

**EDGERTON CITY COUNCIL
REGULAR MEETING AGENDA
CITY HALL, 404 EAST NELSON STREET
AUGUST 13, 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 Regular Meeting on July 23, 2026, Regular City Council Meeting
5. Approve Ordinance No. 2197 Amending Chapter XIV Of The Edgerton, Kansas Municipal Code To Incorporate The 2026 Standard Traffic Ordinance, Subject To Existing Local Traffic Provisions In The City Code Which Supplement And/Or Modify Certain Sections Thereof
6. Approve Ordinance No. 2198 Amending Chapter XI, Article I, Section 11-101 Of The Code Of The City Of Edgerton, Kansas, Concerning The Uniform Public Offense Code

Motion: ____ Second: ____ Vote: ____

Regular Agenda

7. **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.
8. **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.

Business Requiring Action

9. **CONSIDER ORDINANCE NO. 2195 ADOPTING THE RECOMMENDATION OF THE CITY OF EDGERTON PLANNING COMMISSION TO APPROVE APPLICATION RZ2026-0001 FOR THE REZONING OF APPROXIMATELY 20.95± ACRES OF LAND FROM THE I-H (HEAVY INDUSTRY) AND L-P (LOGISTICS PARK) DISTRICTS TO THE L-P (LOGISTICS PARK) DISTRICT LOCATED AT 32612 W. 191ST STREET**

Motion: _____ Second: ____ Vote: _____

10. **CONSIDER ORDINANCE NO. 2196 ADOPTING THE PLANNING COMMISSION'S RECOMMENDATION TO APPROVE A CONDITIONAL USE PERMIT (CU2026-0001) ALLOWING FOR A CARGO CONTAINER STORAGE AND MAINTENANCE FACILITY IN THE L-P (LOGISTICS PARK) DISTRICT LOCATED AT 32612 W. 191ST STREET**

Motion: _____ Second: ____ Vote: _____

11. **CONSIDER FINAL ACCEPTANCE FOR THE 2026 STREET PRESERVATION PROGRAM - CONCRETE PROJECT**

Motion: _____ Second: ____ Vote: _____

12. **CONSIDER CHANGE ORDER #1 TO TRAFFIC MANAGEMENT KS, LLC FOR THE 2026 STREET PRESERVATION PROGRAM - PAVEMENT MARKING PROJECT**

Motion: _____ Second: ____ Vote: _____

13. **CONSIDER RESOLUTION NO. 08-13-26A APPROVAL OF INDEMNITY AGREEMENT BETWEEN THE CITY AND THE EDGERTON UNITED METHODIST CHURCH FOR USE OF THE CHURCH PARKING LOTS DURING THE MEAT INFERNO EVENT**

Motion: _____ Second: ____ Vote: _____

14. **CONSIDER RESOLUTION NO. 08-13-26B AUTHORIZING SPECIAL EVENT PERMIT FOR SALE AND CONSUMPTION OF ALCOHOLIC LIQUOR WITHIN THE EDGERTON DOWNTOWN COMMON CONSUMPTION AREA IN THE CITY OF EDGERTON, KANSAS**

Motion: _____ Second: ____ Vote: _____

15. **CONSIDER RESOLUTION NO. 08-13-26C AUTHORIZING THE CLOSURE OF CERTAIN PUBLIC STREETS FOR MEAT INFERNO**

Motion: _____ Second: ____ Vote: _____

16. **CONSIDER RESOLUTION NO. 08-13-26D FOR TEMPORARY NO PARKING RELATED TO MEAT INFERNO**

Motion: _____ Second: ____ Vote: _____

17. **Report by the City Administrator**

- Q2 Financial Report
- Q1 & Q2 Parks & Recreation Report
- Heather Knoll Speed Concern
- Wastewater Information
- Plan for Emerging Industries Community Engagement and Unified Development Code Update

18. Report by the Mayor

19. Future Meeting Reminders:

August 27: City Council Meeting

September 8: Planning Commission Meeting

September 10: City Council Meeting

September 24: City Council Meeting

20. Adjourn

EVENTS

August 21: Paint Your Pet

August 25: Toddler Gym Jam

August 28: Outdoor Movie Night: A Goofy Movie

September 2: Mah Jongg

September 9: Mah Jongg

September 11: Meat Inferno BBQ Competition

September 12: Cops N Bobbers

September 12: Meat Inferno BBQ Competition

City of Edgerton, Kansas
Minutes of City Council Regular Session
July 23, 2026

A Regular Session of the City Council was held in the Edgerton City Hall, 404 E. Nelson, Edgerton, Kansas on July 23, 2026. The meeting convened at 7:00 PM with Mayor Roberts presiding.

1. ROLL CALL

Donald Roberts	Present
Clay Longanecker	Present
Josh Lewis	Present
Deb Lebakken	Present
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, Trey Whitaker
- Assistant to the City Administrator, Kara Banks
- City Clerk, Dusti Callahan
- Public Works Director, Dan Merkh
- Development Services Director, Zach Moore
- Parks and Recreation Director, Levi Meyer
- Finance Director, Karen Kindle
- CIP Project Manager, Rhoderic Montgomery
- Utilities Superintendent, Mike Mabrey

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 Regular Meeting on July 9, 2026, Regular City Council Meeting
- 5. Approve Minutes from Special Meeting on July 16, 2026, Regular City Council Meeting

Councilmember Lewis motioned to approve the consent agenda, seconded by Councilmember Lebakken. The motion carried 4-0 by the following vote:

Yes: Longanecker, Lewis, Conus, Lebakken

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Absent: Malloy

Regular Agenda

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

7. **Public Comments.**

Carrie Schmidt, a Gardner resident, criticized the process of allowing a data center in the Logistics Park District. Ms. Schmidt cited a lack of transparency and bypassing public input on the issue. Ms. Schmidt states that data center infrastructure does not match warehousing, distribution and railway in the logistics park district. She believes Edgerton has no guardrails on high scale data centers. Ms. Schmidt asked what the City does with liquid and dry sewage sludge from the treatment plant.

Stacey Montgomery, EcoWaste Solutions, formerly Gardner Disposal, came to address billing issues directly. Ms. Montgomery stated she offered accountability and a plan. She will be serving as the direct contact for billing questions and issues, guaranteeing 24- to-48-hour response time. She will report back on August 6th to report back.

Kailey Dressler, a Gardner resident, highlighted code compliance issues with above-ground fuel tanks in the data center site plans. She stated by definition that an integral belly tank, or sub-based tank, is an above ground tank. Ms. Dressler states that approving a plan that conflicts within local law violates standard administrative and municipal principles. She emphasized legal and safety violations, citing multiple codes.

Kim Twente, an Edgerton resident, spoke on the proposed petition and why it should be accepted. Ms. Twente advocated for a citizen vote on data centers, citing environmental, economic, and transparency concerns. She states data centers have been a huge issue throughout the country and are often not transparent in their exact processes. She believes those who are claiming this project is most beneficial do not live here and will not be impacted. Ms. Twente referenced similar actions regarding data centers in other states.

Business Requiring Action

8. **CONSIDER CHANGE ORDER #6 TO KANSAS HEAVY CONSTRUCTION, LLC FOR THE EAST 2ND STREET/EDGEWOOD AND EAST 3RD STREET RECONSTRUCTION PROJECT**

CIP Project Manager, Rhoderic Montgomery discussed Change Order #6 for Kansas Heavy Construction. The project scope was adjusted in the design. This change order reduced project cost by \$37,438.20. This change order has a completion date of October 15, 2026. They will fulfill their contract obligations.

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Councilmember Longanecker motioned to approve, seconded by Councilmember Lebakken, item eight under the Business Requiring Action items. The motion carried 4-0 by the following vote:

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

9. CONSIDER A CHANGE ORDER #1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH SCARECROW FARM AND LAWN FOR RIGHT-OF-WAY MOWING AND EDGE MAINTENANCE

Public Works Director, Dan Merkh, stated on February 26, 2026, City Council approved Scarecrow Farm and Lawn for mowing and edging services for the right-of-way and edge maintenance. Mr. Merkh showed a map of the areas that were not included in the original planned bid. Change Order #1 added the missing two parcels to their contract, increasing the annual costs and ensuring competitive bidding.

Councilmember Conus asked about in-house mowing. Mr. Merkh stated the contracting process started with safety concerns along Homestead Lane and the 207th Street Grade Separation was later added due to the large acreage.

City Administrator, Beth Linn, noted the intensive labor and equipment limitations for large parcels.

Councilmember Longanecker asked how many acres there are in total for the bid. Mr. Merkh stated he did not have the exact total right now, but the addition is just under 2 acres to be added.

Councilmember Lebakken stated the price seems really high. Ms. Linn confirmed this was the lowest bid in the bid process.

Councilmember Lewis motioned to approve, seconded by Councilmember Longanecker, item nine under the Business Requiring Action items. The motion carried 4-0 by the following vote:

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

10. CONSIDER AUTHORIZATION TO SUBMIT A KDOT CARBON REDUCTION PROGRAM (CRP) GRANT APPLICATION AND A \$200,000 LOCAL MATCH FOR THE NELSON STREET PEDESTRIAN CORRIDOR IMPROVEMENT PROJECT

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Mr. Montgomery asked the City Council to consider the KDOT CRP Grant Application. KDOT has indicated this grant is for prioritizing small Kansas communities. This project would reconstruct sidewalk and ramps on both sides of Nelson Street, from East 3rd Street to West 3rd Street to meet current ADA and PROWAG standards. The project includes pedestrian scale LED street lighting, compliant driveway crossings, a rectangular rapid-flash beacon at the school crossing, and elimination of informal crossing points within the school zone. The project will close existing sidewalk gaps and create a complete, continuous pedestrian route connecting residential neighborhoods, Edgerton Elementary School, and Downtown Edgerton for students, families, older adults, and residents without reliable vehicle access. The total estimated project cost is \$875,000. This is not a guaranteed grant program. Staff recommend applying for \$1,000,000 in CRP funding for this project, (\$800,000 requested from KDOT plus a \$200,000 City match).

Mayor asked if the construction would be in summer of 2027, if awarded. Mr. Montgomery stated yes. Mr. Merkh stated that sometimes it takes 14 months to approve the grant, and it is best to schedule this project when school is not in session.

Councilmember Lewis asked about the timeframe for when we would have to use the grant if it is approved. Ms. Linn stated their fiscal year is different than ours, but she believes it will be done by 2028.

Councilmember Longanecker motioned to approve, seconded by Councilmember Lewis, item ten under the Business Requiring Action items. The motion carried 4-0 by the following vote:

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

11. CONSIDER AWARD OF CONSTRUCTION TO MID AMERICA ROAD BUILDERS FOR THE 2026 STREET PRESERVATION PROGRAM - CHIP SEAL PROJECT

Mr. Montgomery stated after review from bids submitted, held in a public bid opening, the recommended company is Mid America Road Builders as \$47,238.62. A total of three bids were received. This project consists of approximately 10,990 square yards of Chip Seal surface treatment in the residential portion of Edgerton, including West 7th Street, West Hulett Street, 1st Street, East Hulett Street, and East McCarty Street.

Councilmember Lewis motioned to approve, seconded by Councilmember Longanecker, item eleven under the Business Requiring Action items. The motion carried 4-0 by the following vote:

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

12. Report by the City Administrator
• **Q2 Utilities Report**

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Utilities Superintendent, Mike Mabrey, gave a report on utilities from February 1, 2026, through April 30, 2026. There were 8,647,300 gallons of water pumped with no main breaks or testing failures. Daily chlorine testing was conducted, along with Bac-T tests, and a quarterly infection byproduct rule test. Maintenance included prepping booster pump stations for new paint and inspecting all water towers.

Public Works Director, Dan Merkh, stated the technical assistance grant for infrastructure provided a mapping program with GPS level information. We now have location of all public surface level assets. There is submeter accuracy.

Mr. Mabrey stated there were 36 accounts turned off for non-payment, with 42 move-ins and 41 move-outs handled. Maintenance involved two meter-changeouts and handling 232 service locates. There were 21,798,000 gallons of wastewater treated, encountering three sanitary overflows due to heavy rainfall. Liquid sludge was processed into dry tons for disposal, complying with regulatory requirements. Regular maintenance and inspections were conducted on the lift stations and wastewater systems.

Councilmember Longanecker asked, regarding the water towers, what is schedule for those? Mr. Mabrey stated that each tower gets interior and exterior and they alternate years.

Councilmember Lewis asked if Mr. Mabrey could explain what happens with the sludge. Mr. Mabrey explained the city has a process that turns liquid waste into dry sludge. There is a contract with a disposal company, regulated by EPA and state, they take that sludge.

Councilmember Conus asked if the 41 move-outs are all families. Mr. Mabrey states he does not know exact details of all, but they could be sales, rentals, etc.

Ms. Linn stated even changing the name on an account counts as a move-out. Regarding the move-ins/outs, that includes changing Lennar to a new homeowner.

Mayor stated if anyone has not paid attention to Dwyer Farms, they are moving along very well.

- **Q1 & Q2 Community Development Report**

Development Services Director, Zachary Moore, reported on the first half of 2026, covering several key areas. For animal control, there were 86 loose animals reported, along with 10 barking complaints and 12 unregistered pet violations. One citation was issued related to six dog bite cases, while four chicken permits were processed. Regarding code enforcement, there were 107 new violation-level cases processed, with the majority being officer driven. Common violations included inoperable vehicles, exterior storage issues, and tall grass. Building permitting had 39 residential and 16 non-residential building permits issued, totaling about \$14.25 million in valuations. Major projects included a significant storage system by Kubota. Three site plans and one preliminary plan were reviewed, with ongoing infrastructure projects at Dwyer Farm and an expansion at the JCCC CDL facility. Approved updates to the Unified

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Development Code included changes to planned developments, signage regulations, and industrial district chapters.

- **Q1 & Q2 Johnson County Sheriff's Office Report**

Captain Dan Diercks with the Johnson County Sheriff's Office gave key insights into recent law enforcement activities. Areas were identified by representation of dots on a map indicating the concentration of incidents. The report lists the most common self-initiated calls. There was a total of 66 offenses reported, including misdemeanors and felonies. A breakdown was provided comparing current offenses with the same period from the previous year. Seven non-injury accidents with damage under \$1,000 were reported, four within city limits, two near Homestead Lane, and one off of Highway 56. 318 citations were issued, resulting in 414 violations and 242 warrants. The Fugitive Apprehension Unit executed one warrant in the area.

13. Report by the Mayor

No report tonight.

14. CONSIDER RECESSING INTO EXECUTIVE SESSION PURSUANT TO THE ATTORNEY/CLIENT EXCPITION TO INCLUDE CITY ATTORNEY AND CITY ADMINISTRATOR FOR THE PURPOSES OF CONSULTATION WITH AN ATTORNEY WHICH WOULD BE DEEMED PRIVILEGED IN THE ATTORNEY-CLIENT RELATIONSHIP (K.S.A. 75- 4319(B)(2))

Councilmember Longanecker moved to recess into executive session pursuant to K.S.A 75-4319(B)(2) for the purpose of consultation with an attorney which would be deemed privileged in the attorney-client relationship. Present in the executive session will be the Governing Body and the following staff members: City Administrator Beth Linn, and City Attorney Todd Luckman.

The executive session would last 20 minutes and would resume in Council Chambers.

Councilmember Lewis seconded the motion. The meeting recessed into executive session at 7:50PM. The motion carried 4-0 by the following vote:

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

Councilmember Longanecker moved to return to open session with no action being taken. Councilmember Lebakken seconded the motion. Open session resumed at 8:10PM. The motion carried 4-0 by the following vote:

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

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15. PETITION FOR PROPOSED ORDINANCE TO PROHIBIT HIGH IMPACT DATA CENTERS IN THE CITY OF EDGERTON TO PREVENT INDUSTRIAL NUISANCES, PROTECT THE PROPERTY OF ITS RESIDENTS, AND PRESERVE MUNICIPAL RESOURCE CAPACITY.

City Administrator, Beth Linn, stated on July 15, 2026, the city received a Petition for Proposed Ordinance to Prohibit High Impact Data Centers. The City submitted the Petition to the Johnson County Election Office on July 16, 2026, to verify the signatures as described in K.S.A. 12-3013. On July 20, 2026, the Election Office notified the City that process was complete. The petition included 208 signatures. Kansas law required 73 signatures, and 75 were accepted by the Election Office, meeting the statutory required number of signatures. The City contacted the Johnson County Attorney as described in K.S.A 25-3601 to receive a written advisory opinion as to the legality of form of the question. The Johnson County Attorney's Office provided the City a copy of a letter originally provided to Carrie Schmidt on July 2, 2026, that confirmed the legality of the form in question. Under the law, Council may (1) Approve the Petition (without alteration) as an ordinance of the City within 20 days after attachment of the clerk's certificate to the accompanying petition, giving it the effect of being an ordinance passed by the City, or (2) The Council may present the Petition (without alteration) for a vote at a special election, unless a regular city election is within 90 days.

She stated K.S.A. 12-3013 does not apply to (1) Administrative ordinances; (2) ordinances relating to a public improvement to be paid wholly or in part by the levy of special assessments; or (3) ordinances subject to referendum or election under another statute.

City Attorney, Todd Luckman, stated the county attorney's review is only about the form of the petition, not about the legality of the proposed ordinance contained within the petition. He stated that according to standards and law, this petition is legally and factually deficient and should not be passed by the Council nor presented to the city voters. He recommended that the Council file for a declaratory judgement from the District Court to determine the validity of the petition. If the court determines that it is valid, then this can be submitted at that time for either approval or to the electorate. If it is determined invalid, then we can proceed with other avenues to address the issues raised in the petition. The body of the ordinance states several things which are not factually correct. It talks about the city's power grid, which the city does not control. It talks about agreements that the city does not have. It also talks about the ability to control utility power corridors, which is controlled and allowed under state law through the power companies who are KCC regulated, not regulated by the city. Furthermore, the city does not serve water in the L-P District, so any claim regarding service for water or power that says the city has control over is incorrect. There are also several places in the ordinance that says the city council finds, or the city council determines and then states certain facts. He cannot recommend approval because this body did not make those findings. You cannot be forced to adopt findings that you did not actually determine.

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He stated K.S.A. 12-3013 (E) specifies that the ordinance cannot be administrative. In his opinion, this matter is administrative because it is attempting to control, either through a nuisance procedure or a zoning procedure that which is administrative with the city and therefore could not be properly passed. If you choose to authorize the suit, we will present these arguments to the court for a neutral determination of these issues. It will go to court, and the court will have hearings, and it will review the law and review these facts to make a determination. Whatever the determination is, he will return with that and ask to proceed.

Mayor Roberts asked what kind of timeline to expect with court.

Mr. Luckman stated there is no way to set a timeline on a court proceeding. This is best proceeded with a temporary injunction proceeding, meaning that you would have a hearing to determine if there should be a freeze during that time that the validity is decided. Usually, these hearings are not detailed fact cases, they are mostly legal questions, so the judge does not have to have extensive factual background to make a determination. Historically, the Johnson County District Court has done a good job attending to these matters in an appropriately speedy manner.

Mayor asked Mr. Luckman if anything prohibits taking some of the concepts in this ordinance and potentially making some legal concepts that could be enforceable.

Mr. Luckman stated no, you are able to take anything from this that you wish or add different terms and create your own to present and pass at any time.

Councilmember Conus asked regarding the judicial hearing, who would represent the city's side and who for the citizens' side. Mr. Luckman stated he would represent the City and oftentimes, in other cases, there have been corporate groups that have been created to advance these things, and usually are the ones named.

Councilmember Longanecker motioned to approve authorization of the City Attorney and City Administrator to file for an action for declaratory judgement in Johnson County regarding the data center petition submitted, seconded by Councilmember Lebakken. The motion carried 3-1 by the following vote:

Yes: Longanecker, Lewis, Lebakken

No: Conus

Absent: Malloy

Mayor stated he would like to move forward with a city process that would include some of the items contained in the petition that would include some type of mechanism for citizen participation or input. He recommends staff start to dig into that and then bring back the process, so we can move forward.

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City Administrator Beth Linn clarified that he wanted to use the standard text amendment process to add additional regulations or consider amendments to the UDC and he wanted staff to bring forward a plan to the governing body to consider action.

Councilmember Lebakken asked if he was talking about using what was in the petition to help drive what the City would change. Mayor stated yes, but we want to take the legal path, and the legal path looks different than what is in this ordinance.

Ms. Linn stated it is worthy to consider a third-party consultant to help the City through that process, especially if you want to talk about citizen engagement or the code rewrite. She stated staff could bring back a plan and a scope of services so that Council can move forward.

Councilmember Lebakken stated she was in favor of the third-party idea, to be a neutral party to help.

Mayor then reminded the Council of the future meetings.

- July 23: City Council Meeting
- August 11: Planning Commission Meeting
- August 13: City Council Meeting
- August 27: City Council Meeting
- September 8: Planning Commission Meeting
- September 10: City Council Meeting

16. Adjourn

Councilmember Lebakken moved to adjourn, seconded by Councilmember Lewis. The motion carried 4-0 by the following vote:

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

The meeting was adjourned at 8:29 pm.

Submitted by Dusti Callahan, City Clerk.

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City Council Action Item

Council Meeting Date: August 13, 2026

Department: Administration

Agenda Item: Consider Ordinance No. 2197 Amending Chapter XIV of the Edgerton, Kansas Municipal Code to Incorporate the 2026 Standard Traffic Ordinance, Subject to Existing Local Traffic Provisions in the City Code Which Supplement and/or Modify Certain Sections Thereof

Background/Description of Item:

Annually, the League of Kansas Municipalities (LKM) prepares and publishes the code known as the Standard Traffic Ordinance (STO) for Kansas Cities. This ordinance will adopt the Standard Traffic Ordinance for Kansas Cities, 53rd Edition, published in 2026 except such articles, sections, parts or portions as are omitted, deleted, modified, or changed by Chapter 14 of the Code of the City of Edgerton. Included with this item is an article prepared by LKM which outlines the changes in the 2026 edition of the STO.

The following sections were modified in the 53rd edition of the STO published in 2026.

Definitions:

Added: Hand-free Device

Amended:

Section 93. Parking Disabled and Other Vehicles.

Section 126.1. Obstructing License Plates.

Section 126.1.1. Display of License Plate.

Section 181. One-Way Glass and Sun Screening Devices.

Section 201.1. Failure to Comply with a Traffic Citation.

New:

Section 126.2.1. Use of Wireless Communication Devices in School Zones and Construction Zones.

Section 169.2. Use of Lights in Road Construction Zones.

The City Attorney has reviewed and approved Ordinance 2197 as submitted for adoption.

Related Ordinance(s) or Statue(s): Edgerton City Code Chapter XIV

Funding Source: N/A

Budget Allocated: N/A

Finance Director Approval: N/A

Recommendation: Approve Ordinance No. 2197 Amending Chapter XIV of The Edgerton, Kansas Municipal Code to Incorporate The Standard Traffic Ordinance, 53rd Edition, Subject to Existing Local Traffic Provisions in the City Code Which Supplement and/or Modify Certain Sections Thereof

Enclosed: Draft Ordinance No. 2197
LKM Article

Prepared by: Kara Banks, Assistant to the City Administrator

ORDINANCE NO. 2197

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF EDGERTON, KANSAS; INCORPORATING BY REFERENCE THE 2026 STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES, 53rd EDITION, WITH CERTAIN OMISSIONS, CHANGES, AND ADDITIONS; PRESCRIBING ADDITIONAL REGULATIONS; PROVIDING CERTAIN PENALTIES AND REPEALING ORDINANCE NO. 2181.

