

AGENDA
CITY OF ROELAND PARK, KANSAS
CITY COUNCIL MEETING
ROELAND PARK
Roeland Park City Hall - 4600 W 51st St
April 17, 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

Fast

Kelly

Finance

Janssen

Thompson

Safety

Rhoades

Kellerman

Public Works

McNeil

Poppa

Pledge of Allegiance

Roll Call

Modification of Agenda

Public Hearing on CDBG Applications

I. Citizens Comments

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.

II. 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 # 903

B. February 20, 2017 Minutes

III. Business From the Floor

A. Applications / Presentations

1. Peddlers License – Eric Schmitt

IV. Mayor's Report

- A. Proclamations - National Police Week (Michael Poppa and Sheri McNeil)
- B. Proclamations - National Public Works Week (Michael Poppa and Teresa Kelly)
- C. Proclamations - National City Clerk Week (Michael Poppa and Teresa Kelly)
- D. Proclamations - National Bike Month (Teresa Kelly and Erin Thompson)
- E. Proclamations - Arbor Day (Tim Janssen and Erin Thompson)

V. Workshop and Committee Reports

- A. Workshop and Ad Hoc Summary

VI. Reports of City Liaisons

- A. Stormwater Management Advisory Council (Jose Leon and Ryan Kellerman)

VII. Unfinished Business

VIII. New Business

IX. Ordinances and Resolutions:

- A. Ordinance No. 941 - Amendment Related to City Code on Signs
- B. Ordinance 949 - Changes to Type 1 Special Event Terms
- C. Resolution 651 - 2018-2022 CARS
- D. Ordinance R Park Event Parrty in ARRR Park

X. Workshop Items:

XI. 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: Public Hearing- -
Committee 4/17/2017
Meeting Date:



City of Roeland Park

Action Item Summary

Date: 4/12/2017
Submitted By: Keith Moody
Committee/Department: Admin.
Title: **Public Hearing on CDBG Applications**
Item Type: Other

Recommendation:

Staff recommends submitting Project #1 Street Mill and Overlay application to CDBG. Although three projects have been developed for consideration each City is limited to applying for \$200,000 in CDBG funding, and each of our project applications reflect this limit, therefore we may only submit one. Staff had not initially interpreted the guidelines in this way so we are making a point to clarify this restriction now.

The street mill and overlay project has the greatest flexibility to complete and has a clearly defined "service area".

Details:

The three attached CDBG applications detail each of the proposed projects. A City is limited to \$200,000 of CDBG funds per two year period, if \$200,000 is awarded for 2018, the City could not apply for funds in 2019. Staff has scaled these projects to achieve an everyother year award potential because use of these funds requires greater administrative oversight and fiscal audit, both add cost, thus an every other year grant would be preferred.

CDBG will not allow for reimbursement of expenses incurred prior to the award of funds and the project is to be completed by 12/1/18. This requires the project to be fairly simple, requiring little engineering time, and quick execution. Not to mention that the federal government does not award the funds timely, the 2017 funds still have not been awarded therefore the project schedule must be flexible.

Finally the project must occur inside of a block group which has at least 33.92% of the residents qualifying as low or moderate income. The attached map shows the areas in Roeland Park which qualify (outlined in blue). And those who benefit from the project must meet this same minimum. All of these factors were considered as we developed application options.

We will briefly review each application during the hearing. The Public Hearing is an opportunity to receive community input on the applications, answer questions, and discuss. This is a step which must be completed prior to submitting an application.

Financial Impact

Amount of Request: Varies	
Budgeted Item?	Budgeted Amount: 2018 Budget Have Not Yet Been Adopted, Although these projects are reflected in the CIP
Line Item Code/Description: N/A	

Additional Information

Also attached is the scoring criteria for CDBG applications, you may use this to determine which of the projects you feel will score best.

How does item relate to Strategic Plan?

The projects all address infrastructure in need of replacement and using these grant funds we will leverage our local dollars to complete more.

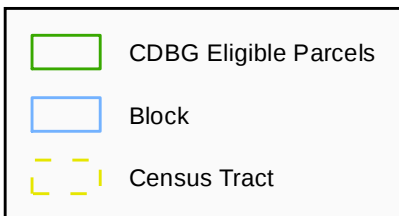
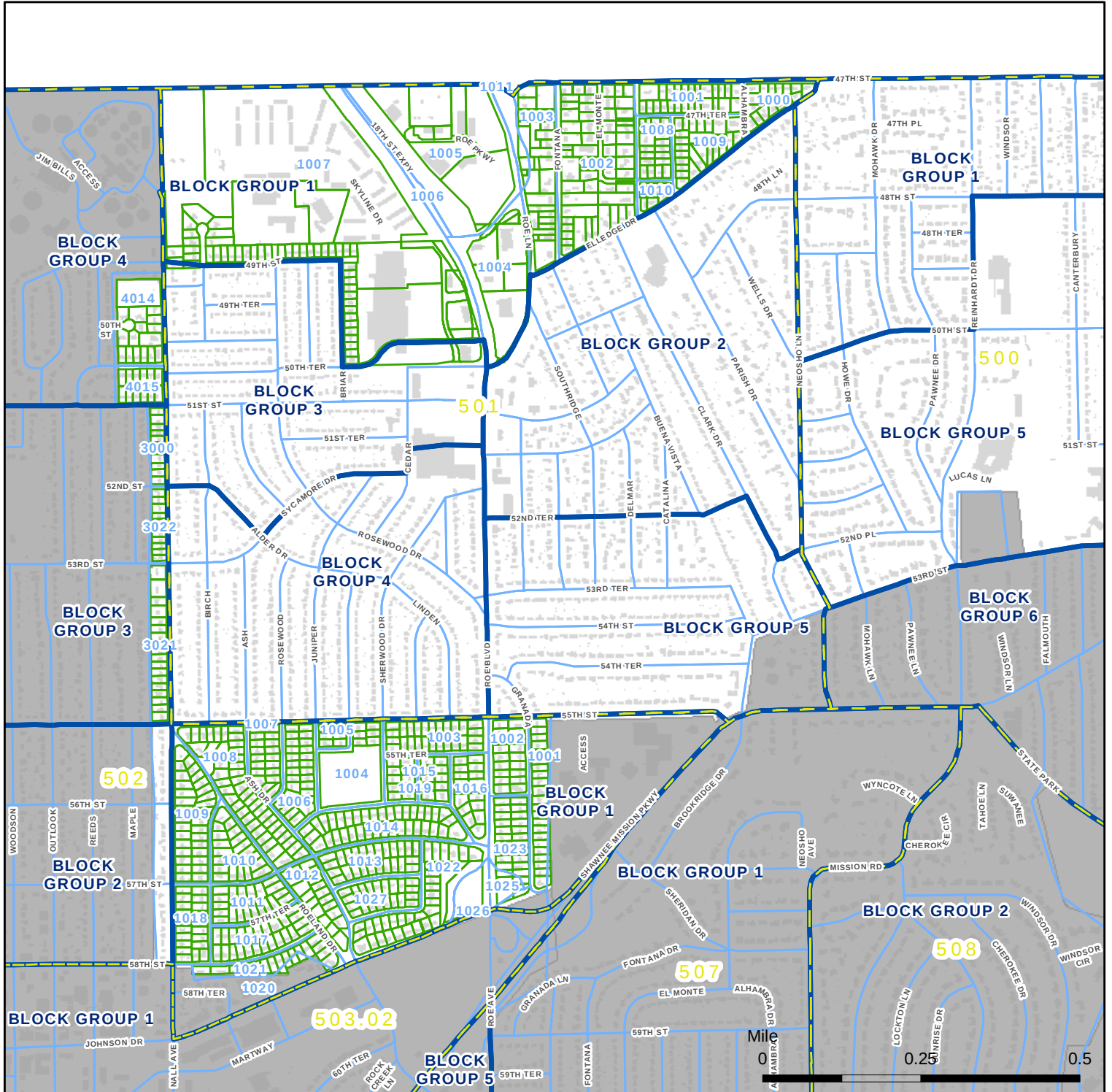
How does item benefit Community for all Ages?

Each of the projects serve to enhance the physical environment of residents from all age groups.

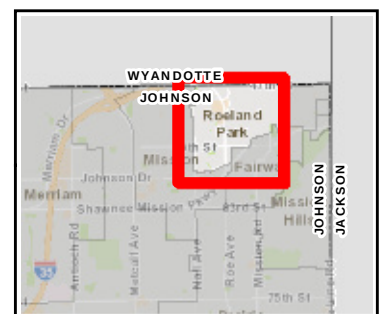
ATTACHMENTS:

Description	Type
Eligible Block Groups Map	Backup Material
CDBG Application Scoring Criteria	Backup Material
Project 1- Street Improvement	Backup Material
Project 2- Sidewalk Improvement	Backup Material
Project 3- Community and Aquatic Centers	Backup Material

ROELAND PARK CDBG ELIGIBLE AREAS



3



EVALUATION RECOMMENDATIONS

As a part of the evaluation process each applicant (other than City of Olathe applicants) will make a presentation and respond to any questions before members of the Housing & Community Development Advisory Committee. At this meeting applicants will present the proposed project and field questions from the Committee.

