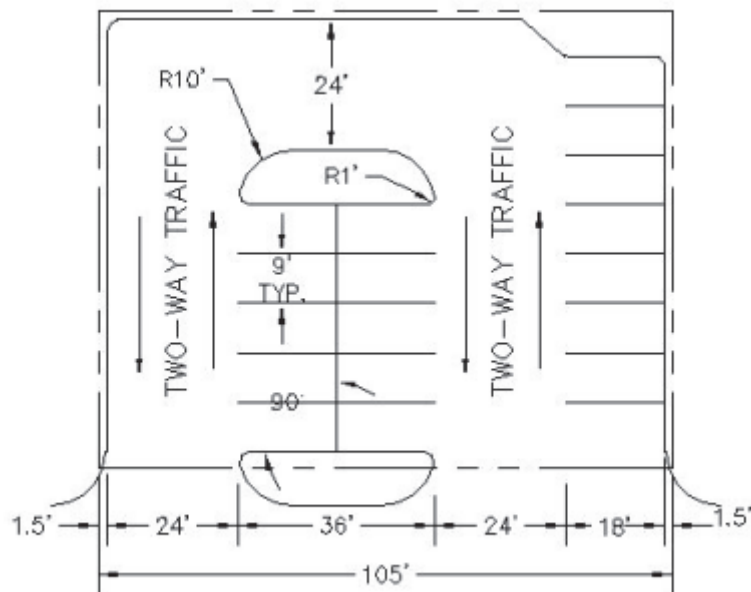


Figure 8. 90° Layout with Two-Way Traffic



M. Off-Street Loading Standards

- 1. Applicability.** Loading standards shall apply to all uses within the L-P District that contain a gross floor area of 10,000 square feet or more. Each such use shall provide and maintain off-street loading facilities adjacent to the building being served and shall be located on the same lot.

The requirement for loading spaces shall not be construed to include office uses.

2. Definitions:

- a. **Loading Space.** A loading space shall be defined as a location adjacent to a building where a vehicle is temporarily parked to perform loading and unloading operations. Loading doors are typically at grade in a standard loading space.
- b. **Loading Dock.** A loading dock shall be defined as any location where three (3) or more loading spaces are adjacent to one another and oriented perpendicular to the building being serviced such as the case in a typical warehousing/distribution use. Loading doors are typically elevated from finished grade (or finished grade is depressed below) in a standard loading dock. Please refer to Figure 2, Typical Loading Dock, for an example.

Figure 2. Typical Loading Dock



- c. **Access.** Off-street loading facilities shall be located adjacent to a public access-way or private service drive, in accordance with the following requirements:
 - 1. Any loading dock or loading space must provide a maneuvering area located entirely on private property, shall not utilize any public right-of-way, and shall not block any drive, aisle or fire lane.
 - 2. Loading docks that are within three-hundred (300) feet of any residential use shall be screened from those residential lots.
- d. **Minimum Loading Space Dimensions.** Loading spaces shall be a minimum of twelve (12) feet in width, sixty-five (65) feet in length, and fourteen (14) feet in height except as may otherwise be approved by the City.
- e. **Use of Loading Spaces.** Off-street loading spaces shall be used only for temporary loading/unloading operations and shall not be used for storage or display of boats, trailers, campers, motor vehicles or other goods, materials or products.

- f. **Number of Loading Spaces Required.** Any use that receives or distributes material, supplies or merchandise by motor vehicle shall provide off-street loading in accordance with Table 4, Off-Street Loading Requirements, unless otherwise approved by the City based on the anticipated size and type of use.

Table 4. Off-Street Loading Requirements

Gross Floor Area (square feet)	Minimum Loading Spaces Required
0 – 9,999	None
10,000 - 50,000	1
50,001 - 100,000	2
100,001 +	1 additional space per 100,000 sq ft

- g. **Temporary Outdoor Storage Regulations for Cargo Containers, Operational Trailers, and Tractors.** The temporary storage of cargo containers, operational trailers and tractors shall be allowed in the L-P District for a period of up to 30 days. Outdoor parking or storage spaces for cargo containers, operational trailers and tractors shall be screened from view by either a masonry wall of a type and style complementary to the primary materials of the building, wrought iron, decorative metal, living plant material or a combination of these. The height of the screening shall be sufficient to block view of the equipment or vehicles from a public right-of-way. Where a masonry wall is used to satisfy this requirement, foundation planting shall be provided on the exterior face of the wall. These spaces shall be clearly demarcated solely for tractor and trailer storage. The storage or display of boats, trailers, campers, motor vehicles or other goods, materials or products for sale is prohibited in these spaces.

N. Photometrics

- General.** All lighting shall be designed in accordance with applicable Illuminating Engineering Society of North America (IESNA) practices as applied to specified applications within the L-P District. All lighting facilities shall provide proper site lighting as well as being designed with cutoff illumination to reflect the illumination away from any adjacent property. Additional design provisions and considerations are presented below.
- Submittal Process and Review.** Photometric plans shall graphically depict illumination layout and foot candle values within area being lighted as well as along all adjacent property lines. In lieu of the requirements set forth in this Section, an alternative photometric plan may be submitted to the City for its approval. An alternative photometric plan shall include innovative design techniques in response to the unique characteristics of a particular site.
- Types of Lighting Systems**
 - Street Lighting. Lighting designed in accordance with IESNA Standards to provide illumination of that portion of the street used by vehicular traffic.
 - Pedestrian Lighting. Lower level lighting intended to illuminate the pedestrian walkway that generally runs parallel to that portion of the street parallel to vehicular traffic or traverses a parking lot along a clearly demarcated walkway.

- c. Parking Lot. Lighting designed in accordance with IESNA Standards to provide illumination for both vehicular parking areas and vehicular access tracts.
 - d. Loading Space/Loading Dock. Lighting designed to provide illumination for loading operations typically associated with warehouse/distribution operations.
 - e. Industrial Uses. Lighting designed in accordance with IESNA Standards to provide illumination for industrial uses/operations.
 - f. Commercial Uses. Lighting designed in accordance with IESNA Standards to provide illumination for commercial uses/operations.
 - g. Security. Lighting designed to provide to illuminate portions of a site at minimum levels to aid in surveillance during non-operational business hours.
 - h. Signage. Lighting designed solely to illuminate signage.
 - i. Street Lighting. Street Lighting shall conform at a minimum to the Kansas Department of Transportation Highway Illumination Manual in addition to requirements set forth by the City.
 - j. Parking Lot Lighting Facilities. Parking Lot lighting facilities shall provide illumination within parking areas not to exceed a maintained average of one and one half (1.5) foot candles at ground level, and shall not distribute more than one half (0.5) foot candles of light at the property line and two tenths of one (0.2) foot candle of light upon any adjacent single family residential property. For uses with 24 hour operations or uses that operate during the evening and night, a maximum maintained average of two and one half (2.5) foot candles at ground level shall be allowed; such uses shall distribute not more than one half (0.5) foot candles of light at the property line and two tenths of one (0.2) foot candle of light upon any adjacent single family residential property. A minimum average of the greater of either one (1) foot candle (maintained) or that required by applicable IESNA practice shall be required to be maintained.
4. **Sign Lighting.** All sign lighting shall be designed to minimize uplight. The use of floodlights to illuminate signage shall be done in a manner that eliminates glare along adjacent roadways and properties.
5. **Maximum Height of Lighting Facilities.** The maximum height of lighting facilities shall be 180 feet measured from ground level to the top of the structure.
6. **Light Trespass Control Measures**
- a. **Luminaire Design and Location.** Any luminaire whose distance from a lot line is less than three (3) times its height shall be shielded so that all direct light cast in the direction of streets or abutting residential lots is cut off at an angle no more than seventy (70) degrees measured from a vertical line directly below the luminaire. This requirement shall apply to all sides of the luminaire that emit light toward a lot line that is less than three (3) times the height away from the luminaire. The cut-off may be accomplished either by the luminaire photometric properties or by a supplementary external shield.
 - b. **Lighting Shield Design.** Additional shields that are installed to control light trespass and glare as required herein shall be designed so that the parts of the shields that are exposed to the direct light of the luminaire and visible from

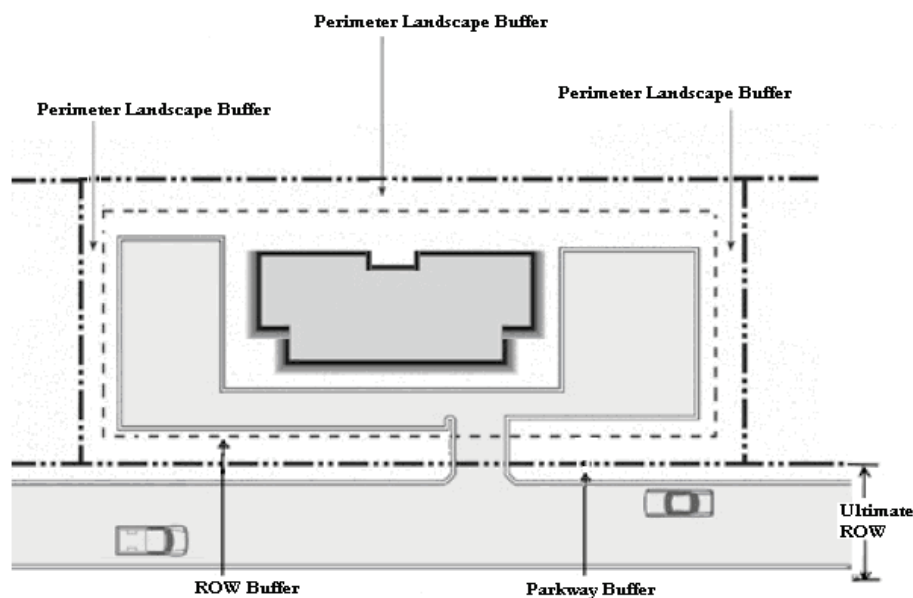
- streets or abutting residential lots shall have a flat-black, low reflectivity finish.
- c. **Electrical Design.** All electrical systems shall be designed in accordance with the National Electrical Code (NEC).

O. Landscape Standards.

1. Definitions

- a. **Parkway Buffer.** A continuous area of land that is generally defined as that portion of the right-of way spanning from the property line adjacent to the right-of-way to the back of the curb adjacent to the road pavement. There shall be no minimum width requirement for a parkway buffer.
- b. **Perimeter Buffer.** A landscape buffer that is wholly contained within private property, is adjacent to internal property lines, and does not abut a public right-of-way.
- c. **Right-of-Way Buffer.** A landscape buffer that is wholly contained within private property with the purpose of providing a buffer between a land use and the adjacent street or thoroughfare and is adjacent to public Right-of-Way.

Figure 1. Landscape Buffer Types



2. **Maintenance.** All landscaping shall be planted and perpetually maintained by the property owner, except where maintained by another entity such as a Property Owner's Association (POA).
3. **Parkway Buffer Planting Requirements.** Planting other than sod or another equivalent groundcover shall not be required within the parkway buffer.
4. **Right-of-Way Buffer Width Requirements.** The total width of the right-of-way buffer shall depend on the width of the adjacent right-of-way, as indicated in Table 1, Right-of-Way Buffer Requirements. Additionally, required trees within the Right-of-Way buffer shall be provided in accordance with the guidelines in Table 1, Right-of-Way Buffer Requirements. (See Table 3, Buffer Planting Standards, for minimum planting requirements.)

Table 1. Right-of-Way Buffer Requirements

Street Type	Buffer Width	No. of Trees Required 1
2 Lane / 4 Lane Undivided	10 feet	1 tree per 50 LF of ROW frontage Minimum Spacing: 12 feet Maximum Spacing 50 feet
4 Lane Divided	15 feet	
6 Lane Divided	20 feet	

The clustering of trees shall be allowed and encouraged to create a more natural appearing environment.

5. **Perimeter Landscape Buffer Requirements.** Perimeter landscape buffers shall be determined based upon adjacent land uses. Table 2, Perimeter Landscape Buffer Requirements, defines the required buffer to be provided. (See Table 3, Buffer Planting Standards, for minimum planting requirements.)

Table 2. Perimeter Landscape Buffer Requirements

Adjacent Use	Required Buffer ¹	Width	Minimum Screen Height ²
Industrial	Type 1	5 feet	3 feet
Utilities/Transportation	Type 1	5 feet	3 feet
Agricultural	Type 2	10 feet	3 feet
Public/Civic	Type 3	15 feet	4 feet
Commercial/Retail	Type 3	15 feet	4 feet
Residential	Type 4	20 feet	6 feet

- a. Type 1 and Type 2 Buffers shall not be required along rear property lines or along interior side (not abutting public right-of-way) property lines behind the front face of the building.
 - b. In cases where landscape material is used to provide screening, the material used must provide a continuous opaque screen within one (1) growing season. Minimum screen height may be achieved solely through planting material or a combination of berming and plant material. (and/or decorative fencing and walls comprised of stone and painted metals).
6. **Buffer Composition Requirements.** Required plant material within each type of landscape buffer shall be in accordance with the provisions set forth in Table 3, Buffer Planting Standards.