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

SECTION 1: Chapter XIV, Article 1, Section 14-101, of the Edgerton, Kansas Municipal Code is hereby amended to state the following:

ARTICLE 1. STANDARD TRAFFIC ORDINANCE

14-101.UNIFORM CODE INCORPORATED. There is hereby incorporated by reference for the purpose of regulating traffic within the corporate limits of the City of Edgerton, Kansas, that certain code known as the "Standard Traffic Ordinance for Kansas Cities," 53rd Edition, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas, save and except such articles, sections, parts or portions as are omitted, deleted, modified, or changed by Section 14-201 through 14-207 of the existing Code of the City of Edgerton. One copy of said Standard Traffic Ordinance shall be marked or stamped "Official Copy as Adopted by Ordinance No. 2197 with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance and filed with the City Clerk to be open for inspection and available to the public at all reasonable hours. The Sheriff's Department of Johnson County, Kansas, the municipal judge and all administrative departments of the City charged with enforcement of the Ordinance shall be supplied, at the cost to the city, such number of official copies of such Standard Traffic Ordinance similarly marked, as may be deemed expedient.

SECTION 2: Article 2 of Chapter XIV of the Edgerton, Kansas Municipal Code is hereby preserved and any modifications or supplements to the Standard Traffic Ordinance stated therein are now applicable to the 2026 "Standard Traffic Ordinance for Kansas Cities," 53rd Edition.

SECTION 3: REPEAL. Ordinance numbered 2181 is repealed.

SECTION 4: EFFECTIVE DATE. This Ordinance shall be effective after its passage, approval, and publication once in the City's official paper.

ADOPTED BY THE GOVERNING BODY AND APPROVED BY THE MAYOR OF EDGERTON,
KANSAS ON THE 13th DAY OF AUGUST, 2026.

DONALD ROBERTS, Mayor

ATTEST:

DUSTI CALLAHAN, Interim City Clerk

APPROVED AS TO FORM:

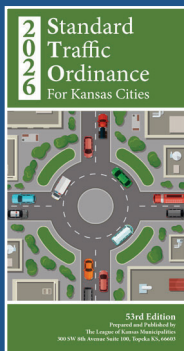
TODD LUCKMAN for
Stumbo Hanson, LLP, City Attorneys

Updates to the 2026 Standard Traffic Ordinance and the Uniform Public Offense Code

By: Sage Pourmirza, Staff Attorney, League of Kansas Municipalities

The season is upon us for League updates to the *Standard Traffic Ordinance* (STO) and the *Uniform Public Offense Code* (UPOC) in accordance with changes made by the Kansas Legislature. Despite the shortened legislative session, there are still several changes that were made to the STO and UPOC this year. This article details those changes.

ORDER THE UPDATED STO & UPOC AT WWW.LKM.ORG/PUBLICATIONS



Changes to the STO

Section 126.2.1 Use of a Mobile Telephone While Operating a Motor Vehicle in a School Zone or Road Construction Zone

This is a new section that comes from SB 366 and places a prohibition on using cellphones and other wireless communication devices in school zones during the time when the reduced speed is enforced, or in a road construction zone where workers are present.

Section 169.2 Use of Lights in Road Construction Zones

This newly added section, also from SB 366, expands the usage of certain colors of flashing lights in road construction zones.

Section 93. Parking Disabled and Other Vehicles

Here, we have a small change that expands the interference in subsection (b) to include law enforcement operations.

Section 126.1 Obstructing License Plates

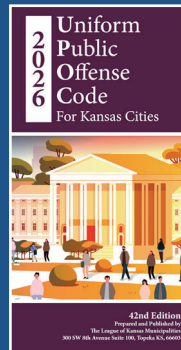
This section expands and defines obstructions of license plates to include frames and borders around plates that may make it difficult to determine the registration number, state, or the month or year of expiration on the registration decal. Additionally, subsection (b) was previously a part of Section 126.1.1 *Display of License Plate*.

Section 126.1.1 Display of License Plate

Subsection (c) was removed from this section and inserted into the aforementioned Section 126.1.

Section 201.1 Failure to Comply with a Traffic Citation

This was a small change that removed the former subsection (h)(2) regarding division notification from five years post-conviction.



Changes to the UPOC

Section 3.5.1 Unlawful Approach of a First Responder

S Sub for HB 2372 introduced a new law that makes it unlawful for anyone to be within 25 feet of a first responder while the first responder is engaged in the performance of their duties.

Section 3.1.1 Domestic Battery

The domestic battery language was amended to require an offender assessment as a condition of anyone granted probation or having had their sentence suspended.

Section 6.1 Theft

This section has a few language edits regarding the term “knowing,” and also adds in offenses for grain or hay, livestock, or motor vehicles between \$500 and \$1,500 in value.

Section 6.17 Criminal Use of a Financial Card or Gift Card

This section was expanded to include criminal use of gift cards, adding in language that would make theft, altering, or tampering with a gift card a crime under this section.

Section 10.1.1 Criminal Carrying of a Weapon

Subsections (b) and (c) were flipped in accordance with how K.S.A. 21-6302 is structured.

Section 11.11 Cruelty to Animals

A new subsection (c) was added to this section to provide a carve out for persons who are catching feral cats for the purpose of vaccination, spaying, or neutering, before returning them to the place they were caught.

Section 4.5 Buying Sexual Relations

This section was removed as this offense is now solely classified as a severity level 9, person felony, and no longer necessary for the UPOC.



 Sage Pourmirza is a Staff Attorney for the League of Kansas Municipalities. He can be reached at spourmirza@lkm.org.

City Council Action Item

Council Meeting Date: August 13, 2026

Department: Administration

Agenda Item: Consider Ordinance No. 2198 Amending Chapter XI, Article I, Section 11-101 of the Code of the City of Edgerton, Kansas, Concerning the Uniform Public Offense Code.

Background/Description of Item:

Annually, the League of Kansas Municipalities prepares and publishes the code known as the Uniform Public Offense Code (UPOC) for Kansas Cities. This ordinance will adopt the Uniform Public Offense Code, 42nd Edition, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas, save and except such articles, sections, parts or portions as are omitted, deleted, modified, or changed by Section 11-102 of the existing Code of the City of Edgerton. Included with this item is an article prepared by LKM which outlines the changes in the 2026 edition of the UPOC.

The following sections were modified in the 42nd edition of the UPOC published in 2026.

Definitions:

Amended: Cardholder
Financial Card

Definitions:

Added: Closed-Loop Gift Card
First Responder
Feral Cat
Gift Card
Gift Card Issuer
Gift Card Redemption Information
Gift Card Seller
Grain
Hay
Implement of Husbandry
Livestock
Open-Loop Gift Card

Amended:

Section 3.1.1. Domestic Battery.
Section 6.1. Theft.

Section 6.17 Criminal Use of a Financial Card or Gift Card.

New:

Section 3.5.1 Unlawful Approach to a First Responder

Section 11.11 Cruelty to Animals.

The City Attorney has reviewed and approved Ordinance No. 2198 as submitted for adoption.

Related Ordinance(s) or Statue(s): Edgerton City Code Chapter XI

Funding Source: N/A

Budget Allocated: N/A

Finance Director Approval: N/A

Recommendation: Approve Ordinance No. 2198 Amending Chapter XI, Article 1, Section 11-101 of the Code of the City Of Edgerton, Kansas, Concerning the Uniform Public Offense Code

Enclosed: Draft Ordinance No. 2198
LKM Article

Prepared by: Kara Banks, Assistant to the City Administrator

ORDINANCE NO. 2198

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF EDGERTON, KANSAS; INCORPORATING BY REFERENCE THE UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES, 42nd EDITION, WITH CERTAIN OMISSIONS, CHANGES, AND ADDITIONS; PRESCRIBING ADDITIONAL REGULATIONS; PROVIDING CERTAIN PENALTIES AND REPEALING ORDINANCE No. 2182.

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

SECTION 1: That Chapter XI, Article 1, Section 11-101 of the Code of the City of Edgerton is hereby amended to read as follows:

11-101.UNIFORM CODE INCORPORATED. There is hereby incorporated by reference for the purpose of regulating public offenses within the corporate limits of the City of Edgerton, Kansas, that certain code known as the "Uniform Public Offense Code," 42nd Edition, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas, save and except such articles, sections, parts or portions as are omitted, deleted, modified, or changed by Section 11-102 of the existing Code of the City of Edgerton. One official copy of said Uniform Public Offense Code shall be marked or stamped "Official Copy as Adopted by Ordinance No. 2198 with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance and filed with the City Clerk to be open for inspection and available to the public at all reasonable hours.

SECTION 2: Repeal. Former Chapter XI, Article 1, Section 11-101 of the Edgerton Municipal Code is hereby repealed.

SECTION 3: Effective Date. This Ordinance shall be effective after its passage, approval and publication once in the City's official paper.

ADOPTED BY THE GOVERNING BODY AND APPROVED BY THE MAYOR OF EDGERTON, KANSAS ON THE 13th DAY OF AUGUST, 2026.

DONALD ROBERTS, Mayor _____

ATTEST:

DUSTI CALLAHAN, City Clerk _____

APPROVED AS TO FORM:

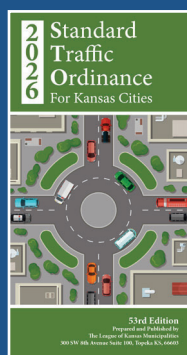
TODD LUCKMAN for
Stumbo Hanson, LLP, City Attorneys

Updates to the 2026 Standard Traffic Ordinance and the Uniform Public Offense Code

By: Sage Pourmirza, Staff Attorney, League of Kansas Municipalities

The season is upon us for League updates to the *Standard Traffic Ordinance* (STO) and the *Uniform Public Offense Code* (UPOC) in accordance with changes made by the Kansas Legislature. Despite the shortened legislative session, there are still several changes that were made to the STO and UPOC this year. This article details those changes.

ORDER THE UPDATED STO & UPOC AT WWW.LKM.ORG/PUBLICATIONS



Changes to the STO

Section 126.2.1 Use of a Mobile Telephone While Operating a Motor Vehicle in a School Zone or Road Construction Zone

This is a new section that comes from SB 366 and places a prohibition on using cellphones and other wireless communication devices in school zones during the time when the reduced speed is enforced, or in a road construction zone where workers are present.

Section 169.2 Use of Lights in Road Construction Zones

This newly added section, also from SB 366, expands the usage of certain colors of flashing lights in road construction zones.

Section 93. Parking Disabled and Other Vehicles

Here, we have a small change that expands the interference in subsection (b) to include law enforcement operations.

Section 126.1 Obstructing License Plates

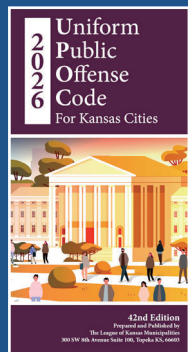
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Section 126.1.1 Display of License Plate

Subsection (c) was removed from this section and inserted into the aforementioned Section 126.1.

Section 201.1 Failure to Comply with a Traffic Citation

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Changes to the UPOC

Section 3.5.1 Unlawful Approach of a First Responder

S Sub for HB 2372 introduced a new law that makes it unlawful for anyone to be within 25 feet of a first responder while the first responder is engaged in the performance of their duties.

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Section 6.1 Theft

This section has a few language edits regarding the term “knowing,” and also adds in offenses for grain or hay, livestock, or motor vehicles between \$500 and \$1,500 in value.

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Subsections (b) and (c) were flipped in accordance with how K.S.A. 21-6302 is structured.

Section 11.11 Cruelty to Animals

A new subsection (c) was added to this section to provide a carve out for persons who are catching feral cats for the purpose of vaccination, spaying, or neutering, before returning them to the place they were caught.

Section 4.5 Buying Sexual Relations

This section was removed as this offense is now solely classified as a severity level 9, person felony, and no longer necessary for the UPOC.

 Sage Pourmirza is a Staff Attorney for the League of Kansas Municipalities. He can be reached at spourmirza@lkm.org.



City Council Action Item

Council Meeting Date: August 13, 2026

Department: Community Development

Agenda Item: Consider Ordinance No. 2195 Adopting The Recommendation Of The City Of Edgerton Planning Commission To Approve Application RZ2026-0001 For The Rezoning Of Approximately 20.95± Acres Of Land From The I-H (Heavy Industry) and L-P (Logistics Park) Districts To The L-P (Logistics Park) District Located At 32612 W. 191st Street.

Background/Description of Item: The City of Edgerton received rezoning application RZ2026-0001 for The DeLong Company, which includes 20.95± acres of land located at 32612 W. 191st Street. This request is to rezone the property from the I-H (Heavy Industry) and L-P (Logistics Park) Districts to the L-P (Logistics Park) District.

This rezoning is being requested to allow for the potential of the future use of a Cargo Container Storage and Maintenance facility on the subject property. Cargo Container Storage and Maintenance facilities require a Conditional Use Permit to operate within the L-P District. The applicant has submitted an application for a Conditional Use Permit (CU2026-0001), which will be considered on this agenda as well. The applicant also submitted an application for a Final Site Plan (FSP2026-0004) for a 2,400 square foot machine shed in the southwest corner of the property, which was approved by the Planning Commission at their July 14, 2026 meeting.

Staff reviewed this rezoning application with respect to the Edgerton Comprehensive Plan, the Edgerton Unified Development Code Zoning and Subdivision Regulations, and the laws of the State of Kansas, in particular the "Golden Criteria" as established by the Supreme Court of Kansas in 1978. The subject property is identified on the Future Land Use Map of the *Envision Edgerton 2050 Comprehensive Plan* as 'Business/Logistics Park', which the requested L-P District is consistent with.

The Planning Commission held a Public Hearing on July 14, 2026 regarding this rezoning request and voted to recommend approval of Application RZ2026-0001 with no stipulations. Draft minutes of the public hearing are included within this packet, along with the staff report provided for the Planning Commission.

Related Ordinance(s) or Statue(s): K.S.A. 12-741, et. Seq. to K.S.A. 12-771 – Establishment of the Unified Development Code; 12-757 – Zoning Amendments

Funding Source: N/A

Budget Allocated: N/A

Finance Director Approval: N/A

Recommendation: Approve Ordinance No. 2195 Adopting The Recommendation Of The City Of Edgerton Planning Commission To Approve Application RZ2026-0001 For The Rezoning Of Approximately 20.95± Acres Of Land From The I-H (Heavy Industry) And L-P (Logistics Park) Districts To The L-P (Logistics Park) District Located At 32612 W. 191st Street.

Enclosed:

- Draft Ordinance No. 2195
- Staff Report from July 14, 2026 Planning Commission Meeting
- Draft minutes from the July 14, 2026 Planning Commission Meeting

Prepared by: Zachary Moore, Development Services Director

ORDINANCE NO. 2195

AN ORDINANCE ADOPTING THE RECOMMENDATION OF THE CITY OF EDGERTON PLANNING COMMISSION TO APPROVE APPLICATION RZ2026-0001 FOR THE REZONING OF APPROXIMATELY 20.95± ACRES OF LAND FROM CITY OF EDGERTON I-H (HEAVY INDUSTRY) DISTRICT AND CITY OF EDGERTON L-P (LOGISTICS PARK) DISTRICT TO CITY OF EDGERTON L-P (LOGISTICS PARK) DISTRICT LOCATED AT 32612 W. 191ST STREET, EDGERTON, KANSAS.

WHEREAS, the Planning Commission of the City of Edgerton, Kansas received a request from DeLong Company, Inc., property owner of a parcel of land totaling approximately 20.95± acres, generally located northeast of the intersection of Homestead Lane and W. 191st Street, to rezone that property from City of Edgerton I-H (Heavy Industry) District and City of Edgerton L-P (Logistics Park) to City of Edgerton L-P (Logistics Park) District; and

WHEREAS, following a public hearing in front of the Planning Commission on July 14, 2026, the Planning Commission has recommended that the rezoning request for that property be approved; and

WHEREAS, all required newspaper and mailing notifications were performed.

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

Section 1. That the following legally described property generally located northeast of the intersection of Homestead Lane and W. 191st Street, is hereby rezoned from I-H (Heavy Industry) and L-P (Logistics Park) to L-P (Logistics Park), and that City Staff is hereby directed to reflect said rezoning in the City's Official Zoning map and other City records:

All that part of the Southwest quarter of Section 34, Township 14 South, Range 22 East, and part of a tract of land described as the J. A. Pearce Tract in the 1892 Re-Survey of said Section Township and Range, City of Edgerton, Johnson County, Kansas, said tract of land being more particularly described as follows:

Commencing at the Southwest corner of the Southwest quarter of said Section 34; thence N 88° 10' 27" E along the South line of said quarter section, a distance of 232.30 feet to the Point of Beginning; thence continuing N 88° 10' 27" E along said South line and also along the South line of said J.A Pearce Tract, a distance of 1095.14 feet to the Southwest corner of the Final Plat of MIDWEST GATEWAY, a subdivision of land in the City of Edgerton, Johnson County, Kansas; thence N 2° 16' 29" W along the West line of said MIDWEST GATEWAY, a distance of 1170.30 feet to the Northwest corner of said MIDWEST GATEWAY; thence S 53° 52' 24" W, a distance of 683.46 feet to a point on the West line of said J. A. Pearce Tract; thence N 1° 52' 40" W along said West line, a distance of 85.90 feet; thence S 53° 52' 24" W, a distance of 407.79 feet to a point of curvature; thence Southwesterly along a curve to the left, having a radius of 461.00 feet, a central angle of 40° 11' 07" and an arc distance of 323.33 feet to a point of non-tangency; thence S 1° 49' 33" E, a distance of 383.68

feet to the Point of Beginning. containing 912,609± Sq. Ft. or 20.951± Acres.

Section 2. The above rezoning is approved with no stipulations.

Section 3. That the Governing Body, in making its decision on the rezoning, based its decision on City Staff's comments and recommendations as they relate to the Golden criteria and otherwise, which are attached hereto. The Governing Body also based its decision on the following criteria:

- a) The extent to which there is a need in the community for the uses allowed in the proposed zoning.
- b) The character of the neighborhood, including but not limited to: zoning, existing and approved land use, platting, density (residential), natural features, and open space.
- c) Compatibility of the proposed zoning and uses permitted therein with the zoning and uses of nearby properties.
- d) The extent to which the zoning amendment may detrimentally affect nearby property has been addressed.
- 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 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 13th DAY OF AUGUST, 2026.

CITY OF EDGERTON, KANSAS

By: _____
Donald Roberts, Mayor

ATTEST:

Dusti Callahan, City Clerk

APPROVED AS TO FORM:

Todd Luckman for
Stumbo Hanson, LLP, City Attorneys

DELONG TRUCKING

Application RZ2026-0001
32612 W 191st Street

QUICK FACTS

PROJECT SUMMARY AND REQUESTED APPROVALS

The Applicant is requesting approval of Rezoning from I-H (Heavy Industrial) and L-P (Logistics Park) to L-P (Logistics Park).

Owner and Applicant

The DeLong Company,
Property Owner

Existing Zoning and Land Use

The property is currently zoned I-H (Heavy Industrial) District and L-P (Logistics Park). The property is currently developed with a grain silo and parking facility.

Parcel Size

20.951± acres

Staff Report Prepared by

Chris Clinton



BACKGROUND

1. Proposal

The applicant is requesting to rezone the subject property from the City of Edgerton I-H (Heavy Industrial) District and L-P (Logistics Park) District to the City of Edgerton L-P (Logistics Park) District to accommodate for the potential use of a cargo container storage and maintenance facility on the east side of the subject property. The current zoning designation, I-H, does not allow for the use of cargo container storage and maintenance facilities, however, the L-P District does allow that use as a conditional use. The applicant has applied for the Conditional Use Permit (CUP) which is on the same Planning Commission agenda as this application. The existing use of the grain silo on the west, should this application be approved, would be a use permitted by right as an agricultural use.

2. Subject Site History

The 20.951± acre subject property was annexed on March 25, 2010 (Ordinance 883) and the western portion of the property was rezoned to the I-H (Heavy Industrial) District on December 27, 2012 (Ordinance 934). The eastern portion of the property was rezoned to the L-P (Logistics Park) District on March 28, 2013 (Ordinance 937). The west portion of the subject property was developed under the requirements outlined in Final Site Plan S-12-21-12, which was revised in 2020 with changes made to the landscape plan (FS2020-10). The east parking area is developed under Final Site Plan FS2020-0004, which was amended in 2021 to include a gate on the site (FS2021-08).

REZONING REVIEW

Figure 1 below shows the current zoning of the neighboring properties:

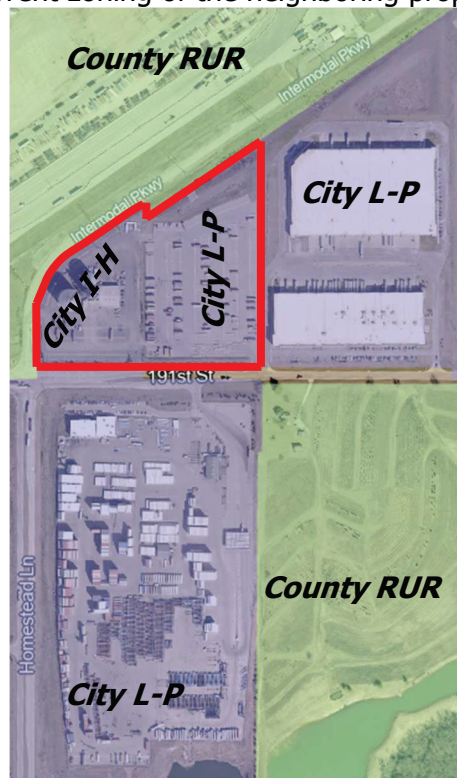


Figure 1 – Subject Property Outlined in Red

Figure 2 below shows the future land use designation for the area:

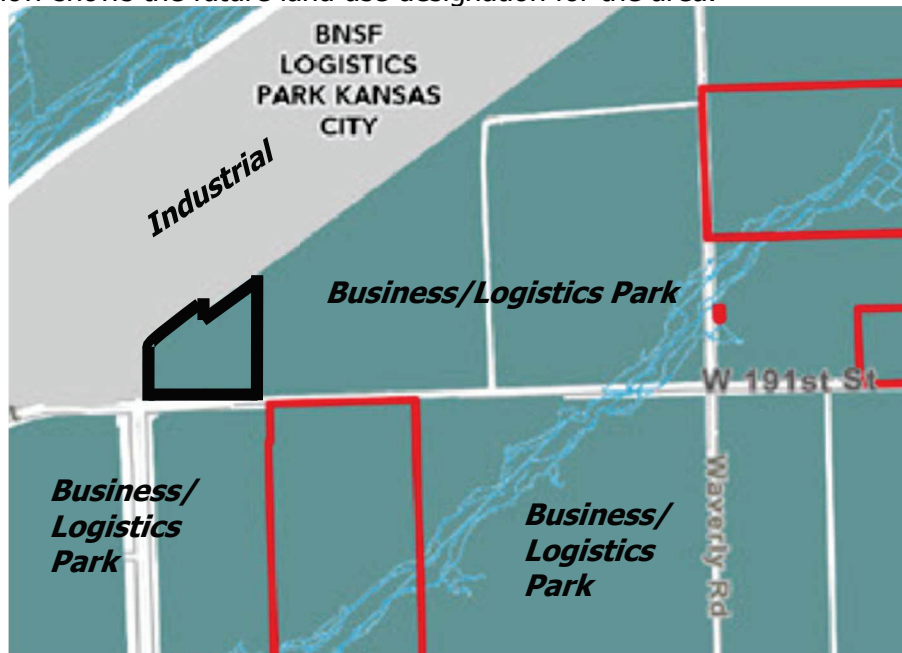


Figure 2 – Subject Property Outlined in Black

A. Zoning Analysis

Staff has reviewed the rezoning application with respect to the Edgerton Unified Development Code (UDC), the laws of Kansas, and the "Golden Criteria" as established by the Supreme Court of Kansas in 1978. Staff's analysis is listed below.

