

CITY COUNCIL AGENDA
Monday, August 10, 2015

Workshop – 6:30 p.m.

- WS-1 2016 Pay Plan
- WS-2 Changes and Adoption of 2015 Building Codes
- WS-3 On-Street Parking - Pratt Avenue
- WS-4 Property Maintenance Code Amendments, Fees & Governing Body Policy

Council Meeting – 7:30 p.m.

1. Citizen Concerns About Items Not on Today's Agenda. (Copies of written material presented to the City Council also needs to be provided to the City Clerk.)
CONSENT AGENDA - If a Councilmember has a simple question about an item, it can be asked before the Mayor calls for the vote on the Consent Agenda. An item only needs to be removed from the Consent Agenda if it warrants discussion.
 2. Minutes of the July 27, 2015 City Council Meeting
 3. Minutes of the August 3, 2015 Special Council Meeting
 4. Claims for City Operations for August 10, 2015
 5. Public Housing Authority Claims for August 10, 2015
 6. Consumption/Possession Permit - Tiblow Days - Chamber Request for Cereal Malt Beverage
 7. Carnival Permit - Chamber Tiblow Days
 8. Consumption/Possession/Sale Permit - Tiblow Days - Chamber Request for Alcoholic Beverages
- REGULAR MEETING AGENDA**
9. Public Hearing 2015 Budget Amendments & 2016 Budget
 10. Approve 2015 Budget Amendments & 2016 Budget & Establish Maximum Expenditures
 11. Property Maintenance Code Amendments, Fees & Governing Body Policy
 12. 2015 Concrete Repair Program Re-Bids
 13. City Manager's Report
 14. City Council Items
 15. Mayor's Report



City of Bonner Springs

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

WORKSHOP MEETING

6:30 p.m.

REGULAR CITY COUNCIL MEETING

7:30 p.m.

CITY HALL COUNCIL CHAMBERS

Monday August 10, 2015

Life is Better in Bonner Springs

ITEM NO. WS-1

Workshop Agenda Monday, August 10, 2015 – 6:30 p.m.

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		

AGENDA ITEM: 2016 Pay Plan

NARRATIVE:

The attached memo discusses the recommendation and background for the 2016 Pay Plan.

MEMORANDUM

DATE: 10 August 2015
TO: Mayor and City Council *Carol Sharp*
FROM: Carol Sharp, Human Resources
THRU: City Manager

Recommendations: Consensus by the City Council to use merit increase percentages for 2016 pay increases of 1 percent for a satisfactory rating, 2 percent for an outstanding rating, and 3 percent for an excellent rating. The ratings are the results of employee annual evaluations. These are the percentages contained in our approved pay plan.

Background: At the 2016 Budget Retreat, Council gave consensus to use our current pay plan for increases in 2016 with the exception of merit increases based on 1 percent for satisfactory, 1.5 percent for outstanding and 2 percent for an excellent rating.

The pay plan provides employees an annual Cost of Living Adjustment based on the Kansas City Consumer Price Index (CPI) for the past year and merit increases based on the results of their annual evaluation. The CPI for the past year is a negative .6 percent. This means there will be no Cost of Living Adjustment in 2016.

Employees will be eligible for merit increases per the pay plan. Since there will be no COLA for 2016, there are funds available to use for the merit percentages in our plan based on the evaluation ratings.

Financial Impact: Amounts budgeted for salaries in 2016 will cover the additional merit increase percentages.

ITEM NO. WS-2
Workshop Agenda
Monday, August 10, 2015 – 6:30 p.m.

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		

AGENDA ITEM: Changes and Adoption of 2015 Building Codes

NARRATIVE:

The attached memo discusses the background and recommendation to adopt the 2015 Edition of the International Code Council Building Codes with amendments.

STAFF MEMORANDUM

DATE: August 5, 2015
THRU: City Manager *BH*
TO: City Council *BH*
FROM: Brian Hunt, CBO, Building Official

SUBJECT; Changes and Adoption of 2015 Building Codes

RECOMMENDATION: The Governing Body adopt the 2015 Edition of the International Code Council Building Codes with amendments.

BACKGROUND:

The 2009 International Building Codes are the current building codes adopted by the City on November 23, 2009. The International Building Code is developed and published by the International Code Council (ICC). The building code is a family of codes specifically written to complement one another. The building code incorporates other codes and standards by reference. The codes specifically referenced in the body of the building code are the International Fuel Gas Code, the International Mechanical Code, the International Plumbing Code, the International Property Maintenance Code, the International Fire Code and the International Energy Conservation Code. There is also the International Residential Code which is a standalone document. Also included in the building code is the National Electrical code (NFPA70) which is one of the many standards referenced in the code. These are the Codes and Standards to be followed by builders and citizens for all building in the City of Bonner Springs.

DISCUSSION:

The Building Codes Department is proposing the City of Bonner Springs adopt the most current edition of the International Building Codes which is 2015 code package. The 2015 code encompasses the changes that were incorporated into the 2012 codes as well as the changes which were promulgated through the 2015 code development process. The code development process is an open process whereby code officials, industry representatives, design professionals and other interested parties carefully consider proposed changes to the codes every year.

The codes are founded on principles intended to establish provisions which adequately protect public health, safety and welfare; provisions that do not unnecessarily increase construction costs; provisions that do not restrict the use of new materials, products or methods of construction; and provisions that do not give preferential treatment to particular types of classes of materials, products or methods of construction.

In the development of the 2015 I-Codes, thousands of proposed changes were submitted, discussed and voted upon. The new code language can be organized into four categories: clarification, modification, addition or new. The great majority of code changes fall under the category of clarification or modification. A Clarification is new language whose purpose is to clarify existing requirements; it is not meant to add to or reduce existing requirements. Modification alters the existing text in a manner that either expands, reduces or changes the scope a certain requirements.

Significant changes from 2009 codes to 2015 codes.

These are effective for new construction only

Building Code (IBC)

Care Facilities: For the last several years the building code provisions dealing with the care provided for individuals in various types of medical and residential facilities has been studied. In order to better address the current uses across the country several new definitions have been added to the code and a number of changes have been made to the code. These changes will provide for more appropriate levels of protection for those individuals who are under the care of others through better assessment of their condition as well as the number of people being cared for at any given time. There are new definitions for: Custodial care, Detoxification facilities, Foster care facilities, Hospitals and Psychiatric hospitals, Nursing homes, Group homes, Ambulatory Care Facility as well as what constitutes 24-hour care, medical care, personal care service and incapable of self-preservation. Additionally, there is a provision in Section 903.2.2 Ambulatory Care Facilities which would require the installation of an automatic fire sprinkler when one or more care recipients that are incapable of self-preservation are located in an area other than at the level of exit discharge for the facility. In situations like this the automatic fire sprinkler system would be required on the entire floor as well as on every floor below including the level of exit discharge. This is another area where the new codes eliminate confusion and in some cases allow more flexibility for the building owner.

High Rise Buildings.

- A Smoke removal system is required
- Exit enclosures are to be separated at least 30 ft. apart or not less than $\frac{1}{4}$ the diagonal distance.
- Luminous egress path markings delineating the exit path are required.
- Emergency responder radio coverage is required.
- Occupant evacuation elevators are permitted.

Educational facilities (group E occupancy): There have been several changes put in the code that will affect facilities classified as group E occupancies. First, it has been made clear that a room or space used for assembly purposes (like a gymnasium) and associated with a group E occupancy shall not be classified as a separate occupancy. Secondly, where rooms or space are provided for day care in places of religious worship during the service, the designated occupancy of the room or space shall be the same as the occupancy of the place of worship.

In addition to the changes previously mentioned, the code attempts to address the concern for school campus safety by requiring the following:

- The threshold for requiring an automatic fire suppression system has been reduced from a fire area of 20,000 sq ft to 12,000 sq ft.
- An emergency voice/alarm communication system will be required in all group occupancies with an occupant load of 30 or more in order to enhance communication during lock downs.

Residential Occupancies: This is a general term that includes a host of different types of occupancies. Apartments, hotels, motels, group homes, boarding houses are examples of residential occupancies.

- Floor exit signs are now required in occupancies such as hotels and motels. In fire events smoke can quickly rise to the top of ceilings forcing evacuees to the floor. These low level exit signs will assist persons in safely exiting the building. They also serve to increase fire fighter safety as they often times find themselves in buildings filled with smoke.
- Carbon monoxide detectors will be required in residential and institutional occupancies containing fuel burning appliances. These types of detectors offer enhanced protection for occupants who are often times are unaware of the presence of carbon monoxide usually due to the malfunction of a fuel burning appliance.
- The allowable sill height of an operable window located more than 72 inches above grade has been raised from 24 to 36 inches in order to reduce the ability of a child to climb onto the sill and potentially fall out of the window. There are provisions for installing guards on the window should there be a desire to have a lower sill height than 36 inches.
- In R-2 occupancy (apartments) the allowable travel distance of an exit access has been increased from 75 ft to 125 ft. Essentially, the increased travel distance will allow greater use of an open stair which is of benefit to designers.
- In group R-1 occupancies, where multiple bathrooms are provided in accessible dwelling or sleeping units, only one full bathroom is required to be accessible.

Live/work Units: This new type of occupancy was first put into the 2009 Building code. It is defined as a dwelling unit or sleeping unit that includes a nonresidential use that is operated by the tenant. A key component is that separation of unlike uses is not required. The 2015 code gives further direction on how these units are to be regulated. For example the means of egress from the unit is to be determined based on the function of the individual unit. These live/work units promote sustainable and green environments.

Exiting provisions: Chapter 10 covers exiting. Exiting provisions contain major life safety components that are constantly reviewed with every code cycle. In the 2015 code there was a major re-write of Chapter 10 concerning stairways.

- The means of egress factor for determining the size of means of egress in buildings with automatic fire sprinklers has been re-instated provided the building is provided with an emergency voice/alarm system.
- An exception with specific criteria has been added to Section 1021 which would allow multiple exits to be arranged in a manner where not all the exits would be available to all the occupants on a given story. Previously, the code required that all of the required exits had to be available to all of the occupants of the floor.
- A two-way communication system is required at each accessible elevator landing that is one or more stories above the level of exit discharge. Visual and tactile signage must be provided at every area of refuge which defines its purpose. Signage indicating the location of all accessible means of egress must be provided at all non-accessible means of egress, at all elevators and within areas of refuge. Instruction must be posted in all areas of refuge and exterior areas of rescue assistance regarding use of the area and how to use two-way communication systems.

Fire Code (IFC)

The fire code sets forth minimum standards which provide for a reasonable level of life safety and property protection from the hazards of fire, explosion or dangerous conditions in new and existing buildings. The provisions which apply to new buildings have duplicate provisions in the building code. The fire code also sets forth standards which are specific to the safety of fire fighters and emergency responders such as the requirement for emergency radio coverage.

Portable Gas-Fired Heating Appliances: There are now specific requirements governing the use of portable gas-fired heating appliances. These type units are often used to provide heat on outdoor patios. The use of these heating appliances is prohibited inside tents, canopies and membrane structures.

Unsafe Conditions: This new section addresses the maintenance of fire resistive construction. Failure to maintain the fire resistive construction of fire walls, fire barriers, fire partitions, smoke barriers etc., will mean that the building could be deemed unsafe or an immediate hazard which could result in the order to vacate the building.

Alcohol Blended Fuel-dispensing Operations: This section sets for some specific regulations and gives a means for approving alcohol blended fuel dispensing facilities. E85 falls under alcohol-blended fuel by definition.

Chapter 11 Construction Requirements for Existing Buildings: This is a new chapter which is an accumulation of existing and new requirements from Chapters 7, 9 & 10 applies to existing buildings. In this chapter requirements for the following can be found:

- **Egress Path Markings:** Exiting a high rise building takes longer then exiting a non-high-rise building. Persons exiting high-rise buildings can find themselves in stairway enclosures that are partially filled with smoke or are darkened for various reasons. In order to provide a safer environment when exiting high-rise buildings stairways, this chapter will require luminous egress path markings per Section 1024.
- **Group I-2 Facilities:** This chapter will require facilities such as hospitals, nursing homes, mental hospitals and detoxification facilities to have automatic fire protection systems.
- **Carbon Monoxide Detectors:** In order to prevent deaths due to carbon monoxide, these detectors will be required in existing residential and institutional buildings. A similar provision regarding smoke detectors has been in the code for a number of years.

Residential Code (IRC)

The International Residential Code is a prescriptive code designed to address one and two family dwellings and townhomes less than 3 stories in height. This document incorporates into the body of the code provisions for electrical, plumbing, mechanical, fuel gas and energy so that contractors only have one document to refer to. The majority of the code text is exactly the same as found current codes.

Automatic Sprinkler Systems: The requirement for the installation of automatic fire

sprinklers in one and two family dwellings and townhomes was added in the 2009 IRC. Kansas state statute now prohibits local jurisdictions from mandating automatic sprinklers so this provision will be stricken in our adopting ordinance.

Townhouses: In the 2009 IRC the fire rating of fire separation walls between dwelling units was downgraded from a two-hour wall to a one-hour wall as a trade-off for the installation of automatic fire sprinklers. In order to maintain adequate protection from one dwelling unit to another this provision will need to be amended by restoring the requirement for two-hour walls since automatic fire sprinklers will not be installed.

Fire Protection of Floors: Fire fighters often times are required to enter buildings on search and rescue missions. Wood floor assemblies made of light weight material collapse quickly in a fire. In order to provide better protection for rescue personnel, trusses and similar light-weight assemblies are now required to be protected with a ½ inch gypsum wallboard membrane.

Energy Efficiency: In the last two code cycles the Department of Energy and others were successful in their efforts to push for increased requirements governing energy conservation. The 2015 code reflects those changes. The regulations pertaining energy efficiency for the construction and design of buildings now come directly from the International Energy Efficiency Code (IEEC). Chapter 11 Energy Efficiency reprints those provisions from the IEEC that are applicable to structures built under the provisions of the IRC. Some of the more notable changes are as follows:

- The code sets forth mandatory requirements which are required to be met whether one chooses the prescriptive path or the performance path. (A prescriptive path is spelled out on the building plan, # of windows and size, all insulation values, size and efficiency of mechanical equipment.) (A performance path requires an energy audit to be performed once the building is complete. Performed by a licensed auditor and results that performance met the designs standard submitted, prior to issuance of a Certificate of Occupancy.)
- Recessed luminaries installed in the building thermal envelope shall be sealed to limit air leakage between conditioned and unconditioned space. Luminaries are to be IC-rated and labeled as meeting ASTM E 283.
- Programmable thermostats are required where the primary heating system is a forced-air furnace.
- Where ducts are located outside the building thermal envelope the tightness of the ducts shall be verified by testing.
- Building cavities are not to be used as ducts or plenums.
- Heated pools and permanently installed in-ground spas shall be supplied with a vapor retardant cover.
- Seventy-five percent of the permanently installed fixtures shall contain only high-efficacy lamps.
- Insulation for hot water pipe shall be a minimum of R-3.