Table 3. Buffer Planting Standards

Buffer Type	Plant Type	Maximum Spacing at Installation	Minimum Height/Caliper Inches at Installation	Minimum Percentage of landscaping within Buffer Area	Minimum Height at Maturity ¹
Type 1 Perimeter Buffer	Canopy Tree Evergreen	50 feet	12 feet/ 2.5" caliper	100%	25 feet
	Hedge/Shrub Evergreen	48 inches	24 inches	25%	36 inches
Type 2 Perimeter Buffer	Canopy Tree Evergreen	50 feet	12 feet/ 2.5" caliper	100%	25 feet
	Hedge/Shrub Evergreen	48 inches	24 inches	35%	36 inches
Type 3 Perimeter Buffer	Canopy Tree Evergreen	50 feet	12 feet/ 2.5" caliper	100%	25 feet
	Hedge/Shrub Evergreen	48 inches	24 inches	75%	36 inches
Type 4 Perimeter Buffer	Canopy Tree Evergreen	50 feet	12 feet/ 2.5" caliper	100%	25 feet
	Hedge/Shrub Evergreen	48 inches	24 inches	100%	36 inches
ROW Buffer	Canopy Tree Evergreen	50 feet	12 feet/ 2.5" caliper	100%	25 feet
	Hedge/Shrub Evergreen	48 inches	24 inches	25%	36 inches

- a. Hedges/Shrubs must achieve their minimum height within three (3) growing seasons.
 - b. No single species of tree or plant material shall comprise more than 30% of the cumulative total of plantings on a site.
 - c. The clustering of trees and shrubs shall be allowed and encouraged to create a more natural appearing environment.
7. **Screening from Residential Uses.** Property adjacent to or across from residential uses shall be landscaped in accordance the standards set forth in this Section.
 8. **Dumpster and Compactor Screening.** All dumpsters and compactors visible from public right-of-way and/or abutting residential, commercial, public, or civic property shall be screened with a consistent six (6) foot opaque screening wall with a solid metal gate. Chain link fences or wooden fences are not acceptable. Dumpsters shall be set back a minimum of twenty-five (25) feet from adjacent residential uses.
 9. **Fencing.** All fencing visible from a public right-of-way shall be either masonry of a type and style complementary to the primary materials of the building, wrought iron, decorative metal, living plant material or a combination of these. Fencing containing barbed wire, razor wire, or an equivalent shall be prohibited where adjacent to a residential use or visible from a public right-of-way. No fencing visible from a public right-of-way shall be located within a Parkway Buffer or a Right-of-Way Buffer as described in this Section.
 10. **Alternative Landscape Plan.** In lieu of the requirements set forth in Section 1.1., Landscaping Standards, an Alternative Landscape Plan (ALP) may be submitted to

the Planning Commission for approval. An ALP shall utilize an innovative use of plant materials and design techniques in response to the unique characteristics of a particular site. At a minimum, an ALP shall contain equivalent landscaping as is required by these regulations.

11. **Xeriscaping Credit.** Landscape Plans developed with sound xeriscaping principles as outlined in Kansas Smartscape® or other published materials shall be eligible for a reduction of landscaping up to 20% of the overall requirements. Applicants wishing to request credit must prepare an ALP, clearly outlining the xeriscaping principles being utilized. The final determination of credit granted shall be discretionary and based upon the final determination made by the City Administrator or designee.

P. Diesel Emission Requirements The following diesel emission requirements shall apply to warehouse/distribution, manufacturing including heavy duty diesel trucking and courier services, warehousing and storage, and motor freight transportation terminals, truck stops, and maintenance facilities located within the L-P (Logistics Park Zoning) District:

1. Except for loading/unloading operations, heavy duty diesel vehicles with a gross vehicle weight of over 14,001 pounds shall be restricted from idling on-site for no more than 5 minutes in any 60 minute period. For loading/unloading operations, idling shall be restricted to no more than 30 minutes in any 60 minute period. The following exceptions shall apply to this section:
 - a. Emergency vehicles performing their emergency duties;
 - b. Vehicles that must idle to operate auxiliary equipment to accomplish the intended use of the vehicles such as mixing, refrigerating, or operating a hydraulic lift. The exemption does not apply when the vehicle idling is solely for cabin comfort or to operate non-essential equipment such as air conditioning, heating, microwave ovens, or televisions except in the case of a safety or health emergency;
 - c. Vehicles in extreme hot or cold weather;
2. One electrical hook-up shall be provided for “trucker plug-ins” equal to a minimum of one-third (1/3) of the total number of truck bays at the facility to eliminate excessive idling by heavy duty diesel vehicles with a gross vehicle weight of over 14,001 pounds. Approval to use alternative technologies to eliminate excessive idling may be requested, but shall not be approved unless the applicant demonstrates that they are at least as effective as electrical hook-ups;
3. Signs shall be posted by owner(s) of the facility at each vehicle entrance to the facility notifying drivers of heavy duty diesel vehicles with a gross vehicle weight of over 14,001 pounds to turn-off engines when not in use;
4. The operation and idling of heavy duty diesel vehicles with a gross vehicle weight of over 14,001 pounds, including circulation, shall be restricted within 300 feet of any property zoned for or committed to residential use, or the owner/developer shall provide alternative measures including the possible installation of a wall or other mitigating measures to assure buffering of residences from heavy-duty truck operations, unless the owners of property located adjacent to said heavy duty diesel truck operations consent and agree, in writing to:
 - a. Allow the location of heavy-duty diesel truck operations within 300 feet of their property zoned for and committed to residential use, and
 - b. Restrict areas of their property located within 300 feet of adjacent trucking operations to only non-residential uses;

5. Warehouse managers and employees shall be trained by the employer(s) or operator(s) of the facility to use efficient scheduling and load management to eliminate unnecessary operation, queuing, or idling of heavy duty diesel vehicles with a gross vehicle weight of over 14,001 pounds.
6. Warehouse managers and employees shall be provided by the employer(s) or operator(s) of the facility with information about the possible effects of diesel emissions on their own health and the importance of being a good neighbor by minimizing idling and avoiding other potentially adverse impacts on adjacent or nearby residences.
7. Where feasible, on-site services should be made available to vehicle drivers to reduce idling. These services may include restroom facilities, seating for drivers waiting for their cargo to be loaded or unloaded, and/or food/beverage vending machines.
8. Where feasible, any motorized equipment used within the proposed development should utilize clean technology propulsion and/or alternative fuels such as electricity or propane.
9. Where feasible and, if fuel dispensing facilities are provided on-site, alternative clean fuels should be provided at these dispensing facilities. (Ord. 888, 2010)

5.3 I-G General Industrial District

- A. Purpose.** This district is intended primarily for basic industry; warehousing, distributing, processing, and assembly of goods and products. The activities found in this district are typically conducted so that noise, odor, dust, and glare are confined within the district. The size and volume of the materials, finished products, and freight generated by the uses of this district are such that they can be located adjacent to non-industrial uses.
- B. Compliance with Code Required.** All development of land within the boundaries of the I-G District herein shall conform to the requirements of the I-G District Code, and no person may use, occupy, sell or develop land, buildings or other structures, or authorize or permit the use, occupancy, sale or development of land, buildings or other structures under his/her control, except in accordance with all applicable provisions of this Code.
- C. Diagrams and Drawings.** The I-G District contains diagrams and drawings. When diagrams and drawings appear in this Code, they are presented for explanation purposes only unless otherwise specified in the text of this Code. The text governs over any diagram or drawing when any discrepancy exists. The provisions of this Section do not extend to concept plans or site plans which are required and approved under this Code.
- D. Use Restrictions.** In District I-G, no building, structure, land or premises shall be used, and no building or structure shall be erected, constructed, reconstructed, moved, or altered, except for uses listed as permitted, conditional, or special.
- E. Permitted Uses.** The following uses shall be permitted within I-G-General Industrial District.
1. Automotive repair and service.
 2. Auction yards and auction houses.
 3. Bottling works; food and beverage packaging.

4. Bus storage buildings or lots.
5. Building construction trades.
6. Churches and places of worship
7. Fabrication and assembly, building materials.
8. Distribution center; freight.
9. Manufacturing, limited.
10. Warehouse and processing, limited.
11. Laundry, cleaning and dyeing works.
12. Sign shops and service.
13. Printing and publishing; paper products.
14. Research facility.
15. Any other industries or businesses that are in keeping with the intent of the district and are compatible with the permitted uses.
16. Accessory Uses

F. Uses Permitted by Condition (Conditional Uses). The following uses may be permitted with a conditional use permit obtained pursuant to the provisions of Article 7.

1. Communication towers greater than 60 feet in height (exclusive of antenna).
2. Transportation storage and trucking yards
3. Recycling center
4. Construction equipment storage
5. Chemical and allied products – manufacturing and storage
6. Solid waste transfer stations.
7. Mining or quarrying
8. Oil and gas extraction.
9. Salvage yards.

G. Setback, Yard and Area Regulations. The following regulations shall apply to each site in the I-G, General industrial District.

Table of Setbacks, Yards, and Area for I-G District					
Use	Front Yard Setback	Side Yard Setback	Rear Yard Setback	Maximum Building Height	Minimum Open Space
Principal Buildings	30 feet.	No side yard shall be less than 10', except when adjacent to a residential district then 20' shall be required.	No rear yard shall be less than 15', except when adjacent to a residential district then 20' shall be required.	35 feet.	25%

H. District Regulations. All new industrial uses established after the effective date of this ordinance shall comply with the following requirements:

1. All buildings with a metal exterior shall provide a façade material composed of brick, glass, stone, wood, or a combination of these materials that extends to three walls of the building unless modified by the City.
2. All operations, other than limited storage of motorized machinery and equipment, materials, products or equipment, shall be conducted within a fully enclosed building.
3. All storage of motorized machinery and equipment, materials, products or equipment shall be within a fully enclosed building, or in a storage area or yard. Said storage shall be limited to twenty percent (20%) of the ground floor area of the building or tenant space. All storage materials shall be one hundred (100) percent screened from public view, except when adjacent to another storage area, which is one hundred (100) percent screened from public view. For the purposes of this section, the phrase “screened from public view” means not visible at eye level from adjoining properties or any street right-of-way. Use of landscaping materials is encouraged in lieu of privacy fencing. All storage areas shall be paved or surfaced.
4. Any exterior fuel tank(s) must be located below ground. All below ground fuel tanks must meet, at a minimum, International Building Code (IBC), International Fire Code (IFC), and Kansas Department of Health and Environment (KDHE) requirements. Below ground fuel tanks must be shown on Final Site Plans and must meet the appropriate code requisite building line and property line setbacks. Below ground tanks may only be installed once Final Site Plan approval has been received and a building permit has been issued. This section applies to all fuel tanks installed after January 1, 2021. Any above ground fuel tanks installed prior January 1, 2021 which are moved, repaired or replaced, must be located underground and must comply with this section.
5. All entrances to the public right-of-way shall maintain a clear vision triangle calculated 45° either direction measured twenty (20) feet from the point of intersection to the delineated stop line.
6. All outdoor lighting must be shielded and focused to direct light onto the premises and away from adjoining residential properties.
7. Multiple businesses in one structure are permitted provided that adequate parking and circulation are maintained.

I. Design Guidelines

1. **Introduction.** The purpose of these guidelines is to encourage development that will contribute to the overall aesthetics of the I-G District as a unique place by enhancing the built environment. These guidelines are intended to ensure that new development and redevelopment will be compatible and will enhance the overall appearance of the I-G District.
2. **Exemptions.** Government or public Facility Buildings shall not be required to conform to the requirements set forth in this Section.
3. **General**
 - a. When more than one (1) building is planned for I-G district property, the development plan shall demonstrate integration and coordination of the architectural design for buildings, structures, and landscaping and open space.
 - b. Buildings should be oriented so that the front or side of the building faces the public street frontage of the property. The City will consider an exception to

orient a rear elevation towards a public street for unique situations due to the configuration of the lot.

- c. The City may require that loading and service areas are screened from public view with landscaping, berming, facade walls, or fencing.
- d. The City may require a solid or semi-solid fence, or wall at least six feet (6'), but not more than eight feet (8') high, and having a density of not less than eighty percent (80%) per square foot be provided adjacent to an adjoining residential district unless the adjacent residential district and the office development are separated by a street right-of-way. The wall shall incorporate architectural elements similar to what the primary buildings are constructed with, such as stone or masonry. The fence design should vary in order to break up long expanses of single material in a straight line. For example, brick or rock walls may be varied in pattern or location, including offsets; wooded privacy fences may be varied through use of brick, rock, or wrought iron details. The owner or owners of the property in the I-G District shall maintain the fence or wall in good condition.
- e. When development is proposed adjacent to any existing residential development, site plan approval, including building elevations, landscaping, and screening shall be approved by the City.
- f. Pedestrian access within a development and adjacent public and private property shall be considered as a component to the design of an employment center.