1. **The extent to which there is a need in the community for the uses allowed in the proposed zoning** – The applicant is requesting to rezone the subject property to L-P (Logistics Park). Uses permitted in the L-P District include but are not limited to agricultural; printing and publishing; laboratories and research facilities; and warehousing/distribution centers, including trucking and courier services; public warehousing and storage; and motor freight transportation terminals and maintenance facilities. As Logistics Park Kansas City (LPKC) has continued to grow, the need for warehousing and distribution support uses has as well.
2. **The character of the neighborhood, including but not limited to: zoning, existing and approved land use, platting, density (residential), natural features, and open space** –The property to the southeast is zoned Johnson County Rural (RUR) and is used for tree farming. That property is not platted. To the north and west is the Burlington Northern-Sata Fe (BNSF) Intermodal facility where cargo containers are removed and/or added to trains, which is currently zoned City of Edgerton Agriculture (A-G) and is not platted. The adjoining property to the east is developed with two (2) warehouses, both zoned Logistics Park (L-P) District. The warehouses have been platted and are on separate lots. The property to the south across W. 191st Street is developed with a cargo container storage and maintenance facility, also zoned Logistics Park (L-P) and is platted. There are no residential units near the subject property and the immediate area is industrial in nature.
3. **Compatibility of the proposed zoning and uses permitted therein with the zoning and uses of nearby properties** – The proposed L-P District is compatible with

the existing L-P zoned properties to the east and south of the subject property, as well as the BNSF Intermodal facility that is to the north and west of the subject property.

4. **Suitability of the uses to which the property has been restricted under its existing zoning** – The western portion subject property is currently zoned I-H, while the eastern portion is zoned L-P. The existing permitted uses on the property are suitable as the property has been developed under the existing regulations.
5. **Length of time the subject property has remained vacant under the current zoning designation** – The western portion of the subject property has been zoned I-H since late 2012 and the eastern portion of the property has been zoned L-P since 2013. The western portion of the property was developed in 2013 and the eastern portion of the property was developed in 2020.
6. **The extent to which the zoning amendment may detrimentally affect nearby property** – This property will not be detrimentally affected if zoned L-P as the nearby properties are developed under the L-P District.
7. **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.
8. **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** – Infrastructure for all required utilities exist onsite.
9. **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** – There will not be any adverse impacts on the road network as the existing road network in the area accommodates existing uses of the Logistics Park District in the vicinity.
10. **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 site is currently developed in accordance with the Unified Development Code and the requirements listed to prevent any excessive stormwater runoff, water pollution, air pollution, noise pollution, excessive nighttime lighting or other environmental harm.
11. **The economic impact on the community from the uses allowed in the proposed zoning** – The uses permitted in the L-P zoning district would generate increased property taxes and sales taxes for the City of Edgerton, which would be a significant positive impact on the community.
12. **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 no relative gain, if any, to the public health, safety, and welfare from the denial of this zoning application.
13. **Consistency with the Comprehensive Plan, Capital Improvement Plan, ordinances, policies, and applicable City Code of the City of Edgerton** – The subject property is designated Business/Logistics Park on the future land use map of the City's Comprehensive Plan, which the L-P District aligns with. The proposed zoning is also consistent with several goals of the Comprehensive Plan, including, but not limited to the following:

- a. **Goal 2.1:** Promote a balanced mix of land uses that supports growth and development.
 - b. **Goal 2.2:** Grow in an efficient and sustainable manner that considers the needs and impacts of expanding services.
 - c. **Goal 2.3:** Promote quality new development and infill redevelopment to ensure all areas of Edgerton continue to thrive.
 - d. **Goal 5.1:** Continue to support Edgerton's specialization in transportation and warehousing while also diversifying its economic base.
14. **The recommendation of professional staff** – Staff recommendation provided below.

STAFF RECOMMENDATION

Staff recommends approval of Rezoning **Application RZ2026-0001**, *DeLong Trucking*, with no stipulations.

Note: For Application RZ2026-0001 the Planning Commission is the recommending body for the application to the Governing Body. The Application will be presented to the Governing Body on August 13, 2026.

does not see the need for Commissioner Draskovich to recuse himself, but Commissioner Draskovich could recuse himself if he so wishes.

Commissioner Draskovich stated he does not want to have a lawsuit filed because of that issue. Ms. Beth Linn, City Administrator, added that there would need to be a connection of direct financial benefit between the company Commissioner Draskovich works for and the applicant for the item prior to the item going before the Commission. It would be a decision that he, as a Commissioner, would need to make.

Commissioner Draskovich asked about City Councilmember Josh Lewis, who is employed by Burns and McDonnell, working on data centers and not making votes regarding data centers. Ms. Linn replied that she is not commenting on City Councilmembers and welcomed Commissioner Draskovich to contact the City Attorney. She stated recusal should be considered if there is a direct personal benefit based on contracts and financial gain. Commissioner Draskovich said that there should not be any foxes in the henhouse and that is not how the City should be doing business. Ms. Linn reiterated it is about direct financial benefit. She stated neither her nor Mr. Moore are attorneys, but they can provide the contact information for the City Attorney if needed. Commissioner Draskovich stated he wanted to ask because it seems like an odd situation.

Business Requiring Action

6. RZ2026-0001: REZONING FOR DELONG TRUCKING LOCATED AT 32612 W 191ST STREET

Chairperson Mathos requested the applicant to present their application.

Mr. Matt Eblen, McClure Engineering, addressed the Commission. He said working with City staff has been helpful to get through this process. He said the property is located at 32612 W. 191st Street and is currently zoned I-H (Heavy Industrial), which was done in 2012 or 2013. He explained the building on west portion of the site was opened in September of 2013. The zonings and uses of the surrounding properties are either agricultural, logistics park, or rural agricultural/residential. The logistics park is to the north and west of the property. Industrial uses to the east and south and rural residential/agricultural to the southeast.

Chairperson Mathos requested that City staff present the staff report and their review of the application.

Mr. Chris Clinton, Planning and Zoning Coordinator, spoke before the Commission. He stated that the applicant is requesting to rezone the subject property from the City of Edgerton I-H (Heavy Industrial) District and L-P (Logistics Park) District to the City of Edgerton L-P District to accommodate the potential use of a cargo container storage and maintenance facility on the east side of the property. The current zoning designation of I-H does not allow for that use, but the L-P District does allow that use as a conditional use. The applicant has also applied for a Conditional Use Permit (CUP), to be heard later during this meeting. The existing use of the grain silo on the west portion of the property would be a permitted use by right as the L-P District does allow agricultural uses. The property was annexed on March 25, 2010 and the western portion that houses the grain silo was rezoned to I-H on December 27, 2012.

The eastern portion of the site that is currently a parking lot was rezoned to the L-P District on March 28, 2013. The original DeLong facility on the western portion of the subject property was developed under Final Site Plan S-12-21-12 and was later revised with changes to the landscaping in 2020 by Final Site Plan FS2020-10. The parking area to the east is developed under Final Site Plan FS2020-04, which was later amended in 2021 by Final Site Plan FS2021-08 to include the gate that is currently onsite.

Mr. Clinton said that staff has reviewed the rezoning application with respect to the Edgerton Unified Development Code (UDC), the laws of Kansas, and the "Golden Criteria" as established by the Supreme Court of Kansas in 1978. He explained that all of the criteria are outlined in the Staff Report, but he will highlight only a select few during his presentation.

The first of the criteria Mr. Clinton highlighted is the character of the neighborhood, including but not limited to: zoning, existing and approved land use, platting, residential density, natural features, and open spaces. He explained the property to the southeast is zoned Johnson County Rural (RUR) and is used for tree farming and is not platted. The property to the north and west is the Burlington Northern-Santa Fe (BNSF) Intermodal facility which is currently zoned City of Edgerton Agricultural (A-G) and is not platted. The adjacent property to the east is developed with two (2) warehouses on two (2) separate lots and is zoned City of Edgerton Logistics Park (L-P). He said the property to the south across W. 191st Street is developed with a cargo container storage and maintenance facility is also zoned L-P and is platted. There are no residential units near the subject property, and the immediate area is industrial in nature. Mr. Clinton informed the Commission of the compatibility proposed zoning and uses permitted therein with the zoning and uses of nearby properties is the next criterion and the proposed zoning of L-P is compatible with the surrounding properties to the east and south, as well as the BNSF Intermodal facility.

Mr. Clinton stated the next criterion is the length of time the subject property has remained vacant under the current zoning designation. The western portion of the subject property has been zoned Heavy Industrial (I-H) since late 2012 and the eastern portion of the property has been zoned L-P since 2013. He explained that the western portion of the property was developed in 2013 and the eastern portion of the property was developed in 2020. The next principle is the environmental impact that the uses allowed in the proposed zoning would create. He explained that the site is currently developed in accordance with the Unified Development Code (UDC) and the requirements listed to prevent any environmental harm have been met.

Mr. Clinton stated that the next criterion is the consistency with the Comprehensive Plan, Capital Improvement Plan, ordinances, policies, and applicable City Code. The subject property is designated Business/Logistics Park on the future land use map of the City's Comprehensive Plan, which the L-P District aligns with. The proposed zoning is also consistent with several goals of the Comprehensive Plan. Mr. Clinton stated that City staff does recommend approval of application RZ2026-0001 with no stipulations.

Chairperson Mathos explained the application requires a public hearing and opened the public hearing.

Ms. Carrie Schmidt, 30125 W 187th Street, Gardner, KS, addressed the Commission. She said she is there to put on the record and urge Mayor Roberts and the City Council to address a severe potential conflict of interest before any vote on the appeal of the denied Final Site Plan for the proposed DAMAC data center at 31800 W. 196th Street. She said City Councilmember Joshua Lewis is a Senior Government Audit and Contract Analysis for Burns and McDonnell.

Ms. Linn informed Ms. Schmidt that this isn't public comment like during City Council meetings as it is a public hearing related to this certain application. She said Chairperson Mathos has a statement from the City Attorney with information about what can be brought up during the public hearing.

Chairperson Mathos read the statement prepared by the City Attorney:

"The public is reminded that this is a meeting for the City business of zoning approvals which requires that the Commission focus on the issues presented to give a fair hearing to the applicant and those who may oppose the application. Please be fair and respectful to either of these parties by not addressing matters outside the application or the issues raised by it or matters currently before the Commission."

Ms. Schmidt countered that by stating that Commissioner Draskovich did speak about this and it is City business. Chairperson Mathos replied that it is not regarding the application before the Commission at this time. Commissioner Draskovich stated the comments do not fall in line with this application.

Mr. James Oltman, President of ElevateEdgerton!, 30750 W. 193rd Street, Edgerton, KS, spoke before the Commission. He stated he will be speaking about the business matter at hand. He is in support of the application. As the Staff Report mentions, when the Commission considers the neighboring uses as well as the current use and proposed use of the facility, the proposed rezoning does fit the nature of the area and the nature of Logistics Park Kansas City (LPKC) itself. The property was one (1) of the first tenants of LPKC and has been in operation for over a decade. He requested that the Commission take that into consideration and find that it fits with what is going on in LPKC.

Chairperson Mathos closed the public hearing.

Commissioner Draskovich said he believes it fits LPKC very well and moved to recommend approval of Rezoning Application RZ2026-0001. The motion was seconded by Commissioner Little. The motion carried with the following 4-0 vote:

Yes: Mathos, Little, Draskovich, Soemer
No: None

7. **CU2026-0001: CONDITIONAL USE PERMIT FOR DELONG TRUCKING LOCATED AT 32612 W 191ST STREET**

Chairperson Mathos requested the applicant present their application.

City Council Action Item

Council Meeting Date: August 13, 2026

Department: Community Development

Agenda Item: Consider Ordinance No. 2196 Adopting The Planning Commission's Recommendation To Approve A Conditional Use Permit (CU2026-0001) Allowing For A Cargo Container Storage And Maintenance Facility In The L-P (Logistics Park) District Located At 32612 W. 191st Street.

Background/Description of Item:

The City of Edgerton has received Application CU2026-0001 requesting a Conditional Use Permit (CUP) for a Cargo Container Storage and Maintenance Facility for the DeLong Company, located at 32612 W. 191st Street. These facilities are only permitted in the L-P (Logistics Park) District with an approved Conditional Use Permit, pursuant to Unified Development Code (UDC), Section 5.2.F.

The subject property is developed with a grain elevator and silo, an office, and a maintenance building for an agricultural company. The eastern portion of the 20.95± acres is improved with a parking lot, which is where the stacking will occur on-site, should this application be approved.

In order to recommend approval or disapproval of a proposed CUP, the Governing Body shall determine whether the proposed use is found to be generally compatible with surrounding development and is in the best interest of the City. In making such determination, Article 7, Section 7.1(C) of the UDC states that the Governing Body may consider all factors they deem relevant. City Staff has reviewed Application CU2026-0001 with respect to all these requirements and staff's analysis can be found in the staff report from the July 14, 2026 Planning Commission meeting, which is included in this packet. The staff report presented to the Planning Commission outlining the findings of staff's review is included in the packet.

On July 14, 2026 the City of Edgerton Planning Commission held a public hearing regarding Application CU2026-0001, and the Planning Commission recommended approval of the Conditional Use Permit, as stipulated in the staff report, with a 4-0 vote. Draft minutes of the public hearing are included within this packet, along with the staff report provided for the Planning Commission.

Related Ordinance(s) or Statue(s): UDC, Article 7

Funding Source: N/A

Budget Allocated: N/A

Finance Director Approval: N/A

Recommendation: Approve Ordinance No. 2196 Adopting The Planning Commission's Recommendation To Approve A Conditional Use Permit (CU2026-0001) Allowing For A Cargo Container Storage And Maintenance Facility In The L-P (Logistics Park) District Located At 32612 W. 191st Street.

Enclosed:

- Draft Ordinance No. 2196
- CU2026-0001 Staff Report prepared for the July 14, 2026 Planning Commission Meeting
- Excerpt from draft Minutes – July 14, 2026 Planning Commission Meeting

Prepared by: Zachary Moore, Development Services Director

ORDINANCE NO. 2196

AN ORDINANCE ADOPTING THE RECOMMENDATION OF THE CITY OF EDGERTON PLANNING COMMISSION TO APPROVE A CONDITIONAL USE PERMIT (CU2026-0001) ALLOWING A CARGO CONTAINER STORAGE AND MAINTENANCE FACILITY IN THE L-P (LOGISTICS PARK) DISTRICT LOCATED AT 32612 W. 191ST STREET, EDGERTON, KANSAS

WHEREAS, the City of Edgerton, Kansas received Application CU2026-0001 for a Conditional Use Permit from the Delong Company (the "Applicant") on May 26, 2026 for the property located at 32612 W. 191st Street, Edgerton, Kansas (the "Property"); and

WHEREAS, both at the time of application and at the time of the signing of this Ordinance, the property is owned by the Applicant; and

WHEREAS, the Applicant is requesting permission to operate, pursuant to the terms of a Conditional Use Permit, a Cargo Container Storage and Maintenance Facility; and

WHEREAS, the Edgerton Planning Commission held a public hearing on July 14, 2026 regarding the requested Conditional Use Permit in accordance with the requirements as set forth in the Edgerton Zoning Regulations; and

WHEREAS, the Edgerton Planning Commission voted to approve the Conditional Use Permit request for a period of ten (10) years, conditioned on the following being adhered to by the Applicant and any future owner or tenant of the Property within that ten-year period.

1. The noise level of the operations must not exceed 60 dB(A) in any adjacent residential district or 70 dB(A) in any adjacent commercial or industrial district or property.
2. Cargo container and chassis stacking may not exceed five (5) in number at all times.
3. The setback of all stacked cargo containers or chassis must always be equal or greater than the height of the stacked cargo containers or chassis.
4. All facilities must abide by any and all governmental rules, regulations, codes and specifications now in effect or hereafter adopted that would be applicable to this permit or the use of the property by the applicant/landowner.
5. This Conditional Use Permit will be valid for ten (10) years from the date of approval by the City of Edgerton Governing Body.

WHEREAS, the City Governing Body, after reviewing the Conditional Use Permit and considering the criteria set forth in Article 7 of the City Zoning regulations and the recommendations of the Planning Commission, finds the Conditional Use Permit should be approved upon the terms described above.

WHEREAS, all required newspaper and mailing notifications were performed.

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

Section 1. The proposed Conditional Use Permit for a Cargo Container Storage and Maintenance Facility is hereby approved for the property located at 32612 W. 191st Street, more accurately described as follows:

All that part of the Southwest quarter of Section 34, Township 14 South, Range 22 East, and part of a tract of land described as the J. A. Pearce Tract in the 1892 Re-Survey of said Section Township and Range, City of Edgerton, Johnson County, Kansas, said tract of land being more particularly described as follows:

Commencing at the Southwest corner of the Southwest quarter of said Section 34; thence N 88° 10' 27" E along the South line of said quarter section, a distance of 232.30 feet to the Point of Beginning; thence continuing N 88° 10' 27" E along said South line and also along the South line of said J.A Pearce Tract, a distance of 1095.14 feet to the Southwest corner of the Final Plat of MIDWEST GATEWAY, a subdivision of land in the City of Edgerton, Johnson County, Kansas; thence N 2° 16' 29" W along the West line of said MIDWEST GATEWAY, a distance of 1170.30 feet to the Northwest corner of said MIDWEST GATEWAY; thence S 53° 52' 24" W, a distance of 683.46 feet to a point on the West line of said J. A. Pearce Tract; thence N 1° 52' 40" W along said West line, a distance of 85.90 feet; thence S 53° 52' 24" W, a distance of 407.79 feet to a point of curvature; thence Southwesterly along a curve to the left, having a radius of 461.00 feet, a central angle of 40° 11' 07" and an arc distance of 323.33 feet to a point of non-tangency; thence S 1° 49' 33" E, a distance of 383.68 feet to the Point of Beginning. containing 912,609± Sq. Ft. or 20.951± Acres.

Section 2. The Conditional Use Permit approved by this Ordinance is expressly conditioned on the Applicant/Owner's strict compliance with the five (5) conditions set forth on the previous page, which were recommended by the Edgerton City staff, Planning Commission, and approved by the Edgerton City Council.

Section 3. The validity of this Conditional Use Permit is conditioned upon the strict compliance by the Applicant/Owner with the provisions contained herein as well as strict compliance with the City of Edgerton Zoning Regulations. Should the Applicant/Owner fail to comply with any term or provision thereof and should such failure continue following written notice from the City to the Applicant/Owner specifying the breach and actions to be taken to cure the same, then, at the direction of the City Administrator, the Applicant/Owner will be notified that this Conditional Use Permit is revoked, and all uses permitted herein on the Property must immediately cease. Reinstatement following default may only occur through action of the Governing Body. Wholly separate and apart from the specific conditions of the City's Zoning Regulations are the City's interest and duties to protect the public health, safety and welfare. The Applicant/Owner agrees that this Ordinance shall not operate or be construed to impede or impair the lawful function of City government operation in this area.

Section 4. This Ordinance shall take effect and be enforced from and after its publication once in the official City newspaper. All Zoning Regulations of the City of Edgerton, Kansas affecting the use of the Property heretofore described which are inconsistent with this Ordinance are hereby made inapplicable to said Property until the Conditional Use Permit expires, is vacated, or is declared null and void.

ADOPTED BY THE GOVERNING BODY AND APPROVED BY THE MAYOR OF THE CITY OF
EDGERTON, KANSAS ON THE 13th DAY OF AUGUST, 2026.

CITY OF EDGERTON, KANSAS

By: _____
Donald Roberts, Mayor

ATTEST:

Dusti Callahan, City Clerk

APPROVED AS TO FORM:

TODD LUCKMAN for
Stumbo Hanson, LLP, City Attorneys

DELONG TRUCKING

Application CU2026-0001
32612 W 191st Street

QUICK FACTS

PROJECT SUMMARY AND REQUESTED APPROVALS

The Applicant is requesting approval of Conditional Use Permit for a Cargo Container Storage and Maintenance Facility.

Owner and Applicant

The DeLong Company,
Property Owner

Existing Zoning and Land Use

The property is currently zoned I-H (Heavy Industrial) District and L-P (Logistics Park) L-P and is requested to be rezoned to the L-P (Logistics Park) District (RZ2026-0001), to be considered on the same Planning Commission agenda. The property is currently developed with a grain silo and parking facility.

Parcel Size

20.951± acres

Staff Report Prepared by

Chris Clinton



BACKGROUND

1. *Proposal*

The applicant is requesting a Conditional Use Permit (CUP) for a cargo container storage and maintenance facility at 32612 W. 191st Street. Part of the current zoning designation, I-H (Heavy Industrial), does not allow for the use of cargo container storage and maintenance facilities, however, the applicant has submitted a rezoning application for the entire property to the L-P (Logistics Park) District, which does allow that use with a CUP. The rezoning request will be presented to the Planning Commission on the same agenda as this application. Along with this proposal, a maintenance building is proposed on the southwest corner of the eastern parking area. No changes are proposed to the west portion of the subject parcel, where the agricultural uses exist. The applicant is proposing stacking to only take place in the east parking area and the applicant has indicated that all of the stacking will meet the outlined setbacks.

2. *Subject Site History*

The 20.951± acre subject property was annexed on March 25, 2010 (Ordinance 883) and the western portion of the property was rezoned to the I-H (Heavy Industrial) District on December 27, 2012 (Ordinance 934). The eastern portion of the property was rezoned to the L-P (Logistics Park) District on March 28, 2013 (Ordinance 937). The west portion of the subject property was developed under the requirements outlined in Final Site Plan S-12-21-12, which was revised in 2020 with changes made to the landscape plan (FS2020-10). The east parking area is developed under Final Site Plan FS2020-0004, which was amended in 2021 to include a gate on the site (FS2021-08).

Figure 1 below shows the current zoning of the neighboring properties:

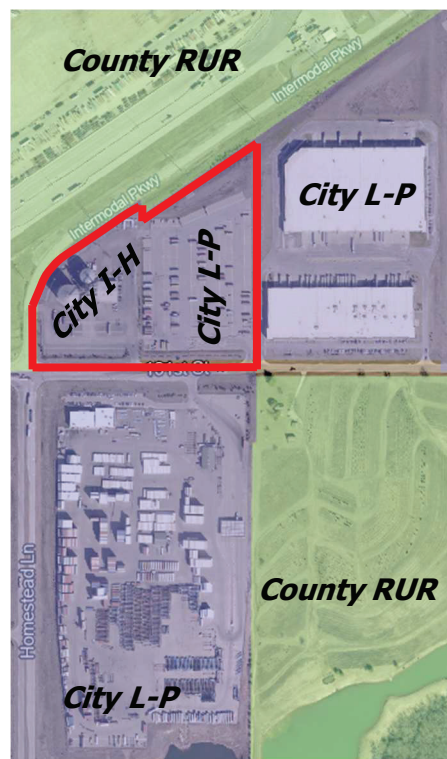


Figure 1 – Subject Property Outlined in Red

CONDITIONAL USE PERMIT REVIEW

Figure 2 below shows the future land use designation for the area:



Figure 2 – Subject Property Outlined in Black

Section 7.2.J.8 Specific District Requirements – Cargo Container Storage, Repair or Maintenance

Section 7.2.J.8 of the Unified Development Code (UDC) outlines specific requirements that must be met and information that must be provided from the submittal to be complete and code compliant. The following is a summary of those requirements.