Mechanical Provisions

Make-up Air: Exhaust hoods exceeding 400 cfm will necessitate the need for make-up air. Make-up air systems are to be interconnected with the exhaust system.

Whole-house Mechanical Ventilation System: When homes are built tight to meet

energy codes they can often times be too tight for proper ventilation. The requirements for whole-house ventilation address the issue by requiring outside air and/or exhaust or a combination of the two. When these systems are required they are to run continuously or intermittently.

Electrical Provisions

(These provision are produced and copyrighted by NATIONAL FIRE PROTECTION ASSOCIATION and are based on the 2017 National Electrical Code.

Ground-fault Circuit Interrupters: In order to reduce the potential for a person receiving an electrical shock, the requirement for installing ground-fault circuit interrupter protection has been expanded to include all receptacles located in garages and unfinished basements. The only exception is for a receptacle supplying a permanently installed fire alarm or burglar system.

Tamper-resistant Receptacles: The safety of young children is of utmost important to virtually everyone. In order to provide a safer environment for young children, tamper resistant receptacles will be required throughout dwelling unit. There are a few exceptions related to height and location.

Switches Controlling Lighting Loads: A grounded conductor must now be pulled to all switches controlling lighting loads. This requirement is in the code in order to control the integrity of the grounding system by preventing the equipment ground from being utilized to carry stand-by current.

Energy Conservation (IECC)

The energy conservation code sets forth minimum standards for the energy efficiency of buildings to provide for a reduction in energy use, lower utility bills and greater occupant comfort level. In the last two code cycles there has been a concerted effort to increase the base requirements in the code. The 2015 IECC represents about a 15% increase over the 2012 IECC.

- The code covers both residential buildings and commercial buildings. Residential buildings include one-and two family dwellings, multiple single family dwellings (townhomes), as well as R-2, R-3 and R-4 occupancies less than three stories in height. All other types of occupancies are considered commercial structures. Some of the more notable changes are as follows:
- Section 402 addresses building envelope performance requirements which in general provide an increase in energy efficiency. See Table C 402.2.
 - Maximum area of vertical fenestration was reduced to 30% but can be increased to 40% with daylighting controls.
 - A minimum skylight fenestration area was established for certain areas. The space must be greater than 10,000 sq. ft., with a ceiling height of 15 feet or more

Plumbing, Mechanical & Fuel Gas Codes

There are fewer changes in these codes than the other codes. Some of the changes, especially in the plumbing and fuel gas codes, simply add new standards for new products that have been introduced into the codes..

- Separate facilities will not be required in mercantile occupancies until the

- occupant load exceeds 100. It was previously set at 50.
- The term unisex toilet has been deleted in favor of family or assisted-use toilets and bath fixtures.
 - Where separate facilities are required for each sex, a family or assisted use facility may be substituted for the separate facilities.
 - Drinking fountains are no longer mandated to be located in an individual tenant space. They can now be located within 500 feet of the tenant space unless the space is in an open or closed mall. In that case the distance is reduced to 300 feet.
 - The maximum allowed distance from a hot water source and the most remote fixture has been reduced from 100 feet to 50 feet. A distance of over 50 feet will require a re-circulating system.
 - Minimum ventilation rates have been set for nail salons.
 - Directional signage indicating the route to public toilet facilities is now required.
 - Where exhaust ducts for dryers have been concealed within the building construction, the code will now require that the equivalent length of the exhaust duct be identified by a permanent label or tag.
 - A new section was added to 2009 code to require outdoor HVAC refrigerant circuits to be fitted with locking-type caps to prevent unauthorized access to the refrigerant. **This was added to protect the safety and well-being of children and young adults who may attempt to inhale the refrigerant vapors in order to become intoxicated. In the 2012 code a provision was added to allow for protection of the equipment by a barrier (fence).

Summary

In summary these changes I have listed above are changes I feel we will see during new construction here in Bonner Springs. These changes will be enforced on new construction, they are not retroactive to make all buildings compliant with new codes. Prior to the next Council meeting you will see the Ordinance to adopt the 2015 Codes. The language in the ordinance will have the deletions and amendments that pertain to each individual code. I have the new code books at the workshop for you to view if you so choose.

ITEM NO. WS-3

**City Council Regular Agenda
Monday, August 10, 2015 – 6:30 p.m.**

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		

AGENDA ITEM: On-Street Parking - Pratt Avenue

NARRATIVE:

The attached memo discusses the background and recommendation for limiting on-street parking on Pratt Avenue.

**CITY OF BONNER SPRINGS
MEMORANDUM**

DATE: July 31, 2015
TO: Mayor and City Council
THRU: City Manager *Smith*
FROM: Public Works Director

SUBJECT: **On Street Parking—Pratt Avenue**

Recommendation

Temporarily install “No Parking” Signs on the North side of Pratt Ave. from N Bluegrass to 138th St. and to bring an ordinance for codification to the Council in approximately six months.

Background

Staff received a request to look at a parking issue on Pratt Ave. from N Bluegrass to 138th St. The concern is that when cars are parked on both sides of the street, it is tight for other vehicles to safely drive between them and in effect it becomes a one lane street.

Discussion

Pratt Ave. is 28 feet wide from the back of curb to curb. With common vehicles parked across the street from each other the width between them is only 13.5 feet. The width of Pratt is comparable to most other residential City streets with parking restricted on one side.

Staff has identified the residential streets that have no parking on one side and will have those marked on a map for your review at the Council Workshop meeting.

City Municipal Code Section 15-105 allows the City Manager to temporarily establish “No Parking” zones. Posting one side of Pratte Avenue using this section of the Code allows time to see if there are any unanticipated consequences and gauge the effect on the residents that live on that street. Staff plans to post “No Parking” signs parking on the North side of Pratt due to the number of driveways and the location of the community mailbox on that side which greatly reduces the available parking space. There are no curb cuts on the South side of the street which would allow maximum parking space.

Financial Impact

The only direct cost is for the (5) No Parking signs/posts at a total initial cost of approximately \$500.

ITEM NO. WS-4

Workshop Agenda Monday, August 10, 2015 – 6:30 p.m.

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		

AGENDA ITEM: Property Maintenance Code Amendments, Fees & Governing Body Policy

NARRATIVE:

The attached memo discusses the background and recommendation for the Code amendments, Governing Body policy, and fees.

City of Bonner Springs, Kansas

Memorandum

DATE: August 6, 2015
TO: Mayor and City Council
THRU: Jack Helin, City Manager *JH*
FROM: Marcia Harrington, Community and Economic Development Director/Tourism Director *MH*

SUBJECT: Property Maintenance Code Amendments, Fees and Governing Body Policy

Recommendation:

The City Manager, Community and Economic Development Director and Property Maintenance Code Officer recommend approval of an Ordinance to amend Chapter XI-Property Maintenance; approve a Failed Inspection Fee of \$150 and Pre-court Re-Inspection Fee of \$150 in the City's Fee Schedule and adopt a Governing Body Policy for Property Maintenance Code Enforcement Procedures.

Background:

Discussion was held at the July 27, 2015 City Council Workshop regarding amendments to the Property Maintenance Code to include:

- (1) \$150 Failed Re-Inspection Fee for all unabated violations, including weeds
- (2) \$150 Pre-Court Re-Inspection Fee for all unabated violations; including weeds
- (3) Repeat Violation language

A new Governing Body Policy for Property Maintenance Code Enforcement Procedures was reviewed and discussed. In addition to the three items listed above, another major change was to reduce the number of violation notices from four to three prior to a Notice to Appear (NTA) in Municipal Court is issued: Courtesy Notice, 1st Violation Notice, Final Violation Notice. The Courtesy Notice is issued to someone who has never received a violation notice, so in most cases, the procedures have been reduced to two notices and a NTA if violation remains unabated.

Discussion:

The attached Ordinance that amends Chapter XI – Property Maintenance incorporates all of the proposed changes in legislative style that were discussed at the July 27 Workshop. Language has been added to include the Failed Re-Inspection Fee, Pre-Court Re-Inspection Fee and Repeat Violation language. As we reviewed the Code, some other language was amended as well.

In the Governing Body Policy, the citation notices were reduced from four to three: Courtesy Notice, 1st Violation Notice, Final Violation Notice and then issuance of a NTA if a violation remained unabated. Language for the Repeat Violations, Failed Re-Inspection Fees and Pre-Court Re-Inspection Fees were also added. A flow chart is attached at the end of the Governing Body Policy that shows the procedures in a graphic format that is easy to understand. Dan Trent, City Attorney, has reviewed both documents.

The \$150 Failed Re-Inspection Fee and \$150 Pre-Court Re-Inspection Fee will need to be approved for inclusion in the City's Fee Schedule under Property Maintenance.

Amendments for the other Chapters and Articles in the Municipal Code of Ordinances and Zoning Ordinance that the Property Maintenance Code Officer enforces will be forthcoming at future workshops.

Financial Impact:

The goals of the PMCO are to bring properties into compliance more quickly and to reduce the number of violation notices for each case. The purpose of the Failed Re-inspection Fee is to recover costs incurred due to unabated violations, which will hopefully act as an incentive for individuals to abate violations rather than be charged a fee. However, for some individuals it will not be effective, so the City would realize additional fees.

With weed violations, implementation of the new fee has the potential to save the City money if violations are abated within the 10-day period and there are no recurring violations. Thus, the City would be able to forego paying for abatement costs by the mowing contractor.

An Ordinance to Amend Chapter XI, Property Maintenance of the
Code of Ordinances of the City of Bonner Springs, Kansas

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

Section I: Chapter XI, Property Maintenance of the Code of Ordinances is amended to “Chapter XI, Property Maintenance - **Exterior**” with additional amendments as follows:

Section 11-203. Repeat Offender. ~~Any person found in violation within 12 months after a conviction of a like offense under this Code in a court of competent jurisdiction of a like offense under this Code shall be served a notice to appear without the requirement to send notifications as stated in Section 11-201.~~ **Any owner, occupant or person found in violation under this Code of a like or substantially similar condition within 12 months after a conviction in a court of competent jurisdiction shall be served a notice to appear without the requirement to send notifications as stated in Section 11-201.**

Section 11-204. Penalty.

- a) Any person, who shall violate a provision of this Chapter, or fail to comply therewith, or with any of the requirements thereof, shall be guilty of a Class C violation as prescribed by the Public Offense Code of the City and shall be prosecuted within the limits provided by State or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense. The application of the above penalty shall not be held to prevent the abatement of prohibited conditions.
- b) Re-inspection Fees. If the owner fails to abate a violation by the stated re-inspection date, the owner will be charged a failed re-inspection fee for each unabated violation. Additionally, if a Notice to Appear is issued to the owner, a pre-court re-inspection fee will be charged for each and every court appearance. Payment is due within 30 days following receipt of the notice to pay and if not received, the costs will be assessed according to 11-207(b).**

Section 11-207. Costs Assessed. ~~If the City abates the violation pursuant to Section 11-205, the City shall give notice to the owner or his or her agent by first class mail of the total cost of the abatement incurred by the City. The notice shall also state that the payment is due and payable within thirty (30) days following receipt of the notice. If the cost of the abatement is not paid within the thirty (30) day period, the cost shall be collected in the following manner:~~ **If the City abates the violation pursuant to 11-205 and/or charges a failed re-inspection fee pursuant to Section 11-204(b), the City shall give notice to the owner or his or her agent by First Class Mail of the total cost of the abatement incurred by the City and/or failed re-inspection fee. The notice shall also state that the payment is due and payable within (30) days following receipt of the notice. If the notice is not paid within the (30) day period, the payment shall be collected in the following manner:**

- a) Under provisions outlined in K.S.A. 12-1,115, and amendments thereto; or
- b) By lien or levy of a special assessment against the property on which the violation is located by only until the full cost and applicable interest has been paid in full. The City Clerk, at the time of certification of other City taxes, shall certify the unpaid portion of the costs and the County Clerk shall extend the same on the tax rolls of the County against such property and it shall be collected by the County Treasurer and paid to the City as other City taxes are collected and paid.

c) Uncollected abatement costs and/or failed re-inspections fees may be collected through the Kansas State Set-off Program or another collection agency.

Section 11-302. General Definitions. The words and phrases listed below when used in this Article shall have the following meanings:

- 1) Anchored – Secured in a manner that provides positive connection.
- 2) Approved – Approved by the Code Official.
- 3) Accessory Buildings – A secondary structure detached from the principal structure but on the same premises, including, but not limited to, garages, sheds, barns, or outbuildings.
- 4) Blighting Effect – Conditions that exist on private property that have an adverse effect on adjacent properties and/or neighborhoods. Such conditions of unsightliness, dilapidation, deterioration and general lack of proper maintenance have the potential to decrease property values, livability and aesthetics and increase crime and abandonment which can have a detrimental effect on the life, health and safety of the community.
- 5) Code Official – City official charged with the administration and enforcement of this Code, or any duly authorized representative.
- 6) Commercial, Office, or Industrial – Property used or intended to be used primarily for uses other than residential or agricultural purposes.
- 7) Compost Pile – A mixture that consists of leaves, stems, grasses, dirt and other organic matter which shall be stored in an enclosure and used for garden soil conditioning purposes. Said enclosure shall be screened or placed in a manner which is not offensive to adjacent residents or the general public.
- 8) Detached – A structure physically disconnected from another.
- 9) Dilapidation, Deterioration or Disrepair – Any condition characterized by, but not limited to: holes; breaks; rot; decay; crumbled, cracked, peeled or flaked paint; rust or other evidence of physical damage, neglect, lack of maintenance, excessive use or weathered conditions.
- 10) Dumpster – Any portable container, to include but not limited to, roll off boxes, collection bins or tubs, used or designed for collection, transportation or disposal of refuse, waste, construction/demolition materials, junk or debris.
- 11) Easement – That portion of land or property reserved for present or future use by a person or agency other than the legal owner of the property. The easement shall be permitted to be for use under, on or above a said lot or lots.
- 12) Exterior – Those parts of a structure which are exposed to the weather or subject to contact with the elements, to include but not limited to: sidings, facings, veneers, masonry, roofs, foundations, porches, screens, shutters, windows, doors or signs and the open space on the premises.
- 13) Filth – Foul matter; anything that soils or defiles; dirt; nastiness.
- 14) Furniture, Outdoor – weather resistant furniture designed and manufactured for outdoor use.
- 15) Garbage – Animal, fruit or vegetable waste from handling, preparation, cooking and consumption of food.
- 16) Guard – A building component or a system of building components located at or near the open sides of elevated walking surfaces that minimizes the possibility of a fall from the walking surface to a lower level.
- 17) Harborage – Any condition which provides shelter or protection for insects, rodents or other pests, that may increase their multiplication and continued existence in, under or outside a structure of any kind.

