

CITY COUNCIL AGENDA
Monday, July 13, 2015

Council Meeting

1. Citizen Concerns About Items Not on Today's Agenda. (Copies of written material presented to the City Council also needs to be provided to the City Clerk.)
CONSENT AGENDA - If a Councilmember has a simple question about an item, it can be asked before the Mayor calls for the vote on the Consent Agenda. An item only needs to be removed from the Consent Agenda if it warrants discussion.
2. Minutes of the June 22, 2015 City Council Meeting
3. Claims for City Operations for July 13, 2015
4. Public Housing Authority Claims for July 13, 2015
5. Appointments to Boards & Commissions
6. Debra Fisher dba Essential Massage Business Establishment & Massage Therapist License Renewals
7. Appointments to Committee for Marion Vaughn Award

REGULAR MEETING AGENDA

8. Floodplain Management Regulations - 2015 Edition
9. Final Plat: PT-15-101, "McDaniel's Resurvey Block 5 & 6"
10. City Manager's Report
11. City Council Items
12. Mayor's Report
13. Executive Session for Non-Elected Personnel Matters



City of Bonner Springs

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

BUDGET WORKSHOP MEETING

6:30 p.m.

FIRE/EMS BUILDING - 13001 METROPOLITAN

Tuesday July 14, 2015

Life is Better in Bonner Springs



City of Bonner Springs

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

NO WORKSHOP MEETING

REGULAR CITY COUNCIL MEETING

7:30 p.m.

CITY HALL COUNCIL CHAMBERS

Monday July 13, 2015

Life is Better in Bonner Springs

ITEM NO. 1.

**City Council Regular Agenda
Monday, July 13, 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				
RESULT	PASS	FAIL		

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. 2.

**City Council Regular Agenda
Monday, July 13, 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				
RESULT	PASS	FAIL		

Mayor Vote on Charter Ordinances & Planning Items _____

AGENDA ITEM: Minutes of the June 22, 2015 City Council Meeting

ACTION: Make a Motion to Approve the Minutes of the Regular Meeting Held on June 22, 2015

STAFF RECOMMENDATION: The City Clerk Recommends Approval

Enclosed are the minutes for approval.

City Council Workshop Meeting – Monday, June 22, 2015 – 7:00 p.m.

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

City Staff Present: Jack Helin, City Manager; Amber McCullough, City Clerk and Rick Sailer, Utilities Director

WS – 1– Use of Public Water Supply Loan Fund (KPWSLF) for Water System Pipeline Improvements --

The Utilities Director made a presentation:

- Kansas Department of Health and Environment (KDHE) notified the City they were selected to receive funds as part of the KPWSLF program and approved the use of up to \$1,270,000 in loan funds for designated water system pipeline improvements.
- Project One - Pine Avenue Pipeline Water Replacement Project includes installation of a new eight-inch waterline from Front Street to Nettleton to replace the line placed prior to the 1950s. Estimated cost is \$270,000.
- Project Two – Morse Avenue Pipeline Project Phase One replaces the four-inch and six-inch waterline east of Nettleton with a new twelve-inch waterline which will connect to the main distribution twelve-inch waterline at Cornell. Estimated cost is \$250,000.
- Project Three- Sheidley Avenue Transmission Pipeline will be installed on Sheidley from Morse north to an intersecting point where the old water tower sat. A new twelve-inch waterline will run east toward the water tanks to ultimately replace the eight-inch waterline on Sheidley which is experiencing age related failures. Estimated cost is \$750,000.
- The current annual interest rate for the KPWSLF loan is 2.17%. The loan includes a one-time loan origination fee of \$3,175. The approximate monthly increase will be \$2.17 for an average residential user.

The City Council reached consensus with no opposition to authorize completion of the loan application.

The meeting adjourned at 7:21 p.m.

City Council Minutes – Regular Meeting – Monday, June 22, 2015

The Bonner Springs City Council met in regular session at 7:30 p.m. on Monday, June 22, 2015.

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

City Staff Present: Jack Helin, City Manager; Amber McCullough, City Clerk; Skip Dobbs, Parks and Recreation Director and Rick Sailer, Utilities Director

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

The Mayor asked everyone to observe a moment of silence for the Charleston, North Carolina victims.

Item No. 1 – Proclamation Presentation Parks and Recreation Month – The City presented a proclamation to the Parks and Recreation Department and Board in observance of Parks and Recreation Month in July. Skip Dobbs, Parks and Recreation Director and Iva Powers, Parks and Recreation Advisory Board Member, thanked the City for support of the Parks and Recreation Department and distributed a calendar of Parks and Recreation activities for July.

Item No. 2 – Citizen Concerns About Items Not on Today’s Agenda – None presented.

CONSENT AGENDA

The Mayor read the Consent Agenda Items 3 through 6 and asked the staff, audience or City Council if they wished to remove an item for separate consideration. No items were removed.

Item No. 3 – Minutes of the June 8, 2015 City Council Meeting – Presented for approval.

Item No. 4 – Claims for City Operations – June 22, 2015 – Presented for approval were the Supplement Claims in the amount of \$8,133.77 and Regular Claims in the amount of \$360,925.22.

Item No. 5 – Public Housing Authority Claims – June 22, 2015 – Presented for approval in the amount of \$15,797.51.

Item No. 6 – Appointments to Boards and Commissions – Tourism Committee - Reappoint Bruce Breslow for another four-year term to end July 2019.

CONSENT AGENDA APPROVAL

Stephens made a Motion to Approve the Consent Agenda. Shannon seconded the motion and it carried on a vote of eight to zero. The Mayor abstained on check number 127226.

REGULAR MEETING AGENDA

Item No. 7 – Commercial Dumpster Grant Program – The City Manager made a presentation:

➤ Staff recommended the City Council amend the Commercial Dumpster Grant Program to a 90% City and 10% private match as suggested by Councilmember Kipp.

Cooper made a motion to Select a Cost Share Amount and Approve Governing Body GB-15-02 for the Commercial Dumpster Enclosure Grant Program to be 90% City and 10% private. Gurley seconded the motion and it carried on a vote of eight to zero.

Item No. 8 – Project Acceptance and Final Payment for the Headworks Operation Facility Telemetry and Control Panel – The Utilities Director made a presentation:

➤ R.E. Pedrotti was the system integrator for the Wastewater Treatment Plant.

➤ R.E. Pedrotti submitted a quote in the amount of \$21,000 to complete the necessary work for the Supervisory Control and Data Acquisition.

➤ Staff recommended the City Council approve final payment to R.E. Pedrotti in the total amount of \$1,050 and accept the telemetry and control panel construction portion of the Headworks Operation Facility Project for a total cost of \$21,000.

➤ Final cost for the Headworks Operation Facility Project is \$81,888.15 which is \$3,111.85 under budget.

Cooper made a motion to Approve Final Acceptance and Final Payment in the Amount of \$1,050 to R.E. Pedrotti Company for the Telemetry and Control Panel of the Headworks Operation Facility Project. Reeves seconded the motion and it carried on a vote of eight to zero.

Item No. 9 – Project Acceptance and Final Payment for the Water Treatment Plant Backwash Settling Tank – The Utilities Director made a presentation:

➤ The contractor constructed a 132,000 gallon glass-lined bolted steel filter backwash waste settling tank, installed a 12' X 7' concrete vault, valves, piping, chemical feed system and electrical service.

➤ The Change Order included:

- Work Change Directive No. 1 - An \$800 increase due to wage rate changes as required by KDHE and

a cost savings of \$1,125 by eliminating some unnecessary rebar.

- Work Change Directive No. 2 – Staff approved a concrete walkway instead of the proposed gravel walkway for a cost of \$1,536.
- Work Change Directive No. 3 – Staff approved lightning protection for a cost of \$1,661.

➤ Staff recommended the City Council approve the Change Order in the amount of \$2,872; approve final payment to Crossland Heavy Contractors, Inc. in the total amount of \$27,867 and accept the Water Treatment Plant Backwash Tank Project completed by Crossland Heavy Contractors, Inc. for a total cost of \$502,772.

➤ The KDHE Loan was for \$600,000.

➤ Total project cost was \$598,188.70.

Stephens made a motion to Approve Final Acceptance, a Change Order and Final Payment in the Amount of \$27,867 to Crossland Heavy Contractors, Inc. for the Water Treatment Plant Backwash Settling Tank Project. Thompson seconded the motion and it carried on a vote of eight to zero.

Item No. 10 – City Manager’s Report – The City Manager added items as follows:

➤ Invited Councilmembers to the Steak ‘N Shake ribbon cutting Tuesday, June 23, 2015 at 10:10 a.m.

Item No. 11 – City Council Items –

➤ Reeves thanked Jack and City Staff for removing weeds along the creek and stated the speed limit warning sign is gone.

➤ Cooper wished everyone a safe Fourth of July.

➤ Stephens thanked Steak ‘N Shake for inviting City employees to lunch today.

Item No. 12 – Mayor’s Report – The Mayor added as follows:

➤ Received a thank you from a resident on Archer regarding the trash cleanup.

➤ The Bonner Springs Arts Alliance, the City Band concert and Bonner Blast will be June 27, 2015 beginning at 9:00 a.m. The Mayor thanked staff, businesses and Councilmembers who are involved.

➤ Met with Mayors McTaggart and Holland regarding the impact of the Kansas Legislature’s action.

➤ Waiting to receive two evaluations then will compile and share information with the City Council.

➤ Wished everyone a safe Fourth of July.

Item No. 13 – Executive Session to Discuss Non-Elected Personnel Matters - At 8:00 p.m., Cooper made a Motion to Adjourn to Executive Session to Discuss Non-Elected Personnel Matters for a Period Not to Exceed one hour. Stephens seconded the motion and it carried on a vote of eight to zero. At 8:35 p.m., Cooper made a Motion to Return to Regular Session With No Action Taken. Stephens seconded the motion and it carried on a vote of eight to zero.

The meeting adjourned at 8:35 p.m.

_____ Amber McCullough, City Clerk

ITEM NO. 3.

**City Council Regular Agenda
Monday, July 13, 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				
RESULT	PASS	FAIL		

Mayor Vote on Charter Ordinances & Planning Items _____

AGENDA ITEM: Claims for City Operations for July 13, 2015

ACTION: Make a Motion to Approve the Claims for City Operations for July 13, 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 \$58,481.68 and the Regular Claims in the amount of \$251,770.09.

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: 07/09/2015

Time: 8:38 am

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
UNION BANK & TRUST Checks							
127384	07/02/2015	Printed		4413	AT & T 5001	PHONE SERVICE	2,885.00
127385	07/02/2015	Printed		2470	ATMOS ENERGY	GAS SERVICE	47.92
127386	07/02/2015	Printed		0117	BOARD OF PUBLIC UTILITIES	WATER USAGE/MAY 2015	15,872.57
127387	07/02/2015	Printed		7102	CENTRAL SECURITY GROUP-	SECURITY SYSTEM MONITORING	122.00
127388	07/02/2015	Printed		7193	CHASE PROCESSING	PAYROLL DEDUCTIONS	620.00
127389	07/02/2015	Printed		7400	JOSIAH CROWLEY	BASEBALL UMPIRE FEES	53.00
127390	07/02/2015	Printed		7142	EDWARDS CHEMICALS INC.	CHEMICALS F/POOL	533.69
127391	07/02/2015	Printed		0898	ICMA RETIREMENT CORPORATION	PAYROLL DEDUCTS/BENEFITS	3,583.65
127392	07/02/2015	Printed		3108	JC COMMUNICATIONS BEST	AFTER HRS ANSWERING SVC	83.00
127393	07/02/2015	Printed		2195	KANSAS PAYMENT CENTER	PAYROLL DEDUCTIONS	815.59
127394	07/02/2015	Printed		2014	KCPL	ELECTRIC SERVICE	175.34
127395	07/02/2015	Printed		9879	MAINSTREET CREDIT UNION	PAYROLL DEDUCTIONS	2,582.82
127396	07/02/2015	Printed		6723	JIM MARTIN	BASEBALL UMPIRE FEES	65.00
127397	07/02/2015	Printed		7160	BLAKE MCMAHAN	BASEBALL UMPIRE FEES	285.00
127398	07/02/2015	Printed		7159	KEITH SANTOS	BASEBALL UMPIRE FEES	213.00
127399	07/02/2015	Printed		2726	BRANDON SPIESS	BASEBALL UMPIRE FEES	220.00
127400	07/02/2015	Printed		0915	VERIZON WIRELESS	COMMUNICATION - IND PK - UT	11.03
127401	07/02/2015	Void	07/02/2015			Void Check	0.00
127402	07/02/2015	Printed		1315	WALMART COMMUNITY GEGRB	HDTV,GLOVES,EMS PICNIC FOOD	584.40
127403	07/02/2015	Printed		3790	WESTAR ENERGY	ELECTRIC SERVICE	29,698.67
127404	07/02/2015	Printed		2754	STEVE WILLIAMS	BASEBALL UMPIRE FEES	30.00

