AGENDA
CITY OF ROELAND PARK, KANSAS
CITY COUNCIL MEETING
ROELAND PARK
Roeland Park City Hall - 4600 W 51st St
November 20, 2017 7:00 PM

- Joel Marquardt, Mayor
- Erin Thompson, Council Member
- Becky Fast, Council Member
- Michael Poppa, Council Member
- Ryan Kellerman, Council Member
- Tim Janssen, Council Member
- Teresa Kelly, Council Member
- Sheri McNeil, Council Member
- Michael Rhoades, Council Member
- Keith Moody, City Administrator
- Jennifer Jones-Lacy, Asst. Admin.
- Kelley Bohon, City Clerk
- John Morris, Police Chief
- Jose Leon, Public Works Director

Admin	Finance	Safety	Public Works
Fast	Janssen	Rhoades	McNeil
Kelly	Thompson	Kellerman	Poppa

Pledge of Allegiance

Roll Call

Modification of Agenda

Members of the public are welcome to use this time to make comments about City matters that do not appear on the agenda, or about items that will be considered as part of the consent agenda. Comments about items that appear on the agenda will be taken as each item is considered. Citizens are requested to keep their comments under 5 minutes. Please turn all cellular telephones and other noise-making devices off or to "silent mode" before the meeting begins.

I. **Consent Agenda**

Consent agenda items have been studied by the Governing Body and will be acted on in a single motion. If a Council member requests a separate discussion on an item, it can be removed from the consent agenda and placed on new business for further consideration.

A. Appropriation Ordinance # 910
B. August 21, 2017 Council Minutes
C. September 11, 2017 Council Minutes
D. September 18, 2017 Council Minutes
E. October 16, 2017 Council Minutes
F. Cereal Malt Beverage Renewals

G. 2018 Market Pay Adjustments

II. **Business From the Floor**

A. **Applications / Presentations**

1. Committee Report Events
2. Business License – Cheryl Weatherby

III. **Mayor's Report**

IV. **Workshop and Committee Reports**

A. Workshop/Special Council Summary - November 6th

V. **Reports of City Liaisons**

A. MARC – First Tier Suburbs (Teresa Kelly and Erin Thompson)

VI. **Unfinished Business**

VII. **New Business**

A. Approve Solar Panel Wells Dr
B. Approve Solar Panel Neosho
C. Leasing Agent Agreement
D. Custodial Services City Hall
E. Committee Appointment and Reappointments
F. Discussion on Schedule for 2018 Community Forums

VIII. **Ordinances and Resolutions:**

A. ORDINANCE NO. 958: RELATING TO NUISANCE CONDITIONS; AMENDING EXISTING ARTICLE 9 OF THE CODE OF THE CITY OF ROELAND PARK KANSAS; REPEALING EXISTING SECTION 8-402 OF THE CODE OF THE CITY OF ROELAND PARK, KANSAS; AMENDING SECTIONS 8-404, 8-405, AND 13-301 OF THE CODE OF THE CITY OF ROELAND PARK, KANSAS; AND ADDING NEW SECTIONS 8-904, 8-905, 8-906 AND 8-907 TO THE CODE OF THE CITY OF ROELAND PARK, KANSAS.
B. ORDINANCE NO. 959 AN ORDINANCE AMENDING EXISTING SECTION 2-122 OF THE CODE OF THE CITY OF ROELAND PARK, KANSAS, RELATING TO DANGEROUS ANIMALS.
C. ORDINANCE 960: AMENDING EXISTING SECTIONS 16-317 AND 16-319 OF THE CODE OF THE CITY OF ROELAND PARK, KANSAS TO ELIMINATE THE REDEVLOPMENT COMMITTEE; ALSO REPEALING EXISTING SECTION 16-320 OF THE CODE OF THE CITY OF ROELAND PARK, KANSAS.
D. ORDINANCE NO. 961 AN ORDINANCE AMENDING SPECIAL

USE PERMIT REGULATIONS TO INCLUDE IN-HOME DAYCARE FACILITIES; AMENDING EXISTING SECTIONS 5-603, 5-604, 5-605, 16-313, 16-316, 16-318, 16-319, AND 16-322 OF THE CODE OF THE CITY OF ROELAND PARK, KANSAS.

IX. **Workshop Items:**

X. **Reports of City Officials:**

Welcome to this meeting of the City Council of Roeland Park. Below are the Procedural Rules of Council

The City Council encourages citizen participation in local governance processes. To that end, and in compliance with the Kansas Open meetings Act (KSA 45-215), you are invited to participate in this meeting. The following rules have been established to facilitate the transaction of business during the meeting. Please take a moment to review these rules before the meeting begins.

A. **Audience Decorum.** Members of the audience shall not engage in disorderly or boisterous conduct, including but not limited to; the utterance of loud, obnoxious, threatening, or abusive language; clapping; cheering; whistling; stomping; or any other acts that disrupt, impede, or otherwise render the orderly conduct of the City Council meeting unfeasible. Any member(s) of the audience engaging in such conduct shall, at the discretion of the Mayor (Chair) or a majority of the Council Members, be declared out of order and shall be subject to reprimand and/or removal from that meeting. Please turn all cellular telephones and other noise-making devices off or to "silent mode" before the meeting begins.

B. **Public Comment Request to Speak Form.** The request form's purpose is to have a record for the City Clerk. Members of the public may address the City Council during Public Comments and/or before consideration of any agenda item; however, no person shall address the Council without first being recognized by the Mayor (Chair). Any person wishing to speak, whether during Public Comments or on an agenda item, shall first complete a Public Comment or Request to Speak form and submit this form to the City Clerk before the Mayor (Chair) calls for Public Comments or calls the particular agenda item

1. **Public Comment on Non-Agenda Items.** The Agenda shall provide for public comment about matters that are within the jurisdiction of the City but are not specifically listed on the Agenda. A member of the public who wishes to speak under Public Comments must fill out a Public Comment Request to Speak form and submit it to the City Clerk before the Mayor (Chair) calls for Public Comments.

2. **Public Comment on Agenda Items.** Public comment will be accepted on Agenda items. A member of the public, who wishes to speak on an Agenda item, including items on the Consent Agenda, must fill out a Request to Speak form and submit it to the City Clerk before the Mayor (Chair) calls the Agenda item.

C. **Purpose.** The purpose of addressing the City Council is to communicate formally with the Council regarding matters that relate to Council business or citizen concerns within the subject matter jurisdiction of the City Council. Persons addressing the City Council on an agenda item shall confine their remarks to the matter under consideration by the Council.

D. **Speaker Decorum.** Each person addressing the City Council, shall do so in an orderly, respectful, dignified manner and shall not engage in conduct or language that disturbs, or otherwise impedes the orderly conduct of the Council meeting. Any person, who so disrupts the meeting shall, at the discretion of the Mayor (Chair) or a majority of the Council Members present, be subject to removal from that meeting.

E. **Time Limit.** In the interest of fairness to other persons wishing to speak and to other individuals or groups having business before the City Council, each speaker shall limit comments to five minutes. If a large number of people wish to speak, this time may be shortened by the Mayor (Chair) so that the number of persons wishing to speak may be accommodated within the time available.

F. **Speak Only Once.** Second opportunities for the public to speak on the same issue will not be permitted unless mandated by state or local law. No speaker will be allowed to yield part or all of his/her time to another, and no speaker will be credited with time requested but not used by another.

G. **Addressing the Council.** Comment and testimony are to be directed to the Mayor (Chair). Dialogue between and inquiries from citizens at the lectern and individual Council Members, members of staff, or the seated audience is not permitted. Council Members seeking to clarify testimony or gain additional information should direct their questions through the Mayor (Chair). Always speak from the microphone to ensure that all remarks are accurately and properly recorded. Only one speaker should be at the microphone at a time. Speakers are requested to state their full name, address and group affiliation, if any, before delivering any remarks.

H. Agendas and minutes can be accessed at www.roelandpark.org or by contacting the City Clerk

The City Council welcomes your participation and appreciates your cooperation. If you would like additional information about the City Council or its proceedings, please contact the City Clerk at (913) 722.2600.

Item Number: **Consent Agenda- I.-A.**
Committee Meeting Date: **11/20/2017**

City of Roeland Park

Action Item Summary

Date:
Submitted By:
Committee/Department:
Title: **Appropriation Ordinance # 910**
Item Type:

Recommendation:

Details:

Financial Impact

Amount of Request:	
Budgeted Item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

ATTACHMENTS:

Description	Type
Appropriation Ordinance # 910	Cover Memo

The City of Roeland Park, Kansas

4600 West Fifty-First Street
Roeland Park, Kansas 66205
City Hall (913) 722-2600 – Fax (913) 722-3713

Sunday, November 19, 2017

Appropriation Ordinance - 11/20/2017 - #910

An Ordinance making Appropriation for the payment of certain claims. Be it ordained by the Governing Body of the City of Roeland Park, Kansas:

Section 1: That in order to pay the claims hereinafter stated which have been properly audited and approved, there is hereby appropriated out of the respective funds in the City Treasury the sum required for each claim.

Section 2: This Ordinance shall take effect and be in force from and after its passage. Passed and approved this 20th day of November, 2017.

Attest:

City Clerk

Mayor

Total Appropriation Ordinance	**$**	**222,933.27**

There are sufficient funds in the General Fund to cover general fund expenditures.

Appropriation Ordinance - 11/20/2017 - #910

Vendor	Dept	Acct #	Description	Invoice Description	Check /EFT Date	Amount	Chk #	Check Amount
James Carmack, Band Leader	101	5237.101	Community Events	Invoice: 10/14/17 /	10/25/2017	250.00	67317	250.00
Adorama, Inc.	360	5315.360	Machinery & Auto Equipment	Invoice: 20955162 / CIP 2017	11/15/2017	895.50	67369	895.50
Airgas USA, LLC	106	5214.106	Other Contractual Services	Invoice: 9948369789 /	10/18/2017	86.77	67301	86.77
Airgas USA, LLC	106	5318.106	Tools	Invoice: 9949073456 /	11/15/2017	79.64	67370	79.64
All Star Awards & Ad Specialties,	101	5256.101	Committee Funds	Invoice: 434749 /	10/18/2017	200.00	67302	200.00
American Equipment Co.	106	5211.106	Maintenace & Repair Equipment	Invoice: 28211 /	11/15/2017	122.10	67371	4,581.10
American Equipment Co.	360	5315.360	Machinery & Auto Equipment	Invoice: 60776 /	11/15/2017	4,459.00	67371	
American Fidelity Assurance	101	2052.101	Supplemental Inusrance Payable	Invoice: 1593973A /	11/2/2017	516.66	67328	516.66
American Fidelity Assurance	101	2052.101	Supplemental Inusrance Payable	Invoice: 1593974A /	11/8/2017	516.66	67352	516.66
American Fidelity Assurance Co.	101	2052.101	Supplemental Inusrance Payable	Invoice: 1593976C /	11/8/2017	516.66	67353	516.66
American Fidelity Assurance Co.	101	2052.101	Supplemental Inusrance Payable	Invoice: B670016 /	11/15/2017	1,458.26	67372	2,916.52
American Fidelity Assurance Co.	101	2052.101	Supplemental Inusrance Payable	Invoice: B645583 /	11/15/2017	1,458.26	67372	
American Fidelity Assurance Co.	101	2052.101	Supplemental Inusrance Payable	Invoice: 1593980B /	11/15/2017	516.66	67373	1,033.32
American Fidelity Assurance Co.	101	2052.101	Supplemental Inusrance Payable	Invoice: 1593978B /	11/15/2017	516.66	67373	
KC APWA	106	5206.106	Travel Expense & Training	Invoice: 17082 /	11/15/2017	566.00	67374	566.00
AT&T	101	5202.101	Telephone	Invoice: 3241 10/21/17 /	11/2/2017	48.39	67329	48.39
Black & McDonald	101	5220.101	Street Light Repair & Maintenance	Invoice: 76833006 /	11/15/2017	1,763.52	67375	1,763.52
Blue Sky Cleaners	102	5224.102	Laundry Service	Invoice: 11/5/17 /	11/8/2017	224.40	67354	224.40
Kelley Bohon	105	5206.105	Travel Expense & Training	Invoice: 10/17 TRAVEL ADV /	10/25/2017	35.00	67318	35.00
Bollcom, Inc.	101	5211.101	Maintenace & Repair Equipment	Invoice: 8634 /	10/18/2017	141.50	67303	141.50
Breeden Holdings, LLC	102	5260.102	Vehicle Maintenace	Invoice: 1034776 /	11/2/2017	171.95	67330	171.95
Breeden Holdings, LLC	102	5260.102	Vehicle Maintenace	Invoice: 1035138 /	11/8/2017	35.00	67355	35.00
Breeden Holdings, LLC	102	5260.102	Vehicle Maintenace	Invoice: 1035246 /	11/15/2017	35.00	67376	219.95
Breeden Holdings, LLC	104	5260.104	Vehicle Maintenace	Invoice: 1035252 /	11/15/2017	184.95	67376	
C & G Rubber Stamp, Inc.	101	5301.101	Office Supplies	Invoice: 120011 /	11/8/2017	26.00	67356	26.00
Clarkson Power Flow, Inc.	106	5211.106	Maintenace & Repair Equipment	Invoice: 1010367 /	11/15/2017	164.54	67377	164.54
Columbia Capital Management, I	101	5209.101	Professional Services	Invoice: 17430008 /	11/8/2017	4,714.74	67357	4,714.74
Custom Tree Care, Inc.	104	5214.104	Other Contractual Services	Invoice: 16405 /	10/25/2017	76.00	67319	76.00
Custom Tree Care, Inc.	106	5263.106	Tree Maintenance	Invoice: 16470 /	11/15/2017	525.00	67378	525.00
Data Technologies, Inc.	103	5209.103	Professional Services	Invoice: 45600 /	11/15/2017	416.00	67379	416.00
D & D Statuary	300	5470.300	Park Maint/Infrastructure	Invoice: 11/17 /	11/15/2017	101.50	67380	101.50
Design Energy Group	104	5214.104	Other Contractual Services	CK32284 Invoice: 3604 /	11/3/2017	6,352.42	32284	6,352.42
E. Edwards, Inc.	106	5308.106	Clothing & Uniforms	Invoice: 11011712052 /	11/15/2017	536.75	67381	536.75
Family Support Payment Center	101	2055.101	Employee Garnishment Payable	Invoice: 10/19/17 HARPER /	10/18/2017	328.62	67304	328.62
Family Support Payment Center	101	2055.101	Employee Garnishment Payable	Invoice: 11/2/17 HARPER /	11/2/2017	328.62	67331	328.62
Family Support Payment Center	101	2055.101	Employee Garnishment Payable	Invoice: 11/16/17 HARPER /	11/15/2017	328.62	67382	328.62
Galls, LLC	102	5308.102	Uniforms & Duty Gear	Invoice: 8483150 /	11/2/2017	8.79	67332	8.79
GBA Architects Engineers	450	5456.450	CARS Project	Invoice: 51439 /	11/15/2017	23,558.41	67383	23,558.41
Shea Geist	101	5237.101	Community Events	Invoice: 10/13-14/17 EXP /	10/25/2017	175.51	67320	175.51

Andrew Graham	101	5214.101	Other Contracted Services	Invoice: RP1 /	11/15/2017	390.00	67384	390.00
GT Distributors - Austin	102	5308.102	Uniforms & Duty Gear	Invoice: INV0636780 /	11/15/2017	19.50	67385	19.50
Harbour Construction, Inc.	106	5221.106	Maintenance Streets-contract	Invoice: 10/27/17 FINAL /	11/15/2017	2,765.00	67386	2,765.00
Hendrick Chevrolet	106	5211.106	Maintenace & Repair Equipment	Invoice: CTCS237203 /	11/15/2017	547.72	67387	547.72
ICMA	105	5305.105	Dues, Subscriptions, & Books	Invoice: 2018 JONES LACY /	10/18/2017	200.00	67305	200.00
Tim Janssen	108	5206.108	Travel Expense & Training	Invoice: 10/18/17 AMAZON /	11/2/2017	795.20	67333	795.20
Johnson County Wastewater	101	5288.101	Waste Water	Invoice: 1838/3179 10/19/17 /	11/2/2017	187.16	67334	358.00
Johnson County Wastewater	106	5288.106	Waste Water	Invoice: 1838/3179 10/19/17 /	11/2/2017	170.84	67334	
Johnson County Wastewater	101	5287.101	Water	Invoice: 3179 11/2/17 /	11/15/2017	210.19	67388	405.24
Johnson County Wastewater	106	5287.106	Water	Invoice: 1838 11/2/17 /	11/15/2017	195.05	67388	
Johnson County Key Service, Inc.	101	5210.101	Maintenace & Repair Building	Invoice: 10/4/17 STATEMENT /	10/18/2017	10.50	67306	10.50
Johnson County Mental Health	102	5214.102	Other Contractual Services	Invoice: 101717 /	10/18/2017	1,623.34	67307	1,623.34
Johnson County Sheriff's Office	103	5227.103	Prisoner Care	Invoice: JCS4211 /	10/25/2017	420.00	67321	420.00
Johnson & Wyandotte Counties	101	5305.101	Dues, Subscriptions, & Books	Invoice: 17/18 DUES /	10/25/2017	340.00	67322	340.00
J.P. Cooke Company	101	5214.101	Other Contracted Services	Invoice: 478976 /	11/8/2017	113.01	67358	113.01
Ka-Comm., Inc.	106	5318.106	Tools	Invoice: 156962 /	11/15/2017	279.60	67389	279.60
Kansas City Board of Public Utilit	101	5222.101	Traffic Signal Expense	Invoice: 2834 10/25/17 /	11/2/2017	31.67	67335	31.67
KCP & L	106	5201.106	Electric	Invoice: 1275 10/3/17 /	10/18/2017	1,832.00	67308	1,832.00
KCP & L	101	5201.101	Electric	Invoice: 10/25/17 MULTIPLE /	11/2/2017	1,815.32	67336	2,327.94
KCP & L	106	5201.106	Electric	Invoice: 10/25/17 MULTIPLE /	11/2/2017	512.62	67336	
KCP & L	106	5201.106	Electric	Invoice: 1275 11/1/17 /	11/8/2017	1,804.10	67359	1,804.10
Haskey Kelly	101	4215.101	Building Permit	Invoice: 10/17 CNCLLD PERMIT /	10/25/2017	130.00	67323	130.00
Keystone Ridge Designs, Inc.	300	5470.300	Park Maint/Infrastructure	Invoice: 1648800 /	10/18/2017	7,137.00	67309	7,137.00
Kansas Gas Service	101	5289.101	Natural Gas	Invoice: 7836 10/12/17. /	10/18/2017	66.84	67310	114.07
Kansas Gas Service	106	5289.106	Natural Gas	Invoice: 7836 10/12/17. /	10/18/2017	47.23	67310	
Kansas One-Call System, Inc.	101	5220.101	Street Light Repair & Maintenance	Invoice: 7100436 /	11/15/2017	189.60	67390	189.60
Kansas Payment Center	101	2055.101	Employee Garnishment Payable	Invoice: 10/19/17 F REEVES JR /	10/18/2017	138.92	67311	138.46
Kansas Payment Center	101	2055.101	Employee Garnishment Payable	Invoice: 10/19/17 F REEVES JR /	10/18/2017	138.46	67337	138.46
Kansas Payment Center	101	2055.101	Employee Garnishment Payable	Invoice: 11/2/17 F REEVES JR /	11/2/2017	138.46	67391	138.46
Kansas Payment Center	101	2055.101	Employee Garnishment Payable	Invoice: 11/2/17 F REEVES JR /	11/2/2017	138.92	67312	138.92
Kansas Payment Center	101	2055.101	Employee Garnishment Payable	Invoice: 11/16/17 F REEVES JR /	11/15/2017	138.46	67338	138.92
Kansas Payment Center	101	2055.101	Employee Garnishment Payable	Invoice: 11/16/17 F REEVES JR /	11/15/2017	138.92	67392	138.92
Kansas State Treasurer	103	5228.103	Fees Due State of Kansas	Invoice: 11/17 MUNICIPAL COUR /	11/8/2017	1,536.50	67360	1,536.50
Lamp, Rynearson & Assoc., Inc.	270	5209.270	Professional Services	Invoice: 317001010000009 /	11/15/2017	6,560.48	67393	9,341.87
Lamp, Rynearson & Assoc., Inc.	300	5469.300	Stormwater Maintenance	Invoice: 317001050000002 /	11/15/2017	2,781.39	67393	
League of Kansas Municipalities	101	5305.101	Dues, Subscriptions, & Books	Invoice: 173068 /	11/8/2017	15.67	67361	15.67
The Legal Record	101	5204.101	Legal Printing	Invoice: L70037 /	11/2/2017	23.04	67339	23.04
Lowe's Business Acct./GEMB	106	5210.106	Maintenace And Repair Building	Invoice: 1760 11/12/17 /	11/2/2017	(11.81)	67340	47.63
Lowe's Business Acct./GEMB	106	5210.106	Maintenace And Repair Building	Invoice: 1760 11/12/17 /	11/2/2017	37.18	67340	
Lowe's Business Acct./GEMB	106	5211.106	Maintenace & Repair Equipment	Invoice: 1760 11/12/17 /	11/2/2017	7.41	67340	
Lowe's Business Acct./GEMB	106	5306.106	Materials	Invoice: 1760 11/12/17 /	11/2/2017	14.85	67340	
Midwest Public Risk	107	5126.107	Health Insurance	Invoice: B03WKS /	11/2/2017	27,841.56	67341	27,841.56
Moss Printing	101	5237.101	Community Events	Invoice: 9949 /	11/2/2017	120.00	67342	120.00

NAPA Auto Parts	106	5210.106	Maintenace And Repair Building	Invoice: 2138582175 /	11/15/2017	89.00	67394	520.95
NAPA Auto Parts	106	5211.106	Maintenace & Repair Equipment	Invoice: 2138582175 /	11/15/2017	39.97	67394	
NAPA Auto Parts	106	5260.106	Vehicle Maintenace	Invoice: 2138586723 /	11/15/2017	220.00	67394	
NAPA Auto Parts	106	5260.106	Vehicle Maintenace	Invoice: 2138582175 /	11/15/2017	171.98	67394	
Nationwide Retirement Solution	101	2060.101	Section 457 Employee Payable	Invoice: 10/19/17 PAYROLL /	10/18/2017	1,210.43	67313	1,210.43
Nationwide Retirement Solution	101	2060.101	Section 457 Employee Payable	Invoice: 11/2/17 PAYROLL /	11/2/2017	913.33	67343	913.33
Nationwide Retirement Solution	101	2060.101	Section 457 Employee Payable	Invoice: 11/16/17 PAYROLL /	11/15/2017	913.33	67395	913.33
Northeast Johnson Cty. Chamber	105	5206.105	Travel Expense & Training	Invoice: 21863 /	11/2/2017	20.00	67344	20.00
Northeast Johnson Cty. Chamber	101	5253.101	Public Relations	Invoice: 21917 /	11/15/2017	400.00	67396	400.00
Next To Nature Landscape, LLC	106	5214.106	Other Contractual Services	Invoice: 41936 /	11/15/2017	1,862.00	67397	1,862.00
Wex Bank	106	5302.106	Motor Fuels & Lubricants	CK32282 Invoice: 51466047 /	10/25/2017	800.83	32282	800.83
Wex Bank	106	5302.106	Motor Fuels & Lubricants	CK32286 Invoice: 51841593 /	11/6/2017	125.00	32286	125.00
Pitney Bowes	101	5205.101	Postage & Mailing Permits	Invoice: 1005580134 /	11/2/2017	169.98	67345	169.98
Purchase Power	101	5205.101	Postage & Mailing Permits	Invoice: 10/20/17 /	11/2/2017	639.85	67346	639.85
Crafco, Inc.- Paving	300	5246.300	In-House Street Maintenance	Invoice: 9401739939 /	11/15/2017	1,722.00	67398	1,722.00
Praxair Distribution Inc	106	5318.106	Tools	Invoice: 79485458 /	11/15/2017	26.15	67399	26.15
Balls Food Stores	101	5254.101	Miscellaneous Charges	Invoice: 649010 /	10/25/2017	96.17	67324	117.47
Balls Food Stores	106	5262.106	Grounds Maintenance	Invoice: 649025 /	10/25/2017	10.76	67324	
Balls Food Stores	106	5262.106	Grounds Maintenance	Invoice: 649028 /	10/25/2017	10.54	67324	
Balls Food Stores	101	5301.101	Office Supplies	Invoice: 660317 /	11/8/2017	26.95	67362	26.95
Principal Life	107	5130.107	City Paid Life/ST Disability	Invoice: 10/17/17 /	10/25/2017	725.95	67325	725.95
Print Tekk	101	5203.101	Printing & Advertising	Invoice: 113955 /	11/8/2017	790.15	67363	790.15
T2 Holdings, LLC	102	5214.102	Other Contractual Services	Invoice: 100132251 /	11/2/2017	22.50	67347	45.00
T2 Holdings, LLC	105	5214.105	Other Contractual Services	Invoice: 100132251 /	11/2/2017	22.50	67347	
Wex Bank	104	5302.104	Motor Fuels & Lubricants	CK32283 Invoice: 51689568 /	10/23/2017	67.46	32283	651.96
Wex Bank	106	5302.106	Motor Fuels & Lubricants	CK32283 Invoice: 51689568 /	10/23/2017	584.50	32283	
Rejis Commission	102	5214.102	Other Contractual Services	Invoice: INV0056679 /	10/18/2017	212.37	67314	212.37
Rejis Commission	102	5214.102	Other Contractual Services	Invoice: INV0057191 /	11/2/2017	212.37	67348	212.37
Riteway Maintenance & Supply,	101	5214.101	Other Contracted Services	Invoice: 17234 /	11/8/2017	910.00	67364	910.00
Roeland Park Community Found	101	5283.101	RP Community Foundation Grant I	Invoice: 10/19/17 BARKTOBERFE /	11/15/2017	363.00	67400	363.00
George Schlegel	101	5230.101	Art Commissioner	Invoice: CHECKNOV /	11/1/2017	100.00	67327	100.00
Shafer, Kline & Warren, Inc.	270	5209.270	Professional Services	Invoice: 13009901046 /	11/15/2017	747.65	67401	7,405.95
Shafer, Kline & Warren, Inc.	510	5209.510	Professional Services	Invoice: 13009922025 /	11/15/2017	5,770.00	67401	
Shafer, Kline & Warren, Inc.	300	5221.300	Contract Street Maintenance	Invoice: 1309935010 /	11/15/2017	888.30	67401	
Shawnee Mission Ford, Inc.	102	5260.102	Vehicle Maintenace	Invoice: 5052 2017 /	11/8/2017	70.00	67365	70.00
Staples Advantage	101	5301.101	Office Supplies	Invoice: 8046754225 /	10/18/2017	30.94	67315	358.77
Staples Advantage	101	5301.101	Office Supplies	Invoice: 8046618067 /	10/18/2017	149.63	67315	
Staples Advantage	101	5304.101	Janitorial Supplies	Invoice: 8046618067 /	10/18/2017	178.20	67315	
Staples Advantage	101	5301.101	Office Supplies	Invoice: 8046863572 /	10/25/2017	223.30	67326	263.73
Staples Advantage	101	5304.101	Janitorial Supplies	Invoice: 8046863572 /	10/25/2017	40.43	67326	
Staples Advantage	101	5301.101	Office Supplies	Invoice: 8047082632 /	11/8/2017	163.02	67366	182.28
Staples Advantage	101	5304.101	Janitorial Supplies	Invoice: 8047082632 /	11/8/2017	19.26		
Stinson Leonard Street	101	5215.101	City Attorney	Invoice: 40099723 /	11/15/2017	107.10	67402	107.10

US BANK	101	5203.101	Printing & Advertising	Invoice: LEON 10/25/17 /	11/3/2017	295.00	32285	2,941.17
US BANK	101	5205.101	Postage & Mailing Permits	Invoice: BOHON 10/25/17 /	11/3/2017	85.16	32285	
US BANK	102	5206.102	Travel Expense & Training	Invoice: MORRIS 10/25/17 /	11/3/2017	110.00	32285	
US BANK	105	5206.105	Travel Expense & Training	Invoice: BOHON 10/25/17 /	11/3/2017	23.02	32285	
US BANK	105	5206.105	Travel Expense & Training	Invoice: MOODY 10/25/17 /	11/3/2017	10.00	32285	
US BANK	106	5206.106	Travel Expense & Training	Invoice: LEON 10/25/17 /	11/3/2017	476.07	32285	
US BANK	108	5206.108	Travel Expense & Training	Invoice: MOODY 10/25/17 /	11/3/2017	32.64	32285	
US BANK	101	5210.101	Maintenace & Repair Building	Invoice: MOODY 10/25/17 /	11/3/2017	(3.25)	32285	
US BANK	101	5210.101	Maintenace & Repair Building	Invoice: MOODY 10/25/17 /	11/3/2017	7.60	32285	
US BANK	106	5260.106	Vehicle Maintenace	Invoice: SCHARFF 10/25/17 /	11/3/2017	783.47	32285	
US BANK	101	5301.101	Office Supplies	Invoice: BOHON 10/25/17 /	11/3/2017	72.15	32285	
US BANK	106	5302.106	Motor Fuels & Lubricants	Invoice: LEON 10/25/17 /	11/3/2017	54.50	32285	
US BANK	106	5302.106	Motor Fuels & Lubricants	Invoice: CORRECTION 10/25/17 /	11/3/2017	(0.10)	32285	
US BANK	106	5305.106	Dues, Subscriptions, & Books	Invoice: SCHARFF 10/25/17 /	11/3/2017	36.75	32285	
US BANK	104	5307.104	Other Commodities	Invoice: MOODY 10/25/17 /	11/3/2017	275.00	32285	
US BANK	360	5315.360	Machinery & Auto Equipment	Invoice: BOHON 10/25/17 /	11/3/2017	683.13	32285	
US BANK	360	5315.360	Machinery & Auto Equipment	Invoice: CORRECTION 10/25/17 /	11/3/2017	0.03	32285	
USIC Locating Services, LLC	101	5220.101	Street Light Repair & Maintenance	Invoice: 3255712 /	11/15/2017	1,931.02	67403	1,931.02
Verizon Wireless	106	5202.106	Telephone	Invoice: 9795076461 /	11/2/2017	40.01	67349	40.01
Verizon Wireless	102	5202.102	Telephone	Invoice: 9795076460 /	11/8/2017	295.80	67367	394.48
Verizon Wireless	104	5202.104	Telephone	Invoice: 9795076460 /	11/8/2017	98.68	67367	
Vireo	101	5249.101	Branding Implementation	Invoice: P171063 /	11/8/2017	1,400.00	67368	1,400.00
Water District No 1 of Johnson C	106	5287.106	Water	Invoice: 10/26/17 MULTIPLE /	11/2/2017	977.68	67350	90.40
Water District No 1 of Johnson C	106	5287.106	Water	Invoice: 3901 10/23/17 /	11/2/2017	90.40	67351	977.68
WCA Waste Corporation	115	5272.115	Solid Waste Contract	Invoice: 99034323 /	11/15/2017	34,494.77	67404	34,494.77
Weather or Not	106	5214.106	Other Contractual Services	Invoice: 8044 /	11/15/2017	2,094.00	67405	2,094.00
Wholesale Batteries, Inc.	106	5211.106	Maintenace & Repair Equipment	Invoice: 365231 /	11/15/2017	51.79	67406	51.79
Zerger & Mauer LLP	101	5215.101	City Attorney	Invoice: 202512 /	10/18/2017	6,618.67	67316	6,618.67
Zerger & Mauer LLP	101	5215.101	City Attorney	Invoice: 202702 /	11/15/2017	9,196.00	67407	9,196.00
Forte	101	5214.101	Other Contracted Services	EFT#11/1/17 Invoice: 11/1/17 COUF	11/1/2017	67.37		
Forte	101	5214.101	Other Contracted Services	EFT#11/1/17 Invoice: 11/1/17 ADMI	11/1/2017	11.70		
Forte	101	5214.101	Other Contracted Services	EFT#10/31/17 Invoice: 10/31/17 ALI	11/1/2017	220.11		
Forte	101	5214.101	Other Contracted Services	EFT#11/1/17 Invoice: 11/1/17 ADMI	11/1/2017	11.70		
KPERS	101	2040.101	KPERS Accrued Employee	EFT#10/25/17 Invoice: 10/25/17 /	10/25/2017	1,738.62		
KPERS	107	5123.107	KPERS City Contribution	EFT#10/25/17 Invoice: 10/25/17 /	10/25/2017	2,741.20		
KPERS	101	2040.101	KPERS Accrued Employee	EFT#11/8/17 Invoice: 11/8/17 /	11/8/2017	1,795.87		
KPERS	101	2050.101	Insurance Withholding Payable	EFT#11/8/17 Invoice: 11/8/17 /	11/8/2017	98.86		
KPERS	107	5123.107	KPERS City Contribution	EFT#11/8/17 Invoice: 11/8/17 /	11/8/2017	2,831.49		
KP&F	101	2045.101	KP&F Employee Withholding Paya	EFT#10/25/17 Invoice: 10/25/17 /	10/25/2017	2,143.72		
KP&F	107	5131.107	KP&F City Contribution	EFT#10/25/17 Invoice: 10/25/17 /	10/25/2017	5,705.57		
KP&F	101	2045.101	KP&F Employee Withholding Paya	EFT#11/8/17 Invoice: 11/8/17 /	11/8/2017	2,129.39		
KP&F	101	2050.101	Insurance Withholding Payable	EFT#11/8/17 Invoice: 11/8/17 /	11/8/2017	58.39		

KP&F	107	5131.107	KP&F City Contribution	EFT#11/8/17 Invoice: 11/8/17 /	11/8/2017		5,667.43
Miller Management Systems, LL(	101	5214.101	Other Contracted Services	Invoice: EFTNOV /	11/1/2017		1,583.00
						$	222,933.27

Item Number: **Consent Agenda- I.-B.**
Committee Meeting Date: **11/20/2017**

City of Roeland Park

Action Item Summary

Date:
Submitted By:
Committee/Department:
Title: **August 21, 2017 Council Minutes**
Item Type:

Recommendation:

Details:

Financial Impact

Amount of Request:	
Budgeted Item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

ATTACHMENTS:

Description	Type
August 21, 2017	Cover Memo

CITY COUNCIL MINUTES
CITY OF ROELAND PARK, KANSAS
ROELAND PARK
Roeland Park City Hall - 4600 W 51st Street
August 21, 2017 7:00 P.M.

- Joel Marquardt, Mayor
- Becky Fast, Council Member
- Tim Janssen, Council Member
- Ryan Kellerman, Council Member
- Teresa Kelly, Council Member
- Sheri McNeil, Council Member
- Michael Poppa, Council Member
- Michael Rhoades, Council Member
- Erin Thompson, Council Member
- Keith Moody, City Administrator
- Jennifer Jones-Lacy, Asst. Admin.
- Kelley Bohon, City Clerk
- John Morris, Police Chief
- Jose Leon, Public Works Director

Admin	**Finance**	**Safety**	**Public Works**
Poppa	Kelly	Thompson	Kellerman
Fast	Janssen	Rhoades	McNeil

Pledge of Allegiance
Mayor Marquardt called the meeting to order and led everyone in the Pledge of Allegiance.

Roll Call
City Clerk Bohon called the roll noting CMBR Thompson and CMBR Kelly were absent.

Modification of Agenda
Workshop Agenda Items 3, 5, 6 and 7 will be moved to New Business.

Workshop Agenda Item 4 will be continued to the Workshop portion of the Council agenda.

I. CITIZENS' COMMENTS

There were no citizen comments.

II. CONSENT AGENDA

A. Appropriation Ordinance #907
B. June 19, 2017 Council Minutes
C. June 27, 2017 Special Called Council Minutes

MOTION: CMBR MCNEIL MOVED AND CMBR JANSSEN SECONDED TO APPROVE THE CONSENT AGENDA. (MOTION CARRIED 6-0)

III. BUSINESS FROM THE FLOOR

A. Applications / Presentations

1. Public Works Recognition on Storm Debris Pickup

Public Works Director Leon wanted to recognize Greg Gathers and his company Custom Tree Care for their efforts to make the City look good again after the storm event on July 22nd. Custom Tree Care is a contractor for the City.

Mr. Leon read into the record the efforts Custom Tree Care put in to deal with the storm damage. "The significant storm on Saturday, July 22nd, in the City of Roeland Park had damage to trees. The fallen trees caused a large scale power outage in the city where over 60 percent of the city was without power. The loss of power delayed proper response from our emergency service operations by way of eliminating or slowing communication, significantly slowing on-call staff to report to work, and preventing our ability to use the power to quickly grab tools, materials, and items needed to close roads. Overall, this jeopardized the safety and security of our community. Our city suffered 19 road closures, over 20 percent of our street network due to fallen trees and power lines. Custom Tree

Care was called in to assist with tree removals around midnight on July 22nd. They tirelessly worked through the night and morning to have all but four roads open to traffic for traffic to continue by the following afternoon. The four remaining roads had power lines to be shut down before they could continue the efforts. Custom Tree Care's effort to open all roads was completed by the afternoon of Wednesday, July 26th. The same week Custom Tree Care worked with staff to develop the city-wide tree debris pickup program for fallen trees which heavily impacted private property. They began their efforts on July 29th and continued through August 1st. Overall, their efforts removed a total of over 4,000 cubic yards of tree debris in the City of Roeland Park. I would like to take a moment to share our appreciation to Greg Gathers and Custom Tree Care for their efforts in helping the City of Roeland Park to become one of the first, if not the first community in northeast Johnson County to have our city-wide debris pickup program completed."

(Applause)

Before presenting the plaque, Mayor Marquardt read the inscription, "With our greatest appreciation, we recognize the outstanding effort and response by Custom Tree Care on July 22, 2017, and thereafter to help clean up our City."

(Presentation of plaque and applause)

Public Works Director Leon said following the work done by Custom Care his staff jumped in and finished the work. He said it is difficult to change gears from doing street work to then stop and pick up limbs and branches from someone's yard. It took his team about a day and a half to clean up the city.

When Mr. Leon came to Roeland Park he implemented department values that include integrity, dedication, customer service, high expectations and adaptability. He also wanted to recognize his staff for really living their values in Public Works. Two Public Works employees, Donnie Scharff and Daniel Vandenbose, were present to receive certificates from Public Works Director Leon for living the values in Public Works for the July 2017 storm debris cleanup.

(Applause)

Mayor Marquardt thanked Mr. Leon and his staff. He said he receives compliments on how the City looks and how well things are done. He said a lot of times they're not directly involved in a lot of the things they receive compliments on, so Mayor Marquardt thanked them for "making us look good."

2. Committee Report Arts – Marek Gliniecki

Marek Gliniecki, Chair of the Arts Advisory Committee, presented the Council with some works of art that decisions need to be made with what to do with them. First, there is a need to move the Tetrahedron sculpture located at the corner of Johnson Drive and Roe where utility work is to begin. The City asked for a recommendation where to move the sculpture and the Arts Committee recommended the area by Aldi's. Mr. Gliniecki inquired who would be relocating the art.

City Administrator Moody said the anticipation is for the City to move it themselves. Mr. Gliniecki said he would like to work with the City in the next few days to select a position for it.

CMBR Fast said one of the things they had discussed previously was getting rid of some of the old art and looking to replace it with new fresh art, especially with the reconstruction of Roe 2020. She felt they should only keep the ones they prize the most.

Mr. Gliniecki said the Arts Committee does not disagree with that and that is what the committee has been working on as they are trying to develop a focus about what they want as public art for the City. He said most of the pieces

seem to belong to John Northington and they have had difficulty getting in contact with him. It does seem, however, that he has been putting the artwork up on an online gallery which indicates that he wants to sell them. The Arts Committee needs to clarify that as to their ownership and at some point they'll have to make a decision what to do with those pieces.

CMBR Fast is not supportive of moving it to a permanent home near Aldi's, but would support moving it to the Public Works building.

CMBR Poppa said the piece can be moved due to the utility work, but it cannot be decommissioned or taken out of rotation due to VARA (Visual Artists Rights Act).

Mr. Gliniecki said the Arts Committee has been asked to make a decision and they've made a recommendation and is for staff and/or Council to make a final decision.

CMBR Fast would like more legal interpretation on what it means to have public viewing.

Mayor Marquardt said he could not imagine that because they have a piece of art in their possession that means they have to show it. He doesn't believe they can destroy it, but doesn't feel it needs to be on display.

It was agreed to continue the discussion of handling the art to New Business, Disposition and Relocation of Public Art.

Mr. Gliniecki continued with his report. The committee would like to keep the bench on Roe. It is an untitled work on the median strip. The supports seem to have been hit or damaged in some way and it has shifted and the timber supports have deteriorated. He would like to get an estimate on what it would be to restore it and to leave it in its original position.

CMBR McNeil asked if the committee has discussed the "steel tree." Mr. Gliniecki said the City Administrator was looking into the cost of restoring the finish and stabilizing the base.

Mr. Gliniecki said the committee would like to remove the Tim Morales sculpture, which is the big white hoop with the balls on the end. They would like the City to start the process for the requisition disposal of City property. They have not received the paperwork back from the artist, but would like to start that as soon as possible to have the space for other art.

CMBR Rhoades said if possible he would like to see any monies from the sale of the art not be put in the General Fund, but held for the purchase of new art.

Mr. Gliniecki thanked CMBR Rhoades for that suggestion.

IV. MAYOR'S REPORT

A. Proclamation – Diaper Needs Awareness Week

CMBR Poppa read the proclamation for Diaper Needs Awareness Week into the record.

MOTION: CMBR POPPA MOVED AND CMBR MCNEIL SECONDED TO APPROVE THE PROCLAMATION FOR DIAPER NEEDS AWARENESS WEEK (MOTION CARRIED 6-0).

V. WORKSHOP AND COMMITTEE REPORTS

A. Workshop Summary

CMBR Fast provided the report from the August 7th Workshop where they discussed the logo design and theme. Verio presented their second draft and continue to define and refine the City's brand logo. Also discussed was the sale of Lot 6 at Bella Roe. CMBR Poppa said he would like to be a voting delegate at the League of Kansas Municipalities conference. The Boulevard Apartments have agreed to the permanent bike trail easement at Nall Park. City Administrator Moody presented an update on tennis court replacement and Council agreed to go for a bid to replace the tennis court at R Park. Currently staff is working on a grant for the tennis court. There was discussion of the Rocks retaining wall, the sanitary sewer realignment and stormwater detention, and will be discussed further under New Business. There was agreement to the extension of the cell phone tower lease agreement. There are three providers on that tower and they will continue to pay the same rate. This will be vote on in New Business.

VI. REPORTS OF CITY LIAISONS

There were no reports given.

VII. UNFINISHED BUSINESS

There was no unfinished business to discuss.

VIII. NEW BUSINESS

The Governing Body agreed to discuss Items D, C, and E in that order as there were guests to speak on these items.

A. Bike Trail Easement

City Administrator Moody presented the bike trail easement from the Boulevard Apartments for Nall Park. It is a permanent easement and has no cost to the City, and paves the way for them to move forward with completing the multi-use trail, an objective for 2017.

MOTION: CMBR POPPA MOVED AND CMBR JANSSEN SECONDED TO APPROVE THE BIKE TRAIL EASEMENT BETWEEN THE CITY OF ROELAND PARK AND THE BOULEVARD APARTMENT PROPERTY OWNERS. (MOTION CARRIED 6-0)

B. Grading, Retaining Wall and Sanitary Sewer Work at the Rocks

City Administrator Moody received cost estimates for the sanitary sewer work modifying the existing sewer in its current alignment. He would like approval from the Council to do the sanitary sewer work and the cost is well within the resources available in TIF-3. They will, however, continue to gather cost estimates on the stormwater detention and the sanitary sewer. After those estimates come back, Council will have discussion if they want to do any more work. The retaining wall and the regional detention are projects that can be changed to fit within the resources available.

When the Governing Body approved spending of up to $1,150,000 on the Pyramid Construction contract it included the stabilization of the caves, anticipated retaining wall and potentially additional rock excavation. There has been no additional rock excavation, so it is still at the $820,000 base price. The retaining wall is more than what was originally estimated because it is larger than they anticipated. Originally, they did not know the quantity, but they did get a fixed per unit price included in the original contract.

City Administrator Moody asked for clarification on the record to do the sanitary sewer work because up to this point the motion didn't anticipate sanitary sewer work.

MOTION: CMBR POPPA MOVED AND CMBR RHOADES SECONDED TO GIVE AUTHORIZATION TO PROCEED WITH SANITARY SEWER WORK WHICH IS WITHIN THE RESOURCES OF THE TIF. (MOTION CARRIED 6-0)

CMBR McNeil asked if they do the sanitary sewer work and then need to lower the electric conduit underground will it undo the sewer work.

City Administrator Moody said the electric conduit is already in the ground. They talked with KCP&L about lowering the conduit for the electric because that would have allowed them to have a more gradual ground level on that driveway connecting Lot 2 and Lot 3 together. The cost associated with doing that is beyond the resources available in the TIF, so that concept has been abandoned. All the work the City is anticipating is the sanitary sewer work, and possibly a retention wall and a regional detention facility. Sanitary sewer work is a requirement of Johnson County Wastewater because of the grading and additional dirt to be placed on top of their sewer system.

CMBR Poppa said that it was the consensus of the Ad Hoc Development Committee to recommend the authorization of the sanitary sewer work to the Council as well.

C. Approval of Easements – NE Johnson and Roe Property

City Administrator Moody said there are three easements related to utility extensions across the property the City owns at the northeast corner. One is for a permanent sanitary sewer easement, the second is for a permanent storm sewer easement, and then the third is a temporary construction easement. These are improvements that are being completed to serve the property at the northwest corner. The realignments were anticipated to occur and they have coordinated with the engineers for the northwest corner site to put in place the improvements, so that they are in the alignment that the City wants them to be in. For the sanitary sewer, they had stubs put into the new manholes that are being placed, so the structures won't have to be modified when the City's property is ready to be developed. The savings for doing this is $50,000 and adds value to the lot they own.

CMBR McNeil asked if it would improve the land $50,000. City Administrator Moody said he believed it would.

Mr. Brent Hall, representative from Commerce Bank, said they want to begin work as soon as they can.

MOTION: CMBR JANSSEN MOVED AND CMBR POPPA SECONDED TO APPROVE THE TEMPORARY CONSTRUCTION EASEMENT, SANITARY AND STORM EASEMENT AS PRESENTED. (MOTION CARRIED 6-0)

D. Larkin, Lamp, Rynearson Task Agreement 6 – Stormwater Repair, Design and Inspection

Public Works Director Leon addressed the failed corrugated metal pipe off Roeland Drive to 57th Street. He said staff has worked with Larkin to develop some alternatives. Specifically they are asking the Governing Body to approve Alternative #2, the task order which provides for a more permanent repair for the failed pipe sections directly behind the rear yards, and also a failed section further up the road.
CMBR Kellerman questioned the cost of the design of the project.

Dan Miller with Larkin, Lamp Rynearson stated there is field work to be completed. There had been a field check in 2010 and the easements had not been completed and had not been signed off on. The original surveyors are not around any longer and they need to confirm the easements. There have also been some changes in the field. His $18,800 design fee allows for enough field work to verify the easements and do a little bit of topographical work. He's hoping the previous survey work was good because he's relying on it.

Public Comment:

Tom Madigan (5316 W. 49th Terr.) Mr. Madigan said as a resident of Storm District RC-1214, he's very aware of storm sewers. He said he does not know why the City would want to take a band-aid approach to this project when it could fail again in a year. He supports the third option to replace the entire pipe and eliminate the problem.

CMBR Rhoades asked what the possibility is of having this approved for federal relief. City Administrator Moody said they have included the replacement cost of this segment in the FEMA reimbursement request that was submitted. They will not know for some time if FEMA approves the request because it is combined with the county request.

Public Works Director Leon said he has presented this project to SMAC and the earliest they would be able to get funding for this would be 2019, which is the primary reason for not doing the entire project now as they could get those funds later. Also SMAC as a rule does not reimburse for stormwater repairs already completed.

City Administrator Moody said the question tonight is how they want to address this project, but how it is funded can be addressed later. The City has the resources to pay for the project now to get it complete. It is estimated to be $131,000 total to include engineering and construction. Mr. Moody said this is a maintenance problem and in his opinion should be paid for through the resources that are used to pay for other storm sewer maintenance which is through sales tax or property taxes.

CMBR Rhoades would like to have the full project discussed further at a future meeting.

MOTION: CMBR POPPA MOVED AND CMBR MCNEIL SECONDED TO AMEND THE ORIGINAL MOTION AS THIS IS A TIME SENSITIVE PROJECT TO INCLUDE THE MODIFIED BID PROCESS AS STATED BY THE CITY ADMINISTRATOR FOR THE PURPOSE OF SOLICITING CONSTRUCTION BIDS (MOTION CARRIED 6-0)

MOTION: CMBR FAST MOVED AND CMBR POPPA SECONDED TO CALL THE QUESTION. (MOTION CARRIED 4-2)

POLL THE COUNCIL
Fast - Y McNeil - Y Janssen - N Rhoades - N Kellerman - Y Poppa - Y

MOTION: CMBR FAST MOVED AND CMBR POPPA SECONDED TO APPROVE LARKIN, LAMP RYNEARSON TASK AGREEMENT 6 TO DESIGN AND INSPECT ALTERNATIVE #2 FOR THE REMOVAL AND REPLACEMENT OF THE FAILED CORRUGATED METAL PIPE IN THE REAR YARDS OF 5635 AND 5641 ROELAND DRIVE AT AN AMOUNT NOT TO EXCEED $18,800. (MOTION CARRIED 6-0)

POLL THE COUNCIL
Fast - Y McNeil - Y Janssen - Y Rhoades - Y Kellerman - Y Poppa - Y

CMBR Rhoades said he is appalled that they are not allowing a resident to speak when basically this entire project is in his yard.

CMBR Janssen and CMBR McNeil said they completely agreed with Mr. Rhoades' comments.

Mayor Marquardt said if someone had wanted to make a motion to allow the resident to speak they could have done that, but otherwise he is following the rules that the Governing Body has all agreed to on how to conduct their meetings.

MOTION: CMBR MCNEIL MOVED AND CMBR JANSSEN SECONDED TO ALLOW THE RESIDENT TO SPEAK FOR TWO MINUTES. (MOTION CARRIED 6-0)

Public Comment:

Larry Schulte (5641 Roeland) Mr. Schulte said he appreciates Mr. Leon and the response the City has done so far in moving forward. He did say more rain is coming and the dirt is moving downstream, so he would appreciate the City moving as fast as they can. He said that fixing the problem permanently is the best way.

CMBR Kellerman asked how quickly they could move on this. City Administrator Moody said the Workshop will be delayed because of the holiday to September 11. If they can get prices back by then, they can have a special meeting just for this issue.

E. Disposition and Relocation of Public Art

City Administrator Moody said two items included on the agenda are the relocation place for the art currently located at the northeast corner of Johnson Drive and Roe (Tetrahedron), and their consent to sell the piece of art that's unnamed (Tim Morales' artwork) at the northeast corner of Roe Boulevard and 48th Street.

Marek Gliniecki, Chairman of the Arts Committee, would recommend moving the Tetrahedron to the green area peninsula between Roe Lane and County Line Road.

CMBR Fast reiterated her earlier comments that she is against moving it there as it is a great location for another piece of art and it is time to dispose of this one. She said this is a great entry-point into the City and doesn't want to see an old piece of art there. They should look at planning and budgeting for new pieces.

CMBR McNeil would like to keep the Tetrahedron because it's still nice and they do not have the budget to get new pieces.

City Administrator Moody said there is $5,000 in the budget for 2017, which is all still available, and in 2018, the budget includes $10,000 for art.

CMBR Poppa clarified that the $5,000 was for maintenance and repair of art, not for new art. City Administrator Moody said the money for 2018 could be spent for new art. CMBR Poppa said he would not want to get rid of Tetrahedron, but recognized that it does need to move.

Mr. Gliniecki said he would like to see an estimate for moving it. It is constructed of solid concrete with steel and is not hollow.

Mr. Gliniecki also said it is important for the Arts Committee to have a timeline for when the Roe 2020 project will start since they need to know which pieces they need to move and focus on disposing of ones that they no longer want. He also supported Ms. Fast's position of not moving artwork only to find they no longer wanted it in the City.

There was discussion with the original agreements made with the artists that if they do not remove their artwork within a certain period of time it becomes the property of the City.

CMBR Fast said it was not the intended goal to have these pieces for life. She does hate to spend the money to move the items especially when they do not have the vision for their art plan.