- 18) Imminent Danger – A condition which could cause serious or life threatening injury or death at any time.
- 19) Infestation – The presence of insects, rats, vermin or other pests within or contiguous to a structure or premises.
- 20) Inoperable Motor Vehicle – A vehicle which cannot be driven upon the public streets for reasons including, but not limited to being unlicensed, wrecked, abandoned, in a state of disrepair or incapable of being moved under its own power.
- 21) Lawn Trailer, Lawn Wagon or Yard Trailer – A single axel trailer used for the purpose of hauling material around a property.
- 22) Neglect – The lack of proper maintenance and upkeep of a structure or premises.
- 23) Noxious Weeds For the purpose of this Code, the term noxious weeds shall mean: Johnson Grass (*Sorghum halepense*), kudzu (*Pueraria lobata*), field bindweed (*Convolvulus arvensis*), Russian knapweed (*Centaurea picris*), hoary cress (*Lepidium draba*), Canada thistle (*Cirsium arvense*), quack grass (*Agropyron repens*), leafy spurge (*Euphorbia esula*), bur ragweed (*Franseria tomentosa* and *discolor*), pignut (*Hoffmannseggia densiflora*), musk (nodding) thistle (*Carduus nutans* L.) and sericea lespedeza (*Lespedeza cuneata*) as defined under K.S.A. Chapter 2, Article 13.
- 24) Occupant – Any individual who lives or sleeps in a building or has possession of a space within a building.
- 25) Owner – Any person, agent, firm, or corporation having a legal or equitable interest in the property; or recorded in the official records of the State, County or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.
- 26) Paved Driveway. A hard surfaced area of concrete, asphalt, paving bricks or similar material as required in the Bonner Springs Zoning Ordinance, designed and constructed specifically for use by motorized vehicles as a path for the vehicle to be driven across or as a location at which a vehicle could be parked or stored.
- 27) Person An individual, corporation, partnership or any other group that acts as a unit.
- 28) Pest Elimination – The control and elimination of insects, rodents or other pests by removal of their harborage places, removal of materials that serve as their food or water or by other approved pest elimination methods.
- 29) Premises – A lot, plot or parcel of land, easement or public way, to include any structures thereon.
- 30) Property – Anything that is owned by a person or entity.
- 31) Protective Treatment, Structural – Paint or other protective application for exposed wood surfaces, other than decay resistant wood surfaces, applied to prevent rotting and deterioration.
- 32) Public Way – Any street, alley or similar parcel of land essentially unobstructed from the ground to the sky, which is deeded, dedicated or otherwise permanently appropriated to the public for public use.
- 33) Rain barrel An above ground storage container with an automatic overflow diversion system that collects and stores storm water runoff from a roof of a structural design that would otherwise have been run off and diverted into a storm drain.

- 34) Repeat Offender—Any person who repeatedly violates one or more of the requirements of this Code. **Repeat Violation – A like or substantially similar violation under this Code that occurs more than twice on a property within a three-year period in which an owner, occupant or person was previously noticed or cited.**
- 35) **Repeat Violator – Any owner, occupant or person who has previously been issued two notices within a three-year period for a like or substantially similar violation.**
- 36) Residential Used or intended to be used primarily for human habitation.
- 37) Sight Distance The length of roadway visible to a driver that must be kept free from obstructions to ensure drivers have a clear and adequate line of sight of oncoming traffic. Drivers need adequate sight distance to anticipate and avoid potential collisions with objects in the roadway or with other vehicles at intersections.
- 38) Strict Liability Offense – An offense in which the prosecution in a legal proceeding is not required to prove criminal intent as a part of its case. It is enough to prove that the defendant either did an act which was prohibited, or failed to do an act which the defendant was legally required to do so.
- 39) Structure – That which is built or constructed or a portion thereof.
- 40) Tenant – A person, corporation, partnership or group, whether or not the legal owner of record, occupying a building or portion thereof as a unit.
- 41) Trash – Combustible and noncombustible waste materials, except garbage, to include residue from the burning of wood, coal, coke and other combustible materials, paper rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery, dust and other similar materials.
- 42) Vector Any agent (person or animal or microorganism) that carries and transmits a disease.
- 43) Vehicle Passenger car, passenger van, pickup truck or motorcycle licensed for use on public streets, designed primarily for the transportation of people as opposed to equipment, freight or other vehicles, and sold primarily to individuals for personal use.
- 44) Weathered Deterioration caused by exposure to the elements.
- 45) Weeds For the purpose of this Code, the term weeds shall mean any of the following: (a) weeds and/or indigenous grasses that exceed 12 inches in height; (b) brush and woody vines; (c) weeds and grasses which may attain such large growth as to become a fire menace, when dry, to a premise and adjacent improved property; (d) weeds which bear or may bear seeds of a downy or wingy nature; (e) weeds located in an area which harbors rats, insects, animals, reptiles or any other creature which either may or does constitute a menace to health, public safety or welfare; (f) weeds and grasses on or about residential property which, because of its height, has a blighting effect on the neighborhood and (g) all noxious weeds.
- 46) Yard The open area of a premise not occupied by any structure.
- 47) Yard Waste – Leaves, grass clippings, tree limbs, brush, soil, rocks or debris that result from landscaping, gardening, yard maintenance or land clearing operations.

Section 11-415. Structures. The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare of the owner or occupant and to eliminate conditions that have a blighting effect on adjacent properties or neighborhoods. Exterior conditions shall include, but are not limited to,

deteriorated, dilapidated, or unsightly structures; accessory buildings; fences; walls or retaining walls.

- a) Handrails and Guardrails. Every handrail and guardrail shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.
- b) Insect Screens. During the period from May 15 to October 15, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas, or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packages or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25mm) and every swinging door shall have a self-closing device in good working condition. Exception: Screen doors shall not be required where other approved means, such as air curtains or insect repellent fans are employed.**
- c) Premises Identification. Primary structures shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4 inches high with a minimum stroke width of 0.5 inches.
- d) Protective Treatment. All exterior surfaces, to include but not be limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition. Exterior wood surfaces, other than decay resistant woods, shall be protected from the elements and decay with paint or other protective covering or treatment. Peeled, flaked and chipped paint shall be removed and repainted when it exceeds twenty percent (20%) of any individual surface area. The area of peeled, flaked or chipped paint shall be calculated by drawing one rectangle around all occurrences on any individual surface and calculating the area of that rectangle. All siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and watertight. All metal surfaces subject to rust or corrosion shall be coated, stabilized and maintained to inhibit such rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

Section 11-502. Notice. The Code Official shall notify in writing ~~the person~~ **an owner, occupant or person** in charge of any premises in the City upon which weeds exist in violation of this Article. Such notice shall follow the provisions of Section 11 202 of this Code and include:

- a) Address or legal description of the premises;
- b) Description of violation(s) and why notice is being issued;
- c) Corrective order that allows ten (10) days from the date of the mailing of a violation notice to either mow or eradicate the weeds and bring the premises into compliance. In the event that noxious weeds are present upon the premises, proper steps must be taken to control and eradicate per K.S.A. Chapter 2, Article 13;
- d) Notice of appeal process wherein a person in receipt of a notice of violation has ten (10) days from the date of the mailing of the violation notice to request a hearing on the matter before the Governing Body, as provided in Section 11 206;
- e) Penalty **Penalties** for failure to abate the violation or to request a hearing within the time allowed shall result in **the following: abatement by the City or its authorized agent; failed re-inspection fee; issuance of a Notice to Appear as provided in Section 11-204 and, if applicable, a failed pre-court re-inspection**

- fee.** and All associated costs **and fees** shall be assessed against the ~~person in~~ charge **owner** of the property;
- f) Notice of costs if City abates the violation **and notice of fees for failed and pre-court re-inspections;**
 - g) Notice that unpaid costs **and fees** shall be added to the property tax as a special assessment under provisions outlined in K.S.A. 12 1,115;
 - h) Only one (1) notice is required during the calendar year. If the same violation occurs subsequent to the first notice and the City has to abate the condition, the City will do so without prior notification and will assess the costs **and fees.**
 - i) If there is a change in the record owner of title to property subsequent to the notice pursuant to this Article, the City may not recover any costs or levy an assessment for the costs incurred by mowing or weed removal on such property unless the new record owner of title to such property is provided notice as required by this Article.

Section 11-503. Abatement; Assessment of Costs.

- a) Upon the expiration of ten (10) days after receipt of the notice required by Section 11 502, and in the event that the owner, occupant, or person in charge of the premises shall neglect or fail to comply with the requirements of Section 11 501, the Code Official or authorized agent shall mow or eradicate the weeds and shall abate the nuisance created thereby at any time during the current calendar year.
- b) The City shall give notice to the owner ~~, occupant, or person in charge~~ of the ~~property~~ premises by First Class Mail of the costs incurred by the City for mowing or eradication of the weeds. The notice shall state that payment of the cost is due and payable within thirty (30) days following receipt of the notice. The cost for abatement shall be a one (1) hour minimum rate of \$100, plus an administrative fee of \$25. Costs for abatement beyond the minimum of one (1) hour shall be charged in one half hour increments at one half of the hourly minimum rate.
- c) If the owner fails to abate a violation by the stated re-inspection date, the owner will be charged a failed re-inspection fee. For each and every subsequent violation, an additional failed re-inspection fee will be charged. If a Notice to Appear is issued, a pre-court re-inspection fee will be charged. Payment is due within 30 days following receipt of the notice to pay and if not received, the costs will be assessed according to 11-207(b).**
- d) If the cost of abatement is not paid within the 30 day period following receipt of notice, the cost shall be collected in the manner provided by K.S.A. 12 1,115, and amendments thereto, or shall be assessed as a lien or special assessment against the lot or parcel of land on which the weeds were so abated, and against such lots or parcels of land in front of or abutting on such street or alley on which such weeds were abated. The City Clerk, at the time of certification of other City taxes, shall certify the costs and the County Clerk shall extend the same on the tax rolls of the County against such lot or parcel of land and it shall be collected by the County Treasurer and paid to the City as other City taxes are collected and paid. The City may pursue collection both by a special assessment levy and in the manner provided by K.S.A. 12 1,115 and amendments thereto, but only until the full cost and applicable interest is paid in full.

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

Approved by the City Council and Signed by the Mayor on August 10, 2015.

Attest:

Jeff Harrington, Mayor

Amber McCullough, City Clerk

(Seal)

CITY OF BONNER SPRINGS
Governing Body Policy

Type Policy	Governing Body
Policy #	GB-15-

Subject	Property Maintenance Code Enforcement Procedures
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Date Adopted	
Prepared By	Community and Economic Development Director and Property Maintenance Code Officer
Approved By	Governing Body
Purpose	To establish a policy on Property Maintenance Code Enforcement Procedures

1. **General:** K.S.A. 12-1617e, and amendments thereto, states that “The Governing Body of any city may have removed or abated from any lot or parcel of ground within the city any and all nuisances, including rank grass, weeds or other vegetation.”

2. **Property Maintenance Regulations:** The following lists the of policies and procedures will be followed by the Property Maintenance Code Officer (PMCO) will follow in enforcing to enforce the City’s Property Maintenance Regulations. Those regulations are:

A. Municipal Code of Ordinance:

- 1) Chapter XI – Property Maintenance
- 2) Chapter XIV - Streets & Sidewalks
 - a. Article 1, Section 14-106 – Snow & Ice; to be Removed
 - b. Article 1, Section 14-107 – Same; Removal by City
 - c. Article 1, Section 14-108 – Obstructing Sidewalks, Etc.
 - d. Article 1, Section 14-110 – Penalties
- 3) Chapter XIV - Streets & Sidewalks
 - a. Article 6 Trees & Shrubs
- 4) Chapter XVI – Utilities
 - a. Article 4 – Solid Waste Management Code
 - i. Section 15-404 – Storage; Generally
 - ii. Section 15-405 – Same; Specific Storage Standards
 - iii. Section 15-406 – Collection; Frequency
 - iv. Section 15-420 – Disposal; Prohibited Acts

B. Zoning Ordinance:

- 1) Article XXII – Supplementary District Regulations
 - a. Section 5-6 – Garage, Porch or Yard Sales
 - b. Section 6 – Home Occupations
 - c. Section 7 – Open Storage
 - d. Section 9 – Minimum Sight Triangle
- 2) Article XXIII – Off-Street Parking & Loading Regulations
 - a. Section 2 – General Provisions
 - i. Section 2(2) – Residential Districts
 - ii. Section 2(3) – Repair Service

- b. Section 5 – Required Spaces
 - i. Section 5(e)2 – *No parking on front lawns*
 - ii. Section 5(e)4 – *Parking RV's & equipment on private property*
 - iii. Section 5(e)5 – *Contractor's equipment, trailers prohibited*
- 3) Article XXIX, Section 5 – Violation & Penalty

3. Investigation and Compliance Procedures

- A. **Complaints** – PMCO will investigate complaints within three (3) **business** days of receipt of a complaint and will also inspect surrounding properties during investigation of complaint to note any additional violations and to keep process consistent and fair.
- B. **Canvassing** – The PMCO will perform methodical and systematic inspections by Wards of properties within the city limits. Areas are canvassed at the same time complaints are investigated, or as part of the overall canvassing of the City. Inspections are done by Wards to keep investigations consistent and fair with all neighborhoods.
- C. **Departmental Inspections** - The PMCO will coordinate joint inspections with the ~~City Planner~~ **Planning Director** and Building Inspector **Official** when properties are found to have building code and/or zoning violations along with property maintenance issues. One violation notice will be issued addressing all violations and will be sent by the department that has the primary violation issue.
- D. **Jurisdictional** - All violations that are not under the jurisdiction of the PMCO will be directed towards the appropriate department head via email. Once the issue has been addressed and corrected, the department head, or appointed personnel will inform the PMCO of those results.

4. **Identification of Property Ownership.** The PMCO will use due diligence to properly identify property ownership in order to contact the rightful property owner to notify them of a violation.