- a. **Access:** The site has an access point strictly for the parking lot on the east portion of the subject site. There is another access point to the subject property off of Intermodal Parkway. There is an exit onto W. 191st Street that is right-out only to the west of the parking facility access point. The different access points prevent any stacking on the public streets or easements. There are no proposed changes to the existing access with this application.
- b. **Exterior Lighting:** The applicant has provided a photometric plan that meets the requirements of Section 10.1 of the UDC. All lighting will be kept onsite and will not spill onto neighboring properties. The gate system does emit light while a vehicle passes through but will turn off shortly afterwards.
- c. **Minimum Lot Size:** The legal description provided on the Final Site Plan indicates that the site is 20.951± acres. This meets the UDC requirements of a lot size minimum of 20 acres.
- d. **Noise:** The applicant has noted the requirements on the Final Site Plan and has acknowledged that the requirement to not exceed 60 dB(A) adjacent to residential properties and 70 dB(A) adjacent to nonresidential properties must be met at all times.
- e. **Paving:** The existing parking lot on the subject parcel is paved with asphalt and will remain as such.
- f. **Parking:** A table of parking spaces has been provided by the applicant. The added machine shop will result in a loss of 13 spaces on the site overall. No loading areas are to be used for the storage of containers, either on or off a trailer, or chassis. The proposal meets the requirements of the UDC.

- g. Cargo Container Stacking: The applicant has noted the requirements that cargo containers cannot be stacked more than five (5) high on the Final Site Plan and acknowledges the stipulation that the requirement must be met at all times.
- h. Chassis Stacking/Racking: The applicant has noted the requirements that chassis cannot be stacked or racked more than five (5) high on the Final Site Plan and acknowledges the stipulation that the requirement must be met at all times.
- i. Screening and Landscaping: The applicant included a previously approved landscape plan from the previous development of the property. The landscape plan provided meets the standards outlined in the UDC.
- j. Setbacks and Separation Distance: The applicant has noted that the setback will be greater than or equal to the height of the stacking as required per the UDC. The applicant has acknowledged this requirement must always be met.
- k. Signage: No new signage is proposed with this application, and any signage must meet the requirements of Article 12, Signs, of the UDC.
- l. Site Plan: A Final Site Plan (FSP2026-0004) has been submitted and will be presented to the Planning Commission on the same agenda. Additional review comments regarding the Final Site Plan are noted in the associated Staff Report for that application.
- m. Other Rules and Regulations: The applicant has acknowledged the stipulation regarding all governmental rules, regulations, code and specifications must be met at all times.
- n. Deviations: There are no deviations proposed with this application.

Article 7 Conditional Uses

City staff reviewed the Conditional Use Permit request under the requirements outlined in Article 7 – Conditional Uses of the Unified Development Code (UDC).

The purpose of this article is to provide for certain uses, which because of their unique characteristics cannot be distinctly listed as a permitted use in a particular zoning district. The Planning Commission may recommend approval of Conditional Uses to the Governing Body after consideration in each case of the impact of such uses upon neighboring uses, the surrounding area, and the public need for the particular use at the particular location. Limitations and standards are herein established to ensure the use's consistency with the character, uses and activities in the zoning district. Before any Conditional Use may be approved, the Governing Body shall review the record of the public hearing held by the Planning Commission.

The Planning Commission, in accordance with the procedures and standards of the UDC, may recommend the Governing Body authorize buildings, structures, and uses as Conditional Uses in specific instances and in particular districts set forth provided that:

- a. the location is appropriate and consistent with the Comprehensive Plan;
- b. that the public health, safety, morals, and general welfare will not be adversely affected;
- c. the necessary safeguards will be provided to surrounding property, persons, and neighborhood values; and
- d. further provide that additional standards of this Article be specified as a condition of approval.

Section 7.1.C – Issuance of Conditional Uses

Criteria. In order to recommend approval or disapproval of a proposed Conditional Use Permit, both the Planning Commission and the Governing Body shall determine whether the proposed use is found to be generally compatible with surrounding development and is in the best interest of the City. In making such determination, the Planning Commission and Governing Body may

consider all factors they deem relevant to the questions of compatibility and the best interest of the City, including the following:

1. The extent to which there is a need in the community for the proposed use.
 - a. *Demand for businesses to store and maintain cargo containers and chassis, such as the facility proposed here, is a by-product of the activity in and around the intermodal facility and Logistics Park Kansas City (LPKC). The primary function of LPKC is to transport and redistribute containers and the products they contain. The ability for the existing business on the subject property to add cargo container stacking will support existing business operations.*
2. The character of the neighborhood, including but not limited to: zoning, existing and approved land use, platting, density (residential), natural features, and open space.
 - a. *The subject parcel is currently zoned I-H (Heavy Industrial), however, the Planning Commission will hear a rezoning application to rezone the subject parcel to L-P (Logistics Park) prior to this agenda item. The subject property is abutted by L-P zoned properties to the east and south. There is a property to the southeast that is currently zoned Johnson County RUR (Rural) that is being used for tree farming. To the north and west of the subject property is Agricultural (A-G) zoned property that is home to the Intermodal Facility ran by the Burlington Northern Santa Fe (BNSF) railroad.*
3. The nature and intensity of the proposed use and its compatibility with the zoning and uses of nearby properties. Such determination should include the location, nature, and height of structures, walls, fences, and other improvements connected with the proposed use, their relation to adjacent property and uses, and the need for buffering and screening.
 - a. *The proposed use of cargo container storage and maintenance is an ancillary use to the overall LPKC development and is compatible with the L-P zoning designations of properties to the north, east, and south. The only proposed change to the site is the introduction of stacking cargo containers and the maintenance facility in the southwest corner of the current parking area. Cargo container stacking and storage exists on the property across 191st Street to the south.*
4. Suitability of the uses of the property without the proposed conditional use permit.
 - a. *The subject property is currently has a grain silo, which is a permitted use under the L-P zoning district. The eastern portion of the site is a parking lot. Many of the uses in the proposed L-P District would be suitable on the subject property.*
5. Length of time the subject property has remained vacant without the proposed conditional use permit.
 - a. *The grain silo was approved and constructed in 2013 and the parking facility on-site was constructed in 2020.*
6. The extent to which the proposed use may detrimentally affect nearby property.
 - a. *The addition of stacking will not detrimentally affect nearby properties. The required setbacks will be adhered to so if containers were to fall, they would end on the applicant's property. There is no new impervious surface that is being added to the property, so there will be no changes to stormwater runoff.*

7. The adequacy of ingress and egress to and within the site of the proposed use, traffic flow and control, the adequacy of off-street parking and loading areas, the adequacy of required yard and open space requirements and sign provisions.
 - a. *There are no proposed changes to the ingress and/or egress of the site. City staff has not received any complaint regarding the current traffic flow with the subject property.*
8. The availability and adequacy of required utilities and services to serve the proposed use. 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.
 - a. *All utilities are onsite as the property is already developed.*
9. The extent to which the proposed use would adversely affect the capacity or safety of that portion of the road network influenced by the proposed use, or present parking problems in the vicinity of the property.
 - a. *There will be no new affect to the capacity of safety of the road network or present any parking problems.*
10. The environmental impacts that the proposed use 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.
 - a. *The applicant has acknowledged the noise requirements for these facilities and will ensure that it is met at all times. City staff has not received any noise complaints from any of the other cargo container facilities located in Logistics Park Kansas City (LPKC). A photometric plan has been submitted and meets the requirements for site lighting outlined in Section 10.1.G. There are no changes proposed to the stormwater management plan and the runoff will not change with this proposal. There are no other potential environmental concerns with the addition of cargo container stacking.*
11. The economic impact of the proposed use on the community.
 - a. *The allowance of stacking would allow the property owner to keep and bring in additional clients while improving operational efficiency. This will help support LPKC as it continues to grow.*
12. The relative gain (if any) to the public health, safety, and welfare from a denial of the application for conditional use permit as compared to the hardship imposed upon the conditional use applicant from such denial.
 - a. *There would be little to no gain to the public health, safety, and welfare of the City of Edgerton and the property owner should this request be denied.*
13. Consistency with the Comprehensive Plan, Capital Improvement Plan, ordinances, policies, and applicable City Code of the City of Edgerton, and the general safety, health, comfort and general welfare of the community.
 - a. *The Future Land Use Map within the Comprehensive Plan designates the subject property Business/Logistics Park. The proposed cargo container storage facility is a support use for the surrounding LPKC and aligns with the Future Land Use Map designation of Business/Logistics Park.*

14. In addition to the above criteria, the recommendation of professional staff is also required per Ordinance 798 (2005). Staff recommendations are addressed in the Recommendations Section of this Staff Report.

DOCUMENTS INCLUDED IN PACKET

Sheet #	Title	Date on Document
C001	Cover Sheet	May 26, 2026
C002	Existing Conditions	May 26, 2026
C100	Overall Site Plan	May 26, 2026
C101	Site & Utility Plan	May 26, 2026
C201	Grading & Erosion Control	May 26, 2026
C202	Erosion Control Details	May 26, 2026
C301	Truck Turning Movements	May 26, 2026
E101	Site Lighting	May 26, 2026
L101	Landscape Plan	May 26, 2026

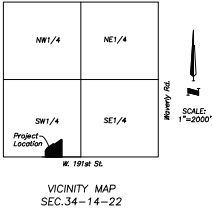
STAFF RECOMMENDATION

Staff recommends approval of Conditional Use Permit **Application CU2026-0001, DeLong Trucking**, with the following stipulations:

1. The noise level of the operations must not exceed 60 dB(A) in any adjacent residential district or 70 dB(A) in any adjacent commercial or industrial district or property.
2. Cargo container and chassis stacking may not exceed five (5) in number at all times.
3. The setback of all stacked cargo containers or chassis must always be equal to or greater than the height of the stacked cargo containers or chassis.
4. All facilities must abide by any and all governmental rules, regulations, codes and specifications now in effect or hereafter adopted that would be applicable to this permit or the use of the property by the applicant/landowner.

Note: For Application CU2026-0001 the Planning Commission is the recommending body for the application to the Governing Body. The Application will be presented to the Governing Body on August 13, 2026.

FINAL SITE PLAN
DELONG GRAIN - MACHINE SHED
CITY OF EDGERTON, JOHNSON COUNTY, KS
SEC. 34-14-22



LEGAL DESCRIPTION:

All that part of the Southwest quarter of Section 34, Township 14 South, Range 22 East, and part of a tract of land described as the J. A. Pearce Tract in the 1892 Re-Survey of said Section Township and Range, City of Edgerton, Johnson County, Kansas, said tract of land being more particularly described as follows:

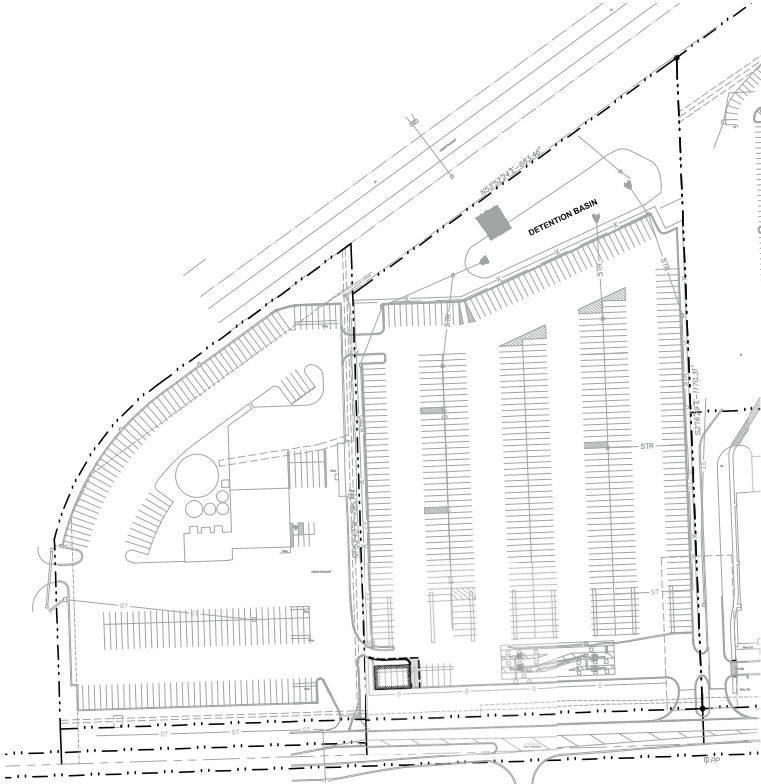
Commencing at the Southwest corner of the Southwest quarter of said Section 34; thence N 88° 10' 27" E along the South line of said quarter section, a distance of 232.30 feet to the Point of Beginning; thence continuing N 88° 10' 27" E along said South line and also along the South line of said J.A. Pearce Tract, a distance of 1095.14 feet to the Southwest corner of the Final Plat of MIDWEST GATEWAY, a subdivision of land in the City of Edgerton, Johnson County, Kansas; thence N 2° 16' 29" W along the West line of said MIDWEST GATEWAY, a distance of 1170.30 feet to the Northwest corner of said MIDWEST GATEWAY; thence S 53° 52' 24" W, a distance of 683.46 feet to a point on the West line of said J. A. Pearce Tract; thence N 1° 52' 40" W along said West line, a distance of 85.90 feet; thence S 53° 52' 24" W, a distance of 407.79 feet to a point of curvature; thence Southwesterly along a curve to the left, having a radius of 461.00 feet, a central angle of 40° 11' 07" and an arc distance of 323.33 feet to a point of non-tangency; thence S 1° 49' 33" E, a distance of 383.68 feet to the Point of Beginning, containing 912.609± Sq. Ft. or 20.951± Acres.

CERTIFICATE:
RECEIVED AND PLACED ON RECORD THIS _____ DAY OF _____, 2026.

ZONING ADMINISTRATOR
APPROVED BY THE EDGERTON CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2026.

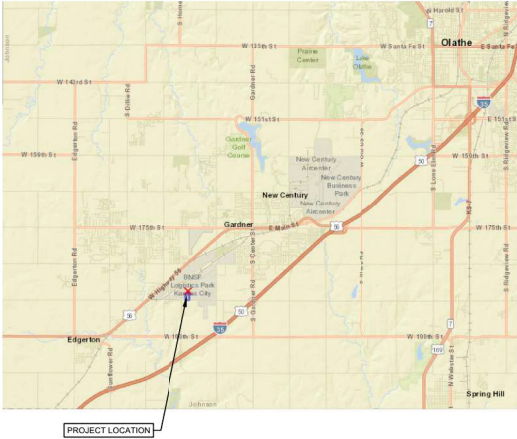
CHAIR OF THE PLANNING COMMISSION
I CERTIFY THAT I HAVE REVIEWED THIS SITE PLAN AND WILL COMPLY WITH ALL THE SPECIFICATIONS, CHANGES, AND AMENDMENTS HEREIN, AND THAT THIS INSTRUMENT CREATES A LEGALLY ENFORCEABLE OBLIGATION TO BUILD AND DEVELOP IN ACCORDANCE WITH ALL FINAL AGREEMENTS.

APPLICANT SIGNATURE: _____ DATE: _____
TITLE: _____ ORGANIZATION: _____



SHEET INDEX	
SHEET	TITLE
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C002	EXISTING CONDITIONS
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C101	SITE & UTILITY PLAN
C201	GRADING & EROSION CONTROL
C202	EROSION CONTROL DETAILS
C301	TRUCK TURNING MOVEMENTS
E101	SITE LIGHTING
L101	LANDSCAPE PLAN

OWNER: DELONG CO., INC CONTACT NAME: EMAIL: PHONE: ADDRESS:		PATRICK DELONG PDELONG@DELONGCOMPANY.COM 608.676.2255x1220 214 ALLEN STREET P.O. BOX 552 CLINTON, WI 53525
PLANNER & CIVIL ENGINEER MCCLURE ENGINEERING CO. CONTACT NAME: EMAIL: PHONE: ADDRESS:		MATT EBLEN MEBLEN@MCCLUREVISION.COM 816.756.0444 1700 SWIFT ST STE 100 NORTH KANSAS CITY, MO 64118
LANDSCAPE ARCHITECT MCCLURE ENGINEERING CO. CONTACT NAME: EMAIL: PHONE: ADDRESS:		ANTHONY DePRIEST ADEPRIEST@MCCLUREVISION.COM 816.756.0444 1700 SWIFT ST STE 100 NORTH KANSAS CITY, MO 64118
PROJECT ADDRESS DELONG CO. 32612 W 111ST STREET EDGERTON, KS 66021		



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DELONG GRAIN MAINTENANCE SHED
FINAL SITE PLAN
EDGERTON, JOHNSON COUNTY, KANSAS

DRAWING ISSUANCE
FINAL PROJECT PLAN 05.28.2026

DRAWING REVISIONS



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COVER SHEET

C001



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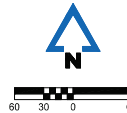
PROJECT NUMBER
2020000407-010

EXISTING
CONDITIONS

C002

EXISTING SURVEY LEGEND

WATER FIRE HYDRANT IRRIGATION VALVE WATER MARKER WATER VALVE WATER METER	STORM SEWER STORM SEWER MANHOLE DRAINAGE INTAKE TRAFFIC TRAFFIC HANDHOLE GENERAL SITE FEATURES BOLLARD GUY WIRE SIGN- DOUBLE POST SIGN- SINGLE POST UTILITY POLE CAMERA POLE ELECTRIC RISER LIGHT POLE W/ CONC. BASE MONUMENTS CONTROL POINT MONUMENT FOUND (FIRST TYPE)	LINEWORK SS- SANITARY SEWER FM- SANITARY SEWER FORCE MAIN ST- STORM SEWER W- WATER OE- OVERHEAD ELECTRIC C- UNDERGROUND COMMUNICATIONS FO- UNDERGROUND FIBER OPTIC G- GAS CL- CHAIN LINK FENCE T- TOP/BOTTOM OF SLOPE I- INTERMEDIATE CONTOUR O- INDEX CONTOUR	ABBREVIATIONS CP- CONTROL POINT BM- BENCHMARK RW- RIGHT-OF-WAY ASPH- ASPHALT CONC- CONCRETE FL- FLOWLINE RM- ELEVATION AT RIM W- WITH TYP- TYPICAL HDPE- HIGH-DENSITY POLYETHYLENE PIPE
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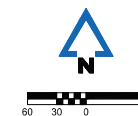


PROPERTY SURFACE SUMMARY			
SUMMARY OF EXISTING CONDITIONS		SUMMARY AFTER PROJECT COMPLETION	
DESCRIPTION	AREA (FT ²)	DESCRIPTION	AREA (FT ²)
TOTAL BUILDINGS	14,401.64	TOTAL BUILDINGS	16,802.64
TOTAL PAVEMENT	648,058.84	TOTAL PAVEMENT	646,265.84
TOTAL IMPERVIOUS	662,460.48	TOTAL IMPERVIOUS	662,460.48
TOTAL PERVIOUS	250,148.52	TOTAL PERVIOUS	250,148.52
TOTAL PROPERTY AREA	912,609	TOTAL PROPERTY AREA	912,609

GENERAL NOTES:
1. EXISTING PARKING STALLS ARE 10' X 40'.
2. FINAL DRAINAGE STUDY WILL BE SUBMITTED WITH FINAL CONSTRUCTION DOCUMENTS.
3. EXISTING ZONING = H-1H
4. PROPOSED ZONING = L-1
5. THE PLAN SHOWS THE BUILD-UP, SITE IMPROVEMENTS TO BE COMPLETED IN ONE PHASE.
6. THE MINIMUM LOT SIZE OF 26 ACRES STIPULATED IN THE CONDITIONAL USE NOTE "C" BELOW WAS DISCUSSED WITH THE CITY IN SJ1203262 AND IT WAS AGREED THAT THIS REQUIREMENT WOULD BE MET BY UTILIZING THE AREA OF 30.36 ACRES OF THE 32.56 ACRES OF THE SITE. THE REQUIREMENT IS RECORDED IN BOOK 30399, PG 9286.
7. ALL NEW CULVERT TANKS TO BE ON SITE WILL BE LOCATED BELOW GROUND AND MEET THE REQUIREMENTS OF SECTION 5.2.4.2 OF THE UDC.
8. THERE ARE NO PROPOSED CHANGES TO ANY EXISTING LOT LINES.
9. EXISTING BUILDING DIMENSIONS ARE 60' (11' X 10') X 152' (8' X 10'). A TOTAL OF 2,400 SQ FT

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 MORE THAN 3 MINUTES AT ANY ONE TIME DURING LOADING/UNLOADING OPERATIONS. IDLING SHALL BE RESTRICTED TO NO MORE THAN 30 MINUTES AT ANY 60 MINUTE PERIOD. THE FOLLOWING EXCEPTIONS SHALL APPLY TO THIS SECTION:
- A. EMERGENCY VEHICLES OR VEHICLES PERFORMING 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 IDLING DURATION DOES NOT APPLY TO VEHICLES THAT ARE IDLING TO PROVIDE CABIN COOLING OR HEATING.
- C. VEHICLES OPERATING EQUIPMENT SUCH AS AIR CONDITIONING, HEATING, MICROWAVE OVEN, OR TELEVISIONS EXCEPT WHEN NECESSARY FOR SAFETY OR HEALTH EMERGENCY;
- C. VEHICLES IN NON-EXTREME HOT OR COLD WEATHER;
2. ONE ELECTRICAL HOOK-UP SHALL BE PROVIDED FOR "TRUCKER PLUG-IN'S" 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 IDLING SHALL BE REQUESTED, BUT SHALL NOT BE APPROVED UNLESS THE APPLICANT DEMONSTRATES THAT THEY ARE AT LEAST AS EFFECTIVE AS REDUCING IDLING.
3. SONS SHALL BE PROVIDED BY OWNER(S) OF THE FACILITY FOR EACH VEHICLE ENTRANCE TO THE FACILITY TO BE TRUCKING IN/OUT OF THE FACILITY. 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 LINED FOR COMMERCE OR RESIDENCE. THE CITY OF CHICAGO SHALL PROVIDE ALTERNATIVE MEASURES INCLUDING THE POSSIBLE INSTALLATION OF A WALL OR OTHER BARRIER MEASURES TO ASSURE PROPERLY REDUCED FUEL CONSUMPTION AND AIR POLLUTION DURING OPERATIONS, UNLESS THE TRUCKING COMPANY AND FACILITY AGREE TO SAY HEAVY DUTY DIESEL TRUCK OPERATIONS CONSENT AND AGREE, IN WRITING TO:
- A. REDUCE THE LOCATION OF TRUCKING OPERATIONS WITHIN 300 FEET OF ANY PROPERTY ZONED FOR AND COMMITTED TO RESIDENTIAL USE, AND
- B. RESTRICT AREAS FOR THEIR PROPERTY LOCATED WITHIN 300 FEET OF ADJACENT TRUCKING OPERATIONS TO THE LOCATION OF TRUCKING OPERATIONS.