The Housing & Community Development Advisory Committee will rate each application and make funding recommendations based on the following criteria:

Maximum Points 100	General Review Criteria
30	NEED ▪ The applicant clearly described the local need. ▪ Data provided is current, local and adequately substantiates the need. ▪ Demonstrates that the need is not currently or adequately being met through existing programs. ▪ The applicant provided convincing reasons why the project should be funded. ▪ The project meets a strategic priority of Johnson County.
20	THE PROJECT ▪ The project is based on the identified need. ▪ Project goals are clear and specific. ▪ Project beneficiaries/outputs are described. ▪ Project objectives/outcomes are realistic, measurable and appear to be achievable. ▪ Project will impact significantly on the identified need. ▪ Describes clearly the criteria for evaluating the success/impact of the project and whether objectives/outcomes were in fact met.
20	BUDGET & TIMELINESS ▪ Project budget demonstrates that the proposed expenditures are reasonable. ▪ Other funding sources and amounts needed to accomplish the project are identified. ▪ Project leveraged other funding sources and is not solely dependent on CDBG funds. ▪ For Housing/Public Facilities Projects – project will proceed in a timely manner. ▪ For Public Service Projects - project is cost effective in relation to cost per unit of service and the community need identified. ▪ Timeliness and deobligation of prior grants.
30	Performance Measures ▪ Explanation of variances. ▪ Actual accomplishments comparable to estimates on prior grants.

**JOHNSON COUNTY/OLATHE 2018 CDBG APPLICATION
PUBLIC FACILITIES and IMPROVEMENTS
PART 1 - PROJECT SUMMARY**

For CDBG Staff Use Only.

Date Received: _____ Amount Requested: _____
Matrix Code: _____
Environmental Status: _____ Code Citation: 24 CFR 58. _____
National Objective Code: _____ Code Citation: 24 CFR 570.208 _____

The Project Summary may not exceed two (2) pages.

1. Applicant

Name: Keith Moody
Address: 4600 W 51st Street
City/ZIP: Roeland Park, KS 66205
Phone: 913 722 2600 WEB Site: www.Roelandpark.org
DUNS #: 044744308

2. Contact person responsible for all communications concerning this proposed project.

Name: Jose Leon
Address: 4800 Roe Parkway
City/ZIP: Roeland Park, KS 66205
Phone: 913 722 5435 E-mail: jleon@roelandpark.org

3. Title of the proposed project: 2018 CDBG Street Improvement Project

4. Address/location for the proposed project

(If the project is carried out at more than one location, provide complete addresses on a separate sheet. This is necessary for the Environmental Review required by HUD.)

Elmonte Street- 4708 to 4816; Birch Street- 5400 to 5556

5. Amount of CDBG funds being requested: \$200,000

Type and Amount of funds the applicant is committing to this project:

(These are your leveraged funds.)

Design/ Construction Inspection \$50,000 + \$80,000 for Construction = \$130,000 Total

6. In TWO sentences provide a concise description of the project.

*(This **MUST** be brief, clear and to the point.)*

Mill and overlay as well as curb replacement along streets with in the largest concentration of neighborhoods containing low/mod income level families.

7. If this Public Facility/ Improvement project benefits an area, provide each Census 2010 Tract & Block Group for the entire service benefit area. Please provide the rational for your service area.

Census Tract(s): 501 and 502

Block Group(s): Blocks 1 for each Census Tract

Boundaries of service area: Census Tract 502 Block Group 1 Blocks: 1009, 1010, 1011 1017 and 1018; and Census Tract 501 Block Group 1 Blocks: 1002 and 1008

Rational for boundaries of benefit area listed above: These residential streets to be milled and overlaid are adjacent to these specific census blocks.

Income characteristics of the residents of the area: 44.47% of service area population is low or moderate income. The income statistics for the Block Group that the project is located within are listed below.

Percentage of low/mod income persons in the service area and data used for determining the percentage: Data provided from Johnson County CDBG administration office lists the low/mod percentage by census block. The low/mod income person percentages by block group are:

Mill and Overlay					
Sevice Area					
County	Census Tract	Block Group	Lomod Population	Total Population	% of Lowmod Population in Service Area
Johnson	501	1	555	1325	41.89%
	502	1	410	845	48.52%
		Totals	965	2170	44.47%

Please include a map with the service area circled and all census tract / block groups in the service area labeled. Attached as Exhibit A

8. How many PEOPLE will benefit from this project? Estimated 120

9. Citizen Participation

For Applications by Cities (not County Departments / Agencies)

Cities must include documentation of public notice at least 14 days prior to the holding a public hearing. Further information in instructions (page 4) and handbook (page 16).

Project selection was discussed at an open Council meeting on March 6, 2017 and a public hearing was held at the City Council meeting on March 20, 2017. Minutes from those meetings and the notice of Public Hearing are attached as Exhibit B.

10. Fair Housing Activities-must be completed by all applicants. Describe what actions will be taken to further Fair Housing.

The City of Reoland Park proclaims the month of April as "Fair Housing Month", and urges all citizens to actively support fair housing laws. The Fair Housing Month proclamation is

attached as **Exhibit C.**

- 11. Does your project address any of Johnson County's strategic priorities? Yes**
If yes, please briefly explain: (see page 5 of application instructions for details)

Strategic Priority No. 1 – Support strategic approaches to improving the lives of vulnerable populations by addressing emerging poverty and crime and through job creation.

This project will improve the quality of life of these neighborhoods through reinvestment in public infrastructure. These enhancements will make the streets visually better in these neighbor and will provide for safer travel in and out of the neighborhood.

- 12. SIGNATURE: _____ Date: _____**

(Signature of Mayor/Director of County or City of Olathe Department/Chairman of Board)

Mayor Joel Marquardt
Please Type/Print Name

**JOHNSON COUNTY/OLATHE 2018 CDBG APPLICATION
PUBLIC FACILITIES and IMPROVEMENTS
PART 2 - PROJECT NARRATIVE**

The Project Narrative may not exceed two (2) pages.

NEED the Project is addressing

1. Clearly describe the specific local need this project will address.

The City has identified streets which are rated Poor throughout the City based on their pavement evaluations performed in 2015. The streets identified have pavement condition scores which support mill and overlay as the proper maintenance approach. These are residential streets serving low to moderate income residents. More street maintenance needs exist than the City has resources available.

2. Describe the major local factors that contribute to the problem.

These are residential streets vs collector streets, this decreases priority and available funding. The streets have not had any street maintenance performed on them in the last 5 years, thus the streets have deteriorated to a point where the need to perform maintenance is more expensive.

3. Provide current, up-to-date, county/city-specific data that substantiates the need.

The City's capital improvements program has more projects than resources available to fund them.

The PROJECT – Performance Measurement

Summarize the following information using the chart on the next page:

- Clearly state the goal(s) of the 2018 project.
- Identify the inputs of the project.
- Specifically describe the activities you propose to conduct which will help achieve program goals.
- Clearly state what will be the direct products/outputs of the project.
- Clearly state the objectives/outcomes of the project.

1. Clearly state how and when the achievement/impact of program objectives will be measured.

We will measure the impact when the project has reached final completion. The quantities reflected in the pay estimates will measure achievement of program objectives.

Please submit 2016 & 2017 forms from previous years' applications along with the actual results for 2016.
Roeland Park did not receive CDBG funds in 2016 or 2017

2018 Project Narrative

Goal	Inputs	Activities	Measurable Outputs	Outcomes	Actual Results
To enhance the quality of residential streets in Census Tract 502 and 501.	\$330,000 Budget Consulting Engineer: Design, Bid, Contract Administration, Construction Inspection Administrative Staff	Administration of CDBD Grant Preparation of plans & specification. Competitive bid process. Construction observation and Davis Bacon oversight. Construction activities.	Mill and Overlay .42 Miles of residential streets Remove and Replace 752 L.F. of curb and gutter	Enhance neighborhood characteristics with improved street condition. Improve safety of streets.	

JOHNSON COUNTY/OLATHE 2018 CDBG APPLICATION
PUBLIC FACILITIES and IMPROVEMENTS
PART 3 - BUDGET and TIMELINESS

The Budget & Timeliness Section may not exceed two (2) pages.

BUDGET NARRATIVE

The information to be provided below pertains only to the proposed project for which you are requesting CDBG funds.

1. **Project Title:** **2018 CDBG Street Improvement Project**

2. **2018 Total Project Budget**

Revenues

(These funds must directly support and be essential to the implementation of this proposed project.)

List All Revenue Sources For This Project	Amount
Funds requested from:	
Johnson County CDBG:	200,000
Olathe CDBG:	
Overland Park CDBG:	
Shawnee CDBG:	
***Other Project Revenue:	
Other Federal Funds	
State/Local Funds	130,000
Private Funds	
Other: TIF Funds	
CARS Funds	
Total Project Revenue	330,000

Expenses

Source	Amount
Personnel	
Equipment	
Supplies	
Space Rent/Utilities	
Other- Consulting Engineer	50,000
Other- Construction Contract	280,000
Total Project Expenses	330,000

Total project revenue must equal total project expenses.
*****All other project revenue must be specified. Sources must be noted.**

3. Describe precisely what CDBG funds will be used to pay for.

Mill and overlay (2") streets, replace failed sections of curb, and replace driveway aprons as needed. A project location and layout map along with the cost estimate for the project is provided in **Exhibit D.**

Timeliness

HUD imposes a timeliness requirement for the expenditure of CDBG funds on the County.

