

## **CITY COUNCIL AGENDA**

**Monday, May 11, 2015**

**Workshop – 6:00 p.m.**

WS-1 Tour of Water and Wastewater Plants

### **Council Meeting – 7:30 p.m.**

1. Proclamation Presentation for National Police Officer Day May 13 & Law Enforcement Week May 10 to 16
2. Proclamation Presentation for EMS Week May 17 to 23
3. Proclamation Presentation for Youth Advisory Council
4. 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.
5. Minutes of the April 27, 2015 City Council Meeting
6. Claims for City Operations for May 11, 2015
7. Public Housing Authority Claims for May 11, 2015
8. Central Midwest HOG/MDA Request for Use of Public Parking Lot
9. Construction Change Order #2 for 2014 Stormwater Repair Program

#### **REGULAR MEETING AGENDA**

10. Public Hearing and Resolutions for 2015 Commercial Rehabilitation Grant Application
11. Grant Administrator for Downtown Commercial Rehabilitation Grant Project
12. Licensed Architect for Downtown Commercial Rehabilitation Grant Project
13. Public Hearing and Ordinance to Issue Industrial Revenue Bonds
14. City Manager's Report
15. City Council Items
16. Mayor's Report



# *City of Bonner Springs*

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

## **WORKSHOP MEETING**

**6:00 p.m.**

## **REGULAR CITY COUNCIL MEETING**

**7:30 p.m.**

## **CITY HALL COUNCIL CHAMBERS**

**Monday, May 11, 2015**

*Life is Better in Bonner Springs*

**ITEM NO. WS-1**

**City Council Workshop Agenda  
Monday, May 11, 2015 – 6:00 p.m.**

**MOTION:** \_\_\_\_\_ **SECOND:** \_\_\_\_\_

| <b>Name</b>           | <b>Yes</b>  | <b>No</b>   | <b>Abstain</b> | <b>Absent</b> |
|-----------------------|-------------|-------------|----------------|---------------|
| Tom Stephens          |             |             |                |               |
| George Cooper         |             |             |                |               |
| Bob Reeves            |             |             |                |               |
| Dani Gurley           |             |             |                |               |
| Joe Peterson          |             |             |                |               |
| Mike Thompson         |             |             |                |               |
| Mark Kipp             |             |             |                |               |
| Rodger Shannon        |             |             |                |               |
| Mayor Jeff Harrington |             |             |                |               |
| <b>RESULT</b>         | <b>PASS</b> | <b>FAIL</b> |                |               |

**Mayor Vote on Charter Ordinances & Planning Items** \_\_\_\_\_

**WORKSHOP AGENDA ITEM: Tour of Water and Wastewater Plants**

**STAFF RECOMMENDATION:**

The Governing Body will attend a tour of the Water and Wastewater Plants. Please meet at City Hall and be prepared to leave by Tiblow bus by 6:00 p.m.

**ITEM NO. 1.**

**City Council Regular Agenda  
Monday, May 11, 2015 – 7:30 p.m.**

**MOTION:** \_\_\_\_\_ **SECOND:** \_\_\_\_\_

| <b>Name</b>           | <b>Yes</b>  | <b>No</b>   | <b>Abstain</b> | <b>Absent</b> |
|-----------------------|-------------|-------------|----------------|---------------|
| Tom Stephens          |             |             |                |               |
| George Cooper         |             |             |                |               |
| Bob Reeves            |             |             |                |               |
| Dani Gurley           |             |             |                |               |
| Joe Peterson          |             |             |                |               |
| Mike Thompson         |             |             |                |               |
| Mark Kipp             |             |             |                |               |
| Rodger Shannon        |             |             |                |               |
| Mayor Jeff Harrington |             |             |                |               |
| <b>RESULT</b>         | <b>PASS</b> | <b>FAIL</b> |                |               |

**Mayor Vote on Charter Ordinances & Planning Items** \_\_\_\_\_

**AGENDA ITEM: Proclamation Presentation for National Police Officer Day May 13 & Law Enforcement Week May 10 to 16**

**ACTION: Proclamation Presentation**

**STAFF RECOMMENDATION:**

The Mayor will present a Proclamation to the Police Department.

**ITEM NO. 2.**

**City Council Regular Agenda  
Monday, May 11, 2015 – 7:30 p.m.**

**MOTION:** \_\_\_\_\_ **SECOND:** \_\_\_\_\_

| <b>Name</b>           | <b>Yes</b>  | <b>No</b>   | <b>Abstain</b> | <b>Absent</b> |
|-----------------------|-------------|-------------|----------------|---------------|
| Tom Stephens          |             |             |                |               |
| George Cooper         |             |             |                |               |
| Bob Reeves            |             |             |                |               |
| Dani Gurley           |             |             |                |               |
| Joe Peterson          |             |             |                |               |
| Mike Thompson         |             |             |                |               |
| Mark Kipp             |             |             |                |               |
| Rodger Shannon        |             |             |                |               |
| Mayor Jeff Harrington |             |             |                |               |
| <b>RESULT</b>         | <b>PASS</b> | <b>FAIL</b> |                |               |

**Mayor Vote on Charter Ordinances & Planning Items** \_\_\_\_\_

**AGENDA ITEM: Proclamation Presentation for EMS Week May 17 to 23**

**ACTION: Presentation of Proclamation**

**STAFF RECOMMENDATION:**

The Mayor will present a Proclamation to the EMS Department in recognition of EMS Week.

**ITEM NO. 3.**

**City Council Regular Agenda  
Monday, May 11, 2015 – 7:30 p.m.**

**MOTION:** \_\_\_\_\_ **SECOND:** \_\_\_\_\_

| <b>Name</b>                  | <b>Yes</b>  | <b>No</b>   | <b>Abstain</b> | <b>Absent</b> |
|------------------------------|-------------|-------------|----------------|---------------|
| <b>Tom Stephens</b>          |             |             |                |               |
| <b>George Cooper</b>         |             |             |                |               |
| <b>Bob Reeves</b>            |             |             |                |               |
| <b>Dani Gurley</b>           |             |             |                |               |
| <b>Joe Peterson</b>          |             |             |                |               |
| <b>Mike Thompson</b>         |             |             |                |               |
| <b>Mark Kipp</b>             |             |             |                |               |
| <b>Rodger Shannon</b>        |             |             |                |               |
| <b>Mayor Jeff Harrington</b> |             |             |                |               |
| <b>RESULT</b>                | <b>PASS</b> | <b>FAIL</b> |                |               |

**Mayor Vote on Charter Ordinances & Planning Items** \_\_\_\_\_

**AGENDA ITEM: Proclamation Presentation for Youth Advisory Council**

**ACTION: Proclamation Presentations**

**STAFF RECOMMENDATION:**

The Mayor will present a Proclamation to the Youth Advisory Council members in attendance.

**ITEM NO. 4.**

**City Council Regular Agenda  
Monday, May 11, 2015 – 7:30 p.m.**

**MOTION:** \_\_\_\_\_ **SECOND:** \_\_\_\_\_

| <b>Name</b>           | <b>Yes</b>  | <b>No</b>   | <b>Abstain</b> | <b>Absent</b> |
|-----------------------|-------------|-------------|----------------|---------------|
| Tom Stephens          |             |             |                |               |
| George Cooper         |             |             |                |               |
| Bob Reeves            |             |             |                |               |
| Dani Gurley           |             |             |                |               |
| Joe Peterson          |             |             |                |               |
| Mike Thompson         |             |             |                |               |
| Mark Kipp             |             |             |                |               |
| Rodger Shannon        |             |             |                |               |
| Mayor Jeff Harrington |             |             |                |               |
| <b>RESULT</b>         | <b>PASS</b> | <b>FAIL</b> |                |               |

**Mayor Vote on Charter Ordinances & Planning Items** \_\_\_\_\_

**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:**

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. 5.**

**City Council Regular Agenda  
Monday, May 11, 2015 – 7:30 p.m.**

**MOTION:** \_\_\_\_\_ **SECOND:** \_\_\_\_\_

| <b>Name</b>           | <b>Yes</b>  | <b>No</b>   | <b>Abstain</b> | <b>Absent</b> |
|-----------------------|-------------|-------------|----------------|---------------|
| Tom Stephens          |             |             |                |               |
| George Cooper         |             |             |                |               |
| Bob Reeves            |             |             |                |               |
| Dani Gurley           |             |             |                |               |
| Joe Peterson          |             |             |                |               |
| Mike Thompson         |             |             |                |               |
| Mark Kipp             |             |             |                |               |
| Rodger Shannon        |             |             |                |               |
| Mayor Jeff Harrington |             |             |                |               |
| <b>RESULT</b>         | <b>PASS</b> | <b>FAIL</b> |                |               |

**Mayor Vote on Charter Ordinances & Planning Items** \_\_\_\_\_

**AGENDA ITEM:** Minutes of the April 27, 2015 City Council Meeting

**ACTION:** Make a Motion to Approve the Minutes of the Regular Meeting Held on April 27, 2015.

**STAFF RECOMMENDATION:** The City Clerk Recommends Approval

Enclosed are the minutes for approval.

## City Council Workshop Meeting – Monday, April 27, 2015 – 6:30 p.m.

**Governing Body Present:** Mayor Jeff Harrington; Councilmembers: Tom Stephens, George Cooper, Bob Reeves and Rodger Shannon; Councilmembers-Elect: Dani Gurley, Joe Peterson, Mike Thompson and Mark Kipp

**City Staff Present:** Jack Helin, City Manager; Amber McCullough, City Clerk; Marcia Harrington, Community and Economic Development Director; Skip Dobbs, Parks and Recreation Director; Kevin Bruemmer, Public Works Director and Rick Sailer, Utilities Director

**Others Present:** Kyu Lee, owner, Hometown Thriftway and Dollar General building

**WS – 1 – CIP Aquatic Park Amenities** – The Parks and Recreation Director made a presentation:

- The Aquatic Park opened in 2006 and is now entering its 10<sup>th</sup> season.
- Attendance dropped over the years and staff recommended adding amenities to increase interest.
- The City Council approved \$90,000 in the 2015 General Funds Parks and Recreation Department budget to add a water slide.
- The price of the slide exceeded the budgeted amount by \$20,000.
- Staff recommended adding two amenities that stay within the budget which are an aquatic climbing wall for an approximate cost of \$13,000 and a drop slide for an approximate cost of \$35,000 for a total of \$48,000.
- Staff will install the climbing wall this spring and will install the drop slide this fall for use next year.
- The Park Board will reprioritize the Parks and Recreation capital needs list and will present it at a future Workshop meeting with recommendations for the remaining \$42,000.
- The City Council reached consensus without opposition to use the budgeted amount to purchase the climbing wall this year and the drop slide in the fall.

**WS – 2 – 2015 Downtown Commercial Rehabilitation Grant Application** – The Community and Economic Development Director made a presentation:

- The Kansas Department of Commerce (KDOC) oversees the Community Development Block Grant Program (CDBG) which is a federally funded program.
- The CDBG outlines eligible improvements such as roofs, safety or public health issues, interior and exterior code violations, windows and some façade improvements if they are code or safety related. Cosmetic improvements are not eligible. The parking lot is questionable for grant funding but is a property maintenance code violation due to cumulative years of lack of maintenance and safety issues.
- The maximum grant amount is \$250,000 per applicant and requires a twenty-five percent (25%) match by the sub recipient, which is the property owner. Mr. Lee's twenty-five percent (25%) match is \$62,500 for a total of \$312,500 for building improvements.
- Two requirements for the grant are:
  - The recipient must hire a Certified Grant Administrator to assist with the grant application and oversee all aspects of the project.
  - The recipient must hire a Licensed Architect to assist with the pre-application process, provide the scope of work, projects to be completed, cost estimates and to work with the contractor.
- The application deadline is June 1, 2015.
- Staff took three initial steps to start the process:
  - Emailed a Request for Proposal (RFP) to a pre-selected list of Certified Grant Administrators. The City received three RFPs prior to the deadline of Monday, April 27, 2015.
  - Emailed a Request for Qualifications (RFQ) to ten licensed Architects in Bonner Springs and the Kansas City Metro area. The deadline for the RFQs is Wednesday, April 29, 2015.
  - Executed a 2015 Downtown Commercial Rehabilitation Agreement with Mr. Lee who submitted a deposit of \$5,000 to the City for costs incurred prior to the grant award which are not reimbursable.
- The grant application and anticipated grant funding will require some City staff involvement but no City funds.
- Staff recommended the City Council reach consensus to move forward with the application process.
- The City Council reached consensus without opposition to move forward with the grant application.

**WS – 3- Neighborhood Revitalization Program** – The Community and Economic Development Director made a presentation:

- The City previously offered four Neighborhood Revitalization Programs (NRP)
  - Plan I began July 21, 1997 and expired in 2010.
  - Plan II began February 2004 and expired in 2009.

- Plan III began in 2009 and will expire August 31, 2015. This plan's designated areas are generally the Lei Valley subdivision, the Whispering Woods subdivision and a small parcel south to Pratt, Canaan Center/Riverview Crossing, the area bounded by Metropolitan, K-7, 134<sup>th</sup> street and I-70, the triangle area bounded by State Avenue, K-7 and 130<sup>th</sup> Street and the area bounded by K-7, K-32, 142nd Street, Woodend and Wolf Creek.
  - Plan IV began in 2009 and will expire August 31, 2015. This plan is designated for new construction and rehabilitation of single-family homes, multi-family, commercial and industrial properties.
- Staff recommended the City Council approve a new NRP to include all areas designated in the current Plan III and Plan IV, 134<sup>th</sup> Street from Kansas Avenue to Riverview, the area bounded by Metropolitan, 138<sup>th</sup> Street, Kansas Avenue and 134<sup>th</sup> Street, the area south of Whispering Woods and the area north of Whispering Woods from Morse to 142<sup>nd</sup> Street.
- Proposed amendments to the plan are:
- Rebate amount for all categories except senior housing tax credit projects: current – seventy-five percent (75%) for two years and fifty percent (50%) for three years; proposed – seventy-five percent (75%) for five years.
  - Add a rebate amount for senior housing tax credit in the amount of seventy-five percent (75%) for ten years.
  - Minimum investment: current -\$140,000, proposed - \$170,000.
  - Minimum investment – new construction for multi-family and duplex: current - \$140,000 with no duplexes allowed; proposed - \$200,000, duplexes are allowed.
  - There will be an eligibility limitation for maximum lot size.
- The City Council reached consensus with no opposition to proceed with adoption of the new NRP.

The meeting adjourned at 7:18 p.m.

## City Council Minutes – Regular Meeting – Monday, April 27, 2015

The Bonner Springs City Council met in regular session at 7:30 p.m. on Monday, April 27, 2015.

**Governing Body Present:** Mayor Jeff Harrington; Councilmembers: Tom Stephens, George Cooper, Bob Reeves, Dani Gurley, Joe Peterson, Mike Thompson, Mark Kipp, and Rodger Shannon

**City Staff Present:** Jack Helin, City Manager; Amber McCullough, City Clerk; Rick Sailer, Utilities Director; Kevin Bruemmer, Public Works Director; and Marcia Harrington, Community and Economic Development Director

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

**Item No. 1 –Plaque Presentation to Retiring Council** – The retiring councilmembers were unable to attend.

**Item No. 2 – Oath of Office for Mayor** – The City Clerk administered the Oath of Office to the newly re-elected Mayor. Mayor Harrington then took his seat at the Council bench.

**Item No. 3 – Oath of Office for Councilmembers** – The City Clerk administered the Oath of Office to the newly elected Councilmembers Dani Gurley, Mike Thompson and Mark Kipp and re-elected Councilmember Bob Reeves. The Councilmembers took their seats at the Council bench.

**Item No. 4 – Proclamation Presentation Municipal Clerk’s Week** – The Mayor presented a Proclamation to Amber McCullough, City Clerk, in recognition of Municipal Clerk’s Week.

**Item No. 5 – Proclamation Presentation National Drinking Water Week** – The Mayor presented a Proclamation to Rick Sailer, Utilities Director, and to staff of the Utilities Department, in recognition of National Drinking Water Week.

**Item No. 6 – Proclamation Presentation National Travel and Tourism Week** - The Mayor presented a Proclamation to Marcia Harrington, Community and Economic Development Director, in recognition of National Travel and Tourism Week.

**Item No. 7– Citizen Concerns About Items Not on Today’s Agenda** – None presented.

### CONSENT AGENDA

The Mayor read the Consent Agenda Items 8 through 12 and asked the staff, audience or City Council if they wished to remove an item for separate consideration. No items were removed.

**Item No. 8 –Minutes of the April 13, 2015 City Council Meeting** – Presented for approval.

**Item No. 9 – Claims for City Operations – April 27, 2015** – Presented for approval were the Supplement Claims in the amount of \$30,707.43 and Regular Claims in the amount of \$130,763.36.

**Item No. 10 – Public Housing Authority Claims – April 27, 2015** – Presented for approval in the amount of \$16,475.37.

**Item No. 11 – Designation of City Depository** - Staff recommended the designation of Union Bank and Trust Company as the City’s Depository.

**Item No. 12 – Massage Therapist License Renewal for Patricia L. Brough to Operate at Pure Movement Integrated Health Center** - Patricia Brough applied for a Massage Therapist II license renewal to operate at Pure Movement Integrated Health Center, 13100 Kansas Avenue, and paid the appropriate fee.

### CONSENT AGENDA APPROVAL

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

### REGULAR MEETING AGENDA

**Item No. 13 – Cemetery Regulations Amendment** – The City Clerk made a presentation:

- The current ordinance allows winter decorations to remain in place at the cemetery at any time if they don’t interfere with maintenance.
- The Cemetery Advisory Committee recommended amendments to allow staff to remove holiday and seasonal decorations after the applicable holiday or season is over.
- The amendment also adds trees to the list of items prohibited and updates the timeframes for items placed on graves without monuments or headstones.
- The amended regulations were included in the agenda in legislative style.
- Reeves made a Motion to Approve an Ordinance Amendment to Revise the Cemetery Decoration Regulations. Shannon seconded the motion and it carried on a vote of eight to zero. **Assigned Ordinance No. 2399.**

**Item No. 14 - City Manager’s Report** – The City Manager reported:

➤ After discussion, councilmembers concurred with the 2016 Budget Workshop date of Tuesday, June 2, at 5 pm at the Fire Station.

➤ The Council Workshop on May 11, 2015 is a tour of the Water and Wastewater Plants at 6:00 p.m.

**Item No. 15 – City Council Items –**

➤ Stephens welcomed new councilmembers.

➤ Cooper welcomed new councilmembers and thanked the City Manager and staff for their work, congratulated the Community and Economic Development Director on bringing Anytime Fitness to the City and commended Councilmember Reeves for a good job at the tree planting.

➤ Reeves announced a total of almost \$2,000 dollars donated towards the cemetery pavilion and recognized the cub scout pack for helping pick up trash at the City cleanup.

