

CITY COUNCIL AGENDA
Monday, August 11, 2014

Workshop – 6:30 p.m.

WS-1 KDOT Letter Response to Resolution 2012-14 (K-7 MOU)

Council Meeting – 7:30 p.m.

1. Citizen Concerns About Items Not on Today's Agenda. (Copies of written material presented to the City Council also needs to be provided to the City Clerk.)
CONSENT AGENDA - If a Councilmember has a simple question about an item, it can be asked before the Mayor calls for the vote on the Consent Agenda. An item only needs to be removed from the Consent Agenda if it warrants discussion.
2. Minutes of the July 28, 2014 City Council Meeting
3. Minutes of the Special Budget Workshop Meeting Held on July 21, 2014
4. Claims for City Operations for August 11, 2014
5. Public Housing Authority Claims for August 11, 2014
6. Kobi's Annual Bike Show Consumption/Possession/Sales Permit
7. Resolution of Intent Tiner Richland Apartments Extension
8. Cricket Wireless Request for Use of Public Streets for Black Light 5K Run Friday, August 29

REGULAR MEETING AGENDA

9. Public Hearing 2014 Budget Amendments & 2015 Budget
10. Approve 2014 Budget Amendments & 2015 Budget & Establish Maximum Expenditures
11. Special Use Permit SUP-131 Freedom Farm Riding Stable
12. Final Plat (Replat) PT-14-101 The Villages
13. Award 138 Street Pressure Reducer Valve (PRV) Vault
14. Acceptance & Approve Final Payment for the 2014 Pavement Preservation Project
15. Authorization to Sign Contract for Purchase of Union Pacific Property
16. City Manager's Report
17. City Council Items
18. Mayor's Report



City of Bonner Springs

P. O. Box 38, 205 East Second Street, Bonner Springs, KS 66012

WORKSHOP MEETING

6:30 p.m.

REGULAR CITY COUNCIL MEETING

7:30 p.m.

CITY HALL COUNCIL CHAMBERS

Monday, August 11, 2014

Life is Better in Bonner Springs

City Council Workshop Agenda
Monday, August 11, 2014

Present:

Stephens	_____
Cooper	_____
Reeves	_____
Haas	_____
Peterson	_____
Knight	_____
Freeman	_____
Shannon	_____

Staff Present: _____

AGENDA ITEM: KDOT Letter Response to Resolution 2012-14 (K-7 MOU)

NARRATIVE: The enclosed memorandum addresses the KDOT responses to the City's adopted Resolution No. 2012-14 they provided in a letter to the City dated March 19, 2013. With direction and/or no opposition to the recommended responses, Staff will draft a letter response to KDOT for the Mayor's signature that will be in the next City Manager's report for the City Council's review and concurrence.

Enclosed loose in your Agenda Packet is a 11X17 exhibit that shows the KDOT Construction Phases 1 through 10.

MEMORANDUM

BONNER SPRINGS PLANNING DEPARTMENT

August 7, 2014

To: Mayor and City Council
Thru: John N. Helin, City Manager 
From: Don E. Slone, AICP, CFM, Planning Director 
Subject: **K-7 Corridor MOU Discussion**

Background:

- A. The City Council approved Resolution No. 2012-14 which stated the City's concerns and issues with KDOT's plans for the K-7/I-70 Interchange project and was sent to KDOT on November 13, 2012. Attached is a copy of the Resolution.
- B. KDOT responded to the City's Resolution on March 19, 2013. Attached is a copy of KDOT's Response.
- C. We did not bring this discussion back to the City Council earlier than now due to the work on the 134 Street Utility Relocation Project. This project took two years to complete and we needed to work through that project, which included our negotiations with KDOT to pay for major portions of the project before we could/should readdress this issue and response to KDOT's letter.

Note: KDOT reimbursed the City \$2,514,230 or 71% of the total \$3,539,117 project cost. All payment requests to KDOT were paid on time without issues and at the negotiated percentages. Additionally, they agreed to participate with numerous change orders without hesitation.

- D. Enclosed is a diagram that shows KDOT's phases and below summarizes the ten phases of the K-7/I-70 Interchange project:
- Phase 1 – Northwest/Southwest Loop Ramps + K-7 at Speaker Road improvements – under construction.
 - Phase 2A – Riverview Avenue Bridge over I-70 – completed.
 - Phase 2B – 118 Street Bridge over I-70 – under construction.
 - Phase 3 – I-70 pavement widening from K-7 east to 110 Street – pending construction.
 - Phase 4 – West Bound Loop Ramp at 134 Street + East Bound Loop Ramp at K-7 – not funded.
 - Phase 5 – Kansas Avenue Interchange (Single Point Urban Interchange) – not funded.
 - Phase 6 – 130 Street Interchange (Diverging Diamond) – not funded.
 - Phase 7 – K-7 Improvements to add bridges and ramps for east bound I-70 – not funded.
 - Phase 8/9 – I-70 east and west bound pavement widening – not funded.
 - Phase 10 – K-7 at Canaan Center Drive / Riverview Avenue – not funded.
- E. The following summarizes the "major issues" we included in our Resolution to KDOT followed by their responses:
1. **Resolution:** "Determine a "no earlier than" date before work would begin on any phase beyond Phase 4."
 - **KDOT's Response** – While KDOT cannot provide a date certain for construction of the remaining phases, they stated that construction of phases beyond Phase 4 will not begin prior to 2020, unless unexpected funding becomes available and the City and KDOT agree to an earlier date or safety becomes an issue.
 2. **Resolution:** "Determine an actual traffic count metrics that would have to be reached before any work would begin on any phase beyond Phase 4."
 - **KDOT's Response** – KDOT understands our request to develop a metric based on traffic volumes to trigger additional phases of the project. However, due to the complexity of this Project, it will be impractical to develop a threshold traffic volume that will warrant construction of future phases. They suggested that KDOT and the City continue to partner and have discussion regarding developing indicators that will initiate when future phases of the Project should be constructed.

3. **Resolution:** “Ensure that the Kansas Avenue intersection will not be converted until all current, interim and future at grade intersections along K-7 from Lansing to Olathe are first converted to a freeway configuration.”
 - **KDOT’s Response** – KDOT did not agree with this proposal. KDOT is charged with making improvements to the highway system if and when they are needed. The existing and projected traffic volumes, as well as the need to provide a safe and efficient highway system to access the adjacent developments, indicates that this stretch of K-7 has a high need for improvements ahead of other portions of K-7. KDOT believes this intersection is a top candidate for future upgrade to an interchange, hence the undertaking of this design and multi-year phased construction approach.
4. **Resolution:** “Plan for additions and improvements to the street network in and around the intersections, especially Kansas Avenue, that would help alleviate congestion on K-7 and would work as viable alternate access to business / detour routes should a freeway be needed and the at grade intersections eliminated and ensure that KDOT includes them for their future planning and funding, such as the extension of Nettleton Avenue, construction of 129th Street, Canaan Center Drive, 134th Street, Custer Avenue (Cheyenne Avenue), etc.”
 - **KDOT’s Response** – KDOT agrees with the City and has previously expressed their willingness to construct necessary portions of the local street system to accommodate access and the construction of the Kansas Avenue interchange. KDOT’s proposal to extend Nettleton Avenue to the north and to build a street from that extension back west to K-7/Speaker Road intersection will be a viable alternate route during construction of the Kansas Avenue interchange, shorten the construction period considerably, and serve as a long-term street for the City. They are also evaluating street improvements north of I-70 that would be beneficial as part of the Phase 6 interchange at 130th Street.

Discussion:

After further analysis and consideration of the entire project with all its phases and the expected impacts on the City, we believe we should follow up our Resolution to address issues in KDOT’s letter and add some additional items that we now believe KDOT needs to do.

- A. Design and construct the Nettleton Avenue Extension as an integrated part of Phase 5 prior to any construction on K-7.
 - The Nettleton Avenue Extension is now an “option” for Phase 5. This addition as an integrated part of Phase 5 will merge the two projects together. The Nettleton Avenue Extension will allow Bonner Springs resident’s full access to the Wal-Mart Supercenter along with all the business located on the east side of K-7 and Kansas Avenue and eliminate the need to use K-7.
 - Construction of the Nettleton Avenue Extension needs to be completed before any work is started on K-7 at Kansas Avenue.
- B. Design and construct Cheyenne Avenue from K-7 west to 132nd Street.
 - This addition will close all access to K-7 Hwy from the west side off the gravel road and will significantly improve roadway safety on K-7 south of Kansas Avenue by eliminating on/off access to K-7 by the nine (9) homes along this road.
- C. Design and construct Tulip Drive south to intercept Nettleton Avenue as shown on the Kerry Roberts Park Impacts Sheet dated 6/10/2010.
 - The construction of Tulip Drive will close all access to K-7 from the east side of K-7 that includes Kerry Roberts Park and will significantly improve roadway safety on K-7 south of Kansas Avenue. This will provide Bonner Springs residents with another access to the Wal-Mart Supercenter along with all the business located on the east side of K-7 and eliminate the need to use K-7 Hwy.
- D. Assist in the Final Design and construction of Canaan Center Drive Extension and 134 Street from Kansas Avenue to Riverview Avenue.
 - The construction of both the Canaan Center Drive Extension and 134 Street will provide Bonner Springs residents with full access to Canaan Center without utilizing K-7 both during and after the construction of Phase 5, Phase 6 and Phase 10. This addition may also alleviate some of the daily congestion on K-7.

- E. Establish a “Joint” KDOT/City Construction Mitigation Program for Phase 5, Phase 6 and Phase 10.
- A “Joint” Construction Mitigation Program should be established to assist the City of Bonner Springs, their residents, motorists and all the affected businesses due to the disruption caused by the construction of the K-7/I-70 Interchange. A Construction Mitigation Program generally consists of several activities such as: public meetings, communication with affected businesses, signage, project website and business education. Go to <http://www.lafollette.wisc.edu/publications/workshops/2010/construction.pdf> to see a report/study explaining the Construction Mitigation Program completed for the City of Milwaukee by students in the master of public affairs program in the Robert M. LaFollette School of Public Affairs at the University of Wisconsin-Madison, WI.
- F. Coordinate and cooperate with KDOT to ensure the relocation of all City utilities are relocated well ahead of any road construction projects.
- Work with KDOT to ensure a timely relocation of City utilities to prevent delays in KDOT’s contract letting and construction dates.
 - The City has sanitary sewer conflicts on K-7 south of Kansas Avenue as the Spring Creek Sewer Interceptor was installed in KDOT’s right-of-way that will require relocation. The sanitary sewer that crosses K-7 that serves the Walmart Supercenter, Prairie Meadows Retail Center and the Bonner Springs Pointe does not have enough capacity or may not have enough elevation to intercept the existing Springs Creek Sewer Interceptor at the old Walmart lift station.
 - The City’s 12” water main that feeds the K-7 and Kansas Avenue intersection will require relocation as it located in the platted “road easement” dedicated on the plat of the Country Hills Subdivision that will be acquired by KDOT for Phase 5 construction.
- G. Concur with KDOT’s suggestion to work mutually to identify other “indicators” that need to be present before construction commences for Phase 5 at Kansas Avenue.
- H. Shift Construction Phases. Construct Phase 6 before Phase 5 – or – not.
1. Construct Phase 6 ahead of Phase 5.
 - This will allow more time to determine the impacts of improvements from Phases 1 through Phase 4 on K-7 at Kansas Avenue and delay the negative impacts to businesses in the area.
 2. Leave Phase 5 as is.
 - Shifting Phase 6 before Phase 5 may delay the construction of the supporting road network such as the Nettleton Avenue Extension, Tulip Drive, etc., all of which would be beneficial to the City right now.
 - With the earth work that has been done to the Speedway LLC property on the east side of K-7, south of I-70 to the north side of 129 Street, this area is now more developable and hopefully more attractive to developers. If this area did develop, or before they would develop, there may actually be a need to construct the Phase 5 Interchange at Kansas Avenue earlier then envisioned.

Recommendation:

1. Review, discuss and determine those items to be included in the City’s response to KDOT; and
2. Based upon City Council consensus, Staff will prepare a letter of response to KDOT for City Council review and approval at the next City Council meeting.

Resolution No. 2012-14

A Resolution to establish the City's position on converting K-7 Highway through Bonner Springs into a freeway; Direct staff to negotiate with KDOT to amend the current Memorandum of Understanding (MOU) to reflect that position; and Authorize the Mayor to submit a letter to the Kansas Secretary of Transportation to state the City's position on converting K-7 Highway to a freeway in Bonner Springs.

Be it Resolved by the Governing Body of the City of Bonner Springs, Kansas:

Whereas, the City of Bonner Springs reluctantly signed a Memorandum of Understanding (MOU) with the Kansas Department of Transportation, hereinafter referred to as KDOT, in 2007 which designates improvements to the K-7 / I-70 interchange and calls for eventual conversion of K-7 to a six (6) lane, high speed freeway from Lansing on the North to I-35 on the South, and

Whereas, the City of Bonner Springs expressed many concerns with the freeway concept in numerous meetings and correspondence with KDOT prior to signing the MOU, and

Whereas, the City of Olathe, a signatory of an MOU with KDOT to convert K-7 Highway to a freeway, determined it no longer supports the freeway plan through their community and their action eliminates the conversion of K-7 to a freeway because a major and significant portion of the freeway concept will no longer happen and this action results in the retention of eight (8) traffic signals on K-7 in Olathe, and

Whereas, the Cities of Leavenworth and Lansing have fifteen (15) traffic signals on K-7 that passes through those communities and the City of Lansing indicated its desire to add another traffic signal in their City limits in the area of K-7 designated future freeway in the MOU, and

Whereas, an independent Economic Development Strategy study of the K-7 corridor in Leavenworth and Wyandotte counties, co-sponsored by Mid-America Regional Council (MARC), was recently completed and it indicated that the freeway concept would have a detrimental effect on the City of Bonner Springs, and this study states the following about the "K-7 and Kansas Avenue District": "...this area faces potential threats over the short and mid-term time frames....uncertainty remains in the development community concerning the timing of these improvements (e.g. conversion of K-7 to a freeway) and how the construction of the freeway may affect individual businesses. This uncertainty may be hurting the potential of the Kansas Avenue district to attract further investment." (P. 59 of the report), and

Whereas, the City of Bonner Springs has and continues to experience the negative effects of the proposed freeway in actual lost commercial development opportunities as well as the freezing effect this caused due to the unknown nature of what will happen and when it will happen. This has and continues to hamper the ability to develop these and other properties in and around K-7, as evidenced by the lost opportunity for a major home improvement store in the area west of K-7, south of I-70 and north of Commercial Drive and the recent decision by a commercial enterprise to withdraw their plans to construct a new building along Commercial Drive, and

Whereas, the result of the planned freeway and it's ever evolving design, as well as the uncertainty of when any changes might be funded, has a deleterious effect on the overall growth and economic development of the City, and

Whereas, the K-7 freeway concept eliminates all three of our very important traffic intersections in the City of Bonner Springs (Kansas Avenue, Canaan Center Drive and 130th Street), which provide access to the City's most important and critical commercial businesses that are absolutely vital to the welfare of the City, and

Whereas, the freeway design and timeline has a negative impact on economic development for our city, which resulted in lost opportunities for millions of dollars in sales tax revenues for the City and the state as well as less shopping and job opportunities for our citizens, and

Whereas, the revenue the City derives from the businesses adjacent to these three intersections represents the majority of the City's annual sales tax revenue and represents a larger revenue impact on our City than the area of K-7 in the City of Olathe, by a very large factor, and

Whereas, a freeway would forever divide the City in two, disrupt the fabric of the community, isolate businesses from highway commerce as well as create a visual barrier to businesses and a City Park, and

Whereas, K-7 serves the City of Bonner Springs and local area as more than a high speed roadway, which moves motorists through the community at a high speed that hampers their sight of and access to the City's important commercial businesses, and

Whereas, when a road serves multiple functions, the levels of service and travel projection models utilized by KDOT should not be the most important criteria to determine whether K-7 should be converted to a freeway, as pointed out in the article, "Levels of Service and Travel Projections: The Wrong Tools for Planning our Streets" (Copy of article attached as exhibit A) and

Whereas, numerous other cities throughout the United States have found that freeways that bisect the heart of their city are harmful to the community and worked to tear down those freeways and replace them with at-grade arterials with traffic signals, which resulted in better land utilization, increased economic development and increased property values without a negative effect on traffic, and

Whereas, the two articles, "Tear it Down!", "Milwaukee, Wisconsin – Park East Freeway" and "San Francisco, CA – Embarcadero Freeway" (copies attached as exhibits B, C & D) point out the negative effect of freeways in the heart of a community and provide specific examples of why conversion of K-7 to a freeway would only perpetuate the same mistakes these communities spent years and millions of dollars to correct, and

Whereas, there are numerous other similar examples that point out the problems of urban freeways and the positive effects their elimination caused that can be found at www.preservenet.com/Freeways , and

Whereas, the City also believes the cost to convert K-7 to a freeway far exceeds its value and that for a fraction of those costs, construction of streets adjacent to the area in and around the K-7 & Kansas Avenue intersection, such as the extension of Nettleton Avenue and 129th Street, as well as geometric improvements to the existing lanes and intersections, would be a more efficient and cost effective use of highway funds, and

Whereas, the City disputes the future vehicle counts (Note – traffic counts in the area are actually less now than in the past– KDOT traffic counts show a reduction of 2,900 cars per day from 2007 to 2011) used as justification to convert K-7 to a freeway and that other factors need to be taken into consideration and that any plans should be based on actual traffic volume counts based on actual development, not estimates that are based on potentially conflicting or flawed assumptions, and

Whereas, the City has serious concerns to a “freeway is the ONLY solution” approach, as we believe there may be alternative approaches, such as a mixed freeway – arterial configuration as well as interim improvements that would affect the intersection and timing of “possible” future congestion, such as coordination and synchronization of traffic signals, and

Whereas, the 5-County Regional Transportation Study, co-sponsored by KDOT points out many of the same concerns the City of Bonner Springs expressed about converting K-7 to a freeway and as reported by MARC, recommends that rather than only constructing traditional projects that add capacity to the existing system, a range of strategies must be used including:

- Managing existing lanes, rather than simply building new ones.
- Ensuring that any new lanes that are built are considered for high-occupancy vehicles or are high-occupancy toll lanes which can also be helpful during peak periods; however, this strategy might not be appropriate on some roadways.
- Addressing congestion during commute times through enhanced transit and programs like RideShare.
- Make improvements to interchanges and intersections to correct bottlenecks rather than adding new lanes.
- Expanding programs such as Kansas City Scout and Motorist Assist to address nonrecurring congestion like crashes and vehicle break-downs that often do not occur during peak periods.
- Continuing partnerships among the state, counties and cities in making transportation improvements.
- Develop balanced solutions by implementing Travel Demand Management by using such techniques as active lane control and variable speed limits and any new lanes should be managed lanes, and

Whereas, the suggestions made by the City and the 5-County Transportation Study all represent significant cost savings to the state over building a freeway and provide for a more reasonable benefit for the cost, and

Whereas, the retention of traffic signals at the three intersections would not impede any movement for 75% or more of the traveling public and that the small percentage that would have to stop only adds a few minutes to their travel time, which is insignificant and that no consideration has been given to the fact that drivers can adjust their habits and timing independent of spending millions of dollars on a freeway to address only a small portion of a day (Four (4) hours total per day) when people go to and from work, for five (5) days out of every week, even though the current road, or one with minor improvements can handle the traffic volume for approximately 20 hours out of every day, and

Whereas, the City desires to work cooperatively with KDOT to make the interchange improvements to K-7 / I-70, identified as Phases 1 – 4 of their design plan and help identify at grade improvements to the existing intersections and amend the current K-7 MOU, and

Whereas, a revised MOU would need to set agreeable time certain dates and traffic count metrics as triggering mechanisms and construct connecting road networks before any further work to convert K-7 to a freeway was begun.

Now, Therefore, be it Resolved by the Governing Body of the City of Bonner Springs, Kansas, that:

Section I: The City of Bonner Springs has serious concerns, issues and reservations about the conversion of K-7 to a freeway through Bonner Springs, especially the elimination of the three intersections on K-7 in Bonner Springs.

Section II: The City staff shall work with KDOT staff to revise the current MOU to reflect the position as stated above in Section 1 and specifically bring back to the Governing Body proposals to:

1. Determine a "no earlier than" date before work would begin on any phase beyond Phase 4.
2. Determine actual traffic count metrics that would have to be reached before any work would begin on any phase beyond Phase 4.
3. Ensure that the Kansas Avenue intersection will not be converted until all other current, interim and future at grade intersections along K-7 from Lansing to Olathe are first converted to a freeway configuration
4. Plan for additions and improvements to the street network in and around the intersections, especially Kansas Avenue, that would help alleviate congestion on K-7 and would work as viable alternate access to businesses / detour routes should a freeway be needed and the at-grade intersections eliminated and ensure that KDOT includes them for their future planning and funding, such as the extension of Nettleton Avenue, construction of 129th Street, Canaan Center Drive, 134th Street, Custer Avenue, etc.

Section III: Barring a mutually satisfactory revision to the MOU, the City will take the necessary action, as outlined in the MOU, to terminate the MOU.

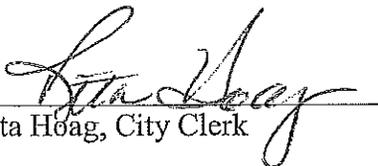
Section IV: The Mayor shall send a letter to the Kansas Secretary of Transportation to express the City's position and provide the City's desires and goals to amend the MOU.

Approved by the City Council and Signed by the Mayor on November 13, 2012.

Attest:



Clausie W. Smith, Mayor



Rita Hoag, City Clerk

(Seal)



Department of Transportation
Division of Planning and Development

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Fax: 785-368-6664
Hearing Impaired - 711
publicinfo@ksdot.org
<http://www.ksdot.org>

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

Mike King, Secretary
Chris J. Herrick, P.E., Director

Sam Brownback, Governor

March 19, 2013

Mayor Clausie Smith
City of Bonner Springs
205 E. Second St.
P.O. Box 38
Bonner Springs, KS 66012

Dear Mayor Smith:

RE: City Resolution No. 2012-14

I am writing in response to your November 14, 2012 letter regarding the K-7 Corridor Memorandum of Understanding (MOU). Thank you for taking the time to submit your concerns via Resolution No. 2012-14 (Resolution) about proposed improvements to K-7 and I-70 within the City of Bonner Springs (City). KDOT is committed to working with the City to develop a K-7/I-70 highway improvement project that will provide for a safe and efficient system that includes design elements and a construction time frame that incorporates the current and future needs of the City.

KDOT has reviewed the Resolution and has the following response to Section II where the City Council directed City staff to work with KDOT staff to revise the K-7 MOU to reflect the City's concerns about a K-7 freeway through Bonner Springs:

1. Determine a "no earlier than" date before work would begin on any phase beyond Phase 4.
 - **Response** – Since Phases 8 and 9 involve work on I-70 only, we will assume that "beyond Phase 4" refers to the following phases. Please advise if this assumption is incorrect.
 - Phase 5 (Kansas Ave. interchange)
 - Phase 6 (130th Ave. interchange)
 - Phase 10 (Canaan Dr. underpass)
 - Potentially Phase 7 (K-7 freeway from Commercial to the I-70 bridge; new bridge over I-70; eastbound ramp to I-70; and a Speaker Road underpass)

At this time KDOT does not have construction funding programmed for any construction on this project beyond Phase 3. Phase 3 is scheduled for construction during 2015 and 2016. KDOT is currently obtaining rights of way for future construction of Phase 4. It is unlikely that construction of any highway improvements beyond Phase 4 could be let to construction before the end of the T-WORKS program. These later phases of the project will be evaluated along with other statewide needs as part of a future highway program. Issues such as highway safety, congestion, accident history, funding availability, demand for transportation infrastructure to serve economic development opportunities, and input received from the local communities will be used to shape our next highway program. While KDOT cannot provide a date certain for construction of the remaining phases, we can say that construction of phases beyond Phase 4 will not begin prior to 2020, unless unexpected funding becomes available and the City and KDOT agree to an earlier date or safety becomes an issue.

2. Determine actual traffic count metrics that would have to be reached before any work would begin on any phase beyond Phase 4.
 - **Response** – KDOT understands your request to develop a metric based on traffic volumes to trigger additional phases of the project. However, due to the complexity of this Project, it will be impractical to develop a threshold traffic volume that will warrant construction of future phases. We believe that factors as stated in Response #1 must be considered to determine when additional phases will be constructed. We suggest that KDOT and the City continue to partner and have discussions regarding developing indicators that will initiate when future phases of the Project should be constructed. Some of the discussion items could include vehicle queue lengths at traffic signals, vehicle delay, traffic volumes, highway safety, accident rates, needs of the City to accommodate future economic development, and funding availability.
3. Ensure that the Kansas Avenue intersection will not be converted until all other current, interim and future at grade intersections along K-7 from Lansing to Olathe are first converted to a freeway configuration.
 - **Response** – KDOT cannot agree to this proposal. KDOT is charged with making improvements to the highway system if and when they are needed. The existing and projected traffic volumes, as well as the need to provide a safe and efficient highway system to access the adjacent developments, indicates that this stretch of K-7 has a high need for improvements ahead of other portions of K-7. KDOT believes this intersection is a top candidate for future upgrade to an interchange, hence the undertaking of this design and multi-year phased construction approach. An interchange at this location is a key component to the ultimate K-7/I-70 project operations and safety. The Kansas Avenue interchange plays a crucial role in the function of the system-to-system interchange at I-70, and it will provide a reliable link for businesses adjacent to the K-7 corridor. KDOT will continue partnering with the City to determine when improvements will be needed to this intersection.
4. Plan for additions and improvements to the street network in and around the intersections, especially Kansas Avenue, that would help alleviate congestion on K-7 and would work as viable alternate access to businesses/detour routes should a freeway be needed and the at-grade intersections eliminated and ensure that KDOT includes them for their future planning and funding, such as the extension of Nettleton Avenue, construction of 129th Street, Canaan Center Drive, 134th Street, Custer Avenue, etc.
 - **Response** – KDOT agrees with the City and has previously expressed our willingness to construct necessary portions of the local street system to accommodate access and the construction of the Kansas Avenue interchange. Details about these local roads, in addition to access accommodations for businesses and local traffic during and after construction of the new interchange, will continue to be discussed with the City as time progresses.