1. Will this project be ready to proceed as of January 1, 2018? Yes.

2. If not ready, when will the project proceed?

3. When is this project scheduled to be completed? December 1, 2018.

4. Describe any circumstances that might prevent this activity from being completed by December 1, 2018.

If CDBG funds are not available as of January 1, 2018.

5. CDBG History

If your organization has received CDBG funding in the past, please provide the information below.

Program year	2015	2016	2017
Award in Program Year	<u>0</u>	<u>0</u>	<u>0</u>
Expended in Program Year	<u>0</u>	<u>0</u>	<u>0</u>
(Will agree to your reimbursement request forms.)			
Number of PEOPLE served	<u>0</u>	<u>0</u>	<u>0</u>
(Will agree to final project beneficiary form.)			
Balance Remaining	<u>0</u>	<u>0</u>	<u>0</u>
(if applicable)			

**JOHNSON COUNTY/OLATHE 2018 CDBG APPLICATION
ALL PROJECTS
PART 4 – ENVIRONMENTAL QUESTIONS**

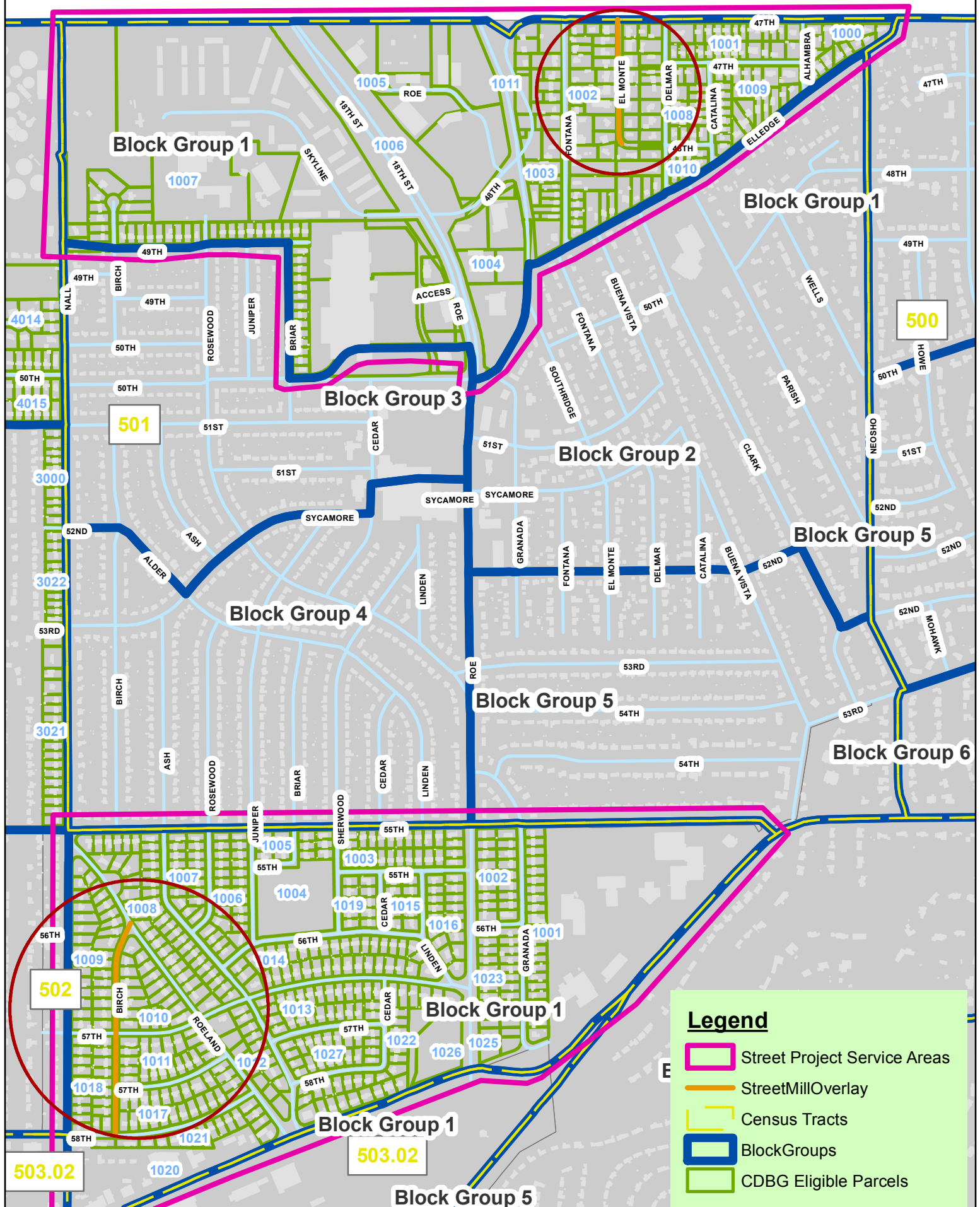
HUD requires that an Environmental Review be performed on any project supported by CDBG funds.

To assist us in determining the level of Environmental Review necessary for this proposed project.

Since this project is a **PUBLIC FACILITIES/ IMPROVEMENTS** project:

1. Please provide the address or location of the project. Elmonte Street- 4708 to 4816; Birch Street- 5400 to 5556
 2. Is the facility/improvement in place and will it be retained in the same use without change in size or capacity of more than 20 percent? Yes
 3. Is the project located in a flood zone area? No
 4. Is the location in a primarily residential area? Yes
-

Exhibit A: Service Area





Proclamation

Fair Housing Month

WHEREAS, the Congress of the United States passed the Civil Rights Act of 1968, of which Title VIII declared that the law of the land would now guarantee the rights of equal housing opportunity; and

WHEREAS, the City of Roeland Park is committed to the mission and intent of Congress to provide fair and equal housing opportunities for all, and today, many realty companies and associations support fair housing laws; and

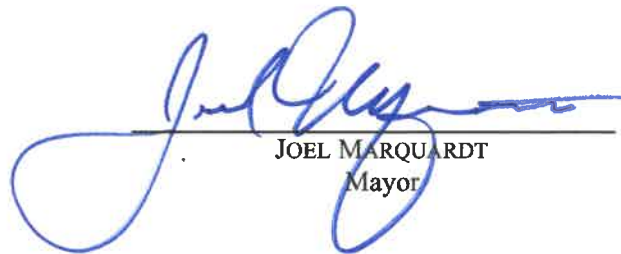
WHEREAS, the Fair Housing groups and the U.S. Department of Housing and Urban Development have, over the years, received thousands of complaints of alleged illegal housing discrimination and found too many that have proved, upon investigation, to be in violation of the fair housing laws; and

WHEREAS, equal housing opportunity is a condition of life in our City that can and should be achieved;

Therefore, be it resolved that Mayor Joel Marquardt, on behalf of its citizens of Roeland Park, proclaims the month of April

