

**EDGERTON CITY COUNCIL  
MEETING AGENDA  
CITY HALL, 404 EAST NELSON STREET  
MARCH 8, 2018  
7:00 P.M.**

**Call to Order**

1. **Roll Call** \_\_\_\_ Roberts \_\_\_\_ Longanecker \_\_\_\_ Brown \_\_\_\_ Crist \_\_\_\_ Conus \_\_\_\_ Lewis
2. **Welcome**
3. **Pledge of Allegiance**

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

4. Agenda Approval
5. Approve Minutes for February 22, 2018 City Council Meeting
6. Approve Ordinance No. 1075 Amending Chapter IX, Article 1, Section 9-107 Of The Municipal Code Of The City Of Edgerton, Kansas To Reflect A Revised Start Time For Municipal Court And Repealing All Ordinances Or Parts Of Ordinances In Conflict Therewith
7. Approve of the Downtown Edgerton Plan

**Regular Agenda**

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

**Business Requiring Action**

10. **CONSIDER RENEWAL OF CORPORATE INSURANCE POLITY FOR APRIL 1, 2018 – MARCH 31, 2019**

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

11. **CONSIDER ORDINANCE NO. 1076 ADOPTING A RECOMMENDATION BY THE CITY OF EDGERTON PLANNING COMMISSION TO APPROVE REZONING OF APPROXIMATELY 256 ACRES OF LAND [LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF 207<sup>th</sup> STREET AND WAVERLY ROAD] IN EDGERTON, KANSAS FROM JOHNSON COUNTY "RUR" RURAL DISTRICT TO CITY OF EDGERTON "L-P" LOGISTICS PARK ZONING DISTRICT**

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

12. **CONSIDER AUTHORIZATION OF HOMESTEAD LANE/207TH STREET ROAD IMPROVEMENT PROJECT**

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

**13. Report by the City Administrator**

**14. Report by the Mayor**

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

- March 13<sup>th</sup> 7:00 PM – Planning Commission Meeting
- March 21<sup>st</sup> Noon – Senior Lunch
- March 22<sup>nd</sup> 7:00 PM – City Council Meeting
- March 24<sup>th</sup> 9:00 AM – 1:00 PM – Low Cost Vaccine Clinic in Downton Greenspace
- March 24<sup>th</sup> 10:00 AM – Noon – Edgerton Easter Egg Hunt in Martin Creek Park

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

**City of Edgerton, Kansas**  
**Minutes of City Council Regular Session**  
**February 22, 2018**

A Regular Session of the City Council was held in the Edgerton City Hall, 404 E. Nelson, Edgerton, Kansas on February 22, 2018. The meeting convened at 7:00 p.m. with Mayor Roberts presiding.

**1. ROLL CALL**

Ron Conus	present
Clay Longanecker	present
Josh Lewis	present
Jody Brown	present
Darius Crist	present

With a quorum present, the meeting commenced.

Staff in attendance:	City Administrator Beth Linn
	Assistant City Administrator Scott Peterson
	City Attorney Lee Hendricks
	Parks Bob McVey
	Development Services Director Katy Crow

**2. WELCOME**

**3. PLEDGE OF ALLEGIANCE**

**CONSENT AGENDA**

4. Agenda Approval was considered.
5. Approve Minutes for January 25, 2018 was considered
6. Approve Minutes for February 8, 2018 was considered
7. Approve Final Acceptance of 183<sup>rd</sup> Street Project and Authorize Final Payment to Amino Brothers Construction Company was considered.

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

Motion was approved, 5-0

**8. PUBLIC COMMENTS**

None

**9. DECLARATION**

None

**10. PRESENTATION OF DRAFT OF FINAL DOWNTOWN EDGERTON PLAN WAS CONSIDERED.**

Cale Doornbos with SWT Designs presented a power point presentation to the Mayor and City Council about the Downtown Edgerton Plan. The Power point presentation contained ideas and pictures on how to do things differently in the downtown area. Mr. Doornbos also told those present that the City of Edgerton has a wonderful community engagement. He noted the open house, hosted by the City of Edgerton, had one of the largest attendance of citizens that he has seen for a public forum. He offered a big "Thank you to the City of Edgerton Community and their input." SWT Designs hopes to begin work in April or May, 2017. There were some questions from Council members, they were asked to look over the final draft and have comments to City Administrator by March 2<sup>nd</sup>.

The presentation was well received by the City Council.

**PUBLIC INFRASTRUCTURE IMPROVEMENT 181<sup>ST</sup> STREET****11. APPROVAL OF EXHIBIT E PUBLIC INFRASTRUCTURE IMPROVEMENT NOTICE FOR 181<sup>ST</sup> STREET PHASE II (ALSO KNOWN AS RAIL SERVED ROAD) WAS CONSIDERED.**

Beth Linn, City Administrator, presented information about Exhibit B, which is an executed, amended and restated public infrastructure financing plan with BNSF railway and Edgerton Land Holding Company, LLC. The agreement included as Exhibit B, a list of approved infrastructure projects associated with Logistics Park Kansas City. Section 5.f of this Agreement states that all remaining Public Infrastructure Improvements (ELHC that are not specifically assigned a start date or that have not already begun) shall be commenced when ELHC executes and delivers to the City and BNSF a Public Infrastructure Improvement Notice to Proceed (the "Improvement Notice") referenced in the Agreement as Exhibit E, with the cost estimate. ELHC has submitted Exhibit E for 181<sup>st</sup> Phase II (also known as Rail Served road) construction adjacent to Cold/Point Logistics. As this project was included in Exhibit B, staff would recommend approval of Exhibit E.

Motion by Longanecker, seconded by Brown, to accept Exhibit E.

Motion was approved, 5-0.

Motion by Longanecker, seconded by Lewis, to accept Exhibit B.

Motion was approved, 5-0.

**12. REPORT BY THE CITY ADMINISTRATOR****\*FINAL REPORT OF RECOVERY FOR AUGUST 22, 2017 FLOOD.**

Beth Linn, City Administrator, presented information about the final report of recovery for the August 2017 flood. City Staff, together with our insurance broker Kevin O'Brien, worked with the City's property insurance provider, One Beacon, to process and close over forty claims for damage to vehicles and equipment. Following the incident, the City of Edgerton met with representatives from Johnson County Emergency Management and Kansas Department of Emergency Management,

to qualify for submittal of a request to the State of Kansas for declaration of disaster. To qualify for submittal of a request to the State of Kansas for declaration of disaster, the uninsured loss from Johnson County had to be at a certain dollar amount. If that dollar amount is met, then the State of Kansas had to meet a threshold in uninsured loss statewide to qualify for federal declaration of disaster from FEMA. Damages verified did not exceed the state threshold and the impact does not meet the criteria for exceeding state and local capability. Kansas Department of Emergency Management indicated preliminary estimate for impact to the state was short of the federal threshold.

**\*2018 CITIZEN SURVEY**

The citizen survey is printing now and will be handed out to Mayor and Council to look over and make comments. Please have any comments to staff within the next week.

**13. REPORT BY THE MAYOR**

Just a reminder that the Mayor and Governing Body Members Conference is on April 20<sup>th</sup>-21<sup>st</sup> 2018 in Topeka, Kansas. It was noted this event is a great learning experience for everyone.

\*Beth Linn, City Administrator, announced that Janeice Rawles, City Clerk, will be retiring on March 23<sup>rd</sup> 2018. Thanks, and congratulations from all.

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

March 8<sup>th</sup> 7:00 pm – City Council Meeting  
March 13<sup>th</sup> 7:00 pm – Planning Commission Meeting  
March 21<sup>st</sup> Noon – Senior Lunch  
March 22<sup>nd</sup> 7:00 pm – City Council Meeting

**15. EXECUTIVE SESSION**

Motion by Brown, seconded by Crist, to recess into an executive session pursuant to K.S.A. 75-4319 (b)(2) for attorney/client privilege for contract negotiations to include City Attorney, City Administrator and Jeff White, Columbia Capital for twenty (20) minutes was considered.

Motion was approved, 5-0.

Meeting recessed at 7:59 pm.

Motion by Brown, seconded by Crist, to reconvene.

Motion was approved, 5-0.

Meeting reconvened at 8:19 pm, no action taken.

Motion by Brown, seconded by Crist, to return to executive session for an additional fifteen minutes.

Motion was approved, 5-0.

Meeting recessed at 8:21 pm.

Motion by Brown, seconded by Crist, to reconvene, no action taken.

Motion was approved, 5-0.

Meeting reconvened at 8:36 pm, no action taken.

Motion by Brown, seconded by Crist, to return to executive session for an additional twenty minutes.

Motion was approved, 5-0.

Meeting recessed at 8:38 pm.

Motion by Brown, seconded by Crist, to reconvene, no action taken.

Motion was approved, 5-0.

Meeting reconvened at 8:58 pm, no action taken.

#### **16. ADJOURN**

Motion by Crist, seconded by Lewis, to adjourn.

Motion was approved, 5-0

Meeting adjourned at 8:59 p m, no action taken.

Janeice Rawles  
City Clerk



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## City Council Action Item

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**Council Meeting Date:** March 8, 2018

**Agenda Item #:** 6

**Department:** Municipal Court

**Agenda Item:** Consider Ordinance No. 1075 Amending Chapter IX, Article 1, Section 9-107 Of The Municipal Code Of The City Of Edgerton, Kansas To Reflect A Revised Start Time For Municipal Court And Repealing All Ordinances Or Parts Of Ordinances In Conflict Therewith

**Background/Description of Item:**

Currently Edgerton Municipal Court is held the fourth Tuesday of each Month, with a start time of 7:00 pm. Municipal Court Judge and City Prosecutor submitted a formal request for the City to consider changing the start time for Edgerton Municipal Court. Many of those attending court arrive earlier than 7:00 PM in an effort to complete their requirements for court as quickly as possible.