J. Architectural Design Standards.

1. **Building Massing and Scale.** A building's massing is defined as its exterior volume. The height, width and depth of a structure create the overall massing of a building. A building's scale is the relationship of its overall size and its component parts with its adjoining spaces and buildings.
2. **Large Expanses.** Large expanses of blank walls of any material or metal siding are not allowed. Building facades over one hundred feet (100') long facing public right of way or residential property shall break up massing of buildings by dividing building façade into smaller components with a minimum of three (3) of the following elements;
 - a. Articulating details around doors, windows, balconies, plate lines, providing details such as "belly-bands," recessed design elements, interesting cornice treatment details, exposed expansion joints, reveals, change in texture, or other such methods of visual relief;
 - b. Avoiding long, repetitive, monotonous facades – particularly those that repeat the same design element several times along the same elevation;
 - c. Use of darker building color and varied wall treatments;
 - d. Varying roof lines (see Vertical Articulation section); and
 - e. Change of wall plane (see Horizontal Articulation section).
3. **Building Materials.** One hundred percent (100%) of the surface of each exterior wall (excluding doors and windows) facing a public street, residential use or public open space shall consist of materials including but not limited to stone, brick, glass block, tile, cast metal, cast or cultured stone, concrete (tilt-up walls), glass, or a combination of these materials.

The use of other cementitious products (e.g. stucco, Hardy Plank, or other similar materials) shall be limited to fifty percent (50%) of the buildings' exterior finishes where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, stucco may not be located

in the first eight feet (8') above grade on a façade visible from a public right-of-way or a public area.

Exceptions to this requirement may be allowed on a case by case basis by the City upon submission and approval of elevation drawings of the subject structure, and material samples.

4. Façade Guidelines

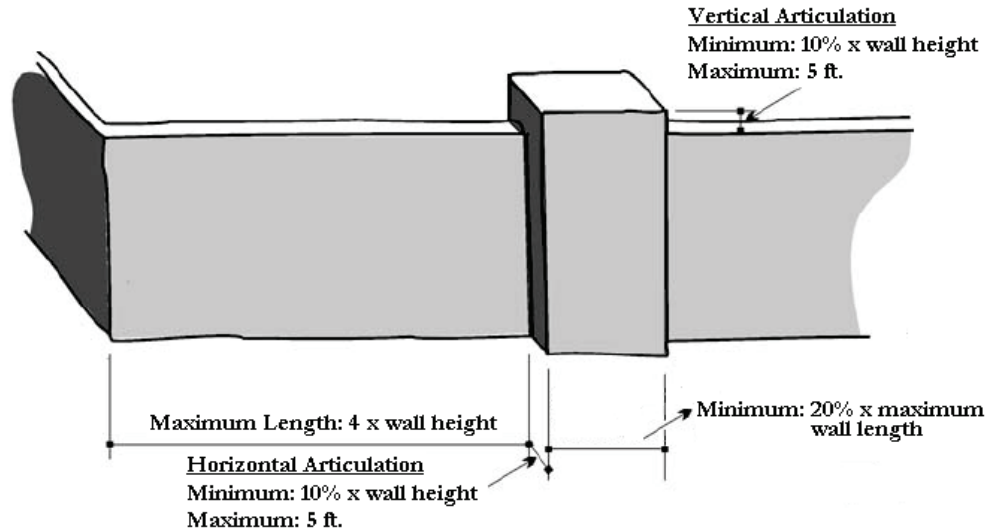
- a. **Horizontal Articulation.** Walls facing a public right-of-way or a residentially zoned property shall not extend for a distance greater than four (4) times the wall's height without having an off-set of ten percent (10%) of the wall's height (maximum of five (5) feet); the new plane shall extend for a distance equal to a minimum of twenty percent (20%) of the maximum length of the first plane. The City may allow exceptions to this requirement upon review and approval of a typical façade elevation.

Walls not facing a public right-of-way or a residentially zoned property and loading dock doors are exempt from the horizontal articulation requirement.

- b. **Vertical Articulation.** Walls facing a public right-of-way or a residentially zoned property shall not extend for a distance greater than four (4) times the height of the wall without changing height by a minimum of ten percent (10%) of the wall's height (maximum of five (5) feet). The City may allow exceptions to this requirement upon review and approval of a typical façade elevation.

Walls not facing a public right-of-way or residentially zoned properties are exempt from the vertical articulation requirement.

Figure 3. Horizontal and Vertical Articulation



- c. **Screening of Rooftop Equipment.** For buildings within the I-G District, all rooftop mounted mechanical, air conditioning, electrical, and satellite dish equipment shall not be visible. Rooftop equipment shall be screened from ground and street level view with parapets or other architectural design features constructed of the same materials used on the exterior walls.
- d. **Color Palette.** Earth tones, muted hues, and natural tones are permitted as structures' basic colors. Brighter hues are permitted only as an accent color on building elements such as awnings, doors, and trim. A mixed color palette on a single building should be carefully selected so all colors harmonize with each other.

Accent colors should be applied using the following guidelines:

	Required	Allowed
1st Accent Color	10%	20%
2nd Accent Color	0%	10%
3rd Accent Color	0%	10%

*Percentage calculations shall utilize the entire façade area.

K. Parking and Loading.

1. **General.** The purpose of this Section is to ensure the provision of functionally adequate, aesthetically pleasing and safe off-street parking, on-site circulation, driveways, loading, and access.
2. **Specific Requirements.**
 - a. Each establishment shall provide sufficient off-street parking spaces for all employees, customers, visitors and others who may spend time at the establishment during working hours. Such parking space shall be at least nine (9) feet by twenty (20) feet.
 - b. One (1) off-street parking space shall be provided for each 1,000 square feet storage area in non-warehousing uses.

- c. One (1) off-street parking space shall be provided for each two-hundred-fifty (250) square feet of service floor area in office and research buildings.
- d. All parking areas shall be set back a minimum of thirty feet (30') from any street right-of-way.
- e. All parking areas shall be set back a minimum of 30 feet from the property line of any residentially zoned property, where such property is already developed for residential use or is designated for residential on the Comprehensive Plan.
- f. All parking areas shall be set back a minimum of 10 feet from any peripheral property line other than a street right-of-way line or residentially zoned property line.
- g. Each establishment shall provide adequate loading space within a building or in a side or rear yard, in such a way that all storage, standing and maneuvering of trucks shall be off the public right-of-way.
- h. No portion of a parking or loading space, including maneuvering areas, except the necessary drives, shall be located closer than 30 feet from a public street right-of-way.
- i. All parking shall be on a surface prepared from paved concrete or asphalt.
- j. All commercial buildings shall provide a designated off-street space for the loading and unloading of goods and merchandise.
- k. See Articles 10 and 16 for additional parking requirements.

3. Exception for Warehouse/Distribution Center and Large Building Parking

Space Requirements. Parking shall be required per City standard based upon individual land use, except Warehouse or Distribution center land uses, which shall require one (1) space per two thousand (2,000) square feet of building area. Buildings in excess of one hundred thousand (100,000) square feet or users with specific parking needs may provide an independent parking study to the City for approval.

L. Off-Street Parking Standards.

1. Maneuvering

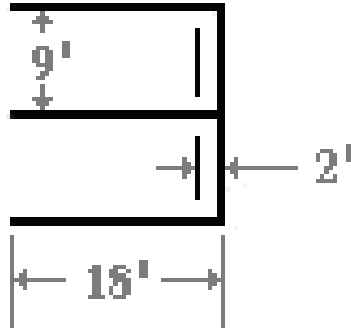
- a. All maneuvering of vehicles shall take place on site or within a mutual access easement. No public right-of-way shall be used for backing or maneuvering into or from a parking space, or for circulation within the parking lot.
- b. When off-street parking facilities are located adjacent to a public alley, the width of said alley may be assumed to be a portion of the maneuvering space requirement.

2. Parking Spaces and Aisle Surfaces. All parking spaces, aisles and maneuvering areas shall have an all-weather surface, whether enclosed or unenclosed, and shall be connected by an all-weather surfaced driveway to a street or alley.

3. Parking Space and Aisle Dimensions. All parking spaces and aisle dimensions shall conform to Article 10.2, Parking and Loading Standards, unless specifically approved by the City.

4. Wheel Stops. All passenger vehicle parking spaces on private property shall have a vehicle stopping device installed so as to prevent parking of motor vehicles in any required landscaped areas and to prevent any parked vehicle from overhanging a public right-of-way line or public sidewalk. The requirement shall apply only where spaces are adjacent to walks, rights-of-way, and required landscaping. Wheel stops shall be installed a minimum of two (2) feet from the end of the parking space.

Figure 5. Typical Parking Stall with Wheel Stop



5. Typical Off-Street Parking Modules

Figure 6. 60° Layout with One-Way Traffic

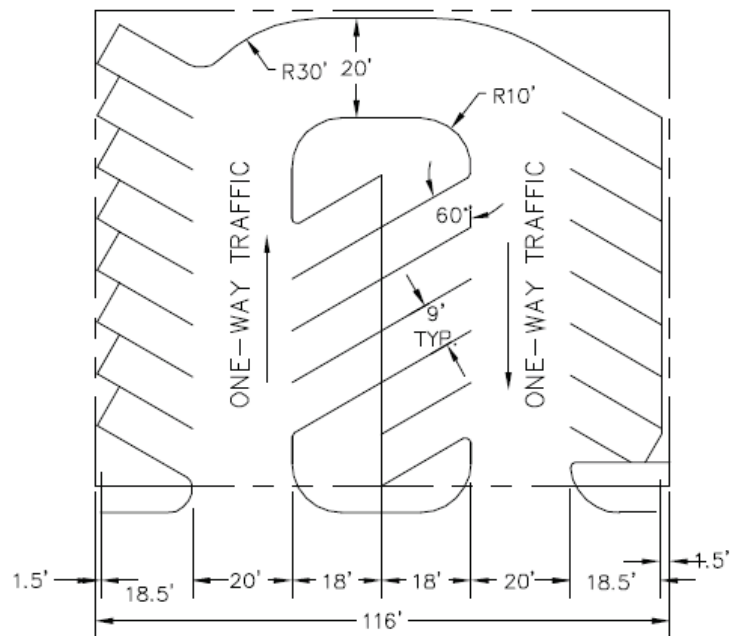


Figure 7. 60° Layout with Two-Way Traffic

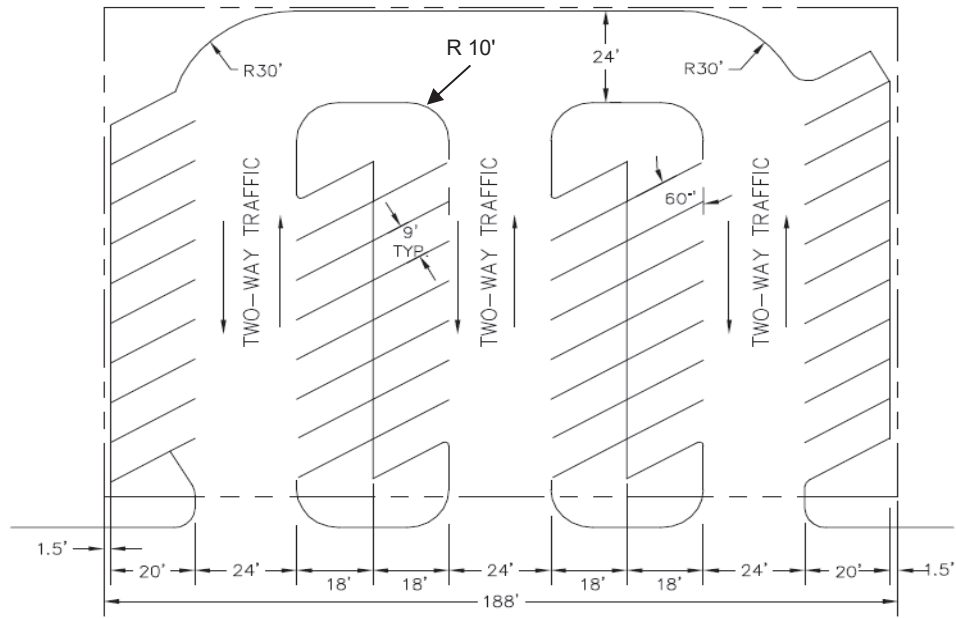
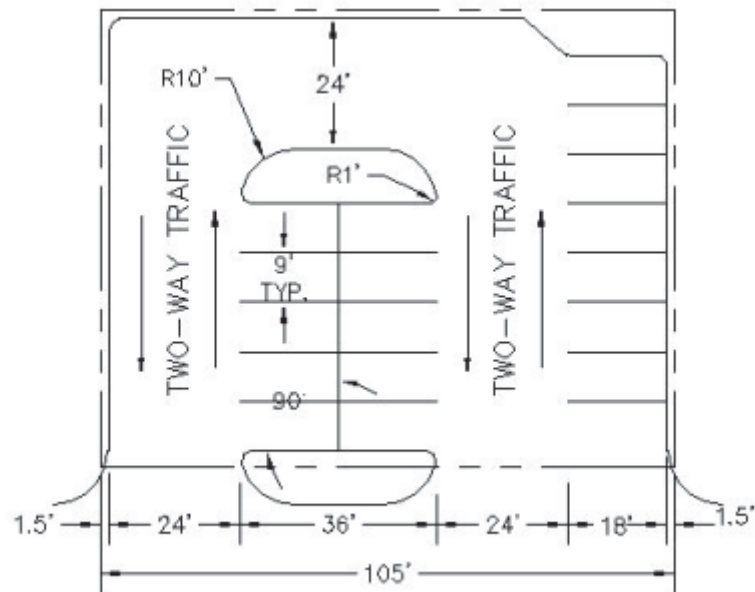


Figure 8. 90° Layout with Two-Way Traffic



M. Off-Street Loading Standards.

1. **Applicability.** Loading standards shall apply to all uses within the I-G District that contain a gross floor area of 10,000 square feet or more. Each such use shall provide and maintain off-street loading facilities adjacent to the building being served and shall be located on the same lot.