Mayor Marquardt said at this point they really haven't thought this through, but does not believe they have a lot of places in Roeland Park for work this size. He personally likes the Tetrahedron. He thinks it's interesting and long-lasting. He also agrees with Ms. Fast in that they need to have new art and to keep it rotating. He acknowledged Mr. Northington (Tetrahedron artist) gave them a lot of stuff, which is a great for a time being, but he does not want to see Roeland Park become this artist's display space.

Mr. Gliniecki said that is the committee's opinion that they do not want to be his home gallery for much longer.

CMBR McNeil said if the City truly does own the art could they then auction it off to benefit the City for more art.

Mayor Marquardt said the art pieces have always been for sale in general, but no one knows it.

Mr. Gliniecki said he believes by now the City has certain rights to them, but he does not want to get into litigation with him over it and would like it clarified.

Mayor Marquardt asked if the agreements were somewhere on file. City Administrator Moody didn't know, but they would look for them.

CMBR McNeil said if it is true that it is now the City's property to maybe give Mr. Northington a notice to pick it up.

CMBR Poppa would like to get an opinion from counsel on VARA (Visual Artists Rights Act) for any upcoming discussions on this. Attorney Krstulic said she was not prepared to answer that tonight, but she will look into it. CMBR Poppa said they need to know what they can do with the pieces without infringing on the rights of the artist.

MOTION: CMBR RHOADES MOVED AND CMBR POPPA SECONDED TO USE THE ART COMMITTEE'S RECOMMENDATION TO RELOCATE THE PUBLIC ART TITLED "TETRAHEDRON" AT THE NORTHEAST CORNER OF JOHNSON AND ROE TO A NEW LOCATION ROUGHLY BETWEEN COUNTY LINE ROAD AND ROE LANE. (MOTION CARRIED 6-0)

With regard to Mr. Morales' piece, Mr. Gliniecki said they will put the item up for sale and if there is no interest they will sell it for scrap.

CMBR McNeil asked how soon the Tetrahedron needs to be moved. If they found out the City owned it could they put it up for sale and maybe not even have to move it.

MOTION: CMBR POPPA MOVED AND CMBR RHOADES SECONDED TO APPROVE THE DISPOSAL OF THE PUBLIC ART LOCATED AT THE NORTHEAST CORNER OF ROE AND WEST 47TH STREET AND ANY PROCEEDS FROM THE SALE OF THE UNTITLED ART PIECE BE PUT INTO A FUND FOR THE PURCHASE OF NEW ART FOR THE CITY. (MOTION CARRIED 5-1)

Mayor Marquardt thanked Mr. Gliniecki for all his work.

IX. ORDINANCES AND RESOLUTIONS

A. Resolution 654 – Expansion of the Boundaries of the Consolidated Main Sewer

MOTION: CMBR POPPA MOVED AND CMBR MCNEIL SECONDED TO APPROVE RESOLUTION 654, EXPANSION OF THE BOUNDARIES OF THE CONSOLIDATED MAIN SEWER AS SUBMITTED. (MOTION CARRIED 6-0)

B. Yearly Review of Uniform Standard Traffic Ordinance (STO) 954 and Uniform Public Offense Codes (UPOC) 955

Police Chief John Morris presented Ordinance 954 and Ordinance 955 to be incorporated by reference to the Uniform Public Offense Code. Ordinance 954 is Standard Traffic Ordinance for Kansas Cities. He asked that the Governing Body adopt their new traffic code and their new Uniform Public Offense Code Ordinance 945 and Ordinance 955.

MOTION: CMBR JANSSEN MOVED AND CMBR MCNEIL SECONDED TO APPROVE ORDINANCE 954 AND THE STATE TRAFFIC ORDINANCE AND ORDINANCE 955, UNIFORM PUBLIC OFFENSE CODE. (MOTION CARRIED 6-0)

X. WORKSHOP ITEMS

A. Agreement with Urban Bike Trail

City Administrator Moody presented a Memorandum of Understanding that provides for Urban Trail to complete the construction of the mixed use trail at Nall Park. It also provides compensation to Urban for $12,000 and they will be responsible for the trail construction and removal of any materials associated with clearing the trail. They provide the manpower and the equipment.

MOTION: CMBR POPPA MOVED AND CMBR MCNEIL SECONDED TO APPROVE THE MEMORANDUM OF UNDERSTANDING WITH URBAN BIKE TRAIL AS PRESENTED. (MOTION CARRIED 6-0)

XI. REPORTS OF CITY OFFICIALS

A. Executive Session

MOTION: CMBR POPPA MOVED AND CMBR RHOADES SECONDED TO RECESS THE COUNCIL INTO EXECUTIVE SESSION PURSUANT TO THE REAL ESTATE EXCEPTION OF THE KANSAS OPEN MEETINGS ACT, K.S.A. 75-4319(B)(6) IN ORDER TO DISCUSS THE POTENTIAL ACQUISITION OF REAL ESTATE WITH THE OPEN MEETING TO RESUME AT 9:30 IN COUNCIL CHAMBERS. (MOTION CARRIED 6-0)

MOTION: CMBR POPPA MOVED AND CMBR MCNEIL SECONDED TO EXTEND THE EXECUTIVE SESSION TO 9:36. (MOTION CARRIED 6-0)

MOTION: CMBR POPPA MOVED AND CMBR MCNEIL SECONDED TO EXTEND THE EXECUTIVE SESSION TO 9:41. (MOTION CARRIED 6-0)

MOTION: CMBR POPPA MOVED AND CMBR MCNEIL SECONDED TO EXTEND THE EXECUTIVE SESSION TO 9:46. (MOTION CARRIED 6-0)

MOTION: CMBR POPPA MOVED AND CMBR MCNEIL SECONDED TO EXTEND THE EXECUTIVE SESSION FIVE MINUTES. (MOTION CARRIED 6-0)

Joel Marquardt, Mayor

Kelley Bohon, City Clerk

Item Number: **Consent Agenda- I.-C.**
Committee Meeting Date: **11/20/2017**

City of Roeland Park

Action Item Summary

Date:
Submitted By:
Committee/Department:
Title: **September 11, 2017 Council Minutes**
Item Type:

Recommendation:

Details:

Financial Impact

Amount of Request:	
Budgeted Item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

ATTACHMENTS:

Description	Type
September 11, 2017	Cover Memo

MINUTES
CITY OF ROELAND PARK, KANSAS
SPECIAL CALL CITY COUNCIL MEETING
ROELAND PARK
Roeland Park City Hall - 4600 W 51st Street
September 11, 2017 6:00 P.M.

- Joel Marquardt, Mayor
- Becky Fast, Council Member
- Tim Janssen, Council Member
- Ryan Kellerman, Council Member
- Teresa Kelly, Council Member
- Sheri McNeil, Council Member
- Michael Poppa, Council Member
- Michael Rhoades, Council Member
- Erin Thompson, Council Member
- Keith Moody, City Administrator
- Jennifer Jones-Lacy, Asst. Admin.
- Kelley Bohon, City Clerk
- John Morris, Police Chief
- Jose Leon, Public Works Director

Admin	**Finance**	**Safety**	**Public Works**
Poppa	Kelly	Thompson	Kellerman
Fast	Janssen	Rhoades	McNeil

Pledge of Allegiance
Mayor Marquardt called the meeting to order and led everyone in the Pledge of Allegiance.

Roll Call
City Clerk Bohon called the roll noting CMBR Fast was absent.

I. CITIZEN COMMENTS

Mike Muenks (5635 Roeland Dr) Mr. Muenks spoke to the stormwater project and asked for an exact date for the start of the project. He would like to have the complete stormwater project done to prevent having them tear up his yard a second time. Mr. Muenks also wanted to know how they would access the rear yards to replace the failing north end pipe in the future.

Mayor Marquardt thanked Mr. Muenks for his comments and stated that normally the Council does not engage in conversation during the Public Comment portion of the meeting, but did believe that his questions and concerns would be addressed during the meeting.

II. ITEMS

A. Approve bid for 57th and Roeland Drive Stormwater Repair Project

Public Works Director Leon stated they received six bids for the project. Their recommendation is to move ahead with J Richardson Construction for a cost of $105,366, which is below the engineer's estimate of approximately 107,000. Mr. Leon stated the easement documents are final, but they need to get signatures from the property owners so that they can move forward with the construction. They hope to get those signatures this week.

Construction should begin within the next weeks after J Richardson completes other projects they are working on. After construction is complete, the City will come through for restoration making the properties good or better than they previously were.

CMBR Kellerman asked Public Works Director Leon to elaborate how the other failing corrugated pipe would be addressed. Public Works Director Leon said it was premature to elaborate on what might happen in the future. Their only focus for this project is the three yards at the downstream end and the two yards further impacted upstream.

CMBR Kellerman stated this issue is an infrastructure project and is a safety concern and is why taxpayers pay tax dollars. He said for the Governing Body to brush this off because they physically cannot see what needs to be done below ground, or that it does not pertain to pet projects is not why they're up there.

Mr. Kellerman asked if the easements were temporary or permanent. Public Works Director Leon said there are both types. They do need to acquire some more permanent easements they currently do not have over the infrastructure, which allow for maintenance in the future.

City Administrator Moody said further upstream the storm sewer pipe did get laid in the platted easement. As it comes downstream it meanders out of that platted easement. The permanent easements that they are requesting from the property owners follow the proposed alignment for the storm sewer.

CMBR Kellerman asked if the City might then come back on the homeowners in the future to assess them for storm sewer repairs. City Administrator Moody said they are not proposing to replace the pipe upstream at this time, but it does lie within an established drainage easement. Being in an easement, however, does not preclude the City from imposing a special assessment. He did state that storm sewer system maintenance is not something on which you would generally place a special assessment.

CMBR Kellerman wanted to know if there was a way to speed up the repair process as the sinkhole is increasing in size. City Administrator Moody said they will give notice to J Richardson tomorrow morning. The pipe and the structures need design specification sheets to be reviewed by the engineer and then the pipes need to be made. A lot of the timeline has to do with how quickly the contractor can finish up their other projects and get started as well as getting the easements executed and recorded and utilities located. The contractor does understand this is an important project to get done as soon as possible.

CMBR Poppa asked if there was something in the contract about completing the yards after construction. Public Works Director Leon said they will restore the yard to a good or better condition than it was before they got there.

CMBR McNeil asked why the upstream pipe that is failing did not get figured into this project. Public Works Director Leon said that was Option 3 that was presented to the Governing Body, but the direction they received from Council was to go with this project, Option 2. CMBR McNeil said they should plan to repair that section in their next budget. Public Works Director Leon absolutely agreed with that and said they are working on it.

CMBR Kellerman stated that Option 3 was presented to the Council a month ago, but Option 2 was the one recommended by staff. He said if staff had recommended Option 3, they probably would have gone with that.

CMBR Rhoades said at last meeting they decided to repair what has failed and that is what they are doing. He did state the rest of the system needs to be looked at.

City Administrator Moody showed a map of the area that they are proposing to replace. It was originally a part of the RC12-18 project. There is another segment of pipe that is further upstream (designated by a gray area) that is part of this project and is proposed to be replaced because it has confirmed deterioration. When videotaped, the balance of the pipe did not show that the pipe section was in bad shape. They will be replacing what they have identified needs to be replaced with this project.

Mayor Marquardt said it makes sense that where the pipe bends downstream and where the water turns that it has turned up the materials and ground up the corners, but the rest of the pipe is not ground up.

CMBR Kelly thinks the Council all agrees that this is an emergency situation and needs to be taken care of judiciously and quickly, which is why staff recommended this opportunity. She said the City Administrator was clear in that this is a maintenance issue and is something they pay for as a city and is something they have to do

in an emergency situation. All Councilmembers understand this is an infrastructure problem and think they should go ahead with the project.

CMBR Kellerman agreed with CMBR Kelly in that it is a growing maintenance problem.

MOTION: CMBR THOMPSON MOVED AND CMBR JANSSEN SECONDED TO APPROVE THE BID OF J RICHARDSON CONSTRUCTION IN THE AMOUNT OF $105,366, TO COMPLETE THE 57TH AND ROELAND DRIVE STORMWATER REPAIR PROJECT. (MOTION CARRIED 7-0)

III. ADJOURNMENT

MOTION: CMBR KELLY MOVED AND CMBR KELLERMAN SECONDED TO ADJOURN.

(Roeland Park Special Call City Council Meeting adjourned at 6:26 p.m.)

Joel Marquardt, Mayor

Kelley Bohon, City Clerk

Item Number: **Consent Agenda- I.-D.**
Committee Meeting Date: **11/20/2017**

City of Roeland Park

Action Item Summary

Date:
Submitted By:
Committee/Department:
Title: **September 18, 2017 Council Minutes**
Item Type:

Recommendation:

Details:

Financial Impact

Amount of Request:	
Budgeted Item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

ATTACHMENTS:

Description	Type
September 18, 2017	Cover Memo

MINUTES
CITY OF ROELAND PARK, KANSAS
CITY COUNCIL MEETING
ROELAND PARK
Roeland Park City Hall - 4600 W 51st Street
September 18, 2017 7:00 P.M.

- Joel Marquardt, Mayor
- Becky Fast, Council Member
- Tim Janssen, Council Member
- Ryan Kellerman, Council Member
- Teresa Kelly, Council Member
- Sheri McNeil, Council Member
- Michael Poppa, Council Member
- Michael Rhoades, Council Member
- Erin Thompson, Council Member
- Keith Moody, City Administrator
- Jennifer Jones-Lacy, Asst. Admin.
- Kelley Bohon, City Clerk
- John Morris, Police Chief
- Jose Leon, Public Works Director

Admin	**Finance**	**Safety**	**Public Works**
Poppa	Kelly	Thompson	Kellerman
Fast	Janssen	Rhoades	McNeil

Pledge of Allegiance
Mayor Marquardt called the meeting to order and led everyone in the Pledge of Allegiance.

Roll Call
City Clerk Bohon called the roll. CMBR McNeil joined the meeting after roll call. CMBR Kelly was absent and CMBR Kellerman arrived after the start of the meeting.

Modification of the Agenda

Mayor Marquardt said that Workshop Items 5, 6 and 7 will be moved to section "X. Workshop Items" of the Council agenda.

CMBR McNeil joined the meeting.

I. CITIZEN COMMENTS

Tom Madigan (5316 W. 49th Terr.) Mr. Madigan said he would like to see the City enforce their ordinances and not wait until someone makes a complaint. He stated the ordinances apply to everyone and that the City would begin by trimming the trees in front of City Hall as the branches hang too low to walk under.

II. CONSENT AGENDA

A. Appropriation Ordinance #908
B. Special Called City Council Minutes July 24, 2017
C. Council Minutes August 7, 2017
D. Bishop Miege Homecoming Parade Permit

MOTION: CMBR MCNEIL MOVED AND CMBR POPPA SECONDED TO APPROVE THE CONSENT AGENDA AS PRESENTED. (MOTION CARRIED 6-0)

III. BUSINESS FROM THE FLOOR

A. Applications/Presentations

1. Committee Report Parks

Jennifer Provyn provided an update on current projects. She said that everyone was disappointed in the bids they received for the tennis courts and that they will unfortunately not be able to complete that project this year. She said it is definitely still on the table.

Nall Park Update - The single track bike trail will be installed in November. They are also purchasing a dual trash/recycle bin for the park to be installed by the restrooms.

R Park Update - The Ad Hoc R Park Shade and Shelter Task Force will be presenting their findings to the Parks Committee in November. Ms. Provyn invited the Council to come to the meeting. After their committee discussion, they will present the rendering and designs to the Governing Body for approval in either December or January of 2018.

One of the goals for 2017 was to relocate the doggie waste bin in R Park. Ms. Provyn thanked Public Works for doing that. They still need to install a bike rack and pad at the park. They are also working on extending the recycling program to all parks such as the one in Granada and R Park. Four benches will be purchased for Granada, and to save on shipping, they will be purchased at the same time as the trash/recycle bin for Nall Park. Carpenter Park is high on the priority list, but they do not yet have Council-approved benches and are hoping to bring back new choices in 2018 to the Council. They also need to remove the damaged art at Granada Park. The Arts Committee will be removing that and will make a determination whether to repair or replace it.

For 2018, part of the approved R Park Master Plan is to reevaluate the asphalt of the basketball courts and a huge asphalt area. They are designing a way to make that part of a bike-riding area with striping as well as adding some greenery. They will bring final ideas to the Council next year.

The Parks Committee met with Sustainability and people in the community about a Race to the Parks event and will be meeting again next month. The idea is to have a race event of 10 miles, running to all the different parks. This event would act as a fundraiser and a community bridge and would be a health and fitness venue that would draw people to Roeland Park.

Mayor Marquardt said the Parks Committee is doing a lot of great work and thanked Ms. Provyn. He said it's definitely different than it was eight years ago when the outlook was very discouraging. Since the establishment of the committee, he said it's amazing how progressive they are and how much work they have done. He really appreciates their efforts and knows many others do also.

IV. MAYOR'S REPORT

A. Proclamation – Kansas Family and Education Week Proclamation.

CMBR Rhoades read the Kansas Family and Education Week Proclamation into the record.

Mayor Marquardt noted that after speaking with mayors of other cities most do not read the proclamations and is glad that they do as it is important to state what they are doing.

CMBR Fast would like to have a discussion on whether they should continue with all proclamations every year.

Mayor Marquardt said he would like to continue to have two councilmembers endorse the proclamation so there is less chance for an argument over what is approved and that it should not just be a blanket acceptance for any cause.

MOTION: CMBR RHOADES MOVED AND CMBR MCNEIL SECONDED TO APPROVE THE KANSAS FAMILY AND EDUCATION WEEK PROCLAMATION. (MOTION CARRIED 6-0)

V. WORKSHOP AND COMMITTEE REPORTS

A. Workshop Summary

No report was given.

VI. REPORTS OF CITY LIAISONS

There were no reports given.

VII. UNFINISHED BUSINESS

There was no unfinished business to discuss.

VIII. NEW BUSINESS

A. Sidewalk Master Plan Update – Resolution 654

T Public Works Director Leon presented Resolution 654 to the Council that provides the Sidewalk Master Plan Update and the bicycle infrastructure plan for the City. Also added were the recommendations that BikeWalkKC made.

MOTION: CMBR THOMPSON MOVED AND CMBR POPPA SECONDED TO APPROVE RESOLUTION 654 FOR THE 2017 PEDESTRIAN AND BICYCLE INFRASTRUCTURE PLAN. THE MOTION CARRIED 6-0.

MOTION: CMBR RHOADES MOVED AND CMBR JANSSEN SECONDED TO AMEND THE MOTION FOR AN AMENDMENT TO THE SIDEWALK PROGRAM DOCUMENT STATING THAT FROM HOWELL DRIVE ON 50TH TO 52ND PLACE SHOULD BE BLUE.

As makers of the original motion CMBR Thompson and CMBR Poppa agreed to the modification.

CMBR Janssen asked what a block of sidewalk cost. Public Works Director Leon said he would get that information for the Council.

B. Barktoberfest Ordinance

CMBR McNeil received an e-mail from Johnson County Parks and Rec about an event they are having where they will not be selling alcohol. She also noted that other cities host events where there is no alcohol served. She would like to see the Parks Committee work on having some events that are not alcohol-related.

CMBR Thompson said the Events Committee would like the Council to keep in mind that the money does not go towards the alcohol, but is money raised for the event. Without that funding there is a real concern that there will be unable to have the event.

The event will be held from 12-4 and CMBR Rhoades did not believe there would be a lot of alcohol consumption at that time.

CMBR Kellerman arrived at the meeting.

CMBR Poppa believed from 11-3 last year Barktoberfest brought in $500 in additional funds from the VIP Beer Garden. He did not believe they should serve alcohol at all events such as the tree lighting or the Easter Egg Hunt, but that Barktoberfest is held at the same time of year as Oktoberfest and there is a certain expectation with that. He did say that it is integral for the event, which in turn raises money to help put on other events in the city.

CMBR Fast said they want the Events Committee to raise funds and if they take away their ability to fundraise through the sale of alcohol, then the Council should increase their annual funding in the budget.

CMBR Rhoades asked if there had ever been any alcohol-related incidents at any events. Police Chief Morris said he donates his services to the City for these events and he has never had an incident.

MOTION: CMBR THOMPSON MOVED AND CMBR FAST SECONDED TO APPROVE ORDINANCE 956, AN ORDINANCE ALLOWING CONSUMPTION OF ALCOHOL ON CERTAIN PUBLIC PROPERTY FOR A LIMITED TIME AND PURPOSE PURSUANT K.S.A. 2013 SUPP. 41-719(d). THE MOTION CARRIED 4-3 WITH CMBRS MCNEIL, JANSSEN AND KELLERMAN VOTING NO.

POLL THE COUNCIL

FAST - Y MCNEIL - N JANSSEN - N RHOADES - Y KELLERMAN - N THOMPSON - Y POPPA - Y

C. Barktoberfest Amnesty for Late or Failure to Register Pets

CMBR McNeil said there was a previous discussion about approving the amnesty through the month.

City Clerk Bohon stated if animals are registered at Barktoberfest they would not be able to print licenses at the event and would have to mail them out once they were entered into the system. They could, however, hand out the tags. To receive payments it would be easier to take cash or check and provide a paper receipt as only certain computers have the Jayhawk download to process payments. She added that they could tell people at the event to come into City hall and register their pets.

CMBR Thompson withdrew her motion as the processing of payments needs to be worked out.

City Administrator Moody said it would be easier to implement the amnesty if they directed people to contact City Hall to take advantage of the amnesty period, where staff has immediate access to the database and can process transactions.

MOTION: CMBR THOMPSON MOVED AND CMBR POPPA SECONDED TO APPROVE WAIVING ADDITIONAL FEES FOR LATE OR FAILURE TO REGISTER PETS DURING BARKTOBERFEST.

CMBR Rhoades would like to table the motion and have it discussed at a future Workshop to discuss a city-wide amnesty period that would coincide with another event like an adoption week event.

MOTION: CMBR RHOADES MOVED AND CMBR MCNEIL SECONDED TO TABLE THE MOTION. THE MOTION CARRIED 7-0.

IX. ORDINANCES AND RESOLUTIONS

There were no ordinances or resolutions up for approval.

X. WORKSHOP ITEMS

A. Discussion of Insurance Coverage Amounts for Dangerous Animals (Workshop Item # 5)

Ms. Jones-Lacy researched if there were insurance providers that would provide insurance to a person who own an animal that has bitten someone. She was able to find a couple specialty insurers, but the cost tends to be somewhat prohibitive. She did say it is possible, but it is difficult to get that type of insurance.

It was also noted that Prairie Village reduced their insurance requirements to $300,000 from $500,000 after researching other communities who required lesser amounts. The City of Shawnee indicated they have a

$300,000 minimum, which was determined at a recommendation from an officer that got back from specific training and said this was based on best practices.
Ms. Jones-Lacy said if they do decide to require such a policy she recommends adding the City of Roeland Park as an additional insured, so that if the policy is canceled they would be notified. If they are not added and the resident cancels the policy, then the City would not be informed of that.

CMBR McNeil questioned whether the City would be open to liability by allowing dangerous animals in the City. She also wanted to know how they can enforce insurance if people can't get it.

Ms. Jones-Lacy said most insurance companies include an umbrella policy of a pet, but that it would probably be excluded after it has bitten someone. The City would only know about an incident if it was reported, and if it were, it would then go through municipal court. The judge would review the City's ordinances to determine if they have insurance or not, or are they required to obtain it. If the owner is not willing or able, then the judge may make the decision to get rid of animal.

CMBR Janssen said there was an incident of a dog biting someone in his area and it required seven stitches to the person's face, but the settlement was for $10,000. He said that pay outs are not as big as what one might think as to dog bites.

Mayor Marquardt noted that there was consensus to continue the discussion at the next Workshop and Ms. Jones-Lacy would provide ordinance language and include liability insurance in the range of $100,000-$300,000.

City Administrator Moody added that the language is already in the ordinance that the dog may be destroyed or removed from the community if needed.

CMBR Poppa said the required insurance premiums would be for a subsequent incident that might occur, not for a past event.

CMBR McNeil would like it addressed in the ordinance language what they would do in the event of a second incident. She recommended that the dog would have to go at that point.

Mayor Marquardt added that the severity of the injury also needs to be addressed.

B. July Financial Report (Workshop Item #6)

Ms. Jones-Lacy reported that overall things are looking good. The City's largest revenue generators continue to be property tax, sales and use tax, franchise and court fees.

She said sales taxes are looking good when compared to July of last year. July 2017, they are 5.1 percent above this time in 2016 and 5.8 above target for the year. Franchise fees overall show collections at 2.9 percent higher than 2016. Gas is also up at 22 percent and video is up 10 percent from last year. However, cable is down 5 percent and electric is down 19 percent. Court fines are down 13.6 percent, which is expected because of the reduced find amount.

General Fund revenue is up overall $21,829 and much of that is due to property taxes. General Fund expenditures for 2017 are seven percent lower compared with this time last year.

In the CERI report it notes that retail sales show a 4.8 percent year-to-date increase compared to the same time as 2016. When compared to Johnson County as a whole, they've seen a 4.7 decrease in the month and a 1.6 percent increase year-to-date when compared to figures in 2016.

Roeland Park has issued 241 building permits in 2017 which equates to a value of $11.3 million. This represents the highest value they have seen in six years.

C. Discuss Process for 2018 Market Pay Adjustment (Workshop Item #7)

City Administrator Moody said this topic would generally falls into the realm of the finance committee, so he would recommend that staff work with the Finance Committee to develop an approach on how to implement the market adjustment for 2018 and bring their recommendation and approach to the Council who would then take final action. CMBR Thompson and CMBR Janssen are the Finance Committee.

There was consensus to move forward with that strategy.

XI. REPORTS OF CITY OFFICIALS

There were no reports given.

EXECUTIVE SESSION

MOTION: CMBR THOMPSON MOVED AND CMBR MCNEIL SECONDED THAT THE GOVERNING BODY RECESS INTO EXECUTIVE SESSION UNDER THE ATTORNEY-CLIENT PRIVILEGE EXCEPTION TO THE OPEN MEETINGS ACT IN ORDER TO RECEIVE LEGAL ADVICE WITH THE OPEN MEETING TO RESUME IN THE COUNCIL CHAMBER AT 9:45 P.M. THE MOTION CARRIED 7-0.

XII. ADJOURN

(Roeland Park City Council Meeting adjourned.)

Joel Marquardt, Mayor

Kelley Bohon, City Clerk

Item Number: **Consent Agenda- I.-E.**
Committee Meeting Date: **11/20/2017**

City of Roeland Park

Action Item Summary

Date:
Submitted By:
Committee/Department:
Title: **October 16, 2017 Council Minutes**
Item Type:

Recommendation:

Details:

Financial Impact

Amount of Request:	
Budgeted Item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

ATTACHMENTS:

Description	Type
October 16, 2017 Council Minutes	Cover Memo

MINUTES
CITY OF ROELAND PARK, KANSAS
CITY COUNCIL MEETING
ROELAND PARK
Roeland Park City Hall - 4600 W 51st Street
October 16, 2017 7:00 P.M.

- Joel Marquardt, Mayor
- Becky Fast, Council Member
- Tim Janssen, Council Member
- Ryan Kellerman, Council Member
- Teresa Kelly, Council Member
- Sheri McNeil, Council Member
- Michael Poppa, Council Member
- Michael Rhoades, Council Member
- Erin Thompson, Council Member
- Keith Moody, City Administrator
- Jennifer Jones-Lacy, Asst. Admin.
- Kelley Bohon, City Clerk
- John Morris, Police Chief
- Jose Leon, Public Works Director

Admin	**Finance**	**Safety**	**Public Works**
Poppa	Kelly	Thompson	Kellerman
Fast	Janssen	Rhoades	McNeil

Pledge of Allegiance
Mayor Marquardt called the meeting to order and led everyone in the Pledge of Allegiance.

Roll Call
City Clerk Bohon called the roll. CMBR Kellerman joined the meeting after roll call.

Modification of the Agenda

Mayor Marquardt recommended combining the City Administrator Agreement with the Executive Session after Reports of City Officials.

CMBR Fast said it was the decision of the Governing Body to have the discussion of the City Administrator agreement under New Business and they did not agree to add an executive session.

City Administrator Moody said his understanding was there was going to be an Executive Session at this meeting to continue the discussion.

CMBR Fast added that the Governing Body did not ask to add an executive session for this meeting and as Council President she was not told what it would be in regards to. At their last executive session they came to a consensus on the City Administrator agreement.

CMBR Poppa believed there would be an executive session at this meeting to discuss with those that were not present previously and also to hear anything that the City Administrator would bring forward in between the two meetings.

CMBR Rhoades said they should not be having this discussion and it is a conversation for an executive session.

CMBR Kelly said it is in poor form to deny someone a request to discuss their contract and this is a simple request by the City Administrator to talk about his contract. She said they owe him that. Ms. Kelly stated they were still working on the agreement and did not believe their conversation was complete when they ended their discussion. She said they should have the executive session before finishing with the agreement, or agree to amend the agreement if they have seen it first.

Mayor Marquardt agreed with Ms. Kelly's comments.

CMBR Kellerman asked if they are allowed to add items onto the agendas as they please. City Attorney Maurer said as phrased, no. But if the Mayor and the City Administrator agree that they want to put something on the agenda, and the past practice has been to do it that way, then, yes, they can.

Mayor Marquardt said he believed this conversation was disrespectful to the City Administrator.

CMBR Thompson said they owe it to City Administrator to do an executive session. Before vote on agreement, so it makes sense to do them together. CMBR Poppa agreed.

MOTION: CMBR FAST MOVED AND CMBR KELLERMAN SECONDED TO KEEP THE AGENDA AS-IS. MOTION FAILED 3-5 WITH CMBRS JANSSEN, RHOADES, THOMPSON, KELLY AND POPPA VOTING NO.

POLL THE COUNCIL
FAST - Y MCNEIL - Y JANSSEN - N RHOADES - N KELLERMAN - Y THOMPSON - N KELLY - N POPPA - N

MOTION: CMBR THOMPSON MOVED AND CMBR KELLY SECONDED TO MOVE THE CITY ADMINISTRATOR AGREEMENT DOWN TO REPORTS OF CITY OFFICIALS IN CONJUNCTION WITH THE EXECUTIVE SESSION. MOTION CARRIED 6-2 WITH CMBRS FAST AND KELLERMAN VOTING NO.

POLL THE COUNCIL
FAST - N MCNEIL - Y JANSSEN - Y RHOADES - Y KELLERMAN - N THOMPSON - Y KELLY – Y POPPA - Y

Item VIII(b) of the agenda was moved to after the Executive Session.

I. CITIZEN COMMENTS

There were no citizen comments

II. CONSENT AGENDA

A. Appropriation Ordinance #909

B. July 17, 2017 Council Minutes

MOTION: CMBR MCNEIL MOVED AND CMBR JANSSEN SECONDED TO APPROVE THE CONSENT AGENDA AS PRESENTED. (MOTION CARRIED 8-0)

III. BUSINESS FROM THE FLOOR

There was no Business from the Floor.

IV. MAYOR'S REPORT

Mayor Marquardt said that Public Works Director Jose Leon has received the Richard Barrera Award for Business Advocate of the Year. City Administrator Moody said it was a very nice ceremony with over 900 people in attendance at their annual banquet and Public Works Director Leon made a nice speech. Mr. Moody said it was a great honor and well-deserved.

Mayor Marquardt added that Mr. Leon does many things under self-improvement and this is one of the things he has received to show that accomplishment. He added that he appreciates all that Mr. Leon does for the City.

V. WORKSHOP AND COMMITTEE REPORTS

There were no reports given.

VI. REPORTS OF CITY LIAISONS

A. MARC – Pike Pedestrian (Teresa Kelly and Becky Fast)

CMBR Kelly said she attended the BPAC meeting that was held in conjunction with the Kansas City Regional Safe Routes to School Summit. She was a co-presenter along with Johnson County Department of Health and Environment and Shawnee Mission School District representatives reporting on the Bike to School pilot program. Ms. Kelly said she has the PowerPoint presentation she can distribute for those interested and it will be published on the City's website. Leawood is using their model for safe routes to school, biking and pedestrian safety to school and going through the process that Roeland Park went through. St. Agnes is also incorporating a bike curriculum through BikeWalkKC. CMBR Kelly said they have planted a lot of seeds with their ad hoc committee and it is showing up in regional action. She is very proud of Roeland Park's role and was happy to report all of that.

B. Stormwater Water Advisory Council

CMBR Kellerman said the council did not meet. City Clerk Bohon supplemented the packet with information from Public Works Director Leon to be read later.

VII. UNFINISHED BUSINESS

There was no unfinished business to discuss.

VIII. NEW BUSINESS

A. Extension to Cell Tower Lease Agreements

This agreement is for a land lease that provides T-Mobile the ability to locate a cell tower at the northwest corner of the Community Center. The City was contacted and the company managing T-Mobiles contracts said they are interested in extending the lease terms. The agreement provides an additional 28 years. Currently there are three years under an existing lease that is currently in place and this adds 25 years beyond the current term. The term provides an escalator of 15 percent every five years and they have agreed to have an annual renewal of 3 percent. It also increases the amount of revenue to the City in excess of $250,000, or an average of $9,100 annually. Currently there is not an identified use for the space and is a discreet location for a cell tower. It's also an attractive location to cell companies because it's not in the valley and up on top of a hill.

MOTION: CMBR THOMPSON MOVED AND CMBR JANSSEN SECONDED TO EXTEND THE LAND LEASE FOR THE SOUTH SIDE OF THE COMMUNITY CENTER. (MOTION CARRIED 8-0)

B. City Administrator Agreement

This discussion was combined with the Executive Session at the end of the meeting

IX. ORDINANCES AND RESOLUTIONS

There were no ordinances or resolutions up for approval.

X. WORKSHOP ITEMS

I.

A. Discussion of Insurance Coverage Amounts for Dangerous Animals (Workshop Item # 6)

Ms. Jones-Lacy said at the last Workshop CMBR Rhoades had made a recommendation to put in place a scale for however much liability insurance a homeowner should get for dangerous animals based on a determination of severity of the case and that the municipal judge would make that call.

She has put together language that illustrates that with a $50,000-$100,000 range of liability insurance required for anybody who keeps what is determined to be a dangerous dog. The amount of insurance shall be determined by the municipal court judge based upon the severity of the incidents where the harm was caused as defined in this section. The determination shall be based upon evidence provided to the court which may include, but not be limited to, photos of any injuries/damage, letters from treating physicians or veterinarians of injured animals, testimony, written or otherwise, from injured parties or caregivers of injured parties, and testimony from any caregivers or character witness for the animal causing injury.

The insurance policy shall name the City of Roeland Park as an additional insured so if a policy is canceled they will be notified. Otherwise, an insurance company has no obligation to do so.

Ms. Jones-Lacy spoke with Judge Torline and prosecutor Frank Gilman who reviewed and agreed with the language. She will work with City Attorney Maurer fine tuning the actual ordinance.

CMBR Poppa asked if they have been able to find an insurance company that will insure a homeowner after a dog has bitten someone. Ms. Jones-Lacy said they have found a few specialty insurance providers that specifically focus on specialized areas. It's not a typical insurance provider.

CMBR Rhoades asked if changing the ordinance would affect any other sections. Ms. Jones-Lacy said no as this only deals with the specific topic of insurance.

CMBR McNeil asked about the cost of the premiums of 500,000. Ms. Jones-Lacy said the policies would be expensive and if it is a severe enough situation that warrants the insurance, it does send a message that the owner needs to do something about their dog. The company that she spoke with only wrote policies to $300,000.

CMBR Thompson asked CMBR Rhoades to refer to Section 2122(e) and (f), which addresses a dangerous animal and lists several provisions that the judge can order, including euthanasia of an animal.

CMBR McNeil asked how many chances a dog is given before the owner is required to get rid of it and she would like to see that in the ordinance. Ms. Jones-Lacy said there is nothing in the ordinance that covers that. CMBR McNeil said she would think about if there is a good way to phrase that and submit it to the Council.

B. Leaf Pickup Postcards (Workshop Item #7)

Citizen Comment

Tom Madigan (5316 W. 49th Terr.) Mr. Madigan sent a suggestion to the staff and some Councilmembers that a postcard should be sent out correcting a mistake that in the newsletter on the leaf pickup. His research shows this is the second year in a row this mistake has been made. On November 2, 2016, NextDoor posted that the City of Roeland Park would like to apologize to its citizens as wrong date was stated on City newsletter. He said no one knows when the pickup date is. He said it's nice to put it in a newsletter, but a postcard right before their collection is more likely to get their attention.

City Administrator Moody said he forwarded the comments from Mr. Madigan on to the Council with the explanation that the date would have the person putting the leaves out in their area on a Monday. It would cost the city $934 to send a postcard asking residents to wait two days to put out their leaves.

CMBR Fast asked if the postcards were sent to the Boulevard Apartments. City Clerk Bohon said they are not included in the mailing for leaf pickup. CMBR Fast also wanted to see a postcard being mailed out as it is a better reminder to residents and would get more attention than a newsletter that no one reads.

CMBR Janssen recommended putting signs up in the area that is scheduled for leaf pickup. CMBR Kelly said she liked that idea and said the sign could refer residents to the City's website to find out more information and their dates.

Mayor Marquardt said with pickup being on different days in different areas might be difficult to get the message out and changed and believes the postcards that they have sent in the past are helpful.

There was majority consensus to send out a postcard reminder for the City leaf pickup.

CMBR Rhoades asked when they are scheduled to get their voting machine that would show their votes. City Administrator Moody said that is a 2018 objective. CMBR Rhoades recommended it be in early 2018.

C. Community Forum Agenda (Workshop Item #8)

CMBR Kelly and CMBR Poppa worked together to put the upcoming Community Forum agenda together. There will be presentations from both KCP&L and Johnson County Wastewater. They will address the issues of fallen trees, and the prioritization of restoring power and how they manage that process. They will also talk about the impact the storms have had and what they are doing in response. Johnson County Wastewater will also be speaking on similar issues.

CMBR Fast recommended inviting the administrators and governing bodies from both the City of Mission and Fairway. CMBR Kelly thought that was a good idea if they have not already heard the presentations since Wastewater is presenting in the area communities.

CMBR Rhoades asked who determined what would be on the Community Forum agenda. CMBR Poppa said they were approached by KCP&L and Johnson County Wastewater and it was their ward hosting this forum.

CMBR Kellerman said the proper protocol was not followed for determining what would be on the Community Forum Agenda. CMBR Kelly apologized and said the onus of a reminder of the upcoming Community Forum should be on the Council President to bring it to the table for the agenda planning process and to work with City staff to put the dates in place as has traditionally been done in the past year.

CMBR Rhoades asked if KCP&L could bring a map that shows where all the transformers are in the city to show why certain grids go out. City Administrator Moody said he was certain they would be able to provide examples of why the power goes out in certain areas, but did not believe they would share every item of their infrastructure.

There was a consensus to move forward with the agenda for the Community Forum.

XI. REPORTS OF CITY OFFICIALS

City Clerk Bohon and Ms. Jones-Lacy informed every one of upcoming events.

11/2 – Business Networking Breakfast at CiCi's Pizza at 7:45 a.m.
12/5 – Tree Lighting Ceremony at Sweany Park
12/8 – Holiday Party at the Community Center

EXECUTIVE SESSION

MOTION: CMBR THOMPSON MOVED AND CMBR POPPA SECONDED THAT THE GOVERNING BODY RECESS INTO EXECUTIVE SESSION TO DISCUSS THE CITY ADMINISTRATOR EVALUATION PURSUANT TO THE NON-ELECTED PERSONNEL MATTER EXCEPTION K.S.A. 75-4319(b)(1), WITH THE OPEN MEETING TO RESUME IN THE CITY COUNCIL CHAMBER AT 8:30 P.M. (MOTION CARRIED 8-0)

Mayor Marquardt stated for the record that CMBR Kellerman asked to call in the discussion.

CMBR Kelly said she was told a month ago she could not call in and vote and did not believe CMBR Kellerman could either. She said there have been a lot of changes to Council policy and that they made a decision that you could not vote by phone.

CMBR Fast said for many years Councilmembers have been able to call in and vote.

City Clerk Bohon asked City Attorney Maurer about the issue and the city code language is silent on being able to vote.

After a brief discussion there was consensus that CMBR Kellerman be allowed to vote, but that they would specifically address this topic at a future Workshop session.

CMBR Kellerman returned to the meeting before the vote.

MOTION: CMBR THOMPSON MOVED AND CMBR KELLY SECONDED TO APPROVE THE CITY ADMINISTRATOR'S AGREEMENT WITH THE SALARY INCREASE BY 1.5 PERCENT TO $103,530. MOTION CARRIED 5-3 WITH COUNCILMEMBERS FAST, RHOADES AND KELLERMAN VOTING NO.

XII. ADJOURN

MOTION: CMBR THOMPSON MOVED AND CMBR KELLY SECONDED TO ADJOURN. MOTION CARRIED 8-0.

(Roeland Park City Council Meeting adjourned.)

_____ _____

Joel Marquardt, Mayor Kelley Bohon, City Clerk

Item Number: **Consent Agenda- I.-F.**
Committee Meeting Date: **11/20/2017**

City of Roeland Park

Action Item Summary

Date:
Submitted By:
Committee/Department:
Title: **Cereal Malt Beverage Renewals**
Item Type:

Recommendation:

Details:

Financial Impact

Amount of Request:	
Budgeted Item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

ATTACHMENTS:

Description	Type
CMB license	Cover Memo

KEEP THIS LICENSE POSTED CONSPICUOUSLY AT ALL TIMES

Fee: $75.00

No.

DEALER'S RETAIL LICENSE

From: 01/01/2018 To: 12/31/2018

To All Whom it May Concern:

License is hereby granted to ***St. Agnes Catholic Church*** *to sell at retail*

CEREAL MALT BEVERAGES

For sale in original and unopened containers and for consumption on premises

5250 MISSION Road

in the City of Roeland Park in Johnson County, Kansas,

Application therefor, on file in the office of the City Clerk of said City, having been approved by the governing body of such City as provided by the Laws of Kansas and the rules, regulations and ordinances pertaining thereto.

This License will expire on 12/31/2018, unless sooner revoked, is not transferable, nor will any refund of the fee be allowed thereon.

Given under our hands and the corporate seal of said City, on this date:

_____

Mayor

_____

City Clerk

KEEP THIS LICENSE POSTED CONSPICUOUSLY AT ALL TIMES

Fee: $75.00

No.

DEALER'S RETAIL LICENSE

From: 01/01/2018 To: 12/31/2018

To All Whom it May Concern:

*License is hereby granted to **Minit Mart** to sell at retail*

CEREAL MALT BEVERAGES

For sale in original and unopened containers and NOT for consumption on premises

4815 ROE Boulevard

in the City of Roeland Park in Johnson County, Kansas,

Application therefor, on file in the office of the City Clerk of said City, having been approved by the governing body of such City as provided by the Laws of Kansas and the rules, regulations and ordinances pertaining thereto.

This License will expire on 12/31/2018, unless sooner revoked, is not transferable, nor will any refund of the fee be allowed thereon.

Given under our hands and the corporate seal of said City, on this date:

_____

Mayor

_____

City Clerk

KEEP THIS LICENSE POSTED CONSPICUOUSLY AT ALL TIMES

Fee: $75.00 No.

DEALER'S RETAIL LICENSE

From: 01/01/2018 To: 12/31/2018

To All Whom it May Concern:

*License is hereby granted to **Price Chopper** to sell at retail*

CEREAL MALT BEVERAGES

For sale in original and unopened containers and NOT for consumption on premises

4950 ROE Boulevard B

in the City of Roeland Park in Johnson County, Kansas,

Application therefor, on file in the office of the City Clerk of said City, having been approved by the governing body of such City as provided by the Laws of Kansas and the rules, regulations and ordinances pertaining thereto.

This License will expire on 12/31/2018, unless sooner revoked, is not transferable, nor will any refund of the fee be allowed thereon.

Given under our hands and the corporate seal of said City, on this date:

_____

Mayor

_____

City Clerk

KEEP THIS LICENSE POSTED CONSPICUOUSLY AT ALL TIMES

Fee: $75.00 No.

DEALER'S RETAIL LICENSE

From: 01/01/2018 To: 12/31/2018

To All Whom it May Concern:

*License is hereby granted to **Quik Trip** to sell at retail*

CEREAL MALT BEVERAGES

For sale in original and unopened containers and NOT for consumption on premises

5055 ROE Boulevard

in the City of Roeland Park in Johnson County, Kansas,

Application therefor, on file in the office of the City Clerk of said City, having been approved by the governing body of such City as provided by the Laws of Kansas and the rules, regulations and ordinances pertaining thereto.

This License will expire on 12/31/2018, unless sooner revoked, is not transferable, nor will any refund of the fee be allowed thereon.

Given under our hands and the corporate seal of said City, on this date:

_____

Mayor

_____

City Clerk

KEEP THIS LICENSE POSTED CONSPICUOUSLY AT ALL TIMES

Fee: $75.00 No.

DEALER'S RETAIL LICENSE

From: 01/01/2018 To: 12/31/2018

To All Whom it May Concern:

*License is hereby granted to **Walgreens** to sell at retail*

CEREAL MALT BEVERAGES

For sale in original and unopened containers and NOT for consumption on premises

4951 ROE Boulevard

in the City of Roeland Park in Johnson County, Kansas,

Application therefor, on file in the office of the City Clerk of said City, having been approved by the governing body of such City as provided by the Laws of Kansas and the rules, regulations and ordinances pertaining thereto.

This License will expire on 12/31/2018, unless sooner revoked, is not transferable, nor will any refund of the fee be allowed thereon.

Given under our hands and the corporate seal of said City, on this date:

_____
Mayor

_____
City Clerk

KEEP THIS LICENSE POSTED CONSPICUOUSLY AT ALL TIMES

Fee: $75.00 No.

DEALER'S RETAIL LICENSE

From: 01/01/2018 To: 12/31/2018

To All Whom it May Concern:

*License is hereby granted to **Walmart** to sell at retail*

CEREAL MALT BEVERAGES

For sale in original and unopened containers and NOT for consumption on premises

5150 ROE Boulevard

in the City of Roeland Park in Johnson County, Kansas,

Application therefor, on file in the office of the City Clerk of said City, having been approved by the governing body of such City as provided by the Laws of Kansas and the rules, regulations and ordinances pertaining thereto.

This License will expire on 12/31/2018, unless sooner revoked, is not transferable, nor will any refund of the fee be allowed thereon.

Given under our hands and the corporate seal of said City, on this date:

_____

Mayor

_____

City Clerk

Item Number: **Consent Agenda- I.-G.**
Committee Meeting Date: **11/20/2017**

City of Roeland Park

Action Item Summary

Date:	10/27/2017
Submitted By:	Keith Moody
Committee/Department:	Finance Committee
Title:	**2018 Market Pay Adjustments**
Item Type:	Other

Recommendation:

Approval of a market pay adjustment to be implemented 1/1/2018 under the following parameters:
1. Take the number of years that an employee has worked in their current position with the City of Roeland Park and increases the minimum pay of their pay grade 2.5% for each year of experience (or fraction thereof). The calculated rate is considered the Market Rate for them.
2. Calculate the difference between the employee's market rate and their current pay, if an employee's current pay is more than $1.00/hr. below the market rate the employee is considered for a market pay adjustment.
3. 5 employees meet this criteria. Two employees would receive a $2.75/hr. pay increase, two would receive $1.25/hr. increase and one would receive a $1.00/hr. increase.

Details:

The Finance Committee (Councilors Thompson and Janssen) has met and considered options for market pay adjustments effective 1/1/2018. The Committee recommends a an approach that takes the number of years that an employee has worked in their current position with the City of Roeland Park and increases the minimum pay of their pay grade 2.5% for each year of experience (or fraction thereof). The calculated rate is considered the Market Rate for them. The difference between the employee's market rate and their current pay is then calculated, if an employee's current pay is more than $1.00/hr. below the market rate the employee is considered for a market pay adjustment. Currently 5 employees would meet this criteria. Two employees would receive

a $2.75/hr. pay increase, two would receive $1.25/hr. increase and one would receive a $1.00/hr. increase (four employees are within the police department and one is in the public works department). All five have at least 14 years of work experience with Roeland Park. The increases total $9.00/hr. which equals the 2% allotted for in the 2018 budget.

Jose Leon and the Chief Morris reviewed the approach with the Finance Committee and are supportive as am I.

Financial Impact

Amount of Request: $9.00/hr or 2% of personnel costs	
Budgeted Item?	Budgeted Amount: $9.00/hr or 2% of personnel costs
Line Item Code/Description: Personnel	

Additional Information

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

Item Number: **Applications/Presentations- A.-1.**
Committee Meeting Date: **11/20/2017**

City of Roeland Park

Action Item Summary

Date:
Submitted By:
Committee/Department:
Title: **Committee Report Events**
Item Type:

Recommendation:

Details:

Financial Impact

Amount of Request:	
Budgeted Item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

Item Number: **Applications/Presentations- A.-2.**
Committee Meeting Date: **11/20/2017**

City of Roeland Park

Action Item Summary

Date:
Submitted By:
Committee/Department:
Title: **Business License – Cheryl Weatherby**
Item Type:

Recommendation:

Details:

Financial Impact

Amount of Request:	
Budgeted Item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

ATTACHMENTS:

Description	Type
Business License – Cheryl Weatherby	Cover Memo

The City of Roeland Park, Kansas

4600 West Fifty-First Street
Roeland Park, Kansas 66205
City Hall (913) 722-2600 – Fax (913) 722-3713

CITY OF ROELAND PARK

HOME OCCUPATION VARIANCE REQUEST

1. Name Cheryl Weatherby

   Address 5148 Parish Dr.

   Roeland, KS 66205

2. Type of Business Requested Acupuncture and Herbal Medicine
   (I certified in related modalities: craniosacral therapy, lymph drainage, visceral manipulation, hypnotherapy)
3. Number of employees who do not reside in the home Me to begin. Down the road, perhaps 1 or 2 employees
4. Hours of operation By appointment
5. Amount of traffic generated Low - There is a large circular drive way and additional 3 parkings spaces in back of property so never street parking.
6. Types of equipment used in the home Acupuncture needles w/ biohazard container, electrical stimulation machine, kitchen appliances for nutrition education
7. Amount of insurance in force $300,000 Aggregate / $100,000 each claim Malpractice
   I can increase if requirements are higher for the city or state.
8. Have surrounding neighbors/property owners (within one block radius) been contacted by the applicant? Is a petition of support from these neighbors attached? _____

   Not yet - Kelly said I can wait for now since the property is undergoing negotiations currently.
9. Have Photos been submitted for review? Attached
10. Have comments from neighbors been reviewed? _____

Please provide a copy of your license and proof of insurance.

NJ License # 25HZ00081400 Original Issue Date 2012
MO License # 2011009276 Original Issue Date 2011

License No.: _____
Receipt No.: _____

Do Not Write Above this line

APPLICATION FOR OCCUPATION LICENSE
CITY OF ROELAND PARK, KANSAS

Please change any information which is not correct and fill in any blank fields.

Company Name TBD - No Kansas LLC yet **Mailing Address: (if different from Billing)**

Billing Address _____ **Address** 862 Belle Ave

City, State, Zip _____ **City, State, Zip** Teaneck, NJ 7666

Phone _____

Services Provided: Acupuncture, Herbal Medicine, craniosacral therapy, visceral manipulation, hypnosis **Contact** Cheryl Weatherby

Type of License Home Occupation *(See List below)*

Sq Footage _____

X Home Occupation §5-104(c) ---- $40.00

_____ Massage Establishment --§5-303 -- $150.00

_____ Non-Domicile Business --§5-104(d) ------ $80.00

_____ Retail and Administrative Offices (see table)

_____ Solid Waste Disposal --§5-104(e)

No. of Vehicles ____ *($50.00 per vehicle)*

_____ Service Station §5-104(a) ------ (See Table for Retail Establishments) + Per Pump Fee

In addition to the square foot charge set forth above, businesses engaged in the sale of gasoline shall pay a supplemental annual occupation fee of $10 per pump handle.

Number of Pump Handles _____ Per Pump Fee _____

5-104 (a) Retail Establishments & Admin Offices: (Occupation Fee Levied)

0 - 499 sq. ft	$50	8,000 - 8,999 sq. ft	$360
500 - 999 sq. ft	$65	9,000 - 9,999 sq. ft	$430
1,000 - 1,999 sq. ft	$100	10,000 - 10,999 sq. ft	$500
2,000 - 2,999 sq. ft	$125	11,000 - 12,999 sq. ft	$560
3,000 - 3,999 sq. ft	$150	13,000 - 14,999 sq. ft	$620
4,000 - 4,999 sq. ft	$180	15,000 - 17,999 sq. ft	$710
5,000 - 5,999 sq. ft	$210	18,000 - 20,999 sq. ft	$765
6,000 - 6,999 sq. ft	$230	21,000 - 24,999 sq. ft	$950
7,000 - 7,999 sq. ft	$290	25,000 and over sq. ft	$950 +$30 per 1,000 sq. ft.