The draft ordinance would move the official start time for all Municipal Court days to 5:30 pm. The date of each Municipal Court would remain the same at every fourth Tuesday of each month.

Staff has confirmed with Johnson County Sheriff's Office (JCSO), who provides bailiff services for municipal court, that they have no concerns with changing the start time. Based on recommendation from JCSO, the draft ordinance would become effective May 1<sup>st</sup> providing ample time for any citations already issued with the current start time to remain as issued. Any new citations issued for municipal court in May would include the new start time if Ordinance No. 1075 is approved.

Draft Ordinance No. 1075 was prepared by City Attorney.

**Related Ordinance(s) or Statue(s):** Chapter IX, Article 1, Section 9-107 of the Municipal Code of the City of Edgerton, "MUNICIPAL COURT; LOCATION; TIME".

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**Funding Source:** N/A

**Budget Allocated:** N/A

**Finance Director Approval:** N/A

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<p><b>Recommendation:</b> Approve Ordinance No. 1075 Amending Chapter IX, Article 1, Section 9-107 Of The Municipal Code Of The City Of Edgerton, Kansas To Reflect A Revised Start Time For Municipal Court And Repealing All Ordinances Or Parts Of Ordinances In Conflict Therewith</p>
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**Enclosed:**

- Draft Ordinance No. 1075

**Prepared by:** Scott Peterson, Assistant City Administrator

**ORDINANCE NO. 1075**

**AN ORDINANCE AMENDING CHAPTER IX, ARTICLE 1, SECTION 9-107 OF THE MUNICIPAL CODE OF THE CITY OF EDGERTON, KANSAS TO REFLECT A REVISED START TIME FOR MUNICIPAL COURT AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH**

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

**SECTION 1.** Chapter IX, Article 1, Section 9-107 of the Municipal Code of the City of Edgerton, which is titled “MUNICIPAL COURT; LOCATION; TIME.”, is hereby amended to read as follows:

9-107. MUNICIPAL COURT; LOCATION, TIME. The municipal court of the City of Edgerton shall be held on the fourth Tuesday of each month at 5:30 P.M. at the Edgerton Community Building, 404 E. Nelson, Edgerton, Kansas 66061. The date, time and location of municipal court may be changed on a temporary basis by the municipal judge to accommodate holidays or other scheduling conflicts, so long as court staff and defendants scheduled to appear are notified of the change. (Ord. 1075, 2018; Ord. 974, 2014; Ord. 602, 1990; Ord. 581, 1988; Ord. 456, 1978)

**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 be effective as of May 1, 2018, said date being after passage, approval and publication of this ordinance in the City's official paper.

PASSED by the Council and approved by the Mayor on this 8<sup>th</sup> day of March, 2018.

\_\_\_\_\_  
**DONALD ROBERTS**, Mayor

ATTEST:

\_\_\_\_\_  
**JANEICE RAWLES**, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
**LEE W. HENDRICKS**, City Attorney

## City Council Action Item

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**Council Meeting Date:** March 8, 2018

**Agenda Item #:** 7

**Department:** Administration/Community Development

<b>Agenda Item:</b> Consider Approval of the Downtown Edgerton Plan
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**Background/Description of Item:**

The City of Edgerton's current Comprehensive Plan includes the goal to "Undertake a Downtown Area Study to determine the best approach to maintaining and revitalizing the civic and business function of Downtown Edgerton and improving the appearance of buildings and streetscape now and when the City is much larger." Staff submitted a proposed project to the Mid-America Regional Council (MARC) as part of their 2017 call for projects and was one of 24 projects chosen for funding across the region through the Planning Sustainable Places Program. The proposal for the City of Edgerton was for a "Downtown Edgerton Plan" and includes that the City would contribute \$20,000 while MARC has agreed to provide \$60,000 for the creation of the plan.

With input from Edgerton Staff, MARC awarded the Downtown Edgerton Plan program to SWT Design. Over the past nine (9) months, SWT has worked closely with Edgerton residents, businesses, elected officials, city staff, and partnering agencies to develop a vision for a Downtown Edgerton that is vibrant, connected, safe and promotes opportunity. This vision was crafted by input from the community in two open houses, multiple meetings with stakeholders and focus groups, and regular coordination with a set advisory committee composed of lifelong Edgerton residents, elected officials, business owners, and city staff. From these conversations, three goals were developed to drive the redevelopment and expansion of Edgerton's Downtown:

1. Improve Transportation and Mobility
2. Revitalize Downtown & Streetscapes
3. Improve Commercial and Residential Market

At the February 22, 2018 City Council Meeting, SWT Design presented the draft final report to City Council for review and comment. The Downtown Edgerton Plan includes an Existing Conditions Analysis, as well as recommendations for the City to consider and ideas on how the goals can be implemented moving forward. Should the Council approve the Edgerton Downtown Plan, the Downtown Plan can be used as tool and road map to implement the recommendations as prioritized by City Council. The Plan could be used to during annual

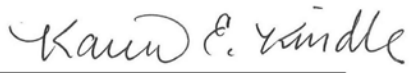
capital improvement program process when considering infrastructure investment in Downtown. It could also be used to apply for additional grant funding for implementation.

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

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**Funding Source:** \$60,000 Mid-America Regional Council Planning Sustainable Places Grant;  
\$20,000 City of Edgerton General Fund

**Budget Allocated:** \$80,000

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

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<b>Recommendation:</b> Approve the Downtown Edgerton Plan
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**Enclosed:**

Due to the file size, a copy of the DRAFT Final Downtown Edgerton Plan is on file with the City Clerk for public view. Once any changes requested by City Council are completed the Final Downtown Edgerton Plan will be available on the city's website.

**Prepared by:** Scott Peterson, Assistant City Administrator



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## City Council Action Item

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**Council Meeting Date:** March 8, 2018

**Agenda Item #:**

**Department:** Administration

**Agenda Item:** Consider Renewal of Corporate Insurance Policy for April 1, 2018 – March 31, 2019

### Background/Description of Item:

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

Because it had been a couple of years since the City solicited quotes and because of the unknown effect the flood would have on renewal rates, the City's agent (The Reilly Company) recommended soliciting quotes from other insurance companies in addition to One Beacon. Quotes were solicited from three companies: One Beacon (the current insurance provider), Travelers and EMC. EMC declined to provide a quote due to the large loss the City sustained from the 8/22/2017 flood.

The attached summary and comparison of the quotes from One Beacon and Travelers shows the costs are similar, with the Travelers quote being \$1,808 lower than One Beacon. The City's agent and staff recommend staying with One Beacon due to their consistency in pricing over the years and their fair claims handling process demonstrated from the nearly \$700,000 flood claim.

Some of the increase in cost over the previous renewal cost (\$68,688) is due to updating replacement values and adding some locations, mostly related to facilities in the parks.

The cost for One Beacon is \$10,321 higher than the amount budgeted. This difference will come from fund balance in the General Fund, Water Fund and Sewer Fund proportionate to each fund's share of the entire bill.

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

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

**Budget Allocated:** \$75,636

**Finance Director Approval:** **X** Karen E. Kindle  
Karen Kindle, Finance Director

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<p><b><u>Recommendation:</u></b> Purchase corporate insurance policy from One Beacon for the period of April 1, 2018 – March 31, 2019</p>
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**Enclosed:**

- (1) Insurance Summary & Comparison provided by Kevin O'Brien of The Reilly Company
- (2) Various City Property Lists

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



## **INSURANCE SUMMARY & COMPARISON**

### **2018 Renewal Program**

TERM DATES: April 1, 2018 to April 1, 2019

**Presented: March 8, 2018**

**By: Kevin O'Brien, CPCU**

**The Reilly Company**  
**11225 College Boulevard, Suite 210**  
**Overland Park, KS 66210**

# CITY OF EDGERTON, KANSAS

## INSURANCE PROGRAM SUMMARY

## Overview of the Public Entity Insurance Marketplace for 2018:

The insurance marketplace in 2018 remains reasonably stable as it has been in the past several years. However, with 2017 severe storms Harvey, Irma, and Maria being 3 of the 5 costliest storms ever, combined with the impact of the California wildfires, Insurance companies who have benefited from the lack of any significant property catastrophe claims in the past few years will begin to roll out increases in property premiums over the next year.

An additional concern is that the continued low interest rate environment could push insurance rates up sooner than otherwise expected. Insurance companies are highly regulated, and therefore unable for the most part, to invest in equities to help offset underwriting losses. As a result, public entities with poor loss experience are seeing rate increases and changing terms and conditions as their insurance program renews this year. Unfortunately, last year the City sustained a very large flood loss to its Equipment and Auto Fleet. However, because of its prior excellent claims history, the impact on the City's insurance program proposed for 2018 will not be significant.

Additionally, because of the unknown impact of this large claim a few months ago, we decided to seek two other bids for insurance for the City. One of those insurance companies declined to offer a quote this year because of the impact of the large claim but we have obtained an alternative bid from Travelers Insurance, a well known municipal insurer.

The pages that follow summarize the differences in coverage, limits, and premiums from 2017 to 2018 comparing both bids: One Beacon & Travelers

### Summary of Changes in Coverage from 2017 to 2018:

- (1) Property values have increased 38% over last year's values due to new valuations by the City and added locations.
- (2) Inland Marine - Scheduled Equipment values increased (5%) from last year.
- (3) General Liability premium is impacted by the growth in population and budget, both which increased slightly from 2017.
- (4) Public Official Liability premium is impacted by the number of employees, which remained stable from last year.
- (5) Auto premiums are increasing slightly across the industry due to the increasing cost to repair vehicles with more and more technology in them and due to greater claims from distracted driving.
- (6) Excess Liability premium reflects the increased exposures of General Liability, Auto Liability, and Public Official Liability coverages described above.