5. Notifications and Citations (Code of Ordinances)

- A. **Courtesy Letters/Calls/Door Hangers** – The PMCO will send a courtesy letter, make phone call or place door hanger information at a new property owner/tenant residence or a current owner/tenant if they have never received a notice of violation. The courtesy letter shall contain the same language as the First Violation Notice.
- B. **First Violation Notice** – The PMCO will send a First Class letter or Certified Letter identifying the Code for which the property is in violation, the location on the property and specific list of the violation(s), the corrective action necessary to abate, date of re-inspection and the consequences if compliance is not achieved. The property owner/tenant is given ten (10) **calendar** days to abate **the** violation(s).
- C. **Unclaimed Notices** - If a Certified Letter is mailed first and is unclaimed, then a second notice will be sent directly to property owner via First Class Mail and verified by acquiring a Certificate of Mailing from the post office. The letter will inform the property owner/tenant of a re-inspection for 10 days from that contact date. In the event the whereabouts of the owner is unknown and cannot be ascertained in the exercise of reasonable diligence, the notice may be published once each week for two (2) consecutive weeks in the official city newspaper and may be posted on the premises where such conditions exist.
- D. **Extensions** – Extensions of time to correct the violation(s) may be granted at the discretion of the PMCO. Contact by the property owner/ ~~or~~ tenant should be made to

the PMCO within ten (10) days of notification of violation(s). The extension period will be determined based upon the circumstances involved. The property owner/tenant will be informed of the date for re-inspection of the property. If violation(s) remain unabated, then the PMCO will discuss with supervisor prior to granting any further extensions.

E. Re-inspections – The PMCO will re-inspect the property on the date which the property owner was notified, specified in the notice.

1) All Violations (except for tall grass/weeds) - Refer to attached Flow Chart for Unabated Violations.

- a. If abated, the file is closed and abatement is noted.
- b. Unabated Violation: The PMCO will re-inspect the property and if the violation(s) have not been abated, send out a **Final Violation Notice** via First Class Mail will be mailed. The Final Notice will include: that includes an invoice for the a failed re-inspection fee allowing for a (60) sixty thirty (30) day payment period and notice that failure to abate will result in an additional failed re-inspection fee and issuance of a Notice to Appear (NTA), with the matter diverted to Municipal Court.
- c. If a NTA is issued, the PMCO will re-inspect the property prior to the court date, hearing. and if the violation is unabated, The property owner/tenant will be invoiced for a “failed pre-court re-inspection” fee allowing for a (60) sixty thirty (30) day payment period.

2) Tall grass/Weeds Violations - Refer to attached Flow Chart for Unabated Violations.

- a. If abated, the file is closed and abatement is noted.
- b. Unabated Violation: The PMCO will re-inspect the property and if the tall grass/weeds have not been abated, a work order will be prepared for the City’s contract mower. The property owner/tenant will be invoiced for the a “failed re-inspection fee” as well as the fee for the mowing contractor mowing abatement costs, allowing for a sixty (60) thirty (30) day payment period.
- e. Once the property owner/tenant of a non-compliant property has been sent a one notice of violation notice, subsequent violations will result in the PMCO issuing a work order to the contract mower without having to notice the property owner/tenant. The property owner/tenant will be invoiced for the fee for the mowing contractor abatement costs, allowing for a sixty (60) thirty (30) day payment period. The PMCO will also issue a Notice to Appear (NTA) NTA in court to the property owner/tenant. to appear and the matter will be diverted to Municipal Court.
- d. Unabated Noxious Weed Violations: If the property cited is also in violation for noxious weeds, the PMCO may abate the noxious weeds by mowing and/or eradicating and invoicing the owner for the abatement costs and failed re-inspection fees, allowing for a thirty (30) day payment period. Additionally, the PMCO shall issue a separate NTA for failure to mow, control or eradicate noxious weeds. The owner will be charged a pre-court re-inspection fee. The court will determine all penalties for failure to comply.

3) Repeat Violations – Refer to attached Flow Chart for Unabated Violations. If a property owner/tenant has previously been issued two (2) violation notices within a three (3) year period for the same or similar violation, the PMCO will send a mail one Final Violation Notice via First Class Mail to include notice that failure to abate by re-inspection date will result in that includes an invoice for the a failed re-inspection fee, allowing for a sixty (60) day payment period and issuance of a NTA with the matter diverted to Municipal Court. and notice that any subsequent

repeat violations will result in direct issuance of a NTA. The PMCO will re-inspect the property prior to the court date hearing and if the violation is unabated, the property owner/tenant will be invoiced for a failed pre-court re-inspection fee allowing for a sixty (60) thirty (30) day payment period.

6. Municipal Court Procedures

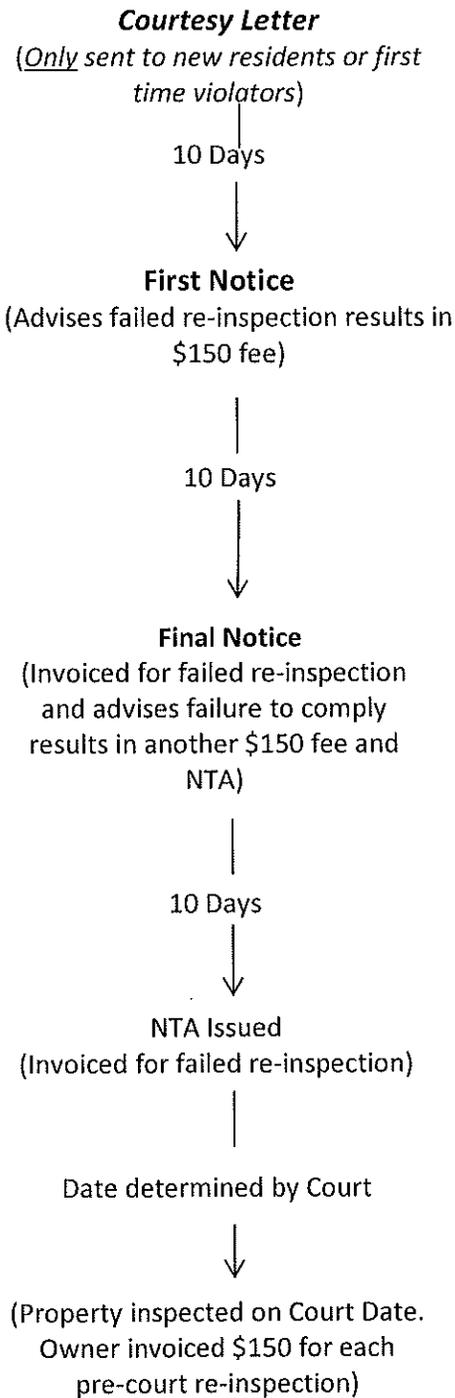
- A. The PMCO will represent the City of Bonner Springs in all property maintenance code violation cases and testify when required.
- B. The PMCO will re-inspect cited properties as often as necessary prior to the Court appearance date in order to present current information for the Court's consideration of the case.
- C. The PMCO will ask the Prosecuting Attorney to request that individuals found guilty of any code violation(s) be placed on one year probation by the Municipal Court Judge. If the judge approves probation, the PMCO shall re-inspect the property once each month during the probationary period to verify compliance. If the property(s) is found in violation of the same code within the probationary period, the PMCO will not be required to repeat the notification process. A Notice to Appear NTA will be prepared and served upon the property owner/tenant. The Municipal Court Clerk will place the case on the court docket and the Prosecuting Attorney will be made aware of the repeat offense.
- D. Notice of adjudication shall be provided to the PMCO after each case is concluded. The Prosecutor will document the findings of the court on the docket sheet and the PMCO will record information in database in the comment section.
- E. If the property owner/tenant fails to appear in court, a bench warrant will be issued and the Bonner Springs Police Department will serve the warrant.

7. Other Procedures

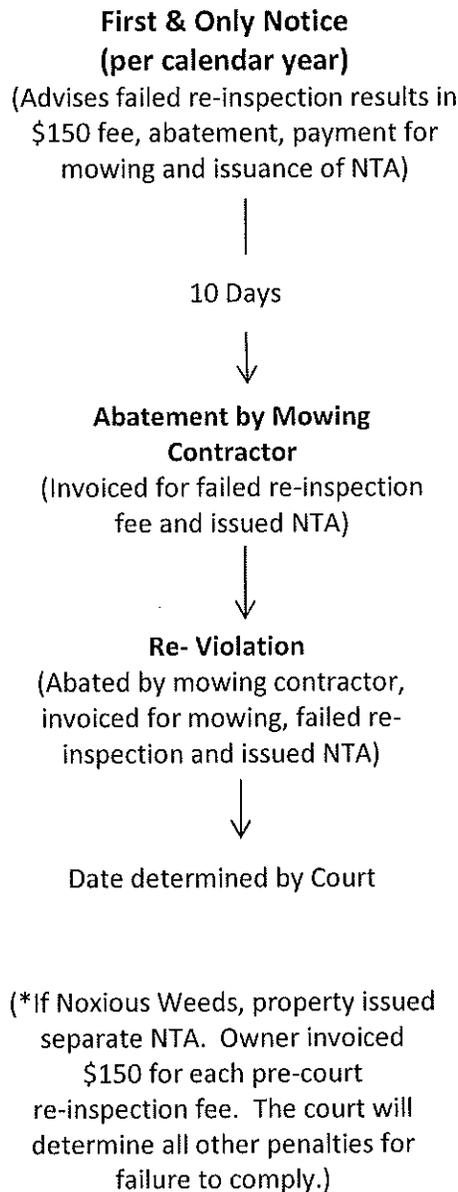
- A. **City Contractors for Abatement** – The PMCO shall annually prepare packets to accept bids to abate Property Maintenance Code violations bid documents for the abatement of mowing, tree trimming, trash/debris removal and noxious weeds. Once prepared, bid documents will be given to the City Clerk to distribute to potential bidders. The bid packets are normally for one year, but can allow for contractors to submit a bid for up to a three year period. Bids will be presented to the Governing Body for acceptance and approval.
- B. **Abatement of Violation(s)** – The PMCO shall proceed with abatement procedures if the following conditions exist:
 - 1) **Absentee Property Owners** – In the event the property owner(s) cannot be located and the same cannot be ascertained in the exercise of due diligence, a Resolution may be prepared and presented to the Governing Body authorizing the PMCO to abate the violation(s). Also, an affidavit shall be prepared declaring inability to locate owner, signed and notarized by the PMCO. Once the Resolution has been approved, notification shall be made by publishing the same once each week for two consecutive weeks in the official city newspaper and by posting a copy of the resolution on the premises where such conditions exist. After the second publishing, the PMCO will prepare a work order to the appropriate contractor to abate the violation(s).
- C. **All applicable fees and abatement costs shall be collected before an occupational license shall be issued or renewed and before any development application shall be accepted.**

Exterior Property Maintenance Enforcement Flow Chart

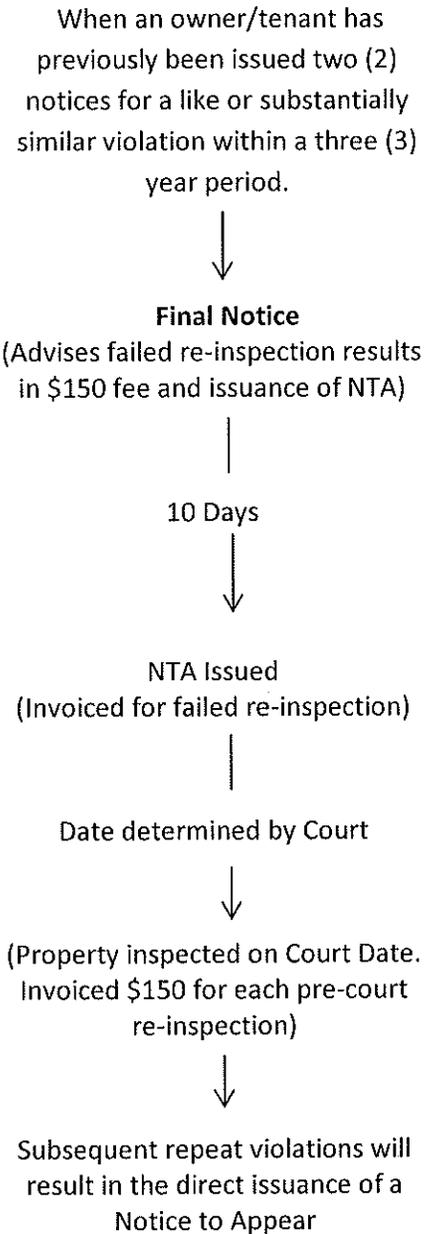
All Property Maintenance Code Violations (Except for Weeds)



Weed Violations (*Includes Noxious Weeds)



Repeat Violations (Except for weeds)



Repeat Offenders

Any person convicted for failure to comply is placed on 12 months probation. If a re-violation occurs within that period, no notices will be sent and a NTA is issued. Pre-court re-inspection fees will be invoiced to the property owner.

ITEM NO. 1.

City Council Regular Agenda Monday, August 10, 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, August 10, 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 July 27, 2015 City Council Meeting

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

STAFF RECOMMENDATION: The City Clerk Recommends Approval

Enclosed are the minutes for approval.

City Council Workshop Meeting – Monday, July 27, 2015 – 6:30 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; Marcia Harrington, Community and Economic Development Director; Barbara Bille, Property Maintenance Code Officer and Tillie LaPlante, Finance Director

Others Present: Joe Connor, Unified Government and Chris Fritz, New West Presentations, Inc.

Staff changed the order of the Workshop to discuss the Cricket Wireless Amphitheater Renovation and Financing Proposal first, followed by the Property Maintenance Code Amendments and Governing Body Policy, and ended with the Budget Workshop – Final Review.

WS – 1 – Property Maintenance Code Amendments and Governing Body Policy – The City Manager made a presentation:

➤ Staff presented possible changes to the Property Maintenance Code Enforcement procedures and incorporate as a Governing Body Policy, and adopting a \$150 Failed Inspection Fee.

The City Council reached consensus without opposition to present the Property Maintenance Code Enforcement Governing Body Policy for action at the next City Council meeting.

The City Council reached consensus without opposition to present the new Failed Inspection Fee for action at the next City Council meeting.

WS – 2 - Cricket Wireless Amphitheater Renovation and Financing Proposal – Joe Connor, Unified Government and Chris Fritz, Cricket Wireless Amphitheater, made a presentation:

➤ The Unified Government owns the facility and grounds; New West Presentations, Inc. is the facility operator.

➤ The current agreement ends December 2015.

➤ New West Presentations, Inc. proposed the facility needs renovations in the amount of \$865,000.

