

City Council Minutes – Regular Meeting – Monday, January 13, 2014

The Bonner Springs City Council met in regular session at 7:30 p.m. on Monday, January 13, 2014.

Governing Body Present: Mayor Jeff Harrington; Councilmembers: Tom Stephens, George Cooper, Bob Reeves, Joe Peterson, Jack Knight, Eric Freeman and Roger Shannon

Governing Body Absent: Councilmember Racheal Haas

City Staff Present: Jack Helin, City Manager; Rita Hoag, City Clerk; Krista Gentry, Public Housing Authority Director; Matt Beets, Project Manager; Rick Sailler, Utilities Director and Marcia Harrington, Economic and Community Development Director.

The Mayor opened the meeting with the Pledge of Allegiance to the Flag of the United States of America.

Item No. 1 – Citizen Concerns About Items Not on Today’s Agenda – Bob Chapman, Bonner Springs, stated concerns that hills had not been treated with salt or sand after the last snow. His concern is driver safety and he feels the snow plows did not perform a thorough job. The City Manager asked Mr. Chapman to speak to him about his concerns.

CONSENT AGENDA

The Mayor read the Consent Agenda Items 2 through 7 and asked the Staff, audience or City Council if they wished to remove an item for separate consideration. No items were removed.

Item No. 2 – Minutes of the December 9, 2013 City Council Meeting – Presented for approval.

Item No. 3 – Claims for City Operations – January 13, 2014 – Presented for approval were the Supplement Claims in the amount of \$291,209.27 and Regular Claims in the amount of \$167,105.79.

Item No. 4 – Public Housing Authority Claims – January 13, 2014 – Presented for approval in the amount of \$382.18.

Item No. 5 – Appointments to Boards and Commissions– Cemetery Advisory Committee: Reappointment of Mary Whitney for a three-year term to expire January 2017.

Item No. 6 – Unified Government Contract for Senior Center Funds for 2014 – The Unified Government submitted an extension of the current contract through December 31, 2014. Staff recommended the City Council approve the contract extension for 2014 funds in the amount of \$6,450.

Item No. 7 – Adoption of FY2014 HUD Income Limits for the Public Housing Authority – The Housing Authority must annually establish income limits to meet HUD requirements. The Governing Body, as the Board for the Housing Authority, approves documents HUD required for the Housing Authority. The Housing Authority Director recommended approval of the PHA Income Limits for the Fiscal Year 2014. **Assigned Resolution No. 2014-01**

CONSENT AGENDA APPROVAL

Reeves made a Motion to Approve the Consent Agenda as presented. Cooper seconded the motion and it carried on a vote of seven to zero.

REGULAR MEETING AGENDA

Item No. 8 – Award Contract for Lawn Care and Snow Removal Services for the Public Housing Authority to Creative Landscaping and Concrete, Inc. – The Public Housing Authority Director made a presentation as follows:

➤The Public Housing Authority requested bids for lawn care services in the summer of 2013 and awarded a contract to American Advanced Lawncare.

➤American Advanced Lawncare did not execute the approved contract and Creative Landscaping and Concrete, Inc. performed the lawn care services for the remainder of the 2013 season without a contract.

➤Creative Landscaping and Concrete, Inc. is a certified Women Business Enterprise, is a reputable contractor and has a contract with the City to correct code violations.

➤Staff recommends award of a contract for lawn care and snow removal services for the Public Housing Authority to Creative Landscaping and Concrete, Inc.

Peterson made a Motion to Award the Contract for Lawn Care Services and Snow Removal for the Public Housing Authority to Creative Landscaping and Concrete, Inc. Stephens seconded the motion and it carried on a vote of seven to zero.

Item No. 9 – Final Change Order, Final Acceptance and Final Payment to John Smith Concrete for 2013 Concrete Project – The Project Manager made a presentation as follows:

➤On August 26, 2013, the City Council awarded a contract to John Smith Concrete for repair work on Loring Lane.

➤The Contractor repaired a total of 6,605 square feet of concrete on Loring Lane.

- The City Council approved the contract in the amount of \$67,100 with an additional \$6,639 to be used if necessary. The final change order of \$5,555 leaves a balance of \$1,084 to carry over to 2014.
 - Approval and acceptance initiates the two-year maintenance bond.
 - Staff recommends the City Council approve the final change order in the amount of \$5,555 for additional work on Loring Lane, approve Project Acceptance for the 2013 Concrete Project in the total amount of \$72,655 and approve Final Payment to John Smith Concrete in the total amount of \$41,646.
- Shannon made a Motion to Approve a Final Change Order, Approve Final Acceptance and Approve Final Payment to John Smith Concrete for the 2013 Concrete Project. Reeves seconded the motion and it carried on a vote of seven to zero.

Item No. 10 – Amendment to Bonner Springs Center Development Agreement – The Community and Economic Development Director made a presentation as follows:

- Section 4 of the Development Agreement between the City and Bonner Springs Partners II, LLC states “The Pad Site, which shall be developed by the Developer, shall be constructed and be in operation by January 24, 2014...”
- The Developer of the Bonner Springs Center requested a six-month extension of time to develop the Pad Site.
- Mr. Goodcents will move into the Pad Site when constructed and Papa Keno’s Pizza will backfill the space Mr. Goodcents currently fills.
- Staff recommends the City Council approve an amendment to the Development Agreement to extend the completion date to October 24, 2014.