The use of federal, state and possibly local funding details will need to be finalized and agreed upon with the City. Our limitations on using federal funds for local roads will be subject to the following guidelines: 1) facilitates construction and improves the long-term highway operational characteristics; 2) is necessary to maintain access; and 3) is a more economical solution regarding constructability and traffic management.

KDOT's proposal to extend Nettleton Avenue to the north and to build a street from that extension back west to the K-7/Speaker Road intersection will be a viable alternate route during construction of the Kansas Avenue interchange, shorten the construction period considerably, and serve as a long-term street for the City.

We are also evaluating street improvements north of I-70 that would be beneficial as part of the Phase 6 interchange at 130th Street.

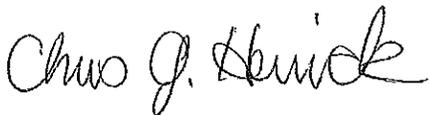
KDOT agrees and looks forward to additional discussions with the City to consider needed and mutually beneficial improvements to the local street network that will complement the K-7/I-70 highway improvements. More material discussions with the City will be conducted. It is important to understand that these improvements to the local road network are important for construction beyond Phase 4. It is possible that these local street improvements could change by the time future phases are constructed based on the needs of the City to accommodate future development.

Our Traffic Engineering Unit is currently performing a study at the K-7/Kansas Avenue intersection to evaluate interim improvement options until the ultimate interchange is constructed. This information will be shared when it is available. As well, Phase 1 plans are being completed that incorporate improvements to the southbound K-7 left turn lane at Kansas Avenue, and reconfiguration of the K-7 and Commercial Drive intersection to a right-in/right-out/left-in. These items are referenced in an email from Jim Pickett, Metro North Engineer, to John Helin, City Manager, on September 13, 2012.

Lastly, KDOT holds Local Consult meetings every two (2) years. These meetings are a great opportunity for our local partners to provide us with input on transportation projects that have risen to the top in their region based on safety issues, traffic concerns and economic development opportunities. KDOT has billions of dollars of needs in the Kansas City Metropolitan region alone. With all the needs we have across the state, we will continue to evaluate and re-evaluate projects to determine what investments help us meet our state's economic goals and provide us a safe, reliable and prosperous transportation system.

Please let us know how you want to proceed.

Sincerely,



Chris J. Herrick, P.E.
Director, Division of Planning & Development

c: Jerry Younger, Deputy Secretary and State Transportation Engineer
Dennis Slimmer, Chief, Bureau of Transportation Planning
Aaron Frits, Road Design Leader
Jim Pickett, Metro North Engineer
Rod Lacey, Engineering Manager
David Gurss, Transportation & Land Use Planner

ITEM NO. 1.

**City Council Regular Agenda
Monday, August 11, 2014 – 7:30 p.m.**

Present & Vote	Stephens	_____	Peterson	_____
	Cooper	_____	Knight	_____
	Reeves	_____	Freeman	_____
	Haas	_____	Shannon	_____

Mayor Vote on Charter Ordinances & Planning Items _____

MOTION: _____ **SECOND:** _____

AGENDA ITEM: Citizen Concerns About Items Not on Today's Agenda. (Copies of written material presented to the City Council also needs to be provided to the City Clerk.)

ACTION: None

STAFF RECOMMENDATION: None

This item is for comments and questions from the audience about items that are not included on today's agenda.

CONSENT AGENDA

The City Council will consider Consent Agenda items by one motion with no discussion unless the City Council, Staff or the audience requests removal of an item from the Consent Agenda. The City Council will consider an item removed from the Consent Agenda as the next item after their action on the Consent Agenda.

ITEM NO. 2.

**City Council Regular Agenda
Monday, August 11, 2014 – 7:30 p.m.**

Present & Vote	Stephens	_____	Peterson	_____
	Cooper	_____	Knight	_____
	Reeves	_____	Freeman	_____
	Haas	_____	Shannon	_____

Mayor Vote on Charter Ordinances & Planning Items _____

MOTION: _____ **SECOND:** _____

AGENDA ITEM: Minutes of the July 28, 2014 City Council Meeting

ACTION: Make a Motion to Approve the Minutes of the Regular Meeting Held on July 28, 2014

STAFF RECOMMENDATION: The City Clerk Recommends Approval

Enclosed are the minutes for approval and the Workshop Minutes for information.

City Council Minutes – Regular Meeting – Monday, July 28, 2014

The Bonner Springs City Council met in regular session at 7:30 p.m. on Monday, July 28, 2014.

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

City Staff Present: Jack Helin; City Manager; Rita Hoag, City Clerk; Tillie LaPlante, Finance Director; Krista Gentry, Public Housing Authority Director and Rick Sailler, Utilities Director

The Mayor opened 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 –

➤Michelle Hoffine, 29120 West 121 Terrace, Olathe, KS, requested the City revise the permit fee for use of City parking lots or allow leniency for the rest of the summer. She stated she sells retail items in the parking lot by Kobi’s on Wednesday nights. She also requested the City not require specific dates on the permits because her business is dependent on the weather.

➤Amy Swartz, 1207 North 131 Terrace, Kansas City, Kansas, stated she owns a small business that sells hand crafted items almost entirely online. She stated that last year she applied for and received an Occupational License to sell at the Kobi’s Bike Show. Kobi’s applied for the permit so she was not aware that she needed one to use the parking lot.

➤Jackie Logan, 4515 Cleveland Avenue, Kansas City, Kansas stated she is a small business owner who has an Occupational License. She sells patches every Wednesday at Kobi’s. She stated she cannot afford a permit fee every time she comes to the City to do business.

➤Adam Bryant, 14735 Countryview Drive, Leavenworth, Kansas, owner of Adams Barbeque, served burgers and barbeque in the parking lot behind Kobi’s. He applied for and received an Occupational License and did not think the City consistently enforces the requirement for a permit.

CONSENT AGENDA

The Mayor read the Consent Agenda Items 2 through 8 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 July 14, 2014 City Council Meeting – Presented for approval.

Item No. 3 – Special Budget Workshop Meeting Minutes Tuesday, July 15, 2014 – Presented for approval.

Item No. 4 – Claims for City Operations – July 28, 2014 – Presented for approval were the Supplement Claims in the amount of \$85,921.92 and Regular Claims in the amount of \$93,152.66.

Item No. 5 – Public Housing Authority Claims – July 28, 2014 – Presented for approval in the amount of \$18,551.25.

Item No. 6 – Appointments to Boards and Commissions – Planning Commission: Reappoint Sherri Neff and Jason Krone whose terms expire August 2014 for another three-year term to expire August 2017. Board of Zoning Appeals: Reappoint Gene Reynolds and Jerry Jarrett whose terms expire August 2014 for another three-year term to expire August 2017.

Item No. 7 – Governing Body Policy GB-05-02 Presentation of Nominations to Committees, Boards and Commissions to the City Council Amendment – Staff reviewed the recommended amendment with the City Council in the July 14, 2014 Workshop Meeting. The amendment ensures the City’s compliance with State Law.

Item No. 8 – Governing Body Policy GB-05-03R – Chapter 10 Rules of Procedures for Council Meetings – Staff reviewed the proposed amendments in legislative style with the City Council in the July 14, 2014 Workshop Meeting. Staff enclosed Chapter 10 – Rules of Procedure for Council Meetings in final format for City Council approval.

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 eight to zero.

REGULAR MEETING AGENDA

Item No. 9 – Public Hearing Notice and Schedule Public Hearing for the 2014 Budget Amendments and the 2015 Budget – The City Manager stated a Public Hearing for the 2014 Budget Amendment and Adoption of the 2015 Budget will be held at the next regular meeting on August 11, 2014. Stephens Made a Motion to Approve the Budget Hearing Notice and Schedule the Public Hearing for the 2014 Budget Amendments and the 2015 Budget for Monday, August 11, 2014. Shannon seconded the motion and it carried on a vote of eight to zero.

Item No. 10 – Public Housing Authority Flat Rent Rates – The Public Housing Authority Director made a presentation:

➤ The Consolidated Appropriations Act of 2104 required the Public Housing Authority to set flat rent rates at a minimum of 80% of Fair Market Rents for the Kansas City area by October first.

➤ Staff enclosed a memo which explained the proposed flat rents for PHA apartments.

➤ Staff recommends the City Council approve the resolution to keep the PHA in compliance.

Cooper Made a Motion to Approve A Resolution to Adopt Flat Rent Rates for the Public Housing Authority Program. Reeves seconded the motion and it carried on a vote of eight to zero. **Assigned Resolution No. 2014-10**

Item No. 11 – Acceptance of the Westlink Water and Sanitary Sewer Improvements – The Utility Director made a presentation:

➤ The improvements consisted of 4,633 feet of PVC DR-900 pipe with necessary valves and hydrants and 622 feet of two-inch sanitary sewer pressure pipeline.

➤ Acceptance of the improvements initiates the two-year maintenance period.

➤ Staff recommends the City Council accept the improvements.

Stephens Made a Motion to Accept the Westlink Water and Sanitary Sewer Improvements. Cooper seconded the motion and it carried on a vote of eight to zero.

Item No. 12 – Award Bid for the Pratt Water Main and 138 Pressure Reducing Valve (PRV) Project to Westland Construction – The Utility Director made a presentation:

➤ The project extends an eight-inch (8”) waterline from 137 Street to Castle Drive along Pratt Avenue to complete a “loop” to distribute water.

➤ The contractor will install a PRV on 138 Street and Morse Avenue to provide emergency water supply if a waterline break occurs in the lower pressure zone.

➤ The City published a bid which included two options; Option A- the contractor will build the PRV vault on site and Option B - the contractor will install an owner supplied PRV vault assembly.

➤ The City received three bids for Option B; Westland Construction- \$56,220, Schuetz Construction - \$62,545.20 and Jay’s Plumbing - \$82,870.

➤ The original estimated project cost was \$100,000. Wilson and Company completed the design in 2009 for a total amount of \$4,417. The total construction cost for Option B is \$75,820. The 2014 Water Fund includes \$80,000 for this project.

➤ Staff recommends the City Council award the bid for Option B to Westland Construction in a total amount of \$56,220.

Reeves Made a Motion to Award the Bid for the Pratt Water Main and 138 PRV Project to Westland Construction in the Total Amount of \$56,220. Stephens seconded the motion and it carried on a vote of eight to zero.

Item No. 13 – Ordinance to Establish City Manager Salary and Contract Amendment – The proposed Ordinance establishes a three percent (3%) increase effective July 12, 2014. The contract amendment only amends Section 4 - Compensation of the original contract and subsequent amendments. Cooper Made a Motion to Approve an Ordinance to Establish the City Manager’s Salary. Stephens seconded the motion and it carried on a vote of eight to zero. **Assigned Ordinance No. 2388.** Stephens Made a Motion to Approve the twelfth Amendment to the City Manager’s Development Contract. Cooper Seconded the motion and it carried on a vote of eight to zero.

Item No. 14 – City Manager’s Report – The City Manager stated his report provides suggestions on how to make improvements to the signal at Nettleton and Kump. He further stated that unless there is opposition, the City will eliminate the dedicated left turn signal from Nettleton onto Kump and the signal will change to a four-way flashing red light from 10 p.m. until 5 a.m. to improve traffic flow at the intersection.

Item No. 15 – City Council Items –

➤ Haas reported Kansas Avenue by WalMart needs repaired. The City Manager stated it is on the repair schedule.

Item No. 15 – Mayor’s Report –

➤ Complimented the Parks and Recreation Department on the condition of Kelly Murphy Park for the 204 Division Army band performance.

➤ Plans continue for the Tiblow Days Festival August 21 through 23. Anyone who wants to sponsor the BBQ competition should contact Dr. Williamson or the Chamber of Commerce office. The Mayor’s Banquet is Friday, August 22. The guest speaker is Secretary of State Kris Kobach.

The meeting adjourned at 8:16 p.m. _____ Rita Hoag, City Clerk

City Council Workshop Meeting – Monday, July 28, 2014 – 6:30 p.m.

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

City Staff Present: Jack Helin; City Manager and Rita Hoag; City Clerk; Marcia Harrington, Community and Economic Development Director; Tillie LaPlante, Finance Director; Kevin Bruemmer, Public Works Director; Rick Sailer, Utilities Director and Skip Dobbs, Parks and Recreation Director

WS – 1 – Budget Workshop – Final Review – The City Manager asked if anyone had questions about the Budget. City Councilmembers had no further questions. The Mayor stated he appreciates the hard work that went into the budget and explained that the funds available for Capital and Infrastructure needs are funds that need to be allocated and is not extra money or surplus.

WS – 2 – Dumpster Regulations and Information of Unscreened Dumpsters – The agenda information included a list of dumpsters that are not screened which are grandfathered and a memorandum that provided information for the City Council's discussion.

➤ Shannon asked if the estimated cost of dumpster enclosures provided included labor. Staff stated the estimate was based on a per square foot cost and included everything required to build that type of enclosure.

➤ Shannon asked if the property owner is responsible for the enclosure cost. Staff stated the City offered a fifty percent grant/fifty percent no interest loan which customers would pay back on their utility bill. No businesses requested the grant.

➤ Peterson and Shannon asked if the City restricts what contractors property owners may use. The City Manager stated the City sets standards for the enclosures but the owner is responsible for the construction.

➤ The Mayor asked how other towns encouraged dumpster enclosures. The City Manager stated Staff did not survey other communities.

➤ Cooper stated his concern about the dumpsters' odor. Staff stated a strong odor may be a violation of Property Maintenance Codes and citizens should report issues to the Property Maintenance Officer.

➤ General Discussion included that the City needs to enforce current regulations, requirements about where a business can locate its dumpster, business owners' responsibility to schedule more frequent pick-ups and ways to inform business owners about the City's regulations.

After general discussion, the City Manager stated that Staff will prepare information for a grant program and present a recommendation to the City Council for a future meeting. If the City Council concurs with the grant program, Staff will send out an informational flyer to owners of unscreened dumpsters about the Ordinance regulations, prepare a news release and place an item on the website which explains how to report nuisance dumpsters.

The meeting adjourned at 7:15 p.m.

ITEM NO. 3.

**City Council Regular Agenda
Monday, August 11, 2014 – 7:30 p.m.**

Present & Vote	Stephens	_____	Peterson	_____
	Cooper	_____	Knight	_____
	Reeves	_____	Freeman	_____
	Haas	_____	Shannon	_____

Mayor Vote on Charter Ordinances & Planning Items _____

MOTION: _____ **SECOND:** _____

AGENDA ITEM: Minutes of the Special Budget Workshop Meeting Held on July 21, 2014

ACTION: Make a Motion to Approve the Minutes of the Special Budget Workshop Meeting Held on July 21, 2014

STAFF RECOMMENDATION: The City Clerk Recommends Approval

Enclosed are the Special Budget Workshop Meeting Minutes for approval.

Special City Council Budget Workshop Meeting - Monday, July 21, 2014 – 6:30 p.m.

Governing Body Present: Mayor Jeff Harrington and Councilmembers: Joe Peterson, George Cooper, Racheal Haas, Tom Stephens, Eric Freeman, Jack Knight, Bob Reeves and Rodger Shannon (left at 7:07 p.m.)

City Staff Present for Budget Workshop: Jack Helin, City Manager; Rita Hoag, City Clerk; Tillie LaPlante; Finance Director; Kevin Bruemmer, Public Works Director; John Claxton; EMS Chief; Marcia Harrington, Community & Economic Development Director; Gloria Ochoa, Senior Center Director; Skip Dobbs, Parks and Recreation Director; Kim Beets, Library Director and Rick Sailler, Utility Director

Others Present: Caroline Boyer, Chieftain Reporter and two Library Board Members

The City Manager stated this is the second 2015 Budget Workshop that will include: Consensus items from the last Budget Workshop, an Executive Session on Real Estate Acquisition, the Library Budget, the balance of the budget funds (Debt Service, Special Revenue Funds, Enterprise Funds) and an Executive Session for Personnel Matter. A final review will be on July 28 at the Workshop Meeting.

The City Manager made a presentation as follows:

- **K-32 Corridor Study** – The City Manager reviewed the K-32 Corridor Study proposal for a joint application to the Mid America Regional Council (MARC) for a K-32 Corridor Planning Grant. The Unified Government, Bonner Springs and Edwardsville will collaborate on an application for funds to commission a study of the needs and opportunities along the K-32 Corridor. The Sustainable Places grant supports development of localized small area or activity center plans.
 - Sub topics of the grant include specific development opportunity and challenge evaluation, railroad quiet zone, strategies to reinforce civic centers, K-32 as a designated bikeway and traffic and infrastructure options.
 - The estimated cost of the study is \$180,000. The K-32 team will apply for \$90,000 from MARC with a cash match split between Wyandotte County, Kansas City, Kansas, Bonner Springs and Edwardsville.

➤ **Consensus Items** - The City Council reached consensus on the items listed below as less than five members were in opposition:

- Add \$30,000 to Police Training Budget & No Officer to the Federal Task Force – Yes.
- Add \$40,000 to EMS Budget to hire two full-time EMTs/other options to ensure 24/7/365 coverage for First Out Ambulance -Yes.
- Budget \$20,000 for K-32 Corridor Study for City contribution for joint grant application - Yes.
- Recommended use of Current Uncommitted Funds - Increase street work by \$60,000 – Yes.
- Recommended use of Current Uncommitted Funds – Increase Capital purchases by \$25,600 to make Capital Improvement Program (CIP) total \$ 485,600 - Yes.
- Increase Contingencies to six percent (6%) - \$80,000 – Yes.
- Approve CIP List – Yes.

At 6:47 p.m., Stephens made a Motion to Adjourn to Executive Session for Real Estate Acquisition Matters for a Period Not to Exceed Fifteen Minutes. Reeves seconded the motion and it carried on a vote of eight to zero.

At 7:01 p.m., Stephens made a Motion to Return to Regular Session With No Action Taken. Shannon seconded the motion and it carried on a vote of eight to zero.

The Library Director made a presentation as follows:

➤ **General Fund Changes – Income** –

- Increased City tax revenue- \$15,451 (4.38%).
- Increased patron charges - \$1,815.
- Five Percent (5%) Increase from Wyandotte County Library Board for service to Edwardsville - \$7,731.

➤ **General Fund Changes – Expenses** –

- Increased Personnel Services due to two percent (2%) overall wage increase and restructure of one part time position to one full-time position - \$35,406.
- Decreased Contractual services - \$379.
- Increased Commodity Items budget - \$1,500.

➤ **Capital Improvement Fund** –

- Reviewed the Capital Improvement Fund Kansas Statute 12-1258 and the Library CIP Priority list which includes \$8,000 for computers in 2015.

➤ **Fundraising Account -**

- Supports the "Jazz on the Lake" event and "Imagination Destination".
- Account balance as of July 18, 2014 is \$10,503.58
- The Next "Jazz on the Lake" event is February 12, 2015.

The Finance Director made a presentation as follows:

➤ **2014 Budget Amendments:**

- Soccer Fund – Increased participation.
- Street Projects Fund – Use new Capital Improvement Sales Tax to complete additional street work.
- Capital Improvement Sales Tax Fund- New Fund to collect and spend quarter-cent sales tax for Capital Improvements.
- Library Sales Tax Fund - Early payoff of a portion of bonds.
- Tiblow Transit Fund – Additional cost of Tiblow van.
- CID Development Fees Fund – Refunds unused fees collected from developer for legal and professional fees associated with CID development.
- Wastewater Fund – Includes additional capital costs for Swingster Road Interceptor, Lake of the Forest Lift Station Upgrade and the Headworks Facility Project.

➤ **Tax Levy:**

- Debt Service - Pays for all debt payments. Estimated 17.38% revenue decrease for 2015 Budget. The estimated carry over to 2016 is \$118,050.

➤ **Special Revenue Funds:**

- Tourism - Revenue source is 4% Transient Guest Tax. No change in revenue anticipated in 2015. Expenditures are estimated to increase 8.32%.
- Drug & Alcohol - Funded by Liquor Tax received in majority from liquor sales at Sandstone and the Renaissance Festival. Per State Law, one-third to Drug & Alcohol, one-third to General Fund and one-third to Special Parks. Budget includes 75% of the cost of DARE officer.
- Economic Development – Revenue source is origination fees from IRBs.
- Emergency Medical Service – Revenue from ambulance fees and City sales tax. Budget includes two additional full-time EMTs.
- Capital Improvement Sales Tax – Estimated 28.71% revenue increase from the 2014 budget.
- Emergency Services Capital – Revenue source is one-quarter cent sales tax.
- Library Sales Tax – Expires December 31, 2016 but should pay off early. Includes carryover savings to make final debt payment.
- Risk Management - Pays unfunded liability costs.
- Senior Center – Zero based budget supported by Wyandotte County Social Services and General Fund.
- Sidewalk Escrow - Escrows money for required sidewalk projects.
- Streets - Budget includes adequate carry over to fund projects as do not receive some of the State revenue until October. Amends 2014 Budget to use Capital Improvement Sales Tax revenue for added street work.
- Tiblow Transit - Anticipated revenue increase of 6.91%. Budget includes transfer from Senior Center account for cost of Senior Trips. Amends 2014 Budget for City's share of van purchase.
- Bonner Pointe TIF Increment - Pays developer tax increment of Ad Valorem taxes less one-half percent for administration fees.
- CID Development Fees - Development fee for second CID that pays for City legal and professional costs.
- Bonner Springs Center CID Fund - Revenue source is the 1% CID Sales tax for the first CID paid to the developer less a five percent administration fee.
- Bonner Springs Center City Contribution - Transfer from General Fund per development agreement.

Adjourned at 8:05 for a ten minute break.

The Finance Director made a presentation as follows:

➤ **Enterprise Funds:**

- Solid Waste – The budget includes an increased user charge rate from \$13.70 to \$14.50 effective January 1, 2015 and budgets for a Dumpster Screen Grant Program for expenditures if approved by the City Council at a future date.

- Storm Water Utility - Contractual service increased to replace seven inlets and drainage work on Bluegrass.
- Proposed Water & Sewer Rate Increases - Propose to increase water rates 2% and sewer rates 8% for an average 5% increase for customers. Increases are to maintain adequate reserves and use reserve dollars to fund smaller capital projects versus issuance of debt. The impact to customers based upon an average usage of 6,000 gallons is \$4.56 per month.
- Wastewater – The budget includes an eight percent (8%) rate increase and Major Capital Item expenditures.
- Water – The budget includes a two percent (2%) rate increase and Major Capital Item expenditures.

The Finance Director distributed a copy of the presentation and that that a final 2014 Budget Review will be scheduled for the July 28 Workshop Meeting. The regular meeting agenda for July 28 will include an item to approve the Public Hearing Notice for the 2015 Budget and to set the Public Hearing for Monday, August 11, 2014.

At 8:35 p.m., Cooper made a Motion to Adjourn to Executive Session for Personnel Matters for a Period Not to Exceed Fifteen Minutes. Stephens seconded the motion and it carried on a vote of eight to zero. At 8:45 p.m., Stephens made a Motion to Return to Regular Session With No Action Taken. Peterson seconded the motion and it carried on a vote of eight to zero.

The meeting adjourned at 8:46 p.m.

Rita Hoag, City Clerk _____

ITEM NO. 4.

**City Council Regular Agenda
Monday, August 11, 2014 – 7:30 p.m.**

**Present
&
Vote**

Stephens	_____	Peterson	_____
Cooper	_____	Knight	_____
Reeves	_____	Freeman	_____
Haas	_____	Shannon	_____

Mayor Vote on Charter Ordinances & Planning Items _____

MOTION: _____ **SECOND:** _____

AGENDA ITEM: Claims for City Operations for August 11, 2014

ACTION: Make a Motion to Approve the Claims for City Operations for August 11, 2014

STAFF RECOMMENDATION: The City Manager and City Clerk Recommend Approval and State that all Expenditures Comply with the State of Kansas Cash Basis Law

Enclosed are the Supplement Claims for City Operations in the amount of \$54,264.49 and the Regular Claims in the amount of \$142,156.88.

Note: If a Councilmember has questions on any of the claims, it would be helpful to call or email ahead in order to get a detailed answer.