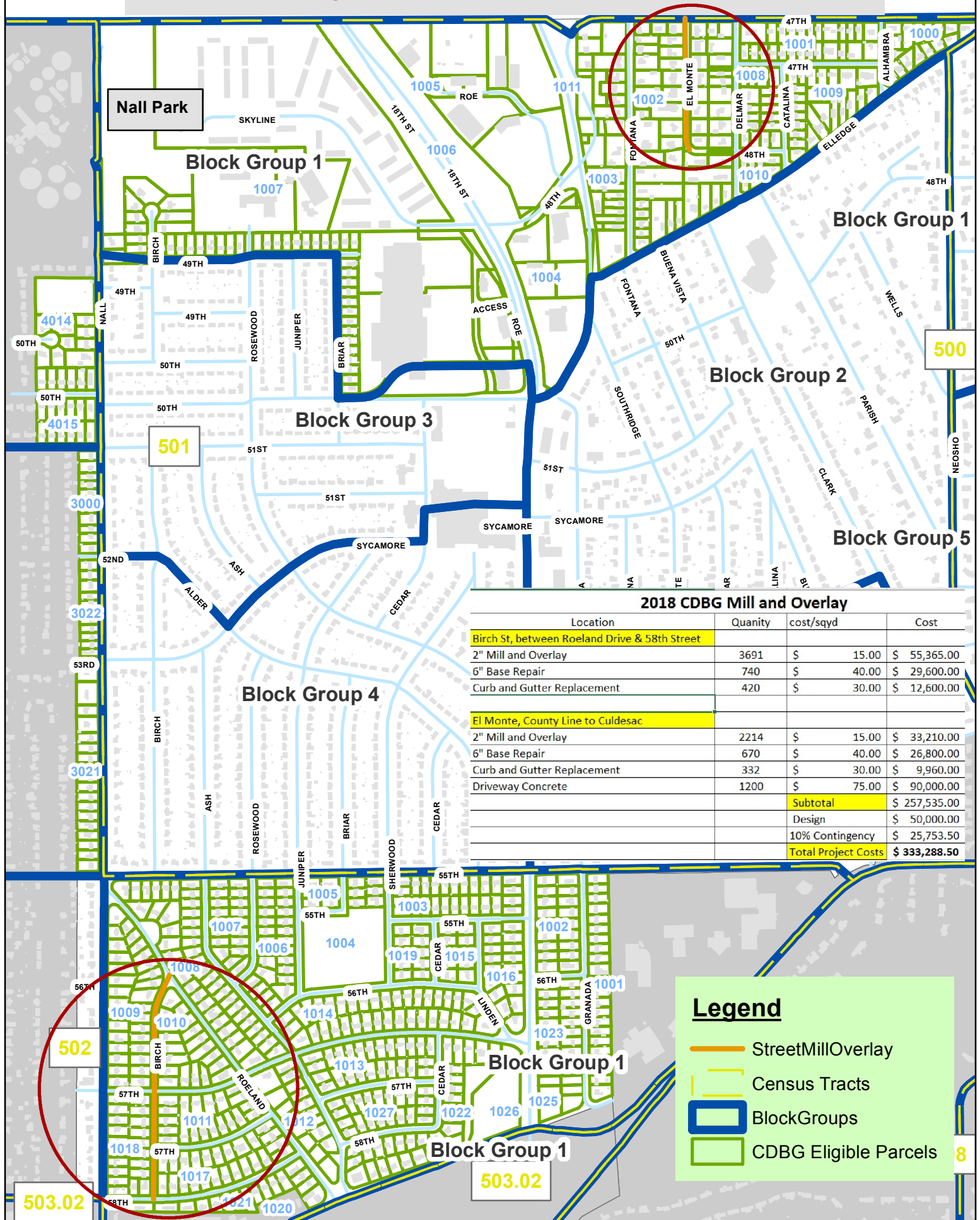
Fair Housing Month

And expresses the hope that this year's observance will promote fair housing practices throughout the City



JOEL MARQUARDT
Mayor

Exhibit D: Project Location and Cost Estimate



**JOHNSON COUNTY/OLATHE 2018 CDBG APPLICATION
PUBLIC FACILITIES and IMPROVEMENTS
PART 1 - PROJECT SUMMARY**

For CDBG Staff Use Only.

Date Received: _____ Amount Requested: _____
Matrix Code: _____
Environmental Status: _____ Code Citation: 24 CFR 58. _____
National Objective Code: _____ Code Citation: 24 CFR 570.208 _____

The Project Summary may not exceed two (2) pages.

1. Applicant

Name: Keith Moody
Address: 4600 W 51st Street
City/ZIP: Roeland Park, KS 66205
Phone: 913 722 2600 WEB Site: www.Roelandpark.org
DUNS #: 044744308

2. Contact person responsible for all communications concerning this proposed project.

Name: Jose Leon
Address: 4800 Roe Parkway
City/ZIP: Roeland Park, KS 66205
Phone: 913 722 5435 E-mail: jleon@roelandpark.org

3. Title of the proposed project: 2018 CDBG Sidewalk Project: Nall Avenue, 49th Street to Nall Park

4. Address/location for the proposed project

(If the project is carried out at more than one location, provide complete addresses on a separate sheet. This is necessary for the Environmental Review required by HUD.)

Nall Avenue: 4801, 4901, 4909, 4917, 4921

5. Amount of CDBG funds being requested: \$200,000

Type and Amount of funds the applicant is committing to this project:

(These are your leveraged funds.)

Design and Construction Funds= \$100,000

6. In TWO sentences provide a concise description of the project.

*(This **MUST** be brief, clear and to the point.)*

Construct new ADA compliant sidewalk for this neighborhood to safely walk to their neighborhood park.

7. If this Public Facility/ Improvement project benefits an area, provide each Census 2010 Tract & Block Group for the entire service benefit area. Please provide the

rational for your service area.

Census Tract(s): 501 and 502

Block Group(s): 1 and 3 in 501 and 4 in 502

Boundaries of service area: Census tracts 501 and 502, specifically the Block Numbers 4014 and 1007.

Rational for boundaries of benefit area listed above: This sidewalk touches the block group numbers 1007 and 4014. Block Group 3 of Census Tract 501 does also use this park and that area is also benefited.

Income characteristics of the residents of the area: 42.68% of service population is low to moderate income. See below for income statistics on areas within individual Blocks served.

Percentage of low/mod income persons in the service area and data used for determining the percentage: Data provided from Johnson County CDBG administration office lists the low/mod percentage by census block. The low/mod income person percentage for the population of the service area exceeds the 33.92% minimum.

Sidewalk Improvement Project					
Service Area					
County	Census Tract	Block Group	Lomod Population	Total Population	% of Lowmod Population in Service Area
Johnson	501	1	555	1,325	41.89%
	501	3	85	435	19.54%
	502	4	365	595	61.34%
		Totals	1005	2355	42.68%

Please include a map with the service area circled and all census tract / block groups in the service area labeled. Attached as **Exhibit A**

8. How many PEOPLE will benefit from this project? Estimated 2,355

9. Citizen Participation

For Applications by Cities (not County Departments / Agencies)

Cities must include documentation of public notice **at least 14 days** prior to the holding a public hearing. Further information in instructions (page 4) and handbook (page 16).

Project selection was discussed at an open Council meeting on March 6, 2017 and a public hearing was held at the City Council meeting on March 20, 2017. Minutes from those meetings and the notice of Public Hearing are attached as **Exhibit B.**

10. Fair Housing Activities-must be completed by all applicants.

Describe what actions will be taken to further Fair Housing.

The City of Reoland Park proclaims the month of April as “Fair Housing Month”, and urges all citizens to actively support fair housing laws. The Fair Housing Month proclamation is attached as **Exhibit C.**

- 11. Does your project address any of Johnson County's strategic priorities? Yes**
If yes, please briefly explain: (see page 5 of application instructions for details)

Strategic Priority No. 1 – Support strategic approaches to improving the lives of vulnerable populations by addressing emerging poverty and crime and through job creation. This project will improve the life of this neighborhood within the poverty guidelines as it allows a safe access route to the neighborhood park. This project will provide for jobs during construction and allow residence to freely access the park and assist the City in controlling unwelcomed behavior in the neighborhood park, which ultimately prevents crime in the neighborhood and park.

- 12. SIGNATURE: _____ Date: _____**

(Signature of Mayor/Director of County or City of Olathe Department/Chairman of Board)

Mayor Joel Marquardt
Please Type/Print Name

**JOHNSON COUNTY/OLATHE 2018 CDBG APPLICATION
PUBLIC FACILITIES and IMPROVEMENTS
PART 2 - PROJECT NARRATIVE**

The Project Narrative may not exceed two (2) pages.

NEED the Project is addressing

1. Clearly describe the specific local need this project will address.

The new sidewalk route will provide for a safe access to a neighborhood park. This stretch of sidewalk was identified by the City as a high priority connection in 2010 due to the lack of a sidewalk leading to this park causing children and parents to walk in the street. Since 2014, the City has improved the restrooms, shelter, trails and play equipment at the park. The park has since grown in popularity and will have an off road mountain bike trail installed in 2017. This sidewalk will allow the neighborhood better and safer access to enjoy all these new and improved amenities.

2. Describe the major local factors that contribute to the problem.

This road is currently serving a large County wastewater facility. The traffic of this road has historically been the Johnson County Wastewater employee vehicles, service trucks, and park users. This stretch of street also has large grade changes which can become a visual hazard to drivers as they drive toward the park. Residents who choose to walk this route, currently have to walk in the street.

3. Provide current, up-to-date, county/city-specific data that substantiates the need.

The City's capital improvements program has more projects than resources available to fund them.

The PROJECT – Performance Measurement

Summarize the following information using the chart on the next page:

- Clearly state the goal(s) of the 2018 project.
 - Identify the inputs of the project.
 - Specifically describe the activities you propose to conduct which will help achieve program goals.
 - Clearly state what will be the direct products/outputs of the project.
 - Clearly state the objectives/outcomes of the project.
1. Clearly state how and when the achievement/impact of program objectives will be measured.

We will measure the impact when the project has reached final completion. The quantities reflected in the pay estimates will measure achievement of program objectives.

Please submit 2016 & 2017 forms from previous years' applications along with the actual results for 2016.
Roeland Park did not receive CDBG funds in 2016 or 2017

2018 Project Narrative

Goal	Inputs	Activities	Measurable Outputs	Outcomes	Actual Results
To provide a safe access route to adjoining neighborhoods by way of constructing an ADA compliant sidewalk.	\$300,000 Budget Consulting Engineer: Design, Bid, Contract Administration, Construction Inspection Administrative Staff	Administration of CDBD Grant Preparation of plans & specification. Competitive bid process. Construction observation and Davis Bacon oversight. Construction activities.	5,125 S.F. of new sidewalk	Improved safety for pedestrians, bicyclists, and neighborhood. Greater connectivity and enhanced mobility options for users north and south on Nall Avenue.	

**JOHNSON COUNTY/OLATHE 2018 CDBG APPLICATION
PUBLIC FACILITIES and IMPROVEMENTS
PART 3 - BUDGET and TIMELINESS**

The Budget & Timeliness Section may not exceed two (2) pages.

BUDGET NARRATIVE

The information to be provided below pertains only to the proposed project for which you are requesting CDBG funds.