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EDGERTON, JOHNSON COUNTY, KANSAS

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FINAL PROJECT PLAN 05.26.2026



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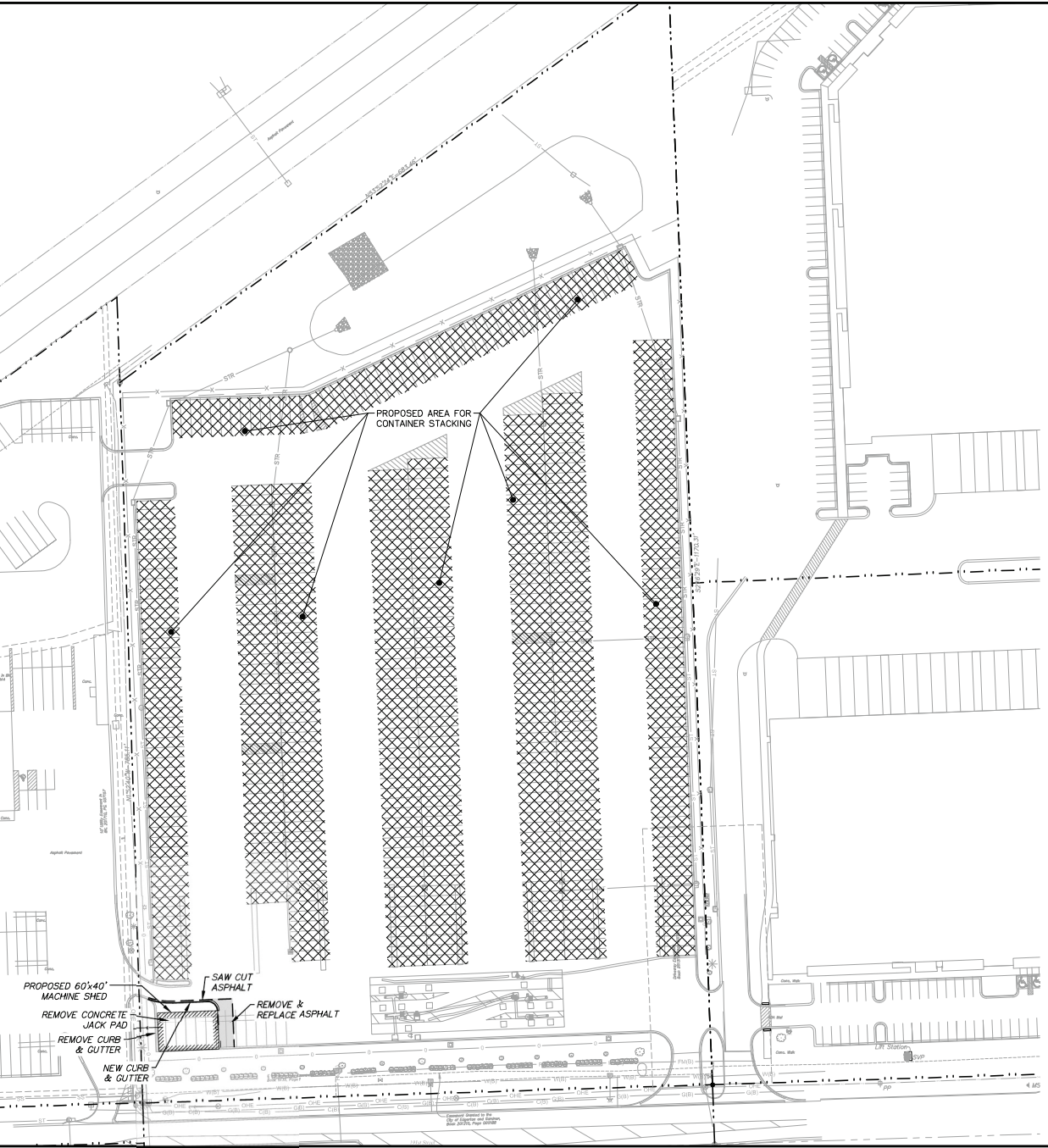
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MEC PROJECT NUMBER
2026000407-010OVERALL SITE
PLAN

C100

P: 2026000407-010 - NEW MACHINE SHED DELONG COMPANY (A - DRUMMIST) CIVIL SITE PLAN - MACHINE SHED (2026000407-010 DMLWMS) [DATE: 7/24/2019]



- CARGO CONTAINER STORAGE, REPAIR OR MAINTENANCE FACILITY PERFORMANCE PROVISIONS: (ARTICLE 7, CONDITIONAL USE, 7.2-J LOGISTICS PARK DISTRICT)
- A. ACCESS: NO CARGO CONTAINERS OR SEMI-TRAILERS (EITHER ON OR OFF A CHASSIS), OR A CHASSIS, MAY BE STORED IN A MANNER THAT IMPEDES ACCESS TO PUBLIC RIGHTS-OF-WAY, PUBLIC UTILITY OR DRAINAGE EASEMENTS, STRUCTURES, AND BUILDINGS.
 - B. EXTERIOR LIGHTING: FACILITIES SHALL PROVIDE LIGHTING ON-SITE, INCLUDING AT ALL VEHICULAR ENTRANCES AND EXITS. A LIGHTING PLAN SHALL BE SUBMITTED AND APPROVED.
 - C. MINIMUM LOT SIZE: FACILITIES SHALL HAVE A MINIMUM LOT SIZE OF TWENTY (20) ACRES.
 - D. NOISE: NOISE FROM BUSINESSES AND FACILITIES SHALL NOT EXCEED 60 DB(A) IN ANY ADJACENT RESIDENTIAL DISTRICT OR TO 70 DB(A) IN ANY ADJACENT COMMERCIAL OR INDUSTRIAL DISTRICT OR PROPERTY.
 - E. PAVING: ALL INTERIOR DRIVEWAYS, PARKING, LOADING, AND STORAGE AREAS SHALL BE PAVED AND DUST-FREE. FOR PURPOSES OF THIS STIPULATION:
 - E.1. PAVING SHALL MEAN CONCRETE OR ASPHALT AND
 - E.2. DUST-FREE SHALL MEAN THAT ALL INTERIOR DRIVEWAYS AND STORAGE AREA SURFACES SHALL BE KEPT FREE OF DUST, DIRT OR OTHER MATERIALS TO PREVENT THE MIGRATION OF DUST OFF-SITE.
 - F. PARKING: FACILITIES SHALL COMPLY WITH THE ARTICLE 5.2 J-P DISTRICT OFF STREET PARKING AND LOADING REGULATIONS. NO PORTION OF ANY REQUIRED OFF-STREET PARKING OR LOADING/UNLOADING AREAS SHALL BE USED FOR THE STORAGE OF CARGO CONTAINERS, SEMI-TRAILERS (EITHER ON OR OFF A CHASSIS), CHASSIS OR SIMILAR STORAGE DEVICES.
 - G. CARGO CONTAINER STACKING: CARGO CONTAINERS SHALL NOT BE STACKED MORE THAN FIVE (5) IN NUMBER.
 - H. CHASSIS STACKING/RACKING: EMPTY CHASSIS MAY BE STORED ON END (RACKING), OR MAY BE STACKED. WHEN STACKED, CHASSIS SHALL NOT BE MORE THAN FIVE (5) IN NUMBER.
 - I. SCREENING AND LANDSCAPING: SCREENING MAY BE REQUIRED ON THE PERIMETER OF THE PROPERTY. SCREENING SHALL BE A COMBINATION OF FENCING AND LANDSCAPING OR BERMING AND LANDSCAPING. SCREENING SHALL COMPLY WITH REQUIREMENTS ARTICLE 5.2 L-P DISTRICT LANDSCAPE STANDARDS.
 - J. SETBACKS AND SEPARATION DISTANCE: ALL BUILDINGS, STRUCTURES, PARKING AND OTHER USES ON THE PROPERTY, SHALL BE SUBJECT TO THE SETBACK REQUIREMENTS IN ARTICLE 5.2 L-P DISTRICT SETBACK, YARD, AREA REGULATIONS. EXCEPT, HOWEVER, THE PARKING OR STORAGE OF CARGO CONTAINERS OR SEMI-TRAILERS (EITHER ON OR OFF A CHASSIS) AND CHASSIS (RACKED OR STACKED) SHALL BE SUBJECT TO THE FOLLOWING SETBACK STANDARDS THAT MAY VARY DEPENDING UPON THE DIFFERENCE SCENARIOS SET FORTH BELOW:
 - J.1. WHEN ABUTTING (TOUCHING), OR ACROSS THE STREET FROM NON-RESIDENTIALLY ZONED PROPERTY, SUCH PARKING OR STORAGE SHALL BE SETBACK FROM ANY EXTERIOR PROPERTY LINE OF THE SUBJECT PROPERTY A DISTANCE EQUAL TO THE HEIGHT OF THE CARGO CONTAINER OR SEMI-TRAILER (EITHER ON OR OFF A CHASSIS) AND CHASSIS (RACKED AND STACKED);
 - J.2. WHEN ABUTTING (TOUCHING) PUBLIC RIGHT-OF-WAY, SUCH PARKING OR STORAGE SHALL BE SETBACK FROM ANY EXTERIOR PROPERTY LINE OF THE SUBJECT PROPERTY A DISTANCE EQUAL TO THE HEIGHT OF THE CARGO CONTAINERS OR SEMI-TRAILERS (EITHER ON OR OFF A CHASSIS), AND CHASSIS (RACKED OR STACKED);
 - J.3. WHEN ABUTTING (TOUCHING), OR ACROSS THE STREET FROM, RESIDENTIALLY ZONED PROPERTY, SUCH PARKING AND STORAGE SHALL BE SETBACK A MINIMUM OF 20 FEET FROM THE NEAREST PROPERTY LINE OF THE RESIDENTIALLY ZONED PROPERTY;
 - J.4. WHEN ABUTTING (TOUCHING), OR ACROSS THE STREET FROM, A HABITABLE DWELLING, SUCH PARKING AND STORAGE SHALL BE SETBACK A MINIMUM OF 300 FEET FROM THE NEAREST DWELLING, AND
 - J.5. FOR PURPOSES OF STIPULATIONS 3 AND 4 ABOVE, MEASUREMENTS SHALL BE MADE BETWEEN THE NEAREST PROPERTY LINE OF THE RESIDENTIALLY ZONED PROPERTY OR THE NEAREST EDGE OF A DWELLING, AND THE NEAREST CARGO CONTAINER, SEMI-TRAILER (EITHER ON OR OFF A CHASSIS), OR CHASSIS.
 - K. SIGNAGE: BUSINESS SIGNS SHALL BE ALLOWED ACCORDING TO ARTICLE 5.2 L-P DISTRICT SIGNAGE REGULATIONS. NO SIGNAGE, OTHER THAN SHIPPING COMPANY IDENTIFICATION LOGOS AND PLACARDS, SHALL BE ALLOWED ON ANY CARGO CONTAINER, SEMI-TRAILER OR CHASSIS.
 - L. SITE PLAN: A SITE PLAN SHALL BE SUBMITTED WITH THE APPLICATION. THE SITE PLAN SHALL BE PREPARED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 9.1 (B) (3) OF THESE REGULATIONS.
 - M. OTHER RULES AND REGULATIONS: ALL FACILITIES SHALL ABIDE BY ANY AND ALL GOVERNMENTAL, RULES, REGULATIONS, CODES AND SPECIFICATIONS NOW IN EFFECT OR HEREAFTER ADOPTED THAT WOULD BE APPLICABLE TO THIS PERMIT OR THE USE OF THE PROPERTY BY THE APPLICANT/LANDOWNER.
 - N. DEVIATIONS: IN THE EVENT THAT AN APPLICANT DESIRES TO DEVIATE FROM THE ABOVE PERFORMANCE STANDARDS AND PROVISIONS FOR CERTAIN CONDITIONAL USES, THE APPLICANT SHALL SUBMIT WRITTEN INFORMATION TO THE GOVERNING BODY INDICATING THE CIRCUMSTANCES WHICH ARE BELIEVED TO NECESSITATE THE NEED FOR A DEVIATION(S), AND THE APPLICANT SHALL PROVIDE A LIST OF ALTERNATIVE MATERIALS, DESIGNS OR METHODS THAT ARE EQUIVALENT TO THE PERFORMANCE STANDARDS AND PROVISIONS FOR THE L-P ZONING DISTRICT, SECTION 5.4, SECTIONS C THROUGH Q IN THE REGULATIONS. THE APPLICATION MAY ONLY BE APPROVED IF FINDINGS ARE MADE BY THE GOVERNING BODY THAT 1) DUE TO THE CIRCUMSTANCES OF THE APPLICATION IT WOULD BE UNNECESSARY TO IMPOSE THE STANDARDS(S) AND EQUIVALENT ALTERNATIVES SHOULD BE ALLOWED, 2) THAT THE SPIRIT AND INTENT OF THE REGULATIONS ARE BEING MET, 3) THAT GRANTING THE DEVIATION SHALL NOT ADVERSELY AFFECT ADJACENT OR NEARBY PROPERTY, AND 4) THE APPLICATION SHALL OTHERWISE COMPLY WITH ALL BUILDING CODE(S) AND SAFETY REQUIREMENTS. (ORD. 915, 2012)

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AUTHORITY NO. 620000020020
EXPIRES: DECEMBER 31, 2026

DELONG GRAIN MAINTENANCE SHED
FINAL SITE PLAN
EDGERTON, JOHNSON COUNTY, KANSAS

FINAL PROJECT PLAN	DRAWING REVISION	05.08.2026
DRAWING REVISIONS		

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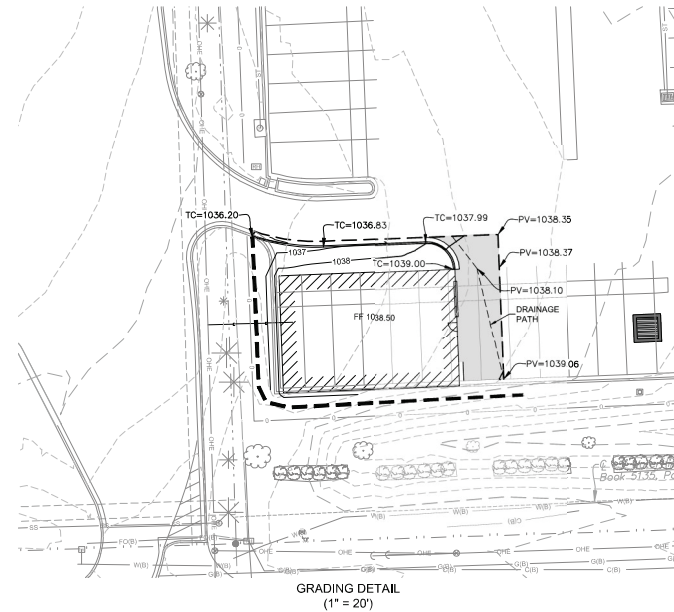
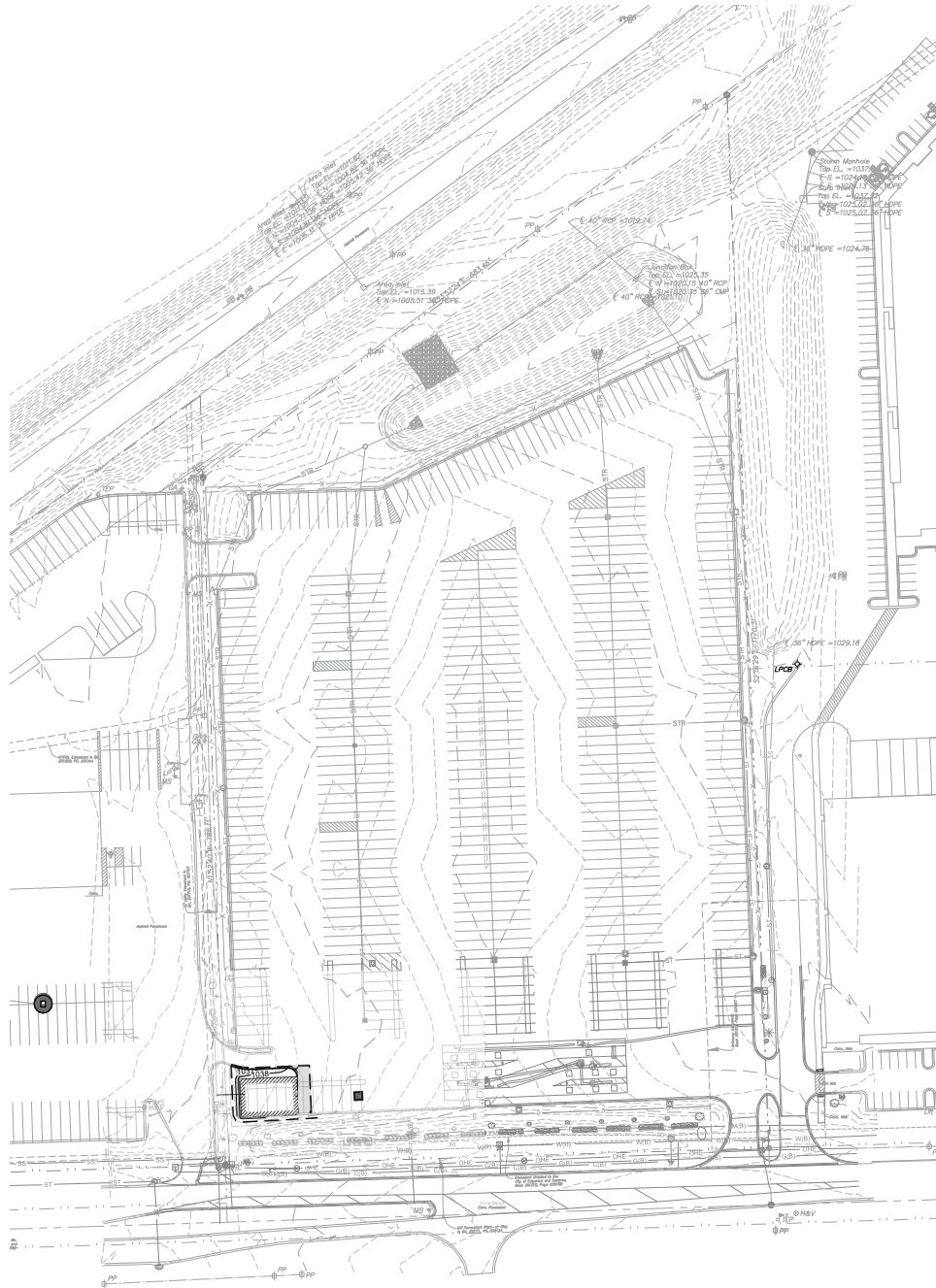
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SITE & UTILITY
PLAN

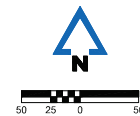
C101

P:\2026000407-010 - NEW MACHINE SHED DELONG COMPANY\04 - DRAWINGS\CIVIL SITE PLAN-MACHINE SHED\2026000407-010 EROSION CONTROL DATE: 7/24/2019



NOTE:
EXISTING GRADE IS TO REMAIN, EXCEPT FOR THE AREA NOTED.

EROSION CONTROL LEGEND	
	DITCH CHECKS
	SILT FENCE
	CONSTRUCTION ENTRANCE
	CURB INLET SEDIMENT BARRIER
	GRAVEL DROP INLET SEDIMENT TRAP
	EXISTING 1' CONTOUR
	EXISTING 5' CONTOUR
	PROPOSED 1' CONTOUR
	PROPOSED 5' CONTOUR
	DENOTES PROPOSED CONCRETE WASHOUT AREA



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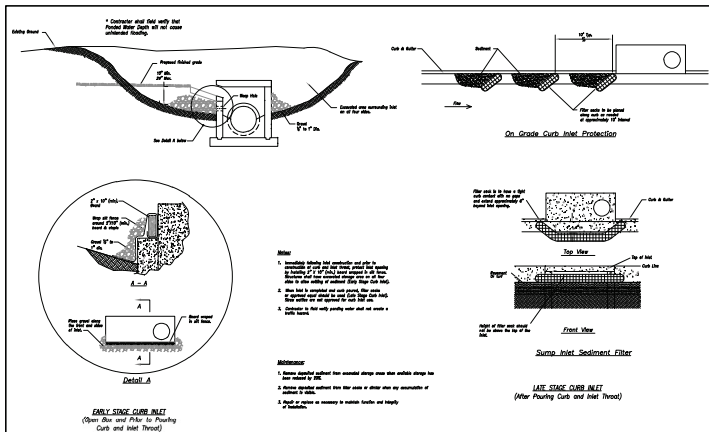
**DELONG GRAIN MAINTENANCE SHED
FINAL SITE PLAN
EDGERTON, JOHNSON COUNTY, KANSAS**

DRAWING ISSUANCE	06/23/2026
FINAL PROJECT PLAN	
DRAWING REVISIONS	

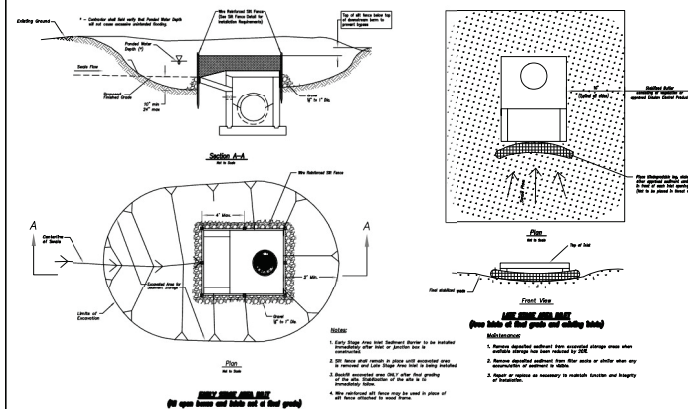
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GRADING & EROSION CONTROL	

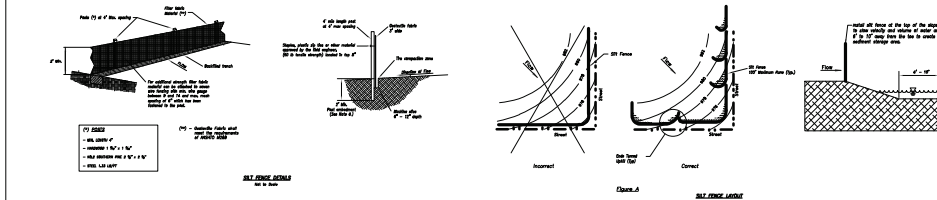
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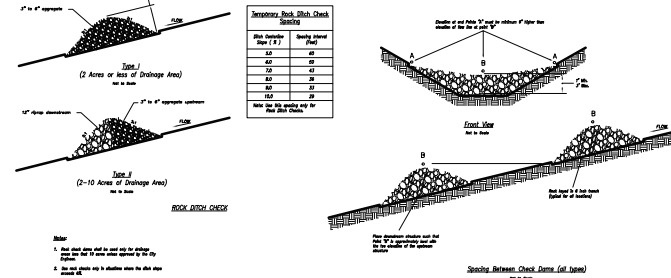
CURB INLET PROTECTION