Total Checks: 21 Checks Total (excluding void checks): 58,481.68

Total Payments: 21 Bank Total (excluding void checks): 58,481.68

Total Payments: 21 Grand Total (excluding void checks): 58,481.68

Check Register Report

CHECK REGISTER

Date: 07/09/2015

Time: 11:52 am

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
UNION BANK & TRUST Checks							
127405	07/08/2015	Printed		4698	1ST DUE EMERGENCY RESPONSE	BUNKER GEAR- FIRE	5,263.00
127406	07/08/2015	Printed		3562	ALAMAR	UNIFORMS-PD	309.56
127407	07/08/2015	Printed		7169	AMERICAN RED CROSS-HEALTH &	LIFEGUARD TRAINING -POOL	105.00
127408	07/08/2015	Printed		6409	ANTHONY CONSTRUCTION	INSPECTION SVCS-WESTLINK	3,967.25
127409	07/08/2015	Printed		6000	APAC	GRAVEL & DITCH LINER-UT/PW	581.87
127410	07/08/2015	Printed		3303	ASPHALT SALES CO INC	ASPHALT-PW	2,335.43
127411	07/08/2015	Printed		5615	AT & T 5011	SPECIAL CIRCUITS & ALARMS	291.58
127412	07/08/2015	Printed		5184	AT & T MOBILITY	MOBILE PHONE SVC	2,161.29
127413	07/08/2015	Printed		2470	ATMOS ENERGY	GAS SERVICE	240.19
127414	07/08/2015	Printed		3602	AUSTIN PETERS GRP INC	COMPENSATION STUDY-CM	2,490.00
127415	07/08/2015	Printed		7435	KIM BEETS	SUMMER CAMP REFUND	272.00
127416	07/08/2015	Printed		0109	BERNING TIRE COMPANY	TIRES & BALANCE-TIBLOW	295.90
127417	07/08/2015	Printed		2849	BOCKYN LLC	RECREATION SOFTWARE FEES	150.00
127418	07/08/2015	Printed		6043	BONNER SPGS CHIEFTAIN	SUBSCRIPTION RENEWAL-PARKS	37.00
127419	07/08/2015	Printed		4172	BOUND TREE MEDICAL	MEDICAL SUPPLIES-EMS	554.59
127420	07/08/2015	Printed		7448	WANDA BRANTLEY	COURT BOND REFUND	750.00
127421	07/08/2015	Printed		4743	BSN SPORTS, INC	BASEBALL SUPPLIES-P&R	628.34
127422	07/08/2015	Printed		0139	BYERS GLASS & MIRROR INC	WINDOW LEAK REPAIR-FIRE/EMS	130.00
127423	07/08/2015	Printed		4847	DUSTIN CARE	MILEAGE EXPENSE 6/8-6/19	63.25
127424	07/08/2015	Printed		7325	CERTIFIED FOLDER DISPLAY SVC	BROCHURE DISTRIBUTION-CTC	192.00
127425	07/08/2015	Printed		0204	CHAMBER OF COMMERCE	BUSINESS APRECIATION LUNCHEON	197.37
127426	07/08/2015	Printed		0019	CHEMQUEST INC	CHEMICALS-WATER	6,583.50
127427	07/08/2015	Printed		5723	TERRENCE L CHRISTENSEN	POLO SHIRTS-CITY BAND	281.00
127428	07/08/2015	Printed		6354	CINTAS FAS LOCK BOX 636525	SVC FIRE EXTINGUISHERS-FIRE	98.52
127429	07/08/2015	Void	07/08/2015			Void Check	0.00
127430	07/08/2015	Printed		0144	CITY OF BONNER SPRINGS KS	SECURITY DEPOSITS APPLIED	925.00
127431	07/08/2015	Printed		2410	CITY TREASURER KCK	RESIDENTIAL REFUSE SVC	32,599.20
127432	07/08/2015	Printed		3511	CLARK MIDDLE SCHOOL	SUBSTANCE ABUSE PROGRAM	4,456.40
127433	07/08/2015	Printed		7439	KERRI CLOCK	SECURITY DEPOSIT REFUND	46.07
127434	07/08/2015	Printed		0951	COCA-COLA REFRESHMENTS USA INC	DRINKS F/AQUATIC PARK	1,186.23
127435	07/08/2015	Printed		0213	COLEMAN EQUIPMENT INC	POLE SAW,LEAF BLOWR,EQUIP PART	1,416.44
127436	07/08/2015	Printed		0218	COMMENCO INC	RADIO UPGRADE-EMS&FIRE	650.00
127437	07/08/2015	Printed		0222	CONRAD FIRE EQUIPMENT INC	ANNUAL PUMP TESTS-FIRE	503.34
127438	07/08/2015	Printed		2922	CROSSLAND HEAVY CONTRACTORS	WATER TREATMENT PLANT BACKWASH	27,867.00
127439	07/08/2015	Printed		0458	DAIRY QUEEN	GIFT CARDS-CITY BAND	900.00
127440	07/08/2015	Printed		4716	DAVE'S PLUSS CONSTRUCTION	STREET RESTORATION-UT	4,877.04
127441	07/08/2015	Printed		7446	HELEN DAVIS-MOORE	POOL PARTY CANCELATION REFUND	160.00
127442	07/08/2015	Printed		9965	DEE DEE'S JEWELRY &	RETAIL INCENTIVE REBATE	92.33
127443	07/08/2015	Printed		0238	DEFFENBAUGH DISPOSAL SERVICE	DUMPSTER RENTALS	272.00
127444	07/08/2015	Printed		0014	DEFFENBAUGH INDUSTRIES INC	DUMPSTER RENTAL	49.29
127445	07/08/2015	Printed		4329	JAMES DOBBS	MILEAGE EXPENSE 5/25-6/12	162.38
127446	07/08/2015	Printed		2125	DOUBLE CHECK COMPANY, INC.	FUEL TANK HOSE REPAIR	196.59
127447	07/08/2015	Printed		6026	ECT, INC	EQUIPMENT MAINT/REPAIRS-UT	187.26
127448	07/08/2015	Printed		4638	ED M FELD EQUIPMENT CO INC	AIRPACK REPAIRS-FIRE	499.20
127449	07/08/2015	Printed		7142	EDWARDS CHEMICALS INC.	CHEMICALS FOR POOL	975.10
127450	07/08/2015	Printed		2626	EL POTRO MEXICAN CAFE 3 LLC	RETAIL INCENTIVE REBATE	2,938.57
127451	07/08/2015	Printed		7298	ENVIRO-LINE COMPANY INC	SCUM PUMP-WWTP	5,190.00
127452	07/08/2015	Printed		7407	EVCO WHOLESALE FOOD CORP	CONCESSION FOOD POOL/LIONS PK	3,540.55
127453	07/08/2015	Printed		7443	ALLISON EVELAND	SECURITY DEPOSIT REFUND	56.32

Check Register Report

CHECK REGISTER

Date: 07/09/2015

Time: 11:52 am

Bonner Springs City Hall

BANK: UNION BANK & TRUST

Page: 2

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
UNION BANK & TRUST Checks							
127454	07/08/2015	Printed		5516	EXECUTIVE MARKETING PROMOTIONS	CAMP&BASEBALL UNIFORMS,BANNERS	6,279.37
127455	07/08/2015	Printed		2621	EXPRESS WASH AMERICA LLC	CAR WASH -PD	4.00
127456	07/08/2015	Printed		4736	FASTENAL	DISTRIBUTION SYST MAINT-UT	50.47
127457	07/08/2015	Void	07/08/2015			Void Check	0.00
127458	07/08/2015	Printed		4342	FELDMANS	UNIFORMS,SHOVELS,WEED KILLER	548.83
127459	07/08/2015	Printed		0321	FIRE DETECTION SERVICES INC	FIRE ALARM SYSTEM REPAIRS-P&R	332.50
127460	07/08/2015	Printed		7225	FORTILINE, INC	DISTRIBUTION MAINT SUPPLIES-UT	60.00
127461	07/08/2015	Printed		7445	BLAKE FREEMAN	RENTAL DEPOSIT REFUND	100.00
127462	07/08/2015	Printed		2898	GARLAND TAYLOR HOME	RETAIL INCENTIVE REBATE	40.95
127463	07/08/2015	Printed		1942	GRASS PAD INC	METER PIT UPGRADE-UT	156.10
127464	07/08/2015	Printed		0021	HACH COMPANY	CHEMICALS&SVC AGMT F/EQUIP-UT	1,755.94
127465	07/08/2015	Printed		2430	HAMBLIN PETROLEUM	MOTOR FUEL	13,157.10
127466	07/08/2015	Printed		7440	LORI HAMM	SECURITY DEPOSIT REFUND	44.71
127467	07/08/2015	Printed		9428	MARCIA HARRINGTON	ICSC CONFERENCE EXPENSE	23.75
127468	07/08/2015	Printed		7436	GENE HARRIS	RENTAL DEPOSIT REFUND	100.00
127469	07/08/2015	Printed		1089	HAWKINS, INC	CHEMICALS & REMOTE METER-UT	1,389.01
127470	07/08/2015	Printed		4275	HAYNES EQUIPMENT CO INC	GRINDER PUMP MAINT-UT	739.78
127471	07/08/2015	Printed		2813	HD SUPPLY WATERWORKS LTD	142ND ST PRV PROJECT MATERIALS	450.00
127472	07/08/2015	Printed		7242	HELGET GAS PRODUCTS INC	OXYGEN-EMS	14.16
127473	07/08/2015	Printed		7442	JASON HUGHEY	SECURITY DEPOSIT REFUND	49.90
127474	07/08/2015	Printed		0234	INSITUFORM	SEWER MAIN IMPROVEMENTS-UT	27,799.56
127475	07/08/2015	Printed		5902	JC'S SPEEDY LUBE	VEH MAINT/REPAIRS-UT	86.98
127476	07/08/2015	Printed		1022	JO CO LANDFILL INC	LANDFILL CHARGES/MAY 18-27	2,150.61
127477	07/08/2015	Printed		5345	JOHNSON COUNTY WASTEWATER	WASTEWATER CHARGES/MAY 2015	198.77
127478	07/08/2015	Printed		1888	JEFF W. JONES	RETAIL INCENTIVE REBATE	3.75
127479	07/08/2015	Printed		6407	K & L SAFETY PRODUCTS	VEH MAINT/REPAIRS-EMS	477.27
127480	07/08/2015	Printed		4564	KA-COMM INC	VEH MAINT/REPAIRS-PD	50.00
127481	07/08/2015	Printed		7373	KANEQUIP INC	EQUIP MAINT/REPAIRS-PW	209.44
127482	07/08/2015	Printed		2975	THE KANSAS JUDICIAL COUNCIL	2014 SUPPLEMENT BOOKS-PD	85.00
127483	07/08/2015	Printed		1428	KANSAS STATE UNIVERSITY	2015 SCHOLARSHIP-SENIOR CENTER	1,000.00
127484	07/08/2015	Printed		5028	KANSAS TURNPIKE AUTHORITY	MONTHLY TAG FEE/TOLLS-PD	43.35
127485	07/08/2015	Printed		2052	KANSAS WATER PROTECTION FEE	WATER TAX PENALTIES-2015/2012	92.38
127486	07/08/2015	Printed		2014	KCPL	ELECTRIC SERVICE	490.07
127487	07/08/2015	Printed		5818	KS RECREATION & PARK ASSOC	KRPA MEMBERSHIP RENEWAL-P&R	75.00
127488	07/08/2015	Printed		3931	KSGFOA TREASURER	2015 MEMBERSHIP DUES-FINANCE	50.00
127489	07/08/2015	Printed		1921	KUSTOM SIGNALS INC	VEHICLE MAINT/REPAIRS-PD	70.15
127490	07/08/2015	Printed		3003	LAKE OF THE FOREST INC	REFUSE SUBSIDY	247.00
127491	07/08/2015	Printed		6837	LAMAR TEXAS LIMITED PARTNERSHP	BILLBOARD ADVERTISING-CTC	415.00
127492	07/08/2015	Printed		2419	LARUE DISTRIBUTING INC	COFFEE & SUPPLIES-PD/EMS	297.73
127493	07/08/2015	Printed		2128	LAS CORP	LAWN MOWER&TRAILER TIRE REPAIR	90.95
127494	07/08/2015	Printed		6794	LEGGETTE, BRASHEARS & GRAHAM	WELL #6 ENGINEERING SVC-UT	868.25
127495	07/08/2015	Void	07/08/2015			Void Check	0.00
127496	07/08/2015	Printed		1836	LOWE'S CREDIT SERVICES	SUPPLIES F/POWER WASHER,LIGHTS	656.50
127497	07/08/2015	Printed		3373	LUKE HTG & AIR CONDITIONING	A/C REPAIRS&MAINT-COMM CNT,UT	1,505.50
127498	07/08/2015	Printed		4478	MADDEN PREPRINT MEDIA	KS TRAVEL GUIDE ADS-CTC	2,952.00