➤ New West Presentations requested the Unified Government and the City provide an up-front contribution in the amount of \$115,000 with New West borrowing the balance of \$750,000 with bonds.

➤ Bond payments and interest will be an estimated \$92,500 per year for ten years.

➤ New West proposed an annual management fee payment to the Unified Government in the amount of \$50,000 and an annual user fee to the City in the amount of \$15,000.

➤ New West's proposed payments are based on revenue from 52,500 tickets sold at \$3.00 per ticket. After 52,500 tickets are sold, New West will pay an additional seventy-five cents per ticket to the Unified Government and an additional twenty-five cents per ticket to the City.

➤ New West currently pays a fifty cent per ticket Amusement Tax to the City for an average annual total of \$23,450. The City may realize a reduction of approximately \$8,450 annually.

➤ The Economic Development Task Force recommended the City approve the \$15,000 annual fee in lieu of Amusement Tax revenue and participate in the one-time up-front fee in the amount of \$30,000. The up-front fee will be paid from the 2015 budget with \$15,000 from the General Fund Budget and \$15,000 from the Tourism Budget.

The City Council reached consensus without opposition to support the Cricket Wireless Amphitheater renovation and financing proposal.

WS – 3 – Budget Workshop – Final Review - The City Manager asked if anyone had questions or issues with the proposed Budget. City Councilmembers had no questions or issues.

The meeting adjourned at 7:29 p.m.

City Council Minutes – Regular Meeting – Monday, July 27, 2015

The Bonner Springs City Council met in regular session at 7:30 p.m. on Monday, July 27, 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; Tillie LaPlante, Finance Director, Kevin Bruemmer, Public Works Director and Matt Beets, Project Manager

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

➤ **Item No. 1 – Citizen Concerns About Items Not on Today’s Agenda** – None presented.

CONSENT AGENDA

The Mayor read the Consent Agenda Items 2 through 5 and asked the staff, audience or City Council if they wished to remove an item for separate consideration. No items were removed.

Item No. 2 – Minutes of the July 13, 2015 City Council Meeting – Presented for approval.

Item No. 3 – Minutes Special Budget Workshop Meetings – Presented for approval.

Item No. 4 – Claims for City Operations for July 27, 2015 - Presented for approval were the Supplement Claims in the amount of \$ 113,367.31 and Regular Claims in the amount of \$ 134,272.13.

Item No. 5 – Public Housing Authority Claims – July 27, 2015 – Presented for approval in the amount of \$20,142.79.

CONSENT AGENDA APPROVAL

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

REGULAR MEETING AGENDA

Item No. 6 – Public Hearing Notice and Schedule Public Hearing for the 2015 Budget Amendments and the 2016 Budget – The Finance Director stated the notice set the limit on taxes levied for the 2016 Budget, the Mill Levy remains the same based on current estimated valuations, the Tourism Fund was amended by \$15,000 and all other funds are as discussed in the budget workshops.

Reeves made a Motion to Approve the Budget Hearing Notice and Schedule to Public Hearing for the 2015 Budget Amendments and the 2016 Budget for Monday, August 10, 2015. Cooper seconded the motion and it carried on a vote of eight to zero.

Item No. 7 – 2015 Concrete Repair Program Bids – The Public Works Director made a presentation:

➤ July 16, 2015 the City received one bid for the 2015 Concrete Repair Program: JM Fahey - \$274,861.

➤ The City typically receives six to eight bids.

➤ Staff recommended the City Council reject the JM Fahey bid and rebid the project.

➤ Staff added Alternate Bid No. 1 which includes curb replacement for an estimate of \$60,720 to be paid by the school district.

➤ Staff released the concrete work for rebid on July 23 with bids due August 6, 2015.

Shannon made a Motion to Reject the Bid from JM Fahey Construction in the Amount of \$274,831.00 for the 2015 Concrete Repair Program and Rebid the Project. Gurley seconded the motion and it carried on a vote of eight to zero.

Item No. 8 – 2015 Pavement Preservation Repair Program Bids – The Public Works Director made a presentation:

➤ July 16, 2015 the City received one bid for the 2015 Pavement Preservation Program: Harbour Construction - \$59,391.71.

➤ The City typically only receives one or two bids for this program.

➤ The bid was below the City’s project cost estimate of \$87,768.

➤ Staff recommended adding 118th Street from the main Scout entrance to the Cub World entrance and Pratt from Bluegrass to 138th Street for an additional \$18,928.63 bringing the total project cost to \$78,320.34.

Stephens made a Motion to Award the Bid to Harbour Construction in the Amount of \$78,320.34 for the 2015 Pavement Preservation Program. Shannon seconded the motion and it carried on a vote of eight to zero.

Item No. 9 – 2015 Street Program Bids - The Public Works Director made a presentation:

➤ July 16, 2015 the City received four bids for the 2015 Street Program: Little Joe’s Asphalt - \$572,244.86, Harbour Construction - \$557,710.98, JM Fahey Construction - \$531,077.25 and McAnany Construction - \$529,541.85.

- The bids submitted included two Add Alternate Work items: No.1 – resurface the main drive in front of the high school and middle school at a cost to the school district of \$27,600; No. 2 – a six inch thick asphalt addition to the salt/sand barn pad at the Public Works Facility.
- Staff recommended the City Council award the bid to McAnany Construction in the amount of \$501,941.85 for the 2015 Street Program with Add Alternate Work item No. 1 for \$27,600.

Reeves made a Motion to Award the Bid to McAnany Construction in the Amount of \$501,941.85 for the 2015 Street Program and Add Alternate No.1 for \$27,600 Contingent Upon Formal School District Approval. Shannon seconded the motion and it carried on a vote of eight to zero.

Item No. 10 – Acceptance of the Westlink Phase II Water and Sanitary Sewer Improvements – The Project Manager made a presentation:

- Construction on the Westlink Project was completed June 23, 2015, final inspection and walk through were completed July 1, 2015.
- Staff recommended the City Council accept the Westlink Phase II Water and Sanitary Sewer Publicly Funded project as complete and start the two-year maintenance period.

Stephens made a Motion to Accept the Westlink Phase II Water and Sanitary Sewer Project as Public Improvements in the Amount of \$73,142 and Start the Two-Year Maintenance Period. Gurley seconded the motion and it carried on a vote of eight to zero.

Item No. 11 - Ordinance to Establish City Manager’s Salary and Contract Amendment –

Gurley made a Motion to Approve an Ordinance to Establish the City Manager’s Salary. Stephens seconded the motion and it carried on a vote of seven to one.

Shannon made a Motion to Approve the Thirteenth Amendment to the City Manager’s Contract. Stephens seconded the motion and it carried on a vote of seven to one. **Assigned Ordinance No. 2403.**

Item No. 12 – City Manager’s Report – The City Manager added items as follows:

- The City Council will have a Special Council Workshop on Monday, August 3, 2015 at 6:30 p.m. to review City Manager candidate resumes.
- The Senior Center will have their annual spaghetti dinner August 7, 2015 from 4:30 to 7:30 p.m.
- Extended appreciation to the Economic Development Director for the work she did on the NRP program.

Item No. 13 – City Council Items –

- Gurley expressed concern that parking on both sides of Pratt between Bluegrass and 138th Street restricts driving space to one lane. The City Manager stated other streets in the City the same width as Pratt are restricted to parking on one side only. The City Council reached consensus to review the item at Workshop.
- Reeves asked does the City remove dead nuisance animals for residents? The City Manager stated it is the property owners responsibility to remove dead animals from their property.
- Reeves asked is there a spring on Sheidley and can the City place a barrier around the pothole? The City Manager stated a spring does exist which prevents repairs at that location until the spring is dry and the City will place a barrier.
- Reeves made a Motion to Establish an Extra \$500 in the Bonner Beautiful Fund. The motion was not accepted.
- Reeves stated the Cemetery Advisory Committee requested that the City prioritize cemetery improvements higher in the City budget.

Item No. 14 – Mayor’s Report – The Mayor reported as follows:

- Thanked the Community and Economic Development Director for her hard work with the Neighborhood Revitalization Program.
- Will meet next week with Mayors Holland and McTaggart to discuss community concerns.
- Attended the Wyandotte County Economic Development meeting and stated the county is on pace for another banner year for development.

The meeting adjourned at 8:13 p.m.

_____ Amber McCullough, City Clerk

ITEM NO. 3.

**City Council Regular Agenda
Monday, August 10, 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 August 3, 2015 Special Council Meeting

ACTION: Make a Motion to Approve the Minutes of the Special Meeting Held on August 3, 2015

STAFF RECOMMENDATION: The City Clerk Recommends Approval

Enclosed are the minutes for approval.

Special Meeting City Council - Monday, August 3, 2015 – 6:30 p.m.

Governing Body Present: Mayor Jeff Harrington; Councilmembers George Cooper, Tom Stephens, Rodger Shannon, Mike Thompson and Dani Gurley

Governing Body Absent: Councilmembers Joe Peterson, Bob Reeves and Mark Kipp

City Staff Present: Jack Helin, City Manager; Carol Sharp, Human Resources Director; and Dan Trent, City Attorney

Executive Session to Discuss Matters of Non-Elected Personnel – Cooper made a motion to go into executive session at 6:48 p.m. to discuss matters of non-elected personnel for a time not to exceed four hours. Stephens seconded the motion and it carried on a vote of five to zero.

Gurley made a motion to return to open session with no action taken at 8:34 p.m. Shannon seconded the motion and it carried on a vote of five to zero.

The meeting adjourned at 8:35 p.m.

Amber McCullough, City Clerk

ITEM NO. 4.

**City Council Regular Agenda
Monday, August 10, 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 August 10, 2015

ACTION: Make a Motion to Approve the Claims for City Operations for August 10, 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 \$47,262.44 and the Regular Claims in the amount of \$126,146.82.

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

Check Register Report

SUPPLEMENTAL CHECK REGISTER

Date: 08/05/2015

Time: 8:45 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							
127700	07/31/2015	Printed		4413	AT & T 5001	PHONE SERVICE	3,223.50
127701	07/31/2015	Printed		7084	AT&T U-VERSE	INTERNET SERVICE 6/10-7/9	354.00
127702	07/31/2015	Printed		2470	ATMOS ENERGY	GAS SERVICE	47.21
127703	07/31/2015	Printed		0122	BONNER SPGS FIREFIGHTERS ASSC	FIREFIGHTER DUES	133.50
127704	07/31/2015	Printed		7193	CHASE PROCESSING	HEALTH SAVINGS ACCT	720.00
127705	07/31/2015	Printed		0898	ICMA RETIREMENT CORPORATION	EMP BENEFITS DEDUCTIONS	2,119.42
127706	07/31/2015	Printed		2195	KANSAS PAYMENT CENTER	PAYROLL DEDUCTIONS	601.90
127707	07/31/2015	Printed		2014	KOPL	ELECTRICAL SVC	209.63
127708	07/31/2015	Printed		0294	MARLIN KERBY	DEPOSIT REFUND-SUNFLOWER RM	100.00
127709	07/31/2015	Printed		9879	MAINSTREET CREDIT UNION	PAYROLL DEDUCTIONS	2,002.82
127710	07/31/2015	Printed		7437	JUSTINE SMITH	AHEAD PROGRAM REIMBURSEMENT	300.00
127711	07/31/2015	Printed		0289	TURNER USD 202	LIFEGUARD TRAINING	105.00
127712	07/31/2015	Printed		7009	VICTOR PHILLIPS CO INC	VEHICLE MAINTENANCE	1,226.74
127713	07/31/2015	Printed		3790	WESTAR ENERGY	ELECTRIC SERVICE	36,118.72
Total Checks: 14						Checks Total (excluding void checks):	47,262.44
Total Payments: 14						Bank Total (excluding void checks):	47,262.44
Total Payments: 14						Grand Total (excluding void checks):	47,262.44