1. **Project Title:** Sidewalk Project: Nall Avenue, 49th Street to Nall Park
2. **2018 Total Project Budget**

Revenues

(These funds must directly support and be essential to the implementation of this proposed project.)

List All Revenue Sources For This Project	Amount
Funds requested from:	
Johnson County CDBG:	200,000
Olathe CDBG:	
Overland Park CDBG:	
Shawnee CDBG:	
***Other Project Revenue:	
Other Federal Funds	
State/Local Funds	100,000
Private Funds	
Other: TIF Funds	
CARS Funds	
Total Project Revenue	300,000

Expenses

Source	Amount
Personnel	
Equipment	
Supplies	
Space Rent/Utilities	
Other- Consulting Engineer	55,000
Other- Construction Contract	245,000
Total Project Expenses	300,000

Total project revenue must equal total project expenses.
*****All other project revenue must be specified. Sources must be noted.**

3. Describe precisely what CDBG funds will be used to pay for.

Construction (materials and labor) of sidewalks, street light relocation, driveway replacement, curb replacement and paving, and sidewalk ramp with detectable warnings. A project location and layout map along with the cost estimate for the project is provided in **Exhibit D**

Timeliness

HUD imposes a timeliness requirement for the expenditure of CDBG funds on the County.

1. Will this project be ready to proceed as of January 1, 2018? Yes.

2. If not ready, when will the project proceed?

3. When is this project scheduled to be completed? October 2018.

4. Describe any circumstances that might prevent this activity from being completed by December 1, 2018.

If construction is delayed due to unforeseen utility conflicts or exceptionally rainy construction season or if CDBG funds are not available as of January 1, 2018.

5. CDBG History

If your organization has received CDBG funding in the past, please provide the information below.

Program year	2015	2016	2017
Award in Program Year	<u>0</u>	<u>0</u>	<u>0</u>
Expended in Program Year (Will agree to your reimbursement request forms.)	<u>0</u>	<u>0</u>	<u>0</u>
Number of PEOPLE served (Will agree to final project beneficiary form.)	<u>0</u>	<u>0</u>	<u>0</u>
Balance Remaining (if applicable)	<u>0</u>	<u>0</u>	<u>0</u>

**JOHNSON COUNTY/OLATHE 2018 CDBG APPLICATION
ALL PROJECTS
PART 4 – ENVIRONMENTAL QUESTIONS**

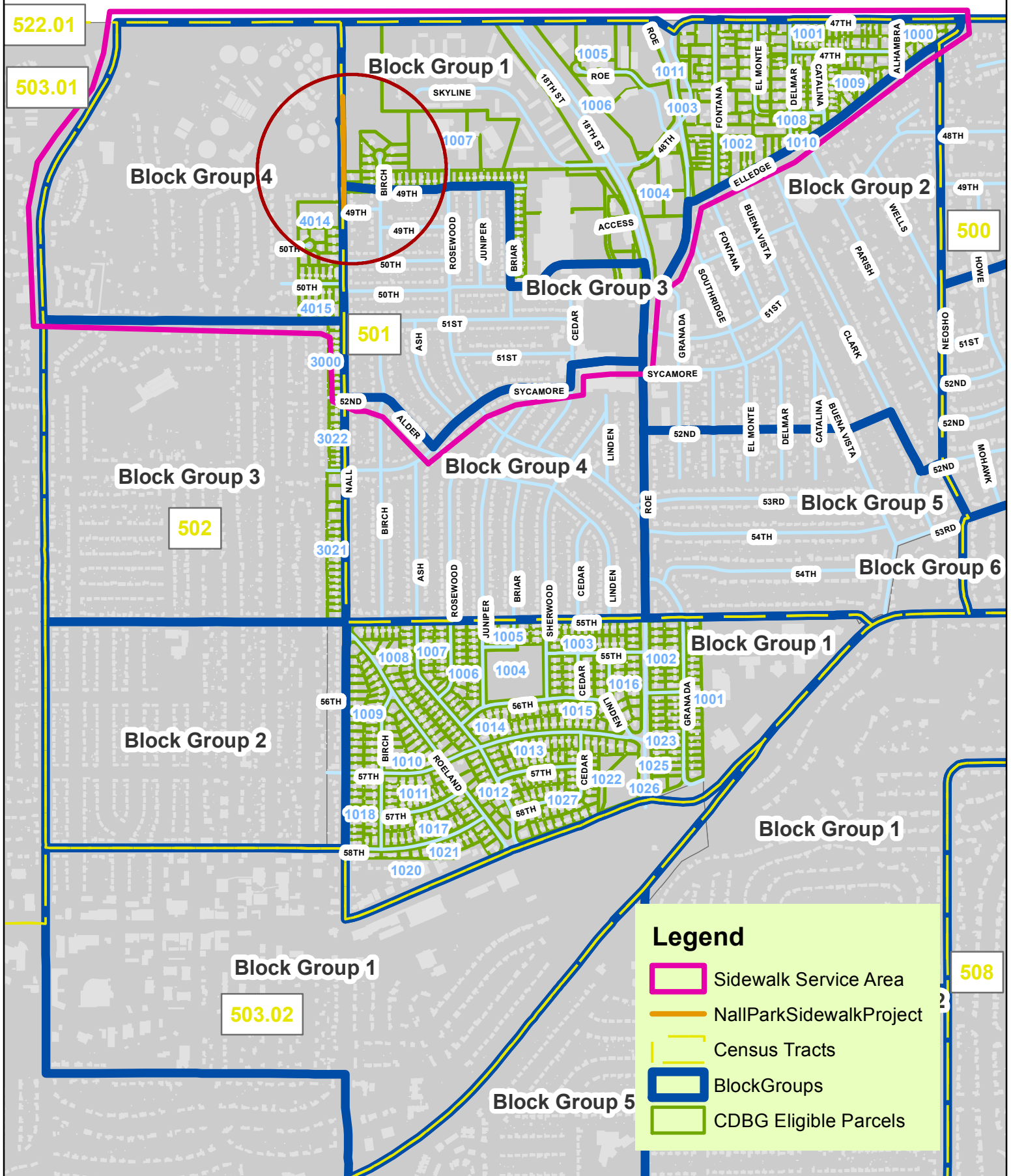
HUD requires that an Environmental Review be performed on any project supported by CDBG funds.

To assist us in determining the level of Environmental Review necessary for this proposed project.

Since this project is a **PUBLIC FACILITIES/ IMPROVEMENTS** project:

1. Please provide the address or location of the project. Nall Avenue: 4801, 4901, 4909, 4917, 4921
 2. Is the facility/improvement in place and will it be retained in the same use without change in size or capacity of more than 20 percent? No
 3. Is the project located in a flood zone area? No
 4. Is the location in a primarily residential area? Yes
-

Exhibit A - Service Area Map





Proclamation

Fair Housing Month

WHEREAS, the Congress of the United States passed the Civil Rights Act of 1968, of which Title VIII declared that the law of the land would now guarantee the rights of equal housing opportunity; and

WHEREAS, the City of Roeland Park is committed to the mission and intent of Congress to provide fair and equal housing opportunities for all, and today, many realty companies and associations support fair housing laws; and

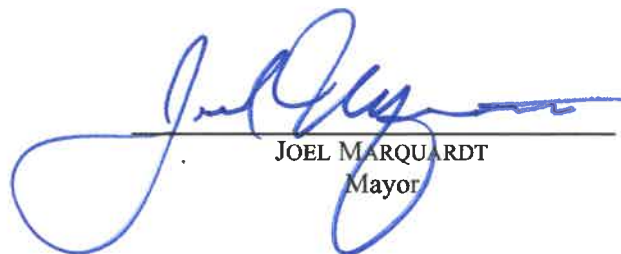
WHEREAS, the Fair Housing groups and the U.S. Department of Housing and Urban Development have, over the years, received thousands of complaints of alleged illegal housing discrimination and found too many that have proved, upon investigation, to be in violation of the fair housing laws; and

WHEREAS, equal housing opportunity is a condition of life in our City that can and should be achieved;

Therefore, be it resolved that Mayor Joel Marquardt, on behalf of its citizens of Roeland Park, proclaims the month of April