**PRESENTED BY:** Kevin O'Brien, CPCU  
The Reilly Company  
11225 College Boulevard  
Overland Park, KS 66213

**CITY OF EDGERTON, KANSAS**  
**INSURANCE PROGRAM COMPARISON & SUMMARY - 2018**

**Introduction:**

Because the City had not obtained competitive bids in several years, we decided to seek alternative quotes from the two other leading insurance companies in the municipal insurance marketplace; EMC and Travelers. EMC decided that they would not be able to offer a competitive quote due to the recent large flood claim. Travelers did offer a quote as shown.

<u>Item of Coverage</u>	<u>2017</u>	<u>2018</u>	<u>2018</u>
	<u>One Beacon</u>	<u>One Beacon</u>	<u>Travelers</u>
<b>Property</b>			
Blanket Building & Personal Property Values - RC	\$ 13,563,500	\$ 16,794,245	\$ 19,895,724
Specific Building Values - ACV	\$ 844,000	\$ 3,101,479	\$ -
Flood & Earthquake	None	None	\$1 mill & \$5 mill
Total Property Values Insured	\$ 14,407,500	\$ 19,895,724	\$ 19,895,724
Business Interruption & Extra Expense (72 hour Deductible)	\$ 100,000	\$ 100,000	\$ 100,000
Computer Equipment Coverage (City Hall)	\$ 72,476	\$ 114,000	\$ 114,000
Property Deductible	\$ 1,000	\$ 2,500	\$ 2,500
Wind-Hail Deductible	\$ 10,000	\$ 10,000	\$ 10,000
Flood & Earthquake Deductibles	N/A	N/A	25,000+
<i>RC=Replacement Cost / ACV=Depreciated Value</i>			
<b>Property Premium</b>	<b>\$ 30,162.00</b>	<b>\$ 42,577.00</b>	<b>\$ 23,591.00</b>
<b>Crime</b>	<u>One Beacon</u>	<u>One Beacon</u>	<u>Travelers</u>
Employee Dishonesty (Excluding Treasurer)	\$ 200,000	\$ 200,000	\$ 200,000
Forgery & Alteration	\$ 25,000	\$ 25,000	\$ 25,000
Money & Securities (Inside)	\$ 25,000	\$ 25,000	\$ 25,000
Money & Securities (Outside)	\$ 25,000	\$ 25,000	\$ 25,000
Money Orders and Counterfeit Paper Currency	\$ 25,000	\$ 25,000	\$ 25,000
Computer Fraud	\$ 100,000	\$ 100,000	None
Deductible	\$ 1,000	\$ 2,500	\$ 2,500
<b>Crime Premium</b>	<b>Incl In Property</b>	<b>Incl In Property</b>	<b>Incl In Property</b>
<b>Inland Marine</b>	<u>One Beacon</u>	<u>One Beacon</u>	<u>Travelers</u>
Contractor's Equipment - Unscheduled (ACV) -	\$ 20,000	\$ 20,000	\$ 20,000
Contractor's Equipment - Scheduled (ACV)	\$ 607,674	\$ 636,732	\$ 636,732
Leased/Rented Equipment (ACV)	\$ 25,000	\$ 25,000	\$ 25,000
Flood & Earthquake	Included	Included	Included
Total Equipment Values	\$ 652,674	\$ 681,732	\$ 681,732
Inland Marine Deductible	\$ 1,000	\$ 1,000	\$ 1,000
<i>ACV = Actual Cash Value = Market Value</i>			
<b>Inland Marine Premium</b>	<b>\$ 2,988.00</b>	<b>\$ 3,866.00</b>	<b>\$ 4,162.00</b>
<b>General Liability (Occurrence Form)</b>	<u>One Beacon</u>	<u>One Beacon</u>	<u>Travelers</u>
Limit of General Liability - Each Occurrence	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000
KS Tort Cap - where applicable	\$ 500,000	\$ 500,000	\$ 500,000
Annual Aggregate Limit	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000
Employee Benefits Legal Liability (EBL)*	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000
Sexual Abuse & Molestation	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000
Pesticide & Herbicide Coverage	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000
Failure to Supply	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000
General Liability Deductible per claim	*None	*None	*None
Sewer Backup (resulting from negligence) *	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000
* Except \$1,000 ded for Sewer Backup and EBL			
<b>General Liability Premium</b>	<b>\$ 9,029.00</b>	<b>\$ 9,669.00</b>	<b>\$ 25,327.00</b>

**CITY OF EDGERTON, KANSAS**  
**INSURANCE PROGRAM COMPARISON & SUMMARY - 2018**

<u>Item of Coverage</u>	<u>2017</u>	<u>2016</u>	<u>2017</u>
<b>Public Official Errors &amp; Omissions Liability</b>	<b>One Beacon</b>	<b>One Beacon</b>	<b>Travelers</b>
Limit of Liability - Each Claim	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000
Annual Aggregate Limit	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000
Public Official Liability Deductible	\$ 2,500	\$ 2,500	\$ 2,500
Cyber/Network Security/Data Breach Coverage	\$ 1,000,000	Excluded	Excluded
Retroactive Date	4/1/2004	4/1/2004	4/1/2004
Number of Employees - Full time / Part time	16 / 6	16 / 5	16 / 5
<b>Public Official Liability Premium</b>	<b>\$ 4,216.00</b>	<b>\$ 4,487.00</b>	<b>\$ 8,171.00</b>
<b>Employment Practices Liability</b>	<b>One Beacon</b>	<b>One Beacon</b>	<b>Travelers</b>
Limit of Liability - Each Claim	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000
Annual Aggregate Limit	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000
Employment Practices Liability Deductible	\$ 2,500	\$ 2,500	\$ 2,500
Defense in Addition or Reduces Coverage Limit	In Addition	In Addition	Reduces
Third Party Coverage - Defense Only or Full Cover	Full Coverage	Full Coverage	Full Coverage
Retroactive Date (None or an older date is better)	4/1/2004	4/1/2004	4/1/2004
<b>Employment Practices Premium</b>	<b>Incl in POL</b>	<b>Incl in POL</b>	<b>Incl in POL</b>
<b>Business Automobile</b>	<b>One Beacon</b>	<b>One Beacon</b>	<b>Travelers</b>
Limit of Liability - Each Occurrence	\$1,000,000	\$1,000,000	\$1,000,000
Uninsured/Underinsured Motorist	\$1,000,000	\$1,000,000	\$1,000,000
Comprehensive Deductible	\$500	\$500	\$500
Collision Deductible	\$500	\$500	\$500
Valuation of Claim	ACV	ACV	ACV
Number of Vehicles Insured/Trailers	14 / 6	12/3	12/3
<b>Auto Premium</b>	<b>\$ 9,397.00</b>	<b>\$ 9,037.00</b>	<b>\$ 5,893.00</b>
<b>Excess Liability</b>	<b>One Beacon</b>	<b>One Beacon</b>	<b>Travelers</b>
Limit of General Liability - Each Occurrence	\$ 4,000,000	\$ 4,000,000	\$ 4,000,000
Annual Aggregate Limit	\$ 4,000,000	\$ 4,000,000	\$ 4,000,000
<b>Excess Over:</b> General Liability & Auto Liability	<b>YES</b>	<b>YES</b>	<b>YES</b>
Employment Practices Liability	<b>YES</b>	<b>YES</b>	<b>YES</b>
Public Official Liability	<b>YES</b>	<b>YES</b>	<b>YES</b>
<b>Excess Liability Premium</b>	<b>\$ 6,740.00</b>	<b>\$ 6,930.00</b>	<b>\$ 7,614.00</b>
<b>Terrorism Coverage Premium</b>	<b>Included</b>	<b>Included</b>	<b>Included</b>
<b>Pollution Insurance Coverage BBCWWTP (see attached)</b>	<b>\$ 6,567.65</b>	<b>\$ 5,671.00</b>	<b>\$ 5,671.00</b>
<b>Data Breach &amp; Cyber Insurance (see attached)</b>	<b>N/A</b>	<b>\$ 3,630.00</b>	<b>\$ 3,630.00</b>
<b>Total Premium</b>	<b>\$ 69,099.65</b>	<b>\$ 85,867.00</b>	<b>\$ 84,059.00</b>

**Overall:**

In Summary, while the Travelers alternative quote is slightly lower than the One Beacon renewal quote, our recommendation is to stay with One Beacon due to their consistency in pricing over the years and their very fair claims handling as demonstrated from the nearly \$700,000 flood claim in 2017

**Notes:**

- (1) Property values increased 38% over 2017 values and rates are up slightly and recommending deductible increase to \$2,500
- (2) Equipment values increased 5% and rates were up due to the flood loss but the overall premium increase was still less than the Travelers alternative quote
- (3) General Liability premium increased 7%, but was less than the increase in 2018 budgeted expenditures, and rates were reduced slightly
- (4) Vehicle changes from the flood loss caused the premium reduction in Auto policy
- (5) Public Official Liability premium increased 2%, and was significantly less than the Travelers Alternative quote
- (6) Excess Liability Policy increased only 3% and was still less than the Travelers Alternative quote. Also it is important to note as in the past that this excess liability coverage does not extend above sexual abuse & molestation coverage, failure to supply coverage, and pollution coverage as provided in the General Liability, or uninsured and underinsured motorist coverage in the auto liability policy