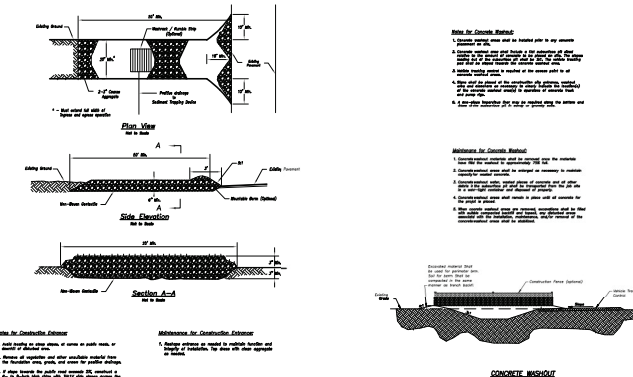
AREA INLET PROTECTION



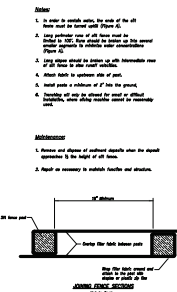
SILT FENCE



ROCK DITCH CHECKS



CONSTRUCTION ENTRANCE



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DRAWING ISSUANCE
FINAL PROJECT PLAN 05.08.2026
DRAWING REVISIONS

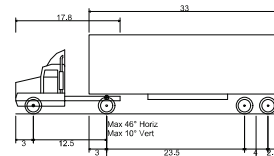
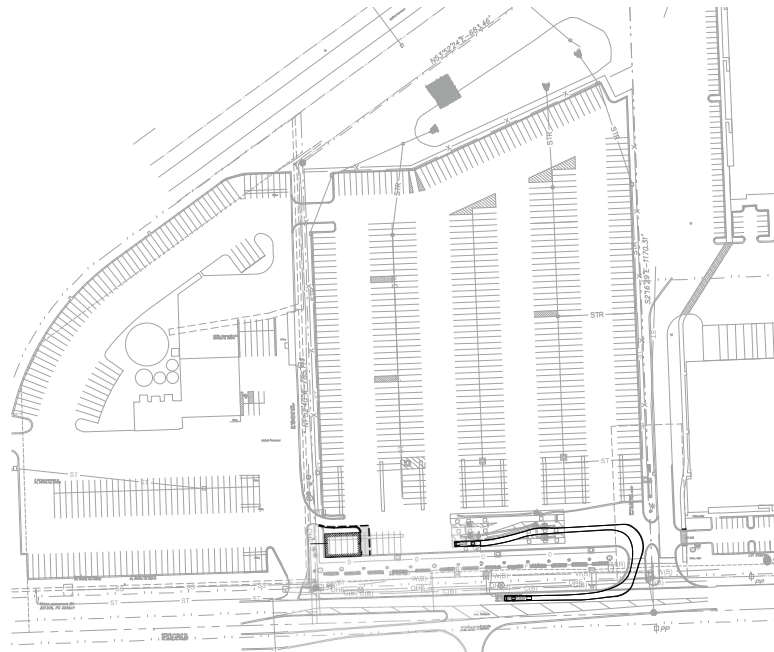
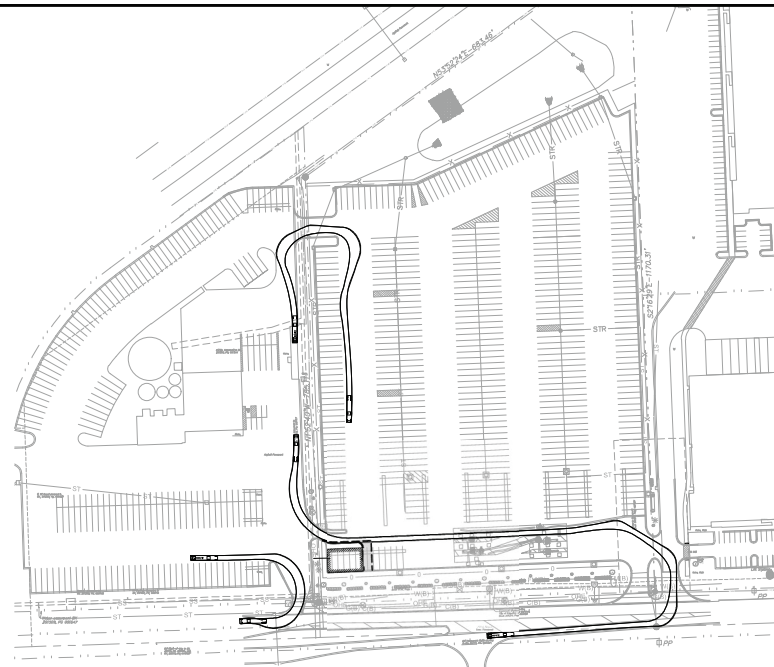
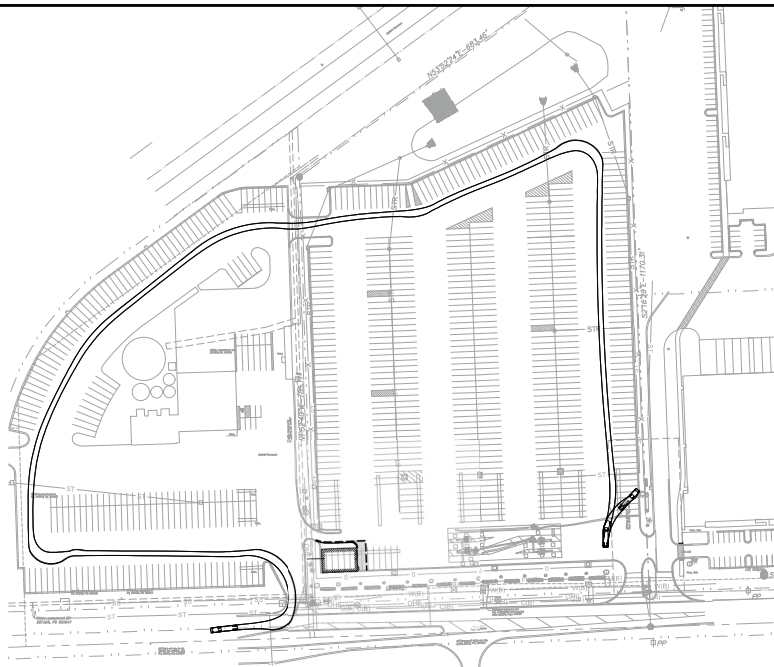


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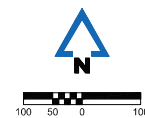
EROSION CONTROL
DETAILS

C202



WB-40 - Intermediate Semi-Trailer
Overall Length
Overall Width
Overall Body Height
Min Body Ground Clearance
Track Width
Lock-to-lock time
Max Steering Angle (Virtual)

45.499ft
8.000ft
13.500ft
1.334ft
8.000ft
4.00s
20.30°



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MEASURING INSTRUMENT OF
AUTHORITY NO. 620000000000
EXPIRES: DECEMBER 31, 2028

DELONG GRAIN MAINTENANCE SHED
FINAL SITE PLAN
EDGERTON, JOHNSON COUNTY, KANSAS

DRAWING ISSUANCE
FINAL PROJECT PLAN 05.08.2026
DRAWING REVISIONS



PRELIMINARY
NOT FOR CONSTRUCTION

DESIGNED BY:

SH

CHECKED BY:

ME

DESIGN PROJECT NUMBER

202600407-010

TRUCK TURNING
MOVEMENTS

C301



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1700 Swift St Ste 100
North Kansas City, MO 64116
P 816-756-6444
F 816-756-1763

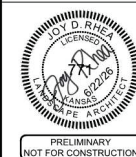
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AUTHORITY NO. 620000000000
EXPIRES: DECEMBER 31, 2028

DELONG GRAIN MAINTENANCE SHED
FINAL SITE PLAN
EDGERTON, JOHNSON COUNTY, KANSAS

DRAWING REVISIONS
FINAL PROJECT PLAN 01.04.2024
DRAWING REVISIONS



PRELIMINARY
NOT FOR CONSTRUCTION

DESIGNED BY:
SH

CHECKED BY:
ME

DESIGN PROJECT NUMBER:
202000000000

LANDSCAPE PLAN

L101

LANDSCAPE NOTES:

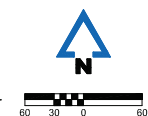
1. FIELD VERIFY UTILITIES SHOWN ON PLANS PRIOR TO WORK COMMENCEMENT. INFORMATION SHOWN ON PLAN IS FROM AVAILABLE INFORMATION AND ALL LOCATIONS SHOWN SHOULD BE CONSIDERED APPROXIMATE. THE CONTRACTOR AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGE TO UTILITIES MADE FROM CONSTRUCTION ACTIVITY. IMMEDIATELY NOTIFY PROJECT LANDSCAPE ARCHITECT AND ENGINEER IF DISCREPANCIES ARISE.
2. COMPLETE REQUIRED LANDSCAPING FOR THE ENTIRE SITE IN CONFORMANCE TO THE PLANS AND SPECIFICATIONS, INCLUDING BUT NOT LIMITED TO: SODDED AREAS AND SITE CLEARUP.
3. VERIFY QUANTITIES PRIOR TO COMMENCING WORK. REPORT DISCREPANCIES TO THE LANDSCAPE ARCHITECT. PLANT MATERIAL TO BE SPACED AS SHOWN, UNLESS OTHERWISE NOTED.
4. PLANT MATERIAL SHALL COMPLY WITH ALL SIZING AND GROWING STANDARDS OF LATEST EDITION OF AMERICAN STANDARD FOR NURSERY STOCK (A.S.N.S.) LATEST EDITION PUBLISHED BY (ANLA) ANSI Z60.1. THIS IS A REPRESENTATIVE GUIDELINE SPECIFICATION ONLY AND WILL CONSTITUTE MINIMUM QUALITY REQUIREMENTS FOR THE PLANT MATERIAL.
5. THE OWNER RESERVES THE RIGHT TO SUBSTITUTE PLANT MATERIAL, TYPE, SIZE AND/OR QUANTITY. VEGETATION SUBSTITUTIONS SHALL BE APPROVED BY PROJECT LANDSCAPE ARCHITECT. SUBSTITUTIONS MADE WITHOUT WRITTEN APPROVAL WILL BE REPLACED WITH APPROVED SELECTIONS AT CONTRACTOR'S COST.
6. DISTURBED AREAS DUE TO CONSTRUCTION ACTIVITIES NOT IDENTIFIED ON THESE PLANS SHALL BE REPAIRED AND RESTORED TO ORIGINAL OR BETTER CONDITIONS AT CONTRACTOR'S COST. SOD WITH A TURF-TYPE TALL FESCUE BLEND SHALL BE PROVIDED FOR AREAS NOT DESIGNATED AS BEDS & PAVEMENT.
7. CONTRACTOR SHALL COMPLY WITH APPLICABLE CODES AND ORDINANCES REGARDING LANDSCAPING. REFER TO SPECIFICATIONS FOR PLANT MATERIAL, SOILS, AND INSTALLATION METHODS.
8. INSTALL PLANT MATERIAL IN ACCORDANCE WITH A.S.N.S. STANDARDS.
9. INSTALL FINISHED GRADES OF SOD 1" BELOW ABUTTING PAVEMENT SURFACES TO ALLOW UNINHIBITED DRAINAGE TO NON-PAVEMENT SURFACES.
10. PROVIDE NATURAL TOPSOIL THAT IS FERTILE, FRIABLE, WITHOUT MIXTURE OF SUBSOIL MATERIALS, AND OBTAINED FROM A WELL DRAINED, AVAILABLE SITE. IT SHALL NOT CONTAIN SUBSTANCES WHICH MAY BE HARMFUL TO PLANT GROWTH. TOPSOIL SHALL BE SCREENED AND FREE FROM CLAY, LUMPS, STONES, ROOTS, PLANTS, OR SIMILAR SUBSTANCES 1" OR MORE IN DIAMETER, DEBRIS, OR OTHER OBJECTS WHICH MIGHT BE A HINDRANCE TO PLANTING OPERATIONS. TOPSOIL SHALL CONTAIN AT LEAST 4% ORGANIC MATTER BY WEIGHT AND HAVE A PH RANGE OF 5.5 TO 7.5.
11. PLANT MATERIAL AND IRRIGATION SYSTEM TO BE GUARANTEED FOR ONE (1) YEAR FROM THE DATE OF SUBSTANTIAL COMPLETION AND ACCEPTANCE. PLANT MATERIALS SHALL BE A ONE-TIME REPLACEMENT AND RECORDS KEPT BY THE LANDSCAPE CONTRACTOR FOR ALL REPLACEMENTS.
12. PLANT MATERIAL SHALL BE OF EXCELLENT QUALITY, FREE OF DISEASE & INFESTATION-TRUE TO TYPE, VARIETY, SIZE SPECIFIED, & FORM PER ANSI STANDARDS.
13. WATER IMMEDIATELY FOLLOWING INSTALLATION AND CONTINUE WATERING ROUTINE UNTIL SUBSTANTIAL PROJECT COMPLETION. CONTRACTOR IS REQUIRED TO COORDINATE WATERING REQUIREMENTS TO THE OWNER THEREAFTER.
14. PLANTING SCHEDULE:
SPRING PLANTING: (UNFROZEN CONDITIONS) MARCH 15 - JUNE 15.
FALL PLANTING: AUGUST 15 - OCTOBER 1.
15. ALL LANDSCAPING IS EXISTING AND NO NEW LANDSCAPING IS PROPOSED.
16. THE FRONT OF THE BUILDING FACADE IS FROM THE WEST PORTION OF THE SITE.

3 LANDSCAPE NOTES
NTS

PLANT SCHEDULE

SYMBOL	CODE	BOTANICAL / COMMON NAME
TREES		
	EX	Existing Tree / Swamp White Oak / Myrtel Maple
SHRUB AREAS		
	ER	Existing Vegetation to Remain
GROUND COVERS		
	FH	Fescue Sod / Heat-Tolerant Fescue Sod

2 PLANT SCHEDULE
NTS



1 OVERALL LANDSCAPE PLAN
1" = 60'

Ms. Carrie Schmidt, 30125 W 187th Street, Gardner, KS, addressed the Commission. She said she is there to put on the record and urge Mayor Roberts and the City Council to address a severe potential conflict of interest before any vote on the appeal of the denied Final Site Plan for the proposed DAMAC data center at 31800 W. 196th Street. She said City Councilmember Joshua Lewis is a Senior Government Audit and Contract Analysis for Burns and McDonnell.

Ms. Linn informed Ms. Schmidt that this isn't public comment like during City Council meetings as it is a public hearing related to this certain application. She said Chairperson Mathos has a statement from the City Attorney with information about what can be brought up during the public hearing.

Chairperson Mathos read the statement prepared by the City Attorney:

"The public is reminded that this is a meeting for the City business of zoning approvals which requires that the Commission focus on the issues presented to give a fair hearing to the applicant and those who may oppose the application. Please be fair and respectful to either of these parties by not addressing matters outside the application or the issues raised by it or matters currently before the Commission."

Ms. Schmidt countered that by stating that Commissioner Draskovich did speak about this and it is City business. Chairperson Mathos replied that it is not regarding the application before the Commission at this time. Commissioner Draskovich stated the comments do not fall in line with this application.

Mr. James Oltman, President of ElevateEdgerton!, 30750 W. 193rd Street, Edgerton, KS, spoke before the Commission. He stated he will be speaking about the business matter at hand. He is in support of the application. As the Staff Report mentions, when the Commission considers the neighboring uses as well as the current use and proposed use of the facility, the proposed rezoning does fit the nature of the area and the nature of Logistics Park Kansas City (LPKC) itself. The property was one (1) of the first tenants of LPKC and has been in operation for over a decade. He requested that the Commission take that into consideration and find that it fits with what is going on in LPKC.

Chairperson Mathos closed the public hearing.

Commissioner Draskovich said he believes it fits LPKC very well and moved to recommend approval of Rezoning Application RZ2026-0001. The motion was seconded by Commissioner Little. The motion carried with the following 4-0 vote:

Yes: Mathos, Little, Draskovich, Soemer
No: None

7. **CU2026-0001: CONDITIONAL USE PERMIT FOR DELONG TRUCKING LOCATED AT 32612 W 191ST STREET**

Chairperson Mathos requested the applicant present their application.

Mr. Eblen addressed the Commission. He explained that this request is the same property as RZ2026-0001 located at 32612 W 191st Street. The existing zoning of I-H was established in late 2012. The zoning and uses in the area are agricultural, logistics, and rural residential. The development in the immediate area is the same as well. The reason for the request is to add the ability to stack cargo containers and construct a machine shed on the property. He said the property owner will adhere to any stipulations and agrees to the stipulations outlined in the staff report.

Chairperson Mathos requested that City staff present the staff report and their review of the application.

Mr. Clinton addressed the Commission. He stated that the applicant is requesting a Conditional Use Permit (CUP) for a cargo container storage and maintenance facility at 32612 W. 191st Street. The current zoning, I-H, does not allow for the use of a cargo container storage and maintenance facility, however, the Commission just recommended approval to rezone the property to L-P. The L-P District does allow for that use with a CUP. He explained that the applicant is also proposing a machine shed on the southwest corner of the parking facility on the eastern portion of the site. Stacking of the containers is proposed to take place in the parking area and meet the required setbacks.

Mr. Clinton informed the Commission that Section 7.2.J.8 of the UDC outlines specific requirements that must be met and information that must be provided for the submittal to be complete and code compliant.

The first item is access to the parcel. He explained the subject property has an access point strictly for the parking area on the east and an access point from the northwest off Intermodal Parkway. There is an exit onto W. 191st Street that is right-out only. There is adequate access that prevents stacking on the roadway and no alterations to the access points are proposed.

Mr. Clinton said the applicant needed to provide information on the exterior lighting. A photometric plan was submitted that is compliant with the UDC. There is a gate system that lights up when a vehicle drives through but will turn off shortly thereafter.

The minimum lot size of 20 acres has been met as the property is 20.951± acres.

He stated the applicant has acknowledged the requirements for the noise of the operations to remain below 60 adjusted decibels dB(A) when adjacent to a residentially zoned parcel and 70 dB(A) when adjacent to a non-residentially zoned parcel.

The paving of the parcel is currently asphalt and will remain as such, which meets the requirements of the UDC.

Mr. Clinton said the next item is parking. The addition of the machine shed will result in a net loss of 13 parking spaces. No loading areas or parking areas are to be used for the storage or stacking of containers or chassis. The application does meet the requirements outlined in the UDC.

The applicant has acknowledged the requirements that the stacking of cargo containers or chassis is not to exceed five (5) in number. In conjunction with the stacking, the setbacks will be greater than or equal to the height of the stacked containers or chassis.

A landscape plan that was previously approved was provided with the application. The plan meets the standards outlined in the UDC.

No new signage is proposed currently. Mr. Clinton told the Commission that should signage be added to the site, proper applications will need to be submitted, and the signs will need to meet Article 12 of the UDC.

Mr. Clinton explained that a CUP has similar criteria to a rezoning application that must be reviewed. The first of the criteria is the extent to which there is a need in the community for the proposed use. He said the demand for business to store and maintain cargo containers and chassis, such as the facility proposed here, is a by-product of the activity in and around the intermodal facility and LPKC. The primary function of LPKC is to transport and redistribute containers and the products they contain. The ability for the existing business on the subject property to add cargo container stacking will support existing business operations.

Mr. Clinton said the second criterion is the character of the neighborhood. The subject parcel is currently zoned I-H, however, the Commission recently recommended approval to rezone it to L-P. There are L-P zoned properties abutting the subject property to the east and south. There is a property to the southeast that is zoned Johnson County RUR that is used for tree farming. The intermodal facility is to the north and west and is zoned Agricultural.

The third criterion is the nature and intensity of the proposed use and its compatibility with the zoning and uses of nearby properties. The proposed use is an ancillary use to the overall LPKC operations. The only proposed change to the site is the addition of the cargo container stacking and the machine shed to the current parking area.

Mr. Clinton stated the next item is the extent to which the proposed use may detrimentally affect nearby property. The applicant has indicated that they will meet all the required setbacks so if any containers were to fall, they would remain on the applicant's property. This is a requirement that all facilities, like the one to the south, must always adhere to.

The adequacy of ingress and egress. Mr. Clinton said there are no changes to the access points proposed. He explained that all utilities are onsite and there would be no new effect to the capacity or safety of the road network.

The next criterion Mr. Clinton highlighted was the environmental impact that the proposed use would create. He said the applicant has acknowledged the requirement and ensures that it will be met at all times. City staff has not received any noise complaints from any of the existing facilities in LPKC. A photometric plan has been submitted and meets the UDC requirements. The applicant is not proposing any changes to the stormwater management plan. The City Engineer has reviewed the Site Plan and did not have any comments regarding the stormwater.

The final criterion Mr. Clinton brought to the attention of the Commission is the consistency with the Comprehensive Plan, Capital Improvement Plan, ordinances, policies, and applicable City Code. The Future Land Use Map within the Comprehensive Plan designates the subject property Business/Logistics Park. The proposed cargo container storage facility is a support use for the surrounding LPKC and aligns with the Future Land Use Map designation.

Mr. Clinton informed the Commission that City staff recommends approval of CUP Application CU2026-0001 with the following stipulations:

1. The noise level of the operations must not exceed 60 dB(A) in any adjacent residential district or 70 dB(A) in any adjacent commercial or industrial district or property.
2. Cargo container and chassis stacking may not exceed five (5) in number at all times.
3. The setback of all stacked cargo containers or chassis must always be equal to or greater than the height of the stacked cargo containers or chassis.
4. All facilities must abide by any and all governmental rules, regulations, codes and specifications now in effect or hereafter adopted that would be applicable to this permit or the use of the property by the applicant/landowner.

Chairperson Mathos explained the application requires a public hearing and opened the public hearing. She reminded all in attendance that comments are to be made regarding this application only.

Ms. Schmidt addressed the Commission. She said she wants to address some City business. She said that the Board of Zoning Appeals (BZA) is supposed to be made up of the Planning Commissioners per the City's website. One of those people on that Board on City Council has a conflict of interest and that is Joshua Lewis and he needs to recuse himself. Since the City is not allowing public comment at a different meeting, she wanted to get that on public record tonight. She demanded it be addressed. Chairperson Mathos stated her comments are not regarding the application before the Commission at this time. Ms. Schmidt stated her comments are addressing City business. Ms. Linn stated the public hearing is about the zoning applications before the Commission. Ms. Schmidt stated the BZA is to be made up of the members of the Planning Commission per the City's website. Chairperson Mathos informed her that the comments need to address this application. Ms. Schmidt stated she wanted to read a statement and hopefully it would be reflected in the minutes. Chairperson Mathos thanked Ms. Schmidt for her comments. Ms. Schmidt inquired if she was under the threat of arrest if she refused to leave. Ms. Linn replied she is not. Ms. Linn said that, per state statute, public comment is more narrow during a public hearing to a certain application. Ms. Schmidt said the state statute does have stuff about Josh Lewis as well.

Mr. Clinton read the next name as Ms. Kimberly Twente. Ms. Twente declined to speak.

Mr. Oltman approached the Commission. He said he will be addressing the application that is before the Commission, which he is in support of. The property is being rezoned to L-P. There is the same type of use to the south and down the road to the east. Those facilities had to go through the same process and must meet the same criteria as this applicant. He urged the Commission to apply everything fairly and consistently as they have in the past and requested that the Commission approve the application.

Chairperson Mathos closed the public hearing.

Mr. Moore informed the Commission that City staff does have one additional stipulation to add. A CUP typically does have an expiration date listed as a stipulation. City staff proposes a ten (10) year expiration date from the date of City Council approval.

Commissioner Draskovich moved to recommend approval of CUP Application CU2026-0001 with the stipulations outlined by City staff, including the expiration date. The motion was seconded by Commissioner Soemer. Application CU2026-0001 was recommended for approval with the following vote:

Yes: Mathos, Little, Draskovich, Soemer

No: None

8. **FSP2026-0004: FINAL SITE PLAN FOR DELONG TRUCKING LOCATED AT 32612 W 191ST STREET**

Chairperson Mathos requested the applicant to present their application.

Mr. Eblen addressed the Commission. He said the facility was originally built in 2013 with an accessory parking lot added approximately five (5) to six (6) years ago. The only major change to the Site Plan will be the addition of the machine shed. It is proposed as a 2,400 square foot machine shed. The existing buildings on the west side of the property will not be altered. The current use or access to the site will not be changing. The circulation throughout the site will not be changing as shown in the truck turning templates submitted. He explained there are no changes proposed to the property line. There will be no changes to the drainage of the site and there is a detention basin on the east side of the property. No proposed changes to the landscape plan either. The proposed machine shed will have a rock veneer in the first eight (8) feet above grade then stucco above that to the roof eaves. He said there are no proposed changes to the photometrics of the site as well.

Chairperson Mathos requested that City staff present the staff report and their review of the application.

Mr. Clinton addressed the Commission. He stated that the applicant is requesting a Revised Final Site Plan approval for a proposed building on the southwest corner of the existing parking facility and the proposed introduction of cargo container stacking and storage to the property in accordance with CUP application CU2026-0001, which was recommended for approval earlier this meeting. The proposed building is 2,400 square feet in size and will be used as a machine shop. The shop will reduce the number of parking stalls by 13 for the entire property, but the site will still have the minimum required number of lot and will remain compliant with the UDC. He explained there are no changes to the grading, except immediately adjacent to the proposed machine shop, nor are any changes to the existing structures or property lines proposed as well.