➤ Gurley thanked the City Manager for the new councilmember training.

➤ Peterson thanked staff for placing the “Your Speed is” signs in Lei Valley.

➤ Thompson thanked the City Council for the privilege to serve and for the support.

➤ Kipp thanked the City Council and his wife for the privilege to serve and for the support.

➤ Shannon welcomed the new councilmembers.

**Item No. 16 – Mayor’s Report –** The Mayor reported:

➤ Welcomed the new councilmembers

➤ Attended the Agriculture Hall of Fame re-dedication.

➤ Cooper reminded everyone of Marble Day and the Wacky Parade this weekend.

➤ Cooper reminded everyone of the Memorial Day Ceremony at the Cemetery.

The meeting adjourned at 8:02 p.m.

\_\_\_\_\_ Amber McCullough, City Clerk

**ITEM NO. 6.**

**City Council Regular Agenda  
Monday, May 11, 2015 – 7:30 p.m.**

**MOTION:** \_\_\_\_\_ **SECOND:** \_\_\_\_\_

| Name                  | Yes         | No          | Abstain | Absent |
|-----------------------|-------------|-------------|---------|--------|
| Tom Stephens          |             |             |         |        |
| George Cooper         |             |             |         |        |
| Bob Reeves            |             |             |         |        |
| Dani Gurley           |             |             |         |        |
| Joe Peterson          |             |             |         |        |
| Mike Thompson         |             |             |         |        |
| Mark Kipp             |             |             |         |        |
| Rodger Shannon        |             |             |         |        |
| Mayor Jeff Harrington |             |             |         |        |
| <b>RESULT</b>         | <b>PASS</b> | <b>FAIL</b> |         |        |

**Mayor Vote on Charter Ordinances & Planning Items** \_\_\_\_\_

**AGENDA ITEM: Claims for City Operations for May 11, 2015**

**ACTION: Make a Motion to Approve the Claims for City Operations for May 11, 2015**

**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 \$126,084.05 and the Regular Claims in the amount of \$173,307.43.

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: 05/06/2015

Time: 4:55 pm

Page: 1

Bonner Springs City Hall

BANK: UNION BANK & TRUST

| Check Number                         | Check Date | Status  | Void/Stop Date | Vendor Number | Vendor Name                   | Check Description                            | Amount            |
|--------------------------------------|------------|---------|----------------|---------------|-------------------------------|--|-------------------|
| <b>UNION BANK &amp; TRUST Checks</b> |            |         |                |               |                               |  |                   |
| 126812                               | 04/24/2015 | Printed |                | 4413          | AT & T 5001                   | PHONE SERVICE                                | 3,598.71          |
| 126813                               | 04/24/2015 | Void    | 04/24/2015     |               |                               | Void Check                                   | 0.00              |
| 126814                               | 04/24/2015 | Void    | 04/24/2015     |               |                               | Void Check                                   | 0.00              |
| 126815                               | 04/24/2015 | Void    | 04/24/2015     |               |                               | Void Check                                   | 0.00              |
| 126816                               | 04/24/2015 | Void    | 04/24/2015     |               |                               | Void Check                                   | 0.00              |
| 126817                               | 04/24/2015 | Void    | 04/24/2015     |               |                               | Void Check                                   | 0.00              |
| 126818                               | 04/24/2015 | Void    | 04/24/2015     |               |                               | Void Check                                   | 0.00              |
| 126819                               | 04/24/2015 | Void    | 04/24/2015     |               |                               | Void Check                                   | 0.00              |
| 126820                               | 04/24/2015 | Void    | 04/24/2015     |               |                               | Void Check                                   | 0.00              |
| 126821                               | 04/24/2015 | Printed |                | 6536          | BANKCARD PROCESSING CENTER    | TRAINING,PD TESTING BOOKS,ETC                | 9,857.35          |
| 126822                               | 04/24/2015 | Printed |                | 0122          | BONNER SPGS FIREFIGHTERS ASSC | PAYROLL DEDUCTIONS                           | 161.50            |
| 126823                               | 04/24/2015 | Printed |                | 7193          | CHASE PROCESSING              | PAYROLL DEDUCTIONS                           | 660.00            |
| 126824                               | 04/24/2015 | Printed |                | 3665          | W H GRIFFIN, TRUSTEE          | PAYROLL DEDUCTIONS                           | 3,683.00          |
| 126825                               | 04/24/2015 | Printed |                | 0898          | ICMA RETIREMENT CORPORATION   | PAYROLL DEDUCTS/BENEFITS                     | 3,383.74          |
| 126826                               | 04/24/2015 | Printed |                | 2195          | KANSAS PAYMENT CENTER         | PAYROLL DEDUCTIONS                           | 815.59            |
| 126827                               | 04/24/2015 | Printed |                | 9879          | MAINSTREET CREDIT UNION       | PAYROLL DEDUCTIONS                           | 2,724.82          |
| 126828                               | 04/24/2015 | Printed |                | 8001          | MIDWEST PUBLIC RISK           | HEALTH,DENTAL,VISION INSURANCE               | 69,349.53         |
| 126829                               | 04/24/2015 | Printed |                | 7206          | NATIONAL INSURANCE MARKETING  | PAYROLL DEDUCTIONS                           | 2,197.03          |
| 126830                               | 04/24/2015 | Printed |                | 0136          | NEW DIRECTIONS                | 2ND QUARTER EAP SERVICES                     | 865.10            |
| 126831                               | 04/24/2015 | Printed |                | 7357          | STEVEN SCOTT                  | COURT BOND REFUND                            | 50.00             |
| 126832                               | 04/24/2015 | Void    | 04/24/2015     |               |                               | Void Check                                   | 0.00              |
| 126833                               | 04/24/2015 | Printed |                | 1315          | WALMART COMMUNITY GECRB       | MONITOR&SPEAKERS,VEH MAINT SUP               | 436.18            |
| 126834                               | 04/28/2015 | Printed |                | 4735          | WESTLAND CONSTRUCTION         | 2014 STORM WATER PROJECT COSTS               | 22,000.00         |
| 126835                               | 04/28/2015 | Printed |                | 7359          | PYRAMIDE USA INC              | AQUA CLIMBING WALL DEPOSIT                   | 6,301.50          |
| <b>Total Checks: 24</b>              |            |         |                |               |                               | <b>Checks Total (excluding void checks):</b> | <b>126,084.05</b> |
| <b>Total Payments: 24</b>            |            |         |                |               |                               | <b>Bank Total (excluding void checks):</b>   | <b>126,084.05</b> |
| <b>Total Payments: 24</b>            |            |         |                |               |                               | <b>Grand Total (excluding void checks):</b>  | <b>126,084.05</b> |

Check Register Report

CHECK REGISTER

Date: 05/06/2015

Time: 4:46 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    |
|--------------------------------------|------------|---------|----------------|---------------|-----------------------------------|---|-----------|
| <b>UNION BANK &amp; TRUST Checks</b> |            |         |                |               |                                   |   |           |
| 126836                               | 05/06/2015 | Void    | 05/06/2015     |               |                                   | Void Check                                      | 0.00      |
| 126837                               | 05/06/2015 | Printed |                | 3562          | ALAMAR                            | UNIFORMS-PD                                     | 948.31    |
| 126838                               | 05/06/2015 | Printed |                | 6000          | APAC                              | GRAVEL-UT                                       | 994.05    |
| 126839                               | 05/06/2015 | Printed |                | 5615          | AT & T 5011                       | SPECIAL CIRCUITS & ALARMS                       | 291.58    |
| 126840                               | 05/06/2015 | Printed |                | 2470          | ATMOS ENERGY                      | GAS SERVICE                                     | 47.38     |
| 126841                               | 05/06/2015 | Printed |                | 1461          | AUGUSTINE EXTERMINATORS           | PEST CONTROL-FIRE/EMS                           | 75.00     |
| 126842                               | 05/06/2015 | Printed |                | 3664          | AUSTIN SALES INC                  | VEHICLE MAINT-UT                                | 975.44    |
| 126843                               | 05/06/2015 | Printed |                | 9842          | AUTOZONE                          | VEHICLE MAINT/SUPPLIES-PW                       | 7.27      |
| 126844                               | 05/06/2015 | Printed |                | 7370          | RHONDA AYERS                      | SECURITY DEPOSIT REFUND                         | 58.96     |
| 126845                               | 05/06/2015 | Printed |                | 2129          | BARTLETT & WEST INC               | DESIGN BACKWASH TANK-UT                         | 6,000.00  |
| 126846                               | 05/06/2015 | Printed |                | 0109          | BERNING TIRE COMPANY              | TIRE REPAIRS-UT/FIRE                            | 41.00     |
| 126847                               | 05/06/2015 | Printed |                | 4457          | BILL RUSS PRODUCTIONS             | RETRO BILL APPEARANCE-DARE                      | 1,000.00  |
| 126848                               | 05/06/2015 | Printed |                | 0117          | BOARD OF PUBLIC UTILITIES         | WATER USAGE/MARCH 2015                          | 5,934.14  |
| 126849                               | 05/06/2015 | Printed |                | 2849          | BOCKYN LLC                        | RECREATION SOFTWARE FEES                        | 150.00    |
| 126850                               | 05/06/2015 | Printed |                | 0170          | BONNER SPGS THRIFTWAY             | WATER F/CITY<br>COUNCIL/CEMETERY                | 4.79      |
| 126851                               | 05/06/2015 | Printed |                | 7027          | BONNER SPRINGS ANIMAL<br>CARE CTR | VET SERVICES-PD                                 | 1,508.00  |
| 126852                               | 05/06/2015 | Printed |                | 7313          | BORDER STATES INDUSTRIES          | LIGHT FIXTURES/SWITCHES-GYM                     | 8,880.10  |
| 126853                               | 05/06/2015 | Printed |                | 4172          | BOUND TREE MEDICAL                | MEDICAL SUPPLIES-EMS                            | 17.59     |
| 126854                               | 05/06/2015 | Printed |                | 7368          | ROBERT BRYANT                     | REIMBURSE UNIFORM-UT                            | 32.54     |
| 126855                               | 05/06/2015 | Printed |                | 7134          | CAPITAL ELECTRIC LINE<br>BUILDERS | ELECTRIC SERVICE                                | 150.39    |
| 126856                               | 05/06/2015 | Printed |                | 7363          | MARIVEL CARBAJAL                  | RENTAL DEPOSIT REFUND                           | 150.00    |
| 126857                               | 05/06/2015 | Printed |                | 3439          | CARLTON INDUSTRIES                | DISTRIBUTION MAINT<br>SUPPLIES-UT               | 889.99    |
| 126858                               | 05/06/2015 | Printed |                | 7102          | CENTRAL SECURITY GROUP-           | SECURITY SYSTEM MONITORING                      | 122.00    |
| 126859                               | 05/06/2015 | Printed |                | 6354          | CINTAS FAS LOCK BOX 636525        | SVC FIRE  | 112.43    |
| 126860                               | 05/06/2015 | Printed |                | 0147          | CITY ATTORNEYS<br>ASSOCIATION     | EXTINGUISHERS-TIBLOW<br>SPRING MEETING- LILLICH | 65.00     |
| 126861                               | 05/06/2015 | Void    | 05/06/2015     |               |                                   | Void Check                                      | 0.00      |
| 126862                               | 05/06/2015 | Printed |                | 0144          | CITY OF BONNER SPRINGS KS         | SECURITY DEPOSITS APPLIED                       | 1,175.00  |
| 126863                               | 05/06/2015 | Printed |                | 2410          | CITY TREASURER KCK                | RESIDENTIAL REFUSE SVC                          | 32,599.20 |
| 126864                               | 05/06/2015 | Printed |                | 0213          | COLEMAN EQUIPMENT INC             | EQUIP REPLACEMENT PARTS-PW                      | 578.35    |
| 126865                               | 05/06/2015 | Printed |                | 0222          | CONRAD FIRE EQUIPMENT INC         | MAINT/REPAIR SUPPLIES-FIRE                      | 78.68     |
| 126866                               | 05/06/2015 | Printed |                | 5320          | CREATIVE PRODUCTS<br>SOURCING INC | D.A.R.E. GRADUATION SUPPLIES                    | 1,384.84  |
| 126867                               | 05/06/2015 | Printed |                | 4383          | CUMMINS CENTRAL POWER<br>LLC      | EQUIPMNT<br>MAINT/REPAIRS-UT/FIRE               | 1,644.68  |
| 126868                               | 05/06/2015 | Printed |                | 4329          | JAMES DOBBS                       | MILEAGE EXPENSE 3/23-5/1                        | 70.55     |
| 126869                               | 05/06/2015 | Printed |                | 7371          | ADRIAN DORRIS                     | SECURITY DEPOSIT REFUND                         | 53.05     |
| 126870                               | 05/06/2015 | Printed |                | 0642          | DOWNTOWN BONNER INC               | BONNER BLAST DONATION                           | 2,000.00  |
| 126871                               | 05/06/2015 | Printed |                | 0276          | ENVIRONMENTAL<br>LABORATORIES     | UT<br>SAMPLES/ANALYSIS-FEB/MARCH                | 1,340.00  |
| 126872                               | 05/06/2015 | Printed |                | 7361          | EPS ON SITE SOLUTIONS             | HEALTHFAIR BLOODWORK                            | 2,354.50  |
| 126873                               | 05/06/2015 | Printed |                | 2621          | EXPRESS WASH AMERICA LLC          | CAR WASHES-UT                                   | 12.00     |
| 126874                               | 05/06/2015 | Void    | 05/06/2015     |               |                                   | Void Check                                      | 0.00      |
| 126875                               | 05/06/2015 | Printed |                | 4342          | FELDMANS                          | UNIFORM,WEED<br>CONTROL,SHOVEL                  | 244.39    |
| 126876                               | 05/06/2015 | Printed |                | 4667          | VICKI FOGARTY                     | FORENSIC INTERVIEWING CONF<br>EXP               | 163.78    |
| 126877                               | 05/06/2015 | Printed |                | 7225          | FORTILINE, INC                    | METER PITS & PARTS-UT                           | 1,545.44  |
| 126878                               | 05/06/2015 | Printed |                | 1942          | GRASS PAD INC                     | PLANTS,FLOWERS F/PLANTERS                       | 213.92    |
| 126879                               | 05/06/2015 | Printed |                | 0021          | HACH COMPANY                      | SVC AGREEMENT &<br>CHEMICALS-UT                 | 5,293.37  |
| 126880                               | 05/06/2015 | Printed |                | 1353          | HAMPEL OIL INC                    | EQUIP REPLACEMENT PARTS-PW                      | 69.08     |
| 126881                               | 05/06/2015 | Printed |                | 0079          | HANNA RUBBER CO                   | FLUSHING FIRE HOSE-UT                           | 281.94    |
| 126882                               | 05/06/2015 | Printed |                | 1089          | HAWKINS, INC                      | CHEMICALS-UT                                    | 2,882.60  |
| 126883                               | 05/06/2015 | Printed |                | 4275          | HAYNES EQUIPMENT CO INC           | GRINDER PUMP MAINT-UT                           | 1,133.26  |
| 126884                               | 05/06/2015 | Printed |                | 3289          | J & D EQUIPMENT INC               | SNOW PLOW PARTS,VEH<br>MAINT-PW                 | 2,667.07  |
| 126885                               | 05/06/2015 | Printed |                | 5902          | JC'S SPEEDY LUBE                  | VEH MAINT/REPAIRS-UT                            | 73.77     |