# City of Edgerton, KS Property List 2018

Item	Address	Bldg Value	Pers Prop Value
Community Center/City Hall	404 E. Nelson St	\$1,920,000	\$30,000
Water Tanks & Telemetry Equipment	818 W 8th St	\$500,000	\$0
Water Tanks & Telemetry Equipment	Manor Park-1st St at E. Martin St.	\$400,000	\$0
Manor Park Siren	Manor Park-1st St at E. Martin St.	\$26,000	\$0
Manor Park Shelter	Manor Park-1st St at E. Martin St.	\$28,520	\$0
Manor Park Playground Equipment	Manor Park-1st St at E. Martin St.	\$43,170	\$0
Rubber Mulch at this location	1st St at E. Martin St.	\$20,989	\$0
Public Works Building	710 E. Nelson St	\$450,000	\$25,000
Sludge Belt Press / Storage Facility	710 E. Nelson St	\$100,000	\$215,000
Fence	710 E. Nelson St	\$280,000	\$0
Barn	710 E. Nelson St	\$75,000	\$0
Salt Storage Barn (Quonset Hut)	710 E. Nelson St	\$22,000	\$0
Edgerton Wastewater Lift Station	710 E. Nelson St	\$733,000	\$0
EWWS Fence	710 E. Nelson St	\$34,000	\$0
Old Police Station Storage Bldg	309 E. Nelson St	\$70,000	\$0
Edgerton Lake Park Shelter House #1	600 E. 6th St	\$10,000	\$0
Edgerton Lake Park Shelter House #2	600 E. 6th St	\$18,000	\$0
Edgerton Lake Park Shelter House #3	600 E. 6th St	\$10,000	\$0
Tables (4)	600 E. 6th St	\$6,000	\$0
Trash Receptacles (3)	600 E. 6th St	\$3,000	\$0
Sherrif's Dept Maintenance Building	307 E. Nelson St	\$35,000	\$20,000
Concessions Building	Martin Creek Park	\$70,000	\$5,000
Poles/Lights (field 1)	Martin Creek Park	\$150,000	\$0
Poles/Lights (field 2)	Martin Creek Park	\$150,000	\$0
Poles/Lights (field 3)	Martin Creek Park	\$150,000	\$0
Playground Equipment	Martin Creek Park	\$150,000	\$0
Shelter	Martin Creek Park	\$45,000	\$0
Fence & Backstop (fields #1 & #2)	Martin Creek Park	\$80,000	\$0
Basketball Goals	Martin Creek Park	\$5,000	\$0
Tennis Court (net, posts, fence, lights)	Martin Creek Park	\$115,000	\$0
F&F - Bleachers (6), Trash Receptacle (5), Tables (7), Park Benches	Martin Creek Park	\$28,000	\$0
Soccer Goals & Nets	Martin Creek Park	\$8,000	\$0
Sewer Lift Station	W. 7th & W. 8th St	\$50,000	\$0
Library	319 E. Nelson St	\$750,000	\$0
Water Tower	20325 County Line Rd	\$600,000	\$0
Booster Pump Station	200 Road	\$135,000	\$0
Historical Museum	406 E. Nelson St	\$110,000	\$0
Skate Park	Glendell Acres Park, 310 W. Edgewood Dr	\$25,000	\$0
Mulch & Plastic Perimeter	Glendell Acres Park, 310 W. Edgewood Dr	\$25,000	\$0
Playground Equipment	Glendell Acres Park, 310 W. Edgewood Dr	\$21,000	\$0
Park Bench & Waste Receptacle	Glendell Acres Park, 310 W. Edgewood Dr	\$2,000	\$0
Homestead Lift Station	32377 W. 191st St	\$265,000	\$0
IMF Lift Station	32882 W. 191st St	\$370,000	\$0
IMF Lift Station Siren	32882 W. 191st St	\$26,000	\$0
Big Bull Creek WWTP	20600 Homestead Lane	\$5,761,745	\$0
Big Bull Creek WWTP-Solids Bldg	20600 Homestead Lane	\$1,500,000	\$0
Big Bull Creek WWTP-Admin Bldg	20600 Homestead Lane	\$855,000	\$25,000
Big Bull Creek WWTP-Headworks Bldg	20600 Homestead Lane	\$530,000	\$0
Big Bull Creek WWTP - Fence / Gate	20600 Homestead Lane	\$53,000	\$0
Big Bull Creek WWTP - Yard Piping & Accessories	20600 Homestead Lane	\$240,000	\$0
Big Bull Creek WWTP - Generator	20600 Homestead Lane	\$337,000	\$0
Single Family Dwelling (overflow city offices)	305 E Nelson St	\$110,000	\$10,000
Pole/Siren	1100 W. Braun	\$26,000	\$0
Water Control Vault w/Telemetry Equipment	100 W. 8th St	\$4,500	\$0
Water Control Vault w/Telemetry Equipment	900 W. Braun	\$3,000	\$0
Bench and Trash Receptacle	Bridgewater Park	\$2,000	\$0
Widmer Waste Water Lift Station		\$370,000	\$0
Big Industrial Waste Water Lift Station		\$370,000	\$0
Street Lights	Waverly Road	\$222,300	\$0
Street Lights	Homestead Lane Interchange	\$228,000	\$0
Traffic Signals	191st Street & Waverly Road	\$211,000	\$0
Traffic Signals	20365 Homestead Ln-Northside of Intersection	\$145,500	\$0
Traffic Signals	20336 Homestead Ln-Southside of Intersection	\$145,000	\$0
Traffic Signals	32708 W. 199th Street	\$130,000	\$0
Traffic Signals	19108 Homestead Ln	\$207,000	\$0

Building Coverage is Blanket & Valuation is Replacement Cost with 120% Margin	\$16,464,245	
Property in the Open Coverage is Specific & Valuation is Actual Cash Value = Depreciated Value	\$3,101,479	
Contents Coverage is Specific & Valuation is Replacement Cost		\$330,000

**Total Limit of All Property Insured** **\$19,895,724**

## City of Edgerton, KS Equipment List 2018

### Contractors Equipment

Item #	Year	Manufacturer	Model	Description	Serial #	Amount of Ins.	Purchase Date	Dept
1	2015	Henke	HXC2000	V-box salt spreader	19148	23,128	2/27/2015	PW
2	2015	Henke	EXP11AK	Snow Plow	19053	11,746	2/27/2015	PW
3	2011	Monroe		11 ft snow blade	MP36R11-ISCT	8,205		PW
4	1998	Case Uniloader	1840		JAF0248235	17,800		UT
5	1993	Case Backhoe	580	Super K	JG01788453	31,567		PW
6	1980	FMC		Trailer Mounted Sewer Cleaner	A-238980	3,005		PW
7	2015	Bad Boy	Outlaw	61' Zero Turn Mower	BB0612T74002151006	6,954		UT
8	2017	Grapttec	FC8600-130	54' Cutting Plotter		15,500		PW
9	2016	Rotory	SM014	Vehicle Lift	FA7147	13,500		PW
10	2016	Cornwell		Apprentice Tool Set		6,000		PW
11	2017	Boss		8' - 10' EXT Snow Plow with Rubber deflector Kit	401167129 / 40125095	6,960	10/26/2017	PW
12	2017	Boss		8' - 10' EXT Snow Plow with Rubber deflector Kit	401240149/401250652	6,960	10/24/2017	PW
13	2017	Hustler	HTE934935	Super Z HD 60 RD Mower	17073115	11,172	9/28/2017	PK
14	2017	Hustler	HTE934976	Super Z HD 72 RD Mower	17090534	11,377	9/28/2017	PK
15	2017	Buyers		Salt Dogg - 8' Electric Stainless Steel Spreader	4780	5,100		PW
16								
17	2017	Kubota	RTVX1100	Utility Vehicle	A5KC2GDBAHG034584	17,280	10/2/2017	PK
18	2017	Kubota	V5289	72' Comml Plow Blade	21615504	5,278	10/2/2017	PK
19	2017	Kubota	SSV75PHFRC	Skid Loader w/ Cab, Pilot Controls, Hydraulic Coupler	JKUS0751K00J23116	46,500	11/29/2017	PW
20	2017	Caterpillar	PNG0729	12M3 AWD Motor Grader	CAT0112MHN9B00409	278,000	11/29/2017	PW
21	2014	Henke		V-Plow for Cat Motor Grader		25,000		PW
22	2017	ARM		SPX 10 Ft Plow	7796	6,000	9/14/2017	PW
23	2017	ARM		Tail Gate Spreader		3,000	9/14/2017	PW
24	2017	John Deere		50G Compact Excavator	1FF050GXPGH284368	63,000		PW
25	2017	Western		MVP Plow	1.70E+16	5,700		PW
26	2017			Snow Plow	1.70E+16	8,000		
<b>Scheduled Equip Total</b>						<b>636,732</b>		

### Electronic Data Processing Equipment

2016	SCADA System	90,000
2017	Phone System	24,000
<b>Scheduled EDP Equip Total</b>		<b>114,000</b>

## City of Edgerton Vehicle List 2018

Vehicle #	Year	Make	Model	Body Type	VIN
1	1991	Ford	F450 bucket	Truck	2FDLF47M1MCA42215
2	2001	Ford	F250	Truck	3FTNF21L71MA02545
3	2001	Ford	F250	Truck	1FTNF21L41EB39836
4	2003	Chevy	Silverado	Pickup truck	1GCEC19Z43Z304694
5	1991	Elgin	Pelican Sweeper	Truck	9135
6	2015	Ford	F250	Pickup truck	1FT7W2B68FEA88530
7	2015	Ford	F350	Pickup truck	1FTRF3B61FEA88528
8	2015	Ford	F150 Supercab 4 X 4	Truck	1FTEX1EPXFKD30819
9	2015	Ford	F150 Supercab 4 X 4	Truck	1FTEX1EP9FKE51454
10	2016	Isuzu Elgin Broom Badger	Low Tilt Street Sweeper	Truck	JALE5W160G7303812
11	2017	Ford	F350 4X4 Crew Cab w/plow	Pickup truck	1FT8W3B60HEE05312
12	2017	Mack	Granite GU 432	Truck	1M2AX34C2HM010728
13	2018	Lamar	Utility Trailer	Trailer	5RVUC12XJP056353
14	2009	Sewer	Jetter Trailer	Trailer	139KU21278C381582
15	1987	Starlight	Utility Trailer	Trailer	1HWFS162541

