



Why a NEW City and Why NOW?

Whenever citizens of unincorporated territories pull the trigger and petition to "incorporate" as a city, it usually means there is a desire for more direct power and influence over the laws and regulations that govern their area. More control over their daily lives, long-term quality of life, development and growth.

Unincorporated areas are subject to County ordinances. But **city** ordinances can supersede or augment county rules, especially with regards to zoning. Also, an existing city cannot be annexed by another. Incorporating a new city will keep a nearby city from taking it over and allowing locally unacceptable land uses.

All of this is WHY the citizens of Douglas County, KS, in the area outlined in this petition, have determined that NOW is the time to capitalize on our unification and petition for incorporation...**the formation of a new city of our own, The City of Clearfield, KS.**

Its "clear" the Pros of incorporation far outweigh the Cons at this point. We have, especially over the last few years, come to realize that not having more direct power and control over decisions that directly impact our quality of life, property values, health, safety, productive farmland, agri-businesses, wildlife, environment, history and more...**is a problem.**

It is time for our community to be accountable for protecting its best interests vs. relying on County Planning Commissions, Commissioners and Zoning Boards to do it for us.

***Preserve and protect our agriculture, livestock,
agribusiness, homesteads, wildlife, history, and quality of life.
Share the good fortune of our rural, open spaces with others.
Inspire community food sustainability.***

Examples of Land Use Concerns

1. **New Douglas and Johnson County Solar Regulations will allow Industrial Utility-Scale Solar Power Facility Applicants to propose developments on top of and surrounding population centers.** If irresponsibly sited and sized projects are approved, it would mean potentially thousands of acres of solar arrays, inverters, battery energy storage systems (BBESS) and transmission lines surrounding our community. This will put the health and safety of humans, wildlife and our eco-system at risk not to mention the damage it will do to agriculture, grazing, agribusiness, property values and the long-term economic growth, well-being of our area. Quality of Life will be impacted.
 - **Utility-Scale Solar Property Damage Studies:**
<https://bit.ly/property-valuation-impacts>
 - **Concerns by Topic:** <https://westgardnersolar.com/big-concerns/>
 - **NextEra's Pending Proposed Utility-Scale Solar Power Facility in Johnson and Douglas Counties (along County Line Road):**
<https://westgardnersolar.com/map-of-homes-at-risk>
2. **Annexations and Rezoning for Industrial Developments are Rampant in Douglas, Johnson, Franklin and Miami Counties to mention a few:**
 - https://www2.ljworld.com/weblogs/town_talk/2021/aug/24/talk-is-heating-up-on-a-3000-acre-solar-panel-farm-along-the-douglas-johnson-county-line-would-power-40000-homes/
 - <https://www.wind-watch.org/news/2021/10/18/in-addition-to-its-large-solar-project-nextera-is-considering-a-wind-farm-for-southwest-douglas-county-parts-of-franklin-county/>
 - <https://fox4kc.com/business/developer-plans-to-bring-3-5-million-square-foot-industrial-project-to-de-soto/>
 - <https://fox4kc.com/news/tax-incentives-requested-for-redevelopment-of-former-sunflower-ammunition-plant/>

- <https://bluevalleypost.com/2021/11/22/kc-company-eyes-old-sunflower-army-ammunition-plant-near-de-soto-as-site-for-new-solar-farm-133396/>
- <https://www.bizjournals.com/kansascity/news/2017/12/29/edgerton-575-acre-annexation-approval.html>
- <https://flatlandkc.org/news-issues/rural-johnson-countians-pay-the-price-of-progress-at-the-edgerton/>
- <https://gardnernews.com/2021/05/01/despite-protesters-edgerton-approves-annexations-rezoning/>
- <https://gardnernews.com/2019/10/11/annexation-bonanza-as-city-adds-500-acres/>
- <https://www.bizjournals.com/kansascity/news/2020/11/18/vantrust-real-estate-new-century-business-park.html>
- <https://fox4kc.com/business/johnson-county-approves-500-acre-rezone-for-new-century-commerce-center/>
- <https://fox4kc.com/business/olathe-oks-annexing-land-for-potential-garmin-expansion/>

3. The Kansas Senate passed **Senate Bill No. 347** in February of 2022 titled ***“Attracting Powerful Economic Expansion Act (APEX)”***.