Check Register Report

CHECK REGISTER

Date: 07/09/2015

Time: 11:52 am

Bonner Springs City Hall

BANK: UNION BANK & TRUST

Page: 3

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
UNION BANK & TRUST Checks							
127499	07/08/2015	Printed		7347	SHELDON MCGUIRE	ELECTRICAL WORK F/BASKETBALL GOAL	1,050.00
127500	07/08/2015	Printed		7444	CINDY MELLOTT	RENTAL DEPOSIT REFUND	100.00
127501	07/08/2015	Printed		6506	MID AMERICA VALVE & EQUIPMENT	142ND ST PRESSURE REDUCE VALVE	2,197.00
127502	07/08/2015	Printed		7433	MUCKENTHALER INCORPORATED	DISH CLOTHS-POOL	16.88
127503	07/08/2015	Printed		7112	KELLEY NEWTON	RENTAL DEPOSIT REFUND	100.00
127504	07/08/2015	Printed		3094	NORRIS EQUIPMENT CO LLC	LAWNMOWER PARTS-P&R	12.00
127505	07/08/2015	Void	07/08/2015			Void Check	0.00
127506	07/08/2015	Printed		0947	O'REILLY AUTO STORES INC	VEH MAINT/SUPPLIES-PW,UT,FIRE METERS & SUPPLIES-UT	251.49
127507	07/08/2015	Printed		0187	OLATHE WINWATER WORKS	METERS & SUPPLIES-UT	15,118.00
127508	07/08/2015	Printed		6006	OVERHEAD DOOR COMPANY OF KC	GARAGE DOOR REPAIRS-CEMETERY	3,790.00
127509	07/08/2015	Printed		3393	PACE ANALYTICAL	LAB TESTING F/WWTP	419.00
127510	07/08/2015	Printed		7003	ERIC PARR B	GIS SERVICES-PROJ. MANAGER	225.00
127511	07/08/2015	Printed		3531	PERRY & TRENT LLC	PROSECUTOR & LEGAL SVC	6,791.00
127512	07/08/2015	Printed		7008	PETTY CASH	DEED REGIST,CERTIFIED MAIL,CDL	63.93
127513	07/08/2015	Printed		3334	PITNEY BOWES	POSTAGE MACHINE SUPPLIES	65.44
127514	07/08/2015	Printed		2608	PIZZA CONCEPTS LLC	RETAIL INCENTIVE REBATE	426.99
127515	07/08/2015	Printed		7022	POSTMASTER	FIRST CLASS MAIL POSTAGE	820.00
127516	07/08/2015	Printed		0904	PREDATOR TERMITE & PEST CONTRL	LAWN CARE MAINTENANCE	4,857.00
127517	07/08/2015	Printed		2838	PREMIER AUTOMOTIVE OF BS KS	VEH MAINT/REPAIRS-UT	1,321.48
127518	07/08/2015	Printed		0646	PUSHWATER ENTERPRISES INC	INSPECTN REPORTS,DOOR HANGERS	289.08
127519	07/08/2015	Printed		5302	R E PEDROTTI CO INC	HOF PROJECT-UT	1,050.00
127520	07/08/2015	Printed		1570	RESCARE KANSAS INC	LANDSCAPE MAINT-CENTENNIAL PK	100.00
127521	07/08/2015	Printed		1811	RICOH USA, INC.	COPIER LEASES	953.46
127522	07/08/2015	Printed		6390	S&S WORLDWIDE	SUMMER CAMP SUPPLIES	384.65
127523	07/08/2015	Printed		7447	LACRETIA SANDERSON	RENTAL DEPOSIT REFUND	200.00
127524	07/08/2015	Printed		8226	SHERWIN WILLIAMS CO	PAINT F/FIRE HYDRANTS-UT	143.98
127525	07/08/2015	Printed		7434	SHIFTPLANNING, INC.	SHIFT PLANNING SVCS-POOL	300.00
127526	07/08/2015	Printed		8136	SMITH & LOVELESS INC	COLLECTION MAINT SUPPLIES-UT	312.82
127527	07/08/2015	Printed		7437	JUSTINE SMITH	MILEAGE EXPENSE 6/8-6/22	35.71
127528	07/08/2015	Printed		9993	SOUTHEASTERN EMERGENCY	MEDICAL SUPPLIES-EMS	241.45
127529	07/08/2015	Printed		3578	SPECTRA	NYLON SLINGS -UT	124.00
127530	07/08/2015	Printed		6081	STAPLES ADVANTAGE	TONER,CLIPBOARD,GOLD SEALS,PAD	282.06
127531	07/08/2015	Printed		2466	TFM COMM INC	VEHICLE EQUIPMENT-PD	8,373.00
127532	07/08/2015	Printed		5375	TG TECHNICAL SERVICES	EQUIPMENT MAINT/REPAIRS-UT	315.00
127533	07/08/2015	Printed		7257	THE PITNEY BOWES BANK INC	POSTAGE FOR METER	1,200.00
127534	07/08/2015	Printed		7191	THIS AND THAT, LLC	RETAIL INCENTIVE REBATE	16.75
127535	07/08/2015	Printed		0017	TOMPKINS INDUSTRIES INC	AIR HOSE F/COMPRESSOR-UT,PW SECURITY DEPOSIT REFUND	310.86
127536	07/08/2015	Printed		7441	LINDSEY TOWNSEND	COMPUTER REPAIRS-PD	22.94
127537	07/08/2015	Printed		0299	TRAINING @ YOUR PLACE	COMPUTER REPAIRS-PD	95.00
127538	07/08/2015	Printed		7438	ULTRAMAX	AMUNITION-PD	255.00
127539	07/08/2015	Printed		3736	UNIFIED TREASURER	PRISONER CARE-PD	3,858.75
127540	07/08/2015	Printed		6819	UNIFIRST COPORATION	UNIFORM,RUG RENTAL-PW,UTIL	282.43
127541	07/08/2015	Printed		5442	UNITED COMMUNICATIONS CORP	PAGER REPAIRS-FIRE	106.30
127542	07/08/2015	Printed		3078	USA BLUE BOOK	TESTING EQUIPMENT& SUPPLY-WWTP	627.39
127543	07/08/2015	Printed		0712	W W GRAINGER	EQUIP REPL PARTS & MAINT-UT	838.51
127544	07/08/2015	Printed		2845	WATTS UP	LIGHT BULBS-PD,KMP	99.38
127545	07/08/2015	Printed		1652	WESTHEFFER COMPANY INC	EQUIPMENT REPLACEMENT PARTS-PW	49.15

Check Register Report

CHECK REGISTER

Date: 07/09/2015

Time: 11:52 am

Page: 4

Bonner Springs City Hall

BANK: UNION BANK & TRUST

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
UNION BANK & TRUST Checks							
127546	07/08/2015	Printed		4735	WESTLAND CONSTRUCTION	SWINGSTER SEWER MAIN REPAIR-UT	9,960.00
127547	07/08/2015	Printed		6810	WOOD OIL CO	MOTOR FUEL-UT	40.34
127548	07/08/2015	Printed		3012	WORK ZONE	BARRICADE LIGHTS&BATTERIES-PW	336.84
127549	07/08/2015	Printed		4353	THE WORLD COMPANY	TIBLOW TRANSIT AD	3.25
Total Checks: 145						Checks Total (excluding void checks):	251,770.09
Total Payments: 145						Bank Total (excluding void checks):	251,770.09
Total Payments: 145						Grand Total (excluding void checks):	251,770.09

ITEM NO. 4.

**City Council Regular Agenda
Monday, July 13, 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				
RESULT	PASS	FAIL		

Mayor Vote on Charter Ordinances & Planning Items _____

AGENDA ITEM: Public Housing Authority Claims for July 13, 2015

ACTION: Make a Motion to Approve the Public Housing Authority Claims for July 13, 2015

STAFF RECOMMENDATION: The City Manager and Finance Director Recommend Approval

Enclosed are the Claims in the amount of \$3,171.57.

Check Register Report

PUBLIC HOUSING CHECK REGISTER

Date: 07/09/2015

Time: 9:01 am

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
UNION BANK & TRUST-PHA Checks							
97196	07/08/2015	Printed		P827	P ATMOS ENERGY	TENANT UTILITY REIMBURSEMENT	145.92
97197	07/08/2015	Printed		P312	P C & C LOCK SERVICE	KEY COPIES (13)	41.35
97198	07/08/2015	Printed		P540	P DEFFENBAUGH DISPOSAL SVC	REFUSE SERVICE	271.54
97199	07/08/2015	Printed		P831	P DORMA USA, INC	FRONT DOOR REPAIRS @VD	122.50
97200	07/08/2015	Printed		P991	P JAMES O. GOSS JR	PEST CONTROL- 5 UNITS	388.00
97201	07/08/2015	Printed		P542	P LINDSEY SOFTWARE SYS INC	ACCOUNTING SVCS	135.00
97202	07/08/2015	Printed		P503	P LOWES COMPANIES INC	WATER HEATERS (2 UNITS)	789.43
97203	07/08/2015	Printed		P315	P NORMAN HICKS	SECURITY DEPOSIT REFUND	202.00
97204	07/08/2015	Void	07/08/2015			Void Check	0.00
97205	07/08/2015	Printed		P800	P NUTS & BOLTS	MAINT/PLUMBING/ELECTRICAL SUPP	403.72
97206	07/08/2015	Printed		P 798	P PERRY & TRENT LLC	LEGAL SERVICES	281.00
97207	07/08/2015	Printed		P640	P W W GRAINGER	CUSTODIAL SUPPLIES	117.03
97208	07/08/2015	Printed		P472	P WESTAR ENERGY	TENANT UTILITY REIMBURSEMENT	274.08
Total Checks: 13						Checks Total (excluding void checks):	3,171.57
Total Payments: 13						Bank Total (excluding void checks):	3,171.57
Total Payments: 13						Grand Total (excluding void checks):	3,171.57

ITEM NO. 5.

City Council Regular Agenda Monday, July 13, 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				
RESULT	PASS	FAIL		

Mayor Vote on Charter Ordinances & Planning Items _____

AGENDA ITEM: Appointments to Boards & Commissions

ACTION: Make a Motion to Approve Appointments to Boards & Commissions

STAFF RECOMMENDATION: The Mayor Recommends Approval

Planning Commission/Board of Zoning Appeals – Reappoint Lloyd Mesmer, Merle Parks and Mark Yates for additional three year terms ending August 1, 2018. These members will serve dual positions on the Planning Commission and Board of Zoning Appeals. Bio forms are on file in the City Clerk's Office. Appoint Sherri Neff and Craig Stephan to the Board of Zoning Appeals for dual positions for the remainder of their terms on the Planning Commission. Ms. Neff's term ends August 1, 2017 and Mr. Stephan's term ends August 1, 2016.

Tourism Committee - Appoint Mike Clouse to a four year term ending July 2019. His bio form is on file in the City Clerk's Office.

ITEM NO. 6.

City Council Regular Agenda Monday, July 13, 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				
RESULT	PASS	FAIL		

Mayor Vote on Charter Ordinances & Planning Items _____

AGENDA ITEM: Debra Fisher dba Essential Massage Business Establishment & Massage Therapist License Renewals

ACTION: Make a Motion to Approve a Business Establishment License & a Massage Therapist License for Debra Fisher dba Essential Massage

STAFF RECOMMENDATION: The City Manager, City Clerk and Building Official Recommend Approval

Debra Fisher made application to renew her Business Establishment and Massage Therapist License. She remains in good standing with the City, the Building Official conducted a satisfactory safety inspection and the Police Department conducted a satisfactory background check.

Ms. Fisher paid the required fee and provided the required proof of continued education and other certifications required. We did not include a copy of the applications due to the confidential information they contain.

ITEM NO. 7.

City Council Regular Agenda Monday, July 13, 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				
RESULT	PASS	FAIL		

Mayor Vote on Charter Ordinances & Planning Items _____

AGENDA ITEM: Appointments to Committee for Marion Vaughn Award

ACTION: Make a Motion to Approve Appointments to Committee for Marion Vaughn Award

STAFF RECOMMENDATION: The Mayor Recommends Approval

Attached are the procedures for this annual award that began in the late 1970s. Councilmember appointments alternate between odd and even Wards each year. This year the appointments will be from Ward I and III.

Appoint to the Committee: Mayor Harrington, Councilmembers Cooper and Reeves, former Mayor Al Ramirez, Chamber of Commerce President Mike Clouse, Vaughn Trent Executive Director Rachel Nickerson, Rotary Club President Bill Miller and last year's recipient Chris Wood.