Total Amount Due $40.00 or TBD by coun

Compute your annual license fee and file your application with remittance before December 1st. Make Check or Money Order payable for amount of annual fee due to the "City of Roeland Park" and mail to the City Clerk, "OCCUPATIONAL LICENSE", 4600 W. 51st Street, Roeland Park, Kansas 66205.

I declare under penalty of false statement that to the best of my knowledge and belief the statements made herein are correct and true.

Cheryl Weatherby
Name of Owner(s) or Corporation

By: Cheryl Weatherby *KS State Tax ID#* TBD *(Required)*
Signature

owner, Licensed Acupuncturist
Title: Owner, Partner or Corporate Officer

THE STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS

NJHome | Services A to Z | Departments/Agencies | FAQs

OAG Home
OAG Contact
OAG Services from A - Z
DIVISION OF CONSUMER AFFAIRS
OAG Home
Steve C. Lee
Director

Search Results

For a more detailed view of a licensee's background, select the licensee name from the alphabetical list below. Click the numbers below the grid to see additional pages of licensees. To return to the Search page, use the Search Again button below. (Do not use the browser Back key.)

Full Name	License Number	Profession	License Type	License Status	City	State
CHERYL A WEATHERBY	25MZ00081400	Acupuncture	Acupuncturist	Active	Clifton	NJ
1						

Person Search Again

Business Search Again

NJ License Verification

Missouri Division of Professional Registration

PR Home (http://pr.mo.gov/)

Detail

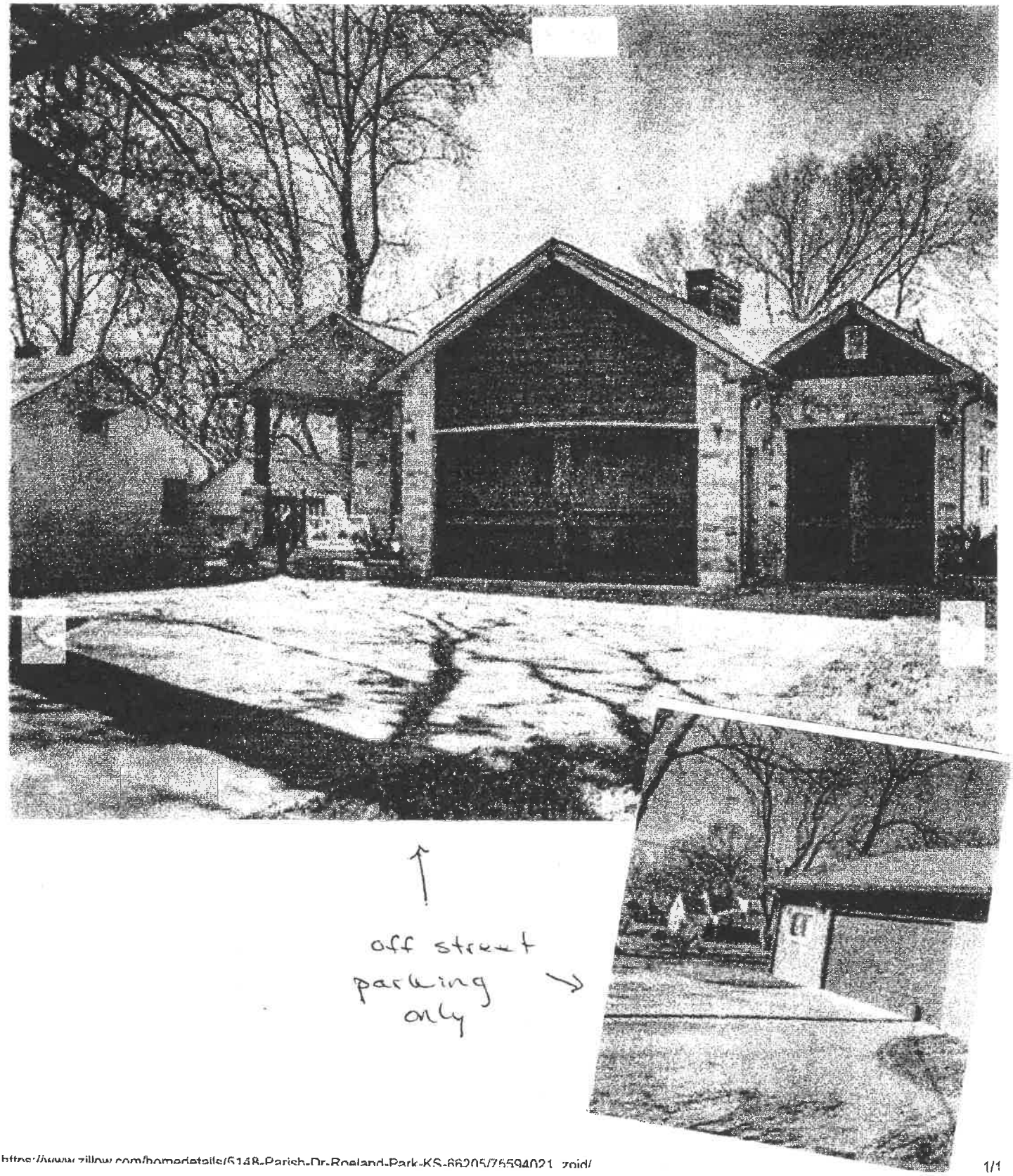
Primary Source Verification

The licensee search function of this website provides data extracted from our database and constitutes a Primary Source Verification.

Licensee Name:	Weatherby, Cheryl
Profession Name:	Acupuncturist
Licensee Number:	2011009276
Expiration Date:	6/30/2019
Original Issue Date:	3/18/2011
Address:	614 Gentry
Address Con't:	
City, State Zip:	Liberty, MO 64068
County:	Clay
Practitioner DBA Name:	
Certification Type:	
Classification:	

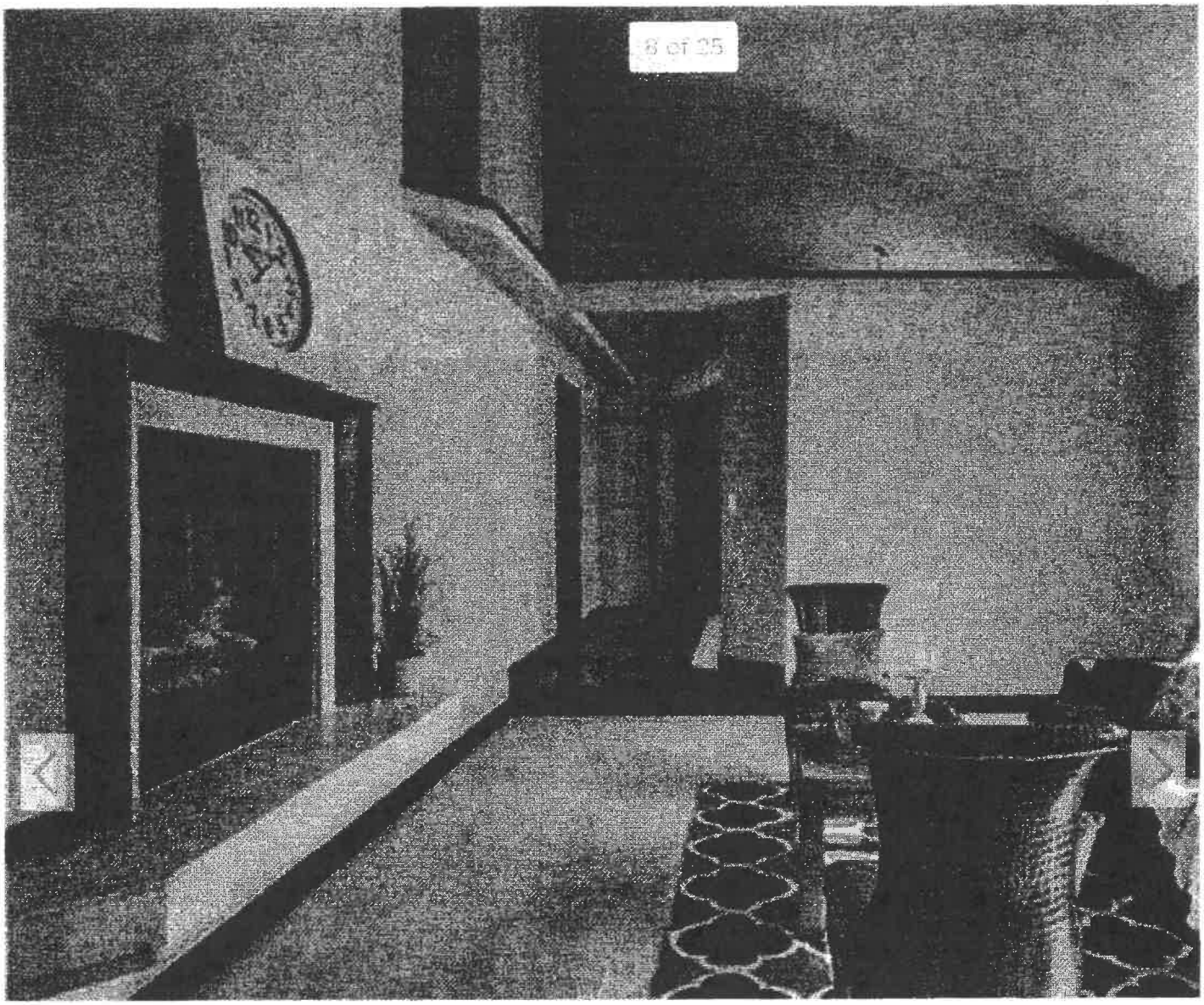
Discipline information is not being listed for this profession. You may contact the board directly to obtain discipline information.

Missouri License verification -
I have never practiced in Missouri
but have been planning to move
back to the area since my father
and relatives live there.


off street
parking
only

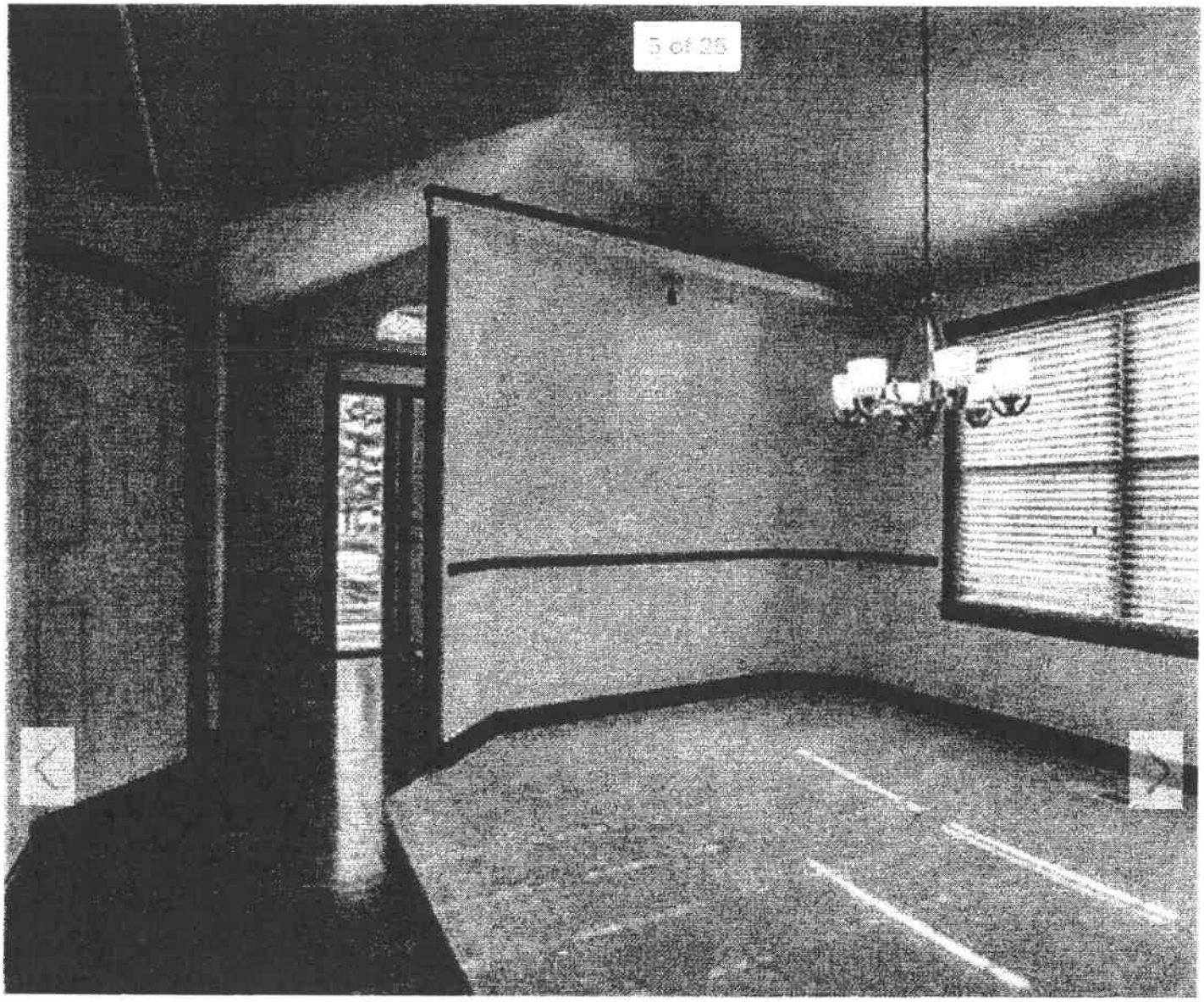
For Sale: $650,000 (4 beds, 3 baths, 4,230 sqft)

Contact Agent Save home Save image ✕ Close



For Sale: $650,000 (4 beds, 5 baths, 4,260 sqft)

Contact Agent Save home Save image X Close

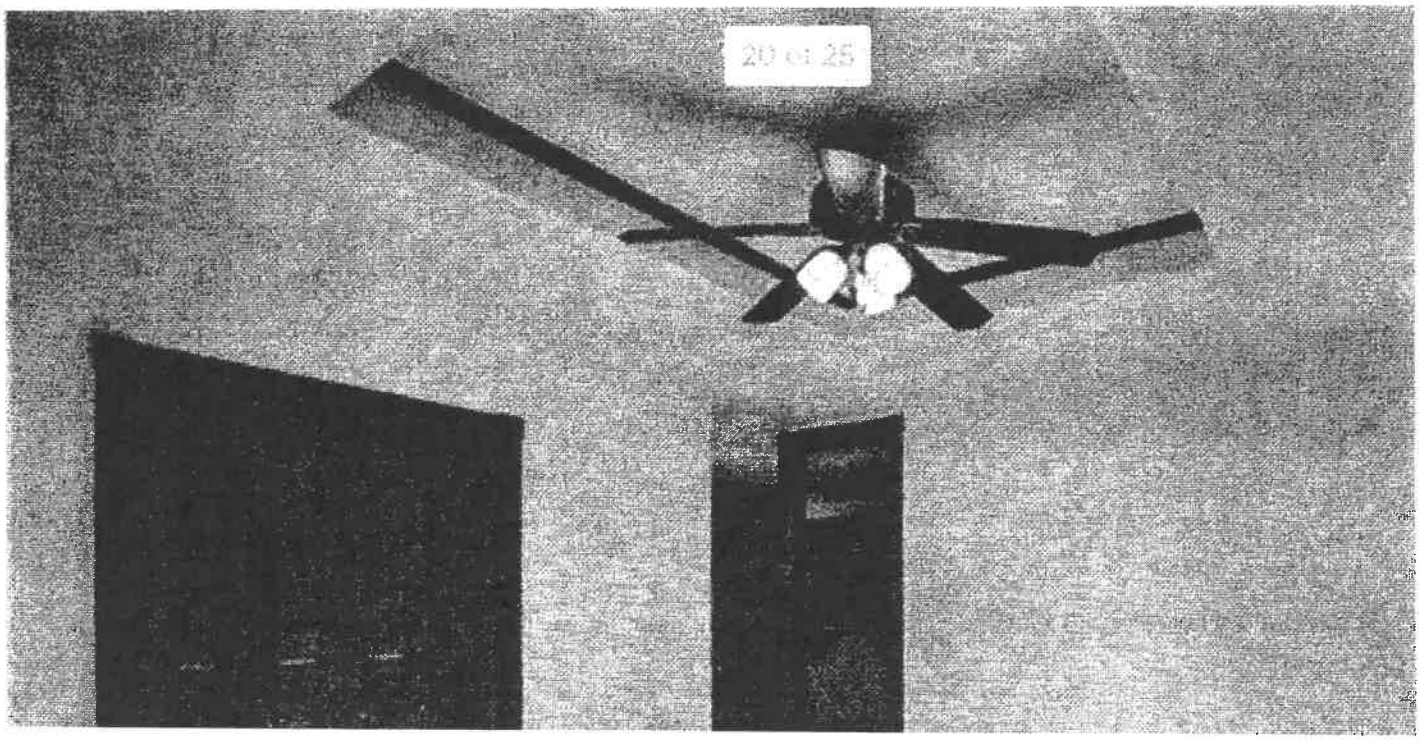


For Sale: $650,000 (4 beds, 5 baths, 4,200 sqft)

Contact Agent Save home Save image ✕ Close

For Sale $650,000 (4 beds, 6 baths, 4,200 sqft)

Contact Agent Save home Save image X Close



Cheryl Weatherby, L.Ac

| 862 Belle Avenue, Teaneck NJ |

LICENSE

- NJ Acupuncture License #25MZ00081400 | NJ Board of Medical Examiners | 06/11
- Diplomate National Certification Commission for Acupuncture and Oriental Medicine | 09/10

EXPERIENCE

Acupuncturist | Private Practice 385 Lakeview Avenue, Clifton NJ | 06/11 - present

- Treating a wide range of acute and chronic health conditions from pain and musculoskeletal dysfunction to infertility and auto-immune disorders. Extensive experience with gynecology, urology, psychology, cardiology, respiratory, gastroenterology and endocrine system conditions.
- Integrating strategies from multiple lineages of acupuncture: Traditional Chinese Medicine, Japanese acupuncture styles (Matsumoto, Tyohari, Kanpo), trigger point acupuncture therapies (Seems, Travell), Five Element (Worsley), auricular, Shen-Hammer and the classical teachings of 88th generation Taoist priest Jeffrey Yuen.
- Supplementing acupuncture treatments with complementary Asian medicine techniques: gua sha, fire cupping, qi qong education, Chinese dietary therapy, Matsumoto diode/pachi pachi, electrical stimulation and Asian bodywork therapies including acupressure, tohai so, reflexology, Thai yoga massage and chi nei tsang Taoist visceral manipulation.
- Providing seminars to clients, colleagues and the general public: "Enhancing Fertility Naturally," "Food As Medicine: Ayurvedic and Chinese Dietary Therapies," "Craniosacral Therapy for Health Professionals" and related topics.
- Sole proprietor for LLC responsible for accounting, claims, billing, tax preparation, scheduling and inventory.

Acupuncturist | Center for Acupuncture and Herbal Medicine 166 Mountain Avenue, Westfield NJ | 04/06 - present

- *2006 - 2010* Acupuncture Intern, 2000 hours: student of Shen/Hammer pulse diagnosis lineage under Ross Rosen, senior certified instructor, direct lineage holder and spokesman for Dragon Rises Contemporary Chinese Pulse Diagnosis.
- *2012 - present* Acupuncture Associate Practitioner
  - Evaluating patients, developing treatment plans and implementing protocols for 5 - 7 patients an hour with the Shen-Hammer pulse system which identifies as many as 91 diagnostic qualities from 27 pulse positions.
  - Extensive experience with difficult cases including birth trauma, post-stroke, multiple sclerosis, lymphedema, hematology disorders, post-herpetic neuralgia, fibromyalgia, Lyme's disease, chemotherapy symptoms and end-of-life support.
  - Extensive experience with pediatric cases including Asperger's syndrome, Tourette syndrome, obsessive compulsive disorder, post-traumatic stress disorder, attention deficit disorder, anxiety, depression, phobias, attachment, enuresis, allergies, asthma, sinus and ear infection, insomnia, night terror, digestive issues, headache, toothache, eating disorders, heart transplant, cancer pain, and more. Providing alternative modalities for a child client as necessary, i.e. tuning fork, tiger warmer, micro-current, acupressure, essential oils, magnets or beads in place of needles.

Acupuncturist | Friends and Family Center for Health 4309 Liberty Avenue, North Bergen NJ | 03/12 - present

- Treating cases of myofascial and musculosketal pain and dysfunction including herniated disc, bulging disc, degenerative spine disorders, scoliosis, nerve impingement, radiculopathy, bursitis, tendonitis, tear, sprain, inflammation and unknown cause.
- Extensive experience with temporomandibular joint dysfunction, trigeminal neuralgia, Bell's Palsy, whiplash, migraine and tension headache, rheumatoid arthritis, osteoarthritis, thoracic outlet syndrome, lateral and medial epicondylitis, carpal-tunnel syndrome, piriformis syndrome, sciatica, diabetic neuropathy, ligament injuries and tears, fractures, joint replacement, post-

operative rehabilitation and palliative care. Working collaboratively with in-facility chiropractor, physical therapist, massage therapist and outside orthopedists.

- Interacting with medical insurance providers and auto insurance adjustors regarding client care.

Acupuncturist | Dr. John R. Mordaga 385 Lakeview Avenue, Clifton NJ | 2015 - present

- Treating cases of myofascial and musculosketal pain and dysfunction.

- Working collaboratively with in-facility chiropractor and pain management doctor.

Acupuncture Clinical Intern | VA NJ Healthcare System 385 Tremont Avenue, East Orange NJ | 2009 - 2010

- Provided acupuncture for pain management to veterans under supervision of Eastern School of Acupuncture clinic instructor.

- Established a positive acupuncture reputation at the VA leading to the development of an acupuncture department at the East Orange site. Veterans reported significant decreases in pain levels which led to a reduction of medication dosages, a decrease in number of medications taken and postponement or avoidance of surgeries. In addition to pain management, most clients reported to their doctors a reduction in PTSD symptoms and benefits in sleep, mood, energy levels and digestion.

- Completed Human Subject Assurance training modules required of VA NJ Healthcare System.

Integrative Manual Therapist & Clinical Hypnotherapist | Sole Proprietor New Mexico, New Jersey | 08/01 - 06/11

- Provided integrative manual care combining techniques from Taoist visceral manipulation, Thai yoga massage, craniosacral therapy, manual lymphatic drainage, kinesis myofascial integration, energy medicine (Barbara Brennan) and Ayurvedic pancha karma detoxification therapies.

- Facilitated hypnotherapy, neuro-linguistic programming, regression and guided visualization for alteration of unwanted behavior patterns.

Gross Anatomy Instructor | Laboratories of Anatomical Enlightenment 9053 Harlan Street, Westminster CO | 07/04 - 02/05

- Led gross anatomy lectures for 30 - 40 students with smaller groups during station rotations.

- Performed cadaver dissections, lab preparation and class outlines.

Midwifery Hospital Intern | Russian Birth Project, St. Petersburg | 500 hours 10/03 - 12/03

- Performed initial labor examinations, internal exams, AROM, fetoscope and EFM monitoring, umbilical cord clamping, and immediate postpartum care of mother and baby for 27 births leading to birth doula certification.

- Trained in episiotomies and suturing of cervix, vagina and perineum.

- Completed 33 pre-natal and postpartum examinations in hospital and home settings, working in collaboration with midwives, obstetricians, pediatricians, anesthesiologists, and nurses.

- Mentored in homeopathy with midwifery instructor in home consultations.

EDUCATION

University of Colorado at Boulder | Bachelor of Arts in English, Magna Cum Laude 1993 - 1998

Hypnotherapy Academy of America, Santa Fe NM | Diploma and ACHE Hypnotherapist Certification, 200 hours 2001

Eastern School of Acupuncture and Traditional Medicine, Montclair NJ | Diploma of Acupuncture, 2205 hours 2006 - 2010

Tri-state College of Acupuncture, New York City NY | Kanpo Sino-Japanese Herbology and botony, 340 hours 2009 - 2010

Southwest Acupuncture College, Boulder CO & Santa Fe NM campuses | Chinese Herbal Medicine, 428 hours 2010 - 2011

Natural Gourmet Institute, New York City. NY | Natural Chef Diploma, 640 hours 2014 - 2015

MANUAL THERAPY CERTIFICATION PROGRAMS

- Craniosacral Therapy | New Mexico Academy of Healing Arts, Santa Fe NM | 150 hour certification 2004 - 2008
- Manual Lymphatic Drainage | Scherer Institute of Natural Healing, Santa Fe NM | 40 hour certification 2005
- Ayurvedic Pancha Karma Therapy | California College of Ayurveda, Nevada City CA | 130 hour certification 2005
- Thai Yoga Massage | Spirit Winds School of Thai Massage, Nevada City CA | 85 hour certification 2003
- Chi Nei Tsang visceral manipulation | White Cloud Institute, Santa Fe NM | 215 hour certification 2002

ADDITIONAL COURSEWORK

- Homeopathic Injections | Young Healthcare, Longmont CO | 15 CEU hours 2011
- Advanced Japanese Treatment Strategies | Kiiko Matsumoto, Montclair NJ | 7 CEU hours 2008
- Cancer Care & Chinese Acupuncture | Jeffrey Yuen, Montclair NJ | 7 CEU hours 2006
- Contemporary Oriental Pulse Diagnosis | Dragon Rises Seminars, Westfield NJ | 40 CEU hours 2006, 2009, 2010
- Ayurvedic Pulse Diagnosis with Dr. Vasant Lad | The Ayurvedic Institute, Albuquerque NM | 14 CEU hours 2004
- Kinesis Myofascial Integration | New Mexico School of Natural Therapeutics, Albuquerque NM | 19 CEU hours 2004
- Gross Anatomy Dissection | Somanautics Workshops, Bloomfield CO | 40 CEU hours 2004
- Usui Reiki Master Level | Natural Healing Arts Center, Santa Fe NM | 20 hours 2003
- Vocal Healing | Karina Schelde, School of Shiatsu and Massage, Middletown CA | 4 CEU hours 2003
- Energy Medicine Levels I & II, I Ching | White Cloud Institute, Santa Fe NM | 152 CEU hours 2002

Item Number: **Workshop Reports- IV.-A.**
Committee Meeting Date: **11/20/2017**

City of Roeland Park

Action Item Summary

Date:	11/20/2017
Submitted By:	Jennifer Jones-Lacy
Committee/Department:	Admin
Title:	**Workshop/Special Council Summary - November 6th**
Item Type:	Report

Recommendation:

For informational purposes only.

Details:

November 6, 2017 Special Council Meeting

1. Approve agreement with Boulevard Apartments - The agreement with Boulevard Apartments would provide an incentive to the Boulevard that the City would reimburse up to $40,000 in applicable expenses if they were to pay their entire property tax bill in December 2017. Council voted to approve the agreement.

2. Approve budget for site improvements at The Rocks – Mr. Moody provided a summary of the improvements needed at the Rocks which included design and construction of an underground storm water detention facility and additional grading needed for a drive between lots two and three. Council voted to approve the agreement pending verification from the City Attorney on the timeline for spending funds.

November 6th Workshop

1. Roe 2020 Visioning Process Results and Conceptual Design Presentation – Vireo and engineers with GBA provided a presentation on the Roe Boulevard design process and answered several questions from the Governing Body. The Governing Body provided consensus on the design concepts. The design scope and fee approval will be on a December council meeting.

2. Review and Approval Solar Panel for Wells Drive and Neosho – Council agreed to put the approval of solar panels in the two locations on new business on the next Council Agenda under new business. According to the City Code all solar panel installations must be approved by Council.

3. Amendment to Special Use Permit Regulations to Include In-Home Daycares – The Council agreed to put the item on new business at tonight's council agenda.

4. Eliminate the Redevelopment Committee- The item was moved to new business at tonight's Council meeting.

5. Aquatic Center Ad-Hoc Update – Ms. Jones-Lacy provided a report to Council on the findings of the Ad Hoc Committee. The discussion on the future of the aquatic facility will continue tonight.

6. Arborist Position – Mr. Leon explained Public Works planned to use Custom Tree Care on an hourly basis to provide arborist services since the city no longer has a certified arborist on staff.

Council went into executive session to discuss matters of real estate. All other items were moved to the following workshop.

Financial Impact

Amount of Request:	
Budgeted Item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

Item Number: **Reports of City Liaisons- V.-A.**
Committee Meeting Date: **11/20/2017**

City of Roeland Park

Action Item Summary

Date:
Submitted By:
Committee/Department:
Title: **MARC – First Tier Suburbs (Teresa Kelly and Erin Thompson)**
Item Type:

Recommendation:

Details:

Financial Impact

Amount of Request:	
Budgeted Item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

Item Number: **New Business- VII.-A.**
Committee Meeting Date: **11/20/2017**

City of Roeland Park

Action Item Summary

Date:	11/1/2017
Submitted By:	John Jacobson, Building Official
Committee/Department:	Neighborhood Services
Title:	**Approve Solar Panel Wells Dr**
Item Type:	Other

Recommendation:

To approve the solar system located at 4911 Wells Drive meets the criteria specified in Chapter 14-4-1403.

Details:

Please see attached staff report for details.

Financial Impact

Amount of Request: N/A	
Budgeted Item?	Budgeted Amount: N/A
Line Item Code/Description: N/A	

Additional Information

The following are the specified standards for Solar Systems in Roeland Park as set forth in Article 14 4-1403 of the City Code:

All solar energy systems or solar collection devices shall meet the following standards and conditions:

(a) All solar energy systems or solar collection devices shall be incorporated into a building (which may be either a principal or accessory building) and shall be integrated into the basic form and main structure of such building.

(b) Any panel or apparatus which is used to receive, collect or transfer solar energy, shall be mounted on the roof of a building and such panels or apparatus shall be integrated into the roof either directly mounted against the roof or integrated into the roof so it forms a part of the roof itself.
(c) Mounting arrangements which allow panels or apparatus to project above the roof line, such as "stand-off" or "rack" mounting arrangements are prohibited.
(d) No panels or apparatus shall be free standing or mounted on the ground.
(e) All mechanical piping, electrical conduits, motors and similar items which comprise a solar energy system shall be concealed.
(f) All exposed metal, including the framework of active collector panels or exposed mullions and framework of passive systems shall be of finished warm earth tones, or black, in color and unpainted aluminum is prohibited.
(g) All solar energy system components shall be located as to be accessible for required routine maintenance without trespassing on adjoining property or disassembling any major portion of the structure or building.
(h) All solar energy system components must be obtained from manufacturers who regularly engage in production of solar energy apparatus.
(i) The construction or erection of a solar energy system or solar collection device shall conform to the requirements of the codes provided for in Chapter 4 of this Code

How does item relate to Strategic Plan?

Alternative energy and sustainability are key elements in the Comprehensive Plan. Mid America Reginal Council has for some time pushed the idea of "Solar Ready" Cities. This initiative has been key talking point throughout the Metropolitan Planning Organization as it relates to sustainability and the need to utilize alternative energy sources.

In northeast Kansas southern and eastern exposures are key elements in establishing systems that are functional. Some design flexibility is key in evaluation of these systems to maintain these exposures while maintaining mature trees stock in the community.

How does item benefit Community for all Ages?

Alternative energy sources are one part of a larger goal in reducing the load on regional infrastructure typically related to fossil fuel energy consumption.

ATTACHMENTS:

Description	Type
Staff Report	Cover Memo
4911 Wells	Cover Memo

STAFF REPORT

Completed By: **John Jacobson, Building Official**

REQUEST: Approve solar installations for 4911 Wells and 4805 Neosho

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RECOMMENDATION: A motion to approve the architectural reviews of the solar installations located at 4911 Wells and 4805 Neosho respectively.

BACKGROUND: Request stems from a resident wishing to install an alternative energy system to their residence. After review of the technical components of the solar appendix of the International Residential Code and the Zoning Regulations (typically where architectural reviews would be listed) The Building Official permitted both systems without review by the City Council. I was simply unaware of the requirement to do so. As soon as it was brought to my attention, I informed the administrator that I believed an error had occurred.

ANALYSIS:

The current code allows for the installation of solar systems after a review of the city council relative to nine findings in Article 14 -1403 of the City Code:

> All solar energy systems or solar collection devices shall meet the following standards and conditions:
>
> (a) All solar energy systems or solar collection devices shall be incorporated into a building (which may be either a principal or accessory building) and shall be integrated into the basic form and main structure of such building.
>
> (b) Any panel or apparatus which is used to receive, collect or transfer solar energy, shall be mounted on the roof of a building and such panels or apparatus shall be integrated into the roof either directly mounted against the roof or integrated into the roof so it forms a part of the roof itself.

(c) Mounting arrangements which allow panels or apparatus to project above the roof line, such as "stand-off" or "rack" mounting arrangements are prohibited.

(d) No panels or apparatus shall be free standing or mounted on the ground.

(e) All mechanical piping, electrical conduits, motors and similar items which comprise a solar energy system shall be concealed.

(f) All exposed metal, including the framework of active collector panels or exposed mullions and framework of passive systems shall be of finished warm earth tones, or black, in color and unpainted aluminum is prohibited.

(f) All solar energy system components shall be located as to be accessible for required routine maintenance without trespassing on adjoining property or disassembling any major portion of the structure or building.

(h) All solar energy system components must be obtained from manufacturers who regularly engage in production of solar energy apparatus.

(i) The construction or erection of a solar energy system or solar collection device shall conform to the requirements of the codes provided for in Chapter 4 of this Code.

The local amendment to the International Residential Code mandates a review by the City Council prior to issuing any permits for any installation, I simply was not aware of that requirement and in this instance, it did not happen.

In my opinion, the systems comply with the spirit and intent of the regulations with a singular exception, that being the southern mounting of the collection panels on 4911 Wells.

These panel locations are primarily due to the existing mature tree located in the front yard and the need for southern exposure to make the system function as designed. The panels conform to the principle structure setback and do not constitute an encroachment into that setback.

Due to the qualifying standards placement in the building code vs the zoning ordinance, it is my opinion that the Building Official is authorized under Section R104.1 to render interpretations of the code while “acting in good faith”. This interpretation would be that the side mounted panels constitute an awning in physical presentation and as such would be exempted by the code under section R105.2 (9).

From a staff perspective, the existing code language does not encourage the installation of these types of systems, nor does it effectively address solar technology and installation methods. From a practical enforcement standpoint, several of the standards listed currently are in direct conflict with one another and/or are located in the wrong section of the code (as these are essentially land use regulations) and/ or do not reflect stated views in the current comprehensive plan.

These requirements are far more restrictive than are necessary in my opinion to convey the intent of the city council as to compatibility of surrounding neighborhoods. If the intention of the governing body is to accommodate the intent of sustainability to include solar energy the approval process must be streamlined to encourage its installation.

IMPACTS: Should the City Council decide that these installations do not meet the standards in Article 14-1403 then additional requirements could be placed on the property owners who in good faith installed these systems.

POLICY ISSUES: Current policy restricts applicants to an architectural review by the governing body prior to any technical review. This adds layers to the approval process and discourages the use of these alternative energy systems. Staff believes a substantial number of residents will pursue these types of technologies in the future to become less dependent on existing utilities and that minor modification to the existing code could allow a much quicker approval process. This process would still mandate Council oversite on unusual systems that could require alternative methods to install.

*Attached are the exhibits of both systems and their corresponding views.

4911 Wells

4805 Neosho

GOOD ENERGY SOLUTIONS, INC.

TO: CITY OF ROELAND PARK

FROM: GOOD ENERGY SOLUTIONS

We formally request permission to install a Solar PV array for Brandon Gillette at 4911 Wells dr. The array we propose consists of 14 SunPower X21-335-C-AC PV modules. The modules will be installed on the home via SunPower's proprietary Invisimount racking system, and a modified Schletter PV awning. Included in this application is a structural engineering letter supporting both the roof and the awning with regards to the existing structure of the home.

The PV modules to be used have integrated 320W micro-inverters pre-installed to the frames. We will wire the inverter outputs in two branch circuits, one of 10 and the other of 4, before combining them in a designated PV Aggregate panel. The combined output of the PV Aggregate panel will run to a 30 non-fusible AC disconnect mounted to the exterior wall adjacent to the KCPL meter.

Included with the structural engineering approval are drawings and diagrams of the system, as well as spec sheets for the equipment to be used. Please contact me with any questions.

Sincerely,

Michael Lee, *Operations Manager*

P: 785-393-0397

E: mike@goodenergysolutions.com

4600 West Fifty-First Street • Roeland Park, Kansas 66205
City Hall (913) 722-2600 • Fax (913) 722-3713

The City of Roeland Park

Beginning in 2014, the City of Roeland Park requires all contractors to be licensed through the Johnson County Contractor Licensing Program prior to obtaining a permit. Visit www.jocogov.org/dept/planning-and-codes/cls/home for more information.

Date 9/22/17 Project Address 4911 WELLS DR. Estimated Cost $22,385

MICHAEL LEE — Print **YOUR** Name

GOOD ENERGY SOLUTIONS — Company You Represent (If Not Owner)

Is this a Commercial [ ] or Residential [X] Project? You Are: **Owner** **Contractor** **Architect** **Engineer** (circle one)

Your Address 641 E 22ND S. City/State/Zip LAWRENCE, KS 66046

Phone/Cell Phone 785-393-0397 Email mike@goodenergysolutions.com

Property Owner or Agent Name BRANDON GILLETTE

Address 4911 WELLS DR. City/State/Zip ROELAND PARK, KS 66205
(if different from project address)

Owner/Agent Phone/Cell Phone 785-221-6320 Owner/Agent Fax

Type of Permit: Project Start Date:

☐ **Building Permit** (Please check with staff or building inspector to see if drawings/site plans are required.)
☐ **Deck** ☐ **Driveway/sidewalk** ☐ **Re-roof*** ☐ **Fence** ☒ **Other** SOLAR PV ARRAY

Please give details: ROOF AND AWNING MOUNTED, GRID-TIED PV SOLAR ARRAY

☒ **Electrical Permit** ☐ **Service Upgrade From/To:** ☐ **Other**

Please give details: SEE ATTACHED PLANS FOR DETAIL

☐ **Plumbing Permit** Please give details:

☐ **Mechanical Permit** Please give details:

☐ **Demolition Permit** Please give details:

***All roof contractors must be registered with the state of Kansas under the Kansas Roofing Registration Act of 2013. Visit ag.ks.gov/in-your-corner-kansas/resources/roofing-registration for more information and to apply.**

International Existing Building Code, 2012 Edition * International Mechanical Code, 2012 Edition
International Plumbing Code, 2012 Edition * International Energy Conservation Code, 2012 Edition
International Residential Code, 2012 Edition * International Property Maintenance Code, 2012 Edition
International Fire Code, 2012 Edition * National Electrical Code, 2011 Edition
N.F.P.A. Life Safety Code, 2012 Edition * Johnson County Environmental Sanitary Code, 2004 Edition
2012 City Code is available online at http://www.roelandpark.net/codes/disclaim.html

NOTES:
INSTALLATION WILL CONFORM TO NEC 2014, IFC 2015, IBC 2015, IRC 2015
AND ALL OTHER LOCAL CODES APPLICABLE
ALL BREAKERS CERTIFIED FOR USE AS BACK-FEED OCPD
ALL PV EQUIPMENT UL RATED

CUSTOMER PHONE: 785-221-6320
CUSTOMER EMAIL: astro2111@gmail.com

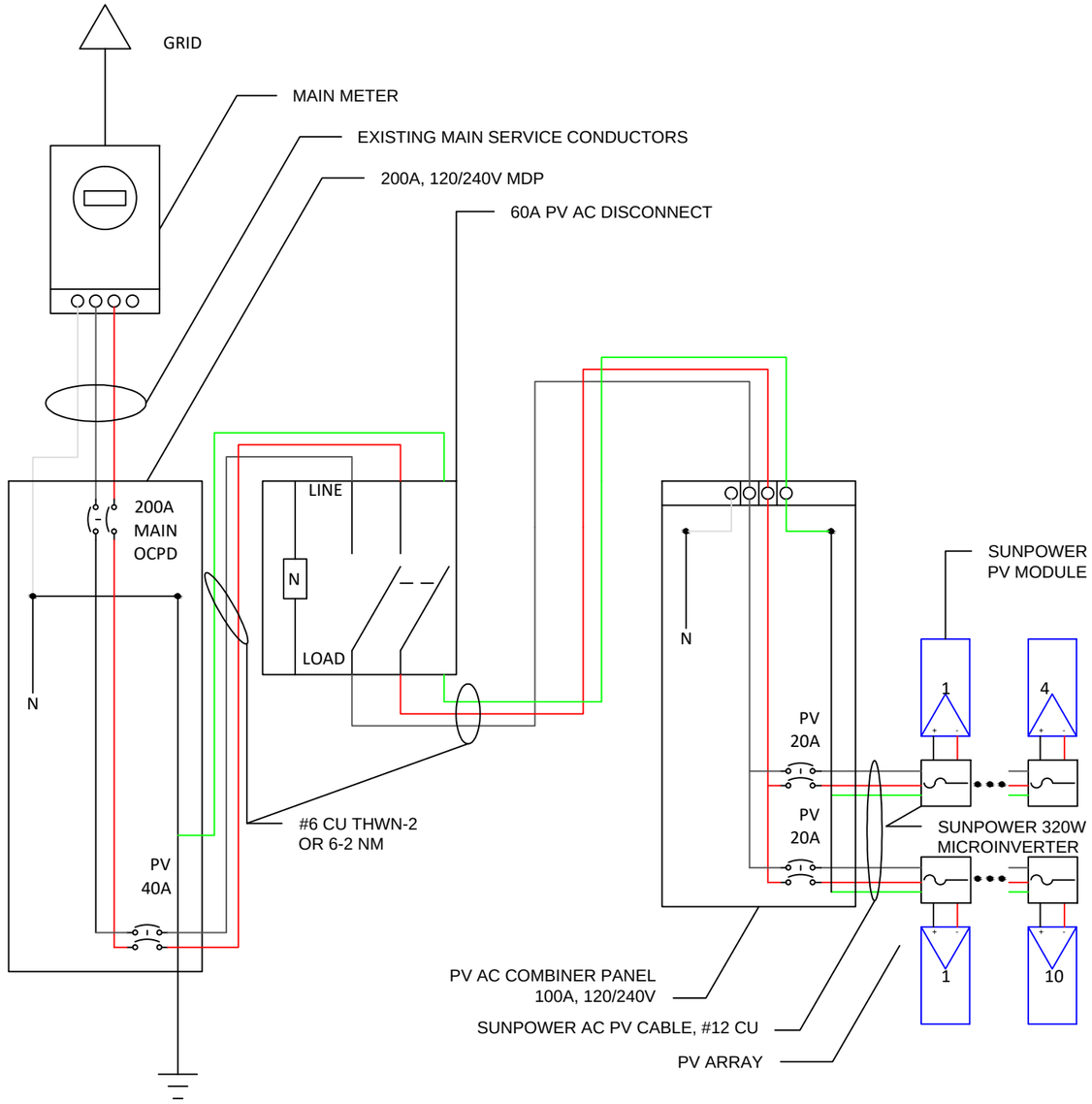
GOOD ENERGY SOLUTIONS, INC.

641 E 22ND ST.
LAWRENCE, KS, 66046
800-554-9182

DRAWN BY: MICHAEL LEE
CHECKED BY: KEVIN GOOD

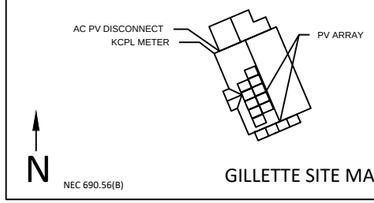
SITE PLAN
FOR PV SYSTEM

SITE NAME: BRANDON/KRISTIN GILLETTE
ADDRESS: 4911 WELLS DR.
ROELAND PARK, KS 66205



CAUTION:

POWER TO THIS BUILDING IS ALSO SUPPLIED FROM THE FOLLOWING SOURCES WITH PV DISCONNECT LOCATED AS SHOWN BELOW:



NEC 690.56(B)

GILLETTE SITE MAP (METER CAN)

WARNING:

ELECTRICAL SHOCK HAZARD

DO NOT TOUCH TERMINALS
BOTH LINE AND LOAD TERMINALS MAY BE ENERGIZED
IN THE OPEN POSITION

NEC 690.17(E) (ON AC DISCONNECT)

PHOTOVOLTAIC SYSTEM EQUIPPED WITH RAPID SHUTDOWN

NEC 690.56(C) (ON MAIN DISCONNECT OR METER CAN)

PHOTOVOLTAIC AC DISCONNECT

MAXIMUM AC OPERATING CURRENT: 60A
MAXIMUM AC OPERATING VOLTAGE: 240V NEC 690.54

! WARNING:
INVERTER OUTPUT CONNECTION. DO NOT
RELOCATE THIS OVERCURRENT DEVICE

NEC 705.12(D)(2)(3b) (NEXT TO PV BREAKER IN MAIN PANEL)

SOLAR ONLY
DO NOT ADD CIRCUITS

PANELBOARD IS ENERGIZED FROM TWO
SOURCES OF AC POWER

AC COMBINER PANEL

NOTES:
INSTALLATION WILL CONFORM TO NEC 2014, IFC 2015, IBC 2015, IRC 2015
AND ALL OTHER LOCAL CODES APPLICABLE
ALL BREAKERS CERTIFIED FOR USE AS BACK-FEED OCPD
ALL PV EQUIPMENT UL RATED

CUSTOMER PHONE: 785-221-6320
CUSTOMER EMAIL: astro2111@gmail.com

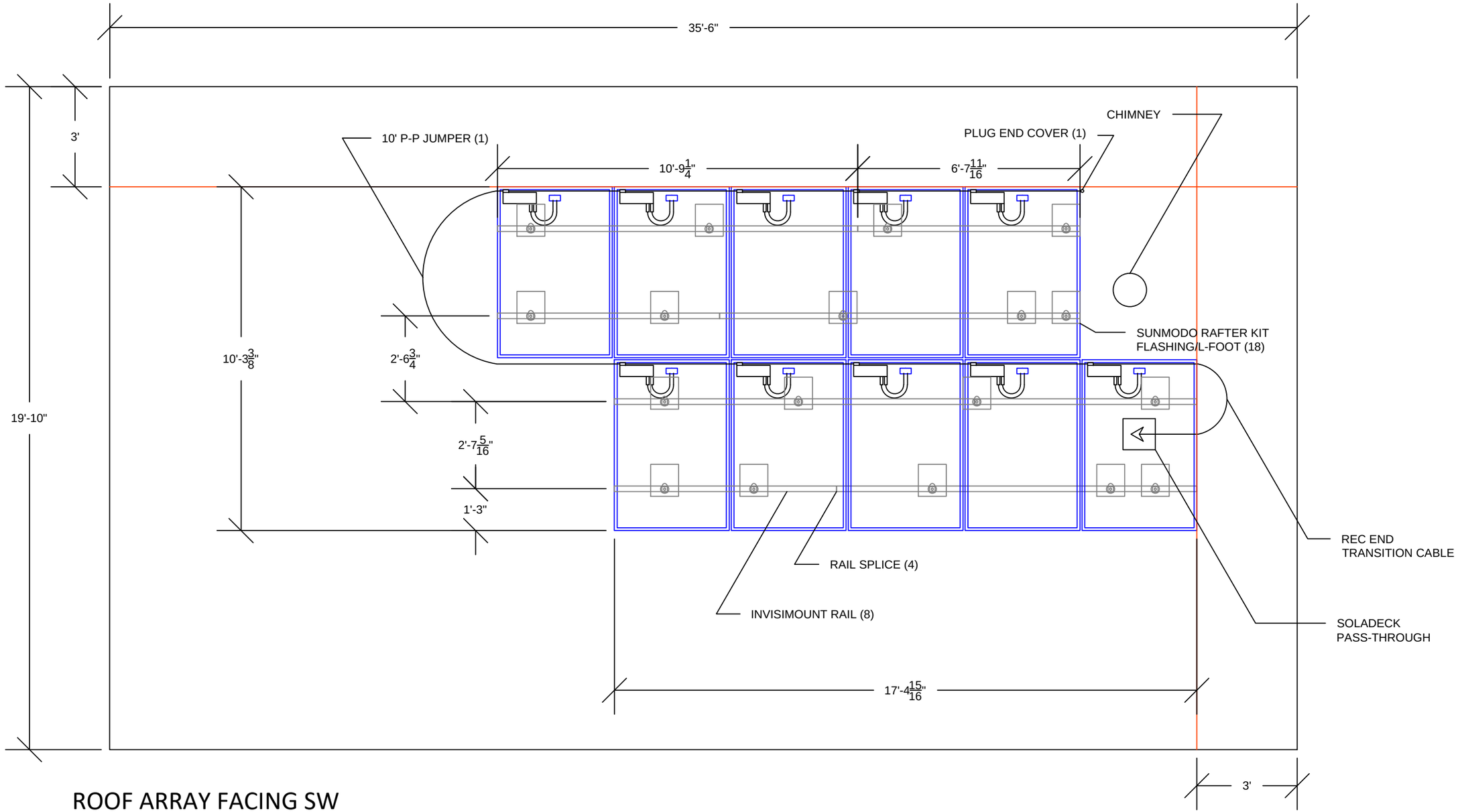
GOOD ENERGY SOLUTIONS, INC.

ONE LINE
FOR PV SYSTEM

641 E 22ND ST.
LAWRENCE, KS, 66046
800-554-9182

DRAWN BY: MICHAEL LEE
CHECKED BY: KEVIN GOOD

SITE NAME: BRANDON/KRISTIN GILLETTE
ADDRESS: 4911 WELLS DR.
ROELAND PARK, KS 66205



ROOF ARRAY FACING SW

NOTES:
INSTALLATION WILL CONFORM TO NEC 2014, IFC 2015, IBC 2015, IRC 2015
AND ALL OTHER LOCAL CODES APPLICABLE
ALL BREAKERS CERTIFIED FOR USE AS BACK-FEED OCPD
ALL PV EQUIPMENT UL RATED

RAFTERS 2X6 16" OC
MAX SPAN BETWEEN ROOF ATTACHMENTS 6'

CUSTOMER PHONE: 785-221-6320
CUSTOMER EMAIL: astro2111@gmail.com

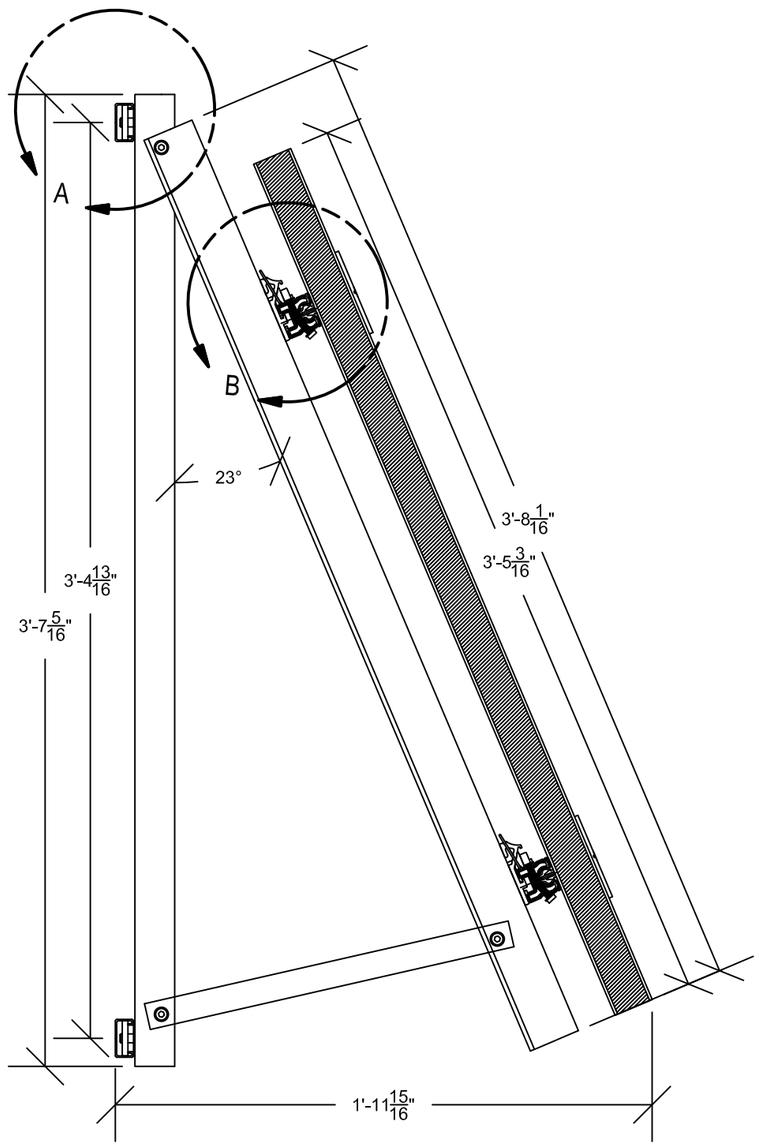
GOOD ENERGY SOLUTIONS, INC.