The requirement for loading spaces shall not be construed to include office uses.

2. Definitions:

- a. **Loading Space.** A loading space shall be defined as a location adjacent to a building where a vehicle is temporarily parked to perform loading and unloading operations. Loading doors are typically at grade in a standard loading space.
- b. **Loading Dock.** A loading dock shall be defined as any location where three (3) or more loading spaces are adjacent to one another and oriented perpendicular to the building being serviced such as the case in a typical warehousing/distribution use. Loading doors are typically elevated from finished grade (or finished grade is depressed below) in a standard loading dock. Please refer to Figure 2, Typical Loading Dock, for an example.

Figure 2. Typical Loading Dock



- c. **Access.** Off-street loading facilities shall be located adjacent to a public access-way or private service drive, in accordance with the following requirements:
 - 3. Any loading dock or loading space must provide a maneuvering area located entirely on private property, shall not utilize any public right-of-way, and shall not block any drive, aisle or fire lane.
 - 4. Loading docks that are within three-hundred (300) feet of any residential use shall be screened from those residential lots.
- d. **Minimum Loading Space Dimensions.** Loading spaces shall be a minimum of twelve (12) feet in width, sixty-five (65) feet in length, and fourteen (14) feet in height except as may otherwise be approved by the City.
- e. **Use of Loading Spaces.** Off-street loading spaces shall be used only for temporary loading/unloading operations and shall not be used for storage or display of boats, trailers, campers, motor vehicles or other goods, materials or products.

- f. **Number of Loading Spaces Required.** Any use that receives or distributes material, supplies or merchandise by motor vehicle shall provide off-street loading in accordance with Table 4, Off-Street Loading Requirements, unless otherwise approved by the City based on the anticipated size and type of use.

Table 4. Off-Street Loading Requirements

Gross Floor Area (square feet)	Minimum Loading Spaces Required
0 – 9,999	None
10,000 - 50,000	1
50,001 - 100,000	2
100,001 +	1 additional space per 100,000 sq ft

- g. **Temporary Outdoor Storage Regulations for Cargo Containers, Operational Trailers, and Tractors.** The temporary storage of cargo containers, operational trailers and tractors shall be allowed in the I-G District for a period of up to 30 days. Outdoor parking or storage spaces for cargo containers, operational trailers and tractors shall be screened from view by either a masonry wall of a type and style complementary to the primary materials of the building, wrought iron, decorative metal, living plant material or a combination of these. The height of the screening shall be sufficient to block view of the equipment or vehicles from a public right-of-way. Where a masonry wall is used to satisfy this requirement, foundation planting shall be provided on the exterior face of the wall. These spaces shall be clearly demarcated solely for tractor and trailer storage. The storage or display of boats, trailers, campers, motor vehicles or other goods, materials or products for sale is prohibited in these spaces.

N. Photometrics

1. **General.** All lighting shall be designed in accordance with applicable Illuminating Engineering Society of North America (IESNA) practices as applied to specified applications within the I-G District. All lighting facilities shall provide proper site lighting as well as being designed with cutoff illumination to reflect the illumination away from any adjacent property. Additional design provisions and considerations are presented below.
2. **Submittal Process and Review.** Photometric plans shall graphically depict illumination layout and foot candle values within area being lighted as well as along all adjacent property lines. In lieu of the requirements set forth in this Section, an alternative photometric plan may be submitted to the City for its approval. An alternative photometric plan shall include innovative design techniques in response to the unique characteristics of a particular site.
3. **Types of Lighting Systems**
 - a. Street Lighting. Lighting designed in accordance with IESNA Standards to provide illumination of that portion of the street used by vehicular traffic.
 - b. Pedestrian Lighting. Lower level lighting intended to illuminate the pedestrian walkway that generally runs parallel to that portion of the street parallel to vehicular traffic or traverses a parking lot along a clearly demarcated walkway.
 - c. Parking Lot. Lighting designed in accordance with IESNA Standards to provide illumination for both vehicular parking areas and vehicular access tracts.

- d. Loading Space/Loading Dock. Lighting designed to provide illumination for loading operations typically associated with warehouse/distribution operations.
 - e. Industrial Uses. Lighting designed in accordance with IESNA Standards to provide illumination for industrial uses/operations.
 - f. Commercial Uses. Lighting designed in accordance with IESNA Standards to provide illumination for commercial uses/operations.
 - g. Security. Lighting designed to provide to illuminate portions of a site at minimum levels to aid in surveillance during non-operational business hours.
 - h. Signage. Lighting designed solely to illuminate signage.
 - i. Street Lighting. Street Lighting shall conform at a minimum to the Kansas Department of Transportation Highway Illumination Manual in addition to requirements set forth by the City.
 - j. Parking Lot Lighting Facilities. Parking Lot lighting facilities shall provide illumination within parking areas not to exceed a maintained average of one and one half (1.5) foot candles at ground level, and shall not distribute more than one half (0.5) foot candles of light at the property line and two tenths of one (0.2) foot candle of light upon any adjacent single family residential property. For uses with 24 hour operations or uses that operate during the evening and night, a maximum maintained average of two and one half (2.5) foot candles at ground level shall be allowed; such uses shall distribute not more than one half (0.5) foot candles of light at the property line and two tenths of one (0.2) foot candle of light upon any adjacent single family residential property. A minimum average of the greater of either one (1) foot candle (maintained) or that required by applicable IESNA practice shall be required to be maintained.
4. **Sign Lighting.** All sign lighting shall be designed to minimize uplight. The use of floodlights to illuminate signage shall be done in a manner that eliminates glare along adjacent roadways and properties.
5. **Maximum Height of Lighting Facilities.** The maximum height of lighting facilities shall be 180 feet measured from ground level to the top of the structure.
6. **Light Trespass Control Measures**
- a. **Luminaire Design and Location.** Any luminaire whose distance from a lot line is less than three (3) times its height shall be shielded so that all direct light cast in the direction of streets or abutting residential lots is cut off at an angle no more than seventy (70) degrees measured from a vertical line directly below the luminaire. This requirement shall apply to all sides of the luminaire that emit light toward a lot line that is less than three (3) times the height away from the luminaire. The cut-off may be accomplished either by the luminaire photometric properties or by a supplementary external shield.
 - b. **Lighting Shield Design.** Additional shields that are installed to control light trespass and glare as required herein shall be designed so that the parts of the shields that are exposed to the direct light of the luminaire and visible from streets or abutting residential lots shall have a flat-black, low reflectivity finish.
 - c. **Electrical Design.** All electrical systems shall be designed in accordance with

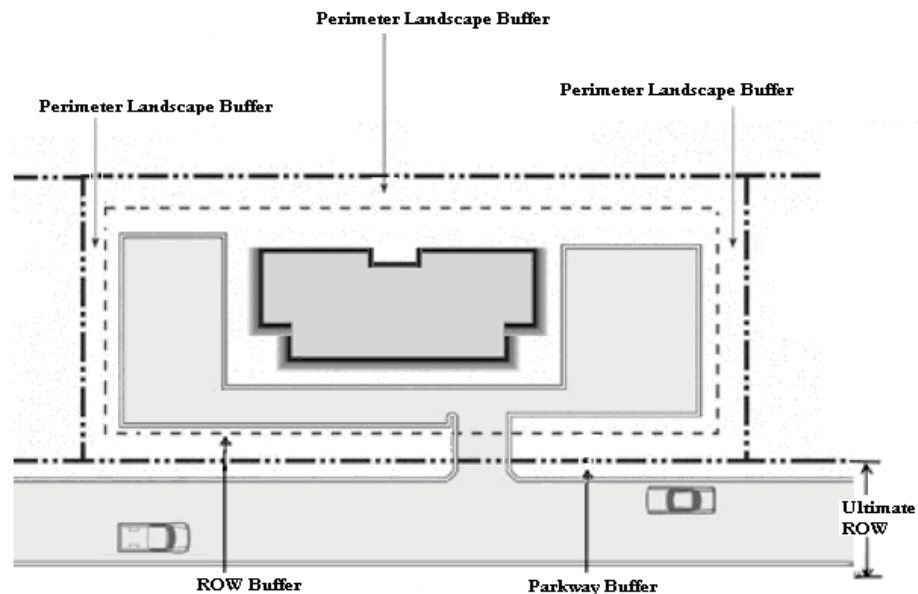
the National Electrical Code (NEC).

O. Landscape Standards.

1. Definitions

- a. Parkway Buffer. A continuous area of land that is generally defined as that portion of the right-of way spanning from the property line adjacent to the right-of-way to the back of the curb adjacent to the road pavement. There shall be no minimum width requirement for a parkway buffer.
- b. Perimeter Buffer. A landscape buffer that is wholly contained within private property, is adjacent to internal property lines, and does not abut a public right-of-way.
- c. Right-of-Way Buffer. A landscape buffer that is wholly contained within private property with the purpose of providing a buffer between a land use and the adjacent street or thoroughfare and is adjacent to public Right-of-Way.

Figure 1. Landscape Buffer Types



2. **Maintenance.** All landscaping shall be planted and perpetually maintained by the property owner, except where maintained by another entity such as a Property Owner's Association (POA).
3. **Parkway Buffer Planting Requirements.** Planting other than sod or another equivalent groundcover shall not be required within the parkway buffer.
4. **Right-of-Way Buffer Width Requirements.** The total width of the right-of-way buffer shall depend on the width of the adjacent right-of-way, as indicated in Table 1, Right-of-Way Buffer Requirements. Additionally, required trees within the Right-of-Way buffer shall be provided in accordance with the guidelines in Table 1, Right-of-Way Buffer Requirements. (See Table 3, Buffer Planting Standards, for minimum planting requirements.)

Table 1. Right-of-Way Buffer Requirements

Street Type	Buffer Width	No. of Trees Required 1
2 Lane / 4 Lane Undivided	10 feet	1 tree per 50 LF of ROW frontage Minimum Spacing: 12 feet Maximum Spacing 50 feet
4 Lane Divided	15 feet	
6 Lane Divided	20 feet	

The clustering of trees shall be allowed and encouraged to create a more natural appearing environment.

5. **Perimeter Landscape Buffer Requirements.** Perimeter landscape buffers shall be determined based upon adjacent land uses. Table 2, Perimeter Landscape Buffer Requirements, defines the required buffer to be provided. (See Table 3, Buffer Planting Standards, for minimum planting requirements.)

Table 2. Perimeter Landscape Buffer Requirements

Adjacent Use	Required Buffer ¹	Width	Minimum Screen Height ²
Industrial	Type 1	5 feet	3 feet
Utilities/Transportation	Type 1	5 feet	3 feet
Agricultural	Type 2	10 feet	3 feet
Public/Civic	Type 3	15 feet	4 feet
Commercial/Retail	Type 3	15 feet	4 feet
Residential	Type 4	20 feet	6 feet

- a. Type 1 and Type 2 Buffers shall not be required along rear property lines or along interior side (not abutting public right-of-way) property lines behind the front face of the building.
 - b. In cases where landscape material is used to provide screening, the material used must provide a continuous opaque screen within one (1) growing season. Minimum screen height may be achieved solely through planting material or a combination of berming and plant material. (and/or decorative fencing and walls comprised of stone and painted metals).
5. **Buffer Composition Requirements.** Required plant material within each type of landscape buffer shall be in accordance with the provisions set forth in Table 3, Buffer Planting Standards.