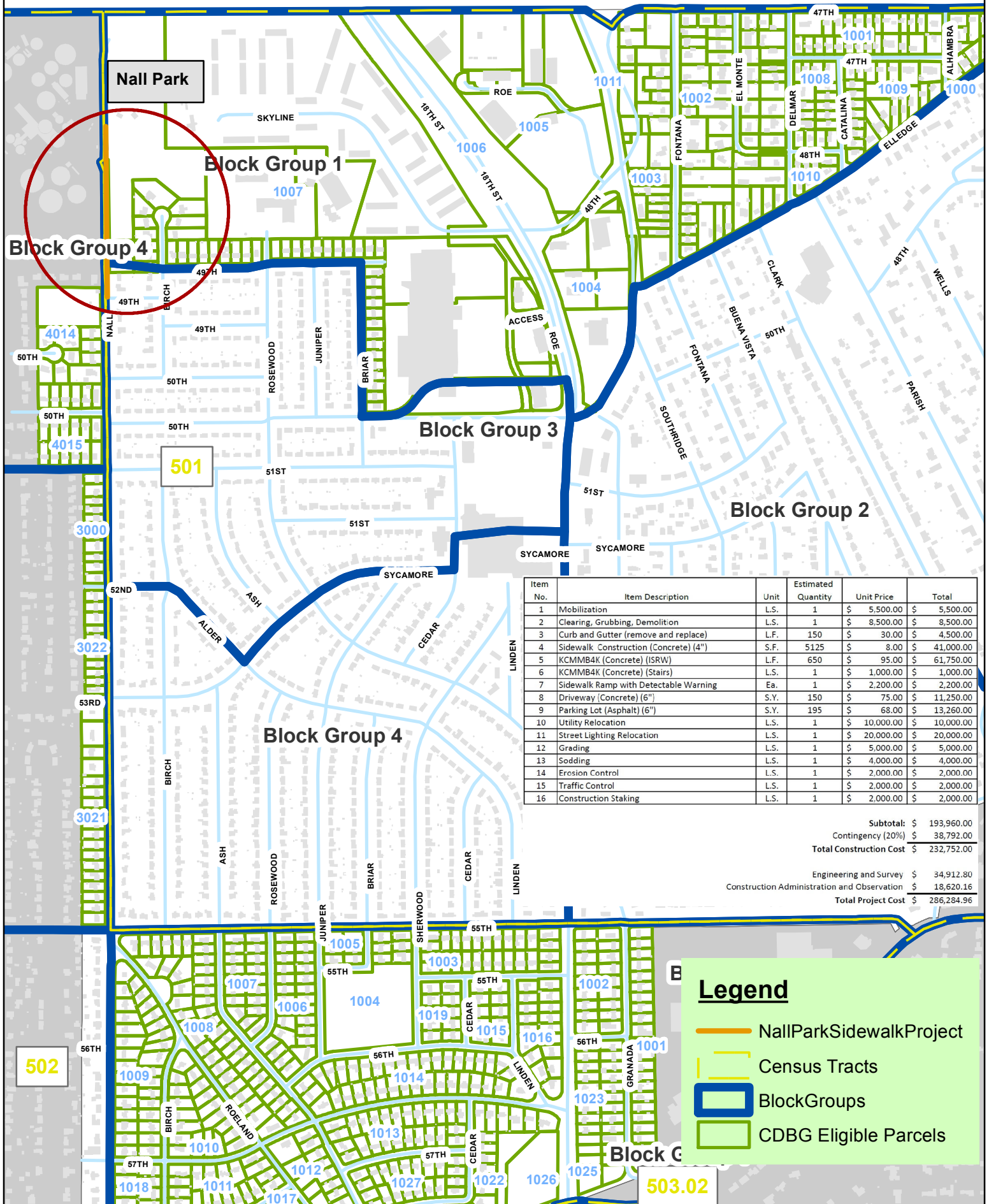
Fair Housing Month

And expresses the hope that this year's observance will promote fair housing practices throughout the City



JOEL MARQUARDT
Mayor

Exhibit D: Project Location and Cost Estimate



Item No.	Item Description	Unit	Estimated Quantity	Unit Price	Total
1	Mobilization	L.S.	1	\$ 5,500.00	\$ 5,500.00
2	Clearing, Grubbing, Demolition	L.S.	1	\$ 8,500.00	\$ 8,500.00
3	Curb and Gutter (remove and replace)	L.F.	150	\$ 30.00	\$ 4,500.00
4	Sidewalk Construction (Concrete) (4")	S.F.	5125	\$ 8.00	\$ 41,000.00
5	KCMMB4K (Concrete) (ISRW)	L.F.	650	\$ 95.00	\$ 61,750.00
6	KCMMB4K (Concrete) (Stairs)	L.S.	1	\$ 1,000.00	\$ 1,000.00
7	Sidewalk Ramp with Detectable Warning	Ea.	1	\$ 2,200.00	\$ 2,200.00
8	Driveway (Concrete) (6")	S.Y.	150	\$ 75.00	\$ 11,250.00
9	Parking Lot (Asphalt) (6")	S.Y.	195	\$ 68.00	\$ 13,260.00
10	Utility Relocation	L.S.	1	\$ 10,000.00	\$ 10,000.00
11	Street Lighting Relocation	L.S.	1	\$ 20,000.00	\$ 20,000.00
12	Grading	L.S.	1	\$ 5,000.00	\$ 5,000.00
13	Sodding	L.S.	1	\$ 4,000.00	\$ 4,000.00
14	Erosion Control	L.S.	1	\$ 2,000.00	\$ 2,000.00
15	Traffic Control	L.S.	1	\$ 2,000.00	\$ 2,000.00
16	Construction Staking	L.S.	1	\$ 2,000.00	\$ 2,000.00

Subtotal:	\$ 193,960.00
Contingency (20%)	\$ 38,792.00
Total Construction Cost	\$ 232,752.00
Engineering and Survey	\$ 34,912.80
Construction Administration and Observation	\$ 18,620.16
Total Project Cost	\$ 286,284.96

**JOHNSON COUNTY/OLATHE 2018 CDBG APPLICATION
PUBLIC FACILITIES and IMPROVEMENTS
PART 1 - PROJECT SUMMARY**

For CDBG Staff Use Only.

Date Received: _____ Amount Requested: _____
Matrix Code: _____
Environmental Status: _____ Code Citation: 24 CFR 58. _____
National Objective Code: _____ Code Citation: 24 CFR 570.208 _____

The Project Summary may not exceed two (2) pages.

1. Applicant

Name: Keith Moody
Address: 4600 W 51st Street
City/ZIP: Roeland Park, KS 66205
Phone: 913 722 2600 WEB Site: www.Roelandpark.org
DUNS #: 044744308

2. Contact person responsible for all communications concerning this proposed project.

Name: Jose Leon
Address: 4800 Roe Parkway
City/ZIP: Roeland Park, KS 66205
Phone: 913 722 5435 E-mail: jleon@roelandpark.org

3. Title of the proposed project: Roeland Park Community Center and Aquatic Center Improvements

4. Address/location for the proposed project

(If the project is carried out at more than one location, provide complete addresses on a separate sheet. This is necessary for the Environmental Review required by HUD.)

4850 Rosewood Drive, Roeland Park, KS 66205

5. Amount of CDBG funds being requested: \$200,000

Type and Amount of funds the applicant is committing to this project:

(These are your leveraged funds.)

General Funds= \$10,000 Community Center Funds= \$50,000

6. In TWO sentences provide a concise description of the project.

*(This **MUST** be brief, clear and to the point.)*

Replace failing mechanical, lighting, flooring, roofing and decking components at the Community Center/Aquatics Center complex. Add shade at aquatics center. Address storm drainage deficiencies at the site.

7. **If this Public Facility/ Improvement project benefits an area, provide each Census 2010 Tract & Block Group for the entire service benefit area. Please provide the rational for your service area.**

Census Tract(s): 501 and 502

Block Group(s): 1,2,3 and 4 for tract 501 and blocks 3 and 5 of tract 502

Boundaries of service area: Census tracts 501 and 502 in Johnson County.

Rational for boundaries of benefit area listed above: The facilities serve the immediate surrounding neighborhood which consist of the five block groups noted above.

Income characteristics of the residents of the area: 1,870 of the 5,085 residents of the service area qualify as low or moderate income.

Percentage of low / mod income persons in the service area and data used for determining the percentage: Data provided from Johnson County CDBG administration office lists the number of persons who qualify as low and moderate income as well as the population of a block group (see below), 36.77% of the service area population qualify as low or moderate income, meeting the 33.92% minimum requirement per Johnson County CDBG Administrators. Service Area Block Group specifics are below:

Community Center Aquatic Center Project					
Sevice Area					
County	Census Tract	Block Group	Lomod Population	Total Population	% of Lowmod Population in Service Area
Johnson	501	1	555	1,325	41.89%
	501	2	165	625	26.40%
	501	3	85	435	19.54%
	501	4	250	780	32.05%
	502	3	450	1,325	33.96%
	502	4	365	595	61.34%
Totals			1,870	5,085	36.77%

Please include a map with the service area circled and all census tract / block groups in the service area labeled. Please see **Exhibit A**

8. **How many PEOPLE will benefit from this project?** Estimated 5,085

9. **Citizen Participation**

For Applications by Cities (not County Departments / Agencies)

Cities must include documentation of public notice **at least 14 days** prior to the holding a public hearing. Further information in instructions (page 4) and handbook (page 16).

Project selection was discussed at an open Council meeting on March 6, 2017 and a public hearing was held at the City Council meeting on March 20, 2017. Minutes from those meetings and the notice of Public Hearing are attached as **Exhibit B.**

- 10. Fair Housing Activities-must be completed by all applicants.
Describe what actions will be taken to further Fair Housing.**

The City of Reoland Park proclaims the month of April as “Fair Housing Month”, and urges all citizens to actively support fair housing laws. The Fair Housing Month proclamation is attached as **Exhibit C.**

- 11. Does your project address any of Johnson County’s strategic priorities? Yes
If yes, please briefly explain: (see page 5 of application instructions for details)**

Johnson County Parks and Recreation provides childcare in the Community Center and the Aquatic Center hosts child care providers, in addition both facilities host senior specific activities and programs, having these facilities in place addresses the Strategic Objective of promoting quality and affordable childcare and eldercare.