641 E 22ND ST.
LAWRENCE, KS, 66046
800-554-9182
DRAWN BY: MICHAEL LEE
CHECKED BY: KEVIN GOOD

LAYOUT
FOR PV SYSTEM

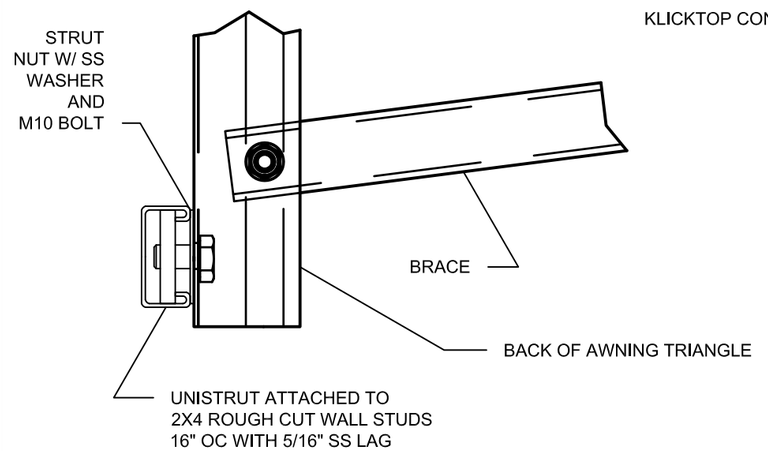
SITE NAME: BRANDON/KRISTIN GILLETTE
ADDRESS: 4911 WELLS DR.
ROELAND PARK, KS 66205

PV AWNING ON SE WALL ABOVE WINDOWS, WEST JUSTIFIED

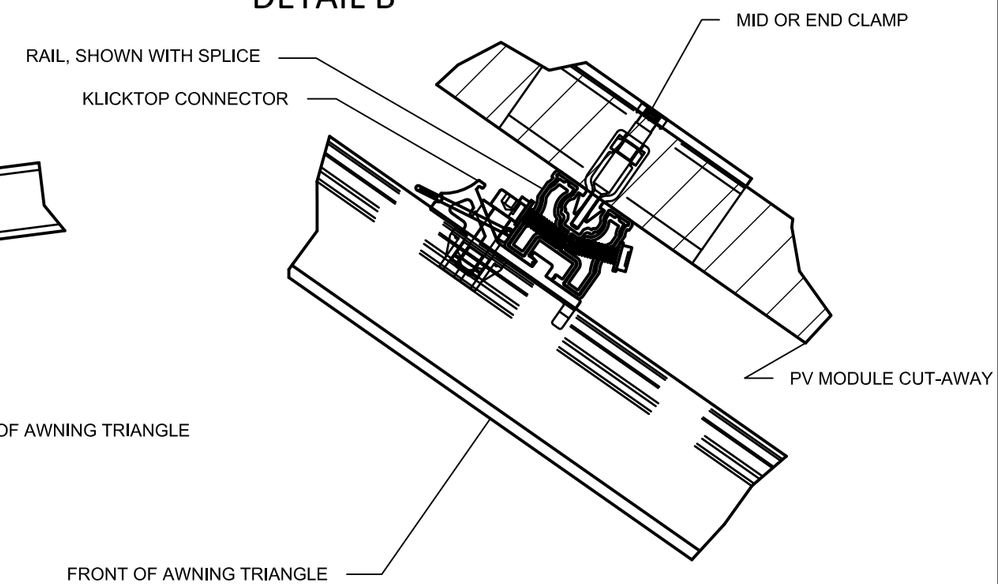


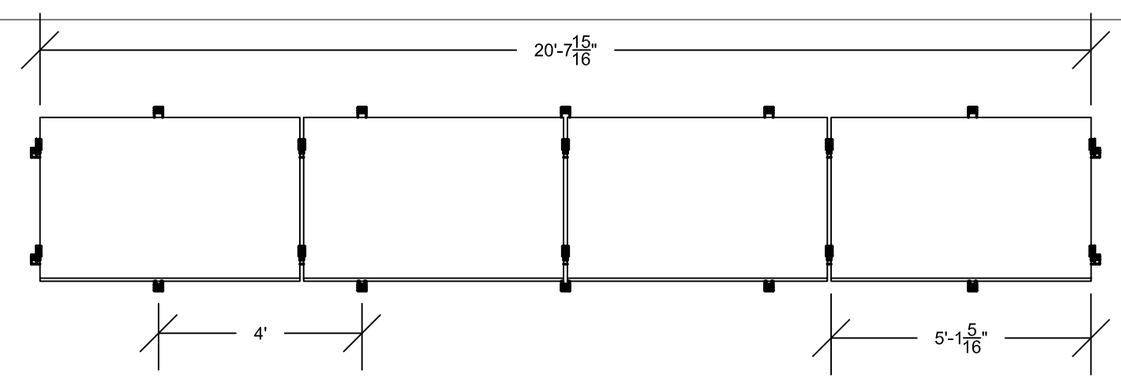
SIDE VIEW

DETAIL A



DETAIL B





FRONT VIEW

NOTES:
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GOOD ENERGY SOLUTIONS, INC.

641 E 22ND ST.
LAWRENCE, KS, 66046
800-554-9182

DRAWN BY: MICHAEL LEE
CHECKED BY: KEVIN GOOD

LAYOUT
FOR PV SYSTEM

SITE NAME: BRANDON/KRISTIN GILLETTE
ADDRESS: 4911 WELLS DR.
ROELAND PARK, KS 66205

September 16, 2017

Mr. Kevin Good
Good Energy Solutions
Lawrence, Kansas 66044

Re: Structural Review of Existing Roof Framing
Gillette Residence
4911 Wells Drive
Roeland Park, Kansas 66205
Project # 2017 13

Dear Kevin:

Good Energy Solutions requested a review the existing structural framing for solar panel addition on the roof at 4911 Wells Road, Roeland Park, Kansas 66205. A site visit was made on 9/7/17 to observe the existing conditions.

Observations and Structural Review:

The existing roof rafter framing was 2 x 6 wood rafters at 16" o.c. spanning a maximum horizontal span of 10'-0". The 2 x 6 rafters were supported by the end wall and center bearing wall. 2 x ceiling joists were observed at 16" o.c. The roof slope is approximately 1 to 1 pitch. The roof system is asphalt shingles on wood slat sheathing. A wood grade stamp was not observed during the site visit. No existing drawings were available at the time of observation.

Ten solar panels are to be placed on the existing roof per attached plans by Good Energy. The rail attachments that support rail and the solar panels are to be placed on the existing roof rafters to spread the load to each rafter. The solar panels and support system weigh approximately 3 lbs/sq. ft. We reviewed the existing roof rafters for the code stipulated dead, live, snow, wind and solar panel loads. From review of this structural analysis, it is our opinion that the existing 2 x 6 roof rafters at 16" o.c. spanning 10'-0" are capable of supporting the additional 3 lbs/sq. ft. load from solar panels and rails that is distributed to the roof rafters as point loads by the rail attachment.

Four solar panels are to be placed on an awning on the south exterior wall of the residence per attached plans by Good Energy. The solar panels and support system weigh approximately 3 lbs/sq. ft. We reviewed the existing 2 x 4 studs at 16" o.c. for the code stipulated dead, live, snow, wind and solar panel loads. From review of this structural analysis, it is our opinion that the existing 2 x 4 studs at 16" o.c. spanning 8'-0" are capable of supporting the additional 3 lbs/sq. ft. load from solar panels distributed to all the studs with attachment of a unistrut.

We assumed 2 x lumber used was Douglas Fir #2 or better using allowable bending stress of 1450 psi repetitive (NDS 1986) psi before addition of adjustment factors.

With projects of this size and type, spending extensive structural engineering review time can be costly and could result in structural engineering fees that are excessive to the size of the project. We have reviewed the areas that we believe are the critical items of the project. Structural review was limited to the portion of the structure critical to the addition of the solar panels.

Should you have any questions, or need additional information, please feel free to contact us.

Sincerely,

ANDREW M. MAYNARD
LICENSED
13146
KANSAS
PROFESSIONAL ENGINEER
9/19/17

Andy Maynard, P.E.
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1329 Stonecreek Drive
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Structural Engineering Calculations

for

Addition of Solar Panels on Roof

4911 Wells Drive

Roeland Park, Kansas 66205

Prepared by:

AM Consulting LLC

1329 Stonecreek Drive
Lawrence, Kansas 66049
816-805-2597

Project No. 2017 13

September 2017

ANDREW M. MAYNARD
LICENSED
13146
KANSAS
PROFESSIONAL ENGINEER

9/17/17

IBC 2012
ASCE 7-10

Dead Loads:

Roof:

2 x 6 @ 16" o.c.Rafters			1	psf
Wood Sheathing			1	psf
Asphalt Shingles			2	psf
Misc			1	psf
		Subtotal:	5	psf
Solar Panels	3 psf	Point Loads		

Walls:

Siding	2	psf
2x4 Wood Studs @ 16" oc	1	psf
3" Insulation	1	psf
Total:	4	psf

IBC 2012
ASCE 7-10

Live and Snow Loads:

Roof Live Load:

All roof surfaces subject to maintenance workers			300 lbs	Table 1607.1
Ordinary flat, pitched, and curved roofs	20	psf		ASCE Table 4-1

(concentrated load over 2.5 foot square)

Floor Live Load:

Residential	40	psf	Table 1607.1
	40	psf	ASCE Table 4-1

Horizontal Wall Load:

	5	psf	IBC 1607.13

Roof Snow Load:

				Chapter 7 of ASCE 7
Risk Category		II		Table 1.5-1
Ground Snow Load, p_g:		20	psf	Figure 7-1
Exposure Category:		C		ASCE 6.5.6.3
Snow exposure factor, C_e:		1.0		Table 7-2
Thermal factor, C_t:		1.0		Table 7-3
Snow load importance factor, I_s:		1.0		Table 1.5-2
Flat-roof snow load, p_f:	$p_f = 0.7C_eC_tI_sp_g$	14	psf	ASCE Eq. 7-1

but not less than $p_f = I$ * (20psf where pg > 20 psf)

Rain-on-Snow Surcharge Load:

For locations where pg is 20psf or less	5	psf	7.10

All roofs with slopes less than W/50 shall have 5psf rain-on-snow surcharge.
Applies only to balanced snow load not to be used in combination with drift, sliding, unbalanced or partial loads

Snow Drifts:

Lower roof of a Structure:

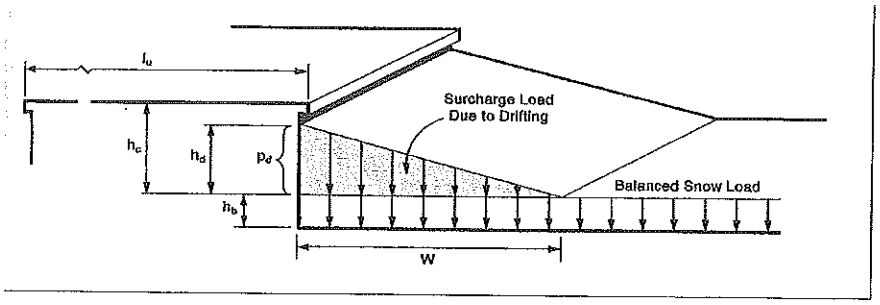
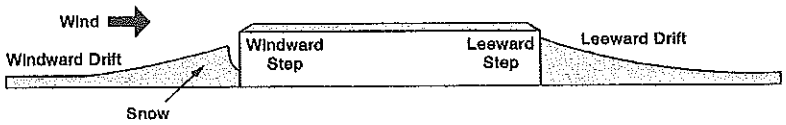


FIGURE 7-8 CONFIGURATION OF SNOW DRIFTS ON LOWER ROOFS



IBC 2012
ASCE 7-10

Live and Snow Loads:
FIGURE 7-7 DRIFTS FORMED AT WINDWARD AND LEEWARD STEPS

$\partial = 0.13p_g + 14$ pcf < 30 pcf

$\partial =$ 16.6 pcf

$h_b = p_s/\partial$

$h_b =$ 12.00 ft

Leeward Drift:
(lu from upper roof)

	lu (ft)	h_d (ft)
lu<25 use	25	1.44
	30	1.62
	35	1.79
	40	1.94

h_c (ft)	h_c/h_b (ft)
12	1.00

if hc/hb < 0.2 no drift

w:

if hd < hc
4hd =

if hd > hc
$4h_d^2/h_c =$
height = h_c

Windward Drift:
(lu from lower roof)

	lu (ft)	0.75 h_d (ft)
lu<25 use	25	1.08
	30	1.22
	35	1.34
	40	1.45

IBC 2012
ASCE 7-10

Wind Loads:
(Method 2 - Analytical Procedure)

Basic wind speed (3-second gust), V:	115 mph		ASCE Fig.26.5-1	p. 247b
Wind Directionality Factor, K_d:				
Main Wind Force Resisting System:	0.85		ASCE Table 26.6-1	p. 250
Components and Cladding	0.85		ASCE Table 26.6-1	p. 250
Building Category:	II		ASCE Table 1-5-1	p. 2
Exposure Category:	C		ASCE Section 26.7.3	p. 251

Velocity pressure exposure coefficient, K_z or K_h:

		MWFRS	C&C		
K_z:	@ 0 -15'	0.85	0.85	ASCE Table 27-3.1	p. 261
K_z:	@ 20'	0.9	0.9	(linear interpolation o.k.)	
K_z:	@ 25'	0.94	0.94		
K_z:	@ 30'	0.98	0.98		
K_z:	@ 40'	1.04	1.04		
K_z:					
K_h:	@15'-0"	0.85	0.85		
(h = mean height)					

Topographic factor, K_{zt}:	1		ASCE Section 26.8.2	p. 254
Gust effect factor, G:	0.85		ASCE Section 26.9.4	p. 254
Enclosure classifciation	Enclosed Building		ASCE Section 26.10.1	p. 255
Internal pressure coefficient, GC_{pi}:	+/- 0.18	0.18	ASCE Table 26-11-1	p. 258

Velocity Pressures, qz: $q_z=0.00256K_zK_{zt}K_dV^2$ — ASCE Eq 27.3.1 — p.260

		MWFRS	C&C
q_z:	@ 0 -15'	24.46 psf	24.46 psf
q_z:	@ 20'	25.90 psf	25.90 psf
q_z:	@ 25'	27.05 psf	27.05 psf
q_z:	@ 30'	28.20 psf	28.20 psf
q_z:	@ 40'	29.93 psf	29.93 psf
q_h:	@15'-0"	24.46 psf	24.46 psf

Main Wind-Force Resisting System — p = qGCp-qi(Gcpi) — ASCE Eq 6-17 — p. 28

N-S Length = 40 ft
E-W Length = 24 ft
Height = 20 ft

External Pressures for Wind Normal to Wall: $p = qGC_p - q_i(GC_{pi})$

Surface Type	Surface Designation	Surface	Case	L/B or h/L	Cp	z or x (ft)	q (psf)	External Pressure	Design Pressures (psf) $(+GC_{pi})$	$(-GC_{pi})$
Walls	W2	Windward		All	0.80	0 to 15	24	16.6	21.0	12.2
					0.80	20	26	17.6	22.3	12.9
					0.80	25	27	18.4	23.3	13.5
					0.80	30	28	19.2	24.3	14.1
					0.80	40	30	20.4	25.7	15.0
	W6, W4	Leeward		2	-0.50	0 to 15	24	-10.4	-6.0	-14.8
	W1, W3, W5	Side		All	-0.70	0 to 15	24	-14.6	-10.2	-19.0
Roofs (perpen to ridge)	B2	Windward		0.83	0.40		24	8.3	12.7	3.9
	B1	Leeward		0.83	-0.60		24	-12.5	-8.1	-16.9
Roofs (parallel to ridge)	A1, A2	Side	0 to h/2	0.83	-1.12	0 to 15	24	-23.3	-18.9	-27.7
			h/2 to h		-0.9	0 to 15	24	-18.7	-14.3	-23.1

IBC 2012
ASCE 7-10

Wind Loads:

Components and Cladding:

$p = q_h[(GC_p) - (GC_{pi})]$

$q_h =$ 24 psf
$(GC_{pi}) =$ 0.18

			GCp			Design Pressures			
			Zones 4 and 5	Zone 4	Zone 5	Zone 4		Zone 5	
	ht (ft)	A (ft^2)	($+GC_p$)	($-GC_p$)	($-GC_p$)	($+GC_{pi}$)	($-GC_{pi}$)	($+GC_{pi}$)	($-GC_{pi}$)
Walls:	14	65	0.87	-0.98	-1.15	26	17	-20	-33
	18	108	0.85	-0.95	-1.10	25	16	-19	-31
	22	161	0.80	-0.90	-1.00	24	15	-18	-29
		0	1.00	-1.10	-1.40	29	20	-23	-39
		10	1.00	-1.10	-1.40	29	20	-23	-39
		20	0.95	-1.05	-1.30	28	19	-21	-36
		50	0.90	-0.95	-1.15	26	18	-19	-33
		100	0.85	-0.93	-1.10	25	16	-18	-31
		200	0.75	-0.90	-0.95	23	14	-18	-28
		500	0.70	-0.80	-0.80	22	13	-15	-24

a = 10 percent of least horizontal dimension or 0.4h, whichever is smaller, but not less than either 4% of least horizontal dimension or 3 ft.

		External Pressure Coefficient					Design Pressures				
		Positive		Negative			Positive		Negative		
		Zone 1,2,3	Zone 1	Zone 2	Zone 3	Overhang	Zone 1,2,3	Zone 1	Zone 2	Zone 3	Overhang
	A (ft^2)	($+GC_p$)	($-GC_p$)	($-GC_p$)	($-GC_p$)	($-GC_p$)	(psf)	(psf)	(psf)	(psf)	(psf)
Roof:	0	0.30	-1.00	-1.80	-2.80	-2.80	12	-29	-48	-73	-73
	10	0.30	-1.00	-1.80	-2.80	-2.80	12	-29	-48	-73	-73
	20	0.30	-0.95	-1.55	-2.30	-2.20	12	-28	-42	-61	-58
	50	0.25	-0.90	-1.30	-1.60	-1.40	11	-26	-36	-44	-39
	100	0.20	-0.90	-1.10	-1.10	-0.80	9	-26	-31	-31	-24

2017 13 GILLETTE

9/16/17

4911 WELLS DRIVE
ROELAND PARK, KS 66205

2x6 RAFTERS @ 16" O.C.
1 TO 1 PITCH
ASSUME DOUGLAS FIR #2 OR BETTER

SOLAR PANELS 41.2" x 61.5" = 45.5 LBS
SOLAR PANELS W/RAILS = 3 LBS/FT²

2x6
$S_x = 7.563\ IN^3$
$I_x = 20.797\ IN^4$
$wt = 1.719\ LB/FT^3$
$E = 1{,}600{,}000\ psi$
$A = 7.875\ IN^2$

2x4
$S_x = 3.063\ IN^3$
$I_x = 5.36\ IN^4$
$wt = 1.094\ LB$
$E = 1{,}600{,}000\ psi$
$A = 5.25\ IN^2$

CHECK 2x6 EXISTING CONDITION - RAFTERS

SPAN = 10'-0

$w_d = 5\ LB/FT^2 (1.33\ FT) = 6.67\ LB/FT$
$w_l = 20\ LB/FT^2 (1.33\ FT) = 26.67\ LB/FT$
$w_T = 33.33\ LB/FT$

$$M = \frac{33.33\ LB/FT}{8}(10\ FT)^2 = 416.63\ LB\text{-}FT$$

$$f_b = \frac{416.63\ LB\text{-}FT}{7.563\ IN^3}(12\ IN/FT) = 661.0 < 1566\ psi \quad \text{OK}$$

$$V = \frac{33.33\ LB/FT}{2}(10\ FT) = 166.7\ LB$$

$$v = \frac{3V}{2A} = \frac{3(166.7\ LB)}{2(7.875\ IN^2)} = 31.74\ psi < 95\ psi \quad \text{OK}$$

$$\Delta_{ALL} = L/360 = \frac{10\ FT\ (12\ IN/FT)}{360} = .333\ IN$$

$$\Delta_{ACT_{LL}} = \frac{5(26.67\ LB/FT)(10\ FT)^4(12\ IN/FT)^3}{384(1{,}600{,}000\ psi)(20.797\ IN^4)} = .1804 < .333 \quad \text{OK}$$

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4911 WELLS DRIVE
ROELAND PARK, KS 66205

ADD SOLAR PANELS OF 3 PSF

DL SOLAR

$w_d = (5psf + 3psf)(1.33 ft) = 10.67 LB/FT$

$w_l = 20psf (1.33 F) = 33.33 LB/FT$

$w_T = 44.0 LB/FT$

$M = \frac{44 LB/FT (10FT)^2}{8} = 550 LB-FT$

$f_b = \frac{550 LB-FT (12IN/FT)}{7.563 IN^3} = 872.7 < 1566psi$ ok

$V = \frac{44LB/FT (10FT)}{2} = 220 LB$

$v = \frac{3(220LB)}{2(7.875 IN^2)} = 41.9 psi < 95 psi$ ok

Δ_{LL} - SAME AS EXIST CONDITION FOR 10'-0 SPAN

CHECK 2x4 EXISTING STUDS FOR ADD'L AWNING LOAD

2x4 @ 16" O.C HEIGHT = 8'-0

4 SOLAR PANELS (45.5LBS/PANEL) = 182 LBS

5 AWNING TRIANGLES (10 LBS/TRIANGLE) = 50 LBS

232 LBS

ok

SYSTEM = $3LB/FT^2 (41.5IN)(\frac{1FT}{12IN})(61.5IN)(\frac{1FT}{12IN})(4) = 212 LBS$

UNISTRUT ATTACHED TO ALL STUDS = 15 STUDS IN 20'-8 AWNING AREA

ASSUME LOAD DISTRIBUTED EQUALLY TO EACH STUD

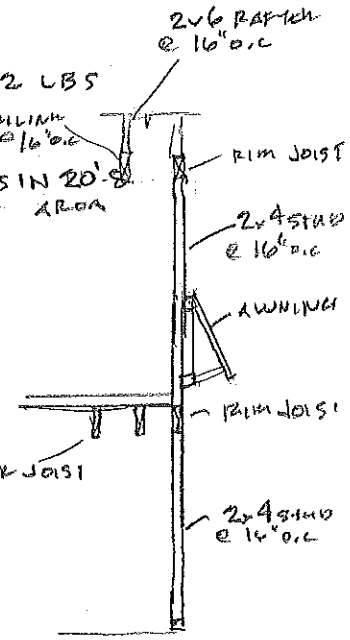
$\frac{232LB}{15 STUD} = 15.5 LBS/STUD \downarrow$

WIND LOAD - SAME AS BEFORE ADDING AWNING

$w_{WIND} = 22.3LB/FT (1.33FT) = 29.7 LB/FT$

$M = \frac{29.7 LB/FT}{8} (8FT)^2 = 237 LB-FT$

$f_b = \frac{237 LB-FT (12IN/FT)}{7.563 IN^3} = 376.5 < 1662$ ok



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4911 WELLS ROAD

ROELAND PARK, KS 66205

$f_c = P/A$

LOAD PER STUD

DL ROOF	$5 LB/FT^2$ (1.33 FT)(2 FT) =		13.3 LB
DL CEIL	$5 LB/FT^2$ (1.33 FT)(2 FT) =		13.3 LB
DL WALL	$4 LB/FT^2$ (1.33 FT)(8 FT) =		42.6 LB
LL ROOF	$20 LB/FT^2$ (1.33 FT)(2 FT) =		53.2 LB
SOLAR			15.5 LB
P =			137.9 LB

$f_c = 137.9 LB/(5.25 IN^2) = 26.3$ psi

$F_c = 625$ psi

$l_e/d = (8 FT)(12 IN/FT)/3.5 = 27.4$

1.5 DIA BRACES BY SIDING & INT FINISH

$K = 0.671\sqrt{\frac{E}{F_c}} = 0.671\sqrt{\frac{1,600,000}{625}} = 33.95$

$F_c' = F_c\left[1 - \frac{1}{3}\left(\frac{l_e/d}{K}\right)^4\right] = 625 psi\left[1 - \frac{1}{3}\left(\frac{27.4}{33.95}\right)\right] = 536 psi$

CHECK COMBINED FLEXURE & COMPRESSION

$\frac{f_c}{F_c'} + \frac{f_b}{F_b' - f_c} = \frac{26.3}{536} + \frac{376.5}{1499 - 26.3} = .05 + .265 = .315 < 1.0$

OK

1986 Wood Design Values

Roof
Douglas Fir #2

Fb rep	1450 psi	2x6		
Cf	1.08	Size Factor	2x6	$(12/d)^{1/9}$
Cd	1.15	Duration of Load (Two Months- Snow)		
Fbdesign	1801 psi			
Fbdes D +L	1566 psi			

Roof
Douglas Fir #2

Fbrep	1450 psi	2x8		
Cf	1.05	Size Factor	2x8	(12/d)1/9
Cd	1.15	Duration of Load (Two Months- Snow)		
Fbdesign	1751			
Fbdes D +L	1523 psi			

Roof
Douglas Fir #2

Fbrep	1450 psi	2x4		
Cf	1.146	Size Factor	2x4	(12/d)1/9
Cd	1.15	Duration of Load (Two Months- Snow)		
Fbdesign	1911			
Fbdes D +L	1662 psi			

NDS 1986
HOUSE BUILT 1974

TABLE 4A—DESIGN VALUES FOR VISUALLY GRADED STRUCTURAL LUMBER

(Design values listed are for normal loading conditions. See other provisions in the footnotes and in the National Design Specification for adjustments of tabulated values.)

Species and commercial grade	Size classification	Design values in pounds per square inch: Extreme fiber in bending "Fb" — Single-member uses	Extreme fiber in bending "Fb" — Repetitive-member uses	Tension parallel to grain "Ft"	Horizontal shear "Fv"	Compression perpendicular to grain "Fc ⊥"	Compression parallel to grain "Fc"	Modulus of elasticity "E"	Grading rules agency
COTTONWOOD (Surfaced dry or surfaced green. Used at 19% max. m.c.)									
Stud	2" to 3" thick 2" to 4" wide	525	600	300	65	320	350	1,000,000	NHPMA (See footnotes 1–12)
Construction	2" to 4" thick 4" wide	675	775	400	65	320	650	1,000,000	
Standard		375	425	225	65	320	525	1,000,000	
Utility		175	200	100	65	320	350	1,000,000	
DOUGLAS FIR-LARCH (Surfaced dry or surfaced green. Used at 19% max. m.c.)									
Dense Select Structural	2" to 4" thick 2" to 4" wide	2450	2800	1400	95	730	1850	1,900,000	WCLIB WWPA (See footnotes 1–12 and 20)
Select Structural		2100	2400	1200	95	625	1600	1,800,000	
Dense No. 1		2050	2400	1200	95	730	1450	1,900,000	
No. 1		1750	2050	1050	95	625	1250	1,800,000	
Dense No. 2		1700	1950	1000	95	730	1150	1,700,000	
No. 2		1450	1650	850	95	625	1000	1,700,000	
No. 3		800	925	475	95	625	600	1,500,000	
Appearance		1760	2050	1050	95	625	1500	1,800,000	
Stud		800	925	475	95	625	600	1,500,000	
Construction	2" to 4" thick 4" wide	1050	1200	625	95	626	1150	1,500,000	
Standard		600	675	350	95	625	925	1,500,000	
Utility		275	325	175	95	625	600	1,500,000	
Dense Select Structural	2" to 4" thick 5" and wider	2100	2400	1400	95	730	1650	1,900,000	
Select Structural		1800	2050	1200	95	625	1400	1,800,000	
Dense No. 1		1800	2050	1200	95	730	1450	1,900,000	
No. 1		1500	1750	1000	95	625	1250	1,800,000	
Dense No. 2		1450	1700	775	95	730	1250	1,700,000	
No. 2		1250	1450	650	95	625	1050	1,700,000	
No. 3		725	850	375	95	625	875	1,500,000	
Appearance		1500	1750	1000	95	625	1500	1,800,000	
Stud		725	850	375	95	625	675	1,500,000	
Dense Select Structural	Beams and Stringers	1900	—	1100	85	730	1300	1,700,000	WCLIB (See footnotes 1–12 and 20)
Select Structural		1600	—	950	85	625	1100	1,600,000	
Dense No. 1		1550	—	775	85	730	1100	1,700,000	
No. 1		1300	—	675	85	625	925	1,600,000	
No. 2		875	—	425	85	625	600	1,300,000	
Dense Select Structural	Posts and Timbers	1750	—	1150	85	730	1350	1,700,000	
Select Structural		1500	—	1000	85	625	1150	1,600,000	
Dense No. 1		1400	—	950	85	730	1200	1,700,000	
No. 1		1200	—	825	85	625	1000	1,600,000	
No. 2		750	—	475	85	625	700	1,300,000	
Select Dex	Decking	1750	2000	—	—	625	—	1,800,000	
Commercial Dex		1450	1650	—	—	625	—	1,700,000	
Dense Select Structural	Beams and Stringers	1900	—	1250	85	730	1300	1,700,000	WWPA (See footnotes 1–13 and 20)
Select Structural		1600	—	1050	85	625	1100	1,600,000	
Dense No. 1		1550	—	1050	85	730	1100	1,700,000	
No. 1		1350	—	900	85	625	925	1,600,000	
Dense No. 2		1000	—	500	85	730	700	1,400,000	
No. 2		875	—	425	85	625	600	1,300,000	
Dense Select Structural	Posts and Timbers	1750	—	1150	85	730	1350	1,700,000	
Select Structural		1500	—	1000	85	625	1150	1,600,000	
Dense No. 1		1400	—	950	85	730	1200	1,700,000	
No. 1		1200	—	825	85	625	1000	1,600,000	
Dense No. 2		800	—	550	85	730	550	1,400,000	
No. 2		700	—	475	85	625	475	1,300,000	
Selected Decking	Decking	—	2000	—	—	—	—	1,800,000	
Commercial Decking		—	1650	—	—	—	—	1,700,000	
Selected Decking	Decking	—	2150	(Surfaced at 15% max. m.c. and used at 15% max. m.c.)			—	1,900,000	
Commercial Decking		—	1800				—	1,700,000	

See Footnote 3

SunPower® InvisiMount™ | Residential Mounting System

Simple and Fast Installation

- Integrated module-to-rail grounding
- Pre-assembled mid and end clamps
- Levitating mid clamp for easy placement
- Mid clamp width facilitates consistent, even module spacing
- Simple, pre-drilled rail splice
- UL 2703 Listed integrated grounding

Flexible Design

- Addresses nearly all sloped residential roofs
- Design in landscape and portrait
- Rails enable easy obstacle management

Customer-Preferred Aesthetics

- #1 module and #1 mounting aesthetics
- Best-in-class system aesthetics
- Premium, low-profile design
- Black anodized components
- Hidden mid clamps and end clamps and capped, flush rails

Part of Superior System

- Built for use with SunPower DC and AC modules
- Best-in-class system reliability and aesthetics
- Combine with SunPower modules and monitoring app

Elegant Simplicity

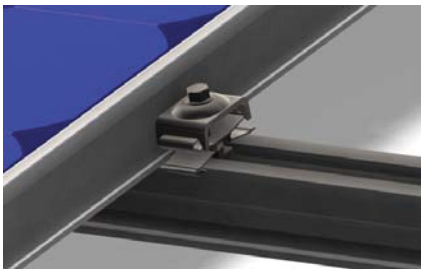
SunPower® InvisiMount™ is a SunPower-designed rail-based mounting system. The InvisiMount system addresses residential sloped roofs and combines faster installation time, design flexibility, and superior aesthetics. The InvisiMount product was specifically envisioned and engineered to pair with SunPower modules. The resulting system-level approach will amplify the aesthetic and installation benefits for both homeowners and installers.

sunpower.com

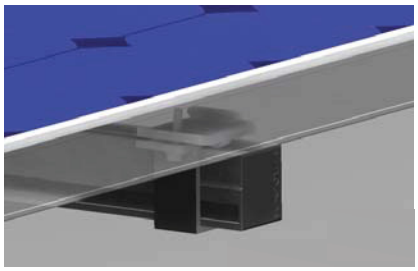
SunPower® InvisiMount™ | Residential Mounting System

InvisiMount Components

Module[1] / Mid Clamp and Rail



Module[1] / End Clamp and Rail



Mid Clamp

End Clamp

Rail & Rail Splice

Ground Lug Assembly

End Cap

InvisiMount Component Details		
Mid Clamp	Black oxide stainless steel AISI 304	63 g (2.2 oz)
End Clamp	Black anodized aluminum alloy 6063-T6	110 g (3.88 oz)
Rail	Black anodized aluminum alloy 6005-T6	830 g/m (9 oz/ft)
Rail Splice	Aluminum alloy 6005-T5	830 g/m (9 oz/ft)
Ground Lug Assembly	304 stainless (A2-70 bolt; tin-plated copper lug)	106.5 g/m (3.75 oz)
End Cap	Black acetal (POM) copolymer	10.4 g (0.37 oz)

InvisiMount Component LRFD Capacities[2]		
Mid Clamp	Tension	510 lbf
	Shear	540 lbf
End Clamp	Tension	390 lbf
	Shear: parallel to rail	178 lbf
	Shear: perpendicular to rail	128 lbf
Rail	Moment: upward	548 lbf-ft
	Moment: downward	580 lbf-ft
Rail Splice	Moment: upward	548 lbf-ft
	Moment: downward	580 lbf-ft
L-foot	Tension	1000 lbf
	Shear	195 lbf

InvisiMount Operating Conditions	
Temperature	−40° C to 90° C (−40° F to 194° F)
Max. Load (LRFD)	• 3000 Pa uplift • 6000 Pa downforce

Roof Attachment Hardware Supported by InvisiMount System Design Tool	
Application	• Composition Shingle Rafter Attachment • Composition Shingle Roof Decking Attachment • Curved and Flat Tile Roof Attachment • Universal Interface for Other Roof Attachments

InvisiMount Warranties And Certifications	
Warranties	• 25-year product warranty • 5-year finish warranty
Certifications	• UL 2703 Listed • Class A Fire Rated

Roof Attachment Hardware Warranties
Refer to roof attachment hardware manufacturer's documentation.

[1] Module frame that is compatible with the InvisiMount system required for hardware interoperability.

[2] SunPower recommends that all Equinox™, InvisiMount™, and AC Module systems always be designed using the SunPower Design Tool. If a designer decides to instead use the component capacities listed in this document to design a system, note that the capacities shown are Load and Resistance Factor Design (LRFD) design loads, and are NOT to be used for Allowable Stress Design (ASD) calculations; and that a licensed Professional Engineer (PE) must then stamp all calculations. Should you have any questions please contact SunPower Technical Support at 1-800-SUNPOWER (1-800-786-7693).

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sunpower.com
509506 RevD

SunPower® X21-345-C-AC | Residential AC Module Series

Design-Driven Advantages

- #1 module aesthetics and efficiency[1]
- Unmatched module reliability[2]
- No electrolytic capacitors
- 25-year Combined Power and Product Warranty

Maximize Value for Roof

- Size system for roof, not string inverter
- Optimize performance of each module

Expand Deployment Options

- Complex roofs and partial shading
- Small systems
- System expandability

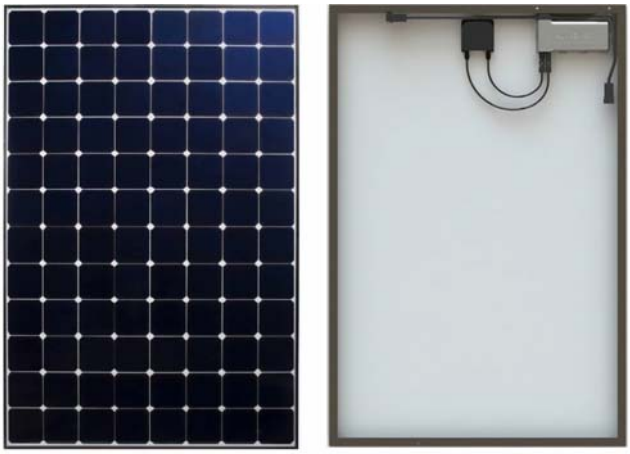
Simplify & Speed Installation

- Factory-integrated microinverter
- Robust, double-locking AC connectors
- Design flexibility offsite and onsite
- No DC string sizing process
- Fewer installation steps than competing systems
- Intuitive commissioning

Component of Complete System

- Built for use with SunPower® InvisiMount™ and the SunPower Monitoring System
- Superior system reliability and aesthetics

X21 SERIES



Optimize System and Installation Efficiency

SunPower® AC Modules, which include a factory-integrated SunPower microinverter, provide a revolutionary combination of high efficiency, high reliability, and module-level DC-to-AC power conversion. Designed specifically for use with SunPower InvisiMount™ and the SunPower Monitoring System, SunPower AC Modules enable rapid installation, best-in-class system aesthetics, and intuitive visibility into system performance. All this comes with the best Combined Power and Product Warranty.

sunpower.com

SunPower® X21-345-C-AC | Residential AC Module Series

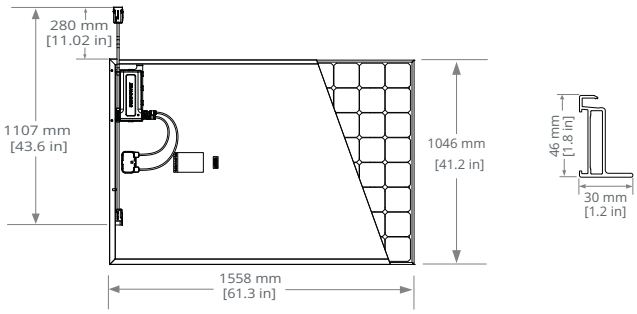
Power Data		
	SPR-X21-345-C-AC	SPR-X21-335-C-AC
Nominal Power[3] (Pnom)	345 W	335 W
Power Tolerance	+5/–0%	+5/–0%
Avg. Panel Efficiency[4]	21.5%	21.0%
Temp. Coef. (Power)	–0.30%/° C	
Shade Tolerance	• Three bypass diodes • Integrated module-level maximum power point tracking	

AC Electrical Data	
Output @ 240 V (min./nom./max.) Output @ 208 V (min./nom./max.)	211/240/264 V 183/208/229 V
Operating Frequency (min./nom./max.)	59.3/60.0/60.5 Hz
Output Power Factor (min.)	0.99
AC Max. Continuous Output Current @ 240 V AC Max. Continuous Output Current @ 208 V	1.33 A 1.54 A
AC Max. Cont. Output Power	320 W
DC/AC CEC Conversion Efficiency	96.0%
Max. Units Per 20 A Branch Circuit @ 240 V Max. Units Per 20 A Branch Circuit @ 208 V	12 (single phase) 10 (two pole)

Tested Operating Conditions	
Operating Temp.	–40° F to +185° F (–40° C to +85° C)
Max. Ambient Temp.	122° F (50° C)
Max. Load	Wind: 62 psf, 3000 Pa, 305 kg/m² front & back Snow: 125 psf, 6000 Pa, 611 kg/m² front
Impact Resistance	1 inch (25 mm) diameter hail at 52 mph (23 m/s)

Mechanical Data	
Solar Cells	96 Monocrystalline Maxeon® Gen III
Front Glass	High-transmission tempered glass with anti-reflective coating
Environmental Rating	Outdoor rated
Frame	Class 1 black anodized (highest AAMA rating)
Weight	45.5 lbs (20.6 kg)
Max. Recommended Module Spacing	1.3 in. (33 mm)

Warranties and Certifications	
Warranties	• 25-year limited power warranty • 25-year limited product warranty
Certifications	• UL 1741, including compliance with applicable requirements of IEEE 1547 and IEEE 1547.1 • FCC and ICES-003 Class B • AC module Type 2 Fire Rated • UL 2703 InvisiMount™ Listing maintained when installed with this AC Module • Class A Fire Rated when installed with InvisiMount™ and when distance between roof surface and bottom of SunPower module frame is ≤ 3.5" (8.89 cm) • Alternating Current (AC) Module designation enables installation in accordance with NEC 690.6
PID Test	Potential-induced degradation free



[1]Highest of over 3,200 silicon solar panels, Photon Module Survey, Feb. 2014

[2]#1 rank in "PV Module Durability Initiative Public Report," Fraunhofer CSE, Feb 2013. Five out of the top eight largest manufacturers were tested. Campeau, Z. et al. "SunPower Module Degradation Rate," SunPower white paper, Feb 2013. See www.sunpower.com/facts for details.

[3]Standard Test Conditions (1000 W/m² irradiance, AM 1.5, 25° C). NREL calibration standard: SOMS current, LACCS FF and voltage. All DC voltage is fully contained within the module.

[4]Based on average of measured power values during production.

See www.sunpower.com/facts for more reference information.
For more details, see extended datasheet: www.sunpower.com/datasheets.

Please read the safety and installation instructions for details.

Document # 515215 Rev C /LTR_US

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Item Number: **New Business- VII.-B.**
Committee Meeting Date: **11/20/2017**

City of Roeland Park

Action Item Summary

Date:	11/1/2017
Submitted By:	John Jacobson
Committee/Department:	Neighborhood Services
Title:	**Approve Solar Panel Neosho**
Item Type:	Other

Recommendation:

To approve the solar system located at 4805 Neosho meet the criteria specified in Chapter 14-4-1403.

Details:

Please see attached staff report.

Financial Impact

Amount of Request: N/A	
Budgeted Item?	Budgeted Amount: N/A
Line Item Code/Description: Article 14 of the International Residential Code 4-1403 Standards	

Additional Information

The following are the specified standards for Solar Systems in Roeland Park as set forth in Article 14 4-1403 of the City Code:

All solar energy systems or solar collection devices shall meet the following standards and conditions:

(a) All solar energy systems or solar collection devices shall be incorporated into a building (which may be either a principal or accessory building) and shall be integrated into the basic form and main structure of such building.

(b) Any panel or apparatus which is used to receive, collect or transfer solar energy, shall be mounted on the roof of a building and such panels or apparatus shall be integrated into the roof either directly mounted against the roof or integrated into the roof so it forms a part of the roof itself.
(c) Mounting arrangements which allow panels or apparatus to project above the roof line, such as "stand-off" or "rack" mounting arrangements are prohibited.
(d) No panels or apparatus shall be free standing or mounted on the ground.
(e) All mechanical piping, electrical conduits, motors and similar items which comprise a solar energy system shall be concealed.
(f) All exposed metal, including the framework of active collector panels or exposed mullions and framework of passive systems shall be of finished warm earth tones, or black, in color and unpainted aluminum is prohibited.
(g) All solar energy system components shall be located as to be accessible for required routine maintenance without trespassing on adjoining property or disassembling any major portion of the structure or building.
(h) All solar energy system components must be obtained from manufacturers who regularly engage in production of solar energy apparatus.
(i) The construction or erection of a solar energy system or solar collection device shall conform to the requirements of the codes provided for in Chapter 4 of this Code

How does item relate to Strategic Plan?

Alternative energy and sustainability are key elements in the Comprehensive Plan. Mid America Reginal Council has for some time pushed the idea of "Solar Ready" Cities. This initiative has been key talking point throughout the Metropolitan Planning Organization as it relates to sustainability and the need to utilize alternative energy sources.

In northeast Kansas southern and eastern exposures are key elements in establishing systems that are functional. Some design flexibility is key in evaluation of these systems to maintain these exposures while maintaining mature trees stock in the community.

How does item benefit Community for all Ages?

Alternative energy sources are one part of a larger goal in reducing the load on regional infrastructure typically related to fossil fuel energy consumption.

ATTACHMENTS:

Description	Type
Staff Report	Cover Memo
4805 Neosho	Cover Memo

STAFF REPORT

Completed By: **John Jacobson, Building Official**

REQUEST: Approve solar installations for 4911 Wells and 4805 Neosho

---

RECOMMENDATION: A motion to approve the architectural reviews of the solar installations located at 4911 Wells and 4805 Neosho respectively.

BACKGROUND: Request stems from a resident wishing to install an alternative energy system to their residence. After review of the technical components of the solar appendix of the International Residential Code and the Zoning Regulations (typically where architectural reviews would be listed) The Building Official permitted both systems without review by the City Council. I was simply unaware of the requirement to do so. As soon as it was brought to my attention, I informed the administrator that I believed an error had occurred.

ANALYSIS:

The current code allows for the installation of solar systems after a review of the city council relative to nine findings in Article 14 -1403 of the City Code:

> All solar energy systems or solar collection devices shall meet the following standards and conditions:
>
> (a) All solar energy systems or solar collection devices shall be incorporated into a building (which may be either a principal or accessory building) and shall be integrated into the basic form and main structure of such building.
>
> (b) Any panel or apparatus which is used to receive, collect or transfer solar energy, shall be mounted on the roof of a building and such panels or apparatus shall be integrated into the roof either directly mounted against the roof or integrated into the roof so it forms a part of the roof itself.

(c) Mounting arrangements which allow panels or apparatus to project above the roof line, such as "stand-off" or "rack" mounting arrangements are prohibited.

(d) No panels or apparatus shall be free standing or mounted on the ground.

(e) All mechanical piping, electrical conduits, motors and similar items which comprise a solar energy system shall be concealed.

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(h) All solar energy system components must be obtained from manufacturers who regularly engage in production of solar energy apparatus.

(i) The construction or erection of a solar energy system or solar collection device shall conform to the requirements of the codes provided for in Chapter 4 of this Code.

The local amendment to the International Residential Code mandates a review by the City Council prior to issuing any permits for any installation, I simply was not aware of that requirement and in this instance, it did not happen.

In my opinion, the systems comply with the spirit and intent of the regulations with a singular exception, that being the southern mounting of the collection panels on 4911 Wells.

These panel locations are primarily due to the existing mature tree located in the front yard and the need for southern exposure to make the system function as designed. The panels conform to the principle structure setback and do not constitute an encroachment into that setback.

Due to the qualifying standards placement in the building code vs the zoning ordinance, it is my opinion that the Building Official is authorized under Section R104.1 to render interpretations of the code while “acting in good faith”. This interpretation would be that the side mounted panels constitute an awning in physical presentation and as such would be exempted by the code under section R105.2 (9).

From a staff perspective, the existing code language does not encourage the installation of these types of systems, nor does it effectively address solar technology and installation methods. From a practical enforcement standpoint, several of the standards listed currently are in direct conflict with one another and/or are located in the wrong section of the code (as these are essentially land use regulations) and/ or do not reflect stated views in the current comprehensive plan.

These requirements are far more restrictive than are necessary in my opinion to convey the intent of the city council as to compatibility of surrounding neighborhoods. If the intention of the governing body is to accommodate the intent of sustainability to include solar energy the approval process must be streamlined to encourage its installation.

IMPACTS: Should the City Council decide that these installations do not meet the standards in Article 14-1403 then additional requirements could be placed on the property owners who in good faith installed these systems.

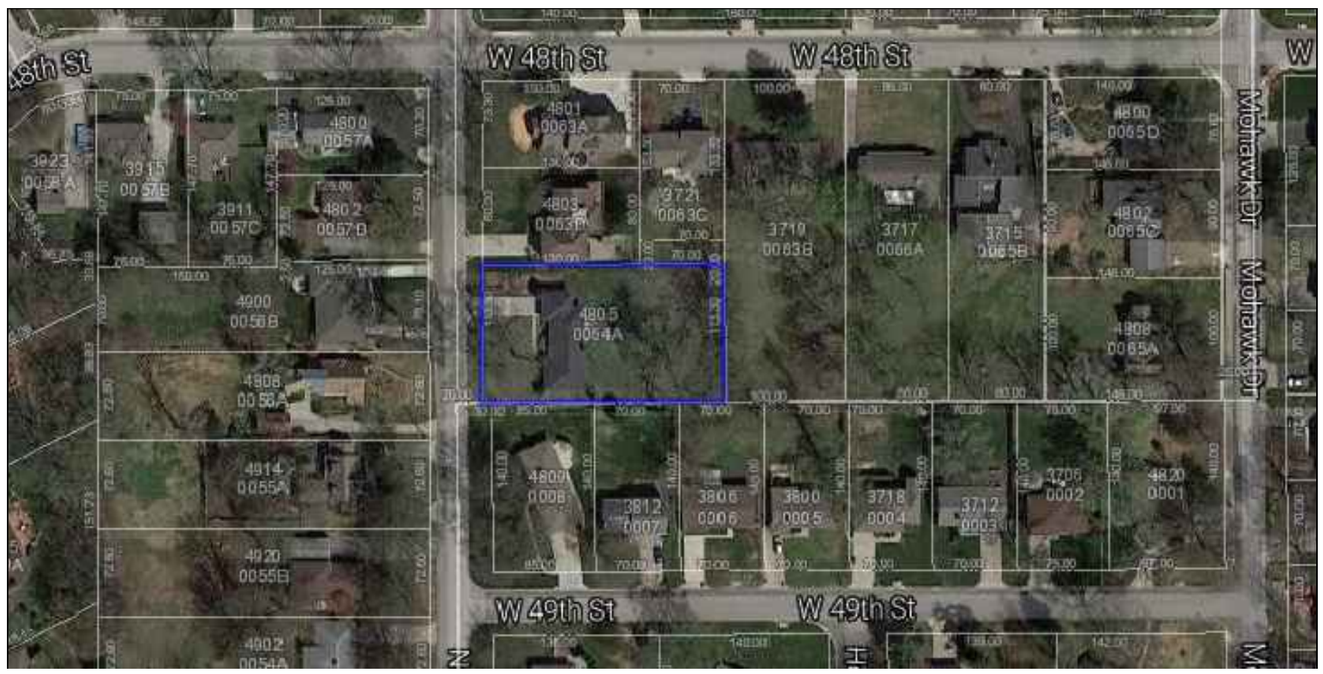
POLICY ISSUES: Current policy restricts applicants to an architectural review by the governing body prior to any technical review. This adds layers to the approval process and discourages the use of these alternative energy systems. Staff believes a substantial number of residents will pursue these types of technologies in the future to become less dependent on existing utilities and that minor modification to the existing code could allow a much quicker approval process. This process would still mandate Council oversite on unusual systems that could require alternative methods to install.

*Attached are the exhibits of both systems and their corresponding views.

4911 Wells

4805 Neosho

SOLAR PV INSTALLATION PROJECT
WAGNER'S RESIDENCE
4805 NEOSHO
ROELAND PARK, KS 66205
PP45000000 0064A
PERMIT AND UTILITY SUBMITTAL
JULY 20, 2017



SCALE: Custom

0 32 128 256 Ft.