Table 3. Buffer Planting Standards

Buffer Type	Plant Type	Maximum Spacing at Installation	Minimum Height/Caliper Inches at Installation	Minimum Percentage of landscaping within Buffer Area	Minimum Height at Maturity ¹
Type 1 Perimeter Buffer	Canopy Tree Evergreen	50 feet	12 feet/ 2.5" caliper	100%	25 feet
	Hedge/Shrub Evergreen	48 inches	24 inches	25%	36 inches
Type 2 Perimeter Buffer	Canopy Tree Evergreen	50 feet	12 feet/ 2.5" caliper	100%	25 feet
	Hedge/Shrub Evergreen	48 inches	24 inches	35%	36 inches
Type 3 Perimeter Buffer	Canopy Tree Evergreen	50 feet	12 feet/ 2.5" caliper	100%	25 feet
	Hedge/Shrub Evergreen	48 inches	24 inches	75%	36 inches
Type 4 Perimeter Buffer	Canopy Tree Evergreen	50 feet	12 feet/ 2.5" caliper	100%	25 feet
	Hedge/Shrub Evergreen	48 inches	24 inches	100%	36 inches
ROW Buffer	Canopy Tree Evergreen	50 feet	12 feet/ 2.5" caliper	100%	25 feet
	Hedge/Shrub Evergreen	48 inches	24 inches	25%	36 inches

- a. Hedges/Shrubs must achieve their minimum height within three (3) growing seasons.
 - b. No single species of tree or plant material shall comprise more than 30% of the cumulative total of plantings on a site.
 - c. The clustering of trees and shrubs shall be allowed and encouraged to create a more natural appearing environment.
7. **Screening from Residential Uses.** Property adjacent to or across from residential uses shall be landscaped in accordance the standards set forth in this Section.
 8. **Dumpster and Compactor Screening.** All dumpsters and compactors visible from public right-of-way and/or abutting residential, commercial, public, or civic property shall be screened with a consistent six (6) foot opaque screening wall with a solid metal gate. Chain link fences or wooden fences are not acceptable. Dumpsters shall be set back a minimum of twenty-five (25) feet from adjacent residential uses.
 9. **Fencing.** All fencing visible from a public right-of-way shall be either masonry of a type and style complementary to the primary materials of the building, wrought iron, decorative metal, living plant material or a combination of these. Fencing containing barbed wire, razor wire, or an equivalent shall be prohibited where adjacent to a residential use or visible from a public right-of-way. No fencing visible from a public right-of-way shall be located within a Parkway Buffer or a Right-of-Way Buffer as described in this Section.
 10. **Alternative Landscape Plan.** In lieu of the requirements set forth in Section 1.1., Landscaping Standards, an Alternative Landscape Plan (ALP) may be submitted to

the Planning Commission for approval. An ALP shall utilize an innovative use of plant materials and design techniques in response to the unique characteristics of a particular site. At a minimum, an ALP shall contain equivalent landscaping as is required by these regulations.

11. **Xeriscaping Credit.** Landscape Plans developed with sound xeriscaping principles as outlined in Kansas Smartscape® or other published materials shall be eligible for a reduction of landscaping up to 20% of the overall requirements. Applicants wishing to request credit must prepare an ALP, clearly outlining the xeriscaping principles being utilized. The final determination of credit granted shall be discretionary and based upon the final determination made by the City Administrator or designee.

P. Diesel Emission Requirements. The following diesel emission requirements shall apply to warehouse/distribution, manufacturing including heavy duty diesel trucking and courier services, warehousing and storage, and motor freight transportation terminals, truck stops, and maintenance facilities located within the I-G (General Industrial) District:

1. Except for loading/unloading operations, heavy duty diesel vehicles with a gross vehicle weight of over 14,001 pounds shall be restricted from idling on-site for no more than 5 minutes in any 60 minute period. For loading/unloading operations, idling shall be restricted to no more than 30 minutes in any 60 minute period. The following exceptions shall apply to this section:
 - a. Emergency vehicles performing their emergency duties;
 - b. Vehicles that must idle to operate auxiliary equipment to accomplish the intended use of the vehicles such as mixing, refrigerating, or operating a hydraulic lift. The exemption does not apply when the vehicle idling is solely for cabin comfort or to operate non-essential equipment such as air conditioning, heating, microwave ovens, or televisions except in the case of a safety or health emergency;
 - c. Vehicles in extreme hot or cold weather;
2. One electrical hook-up shall be provided for “trucker plug-ins” equal to a minimum of one-third (1/3) of the total number of truck bays at the facility to eliminate excessive idling by heavy duty diesel vehicles with a gross vehicle weight of over 14,001 pounds. Approval to use alternative technologies to eliminate excessive idling may be requested, but shall not be approved unless the applicant demonstrates that they are at least as effective as electrical hook-ups;
3. Signs shall be posted by owner(s) of the facility at each vehicle entrance to the facility notifying drivers of heavy duty diesel vehicles with a gross vehicle weight of over 14,001 pounds to turn-off engines when not in use;
4. The operation and idling of heavy duty diesel vehicles with a gross vehicle weight of over 14,001 pounds, including circulation, shall be restricted within 300 feet of any property zoned for or committed to residential use, or the owner/developer shall provide alternative measures including the possible installation of a wall or other mitigating measures to assure buffering of residences from heavy-duty truck operations, unless the owners of property located adjacent to said heavy duty diesel truck operations consent and agree, in writing to:
 - a. Allow the location of heavy-duty diesel truck operations within 300 feet of their property zoned for and committed to residential use, and
 - b. Restrict areas of their property located within 300 feet of adjacent trucking operations to only non-residential uses;

5. Warehouse managers and employees shall be trained by the employer(s) or operator(s) of the facility to use efficient scheduling and load management to eliminate unnecessary operation, queuing, or idling of heavy duty diesel vehicles with a gross vehicle weight of over 14,001 pounds.
6. Warehouse managers and employees shall be provided by the employer(s) or operator(s) of the facility with information about the possible effects of diesel emissions on their own health and the importance of being a good neighbor by minimizing idling and avoiding other potentially adverse impacts on adjacent or nearby residences.
7. Where feasible, on-site services should be made available to vehicle drivers to reduce idling. These services may include restroom facilities, seating for drivers waiting for their cargo to be loaded or unloaded, and/or food/beverage vending machines.
8. Where feasible, any motorized equipment used within the proposed development should utilize clean technology propulsion and/or alternative fuels such as electricity or propane.
9. Where feasible and, if fuel dispensing facilities are provided on-site, alternative clean fuels should be provided at these dispensing facilities. (Ord. 888, 2010)

5.4 I-H Heavy Industrial District.

- A. Purpose.** This district is designed to accommodate heavy industrial uses not otherwise provided for in the I-G General Industrial district. The intensity of uses permitted in this district requires separation from residential and commercial uses.
- B. Compliance with Code Required.** All development of land within the boundaries of the I-H District herein shall conform to the requirements of the I-H District Code, and no person may use, occupy, sell or develop land, buildings or other structures, or authorize or permit the use, occupancy, sale or development of land, buildings or other structures under his/her control, except in accordance with all applicable provisions of this Code.
- C. Diagrams and Drawings.** The I-H District contains diagrams and drawings. When diagrams and drawings appear in this Code, they are presented for explanation purposes only unless otherwise specified in the text of this Code. The text governs over any diagram or drawing when any discrepancy exists. The provisions of this Section do not extend to concept plans or site plans which are required and approved under this Code.
- D. Use Restrictions.** In the I-H District, no building, structure, land or premises shall be used, and no building or structure shall be erected, constructed, reconstructed, moved, or altered, except for uses listed as permitted, conditional, or special.
- E. Uses Permitted.** The following uses shall be permitted in the I-H, Heavy Industrial District:
 1. Agricultural storage and processing facilities, including elevators and dehydrators.
 2. Churches and places of worship.
 3. Sale and bulk storage of agricultural fuels, feed, fertilizers, and pesticides.
 4. Asphalt, cement plants.
 5. Heavy construction trades.
 6. Manufacture and processing of chemicals.

7. Pottery and porcelain products (bulk manufacturing).
8. Public safety services.
9. Public utilities or facilities.
10. Scrap metal storage yard.
11. Stone products.
12. Transfer station, solid waste.
13. Wire rope and cable.
14. Any manufacture, processing, or fabrication activity that involves substantial heat, light, and glare from welding, pressing, stamping, food preparation, assembly lines, or excessive noise from moving, machinery, or assembly.
15. Any other use similar in character to the above as approved by the Planning Commission.

F. Uses Permitted by Condition (Conditional Use). The following uses may be permitted with a conditional use permit obtained pursuant to the provisions of Article 7.

1. Acid manufacture or reclamation.
2. Pesticide or herbicide manufacture.
3. Explosives manufacture or storage.
4. Slaughtering, rendering, packing operations
5. Fertilizer manufacture.
6. Petroleum refinery.
7. Smelting of base metals.
8. Adhesive manufacture.
9. Incineration.
10. Stockyards.
11. Wholesale/storage (bulk) of gasoline and other petroleum products.

G. Setback, Yard and Area Regulations.

Table of Setbacks, Yards, and Area for I-H District				
Use	Front Yard Setback	Side Yard Setback	Rear Yard Setback	Maximum Building Height
Principal Buildings	35'	20 feet, except that a 40-foot setback shall be established on all parcels adjacent to a residential zone or use.	25-feet setback shall be established for structures with access or service from the rear. Within this setback an alley, service court or drive is allowed.	110'

H. District Regulations. All new industrial uses established after the effective date of this ordinance shall comply with the following requirements:

1. All buildings with a metal exterior shall provide a façade material composed of brick, glass, stone, wood, or a combination of these materials that extends to three walls of the building unless modified by the City.
2. All operations, other than limited storage of motorized machinery and equipment, materials, products or equipment, shall be conducted within a fully enclosed building.
3. All storage of motorized machinery and equipment, materials, products or equipment shall be within a fully enclosed building, or in a storage area or yard. Said storage

shall be limited to twenty percent (20%) of the ground floor area of the building or tenant space. All storage materials shall be one hundred (100) percent screened from public view, except when adjacent to another storage area, which is one hundred (100) percent screened from public view. For the purposes of this section, the phrase “screened from public view” means not visible at eye level from adjoining properties or any street right-of-way. Use of landscaping materials is encouraged in lieu of privacy fencing. All storage areas shall be paved or surfaced.

4. Any exterior fuel tank(s) must be located below ground. All below ground fuel tanks must meet, at a minimum, International Building Code (IBC), International Fire Code (IFC), and Kansas Department of Health and Environment (KDHE) requirements. Below ground fuel tanks must be shown on Final Site Plans and must meet the appropriate code requisite building line and property line setbacks. Below ground tanks may only be installed once Final Site Plan approval has been received and a building permit has been issued. This section applies to all fuel tanks installed after January 1, 2021. Any above ground fuel tanks installed prior January 1, 2021 which are moved, repaired or replaced, must be located underground and must comply with this section.

I. Design Guidelines.

1. **Introduction.** The purpose of these guidelines is to encourage development that will contribute to the overall aesthetics of the I-H District as a unique place by enhancing the built environment. These guidelines are intended to ensure that new development and redevelopment will be compatible and will enhance the overall appearance of the I-H District.
2. **Exemptions.** Government of public facility buildings shall not be required to conform to the requirements set forth in this Section.
3. **General.**
 - a. When more than one (1) building is planned for I-H district property, the development plan shall demonstrate integration and coordination of the architectural design for buildings, structures, and landscaping and open space.
 - b. Buildings should be oriented so that the front or side of the building faces the public street frontage of the property. The City will consider an exception to orient a rear elevation towards a public street for unique situations due to the configuration of the lot.
 - c. The City may require that loading and service areas are screened from public view with landscaping, berming, façade walls, or fencing.
 - d. The City may require a solid or semi-solid fence, or wall at least six feet (6'), but not more than eight feet (8') high, and having a density of not less than eighty percent (80%) per square foot be provided adjacent to an adjoining residential district unless the adjacent residential district and the office development are separated by a street right-of-way. The wall shall incorporate architectural elements similar to what the primary buildings are constructed with, such as stone or masonry. The fence design should vary in order to break up long expanses of single material in a straight line. For example, brick or rock walls may be varied in pattern or location, including offsets; wooded privacy fences may be varied through use of brick, rock, or wrought iron details. The owner or owners of the property in the I-H District shall maintain the fence or wall in good condition.
 - e. When development is proposed adjacent to any existing residential development, site plan approval, including building elevations, landscaping, and screening shall be approved by the City.

- f. Pedestrian access within a development and adjacent public and private property shall be considered as a component to the design of an employment center.

J. Architectural Design Standards.

1. **Building Massing and Scale.** A building's massing is defined as its exterior volume. The height, width and depth of a structure create the overall massing of a building. A building's scale is the relationship of its overall size and its component parts with its adjoining spaces and buildings.
2. **Large Expanses.** Large expanses of blank walls of any material or metal siding are not allowed. Building facades over one hundred feet (100') long facing public right of way or residential property shall break up massing of buildings by dividing building façade into smaller components with a minimum of three (3) of the following elements;
 - a. Articulating details around doors, windows, balconies, plate lines, providing details such as "belly-bands," recessed design elements, interesting cornice treatment details, exposed expansion joints, reveals, change in texture, or other such methods of visual relief;
 - b. Avoiding long, repetitive, monotonous facades – particularly those that repeat the same design element several times along the same elevation;
 - c. Use of darker building color and varied wall treatments;
 - d. Varying roof lines (see Vertical Articulation section); and
 - e. Change of wall plane (see Horizontal Articulation section).
3. **Building Materials.** One hundred percent (100%) of the surface of each exterior wall (excluding doors and windows) facing a public street, residential use or public open space shall consist of materials including but not limited to stone, brick, glass block, tile, cast metal, cast or cultured stone, concrete (tilt-up walls), glass, or a combination of these materials.