Procedures- Marion Vaughn Mayor's Award Committee

Membership of the Selection Committee:

1. Mayor- To act as Chairperson
2. Two members of the Council- Wards 1 and 3 in odd years and Ward 2 and 4 in even
3. years. (To be appointed by the Mayor & approved by the City Council.)
4. The most recent recipient of the award who is able to serve
5. Current President of the Vaughn Trent Community Services (or an appointee, a member
6. of the same Committee).
7. Chamber President & Former Mayor- Appointed by the City Council.
8. Rotary Club - President

Total Number on Committee- 8

Secretary:

The City Clerk will serve as Secretary of this committee and be responsible for attending meetings and typing minutes. The City Clerk will order the plaque for the chosen recipient.

Qualifications for Recipient:

Resident of Bonner Springs preferable-or discretion of the Committee but cannot currently hold a City Office or be a City Employee.

Selection based On the Following Ideas:

"For the right against the wrong
For the weak against the strong
For the poor who've waited long
For the brighter age to be"

Presentation of the Award:

The present Mayor will present the award to the recipient at the Mayor's Banquet which is held during Tiblow Days Celebration. In the event Tiblow Days Celebration is discontinued for any reason, the Committee will make a decision as to when and where the presentation will be made.

Duties of the Chairperson:

- Set time and date for meetings
- Invite the recipient to the banquet. (Note - The City of Bonner Springs pays for the recipient's luncheon tickets, including their spouse and family.

Style of Award:

To be determined by the City Council. Currently, the award is a plaque bearing the likeness of Marion Vaughn with the following inscription:

Presented in recognition of outstanding leadership and personal contribution to the progress and betterment of the City of Bonner Springs, Kansas, all exemplifying the life of Marion W. Vaughn, a truly unique individual whose love for the community and compassion for the people in it greatly surpassed the capabilities of any "ordinary" person.

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				
RESULT	PASS	FAIL		

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. 8.

**City Council Regular Agenda
Monday, July 13, 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				
RESULT	PASS	FAIL		

Mayor Vote on Charter Ordinances & Planning Items _____

AGENDA ITEM: Floodplain Management Regulations - 2015 Edition

ACTION: Make a Motion to Approve an Ordinance to Adopt the Floodplain Management Regulations - 2015 Edition

STAFF RECOMMENDATION: The City Manager, Planning Director and Planning Commission Recommend Approval

Enclosed is the memo with the background, discussion and recommendation as well as the ordinance, Planning Commission minutes and changes to the Floodplain Management Regulations.

To: Mayor and City Council
Thru: John N. Helin, City Manager
From: Don E. Slone, AICP, CFM, Planning Director – Floodplain Manager
Subject: Floodplain Management Regulations – 2015 Edition



Recommendation:

The Planning Commission, by unanimous vote recommend approval of the Floodplain Management Regulations – 2015 Edition as written by Ordinance and repeal Ordinance No. 2313 adopted on June 13, 2011 that adopted the current Floodplain Management Regulations under the Code of Ordinances, Chapter XVII: Zoning and Planning; Article 4, Floodplain Management Regulations.

Discussion:

Staff presented the following information to the Planning Commission. They recommend the Governing Body approve the Floodplain Management Regulations – 2015 Edition as written. An Excerpt of the Minutes from the June 16, 2015 meeting by the Planning Commission is shown below.

Exhibits:

The adopting Ordinance, “Letter of Final Determination” from FEMA dated March 2, 2015 and a letter dated March 11, 2015 from the Kansas Department of Agriculture, Division of Water Resources with the Chief Engineer’s approval of the attached “Draft” Floodplain Management Regulations in “legislative style” as recommended by the City’s Floodplain Manager.

Floodplain Management Regulations – 2015 Edition

Background:

The Lower Kansas Watershed Project began with a “Discovery Meeting” on April 11, 2012 to determine “if” and “what” outcomes could be expected by studying the Lower Kansas Watershed which included several counties including Johnson, Wyandotte and Leavenworth Counties. The Lower Kansas Watershed including “Wolf Creek and its tributaries” was selected by FEMA to be re-studied and determine new base flood elevations (BFE’s) up the reach from the Kansas River through Bonner Springs into Leavenworth and Wyandotte Counties that included the Cities of Basehor and Kansas City, Kansas. Several other creeks within Wyandotte County were studied in both the City of Edwardsville and Kansas City, Kansas and were incorporated into the Flood Insurance Rate Maps (FIRM’s) and Flood insurance Study (FIS).

Through the RiskMAP process, it was determined to that re-mapping several creeks including “Wolf Creek” would really benefit several communities. Through that process both FEMA and the Division of Water Resources determined that new FIRM’s needed to be generated. On May 2, 2013, “Draft” Flood Insurance Rate Maps were produced followed by “Preliminary” Maps on May 30, 2014. On August 21, 2014, the City received the official notice of the 90 Day Appeal Period. There were no appeals to the maps and on March 2, 2015, the City received the “Letter of Final Determination” that on September 2, 2015 the Flood Insurance Rate Maps would become effective.

Discussion:

The City received new Flood Insurance Rate Maps and the Flood Insurance Study from FEMA on March 2, 2015 that will become effective on September 2, 2015. This request is to incorporate the Flood Insurance Rate

Maps and Flood Insurance Study for “Wolf Creek and its tributaries” completed under the Lower Kansas Watershed RiskMAP project.

The “Draft” Floodplain Management Regulations are required to be approved by the Chief Engineer of the Division of Water Resources of the Kansas Department of Agriculture prior to adoption by the Governing Body. I submitted the regulations and received approval from the Chief Engineer on March 10, 2015. The “Draft” Regulations with changes shown in “legislative style” are attached.

The rationale for amending our existing Floodplain Management Regulations are as follows:

1. Federal Emergency Management Agency (FEMA) sent a letter to the Honorable Jeff Harrington, Mayor dated March 2, 2015 that states the requirement to adopt or show evidence of adoption of Floodplain Management Regulations that meet the standards of Paragraph 60.3(d) of the NFIP regulations (44 CFR 59, etc.) by the effective date of the FIRM which is September 2, 2015;
2. Incorporate changes completed for the Wolf Creek watershed in the City of Bonner Springs under the RiskMAP for the Lower Kansas Watershed Project;
3. Incorporate and adopt the Flood Insurance Rate Maps (FIRM’s) and the Flood Insurance Study (FIS) that reflect the new Base Flood Elevations (BFE’s) for Wolf Creek;
4. Incorporate an additional one (1) foot of “freeboard” (total of 2’) for all new residential development within the Special Flood Hazard Area and additional two (2) foot of “freeboard (total of 3’) above the BFE for all Critical Facilities (Additional Community Rating System Credits for these “freeboard” changes);
5. Add wording that requires all Mechanical and HVAC equipment to be protected or elevated to the same level as the lowest floor; and
6. Change my title to “Floodplain Manager” from “Floodplain Administrator”.

Excerpt of the Minutes from the April 26, 2011 Public Hearing by the Planning Commission:

Chairman Parks introduced **Item No. 2: Floodplain Management Regulations – 2015 Edition**: A request by the Bonner Springs Planning Department to amend Chapter XVII: Zoning and Planning; Article 4, Floodplain Management Regulations of the City of Bonner Springs Code of Ordinances, by amending the Floodplain Management Regulations adopted June 13, 2011 under Ordinance No. 2313. This request is to incorporate the Flood Insurance Rate Maps and Flood Insurance Study for Wolf Creek and its tributaries completed under the Lower Kansas Watershed RiskMAP project. The Flood Insurance Rate Maps and Flood Insurance Study are scheduled to be effective on September 2, 2015.

Chairman Parks opened the public hearing at 7:02 p.m. and asked for Staff presentation. Staff discussed the requirements for amending the Floodplain Management Regulations – 2015 Edition and recommends approval of the regulations as reflected in the Staff Report.

Chairman Parks asked if there were any questions or comments from the audience. Seeing none he closed the public hearing at 7:05 p.m. and called for a motion. Commissioner Neff made a motion to approve the Floodplain Management Regulations – 2015 Edition as written with a second from Commissioner Stephan.

Chairman Parks asked if the Planning Commission had any questions or comments. Seeing none he called for a vote. Motion passed 8-0.

The Planning Director stated that he will forward this item to the Governing Body on July 13, 2015 with a Planning Commission recommendation of approval.

ORDINANCE NO. _____

An Ordinance to Adopt the Floodplain Management Regulations – 2015 Edition, for the City of Bonner Springs and the Unincorporated Area of Wyandotte County and Repeal Ordinance No. 2313 Adopted on June 13, 2011.

BE IT ORDAINED BY the Governing Body of the City of Bonner Springs, Kansas:

Section I: Code of Ordinances of the City of Bonner Springs, Chapter XVII – Zoning and Planning, Article 4, Floodplain Management Regulations adopted under Ordinance No. 2313 is hereby repealed.

Section II: There is hereby incorporated by reference the “Floodplain Management Regulations – 2015 Edition prepared by the Bonner Springs Planning Department, 205 E. 2nd Street, Bonner Springs, Kansas 66012, such incorporation authorized by K.S.A. 12-3009, 12-3010 and 12-3301, as amended.

Section III: That the City Clerk is hereby directed to maintain one (1) copy of said Floodplain Management Regulations stamped, “Official Copy as incorporated by Ordinance No. _____” with all sections or portions thereof intended to be omitted clearly marked to show such omissions, or showing the sections, articles, chapters, parts, or portions that are incorporated as the case may be and to which shall be attached a copy of the incorporating ordinance. Such copies shall be open to inspection and available to the public at all reasonable business hours.

Section IV: Code of Ordinances of the City of Bonner Springs, Chapter XVII – Zoning and Planning, Article 4, Floodplain Management Regulations is hereby amended.

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

Approved by the Governing Body and signed by the Mayor on July 13, 2015.

Jeff Harrington, Mayor

ATTEST:

Amber McCullough, City Clerk

(SEAL)



Federal Emergency Management Agency

Washington, D.C. 20472

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

IN REPLY REFER TO:
115-I

March 2, 2015

The Honorable Jeff Harrington
Mayor, City of Bonner Springs
Post Office Box 38
Bonner Springs, Kansas 66012

Community: City of Bonner Springs,
Wyandotte County, Kansas
Community No.: 200361
Map Panels Affected: See FIRM Index

Dear Mayor Harrington:

On August 21, 2014, you were notified of proposed modified flood hazard determinations (FHDs) affecting the Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) report for the City of Bonner Springs. The statutory 90-day appeal period that was initiated on September 4, 2014, when the Department of Homeland Security's Federal Emergency Management Agency (FEMA) published a notice of proposed FHDs for your community in the *The Chieftain*, has elapsed.

FEMA received no valid requests for changes in the FHDs. Therefore, the determination of the Agency as to the FHDs for your community is considered final. The final FHDs will be published in the *Federal Register* as soon as possible. The modified FHDs and revised map panels, as referenced above, will be effective as of September 2, 2015, and revise the FIRM that was in effect prior to that date. For insurance rating purposes, the community number and new suffix code for the panels being revised are indicated above and on the maps and must be used for all new policies and renewals.

The modifications are pursuant to Section 206 of the Flood Disaster Protection Act of 1973 (Public Law 93-234) and are in accordance with the National Flood Insurance Act of 1968, as amended (Title XIII of the Housing and Urban Development Act of 1968, Public Law 90-448), 42 U.S.C. 4001-4128, and 44 CFR Part 65. Because of the modifications to the FIRM and FIS report for your community made by this map revision, certain additional requirements must be met under Section 1361 of the 1968 Act, as amended, within 6 months from the date of this letter. Prior to September 2, 2015, your community is required, as a condition of continued eligibility in the National Flood Insurance Program (NFIP), to adopt or show evidence of adoption of floodplain management regulations that meet the standards of Paragraph 60.3(d) of the NFIP regulations. These standards are the minimum requirements and do not supersede any State or local requirements of a more stringent nature.

It must be emphasized that all the standards specified in Paragraph 60.3(d) of the NFIP regulations must be enacted in a legally enforceable document. This includes the adoption of the effective FIRM and FIS report to which the regulations apply and the modifications made by this map revision. Some of the standards should already have been enacted by your community. Any additional requirements can be met by taking one of the following actions:

1. Amending existing regulations to incorporate any additional requirements of Paragraph 60.3(d);
2. Adopting all the standards of Paragraph 60.3(d) into one new, comprehensive set of regulations; or

3. Showing evidence that regulations have previously been adopted that meet or exceed the minimum requirements of Paragraph 60.3(d).

Communities that fail to enact the necessary floodplain management regulations will be suspended from participation in the NFIP and subject to the prohibitions contained in Section 202(a) of the 1973 Act as amended.