This Bill incentivizes a secretive, unknown, multi-billion-dollar **Mega Applicant** to develop its national corporate headquarters in Kansas (*we don’t know much due to zero transparency*, this project could possibly be located in our West Gardner, Northeast Douglas County, Edgerton, DeSoto area that is rapidly becoming industrially zoned).

<https://kansaspolicy.org/sb-347-the-mother-of-all-subsidies/>

<https://www.kansascity.com/news/politics-government/article258307028.html>

***“NOW is the time to take action to protect and preserve,
NOW is the time to take control of our long-term well-being.”***

It will be hard work, yes. But it will also be very rewarding work. We have a diverse, highly skilled, and talented community. We already have community members ready to step-up and be involved. We already possess everything we need to make unified, smart decisions that will be in the best interest of **preserving the rural character and the quality of life we have all worked so hard to achieve.**

There are and will continue to be lots of questions. We will need to create city government and consider services that we want or need to add to our new city vs. continuing to rely on county resources.

In the beginning we must keep costs to a bare minimum. Most likely, in the beginning, roles in our new city’s government will be filled by volunteers, until we can begin to generate city revenue.

Common Questions

“Will our taxes go up?” They may or they may not. If they do go up we will work hard to make it very minimal, low taxes will always be our goal! There are many innovative ideas that are already being discussed to offset any new city taxes or to ultimately cover them completely if we get creative enough!

“What about Road Maintenance?” The responsibility to keep up roads **within** a City’s Limits in Douglas County does fall on each city. In the proposed boundaries of our NEW City we would be responsible for our gravel roads within the boundaries (approximately 29 linear miles of gravel road). **We would NOT be responsible for:**

- Paved 56 Hwy which is the responsibility of KDOT
- Paved 2200 Road (1061 Hwy) which is the responsibility of Douglas County
- And **portions** of County Line Road, responsibility of is shared with Johnson County.

This is a great map that shows current road responsibilities:

https://www.dglascountyks.org/sites/default/files/media/depts/public-works/pdf/roadmaintenanceresponsibility_0.pdf

The *current consensus* is we want to keep our rural character and not incur any costs for paving roads. However, maintenance of our current gravel roads will be key. For road maintenance we would look to our NEW city's own skilled citizens. Provide business opportunities within the city and create new jobs. This is where we get to have fun, with more control over the long-term vision and well-being of our city. We decide where budget is spent.

“What about Emergency Response?” For Emergency Fire Department Services, we will be able to continue to rely on Fire District 2 Services (Palmyra and Eudora Township Fire Response Agencies and Consolidated Fire District #1). Once the city begins pulling in revenue, if there is a need and desire to build our own Fire Department down the road, that can be determined.

For Law Enforcement, the city will be able to continue to rely on the Douglas County Sheriff's Department just as it does now. Long-term, having our own city police department may be desirable, again that would be determined, if and when, it is deemed necessary.

“How do we generate City Revenue?” Cities can receive substantial amounts of state revenue. There are also many grants that can be applied for (a few examples of available types of funding are listed with links below) and there is of course **our own ingenuity**. All these things, and more, will contribute to revenue to offset/cover capital expenses.