Check Register Report

SUPPLEMENTAL CHECK REGISTER

Date: 08/06/2014

Time: 12:04 pm

Bonner Springs City Hall

BANK: UNION BANK & TRUST

Page: 1

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
UNION BANK & TRUST Checks							
124468	08/01/2014	Printed		4413	AT & T 5001	PHONE SERVICE	3,213.54
124469	08/01/2014	Printed		7084	AT&T U-VERSE	INTERNET SERVICE 6/10-7/9	340.00
124470	08/01/2014	Printed		2561	CDW-G	TOUGHBOOKS FOR EMS	9,400.00
124471	08/01/2014	Printed		7102	CENTRAL SECURITY GROUP-	SECURITY SYSTEM MONITORING	122.00
124472	08/01/2014	Printed		7193	CHASE PROCESSING	PAYROLL DEDUCTIONS	695.00
124473	08/01/2014	Printed		0898	ICMA RETIREMENT CORPORATION	PAYROLL DEDUCTS/BENEFITS	3,685.29
124474	08/01/2014	Printed		0981	ING FINANCIAL PARTNERS	PAYROLL DEDUCTIONS	818.38
124475	08/01/2014	Printed		3108	JC COMMUNICATIONS BEST	AFTER HRS ANSWERING SVC	73.00
124476	08/01/2014	Printed		3960	JOHN HANCOCK	PAYROLL DEDUCTS/BENEFITS	310.00
124477	08/01/2014	Printed		2195	KANSAS PAYMENT CENTER	PAYROLL DEDUCTIONS	851.22
124478	08/01/2014	Printed		2014	KCPL	ELECTRIC SERVICE	214.08
124479	08/01/2014	Printed		9879	MAINSTREET CREDIT UNION	PAYROLL DEDUCTIONS	2,862.32
124480	08/01/2014	Printed		6244	NEXTEL	RAVEN-X/AIR CARDS-PD	174.52
124481	08/01/2014	Printed		3361	PURCHASE POWER	POSTAGE FOR METER	1,250.00
124482	08/01/2014	Printed		2816	LOGAN TERRELL	PAYROLL CORRECTION	55.25
124483	08/01/2014	Printed		2814	WESTON VITT	PAYROLL CORRECTION	16.26
124484	08/01/2014	Printed		1315	WALMART COMMUNITY GECRB	JANITORIAL SUPPLIES,CORDS,INK	222.06
124485	08/01/2014	Printed		3790	WESTAR ENERGY	ELECTRIC SERVICE	29,961.57

Total Checks: 18 **Checks Total (excluding void checks): 54,264.49**

Total Payments: 18 **Bank Total (excluding void checks): 54,264.49**

Total Payments: 18 **Grand Total (excluding void checks): 54,264.49**

Check Register Report

CHECK REGISTER

Date: 08/06/2014

Time: 11:59 am

Bonner Springs City Hall

BANK: UNION BANK & TRUST

Page: 1

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
UNION BANK & TRUST Checks							
124486	08/05/2014	Printed		2818	AARP HEALTH CARE OPTIONS	REFUND AMBULANCE PAYMENT	180.67
124487	08/05/2014	Printed		3169	AKAWAM	COFFEE SERVICE-PW,UT,CH	285.54
124488	08/05/2014	Void	08/05/2014			Void Check	0.00
124489	08/05/2014	Printed		3562	ALAMAR	UNIFORMS-POLICE	3,545.19
124490	08/05/2014	Printed		0825	ARLAN CO INC	CHEMICALS F/POOL	8.00
124491	08/05/2014	Printed		3303	ASPHALT SALES CO INC	ASPHALT-PW	282.48
124492	08/05/2014	Printed		5615	AT & T 5011	SPECIAL CIRCUITS & ALARMS	291.58
124493	08/05/2014	Printed		5184	AT & T MOBILITY	MOBILE PHONE SERVICE	2,024.20
124494	08/05/2014	Printed		3006	ATD INTERNATIONAL CORP	5 NEW PHONE EXTENSIONS-PD	277.50
124495	08/05/2014	Printed		2683	TRAVIS ATWOOD	REIMBURSE CDL-PW	29.73
124496	08/05/2014	Printed		2822	KENNY BALLARD	SECURITY DEPOSIT REFUND	42.85
124497	08/05/2014	Printed		0109	BERNING TIRE COMPANY	TIRE & FLAT TIRE REPAIR-PW/UT	229.20
124498	08/05/2014	Printed		0170	BONNER SPGS THRIFTWAY	WATER F/CITY COUNCIL	9.58
124499	08/05/2014	Printed		7027	BONNER SPRINGS ANIMAL CARE CTR	VET SERVICES-PD	560.00
124500	08/05/2014	Printed		4172	BOUND TREE MEDICAL	MEDICAL SUPPLIES-EMS	1,262.90
124501	08/05/2014	Printed		6099	BOYER-KANSAS INC	SHREDDING SERVICE-EMS	47.80
124502	08/05/2014	Printed		2819	JOSEPH BROCKMAN II	SECURITY DEPOSIT REFUND	53.55
124503	08/05/2014	Printed		7070	CAPITAL ELECTRIC CONSTRUCTION C	COLLECTION SYS & PLANT MAINT	1,368.84
124504	08/05/2014	Printed		0203	CARTER WATERS	PAVER TILES -PW	904.40
124505	08/05/2014	Printed		5399	JORDAN CHRONISTER	REIMBURSE MEDICAL SUPPLIES	10.87
124506	08/05/2014	Printed		0144	CITY OF BONNER SPRINGS KS	SECURITY DEPOSITS APPLIED	625.00
124507	08/05/2014	Printed		1586	CITY OF LEAVENWORTH PARKS &	SWIM TEAM POOL FEE	100.00
124508	08/05/2014	Printed		2410	CITY TREASURER KCK	RESIDENTIAL REFUSE SVC	30,118.38
124509	08/05/2014	Printed		0951	COCA-COLA REFRESHMENTS USA INC	CONCESSION DRINKS-POOL	307.42
124510	08/05/2014	Printed		0213	COLEMAN EQUIPMENT INC	EQUIPMENT PARTS & OIL-PW	73.37
124511	08/05/2014	Printed		0218	COMMENCO INC	RADIO MAINTENANCE & HOLDER-PD	474.95
124512	08/05/2014	Printed		3200	CREATIVE LANDSCAPING& CONCRETE	MOWING & TREE REPLACEMENT	1,352.50
124513	08/05/2014	Printed		4716	DAVE'S PLUSS CONSTRUCTION	ASPHALT RESTORATION-UT	7,731.60
124514	08/05/2014	Printed		0014	DEFFENBAUGH INDUSTRIES INC	PORTABLE TOILET RENTAL	137.50
124515	08/05/2014	Printed		4151	SHARI LEE DEMATO	TUMBLING INSTRUCTOR	150.00
124516	08/05/2014	Printed		3147	DURHAM SCHOOL SERVICES LP	BUSES F/SUMMER CAMP ACTIVITIES	720.00
124517	08/05/2014	Printed		2817	EAGLE AUTO STRIPPING INC	PAINTED HAND RAILS-COMM CNT/SC	975.00
124518	08/05/2014	Printed		7142	EDWARDS CHEMICALS INC.	CHEMICALS-POOL	435.00
124519	08/05/2014	Void	08/05/2014			Void Check	0.00
124520	08/05/2014	Void	08/05/2014			Void Check	0.00
124521	08/05/2014	Printed		5516	EXECUTIVE MARKETING PROMOTIONS	UNIFORMS F/RECREATION PROGRAMS	7,703.35
124522	08/05/2014	Printed		2621	EXPRESS WASH AMERICA LLC	CAR WASH-PD	4.00
124523	08/05/2014	Printed		4736	FASTENAL	BOLTS-PW	1.09
124524	08/05/2014	Printed		4342	FELDMANS	OIL,BOOTS,RAT&MOLE KILLER,KEYS	216.32
124525	08/05/2014	Printed		3286	GCI CASTINGS INC	SEWER COVERS-UT	40.00
124526	08/05/2014	Printed		6465	GILLILAND GROUP PARTNERSHIP	POLICE ADM BLDG LEASE	1,000.00
124527	08/05/2014	Printed		0781	GOODYEAR WHOLESALE TIRE	TIRES-PD	680.32
124528	08/05/2014	Printed		2812	GRAPHIC IMPRINTS	SWIM TEAM SHIRTS-POOL	248.75
124529	08/05/2014	Printed		5640	AARON HALL	BAND ASST DIRECTOR-1/2 PMT	714.00
124530	08/05/2014	Printed		2430	HAMBLIN PETROLEUM	MOTOR FUEL	16,679.85
124531	08/05/2014	Printed		0079	HANNA RUBBER CO	FIRE HOSE F/CLEANING -WWTP	405.75
124532	08/05/2014	Printed		5035	HARLAND TECHNOLOGY	PRINTER MAINT-PW,UT,PROJ MGR	174.15
124533	08/05/2014	Printed		2813	HD SUPPLY WATERWORKS LTD	LIDS F/WELLS-UT	450.38
124534	08/05/2014	Printed		4717	HD SUPPLY WATERWORKS, LTD	METER PITS F/WELLS - UT	279.99

Check Register Report

CHECK REGISTER

Date: 08/06/2014

Time: 11:59 am

Page: 2

Bonner Springs City Hall

BANK: UNION BANK & TRUST

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
UNION BANK & TRUST Checks							
124535	08/05/2014	Printed		7242	HELGET GAS PRODUCTS INC	OXYGEN - EMS	9.44
124536	08/05/2014	Printed		6791	ICON ENTERPRISES, INC.	WEBSITE HOSTING & SUPPORT FEE	4,150.00
124537	08/05/2014	Printed		3289	J & D EQUIPMENT INC	EQUIPMENT MOTOR-PW	204.70
124538	08/05/2014	Printed		0359	JIMS LOCK & SAFE SERVICE	LOCK F/MANAGERS ROOM-POOL	82.50
124539	08/05/2014	Printed		1022	JO CO LANDFILL INC	LANDFILL CHARGES/JUNE 16-30	3,412.56
124540	08/05/2014	Printed		2792	JOHN E REID AND ASSOCIATES INC	INTERVIEW TRAINING-PD	580.00
124541	08/05/2014	Printed		3517	KEY EQUIPMENT & SUPPLY CO	BROOM F/STREET SWEEPER-PW	598.12
124542	08/05/2014	Printed		2684	JOSH KIMLIN	REIMBURSE CDL-PW	29.00
124543	08/05/2014	Printed		1921	KUSTOM SIGNALS INC	EQUIPMENT MAINT/REPAIRS-PD	102.00
124544	08/05/2014	Printed		3003	LAKE OF THE FOREST INC	REFUSE SUBSIDY	247.00
124545	08/05/2014	Printed		2823	AMY LANG-REINERT	SECURITY DEPOSIT REFUND	97.69
124546	08/05/2014	Printed		0852	LANMAN INCORPORATED	COMPUTER MAINT & TECH SUPPORT	1,298.75
124547	08/05/2014	Printed		2419	LARUE DISTRIBUTING INC	COFFEE SVC-PD	10.96
124548	08/05/2014	Printed		2128	LAS CORP	TIRES-PLANNING	456.00
124549	08/05/2014	Printed		4600	LAYNE CHRISTENSEN CO	WELL MAINTENANCE-UT	11,677.00
124550	08/05/2014	Void	08/05/2014			Void Check	0.00
124551	08/05/2014	Printed		1836	LOWE'S CREDIT SERVICES	RUBBER BASE F/GYM,FAN F/GAZEBO	587.52
124552	08/05/2014	Printed		3373	LUKE HTG & AIR CONDITIONING	CHECKED AIR CONDITIONER-PD	69.00
124553	08/05/2014	Printed		6137	METRO COURIER INC	DELIVERY CHARGES-UT	101.62
124554	08/05/2014	Printed		2824	DOUG MILLER	SECURITY DEPOSIT REFUND	34.00
124555	08/05/2014	Printed		3443	WES MILLS	MEDALS & RIBBONS F/SWIM TEAM	231.00
124556	08/05/2014	Printed		6849	MJV-A LLC	UNIFORM CLEANING-PD	1,005.98
124557	08/05/2014	Printed		5601	NITV LLC	CVSA LAPTOP & TRAINING-PD	4,140.00
124558	08/05/2014	Printed		3094	NORRIS EQUIPMENT CO LLC	PARTS F/CEMETERY MOWER	121.10
124559	08/05/2014	Printed		0947	O'REILLY AUTO STORES INC	BATTERY,TAPE,ANTIFREEZE-UT/PW	179.55
124560	08/05/2014	Printed		9872	OFFICEMAX NORTH AMERICA	TONER,FILE FOLDERS,BINDER	110.96
124561	08/05/2014	Printed		3531	PERRY & TRENT LLC	LEGAL SERVICES	627.00
124562	08/05/2014	Printed		7022	POSTMASTER	2014 FIRST CLASS MAIL	825.00
124563	08/05/2014	Printed		0646	PUSHWATER ENTERPRISES INC	POSTCARDS & BUSINESS CARDS-PD	107.50
124564	08/05/2014	Printed		3932	QUILL	SHARPIE,WHITEOUT, BINDER-PD	162.83
124565	08/05/2014	Printed		8031	REDDI SERVICES INC	COLLECTION SYSTEM MAINT-UT	1,522.50
124566	08/05/2014	Printed		2820	JOSEPH REYNOLDS	SECURITY DEPOSIT REFUND	4.60
124567	08/05/2014	Printed		2821	MADELINE ROMEY	SECURITY DEPOSIT REFUND	33.14
124568	08/05/2014	Printed		3011	ANTHONY R RUSSO	JUDGE PRO-TEM	200.00
124569	08/05/2014	Printed		2825	SARAH SANDERS	SECURITY DEPOSIT REFUND	16.58
124570	08/05/2014	Printed		0735	SIMPLE SIMONS PIZZA	PIZZA FOR CONCESSIONS-POOL	982.50
124571	08/05/2014	Printed		2726	BRANDON SPIESS	BASEBALL UMPIRE FEES	184.00
124572	08/05/2014	Printed		6081	STAPLES ADVANTAGE	BINDERS,PENS,LABELS,DIVIDER	345.97
124573	08/05/2014	Printed		0766	T A STOLFUS DVM	VET SERVICES-PD	67.00
124574	08/05/2014	Void	08/05/2014			Void Check	0.00
124575	08/05/2014	Printed		4483	SYSCO OF KC	CONCESSION SUPPLIES - POOL	1,149.37
124576	08/05/2014	Printed		2466	TFM COMM INC	VEHICLE EQUIPMENT-PD	500.00
124577	08/05/2014	Printed		0017	TOMPKINS INDUSTRIES INC	EQUIPMENT REPLACEMENT PARTS-PW	116.11
124578	08/05/2014	Printed		7239	TONGIE TIDAL WAVES	STROKE JUDGE CLINIC-SWIM TEAM	10.00
124579	08/05/2014	Printed		6802	TOTAL ELECTRIC CONTRACTORS INC	TRAFFIC SIGNAL REPAIRS-PW	705.24
124580	08/05/2014	Void	08/05/2014			Void Check	0.00
124581	08/05/2014	Printed		3388	TRINITY AUTOMOTIVE INC	VEHICLE MAINT/REPAIRS-PD	2,215.62
124582	08/05/2014	Printed		6757	WILLIAM TURLEY	BAND DIRECTOR 1/2 PMT	1,560.50
124583	08/05/2014	Printed		5097	TYLER TECHNOLOGIES INC	FUNDBALANCE SOFTWARE SUPPORT	6,349.92
124584	08/05/2014	Printed		3736	UNIFIED TREASURER	PRISONER CARE-PD	7,288.75
124585	08/05/2014	Printed		6819	UNIFIRST COPPRORATION	UNIFORM,RUG RENTAL-PW,UTIL	112.33

Check Register Report

CHECK REGISTER

Date: 08/06/2014

Time: 11:59 am

Page: 3

Bonner Springs City Hall

BANK: UNION BANK & TRUST

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
UNION BANK & TRUST Checks							
124586	08/05/2014	Printed		8404	VESTA LEE LUMBER COMPANY	PARTS F/CEMETERY STONE,TAPE	55.30
124587	08/05/2014	Printed		1366	WATER ENVIRONMENT FEDERATION	MEMBERSHIP RENEWAL-UT	64.00
124588	08/05/2014	Printed		2845	WATTS UP	BULBS F/LIBRARY	159.00
124589	08/05/2014	Printed		8411	WILSON & COMPANY ENGINEERS	ENGINEER SERVICES	3,199.80
124590	08/05/2014	Printed		3012	WORK ZONE	STREET SIGNS-PW	427.52
124591	08/05/2014	Printed		4353	THE WORLD COMPANY	LEGAL PUBLICATIONS, ADS,BIDS	414.80

Total Checks: 106

Checks Total (excluding void checks): 142,156.88

Total Payments: 106

Bank Total (excluding void checks): 142,156.88

Total Payments: 106

Grand Total (excluding void checks): 142,156.88

ITEM NO. 5.

**City Council Regular Agenda
Monday, August 11, 2014 – 7:30 p.m.**

Present & Vote	Stephens _____	Peterson _____
	Cooper _____	Knight _____
	Reeves _____	Freeman _____
	Haas _____	Shannon _____

Mayor Vote on Charter Ordinances & Planning Items _____

MOTION: _____ **SECOND:** _____

AGENDA ITEM: Public Housing Authority Claims for August 11, 2014

ACTION: Make a Motion to Approve the Public Housing Authority Claims for August 11, 2014

STAFF RECOMMENDATION: The City Manager & Public Housing Authority Director Recommend Approval

Enclosed are the claims in the total amount of \$624.74.

Check Register Report

PUBLIC HOUSING CHECK REGISTER

Date: 08/06/2014
Time: 9:57 am
Page: 1

Bonner Springs City Hall

BANK: UNION BANK & TRUST-PHA

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
UNION BANK & TRUST-PHA Checks							
96975	08/06/2014	Printed		P542	P LINDSEY SOFTWARE SYS INC	ACCOUNTING SVCS	135.00
96976	08/06/2014	Printed		P503	P LOWES COMPANIES INC	SHOWER DOORS,FLOOR TILE,PAINT	292.78
96977	08/06/2014	Printed		P999	P MICHELLE KENNEDY	SECURITY DEPOSIT REFUND	71.07
96978	08/06/2014	Printed		P800	P NUTS & BOLTS	SANDING & PLUMBING SUPPLIES	25.89
96979	08/06/2014	Printed		P300	P RICHARD UNGERBUEHLER	MAKE READY 1 UNIT	100.00

	Total Checks: 5	Checks Total (excluding void checks):	624.74
	Total Payments: 5	Bank Total (excluding void checks):	624.74
	Total Payments: 5	Grand Total (excluding void checks):	624.74

ITEM NO. 6.

**City Council Regular Agenda
Monday, August 11, 2014 – 7:30 p.m.**

Present & Vote	Stephens _____	Peterson _____
	Cooper _____	Knight _____
	Reeves _____	Freeman _____
	Haas _____	Shannon _____

Mayor Vote on Charter Ordinances & Planning Items _____

MOTION: _____ **SECOND:** _____

AGENDA ITEM: Kobi's Annual Bike Show Consumption/Possession/Sales Permit

ACTION: Make a Motion to Approve a Consumption/Possession/Sales Permit for the Kobi's Annual Bike Show to be Held on September 13, 2014 with Contingencies for Compliance

STAFF RECOMMENDATION: The City Manager & City Clerk Recommend Approval

Kobi's made application and paid the appropriate fees for their twenty-second Annual Bike Show to be held on Saturday, September 13, 2014 from 8 a.m. to 12 midnight as follows:

Temporary Alcoholic Beverage License - This items does not require City Council approval. The City Clerk will issue this license upon receipt of a copy of the State Temporary Permit.

Private Use of Parking Lot Alcohol Permit - Per the Governing Body Policy, this application will be approved administratively since there are no significant changes from last year. Kobi's did request that the approval again include permission for motorcycles to park on the west side, the placement of cones for safety purposes and to bag/unbag the no parking signs.

Alcoholic Consumption/Possession/Sales Permit - Enclosed is the application for this permit. The application provides the required information. The Police Department will run background checks on the security personnel. The Building Official will conduct a safety inspection prior to the issuance of the license.

The recommendation for approval is contingent upon: Satisfactory background checks for Security for the Event, a satisfactory inspection by the Building Official and receipt of a Certificate of Insurance that names the City as an additional insured.

City of Bonner Springs

Application Alcoholic Beverages Above 3.2 Beer Consumption/Possession Permit

(Only Permitted in the City Public Parking Lot South of Centennial Park) – Fee \$75.00

Application shall be submitted to the City Clerk's Office Ten (10) Days Prior to the City Council

Meeting prior to the date of the Event

Ordinance No. 1500, Revised Ordinance Nos. 2136 & 2138

Date: Aug 5-2014

Applicant Name: Vicki Kobalaka Freeman

Business or Organization: Kobis CLUB & DELI

Business Street/Mailing Address: 113 OAK ST

City/State/Zip: BONNER SPGS KS 66012

Phone: Home: 9134412155 Work: 9134225657 Cell: 9134491457

Email: vicki@kobisbar.com

Date/Time of Requested Event: 8am to 11midnight Sept 13, 2014

Names of Security Personnel: Tony Tofts, Eric Hayes, David Idarof

Check all that apply: Will sell 5.0 Beer Wine Alcoholic Beverages

Tent will be Used: Yes _____ No If yes, you must submit an application for a tent permit.

The fee is \$25 and issuance of the tent permit is subject to an inspection by the Building Official prior to operation of the event.

Application Requirements:

- Submit this application to the City Clerk's Office Ten (10) Days Prior to the City Council Meeting prior to the date of the Event for City Council Approval
- Provide the names of Security Personnel for Approval by the Chief of Police.
- Attach sketch (Exhibit A) of area of the parking lot. (Cannot be located closer than 30 feet from Centennial Park.
- Attach a Certificate of Insurance Naming the City as an Additional Insured.
- Define Fenced Area for Sale/Consumption & Possession of Alcoholic Beverages on the diagram. Area requires Building Official approval for type of fence material, size and egress.
- Submit two copies of the State Temporary Alcoholic Beverage License (limited to four permits per year per KSA 41-2645). One copy to be attached to the application for a City Temporary Alcoholic Beverage Permit and the other copy attached to this application for an Alcoholic Beverage Consumption/Possession Permit.
- Requirements per City Ordinance No. and per State Law are attached as Exhibit B.
- A late or incomplete application will not be placed on the agenda for City Council consideration.

I hereby confirm by signing this application that I understand that the regulations and that I will comply with all regulations and ordinances of the City of Bonner Springs, as outlined above.

Vicki Kobalaka Freeman
Signature of Applicant

Date Approved by the Governing Body: _____

pc: Police Department, Fire Department, EMS Department, Public Works Department

ITEM NO. 7.

**City Council Regular Agenda
Monday, August 11, 2014 – 7:30 p.m.**

Present & Vote	Stephens _____	Peterson _____
	Cooper _____	Knight _____
	Reeves _____	Freeman _____
	Haas _____	Shannon _____

Mayor Vote on Charter Ordinances & Planning Items _____

MOTION: _____ **SECOND:** _____

AGENDA ITEM: Resolution of Intent Tiner Richland Apartments Extension

ACTION: Make a Motion to Approve a Resolution to Amend the Resolution of Intent No. 2013-10 to Extend the Effective Date

STAFF RECOMMENDATION: The City Manager, City Clerk & Community & Economic Development Director Recommend Approval

The City Council approved Resolution No. 2013-10 to declare its intent to issue Industrial Revenue Bonds in the approximate amount of \$1,600,000 for construction of the Richland Apartments on November 25, 2013 to remain in effect until August 25, 2014.

The developer's attorney submitted a letter that requested the effective date be extended nine months to May 25, 2015. The extension will allow adequate time for the developer to continue construction and complete the items necessary for issuance of the Industrial Revenue Bonds.

RESOLUTION NO. 2014-__

A RESOLUTION TO AMEND RESOLUTION 2013-10 OF THE CITY OF BONNER SPRINGS, KANSAS, THAT RELATES TO THE INTENT OF THE CITY TO ISSUE INDUSTRIAL REVENUE BONDS IN THE PRINCIPAL AMOUNT OF APPROXIMATELY \$1,600,000 TO PAY THE COST TO ACQUIRE, CONSTRUCT AND EQUIP MULTIFAMILY HOUSING FACILITIES WITHIN THE CITY (GUY TINER PROJECT, 13100 RICHLAND AVENUE)

WHEREAS, pursuant to Resolution No. 2013-10 of the City of Bonner Springs, Kansas (the "City"), adopted on November 25, 2013, the City declared its intent to issue its taxable industrial revenue bonds in the aggregate principal amount of approximately \$1,600,000 (the "Bonds") to finance the cost to acquire real property and equipment, to construct two apartment buildings to include real estate, building and improvements, (the "Project"), located within the City and to lease the Project to Guy Tiner, Developer, Richland Apartments, or its assigns (collectively, the "Company") all pursuant to the Act; and

WHEREAS, Resolution No. 2013-10 is effective until August 25, 2014 and the Company requested that the effective date of such Resolution be extended for nine months to May 25, 2015.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF BONNER SPRINGS, KANSAS, AS FOLLOWS:

Section 1: Section 8 of Resolution 2013-10 of the City is hereby amended to read as follows:

Section 8. Effective Date. This Resolution shall take effect and be in full force immediately after its adoption by the Governing Body of the City and shall remain in effect until May 25, 2015.

Approved by the City Council and Signed by the Mayor on August 11, 2014.

(Seal)

Jeff Harrington, Mayor

Attest:

Rita Hoag, City Clerk

ITEM NO. 8.

**City Council Regular Agenda
Monday, August 11, 2014 – 7:30 p.m.**

Present & Vote	Stephens _____	Peterson _____
	Cooper _____	Knight _____
	Reeves _____	Freeman _____
	Haas _____	Shannon _____

Mayor Vote on Charter Ordinances & Planning Items _____

MOTION: _____ **SECOND:** _____

AGENDA ITEM: Cricket Wireless Request for Use of Public Streets for Black Light 5K Run Friday, August 29

ACTION: Make a Motion to Approve the Cricket Wireless Request for Use of Public Streets for the Black Light 5K Run on Friday, August 29, 2014

STAFF RECOMMENDATION: The City Manager, City Clerk & Police Department Recommend Approval

Cricket Wireless made application for the use of Public Streets for a Black Light 5K Run, Friday, August 29, 2014 and provided the required Certificate of Insurance that names the City as an additional insured. They request the use of 126 Street between the Wyandotte County Park and their Amphitheater for the event.

The 5K Run includes powdered color, lights and music throughout the course per the attached map. They will close 126 Street at Riverview and State Avenue from 4 p.m. to midnight and will close the entire park. Police personnel will be stationed at each access point to 126 Street and barricades will be set up.

This is the first time for this event which then requires City Council approval.

City of Bonner Springs
Use of Public Streets, Parking Lots & Parks - GB Policy GB-11-01

Date: 7/25/14

Applicant: Jamie Whitehead/Chris Fritz

Business or Organization: New West Presentations (Cricket Wireless Amphitheater)

Street Address/Mailing Address: 633 N 130th St.