SITE LOCATION

SCOPE OF WORK

1 - 7.2 KW DC/ 6 KW AC GRID-INTERACTIVE SOLAR ARRAY,
(24) SOLARWORLD SW 300, 300 WATT MODULES, 24 X 300=7200
(1) SOLAREDGE SE60000A-US, 1 x 6 = 6 KW
IEEE-1547 AND UL-1741 COMPLIANT
240 1 PHASE INVERTER VOLTAGE
240 1 PHASE BUILDING SERVICE VOLTAGE, 200 AMP SERVICE
ROOF MOUNTED SYSTEM, 6/12 PITCH
AC DISCONNECT IN VIEW OF UTILITY METER
POINT OF INTERCONNECTION, BACKFED BREAKER
PLANS AND INSTALL IAW WITH NEC 2011, 2012 INTERNATIONAL RESIDENTIAL CODE, 2012 INTERNATIONAL FIRE CODE AND ASCE 7-10
SOLAR INSTALLER RESPONSIBLE FOR FIELD CONFIRMING ALL MEASUREMENTS
ALL CHANGES TO THE DESIGN MUST BE APPROVED BY THE DESIGN ENGINEER
SOLAR INSTALLER IS RESPONSIBLE FOR REQUESTING CHANGES AND PROVIDING AS BUILT INFORMATION
ZONING SFR

SHEET SUMMARY

PV E1.1	TITLE & SITE PLAN
PV E2.1	ARRAY PLAN
PV E3.1	SINGLE LINE DIAGRAM
PV E3.2	WIRING DIAGRAM
PV E4.1	ELECTRICAL CALCULATIONS
PV E5.2	NOTES
PV E6.1	SAFETY PLACARDS & SIGNAGE
PV E6.2	PLACARD PLAN
PV S1.1	RACKING PLAN
PV S1.2-.3	RACKING DETAILS
PV E7.1 - 4	MANUFACTURER CUTSHEETS

PROJECT INFORMATION

Project Latitude	----	Min. Ambient Temperature	-19.2
Project Longitude	----	Max. Ambient Temperature	35
Utility Name	KCPL	Meter Number	New Construction
Wind Exposure Category	B	Wind Speed	115
Risk Category	II	North Direction	0
Interconnection Voltage	240	AHJ	City of Roeland Park

ARRAY INFORMATION

ARRAY 1

Module Name	SolarWorld SW 300		
Inverter	SolarEdge		
Tilt Angle 22	No. of Modules 24	DC String Length 12	No. of Strings 1

ARRAY 2

Module Name	----		
Inverter	----		
Tilt Angle ----	No. of Modules ----	DC String Length 12	No. of Strings 1

ARRAY 3

Module Name	----		
Inverter	----		----
Tilt Angle ----	No. of Modules ----	DC String Length ----	No. of Strings

GENERAL NOTES

[A] ALL ELECTRICAL WORK TO BE INSTALLED BY A QUALIFIED LICENSED ELECTRICIAN AND APPRENTICES WORKING UNDER THE DIRECT SUPERVISION OF THE LICENSED CONTRACTOR.
[B] ALL SOLAR MODULES SHALL BE UL LISTED 1703 & CEC APPROVED. ALL INVERTERS SHALL BE UL LISTED 1741 CERTIFIED & CEC APPROVED. ALL ELECTRICAL COMPONENTS AND MATERIALS SHALL BE LISTED FOR IT'S PURPOSE AND AND INSTALLED IN A WORKMAN LIKE MANNER. ALL OUTDOOR EQUIPMENT SHALL MEET APPROPRIATE NEMA STANDARDS.
[C] ALL FABRICATION AND MANUFACTURING SHALL BE PERFORMED BY CERTIFIED INDIVIDUALS IN APPROVED ASSEMBLY AND FABRICATION SHOPS.
[D] PRIOR TO COMMENCEMENT OF ANY WORK, THE CONTRACTOR SHALL NOTIFY THE ENGINEER OF ANY DISCREPANCIES NOTED AMONG SITE CONDITIONS, MANUFACTURER RECOMMENDATIONS, OR AUTHORITY HAVING JURISDICTION.
[E] CONTRACTOR INITIATED CHANGES SHALL BE SUBMITTED IN WRITING TO THE ENGINEER IN THE FORM OF A "RFI", REQUEST FOR INFORMATION, PRIOR TO MAKING ANY CHANGES. APPROVED CHANGES SHALL REQUIRE A DRAWING REVISION TO MAINTAIN CONTROL OVER THE ENGINEER APPROVED DESIGN.
[F] THE ELECTRICAL CONTRACTOR IS ADVISED THAT ALL DRAWINGS AND COMPONENT MANUALS ARE TO BE UNDERSTOOD PRIOR TO INSTALLATION. THE CONTRACTOR IS ADVISED TO HAVE ALL SWITCHES IN THE "OFF" POSITION AND FUSES REMOVED PRIOR TO INSTALLATION OF FUSE-BEARING COMPONENTS.
[G] THIS SYSTEM IS INTENDED TO BE OPERATED IN PARALLEL WITH THE UTILITY SERVICE PROVIDER. ANTI-ISLANDING PROTECTION IS A REQUIREMENT OF UL 1741 AND IS INTENDED TO PREVENT THE OPERATION OF THE PV SYSTEM WHEN THE UTILITY GRID IS NOT OPERATIONAL.
[H] PERMISSION TO OPERATE THE SYSTEM IS NOT AUTHORIZED UNTIL FINAL INSPECTIONS AND APPROVALS ARE OBTAINED FROM THE LOCAL AUTHORITY HAVING JURISDICTION AND THE LOCAL UTILITY SERVICE PROVIDER.
[I] ALL FASTENERS SHALL BE CORROSION RESISTANT APPROPRIATE FOR SITE CONDITIONS. CONNECTORS SHALL BE TORQUED PER DEVICE LISTING OR ENGINEERING RECOMMENDATIONS.

Rev	Description	Date	Drawn By
1	Initial Design	5/8/2017	BS
----	Module Change	7/20/2017	BS
----	----	----	----
----	----	----	----
----	----	----	----

NABCEP Certification

NABCEP CERTIFIED
PV Installation Professional
Bob Solger
#091110-242

Company Contact Info

Company Name: Solar Design Studio
Company Address: 23185 Hwy 92 Platte City, MO 64079
Company Phone: 816.607.1349
Company E-mail: bob@solardesignstudio.com

COMPANY LOGO

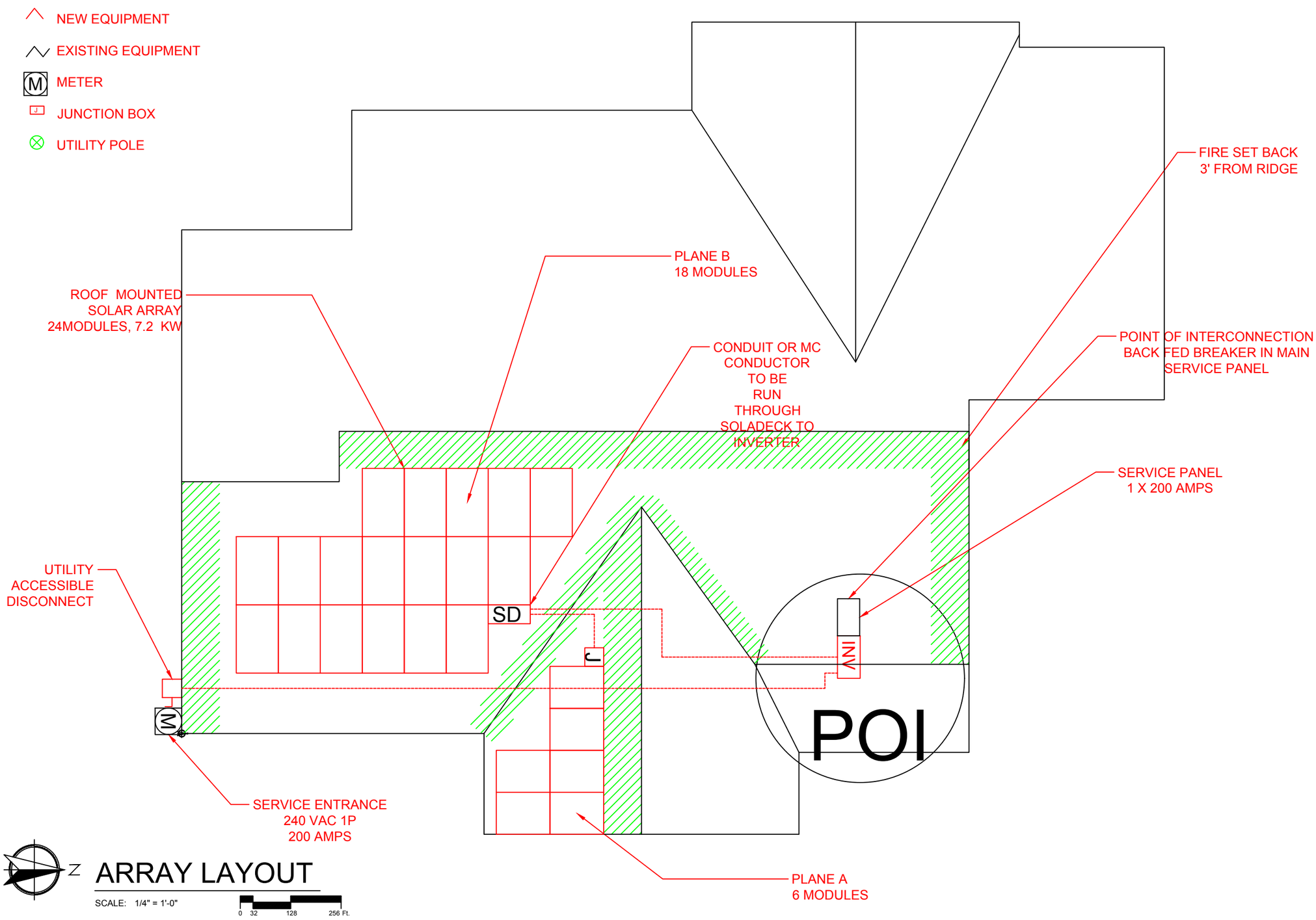
SOLAR DESIGN studio
consulting · design · engineering

Customer	Joe and Annette Wagner
Project	Wagner Residence 7.2 KW
Location	4805 Neosho ---- Roeland Park KS 66205

Sheet Name

TITLE & SITE PLAN

Designed By	Bob Solger	Sheet Title	PV E1.1
Project number	2017-0508	Sheets 15	Issue / Sheet Number



ARRAY LAYOUT

SCALE: 1/4" = 1'-0"

0 32 128 256 Ft.

GENERAL NOTES

[A] ARRAY 7.2 KW ARRAY COMPRISED OF 24 - 300 WATT MODULES

[B] ROOF MOUNTED SYSTEM

[C] MODULES MOUNTED IN PORTRAIT ORIENTATION

[D] SOLAR INSTALLER TO FOLLOW RACKING MANUFACTURE'S INSTRUCTIONS FOR INSTALLING RACKING SYSTEM AND MODULES

[E] ALL CONDUIT TO BE EMT, EXCEPT AS NOTED

[F] SOLAR INSTALLER RESPONSIBLE FOR FIELD CONFIRMING ALL MEASUREMENTS ON SITE

[G] CHANGES TO ARRAY LAYOUT ARE TO BE APPROVED DESIGN ENGINEER

PROJECT INFORMATION			
Project Latitude	----	Min. Ambient Temperature	-19.2
Project Longitude	----	Max. Ambient Temperature	35
Utility Name	KCPL	Meter Number	New Construction
Wind Exposure Category	B	Wind Speed	115
Risk Category	II	North Direction	0
Interconnection Voltage	240	AHJ	City of Roeland Park

ARRAY INFORMATION			
ARRAY 1			
Module Name	SolarWorld SW 300		
Inverter	SolarEdge		
Tilt Angle 22	No. of Modules 24	DC String Length 12	No. of Strings 1
ARRAY 2			
Module Name	----		
Inverter	----		
Tilt Angle ----	No. of Modules ----	DC String Length 12	No. of Strings 1
ARRAY 3			
Module Name	----		
Inverter	----		----
Tilt Angle ----	No. of Modules ----	DC String Length ----	No. of Strings

Rev	Description	Date	Drawn By
1	Initial Design	5/8/2017	BS
----	Module Change	7/20/2017	BS
----	----	----	----
----	----	----	----
----	----	----	----

NABCEP Certification

NABCEP CERTIFIED
PV Installation Professional
Bob Solger
#091110-242

Company Contact Info

Company Name: Solar Design Studio
Company Address: 23185 Hwy 92 Platte City, MO 64079
Company Phone: 816.607.1349
Company E-mail: bob@solardesignstudio.com

COMPANY LOGO

SOLAR DESIGN studio
consulting · design · engineering

Customer: Joe and Annette Wagner

Project: Wagner Residence
7.2 KW

Location: 4805 Neosho

Roeland Park
KS 66205

Sheet Name: ARRAY LAYOUT

Designed By: Bob Solger

Sheet Title: PV E2.1

Project number: 2017-0508

Sheets: 15

Issue

Sheet Number

PV ARRAY 2 STRINGS STRING 1 - 12 MODULES IN SERIES AND STRING 2- 12 MODULES, THEN PARALLEL

PV MODULES = 300 WATTS STC
24 MODULES = 7200 WATTS STC
STRING 1 - 12 PV MODULES - E
STRING 2 - 12 PV MODULES - E/S

SOLAREDGE POWER OPTIMIZER P320
RATED DC INPUT POWER - 320 WATTS
MAXIMUM INPUT VOLTAGE - 60 VDC
MPPT RANGE - 8 TO 48 VDC
MAX INPUT CURRENT - 13.75 ADC
MAX OUTPUT CURRENT - 10 ADC
STRING LIMITATIONS - 8 TO 25 OPTIMIZERS,
5250 WATTS STC PER STRING MAX

PV ARRAY EQUIPMENT GROUNDING CONDUCTOR
1 - #8 BARE CU

PV ARRAY EQUIPMENT GROUNDING CONDUCTOR
1 - #6 BARE CU

PV WIRE IN FREE AIR OR
THHN-2 / THWN-2 IN CONDUIT
MINIMUM 10 AWG CU WIRE EACH
(RATED 90 DEG C)
POSITIVE, NEGATIVE
INSULATED EGC IN CONDUIT
KEEP UNDER 2% VOLTAGE DROP

SOLAREDGE SE6000A-US-U INVERTER
97.5% CEC EFFICIENCY @ 240 VAC
6000WAC CONTINUOUS
MAXIMUM OUTPUT CURRENT 25 AMPS
MAXIMUM INPUT CURRENT 18 ADC
GROUND FAULT PROTECTION PROVIDED
RAPID SHUTDOWN
SOLAREDGE AC/DC SAFETY SWITCH
440 VAC, 50 AMPS CONTINUOUS
600 VDC, 36.5 AMPS CONTINUOUS
OPENS ALL UNGROUNDED CONDUCTORS
PER NEC ARTICLE 690.35

STRING 1

STRING 2

L1
L2
N
G

MINIMUM 8 AWG CU WIRE
(RATED 90 DEG C)
L1, L2, AND NEUTRAL
6 AWG GROUND WIRE
KEEP UNDER 1.5% VOLTAGE DROP

UTILITY
LOCKABLE
DISCONNECT
NEXT TO
METER

NEW SERVICE
120/240 VOLT 3W
200 AMP SERVICE

MAIN
OCPD
200/2

SOLAR
EDGE
MONITORING

MONITORING
SYSTEM

OCPD
DPST
20A

GEC

GROUND

POINT OF CONNECTION PV OCPD
DPST 40 A. LOCATE POINT OF
INTERCONNECTION
BREAKER AT OPPOSITE END FROM
INPUT FEEDERS OF SERVICE PANEL

EQUIPMENT WIRING SCHEDULE

TAG	EQUIPMENT	LOAD (AMPS)	SETS	# OF WIRES	SIZE	WIRE TYPE	CONDUIT SIZE (INCHES)	CONDUIT TYPE
20	SOLAR MODULES/OPTIMIZERS - SOLADECK OR J BOX	10.29	2 - 2 WIRE SETS	2	10 AWG	PV WIRE	N/A	N/A
21	EQUIPMENT GROUNDING CONDUCTOR		1	1	6 AWG	BARE COPPER	N/A	N/A
22	SOLADECK - INVERTER	10.29	2 - 2 WIRE SETS	2	10 AWG & 6 EGC	THWN-2 COPPER	0.75	EMT OR MC CABLE
23	INVERTER - POINT OF INTERCONNECTION	25.00	1	3	8 AWG & 6 AWG EGC	THWN - COPPER	0.75	EMT

EQUIPMENT SCHEDULE

TAG	DESCRIPTION	PART#	NOTES
1	PV MODULES	300 WATT MODULES	CANADIAN SOLAR SEE SHEET PS-1
2	INVERTERS	SE 6000A-US	SOLAREDGE
3	DC OPTIMIZER	P-300	SOLAREDGE
4	JUNCTION BOX		ROOF TOP, NEMA-3R
5	40 AMP BREAKER		BACK FED BREAKER
6	SERVICE PANEL		MAIN SERVICE PANEL, 200 AMPS
7	MONITORING SYSTEM		SOLAR EDGE, REQUIRES INTERNET CONNECTION
8	UTILITY AC DISCONNECT		240 VAC, 60 AMPS, LOCATED AT SERVICE ENTRANCE
9	LIGHTING ARRESTOR	"LA"	MIDNIGHT SOLAR MNSPD 600 OR EQUIVALENT

A		B		C	
MODULE		STRING		ARRAY	
Pstc	300	Pstc	3600	Pstc	7200
Voc	39.7	Voc	12.0	Voc	12.00
Vmp	32.50	Vmp	350.0	Vmp	350.0
Isc	9.83	Isc	.6MA	Isc	1.2A
Imp	9.24	Imp	10.29	Imp	18.00

GENERAL NOTES

[A] PHOTOVOLTAIC ARRAY 24 TOTAL 300 WATT MODULES, TOTAL STC POWER RATING = 7200 W
[B] EACH STRING IS TO BE WIRED AT A MAXIMUM Vdc OF 600 VDC
[C] MAX OUTPUT VOLTAGE AND CURRENT PRESENT FOR LOCATION: Isc = .6; Voc = 12 VDC @ MEAN DB LOW TEMP OF -19.1 C
[D] MODULE TO INVERTER CONNECTIONS MADE USING USE-2 WITH SINGLE POLE MC-4 CONNECTORS
[E] TOTAL ARRAY OUTPUT: AC OPERATING VOLTAGE = 240 VAC 1 PHASE, AC OPERATING CURRENT = 25 AAC
[F] MODULE FRAMES ARE ELECTRICALLY BONDED TO ARRAY RACKING DURING INSTALLATION WITH GROUNDING CLIPS.
[G] NEUTRAL CONDUCTOR SHALL REMAIN ISOLATED FROM GROUND AT ALL TIMES AND SHALL LAND ON THE NEUTRAL IN SERVICE PANEL.
[H] THE DC EGC/GEC SHALL BE CONNECTED TO BOND ALL RACKING RAILS.
[I] GROUND FAULT PROTECTION BUILT IN TO DC/AC INVERTER
[J] ALL EQUIPMENT TO BE INSTALLED IN ACCORDANCE WITH 2011 NEC
[K] EQUIPMENT GROUNDING CONDUCTORS SIZED ACCORDING TO NEC250.122
[L] SINGLE SYSTEM AND EQUIPMENT GROUNDING CONDUCTOR BONDED TO MAIN SERVICE GROUND IN SERVICE PANEL PER NEC690.47(C)
[M] TOTAL SYSTEM VOLTAGE DROP DESIGNED TO BE LESS THAN 2%
[N] PV SYSTEM WILL CONNECT AS A BALANCED SYSTEM
[O] UTILITY ACCESSIBLE AC DISCONNECT TO BE LOCATED IN VIEW OF SERVICE ENTRANCE METER
[P] POSITIVE CONDUCTOR FOR ALL STRINGS ARE TO BE RED, OR PHASE TAPE AS RED, AND NEGATIVE CONDUCTOR ARE TO BE BLACK.
[Q] SYSTEM CONFIGURED WITH RAPID SHUTDOWN

SHEET SUMMARY

PROJECT INFORMATION

Project Latitude	----	Min. Ambient Temperature	-19.2
Project Longitude	----	Max. Ambient Temperature	35
Utility Name	KCPL	Meter Number	New Construction
Wind Exposure Category	B	Wind Speed	115
Risk Category	II	North Direction	0
Interconnection Voltage	240	AHJ	City of Roeland Park

ARRAY INFORMATION

ARRAY 1			
Module Name	SolarWorld SW 300		
Inverter	SolarEdge		
Tilt Angle 22	No. of Modules 24	DC String Length 12	No. of Strings 1
ARRAY 2			
Module Name	----		
Inverter	----		
Tilt Angle ----	No. of Modules ----	DC String Length 12	No. of Strings 1
ARRAY 3			
Module Name	----		
Inverter	----		----
Tilt Angle ----	No. of Modules ----	DC String Length ----	No. of Strings

Rev	Description	Date	Drawn By
1	Initial Design	5/8/2017	BS
----	Module Change	7/20/2017	BS
----	----	----	----
----	----	----	----
----	----	----	----

NABCEP Certification

NABCEP CERTIFIED
PV Installation Professional
Bob Solger
#091110-242

Company Contact Info

Company Name: Solar Design Studio
Company Address: 23185 Hwy 92 Platte City, MO 64079
Company Phone: 816.607.1349
Company E-mail: bob@solardesignstudio.com

COMPANY LOGO

SOLAR DESIGN studio
consulting · design · engineering

Customer: Joe and Annette Wagner

Project: Wagner Residence
7.2 KW

Location: 4805 Neosho

Roeland Park
KS 66205

Sheet Name
SINGLE LINE DIAGRAM

Designed By: Bob Solger

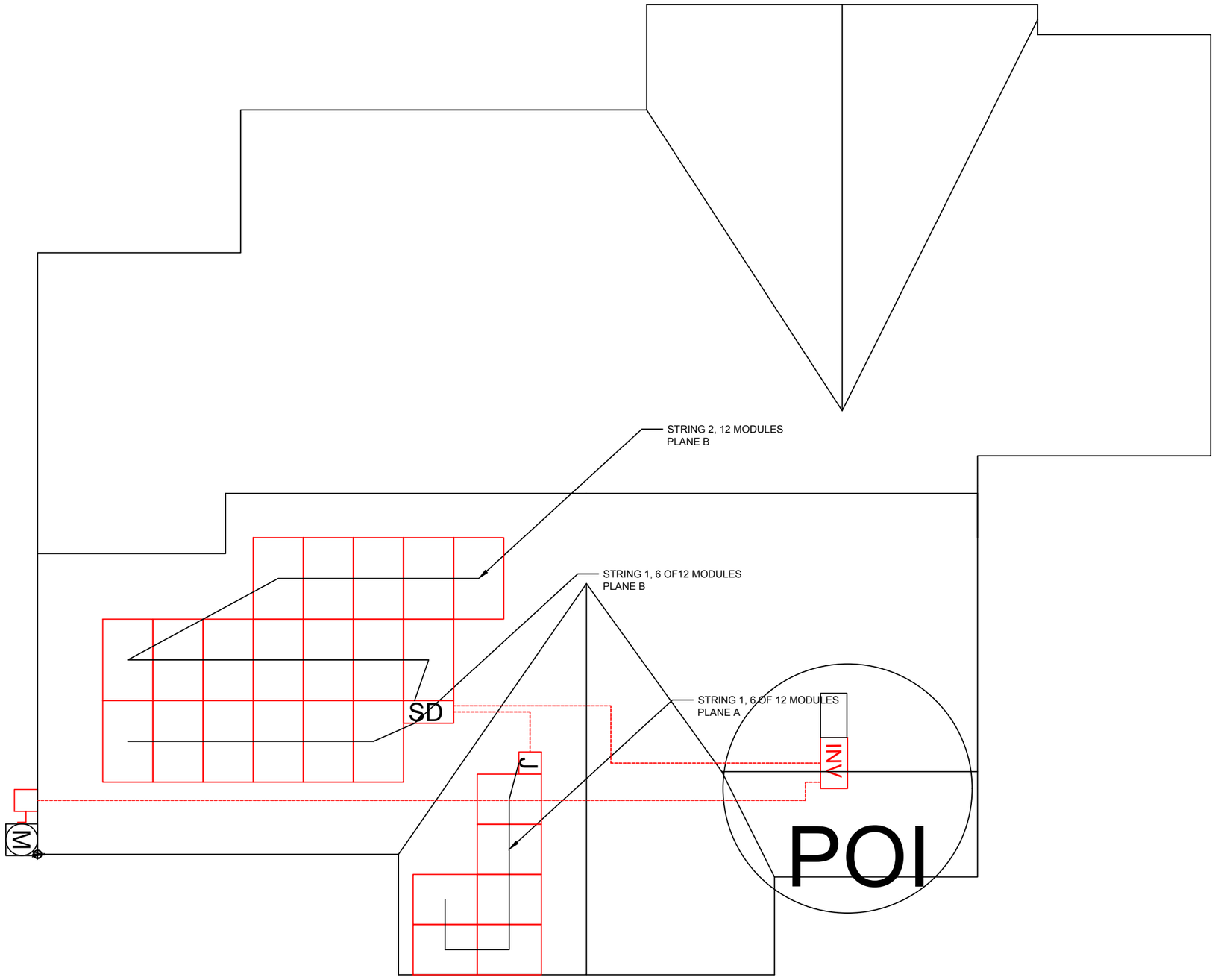
Sheet Title: PV E3.1

Project number: 2017-0508

Sheets: 15

Issue

Sheet Number



GENERAL NOTES

SHEET SUMMARY	

PROJECT INFORMATION			
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Rev	Description	Date	Drawn By
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SOLAR DESIGN studio
consulting · design · engineering

Customer: Joe and Annette Wagner

Project: Wagner Residence
7.2 KW

Location: 4805 Neosho

Roeland Park
KS 66205

Sheet Name
WIRING PLAN

Designed By: Bob Solger

Sheet Title: PV E3.2

Project number: 2017-0508

Sheets: 15

Issue

Sheet Number

Module Electrical Properties										
Module 1				Module 2				Module 3		
Brand:	SolarWorld									
Model #:	SW300									
Vmp:	31.6	V								
Voc:	40.1	V								
Imp:	9.57	A								
Isc:	10.23	A								
Tvoc:	-0.3	V/°C								
Tisc:	0.03	A/°C								
System Properties		°C	°F							
Min. Ambient Temp:		-19	-2.2							
Max Ambient Temp:		35	95							
	Qty.	**Description**					**Inv. Eff.**	**Inv. Power**		
Module 1	24	SolarWorld SW300								
Inverter 1	1	SolarEdge Technologies Inc. SE6000KUS					97	6000		
Module 2										
Inverter 2							0	0		
Module 3										
Inverter 3							0	0		
								6000	**Total System Pwr.**	

String Characteristics		DC 1								
	Module	String 1	String 2							
	# of Mods	12	12							
	Condctr. Size	**10**	**10**							
	Condctr. Type	PV Wire	PV Wire							
	Condctr. Mtrl.	Copper	Copper							
	Vmp	350.00	350.00							
	Voc	12.00	12.00							
	Imp	9.57	9.57							
	Isc	0.60	0.60							
	Icont = Isc * 1.25	0.75	0.75							
A										
	Icont * 1.25 = (Amps)	0.94	0.94							
	30 deg C ampacity =	40	40							
B										
	Icont	**0.75**	**0.75**							
	Start Ampacity	40	40							
	Temperature Derate	0.76	0.76							
	Conduit Fill Derate	1	1							
	Derated Ampacity	**30.40**	**30.40**							
C										
	Icont * 1.25 = (Amps)	0.94	0.94							
	Ampacity	40	40							
D										
	Icont * 1.25 = (Amps)	0.94	0.94							
	OCP size	**15**	**15**							
Inverter(s) Output		**AC 1**				**Combined Output**				
	Icont	25					Icont			
	Voltage	240				Type In	Voltage			
	Condctr. Size	**8**					**Condctr. Size**			
	Condctr. Type	THWN					Condctr. Type			
	Condctr. Material	Copper					Condctr. Material			
	Condctr. Temp. Rating	75					Condctr. Temp. Rating			
A						**A**				
	Icont * 1.25 = (Amps)	31.25					Icont * 1.25 = (Amps)			
	OCP size	**40**					**OCP size**			
B						**B**				
	Icont * 1.25 = (Amps)	25					Icont * 1.25 = (Amps)			
	30 Deg. C Ampacity	50					30 Deg. C Ampacity			
C						**C**				
	Icont (Amps)	25					Icont (Amps)			
	Start Ampacity	50					Start Ampacity			
	Temperature Derate	0.91					Temperature Derate			
	Conduit Fill Derate	1					Conduit Fill Derate			
	Derated Ampacity	**45.5**					**Derated Ampacity**			
D						**D**				
	Icont * 1.25 = (Amps)	31.25					Icont * 1.25 = (Amps)			
	30 Deg. C Ampacity	50					30 Deg. C Ampacity			
E						**E**				
	EGC/GEC =	**6**					**EGC/GEC =**			

DC Voltage Drop Calcs		DC 1	
V drop = (I mp) * 2 * (Length) * (Resistance) / (V mp)			
String	Imp	9.57	9.57
	Length	54.89	54.89
	Resistance	0.0012400	
at Max Hi: 95 °F	Vmp @ Max Temp.	354.00	
	V drop	**0.34%**	**0.33%**
Branch		**0**	**0**
	Imp	0.00	0.00
	Length	6.98	6.98
	Resistance	0.0012400	0.0012400
at Max Hi: 95 °F	Vmp @ Max Temp.	354.00	
	V drop	**0.07%**	**0.07%**

Branch Characteristics	
	String #
	# of Strings
	Condctr. Size
	Condctr. Type
	Condctr. Mtrl.
	Condctr. Temp Rating
	Vmp
	Voc
	Imp
	Isc
	Icont = Isc * 1.25
A	
	Icont * 1.25 = (Amps)
	30 deg C ampacity =
B	
	Icont
	Start Ampacity
	Temperature Derate
	Conduit Fill Derate
	Derated Ampacity
C	
	Icont * 1.25 = (Amps)
	Ampacity
D	
	Icont * 1.25 = (Amps)
	OCP size
	EGC size

Equipment Schedule

ID	Quantity	Brand	Model #	Rating	Notes

GENERAL NOTES

SHEET SUMMARY

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COMPANY LOGO

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consulting · design · engineering

Customer: Joe and Annette Wagner

Project: Wagner Residence
7.2 KW

Location: 4805 Neosho

Roeland Park
KS 66205

Sheet Name
ELECTRICAL CALCULATIONS

Designed By: Bob Solger

Project number: 2017-0508

Sheet Title: PV E4.1

Sheets: 15

Issue

Sheet Number

NEC 240.4(B) DEVICES RATED 800 AMPERES OR LESS. THE NEXT HIGHER STANDARD OVERCURRENT DEVICE RATING (ABOVE THE AMPACITY OF THE
CONDUCTORS BEING PROTECTED) SHALL BE PERMITTED TO BE USED IF: 1) THE CONDUCTORS BEING PROTECTED ARE NOT PART OF A MULTIOUTLET
BRANCH CIRCUIT SUPPLYING RECEPTACLES FOR CORD-AND-PLUG-CONNECTED PORTABLE LOADS. 2) THE AMPACITY OF THE
CONDUCTORS DOES NOT CORRESPOND WITH THE STANDARD AMPERE RATING OF A FUSE OR A CIRCUIT BREAKER WITHOUT OVERLOAD TRIP
ADJUSTMENTS ABOVE ITS RATING. 3) THE NEXT HIGHER STANDARD RATING SELECTED DOES NOT EXCEED 800 AMPERES.

NEC240.6(A) FUSES AND FIXED-TRIP CIRCUIT BREAKERS. THE STANDARD AMPERE RATINGS FOR FUSES AND INVERSE TIME CIRCUIT BREAKERS SHALL BE CONSIDERED: 15, 20, 25, 30, 35, 40, 45, 50, 60, 70, 80, 90, 100, 110,125, 150, 175, 200, 225, 250, 300, 350, 400, 450, 500, 600, 700, 800, 1000, 1200, 1600, 2000, 2500, 3000, 4000, 5000, 6000 AMPERES.

NEC240.64(C) GROUNDING ELECTRODE CONDUCTOR BE CONTINUOUS, GROUND CRIMPS
NEC250.160 TO BE IRREVERSIBLE

AND PART VII

NEC250.97 FOR CIRCUITS OVER 250 VOLTS TO GROUND, THE ELECTRICAL CONTINUITY OF METAL RACEWAYS AND CABLES WITH METAL SHEATHS THAT CONTAIN ANY CONDUCTOR OTHER THAN SERVICE CONDUCTORS SHALL BE ENSURED BY ONE OR MORE OF THE METHODS SPECIFIED FOR SERVICES IN 250.90(B), EXCEPT OR (B)(1).

NEC422.30DISCONNECTING MEANS

NEC422.60 NAMEPLATE MARKING

NEC422.62(B) ADDITIONAL NAMEPLATE MARKING

NEC690.4(C) MODULE CONNECTION ARRANGEMENT SHALL BE ARRANGED SO THAT REMOVAL OF A MODULE OR PANEL FROM A PHOTOVOLTAIC SOURCE CIRCUIT DOES NOT INTERRUPT A GROUNDED CONDUCTOR TO ANOTHER PHOTOVOLTAIC SOURCE CURRENT

NEC690.5 GROUND-FAULT PROTECTION

NEC690.7(D) OUTPUT CIRCUITS OVER 150 VOLTS TO GROUND SHALL NOT BE ACCESSIBLE TO OTHER THAN QUALIFIED PERSONS WHILE ENERGIZED.

NEC690.8(A)(1) PHOTOVOLTAIC SOURCE CIRCUIT CURRENTS. THE MAXIMUM CURRENT SHALL BE THE SUM OF THE PARALLEL MODULE RATED SHORT-CIRCUIT CURRENTS MULTIPLIED BY 125 PERCENT.

NEC690.8(A)(3)INVERTER OUTPUT CIRCUIT CURRENT. THE MAXIMUM CURRENT SHALL BE THE INVERTER CONTINUOUS OUTPUT CURRENT RATING.

NEC690.8(B)(1) SIZING OF CONDUCTORS AND OVERCURRENT DEVICES. THE CIRCUIT CONDUCTORS AND OVERCURRENT DEVICES SHALL BE SIZED TO CARRY NOT LESS THAN 125 PERCENT OF THE MAXIMUM CURRENTS AS CALCULATED IN 690.8(A). THE RATING OR SETTING OF OVERCURRENT DEVICES SHALL BE PERMITTED IN ACCORDANCE WITH 240.4(B) AND (C)

NEC690.17 PV SYSTEM DISCONNECT SHALL BE SIGNED LABELED: "WARNING - ELECTRICAL SHOCK HAZARD TERMINALS ON BOTH LINE AND LOAD SIDES MAY BE ENERGIZED IN THE OPEN POSITION**"**

NEC690.14(C)(2) PV SYSTEM DISCONNECT SHALL BE PERMANENTLY MARKED AS A "PHOTOVOLTAIC SYSTEM DISCONNECT"

NEC690.33 (A) CONFIGURATION (B) INTERRUPTION OF CIRCUIT (C) CONNECTORS SHALL BE OF THE LOCKING OR LATCHING TYPE (E) LABELED "DO NOT OPEN UNDER LOAD"

NEC690.53PERMANENT LABEL FOR DIRECT-CURRENT PHOTOVOLTAIC POWER SOURCE
AT DISCONNECTING MEANS
RATED MAXIMUM POWER-POINT CURRENT
RATED MAXIMUM POWER-POINT VOLTAGE
MAXIMUM SYSTEM VOLTAGE [REF: 690.7 (A)]
SHORT-CIRCUIT CURRENT [REF: 690.8 (A)]
MAXIMUM RATED OUTPUT CURRENT OF THE CHARGE CONTROLLER [IF INSTALLED]

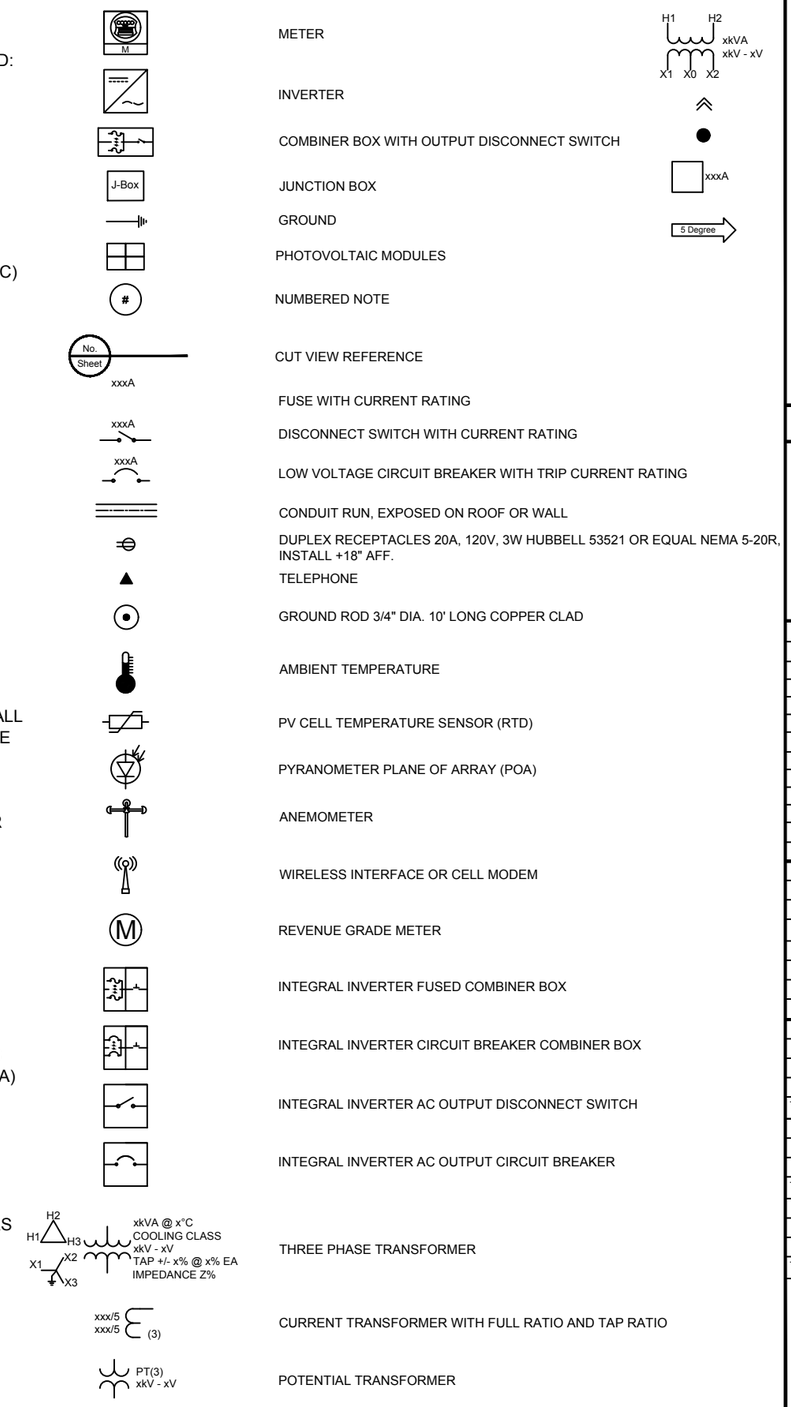
NEC690.56(B) PERMANENT LABEL/PLAQUE: [SOURCE/LABEL]
PV SYSTEM DISCONNECT / REF: NEC690.14 (C) (2)
UTILITY SERVICE PANEL / "UTILITY SERVICE DISCONNECT"

NEC690.64(B)(5) CIRCUIT BREAKERS, IF BACKFED, SHALL BE SUITABLE FOR SUCH OPERATION

NEC705.10 A PERMANENT PLAQUE OR DIRECTORY, DENOTING ALL ELECTRIC POWER SOURCES ON OR IN THE PREMISES, SHALL BE INSTALLED AT EACH SERVICE EQUIPMENT LOCATION AND AT LOCATIONS OF ALL ELECTRIC POWER PRODUCTION SOURCES CAPABLE OF BEING INTERCONNECTED.
EXCEPTION: INSTALLATIONS WITH LARGE NUMBERS OF POWER PRODUCTION SOURCES SHALL BE PERMITTED TO BE DESIGNATED BY
GROUPS

NECTABLE 250.66
SIZE OF ALTERNATING-CURRENT GROUNDING ELECTRODE CONDUCTOR. THE SIZE OF THE GROUNDING ELECTRODE CONDUCTOR AT THE SERVICE,
AT EACH BUILDING OR STRUCTURE WHERE SUPPLIED BY A FEEDER(S) OR BRANCH CIRCUIT(S), OR AT A SEPARATELY DERIVED SYSTEM OF A
GROUNDED OR UNGROUNDED AC SYSTEM SHALL NOT BE LESS THAN GIVEN IN TABLE 250.66, EXCEPT AS PERMITTED IN 250.66(A) THROUGH (C).

NECTABLE 310.16 ALLOWABLE AMPACITIES OF INSULATED CONDUCTORS RATED 0 THROUGH 2000 VOLTS, 60°C, THROUGH 90°C, NOT MORE THAN THREE CURRENT-CARRYING CONDUCTORS IN RACEWAY, CABLE, OR EARTH, BASED ON AMBIENT TEMPERATURE OF 30°C. NOTE CORRECTION FACTORS FOR AMBIENT TEMPERATURE AT END OF TABLE.



GENERAL NOTES

SHEET SUMMARY

PROJECT INFORMATION

Project Latitude	----	Min. Ambient Temperature	-19.2
Project Longitude	----	Max. Ambient Temperature	35
Utility Name	KCPL	Meter Number	New Construction
Wind Exposure Category	B	Wind Speed	115
Risk Category	II	North Direction	0
Interconnection Voltage	240	AHJ	City of Roeland Par

ARRAY INFORMATION

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Inverter	SolarEdge		
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----	----	----	----
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COMPANY LOGO

SOLAR DESIGN studio
consulting · design · engineering

Customer	Joe and Annette Wagner
Project	Wagner Residence 7.2 KW
Location	4805 Neosho ---- Roeland Park KS 66205

Sheet Name
NOTES

Designed By	Bob Solger	Sheet Title	PV E5.2
Project number	2017-0508	Sheets 15	Issue / Sheet Number

PV MODULE RATINGS @STC

MODULE MAKE SOLARWORLD	
MODULE MODEL SW 300	
MAX POWER-POINT CURRENT, Imp	9.57 A
MAX POWER-POINT VOLTAGE, Vmp	31.6V
OPEN-CIRCUIT VOLTAGE, Voc	40.1V
SHORT-CIRCUIT CURRENT, Isc	9.57A
MAX SERIES FUSE (OCPD)	15 A
MAXIMUM POWER, Pmax	300W
MAXIMUM VOLTAGE (TYPE 1000 Vdc)	1000 Vdc
Voc TEMP COEFF [%/DEGREES C]	-0.30

INVERTER RATINGS

INVERTER MAKE	SOLAREDGE
INVERTER MODEL	SE6000A
MAX DC VOLTAGE RATING	600
MAX POWER @ 40DEGREES C	6000W
NOMINAL AC VOLTAGE	240Vac
MAX AC CURRENT	25A
MAX (OCPD)	40A

1 AC METER - PRIMARY

CAUTION:
ONSITE ENERGY GENERATION
SOLAR PHOTOVOLTAIC ARRAY
IEEE-1547 COMPLIANT - WILL
NOT PRODUCE VOLTAGE WHEN
GRID POWER IS OFF

2" × 5"

1A AC METER - PRIMARY

DUAL POWER SOURCE
PHOTOVOLTAIC CIRCUIT
OPERATING VOLTAGE: 120/240
MAXIMUM CURRENT: 25 AMPS
MAXIMUM POWER: 6 KW

2" × 5"

2 AC DISCONNECT- UTILITY

INTERCONNECTION
DISCONNECT SWITCH

1" × 5"

2A AC DISCONNECT- UTILITY

MAXIMUM AC CURRENT	25A
MAXIMUM AC VOLTAGE	240V

1" × 5"

2B AC DISCONNECT- UTILITY

CAUTION: SOLAR ELECTRIC
SYSTEM CONNECTED

1" × 5"

4 DC DISCONNECT

WARNING
ELECTRIC SHOCK HAZARD
DO NOT TOUCH TERMINALS
TERMINALS ON BOTH LINE AND
LOAD SIDES MAY BE ENERGIZED
IN THE OPEN POSITION
DC VOLTAGE IS ALWAYS
PRESENT

2" × 5"

5 BREAKER PANEL

CAUTION
PV SYSTEM CIRCUIT IS BACKFED

1" × 5"

5A BREAKER PANEL

WARNING
INVERTER OUTPUT CONNECTION.
DO NOT RELOCATE THIS OVERCURRENT DEVICE

1" × 5"

6 PV CONDUIT MARKING

WARNING: PHOTOVOLTAIC
POWER SOURCE

1" × 4"

7

DC DISCONNECT- INVERTER
SOLAR DC DISCONNECT

½" × 4"

8 ALL DISCONNECTS

WARNING ELECTRICAL SHOCK
HAZARD LINE AND LOAD TERMINAL
MAY BE ENERGIZED AT ALL TIMES

1" × 5"

9 INVERTER AND DC DISCONNECT

PV POWER SOURCE	
RATED MAX CURRENT(Imp)	18 Adc
RATED MAX VOLTAGE(Vmp)	350Vdc
MAX SYSTEM DC VOLTAGE	500Vdc
SHORT CIRCUIT CURRENT(Isc)	1.2 Adc

1" × 6"

10 SERVICE PANELS

WARNING
TURN OFF PHOTOVOLTAIC
AC DISCONNECT PRIOR TO
WORKING INSIDE PANEL

1" × 5"

12 INVERTER

WARNING -- ELECTRIC SHOCK HAZARD
THE DC CONDUCTORS OF THIS
PHOTOVOLTAIC SYSTEM ARE UNGROUNDED
AND MAY BE ENERGIZED

2" × 6"

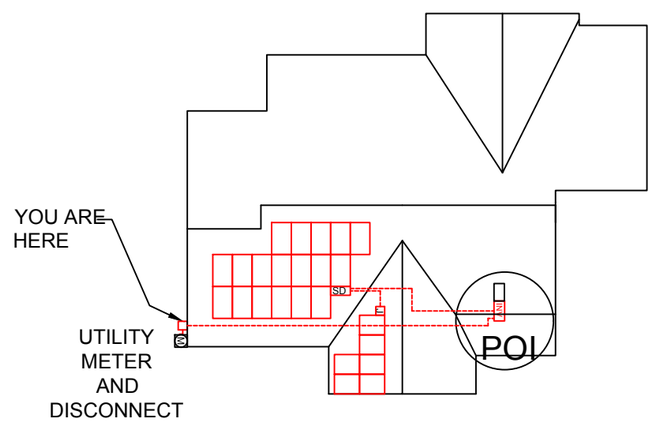
14 INVERTERS AND SERVICE DISCONNECT

PHOTOVOLTAIC SYSTEM
EQUIPPED WITH
RAPID SHUTDOWN

1" × 5"

11

CAUTION
POWER TO THIS SITE IS ALSO SUPPLIED
FROM THE FOLLOWING SOLAR PV ARRAY AND UTILITY
SOURCES WITH DISCONNECTS LOCATED AS SHOWN



8" × 10"

GENERAL NOTES

[A] KEY LOCATION LOCATE AS SHOWN ON SHEET PV E6.2
[B] THE PLAQUE OR DIRECTORY SHALL BE METAL OR PLASTIC, WITH ENGRAVED OR MACHINE PRINTED LETTERS, OR ELECTRO-PHOTO PLATING, IN A CONTRASTING COLOR TO THE PLAQUE. PLAQUE SHALL BE PERMANENTLY ATTACHED NEAR THE SERVICE EQUIPMENT.
[C] DIRECTORY TO BE INSTALLED AT ALL SERVICE EQUIPMENT LOCATIONS.
[D] LABELS MUST COMPLY WITH NEC 110.21(B)(1-3).
[E] USE HELLERMANNTYTON OR EQUIVALENT LABELS.

SHEET SUMMARY

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----	Module Change	7/20/2017	BS
----	----	----	----
----	----	----	----
----	----	----	----

NABCEP Certification

NABCEP CERTIFIED
PV Installation Professional
Bob Solger
#0911110-242

Company Contact Info

Company Name: Solar Design Studio
Company Address: 23185 Hwy 92 Platte City, MO 64079
Company Phone: 816.607.1349
Company E-mail: bob@solardesignstudio.com

COMPANY LOGO

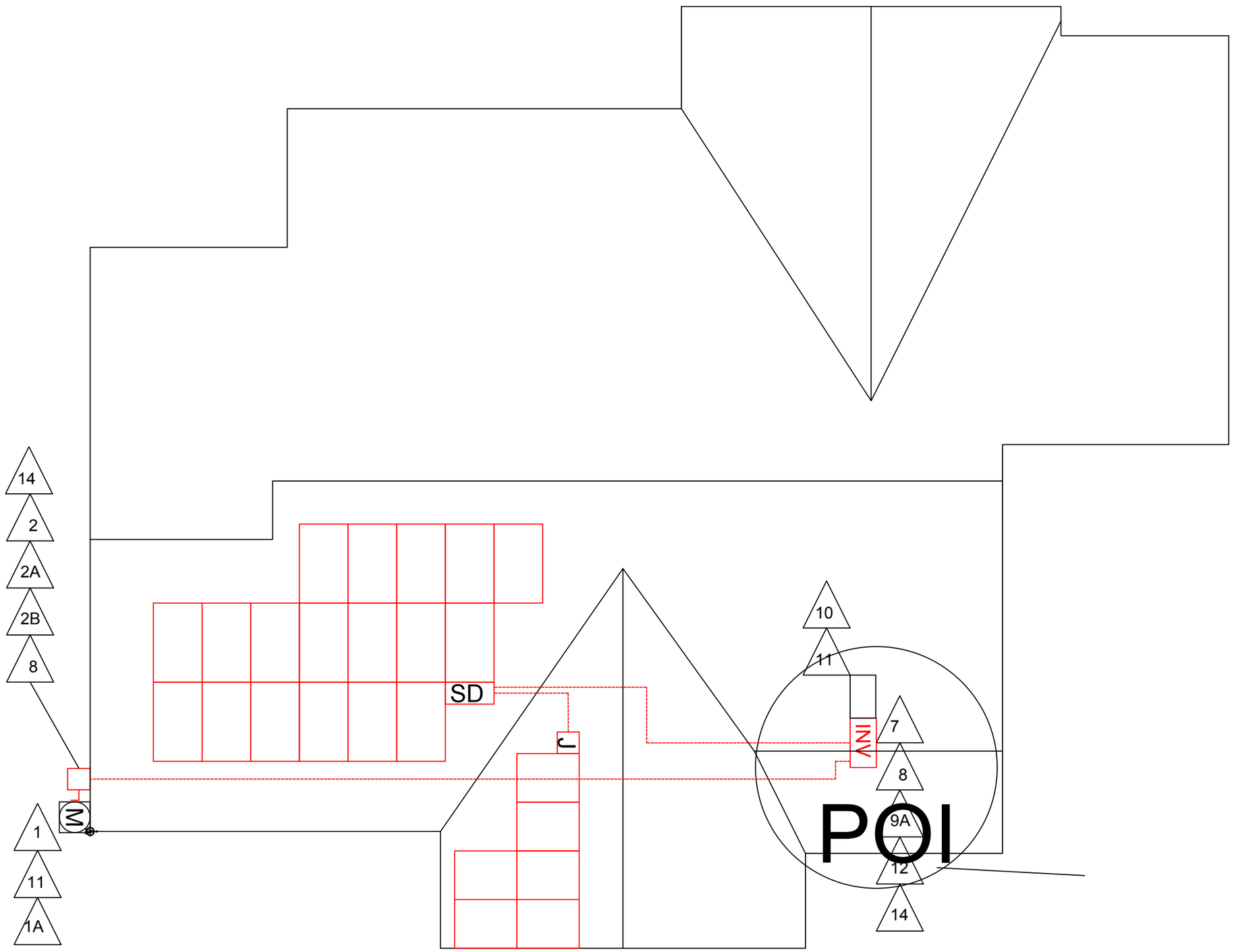
SOLAR DESIGN studio
consulting · design · engineering

Customer	Joe and Annette Wagner
Project	Wagner Residence 7.2 KW
Location	4805 Neosho ---- Roeland Park KS 66205

Sheet Name

SAFETY PLACARDS & SIGNAGE

Designed By	Bob Solger	Sheet Title	PV E6.1
Project number	2017-0508	Sheets 15	Issue / Sheet Number



SHEET SUMMARY

PROJECT INFORMATION

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Project Longitude	----	Max. Ambient Temperature	35
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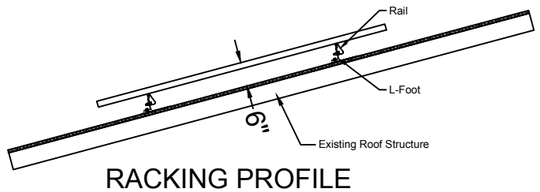
Sheet Name

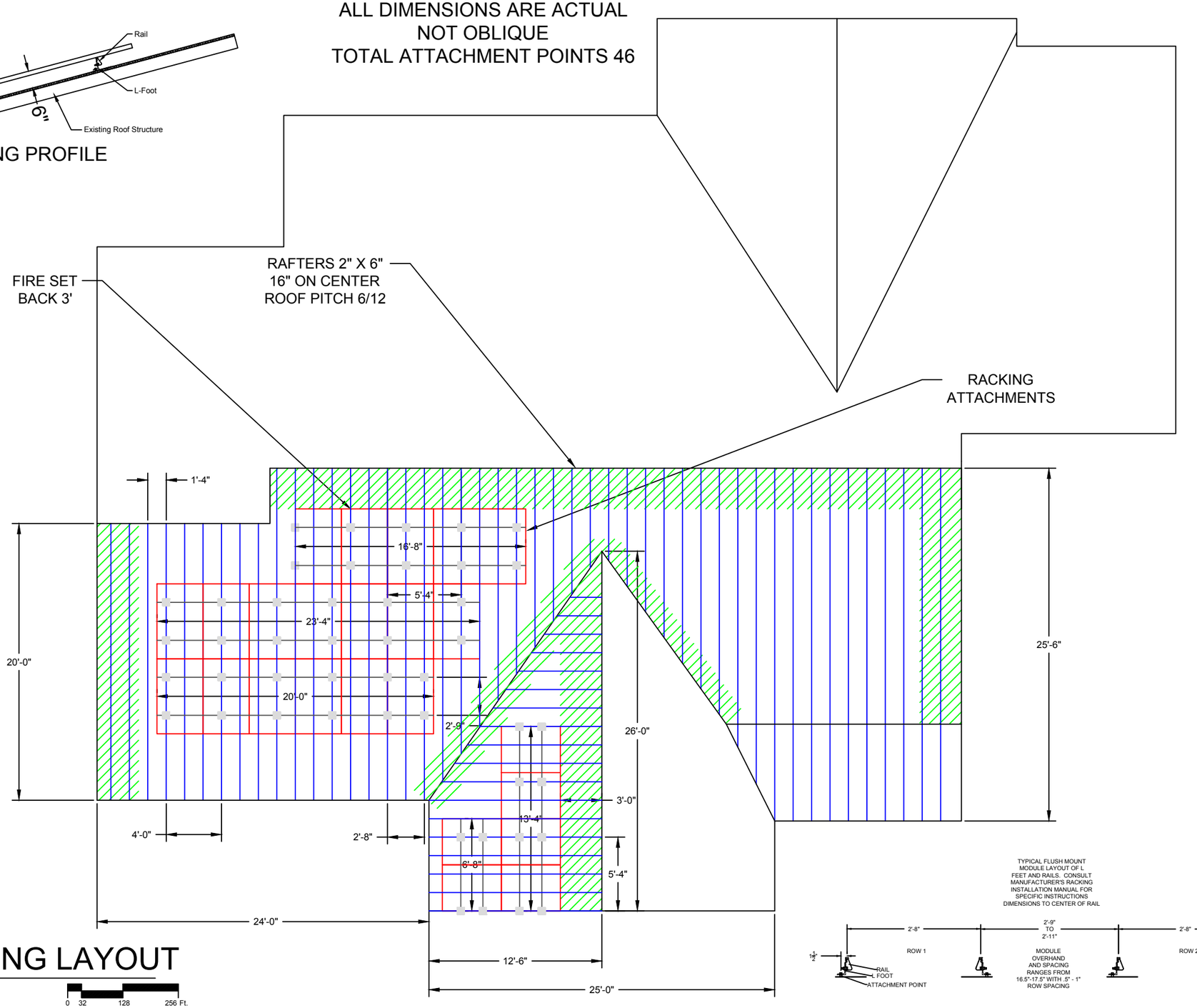
SAFETY PLACARD PLAN

Designed By	Bob Solger	Sheet Title	PV E6.2
Project number	2017-0508	Sheets 15	Issue / Sheet Number

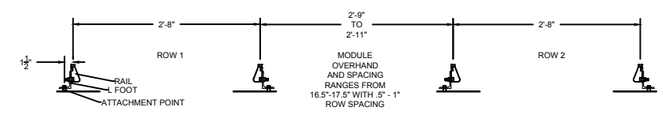
ALL DIMENSIONS ARE ACTUAL
NOT OBLIQUE
TOTAL ATTACHMENT POINTS 46



RACKING PROFILE



TYPICAL FLUSH MOUNT
MODULE LAYOUT OF L
FEET AND RAILS. CONSULT
MANUFACTURER'S RACKING
INSTALLATION MANUAL FOR
SPECIFIC INSTRUCTIONS
DIMENSIONS TO CENTER OF RAIL



RACKING LAYOUT

SCALE: 1/4"=1'

0 32 128 256 Ft.