**POLLUTION LIABILITY:  
CITY OF EDGERTON, KS  
BIG BULL CREEK WASTEWATER TREATMENT PLANT COVERAGE**

Named Insured: City of Edgerton, Kansas  
Company Name: Crum & Forster Specialty (rated **A** by A.M. Best)  
Policy Term: May 15, 2017 to April 1, 2018

Coverage: Claims-Made Form  
Retroactive Date: 4/1/2016  
Location: Big Bull Creek WWTP; 20600 Homestead Lane, Edgerton, KS

<b><u>Limits</u></b>	<b><u>Coverage Description</u></b>
\$ 1,000,000	Cleanup / Remediation Coverage for New <b>Pollution Condition</b> (not pre-existing) that migrates from BBCWWTP location
\$ 1,000,000	Third Party Liability Coverage for New <b>Pollution Condition</b> (not pre-existing) that migrates from BBCWWTP location
\$ 1,000,000	Non-Owned Disposal Site Liability for New <b>Pollution Condition</b> (not pre-existing) that migrates from a non-owned disposal site
\$ 2,000,000	Total Policy Aggregate Limit for all Pollution Incidents
\$ 5,000	Deductible per Pollution Incident (per type of coverage above)

Limits above apply as an Each **Pollution Condition** Limit subject to the Policy Aggregate Limit. Defense costs are included within the limits above and reduce the limit of liability available.

**Pollution Condition** means the discharge, dispersal, release, or escape of any solid, liquid, gaseous or thermal irritant, contaminant or pollutant, including smoke, vapor, soot, fumes, acids, alkalis, toxic or hazardous substances, electromagnetic fields, chemicals, waste, and microbial matter, into or upon land or any structure on land, the atmosphere, or any watercourse or body of water, including groundwater, in concentrations or at levels in excess of those naturally present in the environment.

Note: Policy excludes cleanup coverage for a **Pollution Condition** within the boundaries of the BBCWWTP premises. This coverage is intended to address claims associated with off premises bodily injury, property damage, and cleanup/remediation costs resulting from a **Pollution Condition** migrating from BBCWWTP premises or from a non-owned disposal site. Claim includes suits and government or regulatory actions filed against the City.

Condition: 25% Minimum Earned Premium in the event of cancellation mid-term

*This page is designed to provide an overview of the Pollution Insurance coverages we are recommending for the City. It is intended only as a general summary and should not be construed as a legal interpretation of the insurance policy. Please refer to the specific insurance contract for details on coverages, conditions and exclusions.*

## CYBER LIABILITY COVERAGE

Named Insured: City of Edgerton, Kansas  
Company Name: Hiscox (rated A by A.M. Best)  
Policy Term: 04-01-2018 to 04-01-2019

Coverage Form: Claims-Made Form  
Retroactive date: Full Prior Acts

Policy Limit of Liability: \$1,000,000 Each Claim or Event  
\$1,000,000 Aggregate

Retention Amount: \$5,000  
Waiting Period: 10 Hours

### **Cyber Data Risk and Media Insurance** – Coverage for loss resulting from:

#### **Privacy/Network Security**

- Privacy Protection provides insurance coverage for claims made against you that typically arise from your failure to protect sensitive information, including subsequent actions by a regulator

#### **Breach Costs**

- Breach Costs coverage provides insurance for the typical costs that you could incur arising from the failure to protect personal information. These include computer forensics, notification, call center, identity protection services and crisis management and public relations.

#### **Multimedia**

- Multimedia Protection provides insurance coverage for claims made against you that arise from the content of your website, social media and other promotional material.

#### **Hacker Damage**

- Hacker Damage coverage provides insurance for the costs to repair or replace your website, intranet, network, computer system, programs, or data following a hacking event

#### **Cyber Business Interruption**

- Cyber Business Interruption provides insurance coverage for your losses resulting from a hacker impairing the availability of your website, intranet, network, computer system, programs or data.

#### **Cyber Extortion**

- Cyber Extortion provides insurance coverage for the costs of expert assistance and the payment of a ransom in the event that a hacker threatens to damage your website, intranet, network, computer system, any programs you use or data.

*This page is designed to provide an overview of the Cyber Insurance coverages we are recommending for the City. It is intended only as a general summary and should not be construed as a legal interpretation of the insurance policy. Please refer to the specific insurance contract for details on coverages, conditions and exclusions.*



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## City Council Action Item

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**Council Meeting Date:** March 8, 2018

**Agenda Item #:** 11

**Department:** Community Development

**Agenda Item: Consider Ordinance No. 1076 Adopting A Recommendation By The City Planning Commission To Approve Rezoning Of Approximately 256 Acres Of Land [Located At On The Northwest Corner Of 207<sup>th</sup> Street and Waverly Road] In Edgerton, Kansas From Johnson County RUR, Rural Zoning To City Of Edgerton L-P Logistics Park Zoning District**

**Background/Description of Item:** The City of Edgerton received an application ZA-2018-01 for rezoning from NPD Management LLC Represented by NorthPoint Development LLC requesting to rezone approximately 256 acres located on the northwest corner of 207<sup>th</sup> Street and Waverly Road from Johnson County RUR to City of Edgerton Logistics Park (L-P) zoning. The property requested to be rezoned was annexed into the City of Edgerton in December 2017. NPD Management LLC has requested to rezone the parcel to logistics park district to accommodate future intermodal-related, logistics park development.as part of Logistics Park Kansas City Phase II.

Staff reviewed this rezoning application with respect to the Edgerton Comprehensive Plan, Zoning and Subdivision Regulations, and the laws in Kansas, in particular the "Golden Criteria" as established by the Supreme Court of Kansas in 1978. Attached is the staff report including the review of this rezoning based on the Golden Criteria. The Planning Commission held a public hearing on February 13, 2018 regarding this rezoning. The Planning Commission recommended approval of the application with the following stipulations:

1. All infrastructure requirements of the City shall be met.
2. All platting requirements of the City shall be met.
3. All Site Plan application requirements of the City shall be met.
4. Prior to issuance of building permits, the property shall be developed in accordance with a Site Plan reviewed and approved by the City.

City Attorney has not reviewed the enclosed draft ordinance. Any revisions will be provided at time of presentation to City Council on March 8, 2018.

**Related Ordinance(s) or Statue(s):** K.S.A. 12-715b, K.S.A. 12-741, et. Seq. to K.S.A. 12-771 – Establishment of the Unified Development Code

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**Funding Source:** N/A

**Budget Allocated:** N/A

**Finance Director Approval:** N/A

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**Recommendation: Approve Ordinance No. 1076 Adopting A Recommendation By The City Planning Commission To Approve Rezoning Of Approximately 256 Acres Of Land [Located At On The Northwest Corner Of 207<sup>th</sup> Street and Waverly Road] In Edgerton, Kansas From Johnson County RUR, Rural Zoning To City Of Edgerton L-P Logistics Park Zoning District**

**Enclosed:**

- Draft Ordinance No. 1076
- Staff Report from February 13, 2018 Planning Commission
- Application ZA-2018-01

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

## **ORDINANCE NO. 1076**

### **AN ORDINANCE ADOPTING A RECOMMENDATION BY THE CITY OF EDGERTON PLANNING COMMISSION TO APPROVE REZONING OF APPROXIMATELY 256 ACRES OF LAND [LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF 207<sup>th</sup> STREET AND WAVERLY ROAD] IN EDGERTON, KANSAS FROM JOHNSON COUNTY "RUR" RURAL DISTRICT TO CITY OF EDGERTON "L-P" LOGISTICS PARK ZONING DISTRICT**

**WHEREAS**, the Planning Commission has recommended that a rezoning request -- from Johnson County "RUR" Rural District to City of Edgerton "L-P" Logistics Park District -- be approved (with certain conditions) for approximately 256 acres of land, located at the northwest corner of the intersection of 207<sup>th</sup> Street and Waverly Road in Edgerton; and

**WHEREAS**, all newspaper and mailed notifications were performed and a public hearing was properly held before the City Planning Commission on February 13, 2018.

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

**Section 1.** That the following legally described property (located at the northwest corner of the intersection of 207<sup>th</sup> Street and Waverly Road) is hereby rezoned from Johnson County "RUR" Rural District to City of Edgerton "L-P" Logistics Park Zoning District, and City Staff is directed to reflect said rezoning in the City's Official Zoning map and other City records:

All that part of the Southeast and Southwest Quarters of Section 10, Township 15 South, Range 22 East of the Sixth Principal Meridian, together with all of Lots 1 thru 4, inclusive, ROCKWALL ESTATES, a platted subdivision, all in Johnson County, Kansas, more particularly described as follows:

Beginning at the South Quarter corner of said Section 10; thence on Kansas State Plane North Zone bearings, South 88°11'14" West, coincident with the South line of the Southwest Quarter of said Section 10, a distance of 1,686.12 feet; thence departing said South line, North 45°15'45" West, coincident with the centerline of Homestead Road, as it now exists, a distance of 1,235.76 feet; thence departing said centerline, North 02°16'47" West a distance of 106.90 feet; thence North 87°45'15" East a distance of 1,237.62 feet; thence North 02°16'53" West a distance of 1,626.96 feet to a point on the North line of the Southwest Quarter of said Section 10; thence North 88°01'05" East, coincident with the North line of said Southwest Quarter, a distance of 1,292.89 feet to the Northwest corner of the Southeast Quarter of said Section 10; thence North 88°18'55" East, coincident with the North line of said Southeast Quarter, a distance of 2,593.33 feet to the Northeast corner of said Lot 1, said point also lying on the West right-of-way line of Waverly Road, as it now exists; thence South 02°17'25" East, coincident with said West right-of-way line, a distance of 1,670.08 feet to the Southeast corner of said Lot 3; thence departing said West right-of-way line, North 88°09'59" East a distance of 50.00 feet to a point on the East line of said Southeast Quarter; thence South 02°17'25" East, coincident with said East line, a distance of 967.39 feet to the Southeast corner of said Southeast Quarter; thence South 88°09'59" West, coincident

with the South line of said Southeast Quarter, a distance of 315.20 feet; thence departing said South line, North 02°17'25" West a distance of 50.00 feet to the Southeast corner of said Lot 4, said point also lying on the North right-of-way line of 207th Street, as it now exists; thence South 88°09'59" West, coincident with said North right-of-way line, a distance of 784.80 feet to the Southwest corner of said Lot 4; thence departing said North right-of-way line, South 02°17'25" East, a distance of 50.00 feet to a point on the South line of said Southeast Quarter; thence South 88°09'59" West, coincident with said South line, a distance of 1,545.62 feet to the Point of Beginning, containing 11,144,515 square feet, or 255.843 acres, more or less.