Mr. Clinton informed the Commission that review of the submitted Revised Final Site Plan, the standards for the L-P District were used based on the recommendation of City staff to approve Rezoning application RZ2026-0001. Should that application not be approved, CUP application



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City Council Action Item

Council Meeting Date: August 13, 2026

Department: Public Works

Agenda Item: Consider Final Acceptance for the 2026 Street Preservation Program - Concrete Project

Background/Description of Item:

During the 2026-2030 CIP Work Session, City Council identified the 2026 Street Preservation Program for street infrastructure in selected areas as determined by City Staff using tools in the Pavement Management Program. The 2026 Street Preservation Program includes three categories of work: this Concrete Project, Pavement Marking Project and a Chip Seal Project. Final acceptance of the other two projects will be brought before City Council at a later date.

2026 Street Preservation Program – Final Acceptance Summary

Project	Approval Final Acceptance
Concrete Project	For City Council Approval 8/13/26
Pavement Marking Project	Later City Council Meeting
Chip Seal Project	Later City Council Meeting

On May 28, 2026, City Council awarded the construction contract to NewCo Concrete LLC for a total contract amount of \$60,135.00.

Due to the bid pricing being lower than expected and available budget, additional curb work was completed during construction on West 7th Street, Martin Street, Hulett Street and West 5th Street. As a result, the total quantity of curb construction in town increased from 1350 LF to 1425 LF. The revised quantities are all existing bid items.

On July 23, 2026, City Administrator approved Change Order #1 which included the final quantity changes for the 2026 Street Preservation Program – Concrete Project. The price for this change order was \$2,850.00. The original contract with NewCo Concrete LLC is \$60,135.00. With the approval of change order #1 in the amount of \$2,850.00, the revised total contract amount will be \$62,985.00. This increase is within the project budget.



The 2026 Street Preservation Program – Concrete Project is summarized below

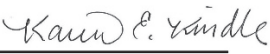
Description	Approval	Amount
Original Contract	Council 5/28/26	\$ 60,135.00
Change Order #1	City Administrator 7/23/26	\$ 2,850.00
	Final Acceptance for the 2026 Street Preservation Program – Concrete Project Total	\$ 62,985.00

The work was completed according to City standards. The project was inspected by City's Construction Inspector and is recommended for final acceptance as noted in the attached letter

Related Ordinance(s) or Statute(s):

Funding Source: Special Highway Fund, PIF Maintenance Fee, Trails & Paved Surfaces

Budget Allocated: 2026 Street Preservation Program: \$147,000.00
Trails & Paved Surface: \$6,500.00

x 

Finance Director Approval: Karen Kindle, Finance Director

Recommendation: Approve Final Acceptance for the 2026 Street Preservation Program – Concrete Project to NewCo Concrete LLC for the Total Contract Amount of \$62,985.00.

Enclosed: Final Completion Letter

Prepared by: Todd Veeman – Construction Inspector



July 29, 2026

Subject: Letter of Acceptance

2026 Street Preservation Program – Concrete Project

Final Acceptance

STRT0017-26

As the City of Edgerton Construction Inspector, I have observed the construction of the 2026 Street Preservation Program – Concrete Project. The project has been completed in accordance with the plans and specifications approved by City of Edgerton.

I hereby recommend that the above referenced project be accepted by the City of Edgerton, Kansas.

Sincerely,

Todd Veeman

Todd Veeman
Construction Inspector
City of Edgerton



City Council Action Item

Council Meeting Date: August 13, 2026

Department: Public Works

Agenda Item: Consider Change Order #1 to Traffic Management KS, LLC for the 2026 Street Preservation Program - (Pavement Marking Project).

Background/Description of Item:

The City of Edgerton maintains a 24-hour train horn Quiet Zone at the Nelson Street (Crossing No. 006177M) and 199th Street (Crossing No. 006183R) railroad crossings. A Federal Railroad Administration (FRA) inspection on May 13, 2025 identified faded and missing pavement markings at both crossings that no longer met current MUTCD standards. On September 10, 2025, FRA approved the City's proposed pavement markings and signage for both crossings.

On May 28, 2026, City Council awarded the construction contract for the 2026 Street Preservation Program (Pavement Marking Project) to Traffic Management KS, LLC in the amount of \$18,363.00. The Contract was executed on June 12, 2026, with a substantial completion deadline of September 4, 2026.

The proposed change order adds pavement marking work at the 199th Street Railroad Crossing (crossing stop bars and thermoplastic railroad crossing markings) that was not included in the original scope of work. This additional work implements the FRA-approved pavement markings referenced above and will bring the 199th Street crossing into compliance with MUTCD and Quiet Zone requirements. Based on Traffic Management KS, LLC's proposal, the contract amount will be increased by **\$7,352.00**. This increase is within the project budget.

The Change Order #1, including details by line, is attached for your review and a summary of the contract amount is provided below.

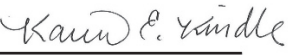
Description	Approval	Amount
Original Contract	Council 5/28/2026	\$18,363.00
Change Order #1	For Council Approval	\$7,352.00
Revised Contract Total		\$25,715.00

City staff recommends approval of Change Order #1 to Traffic Management KS, LLC for the 2026 Street Preservation Program (Pavement Marking Project).

Related Ordinance(s) or Statue(s):

Funding Source: Special Highway Fund, PIF Maintenance Fee

Budget Allocated: 2026 Street Preservation Program: \$147,000.00

x 

Finance Director Approval: Karen Kindle, Finance Director

Recommendation: Approve Change Order #1 to Traffic Management KS, LLC for the 2026 Street Preservation Program (Pavement Marking Project) in the amount of \$7,352.00.

Enclosed: Traffic Management KS, LLC Change Order #1

Prepared by: Todd Veeman, Construction Inspector



TRAFFIC MANAGEMENT KS

305 SE 53rd St | STE A-E | Topeka, KS 66609 | (602)203-0472

Project Name: City Of Edgerton #1 2026 Street Preservation(Pavement Marking)
Project Location: Edgerton, KS

Bid Number: 2026-05-04
Bid Date: 5/4/2026

Line #	Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
	01	199th St Crossing Stop Bars	24.00	LF	\$20.00	\$480.00
	02	199th ST Thermo RR Crossing	2.00	EACH	\$2,254.00	\$4,508.00
	03	Flagger	1.00	LS	\$2,364.00	\$2,364.00
Total Bid Price:						<u>\$7,352.00</u>

Notes:

- Striping is not warrantied for any work done between Nov - April or outside manufacturers suggested temperatures. Contractors will make sure road condtions are clean and ready for striping
- Traffic Management KS requires a minimum of two weeks notice from the receipt of the subcontract to the start of work
- Estimate includes all Flagging Operation for work to be done

ACCEPTED:

The above prices, specifications and conditions are satisfactory and hereby accepted.

Buyer: _____

Signature: _____

Date of Acceptance: _____

CONFIRMED:

TM KS

Authorized Signature:

Mark Griffith

Estimator: Mark Griffith
mgriffith@trafficmgmtks.com



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City Council Action Item

Council Meeting Date: August 13, 2026

Department: Parks and Recreation

Agenda Item: Consider Resolution No. 08-13-26A Approval Of Indemnity Agreement Between The City And The Edgerton United Methodist Church For Use Of The Church Parking Lots During The Meat Inferno Event

Background/Description of Item:

The Meat Inferno BBQ event will take place on September 11th and 12th, 2026. In order to allow more contestants to have a place to park and compete in the Kansas City Barbeque Society sanctioned master's competition, the City has requested use of the Edgerton United Methodist church parking lots at 300 East 4th Street, Edgerton, Kansas 66021.

In order for the United Methodist Church to be covered by the City's insurance for the duration of the event, the City's insurance agent has requested that a signed indemnity agreement be submitted. The City Attorney has drafted the agreement which is already signed by a member of the United Methodist Church.

The Church has made the following requests of the City for use of their property:

- The area temporarily used by the City shall be cleaned prior to Sunday services on September 13, 2026;
- The Church has requested that only trailers under the length of 40 feet be assigned to park in the paved parking lot;
- The Church will be allowed a booth during the event should they choose to operate one; and
- The Church shall be covered as an additional insured by the City's insurance in the event of a liability claim.

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

Funding Source: N/A

Budget Allocated: N/A

Finance Director Approval: N/A

Recommendation: Approve Resolution No. 08-13-26A The Indemnity Agreement Between The City And The Edgerton United Methodist Church For Use Of The Church Parking Lots During The Meat Inferno Event

Enclosed:

Draft Resolution No. 08-13-26A
Indemnity Agreement between the City and Edgerton United Methodist Church

Prepared by:

Brittany Paddock, Recreation Superintendent

RESOLUTION 8-13-26A

A RESOLUTION OF THE CITY OF EDGERTON, KANSAS, TO APPROVE THE INDEMNITY AGREEMENT BETWEEN THE CITY AND THE EDGERTON UNITED METHODIST CHURCH FOR USE OF THE CHURCH PARKING LOTS DURING THE MEAT INFERNO EVENT.

WHEREAS, the Meat Inferno Barbeque Competition will be held in the City of Edgerton on September 11th and September 12th, 2026; and

WHEREAS, Meat Inferno will be held on East Nelson and East 4th Streets and use of the Edgerton United Methodist Church parking lots will allow more teams to park and compete; and

WHEREAS, the indemnity agreement between the two parties will allow the Edgerton Methodist Church to be covered as an additional insured by the City's insurance for the duration of the Meat Inferno event.

THEREFORE, BE IT RESOLVED by the City Council of Edgerton, Kansas;

Agreement to the indemnity agreement to have the Edgerton United Methodist Church to be covered as an additional insured by the City's insurance for the duration of the Meat Inferno event on September 11th and September 12th, 2026.

PASSED AND APPROVED BY THE CITY COUNCIL OF EDGERTON, KANSAS ON THE 13TH DAY OF AUGUST, 2026.

ATTEST:

CITY OF EDGERTON, KANSAS

Dusti Callahan, City Clerk

By: _____
Donald Roberts, Mayor

APPROVED AS TO FORM:

TODD LUCKMAN for
Stumbo Hanson, LLP, City Attorneys

INDEMNITY AGREEMENT

THIS AGREEMENT is made and entered into as of the dates listed below, by and between the CITY OF EDGERTON, KANSAS (the “City”) and the EDGERTON METHODIST CHURCH (the “Church”).

RECITALS

- A. Whereas, the Church owns certain real estate located at 300 East 4th Street, Edgerton, Kansas 66021 (the “Property”);
- B. Whereas, the City is sponsoring a BBQ event (the “Event”) titled Meat Inferno, to be held on September 11 and 12, 2026, wherein it wishes to use the gravel and paved parking lot at the Property for competing teams to park and remain for the term of the Event;
- C. Whereas, the Church is agreeable to that arrangement subject to certain terms;
- D. Whereas, the parties wish to memorialize those terms as follows:

AGREEMENT

The City and the Church agree as follows:

1. **USE OF PROPERTY.** The Church agrees to allow the City to use the gravel and paved parking lot located at 300 East 4th Street for competing teams to park and operate subject to the following conditions:
 - a. The area temporarily used by the City shall be cleaned prior to Sunday services on September 13, 2026;
 - b. The City will only designate parking in the paved lot for participants with trailer lengths of less than 40 feet.
 - c. The Church will be allowed a booth during the event should they choose to operate one; and
 - d. The Church shall be covered as an additional insured by the City’s insurance in the event of a liability claim.
2. **INDEMNITY.** The City shall indemnify, defend and hold the Church harmless from and against all losses, claims and liabilities (including reasonable attorneys’ fees and costs) incurred by the Church and arising from the City’s use of the of the Property for the Event. As a term of this Agreement, the Church shall be covered as an additional insured under the City’s insurance policy during all times the Property is used for the Event.

3. TERM This Agreement shall continue in force and effect through the term of the Event.
4. POWER TO SIGN. By signing this Agreement, the undersigned on behalf of the Church is warranting that they are empowered in any and all manners necessary to sign on behalf of the Edgerton Methodist Church.
5. CHOICE OF LAW. This Agreement will be governed by and construed in accordance with the laws and regulations of the State of Kansas.

IN WITNESS WHEREOF, the above and foregoing Agreement has been executed by the parties hereto.

CITY OF EDGERTON, KANSAS

Date

By: _____
Donald Roberts, Mayor

ATTEST:

Date

Dusti Callahan, City Clerk

EDGERTON METHODIST CHURCH

Date

By Clifford Fesmire

Clifford Fesmire Trustee Chair EUMC
Print Name Title



EDGERTON
global routes. local roots.

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

City Council Action Item

Council Meeting Date: August 13, 2026

Department: Parks and Recreation

Agenda Item: Consider Resolution No. 08-13-26B Authorizing Special Event Permit For Sale And Consumption Of Alcoholic Liquor Within The Edgerton Downtown Common Consumption Area in The City Of Edgerton, Kansas

Background/Description of Item:

Meat Inferno will be held September 11-12, 2026. City staff has requested permission to sell and serve alcoholic liquor (i.e. alcoholic beverages other than 3.2% beer [a/k/a cereal malt beverage]) at the event.

If approved, Resolution No. 08-13-26B authorizes the Special Event Permit, with the following stipulations:

- The licensed alcohol vendor registers this event with the State Of Kansas Alcohol Beverage Control
- Point of sale for alcoholic liquor shall be from a beverage trailer parked near 303 E. Nelson Street by properly licensed individuals or groups only
- The sale and consumption of alcoholic liquor should only take place in the approved and clearly marked Edgerton Downtown Common Consumption Area
- Alcohol may be served between the hours of 5:00 pm and 10:00 pm on September 11, 2026
- No alcoholic liquor may be sold or dispensed in glass containers, and only served in branded plastic and paper cups or marked cans

Chapter III, Article 3-501 of the Edgerton Municipal Code establishes the Edgerton Downtown Common Consumption Area to allow the possession and consumption of alcoholic liquor or cereal malt beverage within the common consumption area that is subject to certain rules and regulations. The attached map shows the approved Common Consumption Area by the Governing Body of the City of Edgerton.

Chapter III, Article-502 requires a special event permit and road closures within the Common Consumption Area to utilize the designated Edgerton Downtown Common Consumption Area.

Related Ordinance(s) or Statue(s): Chapter III, Article 5 of Edgerton Municipal Code

Funding Source: N/A

Budget Allocated: N/A

Finance Director Approval: N/A

Recommendation: Approve Resolution Authorizing Special Event Permit For Sale And Consumption Of Alcoholic Liquor Within The Edgerton Downtown Common Consumption Area in The City Of Edgerton, Kansas

Enclosed: Draft Resolution No. 08-13-26B
Meat Inferno Special Event Permit
Edgerton Downton Common Consumption Area Map

Prepared by: Brittany Paddock, Recreation Superintendent

RESOLUTION NO. 08-13-26B

A RESOLUTION AUTHORIZING A SPECIAL EVENT PERMIT FOR THE SALE AND CONSUMPTION OF ALCOHOLIC LIQUOR WITHIN THE EDGERTON DOWNTOWN COMMON CONSUMPTION AREA IN THE CITY OF EDGERTON, KANSAS

WHEREAS, the City of Edgerton together with Kansas City Barbeque Society is holding a contest on September 11th and 12th, 2026 in the City of Edgerton, Kansas; and

WHEREAS, Article 5 of Chapter III of the Code of the City of Edgerton requires that an entity desiring to sell and serve alcoholic liquor to the public in the Edgerton Downtown Common Consumption Area must, apply and obtain a Special Event Permit from the City; and

WHEREAS, the City of Edgerton together with the Kansas City Barbeque Society requests a Special Event Permit to sell and serve alcoholic liquor (i.e. alcoholic beverages other than 3.2% beer [a/k/a cereal malt beverage]) at its contest on September 11th, 2026.

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

SECTION ONE: Special Event Permit Authorized: That the Governing Body does hereby authorize the City Clerk, in accordance with Article 5 of Chapter III of the Edgerton City Code, to issue the City of Edgerton and the Kansas City Barbeque Society a Special Event Permit for sale and consumption of alcoholic liquor per the requirements contained within Article 5 and with the following additional stipulations:

- a) The Special Event Permit provided for herein is only valid if the event is registered with the State of Kansas Beverage Control by the alcohol vendor.
- b) The location of the point of sale for alcoholic liquor shall be from a beverage trailer parked near 303 E. Nelson Street by properly licensed individuals or groups only.
- c) The sale and consumption of alcoholic liquor shall only be allowed in the approved Edgerton Downtown Common Consumption Area between the hours of 5:00 pm and 10:00 pm on September 11th, 2026.
- d) No alcoholic liquor may be sold or dispensed in glass containers, only branded plastic and paper cups or cans may be used.

SECTION TWO: Waiver of Application Fees: The City of Edgerton, in appreciation for the many anticipated benefits to be enjoyed by the community from this event, waives any City application or permit fees for issuance of the Special Event Permit.

SECTION THREE - Effective Date: This Resolution shall take effect and be in full force immediately after its adoption by the Governing Body.

PASSED AND APPROVED BY THE CITY COUNCIL OF EDGERTON, KANSAS ON THE 13TH DAY OF AUGUST, 2026.

ATTEST:

CITY OF EDGERTON, KANSAS

Dusti Callahan, City Clerk

By: _____
Donald Roberts, Mayor

APPROVED AS TO FORM:

TODD LUCKMAN for
Stumbo Hanson, LLP, City Attorneys

Event Name: Meat InfernoPrimary Contact Name: Brittany Paddock Phone: 913-893-6801Email Address: bpaddock@edgertonks.orgAre you the contact for day of the event? ☒ Yes ☐ No

If no, please provide contact name and phone: _____

Sponsoring Organization/Event Operator: City of Edgerton/Kansas City BBQ SocietyAddress: 303 E Nelson St Email: bpaddock@edgertonks.orgWebsite: meatinferno.com**Event Information:**Event Date(s): September 11 and 12, 2026 Hours of Event: Friday (5-10 PM) Saturday (7AM-5 PM)Requested Location(s): East 4th Street, East Nelson Street, The Greenspace, City Hall Parking, Greensapce Parking, Stuido B

Type of Event: Festival Parade Sports Competition X
Circle all applicable Trade Show Car Show Other: _____

Is this event for profit? ☐ Yes ☒ No

If no, who is the beneficiary: _____

Estimated number of participants*: 600 Estimated number of support personnel: 20

*Events in excess of 1,000 people may be required to have additional security and/or crowd control

Event description: KCBS Sanctioned Event that is a BBQ Competition, Free BBQ meal, Smores Station, Mobile Bar, KidsQ, Backyard Burger
Live Band, Street PerformancesWill you be selling or serving alcohol/cereal malt beverages? ☒ Yes ☐ NoWill you have any food vendors? ☒ Yes ☐ NoWill you have any merchant vendors? ☒ Yes ☐ NoWill you have any non-commercial vendors? ☒ Yes ☐ No

If you checked any yes boxes, please fill out the vendor information on the following page

Do you need to close a publicly owned facility, street or sidewalk? ☒ Yes ☐ No

If yes, please specify which facility, streets, or sidewalk (list all and include date and times of closures): _____

Please refer to requested locations above and the requested street and no parking areas resolutions, also included for approval at this council meeting

Will there be amplified music or speaking? ☒ Yes ☐ NoIf yes, please specify dates and hours: September 11 5-9 PM--September 12 3-4 PM

Vendor Information:

Alcohol Vendors

Total number of alcohol/cereal malt beverage vendors: 1

Cereal Malt Beverage Permit Holder(s): Tipsy Tavern Mobile Bar Co

Temporary Permit for Alcohol Vendors # from Kansas Alcohol and Beverage Control: Attached

Copy of temporary permit must be turned in to City Clerk prior to start of event and is not required at application

Vendor Contact Name/Company: Aaliyah Jaremko Phone: 913-208-0306

2nd Vendor Contact Name/Company: _____ Phone: _____

3rd Vendor Contact Name/Company: _____ Phone: _____

Please attach additional vendor contacts, if necessary

Description of alcohol control measures (beer garden, wristbands for 21+, etc): _____

signage for common consumption area, no glass bottles, branded cups

Food Vendors

Total number of food vendors: 1

Vendor Contact Name/Company: GBA Genuswine Brisket Authority Phone: _____

2nd Vendor Contact Name/Company: _____ Phone: _____

3rd Vendor Contact Name/Company: _____ Phone: _____

Please attach additional vendor contacts, if necessary

Food Vendor License #(s) from Kansas Department of Agriculture: _____

Copy of license(s) must be turned in to the City Clerk prior to the start of event

Merchant Vendors

Total number of merchant vendors: none at this time

Vendor Contact Name/Company: _____ Phone: _____

2nd Vendor Contact Name/Company: _____ Phone: _____

3rd Vendor Contact Name/Company: _____ Phone: _____

Please attach additional vendor contacts, if necessary

Public Sanitation Measures:

Depending on the size of your event, public sanitation measures may be required. Please describe your plans to handle trash and portable restrooms. Include contact information for any vendors.

multiple portapotties and handwashing stations, ash bins, grease barrels, dumpsters, trash cans

Event Equipment:

Please check equipment required (additional charges may apply):

- | | |
|--|---|
| ☒ Traffic or Event Signage | ☒ Bleachers |
| ☒ Barricades | ☒ Tables |
| ☒ Extension cord covers | ☒ Chairs |

Please check if you plan to have other Entertainment/Amusements:

*Attach additional description and/or proof of insurance

- | | |
|--|--|
| ☐ Carnival rides | ☐ Animals |
| ☐ Fireworks | ☒ Hired performers |
| ☒ Stage | ☒ Live Music |
| ☐ Other (please specify): _____ | |

Information for Event Organizer

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

Community Notification: Provide copy of written notification or log of personal contacts to notify surrounding residents/businesses of street closures, if applicable. Notification must be completed prior to consideration of special event application by the Governing Body.

Completion of Event/Clean Up: Event organizer is responsible for cleaning and disposing of refuse from event.

Insurance: The operator and sponsoring agency of a special event shall furnish an original copy of a certificate of insurance indicating the City as a certificate holder and executed within the previous ten (10) days. The certificate of insurance must provide evidence of occurrence form general liability insurance coverage of at least \$1,000,000 combine single limit per occurrence for bodily injury and property damage with a minimum aggregate limit of \$2,000,000 and shall include the City as an additional insured. The operator and sponsoring agency, if any, shall complete and submit a hold harmless and indemnification agreement for review and approval by City officials.

Applicant's Statement of Agreement

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

I agree to abide by the provisions in this application and regulations of the City of Edgerton.

Name of Applicant and Title (please print) Brittany Paddock-Edgerton Recreation Superintendent

Signature Brittany Paddock Date 7/20/2026

To the fullest extent permitted by law,

_____ [hereafter referred to as OPERATOR and/or SPONSOR] shall indemnify, hold harmless and defend the City of Edgerton, hereafter referred to as the CITY, and all of its appointed and elected officials, agents, officials and employees from and against all claims, damages, losses and expenses, including but not limited to reasonable attorneys' fees arising out of or resulting from the conduct or management of the Special Event, known as

_____ and any condition created in, about, or resulting from the Special Event or any accident, injury or damage whatsoever occurring in or at the Special Event, provided that any such claim, damage, loss or expense: (a) is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property, including loss of use resulting there from, and (b) is caused in whole or in part by any alleged act or omission of the OPERATOR / SPONSOR or anyone directly or indirectly employed or appointed by them or anyone for whose acts they may be liable, regardless of whether it is caused in part by the negligent act or omission of the CITY or any of its appointed and elected officials, agents, officials and employees. Notwithstanding the foregoing, the special event OPERATOR'S / SPONSOR'S obligation to indemnify the CITY or any of its appointed and elected officials, agents, officials and employees for any judgment, decree or arbitration award shall extend only to the percentage of negligence of the CITY in contributing to such claim, damage, loss and expense. In any and all claims against the CITY or any of its appointed and elected officials, agents, officials and employees, by any employee of the OPERATOR and/or SPONSOR, the indemnification obligation under this paragraph shall not be limited by any limitation on the amount or type of damages, compensation or benefits payable by or for OPERATOR and/or SPONSOR under workers compensation acts, disability benefit acts or other employee benefit acts. Such workers compensation policies or plans maintained on behalf of OPERATOR and/or SPONSOR shall waive subrogation against the CITY.