Just a Few Examples of City Funding & Grant Opportunities:

- 1) **Kansas Department of Commerce (you have to sign-up to view each Grant's details):** <https://kansasdepartmentofcommerce.submittable.com/submit>
- 2) **CDBG-CV3:** <https://www.kansascommerce.gov/program/community-programs/cdbg/cdbg-cv/>

<https://krsl.com/local/governor-laura-kelly-announces-more-17-million-grants-support-redevelopment-efforts-rural>
- 3) **KDOT City Connecting Link Improvement Program (CCLIP), Surface Preservation:** <https://www.ksdot.org/Assets/wwwksdotorg/bureaus/burLocalPr oj/BLPDocuments/CCLIP%20Prog%20Guidelines.pdf>
- 4) **EPA:** <https://www.epa.gov/green-infrastructure/green-infrastructure-funding-opportunities>

- 5) **EERE:** <https://www.energy.gov/eere/eere-initiatives-and-projects>
- 6) **USDA:** <https://www.wibw.com/2022/01/27/usda-sends-over-22-million-kansas-help-improve-rural-infrastructure/>
<https://sunflowerstateradio.com/2022/04/14/usda-invests-2-55-million-to-support-rural-kansas-health-care-providers/>
- 7) **911:** https://www.911.gov/federal_funding_opportunities_for_911.html
- 8) **K-State University Rural Grocery Initiative:** <https://www.ruralgrocery.org/>
<https://www.ruralgrocery.org/kansas-healthy-food-initiative/Overview.html>
- 9) **Kansas Forest Service:**
https://www.kansasforests.org/fire_management/costcareassistance.html
- 10) **Kansas Historical Society:** <https://www.kshs.org/p/grants/14613>

“What about Liability Issues?” The average price of a standard \$1,000,000/\$2,000,000 General Liability Insurance policy for small municipalities ranges from \$67 to \$99 per month based on location, size, services offered, claims history and more. The New City of Clearfield Electors Task Team has spoken to insurance providers already, to get an idea of what the New City of Clearfield, KS would need to have in place to cover exposures. Because the City would continue to rely on County resources and because it would not have any City owned property, vehicles, etc. to insure initially, exposure is low. The City would require a General Liability Policy, estimated at about \$1,000/year; and also, a “Linebacker” Policy to cover City Directors, Officers, Employees. At most this additional policy is estimated to be about \$2,000/year max. So, approximately \$3,000 annually for Liability Insurance is a good estimate. Adequate liability insurance will not be a big financial burden. Additional insurance can be added as needed, as the city grows its revenue.

The Pros

The most common arguments in favor of incorporation are as follows:

1. Incorporation establishes a city or town government through which a community can express itself, address its problems, and supply necessary services to the area. The community can exercise self-determination with regard to the nature and level of local services.
2. Municipal government is more responsive to the people living within the community. The members of the city and town council are closer to the people and, as a result, react more quickly to the community's requests.
3. A city or town government will receive substantial amounts of state revenues which do not flow to an unincorporated community.
4. An incorporated city or town has additional powers not found in an unincorporated community. An unincorporated community is under the jurisdiction of the county and, as a result, does not have much control over the level of services provided to the residents. The county must provide services as uniformly as possible throughout the unincorporated areas of the county. On the other hand, a city or town council has the authority to intensify services within the community.
5. An incorporated city or town can plan for the future growth of the community, in approved areas (remember we want to maintain agricultural, farming, agri-business but also encourage new homesteads) by adopting planning and zoning regulations which will provide for controlled land use. This regulation protects the community against undesirable land use patterns. In addition, incorporated cities and towns may adopt building, plumbing, mechanical and electrical codes in the interest of public health, safety, and welfare.
6. A separate city or town preserves the unity and pride of a particular community and maintains local individuality.
7. As a governmental unit, the city or town can better represent its citizens in transactions with the county, the State and Federal governments. In addition, local government may be used as a vehicle for positive progress in the community.
8. Municipalities may be the instrumentality for providing numerous utility services such as water, sewer, garbage and trash collection, gas, and electrical service **if** the city decides to enter into these operations.

The Cons

Hmmm, we really can't think of any because **we “trust” *ourselves* to govern *ourselves* fairly and wisely.**

It is critical for ALL voices to be heard and that includes opposition, concerns and questions.

Please contact community@clearfieldks.org to provide input and to ask questions.