**Section 2.** The above rezoning is expressly conditioned on the following:

- a) All Site Plan application requirements of the City shall be met.
- b) All infrastructure requirements of the City shall be met.
- c) Prior to issuance of building permits, the property shall be developed in accordance with a Site Plan reviewed and approved by the City.

**Section 3.** That the Governing Body, in making its decision on the rezoning, considered City Staff's comments and recommendations. The Governing Body also based its decision on the following criteria:

- a) The character of the neighborhood, including but not limited to: zoning, existing and approved land use, platting, density (residential), natural features, and open space.
- b) Compatibility of the proposed zoning and uses permitted therein with the zoning and uses of nearby properties.
- c) The extent to which the zoning amendment may detrimentally affect nearby property has been addressed.
- d) The relative gain (if any) to the public health, safety, and welfare from a denial of the rezoning application as compared to the hardship imposed upon the rezoning applicant from such denial.
- e) Consistency with the Comprehensive Plan, Utilities and Facilities Plans, Capital Improvement Plan, Area Plans, ordinances, policies, and applicable City Code of the City of Edgerton.

**Section 4.** This ordinance shall take effect and be enforced from and after its publication once in the official city newspaper.

ADOPTED BY THE GOVERNING BODY AND APPROVED BY THE MAYOR OF THE CITY OF EDGERTON, KANSAS ON THE 8th DAY OF MARCH, 2018.

CITY OF EDGERTON, KANSAS

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

ATTEST:

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JANEICE RAWLES, City Clerk

APPROVED AS TO FORM:

---

Lee Hendricks, City Attorney

DRAFT



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## STAFF REPORT

February 13, 2018

To: Edgerton Planning Commission  
Fr: Katy Crow, Development Services Director  
Re: Application ZA-2018-01 Rezoning for land generally located at the NW corner at the intersection of 207<sup>th</sup> Street and Waverly Road.

### APPLICATION INFORMATION

**Applicant:** NPD Management LLC Represented by NorthPoint Development LLC  
4825 NW 41<sup>st</sup> Street, suite 500  
Riverside, MO 64150

**Property Owner:** Moonlight Farms, LLC  
South JOCO Farm, LLC  
Wellsville Farms, LLC  
4187 Louisiana Terrace  
Ottawa, Kansas 66067

**Requested Action:** Rezoning from Johnson County RUR, Rural zoning to L-P, Logistics Park Zoning District, City of Edgerton.

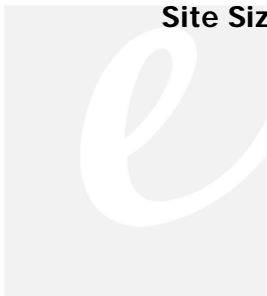
**Legal Description:** SE & SW Quarters of Section 10, Township 15S and Range 22E together with Lots 1 through 4, inclusive, Rockwall Estates. See attached exhibit.

**Site Address/Location:** In the NW corner of the intersection of Waverly Road and 207<sup>th</sup> Street, west to Homestead Lane.

**Existing Zoning and Land Uses:** Johnson County Rural (RUR), Agriculture uses and single-family dwellings.

**Existing Improvements:** None except for single-family residences and outbuildings.

**Site Size:** Approximately 256 acres.



## REASON FOR REZONING REQUEST:

This land was annexed into the City of Edgerton on December 28, 2017, and this rezoning is being requested for future intermodal-related, logistics park development. The Burlington Northern Santa Fe Railway (BNSF) intermodal facility is currently under development approximately 1.5 miles north of the subject site. Logistics Park Kansas City (LPKC), is a 1,700-acre master-planned distribution and warehouse development anchored by BNSF Railway's newest intermodal facility, which opened in late 2013. Companies located at LPKC benefit from significant transportation savings and direct access to heavy-haul corridors.

The subject property is surrounded by undeveloped acreage and low-density rural, single-family residential development. The property has frontage along Homestead Lane, 207<sup>th</sup> Street and Waverly Road. Subject property is outlined in red and shown in Figures 1 and 2 below.

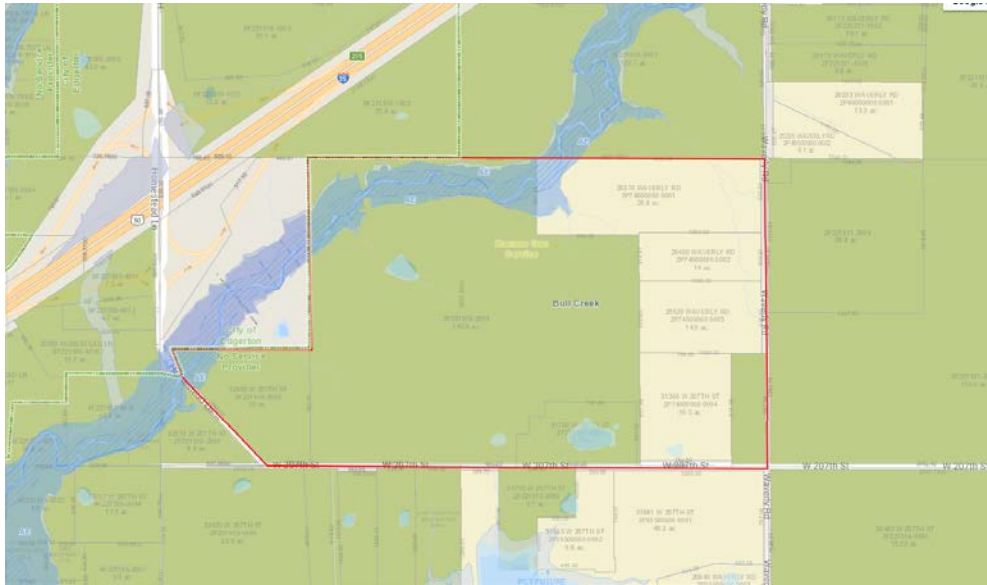


Figure 1



Figure 2

## **PROJECT DESCRIPTION**

The rezoning request is to support a project which will construct and operate warehouse and distribution facilities that could include limited manufacturing.

## **INFRASTRUCTURE AND SERVICES**

1. Access to the property and development will be from Homestead Lane and 207<sup>th</sup> Street.
2. Utilities and service providers.
  - a. Water - Johnson County Water District #7
  - b. Sanitary Sewer - City of Edgerton
  - c. Electrical Service - Kansas City Power & Light
  - d. Gas Service – Kansas Gas Service
  - e. Police service is provided by the city of Edgerton through the Johnson County Sheriff's Office
  - f. Fire protection is provided by Johnson County Fire District #1
3. Property is located within the Bull Creek watershed

## **PROPERTY ZONING HISTORY**

The subject property was annexed into the City of Edgerton on December 28, 2017. Prior to that, the property was in unincorporated Johnson County and as of this application it remains zoned Johnson County RUR, in accordance with Article 1, Section 1.9 of the Edgerton Unified Development Code.

## **STAFF ANALYSIS**

The applicant has requested rezoning to L-P, Logistics Park. The City's Unified Development Code (UDC) states the purpose of the L-P District is to create a limited multimodal industrial zone that provides for a modern type of industrial uses or industrial park to support activities related to trade, rail and other transport services. Limitations are placed on the uses in the district to significantly restrict the outside activities and outside storage of materials, noise, vibration, etc. The UDC also states 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.

Permitted uses within the L-P District include warehousing/distribution centers; motor freight transportation terminals; manufacturing, processing, fabrication or assembly of commodity – limited; and other permitted uses.

Staff has reviewed this rezoning application with respect to the Edgerton Unified Development Code, the laws of Kansas, and the "Golden Criteria" as established by the Supreme Court of Kansas in 1978. The following is staff's review.

1. **Need for the Proposed Change** - The applicant has requested L-P Zoning District designation to support construction of the project. Given the property's proximity to LPKC, the BNSF Railway intermodal facility and the highway L-P Zoning District is the most compatible designation for these uses.