City/State/Zip: Bonner Springs, KS 66012

Phone: Home: _____ Work: 913.384.8940 Cell: 816.695.5950 Email: _____

Date/Time/Purpose of Requested Event: Black Light 5K Run - Friday, August 29, 2014

Public Parking Lot(s) Requested: _____ Park Requested: _____

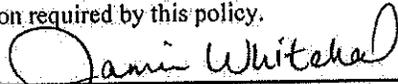
Street/Streets Requested: 126th St. between Wyandotte County Park and Cricket Wireless Amphitheater - see attached map

Police, Fire, EMS or Other Municipal Services Needed: Yes No If yes, what services? _____

Attach route if use of City Streets requested. Attached

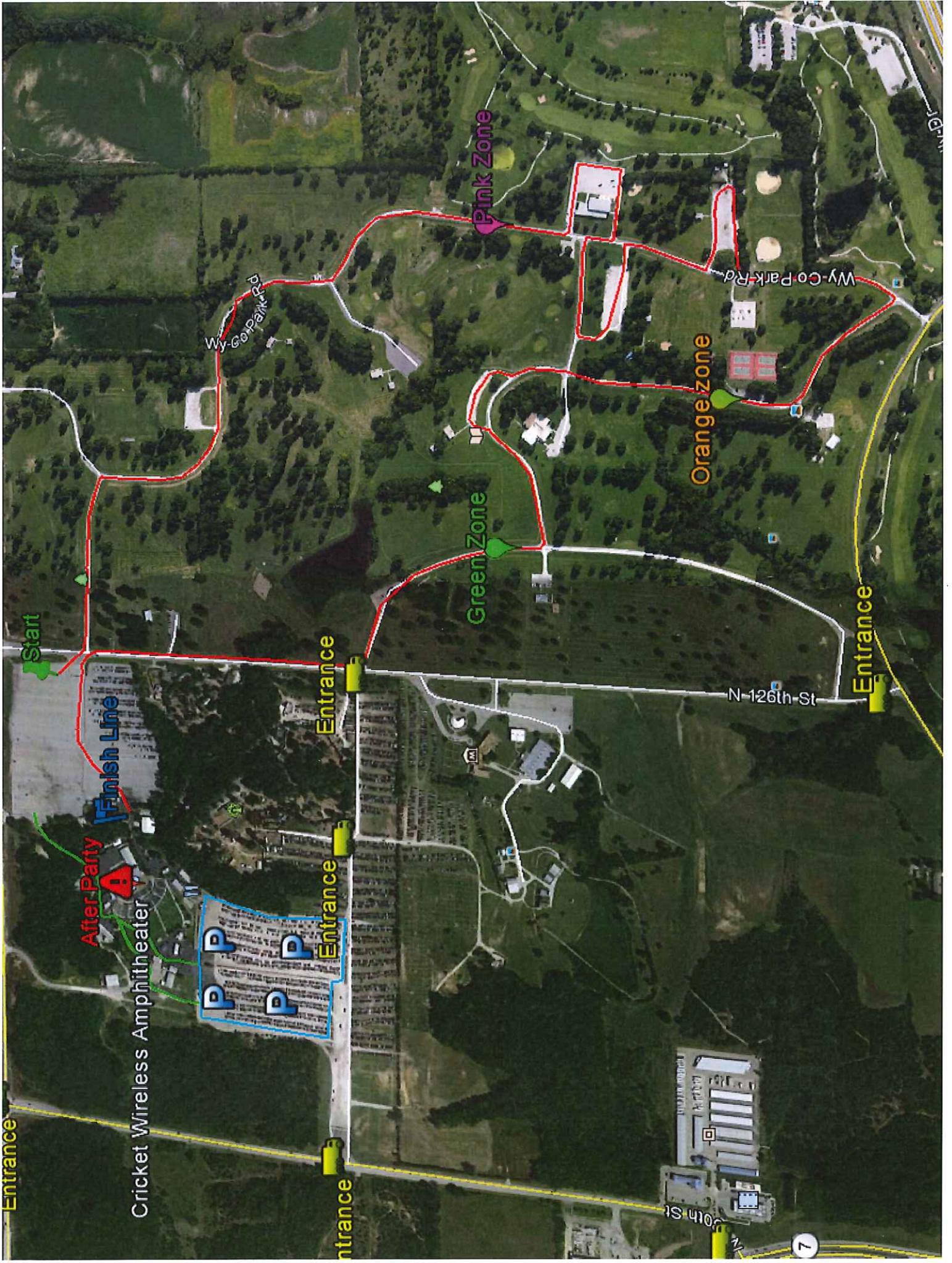
Certificate of Insurance that Names the City as an Additional Insured Attached.

- I. The organization/individual that sponsors these events shall provide the following information on forms provided by the City Clerk's office at least three weeks prior to the activity or event:
 - A. The public property requested for the use with a diagram if applicable.
 - B. The dates and time periods for the use.
 - C. Payment of appropriate fee, if applicable.
 - D. Street closures if applicable.
 - E. A certificate of insurance that names the City as an additional insured for all uses except block parties and to bag parking signs. Uses for block parties and to bag parking signs, require the applicant to sign a waiver form to release the City from any responsibility.
 - F. Security for the event to be approved by the Police Department and/or City Fire, EMS or Police Departments' assistance, except for block parties and to bag parking signs.
 - G. If need assistance/resources from City Departments.
 - H. Barricades or barriers placed shall ensure emergency access.
 - I. Statement by the applicant that the public property used and the adjacent areas will be cleaned immediately after the event.
- II. Restrictions: Alcoholic beverages not permitted unless the applicant obtains the required permit per City ordinances for sale/consumption/possession or for a temporary permit. Alcoholic beverages on city streets for block parties is not permitted per City ordinances.
- III. Licenses or permits for sale/consumption/possession of cereal malt beverages or alcoholic beverages, for temporary cereal malt beverage or alcoholic beverage permits or any other permit required separately by ordinance must be applied for separately from the application required by this policy.



Typed Name & Signature of Applicant

Date Approved by the Governing Body: _____



Start

Finish Line

After Party

Cricket Wireless Amphitheater

P P P P

Entrance

Entrance

Entrance

Green Zone

Orange zone

Pink Zone

Wy-Co Park Rd

Wy-Co Park Rd

N-126th St

Entrance

Entrance

7th St

7

ACTION FOR CONSENT AGENDA

MOTION: _____

SECOND: _____

Stephens _____
Cooper _____
Reeves _____
Haas _____

Peterson _____
Knight _____
Freeman _____
Shannon _____

- Reminder:**
- 1. Councilmembers need to abstain on check numbers on the claims issued to their personal business.**
 - 2. If a Councilmember has a simple question about a Consent Agenda item, it can be asked before the Mayor calls for a vote on the Consent Agenda.**
 - 3. If a Councilmember feels a Consent Agenda item warrants discussion, then it needs to be removed from the Consent Agenda.**

Staff Present: _____

REGULAR AGENDA

The City Council will consider the following items individually.

ITEM NO. 9.

**City Council Regular Agenda
Monday, August 11, 2014 – 7:30 p.m.**

Present & Vote	Stephens	_____	Peterson	_____
	Cooper	_____	Knight	_____
	Reeves	_____	Freeman	_____
	Haas	_____	Shannon	_____

Mayor Vote on Charter Ordinances & Planning Items _____

MOTION: _____ **SECOND:** _____

AGENDA ITEM: Public Hearing 2014 Budget Amendments & 2015 Budget

ACTION: Conduct Public Hearing for the 2014 Budget Amendments & the 2015 Budget

**STAFF RECOMMENDATION: The City Manager, City Clerk & Finance Director
Recommend Hearing be Held**

Enclosed is a copy of the Public Hearing Notice (Summary) approved by the City Council on July 28 that scheduled a Public Hearing for Monday, August 11. The City Clerk published the notice in the Chieftain on July 31 per State Law.

The Mayor will open the Public Hearing and Staff will make a power point presentation on the proposed 2014 Budget Amendments and the recommended 2015 Budget. The Mayor will then invite the public to make comment.

The Mayor will close the Public Hearing after receipt of public comment and the City Council will consider the next agenda item to approve the 2014 Budget Amendments and to approve the 2015 Budget.

NOTICE OF BUDGET HEARING

The governing body of the
City of Bonner Springs

will meet on August 11, 2014 at 7:30 p.m. at 205 East Second Street for the purpose of hearing and answering objections of taxpayers relating to the proposed use of all funds and the amount of ad valorem tax for the 2015 Budget.

Detailed budget information is available at City Hall and will be available at this hearing.

The hearing will include 2014 Budget Amendments shown in bold in the 2014 Expenditure Column.

BUDGET SUMMARY

Proposed Budget 2015 Expenditures and Amount of Current Year Estimate for 2014 Ad Valorem Tax establish the maximum limits of the 2015 budget. Estimated Tax Rate is subject to change depending on the final assessed valuation.

FUND	Prior Year Actual for 2013		Current Year Estimate for 2014		Proposed Budget for 2015		
	Expenditures	Actual Tax Rate*	Expenditures	Actual Tax Rate*	Budget Authority for Expenditures	Amount of 2014 Ad Valorem Tax	Estimate Tax Rate*
General	6,560,070	18.533	7,466,219	22.789	8,311,549	1,656,636	24.007
Debt Service	3,539,572	7.127	2,732,591	5.686	2,247,318	309,029	4.478
Library	362,301	4.945	372,748	5.160	388,200	355,317	5.149
Spec. Rev. Aquatic Park Facility Sales Tax	1,294,760		101,494		0		
Spec. Rev. CIP Sales Tax	0		350,100		450,600		
Spec. Rev. County Infrastructure	0		0		0		
Spec. Rev. Tourism	79,755		103,366		111,965		
Spec. Rev. Drug & Alcohol	72,462		67,280		85,400		
Spec. Rev. Economic Development	11,092		12,574		12,252		
Spec. Rev. Emergency Services Capital	595,337		407,446		712,176		
Spec. Rev. Emergency Medical Services	524,832		576,020		687,130		
Spec. Rev. Library Sales Tax	387,470		837,280		423,825		
Spec. Rev. Park Dedication	0		0		0		
Spec. Rev. Recreation Programs	88,102		137,195		134,615		
Spec. Rev. Risk Management	31,787		5,161		141,164		
Spec. Rev. Senior Center	44,265		48,280		48,823		
Spec. Rev. Sidewalk Escrow	0		0		34,452		
Spec. Rev. Soccer	16,218		15,755		17,505		
Spec. Rev. Special Parks & Recreation	96,195		60,342		88,500		
Spec. Rev. Street Projects	490,802		902,226		914,100		
Spec. Rev. Summer Ball	36,010		46,250		29,515		
Spec. Rev. Swimming Pool	210,536		261,924		248,881		
Spec. Rev. Tiblow Transit	97,610		93,533		86,228		
Spec. Rev. TIF Develop Funds	0		0		0		
Bonner Pointe TIF Increment	116,920		180,000		225,000		
CID Development Fees	0		11,190		0		
Bonner Springs Center CID	61,440		100,000		100,000		
Bonner Springs Ctr City Contribution	20,977		33,000		33,000		
Enterprise Fund - Solid Waste	335,435		380,110		457,180		
Enterprise Fund - Storm Water	97,827		120,378		185,651		
Enterprise Fund - Waste Water	1,466,133		1,718,907		1,619,454		
Enterprise Fund - Water	1,983,073		2,325,055		1,996,893		
Non Budgeted Funds	3,830,097		0		0		
Totals	22,451,078	30.605	19,466,424	33.635	19,791,376	2,320,982	33.634
Less: Transfers	3,964,558		3,364,720		3,351,136		
Net Expenditure	18,486,520		16,101,704		16,440,240		
Total Tax Levied	2,025,736		2,203,824				
Assessed Valuation	65,521,617		65,518,490		69,004,957		
Outstanding Indebtedness,							
January 1,	2012		2013		2014		
G.O. Bonds	22,570,000		20,645,000		17,820,000		
Revenue Bonds	0		0		0		
Other	0		1,750,000		1,750,000		
Lease Purchase Principal	279,147		115,918		0		
Total	22,849,147		22,510,918		19,570,000		

*Tax rates are expressed in mills

City of Bonner Springs
City Official Title: City Clerk

ITEM NO. 10.

**City Council Regular Agenda
Monday, August 11, 2014 – 7:30 p.m.**

Present & Vote	Stephens	_____	Peterson	_____
	Cooper	_____	Knight	_____
	Reeves	_____	Freeman	_____
	Haas	_____	Shannon	_____

Mayor Vote on Charter Ordinances & Planning Items _____

MOTION: _____ **SECOND:** _____

AGENDA ITEM: Approve 2014 Budget Amendments & 2015 Budget & Establish Maximum Expenditures

ACTION: Make a Motion to Adopt the 2014 Budget Amendments & the 2015 Budget

STAFF RECOMMENDATION: The City Manager, City Clerk & Finance Director Recommend Approval

The enclosed Certificate lists those funds that State Law requires cities to set maximum expenditures for, set the total ad valorem tax dollars and to set the estimated mill levy. The estimated mill levy for the 2015 Budget is 33.634 which is a 0.001 of a mill decrease from the prior year.

After approval of the Certificate on Monday, the City Clerk will file the State Budget with the County Clerk's office prior to August 25 per State Law. The County Clerk's office sets the final mill levy when they certify the assessed values in October.

The second attachment is a computation page per the new State Law effective this July. State Law now requires cities to publish the vote of the City Council's adoption of their budget if it provides an increase in property taxes over the previous year adjusted by the CPI for all urban consumers. The attached computation page on Line 18 shows the maximum amount of property taxes of \$2,219,529 the City can adopt without a publication. The 2015 Budget, if adopted, provides for a total property tax amount of \$2,320, 982. Attached is a copy of the required publication format.

CERTIFICATE

To the Clerk of Wyandotte County, State of Kansas

We, the undersigned, officers of the

City of Bonner Springs

certify that: (1) the hearing mentioned in the attached publication was held; (2) after the Budget Hearing, the City Council adopted the maximum expenditures for 2014 Budget Amendments and adopted the maximum expenditures for various funds for the 2015 Budget and (3) the Amounts of the 2014 Ad Valorem Taxes are within statutory limitations.

		Page No.	2014 Budget Amendments	2015 Adopted Budget		County Clerk's Use Only
				Budget Authority for Expenditures	Amount of 2014 Ad Valorem Tax	
Table of Contents:						
Computation to Determine Limit fo 2015		2				
Allocation of MVT, RVT, 16/20M Veh & Slider		3				
Schedule of Transfers		4				
Statement of Indebtedness		5				
Statement of Lease-Purchases		6				
Computation to Determine State Library Grant		7				
Fund	K.S.A.					
General	12-101a	8		8,311,549	1,656,636	
Debt Service	10-113			2,247,318	309,029	
Library	12-1220			388,200	355,317	
Spec. Rev. Aquatic Park Facility Sales Tax				0		
Spec. Rev. CIP Sales Tax			350,100	450,600		
Spec. Rev. County Infrastructure				0		
Spec. Rev. Tourism				111,965		
Spec. Rev. Drug & Alcohol				85,400		
Spec. Rev. Economic Development				12,252		
Spec. Rev. Emergency Services Capital				712,176		
Spec. Rev. Emergency Medical Services				687,130		
Spec. Rev. Library Sales Tax			837,280	423,825		
Spec. Rev. Park Dedication				0		
Spec. Rev. Recreation Programs				134,615		
Spec. Rev. Risk Management				141,164		
Spec. Rev. Senior Center				48,823		
Spec. Rev. Sidewalk Escrow				34,452		
Spec. Rev. Soccer			15,755	17,505		
Spec. Rev. Special Parks & Recreation				88,500		
Spec. Rev. Street Projects			902,226	914,100		
Spec. Rev. Summer Ball				29,515		
Spec. Rev. Swimming Pool				248,881		
Spec. Rev. Tiblow Transit			93,533	86,228		
Spec. Rev. TIF Develop Funds				0		
Bonner Pointe TIF Increment				225,000		
CID Development Fees			11,190	0		
Bonner Springs Center CID				100,000		
Bonner Springs Ctr City Contribution				33,000		
Enterprise Fund - Solid Waste				457,180		
Enterprise Fund - Storm Water				185,651		
Enterprise Fund - Waste Water			1,718,907	1,619,454		
Enterprise Fund - Water				1,996,893		
Non Budgeted Funds				0		
Totals	xxxxxxxxxxxxxxxxxxxxxxxx			19,791,376	2,320,982	
Notice of the vote to adopt required to be published and attached to the budget?					Yes	

Budget Summary	
Neighborhood Revitalization	
Assessed Valuation:	County Clerk's Use Only
Wyandotte County	
Johnson County	
Leavenworth County	
0	
Total Assessed Valuation	0
Assisted by:	Nov 1, 2014 Total Assessed Valuation

Address: _____

Email: _____

Date Attested: _____, 2014

County Clerk

Governing Body

City of Bonner Springs

2015

Computation to Determine Limit for 2015

	Amount of Levy
1. Total tax levy amount in 2014 budget	+ \$ <u>2,203,824</u>
2. Debt service levy in 2014 budget	- \$ <u>372,538</u>
3. Tax levy excluding debt service	\$ <u>1,831,286</u>

2014 Valuation Information for Valuation Adjustments

4. New improvements for 2014 :	+ <u>1,607,334</u>	
5. Increase in personal property for 2014 :		
5a. Personal property 2014	+ <u>2,184,223</u>	
5b. Personal property 2013	- <u>2,304,020</u>	
5c. Increase in personal property (5a minus 5b)	+ <u>0</u>	
		(Use Only if > 0)
6. Valuation of annexed territory for 2014 :		
6a. Real estate	+ <u>0</u>	
6b. State assessed	+ <u>0</u>	
6c. New improvements	- <u>0</u>	
6d. Total adjustment (sum of 6a, 6b, and 6c)	+ <u>0</u>	
7. Valuation of property that has changed in use during 2014 :	+ <u>288,880</u>	
8. Total valuation adjustment (sum of 4, 5c, 6d & 7)		<u>1,896,214</u>
9. Total estimated valuation July 1, 2014	<u>69,004,957</u>	
10. Total valuation less valuation adjustment (9 minus 8)		<u>67,108,743</u>
11. Factor for increase (8 divided by 10)		<u>0.02826</u>
12. Amount of increase (11 times 3)		+ \$ <u>51,745</u>
13. 2015 budget tax levy, excluding debt service, prior to CPI adjustment (3 plus 12)		\$ <u>1,883,031</u>
14. Debt service levy in this 2015 budget		<u>309,029</u>
15. 2015 budget tax levy, including debt service, prior to CPI adjustment (13 plus 14)		<u>2,192,060</u>
16. Consumer Price Index for all urban consumers for calendar year 2013		<u>1.50%</u>
17. Consumer Price Index adjustment (3 times 16)		\$ <u>27,469</u>
18. Maximum levy for budget year 2015, including debt service, not requiring 'notice of vote publication.' (15 plus 17)		\$ <u>2,219,529</u>

If the 2015 adopted budget includes a total property tax levy exceeding the dollar amount in line 18 you must publish notice of vote by the governing body to adopt such budget in the official county newspaper and attach a copy of the published notice to this budget.

In no event will published notice of the vote be required if the total budget year tax levy is \$1,000 or less.

Notice of Vote - City of Bonner Springs

Pursuant to K.S.A. 79-2925b, as amended by 2014 House Bill 2047

Total Property Tax Levied

2014 Budget \$ 2,203,824

2015 Budget \$ 2,320,982

Approved (vote) _____ **to** _____

ITEM NO. 11.

**City Council Regular Agenda
Monday, August 11, 2014 – 7:30 p.m.**

Present & Vote	Stephens	_____	Peterson	_____
	Cooper	_____	Knight	_____
	Reeves	_____	Freeman	_____
	Haas	_____	Shannon	_____

Mayor Vote on Charter Ordinances & Planning Items _____

MOTION: _____ **SECOND:** _____

AGENDA ITEM: Special Use Permit SUP-131 Freedom Farm Riding Stable

ACTION: Make a Motion to Approve an Ordinance to Approve a Special Use Permit SUP-131 for the Freedom Farm Riding Stable Located at 3601 South 142 Street

STAFF RECOMMENDATION: The Planning Director & Planning Commission Recommend Approval

The Planning Commission held a Public Hearing on this item at their July 22, 2014 meeting. Their unanimous recommendation is for City Council approval with the four conditions listed in the enclosed Ordinance.

Enclosed for the City Council's review is the staff report, Ordinance, an excerpt of the July 22 minutes and other related documents.

To: Mayor and City Council
 Thru: John N. Helin, City Manager *JNH*
 From: Don E. Slone, AICP, CFM, Planning Director *[Signature]*
 Subject: Special Use Permit: SUP-131: "Freedom Farm Riding Stable"

Exhibits: Final Ordinance, applicant's Letter and Special Use Permit Site Plan

Recommendation:

The Planning Commission, by unanimous vote, recommend approval of SUP-131 for Freedom Farm Riding Stable based upon the factors for consideration presented in the staff report and forwarding it to the Governing Body with a recommendation of approval.

Subject to the following four (4) conditions:

1. Future expansions or additions to the site not identified on the Site Plan shall require the submission of a new Site Plan to be reviewed and approved by the Planning Commission if there are plans to enlarge the footprint;
2. The revocation of the Special Use Permit may occur for a violation of the Zoning Ordinance as provided in Section 8, Article XXVII, Special Uses of the Zoning Ordinance or violation of any or all of the conditions set out in the Special Use Permit;
3. The Special Use Permit to be valid for a five (5) year period of time unless:
 - a. The subject property is sold, or
 - b. When the operation of such use by the owner designated in the permit is discontinued for more than 12 months; and
4. The Special Use Permit may not be assigned, conveyed or transferred.

Background:

The request is for a special use permit to operate a riding stable and associated agricultural uses. The subject property was used for a riding stable that boarded horses since 1985. A special use permit for Z7 Boarding Stables was initially issued by the Wyandotte County Board of County Commissioners on November 14, 1985 under Resolution No. 2085. The property is located in the unincorporated area of Wyandotte County.

The Board of County Commissioners of Wyandotte County on January 1, 1992, relinquished all Planning and Zoning authority to the City of Bonner Springs for the remaining unincorporated area, now known as the Loring Service Area as specified in the Interlocal Cooperation Agreement. In response to that Agreement, the City renewed the special use permit on December 21, 1992 under Ordinance No. 1650, on October 20, 1997 under Ordinance No. and on November 16, 1998 under Ordinance No. 1838.

Discussion:

Staff presented the following information to the Planning Commission at the Public Hearing held on July 22, 2014 that includes the Excerpt of the Minutes from that meeting:

SPECIAL USE PERMIT: FREEDOM FARM RIDING STABLE

Case No.: SUP-131
Applicant: Mark Yates, Freedom Farm
Owner: Kameron D. Kelly
Location: 3601 S. 142nd Street (Parcel No. 964900)
Zoning: AG, Agricultural District
Tract Size: 19.59 acres

Project Type: Riding Stable and Associated Agricultural Uses

Factors For Consideration:

1. **The proposed special use complies with all applicable provisions of these regulations, including intensity of use regulations, yard regulations, and use limitations, unless specifically exempted by the provisions of these regulations** – The approval of a special use permit in the AG, Agricultural District allows the proposed use; and therefore, is an acceptable use under the use limitations thereof. The proposed use is significantly less intense than the original operation that was first approved in 1985.
2. **The proposed special use at the specified location will contribute to and promote the welfare or convenience of the public** – The proposed use is less intense than the original operation that was first approved in 1985. The proposed riding stable will allow public access to equestrian activities.
3. **The proposed special use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located** – This request will not cause substantial injury to the value of other properties in the neighborhood as the proposed use has operated since 1985 with no known complaints from adjacent property owners.
4. **The location and size of the special use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site:**
 - a. **The location, nature and height of buildings, structures, walls and fences on the site** – The proposed riding stable is compatible with the adjacent agricultural uses as it is located away from residential uses.
 - b. **The nature and extent of landscaping and screening on the site** – Landscaping is not required for this agricultural use in this agricultural area.
5. **Off-street parking and loading areas will be provided in accordance with the standards set forth in these regulations, and such areas shall be screened from adjoining residential uses and located so as to protect such residential uses from any injurious effect** – There will be no increase in traffic in excess of the current traffic load as a result of the approval of the special use permit.
6. **Adequate utility, drainage, and other such necessary facilities have been or will be provided** – All utilities are currently serving the proposed site. No additional stormwater run-off will occur for the subject site.
7. **Adequate access roads or entrance drives will be provided and shall be so designed to prevent traffic hazards and to minimize traffic congestion in public streets or alleys** – Access is provided by chip and sealed roads, Archer Avenue and 142nd Street.

Staff Recommendation:

The Development Staff recommends approval of SUP-131: “Freedom Farm Riding Stable” with the conditions specified based upon the factors for consideration subject to the following four (4) conditions:

1. Future expansions or additions to the site not identified on the Site Plan shall require the submission of a new Site Plan to be reviewed and approved by the Planning Commission if there are plans to enlarge the footprint;
2. The revocation of the Special Use Permit may occur for a violation of the Zoning Ordinance as provided in Section 8, Article XXVII, Special Uses of the Zoning Ordinance or violation of any or all of the conditions set out in the Special Use Permit;
3. The Special Use Permit to be valid for a five (5) year period of time unless:
 - a. The subject property is sold, or
 - b. When the operation of such use by the owner designated in the permit is discontinued for more than 12 months; and
4. The Special Use Permit may not be assigned, conveyed or transferred.

Excerpt of the Minutes from the July 22, 2014 Public Hearing by the Planning Commission:

Chairman Parks introduced **Item No. 3: Special Use Permit: SUP-131: "Freedom Farm Riding Stable"** a request by Mark Yates, Freedom Farm and Kameron Kelly, property owner of record. This request is for a special use permit for a Riding Stable that requires a Special Use Permit. The property is located in the unincorporated area of Wyandotte County known as the "Loring Service Area". The property is zoned AG, Agricultural District located at 3601 S. 142nd Street.