The use of other cementitious products (e.g. stucco, Hardy Plank, or other similar materials) shall be limited to fifty percent (50%) of the buildings' exterior finishes where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, stucco may not be located in the first eight feet (8') above grade on a façade visible from a public right-of-way or a public area.

Exceptions to this requirement may be allowed on a case by case basis by the City upon submission and approval of elevation drawings of the subject structure, and material samples.

4. Façade Guidelines

- a. **Horizontal Articulation.** Walls facing a public right-of-way or a residentially zoned property shall not extend for a distance greater than four (4) times the wall's height without having an off-set of ten percent (10%) of the wall's height (maximum of five (5) feet); the new plane shall extend for a distance equal to a minimum of twenty percent (20%) of the maximum length of the first plane. The City may allow exceptions to this requirement upon review and approval of a typical façade elevation.

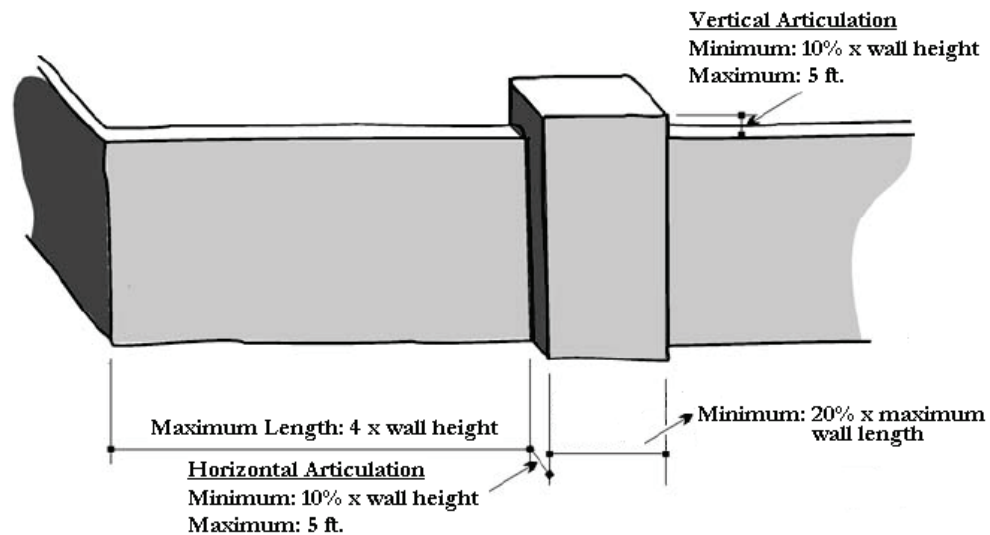
Walls not facing a public right-of-way or a residentially zoned property and loading dock doors are exempt from the horizontal articulation requirement.

- b. **Vertical Articulation.** Walls facing a public right-of-way or a residentially zoned

property shall not extend for a distance greater than four (4) times the height of the wall without changing height by a minimum of ten percent (10%) of the wall's height (maximum of five (5) feet). The City may allow exceptions to this requirement upon review and approval of a typical façade elevation.

Walls not facing a public right-of-way or residentially zoned properties are exempt from the vertical articulation requirement.

Figure 3. Horizontal and Vertical Articulation



- c. **Screening of Rooftop Equipment.** For buildings within the I-H District, all rooftop mounted mechanical, air conditioning, electrical, and satellite dish equipment shall not be visible. Rooftop equipment shall be screened from ground and street level view with parapets or other architectural design features constructed of the same materials used on the exterior walls.
- d. **Color Palette.** Earth tones, muted hues, and natural tones are permitted as structures' basic colors. Brighter hues are permitted only as an accent color on building elements such as awnings, doors, and trim. A mixed color palette on a single building should be carefully selected so all colors harmonize with each other.

Accent colors should be applied using the following guidelines:

	Required	Allowed
1st Accent Color	10%	20%
2nd Accent Color	0%	10%
3rd Accent Color	0%	10%

*Percentage calculations shall utilize the entire façade area.

K. Parking and Loading.

1. **General.** The purpose of this Section is to ensure the provision of functionally adequate, aesthetically pleasing and safe off-street parking, on-site circulation, driveways, loading, and access.

2. Specific Requirements.

- a. Each establishment shall provide sufficient off-street parking spaces for all employees, customers, visitors and others who may spend time at the establishment during working hours. Such parking space shall be at least nine (9) feet by twenty (20) feet.
- b. One (1) off-street parking space shall be provided for each 1,000 square feet storage area in non-warehousing uses.
- c. One (1) off-street parking space shall be provided for each two-hundred-fifty (250) square feet of service floor area in office and research buildings.
- d. All parking areas shall be set back a minimum of thirty feet (30') from any street right-of-way.
- e. All parking areas shall be set back a minimum of 30 feet from the property line of any residentially zoned property, where such property is already developed for residential use or is designated for residential on the Comprehensive Plan.
- f. All parking areas shall be set back a minimum of 10 feet from any peripheral property line other than a street right-of-way line or residentially zoned property line.
- g. Each establishment shall provide adequate loading space within a building or in a side or rear yard, in such a way that all storage, standing and maneuvering of trucks shall be off the public right-of-way.
- h. No portion of a parking or loading space, including maneuvering areas, except the necessary drives, shall be located closer than 30 feet from a public street right-of-way.
- i. All parking shall be on a surface prepared from paved concrete or asphalt.
- j. All commercial buildings shall provide a designated off-street space for the loading and unloading of goods and merchandise.
- k. See Articles 10 and 16 for additional parking requirements.

- 3. Exception for Warehouse/Distribution Center and Large Building Parking Space Requirements.** Parking shall be required per City standard based upon individual land use, except Warehouse or Distribution center land uses, which shall require one (1) space per two thousand (2,000) square feet of building area. Buildings in excess of one hundred thousand (100,000) square feet or users with specific parking needs may provide an independent parking study to the City for approval.

L. Off-Street Parking Standards.

1. Maneuvering

- a. All maneuvering of vehicles shall take place on site or within a mutual access easement. No public right-of-way shall be used for backing or maneuvering into or from a parking space, or for circulation within the parking lot.
- b. When off-street parking facilities are located adjacent to a public alley, the width of said alley may be assumed to be a portion of the maneuvering space requirement.

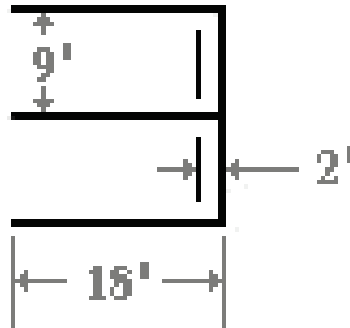
2. Parking Spaces and Aisle Surfaces. All parking spaces, aisles and maneuvering areas shall have an all-weather surface, whether enclosed or unenclosed, and shall be connected by an all-weather surfaced driveway to a street or alley.

3. Parking Space and Aisle Dimensions. All parking spaces and aisle dimensions shall conform to Article 10.2, Parking and Loading Standards, unless specifically approved by the City.

4. Wheel Stops. All passenger vehicle parking spaces on private property shall have a vehicle stopping device installed so as to prevent parking of motor vehicles in any

required landscaped areas and to prevent any parked vehicle from overhanging a public right-of-way line or public sidewalk. The requirement shall apply only where spaces are adjacent to walks, rights-of-way, and required landscaping. Wheel stops shall be installed a minimum of two (2) feet from the end of the parking space.

Figure 5. Typical Parking Stall with Wheel Stop



5. Typical Off-Street Parking Modules

Figure 6. 60° Layout with One-Way Traffic

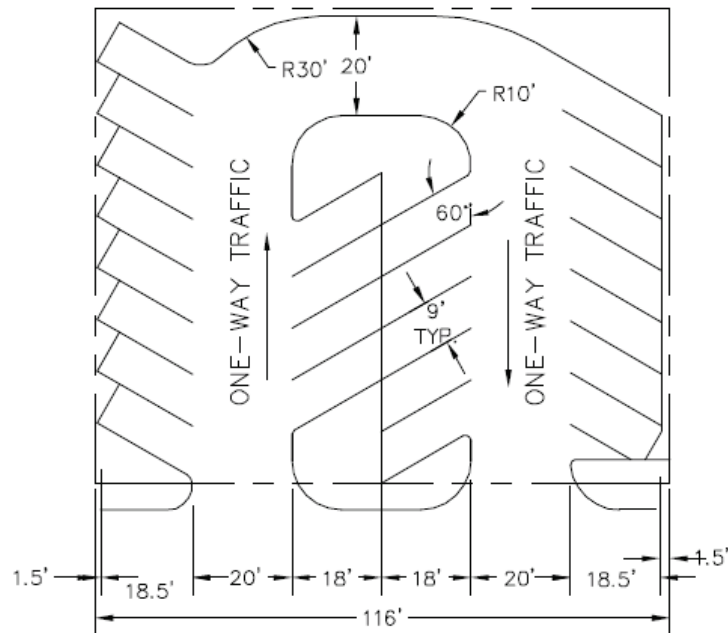


Figure 7. 60° Layout with Two-Way Traffic

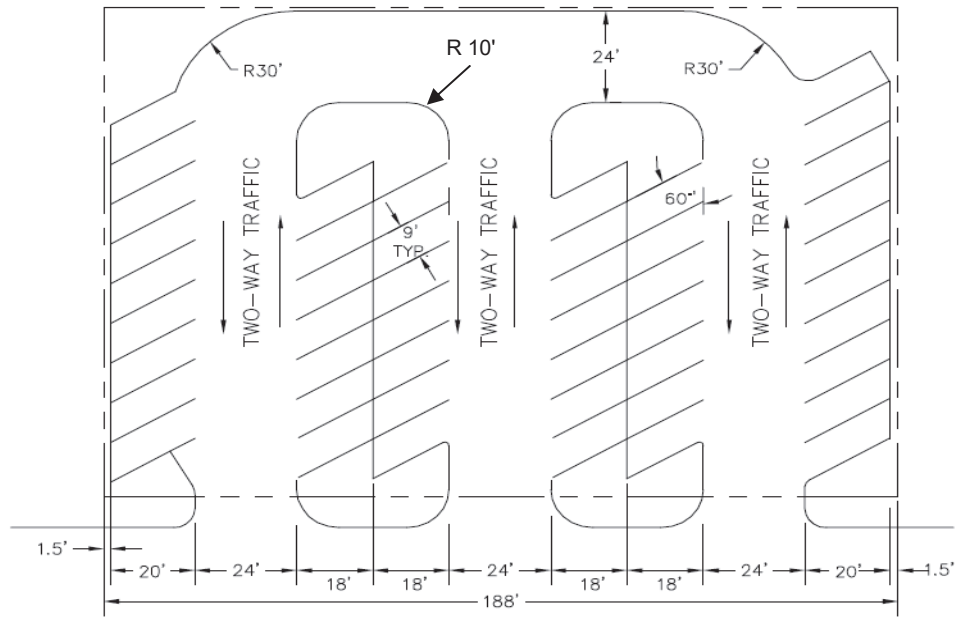
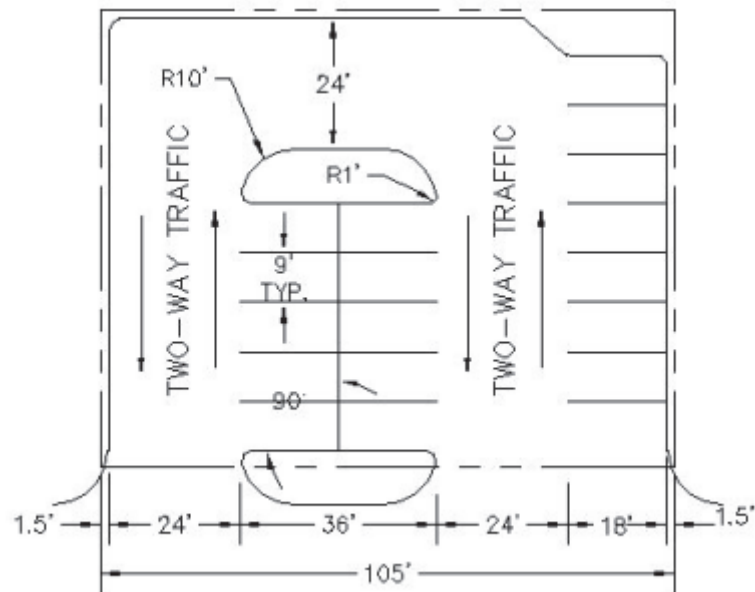


Figure 8. 90° Layout with Two-Way Traffic



M. Off-Street Loading Standards.

1. **Applicability.** Loading standards shall apply to all uses within the I-H District that contain a gross floor area of 10,000 square feet or more. Each such use shall provide and maintain off-street loading facilities adjacent to the building being served and shall be located on the same lot.

The requirement for loading spaces shall not be construed to include office uses.