2. **Magnitude of the Change** - The existing County zoning is considered a holding designation. Due to the unexpected pace of development in Phase 1 of Logistics Park Kansas City, the Comprehensive Plan for the City of Edgerton does not currently address properties south of I-35 such as the applicant property. While the Comprehensive Plan is in need of an update to address the current conditions, and need for land use and development in the City, staff believes that the proposed rezoning is compatible with the spirit and intent of future development outlined by the Comprehensive Plan in similar neighborhoods. Due to the property's proximity to LPKC, the BNSF Railway intermodal facility and interstate highway, the magnitude of the change is not considered extreme or rare when property is being developed for its planned end use, industrial development.
3. **Whether or not the change will bring harm to established property rights** - The subject property is surrounded by undeveloped acreage and low-density rural single-family residential. If rezoned L-P, as requested, a separate Site Plan review and approval will be required before building permits can be issued. Part of a Site Plan review will include attention to buffering and setbacks, stormwater management and transition of uses between adjoining uses and any proposed industrial use. This Site Plan review will help mitigate impact that might occur to adjacent properties.
4. **Effective use of Land** - L-P District permitted uses at this location is an effective and efficient use of the property due to its proximity to the BNSF Railway intermodal facility, LPKC and the interstate.
5. **The extent to which there is a need in the community for the uses allowed in the proposed zoning** - Construction of warehousing, distribution, limited manufacturing and related facilities near the intermodal allows an inland port for goods in transit, by reducing truck traffic in the surrounding area and allowing for more efficient use of the supply chain.
6. **The character of the neighborhood, including but not limited to: zoning, existing and approved land use, platting, density (residential), natural features, and open space** - With rapidly progressing intermodal development, extensive, recently completed road improvements, and the new I-35 interchange nearby, the character of the area is changing significantly from rural to industrial. Across I-35 and approximately 1.5 miles to the north Logistics Park Kansas City Phase 1 is nearing full build-out, all of which is zoned L-P. Properties to the south of the applicant property remain in unincorporated Johnson County, with a mixture of rural residential acreage, vacant land, and farming. Properties to the east and west incorporate similar neighborhood characteristics, and the regional parks and floodplain areas nearby will generally remain undeveloped, providing open space, wildlife corridors, streamway buffers, and hiking, biking, and pedestrian corridors.
7. **Compatibility of the proposed zoning and uses permitted therein with the zoning and uses of nearby properties** - The proposed zoning is compatible with the planned future uses of the surrounding property, specifically to the north. The City's Unified Development Code (UDC) states the purpose of the L-P District is to create a limited multimodal industrial zone that provides for modern types of industrial uses or an industrial park. Limitations are placed on uses in the district to significantly restrict outside activities and the outside storage of materials, noise, vibration, etc. The

site plan review process can mitigate impacts to adjacent properties with the proper attention to buffering and setbacks, stormwater management, and transition of uses.

8. **Suitability of the uses to which the property has been restricted under its existing zoning** - The existing Johnson County RUR zoning of the applicant property is not suitable for the proposed distribution warehouse and limited manufacturing industrial use sought by the applicant. The Johnson County RUR zoning is a County designation primarily for agricultural use; an industrial use in a property annexed by the City but zoned for agriculture by the County would not be compatible or appropriate. Therefore, a rezoning to the L-P district is the most appropriate designation for the proposed use.
9. **Length of time the subject property has remained vacant under the current zoning designation** - Based upon available aerial photography, prior to annexation the property was agricultural use in unincorporated Johnson County for the previous 60-plus years.
10. **The extent to which the zoning amendment may detrimentally affect nearby property** - The proposed zoning is compatible with the planned future uses of the surrounding property, specifically to the north. The City's Unified Development Code (UDC) states the purpose of the L-P District is to create a limited multimodal industrial zone that provides for modern types of industrial uses or an industrial park. Limitations are placed on uses in the district to significantly restrict outside activities and the outside storage of materials, noise, vibration, etc. The site plan review process can mitigate impacts to adjacent properties with the proper attention to buffering and setbacks, stormwater management, and transition of uses.
11. **Consideration of rezoning applications requesting Planned Development Districts (PUD) for multifamily and non-residential uses should include architectural style, building materials, height, structural mass, siting, and lot coverage** - This is not a request for a PUD.
12. **The availability and adequacy of required utilities and services to serve the uses allowed in the proposed zoning. These utilities and services include, but are not limited to, sanitary and storm sewers, water, electrical and gas service, police and fire protection, schools, parks and recreation facilities and services, and other similar public facilities and services** - Homestead Lane, 207<sup>th</sup> Street and Waverly Road, adjacent to the property, are currently gravel surfaced, but the City is in discussions regarding its anticipated improvement to a standard that can better accommodate the anticipated development of this property. Homestead Lane north of the property has already been improved to a standard that will accommodate industrial development. Utilities will be provided by the developer or the City in conjunction with development of the property.
13. **The extent to which the uses allowed in the proposed zoning would adversely affect the capacity or safety of that portion of the road network influenced by the uses, or present parking problems in the vicinity of the property –** Homestead Lane to the north is improved to a standard that can accommodate industrial development traffic in the area. The City is in discussions regarding 207<sup>th</sup> Street, Homestead Lane to the south, and Waverly Road's anticipated improvement to a standard that can better accommodate the anticipated development of this property and other industrial development anticipated along the corridor to the north. On-street parking will not be allowed and adequate parking is provided for Phase 1 of this project.

14. **The environmental impacts that the uses allowed in the proposed zoning would create (if any) including, but not limited to, excessive storm water runoff, water pollution, air pollution, noise pollution, excessive nighttime lighting or other environmental harm** - The City will follow National Pollutant Discharge Elimination System (NPDES) guidelines and stormwater management requirements which require the developer to address runoff and water pollution mitigation measures as part of the development of the property. Mitigation of pollution in the form of air, noise, light, etc., will be addressed as part of the Site Plan review process.
15. **The economic impact on the community from the uses allowed in the proposed zoning** - Uses allowed in the L-P District, have the potential to benefit the residents and community in a positive way by providing needed services, jobs and tax revenues.
16. **The relative gain (if any) to the public health, safety, and welfare from a denial of the rezoning application as compared to the hardship imposed upon the rezoning applicant from such denial** - There would be little relative gain, if any, to the public health, safety, and welfare from the denial of this zoning application. However, The City would be adversely impacted due to the lost opportunity for jobs and tax revenue if anticipated logistics park uses were to locate in another community.
17. **Consistency with the Comprehensive Plan, Capital Improvement Plan, ordinances, policies, and applicable City Code of the City of Edgerton** - Due to the unexpected pace of development in Phase 1 of Logistics Park Kansas City, the Comprehensive Plan for the City of Edgerton does not currently address properties south of I-35 such as the applicant property. While the Comprehensive Plan is in need of an update to address the current conditions, and need for land use and development in the City, staff believes that the proposed rezoning is compatible with the spirit and intent of future development outlined by the Comprehensive Plan in similar neighborhoods.
18. **The recommendation of professional staff** - See Recommendation below

**Recommendation:**

City staff recommends **approval** of the proposed rezoning of the subject property from Johnson County RUR, to City of Edgerton Logistics Park District (L-P) with the following stipulations:

1. All infrastructure requirements of the City shall be met.
2. All platting requirements of the City shall be met.
3. All Site Plan application requirements of the City shall be met.
4. Prior to issuance of building permits, the property shall be developed in accordance with a Site Plan reviewed and approved by the City.

Reasons for Recommendation for Rezoning: (Incorporate all or part of #1-18 above in motion)

Attachments:

- Application for Rezoning ZA2018-01
- City of Edgerton Future Land Use Map

LOCATION OR ADDRESS OF SUBJECT PROPERTY: SE corner of I-35&Homestead Lane (addresses listed on plat cover sheet)PURPOSE FOR REZONING: For purposes of constructing and operating a light manufacturing and distribution centerREQUESTED REZONING CHANGE: FROM RUR TO L-P  
(Current Zoning) (Proposed Zoning)LEGAL DESCRIPTION: See attached sheetCURRENT LAND USE: Agricultural/residentialPROPERTY OWNER'S NAME(S): See attached sheet PHONE: \_\_\_\_\_

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

MAILING ADDRESS: \_\_\_\_\_  
Street City State ZipAPPLICANT/AGENTS NAME(S): John Thomas (representing the property owner) PHONE: 816-888-7380  
NPD Management LLCCOMPANY: (represented by NorthPoint Development LLC) FAX: 816-888-7399MAILING ADDRESS: 4825 NW 41st Street, Suite 500 Riverside MO 64150  
Street City State ZipENGINEER/ARCHITECT'S NAME(S): Steve Warger/Patrick Cassity PHONE: 816-800-0950COMPANY: Renaissance Infrastructure Consulting FAX: \_\_\_\_\_MAILING ADDRESS: 5015 NW Canal Street, Suite 100 Riverside MO 64150  
Street City State Zip

SIGNATURE OF OWNER OR AGENT: \_\_\_\_\_

If not signed by owner, authorization of agent must accompany this application.

**FOR OFFICE USE ONLY**Case No.: 2A2018-01 Amount of Fee Paid: \$ 250.00 Date Fee Paid: \_\_\_\_\_Received By: \_\_\_\_\_ Date of Hearing: 2/13/18**REZONING INSTRUCTIONS**

**CERTIFIED LETTERS:** The applicant will be responsible for mailing notices (see attached Property Owner Notification Letter) of the public hearing for the requested rezoning by certified mail, return receipt requested, to all owners of land within the notification area: two hundred (200) feet within the city limit, one thousand (1,000) feet in the unincorporated area of the subject property. These notices must be sent a minimum of twenty (20) days prior to the public hearing. Information regarding ownership

of the land within the notification area can be obtained from the Johnson County Department of Records and Tax Administration, or through a title insurance company (preferred method). A list of property owners within the notification area must be submitted with the application. In addition, the responsible fire protection district (if any), affected school districts, affected park districts and affected sanitary and/or drainage district shall appear on a separate list of notification. Additional parties, specified by the applicant, may appear on the notification list.

**AFFIDAVIT OF COMPLIANCE:** An affidavit (see attached Property Owner Notification Affidavit) concerning the mailing of property owner notification letters must be returned to the office of the City Clerk by no later than the Thursday preceding the public hearing.