Check Register Report

CHECK REGISTER

Date: 08/05/2015

Time: 8:47 am

Page: 1

Bonner Springs City Hall

BANK: UNION BANK & TRUST

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UNION BANK & TRUST Checks							
127714	08/04/2015	Printed		0825	ARLAN CO INC	POOL STEPS	971.83
127715	08/04/2015	Printed		3303	ASPHALT SALES CO INC	STREET MAINTENANCE	2,757.73
127716	08/04/2015	Printed		5615	AT & T 5011	SPECIAL CIRCUITS & ALARMS	291.58
127717	08/04/2015	Printed		5184	AT & T MOBILITY	MOBILE PHONE SERVICE-6/24-7/23	2,059.99
127718	08/04/2015	Printed		2129	BARTLETT & WEST INC	BACKWASH FILTER TK	1,000.00
127719	08/04/2015	Printed		0287	JENNIFER BASGALL	PROGRAM CANCELLATION	40.00
127720	08/04/2015	Printed		0109	BERNING TIRE COMPANY	TIRES-VAC TRUCK	744.80
127721	08/04/2015	Printed		7416	BG CONSULTANTS, INC	ARCH & ENG SVCS F/CDBG APP	1,200.00
127722	08/04/2015	Printed		2849	BOCKYN LLC	COMPUTER SOFTWARE-P&R	150.00
127723	08/04/2015	Printed		6043	BONNER SPGS CHIEFTAIN	SUBSCRIPTION -COURT	37.00
127724	08/04/2015	Printed		4172	BOUND TREE MEDICAL	MEDICAL SUPPLIES	473.38
127725	08/04/2015	Printed		0323	RICHARD BUTSCH	SECURITY DEPOSIT REFUND	48.12
127726	08/04/2015	Printed		4847	DUSTIN CARE	MILEAGE-JULY	77.05
127727	08/04/2015	Printed		0203	CARTER WATERS	STREET MAINTENANCE SUPPLIES	144.55
127728	08/04/2015	Printed		7102	CENTRAL SECURITY GROUP-	SECURITY MONITORING-PW/UTIL	122.00
127729	08/04/2015	Printed		0144	CITY OF BONNER SPRINGS KS	SECURITY DEPOSIT REFUND	900.00
127730	08/04/2015	Printed		2410	CITY TREASURER KCK	RESIDENTIAL REFUSE CONTRACT	32,599.20
127731	08/04/2015	Printed		0951	COCA-COLA REFRESHMENTS USA INC	CONCESSION DRINKS-POOL	464.67
127732	08/04/2015	Printed		0213	COLEMAN EQUIPMENT INC	HOOKS, TRIMMER LINE	108.94
127733	08/04/2015	Printed		5560	COMMERCIAL AQUATIC SVCS INC	RPR PUMP TUBE-POOL	203.73
127734	08/04/2015	Printed		0306	WILLIAM CRUM	SECURITY DEPOSIT REFUND	3.62
127735	08/04/2015	Printed		6509	CS CAREY, INC.	MULCH FOR PARKS	40.00
127736	08/04/2015	Printed		0458	DAIRY QUEEN	BAND CONCERT GIFT CARDS	375.00
127737	08/04/2015	Printed		4716	DAVE'S PLUSS CONSTRUCTION	STREET RPR AFTER WTRLN RPR	8,308.00
127738	08/04/2015	Printed		0238	DEFFENBAUGH DISPOSAL SERVICE	KMP-JOHNNY ON THE SPOT	125.00
127739	08/04/2015	Printed		7256	DEPARTMENT OF HEALTH & ENVIRO	KDHE LOAN #1 PRINCIPL/INT/SVC	28,065.14
127740	08/04/2015	Printed		4329	JAMES DOBBS	MILEAGE FOR JUNE-JULY	128.23
127741	08/04/2015	Printed		3147	DURHAM SCHOOL SERVICES LP	TRANSPORTATION SVCS F/ CAMP	2,100.00
127742	08/04/2015	Printed		6029	DURKIN EQUIPMENT CO	PLANT MAINTENANCE SUPPLIES	453.70
127743	08/04/2015	Printed		3845	ED ROEHR SAFETY PRODUCTS	TASER SUPPLIES	5,241.17
127744	08/04/2015	Printed		7142	EDWARDS CHEMICALS INC.	CHEMICALS F/ POOL	1,094.30
127745	08/04/2015	Printed		0276	ENVIRONMENTAL LABORATORIES	WASTEWATER SAMPLING-ANALYSIS	1,850.00
127746	08/04/2015	Printed		7407	EVCO WHOLESALE FOOD CORP	CONCESSION FOOD-POOL	2,038.80
127747	08/04/2015	Printed		4342	FELDMANS	LINE TRIMMER, EQ PTS, FAN	583.78
127748	08/04/2015	Printed		3286	GCI CASTINGS INC	V BOX, PIPE-UT	90.00
127749	08/04/2015	Printed		0021	HACH COMPANY	CHEMICALS-UT	104.49
127750	08/04/2015	Printed		1089	HAWKINS, INC	CHEMICALS-UT	548.42
127751	08/04/2015	Printed		7242	HELGET GAS PRODUCTS INC	OXYGEN-EMS	166.41
127752	08/04/2015	Printed		3289	J & D EQUIPMENT INC	EQUIPMENT MATERIALS	82.20
127753	08/04/2015	Printed		3108	JC COMMUNICATIONS BEST	AFTER HRS ANSWERING SERVICE	73.00
127754	08/04/2015	Printed		4261	JCI INDUSTRIES INC	LIFT ST FUSE-RV	477.10
127755	08/04/2015	Printed		0359	JIMS LOCK & SAFE SERVICE	LOCK RPR-PARKS	212.50
127756	08/04/2015	Printed		1022	JO CO LANDFILL INC	LANDFILL CHG-JULY 1-15, 2015	2,560.25
127757	08/04/2015	Printed		1596	JOHN DEERE LANDSCAPES	IRRIGATION CONTROLLER-KMP/CP	144.85
127758	08/04/2015	Printed		0334	ABBIE JONES	SECURITY DEPOSIT REFUND	13.13
127759	08/04/2015	Printed		0304	DELANE KING	RENTAL CANCELLATION-PKS	325.00
127760	08/04/2015	Printed		0418	KWEA	RENEW CERTIF/C. WORRALL	25.00
127761	08/04/2015	Printed		3629	LADD SERVICE COMPANY	WTR SOFTNER SVC CALL	39.00
127762	08/04/2015	Printed		3003	LAKE OF THE FOREST INC	REFUSE SUBSIDY	247.00
127763	08/04/2015	Printed		6837	LAMAR TEXAS LIMITED PARTNERSHP	PERMANENT BILLBOARD AD	415.00
127764	08/04/2015	Printed		2128	LAS CORP	VEHICLE MAINTENANCE (3)	581.37

ITEM NO. 5.

**City Council Regular Agenda
Monday, August 10, 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 August 10, 2015

ACTION: Make a Motion to Approve the Public Housing Authority Claims for August 10, 2015

STAFF RECOMMENDATION: The City Manager and Finance Director Recommend Approval

Enclosed are the Claims in the amount of \$1,812.10.

Check Register Report

PUBLIC HOUSING CHECK REGISTER

Date: 08/05/2015

Time: 3:58 pm

Bonner Springs City Hall

BANK: UNION BANK & TRUST-PHA

Page: 1

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
UNION BANK & TRUST-PHA Checks							
97218	08/05/2015	Printed		P325	P A GREEN WAY HOME CLEANING	CLEANING OF C9 & C4 F/MOVE-INS	341.31
97219	08/05/2015	Printed		P827	P ATMOS ENERGY	TENANT UTILITY REIMBURSEMENT	145.92
97220	08/05/2015	Printed		P312	P C & C LOCK SERVICE	KEYS & DEADBOLTS	165.55
97221	08/05/2015	Printed		P326	P HARMONY PRODUCTS	WINDOW SCREEN REPLACEMENT	240.00
97222	08/05/2015	Printed		P542	P LINDSEY SOFTWARE SYS INC	ACCOUNTING/AUDIT FEES	135.00
97223	08/05/2015	Printed		P503	P LOWES COMPANIES INC	NAILS,RPR KIT,GRBG DISP,PAINT	253.13
97224	08/05/2015	Void	08/05/2015			Void Check	0.00
97225	08/05/2015	Printed		P800	P NUTS & BOLTS	BLDG/GROUNDS MAINTENANCE SUPPL	257.11
97226	08/05/2015	Printed		P472	P WESTAR ENERGY	TENANT UTILITY REIMBURSEMENT	274.08

Total Checks: 9	Checks Total (excluding void checks):	1,812.10
Total Payments: 9	Bank Total (excluding void checks):	1,812.10
Total Payments: 9	Grand Total (excluding void checks):	1,812.10

ITEM NO. 6.

**City Council Regular Agenda
Monday, August 10, 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: Consumption/Possession Permit - Tiblow Days - Chamber Request for Cereal Malt Beverage

ACTION: Make a Motion to Approve a Consumption/Possession Permit for Cereal Malt Beverages for the Chamber BBQ for Tiblow Days & to Waive the Fee Contingent Upon a Satisfactory Inspection

STAFF RECOMMENDATION: The City Manager and City Clerk Recommend Approval

The Chamber made application for a Consumption/Possession Permit for Cereal Malt Beverages for Tiblow Days from 8:01 a.m. to 1:59 a.m. on Friday, August 28 through Saturday, August 29. They will not sell beer and individuals will have it in their possession for personal consumption and not to serve another person. The permit, if approved, allows possession and consumption only on the City's property shown on the enclosed diagram.

Attached is the application and the Chamber will provide security. The Police Department conducted a satisfactory background check and the Building Official will conduct a safety inspection when the Chamber secures the area.

City of Bonner Springs

**Application Alcoholic Beverages Above 3.2 Beer Consumption/Possession Permit
(Only Permitted in the City Public Parking Lot South of Centennial Park) – Fee \$75.00**

Application shall be submitted to the City Clerk’s Office Ten (10) Days Prior to the City Council Meeting prior to the date of the Event

Ordinance No. 1500, Revised Ordinance Nos. 2136, 2138, 2245

Date: 7/01/2015

City Receipt Number

Applicant/Sponsor Name: Regina Utter

Business or Organization: Bonner Springs-Edwardsville Chamber of Commerce

Street Address/Mailing Address: 129 N. Nettleton Ave.

City/State/Zip: Bonner Springs, KS 66012

Phone: Home: _____ Work: 913-422-5044

Cell: 913-422-5044 Email: info@bsedwchamber.org

Date/Time/Purpose of Requested Event: Annual Tiblow Days Festival; August 28, 2014 from Noon to 11:59pm and August 29, 2014 from Noon to 11:59pm

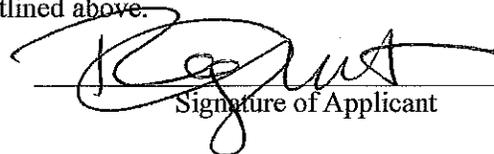
Names of Security Personnel: Bonner Springs Police Department & Private Security Detail

Check all that apply: Will sell 5.0 Beer Wine Alcoholic Beverages
Tent will be Used: Yes No If yes, you must submit an application for a tent permit. The fee is \$25 and issuance of the tent permit is subject to an inspection by the Building Official prior to operation of the event.

Application Requirements:

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

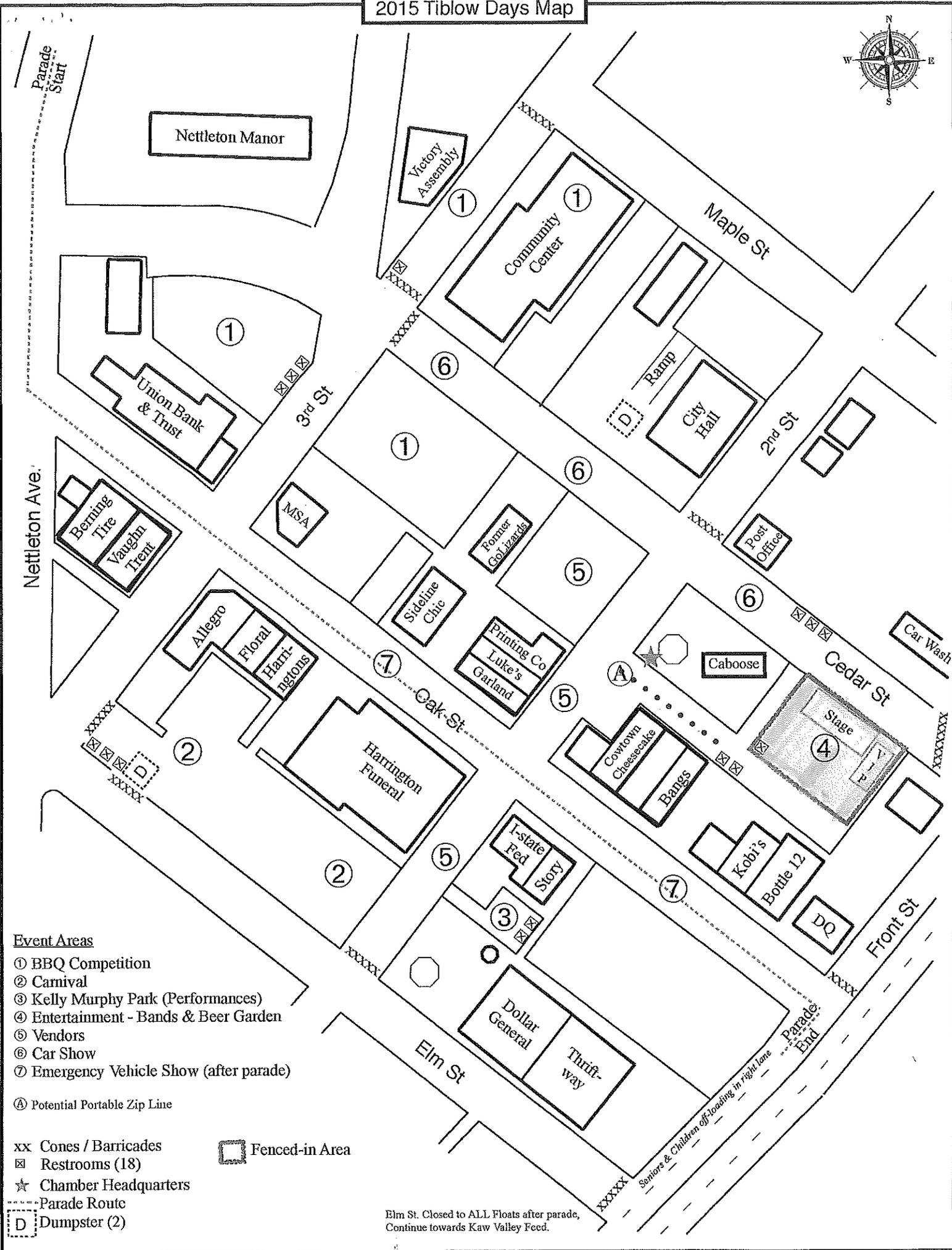
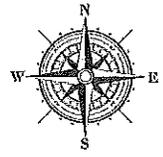
I hereby confirm by signing this application that I understand that the regulations and that I will comply with all regulations and ordinances of the City of Bonner Springs, as outlined above.



Signature of Applicant

Date Approved by the Governing Body: _____
pc: Police Department, Fire Department, EMS Department, Public Works Department
Alcohol Bev Consumption Possession Permit Application Revised December 2008

2015 Tiblow Days Map



Event Areas

- ① BBQ Competition
- ② Carnival
- ③ Kelly Murphy Park (Performances)
- ④ Entertainment - Bands & Beer Garden
- ⑤ Vendors
- ⑥ Car Show
- ⑦ Emergency Vehicle Show (after parade)

Ⓐ Potential Portable Zip Line

xx Cones / Barricades

☒ Restrooms (18)

★ Chamber Headquarters

- - - Parade Route

D Dumpster (2)

☐ Fenced-in Area

Elm St. Closed to ALL Floats after parade,
Continue towards Kaw Valley Feed.

ITEM NO. 7.

**City Council Regular Agenda
Monday, August 10, 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: Carnival Permit - Chamber Tiblow Days

ACTION: Make a Motion to Approve a Carnival Permit for the Chamber for Tiblow Days & Waive the Permit Fee Contingent Upon a Satisfactory Inspection & Receipt of the Certificate of Insurance

STAFF RECOMMENDATION: The City Manager and City Clerk Recommend Approval

Enclosed is an application for a Carnival Permit for Tiblow Days for August 28 through 29 to close by 11 p.m. each day. Jones & Company will provide the carnival again this year and they will provide a certificate of insurance. The Chamber requests that the permit fee be waived. The Building Official will conduct a safety inspection once the carnival equipment is set up prior to its operation.

Attached is the cover letter from the Chamber that requests the use of City streets and facilities for this year's Annual Tiblow Days. In addition and per City Ordinance and adopted Governing Body Policy, they made application for the use of City Streets, Parking Lots and Facilities. Since this is an annual event with only the car show changing location to Cedar on Saturday per the adopted Governing Body Policy, City Staff will approve the request administratively.