2. Definitions:

- g. **Loading Space.** A loading space shall be defined as a location adjacent to a building where a vehicle is temporarily parked to perform loading and unloading operations. Loading doors are typically at grade in a standard loading space.
- h. **Loading Dock.** A loading dock shall be defined as any location where three (3) or more loading spaces are adjacent to one another and oriented perpendicular to the building being serviced such as the case in a typical warehousing/distribution use. Loading doors are typically elevated from finished grade (or finished grade is depressed below) in a standard loading dock. Please refer to Figure 2, Typical Loading Dock, for an example.

Figure 2. Typical Loading Dock



- i. **Access.** Off-street loading facilities shall be located adjacent to a public access-way or private service drive, in accordance with the following requirements:
 - 6. Any loading dock or loading space must provide a maneuvering area located entirely on private property, shall not utilize any public right-of-way, and shall not block any drive, aisle or fire lane.
 - 7. Loading docks that are within three-hundred (300) feet of any residential use shall be screened from those residential lots.
- j. **Minimum Loading Space Dimensions.** Loading spaces shall be a minimum of twelve (12) feet in width, sixty-five (65) feet in length, and fourteen (14) feet in height except as may otherwise be approved by the City.
- k. **Use of Loading Spaces.** Off-street loading spaces shall be used only for temporary loading/unloading operations and shall not be used for storage or display of boats, trailers, campers, motor vehicles or other goods, materials or products.

- I. **Number of Loading Spaces Required.** Any use that receives or distributes material, supplies or merchandise by motor vehicle shall provide off-street loading in accordance with Table 4, Off-Street Loading Requirements, unless otherwise approved by the City based on the anticipated size and type of use.

Table 4. Off-Street Loading Requirements

Gross Floor Area (square feet)	Minimum Loading Spaces Required
0 – 9,999	None
10,000 - 50,000	1
50,001 - 100,000	2
100,001 +	1 additional space per 100,000 sq ft

- g. **Temporary Outdoor Storage Regulations for Cargo Containers, Operational Trailers, and Tractors.** The temporary storage of cargo containers, operational trailers and tractors shall be allowed in the I-H District for a period of up to 30 days. Outdoor parking or storage spaces for cargo containers, operational trailers and tractors shall be screened from view by either a masonry wall of a type and style complementary to the primary materials of the building, wrought iron, decorative metal, living plant material or a combination of these. The height of the screening shall be sufficient to block view of the equipment or vehicles from a public right-of-way. Where a masonry wall is used to satisfy this requirement, foundation planting shall be provided on the exterior face of the wall. These spaces shall be clearly demarcated solely for tractor and trailer storage. The storage or display of boats, trailers, campers, motor vehicles or other goods, materials or products for sale is prohibited in these spaces.

N. Photometrics.

1. **General.** All lighting shall be designed in accordance with applicable Illuminating Engineering Society of North America (IESNA) practices as applied to specified applications within the I-H District. All lighting facilities shall provide proper site lighting as well as being designed with cutoff illumination to reflect the illumination away from any adjacent property. Additional design provisions and considerations are presented below.
2. **Submittal Process and Review.** Photometric plans shall graphically depict illumination layout and foot candle values within area being lighted as well as along all adjacent property lines. In lieu of the requirements set forth in this Section, an alternative photometric plan may be submitted to the City for its approval. An alternative photometric plan shall include innovative design techniques in response to the unique characteristics of a particular site.
3. **Types of Lighting Systems**
 - a. Street Lighting. Lighting designed in accordance with IESNA Standards to provide illumination of that portion of the street used by vehicular traffic.
 - b. Pedestrian Lighting. Lower level lighting intended to illuminate the pedestrian walkway that generally runs parallel to that portion of the street parallel to vehicular traffic or traverses a parking lot along a clearly demarcated walkway.
 - c. Parking Lot. Lighting designed in accordance with IESNA Standards to provide illumination for both vehicular parking areas and vehicular access tracts.

- d. Loading Space/Loading Dock. Lighting designed to provide illumination for loading operations typically associated with warehouse/distribution operations.
 - e. Industrial Uses. Lighting designed in accordance with IESNA Standards to provide illumination for industrial uses/operations.
 - f. Commercial Uses. Lighting designed in accordance with IESNA Standards to provide illumination for commercial uses/operations.
 - g. Security. Lighting designed to provide to illuminate portions of a site at minimum levels to aid in surveillance during non-operational business hours.
 - h. Signage. Lighting designed solely to illuminate signage.
 - i. Street Lighting. Street Lighting shall conform at a minimum to the Kansas Department of Transportation Highway Illumination Manual in addition to requirements set forth by the City.
 - j. Parking Lot Lighting Facilities. Parking Lot lighting facilities shall provide illumination within parking areas not to exceed a maintained average of one and one half (1.5) foot candles at ground level, and shall not distribute more than one half (0.5) foot candles of light at the property line and two tenths of one (0.2) foot candle of light upon any adjacent single family residential property. For uses with 24 hour operations or uses that operate during the evening and night, a maximum maintained average of two and one half (2.5) foot candles at ground level shall be allowed; such uses shall distribute not more than one half (0.5) foot candles of light at the property line and two tenths of one (0.2) foot candle of light upon any adjacent single family residential property. A minimum average of the greater of either one (1) foot candle (maintained) or that required by applicable IESNA practice shall be required to be maintained.
4. **Sign Lighting.** All sign lighting shall be designed to minimize uplight. The use of floodlights to illuminate signage shall be done in a manner that eliminates glare along adjacent roadways and properties.
5. **Maximum Height of Lighting Facilities.** The maximum height of lighting facilities shall be 180 feet measured from ground level to the top of the structure.
6. **Light Trespass Control Measures**
- a. **Luminaire Design and Location.** Any luminaire whose distance from a lot line is less than three (3) times its height shall be shielded so that all direct light cast in the direction of streets or abutting residential lots is cut off at an angle no more than seventy (70) degrees measured from a vertical line directly below the luminaire. This requirement shall apply to all sides of the luminaire that emit light toward a lot line that is less than three (3) times the height away from the luminaire. The cut-off may be accomplished either by the luminaire photometric properties or by a supplementary external shield.
 - b. **Lighting Shield Design.** Additional shields that are installed to control light trespass and glare as required herein shall be designed so that the parts of the shields that are exposed to the direct light of the luminaire and visible from streets or abutting residential lots shall have a flat-black, low reflectivity finish.
 - c. **Electrical Design.** All electrical systems shall be designed in accordance with

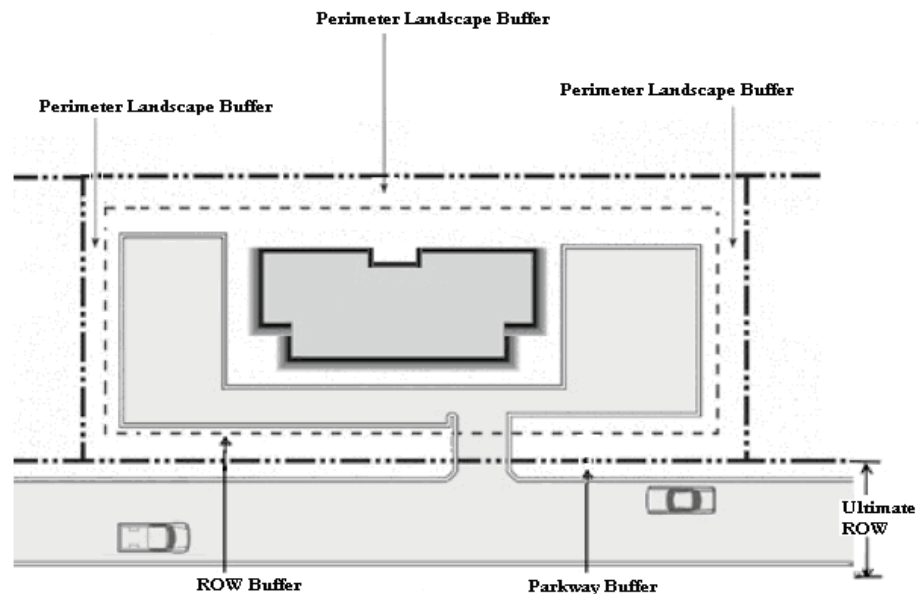
the National Electrical Code (NEC).

O. Landscape Standards.

1. Definitions

- a. Parkway Buffer. A continuous area of land that is generally defined as that portion of the right-of way spanning from the property line adjacent to the right-of-way to the back of the curb adjacent to the road pavement. There shall be no minimum width requirement for a parkway buffer.
- b. Perimeter Buffer. A landscape buffer that is wholly contained within private property, is adjacent to internal property lines, and does not abut a public right-of-way.
- c. Right-of-Way Buffer. A landscape buffer that is wholly contained within private property with the purpose of providing a buffer between a land use and the adjacent street or thoroughfare and is adjacent to public Right-of-Way.

Figure 1. Landscape Buffer Types



2. **Maintenance.** All landscaping shall be planted and perpetually maintained by the property owner, except where maintained by another entity such as a Property Owner's Association (POA).
3. **Parkway Buffer Planting Requirements.** Planting other than sod or another equivalent groundcover shall not be required within the parkway buffer.
4. **Right-of-Way Buffer Width Requirements.** The total width of the right-of-way buffer shall depend on the width of the adjacent right-of-way, as indicated in Table 1, Right-of-Way Buffer Requirements. Additionally, required trees within the Right-of-Way buffer shall be provided in accordance with the guidelines in Table 1, Right-of-Way Buffer Requirements. (See Table 3, Buffer Planting Standards, for minimum planting requirements.)

Table 1. Right-of-Way Buffer Requirements

Street Type	Buffer Width	No. of Trees Required 1
2 Lane / 4 Lane Undivided	10 feet	1 tree per 50 LF of ROW frontage Minimum Spacing: 12 feet Maximum Spacing 50 feet
4 Lane Divided	15 feet	
6 Lane Divided	20 feet	

The clustering of trees shall be allowed and encouraged to create a more natural appearing environment.

5. **Perimeter Landscape Buffer Requirements.** Perimeter landscape buffers shall be determined based upon adjacent land uses. Table 2, Perimeter Landscape Buffer Requirements, defines the required buffer to be provided. (See Table 3, Buffer Planting Standards, for minimum planting requirements.)

Table 2. Perimeter Landscape Buffer Requirements

Adjacent Use	Required Buffer ¹	Width	Minimum Screen Height ²
Industrial	Type 1	5 feet	3 feet
Utilities/Transportation	Type 1	5 feet	3 feet
Agricultural	Type 2	10 feet	3 feet
Public/Civic	Type 3	15 feet	4 feet
Commercial/Retail	Type 3	15 feet	4 feet
Residential	Type 4	20 feet	6 feet

- a. Type 1 and Type 2 Buffers shall not be required along rear property lines or along interior side (not abutting public right-of-way) property lines behind the front face of the building.
 - b. In cases where landscape material is used to provide screening, the material used must provide a continuous opaque screen within one (1) growing season. Minimum screen height may be achieved solely through planting material or a combination of berming and plant material. (and/or decorative fencing and walls comprised of stone and painted metals).
6. **Buffer Composition Requirements.** Required plant material within each type of landscape buffer shall be in accordance with the provisions set forth in Table 3, Buffer Planting Standards.

Table 3. Buffer Planting Standards

Buffer Type	Plant Type	Maximum Spacing at Installation	Minimum Height/Caliper Inches at Installation	Minimum Percentage of landscaping within Buffer Area	Minimum Height at Maturity ¹
Type 1 Perimeter Buffer	Canopy Tree Evergreen	50 feet	12 feet/ 2.5" caliper	100%	25 feet
	Hedge/Shrub Evergreen	48 inches	24 inches	25%	36 inches
Type 2 Perimeter Buffer	Canopy Tree Evergreen	50 feet	12 feet/ 2.5" caliper	100%	25 feet
	Hedge/Shrub Evergreen	48 inches	24 inches	35%	36 inches
Type 3 Perimeter Buffer	Canopy Tree Evergreen	50 feet	12 feet/ 2.5" caliper	100%	25 feet
	Hedge/Shrub Evergreen	48 inches	24 inches	75%	36 inches
Type 4 Perimeter Buffer	Canopy Tree Evergreen	50 feet	12 feet/ 2.5" caliper	100%	25 feet
	Hedge/Shrub Evergreen	48 inches	24 inches	100%	36 inches
ROW Buffer	Canopy Tree Evergreen	50 feet	12 feet/ 2.5" caliper	100%	25 feet
	Hedge/Shrub Evergreen	48 inches	24 inches	25%	36 inches

- a. Hedges/Shrubs must achieve their minimum height within three (3) growing seasons.
 - b. No single species of tree or plant material shall comprise more than 30% of the cumulative total of plantings on a site.
 - c. The clustering of trees and shrubs shall be allowed and encouraged to create a more natural appearing environment.
7. **Screening from Residential Uses.** Property adjacent to or across from residential uses shall be landscaped in accordance the standards set forth in this Section.
 8. **Dumpster and Compactor Screening.** All dumpsters and compactors visible from public right-of-way and/or abutting residential, commercial, public, or civic property shall be screened with a consistent six (6) foot opaque screening wall with a solid metal gate. Chain link fences or wooden fences are not acceptable. Dumpsters shall be set back a minimum of twenty-five (25) feet from adjacent residential uses.
 9. **Fencing.** All fencing visible from a public right-of-way shall be either masonry of a type and style complementary to the primary materials of the building, wrought iron, decorative metal, living plant material or a combination of these. Fencing containing barbed wire, razor wire, or an equivalent shall be prohibited where adjacent to a residential use or visible from a public right-of-way. No fencing visible from a public right-of-way shall be located within a Parkway Buffer or a Right-of-Way Buffer as described in this Section.
 10. **Alternative Landscape Plan.** In lieu of the requirements set forth in Section 1.1., Landscaping Standards, an Alternative Landscape Plan (ALP) may be submitted to

the Planning Commission for approval. An ALP shall utilize an innovative use of plant materials and design techniques in response to the unique characteristics of a particular site. At a minimum, an ALP shall contain equivalent landscaping as is required by these regulations.