Check Register Report

CHECK REGISTER

Date: 05/06/2015  
 Time: 4:46 pm  
 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    |
|--------------------------------------|------------|---------|----------------|---------------|--------------------------------|----------------------------------|-----------|
| <b>UNION BANK &amp; TRUST Checks</b> |            |         |                |               |                                |                                  |           |
| 126886                               | 05/06/2015 | Printed |                | 1007          | JERRYS NURSERY INC             | TREE&INSTALL-BONNER BEAUTIFUL    | 250.00    |
| 126887                               | 05/06/2015 | Printed |                | 0359          | JIMS LOCK & SAFE SERVICE       | REKEYED PD DOORS                 | 120.00    |
| 126888                               | 05/06/2015 | Printed |                | 1022          | JO CO LANDFILL INC             | LANDFILL CHARGES 3/16-4/14       | 13,743.03 |
| 126889                               | 05/06/2015 | Printed |                | 3960          | JOHN HANCOCK                   | PAYROLL DEDUCTS/BENEFITS         | 310.00    |
| 126890                               | 05/06/2015 | Printed |                | 7373          | KANEQUIP INC                   | REAR MOWER FOR TRACTOR-PW        | 967.38    |
| 126891                               | 05/06/2015 | Printed |                | 2014          | KOPL                           | ELECTRIC SERVICE                 | 136.52    |
| 126892                               | 05/06/2015 | Printed |                | 2940          | KDHE-DIVISION HEALTH & ENVIRON | ANALYTICAL SVC 1/1/15-3/31/15    | 308.00    |
| 126893                               | 05/06/2015 | Printed |                | 3517          | KEY EQUIPMENT & SUPPLY CO      | EQUIP REPL PARTS-PW              | 75.87     |
| 126894                               | 05/06/2015 | Printed |                | 1999          | KRWA                           | CONFERENCE REGISTRATION-UT       | 300.00    |
| 126895                               | 05/06/2015 | Printed |                | 1921          | KUSTOM SIGNALS INC             | EQUIPMENT MAINT/REPAIRS-PD       | 499.50    |
| 126896                               | 05/06/2015 | Printed |                | 3003          | LAKE OF THE FOREST INC         | REFUSE SUBSIDY                   | 247.00    |
| 126897                               | 05/06/2015 | Printed |                | 2419          | LARUE DISTRIBUTING INC         | COFFEE & SUPPLIES-PD             | 182.90    |
| 126898                               | 05/06/2015 | Printed |                | 3008          | LEAGUE OF KS MUNICIPALITIES    | CONFERENCE REGIST-COUNCIL        | 320.00    |
| 126899                               | 05/06/2015 | Printed |                | 6794          | LEGGETTE, BRASHEARS & GRAHAM   | WELL #6 ENGINEERING SVC-UT       | 641.75    |
| 126900                               | 05/06/2015 | Printed |                | 7372          | LENEXA POLICE DEPARTMENT       | FORCE SCIENCE TRAINING-PD        | 885.00    |
| 126901                               | 05/06/2015 | Printed |                | 7362          | REBECCA LOPEZ-RASNIC           | RENTAL DEPOSIT REFUND            | 100.00    |
| 126902                               | 05/06/2015 | Printed |                | 1836          | LOWE'S CREDIT SERVICES         | MATERIAL F/PLATFORM,SHELVES      | 1,044.52  |
| 126903                               | 05/06/2015 | Printed |                | 7365          | ROBERT M MATHIEU               | ARBOR DAY/EARTH DAY PROGRAM      | 225.00    |
| 126904                               | 05/06/2015 | Printed |                | 7366          | APRIL MCGEE                    | RENTAL DEPOSIT REFUND            | 200.00    |
| 126905                               | 05/06/2015 | Printed |                | 6137          | METRO COURIER INC              | DELIVERY CHARGES-UT              | 27.24     |
| 126906                               | 05/06/2015 | Printed |                | 5012          | NATIONAL ASSOCIATION OF SCHOOL | SCHOOL RESOURCE OFFICER TRAINING | 495.00    |
| 126907                               | 05/06/2015 | Printed |                | 5003          | NATIONAL SIGN COMPANY INC      | STREET SIGN POST & HARDWARE-PW   | 1,819.00  |
| 126908                               | 05/06/2015 | Printed |                | 5050          | NORTHERN SAFETY CO INC         | HARD HATS & VESTS-UT             | 181.82    |
| 126909                               | 05/06/2015 | Printed |                | 0947          | O'REILLY AUTO STORES INC       | VEH MAINT/EQUIP REPL PARTS       | 51.25     |
| 126910                               | 05/06/2015 | Printed |                | 0187          | OLATHE WINWATER WORKS          | METERS & DISTRIBUTION SUPPLIES   | 4,614.00  |
| 126911                               | 05/06/2015 | Printed |                | 3393          | PACE ANALYTICAL                | LAB TESTING F/WWTP               | 489.00    |
| 126912                               | 05/06/2015 | Printed |                | 7374          | CINDY PAUL                     | COURT BOND REFUND                | 69.00     |
| 126913                               | 05/06/2015 | Printed |                | 7012          | PAUL PETERSON                  | VEH MAINT/REPAIRS-PD             | 317.87    |
| 126914                               | 05/06/2015 | Printed |                | 7022          | POSTMASTER                     | FIRST CLASS MAIL POSTAGE         | 820.00    |
| 126915                               | 05/06/2015 | Printed |                | 1679          | PRAXAIR DISTRIBUTION INC       | STREET MAINT SUPPLIES-PW         | 79.75     |
| 126916                               | 05/06/2015 | Printed |                | 2838          | PREMIER AUTOMOTIVE OF BS KS    | VEH MAINT/REPAIRS-PD & UT        | 1,049.88  |
| 126917                               | 05/06/2015 | Printed |                | 3361          | PURCHASE POWER                 | POSTAGE FOR METER                | 400.00    |
| 126918                               | 05/06/2015 | Printed |                | 0646          | PUSHWATER ENTERPRISES INC      | BUSINESS CARDS-PD                | 34.00     |
| 126919                               | 05/06/2015 | Printed |                | 4746          | QUEEN'S PRICE CHOPPER          | FOOD F/SC ACTIVITIES             | 52.27     |
| 126920                               | 05/06/2015 | Printed |                | 7364          | IMELDA QUICK                   | RENTAL DEPOSIT REFUND            | 100.00    |
| 126921                               | 05/06/2015 | Printed |                | 0038          | REMINGTON ARMS CO INC          | ARMORERS TRAINING SCHOOL - PD    | 1,800.00  |
| 126922                               | 05/06/2015 | Printed |                | 1811          | RICOH USA, INC.                | COPIER LEASES                    | 1,017.06  |
| 126923                               | 05/06/2015 | Printed |                | 0550          | RIVERVIEW GARDEN CENTER        | FLOWERS-BONNER BEAUTIFUL         | 192.66    |
| 126924                               | 05/06/2015 | Printed |                | 3011          | ANTHONY R RUSSO                | JUDGE PRO-TEM                    | 200.00    |
| 126925                               | 05/06/2015 | Printed |                | 7312          | SCHOOLS IN                     | ADULT STEEL SWING-P&R            | 878.95    |
| 126926                               | 05/06/2015 | Printed |                | 7369          | ADAM SCHWARZ                   | SECURITY DEPOSIT REFUND          | 21.65     |
| 126927                               | 05/06/2015 | Printed |                | 8441          | SHAWNEE COPY CENTER            | NEWSLETTER/CALENDAR,STAMP ,CARD  | 224.50    |
| 126928                               | 05/06/2015 | Printed |                | 3628          | DON SLONE                      | APA NATIONAL CONF EXPENSE        | 97.50     |
| 126929                               | 05/06/2015 | Void    | 05/06/2015     |               |                                | Void Check                       | 0.00      |
| 126930                               | 05/06/2015 | Printed |                | 6081          | STAPLES ADVANTAGE              | TONER,MAP HANGERS,MONITOR STND   | 1,454.71  |
| 126931                               | 05/06/2015 | Printed |                | 5375          | TG TECHNICAL SERVICES          | CALIBRATE GAS DETECTORS WWTP     | 180.00    |
| 126932                               | 05/06/2015 | Printed |                | 7257          | THE PITNEY BOWES BANK INC      | POSTAGE FOR METER                | 1,200.00  |
| 126933                               | 05/06/2015 | Printed |                | 4441          | TMHC SVCS INC                  | DRUG POOL EXPENSES               | 308.25    |
| 126934                               | 05/06/2015 | Printed |                | 6802          | TOTAL ELECTRIC CONTRACTORS INC | TRAFFIC SIGNAL REPAIRS           | 1,483.91  |

# Check Register Report

CHECK REGISTER

Date: 05/06/2015

Time: 4:46 pm

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            |
|--------------------------------------|------------|---------|----------------|---------------|----------------------------|--|-------------------|
| <b>UNION BANK &amp; TRUST Checks</b> |            |         |                |               |                            |  |                   |
| 126935                               | 05/06/2015 | Printed |                | 7367          | LARRY TRICKETT             | RENTAL DEPOSIT REFUND                        | 100.00            |
| 126936                               | 05/06/2015 | Printed |                | 3025          | U.S. VENTURE, INC          | TIRES-PD                                     | 368.40            |
| 126937                               | 05/06/2015 | Printed |                | 6819          | UNIFIRST COPORATION        | UNIFORM,RUG RENTAL-PW,UTIL                   | 422.12            |
| 126938                               | 05/06/2015 | Printed |                | 1541          | UNITED LABORATORIES        | GREASE&H2S CHEMICAL CONTROL-UT               | 684.26            |
| 126939                               | 05/06/2015 | Printed |                | 8308          | UNIVERSITY OF KANSAS       | LAW ENFORCEMENT TRAINING-PD                  | 1,990.00          |
| 126940                               | 05/06/2015 | Printed |                | 3078          | USA BLUE BOOK              | DISTRIBUTION MAINT SUPPLIES-UT               | 311.00            |
| 126941                               | 05/06/2015 | Printed |                | 0915          | VERIZON WIRELESS           | COMMUNICATION - IND PK - UT                  | 11.03             |
| 126942                               | 05/06/2015 | Printed |                | 8404          | VESTA LEE LUMBER COMPANY   | WELL MAINT SUPPLIES-UT                       | 26.91             |
| 126943                               | 05/06/2015 | Printed |                | 0712          | W W GRAINGER               | CARPETS,FUEL FILTERS,VESTS                   | 646.55            |
| 126944                               | 05/06/2015 | Printed |                | 2845          | WATTS UP                   | SOCKET ADAPTERS,PARK LOT LIGHT               | 284.45            |
| 126945                               | 05/06/2015 | Printed |                | 3790          | WESTAR ENERGY              | ELECTRIC SERVICE                             | 22,999.53         |
| 126946                               | 05/06/2015 | Printed |                | 8411          | WILSON & COMPANY ENGINEERS | ENGINEER SERVICES                            | 3,367.25          |
| 126947                               | 05/06/2015 | Printed |                | 3012          | WORK ZONE                  | SIGN STAND & BRACKETS-PW                     | 480.00            |
| 126948                               | 05/06/2015 | Printed |                | 4353          | THE WORLD COMPANY          | ADS,ORDINANCES,NOTICES                       | 941.08            |
| 126949                               | 05/06/2015 | Printed |                | 2956          | YATES ELECTRIC CO INC      | HEADWORKS ELECTRICAL UPGRADE                 | 14,143.68         |
| <b>Total Checks: 114</b>             |            |         |                |               |                            | <b>Checks Total (excluding void checks):</b> | <b>173,307.43</b> |
| <b>Total Payments: 114</b>           |            |         |                |               |                            | <b>Bank Total (excluding void checks):</b>   | <b>173,307.43</b> |
| <b>Total Payments: 114</b>           |            |         |                |               |                            | <b>Grand Total (excluding void checks):</b>  | <b>173,307.43</b> |

**ITEM NO. 7.**

**City Council Regular Agenda  
Monday, May 11, 2015 – 7:30 p.m.**

**MOTION:** \_\_\_\_\_ **SECOND:** \_\_\_\_\_

| <b>Name</b>           | <b>Yes</b>  | <b>No</b>   | <b>Abstain</b> | <b>Absent</b> |
|-----------------------|-------------|-------------|----------------|---------------|
| Tom Stephens          |             |             |                |               |
| George Cooper         |             |             |                |               |
| Bob Reeves            |             |             |                |               |
| Dani Gurley           |             |             |                |               |
| Joe Peterson          |             |             |                |               |
| Mike Thompson         |             |             |                |               |
| Mark Kipp             |             |             |                |               |
| Rodger Shannon        |             |             |                |               |
| Mayor Jeff Harrington |             |             |                |               |
| <b>RESULT</b>         | <b>PASS</b> | <b>FAIL</b> |                |               |

**Mayor Vote on Charter Ordinances & Planning Items** \_\_\_\_\_

**AGENDA ITEM: Public Housing Authority Claims for May 11, 2015**

**ACTION: Make a Motion to Approve the Public Housing Authority Claims for May 11, 2015**

**STAFF RECOMMENDATION: The City Manager and Finance Director Recommend Approval**

Enclosed are the Claims in the amount of \$9,463.91.

Check Register Report

PUBLIC HOUSING CHECK REGISTER

Date: 05/06/2015

Time: 4:52 pm

Bonner Springs City Hall

BANK: UNION BANK & TRUST-PHA

Page: 1

| Check Number                             | Check Date | Status  | Void/Stop Date | Vendor Number | Vendor Name                | Check Description                            | Amount          |
|--|------------|---------|----------------|---------------|----------------------------|--|-----------------|
| <b>UNION BANK &amp; TRUST-PHA Checks</b> |            |         |                |               |                            |  |                 |
| 97152                                    | 05/06/2015 | Printed |                | P827          | P ATMOS ENERGY             | TENANT UTILITY REIMBURSEMENT                 | 148.09          |
| 97153                                    | 05/06/2015 | Printed |                | P312          | P C & C LOCK SERVICE       | DEADBOLTS & KEYS ALL UNITS                   | 3,992.30        |
| 97154                                    | 05/06/2015 | Printed |                | P828          | P FACTORY DIRECT APPLIANCE | REFRIGERATOR                                 | 449.00          |
| 97155                                    | 05/06/2015 | Printed |                | P815          | P INTEGRATED ELECTRIC LLC  | ELECTRICAL SVC -1 UNIT                       | 210.00          |
| 97156                                    | 05/06/2015 | Printed |                | P991          | P JAMES O. GOSS JR         | PEST CONTROL 50 UNITS                        | 325.00          |
| 97157                                    | 05/06/2015 | Printed |                | P310          | P JIM'S LOCK & SAFE INC    | KEY DUPLICATES (2)                           | 9.00            |
| 97158                                    | 05/06/2015 | Printed |                | P774          | P LIGHTFOOT SOFTWARE CO    | SOFTWARE SUPPORT                             | 1,705.00        |
| 97159                                    | 05/06/2015 | Printed |                | P542          | P LINDSEY SOFTWARE SYS INC | ACCOUNTING SVCS                              | 135.00          |
| 97160                                    | 05/06/2015 | Void    | 05/06/2015     |               |                            | Void Check                                   | 0.00            |
| 97161                                    | 05/06/2015 | Void    | 05/06/2015     |               |                            | Void Check                                   | 0.00            |
| 97162                                    | 05/06/2015 | Printed |                | P503          | P LOWES COMPANIES INC      | AUGER,PAINT SPRAYER,FAN,NAILS                | 1,113.74        |
| 97163                                    | 05/06/2015 | Void    | 05/06/2015     |               |                            | Void Check                                   | 0.00            |
| 97164                                    | 05/06/2015 | Void    | 05/06/2015     |               |                            | Void Check                                   | 0.00            |
| 97165                                    | 05/06/2015 | Void    | 05/06/2015     |               |                            | Void Check                                   | 0.00            |
| 97166                                    | 05/06/2015 | Printed |                | P800          | P NUTS & BOLTS             | MAINT & ELECTRICAL MATERIALS                 | 323.69          |
| 97167                                    | 05/06/2015 | Printed |                | P314          | P THE MAILBOX WORKS        | NEW MAILBOXES & LOCKS                        | 775.00          |
| 97168                                    | 05/06/2015 | Printed |                | P472          | P WESTAR ENERGY            | F/VDAL<br>TENANT UTILITY REIMBURSEMENT       | 278.09          |
| <b>Total Checks: 17</b>                  |            |         |                |               |                            | <b>Checks Total (excluding void checks):</b> | <b>9,463.91</b> |
| <b>Total Payments: 17</b>                |            |         |                |               |                            | <b>Bank Total (excluding void checks):</b>   | <b>9,463.91</b> |
| <b>Total Payments: 17</b>                |            |         |                |               |                            | <b>Grand Total (excluding void checks):</b>  | <b>9,463.91</b> |

**ITEM NO. 8.**

**City Council Regular Agenda  
Monday, May 11, 2015 – 7:30 p.m.**

**MOTION:** \_\_\_\_\_ **SECOND:** \_\_\_\_\_

| <b>Name</b>           | <b>Yes</b>  | <b>No</b>   | <b>Abstain</b> | <b>Absent</b> |
|-----------------------|-------------|-------------|----------------|---------------|
| Tom Stephens          |             |             |                |               |
| George Cooper         |             |             |                |               |
| Bob Reeves            |             |             |                |               |
| Dani Gurley           |             |             |                |               |
| Joe Peterson          |             |             |                |               |
| Mike Thompson         |             |             |                |               |
| Mark Kipp             |             |             |                |               |
| Rodger Shannon        |             |             |                |               |
| Mayor Jeff Harrington |             |             |                |               |
| <b>RESULT</b>         | <b>PASS</b> | <b>FAIL</b> |                |               |

**Mayor Vote on Charter Ordinances & Planning Items** \_\_\_\_\_

**AGENDA ITEM: Central Midwest HOG/MDA Request for Use of Public Parking Lot**

**ACTION: Make a Motion to Approve Central Midwest H.O.G. and the Muscular Dystrophy Association's Request for Use of Public Parking Lot for DATES**

**STAFF RECOMMENDATION: The City Manager and Clerk Recommend Approval**

Central Midwest Harley Owners Group is partnering with the Muscular Dystrophy Association (MDA) to promote and raise funds for the MDA Kids Kamp Ride. During Kobi's Bike Nights on May 13, 20, 27 and June 3, they will set up a table in the public parking lot behind Kobi's to collect donations and pre-registration for the ride.

City of Bonner Springs

Private Use of Public Parking Lot Application

Fee \$50.00 (Non-Alcohol) - Fee \$250.00 (Alcohol on Premises) - Per Ordinance No. 2304

Not-for-profit associations, organizations or individuals exempt from payment of established fees.

GB Policy GB-11-01R Provides Administrative Approval for Annual Uses with no Significant Changes.

Date: 4/21/15 Applicant/Sponsor Name: MARK P LUTHER

Business or Organization: CENTRAL MIDWEST NOG/MDA

Street Address/Mailing Address: 7307 DEARBORN

City/State/Zip: OP, KS 66204

Phone: Home: Work: Cell: 913-46-3042

Email: CMHOG.VOLUNTEER@GMAIL.COM

Date/Time/of Requested Event: JUNE 3 - 5 PM - 9:30 PM

Public Parking Lot(s) Requested: behind Kori's

City Receipt Number

Clear diagram of the Parking Lot area to be used attached. (Cannot be closer than 30 feet from Centennial Park).

Park Requested: ND

Street(s) Requested: ND

Route Attached:

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

Names of Security Personnel for Chief Police Approval:

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

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

Event to Raise Funds for Charitable Purposes: Yes No

Organization Status Proof Attached:

If yes, what Charitable Purpose? SEND KIDS TO MDA CAMP

Provide Full Explanation of Purpose of Event to Include Details if there will be admissions charged or rental of booth spaces charged:

SET UP TABLE @ REAR OF KORI'S TO PROMOTE MDA KIDS KAMP RIDE. COLLECT DONATIONS, PRE-REGISTRATION FOR RIDE. SELL RAFFLE TICKETS FOR MDA

Attach List of Vendors that will participate in event. Attach a list of planned activities.

Application Requirements:

- A. Submit this application to the City Clerk's Office Two (2) Weeks Prior to the City Council Meeting prior to the date of the Event for City Council Approval
B. The applicant shall bag the signs that state alcohol is prohibited before an event for alcohol, remove the bags after the event and clean the entire parking lot and adjacent area immediately following the end of the event.
C. Attach sketch/diagram (Exhibit A) of area of the parking lot. Define Fenced Area for Sale/Consumption & Possession of Alcoholic Beverages on the diagram if applicable. Area requires Building Official approval for type of fence material, size and egress. Must keep a twenty foot minimum fire lane open from Second Street to the south end of the parking lot. Must provide access for DeGoler Pharmacy.
D. Submit two copies of the State Temporary Alcoholic Beverage License (limited to four permits per year per KSA 41-2645) if applicable. 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.

- E. Not-for-profit organizations, as defined by the IRS, must provide proof of their non-profit status. Applicants of for-profit businesses or organizations must have or obtain an occupational license and ensure vendors that participate in the event have or obtain an occupational license from the City.
- F. Not-for-profit organizations, association or individuals must provide proof of their non-profit status. A not-for-profit certificate of good standing from the Kansas Secretary of State is an acceptable proof for purposes of this subsection.
- G. Unincorporated associations, organizations or individuals not registered with the Kansas Secretary of State Who requests use of a parking lot for a not-for-profit event or activity must provide certification of their not-for-profit status.
- H. All applicants must have or obtain all applicable business licenses and ensure vendors that participate in the event have or obtain an occupational license from the City.
- I. A late or incomplete application will not be placed on the agenda for City Council consideration on the date requested.