Reeves made a Motion to Approve an Amendment to the Bonner Springs Center Development Agreement. Stephens seconded the motion and it carried on a vote of seven to zero.

Item No. 11 – Massage Therapy Regulations Moratorium – The City Clerk made a presentation as follows:

- The City Council initially adopted the current Massage Therapy Regulations in 2006.
- Staff feels the need to review regulations in detail due to national massage therapy certification changes and other industry changes for massage therapy.
- Staff recommends a moratorium to not accept any new applications until adoption of amendments except to allow acceptance for Massage Therapist applications if the therapist will be employed by a Business Establishment that has a current license.
- The Moratorium will not impact establishments or massage therapists who currently have a license and who will be allowed to renew as long as they meet current requirements.
- The end date is the earlier of June 26, 2014 or complete review and adoption of amendments.
- The City Attorney approved the resolution language.

Stephens made a Motion to Approve a Resolution to Approve and Authorize a Moratorium on Issuance of New Massage Therapy Establishment Licenses, New In-Office Massage Therapy Establishment Licenses and Place Certain Stipulations on Issuance of New Massage Therapist Licenses. Cooper seconded the motion and it carried on a vote of seven to zero. **Assigned Resolution No. 2014-02**

Item No. 12 – Ordinance to Adopt Recodification of the City’s Code Book – The City Clerk made a presentation as follows:

- At the November 12, 2013 City Council meeting, City staff and Larry Kleeman, Citycode Financial, LLC, reviewed the major changes to the current Code Book and a list of fees to be removed from the Code Book.
- The City Attorney’s office reviewed the entire recodification draft and recommended minor changes that Citycode Financial made.
- Since November 12, 2013 the City Council approved a number of Ordinances which the City sent to Citycode Financial to incorporate into the the draft which included the amendments to the Animal Control Chapter to remove breed specific regulations.
- The City changed the Alcoholic Beverage License regulations to follow the State’s license period of two-years. The current annual fees will be doubled for a new two-year renewal fee.
- We removed fees from the Code Book. Court costs, fines and penalties will remain in the Code Book in order to properly handle violations in Municipal Court.
- If approved by the City Council, we will publish a summary of the Ordinance and execute the required Certificate of the City Clerk. The effective date of the readoption is upon publication of the Ordinance on January 16, 2014.
- We will publish the entire code on the City’s website under the “Government” tab on the Home page; Councilmembers will no longer have a Code Book.
- Staff recommends the City Council approve an ordinance to adopt the recodification of the City’s Code Book.

- Katie Barnett, Lawrence, Kansas, thanked the City Council for their hard work and time they took to make the changes to the Animal Control Chapter.
 - The Mayor thanked the Animal Task Force and Councilmembers Stephens and Knight for the work they put in to the effort.
 - Cheryl Buell, Kansas City Dog Advocates, thanked everyone on the Animal Task Force for their work.
 - Summer Braden, 216 Tiblow Lane, on behalf of Debbie Baker, thanked the City Council.
 - Councilmember Stephens thanked the members of the Task Force and City Staff for the work they did on the animal regulation amendments.
- Stephens made a Motion to Adopt an Ordinance to Adopt the Recodification of the City of Bonner Springs Code Book. Shannon seconded the motion and it carried on a vote of seven to zero. **Assigned Ordinance No. 2381**

Item No. 13 – Readopt Fees Removed From Various Sections of the Code Book – The City Clerk made a presentation as follows:

- Enclosed in the agenda is a list of fees removed from the Code Book.
 - The City Attorney’s office concurred that these fees do not need to be in the Code Book.
 - Removal of the fees eliminates the need to amend them in the future by Ordinance.
 - Fees are all as previously set with no changes except the biennial fees for Alcoholic Beverage Licenses which the City doubled due to the change to a two-year renewal period.
 - Staff recommends the City Council readopt the fees removed from the various sections of the Code Book.
- Stephens made a Motion to Readopt Fees Removed from Various Sections of the Code Book. Peterson seconded the motion and it carried on a vote of seven to zero.

Item No. 14 – City Manager’s Report – The City Manager added items as follows:

- Temporarily reduced the speed limit on Kansas Avenue between 138 Street and 142 Street to twenty-five miles per hour due to deteriorated road conditions.

Item No. 15 – City Council Items –

- Cooper reported that he heard a rumor that he advocates elimination of Tiblow Transit. He stated his support of Tiblow Transit and wants to see it expanded.
- Peterson reported that he participated in the Snow Angels program for the first time and stated it is a great program. He encourages people who need it to use the program.

Item No. 16 – Mayor’s Report –

- Thanked everyone for their concern while his mother was in the hospital. She is home now.
- Thanked Staff for their work to have the City Council meetings digitally recorded and placed on the City’s website. The City Clerk stated her goal is to have the meetings available on the website by noon the day after the meeting and expects to have space to maintain approximately ten months meetings on the website.
- Talked with Mayors from Johnson and Wyandotte Counties over the holidays and will continue to update the City Council of any information he receives.
- Met with the Leadership Congress at Clark Middle School who will tour the Downtown area later this year.
- The Mayor’s Youth Council will meet on a regular basis.
- Councilmember Cooper offered condolences to Matt Beets on the loss of Kim’s mother.
- Councilmember Freeman asked for information about the Martin Luther King Jr Day celebration at the First Christian Church. The City Clerk stated she will have a proclamation and will email the information.

The meeting adjourned at 8:07 p.m.

Rita Hoag, City Clerk