11. **Xeriscaping Credit.** Landscape Plans developed with sound xeriscaping principles as outlined in Kansas Smartscape® or other published materials shall be eligible for a reduction of landscaping up to 20% of the overall requirements. Applicants wishing to request credit must prepare an ALP, clearly outlining the xeriscaping principles being utilized. The final determination of credit granted shall be discretionary and based upon the final determination made by the City Administrator or designee.

Q. Diesel Emission Requirements. The following diesel emission requirements shall apply to warehouse/distribution, manufacturing including heavy duty diesel trucking and courier services, warehousing and storage, and motor freight transportation terminals, truck stops, and maintenance facilities located within the I-G (General Industrial) District:

1. Except for loading/unloading operations, heavy duty diesel vehicles with a gross vehicle weight of over 14,001 pounds shall be restricted from idling on-site for no more than 5 minutes in any 60 minute period. For loading/unloading operations, idling shall be restricted to no more than 30 minutes in any 60 minute period. The following exceptions shall apply to this section:
 - a. Emergency vehicles performing their emergency duties;
 - b. Vehicles that must idle to operate auxiliary equipment to accomplish the intended use of the vehicles such as mixing, refrigerating, or operating a hydraulic lift. The exemption does not apply when the vehicle idling is solely for cabin comfort or to operate non-essential equipment such as air conditioning, heating, microwave ovens, or televisions except in the case of a safety or health emergency;
 - c. Vehicles in extreme hot or cold weather;
2. One electrical hook-up shall be provided for “trucker plug-ins” equal to a minimum of one-third (1/3) of the total number of truck bays at the facility to eliminate excessive idling by heavy duty diesel vehicles with a gross vehicle weight of over 14,001 pounds. Approval to use alternative technologies to eliminate excessive idling may be requested, but shall not be approved unless the applicant demonstrates that they are at least as effective as electrical hook-ups;
3. Signs shall be posted by owner(s) of the facility at each vehicle entrance to the facility notifying drivers of heavy duty diesel vehicles with a gross vehicle weight of over 14,001 pounds to turn-off engines when not in use;
4. The operation and idling of heavy duty diesel vehicles with a gross vehicle weight of over 14,001 pounds, including circulation, shall be restricted within 300 feet of any property zoned for or committed to residential use, or the owner/developer shall provide alternative measures including the possible installation of a wall or other mitigating measures to assure buffering of residences from heavy-duty truck operations, unless the owners of property located adjacent to said heavy duty diesel truck operations consent and agree, in writing to:
 - a. Allow the location of heavy-duty diesel truck operations within 300 feet of their property zoned for and committed to residential use, and
 - b. Restrict areas of their property located within 300 feet of adjacent trucking operations to only non-residential uses;

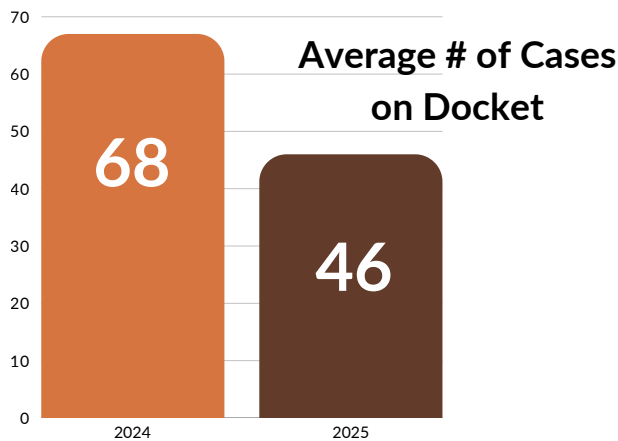
5. Warehouse managers and employees shall be trained by the employer(s) or operator(s) of the facility to use efficient scheduling and load management to eliminate unnecessary operation, queuing, or idling of heavy duty diesel vehicles with a gross vehicle weight of over 14,001 pounds.
6. Warehouse managers and employees shall be provided by the employer(s) or operator(s) of the facility with information about the possible effects of diesel emissions on their own health and the importance of being a good neighbor by minimizing idling and avoiding other potentially adverse impacts on adjacent or nearby residences.
7. Where feasible, on-site services should be made available to vehicle drivers to reduce idling. These services may include restroom facilities, seating for drivers waiting for their cargo to be loaded or unloaded, and/or food/beverage vending machines.
8. Where feasible, any motorized equipment used within the proposed development should utilize clean technology propulsion and/or alternative fuels such as electricity or propane.
9. Where feasible and, if fuel dispensing facilities are provided on-site, alternative clean fuels should be provided at these dispensing facilities. (Ord. 888, 2010)



Municipal Court Report 2024 & 2025 Recap

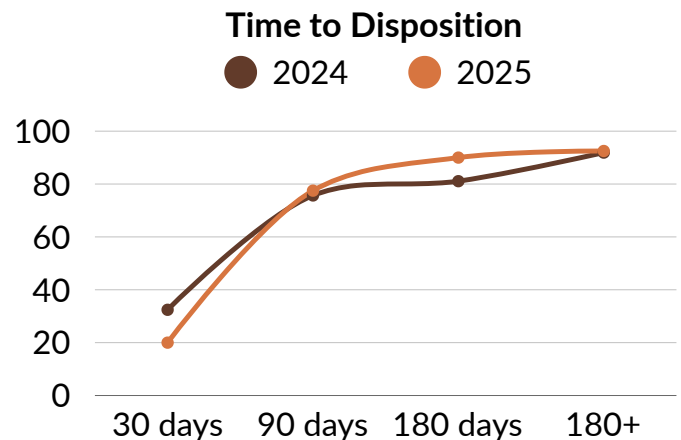
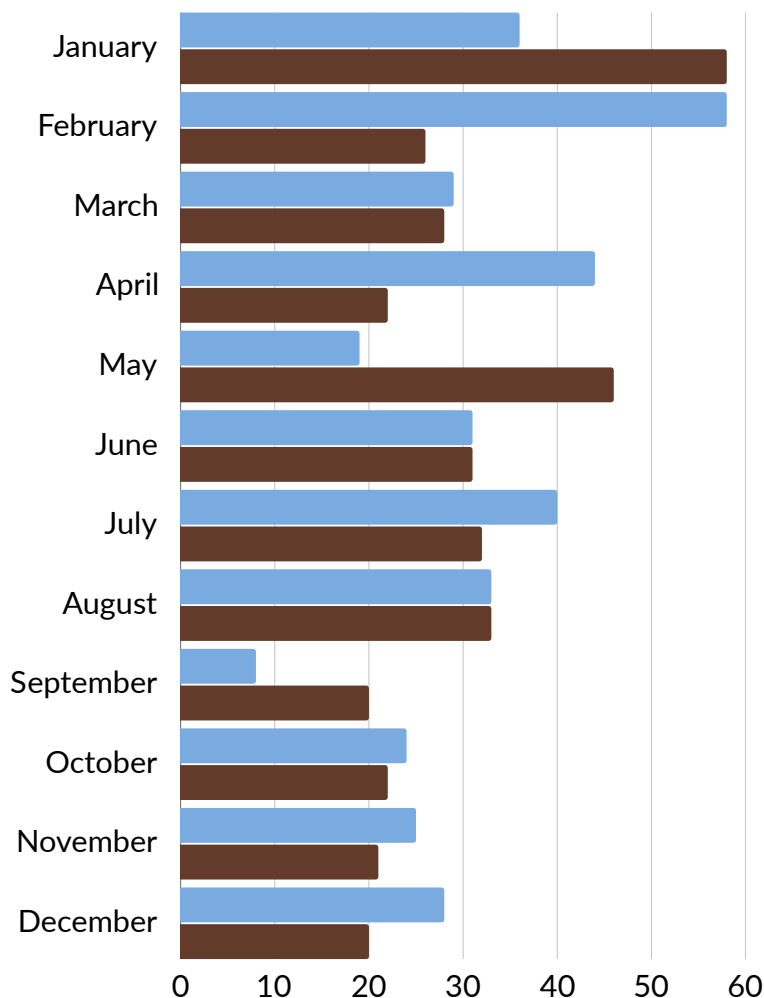
City Council Meeting
March 26, 2026

Edgerton Municipal Court is held on the first and third Tuesdays of every month beginning at 2:00 p.m.
The City's Court is managed by a Court Clerk with a contracted judge and prosecutor.



Warrants Issued 2024	71
Warrants Issued 2025	50
Total Citations 2024	375
Total Citations 2025	324

Citations By Month ● 2024 ● 2025



Fines and Fees

\$109,168 fines/fees collected in 2024

90% compliance rate in 2024

\$88,530 fines/fees collected in 2025

94% compliance rate in 2025

*Approximately 12% of collections are remitted to the State of Kansas



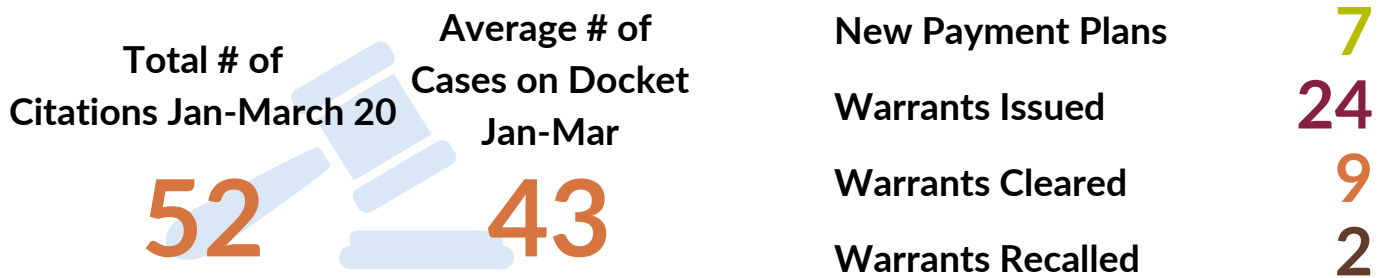
Municipal Court Report

Q1 2026

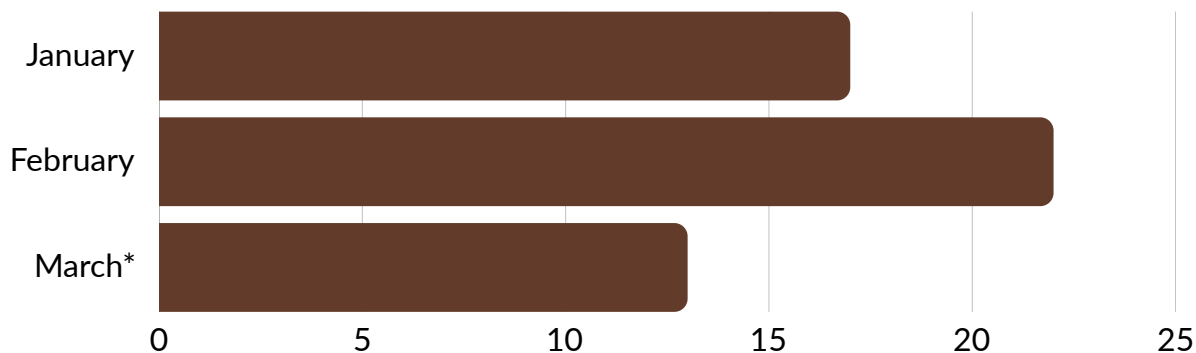
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Edgerton Municipal Court



Citations By Month



*Dates for March run from 3/1-3/20

Fines and Fees

\$25,931 fines/fees ordered

\$15,313 fines/fees collected*

*Approximately 12% of collections are remitted to the State of Kansas

59% compliance rate

State Fees Collected

Reinstatement Fixed Fee	\$15.00
Reinstatement Fee	\$85.00
Judicial Branch Docket Fee Fund	\$22.00
Judicial Branch Education Fund	\$1.00
Law Enforcement Training Center Fund	\$22.50
Community Corrections Supervision Fee - DUI	\$250.00
Seat Belt Safety Fund	\$20.00