Chairman Parks opened the public hearing at 7:09 p.m. and asked for Staff presentation. Staff presented its recommendations to the Planning Commission. Staff recommended approval subject to the listed conditions in the Staff Report.

Chairman Parks asked if the applicant would like to address the Planning Commission. **Mark Yates, Freedom Farm**, wanted to thank the Planning Director for all of his help with the special use permit. Mr. Yates agrees with all of the conditions listed in the Staff Report and would be happy to answer any questions.

Chairman Parks asked if there were any questions or comments from the public. Seeing none he closed the public hearing at 7:16 p.m.

Chairman Parks asked if the Planning Commission had any questions or comments. Commissioner Stephan asked Mr. Yates about the number of people that would be there at any time. Mr. Yates stated that if they had a fund raiser they might have one hundred people. The day camp that they have at Freedom Farm is strictly during the day. Mr. Yates stated that he has about eight horses all of which are stabled and he does not plan on having any more than those eight.

Chairman Parks asked if there were any more questions or comments from the Planning Commission. Seeing none he called for a motion. Commissioner Kasselmann made a motion to approve with the conditions listed in the Staff Report with a second from Commissioner Pierce.

Chairman Parks asked if there were any further questions or comments. Seeing none he called for a vote. Motion passed 7-0.

The Planning Director stated that he will forward this item to the Governing Body on August 11, 2014 with a Planning Commission recommendation of approval.

ORDINANCE NO. _____

An Ordinance to Approve a Special Use Permit SUP-131: "Freedom Farm Riding Stable" on Property Zoned AG, Agricultural District commonly known as 3601 S. 142 Street, Wyandotte County, Kansas.

Be it Ordained by the Governing Body of the City of Bonner Springs, Kansas:

Section I: That the Official Zoning Map be amended to include a Special Use Permit SUP-131: "Freedom Farm Riding Stable" for a riding stable on property zoned AG, Agricultural District commonly known as 3601 S. 142nd Street, Wyandotte County, Kansas subject to the following four (4) conditions:

1. Future expansions or additions to the site not identified on the Site Plan shall require the submission of a new Site Plan to be reviewed and approved by the Planning Commission if there are plans to enlarge the footprint;
2. The revocation of the Special Use Permit may occur for a violation of the Zoning Ordinance as provided in Section 8, Article XXVII, Special Uses of the Zoning Ordinance or violation of any or all of the conditions set out in the Special Use Permit;
3. The Special Use Permit to be valid for a five (5) year period of time unless:
 - a. The subject property is sold, or
 - b. When the operation of such use by the owner designated in the permit is discontinued for more than 12 months; and
4. The Special Use Permit may not be assigned, conveyed or transferred.

Section II: This ordinance shall be in full force and effect from and after its passage and publication in the official city newspaper.

Approved by the Governing Body and signed by the Mayor on August 11, 2014.

Jeff Harrington, Mayor

ATTEST:

Rita Hoag, City Clerk

(SEAL)

Special Use Permit Letter

To whom it may concern,

My name is Mark Yates and I live at 3601 south 142nd Street Bonner Springs Ks. My wife and I manage an equine centered Ministry called Freedom Farm. We use horses to change the lives of children and adults alike. We operate a riding stable, teach riding lessons, provide equine assisted therapy, host children's birthday parties, and have an occasional bonfire. We host a few day camps annually. In the future once or twice a year we may host a fund raising event.

We also provide a garden space for a community garden. We currently have one church sharing our space.

We have adequate parking; we can park about 15 cars on the gravel lot located in front of the barn. We have never used the road or road ditches for parking. The average vehicles, beside ours coming to or leaving the farm would be approximately 3. During a day camp we would have a few more vehicles coming and leaving to drop off their children. In the case of a larger event or personal party we have adequate pasture area to park extra vehicles.

Over the past year we have labored diligently to improve the properties usability and the visual presence. Numerous neighbors have stated how much better the property looks, and how thankful they are that we are living there and using the facility for the purpose it was originally established.

Thank you for considering Freedom Farm for a Special Use Permit.

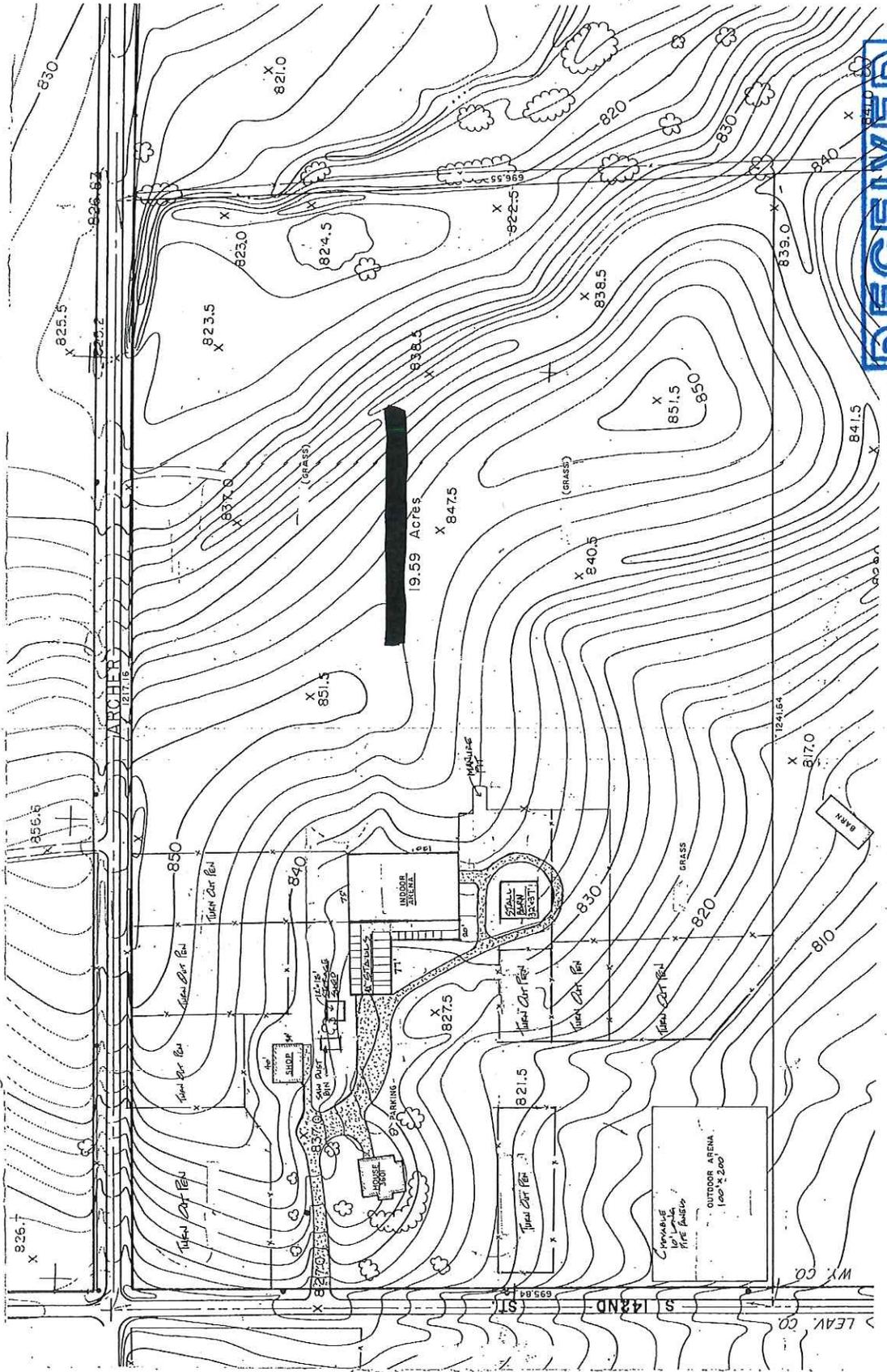
Freedom Farm Manager

Mark Yates



DESIGNED BY:	
DRAWN BY: RJB	
CHECKED BY:	
APPROVED BY:	


 SITE PLAN
 DRAWING NO. C1



RECEIVED
 JUN 17 2014



SITE PLAN
 SCALE: 1" = 50'

Freedom Farm Riding Stable
 SUP-131

ITEM NO. 12.

**City Council Regular Agenda
Monday, August 11, 2014 – 7:30 p.m.**

Present & Vote	Stephens _____	Peterson _____
	Cooper _____	Knight _____
	Reeves _____	Freeman _____
	Haas _____	Shannon _____

Mayor Vote on Charter Ordinances & Planning Items _____

MOTION: _____ SECOND: _____

AGENDA ITEM: Final Plat (Replat) PT-14-101 The Villages

ACTION: Make a Motion to Accept the Dedication of Easements and Rights-of-Way for the Final Plat (Replat) PT-14-101 The Villages

STAFF RECOMMENDATION: The Planning Director & Planning Commission Recommend Acceptance

The Planning Commission at their meeting on July 22, 2014 approved the Final Plat. Enclosed is the staff report and related documents reviewed by the Planning Commission.

The final action on this plat is for the City Council to accept the dedication of easements and rights-of-way.

City Council Staff Report

August 11, 2014

To: Mayor and City Council
Thru: John N. Helin, City Manager 
From: Don E. Slone, AICP, CFM, Planning Director 
Subject: Final Plat (Replat): PT-14-101: "The Villages"

Exhibits: Final Plat drawings, approved Preliminary Plat "The Villages", "As-Built" Drawings Sanitary Sewer Plan and Profile, filed Final Plat Country Hills Subdivision, Lots 8-13, filed Final Plat Country Hills Subdivision Replat Lots 11 and 12 and the filed Final Plat Deerfield Village.

Recommendation:

The Planning Commission, by unanimous vote, approved the Final Plat of The Villages subject to the conditions listed below and requests the Governing Body accept the dedication of easements and rights-of-way as shown on the Final Plat.

Background:

The subdivision is a one lot, one tract residential subdivision for a 248 unit multi-family gated apartment development. Tract A, Deerfield Village was zoned to R-3, Multi-Family Residential District in 1986 and Tract B, Detention Basin/Open Space was zoned R-1, Single-Family Residential District also in 1986. The remainder of the property, Lot 10 and the North 100' of Lot 9, Country Hills Subdivision was rezoned to R-3, Multi-Family Residential District under Case No. BSZ-127 as the "Village at Deerfield" approved under Ordinance No. 2335 on February 27, 2012.

Note: A new access drive was added on the northeast corner of the project that is an exit only onto Kansas Avenue that fully addresses Staff's concern for the "Traffic Study" as determined by the City Engineer. The City Engineer and Planning Director concur that the addition of the new access drive addresses the condition of approval as listed in Ordinance No. 2335 adopted by the Governing Body on February 27, 2012.

Discussion:

Staff presented the following information to the Planning Commission at the public meeting held on July 22, 2014 that includes the Excerpt of the Minutes from the meeting:

FINAL PLAT: "THE VILLAGES"

Case No.: PT-14-101
Applicant: Ed Schlagel, P.E., Schlagel & Associates
Engineer: Mark Breuer, P.E., Schlagel & Associates
Surveyor: Aaron T. Reuter, LS, Schlagel & Associates
Owners: Guy B. Tiner
Location: 700 S. 132nd Street (New addresses to be assigned)
Zoning: Lot 1 – R-3, Multi-Family Residential District
Tract A – R-1, Single-Family Residential District (Detention Basin + Open Space)

Land Use Summary:

Lot/Tract Acreage: Lot 1 – 15.21 acres (R-3)
Tract A – 2.22 acres (R-1) South Detention Basin + Open Space
Total Tract Acreage: 17.43 acres
Number of Lots/Tracts: 1/1

Easements Dedicated: As shown on the Final Plat
Dedicated Rights-of-Way: As shown on the Final Plat

Staff Recommendation:

The Development Staff recommends approval of the Final Plat subject to (11) conditions to include the Standing Conditions for Final Plats:

1. Revise the plat drawing to add the 10' east/west waterline U/E as approved on the Preliminary Plat that were mistakenly left off the submitted drawing;
2. Revise the plat drawing to relocate the 10' U/E to abut the filed 20' S/E along the south boundary between North and South half of Lot 9 for a total of 30' S/E & U/E;
3. Provide the County Surveyor with signed and sealed Section corner reference reports with a check and envelope addressed to the Kansas State Historical Society or provide this office with copies of the reference reports, check and cover letter that was sent to the Kansas State Historical Society;
4. Provide the County Surveyor with a printout of the Boundary Closure Report;
5. Revise the plat drawing to show the Section corner reference ties on the face of the plat;
6. Please fade the all existing subdivision text back a bit more;
7. Revise all Road and Highway calls. Please add (if the road actually exists) "as said road now exists or as said highway now exists";
8. Please remove "Unified Government Surveyor" and replace with "County Surveyor";
9. Resubmit one (1) digital copy of the "revised" Final Plat to the Planning Director that addresses all the above conditions for review and approval prior to submission of the signed/sealed mylars;
10. The surveyor shall furnish the Planning Director with two (2) original signed/sealed mylars along with the filing fee of \$20.00 per page (\$40.00) made payable to the Register of Deeds; and
11. The Planning Director will file the Final Plat and provide a digital copy of the Final Plat to the applicant.

Standing Conditions for Final Plats:

1. All public improvements, if required, are to be approved and bonded with the City prior to filing the final plat; and
2. Property taxes are required to be "paid in full" prior to filing the final plat in accordance with State law.

Planning Director's Comments:

1. Revise the plat drawing to add the 10' east/west waterline U/E as approved on the Preliminary Plat that were mistakenly left off the submitted drawing;
2. Revise the plat drawing to relocate the 10' U/E to abut the filed 20' S/E along the south boundary between North and South half of Lot 9 for a total of 30' S/E & U/E;
3. The surveyor shall furnish the Planning Director with two (2) original signed/sealed mylars along with the filing fee of \$20.00 per page (\$40.00) made payable to the Register of Deeds; and
4. The Planning Director will file the Final Plat and provide a digital copy of the Final Plat to the applicant.

Review Comments from Other Departments/Agencies:

Building Official: No objections.

City Engineer: No objections.

Economic Development Director: No objections.

Public Works Director: No objections.

Utilities Director:

1. The south 10' UE is being shown as part of the 20' Sewer Easement (SE). The depth of the SS line in this area requires the full 20' easement without encroachment from other utilities. Move the 10' UE out of the 20' SE. (See Planning Director's Comment No. 2)

Atmos Energy: No objections.

AT&T:

1. AT&T has no objections, however AT&T does have buried facilities in the area and any cost associated with relocations to accommodate will be billable to the developer/property owner.

Time Warner: No comments received.

Westar Energy: No comments received.

WYCO Mapping: No objections.

WYCO Surveyor:

1. You will need to provide this office with signed and sealed Section corner reference reports with a check and envelope addressed to the Kansas State Historical Society or provide this office with copies of the reference reports, check and cover letter that was sent to the Kansas State Historical Society;
2. You will need to provide this office with a printout of the Boundary Closure Report;
3. You will need to show the Section corner reference ties on the face of the plat;
4. Please fade the all existing subdivision text back a bit more;
5. After all Road and Highway calls please add (if the road actually exists) "as said road now exists or as said highway now exists"; and
6. Please remove "Unified Government Surveyor" and replace with "County Surveyor".

Excerpt of the Minutes from the July 22, 2014 meeting of the Planning Commission:

Chairman Parks introduced **Item No. 2: Final Plat(Replat): PT-14-101: "The Villages"**, a request is to replat all of Tract A, Tract B, Lot 10 and the north 100' of Lot 9, Country Hills Subdivision. The property is zoned R-3, Multi-Family Residential (Tract A), north 100' Lot 9 and Lot 10 (BSZ-127) and R-1, Single-Family Residential District (Tract B). Requested by Ed Schlager, P.E., P.L.S., Schlager & Associates, P.A. for Guy Tiner, property owner of record. The request is in order to construct a 248 unit multi-family gated residential apartment project located at 700 S. 132nd Street.

Chairman Parks asked for Staff presentation. Staff presented its recommendations to the Planning Commission. Staff recommended approval subject to the listed conditions in the Staff Report.

Chairman Parks asked if the applicant would like to address the Planning Commission. **Ed Schlager, P.E., P.L.S., Schlager & Associates, P.A.** stated that they were in agreement with all the conditions listed in the Staff Report. He would be happy to answer any questions from the Planning Commission.

Chairman Parks asked if the Planning Commission had any questions or comments. Commissioner Stephan asked Mr. Tiner, property owner of record, the timetable for the project to begin. Mr. Tiner stated that when he completed the apartments on Richland he would begin "The Villages". Mr. Tiner stated that "The Villages" project would be constructed in phases.

Commissioner Pierce asked if they were going to start at the north end of the project and work down. Mr. Tiner stated that was correct.

Commissioner Neff asked for a completion date and Mr. Tiner stated that he could not give her one at this time.

Commissioner Pierce asked how many units in the first phase and Mr. Tiner commented that there were five (5) buildings, the clubhouse and pool in the first phase.

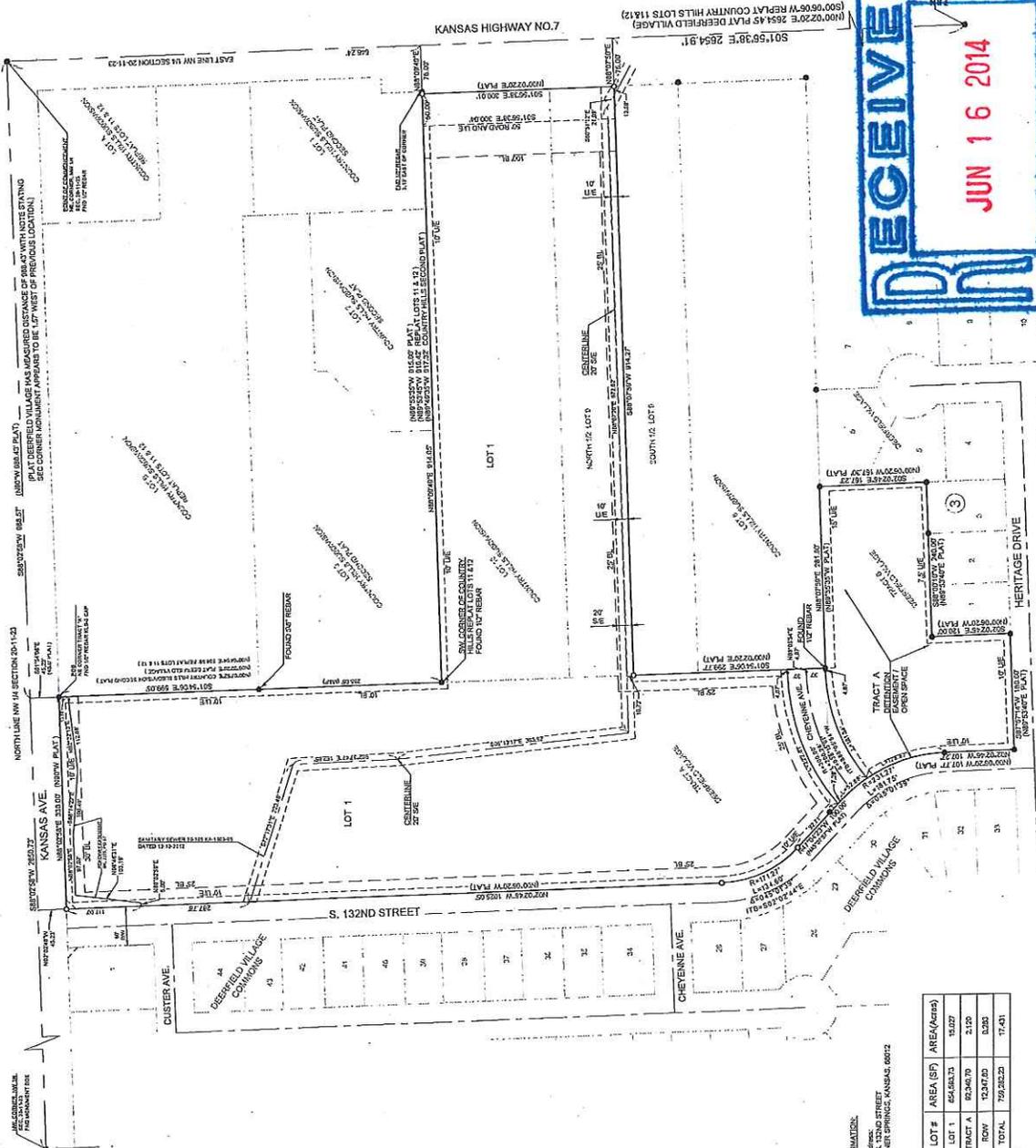
Chairman Parks asked if the final location for the new road (Cheyenne Avenue) had been determined. Mr. Schlager stated the location was set by the City's Plan. The Planning Director stated that the location shown is in accordance with the City's adopted Transportation Plan and this new road will be constructed by KDOT as access for the residents along the gravel road that now access K-7 Hwy will be removed in the future.

Chairman Parks asked if there were any further questions or comments from the Planning Commission. Seeing none he called for a motion. Commissioner Stephan made a motion to approve with the conditions listed in the Staff Report with a second from Commissioner Pierce.

The Planning Director stated that he will forward this item to the Governing Body on August 11, 2014 with a Planning Commission recommendation of approval and requests the Governing Body to accept the dedication of easements and rights-of-way as shown on the Final Plat.

FINAL PLAT OF THE VILLAGES

A RESURVEY AND REVISION OF ALL OF LOT 10 AND THE NORTH ONE-HALF OF LOT 9 OF COUNTRY HILLS SUBDIVISION, AND ALL OF TRACT A, AND TRACT B OF DEERFIELD VILLAGE SUBDIVISION, IN THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 11 SOUTH, RANGE 28 EAST, IN THE CITY OF BONNER SPRINGS, WYANDOTTE COUNTY, KANSAS



SECTION 20-11-28
LOCATION MAP
SCALE 1" = 2000'

- LEGEND:**
- FOUND MONUMENT UNLESS OTHERWISE NOTED
 - FOUND MONUMENT UNLESS OTHERWISE NOTED
 - BUILDING LINE
 - DRIVE R/W
 - DRIVE EASEMENT
 - SANITARY SEWER EASEMENT
 - UTILITY EASEMENT
 - EASEMENT SET LINES
 - SETTING PLAT AND ROW LINES

PROJECT BENCHMARK:
CHISEL SQUARE ON CENTERLINE FRONT FACE OF CATCH BASIN,
NORTHWEST CORNER OF THE INTERSECTION OF CHEYENNE AVE AND
S. 132ND STREET. ELEM. 661.0

NOTE: THE SURVEY ON WHICH THIS PLAT IS BASED METERS OR EXCEEDS THE STATE MEDIUM
SCALE OF 1" = 125 FEET. THE MATHEMATICAL CALCULATIONS OF THIS
DESCRIPTION IS 0.077 FEET OR 1/12.84 INCH.

PROFESIONAL CERTIFICATION:
I HEREBY CERTIFY THIS PLAT OF THE VILLAGES IS BASED ON A FIELD SURVEY
CONDUCTED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A
LICENSED SURVEYOR IN THE STATE OF KANSAS AND THAT THE DETAILS SHOWN HEREON ARE TRUE
AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.



Alan T. Reuter - Lead Surveyor
PLS 04-002



SCHLAGEL & ASSOCIATES, P.A.
Engineers • Planners • Surveyors • Landscape Architects
1428 West 105th Street • Lenexa, Kansas 66215
(913) 452-9325 • Fax (913) 452-9400

DATE: 6-12-2014
DRAWN BY: SCR
CHECKED BY: AKS
PROJ. NO.: 11-013

OWNER/DEVELOPER:
GUY & TINEE
PO Box 272
1000 W. 10th, Moberly, MO 65001
Phone: 661-422-8072
Fax: 661-422-8082

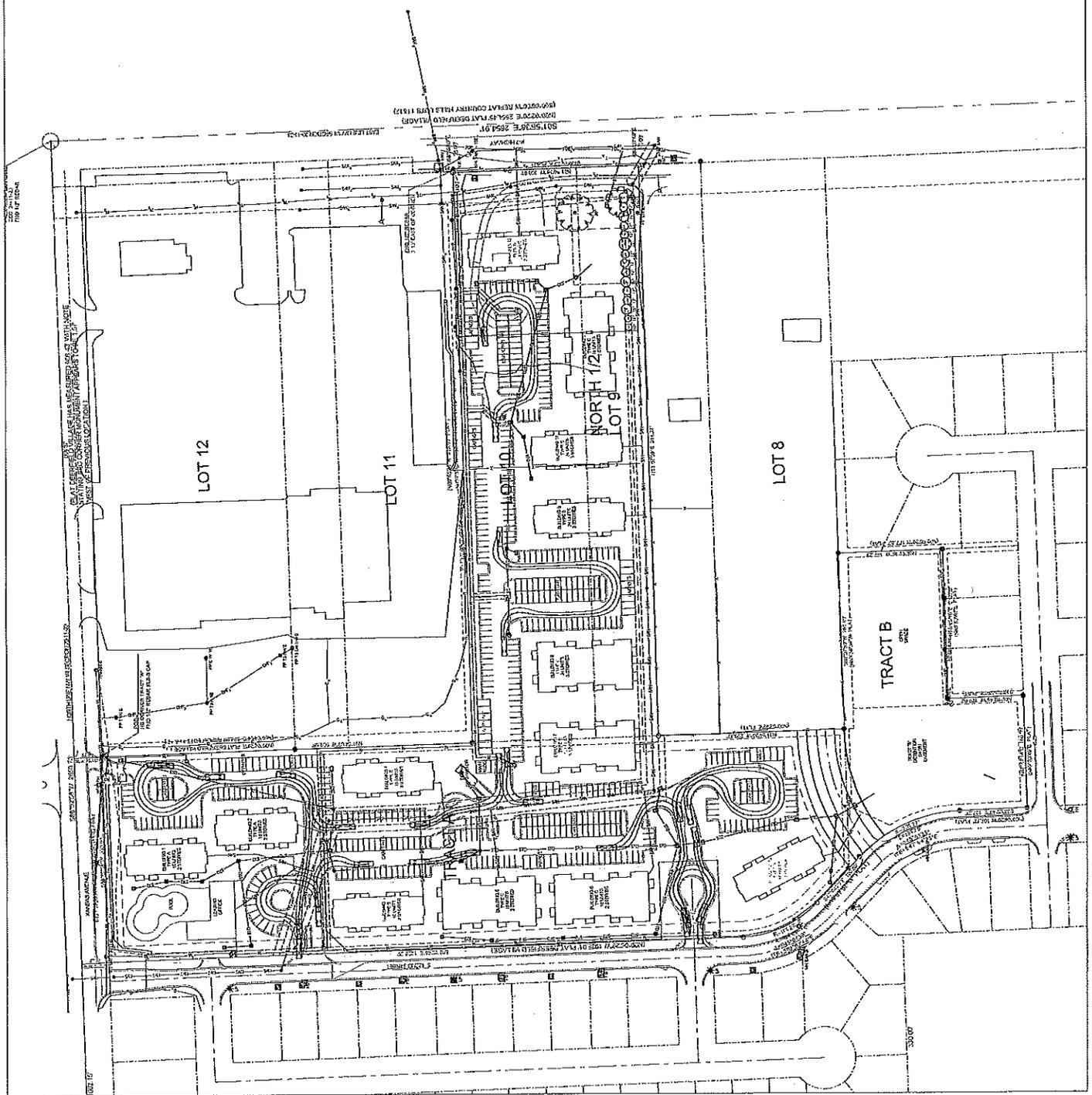
SHEET NO. 1 OF 2



LOT #	AREA (SF)	AREA (Acres)
LOT 1	454,683.23	10.329
TRACT A	25,261.70	2.126
TRACT B	12,377.00	0.283
TOTAL	792,322.00	17.741

SITE INFORMATION:
Property Address:
BONNER SPRINGS, KANSAS 66012

1. ALL LOT AND ACCESS DRIVEWAYS HAVE BEEN DESIGNED TO HAVE A MINIMUM OF 20' CLEARANCE TO THE FACE OF CURB. ALL LOT AND ACCESS DRIVEWAYS TO FACE OF CURB, ALL LOT AND ACCESS DRIVEWAYS 24 FEET MINIMUM.
2. ACCESS DRIVEWAYS SHALL BE 10 FEET MINIMUM.
3. ACCESS DRIVEWAYS SHALL BE 10 FEET MINIMUM.
4. ACCESS DRIVEWAYS SHALL BE 10 FEET MINIMUM.