GENERAL NOTES

[A] 7.2 KW SOLAR ARRAY COMPRISED OF 24-300 WATT MODULES
[B] FLUSH ROOF MOUNTED SYSTEM, ATTACHMENT POINTS, SPACED AT48", EXCEPT WHERE NOTED, MAXIMUM CANTILEVER 24"
[C] MODULES MOUNTED IN PORTRAIT ORIENTATION
[D] SOLAR INSTALLER TO FOLLOW RACKING MANUFACTURE'S INSTRUCTIONS FOR INSTALLING RACKING SYSTEM
[E] SEAL ALL ROOF PENETRATIONS
[F] SOLAR INSTALLER RESPONSIBLE FOR CONFIRMING ALL MEASUREMENTS ON SITE
[G] CHANGES TO ARRAY LAYOUT ARE TO BE APPROVED DESIGN ENGINEER
[H] RAFTERS SPACING IS 16" ON CENTER

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Location	4805 Neosho ---- Roeland Park KS 66205

Sheet Name

RACKING PLAN

Designed By	Bob Solger	Sheet Title	PV S1.1
Project number	2017-0508	Sheets 15	Issue / Sheet Number

Wagner Residence

PITCHED ROOF

IRONRIDGE
1495 ZEPHYR AVE, HAYWARD, CA 94544

Project Details

NAME	Wagner Residence	DATE	2017-07-19
LOCATION	Shawnee Mission, KS, 66205	TOTAL MODULES	24
MODULE	Solarworld:Plus SW 300 MONO (33mm)	TOTAL WATTS	7,200
DIMENSIONS	66.0" x 39.4" x 1.3" (1mm x 1mm x 33mm)	ATTACHMENT PTS	46

Load Assumptions

WIND EXPOSURE	B
WIND SPEED	115 mph
GROUND SNOW LOAD	20 psf
ATTACHMENT SPACING	4.0 ft

Building Details

ROOF SLOPE	26 deg
BUILDING HEIGHT	15 ft
RISK CATEGORY	II

Engineering

XR100 SPAN DETAILS (Portrait)

Roof Zone	Max Span	Max Cantilever
1	6' 6"	2' 7"
2	6' 6"	2' 7"
3	6' 5"	2' 7"

MAXIMUM REACTION FORCES (Portrait)

Roof Zone	Down	Uplift	Lateral
1	226.00	-103.00	66.00
2	226.00	-212.00	66.00
3	226.00	-335.00	67.00

System Weight

TOTAL WEIGHT	1098 lbs
WEIGHT/ATTACHMENT	23.9 lbs
DISTRIBUTED WEIGHT	2.5 psf
RACKING WEIGHT	145.7 lbs

GENERAL NOTES

SHEET SUMMARY

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Sheet Name

RACKING DETAILS

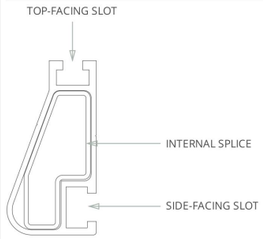
Designed By	Bob Solger	Sheet Title	PV S1.2
Project number	2017-0508	Sheets 15	Issue / Sheet Number

Wagner Residence

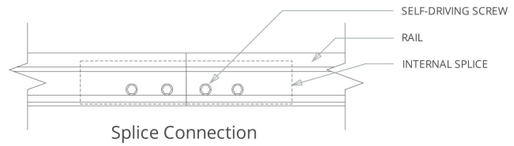
PITCHED ROOF

IRONRIDGE
1495 ZEPHYR AVE, HAYWARD, CA 94544

Splice Detail

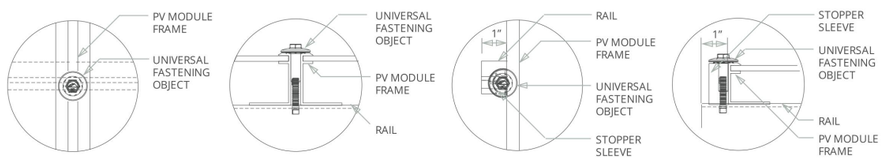


XR100



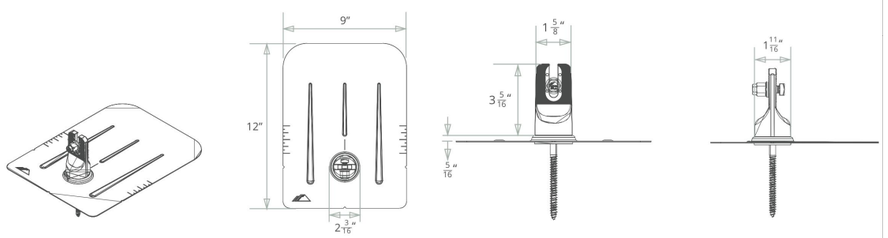
Splice Connection

Clamp Detail



Mid Clamp, Plan | Mid Clamp, Front | End Clamp, Plan | End Clamp, Front

FlashFoot2 Detail



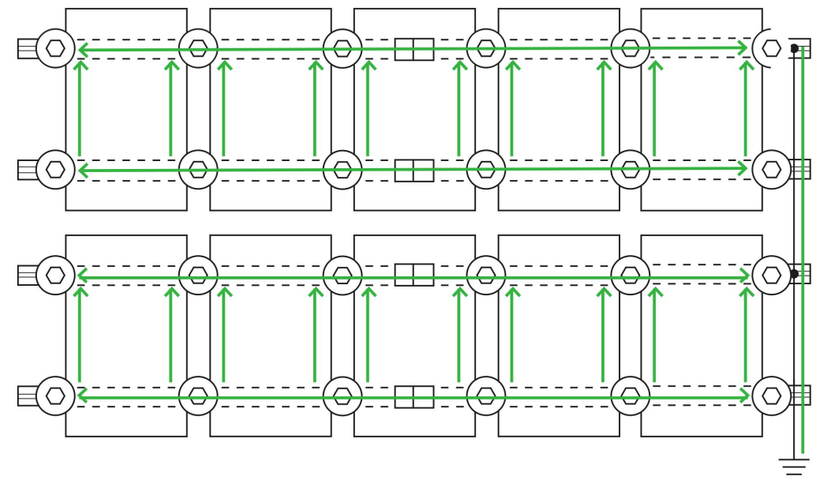
Perspective View | Plan View | Front View | Side View

Wagner Residence

PITCHED ROOF

IRONRIDGE
1495 ZEPHYR AVE, HAYWARD, CA 94544

Grounding Diagram



UFO Clamp

Fault Current Ground Path

Grounding Lug *

Min 10 AWG Copper Wire *

Bonded Splice (Rail Connection)

* Grounding Lugs and Wire are not required in systems using Enphase microinverters.

GENERAL NOTES

SHEET SUMMARY

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COMPANY LOGO

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Customer	Joe and Annette Wagner
Project	Wagner Residence 7.2 KW
Location	4805 Neosho ---- Roeland Park KS 66205

Sheet Name

RACKING DETAILS

Designed By	Bob Solger	Sheet Title	PV S1.3
Project number	2017-0508	Sheets 15	Issue / Sheet Number

Sunmodule® Plus
SW 285-300 MONO (5-busbar)

SOLARWORLD
REAL VALUE

TUV Power controlled:
Lowest measuring tolerance in industry

Every component is tested to meet
3 times IEC requirements

Designed to withstand heavy
accumulations of snow and ice

Sunmodule Plus:
Positive performance tolerance

25-year linear performance warranty
and 10-year product warranty

Glass with anti-reflective coating

World-class quality
Fully-automated production lines and seamless monitoring of the process and material ensure the quality that the company sets as its benchmark for its sites worldwide.

SolarWorld Plus-Sorting
Plus-Sorting guarantees highest system efficiency. SolarWorld only delivers modules that have greater than or equal to the nameplate rated power.

25-year linear performance guarantee and extension of product warranty to 10 years
SolarWorld guarantees a maximum performance digression of 0.7% p.a. in the course of 25 years, a significant added value compared to the two-phase warranties common in the industry, along with our industry-first 10-year product warranty.**

* Solar cells manufactured in U.S.A. or Germany. Modules assembled in U.S.A.
**in accordance with the applicable SolarWorld Limited Warranty at purchase.
www.solarworld.com/warranty

• Qualified, IEC 61215
• Safety tested, IEC 61730
• Blowing sand resistance, IEC 60068-2-68
• Ammonia resistance, IEC 62716
• Salt mist corrosion, IEC 61701
• Periodic inspection

• Periodic inspection
• Power controlled

UL 1703

ISO 9001
ISO 14001
Certified

MADE IN USA
OF US & IMPORTED PARTS*

solarworld.com

Sunmodule® Plus
SW 285-300 MONO (5-busbar)

SOLARWORLD
REAL VALUE

PERFORMANCE UNDER STANDARD TEST CONDITIONS (STC)*

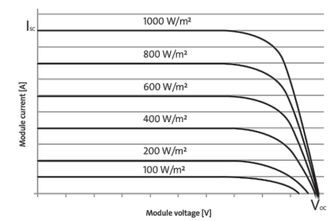
		SW 285	SW 290	SW 295	SW 300
Maximum power	P_{max}	285 Wp	290 Wp	295 Wp	300 Wp
Open circuit voltage	V_{oc}	39.7 V	39.9 V	40.0 V	40.1 V
Maximum power point voltage	V_{mpp}	31.3 V	31.4 V	31.5 V	31.6 V
Short circuit current	I_{sc}	9.84 A	9.97 A	10.10 A	10.23 A
Maximum power point current	I_{mpp}	9.20 A	9.33 A	9.45 A	9.57 A
Module efficiency	η_m	17.00 %	17.30 %	17.59 %	17.89 %

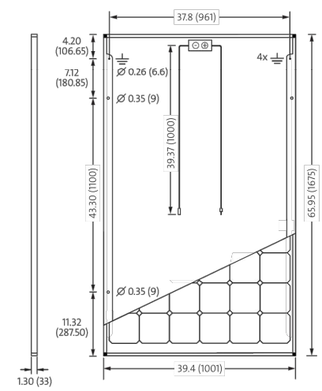
*STC: 1000W/m², 25 °C, AM 1.5

PERFORMANCE AT 800 W/M², NOCT, AM 1.5

		SW 285	SW 290	SW 295	SW 300*
Maximum power	P_{max}	213.1 Wp	217.1 Wp	220.5 Wp	224.1 Wp
Open circuit voltage	V_{oc}	36.4 V	36.6 V	36.7 V	36.9 V
Maximum power point voltage	V_{mpp}	28.7 V	28.8 V	28.9 V	31.1 V
Short circuit current	I_{sc}	7.96 A	8.06 A	8.17 A	8.27 A
Maximum power point current	I_{mpp}	7.43 A	7.54 A	7.64 A	7.75 A

Minor reduction in efficiency under partial load conditions at 25 °C: at 200 W/m², 100% of the STC efficiency (1000 W/m²) is achieved.
*Preliminary values, subject to change.





All units provided are imperial. SI units provided in parentheses.
SolarWorld AG reserves the right to make specification changes without notice.

COMPONENT MATERIALS

Cells per module	60	*Front*	Low-iron tempered glass with ARC (EN 12150)
Cell type	Monocrystalline 5-busbar	*Frame*	Clear anodized aluminum
Cell dimensions	6.17 in x 6.17 in (156.75 x 156.75 mm)	*Weight*	39.7 lbs (18.0 kg)

THERMAL CHARACTERISTICS

NOCT	46 °C
TCI_{sc}	0.04 % / °C
TCV_{oc}	-0.30 % / °C
TCP_{mpp}	-0.41 % / °C
Operating temp	-40 to +85 °C

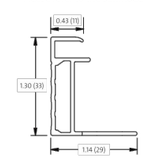
ADDITIONAL DATA

Power sorting	-0 Wp/+5 Wp
J-Box	IP65
Connector	PV wire per UL4703 with H4/UTX connectors
Module fire performance	(UL 1703) Type 1

PARAMETERS FOR OPTIMAL SYSTEM INTEGRATION

Maximum system voltage SC II / NEC		1000 V
Maximum reverse current		25 A
Number of bypass diodes		3
*Design loads**	*Two rail system*	113 psf downward, 64 psf upward
*Design loads**	*Three rail system*	178 psf downward, 64 psf upward
*Design loads**	*Edge mounting*	178 psf downward, 41 psf upward

* Please refer to the Sunmodule installation instructions for the details associated with these load cases.



- Compatible with both "Top-Down" and "Bottom" mounting methods
- ⏚ Grounding Locations:
  – 4 locations along the length of the module in the extended flange.

SW-01-7510US 160324

GENERAL NOTES

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Sheet Name
MANUFACTURER CUTSHEETS

Designed By	Bob Solger	Sheet Title	PV E7.1
Project number	2017-0508	Sheets 15	Issue / Sheet Number

solaredge

SolarEdge Single Phase Inverters

For North America

SE3000A-US / SE3800A-US / SE5000A-US / SE6000A-US / SE7600A-US / SE10000A-US / SE11400A-US

INVERTERS

The best choice for SolarEdge enabled systems

- Specifically designed to work with power optimizers
- Integrated arc fault protection for NEC 2011 690.11 compliance
- Rapid shutdown for NEC 2014 690.12
- Superior efficiency (98%)
- Small, lightweight and easy to install on provided bracket
- Built-in module-level monitoring
- Internet connection through Ethernet or Wireless
- Outdoor and indoor installation
- Fixed voltage inverter, DC/AC conversion only
- Pre-assembled Safety Switch for faster installation
- Optional – revenue grade data, ANSI C12.20

USA - CANADA - GERMANY - ITALY - FRANCE - JAPAN - CHINA - AUSTRALIA - THE NETHERLANDS - UK - ISRAEL - TURKEY - SOUTH AFRICA - BULGARIA www.solaredge.us

solaredge

Single Phase Inverters for North America

SE3000A-US / SE3800A-US / SE5000A-US / SE6000A-US / SE7600A-US / SE10000A-US / SE11400A-US

	SE3000A-US	SE3800A-US	SE5000A-US	SE6000A-US	SE7600A-US	SE10000A- US	SE11400A-US	
OUTPUT								
Nominal AC Power Output	3000	3800	5000	6000	7600	9980 @ 208V 10000 @240V	11400	VA
Max. AC Power Output	3300	4150	5400 @ 208V 5450 @240V	6000	8350	10800 @ 208V 10950 @240V	12000	VA
AC Output Voltage Min.-Nom.-Max.[1] 183 - 208 - 229 Vac	-	-	✓	-	-	✓	-	
AC Output Voltage Min.-Nom.-Max.[1] 211 - 240 - 264 Vac	✓	✓	✓	✓	✓	✓	✓	
AC Frequency Min.-Nom.-Max.[1]	59.3 - 60 - 60.5							Hz
Max. Continuous Output Current	12.5	16	24 @ 208V 21 @ 240V	25	32	48 @ 208V 42 @ 240V	47.5	A
GFDI Threshold	1							A
Utility Monitoring, Islanding Protection, Country Configurable Thresholds	Yes							Yes
INPUT								
Maximum DC Power (STC)	4050	5100	6750	8100	10250	13500	15350	W
Transformer-less, Ungrounded	Yes							
Max. Input Voltage	500							Vdc
Nom. DC Input Voltage	325 @ 208V / 350 @ 240V							Vdc
Max. Input Current[2]	9.5	13	16.5 @ 208V 15.5 @ 240V	18	23	33 @ 208V 30.5 @ 240V	34.5	Adc
Max. Input Short Circuit Current	45							Adc
Reverse-Polarity Protection	Yes							
Ground-Fault Isolation Detection	600kΩ Sensitivity							
Maximum Inverter Efficiency	97.7	98.2	98.3	98.3	98	98	98	%
CEC Weighted Efficiency	97.5	98	97 @ 208V 98 @ 240V	97.5	97.5	97 @ 208V 97.5 @ 240V	97.5	%
Nighttime Power Consumption	< 2.5					< 4		W
ADDITIONAL FEATURES								
Supported Communication Interfaces	RS485, RS232, Ethernet, ZigBee (optional)							
Revenue Grade Data, ANSI C12.20	Optional[3]							
Rapid Shutdown – NEC 2014 690.12	Yes							
STANDARD COMPLIANCE								
Safety	UL1741, UL1741 SA, UL1699B, UL1998 , CSA 22.2							
Grid Connection Standards	IEEE1547							
Emissions	FCC part15 class B							
INSTALLATION SPECIFICATIONS								
AC output conduit size / AWG range	3/4" minimum / 16-6 AWG					3/4" minimum / 8-3 AWG		
DC input conduit size / # of strings / AWG range	3/4" minimum / 1-2 strings / 16-6 AWG					3/4" minimum / 1-3 strings / 14-6 AWG		
Dimensions with Safety Switch (HxWxD)	30.5 x 12.5 x 7.2 / 775 x 315 x 184					30.5 x 12.5 x 10.5 / 775 x 315 x 260		in / mm
Weight with Safety Switch	51.2 / 23.2		54.7 / 24.7			88 .4 / 40.1		lb / kg
Cooling	Natural Convection				Natural convection and internal fan (user replaceable)	Fans (user replaceable)		
Noise	< 25				< 50			dBA
Min.-Max. Operating Temperature Range	-13 to +140 / -25 to +60 (-40 to +60 version available[4])							˚F / ˚C
Protection Rating	NEMA 3R							

(1) For other regional settings please contact SolarEdge support.
(2) A higher current source may be used; the inverter will limit its input current to the values stated.
(3) Revenue grade inverter P/N: SExxxxA-US000NNC2.
(4) -40 version P/N: SExxxxA-US000NNU4 (for 7600W inverter:SE7600A-US002NNU4).

RoHS

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GENERAL NOTES

SHEET SUMMARY

PROJECT INFORMATION			
Project Latitude	----	Min. Ambient Temperature	-19.2
Project Longitude	----	Max. Ambient Temperature	35
Utility Name	KCPL	Meter Number	New Construction
Wind Exposure Category	B	Wind Speed	115
Risk Category	II	North Direction	0
Interconnection Voltage	240	AHJ	City of Roeland Park

ARRAY INFORMATION			
ARRAY 1			
Module Name	SolarWorld SW 300		
Inverter	SolarEdge		
Tilt Angle 22	No. of Modules 24	DC String Length 12	No. of Strings 1
ARRAY 2			
Module Name	----		
Inverter	----		
Tilt Angle ----	No. of Modules ----	DC String Length 12	No. of Strings 1
ARRAY 3			
Module Name	----		
Inverter	----		----
Tilt Angle ----	No. of Modules ----	DC String Length ----	No. of Strings

Rev	Description	Date	Drawn By
1	Initial Design	5/8/2017	BS
----	Module Change	7/20/2017	BS
----	----	----	----
----	----	----	----
----	----	----	----

NABCEP Certification

NABCEP CERTIFIED
PV Installation Professional
Bob Solger
#091110-242

Company Contact Info

Company Name: Solar Design Studio
Company Address: 23185 Hwy 92 Platte City, MO 64079
Company Phone: 816.607.1349
Company E-mail: bob@solardesignstudio.com

COMPANY LOGO

SOLAR DESIGN studio
consulting · design · engineering

Customer: Joe and Annette Wagner
Project: Wagner Residence 7.2 KW
Location: 4805 Neosho ---- Roeland Park KS 66205

Sheet Name: MANUFACTURER CUTSHEETS

Designed By: Bob Solger
Sheet Title: PV E7.2
Project number: 2017-0508
Sheets: 15
Issue
Sheet Number

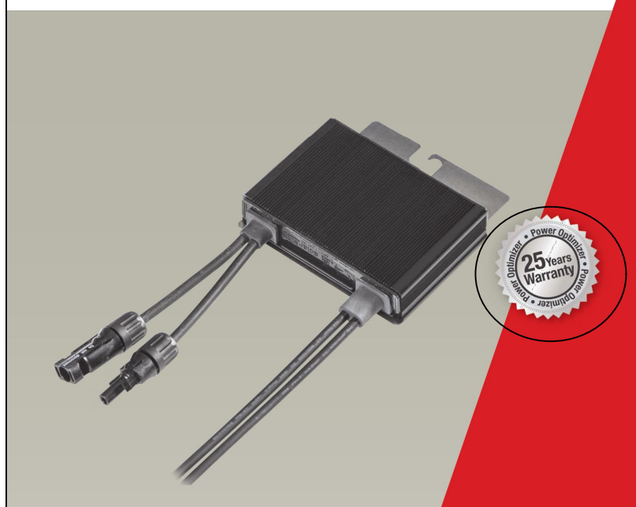
solaredge

SolarEdge Power Optimizer

Module Add-On For North America

P300 / P320 / P400 / P405

POWER OPTIMIZER



PV power optimization at the module-level

- Up to 25% more energy
- Superior efficiency (99.5%)
- Mitigates all types of module mismatch losses, from manufacturing tolerance to partial shading
- Flexible system design for maximum space utilization
- Fast installation with a single bolt
- Next generation maintenance with module-level monitoring
- Module-level voltage shutdown for installer and firefighter safety

USA - GERMANY - ITALY - FRANCE - JAPAN - CHINA - ISRAEL - AUSTRALIA

www.solaredge.us

solaredge

SolarEdge Power Optimizer

Module Add-On for North America

P300 / P320 / P400 / P405

	P300 (for 60-cell modules)	P320 (for high-power 60-cell modules)	P400 (for 72 & 96-cell modules)	P405 (for thin film modules)	
INPUT					
Rated Input DC Power[1]	300	320	400	405	W
Absolute Maximum Input Voltage (Voc at lowest temperature)	48		80	125	Vdc
MPPT Operating Range	8 - 48		8 - 80	12.5 - 105	Vdc
Maximum Short Circuit Current (Isc)	10	11	10		Adc
Maximum DC Input Current	12.5	13.75	12.5		Adc
Maximum Efficiency	99.5				%
Weighted Efficiency	98.8				%
Overvoltage Category	I				
OUTPUT DURING OPERATION (POWER OPTIMIZER CONNECTED TO OPERATING SOLAREDGE INVERTER)					
Maximum Output Current	15				Adc
Maximum Output Voltage	60			85	Vdc
OUTPUT DURING STANDBY (POWER OPTIMIZER DISCONNECTED FROM SOLAREDGE INVERTER OR SOLAREDGE INVERTER OFF)					
Safety Output Voltage per Power Optimizer	1				Vdc
STANDARD COMPLIANCE					
EMC	FCC Part15 Class B, IEC61000-6-2, IEC61000-6-3				
Safety	IEC62109-1 (class II safety), UL1741				
RoHS	Yes				
INSTALLATION SPECIFICATIONS					
Maximum Allowed System Voltage	1000				Vdc
Compatible inverters	All SolarEdge Single Phase and Three Phase inverters				
Dimensions (W x L x H)	128 x 152 x 27.5 / 5 x 5.97 x 1.08		128 x 152 x 35 / 5 x 5.97 x 1.37	128 x 152 x 48 / 5 x 5.97 x 1.89	mm / in
Weight (including cables)	770 / 1.7		930 / 2.05	930 / 2.05	gr / lb
Input Connector	MC4 Compatible				
Output Wire Type / Connector	Double Insulated; MC4 Compatible				
Output Wire Length	0.95 / 3.0		1.2 / 3.9		m / ft
Operating Temperature Range	-40 - +85 / -40 - +185				°C / °F
Protection Rating	IP68 / NEMA6P				
Relative Humidity	0 - 100				%

[1] Rated STC power of the module. Module of up to +5% power tolerance allowed.

PV SYSTEM DESIGN USING A SOLAREDGE INVERTER[2]	SINGLE PHASE	THREE PHASE 208V	THREE PHASE 480V	
Minimum String Length (Power Optimizers)	8	10	18	
Maximum String Length (Power Optimizers)	25	25	50	
Maximum Power per String	5250	6000	12750	W
Parallel Strings of Different Lengths or Orientations	Yes			

[2] It is not allowed to mix P405 with P300/P400/P600/P700 in one string.

CE

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GENERAL NOTES

SHEET SUMMARY

PROJECT INFORMATION			
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Bob Solger
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Company Contact Info

Company Name: Solar Design Studio
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Company Phone: 816.607.1349
Company E-mail: bob@solardesignstudio.com

COMPANY LOGO

SOLAR DESIGN studio
consulting · design · engineering

Customer	Joe and Annette Wagner
Project	Wagner Residence 7.2 KW
Location	4805 Neosho ---- Roeland Park KS 66205

Sheet Name

MANUFACTURER CUTSHEETS

Designed By	Bob Solger	Sheet Title	PV E7.3
Project number	2017-0508	Sheets 15	Issue / Sheet Number

Datasheet

IRONRIDGE

Flush Mount System

Built for solar's toughest roofs.

IronRidge builds the strongest mounting system for pitched roofs in solar. Every component has been tested to the limit and proven in extreme environments.

Our rigorous approach has led to unique structural features, such as curved rails and reinforced flashings, and is also why our products are fully certified, code compliant and backed by a 20-year warranty.

Strength Tested
All components evaluated for superior structural performance.

PE Certified
Pre-stamped engineering letters available in most states.

Class A Fire Rating
Certified to maintain the fire resistance rating of the existing roof.

Design Assistant
Online software makes it simple to create, share, and price projects.

UL 2703 Listed System
Entire system and components meet newest effective UL 2703 standard.

20-Year Warranty
Twice the protection offered by competitors.

Datasheet

XR Rails

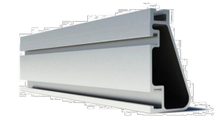
XR10 Rail

A low-profile mounting rail for regions with light snow.
- 6' spanning capability
- Moderate load capability
- Clear & black anod. finish

XR100 Rail

The ultimate residential solar mounting rail.
- 8' spanning capability
- Heavy load capability
- Clear & black anod. finish

XR1000 Rail



A heavyweight mounting rail for commercial projects.
- 12' spanning capability
- Extreme load capability
- Clear anodized finish

Bonded Splices

All rails use internal splices for seamless connections.
- Self-drilling screws
- Varying versions for rails
- Forms secure bonding

Clamps & Grounding

UFOs

Universal Fastening Objects bond modules to rails.
- Fully assembled & lubed
- Single, universal size
- Clear & black finish

Stopper Sleeves

Snap onto the UFO to turn into a bonded end clamp.
- Bonds modules to rails
- 6 different sizes
- Clear & black anod. finish

Grounding Lugs

Connect arrays to equipment ground.
- Low profile
- Single tool installation
- Mounts in any direction

Microinverter Kits

Mount MIs or POs to XR Rails.
- Bonds devices to rails
- Kit comes assembled
- Listed to UL 2703

Attachments

FlashFoot2

Flash and mount XR Rails with superior waterproofing.
- Twist-on Cap eases install
- Wind-driven rain tested
- Mill & black finish

Slotted L-Feet

Drop-in design for rapid rail attachment.
- Secure rail connections
- Slot for vertical adjusting
- Clear & black anod. finish

Bonding Hardware

Bond and attach XR Rails to certified attachments.
- T & Square Bolt options
- Nut uses 7/16" socket
- Assembled & lubricated

Flush Standoffs

Raise Flush Mount System to various heights.
- Works with vent flashing
- 4" and 7" lengths
- Ships assembled

Resources

Design Assistant
Go from rough layout to fully engineered system. For free.
Go to IronRidge.com/design

NABCEP Certified Training
Earn free continuing education credits, while learning more about our systems.
Go to IronRidge.com/training

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GENERAL NOTES

SHEET SUMMARY

PROJECT INFORMATION

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consulting · design · engineering

Customer	Joe and Annette Wagner
Project	Wagner Residence 7.2 KW
Location	4805 Neosho ---- Roeland Park KS 66205

Sheet Name
MANUFACTURER CUTSHEETS

Designed By	Bob Solger	Sheet Title	PV E7.4
Project number	2017-0508	Sheets 15	Issue / Sheet Number

Item Number: **New Business- VII.-C.**
Committee Meeting Date: **11/20/2017**

City of Roeland Park

Action Item Summary

Date:	10/20/2017
Submitted By:	Keith Moody
Committee/Department:	Admin.
Title:	**Leasing Agent Agreement**
Item Type:	Agreement

Recommendation:

To approve an agreement for leasing agent services with AREA Real Estate Advisors, LLC.

Details:

The Family Conservancy has provided notice that they will not be renewing their lease on the 3rd floor. The purchasing policy exempts the selection of professional services such as this from a formal bid process. I have contacted 5 firms that are serving as leasing agent for properties in NE JOCO. I have interviewed three (Zimmer, AREA, CBRE). All three are qualified to serve as leasing agent for our space. My preference is for AREA based on them compiling a substantial list of comparable properties prior to our interview (to set expectations of rental rates and convey enthusiasm for the project), knowledge of other properties in the area we compete with and their clear articulation of the strengths our site holds compared to others in the market:
24 hour access
Police presences (security)
Reputable Landlord
Highway Proximity
Clean professional space

The attached leasing agent agreement has been reviewed and approved as to form by the City Attorney.

The 6% commission is an industry standard. The fee that the agent stands to earn under the terms

of the agreement is likely to exceed $7,500, this is beyond the authorization limit of the City Administrator and thus requires Council approval.

$17.00 per square foot is common in our market for a full service lease in a class B property.

Financial Impact

Amount of Request: 6% of first 5 years of rents, 3% of rent from years 6-10	
Budgeted Item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

ATTACHMENTS:

Description	Type
AREA Company Information	Cover Memo
Leasing Agent Agreement	Cover Memo

ABOUT US

Founded by entrepreneurs, AREA is a full-service boutique commercial real estate company specializing in office, retail, and industrial tenant representation and project leasing, as well as property management. AREA offers a platform that is tailored specifically for each client and assignment. We are not a company that clients simply plug into. We look at every transaction individually and from a business owner's perspective. Our senior leadership is active on every account, pulling together partners and customizing the best solution to meet our clients' needs.

AREA Real Estate Advisors has both regional and national expertise, and strong ongoing relationships. For more than a decade, AREA has represented not only hundreds of clients locally, but also facilitated corporate relocations, both regionally and nationally. We have worked on the behalf of our clients to negotiate incentives, analyze financials and metrics, plus site selection. We apply a nimble, team approach while providing the highest level of service.

HISTORY

Established in 2002, AREA Real Estate Advisors (formerly RED Brokerage LLC) is the leading independent commercial real estate firm in the Kansas City metropolitan area.

In May of 2016, investors within RED Brokerage and Mariner Real Estate Management purchased the firm from its previous ownership, creating what is now called AREA Real Estate Advisors. Our name speaks to the versatility and creativity of the people at AREA. Whether it be the area of an office, industrial building, retail space, land or ground-up development, we are all about the environment in which our clients are invested. We operate with unprecedented strategy using real estate to its greatest potential for our clients. Consistent with the founders' vision, AREA continues a growth strategy that is uniquely entrepreneurial, fostered by a culture that celebrates and supports innovation. The leadership at AREA and Mariner Real Estate Management capitalize on each company's deep resources to expand and elevate the level of service each provides to its customers and investors.

OFFICE CLIENTS

- American Academy of Family Physicians
- Associated Equipment Sales
- Dairy Farmers of America
- Encompass Consulting Group
- Enterprise Bank & Trust
- Freightquote.com
- TEVA Neuroscience
- TIDE Dry Cleaners / Proctor & Gamble

RETAIL CLIENTS

- 54th Street Bar & Grill
- Dunkin Donuts
- Fresh Market
- GAP Brands
- Nordstrom Rack
- QuikTrip
- Sear's Holding Company
- Tesla Motors
- Title Boxing Club
- T-Mobile

INDUSTRIAL CLIENTS

- American Red Cross
- Bank of America
- Cascades
- Fastenal
- Frito-Lay (Division of PepsiCo)
- Fry-Wagner
- Hobby Lobby
- Kohler
- Schwan's
- Sierra Trading (Division of TJX)

The information used to create this brochure was gathered from sources deemed reliable. Though we do not doubt its accuracy, we do not guarantee or warranty it. You and your advisors should conduct a careful independent investigation of the information to determine your satisfaction and suitability.

MIKE LEVITAN
Vice President

Mike Levitan joined AREA Real Estate Advisors in 2005 specializing in office properties. He represents and advises tenants, landlords, and developers, both locally and regionally. His primary responsibilities include: market trend analysis, financial/incentive analysis, site selection, lease vs purchase analysis, lease structure and negotiation, acquisition disposition, and land assemblage.

A partial list of Tenants Mike has represented includes the following: Cactus Software, Dermadoctor, Freightquote, Helzberg Entrepreneurial Mentoring Program, Kansas City Internal Medicine, Menorah Legacy Foundation, McCrite Retirement Plaza, Murphy Hoffman, Palmer Square Capital, Parris Communications, South and Associates, and Teva Neuroscience. Mike also represents Dairy Farmers of America and was actively involved in DFA's plans to move their global headquarters to Kansas City, Kansas.

A partial list of Landlords Mike has represented includes the following: American Academy of Family Physicians (AAFP), CA Ventures, Enterprise Bank, Founders Properties, IRET Properties, Onward Investors, RED Development, Stonecreek Properties, the Tutera Group, and Yukon Capital Management.

Prior to joining AREA, Mike spent six years at Ascend Media where he served as Vice President of Marketing. Some of his clients included: Computer Associates, McDonald's, Morningstar, the American College of Surgeons, the American Academy of Neurology, and the Sundance Film Festival. Mike also spent over five years as with the Kansas City Chiefs Radio Network focusing on business development for the 6 state network.

Mike earned his Bachelor of Science degree from the University of Kansas and he is a licensed real estate professional in both Kansas and Missouri. He is currently a board member for the Kansas City Alzheimer's Assocation, sits on the planning commission for the City of Leawood, volunteers with Harvesters, and lends his time to The Children's Place.

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HANK SIMPSON
Office Division

EXPERTISE AND SPECIALIZATION
Hank Simpson joined AREA as an associate of the office team in January 2017 after interning in the Summer of 2016 with the firm. Hank is currently working to represent and advise tenants and landlords in the Kansas City area. He works with the other members of the office team to learn from their experiences to better himself as a salesperson in the office industry. Hank is excited about the opportunity to serve the Kansas City area in this business and making relationships with clients, as he works to build his portfolio of business.

EDUCATION
Kansas State University, Bachelor's Degree in Business Marketing
Kansas State Student-Athlete: Golf

PROFESSIONAL AFFILIATIONS
State of Kansas Licensed Real Estate Salesperson
State of Missouri Licensed Real Estate Salesperson

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EXCLUSIVE RIGHT TO LEASE AGREEMENT
FOR USE FOR COMMERCIAL OR INDUSTRIAL PROPERTY

Effective Date: December 1, 2017
Expiration Date: June 30, 2018

The undersigned Owner and Broker hereby agree that the property described below (the "Property") is listed for lease by Owners with Broker, and the Broker shall have the sole and exclusive right to lease the Property for a period beginning on the Effective Date and, unless otherwise specified below, ending on the above-referenced Expiration Date.

1. Broker agrees to use reasonable efforts to lease the property at the rental rate and on the terms below stated or later agreed upon between Owner and tenant. The parties agree that Broker shall be exclusively authorized to advertise and otherwise offer the Property for lease, which right shall include the right, consistent with the rights of existing tenants, if any, to place an attractive sign or signs, with the designation "exclusive" thereon, on the premises, and any other "For Lease" signs shall be removed immediately by Owner. Owner and Broker agree that the Property shall be offered in compliance with all applicable anti-discrimination laws.

2. Owner acknowledges receiving the required Kansas form regarding the disclosure of alternative agency relationships, which needs to be read by all consumers. Without limiting the generality of the foregoing, Owner acknowledges that Broker shall be deemed a "transaction broker" for purposes of any representation of Owner hereunder, and the undersigned authorized representative(s) of Broker (each, a "Designated Agent") shall be the "designated agent" for Owner under this Agreement. Owner further acknowledges that other representatives of Broker may serve as designated agents of other clients of Broker with interests adverse to Owner and who may otherwise have a direct conflict of interest with Owner (such individual(s) herein referred to as "Other Broker Agent(s)"). The Other Broker Agents shall not owe any duties or obligations to Owner, it being understood that all such duties or obligations shall be the sole responsibility of Designated Agents.

3. Owner understands and agrees the Designated Agents can show the property and obtain offers from all prospective tenants, including Other Broker Agents and including other tenants with whom the Broker has an agency relationship.

4. Owner authorizes Broker to cooperate with and compensate other brokers, including subagents and brokers representing the tenant. Owner understands and acknowledges that a cooperating broker representing a tenant represents solely the interests of such tenant, even if compensated by Broker. Broker is authorized to show the Property to prospective tenants and to arrange showings of the Property to prospective tenants represented by their own brokers or agents. The Designated Agent(s) shall maintain primary responsibility for the negotiation of all lease contracts.

5. When and if Broker produces a prospect ready, willing and able to lease the Property at the rental rate and on the terms stated below or later agreed upon between Owner and tenant and the prospect indicates such intention by signing the lease, subject to customary terms and conditions during the term of this Agreement, Owner agrees to pay Broker a commission of <u>six (6%) percent</u> of the total rentals to be received for years 1-5 and <u>three (3%) percent</u> of the totals received for years 6-10. 50% of the total fee shall be paid within 30 days of lease execution with the balance paid within 30 days of occupancy. Owner's obligation to pay the above-described commission shall survive the expiration of this Agreement.

6. As used in this Agreement, the term "lease" shall also include any agreement or option to lease or use the Property. Owner agrees that in the event such an agreement or option is granted, Owner shall pay Broker a commission upon receipt by the Owner of any such payment(s).

7. Owner further agrees to pay Broker the above-described commission if the Property is leased within <u>180 days</u> after either the expiration of this agreement, or the complete cessation of any negotiations, whichever is later, to any party to whom the Property was submitted and whose name was disclosed to Owner by Broker, in writing, during the term of this Agreement or within <u>10 days</u> after the expiration of this Agreement.

8. Owner agrees to refer to Broker all inquiries and prospects Owner may receive or know of, directly or indirectly, and Owner hereby gives Broker permission to enter the Property at reasonable times.

9. Owner hereby states and affirms that, to the best of Owner's knowledge, and except as otherwise specified below: Owner will have good and marketable title to the Property; there are no known material physical, structural or mechanical defects in the Property; and there are no known hazardous substances, pollutants or contaminants on the Property, the presence or disposal of which is subject to federal, state or local environmental regulation, nor is there any equipment, storage tank, container or structural element on the property that contains or utilizes, and has released or could release, any such hazardous substance, pollutant or contaminant.

10. Broker agrees to:
    a. Perform the terms of this contract, exercise reasonable skill and care for the Owner, and promote the interests of the owner with utmost good faith, loyalty and fidelity unless acting as a transaction broker on a property or a disclosed dual agent on a property.
    b. Seek a price and terms acceptable to the Owner.
    c. Present all written offers, counteroffers and back-up offers in a timely manner. Broker shall not be obligated to continue to market a property or present subsequent offers after a lease agreement has been executed by Owner.
    d. Disclose to the Owner all adverse material facts actually known by the licensee about the tenant.
    e. Advise the Owner to obtain expert advice as to material matters known by the Owner but the specifics of which are beyond the Broker's expertise.
    f. Disclose to the Owner any facts known by Broker which contradict any information included in a written report prepared by a qualified third party and account in a timely manner for all money and property received.
    g. Comply with any applicable federal, state and local laws, rules and regulations and ordinances, including fair housing and civil rights statutes and rules and regulations.
    h. Resolve any disputes arising under the lease pursuant to the laws of the state of Kansas.
    i. Keep all information about the Owner confidential unless disclosure is required by statute or rule and regulation or failure to disclose would constitute misrepresentation, or unless disclosure is necessary in Kansas to defend the affiliated licensee against an action of wrongful conduct in an administrative or judicial proceeding or before a professional committee.
    j. Disclose to any tenant all adverse material facts actually known by the Broker including but not limited to environmental hazards affecting the property which are required by law to disclose, the physical condition of the property, material defects in the property or title thereto, or any material limitation on the owner's ability to perform under the term of a lease contract.
    k. Assist with coordinating the details of closing any lease transaction.
    l. Comply with all requirements of the Brokerage Relationships in Real Estate Transactions Act of Kansas and any rules and regulations promulgated pursuant to those sections.

11. If any term of this Agreement is to any extent invalid, illegal, or incapable of enforced, such term shall be excluded to the extent of such invalidity, illegality, or unenforceability,; all other terms hereof shall remain in full force and effect.

12. The parties will use their best endeavours to resolve any disputes, disagreements or claims, which may arise under or in connection with the Agreement by negotiation. In the event that Owner and Broker are unable to resolve a dispute by negotiation, the matter shall be submitted to binding arbitration for resolution of the dispute. Arbitration shall be the sole and exclusive remedy for resolving disputes between the parties. Arbitration shall be conducted in accordance with the commercial arbitration rules of the American Arbitration Association, and shall be held before a single arbitrator. Such arbitrator may not limit, expand or otherwise modify the terms of this Agreement. The arbitrator shall not have the authority to award punitive or other non-compensatory damages to either party. Each party shall bear its own arbitration costs and expenses. The parties, their representatives and the arbitrator shall hold the existence, content and results of the arbitration in confidence, except as shall be necessary to obtain judgment upon the arbitration award, which judgment may be entered in any court of competent jurisdiction. Arbitration proceedings shall be held

in Roeland Park, Kansas.

13. Each person executing this Agreement represents and warrants that he or she has fully authority to sign this Agreement on behalf of the party for whom he or she signs and that this Agreement binds such party.

14. PROPERTY, RENTAL RATE AND RENTAL TERMS.

    a. Legal Description: _____
    b. Street Address of Property: 4600 W 51st Street, 3rd Floor, East Suite
    c. Rental Rate: $17.00 to $19.00 per square foot
    d. Rental Terms: full service gross basis, with length of lease and tenant finish allowance being negotiable

TRANSACTION BROKER:
AREA Real Estate Advisors, LLC.

By_____
Name_____
Date_____
Address: 4717 Central Avenue
Kansas City, MO 64112
Telephone: (816) 777-3500
Tax I.D. Number: 47-089-0764

OWNER:.
City of Roeland Park

By_____
Name Keith Moody
Date_____
Address 4600 W 51st Street
Roeland Park, KS 66206
Telephone 913 722 2600
Tax I.D. Number_____

Item Number: **New Business- VII.-D.**
Committee Meeting Date: **11/20/2017**

City of Roeland Park

Action Item Summary

Date:	11/1/2017
Submitted By:	Kelley Bohon
Committee/Department:	Admin.
Title:	**Custodial Services City Hall**
Item Type:	Agreement

Recommendation:

To approve the bid from Riteway Maintenance & Supply, LLC to provide custodial services for 2018-2019 for $930 per month with the option to renew annually after December 2019.

Details:

Staff reviewed the submitted proposals and Riteway Maintenance & Supply, LLC had the lowest cost over the two years for the basic services outline in the RFP ($930) as well cost per hour of $15.00 for special services. Riteway Maintenance & Supply, LLC has been the firm that has been cleaning City Hall since the Update was finished in 2012.

Financial Impact

Amount of Request: $11,160	
Budgeted Item?	Budgeted Amount: $11,160
Line Item Code/Description: 5214.101	

Additional Information

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

ATTACHMENTS:

Description	Type
Agreement 2018-2019	Cover Memo

AGREEMENT FOR CUSTODIAL SERVICES

This Agreement, made this _____day of_____, ___, by and between _____ _____, hereinafter referred to as Contractor, and the CITY OF ROELAND PARK, KANSAS, hereinafter referred to as City, shall be in full force and effect during calendar years 2018 through 2019with the following terms and conditions.

The Contractor proposes and agrees to provide all necessary machinery, tools, and equipment; and to do all the work specified in these documents of the agreement in the manner herein prescribed and according to the requirements of the City as herein set forth.

This document will be the only executed agreement. Any additions or changes must be added as a written supplement to this agreement at time of proposal.

A walk through of the City Facilities is scheduled for 9:00am on October 12, 2017 starting at City Hall, 4600 W 51st Street. This will be your only opportunity to tour the facilities**.**

1.0 **Service Specifications**

1.1 The Contractor will provide building custodial services on a five day (Monday through Friday) schedule at the City Hall/Municipal Building 4600 W 51st Street

1.2 The Contractor will provide all labor, equipment, and cleaning materials to adequately perform the required custodial services.

1.3 The Contractor will identify the chemicals and will provide to the City a Material Safety Data Sheet for all chemicals used.

1.4 The City will provide liquid hand soap, paper towels, toilet paper, sanitary napkins, air fresheners, air freshener cartridges, batteries, and light bulbs.

1.5 The cleaning schedule for the Contractor :

	DAILY	WEEKLY	MONTHLY	QUARTERLY	ANNUALLY
Vacuum all carpeted areas	X				
Sweep and mop floors (including restroom floors)	X				
Empty trash	X				
Clean/Dust counter, table tops	X				
Clean drinking fountains	X				
Clean entrance glass (including all public and employee entrances)	X				
Clean restrooms (sinks, toilets, dispensers, urinals, mirrors)	X				
Clean mop closet (sinks, dispensers)	X				
Clean police detention areas	X				
Service restroom, kitchen and detention dispensing units	X				
Clean window ledges	X				

Clean spots on doors, jams and walls	X				
Clean eating areas counters, sinks and floors	X				
Remove paper, debris and sweep patios and entrance areas	X				
	DAILY	**WEEKLY**	**MONTHLY**	**QUARTERLY**	**ANNUALLY**
Dust all corners and ceiling wall joints for cobwebs		X			
Dust chairs and furniture		X			
Clean insects out of Light Fixtures		X			
Spot clean carpets		X			
Sanitize All Doors Handles/ Buttons/Handrails (elevator, office, etc)		X			
	DAILY	**WEEKLY**	**MONTHLY**	**QUARTERLY**	**ANNUALLY**
Clean air vents			X		
Sanitize restroom walls and partitions with bleach			X		
Change air freshener Cartridges and Batteries			X		
	DAILY	**WEEKLY**	**MONTHLY**	**QUARTERLY**	**ANNUALLY**
Clean windows inside and out				X	
Dust blinds				X	
Dust ceiling tiles and lighting fixtures				X	
	DAILY	**WEEKLY**	**MONTHLY**	**QUARTERLY**	**ANNUALLY**
Clean light fixtures & lamps		X			
3rd Floor					
Vacuum		X			
Trash	X	empty & re-line wastebaskets as needed			

1.6 The Contractor will provide special request services on an hourly rate.

1.7 The Contractor will be required to adjust the cleaning routine in accordance with the meeting schedule provided by the City Clerks office. Cleaning of meeting areas should occur after all scheduled meetings of that day.

1.8 The Contractor's company shall be bonded and a background check will be required of all employees of the contractor by the City's Public Safety Department.

1.9 The Contractor will supply a direct contact name, phone number and email and will notify the City if this contact information changes during the contract period.

1.10 The Contractor is admonished that their employees will be properly attired, refrain from abusive language, refrain from improper behavior, and be aware that they are representing the City.

1.11 The Contractor agrees that:

1. The Contractor shall observe the provisions of the Kansas Act Against Discrimination and shall not discriminate against any person in the performance of Services under the present Agreement because of race, religion, color, sex, disability, national origin, ancestry, age, veteran status, gender identity, and sexual orientation.

2. In all solicitations or advertisements for employees, the Contractor shall include the phrase, "equal opportunity employer," or a similar phrase to be approved by the Kansas Human Rights Commission (Commission);

3. If the Contractor fails to comply with the manner in which the Contractor reports to the Commission in accordance with the provisions of K.S.A. 44-1031 and amendments thereto, the Contractor shall be deemed to have breached the present Agreement and it may be cancelled, terminated, or suspended, in whole or in part, by the contracting agency;

4. If the Contractor is found guilty of a violation of the Kansas Act Against Discrimination under a decision or order of the Commission which has become final, the Contractor shall be deemed to have breached the present Agreement and it may be cancelled, terminated, or suspended, in whole or in part, by the contracting agency; and

5. The Contractor shall include the provisions of subsections (A)(1) through (4) in every sub Agreement or purchase order so that such provisions will be binding upon such subcontractor or vendor.

The provisions of this section shall not apply to a Agreement entered into by a Contractor:

(a) Who employs fewer than four employees during the term of such contract; or

(b) Whose contracts with the City cumulatively total $5,000 or less during the fiscal year of the City.

B. The Contractor further agrees that the Contractor shall abide by the Kansas Age Discrimination In Employment Act (K.S.A. 44-1111 et seq.) and the applicable provision in the Americans With Disabilities Act (42 U.S.C. 1201 et seq.) as well as all federal, state, and local laws, ordinances, and regulations applicable to this project and to furnish any certification required by any federal, state, or local governmental agency in connection therewith.