A Consultation Coordination Officer (CCO) has been designated to assist your community with any difficulties you may be encountering in enacting the floodplain management regulations. The CCO will be the primary liaison between your community and FEMA. For information about your CCO, please contact:

Mr. Michael R. Scott
Director, Federal Insurance and Mitigation Division
Federal Emergency Management Agency, Region VII
9221 Ward Parkway, Suite 300
Kansas City, MO 64114-3324
(816) 283-7002

To assist your community in maintaining the FIRM, we have enclosed a Summary of Map Actions to document previous Letter of Map Change (LOMC) actions (i.e., Letters of Map Amendment (LOMAs), Letters of Map Revision (LOMRs)) that will be superseded when the revised FIRM panels referenced above become effective. Information on LOMCs is presented in the following four categories: (1) LOMCs for which results have been included on the revised FIRM panels; (2) LOMCs for which results could not be shown on the revised FIRM panels because of scale limitations or because the LOMC issued had determined that the lots or structures involved were outside the Special Flood Hazard Area as shown on the FIRM; (3) LOMCs for which results have not been included on the revised FIRM panels because the flood hazard information on which the original determinations were based is being superseded by new flood hazard information; and (4) LOMCs issued for multiple lots or structures where the determination for one or more of the lots or structures cannot be revalidated through an administrative process like the LOMCs in Category 2 above. LOMCs in Category 2 will be revalidated through a single letter that reaffirms the validity of a previously issued LOMC; the letter will be sent to your community shortly before the effective date of the revised FIRM and will become effective 1 day after the revised FIRM becomes effective. For the LOMCs listed in Category 4, we will review the data previously submitted for the LOMA or LOMR request and issue a new determination for the affected properties after the revised FIRM becomes effective.

The FIRM panels have been computer-generated. Once the FIRM and FIS report are printed and distributed, the digital files containing the flood hazard data for the entire county can be provided to your community for use in a computer mapping system. These files can be used in conjunction with other thematic data for floodplain management purposes, insurance purchase and rating requirements, and many other planning applications. Copies of the digital files or paper copies of the FIRM panels may be obtained by calling our FEMA Map Information eXchange (FMIX), toll free, at 1-877-FEMA-MAP (1-877-336-2627). In addition, your community may be eligible for additional credits under our Community Rating System if you implement your activities using digital mapping files.

If you have any questions regarding the necessary floodplain management measures for your community or the NFIP in general, we urge you to call the Director, Federal Insurance and Mitigation Division of FEMA in Kansas City, Missouri, at (816) 283-7002 for assistance. If you have any questions concerning mapping issues in general or the enclosed Summary of Map Actions, please call our FMIX at the number

shown above. Additional information and resources your community may find helpful regarding the NFIP and floodplain management, such as *The National Flood Insurance Program Code of Federal Regulations*, *Answers to Questions About the NFIP*, *Use of Flood Insurance Study (FIS) Data as Available Data*, *Frequently Asked Questions Regarding the Effect that Revised Flood Hazards have on Existing Structures*, and *National Flood Insurance Program Elevation Certificate and Instructions*, can be found on our website at <http://www.floodmaps.fema.gov/lfd>. Paper copies of these documents may also be obtained by calling our FMIX.

Sincerely,



Luis Rodriguez, P.E., Chief
Engineering Management Branch
Federal Insurance and Mitigation Administration

Enclosure:

Final Summary of Map Actions

cc: Community Map Repository
Mr. Don Slone, Planning Director – Floodplain, City of Bonner Springs

FINAL SUMMARY OF MAP ACTIONS

Community: BONNER SPRINGS, CITY OF

Community No: 200361

To assist your community in maintaining the Flood Insurance Rate Map (FIRM), we have summarized below the previously issued Letter of Map Change (LOMC) actions (i.e., Letters of Map Revision (LOMRs) and Letters of Map Amendment (LOMAs)) that will be affected when the revised FIRM becomes effective on September 2, 2015.

1. LOMCs Incorporated

The modifications effected by the LOMCs listed below will be reflected on the revised FIRM. In addition, these LOMCs will remain in effect until the revised FIRM becomes effective.

LOMC	Case No.	Date Issued	Project Identifier	Old Panel	New Panel
			NO CASES RECORDED		

2. LOMCs Not Incorporated

The modifications effected by the LOMCs listed below will not be reflected on the revised FIRM panels because of scale limitations or because the LOMC issued had determined that the lot(s) or structure(s) involved were outside the Special Flood Hazard Area, as shown on the FIRM. These LOMCs will remain in effect until the revised FIRM becomes effective. These LOMCs will be revalidated free of charge 1 day after the revised FIRM becomes effective through a single revalidation letter that reaffirms the validity of the previous LOMCs.

LOMC	Case No.	Date Issued	Project Identifier	Old Panel	New Panel
LOMA	10-07-0354A	04/01/2010	LOTS 1-4, BLOCK 1, ELLENDALE SUBDIVISION -- 103 NORTH GARFIELD STREET	2003610005A	20209C0117F
LOMA	12-07-1490A	02/28/2012	WOLF CREEK DEVELOPMENT, LOT 1 -- 13947 GIBBS ROAD, BUILDINGS B, C & D	20209C0117D	20209C0117F
LOMA	12-07-1491A	02/28/2012	WOLF CREEK DEVELOPMENT, LOT 1 -- 13947 GIBBS ROAD	20209C0117D	20209C0117F
LOMA	13-07-1182A		Lot 77, The Lake of The Forest Club (Resurvey) Subdivision - 908 Lake Forest Drive	20209C0129D	20209C0129F

3. LOMCs Superseded

The modifications effected by the LOMCs listed below have not been reflected on the Final revised FIRM panels because they are being superseded by new detailed flood hazard information or the information available was not sufficient to make a determination. The reason each is being superseded is noted below. These LOMCs will no longer be in effect when the revised FIRM becomes effective.

LOMC	Case No.	Date Issued	Project Identifier	Reason Determination Will be Superseded
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FINAL SUMMARY OF MAP ACTIONS

Community: BONNER SPRINGS, CITY OF

Community No: 200361

LOMC	Case No.	Date Issued	Project Identifier	Reason Determination Will be Superseded
			NO CASES RECORDED	

1. Insufficient information available to make a determination.
2. Lowest Adjacent Grade and Lowest Finished Floor are below the proposed Base Flood Elevation.
3. Lowest Ground Elevation is below the proposed Base Flood Elevation.
4. Revised hydrologic and hydraulic analyses.
5. Revised topographic information.

4. LOMCs To Be Redetermined

The LOMCs in Category 2 above will be revalidated through a single revalidation letter that reaffirms the validity of the determination in the previously issued LOMC. For LOMCs issued for multiple lots or structures where the determination for one or more of the lots or structures has changed, the LOMC cannot be revalidated through this administrative process. Therefore, we will review the data previously submitted for the LOMC requests listed below and issue a new determination for the affected properties after the effective date of the revised FIRM.

LOMC	Case No.	Date Issued	Project Identifier	Old Panel	New Panel
			NO CASES RECORDED		

1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700



900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

March 11, 2015

Don E. Slone, AICP, CFM, Planning Director - Floodplain Manager City of Bonner Springs
205 E. 2nd Street, P.O. Box 38
Bonner Springs, KS 66012-0038

Subject: Floodplain Regulations Approval for City of Bonner Springs, Kansas

Dear Mr. Slone,

The floodplain management regulations submitted for City of Bonner Springs, Kansas were received for review on March 9, 2015. The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, acting under terms of K.S.A. 12-766, and the administrative regulations adopted pursuant thereto (K.A.R. 5-44-1 through 7) approved your regulations on March 9, 2015. An approved draft copy of the regulation is returned for action by the governing body.

When the updated regulation has been officially adopted by the governing body, please send a signed copy of the adoption document to me. I will send the documentation to FEMA for you. Please call me at 785-296-4622 if you have any questions.

Using adoption by reference may save money on publication costs. The League of Kansas Municipalities can advise you on adoption by reference. I can show you a format another community used for their own adoption.

Sincerely,

A handwritten signature in cursive script that reads "Steve Samuelson".

Steve Samuelson, CFM
NFIP Specialist

Enclosures: Approved Draft Regulations

SECTION C. STATEMENT OF PURPOSE

It is the purpose of this ordinance to promote the public health, safety, and general welfare; to minimize those losses described in Article 1, Section B(1); to establish or maintain the community's eligibility for participation in the National Flood Insurance Program (NFIP) as defined in 44 Code of Federal Regulations (CFR) 59.22(a)(3); and to meet the requirements of 44 CFR 60.3(d) and K.A.R. 5-44-4 by applying the provisions of this ordinance to:

1. Restrict or prohibit uses that are dangerous to health, safety, or property in times of flooding or cause undue increases in flood heights or velocities;
2. Require uses vulnerable to floods, including public facilities that serve such uses, be provided with flood protection at the time of initial construction; and
3. Protect individuals from buying lands that are unsuited for the intended development purposes due to the flood hazard.

ARTICLE 2 GENERAL PROVISIONS

SECTION A. LANDS TO WHICH ORDINANCE APPLIES

This ordinance shall apply to all lands within the jurisdiction of the City of Bonner Springs and the unincorporated portion of Wyandotte County identified as numbered and unnumbered A Zones, AE, AO, and AH Zones, on the Index Map dated September 2, ~~2011~~ 2015 of the Flood Insurance Rate Map (FIRM) as amended, and any future revisions thereto. In all areas covered by this ordinance, no development shall be permitted except through the issuance of a floodplain development permit, granted by the Floodplain Manager Administrator.

SECTION B. COMPLIANCE

No development located within the special flood hazard areas of this community shall be located, extended, converted, or structurally altered without full compliance with the terms of this ordinance and other applicable regulations.

SECTION C. ABROGATION AND GREATER RESTRICTIONS

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance imposes greater restrictions, the provisions of this ordinance shall prevail. All other ordinances inconsistent with this ordinance are hereby repealed to the extent of the inconsistency only.

SECTION D. INTERPRETATION

In their interpretation and application, the provisions of this ordinance shall be held to be minimum requirements, shall be liberally construed in favor of the governing body and shall not be deemed a limitation or repeal of any other powers granted by Kansas statutes.

SECTION E. WARNING AND DISCLAIMER OF LIABILITY

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on engineering and scientific methods of study. Larger floods may occur on rare occasions or the flood heights may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris. This ordinance does not imply that areas outside the floodway and flood fringe or land uses permitted within such areas will be free from flooding or flood damage. This ordinance shall not create a liability on the part of the City of Bonner Springs, any officer or employee thereof, for any flood damages that may result from reliance on this ordinance or any administrative decision lawfully made thereunder.

SECTION F. SEVERABILITY

If any section; clause; provision; or portion of this ordinance is adjudged unconstitutional or invalid by a court of appropriate jurisdiction, the remainder of this ordinance shall not be affected thereby.

ARTICLE 3 ADMINISTRATION

SECTION A. FLOODPLAIN DEVELOPMENT PERMIT

A floodplain development permit shall be required for all proposed construction or other development, including the placement of manufactured homes, in areas described in Article 2, Section A. No person, firm, corporation, or unit of government shall initiate any development or substantial-improvement or cause the same to be done without first obtaining a separate floodplain development permit for each structure or other development.

SECTION B. DESIGNATION OF FLOODPLAIN ~~MANAGER ADMINISTRATOR~~

The Planning Director is hereby appointed to administer, enforce, and implement the provisions of this ordinance.

SECTION C. DUTIES AND RESPONSIBILITIES OF FLOODPLAIN ~~MANAGER ADMINISTRATOR~~

Duties of the Floodplain ~~Manager Administrator~~ shall include, but not be limited to:

1. Review all applications for development permits to assure that sites are reasonably safe from flooding and that the floodplain development permit requirements of this ordinance have been satisfied;
2. Review of all applications for floodplain development permits for proposed development to assure that all necessary permits have been obtained from Federal, State, or local governmental agencies from which prior approval is required by Federal, State, or local law;
3. Review all subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, to determine whether such proposals will be reasonably safe from flooding;
4. Issue floodplain development permits for all approved applications;
5. Notify adjacent communities and the Division of Water Resources, Kansas Department of Agriculture, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency (FEMA);
6. Assure that the flood-carrying capacity is not diminished and shall be maintained within the altered or relocated portion of any watercourse;
7. Verify and maintain a record of the actual elevation (in relation to mean sea level) of the lowest floor, including basement, of all new or substantially improved structures;
8. Verify and maintain a record of the actual elevation (in relation to mean sea level) that the new or substantially improved non-residential structures have been floodproofed; and
9. When floodproofing techniques are utilized for a particular non-residential structure, the ~~Floodplain Manager floodplain administrator~~ shall require certification from a registered professional engineer or architect.