PRELIMINARY PLAT OF THE VILLAGES

PART OF NW 1/4, SEC. 20-14-23
CITY OF BONNER SPRINGS, WANDOTTE COUNTY, KANSAS



SECTION 20-14-23
LOCATION MAP
SCALE 1" = 2000'

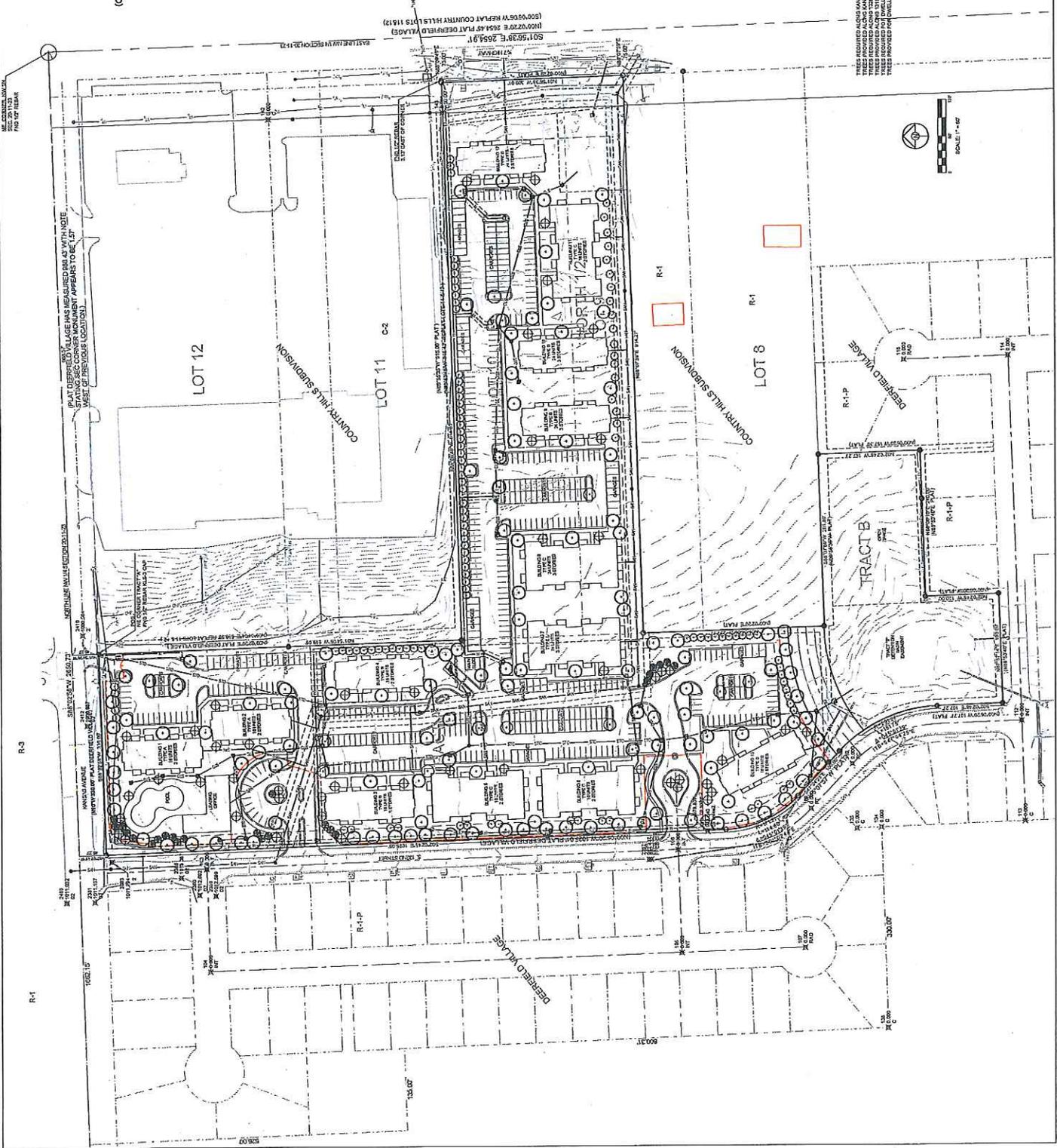
PROJECT BENCHMARK:
NORTHWEST CORNER OF THE INTERSECTION OF OKLAHOMA AVE & 132ND STREET (ELEVATION)

SITE DATA
CURRENT ZONING: R-1, R-2
SITE AREA: 17.7 ACRES
R-1 ZONE AREA: 15.1 ACRES
R-2 ZONE AREA: 2.6 ACRES
NUMBER OF LOTS: 14
NUMBER OF UNITS: 140 (100 SINGLE-FAMILY UNITS, 40 TOWNHOMES)
MAXIMUM NUMBER OF CITY UNITS: 140
PROPOSED DENSITY (PER ACRE): 7.9
PROPOSED DENSITY (PER ACRES): 7.9
PROPOSED DENSITY (PER ACRES): 7.9

132ND STREET AND KANSAS AVENUE, BONNER SPRINGS, KANSAS
PRELIMINARY PLAT
THE VILLAGES

NO.	DESCRIPTION	DATE
1	PRELIMINARY PLAT	11/13/13
2	REVISIONS	11/13/13
3	REVISIONS	11/13/13
4	REVISIONS	11/13/13
5	REVISIONS	11/13/13
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7	REVISIONS	11/13/13
8	REVISIONS	11/13/13
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100	REVISIONS	11/13/13

LANDSCAPE PLAN
SHEET
L-1
OF 2



REVISIONS REQUIRED: 1. TREE PERCENTAGE (PROPOSED) 13.8 TREES
2. TREE PERCENTAGE (PROPOSED) 23.48 TREES
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99. TREE PERCENTAGE (PROPOSED) 23.48 TREES
100. TREE PERCENTAGE (PROPOSED) 23.48 TREES



SCHLAGEL & ASSOCIATES, P.A.
ENGINEERS, ARCHITECTS, LANDSCAPE ARCHITECTS
1400 W. 15TH ST., SUITE 100, BONNER SPRINGS, KS 67005
(620) 833-1111 FAX: (620) 833-1112
WWW.SCHLAGELANDASSOCIATES.COM

COUNTRY HILLS SUBDIVISION

BONNER SPRINGS, KANSAS
 CONTINUED LOTS 8 THRU 13 SHEET #2

REV. 2/28/22 MK 202

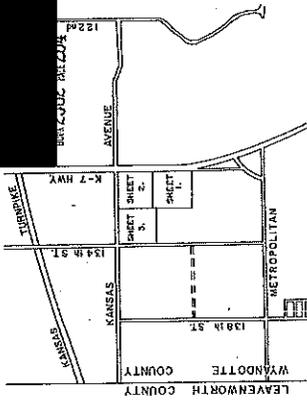
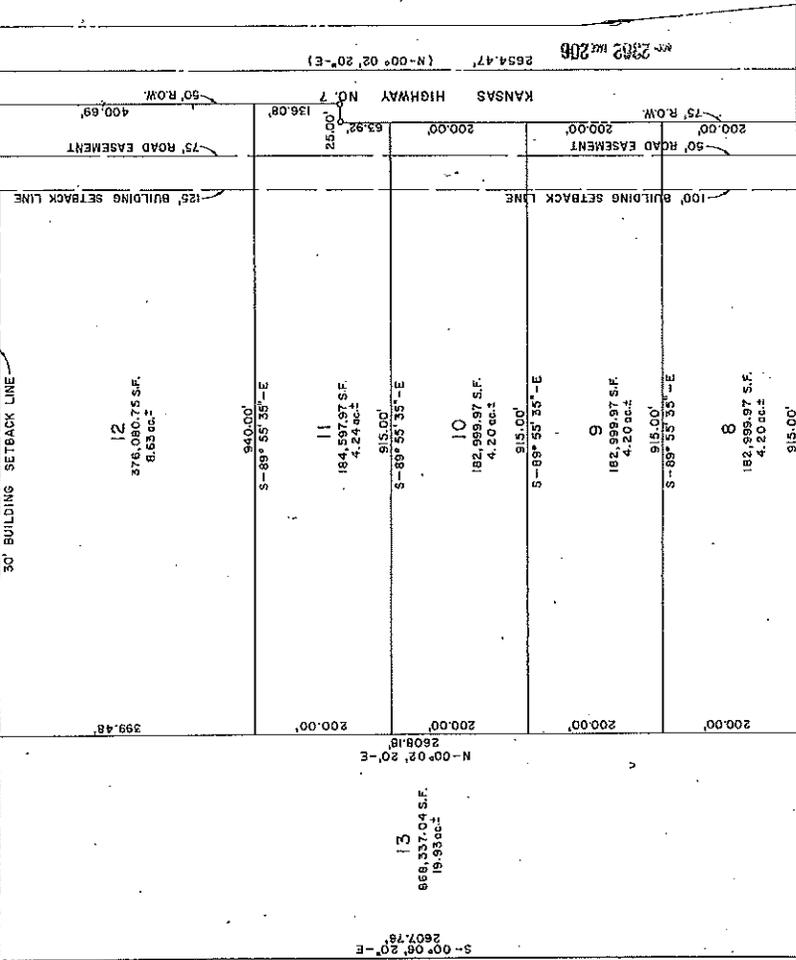
R. MILLER

BUSINESS DEVELOPMENT CO.

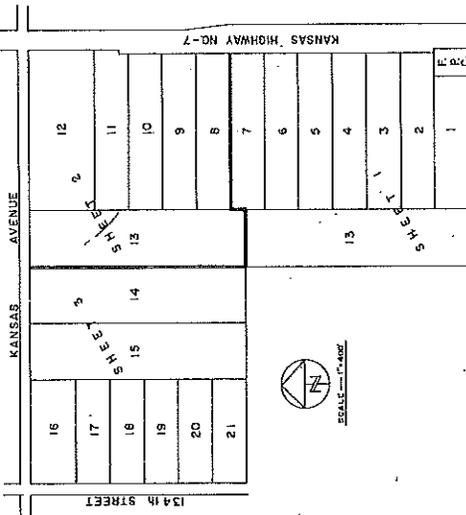
J. DAVIS

N.E. CORNER OF NW
 1/4 OF SECTION 20-11-23

2552.68' (WEST)
 KANSAS AVENUE
 EXISTING 20' RIGHT OF WAY
 25' ADDITIONAL RIGHT OF WAY
 75' R.O.W.
 30' BUILDING SETBACK LINE



VICINITY MAP



SUBDIVISION INDEX MAP



LEO M. MARTELL AND ASSOCIATES
 CONSULTING ENGINEERS — ARCHITECTS
 KANSAS CITY, KANSAS
 LICENSE NO. 2074
 APPROVED BY: L.M.M. DATE: 11-19-72
 SHEET 2 OF 3

MATCH LINE "B"

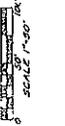
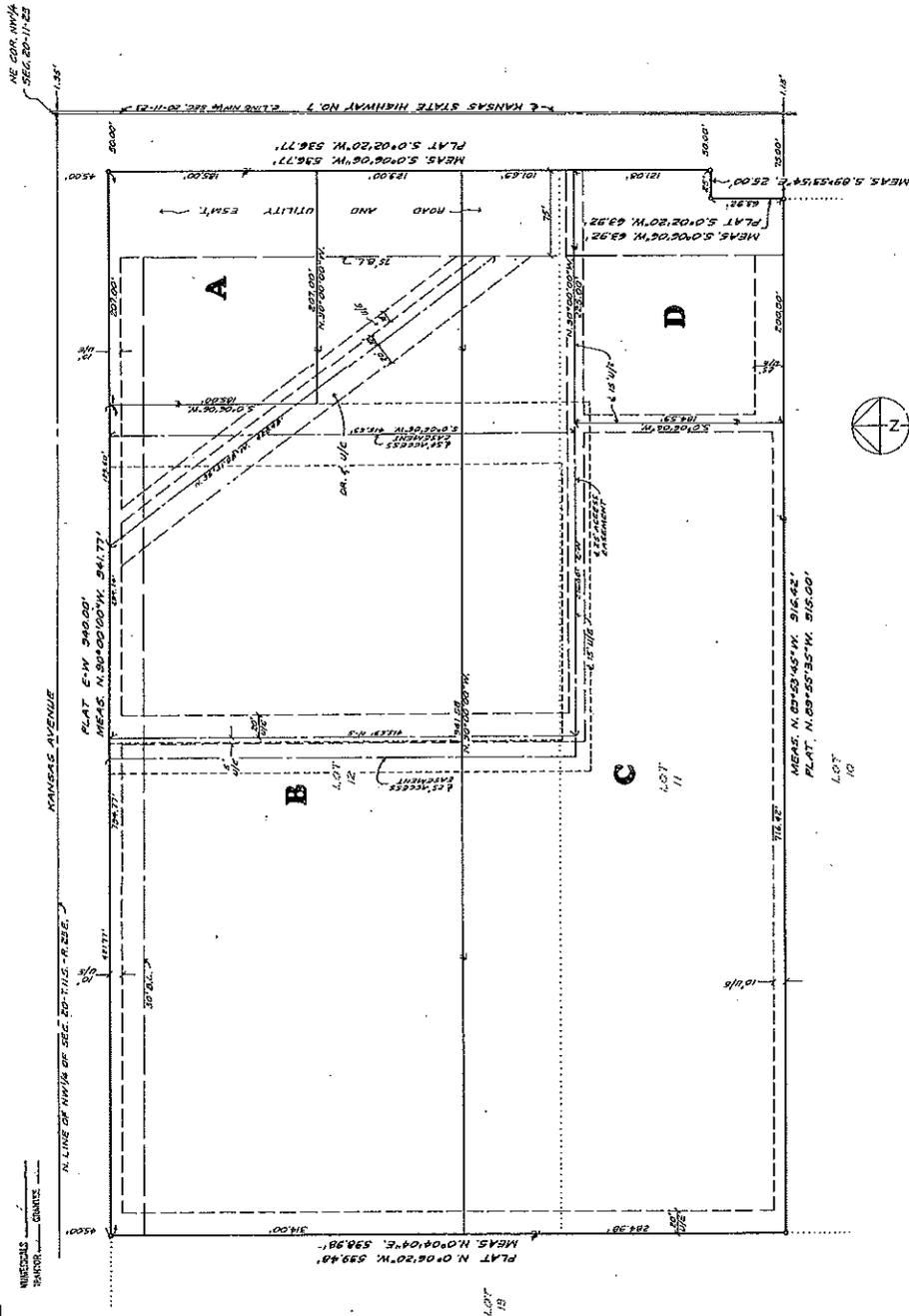
MATCH LINE "A"

REV. 2/28/22 MK 202

Handwritten notes and scribbles at the bottom of the page.

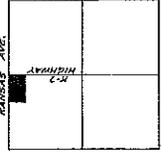
COUNTRY HILLS SUBDIVISION REPLAT LOTS 11 AND 12

COUNTRY HILLS SUBDIVISION
PLAT NO. 28-1582
SEC. 20-11-22



OWNERS:
WALDMAN PROPERTIES, INC.
1501 W. 150TH ST., SUITE 100
PH. 1-801-873-1000
BONNER SPRINGS DEVELOPMENT CO.
BONNERVILLE TOWER, K.C., MO., 64106
PH. 1-816-221-8000

DEMONSTRATION MONUMENTS FOUND



NEARBY MAPS
SEC. 20-11-22

RESOLUTION

This is a copy and transmission of Lots 11 and 12 in Country Hills Subdivision, a subdivision of land in Section 20 - Township 11 South - Range 23 East, City of Bonner Springs, Wyandotte County, Kansas.

The undersigned proprietors of the above described tract of land have caused this plat to be prepared and recorded in the public records of the City of Bonner Springs, Kansas, and the plat which is shown as "Country Hills Subdivision Replat Lots 11 and 12".

The undersigned proprietors of this plat do hereby dedicate for public use and public view and convenience, all parcels and parts of land included on said plat as streets, easements, phone lines, and utility easements.

The plat of all lots in this subdivision shall hereafter be subject to the restrictions which shall be recorded by the undersigned and reported in the office of the Registrar of Deeds of Wyandotte County, Kansas. Said restrictions shall hereby become a part of the description of this plat as though they had been written.

An easement or license is hereby granted to the City of Bonner Springs, Kansas, to enter upon, locate, construct and maintain the location, construction or maintenance and use of sidewalks, water, sewer, gas, telephone, electric, cable, and other utility lines and easements, and that the undersigned hereby covenants and warrants that the City of Bonner Springs, Kansas, shall have the right to use such easements and utilities in the manner and for the purposes intended by the undersigned.

In testimony whereof, I have hereunto set my hand and caused my official seal to be hereunto affixed on this 15th day of September, 1982.

WALTER P. BERRY, Mayor
CITY OF BONNER SPRINGS, KANSAS

STATE OF KANSAS
COUNTY OF WYANDOTTE

BE IT REMEMBERED that on this 15th day of September, 1982 before me the undersigned County Clerk of Wyandotte County, Kansas, did appear the undersigned proprietors of this plat, to-wit: Waldman Properties, Inc., Bonner Springs Development Co., and Mercantile Tower, K.C., Mo., and that they acknowledged to me that they executed the foregoing plat as their free act and deed of their own free will and without any duress, fraud, or coercion, and that they intended that the same should have the full force and effect of a conveyance in law.

IN WITNESS WHEREOF, I have hereunto set my hand and caused my official seal to be hereunto affixed on this 15th day of September, 1982.

WALTER P. BERRY, County Clerk
COUNTY OF WYANDOTTE, KANSAS

STATE OF KANSAS
COUNTY OF WYANDOTTE

BE IT REMEMBERED that on this 15th day of September, 1982 before me the undersigned County Clerk of Wyandotte County, Kansas, did appear the undersigned proprietors of this plat, to-wit: Waldman Properties, Inc., Bonner Springs Development Co., and Mercantile Tower, K.C., Mo., and that they acknowledged to me that they intended that the same should have the full force and effect of a conveyance in law.

IN WITNESS WHEREOF, I have hereunto set my hand and caused my official seal to be hereunto affixed on this 15th day of September, 1982.

WALTER P. BERRY, County Clerk
COUNTY OF WYANDOTTE, KANSAS

STATE OF KANSAS
COUNTY OF WYANDOTTE

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IN WITNESS WHEREOF, I have hereunto set my hand and caused my official seal to be hereunto affixed on this 15th day of September, 1982.

WALTER P. BERRY, County Clerk
COUNTY OF WYANDOTTE, KANSAS



HOLLAND CORPORATION
1211 HOLLAND ROAD
LENEXA, KANSAS 66215
PH. 913-888-8277

DATE: 9/15/82
DESIGN: C.A.S.
DRAWN BY: A.J.S.
PROJ. NO. 28-1582

FINAL PLAT

OWNERS:
WALDMAN PROPERTIES, INC.
1501 W. 150TH ST., SUITE 100
PH. 1-801-873-1000
BONNER SPRINGS DEVELOPMENT CO.
BONNERVILLE TOWER, K.C., MO., 64106
PH. 1-816-221-8000

DEMONSTRATION MONUMENTS FOUND

Book 35
Pg 78
0 31

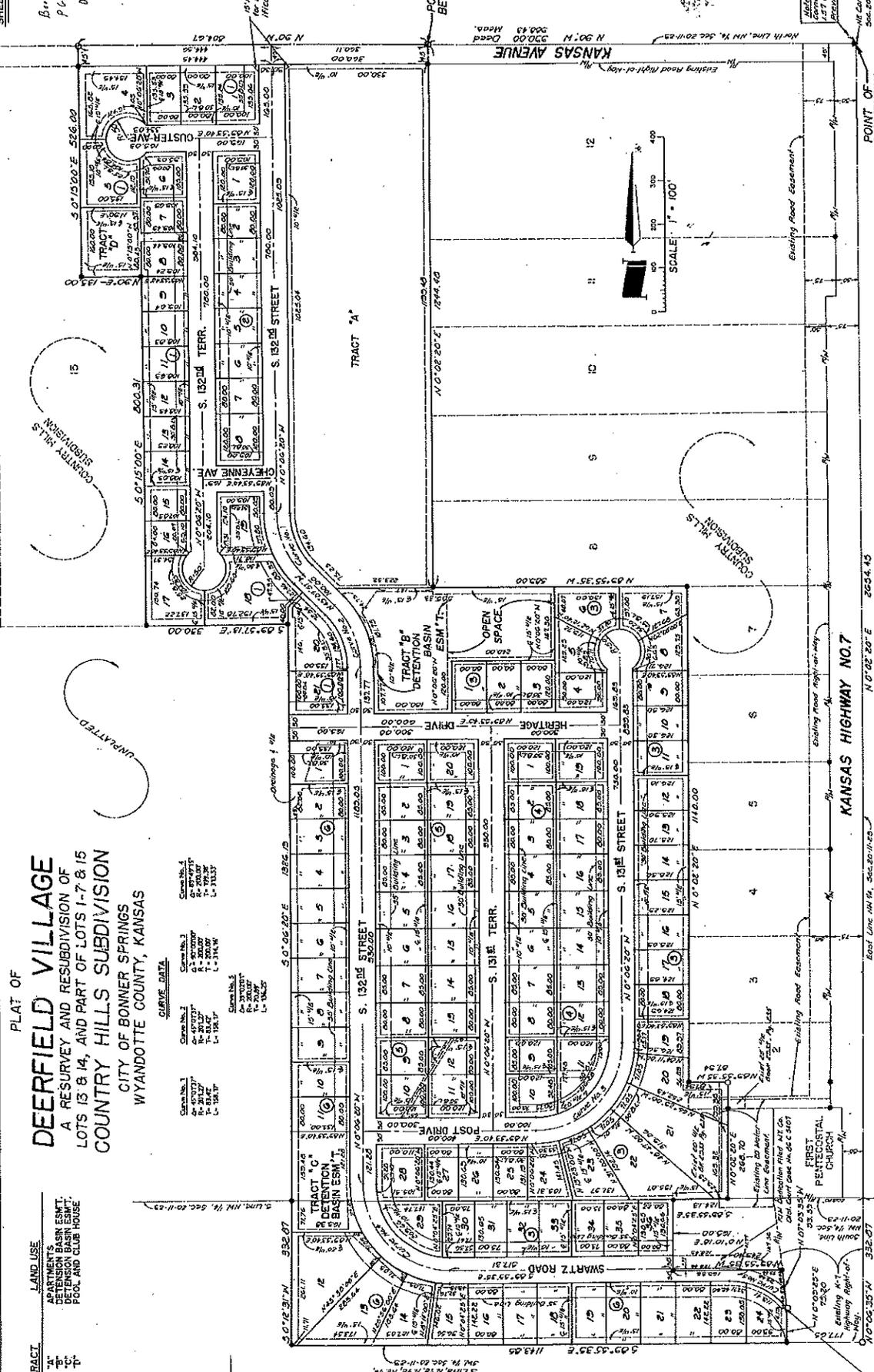
DEERFIELD VILLAGE

A RESURVEY AND RESUBDIVISION OF
LOTS 13, 14, AND PART OF LOTS 1-7 & 15
COUNTRY HILLS SUBDIVISION
CITY OF BONNER SPRINGS
WYANDOTTE COUNTY, KANSAS