2.0 General

2.1 The signed agreement will be the authorization for the Contractor to provide the described services as requested by the City.

2.2 Kelley Bohon, City Clerk, at phone-(913) 722-2600, Email-kbohon@roelandpark.org, will be the City coordinator for the Contractor for providing any service and responding to any special needs.

2.3 All work performed by the Contractor will be of acceptable workmanlike quality and installation normally associated with this trade and shall occur to the satisfaction of the City before payment will be made by the City to the Contractor.

2.4 All invoices should have a copy of the service report attached, and are to be sent to City Hall, 4600 W 51st Street, Roeland Park, KS 66205.

2.5 The Contractor shall maintain throughout the life of this contract, General Liability Insurance covering any and all actions of the contractor in the performance of this contract. Minimum limits shall be Bodily Injury $500,000/500,000; Property Damage $100,000. The Contractor shall maintain throughout the life of this contract, Automobile Liability Insurance which shall be written in comprehensive form and shall protect the Contractor against all claims for injuries to members of the public and damage to property of others arising from the use of motor vehicles, and shall cover operation on and off the site of all motor vehicles licensed for highway use, whether they are owned, non-owned, or hired. Unless otherwise specified, Contractor's insurance shall included Auto Liability of $300,000 single limit. Contractor shall also be responsible to provide workmen's compensation insurance and benefits for its employees.

2.6 The Contractor is providing services to the City as an independent contractor. The Contractor shall be responsible for the death or injury of any employee of the Contractors, while in the performance of service of the terms of this agreement and it shall hold the City harmless and shall indemnify the City for any loss it may have resulting from the Contractor providing the services described in this agreement. The City shall not be responsible for any withholding of taxes or social security for any employee of contractor, nor shall it provide to any employee of Contractor any fringe benefits of any kind.

2.7 This Agreement is for the period of January 2, 2018 through December 31, 2019. Either party may terminate this agreement by giving sixty (60) days prior written notice to the other party. Contract may be renewed annually after December 31, 2019 if acceptable to both parties and in writing.

2.8 The Contractor will commence work within ten (10) calendar days from and after receiving instructions from the City.

3.0 **Fees**

3.1 The monthly fees for the completion of this service are:

Location	**2018 Monthly Fee**	**2019 Monthly Fee**	
Municipal Building	$930	$930	
Special Service Request	**2018 Hourly Rate**	**2019 Hourly Rate**	
Request	$15.00	$15.00	

4.0 **References**

4.1 The Contractor will provide three (3) local references of comparable work from the last twelve (12) months.

Company:_____ Contact:_____

Phone #:_____ Email:_____

Brief Description on Work:_____

_____

Company:_____ Contact:_____

Phone #:_____ Email:_____

Brief Description on Work:_____

_____

Company:_____ Contact:_____

Phone #:_____ Email:_____

Brief Description of Work:_____

_____

Contractor Contact:_____

Company Name:_____

Address:_____

_____

Telephone Number:_____

Fax Number:_____

Email:_____

ATTEST:

_____
Kelley Bohon, City Clerk Date

_____
Steve Mauer, City Attorney Date

_____
Contractor Agent Date

_____
Joel Marquardt, Mayor Date

Item Number: **New Business- VII.-E.**
Committee Meeting Date: **11/20/2017**

City of Roeland Park

Action Item Summary

Date:	10/10/2017
Submitted By:	Kelley Bohon
Committee/Department:	Admin.
Title:	**Committee Appointment and Reappointments**
Item Type:	Other

Recommendation:

To reappoint and or appoint:

Arts Advisory Committee (Expires 12/31 of each year)
At Least 3 Members - 2 Residents, 1 Council

Mary Schulteis
Christine Webster
Lynda Leonard
George Schlegel

Community Events Committee (Expires 12/31 of each year)
Up to 10, 8 Members - 6 Residents, 2 Council

Stephanie Newton

Parks/Tree Advisory Committee (Expires 12/31 of each year)
At Least 5 Members - 4 Residents, 1 Council

Jennifer Provyn
Tyler Steele
Jared Luebe
Emily Hage

Sustainability Committee (Expires 12/31 of each year)
5 Members - 4 Residents, 1 Council

Duane Daugherty
Laura Steele
Amie Logan

Details:

Committee Appointment and Reappointment Process

1. Staff will send out a list of all appointments to the Governing Body and all appointees whose term is set to expire around the beginning of the fourth quarter.

2. Appointees wishing to be re-appointed shall let their intentions be known to the appropriate appointing authority (ie: Mayor or Governing Body Ward Representatives)

3. Candidates interested in appointment shall complete the interest form found online, as well as submit a current resume to the City Clerk.

4. If an incumbent candidate is not re-appointed they will be notified by the appointing authority before the council meeting at which their replacement will be approved.

5. Once a position has been filled by council action, the new appointee will be contacted by the City Clerk and provided with an orientation packet regarding their service.

6. The contact list will also be sent out whenever an update is made to that document.

Notes:
Timing of appointments: Timing of Appointments are set by ordinance, ie: Parks, Arts, Sustainability are set as a 1 year term; Board of Zoning and Planning Commission have 3 year terms. Schedule of appointment is maintained by the City Clerk's office.

The names/positions listed below are those that are expiring and require reappointment.

Arts Advisory Committee (Expires 12/31 of each year)
At Least 3 Members - 2 Residents, 1 Council

Marek Glinieski
Moffett Ferguson
Mary Schulteis
Christine Webster
Lynda Leonard
Corie Vogel

Board of Zoning Appeals (3 year terms)

John Chritensen Ward 4
Mike Baugher Ward 3

Community Events Committee (Expires 12/31 of each year)
Up to 10, 8 Members - 6 Residents, 2 Council

Tammy Saunders
Amie Logan
Shea Geist
Stephanie Newton
Andrea Sexton

Parks/Tree Advisory Committee (Expires 12/31 of each year)

At Least 5 Members - 4 Residents, 1 Council

Jennifer Provyn
Patrick Franken
Cory Coe
Kathleen Whitworth
Tyler Steele
James Kanally
Randi King

Planning Commission (3 year terms)

Mike Hickey
Bill Ahrens

Sustainability Committee (Expires 12/31 of each year)

5 Members - 4 Residents, 1 Council

Duane Daugherty
Judy Hyde
Michael Kelly
Elizabeth Phelps
Laura Steele
Erik Hage

Financial Impact

Amount of Request: N/A	
Budgeted Item?	Budgeted Amount: N/A
Line Item Code/Description: N/A	

Additional Information

How does item relate to Strategic Plan?

Engages the public in community events and decision making.

How does item benefit Community for all Ages?

Provides perspective in decision making from a wide range of age groups.

Item Number: **New Business- VII.-F.**
Committee Meeting Date: **11/20/2017**

City of Roeland Park

Action Item Summary

Date:	10/24/2017
Submitted By:	Kelley Bohon
Committee/Department:	Admin.
Title:	**Discussion on Schedule for 2018 Community Forums**
Item Type:	Other

Recommendation:

2018 Community Forums

January 29
April 23 or 30
May 14 budget
July 23 or 30
October 22 or 29

Details:

2017 Community Forums Dates and Topics

01/23/2017 Ward 2 Tax Lid and Trash/Recycle Bin Shielding
04/24/2017 Ward 1 Aquatic Center and Leaf Pickup Program
05/24/2017 Ward Budget Presentation
07/24/2017 Cancelled - Special Called Council and Governing Body Workshop
10/23/2017 Ward 4 JoCo Wastewater and KCPL

Financial Impact

Amount of Request: N/A	

Budgeted Item?	Budgeted Amount: N/A
Line Item Code/Description: N/A	

Additional Information

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

Item Number: **Ordinances and Resolutions:- VIII.-A.**
Committee Meeting Date: **11/20/2017**

City of Roeland Park

Action Item Summary

Date:	9/11/2017
Submitted By:	Jennifer Jones-Lacy
Committee/Department:	Admin
Title:	**ORDINANCE NO. 958: RELATING TO NUISANCE CONDITIONS; AMENDING EXISTING ARTICLE 9 OF THE CODE OF KANSAS; REPEALING EXISTING SECTION 8-402 OF THE CODE OF THE CITY OF ROELAND PARK, KANSAS; AMEI AND 13-301 OF THE CODE OF THE CITY OF ROELAND PARK, KANSAS; AND ADDING NEW SECTIONS 8-904, 8-905, OF THE CITY OF ROELAND PARK, KANSAS.**
Item Type:	Ordinance

Recommendation:

To approve Ordinance No. 958 An Ordinance Relating To Nuisance Conditions; Amending Existing Article 9 Of The Code Of The City Of Roeland Park Kai 402 of the Code of the City of Roeland Park, Kansas ; Amending Sections 8-404, 8-405, And 13-301 Of The Code Of The City Of Roeland Park, Kansas; And 8-906 And 8-907 To The Code Of The City Of Roeland Park, Kansas.

Details:

At the request of Mayor Marquardt, he would like to review and possibly strengthen the enforcement procedures regarding keeping sidewalks and street rights-of-v other debris. Chapter 8 provides for the enforcement and abatement of nuisances. This process generally requires the City to send a certified letter of the violatio address the violation. If the violation remains, the City can either provide a summons to municipal court or get a resolution from Council to approve abatement of th the Code Enforcement officer generally sends out a courtesy notice of a violation prior to sending a certified letter. See the additional information section for the ap

The only exception to our standard abatement process is with overgrown grass, weeds and noxious plants. In that case, the City can issue a certified notice, provic property, after which time, no further notice is required for future abatement.

Sec. 8-905. - Same; Alternative Procedure.

(a)

As an alternative to the procedures set forth in section 8-904, the City may cause the abatement of noxious weeds, noxious plants, or grass as provided in 8-9 following procedures.

(b)

At least once each calendar year the City shall give written notice of the removal policy provided herein by mail or personal service to the owner, occupant or a Such notice shall include the same information required by section 8-904. In addition, such notice shall include a statement that no further notice shall be giver plants or grass.

(c)

If there is a change in the record owner of title to property subsequent to the giving of notice pursuant to this section, the City may not recover any costs or lev incurred by the cutting or destruction of weeds, plants or grass on such property unless the new record owner of title to such property is provided notice as rec

(Ord. 469; Code 1998)

Additional research is needed to flush out these ideas and get the language in the correct format so as not to conflict with other areas of the City code.

Financial Impact

Amount of Request:	
Budgeted Item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

Sec. 8-305. - Order of Violation.

(a)

The Governing Body shall serve upon the owner, any agent of the owner of the property or any other person, corporation, partnership or association found by of section 8-301 an order stating the violation. The order shall be served on the owner or agent of such property by certified mail, return receipt requested, or unoccupied and the owner is a nonresident, then by mailing the order by certified mail, return receipt requested, to the last known address of the owner.

(b)

If the owner or the agent of the owner of the property has failed to accept delivery or otherwise failed to effectuate receipt of a notice or order sent pursuant to
twenty-four-month period, the Governing Body of the City may provide notice of the issuance of any further orders to abate or remove a nuisance from such p
by such methods including, but not limited to, door hangers, conspicuously posting notice of such order on the property, personal notification, telephone comm
property is unoccupied and the owner is a nonresident, notice provided by this section shall be given by telephone communication or first class mail.

(Code 2007)

State Law reference— K.S.A. 12-1617e.

Sec. 8-306. - Same; Contents.

The order shall state the condition(s) which is (are) in violation of section 8-301. The order shall also inform the person, corporation, partnership or association that

(a)
He, she or they shall have ten days from the receipt of the order to abate the condition(s) in violation of section 8-301; provided, however, that the Govern
in section 8-305] shall grant one or more extensions of the ten-day period if the owner or agent of the property demonstrates that due diligence is being e
conditions in violation ofsection 8-301; or

(b)
He, she or they have ten days from the receipt of the order, plus any additional time granted under subsection (a), to request a hearing before the Govern
representative of the matter as provided by section 8-209;

(c)
Failure to abate the condition(s) or to request a hearing within the time allowed may result in prosecution as provided by section 8-307 and/or abatement c
provided bysection 8-308.

(Code 2007)

Sec. 8-307. - Failure to Comply; Penalty.

Should the person, corporation, partnership or association fail to comply with the order to abate the nuisance or request a hearing the public officer may file a comp
against such person, corporation, partnership or association and upon conviction of any violation of provisions of section 8-301, be fined in an amount not to excee
exceed 30 days or be both fined and imprisoned. Each day during or on which a violation occurs or continues after notice has been served shall constitute an addi
(Code 2007)

Sec. 8-308. - Abatement.

In addition to, or as an alternative to prosecution as provided in section 8-307, the public officer may seek to remedy violations of this article in the following manne
been served pursuant to section 8-305 has neither alleviated the conditions causing the alleged violation nor requested a hearing before the Governing Body withi
in section 8-306, the public officer may present a resolution to the Governing Body for adoption authorizing the public officer or other agents of the City to abate th
the end of ten days after passage of the resolution. The resolution shall further provide that the costs incurred by the City shall be charged against the lot or parcel
located as provided in section 8-310. A copy of the resolution shall be served upon the person in violation in one of the following ways:

(a)
Personal service upon the person in violation;

(b)
Certified mail, return receipt requested; or

(c)
In the event the whereabouts of such person are unknown and the same cannot be ascertained in the exercise of reasonable diligence, an affidavit to that
officer and filed with the City Clerk, and the serving of the resolution shall be made by publishing the same once each week for two consecutive weeks in
posting a copy of the resolution on the premises where such condition exists.

(d)
If the owner or the agent of the owner of the property has failed to accept delivery or otherwise failed to effectuate receipt of a notice or order sent pursua
preceding twenty-four-month period, the Governing Body of the City may provide notice of the issuance of any further orders to abate or remove a nuisan
notice of the order by such methods including, but not limited to, door hangers, conspicuously posting notice of such order on the property, personal notif
first class mail. If the property is unoccupied and the owner is a nonresident, notice provided by this section shall be given by telephone communication o

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

ATTACHMENTS:

	Description	Type
🗋	sidewalk pic 1	Cover Memo
🗋	sidewalk pic 2	Cover Memo
🗋	sidewalk pic 3	Cover Memo
🗋	sidewalk pic 4	Cover Memo
🗋	Redlined changes	Exhibit
🗋	Ordinance 958	Cover Memo

SHOU2Y

234 EXR

ARTICLE 3. - HEALTH NUISANCES

- ### Sec. 8-305. - Order of Violation.

(a)

The Governing Body shall serve upon the owner, any agent of the owner of the property or any other person, corporation, partnership or association found by the public officer to be in violation of section 8-301 an order stating the violation. The order shall be served on the owner or agent of such property by certified mail, return receipt requested, or by personal service. If the property is unoccupied and the owner is a nonresident, then by mailing the order by certified mail, return receipt requested, to the last known address of the owner.

(b)

If the owner or the agent of the owner of the property has failed to accept delivery or otherwise failed to effectuate receipt of a notice or order sent pursuant to this section during the preceding twenty-four-month period, the Governing Body of the City may provide notice of the issuance of any further orders to abate or remove a nuisance from such property or provide notice of the order by such methods including, but not limited to, door hangers, conspicuously posting notice of such order on the property, personal notification, telephone communication or first class mail. If the property is unoccupied and the owner is a nonresident, notice provided by this section shall be given by telephone communication or first class mail.

- ### Sec. 8-306. - Same; Contents.

The order shall state the condition(s) which is (are) in violation of section 8-301. The order shall also inform the person, corporation, partnership or association that:

(a)

He, she or they shall have ten days from the receipt of the order to abate the condition(s) in violation of section 8-301; provided, however, that the Governing Body [or its designee named in section 8-305] shall grant one or more extensions of the ten-day period if the owner or agent of the property demonstrates that due diligence is being exercised in the abatement of the conditions in violation of section 8-301; or

(b)

He, she or they have ten days from the receipt of the order, plus any additional time granted under subsection (a), to request a hearing before the Governing Body or its designated representative of the matter as provided by section 8-209;

(c)

Failure to abate the condition(s) or to request a hearing within the time allowed may result in prosecution as provided by section 8-307 and/or abatement of the condition(s) by the City as provided bysection 8-308.

(Code 2007)

- ### Sec. 8-307. - Failure to Comply; Penalty.

Should the person, corporation, partnership or association fail to comply with the order to abate the nuisance or request a hearing the public officer may file a complaint in the municipal court of

the City against such person, corporation, partnership or association and upon conviction of any violation of provisions of section 8-301, be fined in an amount not to exceed $100.00 or be imprisoned not to exceed 30 days or be both fined and imprisoned. Each day during or on which a violation occurs or continues after notice has been served shall constitute an additional or separate offense.

(Code 2007)

- ## Sec. 8-308. - Abatement.

In addition to, or as an alternative to prosecution as provided in section 8-307, the public officer may seek to remedy violations of this article in the following manner. If a person to whom an order has been served pursuant to section 8-305 has neither alleviated the conditions causing the alleged violation nor requested a hearing before the Governing Body within the time periods specified in section 8-306, the public officer may present a resolution to the Governing Body for adoption authorizing the public officer or other agents of the City to abate the conditions causing the violation at the end of ten days after passage of the resolution. The resolution shall further provide that the costs incurred by the City shall be charged against the lot or parcel of ground on which the nuisance was located as provided in section 8-310. A copy of the resolution shall be served upon the person in violation in one of the following ways:

(a)
Personal service upon the person in violation;

(b)
Certified mail, return receipt requested; or

(c)
In the event the whereabouts of such person are unknown and the same cannot be ascertained in the exercise of reasonable diligence, an affidavit to that effect shall be made by the public officer and filed with the City Clerk, and the serving of the resolution 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 condition exists.

(d)
If the owner or the agent of the owner of the property has failed to accept delivery or otherwise failed to effectuate receipt of a notice or order sent pursuant to this section during the preceding twenty-four-month period, the Governing Body of the City may provide notice of the issuance of any further orders to abate or remove a nuisance from such property or provide notice of the order by such methods including, but not limited to, door hangers, conspicuously posting notice of such order on the property, personal notification, telephone communication or first class mail. If the property is unoccupied and the owner is a nonresident, notice provided by this section shall be given by telephone communication or first class mail.

(Code 2007)

- ## Sec. 8-309. - Hearing.

If a hearing is requested within the ten-day period as provided in section 8-306, such request shall be made in writing to the Governing Body. Failure to make a timely request for a hearing shall constitute a waiver of the person's right to contest the findings of the public officer. The hearing

shall be held by the Governing Body or its designated representative as soon as possible after the filing of the request therefore, and the person shall be advised by the City of the time and place of the hearing at least five days in advance thereof. At any such hearing, the person may be represented by counsel, and the person and the City may introduce such witnesses and evidence as is deemed necessary and proper by the Governing Body or its designated representative. The hearing need not be conducted according to the formal rules of evidence. Upon conclusion of the hearing, the findings of the Governing Body or its designated representative shall be prepared in resolution form, adopted by the Governing Body, and the resolution shall be served upon the person in the manner provided in section 8-308.

(Code 2007)

- **Sec. 8-310. - Costs Assessed.**

If the City abates or removes the nuisance pursuant to section 8-308, the City shall give notice to the owner or his or her agent by certified mail, return receipt requested, of the total cost of the abatement or removal incurred by the City. The notice shall also state that the payment is due within 30 days following receipt of the notice. The City also may recover the cost of providing notice, including any postage, required by this section. The notice shall also state that if the cost of the removal or abatement is not paid within the 30-day period, the cost of the abatement or removal shall be collected in the manner provided by K.S.A. 12-1,115, and amendments thereto, or shall be assessed as special assessments and charged against the lot or parcel of land on which the nuisance was located and the City Clerk, at the time of certifying 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 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 levying a special assessment and in the manner provided by K.S.A. 12-1,115, and amendments thereto, but only until the full cost and applicable interest has been paid in full.

ARTICLE 4. - ABATEMENT OF SPECIFIC NUISANCES

- ~~**Sec. 8-402. - Overhanging Trees and Shrubs.**~~

~~All trees, hedges, plantings or other growth on any private property or in the parking areas abutting any public sidewalk or street, the branches of which are lower than eight feet above the surface of such sidewalk or lower than 16 feet above the traveled portion of such street which obstructs the vision of any person, pedestrian or driver of a vehicle using the public streets or sidewalks, of persons or vehicles approaching from other directions on the same or other public streets or sidewalks, or which poses a hazard to vehicles using the public streets, shall be a nuisance subject to abatement in accordance with article 3 of this chapter.~~

~~(Ord. No. 904, §§ 1, 6, 2-16-2015)~~

- **Sec. 8-404. ~~—~~ Dead Trees as a Nuisance.**

All trees which have substantial portions thereof dead or dying and all dead trees, erect or fallen, and the branches thereof, of whatever variety or species are hereby declared to be a nuisance.

(Code 2014)

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- **Sec. 8-405. - Providing for Abatement of Dead Trees.**

The owner of any property upon which a nuisance exists as defined in section 8-404, or the owner of any property abutting any sidewalk, street, avenue, alley or parking upon which a nuisance exists as defined in section 8-404, shall abate the same after written order to abate such nuisance has been given in accordance with article 3 of this chapter.

Sec. 8-406. - Violation.

Failure to abate a nuisance described in this article within 30 days after written notice to abate such nuisance has been given as set forth in section 8-405 hereof shall constitute an offense and shall, upon conviction thereof, be punishable as prescribed in section 1-117.

ARTICLE 9. - NOXIOUS WEEDS, ~~AND~~ GRASS AND OVERHANGING TREES AND SHRUBS

- **Sec. 8-904. – Nuisance Conditions**

a. All trees, hedges, plantings or other growth on any private property or in the parking areas abutting or over any public street, lower than 16 feet above the traveled portion of such street which obstructs the vision of any person, pedestrian or driver of a vehicle using the public streets, of persons or vehicles approaching from other directions on the same or other public streets, or which poses a hazard to vehicles using the public streets, shall be a nuisance subject to abatement in accordance with Sec. 8-905 or 8-906 of this chapter.

b. All trees, hedges, planting or other growth over a public sidewalk lower than eight feet above the sidewalk shall be considered a nuisance.

(Ord. No. 904, §§ 1, 6, 2-16-2015)

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- **Sec. 8-905~~4~~. - Abatement of Nuisance; Procedure.**

(a)

Whenever the Code Enforcement Officer or other appropriate officer of the City determines that noxious weeds, noxious plants, invasive plants ~~or~~ grass, or overhanging trees or shrubs as defined by 8-902, ~~or~~ 8-903, or 8-904 exists upon any lot or tract of land within the City, such officer shall forthwith notify the City Clerk.

(b)

The City Clerk shall issue a notice to the owner, occupant or agent by certified mail, return receipt requested, or by personal service to cut, trim or destroy such weeds, ~~or~~ grass, shrubs or trees. The City shall grant extensions of such ten-day time period if the owner or agent of the property demonstrates that due diligence is being exercised in abating the nuisance. The order shall state that before the expiration of the waiting period or any extension thereof, the recipient thereof may request a hearing before the City or its designated representative. The order shall be served on the owner or agent of such property by certified mail, return receipt requested, or by personal service. If the property is unoccupied and the owner is a

nonresident, then by mailing the order by certified mail, return receipt requested, to the last known address of the owner.

(c)

If the owner or agent of the owner of the property has failed to accept delivery or otherwise failed to effectuate receipt of a notice sent pursuant to this section during the preceding twenty-four-month period, the governing body of a city may provide notice of the issuance of any further orders to abate or remove a nuisance from such property in the manner provided by subsection (b) or as provided in this subsection. Except as specifically provided in this subsection, the governing body may provide notice of the order by such methods including, but not limited to, door hangers, conspicuously posting notice of such order on the property, personal notification, telephone communication or first class mail. If the property is unoccupied and the owner is a nonresident, notice provided by this section shall be given by telephone communication or first class mail.

(d)

The City shall give notice to the owner, occupant or agent by certified mail, return receipt requested, of the total cost of such cutting or removal incurred by the City. The City may also recover the cost of providing notice, including postage required by this section. Such notice shall also state that payment of such cost is due and payable within 30 days following receipt of such notice. If the cost of such removal or abate is not paid within the 30 days period, the City may levy a special assessment for such costs against the lot or piece of land in the same manner as provided in K.S.A. 12-1617e, and amendments thereto, or the City may collect the costs in the manner provided by K.S.A. 12-1,115, and amendments thereto. The City may pursue collection both by levying a special assessment and in the manner provided by K.S.A. 12-1,115, and amendments thereto, but only until the full costs and any applicable interest has been paid in full.

(Ord. No. 469; Code 1998)

- **Sec. 8-90~~5~~6. - Same; Alternative Procedure.**

(a)

As an alternative to the procedures set forth in section 8-904, the City may cause the abatement of noxious weeds, noxious plants, or grass, or overhanging trees and shrubs as provided in 8-902, ~~and~~ 8-903 and 8-904 in accordance with the following procedures.

(b)

At least once each calendar year the City shall give written notice of the removal policy provided herein by mail or personal service to the owner, occupant or agent of any property within the City. Such notice shall include the same information required by section 8-90~~4~~5. In addition, such notice shall include a statement that no further notice shall be given prior to removal of noxious weeds, plants, ~~or~~ grass, or overhanging trees or shrubs.

(c)

If there is a change in the record owner of title to property subsequent to the giving of notice pursuant to this section, the City may not recover any costs or levy an assessment for the costs incurred by the cutting or destruction of weeds, plants or grass on such property unless the new record owner of title to such property is provided notice as required by this section.

(Ord. 469; Code 1998)

- **Sec. 8-90~~6~~7. - Violation; Penalty.**

Any person violating any of the provisions of this article shall be punished by a fine of not more than $499.00 and imprisonment for not more than 30 days or both such fine and imprisonment. Each day on which grass, noxious weeds, rank weeds or noxious plants remain on any premises after the duty of the owner arises under this article to cut and remove or destroy same constitutes a separate offense for which the owner thereof may be fined separately, without necessity of further notices.

Sec. 13-301. - Sidewalks Kept Clean and Safe.

All persons owning or occupying property abutting upon any sidewalk shall keep such sidewalk in a safe condition and free from grass, overhanging trees or shrubs or other debris. Anyone found in violation of this article will be subject to enforcement measures as described in Article 9 of Chapter 8 of the City Code.

(Code 1977, § 13-301)

CITY OF ROELAND PARK, KANSAS
ORDINANCE NO. 958

AN ORDINANCE RELATING TO NUISANCE CONDITIONS; AMENDING EXISTING ARTICLE 9 OF THE CODE OF THE CITY OF ROELAND PARK KANSAS; REPEALING EXISTING SECTION 8-402 OF THE CODE OF THE CITY OF ROELAND PARK, KANSAS; AMENDING SECTIONS 8-404, 8-405, AND 13-301 OF THE CODE OF THE CITY OF ROELAND PARK, KANSAS; AND ADDING NEW SECTIONS 8-904, 8-905, 8-906 AND 8-907 TO THE CODE OF THE CITY OF ROELAND PARK, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ROELAND PARK, KANSAS:

SECTION 1. Existing Section 8-402 of the Code of the City of Roeland Park, Kansas, is hereby repealed.

SECTION 2. Existing Section 8-404 of the Code of the City of Roeland Park, Kansas, is hereby amended to read as follows:

8-404. DEAD TREES AS A NUISANCE. All trees which have substantial portions thereof dead or dying and all dead trees, erect or fallen, and the branches thereof, of whatever variety or species are hereby declared to be a nuisance.

SECTION 3. Existing Section 8-405 of the Code of the City of Roeland Park, Kansas, is hereby amended to read as follows:

8-405. PROVIDING FOR ABATEMENT OF DEAD TREES. The owner of any property upon which a nuisance exists as defined in section 8-404, or the owner of any property abutting any sidewalk, street, avenue, alley or parking upon which a nuisance exists as defined in section 8-404, shall abate the same after written order to abate such nuisance has been given in accordance with article 3 of this chapter.

SECTION 4. Existing Article 9 of the Code of the City of Roeland Park, Kansas is hereby amended to read as follows:

Article 9. "NOXIOUS WEEDS, GRASS AND OVERHANGING TREES AND SHRUBS."

SECTION 5. Section 8-904 is hereby added to the Code of the City of Roeland Park, Kansas, and shall read as follows:

8-904. NUISANCE CONDITIONS.

a. All trees, hedges, plantings or other growth on any private property or in the parking areas abutting or over any public street, lower than 16 feet above the traveled portion of such street which obstructs the vision of any person, pedestrian or driver

of a vehicle using the public streets, of persons or vehicles approaching from other directions on the same or other public streets, or which poses a hazard to vehicles using the public streets, shall be a nuisance subject to abatement in accordance with Sec. 8-905 or 8-906 of this chapter.

b. All trees, hedges, planting or other growth over a public sidewalk lower than eight feet above the sidewalk shall be considered a nuisance.

SECTION 6. Section 8-905 is hereby added to the Code of the City of Roeland Park, Kansas, and shall read as follows:

8-905. ABATEMENT OF NUISANCE; PROCEDURE.

a. Whenever the Code Enforcement Officer or other appropriate officer of the City determines that noxious weeds, noxious plants, invasive plants , grass, or overhanging trees or shrubs as defined by 8-902, 8-903, or 8-904 exists upon any lot or tract of land within the City, such officer shall forthwith notify the City Clerk.

b. The City Clerk shall issue a notice to the owner, occupant or agent by certified mail, return receipt requested, or by personal service to cut, trim or destroy such weeds, grass, shrubs or trees. The City shall grant extensions of such ten-day time period if the owner or agent of the property demonstrates that due diligence is being exercised in abating the nuisance. The order shall state that before the expiration of the waiting period or any extension thereof, the recipient thereof may request a hearing before the City or its designated representative. The order shall be served on the owner or agent of such property by certified mail, return receipt requested, or by personal service. If the property is unoccupied and the owner is a nonresident, then by mailing the order by certified mail, return receipt requested, to the last known address of the owner.

c. If the owner or agent of the owner of the property has failed to accept delivery or otherwise failed to effectuate receipt of a notice sent pursuant to this section during the preceding twenty-four-month period, the governing body of a city may provide notice of the issuance of any further orders to abate or remove a nuisance from such property in the manner provided by subsection (b) or as provided in this subsection. Except as specifically provided in this subsection, the governing body may provide notice of the order by such methods including, but not limited to, door hangers, conspicuously posting notice of such order on the property, personal notification, telephone communication or first class mail. If the property is unoccupied and the owner is a nonresident, notice provided by this section shall be given by telephone communication or first class mail.

d. The City shall give notice to the owner, occupant or agent by certified mail, return receipt requested, of the total cost of such cutting or removal incurred by the City. The City may also recover the cost of providing notice, including postage required by this section. Such notice shall also state that payment of such cost is due and payable within 30 days following receipt of such notice. If the cost of such removal or abate is not paid within the 30 days period, the City may levy a special assessment for such costs against the lot or piece of land in the same manner as provided in K.S.A. 12-1617e, and amendments thereto, or the City may collect the costs in the manner provided by K.S.A. 12-1,115, and amendments thereto. The City may pursue collection both by levying a special assessment and in the manner provided by K.S.A. 12-1,115, and amendments thereto, but only until the full costs and any applicable interest has been paid in full.

SECTION 7. Section 8-906 is hereby added to the Code of the City of Roeland Park, Kansas, and shall read as follows:

8-906. SAME; ALTERNATIVE PROCEDURE.

a. As an alternative to the procedures set forth in section 8-904, the City may cause the abatement of noxious weeds, noxious plants, or grass, or overhanging trees and shrubs as provided in 8-902, 8-903 and 8-904 in accordance with the following procedures.

b. At least once each calendar year the City shall give written notice of the removal policy provided herein by mail or personal service to the owner, occupant or agent of any property within the City. Such notice shall include the same information required by section 8-905. In addition, such notice shall include a statement that no further notice shall be given prior to removal of noxious weeds, plants, grass, or overhanging trees or shrubs.

c. If there is a change in the record owner of title to property subsequent to the giving of notice pursuant to this section, the City may not recover any costs or levy an assessment for the costs incurred by the cutting or destruction of weeds, plants or grass on such property unless the new record owner of title to such property is provided notice as required by this section.

SECTION 8. Section 8-907 is hereby added to the Code of the City of Roeland Park, Kansas, and shall read as follows:

8-907. VIOLATION; PENALTY. Any person violating any of the provisions of this article shall be punished by a fine of not more than $499.00 and imprisonment for not more

than 30 days or both such fine and imprisonment. Each day on which grass, noxious weeds, rank weeds or noxious plants remain on any premises after the duty of the owner arises under this article to cut and remove or destroy same constitutes a separate offense for which the owner thereof may be fined separately, without necessity of further notices.

SECTION 9. Existing Section 13-301 of the Code of the City of Roeland Park, Kansas, is hereby amended to read as follows:

13-301. SIDEWALKS KEPT CLEAN AND SAFE. All persons owning or occupying property abutting upon any sidewalk shall keep such sidewalk in a safe condition and free from grass, overhanging trees or shrubs or other debris. Anyone found in violation of this article will be subject to enforcement measures as described in Article 9 of Chapter 8 of the City Code.

PASSED by the City Council the 20th day of November, 2017. **APPROVED** by the Mayor.

_____
Joel Marquardt, Mayor

ATTEST:

_____
Kelley Bohon, City Clerk

APPROVED AS TO FORM:

_____
Steven E. Mauer, City Attorney

Item Number:	**Ordinances and Resolutions:- VIII.-B.**
Committee Meeting Date:	**11/20/2017**

City of Roeland Park

Action Item Summary

Date:	8/7/2017
Submitted By:	Jennifer Jones-Lacy
Committee/Department:	Admin
Title:	**ORDINANCE NO. 959 AN ORDINANCE AMENDING EXISTING SECTION 2-122 OF THE CODE OF THE CITY OF ROELAND PARK, KANSAS, RELATING TO DANGEROUS ANIMALS.**
Item Type:	Ordinance

Recommendation:

To approve Ordinance No. 959 An Ordinance Amending Existing Section 2-122 Of The Code Of The City Of Roeland Park, Kansas, Relating To Dangerous Animals.

Details:

City staff have been investigating the Code regarding liability insurance requirements for harboring a dangerous animal. Sec. 2-122(g) of the City Code states

Upon conviction of keeping a dangerous animal, and the animal returning to its owner, the animal shall be kept subject to the following standards:

[Sections 1-4]

(5) *Insurance.* All owners, keepers or harborers of dangerous animals must within ten days of conviction provide proof to the City Clerk of public liability insurance in a single incident amount of $1,000,000.00 for bodily injury to or death of any person or persons or for damage to property owned by any persons which may result from the ownership, keeping or maintenance of such animal. The insurance policy will provide that no cancellation of the policy will be made unless ten days written notice is first given to the City Clerk.

After reviewing neighboring cities and their policies, I found the insurance amounts required for keeping dangerous animals were between $50,000 and $500,000. DeSoto requires a $50,000 policy, Olathe requires a $100,000 policy, Merriam, Shawnee, Prairie Village and Overland Park all require $300,000 policies, and Leawood and Lenexa require a $500,000 policy. My research indicates Roeland Park has the highest insurance requirements for dangerous animals in Johnson County. The City of Edgerton doesn't seem to allow dangerous animals, the City of Mission doesn't license animals and the City of Mission Hills doesn't require an insurance policy.

After the last workshop discussing this item, I contacted several insurance providers to find out if they would provide liability insurance by way of a stand alone policy or umbrella under their homeowners insurance for a dog that has a history of bites. Of the five I contacted three are standard insurance providers that said they would not insure a person for a dog that has bitten someone in the past. I found two providers that specialize in liability coverage for non-standard purposes that said they would provide a policy. One provider, Prime Insurance said they would but the cost associated with obtaining that insurance would be prohibitive at even $500,000. Another agency, Dean Insurance out of Florida, will provide policies up to $300,000 depending on the situation.

I also reached out to several of the cities that have insurance policies to determine how they decided to set their amount. The City of Shawnee indicated that they went with $300,000 policy at the recommendation of an officer who got the idea from a training. Other communities did not respond or did not know where they came up with the amount that was set.

Financial Impact

Amount of Request: N/A	
Budgeted Item?	Budgeted Amount: N/A
Line Item Code/Description: N/A	

Additional Information

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

ATTACHMENTS:

Description	Type
Ord. 959	Ordinance
Code section regarding Dangerous Animals	Cover Memo
Redlined changes	Cover Memo

CITY OF ROELAND PARK, KANSAS
ORDINANCE NO. 959

AN ORDINANCE AMENDING EXISTING SECTION 2-122 OF THE CODE OF THE CITY OF ROELAND PARK, KANSAS, RELATING TO DANGEROUS ANIMALS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ROELAND PARK, KANSAS:

SECTION 1. Existing Section 2-122 of the Code of the City of Roeland Park, Kansas, is hereby amended to read as follows:

2-122. DANGEROUS ANIMALS.

(a) It shall be unlawful for the owner of any animal to keep or maintain such animal in the City so as to constitute a dangerous animal except that dangerous animals are subject to return under conditions set forth in this section. A dangerous animal is any animal which has done any of the following:

(1) Caused a bite injury, other than a bite that resulted in great bodily harm, disfigurement, or death, to any person; or

(2) Killed another domestic animal.

(b) Notwithstanding the definition of a dangerous animal above, no animal may be declared dangerous if any injury or damage is sustained by a person or animal who, at the time such injury or damage was sustained, was:

(1) A member of the household; or

(2) Tormenting, abusing or assaulting the domestic animal or was committing or attempting to commit a crime; or

(3) If the animal was protecting or defending a human being within the immediate vicinity of the animal from an unjustified attack or assault.

The provisions of this article shall not apply to a police dog being used to assist one or more law enforcement officers acting in an official capacity.

(c) Notwithstanding the definition of a dangerous animal above, no animal may be declared dangerous based solely on size or breed, or mix of breed; or if death to a domestic animal occurred solely due to a size disparity between the animals and there was no attack on a domestic animal.

(d) Any dangerous animal which is in the custody of an Animal Control Officer and which in the judgment of the Judge of the Municipal Court, would constitute a menace to the health, safety or welfare of the public if released from custody, may be held pending a hearing on any charges or complaints filed in the Municipal Court to determine the disposition thereof. If not so determined, the animal may, after having been held pursuant to section 2-115, be returned to its owner, keeper, or harborer until final determination is made by the Municipal Court as to whether a violation of this section has occurred. If returned pending the final disposition of

the case, the animal must be kept securely confined and must be muzzled while in public until final determination is made as to whether a violation of this section occurred.

(e) Upon conviction of keeping a dangerous animal, the court may order that the animal be humanely euthanized.

(f) Upon conviction of keeping a dangerous animal, the Judge of the Municipal Court may order restitution be paid to the victim of the violation of subsection (a).

(g) Upon conviction of keeping a dangerous animal, and the animal returning to its owner, the animal shall be kept subject to the following standards:

(1) *Leash and muzzle.* No person shall permit a dangerous animal to go outside its kennel or pen unless such dog is securely leashed with a leash no longer than four feet in length. No person shall permit a dangerous animal to be kept on a chain, rope or other type of leash outside its kennel or pen unless a person is in physical control of the leash. Such dogs may not be leashed to inanimate objects such as trees, posts, buildings, etc. In addition, all dangerous animals on a leash outside the animal's kennel must be muzzled by a muzzling device sufficient to prevent such animal from biting persons or other animals.

(2) *Confinement.* All dangerous animals shall be securely confined indoors or in a securely enclosed and locked pen or kennel when not indoors, except when leashed and muzzled as above provided. Such pen, kennel or structure must have secure sides and a secure top attached to the sides. All structures used to confine dangerous animals must be locked with a key or structure. Such structure must have a secure bottom or floor attached to the sides of the pen or the sides of the pen must be embedded in the ground no less than two feet. All structures erected to house dangerous animals must comply with all zoning and building regulations of the City. All such structures must be adequately lighted and ventilated and kept in a clean and sanitary condition, and must not be the primary enclosure for keeping of the animal. Animal control officers shall have the authority to monitor and inspect the keeping of all dangerous animals.

(3) *Confinement indoors.* No dangerous animal may be kept on a porch, patio or in a part of a house or structure that would allow the animal to exit such building on its own volition. In addition, no such animal may be kept in a house or structure when screen doors are the only obstacle preventing the animal from exiting the structure.

(4) *Signs.* All owners, keepers or harborers of dangerous animals within the City shall, within ten days of conviction, display in a prominent place on their premises a signs easily readable by the public using the words "Beware of Dog" or "Beware of Dangerous Animal," whichever is applicable.

(5) *Insurance.* All owners, keepers or harborers of dangerous animals must within ten days of conviction provide proof to the City Clerk of public liability insurance. The policy shall be in a single incident amount of between $50,000 and $500,000 for bodily injury to or death of any person or persons or for damage to property owned by any persons which may result from the ownership, keeping or maintenance of such animal. The amount of insurance required shall be determined by the municipal court judge based upon the severity of the incident(s) where harm was caused as defined in 2-122(a) of this section. This determination shall be based upon evidence provided to the court which

may include, but not be limited to, photos of any injuries/damage, letters from treating physicians or veterinarians of injured animals, testimony, written or otherwise, from injured parties or caregivers of injured parties, and testimony from any caregivers or character witness for the animal causing injury, The insurance policy shall name the City of Roeland Park as an additional insured.

(6) *Identification photographs.* All owners, keepers or harborers of dangerous animals must within ten days of conviction provide to the City Clerk two color photographs of the registered animal clearly showing the color and approximate size of the animal.

(7) *Microchip.* All owners, keepers or harborers of dangerous animals must within ten days of conviction microchip the animal and provide microchip information to the City Clerk to register the animal as dangerous.

(8) *Spaying/neutering.* All owners, keepers or harborers of dangerous animals must within ten days of conviction spay or neuter the animal and provide proof of sterilization to the City Clerk.

(9) *Sale or transfer of ownership prohibited.* Sale—No person shall sell, barter or in any other way dispose of a dangerous animal registered with the City to any person within the City unless the recipient person resides permanently in the same household and on the same premises as the registered owner of such animal; provided that the registered owner of a dangerous animal may sell or otherwise dispose of a registered dog or the offspring or such dog to persons who do not reside within the City.

(10) *Failure to comply.* It shall be unlawful for the owner, keeper or harborer of an animal deemed by the Municipal Court to be a dangerous animal to fail to comply with the keeping requirements and conditions set forth in this article. Any animal found to be the subject of a violation of this article shall be subject to immediate seizure and impoundment. In addition, each day that the owner, keeper or harborer fails to comply with the provisions of this article shall be deemed a separate offense. Upon conviction, the court shall order the revocation of the license of such animal resulting in the immediate removal of the animal from the City. In addition to the foregoing penalties, any person who violates this article shall pay all expenses, including shelter, food, handling, and veterinary care necessitated by the enforcement of this article.

PASSED by the City Council the ___ day of November, 2017. **APPROVED** by the Mayor.

_____
Joel Marquardt, Mayor

ATTEST:

_____
Kelley Bohon, City Clerk

APPROVED AS TO FORM:

_____

Steven E. Mauer, City Attorney

Sec. 2-122. - Dangerous Animals.

(a) It shall be unlawful for the owner of any animal to keep or maintain such animal in the City so as to constitute a dangerous animal except that dangerous animals are subject to return under conditions set forth in this section. A dangerous animal is any animal which has done any of the following:

(1) Caused a bite injury, other than a bite that resulted in great bodily harm, disfigurement, or death, to any person; or

(2) Killed another domestic animal.

(b) Notwithstanding the definition of a dangerous animal above, no animal may be declared dangerous if any injury or damage is sustained by a person or animal who, at the time such injury or damage was sustained, was:

(1) A member of the household; or

(2) Tormenting, abusing or assaulting the domestic animal or was committing or attempting to commit a crime; or

(3) If the animal was protecting or defending a human being within the immediate vicinity of the animal from an unjustified attack or assault.

The provisions of this article shall not apply to a police dog being used to assist one or more law enforcement officers acting in an official capacity.

(c) Notwithstanding the definition of a dangerous animal above, no animal may be declared dangerous based solely on size or breed, or mix of breed; or if death to a domestic animal occurred solely due to a size disparity between the animals and there was no attack on a domestic animal.

(d) Any dangerous animal which is in the custody of an Animal Control Officer and which in the judgment of the Judge of the Municipal Court, would constitute a menace to the health, safety or welfare of the public if released from custody, may be held pending a hearing on any charges or complaints filed in the Municipal Court to determine the disposition thereof. If not so determined, the animal may, after having been held pursuant to section 2-115, be returned to its owner, keeper, or harborer until final determination is made by the Municipal Court as to whether a violation of this section has occurred. If returned pending the final disposition of the case, the animal must be kept securely confined and must be muzzled while in public until final determination is made as to whether a violation of this section occurred.

(e) Upon conviction of keeping a dangerous animal, the court may order that the animal be humanely euthanized.

(f) Upon conviction of keeping a dangerous animal, the Judge of the Municipal Court may order restitution be paid to the victim of the violation of subsection (a).

(g) Upon conviction of keeping a dangerous animal, and the animal returning to its owner, the animal shall be kept subject to the following standards:

(1) *Leash and muzzle.* No person shall permit a dangerous animal to go outside its kennel or pen unless such dog is securely leashed with a leash no longer than four feet in length. No person shall permit a dangerous animal to be kept on a chain, rope or other type of leash outside its kennel or pen unless a person is in physical control of the leash. Such dogs may not be leashed to inanimate objects such as trees, posts, buildings, etc. In addition, all dangerous animals on a leash outside the animal's kennel must be muzzled by a muzzling device sufficient to prevent such animal from biting persons or other animals.

(2) *Confinement.* All dangerous animals shall be securely confined indoors or in a securely enclosed and locked pen or kennel when not indoors, except when leashed and muzzled as above provided. Such pen, kennel or structure must have secure sides and a secure top attached to the sides. All structures used to confine dangerous animals must be locked with a key or structure. Such structure must have a secure bottom or floor attached to the sides of the pen or the sides

of the pen must be embedded in the ground no less than two feet. All structures erected to house dangerous animals must comply with all zoning and building regulations of the City. All such structures must be adequately lighted and ventilated and kept in a clean and sanitary condition, and must not be the primary enclosure for keeping of the animal. Animal control officers shall have the authority to monitor and inspect the keeping of all dangerous animals.

(3) *Confinement indoors.* No dangerous animal may be kept on a porch, patio or in a part of a house or structure that would allow the animal to exit such building on its own volition. In addition, no such animal may be kept in a house or structure when screen doors are the only obstacle preventing the animal from exiting the structure.

(4) *Signs.* All owners, keepers or harborers of dangerous animals within the City shall, within ten days of conviction, display in a prominent place on their premises a signs easily readable by the public using the words "Beware of Dog" or "Beware of Dangerous Animal," whichever is applicable.

(5) *Insurance.* All owners, keepers or harborers of dangerous animals must within ten days of conviction provide proof to the City Clerk of public liability insurance in a single incident amount of $1,000,000.00 for bodily injury to or death of any person or persons or for damage to property owned by any persons which may result from the ownership, keeping or maintenance of such animal. The insurance policy will provide that no cancellation of the policy will be made unless ten days written notice is first given to the City Clerk.

(6) *Identification photographs.* All owners, keepers or harborers of dangerous animals must within ten days of conviction provide to the City Clerk two color photographs of the registered animal clearly showing the color and approximate size of the animal.

(7) *Microchip.* All owners, keepers or harborers of dangerous animals must within ten days of conviction microchip the animal and provide microchip information to the City Clerk to register the animal as dangerous.

(8) *Spaying/neutering.* All owners, keepers or harborers of dangerous animals must within ten days of conviction spay or neuter the animal and provide proof of sterilization to the City Clerk.

(9) *Sale or transfer of ownership prohibited.* Sale—No person shall sell, barter or in any other way dispose of a dangerous animal registered with the City to any person within the City unless the recipient person resides permanently in the same household and on the same premises as the registered owner of such animal; provided that the registered owner of a dangerous animal may sell or otherwise dispose of a registered dog or the offspring or such dog to persons who do not reside within the City.

(10) *Failure to comply.* It shall be unlawful for the owner, keeper or harborer of an animal deemed by the Municipal Court to be a dangerous animal to fail to comply with the keeping requirements and conditions set forth in this article. Any animal found to be the subject of a violation of this article shall be subject to immediate seizure and impoundment. In addition, each day that the owner, keeper or harborer fails to comply with the provisions of this article shall be deemed a separate offense. Upon conviction, the court shall order the revocation of the license of such animal resulting in the immediate removal of the animal from the City. In addition to the foregoing penalties, any person who violates this article shall pay all expenses, including shelter, food, handling, and veterinary care necessitated by the enforcement of this article.

(Ord. No. 903, § 19, 1-26-2015)

Note— See editor's note at § 2-111.

Sec. 2-122. - Dangerous Animals.

(a) It shall be unlawful for the owner of any animal to keep or maintain such animal in the City so as to constitute a dangerous animal except that dangerous animals are subject to return under conditions set forth in this section. A dangerous animal is any animal which has done any of the following:

(1) Caused a bite injury, other than a bite that resulted in great bodily harm, disfigurement, or death, to any person; or

(2) Killed another domestic animal.

(b) Notwithstanding the definition of a dangerous animal above, no animal may be declared dangerous if any injury or damage is sustained by a person or animal who, at the time such injury or damage was sustained, was:

(1) A member of the household; or

(2) Tormenting, abusing or assaulting the domestic animal or was committing or attempting to commit a crime; or

(3) If the animal was protecting or defending a human being within the immediate vicinity of the animal from an unjustified attack or assault.

The provisions of this article shall not apply to a police dog being used to assist one or more law enforcement officers acting in an official capacity.

(c) Notwithstanding the definition of a dangerous animal above, no animal may be declared dangerous based solely on size or breed, or mix of breed; or if death to a domestic animal occurred solely due to a size disparity between the animals and there was no attack on a domestic animal.

(d) Any dangerous animal which is in the custody of an Animal Control Officer and which in the judgment of the Judge of the Municipal Court, would constitute a menace to the health, safety or welfare of the public if released from custody, may be held pending a hearing on any charges or complaints filed in the Municipal Court to determine the disposition thereof. If not so determined, the animal may, after having been held pursuant to section 2-115, be returned to its owner, keeper, or harborer until final determination is made by the Municipal Court as to whether a violation of this section has occurred. If returned pending the final disposition of the case, the animal must be kept securely confined and must be muzzled while in public until final determination is made as to whether a violation of this section occurred.

(e) Upon conviction of keeping a dangerous animal, the court may order that the animal be humanely euthanized.

(f) Upon conviction of keeping a dangerous animal, the Judge of the Municipal Court may order restitution be paid to the victim of the violation of subsection (a).

(g) Upon conviction of keeping a dangerous animal, and the animal returning to its owner, the animal shall be kept subject to the following standards:

(1) *Leash and muzzle.* No person shall permit a dangerous animal to go outside its kennel or pen unless such dog is securely leashed with a leash no longer than four feet in length. No person shall permit a dangerous animal to be kept on a chain, rope or other type of leash outside its kennel or pen unless a person is in physical control of the leash. Such dogs may not be leashed to inanimate objects such as trees, posts, buildings, etc. In addition, all dangerous animals on a leash outside the animal's kennel must be muzzled by a muzzling device sufficient to prevent such animal from biting persons or other animals.

(2) *Confinement.* All dangerous animals shall be securely confined indoors or in a securely enclosed and locked pen or kennel when not indoors, except when leashed and muzzled as above provided. Such pen, kennel or structure must have secure sides and a secure top attached to the sides. All structures used to confine dangerous animals must be locked with a key or structure. Such structure must have a secure bottom or floor attached to the sides of the pen or the sides

of the pen must be embedded in the ground no less than two feet. All structures erected to house dangerous animals must comply with all zoning and building regulations of the City. All such structures must be adequately lighted and ventilated and kept in a clean and sanitary condition, and must not be the primary enclosure for keeping of the animal. Animal control officers shall have the authority to monitor and inspect the keeping of all dangerous animals.

(3) *Confinement indoors.* No dangerous animal may be kept on a porch, patio or in a part of a house or structure that would allow the animal to exit such building on its own volition. In addition, no such animal may be kept in a house or structure when screen doors are the only obstacle preventing the animal from exiting the structure.

(4) *Signs.* All owners, keepers or harborers of dangerous animals within the City shall, within ten days of conviction, display in a prominent place on their premises a signs easily readable by the public using the words "Beware of Dog" or "Beware of Dangerous Animal," whichever is applicable.