- 12. SIGNATURE: _____ Date: _____**

(Signature of Mayor/Director of County or City of Olathe Department/Chairman of Board)

Mayor Joel Marquardt
Please Type/Print Name

**JOHNSON COUNTY/OLATHE 2018 CDBG APPLICATION
PUBLIC FACILITIES and IMPROVEMENTS
PART 2 - PROJECT NARRATIVE**

The Project Narrative may not exceed two (2) pages.

NEED the Project is addressing

1. Clearly describe the specific local need this project will address.

The project will address the need to replace failing elements of these neighborhood service facilities. Sustaining these facilities will ensure healthy social and physical opportunities remain accessible to this neighborhood.

2. Describe the major local factors that contribute to the problem.

Limited local funding to maintain the facilities is the major contributing factor.

3. Provide current, up-to-date, county/city-specific data that substantiates the need.

The City's capital improvements program has more project needs than resources available to fund them.

The PROJECT – Performance Measurement

Summarize the following information using the chart on the next page:

- Clearly state the goal(s) of the 2018 project.
- Identify the inputs of the project.
- Specifically describe the activities you propose to conduct which will help achieve program goals.
- Clearly state what will be the direct products/outputs of the project.
- Clearly state the objectives/outcomes of the project.

1. Clearly state how and when the achievement/impact of program objectives will be measured.

We will measure the impact when the project has reached final completion. The quantities reflected in the pay estimates will measure achievement of program objectives.

Please submit 2016 & 2017 forms from previous years' applications along with the actual results for 2016.
Roeland Park did not receive CDBG funds in 2016 or 2017

2018 Project Narrative

Goal	Inputs	Activities	Measurable Outputs	Outcomes	Actual Results
Install new storm drainage systems. Replace shingled roofs. Replace florescent lights with LED lights, Replace failing and inefficient HVAC units with high efficiency units. Add shade structures at pool. Replace failed flooring and decking.	\$260,000 Budget Consulting Engineer: Design, Bid, Contract Administration, Construction Inspection Construction Contractor(s) Administrative Staff	Administration of CDBD Grant Preparation of plans & specification. Competitive bid process. Construction observation and Davis Bacon oversight. Construction activities.	5 new HVAC units 3 new shade structures 2 new shingled roofs Functioning site storm drainage system 1 new drinking fountain New LED lights at facilities Repaired flooring and decking at facilities	Improved energy efficiency of facilities. Improved sun protection. Improved operating dependability of facilities. Extended useful life of facilities. Proper drainage of rain water from building and surrounding traffic areas.	

**JOHNSON COUNTY/OLATHE 2018 CDBG APPLICATION
PUBLIC FACILITIES and IMPROVEMENTS
PART 3 - BUDGET and TIMELINESS**

The Budget & Timeliness Section may not exceed two (2) pages.

BUDGET NARRATIVE

The information to be provided below pertains only to the proposed project for which you are requesting CDBG funds.

1. **Project Title:** **Roeland Park Community Center and Aquatic Center Improvements**
2. **2018 Total Project Budget**

Revenues *(These funds must directly support and be essential to the implementation of this proposed project.)*

List All Revenue Sources For This Project	Amount
Funds requested from:	
Johnson County CDBG:	200,000
Olathe CDBG:	
Overland Park CDBG:	
Shawnee CDBG:	
***Other Project Revenue:	
Other Federal Funds	
State/Local Funds	60,000
Private Funds	
Other: TIF Funds	
Total Project Revenue	260,000

Expenses

Source	Amount
Personnel	
Equipment	
Supplies	
Space Rent/Utilities	
Other- Consulting Engineer/Architect	20,000
Other- Construction Contract	240,000
Total Project Expenses	260,000

Total project revenue must equal total project expenses.

*****All other project revenue must be specified. Sources must be noted.**

3. **Describe precisely what CDBG funds will be used to pay for.**

Construction (materials and labor) of storm drainage system (may require sidewalk and parking restoration), HVAC systems, shingle roof replacement, flooring repair, decking

repair/sealing, shade structures, LED lighting, and drinking fountain. A project location and layout map along with the cost estimate for the project is provided in **Exhibit D.**

Timeliness

HUD imposes a timeliness requirement for the expenditure of CDBG funds on the County.

- 1. Will this project be ready to proceed as of January 1, 2018? Yes**
- 2. If not ready, when will the project proceed?**
- 3. When is this project scheduled to be completed? December 1, 2018.**
- 4. Describe any circumstances that might prevent this activity from being completed by December 1, 2018.**
If CDBG funds are not available as of January 1, 2018.

5. CDBG History

If your organization has received CDBG funding in the past, please provide the information below.

Program year	2015	2016	2017
Award in Program Year	<u>0</u>	<u>0</u>	<u>0</u>
Expended in Program Year (Will agree to your reimbursement request forms.)	<u>0</u>	<u>0</u>	<u>0</u>
Number of PEOPLE served (Will agree to final project beneficiary form.)	<u>0</u>	<u>0</u>	<u>0</u>
Balance Remaining (if applicable)	<u>0</u>	<u>0</u>	<u>0</u>

**JOHNSON COUNTY/OLATHE 2018 CDBG APPLICATION
ALL PROJECTS
PART 4 – ENVIRONMENTAL QUESTIONS**

HUD requires that an Environmental Review be performed on any project supported by CDBG funds.

To assist us in determining the level of Environmental Review necessary for this proposed project.

Since this project is a **PUBLIC FACILITIES/ IMPROVEMENTS** project:

1. **Please provide the address or location of the project.** 4850 Rosewood Drive, Roeland Park, KS 66205
 2. **Is the facility/improvement in place and will it be retained in the same use without change in size or capacity of more than 20 percent?** Yes
 3. **Is the project located in a flood zone area?** No
 4. **Is the location in a primarily residential area?** Yes
-

JOHNSON COUNTY/OLATHE 2018 CDBG APPLICATION
PART 5 - CERTIFICATIONS

The Applicant certifies that:

- (a) It possesses legal authority to make a grant submission and to execute a community development and housing program.
- (b) Its governing body has in an official meeting open to the public duly adopted or passed as an official act a resolution, motion or similar action authorizing the person identified as the official representative of the subrecipient to submit the final statement and all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the subrecipient to act in connection with the submission of the final statement and to provide such additional information as may be required.
- (c) The grant will be conducted and administered in compliance with:
 - (1) Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352; 42 U.S.C. Subsection 2000 et seq.);
 - (2) The Fair Housing Act (42 U.S.C. 3601-20).
- (d) It will affirmatively further fair housing.
- (e) It has developed its proposed activity so as to give maximum feasible priority to activities that benefit low- and moderate-income families or aid in the prevention or elimination of slums or blight. The proposed use of funds may also include activities which the subrecipient certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, where other financial resources are not available to meet such needs.
- (f) It will not attempt to recover any capital costs of public improvements assisted in whole or in part with funds provided under section 106 of the Act or with amounts resulting from a guarantee under section 108 of the Act by assessing any amount against properties owned and occupied by persons of low- and moderate-income, including any fee charged or assessment made as a condition of obtaining access to such public improvements, unless: (1) funds received under section 106 of the Act are used to pay the proportion of such fee or assessment that relates to the capital costs of such public improvements that are financed from revenue sources other than Title 1 the Act; or (2) for purposes of assessing any amount against properties owned and occupied by persons of moderate income, the grantee certifies to the Secretary that it lacks sufficient funds received under section 106 of the Act to comply with the requirements of subparagraph (1).
- (g) It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1990 as required under Section 570.606(a) and Federal implementing regulations; the requirements in Section 570.606(b)

governing the residential anti-displacement and relocation assistance plan under section 104(d) of the Act (including a certification that the subrecipient is following such a plan); the relocation requirements of Section 570.606(c) governing displacement subject to section 104(k) of the Act; and the relocation requirements of Section 570.606(d) governing optional relocation assistance under section 105(a)(11) of the Act.

(h) To the best of my knowledge and belief that:

1. No Federal appropriated funds have paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant loan, or cooperative agreement, it will complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and
3. It will require that the language of paragraph (h) of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub recipients shall certify and disclose accordingly.

(i) It will comply with the other provisions of the Act and with other applicable laws.