**Restrictions:**

- A. No more than four special event permits will be approved per calendar year to any individual, business, association, or organization for the use of a public parking lot.
- B. Any event or activity that a for-profit individual, business, association or organization co-sponsors, promotes or participates in any way with any not-for-profit qualified individual, business, association or organization as defined in Section 12-703, paragraph J or K of this ordinance, will count as an event for the for-profit entity.
- C. No permit will be approved for more than three consecutive days, except for the carnival for Tiblow Days.
- D. No permit will be issued for use of the Centennial Park Parking Lot that is within thirty (30) feet of Centennial Park.
- E. No permit will be approved that will conflict with the Annual Chamber of Commerce Tiblow Days, Marble Days or any other city approved celebration.
- F. Activities for any approved event shall not take place between the hours of 12 a.m. midnight and 6 a.m. of any day of the permitted event.
- G. No permit will be issued in conflict with any Zoning Ordinance, or other City Ordinance or regulation.
- H. Sale, possession and/or consumption of alcoholic beverages or cereal malt beverages require separate permits per Chapter III Beverages, Article 1 General Provisions, Sections 3-104 and 3-105 and Chapter 8 Temporary Permits of this Code. Applications for these permits shall be submitted at the same time as the permit required in this Article.

**Display of Permit:** A permit issued shall prominently display the permit at the special event site or have the permit available to display to any officer or employee of the City upon demand.

**Revocation of Permit:** The City Manager or designee may suspend or revoke a permit issued if: The permittee fails to meet the conditions imposed on the issuance of the permit; violates any provision of this Code or other ordinance of the City governing the activities permitted by the permit or if the permit was obtained by fraud or misrepresentation.

**Hazard Prohibited:** No person shall make any use of the public parking lot that constitutes an immediate hazard requiring immediate action to protect the public.

**Penalty:** Any person who violates the requirements of Ordinance No. 2304, upon conviction, shall be fined not less than \$20.00 nor more than \$500.00 or be imprisoned for not more than thirty (30) days, or be both so fined and imprisoned. Each day that a person violates the requirements of this Article shall constitute a separate offense.

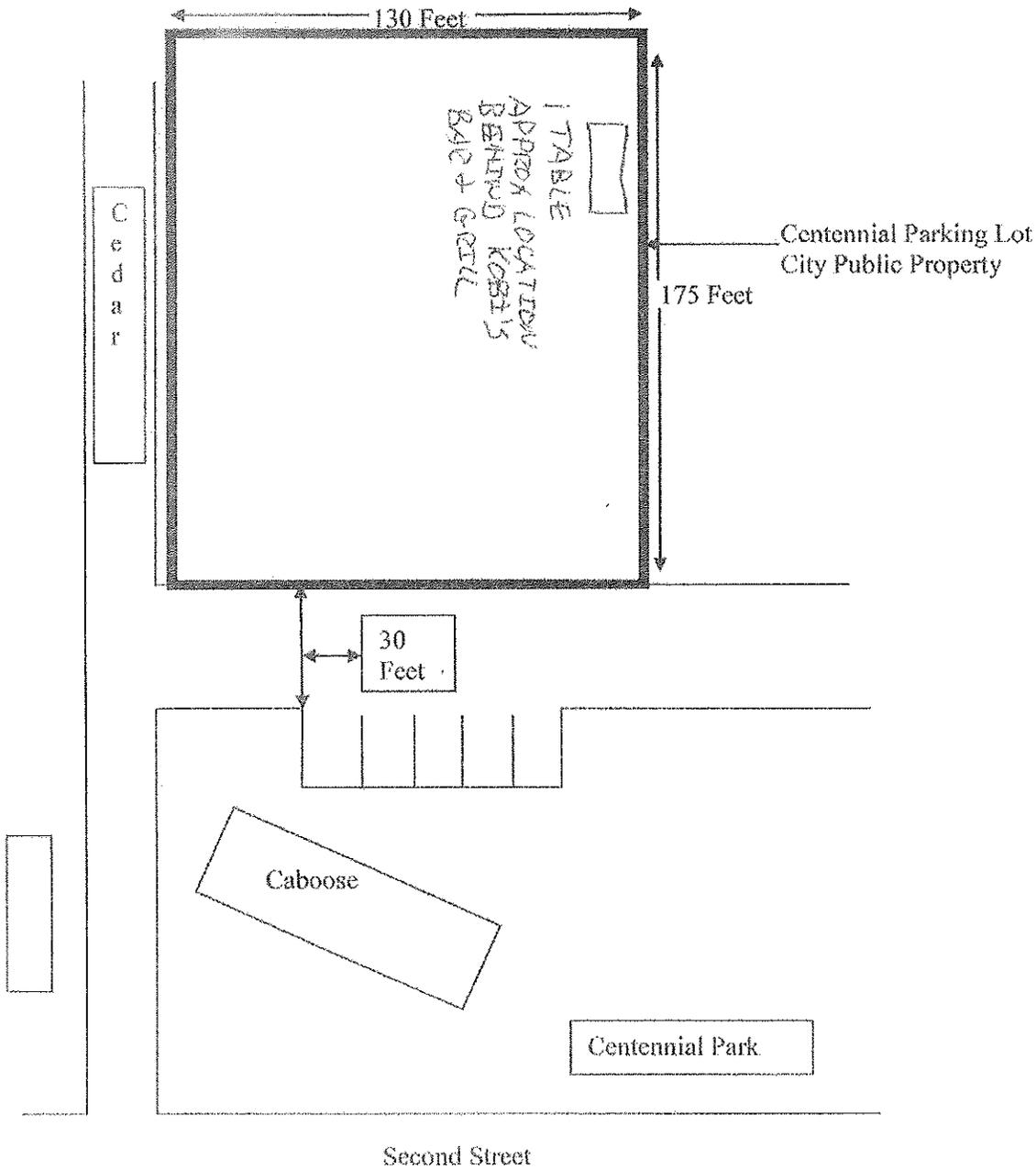
I hereby confirm by signing this application that I understand the regulations and will comply with all regulations and ordinances of the City of Bonner Springs, as outlined above.

  
\_\_\_\_\_  
Signature of Applicant

Date Approved by the Governing Body: \_\_\_\_\_

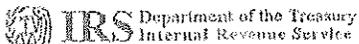
**Parking Lot Diagram**  
**Public Parking Lot Use Special Event Application**

Draw in the diagram below (or attach a separate sheet) the area of the parking lot to be used for the requested event. Draw in area for access that will be available for emergency access. The area outlined in black is the parking lot area available for use. Describe the type of fence material to be used:



Email Copy to: Police Department, Fire Department, EMS Department, Public Works Department

F:\PUBLIC\WORD\licenses & Permits Forms Ltrs\Private Use of Public Parking Lot Application.docx Revised September 5, 2014



Department of the Treasury  
Internal Revenue Service  
P.O. Box 2508, Room 4010  
Cincinnati OH 45201

In reply refer to: 4077589886  
Sep. 16, 2013 LTR 4168C 0  
13-1665552 000000 00  
00030509  
BODC: TE

MUSCULAR DYSTROPHY ASSOCIATION  
3300 E SUNRISE DR  
TUCSON AZ 85718-3208

721533

Employer Identification Number: 13-1665552  
Person to Contact: Mr. Schatz  
Toll Free Telephone Number: 1-877-829-5500

Dear Taxpayer:

This is in response to your Aug. 19, 2013, request for information regarding your tax-exempt status.

Our records indicate that you were recognized as exempt under section 501(c)(3) of the Internal Revenue Code in a determination letter issued in July 1952.

Our records also indicate that you are not a private foundation within the meaning of section 509(a) of the Code because you are described in section(s) 509(a)(1) and 170(b)(1)(A)(vi).

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

Please refer to our website [www.irs.gov/eo](http://www.irs.gov/eo) for information regarding filing requirements. Specifically, section 6033(j) of the Code provides that failure to file an annual information return for three consecutive years results in revocation of tax-exempt status as of the filing due date of the third return for organizations required to file. We will publish a list of organizations whose tax-exempt status was revoked under section 6033(j) of the Code on our website beginning in early 2011.

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

|   |   |                                    |               |
|---|---|------------------------------------|---------------|
| <b>PRODUCER</b><br>USI of So Cal Insurance Services, Inc.<br>2375 E. Camelback Road, Suite 250<br>Phoenix, AZ 85016-3424<br>Phone: 602-395-9111 Fax: 602-395-0222 | <b>CONTACT NAME :</b> Vicki Negbee                          |                                    |               |
|   | <b>PHONE (A/C, No, Ext):</b> 602 - 749-4211                 | <b>FAX (A/C, No):</b> 602-395-0222 |               |
| <b>E-MAIL ADDRESS:</b> vicki.negbee@usi.biz   |   |                                    |               |
| <b>PRODUCER CUSTOMER ID #</b>   |   |                                    |               |
| <b>INSURED</b><br>Muscular Dystrophy Association, Inc.<br>222 South Riverside Plaza, #1500 A<br>Chicago, IL 60606   | <b>INSURER(S) AFFORDING COVERAGE</b>                        |                                    | <b>NAIC #</b> |
|   | <b>INSURER A :</b> Philadelphia Indemnity Insurance Company | 18058                              |               |
|   | <b>INSURER B :</b>  |                                    |               |
|   | <b>INSURER C :</b>  |                                    |               |
|   | <b>INSURER D :</b>  |                                    |               |
|   | <b>INSURER E :</b>  |                                    |               |
|   | <b>INSURER F :</b> USI CA Resident Lic #0351162             |                                    |               |

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR                                      | TYPE OF INSURANCE  | ADDL INSR | SUBR WVD | POLICY NUMBER | POLICY EFF MM/DD/YYYY | POLICY EXP MM/DD/YYYY | LIMITS                                    |             |
|---|--|-----------|----------|---------------|-----------------------|-----------------------|---|-------------|
| A   | GENERAL LIABILITY  |           |          | PHPK1312017   | 04/01/2015            | 04/01/2016            | EACH OCCURRENCE                           | \$1,000,000 |
|   | <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY   |           |          |               |                       |                       | DAMAGE TO RENTED PREMISES (Ea Occurrence) | \$1,000,000 |
|   | <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR                           |           |          |               |                       |                       | MED EXP (Any one person)                  | \$20,000    |
|   |  |           |          |               |                       |                       | PERSONAL & ADV INJURY                     | \$1,000,000 |
|   |  |           |          |               |                       |                       | GENERAL AGGREGATE                         | \$2,000,000 |
|   |  |           |          |               |                       |                       | PRODUCTS-COMP/OPS AGG                     | \$2,000,000 |
| GEN'L AGGREGATE LIMIT APPLIES PER:            |  |           |          |               |                       |                       |   |             |
|   | <input type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input checked="" type="checkbox"/> LOC |           |          |               |                       |                       |   | \$          |
| AUTOMOBILE LIABILITY                          |  |           |          |               |                       |                       |   |             |
|   | <input type="checkbox"/> ANY AUTO  |           |          |               |                       |                       | COMBINED SINGLE LIMIT (Ea accident)       | \$          |
|   | <input type="checkbox"/> ALL OWNED AUTOS   |           |          |               |                       |                       | BODILY Injury (Per person)                | \$          |
|   | <input type="checkbox"/> SCHEDULED AUTOS   |           |          |               |                       |                       | BODILY INJURY (Per accident)              | \$          |
|   | <input type="checkbox"/> HIRED AUTOS   |           |          |               |                       |                       | PROPERTY DAMAGE (Per accident)            | \$          |
|   | <input type="checkbox"/> NON-OWNED AUTOS   |           |          |               |                       |                       |   | \$          |
| UMBRELLA LIAB                                 |  |           |          |               |                       |                       |   |             |
|   | <input type="checkbox"/> EXCESS LIAB   |           |          |               |                       |                       | EACH OCCURRENCE                           | \$          |
|   | <input type="checkbox"/> DEDUCTIBLE  |           |          |               |                       |                       | AGGREGATE                                 | \$          |
|   | <input type="checkbox"/> RETENTION \$  |           |          |               |                       |                       |   | \$          |
| WORKERS COMPENSATION AND EMPLOYERS' LIABILITY |  |           |          |               |                       |                       |   |             |
|   | ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)                              | Y/N       | N/A      |               |                       |                       | WC STAT-TORY LIMITS                       | OTH-ER      |
|   | If yes, describe under DESCRIPTION OF OPERATIONS below   |           |          |               |                       |                       | E.L. EACH ACCIDENT                        |             |
|   |  |           |          |               |                       |                       | E.L. DISEASE -EA EMPLOYEE                 |             |
|   |  |           |          |               |                       |                       | E.L. DISEASE - POLICY LIMIT               |             |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

See attached Additional Remarks Schedule

|  |  |
|--|--|
| <b>CERTIFICATE HOLDER</b><br>City of Bonner Springs<br>205 E. 2 <sup>nd</sup> Street<br>Bonner Springs, KS 66012<br>913-422-1020 | <b>CANCELLATION</b><br>SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.<br><br>AUTHORIZED REPRESENTATIVE<br> |
|--|--|

## ITEM NO. 9.

### City Council Regular Agenda Monday, May 11, 2015 – 7:30 p.m.

**MOTION:** \_\_\_\_\_ **SECOND:** \_\_\_\_\_

| Name                  | Yes         | No          | Abstain | Absent |
|-----------------------|-------------|-------------|---------|--------|
| Tom Stephens          |             |             |         |        |
| George Cooper         |             |             |         |        |
| Bob Reeves            |             |             |         |        |
| Dani Gurley           |             |             |         |        |
| Joe Peterson          |             |             |         |        |
| Mike Thompson         |             |             |         |        |
| Mark Kipp             |             |             |         |        |
| Rodger Shannon        |             |             |         |        |
| Mayor Jeff Harrington |             |             |         |        |
| <b>RESULT</b>         | <b>PASS</b> | <b>FAIL</b> |         |        |

**Mayor Vote on Charter Ordinances & Planning Items** \_\_\_\_\_

**AGENDA ITEM: Construction Change Order #2 for 2014 Stormwater Repair Program**

**ACTION: Make a Motion to Approve Construction Change Order #2 and Payment of \$500 to Westland Construction for the 2014 Stormwater Repair Program**

**STAFF RECOMMENDATION: The City Manager, City Clerk, Finance Director and Public Works Director Recommend Approval**

On April 13, 2015 the Council approved Construction Change Order #1, to the contract with Westland Construction, for the 2014 Stormwater Repair program. Due to an error in the pipe quantity, the change order amount shown was wrong. The contractor actually used an additional 10 L.F. of pipe at cost of \$500. Therefore, the decrease in the total contract amount should have been \$250 instead of \$750.

## ACTION FOR CONSENT AGENDA

**MOTION:** \_\_\_\_\_ **SECOND:** \_\_\_\_\_

| Name                  | Yes         | No          | Abstain | Absent |
|-----------------------|-------------|-------------|---------|--------|
| Tom Stephens          |             |             |         |        |
| George Cooper         |             |             |         |        |
| Bob Reeves            |             |             |         |        |
| Dani Gurley           |             |             |         |        |
| Joe Peterson          |             |             |         |        |
| Mike Thompson         |             |             |         |        |
| Mark Kipp             |             |             |         |        |
| Rodger Shannon        |             |             |         |        |
| Mayor Jeff Harrington |             |             |         |        |
| <b>RESULT</b>         | <b>PASS</b> | <b>FAIL</b> |         |        |

Mayor Vote on Charter Ordinances & Planning Items \_\_\_\_\_

- 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. 10.**

**City Council Regular Agenda  
Monday, May 11, 2015 – 7:30 p.m.**

**MOTION:** \_\_\_\_\_ **SECOND:** \_\_\_\_\_

| Name                  | Yes         | No          | Abstain | Absent |
|-----------------------|-------------|-------------|---------|--------|
| Tom Stephens          |             |             |         |        |
| George Cooper         |             |             |         |        |
| Bob Reeves            |             |             |         |        |
| Dani Gurley           |             |             |         |        |
| Joe Peterson          |             |             |         |        |
| Mike Thompson         |             |             |         |        |
| Mark Kipp             |             |             |         |        |
| Rodger Shannon        |             |             |         |        |
| Mayor Jeff Harrington |             |             |         |        |
| <b>RESULT</b>         | <b>PASS</b> | <b>FAIL</b> |         |        |

**Mayor Vote on Charter Ordinances & Planning Items** \_\_\_\_\_

**AGENDA ITEM: Public Hearing and Resolutions for 2015 Commercial Rehabilitation Grant Application**

**ACTION: Conduct a Public Hearing & Approve a Resolution Certifying Legal Authority to Apply for the 2015 Kansas Small Cities Community Development Block Grant Program and Approve a Resolution Declaring a Building Blighted with Respect to the Kansas Small Cities Community Development Block Grant Program for the Building at 112 Oak Street**

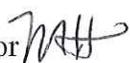
**STAFF RECOMMENDATION: The City Manager, City Clerk, Finance Director, Community and Economic Development Director and Project Manager Recommend Approval**

The Mayor will open the public hearing for public comment and then close the public hearing. After the public hearing, the City Council will consider the recommended resolutions.

The enclosed memorandum provides the recommendation to hold the public hearing and approve the resolutions to apply for the 2015 Kansas Small Cities Community Development Block Grant (CDBG) Program from the Kansas Department of Commerce for the building at 112 Oak Street that houses the Hometown Thriftway, LLC and Dollar General.

# City of Bonner Springs, Kansas

## Memorandum

**DATE:** 5/6/15  
**TO:** Mayor and City Council  
**THRU:** Jack Helin, City Manager   
**FROM:** Marcia Harrington, Community and Economic Development Director 

**SUBJECT: Public Hearing and Resolutions for 2015 Downtown Commercial Rehabilitation Grant Application**

**Recommendation:** The City Manager and Community and Economic Development Director recommend approval of a Resolution Certifying Legal Authority to apply for the 2015 Kansas Small Cities Community Development Block Grant (CDBG) Program from the Kansas Department of Commerce and Authorizing the Mayor to Sign and Submit Such an Application and a Resolution Declaring a Building Blighted with Respect to the Kansas Small Cities Community Development Block Grant Program for the building at 112 Oak Street that houses the Hometown Thriftway, LLC and Dollar General.

**Background:** The Kansas Department of Commerce (KDOC) oversees the Kansas Small Cities Community Development Block Grant Program (CDBG), which is a federally funded program. One of the CDBG programs is the Downtown Commercial Rehabilitation Grant. The purpose of the grant program is to help cities improve the quality of their downtown commercial districts by assisting private property owners in the rehabilitation of blighted buildings. It is hoped that a strategic investment of grant funds in a key building will prevent the spread of blighted conditions to other nearby structures and it will encourage other property owners to make improvements to their building, thus starting to reverse the cycle of blight, deferred maintenance and disinvestment.

At the April 27, 2015, City Council workshop, a presentation was made regarding the Downtown Commercial Rehabilitation Grant for the building at 112 Oak Street, which is owned Mr. Kyu Lee. The benefit to Mr. Lee would be the improvements to his building. The benefits to the City would be to maintain two retail anchors and improve conditions of this property, which improve the entire downtown business district. The City Council provided consensus to move forward with the grant application, which is due June 1, 2015.

A public hearing is required for CDBG funding for the purpose of presenting the program to local citizens for discussion of community needs and to review the applicant's proposed project.