City of Bonner Springs
Application For License to Conduct Carnivals, Amusement or Entertainment
And Parties on Vacant Private Property
Per Ordinance No. 1574
Amusement Fee - \$50.00/Party Fee - \$10.00

Date of Application: 7-1-2015

Name of Organization: Bonner Springs-Edwardsville Area Chamber of Commerce

Name of President: Mike Clouse

Address: 129 N. Nettleton Ave. Bonner Springs, KS 66012 Phone No. 913-422-5044

Name of Executive Director: Regina Utter

Address: 129 N. Nettleton Ave. Bonner Springs, KS 66012 Phone No. 913-422-5044

Name of Manager/Operator of Carnival: Carl & Darcy Jones, Jones & Company Carnival

Description of Event: 2015 Tiblow Days Festival, Carnival operates August 27-29th. Carnival begins setup on August 21, 2015

Date of Event: August 27-29, 2015 Time: Varies by day

Address of Location of Event: Parking lot of 2nd/3rd Street & Elm, Kelly Murphy Park

Property Owner: City of Bonner Springs, KS

Owners Address: Bonner Springs, KS Phone No. 913-667-1716

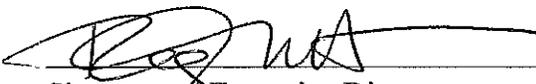
Fee Paid: \$ 0

Deposit if Required by City Manager: \$ 0



Signature of President

Insurance Policy Attached

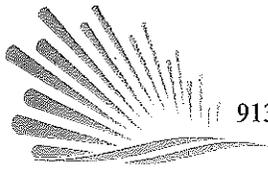


Signature of Executive Director

Council Approval Date: _____

Signature of Property Owner

After Approval Distribute To: Codes Department
Police Department



Bonner Springs-Edwardsville Area Chamber of Commerce
129 North Nettleton Ave. | Bonner Springs, Kansas 66012
913-422-5044 | info@bsedwchamber.org | www.bsedwchamber.org

July 1, 2015

Mayor Jeff Harrington & City Council
City of Bonner Springs
205 East 2nd Street, Box 38
Bonner Springs, Kansas 66012

Dear Mayor Harrington & City Council Members:

The Bonner Springs-Edwardsville Area Chamber of Commerce Board of Directors would like to submit several requests regarding Tiblow Days, which will be held August 27-29, 2015.

1. Use of the city parking lot at Elm between 2nd & 3rd Streets for the carnival behind Alden-Harrington Funeral Home
2. Use of Kelly Murphy Park for vendor booths & entertainment
3. Use of Centennial Park for vendor booths and festival goers seating
4. Use of 2nd Street, Elm to Cedar for Vendor Booths
5. Use of 2nd Street & Cedar Parking Lot (behind Nationwide and below the old GoLizards) for Vendor Booths
6. Use of 3rd Street, Cedar to Maple for BBQ Competition
7. Use of city streets for the Parade (route from Lions Park to Morse to Nettleton to Oak to K32/Front Street)
8. Use of Bonner Springs Community Center; to include the gym, parking lot behind the community center and the small parking lot off of Cedar that is adjacent to the 1918 building. The gym will be used for BBQ check in and judging. The parking lots will be for permit parking for the contestants. The gym has already been reserved with the Parks and Recreation Department.
9. Use of Oak Street from Nettleton to K32/Front Street for Emergency Vehicles/Touch a Truck lineup (EMT, Firetrucks, Police Cars, etc.)
10. Use of Elm Street from 2nd to 3rd for carnival vehicles
11. Use of parking lot behind Berning Tire and the old Masonic Lodge
12. Use of Centennial Parking Lot; to include the entire parking lot and all the parking spaces. This is the area behind Kobi's, Red Fortune, and the Events Center. This area will be used for activities, vendor booths, bands, etc. A stage will be set up for entertainment.
13. Use of the City Parking lot behind Mutual Savings - southeast corner of 3rd & Cedar for BBQ Contest
14. Use of the City Parking lot behind Union Bank & Trust - southwest corner of 3rd & Cedar for BBQ Contest
15. Closing of K-32/Cedar from Front to 2nd Street.
16. We are asking the City of Bonner Springs to install temporary stop signs at the intersections of 2nd & Cedar and 3rd & Cedar to provide additional safety for pedestrian traffic.
17. Use of roadway from 2nd Street through the parking lot for the mobile zipline. See (A) on map for this location.
18. We request that the City of Bonner Springs waive all permit fees associated with Tiblow Days.

There will be emergency vehicle access on all streets that are used. No other traffic will be allowed during Tiblow Days open hours. All required and necessary permits/documents have been applied for.

Tiblow Days schedule will vary according to the particular event; carnival and vendor booths are operating daily, car show operates on the 29th, band entertainment in the evening of 28th and 29th, BBQ Competition will be ongoing from the 27th through 29th and the annual parade will take place during the morning of the 29th.

The Chamber would like to thank you for the cooperation that the City of Bonner Springs has continued to give. Without your assistance, Tiblow Days would not be the successful celebration of Bonner Springs that it is.

Please do not hesitate to contact us if you have any questions. Thank you in advance.


2015 Chamber President
Holliday Sand & Gravel
913-208-4717


Executive Director
BS-EDW Chamber of Commerce
913-422-5044

City of Bonner Springs
Private Use of Public Parking Lot Application
Fee \$50.00 (Non-Alcohol) - Fee \$250.00 (Alcohol on Premises)

Not-for-profit associations, organizations or individuals exempt from payment of established fees.
Ordinance No. 2304

Date: 7/1/2015

Applicant/Sponsor Name: Regina Utter

Business or Organization: Bonner Springs-Edwardsville Chamber of Commerce

Street Address/Mailing Address: 129 N. Nettleton Ave.

City/State/Zip: Bonner Springs, KS 66012

Phone: Home: _____ Work: 913-422-5044

Cell: 913-422-5044 Email: info@bsedwchamber.org

City Receipt Number

Date/Time/Purpose of Requested Event: Annual Tiblow Days Festival; August 27, 2015 from Noon to through August 29, 2015 at 11:59pm

Public Parking Lot(s) Requested: August 20-31, 2015 = Use of large city parking lot at Elm between 2nd and 3rd Streets for Carnival behind Alden-Harrington Funeral Home. August 27-29, 2015 = Use of 2nd Street from Elm to Cedar, 3rd Street from Cedar (K-32) to Maple, use of Bonner Springs Community Center, parking lot behind the center and the small parking lot off Cedar (adjacent to the 1918 building), use of Oak Street from Nettleton to Front Street, use of Elm Street from 2nd to 3rd, use of parking lot behind Berning Tire and old Masonic Lodge, use of Centennial Park Parking Lot, use of city parking lot behind Nationwide and below old GoLizards on 2nd & Cedar, use of the city parking lot behind Mutual Savings & Association, use of city parking lot behind Union Bank & Trust, closing of K-32/Cedar from Front to 2nd Street to provide additional safety for pedestrian traffic, use of Cedar Street from Front Street through 3rd Street

Park Requested: Kelly Murphy and Centennial Park

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

Clear diagram of the Parking Lot to be used attached. Route if use of City Streets requested. Attached

Organization Status Proof: On file with the city.

Names of Security Personnel for Chief Police Approval: _____

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

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

Application Requirements:

- A. Submit this application to the City Clerk's Office Two (2) Weeks Prior to the City Council Meeting prior to the date of the Event for City Council Approval
- B. The applicant shall bag the signs that state alcohol is prohibited before the event, remove the bags after the event and clean the entire parking lot and surrounding area immediately following the end of the event.
- C. Attach sketch/diagram (Exhibit A) of area of the parking lot. Define Fenced Area for Sale/Consumption & Possession of Alcoholic Beverages on the diagram if applicable. Area requires Building Official approval for type of fence material, size and egress.
- D. Submit two copies of the State Temporary Alcoholic Beverage License (**limited to four permits per year per KSA 41-2645**) if applicable. One copy to be attached to the application for a City Temporary Alcoholic Beverage Permit and the other copy attached to this application for an Alcoholic Beverage Consumption/Possession Permit.

ITEM NO. 8.

**City Council Regular Agenda
Monday, August 10, 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: Consumption/Possession/Sale Permit - Tiblow Days - Chamber Request for Alcoholic Beverages

ACTION: Make a Motion to Approve an Alcoholic Liquor Consumption/Possession/Sale Permit for the Chamber for Tiblow Days & to Waive the Permit Fee Contingent Upon a Satisfactory Inspection

STAFF RECOMMENDATION: The City Manager and City Clerk Recommend Approval

The Chamber made application for an Alcoholic Beverage Consumption/Possession/Sale Permit for Tiblow Days, Friday, August 28 and Saturday, August 29 from 4 p.m. to 11:59 p.m. The Chamber will provide security and secure the area used in the parking lot adjacent to Centennial Park.

The Chamber requests that all permit fees be waived. They made application to the City and the State for a Temporary Alcoholic Beverage License to permit the sale of alcoholic beverages. The City temporary permit does not require City Council approval but we must receive a copy of the State's Temporary Permit before issuance of the City permit.

Approval is contingent upon receipt of the State's temporary permit. Enclosed is a drawing of the area to be used for the Bier Garten that complies with the required distance from Centennial Park.

City of Bonner Springs
Application Cereal Malt Beverage (3.2 Beer Only)
Consumption/Possession Permit

Application shall be submitted to the City Clerk's Office Ten (10) Days Fee - \$75.00
Prior to the City Council Meeting prior to the date of the Event
(Ordinance 2049 – August 9, 2004, Revised Ordinance 2093, May 23, 2005)

Date: 7/1/2015

Applicant Name: Regina Utter, Executive Director

Business or Organization: Bonner Springs-Edwardsville Chamber of Commerce

Street/Mailing Address: 129 N. Nettleton Ave.

City/State/Zip: Bonner Springs, KS 66012

Phone: 913-422-5044 Email: info@bsedwchamber.org

Location of Event: 3rd Street in front of the Community Center; the Union Bank & Trust parking lot; the parking lot above Mutual Savings & Loan

Date/Time of Event: August 28-29, 2015; 7:00am - 1:59am daily

Proof of Security: _____

Certificate of Insurance Naming the City as an Additional Insured Attached: _____
Fence Material for Security & to Define Bier Garten Area is required and subject to approval by the Building Official for type and egress per the International Fire Code.

The undersigned has applied for a permit for possession and consumption of Cereal Malt Beverages in accordance with the regulations adopted by Ordinance No. 2049 and Revised by Ordinance No. 2093.



Signature (Owner/Agent)

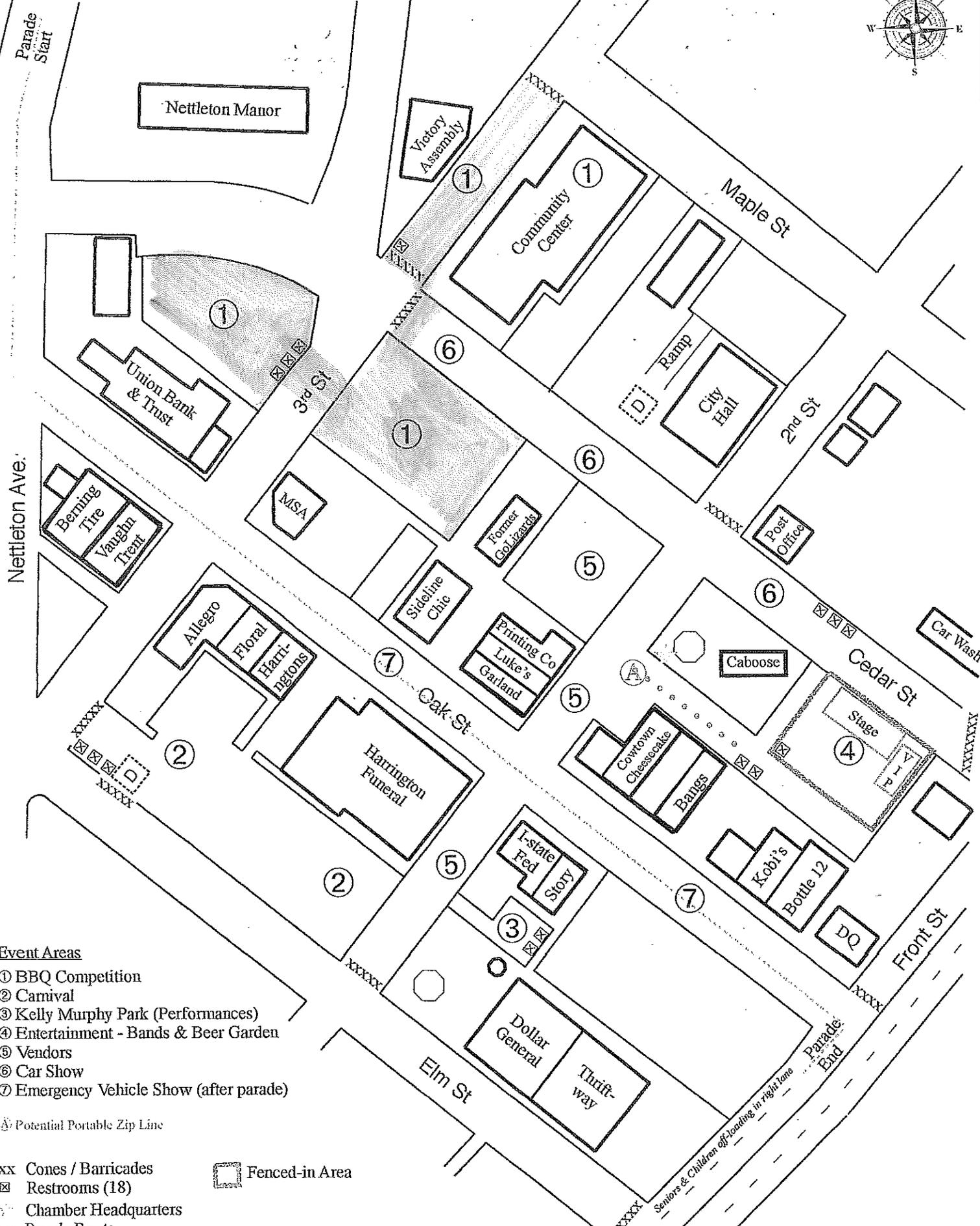
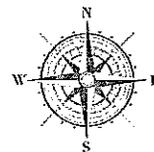
If on private property, signature of property owner: _____

Date Approved by the Governing Body:

pc: Police Department, Fire Department, EMS Department, Building Official

City Use – Receipt No.

2015 Tiblow Days Map



Event Areas

- ① BBQ Competition
- ② Carnival
- ③ Kelly Murphy Park (Performances)
- ④ Entertainment - Bands & Beer Garden
- ⑤ Vendors
- ⑥ Car Show
- ⑦ Emergency Vehicle Show (after parade)

⚠ Potential Portable Zip Line

- xx Cones / Barricades
- ☒ Restrooms (18)
- ☒ Chamber Headquarters
- ☒ Fenced-in Area
- ☒ Parade Route
- D Dumpster (2)

Elm St. Closed to ALL Floats after parade, Continue towards Kaw Valley Feed.