SECTION D. APPLICATION FOR FLOODPLAIN DEVELOPMENT PERMIT

To obtain a floodplain development permit, the applicant shall first file an application in writing on a form furnished for that purpose. Every floodplain development permit application shall:

1. Describe the land on which the proposed work is to be done by lot, block and tract, house and street address, or similar description that will readily identify and specifically locate the proposed structure or work;

2. Identify and describe the work to be covered by the floodplain development permit;
3. Indicate the use or occupancy for which the proposed work is intended;
4. Indicate the assessed value of the structure and the fair market value of the improvement;
5. Specify whether development is located in designated flood fringe or floodway;
6. Identify the existing base flood elevation and the elevation of the proposed development;
7. Give such other information as reasonably may be required by the Floodplain Manager floodplain administrator;
8. Be accompanied by plans and specifications for proposed construction; and
9. Be signed by the permittee or his authorized agent who may be required to submit evidence to indicate such authority.

ARTICLE 4 PROVISIONS FOR FLOOD HAZARD REDUCTION

SECTION A. GENERAL STANDARDS

1. No permit for floodplain development shall be granted for new construction, substantial-improvements, and other improvements, including the placement of manufactured homes, within any numbered or unnumbered A zones, AE, AO, and AH zones, unless the conditions of this section are satisfied;
2. All areas identified as unnumbered A zones on the FIRM are subject to inundation of the 100-year flood; however, the base flood elevation is not provided. Development within unnumbered A zones is subject to all provisions of this ordinance. If Flood Insurance Study data is not available, the community shall obtain, review, and reasonably utilize any base flood elevation or floodway data currently available from Federal, State, or other sources;
3. Until a floodway is designated, no new construction, substantial improvements, or other development, including fill, shall be permitted within any unnumbered or numbered A zones, or AE zones on the FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community;
4. All new construction, subdivision proposals, substantial-improvements, prefabricated structures, placement of manufactured homes, and other developments shall require:
 - a. Design or adequate anchorage to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
 - b. Construction with materials resistant to flood damage;
 - c. Utilization of methods and practices that minimize flood damages;
 - d. All electrical, heating, ventilation, plumbing, air-conditioning equipment, and other service facilities be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
 - e. New or replacement water supply systems and/or sanitary sewage systems be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and on-site waste disposal systems be located so as to avoid impairment or contamination; and
 - f. Subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, located within special flood hazard areas are required to assure that:
 - (1) All such proposals are consistent with the need to minimize flood damage;

- (2) All public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage;
- (3) Adequate drainage is provided so as to reduce exposure to flood hazards; and
- (4) All proposals for development, including proposals for manufactured home parks and subdivisions, of five (5) acres or fifty (50) lots, whichever is lesser, include within such proposals base flood elevation data.

5. *Storage, Material, and Equipment*

- a. The storage or processing of materials within the special flood hazard area that are in time of flooding buoyant, flammable, explosive, or could be injurious to human, animal, or plant life is prohibited; and
- b. Storage of other material or equipment may be allowed if not subject to major damage by floods, if firmly anchored to prevent flotation or if readily removable from the area within the time available after a flood warning.

6. *Nonconforming Use*

A structure, or the use of a structure or premises that was lawful before the passage or amendment of the ordinance, but which is not in conformity with the provisions of this ordinance, may be continued subject to the following conditions:

- a. If such structure, use, or utility service is discontinued for twelve consecutive months, any future use of the building shall conform to this ordinance; and
- b. If any nonconforming use or structure is destroyed by any means, including flood, it shall not be reconstructed if the cost is more than fifty (50) percent of the pre-damaged market value of the structure. This limitation does not include the cost of any alteration to comply with existing state or local health, sanitary, building, safety codes, regulations or the cost of any alteration of a structure listed on the National Register of Historic Places, the State Inventory of Historic Places, or local inventory of historic places upon determination.

7. *Agricultural Structures*

Structures used solely for agricultural purposes in connection with the production, harvesting, storage, drying, or raising of agricultural commodities, including the raising of livestock, may be constructed at-grade and wet-floodproofed provided there is no human habitation or occupancy of the structure; the structure is of single-wall design; there is no permanent retail, wholesale, or manufacturing use included in the structure; a variance has been granted from the floodplain management requirements of this ordinance; and a floodplain development permit has been issued.

8. *Critical Facilities*

- a. All new or substantially improved critical ~~nonresidential~~ facilities including, but not limited, to governmental buildings, police stations, fire stations, hospitals, orphanages, penal institutions, communication centers, water and sewer pumping stations, water and sewer treatment facilities, transportation maintenance facilities, places of public assembly, emergency aviation facilities, and schools shall be elevated above the .2 percent annual chance flood event, also referred to as the 500-year flood level or together with attendant utility and sanitary facilities, be floodproofed so that below the 500-year flood level the structure is water tight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification shall be provided to the ~~Floodplain Manager floodplain administrator~~ as set forth in Article 3, Section C(7)(8)(9);
- b. All critical facilities shall have access routes that are above the elevation of the 500-year flood; and

c. No critical facilities shall be constructed in any designated floodway.

9. *Hazardous Materials*

All hazardous material storage and handling sites shall be located out of the special flood hazard area.

10. *Cumulative Improvement*

A structure may be improved (remodeled or enlarged) without conforming to current requirements for elevation so long as the cumulative value of all work done within the last five calendar years does not exceed fifty (50) percent of the structure's current market value. If the cumulative value of the improvement exceeds fifty (50) percent of the structure's current market value, the structure must be brought into compliance with Article 4, Section B(1) which requires elevation of residential structures to ~~two one~~ (+2) foot above the base flood elevation or the elevation/floodproofing of non-residential structures to ~~three two~~ (23) foot above the base flood elevation.

SECTION B. SPECIFIC STANDARDS

In all areas identified as numbered and unnumbered A zones, AE, and AH Zones, where base flood elevation data have been provided, the following provisions are required:

1. *Residential Construction*

New construction or substantial-improvement of any residential structures, including manufactured homes, shall have the lowest floor, including basement, elevated a minimum of ~~two one~~ (+2) foot above base flood elevation. Mechanical and HVAV equipment to be protected or elevated to the same level as the lowest floor. The elevation of the lowest floor shall be certified by a licensed land surveyor or licensed professional engineer.

2. *Non-Residential Construction*

New construction or substantial-improvement of any commercial, industrial, or other non-residential structures, including manufactured homes, shall have the lowest floor, including basement, elevated a minimum of ~~two one~~ (+2) foot above the base flood elevation or, together with attendant utility and sanitary facilities, be floodproofed so that below ~~two one~~ (+2) foot above the base flood elevation the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Mechanical and HVAV equipment to be protected or elevated to the same level as the lowest floor. The elevation of the lowest floor shall be certified by a licensed land surveyor or licensed professional engineer. Such certification shall be provided to the Floodplain Manager Administrator as set forth in Article 4, Section C.

3. *Fully Enclosed Areas Below Lowest Floor*

Require, for all new construction and substantial-improvements that fully enclosed areas below lowest floor used solely for parking of vehicles, building access, or storage in an area other than a basement and that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of flood waters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:

- (1) A minimum of two (2) openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided; and
- (2) The bottom of all opening shall be no higher than one (1) foot above grade. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of flood waters.

SECTION C. MANUFACTURED HOMES

1. All manufactured homes to be placed within all unnumbered and numbered A zones, AE, and AH zones, on the community's FIRM shall be required to be installed using methods and practices that minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors;
2. Require manufactured homes that are placed or substantially improved within unnumbered or numbered A zones, AE, and AH zones, on the community's FIRM on sites:
 - a. Outside of a manufactured home park or subdivision;
 - b. In a new manufactured home park or subdivision;
 - c. In an expansion to and existing manufactured home park or subdivision; or
 - d. In an existing manufactured home park or subdivision on which a manufactured home has incurred substantial-damage as the result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated a minimum of ~~two one~~ (+2) foot above the base flood elevation and be securely attached to an adequately anchored foundation system to resist flotation, collapse, and lateral movement. The elevation of the lowest floor shall be certified by a licensed land surveyor or licensed professional engineer.
3. Require that manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision within all unnumbered and numbered A zones, AE and AH zones, on the community's FIRM, that are not subject to the provisions of Article 4, Section C(2) of this ordinance, be elevated so that either:
 - a. The lowest floor of the manufactured home is a minimum of ~~two one~~ (+2) foot above the base flood level; or
 - b. The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than thirty-six (36) inches in height above grade and be securely attached to an adequately anchored foundation system to resist flotation, collapse, and lateral movement. The elevation of the lowest floor shall be certified by a licensed land surveyor or licensed professional engineer.

SECTION D. AREAS OF SHALLOW FLOODING (AO and AH zones)

Located within the areas of special flood hazard as described in Article 2, Section are areas designated as AO zones. These areas have special flood hazards associated with base flood depths of one (1) to three (3) feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate. The following provisions apply:

1. *AO Zones*
 - a. All new construction and substantial-improvements of residential structures, including manufactured homes, shall have the lowest floor, including basement, elevated above the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least two (2) feet if no depth number is specified);
 - b. All new construction and substantial-improvements of any commercial, industrial, or other non-residential structures, including manufactured homes, shall have the lowest floor, including basement, elevated above the highest adjacent grade at least as high as the depth number specified in feet on the community FIRM (at least two (2) feet if no depth number is specified) or together with attendant utilities and sanitary facilities be completely floodproofed to that so that the structure is watertight with walls substantially impermeable to the passage of water and with structural

components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and

- c. Adequate drainage paths shall be required around structures on slopes, in order to guide floodwaters around and away from proposed structures.

2. *AH Zones*

- a. The specific standards for all areas of special flood hazard where base flood elevation has been provided shall be required as set forth in Article 5, Section C; and
- b. Adequate drainage paths shall be required around structures on slopes, in order to guide floodwaters around and away from proposed structures.

SECTION E. FLOODWAY

Located within areas of special flood hazard established in Article 2, Section A, are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters that carry debris and potential projectiles, the following provisions shall apply:

1. The community shall select and adopt a regulatory floodway based on the principle that the area chosen for the regulatory floodway must be designed to carry the waters of the base flood without increasing the water surface elevation of that flood more than one (1) foot at any point;
2. The community shall prohibit any encroachments, including fill, new construction, substantial improvements, and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge;
3. If Article 4, Section E(2), is satisfied, all new construction and substantial-improvements shall comply with all applicable flood hazard reduction provisions of Article 4; and
4. In unnumbered A zones, the community shall obtain, review, and reasonably utilize any base flood elevation or floodway data currently available from Federal, State, or other sources as set forth in Article 4, Section A(2).

SECTION F. RECREATIONAL VEHICLES

Require that recreational vehicles placed on sites within all unnumbered and numbered A Zones, AE, AH, and AO Zones on the community's FIRM either:

1. Be on the site for fewer than 180 consecutive days, *or*
2. Be fully licensed and ready for highway use*; *or*
3. Meet the permitting, elevation, and anchoring requirements for manufactured homes of these regulations.

*A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices, and has no permanently attached additions.

SECTION G. CONDITIONS FOR APPROVING AGRICULTURAL STRUCTURES

Any permit granted for an agricultural structure shall be decided individually based on a case by case analysis of the building's unique circumstances. In order to minimize flood damages during the 100-year flood and the threat to public health and safety, the following conditions shall be included for any permit issued for agricultural structures that are constructed at-grade and wet-floodproofed:

1. All proposed agricultural structures shall demonstrate that no other alternate location outside of the special flood hazard area exists for the agricultural structure. Residential structures, such as farm houses, cannot

be considered agricultural structures;

2. Use of the structures must be limited to agricultural purposes in any special flood hazard area only as identified on the community's Flood Insurance Rate Map (FIRM);
3. For any new or substantially damaged agricultural structures, the exterior and interior building components and elements (i.e., foundation, wall framing, exterior and interior finishes, flooring, etc.) below the base flood elevation, must be built with flood-resistant materials in accordance with Article 4, Section A (4)(b) of this ordinance;
4. The agricultural structures must be adequately anchored to prevent flotation, collapse, or lateral movement of the structures in accordance with Article 4, Section A (4)(a) of this ordinance. All of the building's structural components must be capable of resisting specific flood-related forces including hydrostatic, buoyancy, and hydrodynamic and debris impact forces;
5. Any mechanical, electrical, or other utility equipment must be located one (1) foot above the base flood elevation or floodproofed so that they are contained within a watertight, floodproofed enclosure that is capable of resisting damage during flood conditions in accordance with Article 4, Section A (4)(d) of this ordinance. The elevation shall be certified by a licensed land surveyor or professional engineer;
6. The agricultural structures must meet all National Flood Insurance Program (NFIP) opening requirements. The NFIP requires that enclosure or foundation walls, subject to the one percent annual chance flood event, also referred to as the 100-year flood, contain openings that will permit the automatic entry and exit of flood waters in accordance with Article 4, Section B (1)(c) of this ordinance;
7. The agricultural structures must comply with the floodplain management floodway encroachment provisions of Article 4, Section E(2) of this ordinance. No permits may be issued for agricultural structures within any designated floodway, if any increase in flood levels would result during the one percent annual chance flood event, also referred to as the 100-year flood;
8. Major equipment, machinery, or other contents must be protected from any flood damage;
9. No disaster relief assistance under any program administered by any Federal agency shall be paid for any repair or restoration costs of the agricultural structures; and
10. Wet-floodproofing construction techniques must be reviewed and approved by the community. The community may request approval by a registered professional engineer or architect prior to the issuance of any floodplain development permit for construction. Cost for any required professional certification to be paid by the developer.