**Discussion:** Mr. Lee believes there are several items that need to be rehabilitated and/or repaired on his building and has requested the City to apply for the maximum grant amount of \$250,000. A 25% private match from Mr. Lee is required, which would be \$62,500 for a total of \$312,500 available for the project. The cost for the Grant Administrator and the Architect are expended from the grant funds, so not all \$312,500 can be used for construction costs. The grant application and anticipated grant funding will require some City staff involvement, but no City funds will be used.

The City Manager executed a 2015 Downtown Commercial Rehabilitation Agreement with Mr. Lee to submit \$5,000 to the City for probable up-front costs for the Architect to prepare and complete the grant application to the Kansas Department of Commerce. Any expenses occurring prior to the grant award are not reimbursable, so the \$5,000 is out of pocket for Mr. Lee. Any amount remaining once the application is submitted will be reimbursed to him.

He has identified the entire building roof as a priority and other improvements as funds allow, such as interior or exterior code violations pertaining to the façade; electrical, plumbing and mechanical items and windows.

The specific rehabilitation project will not be known until the Architect is able to inspect the building to determine the scope of the roof repairs and other priority items pertaining to code violations or safety issues. Cosmetic improvements are not eligible. The Kansas Department of Commerce has indicated that grant funds are to be used on building rehabilitation and parking lots do not typically qualify.

Due to the tight timeline, City staff proceeded with the process to advertise for RFPs for the Certified Grant Administrator and RFQ's for the Licensed Architect. The approval of these two items is on tonight's agenda so we can proceed with the application process.

Requirements of the grant call for the City to pass the attached resolutions, which are submitted with the grant application:

1. Resolution Certifying Legal Authority to apply for the 2014 Kansas Small Cities Community Development Block Grant (CDBG) Program from the Kansas Department of Commerce and Authorizing the Mayor to Sign and Submit Such an Application
2. Resolution Declaring a Building Blighted with Respect to the Kansas Small Cities Community Development Block Grant Program for the building at 112 Oak Street.

The City Manager and Community and Economic Development Director recommend approval of both resolutions.

**Financial Impact:** The City is the project applicant, but no monetary match is required from the City since the grant funds would be used for a private business. The estimated in-kind match from the City for staff time to prepare and assist with the project is \$1,700.

**RESOLUTION NO. 2015**

**A Resolution Certifying Legal Authority to Apply for the  
Kansas Small Cities Community Development Block Grant Program  
from the Kansas Department of Commerce and  
Authorizing the Mayor to Sign and Submit such an Application**

---

**Whereas**, the City of Bonner Springs, Kansas, is a legal governmental entity as provided by the laws of the State of Kansas, and

**Whereas**, the City of Bonner Springs, Kansas, intends to submit an application for assistance from the 2015 Community Development Block Grant Program.

The applicant hereby certifies that the City of Bonner Springs, Kansas, is a legal governmental entity under the status of the laws of the State of Kansas and thereby has the authority to apply for assistance from the 2015 Kansas Small Cities Community Development Block Grant Program.

The applicant hereby authorizes the Mayor of Bonner Springs, Kansas, to act as the applicant's official representative in signing and submitting an application for the assistance to the 2015 Community Development Block Grant Program.

The applicant hereby dedicates \$0 in cash funds toward this project and \$1,700 in in-kind material and/or labor for same.

**Approved by the City Council and Signed by the Mayor on May 11, 2015.**

**Attest:**

\_\_\_\_\_  
Jeff Harrington, Mayor

\_\_\_\_\_  
Amber McCullough, City Clerk

(Seal)

**RESOLUTION NO. 2015-**

**A Resolution Declaring a Building Blighted with Respect to the  
Kansas Small Cities Community Development Block Grant (CDBG) Program**

---

**Whereas**, Congress recognized the prevention and elimination of slum and blight as a national objective under the Housing and Community Development Act of 1974, and

**Whereas**, the State of Kansas in its Urban Renewal Law of 1955 declared that the prevention and elimination of slums and blight is a matter of state policy and concern, and

**Whereas**, the City of Bonner Springs wishes to stabilize and improve the economic viability of the downtown commercial district by encouraging private property owners to make improvements on existing blighted buildings, and

**Whereas**, the Kansas Department of Commerce has grant funds available through the CDBG Program to assist property owners in addressing deficiencies on blighted buildings in cooperation with the municipality, and

**Whereas**, Kyu S. Lee, the owner of the building located at 112 Oak Street in the City of Bonner Springs wishes to participate in the program.

**Now, Therefore, be it Resolved that:** The Governing Body of the City of Bonner Springs, Kansas hereby declares that the above mentioned building is a blighted structure under the Kansas Urban Renewal Law and that it has the following conditions of blight, decay or environmental contamination:

Dilapidation and deterioration of structure due to lack of general maintenance of building and property since structure was originally built in the 1970's, damaged and leaking roof, underrated and unscreened air conditioning units, and nonconforming codes relating to electrical, mechanical, and plumbing and parking lot maintenance code violations;

and, furthermore these conditions are detrimental to public health and safety.

**Approved by the City Council and Signed by the Mayor on May 11, 2015.**

**Attest:**

\_\_\_\_\_  
Jeff Harrington, Mayor

\_\_\_\_\_  
Amber McCullough, City Clerk

(Seal)

# ITEM NO. 11.

## City Council Regular Agenda Monday, May 11, 2015 – 7:30 p.m.

**MOTION:** \_\_\_\_\_ **SECOND:** \_\_\_\_\_

| Name                  | Yes         | No          | Abstain | Absent |
|-----------------------|-------------|-------------|---------|--------|
| Tom Stephens          |             |             |         |        |
| George Cooper         |             |             |         |        |
| Bob Reeves            |             |             |         |        |
| Dani Gurley           |             |             |         |        |
| Joe Peterson          |             |             |         |        |
| Mike Thompson         |             |             |         |        |
| Mark Kipp             |             |             |         |        |
| Rodger Shannon        |             |             |         |        |
| Mayor Jeff Harrington |             |             |         |        |
| <b>RESULT</b>         | <b>PASS</b> | <b>FAIL</b> |         |        |

**Mayor Vote on Charter Ordinances & Planning Items** \_\_\_\_\_

### **AGENDA ITEM: Grant Administrator for Downtown Commercial Rehabilitation Grant Project**

**ACTION: Make a Motion to Approve an Agreement with Mid-America Regional Council for a Consultant for Professional Administrative Services in the amount of \$16,200 for the 2015 Downtown Commercial Rehabilitation Grant Project for the Building Located at 112 Oak Street**

**STAFF RECOMMENDATION: The City Manager, City Clerk, Finance Director, Community and Economic Development Director and Project Manager Recommend Approval**

A requirement of the grant is to secure the services of a Grant Administrator to provide professional administrative services from application preparation to closure of the project, and to ensure the City, architect, contractor and all those involved with the project comply with CDBG guidelines.

The City solicited a request for proposals from a pre-selected State list of Certified Grant Administrators. We received three responses, and the selection committee recommends approval of the agreement for Grant Administrator services to Mid-America Regional Council in the amount of \$16,200 which was the lowest bid.

A copy of the agreement is enclosed.

# City of Bonner Springs, Kansas

## Memorandum

**DATE:** May 6, 2015  
**TO:** Mayor and City Council  
**THRU:** Jack Helin, City Manager   
**FROM:** Marcia Harrington, Community and Economic Development Director 

**SUBJECT: Grant Administrator for Downtown Commercial Rehabilitation Grant Project**

### Recommendation:

The City Manager, City Clerk, Finance Director, and Community and Economic Development Director recommend approval of an agreement with the Mid-America Regional Council for a consultant for professional administrative services for the 2015 Downtown Commercial Rehabilitation Grant Project for the building located at 112 Oak Street.

### Background:

At the City Council workshop on April 27, 2015, the City Council provided consensus to move forward with the application of a Downtown Commercial Rehabilitation Grant under the Community Development Block Grant Program (CDBG) for Mr. Kyu Lee, owner of the building located at 112 Oak Street. The City will apply for the maximum grant amount of \$250,000, which will require a 25% or \$62,500 match by Mr. Lee. The specific scope of work for the grant funds will be identified during the application process, but we do expect the roof to be a priority. The City is the project applicant, but no monetary match is required from the City since the grant funds would be used for a private business. The deadline for submittal of the application is June 1, 2015.

### Discussion:

One of the requirements of the grant is to secure the services of a Grant Administrator who provides professional administrative services from application preparation to closure of the project and ensures that the City, architect, contractor, etc. comply with CDBG guidelines. As related at the April 27 workshop, the application deadline of June 1, 2015, is quickly approaching, so City staff took an initial step to get the process started and emailed a Request for Proposals (RFP) to a pre-selected state list of Certified Grant Administrators for this area.

Three RFPs were received and the Selection Committee comprised of Tillie LaPlante, Amber McCullough and Marcia Harrington reviewed and ranked the proposals. Their recommendation is to approve the agreement for the Grant Administrator Services to the Mid-America Regional Council in the amount of \$16,200, which was the lowest bid amount. There is no additional fee for assistance in preparing the grant application and they have assured us they can meet the June 1 application deadline.

The Agreement is attached which outlines the scope of services, compensation and other required documentation.

### Financial Impact:

Other than staff time involved in the grant process, no monetary match is required from the City since the grant funds would be used for a private business. The Grant Administrator services are paid from the grant funds if the project is approved by the Kansas Department of Commerce.

AFFIDAVIT OF COMPLIANCE WITH SECTION 285.525 R.S. MO., ET SEQ. FOR  
CONTRACTS OVER \$5,000

STATE OF Missouri )  
 ) ss.  
COUNTY OF Jackson )

Before me, the undersigned Notary Public, in and for the County of Jackson County,  
State of Missouri, personally appeared Dorothy Pope (*Name*) who is Director of  
Financial Affairs (*Title*) of Mid-America Regional Council (*Name of company*), a  
public non-profit (*Type of business*) and after being duly sworn did depose and say:

1. That said company/agency is enrolled in and participates in a federal work authorization program with respect to the employees working in connection with the contracted services; and
2. That the said company does not knowingly employ any person who is an unauthorized alien in connection with the contracted services.

The term used in this affidavit shall have the meaning set forth in Section 285.525 R.S. Mo., et seq.

**Documentation of participation in a federal work authorization program is attached to this affidavit.**

  
Signature

Dorothy Pope  
Name

Subscribed and sworn to before me this 25<sup>th</sup> day of March, 2015

  
Notary Public

My commission expires: March 22, 2019



MARK D. JOHNSON  
My Commission Expires  
March 22, 2019  
Jackson County  
Commission #16899188

# STANDARD FORM OF AGREEMENT BETWEEN OWNER AND CONSULTANT FOR PROFESSIONAL ADMINISTRATIVE SERVICES

City of Bonner Springs Commercial Revitalization - 2015

This is an agreement made as of May 5, 2015, between City of Bonner Springs (owner) and Mid-America Regional Council (consultant). The owner intends to perform a community development project, and the owner and consultant in consideration of their mutual covenants herein agree in respect of the performance of professional administrative services by consultant and the payment for those services by owner as set forth below. Consultant shall provide professional grant writing, professional administrative services for owner in all phases of the project to which this agreement applies, serve as the owner's representative for the project as set forth below, and shall provide professional consultation of services hereunder.

## Section 1 – Basic Services for Consultant

1.1 The consultant shall perform professional administrative services as hereinafter stated, which include the administration of the owner's Community Development Block Grant Program, should the grant be awarded. The specific services of the consultant are indicated in Exhibit A, "Scope of Services."

## Section 2 – Owner's Responsibilities

The owner shall:

- 2.1 Provide all criteria and full information as to owner's requirements for the project, and furnish copies of all documents related to the project.
- 2.2 Assist consultant by placing at his disposal all available information pertinent to the project, including previous reports and any other data relative to the project.
- 2.3 Give prompt written notice to consultant whenever owner observes or otherwise becomes aware of any development that affects the scope of timing of the consultant's services.
- 2.4 Bear all costs incidental to compliance with the requirements of Section 2.

## Section 3 – Period of Service

- 3.1 The provisions of this Section 3 and the rates of compensation for the consultant's services provided for elsewhere in this Agreement have been agreed to in anticipation of the orderly and continuous progress of the project through completion.
- 3.2 The contractor agrees to complete the project by the ending date identified in the owner's "Grant Agreement" with the Kansas Department of Commerce for the Community Development Block Grant Program from which part of the project has been financed.
- 3.3 If the owner has requested significant modifications or changes in the extent of the project, the time of performance of consultant's services and his rates of compensation shall be adjusted appropriately.

## Section 4 – Payments to Consultant

- 4.1 There shall be no payment due from the owner to the consultant for the performance of grant writing services performed under this agreement.
- 4.2 The maximum amount the owner shall pay the consultant for professional administrative services performed under this agreement shall not exceed \$16,200.00. Compensation will

be based on time, expenses, materials, and overhead documented in a manner acceptable by the owner. Overhead is allowable in the amount of \_\_\_\_% of \_\_\_\_\_. Full payment of the fees associated with Section 4.2, agreed to by the Owner and Consultant by and through this agreement shall be contingent upon CDBG funding. In the event that grant funds are not awarded to Owner by the CDBG program, this agreement shall be terminated by Owner.

- 4.3 Consultant shall submit bi-monthly statements for services and expenses incurred at the time of billing. Owner shall make prompt payments in response to consultant's bi-monthly statements.

#### **Section 5 – General Considerations**

- 5.1 The obligation to provide further services under this Agreement may be terminated by either party upon ten days written notice in the event of substantial failure by the other party to perform in accordance with the terms hereof through no fault of the terminating party.
- 5.2 The consultant shall comply with all applicable rules, regulations, laws, and requirements in relation to the Community Development Block Grant Program as distributed by the Kansas Department of Commerce.
- 5.3 The owner and consultant each binds himself and his partners, successors, executors, administrators, assigns, and legal representatives to the other party to this Agreement and to the partners, successors, executors, administrators, assigns, and legal representatives of such other party, in respect to all covenants, agreements, and obligations to this agreement.
- 5.4 Neither owner nor consultant shall assign, sublet, or transfer any rights under or interest in (including, but without limitation, monies that may become due or monies that are due) this Agreement without the written consent of the other, except as stated in paragraph 5.3 and except to the extent that the effect of this limitation may be restricted by law. Unless specifically stated to the contrary in any written consent to or assignment, no assignment will release or discharge the assignor from any duty or responsibility under this Agreement. Nothing contained in this paragraph shall prevent consultant from employing such independent consultants, associates, and subcontractors as he may deem appropriate to assist him in the performance of service hereunder.

#### **Section 6 – Special Provisions and Exhibits**

- 6.1 The following exhibits are attached to and made a part of this Agreement.
- 6.1.1 Exhibit A, "Scope of Services," consisting of one page.
- 6.1.2 Part II, "Terms and Conditions," consisting of five pages.
- 6.1.3 Exhibit B "Summary of Civil Rights Laws, Executive orders, and Regulations" consisting of three pages.
- 6.1.4 Exhibit C "E-Verify Affidavit and Memorandum of Understanding" consisting of three pages.
- 6.2 This Agreement (consisting of pages 1 to 15, inclusive), together with the exhibits identified above, constitute the entire agreement between the owner and consultant and supersede all prior written or oral understandings. This agreement and said exhibits may only be amended, supplemented, modified, or canceled by a duly executed written instrument.

In witness whereof, the parties hereto have made and executed this Agreement as of the day and year first above written.

Owner:

Consultant:

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## **PROFESSIONAL SERVICES AGREEMENT (CONTINUED)**

### **EXHIBIT A – SCOPE OF SERVICE**

The consultant shall complete, in a professional and timely manner, the following services relative to the owner's Community Development Block Grant Program. Such actions shall be performed in a manner prescribed by the Kansas Department of Commerce.

1. Financial Management (accounting, file maintenance, cost documentation, Part 85/A-87 conformance, RFF preparation) Check writing, bank statement reconciliation, and related matters shall be the responsibility of the Owner.
2. Environmental Review – including completion of the entire Environmental Review Record and designation as Environmental Review Officer. Publications and related costs shall be the responsibility of the Owner.
3. Labor Standards Compliance – including review of weekly payrolls, wage rates requests for bidders, and employee interviews.
4. Civil Rights Compliance – including fair housing activities and analysis of impediments activities.
5. Public Participation Requirements (owner to pay for public notices).
6. Preparation of contract documents, except for engineering/construction specifications, bids and construction agreements.
7. Preparation of procurement documents for professional and construction contracts and a recommendation of successful proposals or bids.
8. Completion of close-out forms and required performance reports.
9. Preparation of guidelines, procedures, and forms for relocation activities, and administration of relocation procedures pursuant to the "Uniform Act" if required by the project.
10. Administer procedures required by the "Uniform Act" in relation to the acquisition of property, with the exception of any task which requires an attorney.

## PROFESSIONAL SERVICES AGREEMENT (CONTINUED)

### PART II – TERMS AND CONDITIONS

1. Termination of Contract for Cause. If, through any cause, the Consultant shall fail to fulfill in a timely and proper manner his obligations under this Contract, or if the Consultant shall violate any of the covenants, agreements, or stipulations of this Contract, the City shall thereupon have the right to terminate this contract by giving written notice to the Consultant of such termination and specifying the effective date thereof, at least five days before the effective date of such termination. In such event, all finished or unfinished documents, data, studies, surveys, drawings, maps, models, photographs, and reports prepared by the Consultant under this Contract shall, at the option of the City, become its property and the Consultant shall be entitled to receive just and equitable compensation for any work satisfactorily completed hereunder.

Notwithstanding the above, the Consultant shall not be relieved of liability to the City for damages sustained by the City by virtue of any breach of the Contract by the Consultant, and the City may withhold any payments to the Consultant for the purpose of set-off until such time as the exact amount of damages due the City from the Consultant is determined.

2. Termination for Convenience of the City. The City may terminate this Contract at any time by giving at least ten (10) days notice in writing to the Consultant. If the Contract is terminated by the City as provided herein, the Consultant will be paid for the time provided and expenses incurred up to the termination date. If this Contract is terminated due to the fault of the Consultant, Paragraph 1 hereof relative to termination shall apply.
3. Changes. The City may, from time to time, request changes in the scope of the services of the Consultant to be performed hereunder. Such changes, including any increase or decrease in the amount of the Consultant's compensation, which are mutually agreed upon by and between the City and the Consultant, shall be incorporated in written amendments to this Contract.
4. Personnel.
  - a. The Consultant represents that he has, or will secure at his own expense, all personnel required in performing the services under this Contract. Such personnel shall not be employees of or have any contractual relationship with the City.
  - b. All of the services required hereunder will be performed by the Consultant or under his supervision and all personnel engaged in the work shall be fully qualified and shall be authorized or permitted under State and Local law to perform such services.
  - c. None of the work or services covered by this Contract shall be subcontracted without the prior written approval of the City. Any work or services subcontracted hereunder shall be specified by written contract or agreement and shall be subject to each provision of this Contract.
5. Assignability. The Consultant shall not assign any interest on this Contract, and shall not transfer any interest in the same (whether by assignment or invitation), without the prior

written consent of the City thereto. Provided, however, that the claims for money by the Consultant from the City under this Contract may be assigned to a bank, trust company, or other financial institution without such approval. Written notice of any such assignment or transfer shall be furnished promptly to the City.