Seniors & Children off-loading in right zone

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. 9.

City Council Regular Agenda Monday, August 10, 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 Hearing 2015 Budget Amendments & 2016 Budget

ACTION: Conduct Public Hearing for the 2015 Budget Amendments & the 2016 Budget

STAFF RECOMMENDATION: The City Manager, City Clerk and Finance Director Recommend the Hearing be Held

Enclosed is a copy of the Public Hearing Notice (Summary) approved by the City Council on July 27 that scheduled a Public Hearing for Monday, August 10. The City Clerk published the notice in the Chieftain on July 30 per State Law.

The Mayor will open the Public Hearing and Staff will make a PowerPoint presentation on the proposed 2015 Budget Amendments and the recommended 2016 Budget. The Mayor will then invite the public to make comment.

The Mayor will close the Public Hearing after receipt of public comment and the City Council will consider the next agenda item to approve the 2015 Budget Amendments and to approve the 2016 Budget.

NOTICE OF BUDGET HEARING

2016

The governing body of
Bonner Springs

will meet on the August 10, 2015 at 7:30 p.m. at 205 East Second Street for the purpose of hearing and answering objections of taxpayers relating to the proposed use of all funds and the amount of ad valorem tax for the 2016 Budget.

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

The hearing will include 2015 Budget Amendments shown in bold in the 2015 Expenditure Column.

SUPPORTING COUNTIES

Wyandotte County (home county) Johnson County, Leavenworth County

BUDGET SUMMARY

Proposed Budget 2016 Expenditures and Amount of 2015 Ad Valorem Tax establish the maximum limits of the 2016 budget.
Estimated Tax Rate is subject to change depending on the final assessed valuation.

FUND	Prior Year Actual for 2014		Current Year Estimate for 2015		Proposed Budget for 2016		
	Expenditures	Actual Tax Rate *	Expenditures	Actual Tax Rate *	Budget Authority for Expenditures	Amount of 2015 Ad Valorem Tax	Estimate Tax Rate *
General	6,943,703	22.789	8,311,549	23.994	8,551,418	1,666,625	23.957
Debt Service	2,732,592	5.686	2,179,168	4.476	2,265,796	311,364	4.476
Library	372,658	5.160	388,200	5.146	406,611	360,590	5.183
Spec. Rev. Aquatic Park Facility Sales Tax	101,525		0		0		
Spec. Rev. CIP Sales Tax	350,100		450,600		535,000		
Spec. Rev. County Infrastructure	1,315		0		0		
Spec. Rev. Tourism	98,830		126,965		152,876		
Spec. Rev. Drug & Alcohol	66,690		85,400		67,650		
Spec. Rev. Economic Development	12,250		12,252		12,945		
Spec. Rev. Emerg Serv Capital	622,405		334,804		735,986		
Spec. Rev. Emerg Med Service	535,202		687,130		716,144		
Spec. Rev. Library Sales Tax	837,280		423,825		930,119		
Spec. Rev. Park Dedication	0		0		0		
Spec. Rev. Recreation Programs	81,811		134,615		213,380		
Spec. Rev. Risk Management	22,760		5,000		131,620		
Spec. Rev. Senior Center	46,549		48,823		51,191		
Spec. Rev. Sidewalk Escrow	0		0		34,530		
Spec. Rev. Soccer	10,884		17,505		21,115		
Spec. Rev. Special Parks & Recreation	36,361		88,500		88,420		
Spec. Rev. Street Projects	862,782		914,100		919,100		
Spec. Rev. Summer Ball	36,143		29,515		66,850		
Spec. Rev. Swimming Pool	209,242		248,881		259,698		
Spec. Rev. Tiblow Transit	86,332		86,228		155,114		
Spec. Rev. TIF Develop Funds	0		0		0		
Bonner Pointe TIF Increment	175,470		225,000		240,000		
CID Development Fees	11,190		0		0		
Bonner Springs Center CID	63,019		100,000		100,000		
Bonner Springs Ctr City Contribution	24,656		33,000		50,000		
Enterprise Fund - Solid Waste	376,853		407,180		472,477		
Enterprise Fund - Storm Water	56,102		185,651		185,726		
Enterprise Fund - Wastewater	1,646,578		1,656,304		1,858,944		
Enterprise Fund - Water	1,752,485		2,402,409		1,884,686		
Non-Budgeted Funds	3,735,477		0		0		
Totals	21,909,244	33.635	19,582,604	33.616	21,107,396	2,338,579	33.616
Less: Transfers	3,409,022		3,323,298		3,335,853		
Net Expenditure	18,500,222		16,259,306		17,771,543		
Total Tax Levied	2,203,824		2,320,982		XXXXXXXXXXXXXXXXXXXX		
Assessed Valuation	65,521,617		69,045,005		69,567,760		
Outstanding Indebtedness,							
January 1,	2013		2014		2015		
G.O. Bonds	20,645,000		17,820,000		16,880,000		
Revenue Bonds	0		0		0		
Other	1,750,000		1,750,000		900,000		
Lease Purchase Principal	115,918		0		0		
Total	22,510,918		19,570,000		17,780,000		

*Tax rates are expressed in mills

City of Bonner Springs
City Official Title: City Clerk

ITEM NO. 10.

**City Council Regular Agenda
Monday, August 10, 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: Approve 2015 Budget Amendments & 2016 Budget & Establish Maximum Expenditures

ACTION: Make a Motion to Adopt the 2015 Budget Amendments & the 2016 Budget

STAFF RECOMMENDATION: The City Manager, City Clerk and Finance Director Recommend the Hearing be Held

The enclosed Certificate lists those funds that State Law requires cities to set maximum expenditures for, set the total ad valorem tax dollars and to set the estimated mill levy. The estimated mill levy for the 2016 Budget is 33.616 which is the same mill levy as the prior year.

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

The second attachment is a computation page. State Law now requires cities to publish the vote of the City Council's adoption of their budget if it provides an increase in property taxes over the previous year adjusted by the CPI for all urban consumers. The attached computation page on Line 18 shows the maximum amount of property taxes of \$2,379,099 the City can adopt without a publication. The 2016 Budget, if adopted, provides for a total property tax amount of \$2,338,579 which is less than the maximum levy, therefore we are not required to publish a notice of vote.

Bonner Springs

2016

Computation to Determine Limit for 2016

	Amount of Levy
1. Total tax levy amount in 2015 budget	+ \$ <u>2,320,982</u>
2. Debt service levy in 2015 budget	- \$ <u>309,029</u>
3. Tax levy excluding debt service	\$ <u>2,011,953</u>

2015 Valuation Information for Valuation Adjustments

4. New improvements for 2015:	+ <u>473,807</u>	
5. Increase in personal property for 2015:		
5a. Personal property 2015	+ <u>1,970,477</u>	
5b. Personal property 2014	- <u>2,184,223</u>	
5c. Increase in personal property (5a minus 5b)	+ <u>0</u>	
		(Use Only if > 0)
6. Valuation of annexed territory for 2015:		
6a. Real estate	+ <u>0</u>	
6b. State assessed	+ <u>0</u>	
6c. New improvements	- <u>0</u>	
6d. Total adjustment (sum of 6a, 6b, and 6c)	+ <u>0</u>	
7. Valuation of property that has changed in use during 2015:	<u>332,443</u>	
8. Total valuation adjustment (sum of 4, 5c, 6d & 7)	<u>806,250</u>	
9. Total estimated valuation July 1, 2015	<u>69,567,760</u>	
10. Total valuation less valuation adjustment (9 minus 8)	<u>68,761,510</u>	
11. Factor for increase (8 divided by 10)	<u>0.01173</u>	
12. Amount of increase (11 times 3)	+ \$ <u>23,591</u>	
13. 2016 budget tax levy, excluding debt service, prior to CPI adjustment (3 plus 12)	\$ <u>2,035,544</u>	
14. Debt service in this 2016 budget	<u>311,364</u>	
15. 2016 budget tax levy, including debt service, prior to CPI adjustment (13 plus 14)	<u>2,346,908</u>	
16. Consumer Price Index for all urban consumers for calendar year 2014	<u>1.60%</u>	
17. Consumer Price Index adjustment (3 times 16)	\$ <u>32,191</u>	
18. Maximum levy for budget year 2016 including debt service, not requiring 'notice of vote publication.' (15 plus 17)	\$ <u>2,379,099</u>	

If the 2016 adopted budget includes a total property tax levy exceeding the dollar amount in line 18 you must publish notice of vote by the governing body to adopt such budget in the official county newspaper and attach a copy of the published notice to this budget.

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

ITEM NO. 11.

City Council Regular Agenda Monday, August 10, 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: Property Maintenance Code Amendments, Fees & Governing Body Policy

ACTION: See narrative for three required motions. Ordinances require a separate motion from any other action.

STAFF RECOMMENDATION:

First Motion: Make a Motion to Approve an Ordinance Amending the Property Maintenance Chapter of the Code of Ordinances

Second Motion: Make a Motion to Approve the Governing Body Policy and Fees of \$150 each for a Failed Inspection Fee and Pre-Court Re-Inspection Fee

Third Motion: Make a Motion to Approve Fees of \$150 each for a Failed Inspection Fee and Pre-Court Re-Inspection Fee

Please see Workshop Item No. 4 for the memorandum and documents. Changes to the Code are shown in the ordinance in legislative style. The Code will reflect the amendments in regular format without strikethroughs.

ITEM NO. 12.

**City Council Regular Agenda
Monday, August 10, 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: 2015 Concrete Repair Program Re-Bids

ACTION: Make a Motion to Award the Low Bid to Phoenix Concrete & Underground, Inc. in the Amount of \$108,379.49 for the 2015 Concrete Repair Program and Add Alternate #1 for \$31,712.40 Contingent upon Formal School District Approval.

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

The attached memo discusses the background and financial impact for the recommendation.

Staff will discuss the options for additional street and concrete work at the Council Meeting.

**CITY OF BONNER SPRINGS
MEMORANDUM**

DATE: August 06, 2015
TO: Mayor and City Council
THROUGH: City Manager
FROM: Public Works Director, Project Manager

SUBJECT: 2015 Concrete Repair Program Re-Bids

Recommendation

Award the low bid to Phoenix Concrete & Underground, Inc. in the amount of \$108,379.49 for the 2015 Concrete Repair Program and Add Alternate #1 for \$31,712.40 contingent upon formal School District approval.

Background

The notice to bidders was published on the City's website and was advertised in the Chieftain on 23 July 2015. On 06 August 2015, the City Clerk opened bids from 5 contractors. The bids received were:

Phoenix Concrete & Underground, Inc.	\$140,091.89
Sterling Construction	\$141,597.25
Kansas Heavy Construction, Inc.	\$261,949.20
Julius Kaaz Construction Co., Inc.	\$271,467.00
JM Fahey Construction	\$299,716.50

The bid from Phoenix Concrete & Underground, Inc. was checked for accuracy; no errors were found to affect the bid.

Discussion

The bid included two alternate items. Similar to the 2015 Street bid, the City was approached by the school district about including new curbs along the main drive in front of the High School and Middle School (McDaniel Drive). By including this work with the City Concrete work, the quantities were increased giving both the City and the School district a better price. The School districts cost for the Add Alternate #1 item is \$31,712.40. A separate purchase order will be generated by the School District to the Contractor for direct payment.

Alternate Bid Item #2 is additional sidewalk work along Allcutt between Cedar and Spring. We asked for prices for both sides of the street since most of the sidewalk needs replacement. The contractor's price for Alternate Bid Item #2 is \$20,942.00.

Financial Impact

The 2015 Street budget has \$760,000 dedicated for the Concrete Repair Program, Pavement Preservation Program, and Street Program. On 27 July, City Council awarded bids for the Pavement Preservation program and Street Program in the total amount of \$580,262.18 leaving a balance of \$179,737.81 for the concrete work. The City's portion of the bid from Phoenix Concrete & Underground, Inc. in the amount of \$108,379.49 leaves a remainder of \$71,358.32 for additional street related program work.

ITEM NO. 13.

**City Council Regular Agenda
Monday, August 10, 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.

City Managers Update

Date: August 10, 2015
 To: Mayor and City Council

1. **Mayor's Banquet** – The Mayor's Banquet is Friday, August 28th. We provided complimentary tickets for Councilmembers loose in their agenda packet. Please RSVP by August 14th. For persons that wish to attend the banquet, tickets are \$20 each and can be purchased from a Rotary Club member or at the City Hall front desk. Tickets must be purchased by August 15th.
2. **Tiblow Days Parade – Response Needed** – Please contact Fern Massey at 913-667-1713 or by email at adminassist@bonnersprings.org to confirm if you will ride in the parade and if you will need for her to arrange a vehicle/driver for you.
3. **Walmart Grant** - We received a \$1,500 grant from WalMart for Tiblow Transit.
4. **Mill Levies** – The published mill levies that make up the total mill levy for Bonner Springs, Wyandotte County, Kansas are:

	Current Certified Levy	Published in 2016 Budget	Difference Current/Budget
Bonner Springs			
General Fund	23.994	23.957	-0.037
Debt Service	4.476	4.476	0.000
Library	5.146	5.183	0.037
Total Bonner Springs	33.616	33.616	0.000
County	38.488	38.488	0.000
State	1.500	1.500	0.000
Community College	26.108	27.109	1.001
USD #204	63.008	63.008	0.000
Total Bonner Springs Wyandotte County	162.72	163.721	1.001

5. **Community and Economic Development Update:**
 - a. **Update on Signage for K-7/I-70/Speaker** - Kansas Logos, Inc. confirmed on July 31 that ten businesses have signed contracts for Exit 224A eastbound I-70 blue logo signs. Six panel sign for food: El Potro Mexican Restaurant, Steak 'N Shake, Waffle House, Burger King, McDonalds, and Taco John; 4 panel sign for fuel and lodging: 7-11, QuikTrip, Holiday Inn Express and Super 8. All logos should be installed by mid-August. Signage for westbound traffic will not be installed until 2016 when construction on Exit Ramp 224B is completed. A blue logo sign will be installed on I-70 and on exit ramp 224B. A blank blue logo sign on Exit 224A ramp has already been installed but won't be used until 2016.

ITEM NO. 14.

**City Council Regular Agenda
Monday, August 10, 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. 15.

**City Council Regular Agenda
Monday, August 10, 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.