(5) *Insurance.* All owners, keepers or harborers of dangerous animals must within ten days of conviction provide proof to the City Clerk of public liability insurance. The policy shall be in a single incident amount of between $50,000, and $500,000 for bodily injury to or death of any person or persons or for damage to property owned by any persons which may result from the ownership, keeping or maintenance of such animal. The amount of insurance required shall be determined by the municipal court judge based upon the severity of the incident(s) where harm was caused as defined in 2-122(a) of this section. This determination shall be based upon evidence provided to the court which may include, but not be limited to, photos of any injuries/damage, letters from treating physicians or veterinarians of injured animals, testimony, written or otherwise, from injured parties or caregivers of injured parties, and testimony from any caregivers or character witness for the animal causing injury, The insurance policy shall name the City of Roeland Park as an additional insured.

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Deleted: will provide that no cancellation of the policy will be made unless ten days written notice is first given to the City Clerk.

(6) *Identification photographs.* All owners, keepers or harborers of dangerous animals must within ten days of conviction provide to the City Clerk two color photographs of the registered animal clearly showing the color and approximate size of the animal.

(7) *Microchip.* All owners, keepers or harborers of dangerous animals must within ten days of conviction microchip the animal and provide microchip information to the City Clerk to register the animal as dangerous.

(8) *Spaying/neutering.* All owners, keepers or harborers of dangerous animals must within ten days of conviction spay or neuter the animal and provide proof of sterilization to the City Clerk.

(9) *Sale or transfer of ownership prohibited.* Sale—No person shall sell, barter or in any other way dispose of a dangerous animal registered with the City to any person within the City unless the recipient person resides permanently in the same household and on the same premises as the registered owner of such animal; provided that the registered owner of a dangerous animal may sell or otherwise dispose of a registered dog or the offspring or such dog to persons who do not reside within the City.

(10) *Failure to comply.* It shall be unlawful for the owner, keeper or harborer of an animal deemed by the Municipal Court to be a dangerous animal to fail to comply with the keeping requirements and conditions set forth in this article. Any animal found to be the subject of a violation of this article shall be subject to immediate seizure and impoundment. In addition, each day that the owner, keeper or harborer fails to comply with the provisions of this article shall be deemed a separate offense. Upon conviction, the court shall order the revocation of the license of such animal resulting in the immediate removal of the animal from the City. In addition to the foregoing penalties, any person who violates this article shall pay all expenses, including shelter, food, handling, and veterinary care necessitated by the enforcement of this article.

(Ord. No. 903, § 19, 1-26-2015)

Note— See editor's note at § 2-111.

Sec. 2-123. - Vicious Animals.

(a) It shall be unlawful to keep, possess, or harbor a vicious animal within the city limits. A vicious animal means any animal which has caused great bodily harm, disfigurement, or death to any person.

(b) A vicious animal does not include an animal that has caused serious injury to any person while a person was committing a criminal offense. The provisions of this article shall not apply to a police dog being used to assist one or more law enforcement officers acting in an official capacity.

(c) Upon conviction of keeping a vicious animal, the court shall order that the animal be removed from the City or humanely euthanized.

(d) Upon conviction of keeping a vicious animal, the Judge of the Municipal Court may order restitution be paid to the victim up to the maximum amount allowed by law.

(e) The owner of a vicious animal shall pay all costs associated with impoundment, removal, or euthanasia of said animal. The owner shall pay any other associated costs incurred.

(Ord. No. 903, § 20, 1-26-2015)

Note— See editor's note at § 2-111.

Sec. 2-210. - Muzzling.

Whenever the Mayor shall deem it necessary for the protection and welfare of the inhabitants of the City, he or she shall issue an order requiring all dogs kept within the City to be effectively muzzled for such length of time as may be specified in the order to prevent them from biting or injuring persons or animals. Such order shall be published in the official newspaper of the City for such period of time as the Mayor may deem necessary.

(Code 1986)

Item Number:	**Ordinances and Resolutions:- VIII.-C.**
Committee Meeting Date:	**11/20/2017**

City of Roeland Park

Action Item Summary

Date:	11/6/2017
Submitted By:	Jennifer Jones-Lacy
Committee/Department:	Admin.
Title:	**ORDINANCE 960: AMENDING EXISTING SECTIONS 16-317 AND 16-319 OF THE CODE OF THE CITY OF ROELAND PARK, KANSAS TO ELIMINATE THE REDEVLOPMENT COMMITTEE; ALSO REPEALING EXISTING SECTION 16-320 OF THE CODE OF THE CITY OF ROELAND PARK, KANSAS.**
Item Type:	Ordinance

Recommendation:

To approve Ordinance no. 960 an ordinance amending existing sections 16-317 and 16-319 of the code of the city of Roeland Park, Kansas to eliminate the redevelopment committee; also repealing existing section 16-320 of the code of the City of Roeland Park, Kansas.

Details:

The City Planning Commission approved the recommendation to eliminate the redevelopment committee from the City's development process on October 17th. The Redevelopment Committee consists of two Council members and two members of the Planning Commission. The purpose of the Committee is to review redevelopment concepts prior to going before the Planning Commission at the Preliminary Development stage. Meeting with the committee generally takes place after the applicant meets with staff to discuss the project and answer questions. Meeting with the Redevelopment Committee appears to be an unnecessary step in the development process. Any feedback the developer needs prior to submitting a preliminary or final development plan can be achieved by the initial meeting with staff which can also include the Chair of the Planning Commission and a Council member. The City currently has a Redevelopment Ad Hoc Committee. If the Council were to make that more of a permanent committee, I would recommend the chair of that committee be invited to the

informal meeting with staff and the developer. By inviting a representative from Planning Commission and City Council, the Redevelopment Committee becomes redundant and unnecessary.

Attached are the recommended code changes which removes the Redevelopment Committee from the development process.

Financial Impact

Amount of Request: N/A	
Budgeted Item?	Budgeted Amount: N/A
Line Item Code/Description: N/A	

Additional Information

How does item relate to Strategic Plan?

This plan supports Goal 2 of the Strategic Plan which will help make the development process more efficient and less cumbersome for any developer looking to do business in Roeland Park.

How does item benefit Community for all Ages?

N/A

ATTACHMENTS:

Description	Type
Redevelopment Committee Code Language	Exhibit
Ordinance 960	Ordinance

Sec. 16-317. - Rezoning Applications—Submission Requirements.

The following items shall be submitted in support of any application for rezoning:

(a) Legal description of the property.

(b) A statement of the reasons why rezoning is being requested.

~~(c) The written comments of the redevelopment committee on the concept plan, if applicable pursuant to Section 16-320.~~

(c~~d~~) A preliminary development plan, except for rezonings to a single-family residence district and duplex residence district.

(d~~e~~) All studies as may reasonably be required pursuant to Section 16-304.

(e~~f~~) Assurances of adequate public facilities as required by Section 16-305.

Sec. 16-318. - Special Use Permit.

(a) Any of the use restrictions provided for in this article may be waived in hardship cases provided that a written application for a special use permit is made to the Governing Body.

(b) Communications Facilities (Towers, Base Stations and Antennas).

(1) The definitions in Section 16-1102 shall apply to Special Use Permits for Communications Facilities.

(2) Each Application for a Special Use Permit for Communications Facilities shall follow the process and submit the required information listed in Section 16-1105.

(3) A Special Use Permit for Communications Facilities shall be subject to the performance standards listed in Section 16-1107.

(4) A Special Use Permit for Communications Facilities shall be for a term not less than ten (10) years.

(5) A denial of a Special Use Permit for Communications Facilities shall comply with the requirements of Section 16-1108.

(Ord. No. 944, § 4, 11-21-2016)

Sec. 16-319. - Special Use Permit Applications—Submission Requirements.

(a) The following items shall be submitted in support of an application for a special use permit requested pursuant to subsection 16-319(a).

(1) Legal description of the property that is covered by the application for a special use permit.

(2) A statement of the reasons why the special use permit is being requested.

~~(3) The written comments of the redevelopment committee on the concept plan required pursuant to Section 16-319.~~

(4~~3~~) If the application is for a communication antenna, either a site plan or a preliminary development plan, whichever is, in the opinion of the Building Inspector, necessary in order for the City staff, Planning Commission and Governing Body to properly evaluate the application. If a preliminary development plan is not required, the Building Inspector shall specify in writing the information to be included on the required site plan. Notwithstanding a determination by the Building Inspector that only a site plan is required, the Planning Commission or Governing Body may require the submission of a preliminary development plan prior to taking action on the application.

(~~5~~4) With respect to applications for special use permits for a communication antenna or a communication tower, a statement that alternative sites or communication towers within one-half mile radius of the subject site are not available due to one or more of the following reasons, when the reasons are applicable.

(i) Unwillingness of the owners of the alternate sites, or owners of existing or approved communication towers or structures capable of accommodating applicant's planned equipment to entertain applicant's communication facility proposal.

(ii) Topographic limitations of alternate sites.

(iii) Impediments adjacent to existing or approved communication towers that would obstruct adequate transmission.

(iv) Physical site constraints that would preclude the construction of a communication tower.

(v) Technical limitations of the communications transmission system.

(vi) The applicant's planned equipment would exceed the structural capacity of existing and approved communication towers and facilities and structures generally capable of accommodating a communications transmission system, considering existing and planned use of communication towers and facilities and structures.

(vii) The applicant's planned equipment would cause radio frequency interference with other existing or planned communication towers or facilities that cannot be reasonably prevented.

(viii) Existing or approved communication towers or facilities do not have space on which applicant's planned equipment can be placed so it can function effectively and reasonably.

(ix) The applicant demonstrates that there are other limiting factors that render existing communication towers and facilities and structures unsuitable.

(x) The owner's facilities and transmission demands on structures.

(~~5~~6) All studies as may reasonably be required pursuant to section 16-304.

(~~6~~7) Assurance of adequate public facilities as required by section 16-305.

(b) Each application for a special use permit for a communication tower shall be accompanied by the following information:

(1) A preliminary development plan.

(2) A report from a licensed professional engineer that describes the communication tower's proposed capacity, including the number and type of communication antennas it can accommodate.

(3) A study comparing all potential host sites within an approximate one-half mile radius of the subject site. Potential sites shall include existing structures and communication towers in excess of 100 feet and properties on which communication towers are permitted by right or by special use permit. The Building Inspector, the Planning Commission or the Governing Body may require the review of additional sites pending review of the initial study. The study shall include a description of the surrounding sites, a discussion of the ability or inability of the site to host a communication facility and the reasons why the site was excluded from consideration.

(4) A photo simulation of the proposed facility of a type and quality that is determined by the Building Inspector to be appropriate.

(5) A map showing the service area of the proposed tower and an explanation of the need for the tower to maintain the integrity of the system.

(6) A signed statement from the applicant indicating its intention to share space on the communication tower with other providers at reasonable costs and its acknowledgment that the special use permit will be issued subject to the condition that the applicant make good faith efforts to offer space on the communication tower at reasonable costs and that the Governing Body shall

have the right to revoke the special use permit if it determines at a public hearing that offers to share space at a reasonable cost are not made.

(7) An engineer's certification that anticipated levels of electromagnetic radiation to be generated by communication facilities on the site, including the effective radiated power (ERP) of the communications antenna, shall be within the guidelines established by the Federal Communications Commission.

~~Sec. 16-320. Concept Plans—Submission Requirements, Contents and Meeting With Redevelopment Committee.~~

~~(a) Prior to the submission of all applications for rezoning, pursuant to section 16-317, except applications for rezoning to a single-family residence district and a duplex residence district, and for a special use permit pursuant to section 16-318, a concept plan shall be submitted to the Building Inspector for his review and comment and for distribution to and review by the redevelopment committee.~~

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~~(b) The purposes of concept plan review are to, at an early stage in the development review process, familiarize the redevelopment committee with proposed projects, provide an opportunity for an exchange of views on project characteristics that are of mutual concern, ensure the project's compliance with Chapter XVI and policies embodied in the comprehensive plan, and ensure that proposed projects comply with fundamental planning and design principles and are compatible with adjacent development in the City.~~

~~(c) Five copies of the concept plan review shall be submitted to the City Engineer. Within three working days of the date the Building Inspector deems the concept plan complete pursuant to section 16-306, the Building Inspector shall provide the members of the redevelopment committee with copies of the concept plan. The Building Inspector, and when requested, the City Engineer shall review the concept plan and prepare written comments and recommendations on the plan.~~

~~(d) Within seven working days from the date the concept plan is deemed complete, the Building Inspector shall coordinate with the members of the redevelopment committee and contact the applicant to schedule a date for a meeting between the applicant and the redevelopment committee to discuss the concept plan. Unless requested in writing by the applicant, the concept plan review meeting shall take place within 14 working days of the date the concept plan is deemed complete.~~

~~(e) The concept plan shall contain the following information provided the Building Inspector may waive or modify submission of items deemed unnecessary:~~

~~(1) A plot plan evidencing the location of the property, adjacent streets, the zoning designation of the subject property and adjacent properties within 300 feet, and generally where all proposed buildings and parking areas are to be located;~~

~~(2) Preliminary estimate of the total square footage of buildings proposed;~~

~~(3) Site photos;~~

~~(4) Name, address and phone number of the property owner;~~

~~(5) Date and signature of applicant, who, if not the owner, shall provide legally sufficient evidence that the applicant is the authorized agent of the owner;~~

~~(6) A narrative statement of what the applicant proposes to develop on the property; and~~

~~(7) Evidence, satisfactory to the City Engineer, of the applicant's ability to comply with the adequate public facilities and services requirements of section 16-305.~~

~~(f) At the concept plan review meeting, the chairperson of the redevelopment committee shall describe the requirements of the review process and the members of the redevelopment committee shall:~~

~~(1) Ask questions of the applicant to clarify their understanding of the applicant's intent; and~~

~~(2) State their concerns based upon preliminary review of project plans and materials.~~

~~Within three working days after the meeting, the Building Inspector shall forward the written comments and recommendations of the redevelopment committee to the applicant.~~

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~~(g) The applicant may submit written responses to the redevelopment committee's comments within seven working days of the date of the committee's written responses, but in no event later than two days before any scheduled public hearing on the subject application. If written responses to the redevelopment committee comments are filed with the Building Inspector, these responses shall be included in the information submitted to the Planning Commission for consideration at the public hearing held pursuant to section 16-314.~~

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ORDINANCE NO. 960

AN ORDINANCE AMENDING EXISTING SECTIONS 16-317 AND 16-319 OF THE CODE OF THE CITY OF ROELAND PARK, KANSAS TO ELIMINATE THE REDEVLOPMENT COMMITTEE; ALSO REPEALING EXISTING SECTION 16-320 OF THE CODE OF THE CITY OF ROELAND PARK, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ROELAND PARK, KANSAS;

SECTION 1. Existing Section 16-317 of the Code of the City of Roeland Park, Kansas is hereby amended to read as follows:

16-317. REZONING APPLICATIONS-SUBMISSION REQUIREMENTS.

The following items shall be submitted in support of any application for rezoning:

(a) Legal description of the property.

(b) A statement of the reasons why rezoning is being requested.

(c) A preliminary development plan, except for rezonings to a single-family residence district and duplex residence district.

(d) All studies as may reasonably be required pursuant to Section 16-304.

(e) Assurances of adequate public facilities as required by Section 16-305.

SECTION 2. Existing Section 16-319 of the Code of the City of Roeland Park, Kansas is hereby amended to read as follows:

16-319. SPECIAL USE PERMIT APPLICATIONS-SUBMISSION REQUIREMENTS.

(a) The following items shall be submitted in support of an application for a special use permit requested pursuant to subsection 16-319(a).

(1) Legal description of the property that is covered by the application for a special use permit.

(2) A statement of the reasons why the special use permit is being requested.

(3) If the application is for a communication antenna, either a site plan or a preliminary development plan, whichever is, in the opinion of the Building Inspector, necessary in order for the City staff, Planning Commission and Governing Body to properly evaluate the application. If a preliminary development plan is not required, the Building Inspector shall specify in writing the information to be included on the required site plan. Notwithstanding a determination by the Building Inspector that only a site plan is required, the Planning Commission or Governing Body may require the submission of a preliminary development plan prior to taking action on the application.

(4) With respect to applications for special use permits for a communication antenna or a communication tower, a statement that alternative sites or communication towers within one-half mile radius of the subject site are not available due to one or more of the following reasons, when the reasons are applicable.

(i) Unwillingness of the owners of the alternate sites, or owners of existing or approved communication towers or structures capable of accommodating applicant's planned equipment to entertain applicant's communication facility proposal.

(ii) Topographic limitations of alternate sites.

(iii) Impediments adjacent to existing or approved communication towers that would obstruct adequate transmission.

(iv) Physical site constraints that would preclude the construction of a communication tower.

(v) Technical limitations of the communications transmission system.

(vi) The applicant's planned equipment would exceed the structural capacity of existing and approved communication towers and facilities and structures generally capable of accommodating a communications transmission system, considering existing and planned use of communication towers and facilities and structures.

(vii) The applicant's planned equipment would cause radio frequency interference with other existing or planned communication towers or facilities that cannot be reasonably prevented.

(viii) Existing or approved communication towers or facilities do not have space on which applicant's planned equipment can be placed so it can function effectively and reasonably.

(ix) The applicant demonstrates that there are other limiting factors that render existing communication towers and facilities and structures unsuitable.

(x) The owner's facilities and transmission demands on structures.

(5) All studies as may reasonably be required pursuant to section 16-304.

(6) Assurance of adequate public facilities as required by section 16-305.

(b) Each application for a special use permit for a communication tower shall be accompanied by the following information:

(1) A preliminary development plan.

(2) A report from a licensed professional engineer that describes the communication tower's proposed capacity, including the number and type of communication antennas it can accommodate.

(3) A study comparing all potential host sites within an approximate one-half mile radius of the subject site. Potential sites shall include existing structures and communication towers in excess of 100 feet and properties on which communication towers are permitted by right or by special use permit. The Building Inspector, the Planning Commission or the Governing Body may require the review of additional sites pending review of the initial study. The study shall include a description of the surrounding sites, a discussion

of the ability or inability of the site to host a communication facility and the reasons why the site was excluded from consideration.

(4) A photo simulation of the proposed facility of a type and quality that is determined by the Building Inspector to be appropriate.

(5) A map showing the service area of the proposed tower and an explanation of the need for the tower to maintain the integrity of the system.

(6) A signed statement from the applicant indicating its intention to share space on the communication tower with other providers at reasonable costs and its acknowledgment that the special use permit will be issued subject to the condition that the applicant make good faith efforts to offer space on the communication tower at reasonable costs and that the Governing Body shall have the right to revoke the special use permit if it determines at a public hearing that offers to share space at a reasonable cost are not made.

(7) An engineer's certification that anticipated levels of electromagnetic radiation to be generated by communication facilities on the site, including the effective radiated power (ERP) of the communications antenna, shall be within the guidelines established by the Federal Communications Commission.

SECTION 3. Existing Section 16-320 of the Code of the City of Roeland Park, Kansas is hereby repealed.

PASSED by the City Council this 20th day of November, 2017. APPROVED by the Mayor.

_____

Joel Marquardt, Mayor

ATTEST:

_____

Kelley Bohon, City Clerk

APPROVED AS TO FORM

_____

Steven E. Mauer, City Attorney

Item Number:	**Ordinances and Resolutions:- VIII.-D.**
Committee Meeting Date:	**11/20/2017**

City of Roeland Park

Action Item Summary

Date:	11/6/2017
Submitted By:	Jennifer Jones-Lacy
Committee/Department:	Admin.
Title:	**ORDINANCE NO. 961 AN ORDINANCE AMENDING SPECIAL USE PERMIT REGULATIONS TO INCLUDE IN-HOME DAYCARE FACILITIES; AMENDING EXISTING SECTIONS 5-603, 5-604, 5-605, 16-313, 16-316, 16-318, 16-319, AND 16-322 OF THE CODE OF THE CITY OF ROELAND PARK, KANSAS.**
Item Type:	Ordinance

Recommendation:

To approve Ordinance No. 961 An Ordinance Amending Special Use Permit Regulations To Include In-Home Daycare Facilities; Amending Existing Sections 5-603, 5-604, 5-605, 16-313, 16-316, 16-318, 16-319, And 16-322 Of The Code Of The City Of Roeland Park, Kansas.

Details:

At the October 17th meeting, the Planning Commission approved changes to Chapter 16 which would allow in-home day cares through a Special Use Permit process. Chapter 5 of the City Code currently only allows up to a maximum of three children at any given time. The state of Kansas allows up to 10 children depending on the ages. John Jacobson, Building Official, suggested implementing a Conditional Use Permitting process whereby the applicant would go through a public hearing and notification of their neighbors for the daycare. Because Roeland Park uses a Special Use Permitting process within the Zoning Code, the suggested code changes are in 16-318 of the City Code. These suggestions are in the attached document. The approval of in-home daycare SUPs would be at the Planning Commission's discretion and would not go before Council for final approval. This was a change submitted to the Planning Commission by Staff at the recommendation of Council.

The changes described above would require code changes in both Chapters 5 and 16. Chapter 5 regulates businesses including in-home businesses and are necessary to allow in-home day cares. Those changes are attached and serve to clarify the SUP process in Chapter 16.

Financial Impact

Amount of Request: N/A	
Budgeted Item?	Budgeted Amount: N/A
Line Item Code/Description: N/A	

Additional Information

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

ATTACHMENTS:

Description	Type
Daycare Draft SUP	Exhibit
Ordinance 961	Cover Memo

- **Sec. 5-603. - Permitted Occupations.**

The following are permitted home occupations providing they do not violate any of the provisions of section 5-602:

(a)
Accountant;
(b)
Architect;
(c)
Artist, painter, sculptor;
(d)
Babysitting, no more than three children at any one time, requests for more children are subject to 5-605(b)
(e)
Chiropractor;
(f)
Clergyman;
(g)
Computer programmer;
(h)
Dentist;
(i)
Dressmaker, seamstress, tailor;
(j)
Engineer;
(k)
Firearms dealer, provided that gross sales do not exceed $5,000.00 per year, that every person dealing firearms has a current valid federal firearms license and that not more than 12 transactions occur at the residence during any calendar year;
(l)
Home cooking and preserving;
(m)
Home crafts, model making, rug weaving, lapidary, woodwork, cabinet work;
(n)
Insurance agent;
(o)
Lawyer;
(p)
Osteopath;

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(q)
Photographer;
(r)
Physician;
(s)
Psychologist;
(t)
Psychiatrist;
(u)
Real estate agent;
(v)
Telephone answering;
(w)
Typist;
(x)
Teacher—Tutor, with no more than three students taught at any one time;
(y)
Foster family care;
(z)
Beauty parlors, cosmetologists;
(aa)
Barber shops; and
(bb)
Short-term rentals.

(Ord. No. 639, § 1; Ord. No. 925, § 3, 1-4-2016)

- **Sec. 5-604. - Prohibited Occupations.**

The following are prohibited as home occupations:

~~(a)~~
(a) Dance studios;
~~(b)~~
(b) Veterinary clinics, animal hospitals, stables, kennels;
~~(c)~~
(c) Funeral homes, mortuaries;
~~(d)~~
(d) Nursery schools, in-home daycares are permitted as described in Sec. 16-318;
(e)
Private clubs;
(f)

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Automotive repair or paint shops;

(g)

Appliance or equipment repair shops;

(h)

Boarding houses.

(Ord. No. 481, § 4; Ord. No. 925, § 4, 1-4-2016)

- **Sec. 5-605. - Conditional Uses.**

(a) Any proposed home occupation which is neither specifically permitted by section 5-603 or specifically prohibited by section 5-604, shall be considered a conditional use, and be granted or denied by the Governing Body upon consideration of those standards contained in section 5-602.

(b) Any proposed in-home daycare operation with more than three children and up to the maximum allowed by the State of Kansas must seek a Special Use Permit as outlined in Chapter 16-318-16-319.

(Ord. No. 481, § 5)

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Sec. 16-313. - Notices to Surrounding Property Owners.

(a)

Unless otherwise specifically provided in this chapter, whenever notice to surrounding property owners is required for consideration of an application, the notice shall be given as follows. The applicant shall mail notices at least 20 days prior to the hearing to all owners of record of lands located within at least 200 feet of the property which is the subject of the application, thus notifying the property owner of the opportunity to be heard. The mailed notice shall be given by certified mail, return receipt requested, and shall be in letter form

stating the time and place of the hearing, a general description of the proposal, the general street location of the property subject to the proposed change, a statement that a complete legal description of the property is available for public inspection at City Hall, and a statement explaining that the public may be heard at the public hearing. Newspaper clippings of the publication notices shall not be used for the mailed notice. Mailed notices shall be addressed to the owners of record of the property. When the notice has been properly addressed and deposited in the mail, failure of any party to receive mailed notice shall not invalidate any action taken on the application. Mailed notice may be waived provided that a verified statement specifically indicating the waiver is signed by all property owners within the notification area and filed with the secretary of the Planning Commission, or the Board of Zoning Appeals, as the case may be, at least two business days prior to the hearing. Prior to the public hearing, the applicant shall file with the secretary of the Planning Commission, or the Board of Zoning Appeals, as the case may be, the returned receipts from the certified mailings and an affidavit stating the names and addresses of the persons to whom notice was sent; failure to submit the affidavit prior to the hearing may result in a continuance of the hearing.

(b)

In the case of rezonings and *special use* permits, with the exception of in-home daycares, the applicant shall place a sign on the property informing the general public that a public hearing will be held at a specific time and place concerning proposed changes in use. The sign shall be furnished by the City to the applicant, and the applicant shall maintain the sign for at least 20 clear days between the date of posting and the date set for the public hearing. The sign shall be firmly affixed and attached to a wood or metal backing or frame and placed within five feet of the street right-of-way line in a central position on the lot, tract or parcel of land so that the sign is free of any visual obstructions surrounding the sign. If a lot, tract or parcel of land is larger than five acres, a sign as required herein shall be placed so as to face each of the streets abutting thereto. The size, style, coloring and wording of signs for rezonings and *special* use permits may be determined by the Governing Body by resolution. The applicant shall file an affidavit with the Planning Commission at the time of the public hearing verifying that the sign has been maintained and posted as required by this chapter and applicable resolutions; failure to submit the affidavit prior to the hearing may result in a continuance of the hearing. The sign may be removed at the conclusion of the public hearing and must be removed at the end of all proceedings on the application or upon withdrawal of the application. It shall be a public offense for any person to remove, deface or destroy any sign provided for in this subsection, except in compliance with this subsection.

Sec. 16-316. - Consideration of Zoning Text Amendments.

(a)

Public hearing required. Consideration of zoning text amendments shall require a public hearing before the Planning Commission following publication notice as provided in section 16-312.

(b)

Action by Planning Commission. A majority of the members of the Planning Commission present and voting at the hearing shall be required to recommend approval, approval with conditions or denial of the zoning text amendment to the Governing Body. The Planning Commission's recommendation shall include a statement of the reasons for the recommendation.

(c)

Governing Body action upon Planning Commission recommendation~~-~~.

(1) In the case of a special use permit for in-home daycares, Governing Body approval is not required. Final approval will be by the Planning Commission with the Governing Body operating as the appeal board.

(2~~1~~)

When the Planning Commission submits a recommendation to approve a zoning text amendment and the Governing Body approves that recommendation, then the Governing Body shall adopt the submitted ordinance. When the Planning Commission submits a recommendation to disapprove a zoning text amendment and the Governing Body approves that recommendation, no further action need be taken by the Governing Body and the application shall be deemed terminated.

(3~~2~~)

Upon receipt of a recommendation of the Planning Commission which the Governing Body disapproves, the Governing Body may either return the recommendation to the Planning Commission for further consideration, together with a statement specifying the basis for disapproval, or may override the Planning Commission's recommendation by a two-thirds majority vote of the membership of the Governing Body. A failure to obtain a vote necessary to approve the Planning Commission's first recommendation shall constitute a disapproval. Requests, for amendments or modifications which constitute substantial changes, or requests for clarification by the Planning Commission, shall be treated as disapprovals for purposes of these procedures.

(d)

Applications returned to Planning Commission. Upon receipt of an application returned by the Governing Body, the Planning Commission, after considering the same, may resubmit its original recommendation giving the reasons therefor or submit a new or amended recommendation. If the Planning Commission fails to deliver its recommendation to the Governing Body following the Planning Commission's next regular meeting after receipt of the Governing Body's statement specifying disapproval, the Governing Body may consider the course of inaction on the part of the Planning Commission as a resubmission of the original recommendation and proceed accordingly. Reconsideration by Governing Body. Upon receipt of the Planning Commission's recommendation after reconsideration, the Governing Body, by

a simple majority thereof, may adopt or may revise or amend and adopt the recommendation by ordinance, or it need take no further action thereon.

~~HOME OCCUPATIONS: Home occupations shall be permitted in the (_____) Districts~~

~~a. Restrictions and Limitations:~~

~~(1) The home occupation shall be incidental and subordinate to the principal use of the premises and **not more than twenty-five percent (25%) of the floor area of any one floor of the dwelling unit shall be utilized for a home occupation**.~~

~~(2) All materials or equipment used in the home occupation shall be stored within an enclosed structure.~~

~~(3) No alteration of the exterior of the principal residential building shall be made which changes the character thereof as residence.~~

~~(4) No sign shall be permitted unless required by state statutes and, if so required, shall not exceed two (2) feet in any one direction, shall not be illuminated and shall not be placed closer to the front property line than one-half the distance of the front yard, unless otherwise required by state statutes.~~

~~(5) No person shall be engaged in such home occupation other than a person occupying such dwelling unit as his or her residence.~~

~~(6) No equipment shall be utilized that creates a nuisance due to noise or electrical interference.~~

~~(7) The off-street parking regulations set forth in Article 7 shall apply to home occupations. In no event shall fewer than two (2) off-street parking spaces be required.~~

- ## Sec. 16-318. – Special Use Permit

(a) **Definition:** ~~***Conditional uses***~~ are ~~those types of~~ uses which, due to their nature, are dissimilar to the normal uses permitted within a given zoning district or where product, process, mode of operation, or nature of business may prove detrimental to the health, safety, welfare or property values of the immediate neighborhood and its environs. Within the various zoning districts specific uses may be permitted only after additional requirements are complied with as established within this ~~this s~~section.

~~Permitted Home Occupations: Customary home occupations include, but are not limited to, the following list of occupations; provided, however, that each listed occupation is subject to the requirements of sections (1) through (7) above.~~

~~(1) Art, dancing, and music schools provided that instruction is limited to five (5) pupils at one time.~~

~~(2) Aerobics or exercise instruction, provided that instruction is limited to five (5) pupils at one time.~~

~~(3) Professional offices for architects, engineers, planners, lawyers, accountants, bookkeepers, and similar professions.~~

~~(4) Offices for realtors, insurance agents, brokers, sales representatives, and manufacturing representatives when no exchange of tangible goods is made on the premises.~~

~~(5) Watch, clock, and jewelry repair services.~~

~~(6) Radio, television, phonograph, recorder, and small appliance repair services.~~

~~(7) Day care nurseries caring for six (6) or less unrelated children or adults for less than twelve (12) hours per day. (Ord. 423, Sec. 3)~~

~~(8) Home crafts and hobbies such as model making, rug weaving, lapidary work, cabinet making, etc.~~

~~(9) Tailoring, alterations, and seamstresses.~~

~~(10) Tool sharpening and filing.~~

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~~(11) Barber and beauty shops.~~

(b) Any of the use restrictions provided for in this article may be waived in hardship cases provided that a written application for a special use permit is made to the Governing Body.

(c~~b~~)

Communications Facilities (Towers, Base Stations and Antennas).

(1)

The definitions in Section 16-1102 shall apply to Special Use Permits for Communications Facilities.

(2)

Each Application for a Special Use Permit for Communications Facilities shall follow the process and submit the required information listed in Section 16-1105.

(3)

A Special Use Permit for Communications Facilities shall be subject to the performance standards listed in Section 16-1107.

(4)

A Special Use Permit for Communications Facilities shall be for a term not less than ten (10) years.

(5)

A denial of a Special Use Permit for Communications Facilities shall comply with the requirements of Section 16-1108.

(Ord. No. 944, § 4, 11-21-2016)

~~**CONDITIONAL USE REQUIREMENTS**~~

~~b. DEFINITION: Conditional uses are those types of uses which, due to their nature, are dissimilar to the normal uses permitted within a given zoning district or where product, process, mode of operation, or nature of business may prove detrimental to the health, safety, welfare or property values of the immediate neighborhood and its environs. Within the various zoning districts specific uses may be permitted only after additional requirements are complied with as established within this section~~

~~1. ADDITIONAL REQUIREMENTS: In granting a conditional use, the City may impose such conditions, safeguards and restrictions upon the premises to reduce or minimize any potential injurious effect of such conditional uses upon other property in the neighborhood, and to carry out the general purpose and intent of these regulations. The following additional conditions shall be a requirement for the approval of the following conditional uses:~~

~~a.~~ (d) Day Care Centers: . Day care centers for more than three~~six~~ (3~~6~~) children or adults shall ~~provide~~:

i.Be licensed with the State;

ii.Obtain a Special Use Permit from the Planning Commission

iii.Obtain a City business license.

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~~i.~~iv. Maintain a~~A~~t least one hundred (100) square feet of open space per child. This open space shall be enclosed by a solid or semi-solid fence or wall at least six (6) feet, but not more than eight (8) feet high, and having a density of not less than eighty percent (80%) per square foot.

~~ii.~~v. A loading zone capable of accommodating at least two (2) automobiles for picking-up or dropping-off passengers.

~~iii.~~vi. Meet all requirements of the building code applying to day cares.

vii. That any ~~conditional~~ special use permit issued shall be for a period of not more than five (5) years from date of issuance, and that the rights granted in said ~~conditional~~ special use permit shall extend to the owner or his agent or licensee of said owner requesting such permit and shall not run with the land; but if the owner, agent or licensee requesting said ~~conditional~~special use permit shall thereafter transfer title to the property subject to the ~~conditional~~special use permit to a subsequent owner through the transfer of a fee simple title, than such ~~conditional~~special use permit shall extend to such subsequent owner for a period of 120 days after the effective date of the said transfer, being defined as the date of execution and delivery of a deed attesting to the ownership of said property.

viii. The special use permit for the operation of a daycare may be revoked at any time by the Planning Commission upon a determination that it is in violation of the standards of this Section or any other City Code requirement.

~~2.~~ix. Landlord Consent. Any person applying for a business license and/or a special use permit for a daycare that will take place within a residential rental property shall submit written consent signed by the owner of the rental property to the City.

~~Conditional use permits may be withdrawn, set aside, cancelled and rescinded by the Governing Body of the City of Roeland Park for good cause upon majority vote of the City Council after a written petition, signed and acknowledged before a Notary Public by one or more individuals who are fee simple owners of property located within 100 feet of the boundaries of the property subject to the conditional use permit or by motion of a City Council member.~~

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Sec. 16-319. - *Special Use* Permit Applications—Submission Requirements.

(a)

The following items shall be submitted in support of an application for a *special* use permit requested pursuant to subsection 16-319(a).

(1) Legal description of the property that is covered by the application for a *special* use permit.

(2) A statement of the reasons why the *special use* permit is being requested.

~~(3)~~

~~The written comments of the redevelopment committee on the concept plan required pursuant to Section 16-319.~~

(~~4~~3)

If the application is for a communication antenna, either a site plan or a preliminary development plan, whichever is, in the opinion of the Building Inspector, necessary in

order for the City staff, Planning Commission and Governing Body to properly evaluate the application. If a preliminary development plan is not required, the Building Inspector shall specify in writing the information to be included on the required site plan. Notwithstanding a determination by the Building Inspector that only a site plan is required, the Planning Commission or Governing Body may require the submission of a preliminary development plan prior to taking action on the application.

(45)

With respect to applications for special use permits for a communication antenna or a communication tower, a statement that alternative sites or communication towers within one-half mile radius of the subject site are not available due to one or more of the following reasons, when the reasons are applicable.

(i)

Unwillingness of the owners of the alternate sites, or owners of existing or approved communication towers or structures capable of accommodating applicant's planned equipment to entertain applicant's communication facility proposal.

(ii)

Topographic limitations of alternate sites.

(iii)

Impediments adjacent to existing or approved communication towers that would obstruct adequate transmission.

(iv)

Physical site constraints that would preclude the construction of a communication tower.

(v)

Technical limitations of the communications transmission system.

(vi)

The applicant's planned equipment would exceed the structural capacity of existing and approved communication towers and facilities and structures generally capable of accommodating a communications transmission system, considering existing and planned use of communication towers and facilities and structures.

(vii)

The applicant's planned equipment would cause radio frequency interference with other existing or planned communication towers or facilities that cannot be reasonably prevented.

(viii)

Existing or approved communication towers or facilities do not have space on which applicant's planned equipment can be placed so it can function effectively and reasonably.

(ix)

The applicant demonstrates that there are other limiting factors that render existing communication towers and facilities and structures unsuitable.

(x)

The owner's facilities and transmission demands on structures.

(5) If the Application is for an in-home daycare, the applicant must include:

i. Hours of operation;

ii. Photos of the rooms where the daycare will be held;

iii. Parking plan;

iv. If staff outside the home are employed, the number and where they will park;

v. proof of state licensure

(6)

All studies as may reasonably be required pursuant to section 16-304.

(7)

Assurance of adequate public facilities as required by section 16-305.

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Sec. 16-322. - Preliminary Development Plans—When Required.

(a)

A preliminary development plan which meets the requirements of section 16-322 shall be submitted in support of all applications for:

(1)

Rezoning, pursuant to section 16-317, except applications for rezoning to a single-family residence district and a duplex residence district;

(2)

A *special use* permit, pursuant to section 16-318, with the exception of applications for home-based daycare centers; and

(3)

A building permit for a project, which involves the construction of buildings on undeveloped land, or the redevelopment of previously developed land, in all zoning districts, excepts the single-family and duplex residence districts.

(b)

A preliminary development plan shall be required as to subsection (3) above only when a final development plan has not previously been approved for the project for which the building permit is being sought or if a final development plan has been approved and then abandoned, pursuant to section 16-330.

(c)

The Governing Body may waive the requirement for submission of a preliminary development plan for subsection (3) above if it determines, in its sole discretion, that the nature or the content of the redevelopment does not warrant plan review.

~~(3) The written comments of the redevelopment committee on the concept plan required pursuant to Section 16-319.~~

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CITY OF ROELAND PARK, KANSAS
ORDINANCE NO. 961

AN ORDINANCE AMENDING SPECIAL USE PERMIT REGULATIONS TO INCLUDE IN-HOME DAYCARE FACILITIES; AMENDING EXISTING SECTIONS 5-603, 5-604, 5-605, 16-313, 16-316, 16-318, 16-319, AND 16-322 OF THE CODE OF THE CITY OF ROELAND PARK, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ROELAND PARK, KANSAS:

SECTION 1. Existing Section 5-603 of the Code of the City of Roeland Park, Kansas, is hereby amended to read as follows:

5-603. PERMITTED OCCUPATIONS.

The following are permitted home occupations providing they do not violate any of the provisions of section 5-602:

(a) Accountant;
(b) Architect;
(c) Artist, painter, sculptor;
(d) In-home daycare facility, provided that there are no more than three children at any one time; requests for more children are subject to 5-604(b);
(e) Chiropractor;
(f) Clergyman;
(g) Computer programmer;
(h) Dentist;
(i) Dressmaker, seamstress, tailor;
(j) Engineer;
(k) Firearms dealer, provided that gross sales do not exceed $5,000.00 per year, that every person dealing firearms has a current valid federal firearms license and that not more than 12 transactions occur at the residence during any calendar year;
(l) Home cooking and preserving;
(m) Home crafts, model making, rug weaving, lapidary, woodwork, cabinet work;
(n) Insurance agent;
(o) Lawyer;
(p) Osteopath;
(q) Photographer;
(r) Physician;
(s) Psychologist;
(t) Psychiatrist;
(u) Real estate agent;

(v) Telephone answering;
(w) Typist;
(x) Teacher—Tutor, with no more than three students taught at any one time;
(y) Foster family care;
(z) Beauty parlors, cosmetologists;
(aa) Barber shops; and
(bb) Short-term rentals.

SECTION 2. Existing Section 5-604 of the Code of the City of Roeland Park, Kansas, is hereby amended to read as follows:

5-604. PROHIBITED OCCUPATIONS.

The following are prohibited as home occupations:

(a) Dance studios;
(b) Veterinary clinics, animal hospitals, stables, kennels;
(c) Funeral homes, mortuaries;
(d) Nursery schools, in-home daycares are permitted as described in Sec. 16-318;
(e) Private clubs;
(f) Automotive repair or paint shops;
(g) Appliance or equipment repair shops;
(h) Boarding houses.

SECTION 3. Existing Section 5-605 of the Code of the City of Roeland Park, Kansas, is hereby amended to read as follows:

5-605. CONDITIONAL USES.

(a) Any proposed home occupation which is neither specifically permitted by section 5-603 or specifically prohibited by section 5-604, shall be considered a conditional use, and be granted or denied by the Governing Body upon consideration of those standards contained in section 5-602.

(b) Any proposed in-home daycare operation with more than three children and up to the maximum allowed by the State of Kansas must seek a Special Use Permit as outlined in Chapter 16-318-16-319.

SECTION 4. Existing Section 16-313 of the Code of the City of Roeland Park, Kansas, is hereby amended to read as follows:

16-313. NOTICES TO SURROUNDING PROPERTY OWNERS.

(a) Unless otherwise specifically provided in this chapter, whenever notice to surrounding property owners is required for consideration of an application, the notice shall be given as

follows. The applicant shall mail notices at least 20 days prior to the hearing to all owners of record of lands located within at least 200 feet of the property which is the subject of the application, thus notifying the property owner of the opportunity to be heard. The mailed notice shall be given by certified mail, return receipt requested, and shall be in letter form stating the time and place of the hearing, a general description of the proposal, the general street location of the property subject to the proposed change, a statement that a complete legal description of the property is available for public inspection at City Hall, and a statement explaining that the public may be heard at the public hearing. Newspaper clippings of the publication notices shall not be used for the mailed notice. Mailed notices shall be addressed to the owners of record of the property. When the notice has been properly addressed and deposited in the mail, failure of any party to receive mailed notice shall not invalidate any action taken on the application. Mailed notice may be waived provided that a verified statement specifically indicating the waiver is signed by all property owners within the notification area and filed with the secretary of the Planning Commission, or the Board of Zoning Appeals, as the case may be, at least two business days prior to the hearing. Prior to the public hearing, the applicant shall file with the secretary of the Planning Commission, or the Board of Zoning Appeals, as the case may be, the returned receipts from the certified mailings and an affidavit stating the names and addresses of the persons to whom notice was sent; failure to submit the affidavit prior to the hearing may result in a continuance of the hearing.

(b) In the case of rezonings and special use permits, with the exception of in-home daycares, the applicant shall place a sign on the property informing the general public that a public hearing will be held at a specific time and place concerning proposed changes in use. The sign shall be furnished by the City to the applicant, and the applicant shall maintain the sign for at least 20 clear days between the date of posting and the date set for the public hearing. The sign shall be firmly affixed and attached to a wood or metal backing or frame and placed within five feet of the street right-of-way line in a central position on the lot, tract or parcel of land so that the sign is free of any visual obstructions surrounding the sign. If a lot, tract or parcel of land is larger than five acres, a sign as required herein shall be placed so as to face each of the streets abutting thereto. The size, style, coloring and wording of signs for rezonings and special use permits may be determined by the Governing Body by resolution. The applicant shall file an affidavit with the Planning Commission at the time of the public hearing verifying that the sign has been maintained and posted as required by this chapter and applicable resolutions; failure to submit the affidavit prior to the hearing may result in a continuance of the hearing. The sign may be removed at the conclusion of the public hearing and must be removed at the end of all proceedings on the application or upon withdrawal of the application. It shall be a public offense for any person to remove, deface or destroy any sign provided for in this subsection, except in compliance with this subsection.

SECTION 5. Existing Section 16-316 of the Code of the City of Roeland Park, Kansas, is hereby amended to read as follows:

16-316. CONSIDERATION OF ZONING TEXT AMENDMENTS.

(a) *Public hearing required.* Consideration of zoning text amendments shall require a public hearing before the Planning Commission following publication notice as provided in section 16-312.

(b) *Action by Planning Commission.* A majority of the members of the Planning Commission present and voting at the hearing shall be required to recommend approval, approval with conditions or denial of the zoning text amendment to the Governing Body. The Planning Commission's recommendation shall include a statement of the reasons for the recommendation.

(c) *Governing Body action upon Planning Commission recommendation*.

(1) In the case of a special use permit for in-home daycares, Governing Body approval is not required. Final approval will be by the Planning Commission with the Governing Body operating as the appeal board.

(2) When the Planning Commission submits a recommendation to approve a zoning text amendment and the Governing Body approves that recommendation, then the Governing Body shall adopt the submitted ordinance. When the Planning Commission submits a recommendation to disapprove a zoning text amendment and the Governing Body approves that recommendation, no further action need be taken by the Governing Body and the application shall be deemed terminated.

(3) Upon receipt of a recommendation of the Planning Commission which the Governing Body disapproves, the Governing Body may either return the recommendation to the Planning Commission for further consideration, together with a statement specifying the basis for disapproval, or may override the Planning Commission's recommendation by a two-thirds majority vote of the membership of the Governing Body. A failure to obtain a vote necessary to approve the Planning Commission's first recommendation shall constitute a disapproval. Requests, for amendments or modifications which constitute substantial changes, or requests for clarification by the Planning Commission, shall be treated as disapprovals for purposes of these procedures.

(d) *Applications returned to Planning Commission.* Upon receipt of an application returned by the Governing Body, the Planning Commission, after considering the same, may resubmit its original recommendation giving the reasons therefor or submit a new or amended recommendation. If the Planning Commission fails to deliver its recommendation to the Governing Body following the Planning Commission's next regular meeting after receipt of the Governing Body's statement specifying disapproval, the Governing Body may consider the course of inaction on the part of the Planning Commission as a resubmission of the original recommendation and proceed accordingly. Reconsideration by Governing Body. Upon receipt of the Planning Commission's recommendation after reconsideration, the Governing Body, by a simple majority thereof, may adopt or may revise or amend and adopt the recommendation by ordinance, or it need take no further action thereon.

SECTION 6. Existing Section 16-318 of the Code of the City of Roeland Park, Kansas, is hereby amended to read as follows:

16-318. SPECIAL USE PERMIT.

(a) Definition: are uses which, due to their nature, are dissimilar to the normal uses permitted within a given zoning district or where product, process, mode of operation, or nature of business may prove detrimental to the health, safety, welfare or property values of the immediate neighborhood and its environs. Within the various zoning districts specific uses may be permitted only after additional requirements are complied with as established within this section.

(b) Any of the use restrictions provided for in this article may be waived in hardship cases provided that a written application for a special use permit is made to the Governing Body.

(c) Communications Facilities (Towers, Base Stations and Antennas).

(1) The definitions in Section 16-1102 shall apply to Special Use Permits for Communications Facilities.

(2) Each Application for a Special Use Permit for Communications Facilities shall follow the process and submit the required information listed in Section 16-1105.

(3) A Special Use Permit for Communications Facilities shall be subject to the performance standards listed in Section 16-1107.

(4) A Special Use Permit for Communications Facilities shall be for a term not less than ten (10) years.

(5) A denial of a Special Use Permit for Communications Facilities shall comply with the requirements of Section 16-1108.

(d) Day Care Facilities: Day care facilities for more than three (3) children or adults shall:

i. Be licensed with the State pursuant to K.S.A. 65-501 *et seq*.;

ii. Obtain a Special Use Permit from the Planning Commission;

iii. Obtain a City business license;

iv. Maintain at least one hundred (100) square feet of open space per child. This open space shall be enclosed by a solid or semi-solid fence or wall at least six (6) feet, but not more than eight (8) feet high, and having a density of not less than eighty percent (80%) per square foot;

v. A loading zone capable of accommodating at least two (2) automobiles for picking-up or dropping-off passengers;

vi. Meet all requirements of the building code applying to day cares;

vii. That any special use permit issued shall be for a period of not more than five (5) years from date of issuance, and that the rights granted in said special use permit shall extend to the owner or his agent or licensee of said owner requesting such permit and shall not run with the land; but if the owner, agent or licensee requesting said special use permit shall thereafter transfer title to the property subject to the special use permit to a subsequent owner through the transfer of a fee simple title, than such special use permit shall extend to such subsequent owner for a period of 120 days after the effective date of the said transfer, being defined as the date of execution and delivery of a deed attesting to the ownership of said property;

viii. The special use permit for the operation of a daycare may be revoked at any time by the Planning Commission upon a determination that it is in violation of the standards of this Section or any other City Code requirement;

ix. Landlord Consent. Any person applying for a business license and/or a special use permit for a daycare that will take place within a residential rental property shall submit written consent signed by the owner of the rental property to the City.

SECTION 7. Existing Section 16-319 of the Code of the City of Roeland Park, Kansas, is hereby amended to read as follows:

16-319. SPECIAL USE PERMIT APPLICATIONS-SUBMISSION REQUIREMENTS.

(a) The following items shall be submitted in support of an application for a special use permit requested pursuant to subsection 16-319(a).

(1) Legal description of the property that is covered by the application for a special use permit.

(2) A statement of the reasons why the special use permit is being requested.

(3) If the application is for a communication antenna, either a site plan or a preliminary development plan, whichever is, in the opinion of the Building Inspector, necessary in order for the City staff, Planning Commission and Governing Body to properly evaluate the application. If a preliminary development plan is not required, the Building Inspector shall specify in writing the information to be included on the required site plan. Notwithstanding a determination by the Building Inspector that

only a site plan is required, the Planning Commission or Governing Body may require the submission of a preliminary development plan prior to taking action on the application.

(4) With respect to applications for special use permits for a communication antenna or a communication tower, a statement that alternative sites or communication towers within one-half mile radius of the subject site are not available due to one or more of the following reasons, when the reasons are applicable.

i. Unwillingness of the owners of the alternate sites, or owners of existing or approved communication towers or structures capable of accommodating applicant's planned equipment to entertain applicant's communication facility proposal.

ii. Topographic limitations of alternate sites.

iii. Impediments adjacent to existing or approved communication towers that would obstruct adequate transmission.

iv. Physical site constraints that would preclude the construction of a communication tower.

v. Technical limitations of the communications transmission system.

vi. The applicant's planned equipment would exceed the structural capacity of existing and approved communication towers and facilities and structures generally capable of accommodating a communications transmission system, considering existing and planned use of communication towers and facilities and structures.

vii. The applicant's planned equipment would cause radio frequency interference with other existing or planned communication towers or facilities that cannot be reasonably prevented.

viii. Existing or approved communication towers or facilities do not have space on which applicant's planned equipment can be placed so it can function effectively and reasonably.

x. The applicant demonstrates that there are other limiting factors that render existing communication towers and facilities and structures unsuitable.

xi. The owner’s facilities and transmission demands on structures.

(5) If the Application is for an in-home daycare, the applicant must include:

i. Applicant's Name;

ii. Description of the particular premises in or at which the in-home daycare will be carried on;

iii. Hours of operation;

iv. Photos of the rooms where the daycare will be held;

v. Parking plan;

vi. If staff outside the home are employed, the number of staff and where they will park;

vii. Proof of state licensure.

(6)All studies as may reasonably be required pursuant to section 16-304.

(7)Assurance of adequate public facilities as required by section 16-305.

SECTION 8. Existing Section 16-322 of the Code of the City of Roeland Park, Kansas, is hereby amended to read as follows:

16-322. PRELIMINARY DEVELOPMENT PLANS-WHEN REQUIRED.

(a) A preliminary development plan which meets the requirements of section 16-322 shall be submitted in support of all applications for:

(1) Rezoning, pursuant to section 16-317, except applications for rezoning to a single-family residence district and a duplex residence district;

(2) A special use permit, pursuant to section 16-318, with the exception of applications for in-home daycare facilities; and

(3) A building permit for a project, which involves the construction of buildings on undeveloped land, or the redevelopment of previously developed land, in all zoning districts, excepts the single-family and duplex residence districts.

(b) A preliminary development plan shall be required as to subsection (3) above only when a final development plan has not previously been approved for the project for which the building permit is being sought or if a final development plan has been approved and then abandoned, pursuant to section 16-330.

(c) The Governing Body may waive the requirement for submission of a preliminary development plan for subsection (3) above if it determines, in its sole discretion, that the nature or the content of the redevelopment does not warrant plan review.

PASSED by the City Council the 20th day of November, 2017. **APPROVED** by the Mayor.

_____
Joel Marquardt, Mayor

ATTEST:

_____
Kelley Bohon, City Clerk

APPROVED AS TO FORM:

_____
Steven E. Mauer, City Attorney