6. Reports and Information. The Consultant, at such times and in such forms as the City may require, shall furnish the City such periodic reports as it may request pertaining to the work or services undertaken pursuant to this Contract, the costs and obligations incurred or to be incurred in connection therewith, and any other matters covered by this Contract.
7. Records and Audits. The Consultant shall maintain accounts and records, including personnel, property, and financial records, adequate to identify and account for all costs pertaining to the Contract and such other records as may be deemed necessary by the City to assure proper accounting for all project funds, both Federal and non-Federal shares. These records will be made available for audit purposes to the City or any authorized representative, and will be retained for three years after the expiration of this Contract unless permission to destroy them is granted by the City.
8. Findings Confidential. All of the reports, information, data, etc. prepared or assembled by the Consultant under this Contract are confidential and the Consultant agrees that they shall not be made available to any individual or organization without the prior written approval of the City.
9. Copyright. No report, maps, or other documents produced in whole or in part under this Contract shall be the subject of an application for copyright by or on behalf of the Consultant.
10. Compliance with Local Laws. The Consultant shall comply with all applicable laws, ordinances, and codes of the State and local governments, and the Consultant shall save the City harmless with respect to any damages arising from any tort done in performing any of the work embraced by this Contract.
11. Equal Employment Opportunity. During the performance of this Contract, the Consultant agrees as follows:
  - a. The Consultant will not discriminate against any employee or applicant for employment because of race, creed, color, national origin, religion, or sex. The Consultant will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, creed, color, national origin, religion, or sex. Such action shall include, but not be limited to, employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Consultant agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the City setting forth the provisions of this non-discrimination clause.
  - b. The Consultant will, in all solicitation or advertisements for employees placed by or on behalf of the Consultant, state that all qualified applicants will receive consideration for employment without regard to race, creed, color, national origin, religion, or sex.

- c. The Consultant will cause the foregoing provisions to be inserted in all subcontracts for any work covered by this Contract so that provisions will be binding upon each subcontractor, provided that the foregoing provisions shall not apply to contracts or subcontracts for standard commercial supplies or raw materials.
  - d. The Consultant will comply with all provisions of Executive Order 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.
  - e. The Consultant will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by the rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the City and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.
  - f. In the event of the Consultant's noncompliance with the non-discrimination clauses of this Agreement or with any of such rules, regulations, or orders, this Agreement may be canceled, terminated, or suspended in whole or in part, and the Consultant may be declared ineligible for further Government contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.
  - g. The Consultant will include the provisions of paragraphs (a) through (g) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204, Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The Consultant will take such action with respect to any subcontract or purchase order as the City may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, however, that in the event the Consultant becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the City, the Consultant may request the United States Government to enter into such litigation to protect the interests of the United States.
12. Civil Rights Act of 1964. Under Title VI of the Civil Rights Act of 1964, no person shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.
13. Section 109(a) of the Housing and Community Development Act of 1974. No person in the United States shall on the grounds of race, color, national origin, religion, or sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under this title. Any prohibition against discrimination on the basis of age under the Age Discrimination Act of 1975, or with respect to an otherwise qualified handicapped individual as provided in Section 504 of the Rehabilitation Act of 1973, shall also apply to any such program or activity.

14. “Section 3” Compliance in the Provision of Training, Employment, and Business

Opportunities: The work to be performed under this contract is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u. The purpose of Section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by Section 3 shall, to the greatest extent feasible be directed to low and very low-income persons, particularly persons who are recipients of HUD assistance for housing.

The parties to this contract agree to comply with HUD’s regulations in 24 CFR Part 135, which implement Section 3. As evidence by their execution of this contract, the parties to this Contract certify that they are under no contractual or other impediment that would prevent them from complying with Part 135 regulations.

The Contractor agrees to send to each labor organization or representative of workers with which the Contractor has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers’ representative of the Contractor’s commitments under this Section 3 clause and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the Section 3 preference, shall set forth minimum number of job titles subject to hire; availability of apprenticeship and training positions; the qualifications for each; the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.

The Contractor agrees to include this Section 3 clause in every subcontract subject to compliance with regulations in 24 CFR Part 135, and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this Section 3 clause, upon finding that the subcontractor is in violation of the regulations in 24 CFR 135. The Contractor will not subcontract with any subcontractor where the Contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 CFR Part 135.

The Contractor will certify that any vacant employment positions including training position, that are filled (1) after the Contractor is selected by before the contract is executed, and (2) with person other than those to whom the regulations of 24 CFR Part 135 require employment opportunities to be directed, were not filled to circumvent the Contractor’s obligations under 24 CFR Part 135.

The Contractor agrees to submit such reports as required to document compliance with Part 135. Non-compliance with the regulations in 24 CFR Part 135 may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD assisted contracts.

15. Interest of Members of a City. No member of the governing body of the City and no other officer, employee, or agent of the City, who exercises any functions or responsibilities in connection with the planning and carrying out of the program, shall have any personal financial interest, direct or indirect, in this Contract, and the Consultant shall take appropriate steps to assure compliance.

16. Interest of Other Local Public Officials. No member of the governing body of the locality and no other public official of such locality, who exercises any functions or responsibilities in connection with the planning and carrying out of the program, shall have any personal financial interest, direct or indirect, in this Contract, and the Consultant shall take appropriate steps to assure compliance.
17. Interest of Consultant and Employees. The Consultant covenants that he presently has no interest and shall not acquire interest, direct or indirect, in the study area or any parcels therein or any other interest which would conflict in any manner or degree with the performance of his services hereunder. The Consultant further covenants that in the performance of this Contract, no person having any such interest shall be employed.
18. Governing Law. This Agreement shall be interpreted under and governed by the laws of the State of Kansas. Whenever there is no applicable state statute or decisional precedent governing the interpretation of the Agreement, then federal common law shall govern.
19. Notices. Any action taken by Consultant under this Agreement may be taken by David A. Warm, Executive Director, or such other person as Consultant may designate for such purpose by written notice to the Owner. All compensation and written notices shall be considered to be properly given if mailed, delivered in person or transmitted by facsimile machine to:

David A. Warm  
Executive Director  
Mid-America Regional Council  
600 Broadway, Suite 200  
Kansas City, Kansas 64105

John Helin  
City Manager  
City of Bonner Springs  
205 E. Second St., PO Box 38  
Bonner Springs, KS 66012

## SUMMARY OF CIVIL RIGHTS LAWS, EXECUTIVE ORDERS, AND REGULATIONS

CDBG grantees must ensure all project activities will be administered in compliance with all civil rights laws and regulations. The following are summaries of those parts of the civil rights laws and regulations applicable to CDBG activities.

**Title VI of the Civil Rights Act of 1964** provides that no person in the United States shall, on the grounds of race, color or national origin, be excluded from participation in, be denied benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

**Section 109, Housing and Community Development (HCD) Act of 1974**, as amended, provides that no person in the United States shall, on the grounds of race, color, national origin, religion, or sex, be excluded from participation in, be denied the benefits of or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under Title I of the Housing and Community Development Act of 1974.

**Section 504 of the Rehabilitation Act of 1973**, as amended, provides for nondiscrimination of an otherwise qualified individual solely on the basis of his/her handicap in benefiting from any program or activity receiving federal financial assistance. All recipients must certify to compliance with all provisions of this Section.

**Age Discrimination Act of 1975**. No person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of or subjected to discrimination under, any program or activity receiving federal financial assistance.

**Fair Housing Amendments of 1988** added handicapped (disabled) individuals and families with children to the list of protected status categories.

**Executive Order 11063**, as amended, directs all departments and agencies to take all action necessary and appropriate to prevent discrimination in housing and related facilities owned or operated by the federal government or provided with federal financial assistance and in the lending practices with respect to residential property and related facilities (including land to be developed for residential use) of lending institutions, insofar as such practices relate to loans insured or guaranteed by the federal government.

**Kansas Act Against Discrimination**. It is a policy of the State of Kansas that requires all employers, labor organizations, employment agencies, realtors, financial institutions, or other persons covered by this Act to assure equal opportunities and encourage every citizen regardless of race, religion, color, sex, age, physical disability, national origin, or ancestry, to secure and hold – without discrimination, segregation, or separation – employment in any field of work or labor for which they are properly qualified, the opportunity for full and equal public accommodations, and to assure full and equal opportunities in housing.

Section 3 of the Housing and Urban Development Act of 1968, as amended, provides that, to the greatest extent feasible, opportunities for training and employment shall be given to recipients of public housing and lower income residents of the unit of local government or the metropolitan area (or non-metropolitan county) in which the project is located, contract work in connection with such projects shall be awarded to business concerns which are owned in substantial part by persons residing in the same metropolitan area (or non-metropolitan county) as the project, employ Section 3 residents in full-time positions, or subcontract with businesses which provide economic opportunities to lower income persons.

Executive Order 11246, as amended, provides that no person shall be discriminated against on the basis of race, color, religion, sex or national origin in any phase of employment during the performance of federal or federally-assisted construction contracts in excess of \$10,000. The following civil rights requirements also apply to CDBG grantee performance: grantees shall comply with Executive Order 11246, as amended by Executive Order 12086, and the regulations issued pursuant thereto (41 CFR Chapter 60) which provide that no person shall be discriminated against on the basis of race, color, religion, sex, or national origin in all phases of employment during the performance of federal or federally-assisted construction contracts. As specified in Executive Order 11246 and the implementing regulations, contractors and subcontractors on federal or federally assisted construction contracts shall take affirmative action to ensure fair treatment in employment, upgrading, demotion or transfer, recruitment or retirement advertising, layoff or termination, rates of pay or other forms of compensation and selection or training and apprenticeship.

Section 503 of the Rehabilitation Act of 1973, as amended, provides for the nondiscrimination in contractor employment. All recipients of federal funds must certify to the following through all contracts issued:

#### Affirmative Action for Handicapped Workers

1. The contractor will not discriminate against any employee in regard to any position for which the employee or applicant for employment is qualified. The contractor agrees to make affirmative action to employ, advance in employment and otherwise treat qualified handicapped individuals without discrimination based upon their physical or mental handicap in all employment practices such as the following: Employment upgrading, demotion or transfer, recruitment, advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeships.
2. The contractor agrees to comply with the rules, regulations and relevant orders of the Secretary of Labor issued pursuant to the Act.
3. In the event of the contractor's noncompliance with the requirements of this clause, action for noncompliance may be taken in accordance with the rules, regulations and relevant orders of the Secretary of Labor issued pursuant to the Act.
4. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices in the form to be prescribed by the Director, provided by or through the contracting officer. Such notices shall state the contractor's obligation under the law to take affirmative action to employ and advance in employment qualified handicapped employees and applicants for employment and the rights of applicants and employees.

5. The contractor will notify each labor union or representative of workers with which it has a collective bargaining agreement or other contract understanding, that the contractor is bound by the terms of Section 503 of the Rehabilitation Act of 1973, and is committed to take affirmative action to employ and advance in employment physically and mentally handicapped individuals.
6. The contractor will include the provisions of this clause in every subcontract or purchase order of \$2,500 or more unless exempted by rules, regulations or orders of the Secretary issued pursuant to Section 503 of the Act, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontractor or purchase order as the Director of the Office of Federal Contract Compliance Programs may direct to enforce such provisions, including action for noncompliance.

Section 912 of the Cranston-Gonzales National Affordable Housing Act, as amended, Section 109 (a) of the HCD Act to prohibit discrimination on the basis of religion.

Company ID Number: 173374

THE E-VERIFY PROGRAM FOR EMPLOYMENT VERIFICATION  
MEMORANDUM OF UNDERSTANDING

ARTICLE I

PURPOSE AND AUTHORITY

This Memorandum of Understanding (MOU) sets forth the points of agreement between the Department of Homeland Security (DHS) and Mid-America Regional Council (Employer) regarding the Employer's participation in the Employment Eligibility Verification Program (E-Verify). This MOU explains certain features of the E-Verify program and enumerates specific responsibilities of DHS, the Social Security Administration (SSA), and the Employer. E-Verify is a program that electronically confirms an employee's eligibility to work in the United States after completion of the Employment Eligibility Verification Form (Form I-9). For covered government contractors, E-Verify is used to verify the employment eligibility of all newly hired employees and all existing employees assigned to Federal contracts.

Authority for the E-Verify program is found in Title IV, Subtitle A, of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA), Pub. L. 104-208, 110 Stat. 3009, as amended (8 U.S.C. § 1324a note). Authority for use of the E-Verify program by Federal contractors and subcontractors covered by the terms of Subpart 22.18, "Employment Eligibility Verification", of the Federal Acquisition Regulation (FAR) (hereinafter referred to in this MOU as a "Federal contractor") to verify the employment eligibility of certain employees working on Federal contracts is also found in Subpart 22.18 and in Executive Order 12989, as amended.

ARTICLE II

FUNCTIONS TO BE PERFORMED

A. RESPONSIBILITIES OF SSA

1. SSA agrees to provide the Employer with available information that allows the Employer to confirm the accuracy of Social Security Numbers provided by all employees verified under this MOU and the employment authorization of U.S. citizens.
2. SSA agrees to provide to the Employer appropriate assistance with operational problems that may arise during the Employer's participation in the E-Verify program. SSA agrees to provide the Employer with names, titles, addresses, and telephone numbers of SSA representatives to be contacted during the E-Verify process.
3. SSA agrees to safeguard the information provided by the Employer through the E-Verify program procedures, and to limit access to such information, as is appropriate by law, to individuals responsible for the verification of Social Security Numbers and for evaluation of the E-Verify program or such other persons or entities who may be authorized by SSA as governed by the Privacy Act (5 U.S.C. § 552a), the Social Security Act (42 U.S.C. 1306(a)), and SSA regulations (20 CFR Part 401).



Company ID Number: 173374

### Information Required for the E-Verify Program

#### Information relating to your Company:

Company Name: Mid-America Regional Council

Company Facility Address: 600 Broadway

Suite 200

Kansas City, MO 64105

Company Alternate Address:

County or Parish: JACKSON

Employer Identification

Number: 430976432

North American Industry Classification Systems

Code: 921

Parent Company: Mid-America Regional Council

Number of Employees: 100 to 499

Number of Sites Verified

for: 1

Are you verifying for more than 1 site? If yes, please provide the number of sites verified for in each State:

- MISSOURI 1 site(s)

**ITEM NO. 12.**

**City Council Regular Agenda  
Monday, May 11, 2015 – 7:30 p.m.**

**MOTION:** \_\_\_\_\_ **SECOND:** \_\_\_\_\_

| <b>Name</b>           | <b>Yes</b>  | <b>No</b>   | <b>Abstain</b> | <b>Absent</b> |
|-----------------------|-------------|-------------|----------------|---------------|
| Tom Stephens          |             |             |                |               |
| George Cooper         |             |             |                |               |
| Bob Reeves            |             |             |                |               |
| Dani Gurley           |             |             |                |               |
| Joe Peterson          |             |             |                |               |
| Mike Thompson         |             |             |                |               |
| Mark Kipp             |             |             |                |               |
| Rodger Shannon        |             |             |                |               |
| Mayor Jeff Harrington |             |             |                |               |
| <b>RESULT</b>         | <b>PASS</b> | <b>FAIL</b> |                |               |

**Mayor Vote on Charter Ordinances & Planning Items** \_\_\_\_\_

**AGENDA ITEM: Licensed Architect for Downtown Commercial Rehabilitation Grant Project**

**ACTION: Make a Motion to Approve a Contract with BG Consultants, Inc. for Architectural Services not to Exceed \$5,000 for Pre-Application Services and \$24,900 for the 2015 Downtown Commercial Rehabilitation Grant Project for the Building Located at 112 Oak Street**

**STAFF RECOMMENDATION: The City Manager, City Clerk, Finance Director, Community and Economic Development Director and Project Manager Recommend Approval**

A requirement of the grant is to secure the services of a Licensed Architect to provide services for the pre-application phase for design, bid and construction phases.

The City solicited a request for qualifications to ten licensed architects in the area and we received four responses. The selection committee recommends approval of a contract with BG Consultants, Inc.

A copy of the contract is enclosed.

*City of Bonner Springs, Kansas*

Memorandum

**DATE:** May 6, 2015  
**TO:** Mayor and City Council  
**THRU:** Jack Helin, City Manager   
**FROM:** Marcia Harrington, Community and Economic Development Director 

**SUBJECT: Licensed Architect for Downtown Commercial Rehabilitation Grant Project**

**Recommendation:** The City Manager, City Clerk, Finance Director, Project Manager and Community and Economic Development Director recommend approval of a contract with BG Consultants, Inc. for architectural services for the 2015 Downtown Commercial Rehabilitation Grant Project for the building located at 112 Oak Street.

**Background:** At the City Council workshop on April 27, 2015, the City Council provided consensus to move forward with the application of a Downtown Commercial Rehabilitation Grant under the Community Development Block Grant Program (CDBG) for Mr. Kyu Lee, owner of the building located at 112 Oak Street. The City will apply for the maximum grant amount of \$250,000, which will require a 25% or \$62,500 match by Mr. Lee. The specific scope of work for the grant funds will be identified during the application process, but we do expect the roof to be a priority. The City is the project applicant, but no monetary match is required from the City since the grant funds would be used for a private business. The deadline for submittal of the application is June 1, 2015.

**Discussion:** One of the requirements of the grant is to hire a Licensed Architect who provides services for the pre-application phase and for the design, bid and construction phases. As related at the April 27 workshop, the application deadline of June 1, 2015, is quickly approaching, so City staff took an initial step to get the process started and emailed a Request for Qualifications (RFQ) to ten Licensed Architects in Bonner Springs and the Kansas City metro area. Four RFQs were received from the following firms:

- BG Consultants, Inc. – Lawrence
- BNB Design Architecture & Interiors – Bonner Springs
- Blevins and Bradbury, Inc. – Bonner Springs
- Davidson Architecture & Engineering – Overland Park

The Selection Committee, comprised of Tillie LaPlante, Amber McCullough, Matt Beets and Marcia Harrington, reviewed and ranked the proposals and held interviews with all four firms. The RFQ process is different from the RFP process in that a selection is made based on the qualifications of the firm in completing the project and in the required timeframe. Once a firm is selected, the City negotiates an Agreement for their services. The state provides suggested median fees for professional architects, so there is a guideline to negotiate the fee.