LAND USE
APARTMENTS
RESIDENTIAL
DETENTION BASIN
POOL AND CLUB HOUSE

CURVE DATA

Curve No.	Stationing	Radius	Chord	Chord Bearing	Delta
1	10+00.00 to 10+31.32	100.00	31.32	S 89° 58' 14" W	90°
2	10+31.32 to 10+62.64	100.00	31.32	S 89° 58' 14" W	90°
3	10+62.64 to 10+93.96	100.00	31.32	S 89° 58' 14" W	90°
4	10+93.96 to 11+25.28	100.00	31.32	S 89° 58' 14" W	90°
5	11+25.28 to 11+56.60	100.00	31.32	S 89° 58' 14" W	90°
6	11+56.60 to 11+87.92	100.00	31.32	S 89° 58' 14" W	90°
7	11+87.92 to 12+19.24	100.00	31.32	S 89° 58' 14" W	90°
8	12+19.24 to 12+50.56	100.00	31.32	S 89° 58' 14" W	90°
9	12+50.56 to 12+81.88	100.00	31.32	S 89° 58' 14" W	90°
10	12+81.88 to 13+13.20	100.00	31.32	S 89° 58' 14" W	90°
11	13+13.20 to 13+44.52	100.00	31.32	S 89° 58' 14" W	90°
12	13+44.52 to 13+75.84	100.00	31.32	S 89° 58' 14" W	90°
13	13+75.84 to 14+07.16	100.00	31.32	S 89° 58' 14" W	90°
14	14+07.16 to 14+38.48	100.00	31.32	S 89° 58' 14" W	90°
15	14+38.48 to 14+69.80	100.00	31.32	S 89° 58' 14" W	90°
16	14+69.80 to 15+01.12	100.00	31.32	S 89° 58' 14" W	90°
17	15+01.12 to 15+32.44	100.00	31.32	S 89° 58' 14" W	90°
18	15+32.44 to 15+63.76	100.00	31.32	S 89° 58' 14" W	90°
19	15+63.76 to 15+95.08	100.00	31.32	S 89° 58' 14" W	90°
20	15+95.08 to 16+26.40	100.00	31.32	S 89° 58' 14" W	90°
21	16+26.40 to 16+57.72	100.00	31.32	S 89° 58' 14" W	90°
22	16+57.72 to 16+89.04	100.00	31.32	S 89° 58' 14" W	90°
23	16+89.04 to 17+20.36	100.00	31.32	S 89° 58' 14" W	90°
24	17+20.36 to 17+51.68	100.00	31.32	S 89° 58' 14" W	90°
25	17+51.68 to 17+83.00	100.00	31.32	S 89° 58' 14" W	90°
26	17+83.00 to 18+14.32	100.00	31.32	S 89° 58' 14" W	90°
27	18+14.32 to 18+45.64	100.00	31.32	S 89° 58' 14" W	90°
28	18+45.64 to 18+76.96	100.00	31.32	S 89° 58' 14" W	90°
29	18+76.96 to 19+08.28	100.00	31.32	S 89° 58' 14" W	90°
30	19+08.28 to 19+39.60	100.00	31.32	S 89° 58' 14" W	90°
31	19+39.60 to 19+70.92	100.00	31.32	S 89° 58' 14" W	90°
32	19+70.92 to 20+02.24	100.00	31.32	S 89° 58' 14" W	90°
33	20+02.24 to 20+33.56	100.00	31.32	S 89° 58' 14" W	90°
34	20+33.56 to 20+64.88	100.00	31.32	S 89° 58' 14" W	90°
35	20+64.88 to 20+96.20	100.00	31.32	S 89° 58' 14" W	90°
36	20+96.20 to 21+27.52	100.00	31.32	S 89° 58' 14" W	90°
37	21+27.52 to 21+58.84	100.00	31.32	S 89° 58' 14" W	90°
38	21+58.84 to 21+90.16	100.00	31.32	S 89° 58' 14" W	90°
39	21+90.16 to 22+21.48	100.00	31.32	S 89° 58' 14" W	90°
40	22+21.48 to 22+52.80	100.00	31.32	S 89° 58' 14" W	90°
41	22+52.80 to 22+84.12	100.00	31.32	S 89° 58' 14" W	90°
42	22+84.12 to 23+15.44	100.00	31.32	S 89° 58' 14" W	90°
43	23+15.44 to 23+46.76	100.00	31.32	S 89° 58' 14" W	90°
44	23+46.76 to 23+78.08	100.00	31.32	S 89° 58' 14" W	90°
45	23+78.08 to 24+09.40	100.00	31.32	S 89° 58' 14" W	90°
46	24+09.40 to 24+40.72	100.00	31.32	S 89° 58' 14" W	90°
47	24+40.72 to 24+72.04	100.00	31.32	S 89° 58' 14" W	90°
48	24+72.04 to 25+03.36	100.00	31.32	S 89° 58' 14" W	90°
49	25+03.36 to 25+34.68	100.00	31.32	S 89° 58' 14" W	90°
50	25+34.68 to 25+66.00	100.00	31.32	S 89° 58' 14" W	90°
51	25+66.00 to 25+97.32	100.00	31.32	S 89° 58' 14" W	90°
52	25+97.32 to 26+28.64	100.00	31.32	S 89° 58' 14" W	90°
53	26+28.64 to 26+60.00	100.00	31.32	S 89° 58' 14" W	90°
54	26+60.00 to 26+91.32	100.00	31.32	S 89° 58' 14" W	90°
55	26+91.32 to 27+22.64	100.00	31.32	S 89° 58' 14" W	90°
56	27+22.64 to 27+53.96	100.00	31.32	S 89° 58' 14" W	90°
57	27+53.96 to 27+85.28	100.00	31.32	S 89° 58' 14" W	90°
58	27+85.28 to 28+16.60	100.00	31.32	S 89° 58' 14" W	90°
59	28+16.60 to 28+47.92	100.00	31.32	S 89° 58' 14" W	90°
60	28+47.92 to 28+79.24	100.00	31.32	S 89° 58' 14" W	90°
61	28+79.24 to 29+10.56	100.00	31.32	S 89° 58' 14" W	90°
62	29+10.56 to 29+41.88	100.00	31.32	S 89° 58' 14" W	90°
63	29+41.88 to 29+73.20	100.00	31.32	S 89° 58' 14" W	90°
64	29+73.20 to 30+04.52	100.00	31.32	S 89° 58' 14" W	90°
65	30+04.52 to 30+35.84	100.00	31.32	S 89° 58' 14" W	90°
66	30+35.84 to 30+67.16	100.00	31.32	S 89° 58' 14" W	90°
67	30+67.16 to 30+98.48	100.00	31.32	S 89° 58' 14" W	90°
68	30+98.48 to 31+29.80	100.00	31.32	S 89° 58' 14" W	90°
69	31+29.80 to 31+61.12	100.00	31.32	S 89° 58' 14" W	90°
70	31+61.12 to 31+92.44	100.00	31.32	S 89° 58' 14" W	90°
71	31+92.44 to 32+23.76	100.00	31.32	S 89° 58' 14" W	90°
72	32+23.76 to 32+55.08	100.00	31.32	S 89° 58' 14" W	90°
73	32+55.08 to 32+86.40	100.00	31.32	S 89° 58' 14" W	90°
74	32+86.40 to 33+17.72	100.00	31.32	S 89° 58' 14" W	90°
75	33+17.72 to 33+49.04	100.00	31.32	S 89° 58' 14" W	90°
76	33+49.04 to 33+80.36	100.00	31.32	S 89° 58' 14" W	90°
77	33+80.36 to 34+11.68	100.00	31.32	S 89° 58' 14" W	90°
78	34+11.68 to 34+43.00	100.00	31.32	S 89° 58' 14" W	90°
79	34+43.00 to 34+74.32	100.00	31.32	S 89° 58' 14" W	90°
80	34+74.32 to 35+05.64	100.00	31.32	S 89° 58' 14" W	90°
81	35+05.64 to 35+36.96	100.00	31.32	S 89° 58' 14" W	90°
82	35+36.96 to 35+68.28	100.00	31.32	S 89° 58' 14" W	90°
83	35+68.28 to 35+99.60	100.00	31.32	S 89° 58' 14" W	90°
84	35+99.60 to 36+30.92	100.00	31.32	S 89° 58' 14" W	90°
85	36+30.92 to 36+62.24	100.00	31.32	S 89° 58' 14" W	90°
86	36+62.24 to 36+93.56	100.00	31.32	S 89° 58' 14" W	90°
87	36+93.56 to 37+24.88	100.00	31.32	S 89° 58' 14" W	90°
88	37+24.88 to 37+56.20	100.00	31.32	S 89° 58' 14" W	90°
89	37+56.20 to 37+87.52	100.00	31.32	S 89° 58' 14" W	90°
90	37+87.52 to 38+18.84	100.00	31.32	S 89° 58' 14" W	90°
91	38+18.84 to 38+50.16	100.00	31.32	S 89° 58' 14" W	90°
92	38+50.16 to 38+81.48	100.00	31.32	S 89° 58' 14" W	90°
93	38+81.48 to 39+12.80	100.00	31.32	S 89° 58' 14" W	90°
94	39+12.80 to 39+44.12	100.00	31.32	S 89° 58' 14" W	90°
95	39+44.12 to 39+75.44	100.00	31.32	S 89° 58' 14" W	90°
96	39+75.44 to 40+06.76	100.00	31.32	S 89° 58' 14" W	90°
97	40+06.76 to 40+38.08	100.00	31.32	S 89° 58' 14" W	90°
98	40+38.08 to 40+69.40	100.00	31.32	S 89° 58' 14" W	90°
99	40+69.40 to 41+00.72	100.00	31.32	S 89° 58' 14" W	90°
100	41+00.72 to 41+32.04	100.00	31.32	S 89° 58' 14" W	90°



OWNERS & DEVELOPERS:
 LARRY LEVY
 3500 West 72nd Street
 Overland Park, Kansas 66208
 TEL: 913-552-1101

ENGINEERS - SURVEYORS:
 ALLENBRAND - DREWS & ASSOCIATES
 129 SOUTH PARKER
 CLATHE KANSAS
 66081

SURVEYOR:
 Kenneth E. Helloff, L.S., #870
 2100 West 103rd Street
 Overland Park, Kansas 66208
 913-784-1076

NOTES:
 1. I HEREBY CERTIFY THIS IS A TRUE AND ACCURATE PLAT OF SURVEY.
 BY: *Kenneth E. Helloff* DATE: 3-5-87

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 BY: *Kenneth E. Helloff* DATE: 3-5-87

ITEM NO. 13.

**City Council Regular Agenda
Monday, August 11, 2014 – 7:30 p.m.**

Present & Vote	Stephens _____	Peterson _____
	Cooper _____	Knight _____
	Reeves _____	Freeman _____
	Haas _____	Shannon _____

Mayor Vote on Charter Ordinances & Planning Items _____

MOTION: _____ **SECOND:** _____

AGENDA ITEM: Award 138 Street Pressure Reducer Valve (PRV) Vault

ACTION: Make a Motion to Award the Bid for the Purchase of a Pre-Assembled PRV Vault to Engineered Fluid, Inc. in the Total Amount of \$20,829

STAFF RECOMMENDATION: The City Manager, City Clerk, Utility Director, Finance Director & Project Manager Recommend Approval

The enclosed memorandum provides the recommendation for award of the bid for this project to Engineered Fluid, Inc. in the total amount of \$20,829. The award to the contractor for the Pratt Water Line project included the installation of this vault on 138 Street.

MEMORANDUM

Date: August 7, 2014
To: Mayor and City Council
Through: Jack Helin, City Manager *JH*
From: Rick Sailler, Director

Subject: Award Bid for the 138 Street Pressure Reducer Valve (PRV) Vault

Recommendation: The City Council award the bid for the purchase of a pre-assembled PRV Vault for 138 Street to Engineered Fluid, Inc. in a total amount of \$20,829.

Background: The City Council awarded the Pratt Waterline Project and approved the 138 Street PRV purchase at the 28 July Council Meeting. The City Council agreed with Staff's recommendation to purchase a pre-assembled PRV vault supplied by one entity and have the Contractor for the Project install the PRV vault on site.

Discussion: We published the bid notice on 31 July 2014 and opened bids on 7 August 2014. We received two (2) bids as follows:

- | | |
|-------------------------------------|-----------|
| • Engineered Fluid, Inc. | \$ 20,829 |
| • Mid-America Valve & Equipment Co. | \$ 22,200 |

Financial Impact: Wilson & Company completed the design for this project in 2009 for a total cost of \$4,417. The Construction bid awarded to Westland Construction on 28 July 2014 totaled \$56,220. The PRV Vault bid of \$20,829 brings the total expenditures in 2014 to \$77,049. The 2014 Water Fund allocated \$80,000 for this Project to fund the construction of Pratt Waterline and the PRV vault. Total project cost to date is \$81,466. The original estimated Project Cost was \$100,000.

ITEM NO. 14.

**City Council Regular Agenda
Monday, August 11, 2014 – 7:30 p.m.**

Present & Vote	Stephens	_____	Peterson	_____
	Cooper	_____	Knight	_____
	Reeves	_____	Freeman	_____
	Haas	_____	Shannon	_____

Mayor Vote on Charter Ordinances & Planning Items _____

MOTION: _____ **SECOND:** _____

AGENDA ITEM: Acceptance & Approve Final Payment for the 2014 Pavement Preservation Project

ACTION: Make a Motion to Approve Acceptance & Approve Final Payment for the 2014 Pavement Restoration Project to Harbour Construction in the Total Amount of \$102,075.84

STAFF RECOMMENDATION: The City Manager, City Clerk, Public Works Director, Finance Director & Project Manager Recommend Approval

The enclosed memorandum provides the recommendation for City Council acceptance and to approve final payment for this project. Acceptance and approval of final payment initiates the two-year maintenance bond.

**CITY OF BONNER SPRINGS
PROJECT MANAGERS MEMORANDUM**

DATE: August 4, 2014
TO: Mayor and City Council
THRU: City Manager *ent*
FROM: Project Manager

SUBJECT: **Project Acceptance for 2014 Pavement Preservation Program**

Recommendation

Accept the 2014 Pavement Preservation program with Harbour Construction and authorize final payment in the amount of 102,075.84.

Background

The 2014 Street program approved by the City Council in March included concrete repairs, street resurface and the Pavement Preservation Program (PPP). In May 2014, the City Council awarded the Pavement Preservation Program to Harbour Construction. In addition to pavement preservation for several streets, the PPP contract included sealant for the pedestrian trail between the north end of Linda Lane to Kansas Avenue.

Discussion

The 2014 Pavement Preservation Program sealed approximately 7.14 lane miles of streets and 1.2 miles of pedestrian trail. These streets sealed include:

- 134 Street between Kansas Avenue and Riverview
- Emerson between East Morse and Pine
- 141 Street between Minnesota and Sandusky
- Sandusky between 141 street and 142 Street
- Archer between Loring Lane and South 142 Street
- Stillwell between Loring Lane and South 142 Street
- Kreider between Loring Lane and South 142 Street

The completion of this project and acceptance by the City Council will activate the two-year maintenance bond.

Financial Impact

The original bid from Harbour Construction for the 2014 Pavement Preservation program was \$94,550.84 for chipseal and \$5,425 for the trail sealant. At the City Council meeting in May, Staff recommended to increase the trail sealant to include the trail south of the Aquatic Park to Linda Lane. This increased the bid by \$2,100 for a total of \$102,075.84.

ITEM NO. 15.

**City Council Regular Agenda
Monday, August 11, 2014 – 7:30 p.m.**

**Present
&
Vote**

Stephens	_____	Peterson	_____
Cooper	_____	Knight	_____
Reeves	_____	Freeman	_____
Haas	_____	Shannon	_____

Mayor Vote on Charter Ordinances & Planning Items _____

MOTION: _____ **SECOND:** _____

AGENDA ITEM: Authorization to Sign Contract for Purchase of Union Pacific Property

ACTION: Make a Motion to Authorize the City Manager to Sign a Contract for the Purchase of Union Pacific Property

STAFF RECOMMENDATION: The City Manager & City Attorney Recommend Approval

Enclosed is a memorandum from the City Attorney and a proposed agreement with Union Pacific Railroad for the purchase of a portion of Front Street and the Lift Station No. 2 site for a total of \$120,000.

The City has adequate funds of \$101,000 from surplus Aquatic Park Sales Tax and \$32,000 from the Streets Fund to cover this cost as well as the survey, closing costs and/or other incidental expenses

MEMORANDUM

DATE: August 5, 2014

FROM: Joe Perry, City Attorney

TO: Governing Body

The attached Agreement is the culmination of our long term negotiations with the Union Pacific Railroad concerning portions of Front Street and the pump station site. As part of a mid 1970's Wyandotte County road improvement project, a portion of Front Street was relocated to its current location on property owned by the Union Pacific. From all the records we have been able to locate, the City was apparently not involved in that road project or negotiations between Wyandotte County and the Union Pacific. Those negotiations resulted in a 25 year lease agreement whereby Wyandotte County leased from the Union Pacific the property underlying the relocated Front Street. That lease expired in 2004, at which time the Union Pacific proposed to extend the lease, now with the City, rather than Wyandotte County, at what the Union Pacific considered to be fair market value - approximately \$128,000. That proposal was unacceptable to the City and we have been in discussions since that time in an effort to resolve those issues.

A secondary issue involved the City's pump station site located adjacent to Valley Feed. That property was leased by the City from the Union Pacific. Upon the expiration of that lease, the Union Pacific's proposed lease extension rate reflected an equally unacceptable lease rate.

The Agreement presented for your consideration proposes to resolve both issues with the City's purchase of both tracts, as identified on the diagram attached as the last page of the Agreement, for the sum of \$120,000. The proposed acquisition includes the existing Front Street, adjacent right of way and the pump station site. The exact boundaries of the acquisition will be determined by survey, up to \$5,000 of which will be paid by the Union Pacific. The City will have an opportunity to complete its due diligence evaluation of the property, and can elect to terminate the transaction if the property is unsatisfactory within a 90 day Feasibility Review Period. Closing is set to occur on or before December 16, 2014.

We would recommend that the Council approve the proposed Agreement and authorize its execution by the City Manager.



July 15, 2014
Folder: 2303-77

VIA UPS Overnight

JOSEPH PERRY, ATTORNEY
CITY OF BONNER SPRINGS, KANSAS
ADDRESS: _____

Dear Mr. Perry:

This letter ("Agreement") confirms our understandings covering the possible sale by UNION PACIFIC RAILROAD COMPANY ("Seller") to CITY OF BONNER SPRINGS, KANSAS ("Buyer") of Seller's interest in certain real property in Bonner Springs, Wyandotte County, Kansas.

The undersigned will recommend to Seller's Management a sale of the Property on the following terms and conditions:

Article 1. Description of Property:

- A. The Property is approximately 3.0 acres as shown on the print attached hereto as Exhibit A and made a part hereof. The legal description of the Property will be determined by a survey to be approved by Buyer and Seller. The Buyer will retain a surveyor licensed in the state of Kansas to complete a survey of the Property. Survey will depict all facilities affecting the property, including, but not limited to, all fiber optics located on the Property or within five feet (5') of the boundary line of the Property. Seller will be responsible for the lesser of half the survey costs, or \$5,000.00, with said amount to be subtracted from the Sale Price, as defined in Article 2 below, at Closing. Buyer will be responsible for the remainder of the survey cost.

- B. Before finalizing any survey, Buyer shall submit the draft survey to Seller for review and approval. Computer files of the survey and legal descriptions shall be sent via e-mail to RHARRIS@UP.COM, with a subject line referencing the UPRR Folder Number 02303-77 assigned to this document. **Buyer shall deliver a certified copy of the completed survey to Seller within Sixty (60) days after Buyer's execution of this Agreement ("Survey Period").** Delay in obtaining or furnishing the survey to Seller shall in no event give Buyer the right to extend the Closing Date (as defined in the 'Closing – Default:' Article).

Article 2. Sale Price:

The sale price ("Sale Price") for the Property shall be One Hundred Twenty Thousand Dollars (\$120,000.00).

Article 3. Feasibility Review/Right of Entry:

A. For Ninety (90) days from the date of execution of this Agreement by Buyer ("Feasibility Review Period"), Buyer and its agents and contractors may enter upon the Property to perform environmental audits, soil tests, engineering and feasibility studies of the Property. If the results of such audits, tests or studies, or Buyer's review of title or any other matters relating to the Property are unsatisfactory, Buyer may terminate this Agreement by giving Seller written notice before the end of the Feasibility Review Period. If no such written notice of termination is given before the end of the Feasibility Review Period, the Property will be deemed suitable for Buyer's purposes. In the event of such termination by Buyer, then Buyer shall surrender to Seller copies of all audits, soils, engineering and any other reports prepared for Buyer pertaining to the Property and such reports will become the sole property of Seller without cost or expense of Seller and this Agreement will terminate without any further force and effect, and without further obligation of either party to the other.

B. Buyer's right to enter upon the Property pursuant to Article 3-A is subject to the following:

1. Buyer will indemnify, defend and save harmless Seller and/or Seller's affiliates (Seller's affiliates means any corporation which directly or indirectly controls or is controlled by or is under common control with Seller), their officers, agents and employees, against and from any and all liability, loss, costs and expense of whatsoever nature growing out of personal injury to or death of persons whomsoever, or loss or destruction of or damage to property whatsoever, where such personal injury, death, loss, destruction or damage arises in connection with the entry upon the Property by Buyer, its agents or contractors prior to Closing.

2. Buyer and Buyer's agents and contractors (collectively "Contractors") will maintain in confidence all information, reports, and evaluations generated in connection with any environmental assessments and will not make disclosure without the prior written consent of Seller. If Buyer discovers hazardous or toxic substances or materials, Buyer will immediately notify Seller.

3. Buyer will promptly deliver to Seller the results and copies of any and all reports, evaluations, tests and studies generated in connection with any environmental assessments. Prior to the issuance of any final environmental report, Seller will have the opportunity to make comments, pose questions and offer recommendations to the Contractor preparing the report.

4. Buyer agrees to indemnify, defend and hold harmless Seller against and from any and all liens, claims, demands, costs and expenses of whatsoever nature in any way connected with or growing out of any work done, labor performed or materials furnished at the Property on behalf of Buyer prior to Closing.

5. If the sale of the Property does not close, Buyer will, as soon as possible and at Buyer's sole expense, restore the Property to the same condition it was in immediately prior to the time Buyer entered the Property, failing in which Seller may perform the work of restoration and Buyer will reimburse Seller within thirty (30) days after rendition of bill by Seller.

C. Absence of markers is not a warranty by Seller of no subsurface installations. Fiber optic systems, pipelines, and other structures may be buried on the Property. Before any digging/drilling/excavation, the following procedures will be followed by Buyer and Buyer's Contractors:

1. Protection of any fiber optic cable systems is of extreme importance since any break could disrupt service to users resulting in business interruption and loss of revenue and profits. Buyer will telephone 1-800-336-9193 (a 24-hour, 7-day number for emergency calls) during normal business hours (7 A.M. to 9 P.M., CT, Monday-Friday, except holidays) to determine if any fiber optic cable is buried on the Property. If it is determined that fiber optic cable is buried on the Property, Buyer shall promptly inform Seller, at the address at the bottom of the first page of this Agreement, of the results of its investigation.

2. Before drilling or excavating with mechanized equipment, Buyer will explore with hand tools to a depth of at least eight (8) feet below the surface or will use suitable detection equipment.

D. Notwithstanding any provisions in this Agreement to the contrary, if this Agreement is terminated for any reason whatsoever, Buyer will remain obligated to comply with the provisions of Article 3-A and 3-B and Seller will retain all of its remedies for Buyer's default under Article 3-A and 3-B.

Article 4. As Is Sale - Release:

A. Prior to the Closing Date, Buyer will have the opportunity to make such inspections of the Property and matters related thereto as Buyer desires, including, without limitation, governmental laws and regulations to which the Property is subject, the title to the Property, and the suitability or fitness of the Property for Buyer's proposed use. Buyer acknowledges and agrees that the Property is to be sold and accepted by Buyer in an "AS IS" condition, with all faults, and Buyer acknowledges that the Property may have been used for railroad and/or industrial purposes, among other uses. Buyer agrees that any information Buyer may receive from Seller or its agents concerning the Property (including, but not limited to, any lease or other document, engineering study or environmental assessment) is furnished on the condition that Buyer will make an independent verification of the accuracy of the information. Seller does not make any representations or warranties of any kind whatsoever, either express or implied, with

respect to the Property; in particular, without limitation, Seller makes no representations or warranties with respect to the use, condition, title, occupation or management of the Property, or compliance with applicable statutes, laws, codes, ordinances, regulations, requirements (collectively "Condition of the Property"). Buyer acknowledges that it is entering into this Agreement on the basis of Buyer's own independent investigation of the physical and environmental conditions of the Property. Buyer assumes the risk that adverse physical and environmental conditions may not have been revealed by its investigation.