ARTICLE 5 FLOODPLAIN MANAGEMENT VARIANCE PROCEDURES

SECTION A. ESTABLISHMENT OF APPEAL BOARD

The Board of Zoning Appeals as established by the Zoning Ordinance, Article XXVI of the City of Bonner Springs shall hear and decide appeals and requests for variances from the floodplain management requirements of this ordinance.

SECTION B. RESPONSIBILITY OF APPEAL BOARD

Where an application for a floodplain development permit is denied by the Floodplain ~~Manager Administrator~~, the applicant may apply for such floodplain development permit directly to the Board of Zoning Appeals, as defined in Article 5, Section A.

The Board of Zoning Appeals shall hear and decide appeals when it is alleged that there is an error in any requirement, decision, or determination made by the Floodplain ~~Manager Administrator~~ in the enforcement or administration of this ordinance.

SECTION C. FURTHER APPEALS

Any person aggrieved by the decision of the Board of Zoning Appeals or any taxpayer may appeal such decision to the District Court as provided in K.S.A. 12-759 and 12-760.

SECTION D. FLOODPLAIN MANAGEMENT VARIANCE CRITERIA

In passing upon such applications for variances, the Board of Zoning Appeals shall consider all technical data and evaluations, all relevant factors, standards specified in other sections of this ordinance, and the following criteria:

1. Danger to life and property due to flood damage;
2. Danger that materials may be swept onto other lands to the injury of others;
3. Susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
4. Importance of the services provided by the proposed facility to the community;
5. Necessity to the facility of a waterfront location, where applicable;
6. Availability of alternative locations, not subject to flood damage, for the proposed use;
7. Compatibility of the proposed use with existing and anticipated development;
8. Relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
9. Safety of access to the property in times of flood for ordinary and emergency vehicles;
10. Expected heights, velocity, duration, rate of rise and sediment transport of the flood waters, if applicable, expected at the site; and,
11. Costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems; streets; and bridges.

SECTION E. CONDITIONS FOR APPROVING FLOODPLAIN MANAGEMENT VARIANCES

1. Generally, variances may be issued for new construction and substantial-improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items two (2) through six (6) below have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases;
2. Variances may be issued for the reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Places, the State Inventory of Historic Places, or local inventory of historic places upon determination, provide the proposed activity will not preclude the structure's continued historic designation;
3. Variances shall not be issued within any designated floodway if any increase in flood discharge would result;
4. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief;
5. Variances shall only be issued upon: (a) showing of good and sufficient cause, (b) determination that failure to grant the variance would result in exceptional hardship to the applicant, and (c) determination that the

granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances; and

6. The City of Bonner Springs shall notify the applicant in writing over the signature of the Floodplain ~~Manager Administrator~~ that: (a) the issuance of a variance to construct a structure below base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25.00 for \$100.00 of insurance coverage and (b) such construction below the base flood level increases risks to life and property. Such notification shall be maintained with the record of all variance actions as required by this ordinance.

ARTICLE 6 VIOLATION AND PENALTY

Any person, firm or corporation who shall violate any of the provisions of these Regulations or fail to comply herewith, or with any of the requirements thereof; or who shall build or alter any building in violation of any plan submitted and approved hereunder shall be guilty of a misdemeanor; and, upon conviction thereof, shall be liable to a fine of not more than five hundred dollars (\$500.00) and/or imprisonment for not more than six (6) months for each offense and each day such violation shall be permitted to exist shall constitute a separate offense.

ARTICLE 7 AMENDMENTS

The regulations, restrictions, and boundaries set forth in this ordinance may from time to time be amended, supplemented, changed, or appealed to reflect any and all changes in the National Flood Disaster Protection Act of 1973, provided, however, that no such action may be taken until after a public hearing in relation thereto, at which parties of interest and citizens shall have an opportunity to be heard. Notice of the time and place of such hearing shall be published in a newspaper of general circulation in the City of Bonner Springs. At least twenty (20) days shall elapse between the date of this publication and the public hearing. A copy of such amendments will be provided to the FEMA Region VII office. The regulations of this ordinance are in compliance with the NFIP regulations.

ARTICLE 8 DEFINITIONS

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the same meaning they have in common usage and to give this ordinance its most reasonable application.

"**100-year Flood**" *see "base flood."*

"**Accessory Structure**" means the same as "*appurtenant structure.*"

"**Actuarial Rates**" *see "risk premium rates."*

"**Agricultural Commodities**" means agricultural products and livestock.

"**Agricultural Structure**" means any structure used exclusively in connection with the production, harvesting, storage, drying, or raising of agricultural commodities.

"**Appeal**" means a request for review of the Floodplain ~~Manager's Administrator's~~ interpretation of any provision of this ordinance or a request for a variance.

"**Appurtenant Structure**" means a structure that is on the same parcel of property as the principle structure to be insured and the use of which is incidental to the use of the principal structure.

"**Area of Shallow Flooding**" means a designated AO or AH zone on a community's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one (1) to three (3) feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

"**Area of Special Flood Hazard**" is the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year.

"**Base Flood**" means the flood having a one percent chance of being equaled or exceeded in any given year.

"**Basement**" means any area of the structure having its floor subgrade (below ground level) on all sides.

"**Building**" *see "structure."*

"**Chief Engineer**" means the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture.

"**Chief Executive Officer**" or "**Chief Elected Official**" means the official of the community who is charged with the authority to implement and administer laws, ordinances, and regulations for that community.

"**Community**" means any State or area or political subdivision thereof, which has authority to adopt and enforce **F**loodplain **M**anagement **R**egulations for the areas within its jurisdiction.

"**Development**" means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, levees, levee systems, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials.

"**Elevated Building**" means for insurance purposes, a non-basement building which has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

"Elevation Certificate" means a certificate that verifies the elevation data of a structure on a given property relative to the ground level. The Elevation Certificate is used by local communities and builders to ensure compliance with local Floodplain Management Regulations and is also used by insurance agents and companies in the rating of flood insurance policies.

"**Eligible Community**" or "**Participating Community**" means a community for which the Administrator has authorized the sale of flood insurance under the National Flood Insurance Program (NFIP).

"**Existing Construction**" means for the purposes of determining rates, structures for which the "*start of construction*" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. "*existing construction*" may also be referred to as "*existing structures.*"

"**Existing Manufactured Home Park or Subdivision**" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the **F**loodplain **M**anagement **R**egulations adopted by a community.

"**Expansion to an Existing Manufactured Home Park or Subdivision**" means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

"**Flood**" or "**Flooding**" means a general and temporary condition of partial or complete inundation of normally dry land areas from: (1) the overflow of inland waters; (2) the unusual and rapid accumulation or runoff of surface waters from any source; and (3) the collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood, or by some similarly unusual and unforeseeable event which results in flooding as defined above in item (1).

"**Flood Boundary and Floodway Map (FBFM)**" means an official map of a community on which the Administrator has delineated both special flood hazard areas and the designated regulatory floodway.

"**Flood Elevation Determination**" means a determination by the Administrator of the water surface elevations of the base flood, that is, the flood level that has a one percent or greater chance of occurrence in any given year.

"**Flood Elevation Study**" means an examination, evaluation and determination of flood hazards.

"Flood Fringe" means the area outside the floodway encroachment lines, but still subject to inundation by the regulatory flood.

"Flood Hazard Boundary Map (FHBM)" means an official map of a community, issued by the Administrator, where the boundaries of the flood areas having special flood hazards have been designated as (unnumbered or numbered) A zones.

"Flood Hazard Map" means the document adopted by the governing body showing the limits of: (1) the floodplain; (2) the floodway; (3) streets; (4) stream channel; and (5) other geographic features.

"Flood Insurance Rate Map (FIRM)" means an official map of a community, on which the Administrator has delineated both the special flood hazard areas and the risk premium zones applicable to the community.

"Flood Insurance Study (FIS)" means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations.

"Floodplain" or "Flood-prone Area" means any land area susceptible to being inundated by water from any source (*see "flooding"*).

"Floodplain Management" means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, and floodplain management regulations.

"Floodplain Management Regulations" means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as floodplain and grading ordinances) and other applications of police power. The term describes such state or local regulations, in any combination thereof that provide standards for the purpose of flood damage prevention and reduction.

"Floodproofing" means any combination of structural and nonstructural additions, changes, or adjustments to structures that reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, or structures and their contents.

"Floodway" or "Regulatory Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

"Floodway Encroachment Lines" means the lines marking the limits of floodways on Federal, State and local floodplain maps.

"Freeboard" means a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. *"Freeboard"* tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as bridge openings and the hydrological effect of urbanization of the watershed.

"Functionally Dependent Use" means a use that cannot perform its intended purpose unless it is located or carried out in close proximity to water. This term includes only docking facilities and facilities that are necessary for the loading and unloading of cargo or passengers, but does not include long-term storage or related manufacturing facilities.

"Highest Adjacent Grade" means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

"Historic Structure" means any structure that is (a) listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or (d) individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either (1) by an approved

state program as determined by the Secretary of the Interior or (2) directly by the Secretary of the Interior in states without approved programs.

"Lowest Floor" means the lowest floor of the lowest enclosed area, including basement. An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access, or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable floodproofing design requirements of this ordinance.

"Manufactured Home" means a structure, transportable in one or more sections, that is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term *"manufactured home"* does not include a *"recreational vehicle."*

"Manufactured Home Park or Subdivision" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

"Map" means, the Flood Insurance Rate Map (FIRM) for a community issued by the Federal Emergency Management Agency (FEMA).

"Market Value" or "Fair Market Value" means an estimate of what is fair, economic, just and equitable value under normal local market conditions.

"Mean Sea Level" means, for purposes of the National Flood Insurance Program (NFIP), the North American Vertical Datum of 1988 (NAVD88) to which base flood elevations shown on a community's Flood Insurance Rate Map (FIRM) are referenced.

"New Construction" means, for the purposes of determining insurance rates, structures for which the *"start of construction"* commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, *"new construction"* means structures for which the *"start of construction"* commenced on or after the effective date of the **F**loodplain **M**anagement **R**egulations adopted by a community and includes any subsequent improvements to such structures.

"New Manufactured Home Park or Subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lot on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of **F**loodplain **M**anagement **R**egulations adopted by the community.

"(NFIP)" means the National Flood Insurance Program (NFIP).

"Participating Community" also known as an *"eligible community,"* means a community in which the Administrator has authorized the sale of flood insurance.

"Permit" means a signed document from a designated community official authorizing development in a floodplain, including all necessary supporting documentation such as: (1) the site plan; (2) an elevation certificate; and (3) any other necessary or applicable approvals or authorizations from local, state or federal authorities.

"Person" includes any individual or group of individuals, corporation, partnership, association, or any other entity, including Federal, State, and local governments and agencies.

"Principally Above Ground" means that at least 51 percent of the actual cash value of the structure, less land value, is above ground.

"Reasonably Safe From Flooding" means base flood waters will not inundate the land or damage structures to be removed from the SFHA and that any subsurface waters related to the base flood will not damage existing or proposed buildings.

"Recreational Vehicle" means a vehicle which is (a) built on a single chassis; (b) 400 square feet or less when measured at the largest horizontal projections; (c) designed to be self-propelled or permanently able to be towed

by a light-duty truck; and (d) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

"Remedy A Violation" means to bring the structure or other development into compliance with Federal, State, or local floodplain management regulations; or, if this is not possible, to reduce the impacts of its noncompliance.

"Risk Premium Rates" means those rates established by the Administrator pursuant to individual community studies and investigations, which are undertaken to provide flood insurance in accordance with Section 1307 of the National Flood Disaster Protection Act of 1973 and the accepted actuarial principles. *"Risk premium rates"* include provisions for operating costs and allowances.

"Special Flood Hazard Area" *see "area of special flood hazard."*

"Special Hazard Area" means an area having special flood hazards and shown on an FHBM, FIRM or FBFM as zones (unnumbered or numbered) A, AO, AE, or AH.