The Selection Committee's recommendation is to approve the Agreement with BG Consultants, Inc. for the Architecture Services in an amount not to exceed \$24,900. There is an additional fee of \$5,000 for the pre-application items that will need to be prepared, for which Mr. Lee has submitted funds for these services. BG Consultants has considerable experience with CDBG projects throughout the state of Kansas and have in-house architects, engineers, and mechanical-electrical-plumbing engineers. They have assured us they can meet the June 1 application deadline. Reference calls were made to three cities where they have provided their services and all were positive. The Agreement is attached which outlines the scope of services and compensation.

**Financial Impact:** All professional architect and engineering services are paid from the grant funds if the project is approved by the Kansas Department of Commerce. Pre-application services will be paid from the funds submitted to the City by Mr. Lee to be used for such services. City staff time is considered in-kind labor for the project, but is not used for the required 25% minimum match, which is provided by a private source. No City funds will be used for this grant.

# AGREEMENT

Between

CITY OF BONNER SPRINGS, KANSAS

And

BG CONSULTANTS, INC.  
CONSULTING ENGINEERS & ARCHITECTS  
1405 WAKARUSA DRIVE  
LAWRENCE, KANSAS 66049

## ARTICLES OF AGREEMENT

THIS AGREEMENT, made and entered into by and between CITY OF BONNER SPRINGS, KANSAS, party of the first party (hereinafter called the CITY) and BG CONSULTANTS, INC., party of the second part (hereinafter called the CONSULTANT):

WITNESSETH:

WHEREAS, the CITY is authorized and empowered to contract with the CONSULTANT for the purpose of obtaining professional architectural and engineering services.

WHEREAS, the CONSULTANT is registered in accordance with the laws of the State of Kansas to perform the professional architectural and engineering services desired by the CITY; the CITY desires to engage the following list of services of the CONSULTANT at the site:

**THRIFTWAY GROCERY STORE /DOLLAR GENERAL STORE BUILDING  
DOWNTOWN REVITALIZATION REHABILITATION GRANT PROJECT  
112 OAK STREET  
CITY OF BONNER SPRINGS, KANSAS**

The CONSULTANT shall commence performance of services only upon execution of this Agreement between the CONSULTANT and the CITY.

CONSULTANT Services:

Phase I – Preliminary Services

1. Confer with the CITY on project requirements, code violations, financing, schedules, early phases of the project, and other pertinent matters.
2. Plan, procure, and prepare necessary surveys, field investigations, and architectural studies required for preliminary design considerations.
3. Develop design schematics, sketches, project recommendations and preliminary layouts, and architects opinion of probable construction costs.
4. Secure approval of the preliminary plans and specifications from the CITY.
5. Assist the CITY in preparing the application to secure a Downtown Revitalization Rehabilitation Grant.
6. Attend meeting with the CITY as requested, and participate in public meetings as required.

Phase II – Design Phase

1. Collect code violation and architectural data, undertaking field investigations, and surveys.
2. Prepare drawings, specifications and contract documents after receiving approval from the CITY. Plans and specifications will conform to the requirements of the Community Development Block Grant Program and relevant building codes.
3. Prepare opinion of probable construction costs and construction scheduling guidelines. Prepare alternate work items, as required, to match construction cost with available funds.
4. Provide copies of document drawings and specifications.
5. Submit final plans and specifications to the CITY and all regulatory agencies for final approval.

#### Phase III – Bidding

1. Assist the CITY in obtaining competent construction bids through advertising and securing bids, analyzing bid results, furnishing recommendations on the award of contracts, and helping prepare contract documents.
2. Issue and distribute addenda when applicable.

#### Phase IV – Construction Administration

1. Provide consultation and advice to the CITY during all phases of construction.
2. Schedule and lead pre-construction conference.
3. Observe work in progress periodically, and submit written reports to the CITY.
4. Review and approve drawings submitted for compliance with design plans and specifications.
5. Review performance tests required by the specifications.
6. Conduct final inspection and submit completed project report to the CITY.

Except for Phase 1 – Preliminary Services, this contract is contingent upon receipt of CDBG funding for the specific project involved and will become null and void if the City is not awarded the grant.

### ARTICLE I

#### The CITY Agrees:

1. To provide CONSULTANT all available site information, and all records, maps, plans and other data pertinent to the services required under this agreement.
2. To review and approve the CONSULTANT'S proposed improvements and recommendations.
3. To make payment to the CONSULTANT according to the following fee basis:
  - Phase 1- Preliminary Phase-  
The lump sum fixed fee amount of **\$5,000** (Five Thousand Dollars).
4. After securing the Downtown Revitalization Rehabilitation Grant (CDBG), the CITY will make payment to the CONSULTANT according to the following fee basis which is based on a project with a construction value of \$271,400 or less. Should a larger construction value be approved by the CITY, the percentage of increase of the construction value shall be applied to the lump sum fees for Phase 2, Phase 3 and Phase 4.
  - Phase 2- Design/Construction Documents Preparation Phase-  
The lump sum fixed fee amount of **\$17,000** (Seventeen Thousand Dollars).
  - Phase 3- Bidding Phase-  
The lump sum fixed fee amount of **\$1,900** (Nineteen Hundred Dollars).

- Phase 4- Construction Administration Phase-  
Phase 4 will be performed on an hourly bases for actual time spent with a fee amount not to exceed **\$6,000** (Six Thousand Dollars).

5. To pay the CONSULTANT on a monthly basis within 30 days of receipt of proper billing.

## ARTICLE II

The CONSULTANT Agrees:

1. To prepare and furnish the CITY all required work incidental thereto in a manner acceptable to the CITY.
2. To have available for review by the CITY all documents being prepared and supporting information at the CONSULTANT'S office in Lawrence, Kansas.
3. To complete the preliminary services 17 days from the date of AGREEMENT approval.

## ARTICLE III

The PARTIES Hereto Mutually Agree:

1. That the services to be performed by the CONSULTANT under the terms of this Agreement are personal and cannot be assigned, sublet or transferred without the consent of the CITY.
2. That the right is reserved to the CITY to terminate this agreement at any time upon written notice in the event the improvements are to be abandoned or indefinitely postponed, or because the services of the CONSULTANT are unsatisfactory, or failure by the CONSULTANT to prosecute the work with due diligence or to complete the work within the time limits specified in the Agreement; provided, however, that in any such case the CONSULTANT shall be paid the reasonable value of the services rendered up to the time of termination on the basis of the payment provisions of the Agreement.
3. That the CONSULTANT and the CITY may arrange for such conferences, visits to the site, or inspections of the work as may be deemed necessary or desirable.
4. That final documents pertaining to the project shall become property of the City, upon the completion thereof in accordance with the terms of this Agreement.
5. Intellectual engineering/architectural documents prepared in connection with this Project shall remain the property of the CONSULTANT, whether the Project for which they are made is executed or not. However, the CONSULTANT will provide the CITY with a copy of final documents. Reports, plans, specifications and related documents are CONSULTANT'S copyrighted instruments. Provided that CONSULTANT is paid in full for services, the CITY may subsequently reuse final documents without any additional compensation or agreement of the CONSULTANT. However, such reuse without written verification or adaptation by the CONSULTANT for the specific purpose intended by the CITY shall be at the CITY'S sole risk and without any liability or legal exposure to the CONSULTANT whatsoever and the CITY agrees to defend the CONSULTANT for any legal action for such use.
6. In recognition of the relative risks and benefits of the project to the CITY and CONSULTANT, the risks have been allocated such that the CITY agrees, to the fullest extent permitted by law, to limit the liability of the CONSULTANT and the CONSULTANT'S Consultants to the City, for any and all claims, losses, costs, damages of any nature whatsoever, or claims

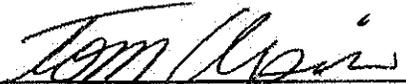
expenses from any cause or causes, so that the Total Aggregate Liability of the CONSULTANT and the CONSULTANT'S Consultants to all those named shall not exceed the limits provided by the CONSULTANT'S Professional Liability insurance policies. Such claims and causes include, but are not limited to negligence, professional errors or omissions, strict liability, breach of contract or warranty.

7. The CONSULTANT shall operate within all known CDBG guidelines, including but not limited to:
- a. Title VI Civil Rights Act of 1964
  - b. Section 109 Certifications
  - c. Section 504 Certifications
  - d. Age Discrimination Act of 1975
  - e. Fair Housing Amendments Act of 1988
  - f. Executive Order 11063 Certifications
  - g. Kansas Act Against Discrimination
  - h. Executive Order 11246 Certifications
  - i. Section 3 Certifications
  - j. Title VIII of the Civil Rights Act of 1968 as amended by the Housing Act of 1974
  - k. Section 503 of the Rehabilitation Act of 1973 as amended
  - l. 24 CFR 85 as modified by CFR 570 Subpart J
  - m. Title I of the Housing & Community Development Act of 1974 as amended
  - n. Section 519 Public Law 101-44 (The 1990 HUD Appropriation Act)
  - o. Cranston-Gonzales National Affordable Housing Act (Section 906 & 912)
  - p. Davis Bacon Act

IN WITNESS WHEREOF: said parties have caused this Agreement to be signed by their duly authorized officers, on this \_\_\_\_\_ day of May, 2015.

BG CONSULTANTS, INC.

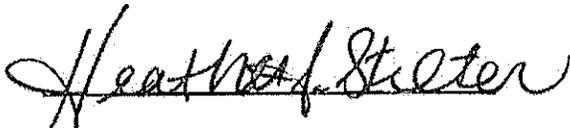
CITY OF BONNER SPRINGS, KANSAS

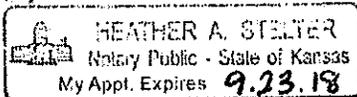
  
\_\_\_\_\_  
Tom Arpin, Project Manager

\_\_\_\_\_

ATTEST:

ATTEST:

  
\_\_\_\_\_



**ITEM NO. 13.**

**City Council Regular Agenda  
Monday, May 11, 2015 – 7:30 p.m.**

**MOTION:** \_\_\_\_\_ **SECOND:** \_\_\_\_\_

| <b>Name</b>           | <b>Yes</b>  | <b>No</b>   | <b>Abstain</b> | <b>Absent</b> |
|-----------------------|-------------|-------------|----------------|---------------|
| Tom Stephens          |             |             |                |               |
| George Cooper         |             |             |                |               |
| Bob Reeves            |             |             |                |               |
| Dani Gurley           |             |             |                |               |
| Joe Peterson          |             |             |                |               |
| Mike Thompson         |             |             |                |               |
| Mark Kipp             |             |             |                |               |
| Rodger Shannon        |             |             |                |               |
| Mayor Jeff Harrington |             |             |                |               |
| <b>RESULT</b>         | <b>PASS</b> | <b>FAIL</b> |                |               |

**Mayor Vote on Charter Ordinances & Planning Items** \_\_\_\_\_

**AGENDA ITEM: Public Hearing and Ordinance to Issue Industrial Revenue Bonds**

**ACTION: Conduct a Public Hearing & Make a Motion to Approve an Ordinance to Issue Industrial Revenue Bonds to Guy B. Tiner in the Amount of \$1,285,000**

**STAFF RECOMMENDATION: The City Manager, City Clerk, Finance Director, Community and Economic Development Director and Bond Counsel Recommend Approval**

The Mayor will open the public hearing for public comment and then close the public hearing. After the public hearing, the City Council will consider the recommended ordinance.

The enclosed memorandum provides the recommendation to hold the public hearing, approve an ordinance to issue Industrial Revenue Bonds for Guy B. Tiner for the Richland Apartments at 13100 Richland Avenue and to approve the PILOT Agreement. Per State law, the City Clerk published the notice of public hearing in The Chieftain and mailed it to the Unified Government and the Bonner Springs School District.

This is the last step of the Industrial Revenue Bond process and the exemption will begin in 2016. Guy B. Tiner's exemption will end in 2025 with full taxes due in 2026. We did not enclose Exhibit C since that Exhibit is the City's Industrial Revenue Bond Policy.

# *City of Bonner Springs, Kansas*

## Memorandum

DATE: 6 May 2015  
TO: Mayor and City Council  
THRU: Jack Helin, City Manager *JH*  
FM: Marcia Harrington, Community and Economic Development Director

**Subject: Public Hearing and Ordinance to Issue Industrial Revenue Bonds (IRB) for Richland Apartments**

**Recommendation:** The City Manager, City Clerk, Finance Director, Community and Economic Development Director and Bond Counsel recommend approval of an Ordinance to issue Industrial Revenue Bonds in the amount of \$1,285,000 and property tax abatement for Richland Apartments, 13100 Richland Avenue.

**Background:** Industrial Revenue Bonds are a method to finance certain projects within cities that provide not only the financing, but a property tax abatement and Kansas sales tax exemption on eligible project costs, such as construction materials, fixtures and furniture to equip the buildings. The City of Bonner Springs IRB policy allows for 100% property tax abatement and 50% payment in lieu of taxes (PILOT), which results in a 50% property tax abatement for a 10-year period. Since 1995, the City has used IRBs to finance fourteen projects. The City issues the bonds and the property remains in the City's name until the bonds are paid in full. During the duration, the project is leased to the applicant, which is the tenant. Bond documents which include the Bond Purchase Agreement, Trust Indenture, Lease Agreement, and PILOT Agreement are prepared by Dotty Riley, the City's Bond Counsel with Kutak Rock. A public hearing is required for issuance of bonds and abatement of property taxes.

On November 25, 2013, the City Council approved a Resolution of Intent to issue Industrial Revenue Bonds for the Richland Apartments located at 13100 Richland Avenue and owned by Mr. Guy Tiner. The Resolution was effective until August 25, 2014, which is a nine month period from the date of approval. On August 11, 2014, the City Council approved a nine-month extension of the Resolution of Intent to May 25, 2015. The project consists of two 12-unit buildings for a total of 24 market rate rental units.

**Discussion:** Mr. Tiner is near project completion and is prepared for the bonds to be issued. The original Resolution of Intent was for \$1,600,000, but the final amount in the Ordinance to issue the bonds is \$1,285,000. This amount reflects only the amount for the improvements, which are the two buildings, and does not include the land since Mr. Tiner had previously owned the land. The bond proceeds will be used to reimburse Mr. Tiner for expenditures incurred for construction of the apartment buildings. This is the first time the City has issued IRBs for multi-family housing.

### **Financial Impact:**

**Property Taxes** - The current property taxes assessed for all jurisdictions are \$5.38 for 13100 Richland Avenue. With the bond issuance, the City's estimated annual average PILOT is \$2,484 or \$24,838.02 over the 10-year period. After completion of the 10-year period, the city will receive full property taxes based on the value of the property at that time.

**Origination Fee, Application and Closing Fees** – At closing, a 1% origination fee of \$12,850 will be paid to the City, which is revenue for the Economic Development Special Revenue Fund. The application fee of \$1,250 and closing fee of \$750 are collected as part of the IRB process. Sixty percent of the application and closing fees or \$1,200 will be deposited into the Economic Development Fund and forty percent or \$800 will be deposited into the General Fund.

**Developer Savings** - The total estimated net savings to the Developer including sales tax and property tax abatement for the 10-year period is \$141,062.

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE AUTHORIZING THE CITY OF BONNER SPRINGS, KANSAS, TO ISSUE ITS INDUSTRIAL REVENUE BONDS (TAXABLE UNDER FEDERAL LAW), SERIES 2015 (GUY B. TINER PROJECT) IN THE AGGREGATE PRINCIPAL AMOUNT OF \$1,285,000 FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING AND EQUIPPING A MULTIFAMILY HOUSING FACILITY; AND AUTHORIZING THE EXECUTION OF CERTAIN DOCUMENTS IN CONNECTION WITH THE ISSUANCE OF THE BONDS.

**WHEREAS**, the city of Bonner Springs, Kansas (the “Issuer”), is authorized by K.S.A. 12-1740 *et seq.*, as amended (the “Act”), to acquire, construct, improve and equip certain facilities (as defined in the Act) for commercial, industrial and manufacturing purposes, to enter into leases and lease-purchase agreements with any person, firm or corporation for such facilities, and to issue revenue bonds for the purpose of paying the costs of such facilities; and

**WHEREAS**, the Issuer has found and does find and determine that it is desirable in order to promote, stimulate and develop the general economic welfare and prosperity of the Issuer and the State of Kansas that the Issuer issue its Industrial Revenue Bonds (Taxable Under Federal Law), Series 2015 (Guy B. Tiner Project), in the aggregate principal amount of \$1,285,000 (the “Bonds”), for the purpose of paying the costs of acquiring, constructing and improving a multifamily housing facility (the “Project”) as more fully described in the Indenture and in the Lease hereinafter authorized for lease by the Issuer to Guy B. Tiner, an individual (the “Tenant”); and

**WHEREAS**, the Issuer further finds and determines that it is necessary and desirable in connection with the issuance of the Bonds to execute and deliver (i) a Trust Indenture (the “Indenture”), with Security Bank of Kansas City, Kansas City, Kansas, as Trustee, or such other bank designated by the Tenant and approved by the Mayor (the “Trustee”), prescribing the terms and conditions of issuing and securing the Bonds; (ii) a Lease (the “Lease”), with the Tenant under which the Issuer shall cause the Project to be acquired, constructed and improved and leased to the Tenant in consideration of payments of Basic Rent and other payments provided for therein, (iii) if necessary, a Bond Purchase Agreement providing for the sale of the Bonds by the Issuer to Guy B. Tiner (the “Purchaser”), and (iv) a Payment in Lieu of Tax Agreement (the “PILOT Agreement”) wherein the Issuer agrees to apply for a property tax exemption for the Project and the Tenant agrees to make certain payments in lieu of taxation (the Indenture, the Lease, the Bond Purchase Agreement and the PILOT Agreement are referred to collectively herein as the “Bond Documents”); and

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

**Section 1. Authority to Cause the Project to be Acquired, Constructed and Improved.** The Issuer is hereby authorized to cause the Project to be acquired, constructed and improved all in the manner and as more particularly described in the Indenture and the Lease hereinafter authorized.

**Section 2. Authorization of and Security for the Bonds.** The Issuer is hereby authorized and directed to issue the Bonds for the purposes set forth in this Ordinance. The Bonds shall be dated and bear interest, shall mature and be payable at such times, shall be in such forms, shall be subject to redemption and payment prior to the maturity thereof, and shall be issued in the manner prescribed and subject to the provisions, covenants and agreements set forth in the Indenture. The Bonds shall be special limited obligations of the Issuer payable solely from the trust estate established under the Indenture, including revenues from the Lease of the Project. The Bonds shall not be general obligations of the Issuer, nor constitute a pledge of the faith and credit of the Issuer and shall not be payable in any manner by taxation.