- B. FROM AND AFTER CLOSING, BUYER WILL RELEASE SELLER, ITS AFFILIATES, THEIR EMPLOYEES, AGENTS, OFFICERS, SUCCESSORS AND ASSIGNS, FROM AND AGAINST ANY AND ALL SUITS, ACTIONS, CAUSES OF ACTION, LEGAL OR ADMINISTRATIVE PROCEEDINGS, CLAIMS, DEMANDS, FINES, PUNITIVE DAMAGES, LOSSES, COSTS, LIABILITIES AND EXPENSES, INCLUDING ATTORNEYS' FEES, IN ANY WAY ARISING OUT OF OR CONNECTED WITH THE KNOWN OR UNKNOWN CONDITION OF THE PROPERTY (INCLUDING, WITHOUT LIMITATION, ANY CONTAMINATION IN, ON, UNDER OR ADJACENT TO THE PROPERTY BY ANY HAZARDOUS OR TOXIC SUBSTANCE OR MATERIAL), OR ANY FEDERAL, STATE OR LOCAL LAW, ORDINANCE, RULE OR REGULATION APPLICABLE THERETO, INCLUDING, WITHOUT LIMITATION, THE TOXIC SUBSTANCES CONTROL ACT, THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION AND LIABILITY ACT, AND THE RESOURCE CONSERVATION AND RECOVERY ACT. THE FOREGOING WILL APPLY REGARDLESS OF ANY NEGLIGENCE OR STRICT LIABILITY OF SELLER, ITS AFFILIATES, OR THEIR EMPLOYEES, AGENTS OR OFFICERS.
- C. SELLER HAS DISCLOSED TO BUYER THAT THERE MAY BE ISSUES WITH THE QUALITY OF SELLER'S TITLE AND THAT SELLER IS QUITCLAIMING WHATEVER PROPERTY INTEREST IT HAS TO BUYER. BUYER WILL RELEASE AND HOLD HARMLESS SELLER FROM AND AGAINST ANY CLAIMS, ACTIONS, CAUSES OF ACTION, LIABILITIES, LOSSES, COSTS OR EXPENSES (INCLUDING, WITHOUT LIMITATION, ATTORNEY'S FEES AND COURT COSTS), ARISING OUT OF OR IN ANY MANNER CONNECTED WITH THE SALE TO BUYER OF SELLER'S INTEREST IN PROPERTY OR THE DELIVERY BY SELLER TO BUYER OF THE QUITCLAIM DEED. THE FOREGOING IS IN ADDITION TO, AND NOT IN LIMITATION OF, THE RELEASE IN ARTICLE 4.B ABOVE.
- D. The provisions of this Article 4 will survive the delivery of the deed and will bind and inure to the benefit of the parties hereto, their heirs, successors and assigns.

Article 5. Escrow, Title Insurance and Abstract of Title:

- A. Seller will not furnish title insurance or an abstract of title to the Property. Buyer may, at its sole option and expense, obtain a preliminary title report ("PTR") in order to review the status of title to the Property during the Feasibility Review Period. If Buyer obtains a PTR, a copy will be delivered to Seller. Seller has no obligation to cure any title defects or to assist Buyer in obtaining title insurance.
- B. If Buyer desires title insurance, Buyer shall pay the cost of any title insurance and any endorsements or changes to the title policy desired by Buyer. If an escrow is used,

Buyer shall pay any and all fees relating to the escrow, including, but not limited to, any City and/or County Transfer Taxes and recording fees.

Article 6. Form of Deed; Reservations:

- A. At Closing, Seller will transfer Seller's interest in the Property to Buyer by Quitclaim Deed, subject to all outstanding rights, whether or not of record.
- B. Seller will reserve from the transfer all minerals and mineral rights without right of surface entry.

C. EXCEPTING from this sale and RESERVING unto Seller, its successors and assigns, forever, exclusive PERPETUAL EASEMENTS ten feet (10') in width measured from the centerline of the Fiber Optic Improvements (as defined below), in, on, over, under and across the Property ("Fiber Optics Easement Property"), in which areas Seller (and its easement holders, lessees, sublessees, licensees, successors or assigns) shall have the right to own, construct, reconstruct, maintain, operate, use and/or remove existing and/or future communication systems, lines and facilities of every kind and nature, including, but not limited to, all existing facilities, telephone, telegraph, television and fiber optic lines and related equipment (the "Fiber Optics Improvements"). Seller does further reserve unto itself, its successors and assigns, a limited right-of-way and right of access to the Fiber Optics Easement Property over and across the Property, for the purposes of the use, enjoyment, maintenance, operation and access to the Fiber Optics Easement Property. All Fiber Optics Improvements presently existing on or hereafter constructed on the Fiber Optics Easement Property shall remain the personal property of Seller (or the grantee under any applicable agreement). Seller shall be entitled to all revenues derived from all current and future agreements to which Seller is a party affecting the Fiber Optics Easement Property. No permanent building, structure or fence and no material or obstruction of any kind or character shall be stored or maintained on the Fiber Optics Easement Property which would obstruct or interfere with the use and enjoyment of rights herein reserved without the prior written consent of the grantee under the applicable agreement. *[This reservation will be deleted from the Deed if the survey to be obtained by Buyer pursuant to Article 1 discloses that the Fiber Optic Improvements are not located on the Property or within five feet (5') of the boundary line of the Property.]*

D. **Restriction On Use .**

The Property will be quitclaimed by Seller subject to the following covenant, condition and restriction which Buyer, by the acceptance of the deed, shall covenant for itself, its heirs and assigns, faithfully to keep, observe and perform:

Restriction on Use. The Property must not be used for (i) residential, (ii) lodgings or accommodations (including, without limitation, hotels, motels, boarding houses, dormitories, hospitals, nursing homes, or retirement centers), or (iii) educational or child-care facilities (including, without limitation, schools, kindergartens or day-care centers).

The foregoing covenant, condition and restriction shall run with the Property, and a breach of the foregoing covenant, condition and restriction, or the continuance thereof, may, at the option of seller, its successors or assigns, be enjoined, abated or remedied by appropriate proceedings.

Article 7. Existing Agreements: Intentionally Deleted.

Article 8. Closing - Default:

- A. **Closing will occur on or before December 16, 2014 ("Closing Date").** The Closing will be deemed to occur upon payment of the Sale Price by a cashier's or certified check, and delivery of the deed. All Closing costs, including transfer taxes and excise taxes, will be paid by Buyer.
- B. If Closing fails to occur due to default by Seller, Buyer may terminate this Agreement as Buyer's sole remedy against Seller. In the event of such termination, neither Seller nor Buyer will have any further liability hereunder.
- C. If Closing fails to occur due to default by Buyer, Seller may terminate this Agreement and neither Seller nor Buyer shall have any further obligations or liability hereunder except for any of Buyer's surviving obligations pursuant to Article 3 (B) hereof. In no event shall Seller have any obligation whatsoever to extend the Closing Date for any reason if Buyer fails to perform.

Article 9. Prorations:

Local property taxes, if any, and other assessments due and payable in the year of Closing, as well as rental under any leases or Use Rights that are being assigned, will be prorated as of the date of Closing. Buyer will assume any installments of assessments not yet due and payable.

Article 10. Negotiations – Brokers and Finders:

Negotiations relative to this transaction have been carried on by both parties without the intervention of any person which will give rise to any valid claim against either of the parties hereto, for brokerage commission or other like payment. Each party hereto shall indemnify and hold harmless the other party against and from any and all claims for brokerage commission or other like payments arising out of the transaction contemplated by this Agreement and occasioned by the indemnifying party.

Article 11. Subdivision/Platting Compliance:

It may be necessary to comply with local or state subdivision or platting laws or regulations prior to Closing. All necessary applications, maps and other requirements to comply with this requirement will be completed by Buyer at Buyer's sole cost and expense, and are subject to review and approval by Seller before filing. If Buyer fails to comply with subdivision requirements prior to the Closing Date, or if any proposed subdivision plat or parcel map contains conditions affecting Seller, the Property prior to

Closing, or other real property owned by Seller, then Seller, in its sole and absolute discretion, may terminate this Agreement. Seller is not obligated to extend the Closing Date due to Buyer's failure to comply with subdivision or platting requirements prior to the Closing Date.

Article 12. Mortgage Release:

If the Property is subject to a blanket mortgage granted by Seller or a corporate predecessor of Seller, Seller will obtain a release within approximately six (6) months after Closing.

Article 13. Eminent Domain.

The parties acknowledge that Buyer has the authority to condemn the Property under its power of eminent domain. Buyer represents that it will institute eminent domain proceedings in the event that Seller does not sell the Property upon the terms set forth in this Agreement. The parties further acknowledge that Seller intends to treat the sale of the Property as sold under imminent threat of condemnation, pursuant to Section 1033 of the Internal Revenue Code of 1986 (26 U.S.C.).

Article 14. Seller's Management Approval:

BUYER ACKNOWLEDGES THAT NEITHER THIS AGREEMENT NOR THE NEGOTIATIONS LEADING TO THIS AGREEMENT CREATE ANY OBLIGATION ON THE PART OF SELLER TO SELL THE PROPERTY TO BUYER UNLESS THIS AGREEMENT IS APPROVED IN ACCORDANCE WITH SELLER'S MANAGEMENT POLICY STATEMENT. IF SUCH APPROVAL IS NOT GIVEN AND COMMUNICATED TO BUYER BY THE CLOSING DATE, THIS AGREEMENT WILL TERMINATE AND NEITHER PARTY WILL HAVE ANY FURTHER OBLIGATION.

Article 15. Condemnation:

If, prior to Closing, a governmental agency commences or imminently threatens in writing to commence any eminent domain proceedings to take any material portion of the Property, Buyer and Seller shall each have the unilateral right, exercisable by giving notice of such decision to the other party within thirty (30) days after receiving written notice of such actual or threatened condemnation proceedings, to terminate this Agreement. In the event of such termination, this Agreement will be without any further force and effect and without further obligation of either party to the other. If neither party elects to terminate pursuant to this Article - Condemnation, the Sale Price will be determined as though such condemnation had not occurred, and the net proceeds of condemnation awards paid or payable to Seller by reason of such condemnation of the Property shall be paid or assigned to Buyer at Closing.

Article 16. Special Provision:

Buyer will assist Seller in marketing Seller's parcels of land lying north of the Property and located in Tax Parcels 202408, 205700 and 960421, and in the event of a sale of any

of said parcels within five (5) years following the date of closing on the Property as defined in this Agreement, consistent with the Buyer's then current planning and zoning requirements, Buyer will provide necessary water and sanitary sewer line extensions and connections to said parcels at no cost to Seller or the first developer of each site.

Article 17. Counterparts; Electronic Signatures:

This Agreement (or any amendments hereto) may be executed in any number of counterparts and in separate counterparts, each of which shall be deemed an original. The exchange of copies of this Agreement and of signature pages by facsimile or e-mail transmission shall constitute effective execution and delivery of this Agreement as to the parties and may be used in lieu of the original Agreement for all purposes. Signatures of the parties transmitted by facsimile or e-mail shall be deemed to be their original signatures for all purposes.

If you agree with the foregoing terms and conditions with respect to the possible purchase of the Property, please indicate your acceptance of these terms and conditions by signing in the acceptance space provided below and returning one copy to Rick Harris at the address listed on the bottom of the first page of this letter, in order that it is received by Seller no later than August 15, 2014. Please also indicate below how you wish to take title. If you should have any questions, please call Rick Harris at (402) 544-8588.

Sincerely,

Mark J. Jensen
Director – Real Estate

ACCEPTED AND AGREED THIS _____ DAY OF _____, 2014

CITY OF BONNER SPRINGS, KANSAS

By: _____
Print Name: John N. Helin
Title: City Manager

Title to the Property will be taken as follows: City of Bonner Springs, Kansas

If Corporation, State of incorporation: Kansas

Mailing Address: P.O. Box 38
Bonner Springs, KS 66012



- Agreements
- Agreements
- Identify
- Appraisals
- GeoMaps
- Measurement Tools
- Edit Notes

Selected Tool
Map Navigation

Navigation icons: Home, Previous, Next, Stop, Refresh, Full Screen, Print, Measure, and other map controls.

Basemap
Print Map

ITEM NO. 16.

**City Council Regular Agenda
Monday, August 11, 2014 – 7:30 p.m.**

**Present
&
Vote**

Stephens _____
Cooper _____
Reeves _____
Haas _____

Peterson _____
Knight _____
Freeman _____
Shannon _____

Mayor Vote on Charter Ordinances & Planning Items _____

MOTION: _____ **SECOND:** _____

AGENDA ITEM: City Manager's Report

ACTION: None

STAFF RECOMMENDATION: None

Report attached.

City Managers Update

Date: August 11, 2014

To: Mayor and City Council

- 1. Police Department Training for “Open Carry” Law** – The Department plans to train the supervisors at their staff meeting on August 13, 2014. This will cover the basics of the new law. They plan is then to present a full training class on the subject to Officers on the last training day in August and the first training day in September.
- 2. Police Department Life Saving Award** - Officer Adam Kahn will receive the Life Saving Award on August 13, 2014, prior to the Police Department Staff meeting. This award is the result of Officer Kahn’s response to an ambulance call when he applied a tourniquet to a man with a severe laceration on his left wrist. Officer Kahn also used towels to stop the flow of blood. The Ambulance Chief agrees that Officer Kahn’s training and quick action contributed to saving the victim’s life.
- 3. Senator Pat Roberts To Hold Town Hall Meeting in Bonner Springs** – We were contacted by Senator Roberts staff asking for a place for him to hold a Town Hall meeting next week. The purpose of the meeting is in his official capacity to get input, comments and issues from his constituents in the area, it is not a political/election event. He will be in the Sunflower Room, in the Community Center on Thursday, 14 August, from 11:30 a.m. to 12:30 p.m.
- 4. Fact Sheet with Requirements for Using City Parking Lots and an Occupation License** – Attached is a fact sheet that has been provided to our Police Officers so that they are fully aware of the laws governing the need for an Occupation License to sell goods or services in the City and what the requirements are to use a City parking lot. These can be handed out to anyone that is not in compliance with our regulations so that they fully understand them. This should resolve the questions people have about these two laws. We have also added the requirements someone would need to follow should they desire to sell/consume alcohol/cereal malt beverages.
- 5. 2013 Stormwater Repair Program** - This year’s projects included the replacement of five curb inlets and the extension of the pipe and grading West of Bluegrass (adjacent to the high school tennis courts). During construction it was discovered that the existing pipe under Bluegrass had rusted and had holes in it and needed to be replaced. The pipe replacement was added to the contract and all work is scheduled to be completed by 9 August.
- 6. KDOT K-7 Ramp Improvements** - As part of the improvements to the Southbound K-7 off ramp to K-32, KDOT is planning to apply an epoxy/resin coating followed by small rock. The work will be similar to what was done on the K-7 bridge deck over the river. It is designed to increase friction or skid resistance on the pavement surface. Weather permitting, the work is scheduled to begin early Tuesday 12 August and the ramp will remain closed for up to two days. There will be no official detour set up. However, KDOT will do a press release and put up a message board this week to alert drivers in advance of the closing.

7. **Senior Center Spaghetti Dinner** - Gloria Ochoa, Senior Center Director for the Bonner Springs Senior Citizens Center would like to thank everyone who participated in the Bonner Springs Senior Citizen's Nancy Jones Johnson Scholarship Fund All-You-Can-Eat Spaghetti Dinner on Friday, August 1, 2014. Nancy's children, Matt, Mitch and Jen donated the majority of the food and also volunteered their time in honor of their mother. Money raised from this event goes towards scholarships to Bonner Springs High School seniors. Thanks to all the volunteers who donated their time and who cooked, served and helped cleanup. This year's very successful event served about fifty more people than last year and raised more funds for Scholarships.
8. **Project Managers Report:**
- **Concrete Work** – The Contractor has completed all the concrete work. Staff and the Contractor are calculating the measurements to close out the project.
 - **Street Program** – The Contractor has completed work on S. 142 Street, 136 Street, North 134 Street, Willard, Elk Lane, Heritage Lane, Post Drive, 135 Street, Pratt Avenue, Springdale, and North Park. They have completed the first lift of base asphalt in the full depth patches on East Morse between McGrantwood and K-32 and on Spring Valley between Park and Kump.
 - The Contractor still has work on Warner, East Kansas Avenue and Riverview between 126 Street and I-70 to complete.
 - **Pratt Avenue Waterline/138 Street PRV Project** – A Pre-Construction meeting was held on 06 August. The Contractor anticipates construction to start the week of 11 August.
 - **Well No. 6 Project** - The Contractor began moving equipment on site to start the set up process. The tentative schedule has the well drilling to start the morning of 12 August provided all materials have arrived on-site.
 - **Lake Forest Lift Station Project** – A Pre-Construction meeting is scheduled for 13 August.
9. **Tiblow Days Advertising** - The Tiblow Days ad for the two digital billboards on I-70 is attached. One billboard is about 4 miles west of Bonner Springs for eastbound traffic and the other is across from the KS Speedway for westbound traffic. The westbound traffic billboard is offered at no charge in exchange for down time on the eastbound digital board last year. Both ads will be running from Aug 1-23.
10. **Tiblow Days Tiblow Trot** – The Rotary Club submitted their annual request for use of City Streets and Kelly Murphy Park for their 34th Annual Tiblow Trot to be held on Saturday, August 23 to begin at 7 a.m. Per the adopted Governing Body Policy, we administratively approved the request since there is no change from prior years. The race route did not change.
11. **Mayor's Banquet** – The Mayor's Banquet is Friday, August 22. We provided complimentary tickets for City Councilmembers loose in their agenda packet. For persons that wish to attend the banquet, tickets are \$20 each and can be purchased from a Rotary Club Member or at the City Hall front desk. Tickets must be purchased by August 15.
12. **Tiblow Days Parade – Response needed** – Please contact Fern Massey at 913-667-1713 or by email at adminassist@bonnersprings.org to confirm if you will ride in the parade and if you will need for her to arrange a vehicle/driver for you.

13. Mill Levies – The published mill levies that make up the total mill levy for Bonner Springs, Wyandotte County, Kansas are:

	Current	Published in 2015	Difference
	Certified Levy	Budget	Current/Budget
Bonner Springs			
General Fund	22.789	24.007	1.218
Debt Service	5.686	4.478	-1.208
Library	5.16	5.149	-0.011
Total Bonner Springs	33.635	33.634	-0.001
County	36.508	38.508	2.000
State	1.500	1.500	0.000
Community College	26.121	26.121	0.000
USD #204	65.042	63.036	-2.006
Total Bonner Springs	162.806	162.799	0.007
Wyandotte County			

14. Parking in front of Post Office – With the new concrete work done at the Post Office and not having any striping showing on the street, we have an opportunity to reconsider how we allow parking in the street in front of the Post Office. The parking there has been diagonal for a very long time. Being as close to the intersection as it is, it is not the ideal parking configuration. People back out of those spots and block the southern lane and sometimes back into a portion of Cedar Avenue. Vehicles either turning from Cedar onto 2nd or crossing Cedar can sometimes get held up while in the oncoming traffic lane when someone unexpectedly backs out of a parking spot in front of the Post Office, especially the western most spot. There are five (5) parking spaces that have been marked out. There are three options to address this safety issue:

- a. Convert the parking area to parallel parking. This area would support parking for two vehicles and should eliminate backing out onto Cedar Avenue.
- b. Reduce the diagonal parking to four (4) spots and make a larger hatched/buffer no parking area on the west end of that area. The larger no parking area would help ensure cars backing out would not go out into Cedar Avenue.
- c. Leave the five (5) parking spots as in the past.

City of Bonner Springs FACT SHEET

Sale/Consumption of Alcohol on City Property

- In order to sell or consume alcohol and malt beverages on City Property, you must first obtain a license/permit.
 - Permits are only valid for the duration of the event as approved by the City Council.
-

Temporary Alcohol or Cereal Malt Beverage License

The City requires a Permit for the temporary sale of alcoholic beverages (requires a copy of the State's approved temporary permit) and for the temporary sale of cereal malt beverages (BSC 3-803).

To obtain a Temporary Alcoholic Beverage or Cereal Malt Beverage permit:

- Obtain a permit application from the City Clerk's Department or from the City's website, "Departments, City Clerk, Licenses & Fees, Alcoholic & Cereal Malt Beverage Licenses".
- The fee for Temporary Alcoholic Beverage permit is \$50 per day.
- The fee for a Temporary Cereal Malt Beverage permit is \$25 per day plus a \$25 State Stamp Tax Fee.
- It is illegal to sell or consume alcohol or cereal malt beverages on public property without a permit as described below in the Consumption/Possession/Sale Section and is subject to a fine and imprisonment per BSC 3-115.

NOTE: Bonner Springs Code of Ordinances Section 3-804 provides further regulations for alcoholic beverages and Section 3-805 provides additional regulations for cereal malt beverages.

Consumption/Possession/Sale Permit

The City requires a permit for the Consumption, Sale and Possession of Alcoholic Beverages on publicly owned property approved by the City Council (BSC 3-104)

Applications must be submitted ten (10) days prior to the City Council meeting that is prior to the date of the requested event.

To obtain a Consumption, Sale and Possession of Alcoholic Beverages permit:

- Obtain an application from the City Clerk's Department or from the City's Website, "Departments, City Clerk, Licenses & Permits, Consumption Possession Sale".
- The permit fee is \$75.
- Anyone who sells or consumes alcohol on public property without a permit is subject to a fine and imprisonment per BSC 3-115.

The City's requires a permit for the Consumption, Sale and Possession of Cereal Malt Beverages on publicly owned property approved by the City Council (BSC 3-105).

To obtain a permit for the Consumption, Sale and Possession of Cereal Malt Beverages permit:

- Obtain application from the City Clerk's Department or from the City's Website, "Departments, City Clerk, Licenses & Permits, Consumption Possession Sale"
- The permit fee is \$75.
- Anyone who sells or consumes cereal malt beverages on public property without a permit is subject to a fine and imprisonment per BSC 3-115.

Bonner Springs Codes (BSC) are available at www.bonnerrsprings.org, "Government, Municipal Code"

City of Bonner Springs
FACT SHEET

Occupation Licenses

- The City of Bonner Springs requires anyone who does business or provides a service in Bonner Springs to have an Occupation License. (BSC 5-101)
- Vendors or businesses not located in Bonner Springs that wish to operate in Bonner Springs may only operate on private property with permission of the property owner, on public parking lots as participants in an approved special event or with an approved permit.
- To Obtain a License:
 - Visit City Hall to complete an application and pay the appropriate fee.
 - Application and fee schedule is available on the City's website, under "Departments, City Clerk, Licenses and Permits, Occupational License". Print and fill out or complete form online. Submit application and fee to the City Clerk's Department.
- Licenses are valid for one year from the date of issue and must be renewed every year.
- The cost of an Occupation License: Bonner Springs Home Occupation - \$45, Bonner Springs Business - \$75 and Non Bonner Springs Business - \$85. Fees for new businesses prorated per the online fee schedule.
- An occupational license needs to be displayed and/or available for inspection.
- Anyone who conducts business without a valid Occupation License is subject to a fine and/or imprisonment per BSC 1-116.

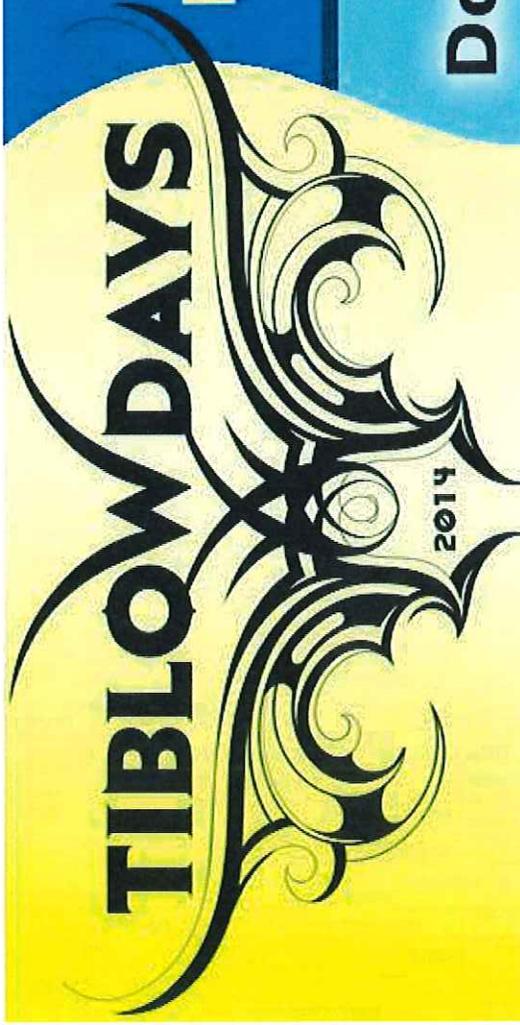
Note: Vendors or businesses that participate in a City or not-for-profit organization special event approved by the City are exempt from payment of the occupational license fee only for that event.

Permit for Use of City Parking Lots

- Anyone who desires use of the City's Public Parking Lots must first obtain a permit to do so. (BSC 13-301)
- To apply for a permit, obtain an application at City Hall from the City Clerk's Department or from the City's Website, under "Departments, City Clerk, Licenses & Permits, Private Use of Public Parking lot."
- Applications for use of a City parking lot must be submitted two (2) weeks prior to the City Council meeting that is prior to the event/date use of lot is desired.
- No more than four (4) permits per year will be approved for any person or organization.
- The fee for Non-Alcohol Use is \$50, the Fee for Alcohol Use is \$250 and Non-profits are exempt from the payment of a fee. Submit application and fee to the City Clerk's Department within time frame required.
- If anyone sells or provides a service at the permitted use, they must ALSO have an Occupation License unless the use is approved for a City or not-for-profit organization sponsored event.
- Anyone who uses a City Parking lot without a valid permit is subject to a fine and/or imprisonment per BSC 13-308.

NOTE: The State and/or the City require additional permits if the requested use includes alcohol - See other side of sheet.

Bonner Springs Codes (BSC) are available at www.bonnerrsprings.org, Government, Municipal Code



August 22-23

FREE Concerts Fri & Sat
www.bsedwchamber.org

Exit 224

Downtown Bonner Springs

ITEM NO. 17.

**City Council Regular Agenda
Monday, August 11, 2014 – 7:30 p.m.**

**Present
&
Vote**

Stephens _____
Cooper _____
Reeves _____
Haas _____

Peterson _____
Knight _____
Freeman _____
Shannon _____

Mayor Vote on Charter Ordinances & Planning Items _____

MOTION: _____ **SECOND:** _____

AGENDA ITEM: City Council Items

ACTION: None

STAFF RECOMMENDATION: None

ITEM NO. 18.

**City Council Regular Agenda
Monday, August 11, 2014 – 7:30 p.m.**

**Present
&
Vote**

Stephens	_____	Peterson	_____
Cooper	_____	Knight	_____
Reeves	_____	Freeman	_____
Haas	_____	Shannon	_____

Mayor Vote on Charter Ordinances & Planning Items _____

MOTION: _____ **SECOND:** _____

AGENDA ITEM: Mayor's Report

ACTION: None

STAFF RECOMMENDATION: None

The Mayor will give a verbal report at the meeting on Monday.