Date: _____

Title

STATE OF Kansas)

COUNTY OF _____

) ss:
)

BE IT REMEMBERED that on this _____ day of _____, 20____, before me, the undersigned, a notary public in and for the County and State aforesaid, came _____ (Name)
_____, of _____, _____ who is personally known to me to be the person
(Official Capacity) (Business/Sponsor/Organization)
who executed, as such officer, the within instrument on behalf of said entity and such person duly acknowledged the execution of the same to be the voluntary act and deed of said entity.

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

Notary Public

My Commission Expires:

(SEAL)

Application Checklist: (Attach required documents)

- ☐ List of services requested from the City
- ☐ Description of publicly owned property for event
- ☐ Map of event (show vendor areas, stage, carnival, beer garden, etc.)
- ☐ Description of Amusement/Entertainment
- ☐ Operators' Certificates of Insurance (includes entertainment/amusement companies)
- ☐ Sponsoring Agency's Certificate of Insurance
- ☐ Completed indemnification statement
- ☐ Site/Route/Staging/Parking Map (including by not limited to:)
 - Main Entrances/Exits
 - Street/Sidewalk closures
 - Barricades
 - Traffic Signs
 - Assembly areas
 - Fire hydrant locations
 - Food Vendor Fire Extinguishers, with minimum rating of 2A10BC
 - Extension Cord Locations for food production or other portable equipment (minimum 12-gauge cords required)
 - Fire Department Vehicle Access Locations (20-feet wide minimum)
 - Parking/No Parking Areas
- ☐ Emergency Plan for reporting police, fire or medical emergencies
- ☐ Food Vendor License from KS Department of Agriculture (if applicable)
- ☐ Temporary Permit for Alcohol Vendors from Kansas Alcohol and Beverage Control (if applicable)
- ☐ Retailers' Sales Tax Registration Event Certificate (if applicable)
- ☐ State of Kansas Tax Identification Numbers for all food and merchant vendors
- ☐ Application Fee

OFFICE USE ONLY:

Received by: _____ Date: _____

Application Fee Paid Date: _____ Receipt Number: _____

Required documents? ☐ Map ☐ Indemnification ☐ Vendor Licenses ☐ Insurance
 ☐ Emergency Plan ☐ Site/Staging Plan

Requested public equipment approved? ☐ Bleachers ☐ Tables/chairs

Requested public street, facility, or sidewalk approved? ☐ Yes ☐ No

Council Review Date of application: _____

Ord. # for Special Event: _____ Ord. # for Street/Sidewalk/Facility Closure: _____

Ord. # for Noise Waiver: _____ Ord. # for Public Alcohol Waiver: _____

Edgerton Downtown Common Consumption Area



City Council Action Item

Council Meeting Date: August 13, 2026

Department: Parks and Recreation

Agenda Item: Consider Resolution No. 08-13-26C Authorizing the Closure of Certain Public Streets for Meat Inferno.

Background/Description of Item:

On Friday, September 11, 2026 and Saturday, September 12, 2026 the City of Edgerton will host Meat Inferno Barbeque Competition. This is a Kansas City Barbeque Society sanctioned contest. On Friday, there will be BBQ food available, a live band, street performances, a KidsQ competition, and a one-meat master's competition. On Saturday, the master barbeque teams will compete in four different categories, and local cooks will face-off in the Backyard Burger competition.

To support this event, City staff is requesting the closure of Nelson Street between East 5th Street and East 3rd Street, East Hulett Street between East 4th Street to East 3rd Street, and the closure of East 4th Street between Morgan Street to one half block south of East Nelson Street from September 11th, 2026 at 7:00 AM until September 12th, 2026 at 6:00 PM. A map of these closures are enclosed with this packet.

City staff has reviewed the proposed street closures and does not anticipate any conflicts or issues. City staff will notify surrounding residents who would be affected, the Johnson County Sheriff's Office, Johnson County Consolidated Fire District 1 and Johnson County Med-Act of the proposed closings.

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

Funding Source: N/A

Budget Allocated: N/A

Finance Director Approval: N/A

Recommendation: Approve Resolution No. 08-13-26C Authorizing the Closure of Certain Public Streets for Meat Inferno.

Enclosed: Draft Resolution No. 08-13-26C
Map

Prepared by: Brittany Paddock, Recreation Superintendent

RESOLUTION NO. 08-13-26C

A RESOLUTION APPROVING THE CLOSURE OF THE PUBLIC STREETS NAMED HEREIN DURING MEAT INFERNO IN 2026.

WHEREAS, the City has determined that the closure of certain streets would be beneficial to the safety and enjoyment of Meat Inferno; and

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

WHEREAS, the following public streets shall be closed to vehicular traffic during Meat Inferno between 7:00 AM on September 11, 2026 until 6:00 PM on September 12, 2026:

- Nelson Street between East 5th Street and East 3rd Street
- East Hulett Street between East 4th Street and East 3rd Street
- East 4th Street between Morgan Street to the alleyway one half block south of East Nelson Street

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EDGERTON, KANSAS that the City hereby authorizes the closure of the public streets named above for the duration of Meat Inferno in 2026.

SECTION ONE: EFFECTIVE DATE

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

PASSED AND APPROVED BY THE CITY COUNCIL OF EDGERTON, KANSAS ON THE 13TH DAY OF AUGUST 2026.

ATTEST:

CITY OF EDGERTON, KANSAS

Dusti Callahan, City Clerk

By: _____
Donald Roberts, Mayor

APPROVED AS TO FORM:

TODD LUCKMAN for
Stumbo Hanson, LLP, City Attorneys



NO PARKING & ROAD CLOSURE MAP

LEGEND

-  STREET CLOSED
-  NO PARKING: BOTH SIDES
-  NO PARKING: ONE SIDE
-  BARRICADE

City Council Action Item

Council Meeting Date: August 13, 2026

Department: Parks and Recreation

Agenda Item: Consider Resolution No. 08-13-26D for Temporary No Parking Related to Meat Inferno

Background/Description of Item:

As part of the 2026 Meat Inferno event, City staff are requesting that parking be prohibited along certain streets during the event to help with traffic around the event and protect pedestrian safety.

Staff request that the following streets prohibit parking on Thursday, September 10, 2026 at 12:00 P.M. to Monday, September 14, 2026 at 12:00 P.M. **on both sides:**

1. **East 5th Street:** East McCarty Street to East Nelson Street;
2. **East McCarty Street:** East 4th Street to East 5th Street;
3. **East Hulett Street:** East 4th Street to East 5th Street;
4. **East 4th Street:** from the alleyway one half block south of East Nelson Street to East Martin Street;
5. **East 3rd Street:** from the alleyway one half block North of East Nelson Street to the alleyway one half block South of East Nelson Street.

Staff is further requesting that a no parking zone be created from Thursday, September 10, 2026 at 12:00 P.M. to Monday, September 14, 2026 at 12:00 P.M. **on the side of the street notated** of the following streets:

1. **East side of East 3rd Street:** from 56 Highway (East Morgan Street) south to the alleyway one half block south of East Hulett Street;
2. **West side of East 3rd Street:** from alleyway half block south of East Nelson Street to East Martin Street;
3. **West side of 5th Street:** from East Nelson Street to East Martin Street;
4. **North side of East Martin Street:** from East 5th Street to East 4th Street;
5. **South side of East Martin Street:** from East 3rd Street to East 4th Street;
6. **South side of East Nelson Street:** East 2nd Street to East 3rd Street;
7. **North side of East McCarty Street:** from East 3rd Street to East 4th Street.

No parking zones as described above are shown on the enclosed map.

Related Ordinance(s) or Statue(s): n/a

Funding Source: N/A

Budget Allocated: N/A

Finance Director Approval: N/A

Recommendation: Approval of Resolution No. 08-13-26D for Temporary No Parking Related to Meat Inferno

Enclosed: Draft Resolution No. 08-13-26D
No Parking Zone Map

Prepared by: Brittany Paddock, Recreation Superintendent

RESOLUTION 08-13-26D

A RESOLUTION OF THE CITY OF EDGERTON, KANSAS, PROVIDING FOR THE CREATION OF TEMPORARY NO PARKING ZONES ON CERTAIN STREETS TO PERMIT THE HOLDING OF MEAT INFERNO 2026

WHEREAS, the Meat Inferno Barbeque Competition will be held in the City of Edgerton on September 11th and September 12th, 2026; and

WHEREAS, Meat Inferno will be held in a central and convenient location for participants and that location will necessitate the creation of no parking zones to allow participants to access and enjoy the event; and

WHEREAS, the creation of temporary no parking zones is necessary to permit the event to be held.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EDGERTON, KANSAS;

That a no parking zone is hereby created from Thursday, September 10, 2026 at 12:00 P.M. to Monday, September 14, 2026 at 12:00 P.M. **on both sides** of the following streets:

1. **East 5th Street:** East McCarty Street to East Nelson Street;
2. **East McCarty Street:** East 4th Street to East 5th Street;
3. **East Hulett Street:** East 4th Street to East 5th Street;
4. **East 4th Street:** from the alleyway one half block south of East Nelson Street to East Martin Street;
5. **East 3rd Street:** from the alleyway one half block North of East Nelson Street to the alleyway one half block South of East Nelson Street.

That a no parking zone is hereby created from Thursday, September 10, 2026 at 12:00 P.M. to Monday, September 14, 2026 at 12:00 P.M. **on the side of the street notated** of the following streets:

1. **East side of East 3rd Street:** from 56 Highway (East Morgan Street) south to the alleyway one half block south of East Hulett Street;
2. **West side of East 3rd Street:** from alleyway half block south of East Nelson Street to East Martin Street;
3. **West side of 5th Street:** from East Nelson Street to East Martin Street;
4. **North side of East Martin Street:** from East 5th Street to East 4th Street;
5. **South side of East Martin Street:** from East 3rd Street to East 4th Street;
6. **South side of East Nelson Street:** East 2nd Street to East 3rd Street;
7. **North side of East McCarty Street:** from East 3rd Street to East 4th Street.

PASSED AND APPROVED BY THE CITY COUNCIL OF EDGERTON, KANSAS ON THE 13TH DAY OF AUGUST, 2026.

ATTEST:

CITY OF EDGERTON, KANSAS

Dusti Callahan, City Clerk

By: _____
Donald Roberts, Mayor

APPROVED AS TO FORM:

TODD LUCKMAN for
Stumbo Hanson, LLP, City Attorneys



NO PARKING & ROAD CLOSURE MAP

LEGEND

-  STREET CLOSED
-  NO PARKING: BOTH SIDES
-  NO PARKING: ONE SIDE
-  BARRICADE

City of Edgerton - 2nd Quarter 2026 Report
General Fund (Unaudited)

	YTD Actual	2026 Budget	% Used	Remaining
Revenues:				
Ad Valorem Tax	\$ 3,022,483	\$ 3,402,449	88.8%	\$ (379,966)
City TIF Increment	\$ (43,401)	\$ (68,110)	63.7%	\$ 24,709
City RHID Increment	\$ (19,242)	\$ (18,665)	103.1%	\$ (577)
Delinquent Tax	\$ 18,243	\$ -	n/a	\$ 18,243
Motor Vehicle Tax	\$ 28,193	\$ 51,689	54.5%	\$ (23,496)
Recreational Vehicle Tax	\$ 619	\$ 730	84.7%	\$ (111)
16/20M Vehicle Tax	\$ 258	\$ 141	182.8%	\$ 117
Local Alcoholic Liquor Tax	\$ 2,948	\$ 8,500	34.7%	\$ (5,552)
Local Comp Use Tax	\$ 239,325	\$ 340,000	70.4%	\$ (100,675)
County Use Tax	\$ 87,564	\$ 150,000	58.4%	\$ (62,436)
Local Sales Tax	\$ 429,439	\$ 625,000	68.7%	\$ (195,561)
County Sales Tax	\$ 232,533	\$ 415,000	56.0%	\$ (182,467)
Franchise Tax	\$ 72,726	\$ 235,000	30.9%	\$ (162,274)
Licenses & Permits	\$ 108,280	\$ 182,528	59.3%	\$ (74,247)
Charges for Services	\$ 105,368	\$ 172,876	60.9%	\$ (67,508)
Fines & Forfeitures	\$ 33,434	\$ 100,000	33.4%	\$ (66,566)
Miscellaneous	\$ 17,909	\$ 15,000	n/a	\$ 2,909
Investment Income	\$ 54,326	\$ 100,000	54.3%	\$ (45,674)
Total Revenue	\$ 4,391,005	\$ 5,712,137	76.9%	\$ (1,321,133)

Expenditures:				
General Government	\$ 551,529	\$ 1,225,182	45.0%	\$ 673,653
Law Enforcement	\$ 189,926	\$ 738,652	25.7%	\$ 548,726
Public Works	\$ 375,262	\$ 847,592	44.3%	\$ 472,330
Parks	\$ 268,764	\$ 609,828	44.1%	\$ 341,063
Facilities	\$ 226,739	\$ 506,089	44.8%	\$ 279,350
Fleet Maintenance	\$ 37,278	\$ 82,272	45.3%	\$ 44,994
Community Development	\$ 198,775	\$ 453,126	43.9%	\$ 254,352
Economic Development	\$ 162,798	\$ 610,291	26.7%	\$ 447,493
Information Technology	\$ 68,239	\$ 118,237	57.7%	\$ 49,998
Employee Benefits	\$ 371,315	\$ 757,378	49.0%	\$ 386,062
Total Expenditures	\$ 2,450,626	\$ 5,948,647	41.2%	\$ 3,498,021

Sources Over(Under) Expenditures: \$ 1,940,379 \$ (236,509)

Other Financing Sources & Uses

Transfers from Other Funds:

Transfer from Capital Projects Fund	\$ 8	\$ -	n/a	\$ (8)
Transfer from LPKC Ph 1 PIF	\$ 302,152	\$ 302,152	100.0%	\$ -
Transfer from TIF Funds-City TIF Fee	\$ 876	\$ 1,486	59.0%	\$ 610

Transfers to Other Funds:

Transfer to Equipment Reserve Fund-General	\$ (125,000)	\$ (125,000)	100.0%	\$ -
Transfer to Capital Projects Fund	\$ (350,000)	\$ (15,000)	2333.3%	\$ 335,000
Transfer to IT Equipment Reserve-General	\$ (40,000)	\$ (40,000)	100.0%	\$ -

Total Other Financing Sources & Uses \$ (211,963) \$ 123,638

Beginning Fund Balance	\$ 3,170,104	\$ 2,467,823
Estimated Ending Fund Balance		\$ 2,354,952
Unaudited Ending Fund Balance	\$ 4,898,519	

Reserve Required

17% of 2026 budgeted expenditures	\$ 1,011,270
25% of 2026 budgeted expenditures	\$ 1,487,162

Budget Authority

2026 Budget Authority	\$ 8,483,599
Remaining 2026 Budget Authority	\$ 6,244,937
% of Budget Authority Used	26.4%

City of Edgerton - 2nd Quarter 2026 Report

Water Fund (Unaudited)

	YTD Actual	2026 Budget	% Used	Remaining
Revenues:				
Charges for Services	\$ 328,190	\$ 785,369	41.8%	\$ (457,178.73)
Fines & Forfeitures	\$ 3,774	\$ 8,000	47.2%	\$ (4,225.88)
Miscellaneous	\$ 418	\$ -	n/a	\$ 417.95
Investment Income	\$ 4,599	\$ 8,500	54.1%	\$ (3,901.03)
Total Revenue	\$ 336,981	\$ 801,869	42.0%	\$ (464,887.69)
Expenditures:				
Fleet Maintenance	\$ 2,613	\$ 8,277	31.6%	\$ 5,664
Information Technology	\$ 22,137	\$ 36,421	60.8%	\$ 14,284
Production	\$ 118,667	\$ 322,900	36.8%	\$ 204,233
Distribution	\$ 36,021	\$ 105,530	34.1%	\$ 69,509
Administrative-Water	\$ 93,055	\$ 201,119	46.3%	\$ 108,064
Employee Benefits	\$ 22,920	\$ 50,156	45.7%	\$ 27,236
Debt Service	\$ 7,478	\$ 14,959	50.0%	\$ 7,481
Total Expenditures	\$ 302,892	\$ 739,362	41.0%	\$ 436,470
Sources Over(Under) Expenditures:	\$ 34,090	\$ 62,507		
Transfer from Other Funds				
Transfer from Capital Project Fund	\$ -	\$ -	n/a	\$ -
Transfers to Other Funds:				
Transfer to Equipment Reserve Fund-Water	\$ (30,000)	\$ (30,000)	100.0%	\$ -
Transfer to Capital Projects Fund	\$ -	\$ -	n/a	\$ -
Transfer to IT Equipment Reserve-Water	\$ (10,000)	\$ (10,000)	100.0%	\$ -
Transfer to Infrastructure Fund-Water	\$ (15,000)	\$ (15,000)	100.0%	\$ -
Total	\$ (55,000)	\$ (55,000)		
Beginning Fund Balance	\$ 374,244	\$ 242,199		
Estimated Ending Fund Balance		\$ 249,706		
Unaudited Ending Fund Balance	\$ 353,334			
Reserve Required				
17% of 2026 budgeted expenditures	\$ 125,692			
25% of 2026 budgeted expenditures	\$ 184,841			
Budget Authority				
2026 Budget Authority	\$ 1,044,068			
Remaining 2026 Budget Authority	\$ 796,176			
% of Budget Authority Used	23.7%			

City of Edgerton - 2nd Quarter 2026 Report
Sewer Fund (Unaudited)

	YTD Actual	2026 Budget	% Used	Remaining
Revenues:				
Charges for Services	\$ 304,491	\$ 1,033,692	29.5%	\$ (729,201)
Licenses & Permits	\$ -	\$ 50	0.0%	\$ (50)
Fines & Forfeitures	\$ 4,595	\$ 15,000	30.6%	\$ (10,405)
Miscellaneous	\$ -	\$ -	n/a	\$ -
Investment Income	\$ 13,680	\$ 25,000	54.7%	\$ (11,320)
 Total Revenue	 \$ 322,766	 \$ 1,073,742	 30.1%	 \$ (750,977)

Expenditures:				
Fleet Maintenance	\$ 3,311	\$ 8,929	37.1%	\$ 5,618
Information Technology	\$ 25,282	\$ 43,421	58.2%	\$ 18,139
Treatment Plant	\$ 88,436	\$ 227,296	38.9%	\$ 138,860
Sewer Line Maintenance	\$ 1,592	\$ 13,200	12.1%	\$ 11,608
Lift Stations/Vaults	\$ 10,422	\$ 34,764	30.0%	\$ 24,342
Administrative-Sewer	\$ 145,795	\$ 345,141	42.2%	\$ 199,346
Employee Benefits	\$ 44,983	\$ 102,988	43.7%	\$ 58,005
Debt Service	\$ 44,169	\$ 193,338	22.8%	\$ 149,169
 Total Expenditures	 \$ 363,990	 \$ 969,077	 37.6%	 \$ 605,087

Sources Over(Under) Expenditures: \$ (41,225) \$ 104,665

Transfer from Other Funds:				
Transfer from Capital Projects Fund	\$ 13,356	\$ -	n/a	\$ (13,356)
Transfers to Other Funds:				
Transfer to Equipment Reserve Fund-Sewer	\$ (15,000)	\$ (15,000)	100.0%	\$ -
Transfer to Capital Projects Fund	\$ (50,000)	\$ (50,000)	100.0%	\$ -
Transfer to IT Equipment Reserve-Sewer	\$ (10,000)	\$ (10,000)	100.0%	\$ -
Transfer to Infrastructure Fund-Sewer	\$ (20,000)	\$ (20,000)	100.0%	\$ -
Total	\$ (81,644)	\$ (95,000)		

Beginning Fund Balance	\$ 1,181,485	\$ 883,892
Estimated Ending Fund Balance		\$ 893,557
Unaudited Ending Fund Balance	\$ 1,058,616	

Reserve Required	
17% of 2026 budgeted expenditures	\$ 164,743
25% of 2026 budgeted expenditures	\$ 242,269

Budget Authority	
2026 Budget Authority	\$ 1,957,634
Remaining 2026 Budget Authority	\$ 1,675,288
% of Budget Authority Used	14.4%



Parks, Recreation & Facilities Mid-Year Review

January - July
2026

2,750

Est. special event
attendance*

1,472

Est. program
attendance

71

Programs held
January-July 2026

\$11K

Donation from Amazon
for STEM Learning



*Summer Block Party and July 3rd

Connecting Online:

- Launched Facebook page in February
- 300+ followers
- 199.9K total page views

Other Highlights:

- Spring Break activities had over 500 participants
- Growth in Movie Night attendance along with cost savings



25,343 total entries

- 1,227 day passes - 38% residents
- 2,063 membership scans - 61% residents
- 34 rentals YTD



Parks, Recreation & Facilities Mid-Year Review

January - July
2026

Parks

Vehicle traffic at
Martin Creek Park: **6,705**

Pedestrian traffic at
Glendell Acres Park: **1,627**



Highlights:

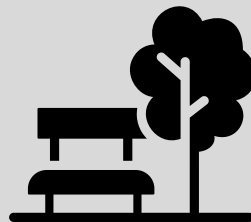
- Painted and stained park furnishings and shelters
- Edgerton Lake stocked with 100 bluegills in June
- Manor Park concrete replacement completed in July

6 tons infield material added to ballfields

6 tons mulch added to parks landscaping beds

Parks Maintenance:

- 40 Plants added to Edgerton Lake
- Aerated over 700,000 sq. ft.
- 950,000+ sq. ft. treated for weeds and fertilized



Most Common Work:

- Groundskeeping and Landscaping
 - Mowing, trimming, turf mgmt
- Maintenance
 - Playground, structures, trails
- Other Department Support

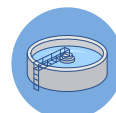
Facilities

- 119 work orders completed
- 300 hrs + spent on downtown groundskeeping
- Museum HVAC Replacement Project
- Started assessments on department operations and procedures

Building Maintenance

in order of time spent per building

1. City Hall
2. Greenspace
3. Big Bull Creek Wastewater Treatment Plant
4. Other Facilities



DATE: August 13, 2026

TO: Mayor and City Council Members

FROM: Beth Linn, City Administrator
Zachary Moore, Development Services Director

SUBJECT: Plan for Emerging Industries Community Engagement and Unified Development Code Update

At the July 23, 2026 City Council meeting, City Council directed staff to bring back an outline of a process to consider a public engagement process and possible updates to zoning/development regulations for emerging industries.

To conduct this work, staff would prepare two separate Requests For Proposals (RFPs). The first RFP will be specifically for community engagement efforts surrounding emerging industries, such as but not limited to data centers, battery energy storage systems, energy production facilities, and vertical farming. The community engagement efforts would allow opportunities for Edgerton residents to learn more about these emerging industries and discuss related opportunities and challenges. This process could be similar to the types of public engagement the City utilized recently for Envision Edgerton, the update to our Comprehensive Plan.

The second RFP will be specifically designed to use the information that is collected through the process of the Community Engagement RFP to provide direction for proposed zoning regulation updates related to emerging industries. These regulations may include approval procedures and required applications, supplemental use regulations, specific design standards, or a number of additional requirements to be identified through the process.

Staff will prepare the RFPs to be published in August, with responses from consultants due by in late September. Both RFPs would come to City Council for consideration in October. Staff anticipates the community engagement work would begin first, likely in late October 2026 and will conclude by January 2027, with the zoning regulation update work beginning in December 2026, and concluding in April 2027.