**Section 3. Execution of Bonds and Bond Documents.** The Mayor or acting Mayor of the Issuer is hereby authorized and directed to execute the Bonds and deliver them to the Trustee for authentication on behalf of, and as the act and deed of the Issuer, in the manner provided in the Indenture. The Mayor or acting Mayor is further authorized and directed to execute and deliver the Bond Documents on behalf of, and as the act and deed of the Issuer, in substantially the forms on file in the office of the City Clerk, with such corrections or amendments thereto as the Mayor or acting Mayor may approve, which approval shall be evidenced by his or her execution thereof, and to execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the purposes and intent of this Ordinance and the Bond Documents. The City Clerk or the Deputy City Clerk of the Issuer is hereby authorized and directed to attest the execution of the Bonds and the Bond Documents and execute or attest such other documents, certificates and instruments as may be necessary or desirable to carry out the intent of this Ordinance under the Issuer's official seal.

**Section 4. Tax Exemption; Payment in Lieu of Taxes.** The Issuer hereby determines that pursuant to the provisions of K.S.A. 79-201a *Second*, the Project purchased or constructed with the proceeds of the Bonds is subject to exemption from ad valorem property taxes for ten years commencing the year following the year in which the Bonds are issued, provided proper application is made therefor. The Issuer further determines that the Project shall be exempt from such taxes for 10 years, commencing in the year after the Bonds are issued, subject to an annual payment in lieu of taxes and other terms and conditions of the PILOT Agreement. In making such determination the Governing Body of the Issuer has conducted the public hearing and reviewed the analysis of costs and benefits of such exemption required by K.S.A. 12-1749d. The Tenant is responsible for preparing such application and providing the same to the City for its review and submission.

**Section 5. Pledge of the Project and Net Revenues.** The Issuer hereby pledges the Project and the net revenues generated under the Lease to the payment of the Bonds in accordance with

K.S.A. 12-1744. The lien created by such pledge shall be discharged when all of the Bonds shall be deemed to have been paid within the meaning of the Indenture.

**Section 6. Further Authority.** The officials, officers, agents and employees of the Issuer are hereby authorized and directed to take such action, expend such funds and execute such other documents, certificates and instruments as may be necessary or desirable to carry out the provisions of this Ordinance and to carry out and perform the duties of the Issuer with respect to the Bonds and the Bond Documents as necessary to give effect to the transactions contemplated in this Ordinance and in the Bond Documents.

**Section 7. Effective Date.** This Ordinance shall take effect from and after its final passage by the Governing Body of the Issuer, signature by the Mayor and publication once in the official newspaper of the Issuer.

Passed by the Governing Body of the City and approved by the Mayor on May 11, 2015.

CITY OF BONNER SPRINGS, KANSAS

(Seal)

\_\_\_\_\_  
Jeff Harrington, Mayor

Attest:

\_\_\_\_\_  
Amber McCullough, City Clerk

PAYMENT IN LIEU OF TAX AGREEMENT

**THIS AGREEMENT**, made and entered into as of this May 11, 2015, by and between **Guy B. Tiner**, An individual (the “Tenant”), and **THE CITY OF BONNER SPRINGS, KANSAS**, a municipal corporation (the “City”).

WITNESSETH THAT:

1. **Tax Exemption; Payment in Lieu of Taxes.** In consideration of the issuance by the City of its industrial revenue bonds in the principal amount of \$1,285,000 (the “Bonds”), to finance the cost of acquiring, constructing and equipping a multifamily housing facility in the City (the “Project”) to be leased by the City to the Tenant, and in consideration of Tenant’s execution of the Lease dated as of May 1, 2015 (the “Lease”), as may be amended from time to time, between the City and the Tenant, pursuant to which the Project purchased with the proceeds of the Bonds is leased to the Tenant, and in further consideration of the laws of the state of Kansas granting an exemption from real and personal property taxation for the Project for the period of up to 10 years, commencing with the first calendar year after the calendar year in which the Bonds are issued, the Tenant agrees to make payments in lieu of ad valorem real property taxes in the amount specified herein and in the manner provided for herein and the City agrees to apply for an ad valorem property tax exemption for the portion of the Project described on Exhibit A to this Agreement for the 10 year period herein described.
2. **Location.** The Project is located in the City on the real property described in Exhibit A attached hereto.
3. **Amount of Payments; Place of Payment.** In lieu of all general ad valorem real and personal property taxes on the Project as permitted by K.S.A. 79-201a, for the 10 calendar years commencing with the first calendar year after the calendar year in which the Bonds are issued, the Tenant shall pay, if due, by separate check to the Treasurer of Wyandotte County, Kansas (the “County”), or other appropriate officer as required by the laws of the state of Kansas, a payment in lieu of taxes (“PILOT”) in the amount set forth in Exhibit B to this Agreement as adjusted, if applicable, in accordance with Section 8 of the Agreement. Such amount shall be billed to the Tenant by statement of the County Clerk of the County (or such other appropriate officer of the County or City) which bill shall be issued approximately contemporaneously with the issuance of general tax bills in the state of Kansas and shall be due on the dates and in the percentages ad valorem property taxes are due in the state of Kansas. Currently, tax bills are issued by November 20th of each year and are due as follows: one-half (1/2) on or before December 20th in respect of the PILOT for the then current calendar year, and the remainder for such calendar year on or before May 10th of the following calendar year. There shall be no property tax exemption for the land or for any portion of the facility or equipment located at the Project site or elsewhere that has not been financed with the proceeds of the Bonds unless such portion of the facility or equipment has been specifically exempted from taxation in connection with, and purchased with the proceeds of another series of industrial revenue bonds subsequently issued by the City. The calculation performed by the City to determine the PILOT amount is attached to this Agreement as Exhibit D for informational purposes only.
4. **Distribution of Payment.** All payments in lieu of taxes shall be distributed to all applicable taxing subdivisions in the County, as provided in K.S.A. 12-1742.

5. **Reduction of Payment for Actual Taxes Paid.** The annual amount to be paid pursuant to paragraph 3 herein shall be reduced, but not below zero, by any actual ad valorem property tax payments paid by or on behalf of the Tenant in respect of the property constituting the Project for any year in which the taxes for the Project are exempt under the terms of this Agreement.
6. **Failure to Make PILOT; Lease Default.** Should the Tenant fail to make the payments described above or a default shall occur under the Lease and not be cured within any time period permitted under the Lease, this Agreement may be terminated at the option of the City effective on the date in the year such payment was originally due or the date of such default, as applicable, and the Tenant agrees that from and after such termination date, it shall pay in full the regular amount of ad valorem property taxes on the property constituting the Project.
7. **Subject to Tax Abatement Policy.** This Agreement is subject to all terms and provisions of the "POLICY AND PROCEDURES FOR ISSUING INDUSTRIAL REVENUE BONDS IN BONNER SPRINGS, KANSAS" dated September 12, 2005, attached hereto as Exhibit C (the "Tax Abatement Policy"), including, but not limited to, the provision that if the Tenant ceases operation at the Project, this Agreement shall immediately terminate and the Project will be fully on the tax rolls for taxes assessed in the following calendar year.
8. **Approval of Exemption.** This Agreement is conditioned on the issuance by the Kansas Board of Tax Appeals of an order exempting the Project from ad valorem property taxation in accordance with Kansas law, including K.S.A. 79-201a *et seq.*, and upon receipt by the City from the Tenant of all information necessary to file the Application for Exemption with the Kansas Board of Tax Appeals by no later than February 1 2016. The Tenant acknowledges that the exemption must be annually renewed and agrees to provide the City with information to complete the annual renewal by February 1 of each year in which the exemption is in place.
9. **Payment of Fees and Expenses.** This Agreement is conditioned on payment when due by the Tenant of the City's application fee, closing fee, origination fee and renewal fees described in the Tax Abatement Policy.
10. **Counterparts.** This Agreement may be executed simultaneously and in several counterparts, each of which shall be deemed to be an original and all of which shall constitute the same instrument.
11. **Transferability.** The benefits of this Agreement may not be transferred to any assignee of the Tenant, without the written consent of the City; provided, however, that the Tenant may assign this Agreement without the consent of the City if the assignee is an entity with which the Tenant has merged in accordance with Section 9.4 of the Lease.
12. **No Waiver.** No waiver by the City of any breach of this Agreement shall be construed to be a waiver of any other or subsequent breach.
13. **Governing Law.** This Agreement shall be governed by the laws of the state of Kansas.

IN WITNESS WHEREOF, the City has caused this Agreement to be signed by a duly authorized official, such signature to be attested by a duly authorized officer and its official seal to be applied, and the Tenant has caused this Agreement to be executed by a duly authorized officer, as of the day and year first above written.

CITY OF BONNER SPRINGS, KANSAS

(Seal)

By \_\_\_\_\_  
Jeff Harrington, Mayor

ATTEST:

\_\_\_\_\_  
Amber McCullough, City Clerk

By \_\_\_\_\_  
Guy B. Tiner

## **EXHIBIT A**

### **DESCRIPTION OF THE PROJECT**

The following property acquired by the City of Bonner Springs, Kansas (the “Issuer”) in connection with the issuance by the City of its Industrial Revenue Bonds (Taxable Under Federal Law), Series 2015 (Guy B. Tiner Project Project) (the “Series 2015 Bonds”), together with any substitutions or replacements therefor in accordance with the Lease between the Issuer and Guy B. Tiner, dated as of May 1, 2015:

Lot 10, TIBLOW CENTRE, a subdivision in the City of Bonner Springs,  
Wyandotte County, Kansas

**EXHIBIT B**

**PAYMENTS IN LIEU OF TAXES**

| <b>Year*</b> | <b>Payments Due</b> |
|--------------|---------------------|
| 2016         | \$ 1,202.30         |
| 2017         | 3,606.89            |
| 2018         | 6,011.49            |
| 2019         | 8,416.08            |
| 2020         | 10,820.68           |
| 2021         | 13,225.27           |
| 2022         | 15,629.87           |
| 2023         | 18,034.46           |
| 2024         | 20,439.06           |
| 2025         | <u>22,843.65</u>    |
| Total        | <u>\$120,229.75</u> |

\*Half payment due by December 20 in the year listed and the remaining half payment due by May 10 in the year following the year listed.

**EXHIBIT C**  
**TAX ABATEMENT POLICY**

**EXHIBIT D**

**PILOT CALCULATION**

| <b>YEAR</b>       | <b>PROPERTY<br/>VALUE</b> | <b>RESIDENTIAL<br/>TAX RATE</b> | <b>ASSESSED<br/>VALUE</b> | <b>MILL<br/>LEVY</b> | <b>TOTAL<br/>TAX</b> | <b>ABATEMENT<br/>FACTOR</b> | <b>PILOT</b> |
|-------------------|---------------------------|---------------------------------|---------------------------|----------------------|----------------------|-----------------------------|--------------|
| 1                 | \$1,285,000               | 0.115                           | \$147,775                 | 0.16272              | 24,045.95            | 0.05                        | 1,202.30     |
| 2                 | \$1,285,000               | 0.115                           | \$147,775                 | 0.16272              | 24,045.95            | 0.15                        | 3,606.89     |
| 3                 | \$1,285,000               | 0.115                           | \$147,775                 | 0.16272              | 24,045.95            | 0.25                        | 6,011.49     |
| 4                 | \$1,285,000               | 0.115                           | \$147,775                 | 0.16272              | 24,045.95            | 0.35                        | 8,416.08     |
| 5                 | \$1,285,000               | 0.115                           | \$147,775                 | 0.16272              | 24,045.95            | 0.45                        | 10,820.68    |
| 6                 | \$1,285,000               | 0.115                           | \$147,775                 | 0.16272              | 24,045.95            | 0.55                        | 13,225.27    |
| 7                 | \$1,285,000               | 0.115                           | \$147,775                 | 0.16272              | 24,045.95            | 0.65                        | 15,629.87    |
| 8                 | \$1,285,000               | 0.115                           | \$147,775                 | 0.16272              | 24,045.95            | 0.75                        | 18,034.46    |
| 9                 | \$1,285,000               | 0.115                           | \$147,775                 | 0.16272              | 24,045.95            | 0.85                        | 20,439.06    |
| 10                | \$1,285,000               | 0.115                           | \$147,775                 | 0.16272              | 24,045.95            | 0.95                        | 22,843.65    |
| Total Real Estate |                           |                                 |                           |                      | 240,459.48           | 0.50                        | 120,229.75   |

**ITEM NO. 14.**

**City Council Regular Agenda  
Monday, May 11, 2015 – 7:30 p.m.**

**MOTION:** \_\_\_\_\_ **SECOND:** \_\_\_\_\_

| <b>Name</b>                  | <b>Yes</b>  | <b>No</b>   | <b>Abstain</b> | <b>Absent</b> |
|------------------------------|-------------|-------------|----------------|---------------|
| <b>Tom Stephens</b>          |             |             |                |               |
| <b>George Cooper</b>         |             |             |                |               |
| <b>Bob Reeves</b>            |             |             |                |               |
| <b>Dani Gurley</b>           |             |             |                |               |
| <b>Joe Peterson</b>          |             |             |                |               |
| <b>Mike Thompson</b>         |             |             |                |               |
| <b>Mark Kipp</b>             |             |             |                |               |
| <b>Rodger Shannon</b>        |             |             |                |               |
| <b>Mayor Jeff Harrington</b> |             |             |                |               |
| <b>RESULT</b>                | <b>PASS</b> | <b>FAIL</b> |                |               |

**Mayor Vote on Charter Ordinances & Planning Items** \_\_\_\_\_

**AGENDA ITEM: City Manager's Report**

**ACTION: None**

**STAFF RECOMMENDATION:**

Report attached.

# City Managers Update

Date: May 11, 2015

To: Mayor and City Council

1. **Community and Economic Development Update – Happenings Event Space** – This much needed event space will be opening in the Prairie Plaza retail strip center on east K-32 Hwy in the tenant space where the former Speedway Grill was located. Kay Huddleston and Loey Lockerby from Kansas City, Kansas are the owners of the business. The space will be approximately 4,800 square feet and will have a kitchen, but will only be set up for catering. The building owner, Mather Real Estate, is removing the bar and industrial kitchen equipment, installing a wall and painting the space. The space will be available for rental with separate weekday and weekend rates with additional rental items, such as a PA and sound system, projection system and catering options. Their target date for opening is the last weekend in June.
2. **New West Presentations/Cricket Wireless Amphitheater Requests for Use of Public Street** – Jamie Whitehead, General Manager for Cricket Wireless Amphitheater, submitted two requests for the use of a public street for their Foam Glow and Black Light 5K runs this year. This is the second consecutive year for each of these 5K runs with no changes to the events or routes. Policy GB-11-01 allows for administrative approval of subsequent requests for the same event. The Black Light 5K Run is scheduled for May 30, 2015, and the Foam Glow 5K Run is scheduled for Saturday, August 15, 2015. Both routes are the same and use 126<sup>th</sup> Street between Wyandotte County Park and Cricket Wireless Amphitheater.
3. **Utility Department Update** –
  - a. The Utilities Department celebrated Drinking Water Week last week and offered tours of the Water Treatment Plant. We had two groups of students from Clark Middle School who took the tour.
  - b. We completed the flushing program on 12 May. The program has been very successful to improve and maintain good clean water for our residents.
  - c. Cedar Springs subdivision is being added to the high pressure system to improve water quality, flow and pressure. The Pratt Waterline extension and the 138<sup>th</sup> St. Pressure Reducing Valve project allowed us to reconfigure the valves in the area to place a portion of the subdivision on high pressure – specifically Madison Avenue and the west portion of Grove Avenue. We notified residents of the pressure change prior to making the change; however, we received a few phone calls from residents that had concerns about the higher pressure because they failed to follow our instructions and recommendations to ensure that they had a pressure reducing valve in their home. Once we made the valve changes, the pressure increased from 50 to over 100psi which is more acceptable pressure for public water systems, but residents are required to have pressure reducing valves in their homes to control incoming pressure. We have re-notified the residents to alert them of the pressure change, which we plan to make on the 11 May.

**4. Parks and Recreation Update –**

- a. The Aquatic Park opens for the season on Saturday, May 23, at Noon.
- b. Registration for the Swim Team is now open.
- c. Youth baseball/softball games start Monday, May 18.
- d. The annual Fishing Derby will be held on Sunday, May 17, 2-4 pm at North Park – it is free to youth 15 and younger. Poles and bait are provided by KS Dept. of Wildlife & Parks.
- e. Summer Camp starts on Tuesday, May 26.
- f. Pitch, Hit, and Run youth baseball competition will be held at Lions Park on Saturday, May 9 at 9am

**ITEM NO. 15.**

**City Council Regular Agenda  
Monday, May 11, 2015 – 7:30 p.m.**

**MOTION:** \_\_\_\_\_ **SECOND:** \_\_\_\_\_

| <b>Name</b>           | <b>Yes</b>  | <b>No</b>   | <b>Abstain</b> | <b>Absent</b> |
|-----------------------|-------------|-------------|----------------|---------------|
| Tom Stephens          |             |             |                |               |
| George Cooper         |             |             |                |               |
| Bob Reeves            |             |             |                |               |
| Dani Gurley           |             |             |                |               |
| Joe Peterson          |             |             |                |               |
| Mike Thompson         |             |             |                |               |
| Mark Kipp             |             |             |                |               |
| Rodger Shannon        |             |             |                |               |
| Mayor Jeff Harrington |             |             |                |               |
| <b>RESULT</b>         | <b>PASS</b> | <b>FAIL</b> |                |               |

**Mayor Vote on Charter Ordinances & Planning Items** \_\_\_\_\_

**AGENDA ITEM:** City Council Items

**ACTION:** None

**STAFF RECOMMENDATION:**

**ITEM NO. 16.**

**City Council Regular Agenda  
Monday, May 11, 2015 – 7:30 p.m.**

**MOTION:** \_\_\_\_\_ **SECOND:** \_\_\_\_\_

| <b>Name</b>                  | <b>Yes</b>  | <b>No</b>   | <b>Abstain</b> | <b>Absent</b> |
|------------------------------|-------------|-------------|----------------|---------------|
| <b>Tom Stephens</b>          |             |             |                |               |
| <b>George Cooper</b>         |             |             |                |               |
| <b>Bob Reeves</b>            |             |             |                |               |
| <b>Dani Gurley</b>           |             |             |                |               |
| <b>Joe Peterson</b>          |             |             |                |               |
| <b>Mike Thompson</b>         |             |             |                |               |
| <b>Mark Kipp</b>             |             |             |                |               |
| <b>Rodger Shannon</b>        |             |             |                |               |
| <b>Mayor Jeff Harrington</b> |             |             |                |               |
| <b>RESULT</b>                | <b>PASS</b> | <b>FAIL</b> |                |               |

**Mayor Vote on Charter Ordinances & Planning Items** \_\_\_\_\_

**AGENDA ITEM: Mayor's Report**

**ACTION: None**

**STAFF RECOMMENDATION:**

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