"Start of Construction" includes substantial-improvements, and means the date the building permit was issued provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvements were within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slabs or footings, the installation of piles, the construction of columns, any work beyond the stage of excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling, the installation of streets and/or walkways, excavation for a basement, footings, piers, foundations, the erection of temporary forms, nor installation on the property of accessory structures, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial-improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

"State Coordinating Agency" means the Division of Water Resources, Kansas Department of Agriculture, or other office designated by the governor of the state or by state statute at the request of the Administrator to assist in the implementation of the National Flood Insurance Program (NFIP) in that state.

"Structure" means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. *"Structure"* for insurance purposes, means a walled and roofed building, other than a gas or liquid storage tank that is principally above ground and affixed to a permanent site, as well as a manufactured home on a permanent foundation. For the latter purpose, the term includes a building while in the course of construction, alteration or repair, but does not include building materials or supplies intended for use in such construction, alteration or repair, unless such materials or supplies are within an enclosed building on the premises.

"Substantial-Damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to pre-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

"Substantial-Improvement" means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before *"start of construction"* of the improvement. This term includes structures, which have incurred *"substantial-damage,"* regardless of the actual repair work performed. The term does not, however, include either (1) any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications that have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or (2) any alteration of a *"historic structure,"* provided that the alteration will not preclude the structure's continued designation as a *"historic structure."*

"Temporary Structure" means a structure permitted in a district for a period not to exceed 180 days and is required to be removed upon the expiration of the permit period. Temporary structures may include recreational vehicles, temporary construction offices, or temporary business facilities used until permanent facilities can be constructed, but at no time shall it include manufactured homes used as residences.

"**Variance**" means a grant of relief by the community from the terms of a floodplain management regulation. Flood insurance requirements remain in place for any varied use or structure and cannot be varied by the community.

"**Violation**" means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required by this ordinance is presumed to be in violation until such time as that documentation is provided.

"**Water Surface Elevation**" means the height, in relation to the North American Vertical Datum of 1988 (NAVD88) of floods of various magnitudes and frequencies in the floodplain.

ARTICLE 9 REPEAL OF CURRENT ORDINANCE

The Floodplain Management Regulations adopted ~~June 16, 2011~~ ~~February 11, 2008~~ under Ordinance No. ~~2313~~ ~~2209~~ be and the same is hereby repealed.

ARTICLE 10 CERTIFICATE OF ADOPTION

This Floodplain Management ~~Regulations~~ ~~Ordinance~~ for the City of Bonner Springs, Kansas and the unincorporated portion of Wyandotte County.

APPROVED AND ADOPTED by the Governing Body of the City of Bonner Springs, Kansas,

on _____, ~~2015~~~~2011~~.

~~Jeff Harrington~~~~Claudia W. Smith~~, Mayor

ATTEST:

~~Amber McCullough~~~~Rita Hoag~~, City Clerk
(seal)

APPROVED

This ___ day of _____, ~~2015~~

~~2011~~

Chief Engineer, Division of Water Resources
Kansas Department of Agriculture

ITEM NO. 9.

**City Council Regular Agenda
Monday, July 13, 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				
RESULT	PASS	FAIL		

Mayor Vote on Charter Ordinances & Planning Items _____

AGENDA ITEM: Final Plat: PT-15-101, "McDaniel's Resurvey Block 5 & 6"

ACTION: Make a Motion to Accept the Dedication of Easements as Shown on the Final Plat for McDaniel's Resurvey Block 5 & 6

STAFF RECOMMENDATION: The City Manager, Planning Director and Planning Commission Recommend Approval

Enclosed is the memo with the recommendation as well as the final plat and Planning Commission minutes.

City Council Staff Report

July 13, 2015

To: Mayor and City Council
Thru: John N. Helin, City Manager 
From: Don E. Slone, AICP, CFM, Planning Director – Floodplain Manager
Subject: **Final Plat: PT-15-101: “McDaniel’s Resurvey Block 5 & 6”**



Recommendation:

The Planning Commission recommends the Governing Body accept the “dedication of easements” as shown on the Final Plat of McDaniel’s Resurvey Block 5 & 6.

Discussion:

Staff presented the following information to the Planning Commission. They approved the Final Plat by unanimous vote subject to the nine (9) listed conditions. An Excerpt of the Minutes from the June 16, 2015 meeting by the Planning Commission is shown below.

Exhibits: Final Plat Exhibit – Original Lot 626 N. Nettleton Avenue; and
Final Plat – McDaniel’s Resurvey Block 5 & 6

FINAL PLAT: McDANIEL’S RESURVEY BLOCK 5 & 6

Case No.: PT-15-101

Applicant: Larry Hahn, LS, Hahn Surveying
Engineer: None Required – No Construction Proposed
Owners: Carol Benz, Julie Finger and Michael & Sara Niemann
Location(s): 626 N. Nettleton Avenue (Parcel No. 188804)
622 N. Nettleton Avenue (Parcel No. 188805)
145 Tiblow Lane (Parcel No. 217102)
Zoning: R-1, Single-Family Residential District

Land Use Summary:

Total Acreage: 2.43 acres
Number of Lots: 3
Easements Dedicated: As shown on the Final Plat (Sanitary Sewer Only)
Dedicated Rights-of-Way: No additional Right-Of-Way dedicated with this plat

Staff Recommendation:

The Development Staff recommends approval of the submitted Final Plat subject to (9) conditions:

1. Add the Final Plat Title and Case No. to the lower right hand corner of the plat drawing;
2. Correct the spelling of the Chairman’s first name from MERIE to MERLE;
3. Correct the spelling of maintenance under Dedication, on row 9 and row 14;
4. Address the County Surveyor’s comments on the “verbiage under the title of the plat "A Replat of Lot C..." will match the preamble of the description for the plat. I would suggest making these two read the same”;
5. Also address the County Surveyor’s comments on “the title ...Blocks 5 & 6, John W. McDaniel' is called out as "tracts 5 & 6 in the description and on the face of the plat”;
6. Resubmit one (1) digital copy of the “revised” Final Plat to the Planning Department that addresses all the above conditions for the Planning Director’s review and approval prior to submission of the mylars;

7. The surveyor shall furnish two (2) original signed/sealed mylars along with the filing fee of \$23.00 made payable to the Register of Deeds Office; the "Section Corner(s) Tie Report" and fee as required by KSA-58-2003;
8. The Planning Department will file the Final Plat and provide a digital copy of the filed Final Plat to the applicant; and
9. Kansas Warranty Deeds will need to be filed against all three (3) new lots of record in order to complete the platting process.

Background: This request is to amend the boundaries between the three (3) lots of record.

Planning Director's Comments:

1. Add the Final Plat Title and Case No. to the lower right hand corner of the plat drawing;
2. Resubmit one (1) digital copy of the "revised" Final Plat to the Planning Department that addresses all the above conditions for the Planning Director's review and approval prior to submission of the mylars;
3. All 2014 property taxes are required to be "paid in full" for all three (3) lots of record prior to filing the final plat per KSA 19-1207 (Paid in Full);
4. The surveyor shall furnish two (2) original signed/sealed mylars along with the filing fee of \$23.00 made payable to the Register of Deeds Office; the "Section Corner(s) Tie Report" and fee as required by KSA-58-2003; and
5. The Planning Department will file the Final Plat and provide a digital copy of the filed Final Plat to the applicant;
6. Kansas Warranty Deeds will need to be filed against all three (3) new lots of record in order to complete the platting process.

Review Comments Received from Other Departments/Agencies

Building Official: No objections.

City Engineer: No objections, looks good.

Economic Development Director:

1. The "L" is MERLE is spelling with an I; and
2. Under Dedication, maintenance is misspelled twice – row 9 and row 14.

Public Works Director: No objections.

Utilities Director: No objections.

County Surveyor:

1. Usually the verbiage under the title of the plat "A Replat of Lot C..." will match the preamble of the description for the plat. I would suggest making these two read the same; and
2. Also in the title ...Blocks 5 & 6, John W. McDaniel' is called out as "tracts 5 & 6 in the description and on the face of the plat".

WYCO Mapping: No objections.

Atmos Energy: No comments received.

AT&T: No objections.

Time Warner: No objections.

Westar Energy: No objections.

Excerpt of the Minutes from the June 16, 2015 meeting of the Planning Commission:

Chairman Parks introduced **Item No. 3: Final Plat: PT-15-101, “McDaniel’s Resurvey Block 5 & 6”** this request is to “replat” 2.43 acres for part of Block 5 & Block 6; John W. McDaniel’s Subdivision. Requested by Larry Hahn, Hahn Surveying, for Carol Benz, Julie Finger and Michael and Sara Niemann, property owners of record. The subject property is zoned R-1, Single-Family Residential District and is located at 626 and 622 N. Nettleton Ave. and 145 Tiblow Lane. This request is to amend the boundaries between the three (3) existing lots of record.

Chairman Parks asked for Staff presentation. Staff recommends approval of this item with the conditions listed in the Staff report.

Chairman Parks asked if the applicant would like to address the Planning Commission. **Larry Hahn, Hahn Surveying** stated that his clients were in agreement with all the conditions listed in the Staff Report.

Chairman Parks asked if the Planning Commission had any questions or comments. Seeing none he called for a motion. Commissioner Stephan made a motion to approve the Final Plat with the listed conditions with a second from Commissioner Kasselmann.

Chairman Parks asked if there were any further questions or comments. Seeing none he called for a vote. Motion passed 8-0.

The Planning Director stated that he will forward this item to the Governing Body on July 13, 2015 with a Planning Commission recommendation of approval and asked the Governing Body to accept the dedication of easements as shown on the Final Plat.

ITEM NO. 10.

**City Council Regular Agenda
Monday, July 13, 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				
RESULT	PASS	FAIL		

Mayor Vote on Charter Ordinances & Planning Items _____

AGENDA ITEM: City Manager's Report

ACTION: None

STAFF RECOMMENDATION:

Report attached.

4. **Tiblow Transit Donation** – We received a \$1,150 donation from Victory Ford in Bonner Springs for the Tiblow Transit program. Year to date donations total \$3,730.

5. **Community and Economic Development Update** –
 - a. **Sideline Chic** – This new business will open at the end of July in the former Pink Zebra Boutique tenant space at 221 Oak Street. The owners are Danni Boatwright and Julie Zitlow from the surrounding area. The store will feature collegiate and Kansas City women’s sports apparel, including shirts, jewelry and hats. As a side note, Ms. Boatwright is a celebrity of sort. In 1991, she won the Miss Kansas Teen USA title; in 1996, she won Miss Kansas USA and in 2005, she won the eleventh season of the reality television show, *Survivor: Guatemala*. A ribbon cutting ceremony will be forth-coming and we will inform you of the date.
 - b. **Anytime Fitness Ribbon Cutting** – The Chamber of Commerce is sponsoring a ribbon cutting ceremony for Anytime Fitness, 620 South 130th Street, on Monday, July 20, 5:30 p.m. Matthew and John Warner are the co-owners. We hope you can attend.
 - c. **CDBG Grant Application for Thriftway Building** – As of July 8, we have not received any notification about the City’s CDBG grant application for the Thriftway and Dollar General building at 112 Oak Street. The state has indicated that they received over 70 CDBG applications for all programs this year, so it has taken them longer than expected to review and make a determination on funding.

6. **Fire Department – June Activity Report**
 - a. Fire calls- 38
 - b. Public Events:
 - 02/06/2015Cub Scout Day camp – 130 people
 - 04/06/2015Grade School Program Presentation to 2 classes fire safety 60 Kids
 - 06/06/2015Guns & Hoses motorcycle Ride – set flag and traffic control
 - 12/06/2015Lake Forest Kindergarten Class- 37 Kids fire safety
 - 12/06/2015Relay for life - standby for event and delivered 800 lbs. of can goods that were collected during relay to Vaughn Trent food pantry.
 - 16/06/2015Library Super hero’s event – Fire safety and fire truck tours for 40 -50 people
 - 27/06/2015Festival of the Art’s Fair – Help with set up in the morning.
 - 27/06/2015Bonner Blast fireworks– Stand by with 2 trucks, one on K-32 and one at shooting site.
 - 27/06/2015KU Skills training trailer at Fire station for new cadets and seasoned firefighters.

ITEM NO. 11.

**City Council Regular Agenda
Monday, July 13, 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				
RESULT	PASS	FAIL		

Mayor Vote on Charter Ordinances & Planning Items _____

AGENDA ITEM: City Council Items

ACTION: None

STAFF RECOMMENDATION:

ITEM NO. 12.

**City Council Regular Agenda
Monday, July 13, 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				
RESULT	PASS	FAIL		

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.

ITEM NO. 13.

**City Council Regular Agenda
Monday, July 13, 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				
RESULT	PASS	FAIL		

Mayor Vote on Charter Ordinances & Planning Items _____

AGENDA ITEM: Executive Session for Non-Elected Personnel Matters

ACTION: Make a Motion to Enter into an Executive Session for a Period of Time to Discuss Non-Elected Personnel Matters

STAFF RECOMMENDATION: The Mayor Recommends Approval