**PLANNING COMMISSION REVIEW AND DECISION:** The Edgerton Planning Commission meets in the City Hall on the second Tuesday of every month. The agenda and staff reports will be available prior to the public hearing. The chairperson will open the public hearing for each case to hear presentations by the City staff, the owner or authorized agent, and the audience, respectively. After everyone has had the opportunity to speak, the Planning Commission will close or continue the public hearing to a later date. After the public hearing is closed, discussion will be limited to the Planning Commission and action will be taken in the form of a recommendation for approval or denial to the Governing Body.

**PROTEST PERIOD:** After the conclusion of the public hearing, a fourteen (14) day protest period begins. During the protest period, property owners within the notification area of the subject property may file a petition indicating their protest to the requested rezoning in the office of the City Clerk. The submission of valid protest petitions from property owners of twenty (20) percent of the land within the notification area of the subject property within the allotted time will require a three-quarter ( $\frac{3}{4}$ ) vote for approval by the Governing Body. Copies of protest petitions may be obtained in the office of the City Clerk.

**GOVERNING BODY ACTION:** After the protest period has concluded, the application will be placed on an agenda for the Governing Body Action (typically within thirty (30) days after the conclusion of the public hearing). The Governing Body will review the transcript of the public hearing and the recommendation of the Planning Commission and will take action by concurring with or overriding the Planning Commission recommendation, or by returning the request to the Planning Commission.

## CHECKLIST

The following items shall be submitted with the rezoning application. All materials shall be submitted by applicant to the City Clerk at least 30 days in advance of a public hearing.

- ☐ Title or other suitable proof of ownership to the subject property.
- ☐ Legal description of the subject property either in the form of a certificate of survey or a lot and block reference to the official City Map.
- ☐ Sketch of the subject property drawn to scale that details the lot lines, existing features or building, drives and adjacent buildings, and the current use of existing buildings.
- ☐ Any supporting material as requested by the Zoning Administrator depending on the magnitude of the change and the possibility of detrimental effects on surrounding properties. Supporting materials may include, but are not limited to:
  - ☐ Topography at an appropriate scale
  - ☐ A Certificate of Survey
  - ☐ Environmental assessment
  - ☐ Surface water discharge analysis
  - ☐ Facilities and utilities suitability analysis
  - ☐ An analysis of existing wells, tanks and other sub-structures
  - ☐ Traffic and parking analysis
- ☐ List of the names and addresses of owners of all property situated within two hundred (200) feet of the property lines of the subject site. See details in instructions

## LEGAL DESCRIPTION

### Description

All that part of the Southeast and Southwest Quarters of Section 10, Township 15 South, Range 22 East of the Sixth Principal Meridian, together with all of Lots 1 thru 4, inclusive, ROCKWALL ESTATES, a platted subdivision, all in Johnson County, Kansas, more particularly described as follows:

Beginning at the South Quarter corner of said Section 10; thence on Kansas State Plane North Zone bearings, South 88°11'14" West, coincident with the South line of the Southwest Quarter of said Section 10, a distance of 1,686.12 feet; thence departing said South line, North 45°15'45" West, coincident with the centerline of Homestead Road, as it now exists, a distance of 1,235.76 feet; thence departing said centerline, North 02°16'47" West a distance of 106.90 feet; thence North 87°45'15" East a distance of 1,237.62 feet; thence North 02°16'53" West a distance of 1,626.96 feet to a point on the North line of the Southwest Quarter of said Section 10; thence North 88°01'05" East, coincident with the North line of said Southwest Quarter, a distance of 1,292.89 feet to the Northwest corner of the Southeast Quarter of said Section 10; thence North 88°18'55" East, coincident with the North line of said Southeast Quarter, a distance of 2,593.33 feet to the Northeast corner of said Lot 1, said point also lying on the West right-of-way line of Waverly Road, as it now exists; thence South 02°17'25" East, coincident with said West right-of-way line, a distance of 1,670.08 feet to the Southeast corner of said Lot 3; thence departing said West right-of-way line, North 88°09'59" East a distance of 50.00 feet to a point on the East line of said Southeast Quarter; thence South 02°17'25" East, coincident with said East line, a distance of 967.39 feet to the Southeast corner of said Southeast Quarter; thence South 88°09'59" West, coincident with the South line of said Southeast Quarter, a distance of 315.20 feet; thence departing said South line, North 02°17'25" West a distance of 50.00 feet to the Southeast corner of said Lot 4, said point also lying on the North right-of-way line of 207th Street, as it now exists; thence South 88°09'59" West, coincident with said North right-of-way line, a distance of 784.80 feet to the Southwest corner of said Lot 4; thence departing said North right-of-way line, South 02°17'25" East, a distance of 50.00 feet to a point on the South line of said Southeast Quarter; thence South 88°09'59" West, coincident with said South line, a distance of 1,545.62 feet to the Point of Beginning, containing 11,144,428 square feet, or 255.841 acres, more or less.

## City Council Action Item

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**Council Meeting Date:** March 8, 2018

**Agenda Item #:** 12

**Department:** Public Works

### **Agenda Item: Consider Authorization of Homestead Lane/207<sup>th</sup> Street Road Improvement Project**

**Background/Description of Item:**

The Kansas Department of Transportation (KDOT) has partnered with the City of Edgerton on critical infrastructure in support of Logistics Park Kansas City (LPKC) Phase I including road improvements such as Homestead Lane north of I-35, the Homestead Lane interchange, Waverly Road Grade Separation, etc. This partnership for road infrastructure plays an important role in attracting tenants to LPKC and bringing approximately 3,900 new jobs to the State of Kansas and Edgerton. Enclosed is a letter from KDOT describing their commitment to continue this partnership for infrastructure related to Logistics Park Kansas City Phase II south of Interstate 35.

**Project Scope and Cost:**

KDOT has committed to participate in 80% of the construction costs of new road/bridge construction Homestead Lane/207<sup>th</sup> Street south of I-35 to support LPKC Phase II and specifically Project Mustang (located on the northwest corner of 207<sup>th</sup> Street and Waverly Road). The road improvements are currently estimated at \$11.8MM. KDOT has agreed to contribute towards 80% (\$9.44MM) of the construction costs. The commitment from KDOT requires the remaining 20% of the cost of road improvements be funded by another party. The City's LPKC Phase II Agreements require Edgerton Land Holding Company to finance the remaining 20% of construction cost. No city general fund dollars will be used for this construction.

**Method of Construction and Control of the Project:**

The City will use the design-build method of construction. The project is a City of Edgerton led project, not a KDOT project. Because the project is city led, the method for acquisition of right-of-way and design criteria for the road/bridge used for construction are determined by the City.

**Repayment:**

This project does not require any repayment to KDOT from the City of Edgerton for the funding allocation.

**Additional Actions:**

Due to a time constraint related to Project Mustang, staff is requesting that City Council authorize the project to begin the procurement process to select a design-build team to recommend to City Council. Approval of that design-build team and corresponding agreement will be brought to City Council at a future meeting for consideration.

Staff will work with the KDOT staff to prepare the typical City/State Agreement to outline all the project details. That agreement, once reviewed and approved by the City Attorney, will be brought to City Council at a future meeting for consideration.

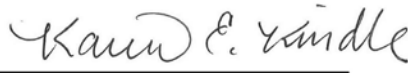
**Related Ordinance(s) or Statute(s):**

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**Funding Source:** Kansas Department of Transportation/Public Infrastructure Fund Phase II

**Budget Allocated:** Approximately \$11.8MM

**Finance Director Approval:**

**X** 

Karen Kindle, Finance Director

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<p><b>Recommendation: Approve Homestead Lane/207<sup>th</sup> Street Road Improvement Project As City of Edgerton Project</b></p>
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**Enclosed:**

- Letter from Kansas Department of Transportation to Kansas Department of Commerce regarding commitment for project
- Email from Kansas Department of Transportation confirming project as city-led

**Prepared by:** Beth Linn, City Administrator

Dwight D. Eisenhower State Office Building  
700 S.W. Harrison Street  
Topeka, KS 66603-3745  
Richard Carlson, Secretary



Phone: 785-296-3461  
Fax: 785-368-7415  
Hearing Impaired - 711  
kdot#publicinfo@ks.gov  
<http://www.ksdot.org>  
Governor Jeff Colyer, M.D.

January 31, 2018

Randi Tveitaraas Jack  
International Development Manager  
Kansas Department of Commerce  
1000 S.W. Jackson, Suite 100  
Topeka, KS 66612

Dear Randi,

The State of Kansas has committed to help finance roadway infrastructure for the launch of Logistics Park Kansas City (Phase 2), with [REDACTED] as the anchor tenant.

The roadway improvements are currently estimated at \$11.8M and the Kansas Department of Transportation has agreed to contribute towards 80% of the construction costs, pending a commitment from other parties on remaining project expenses.

Should you have any questions or status updates, please not hesitate to contact Mike Moriarty with my staff at (785) 296-8864.

Sincerely,

Richard Carlson  
Secretary of Transportation  
Director of the Kansas Turnpike Authority

## Beth Linn

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**From:** Michael Moriarty [KDOT] <Michael.Moriarty@ks.gov>  
**Sent:** Friday, March 2, 2018 8:21 AM  
**To:** Beth Linn  
**Cc:** Nelda Buckley [KDOT]  
**Subject:** LPKC

Good morning Beth – As we discussed, the State of Kansas has committed to help finance roadway infrastructure for the launch of Logistics Park Kansas City (Phase 2). The overall project administration will follow processes similar to recent KDOT-Edgerton partnership projects, such as Montrose Street, which is to say the project will be city-led with KDOT providing financial reimbursements up to an agreed upon maximum. Our next step is to begin drafting a City/State Agreement and my staff will prepare a preliminary version for your review.

Nelda Buckley or a member of her team will be KDOT's point of contact – I have copied Nelda on this message.

Best regards – Mike

Michael J. Moriarty  
Chief of Transportation Planning

Kansas Department of Transportation  
785.296.8864 – direct  
785.640.1125 – mobile