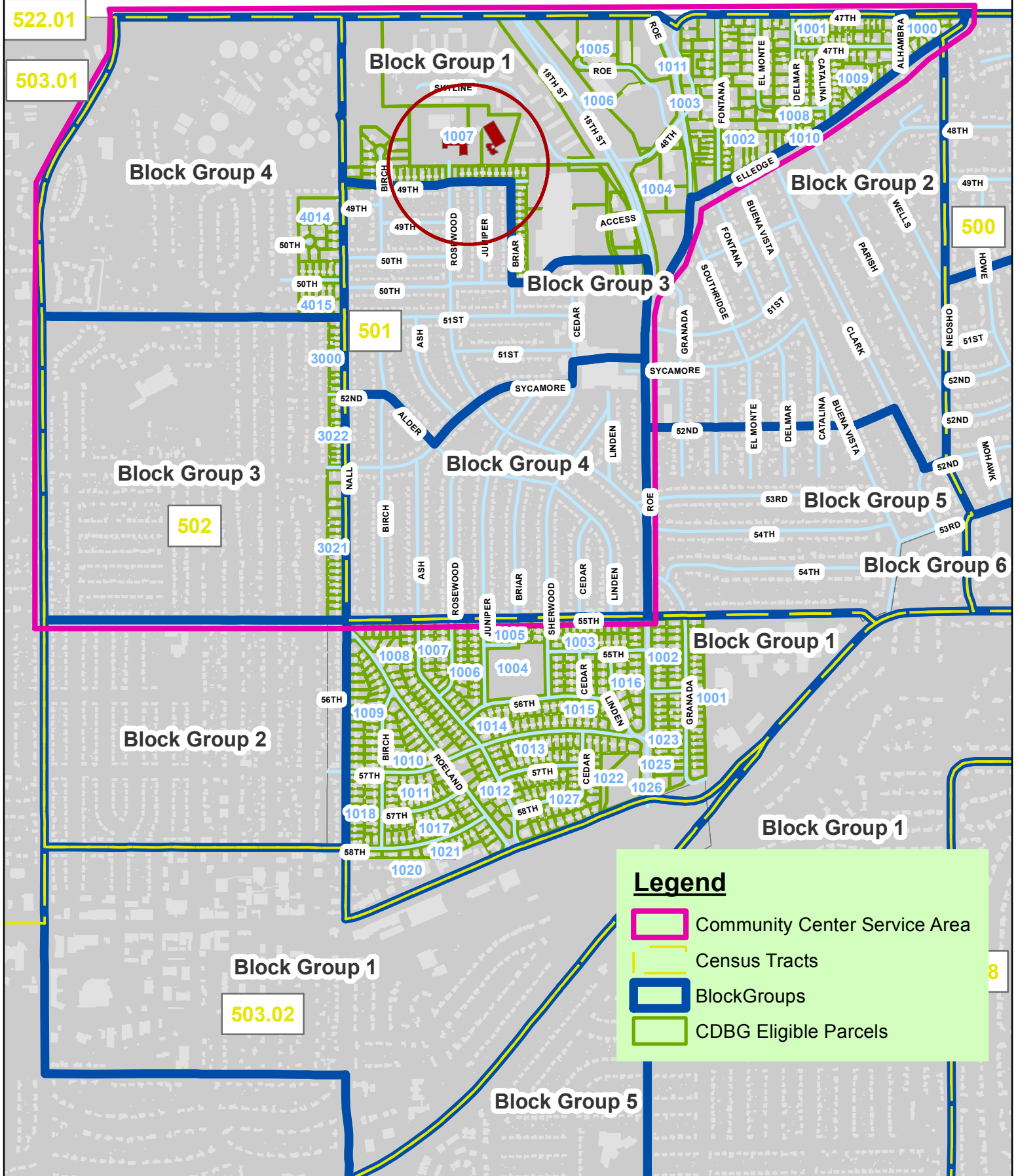
Signature

Date

Mayor/Director of County or City of Olathe Department/ Chairman of Board

Please Print Name and Title

Exhibit A: Service Area





Proclamation

Fair Housing Month

WHEREAS, the Congress of the United States passed the Civil Rights Act of 1968, of which Title VIII declared that the law of the land would now guarantee the rights of equal housing opportunity; and

WHEREAS, the City of Roeland Park is committed to the mission and intent of Congress to provide fair and equal housing opportunities for all, and today, many realty companies and associations support fair housing laws; and

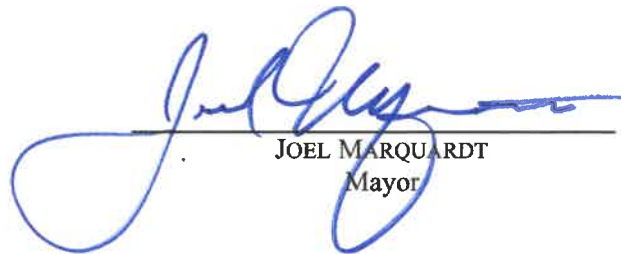
WHEREAS, the Fair Housing groups and the U.S. Department of Housing and Urban Development have, over the years, received thousands of complaints of alleged illegal housing discrimination and found too many that have proved, upon investigation, to be in violation of the fair housing laws; and

WHEREAS, equal housing opportunity is a condition of life in our City that can and should be achieved;

Therefore, be it resolved that Mayor Joel Marquardt, on behalf of its citizens of Roeland Park, proclaims the month of April

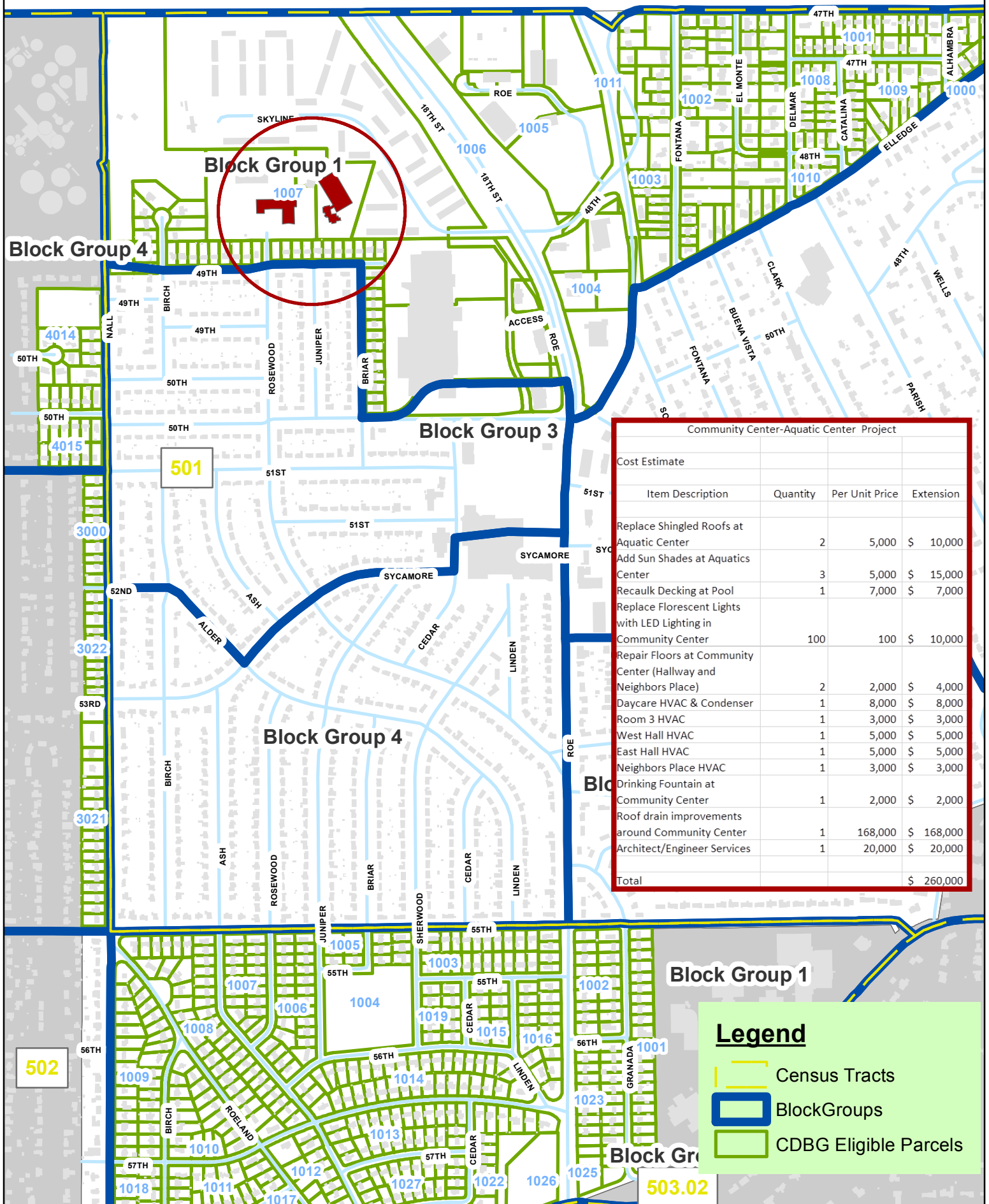
Fair Housing Month

And expresses the hope that this year's observance will promote fair housing practices throughout the City



JOEL MARQUARDT
Mayor

Exhibit D: Project Location and Cost Estimate



Date:

Committee/Department:

Appropriation Ordinance # 903

Recommendation:

Financial Impact

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

How does item relate to Strategic Plan?

ATTACHMENTS:

Description

Appropriation Ordinance #903

Type

Ordinance

The City of Roeland Park, Kansas

4600 West Fifty-First Street

Roeland Park, Kansas 66205

City Hall (913) 722-2600 – Fax (913) 722-3713

Monday, April 17, 2017

Appropriation Ordinance - 04/17/2017 - #903

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 17th day of April, 2017.

Attest:

City Clerk

Mayor

Total Appropriation Ordinance	\$	216,472.43
--------------------------------------	-----------	-------------------

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

Appropriation Ordinance - 04/17/2017 - #903

					Check /EFT				
Vendor	Dept	Acct #	Description	Invoice Description	Date	Amount	Chk #	Check Amount	
Adorama, Inc.	102	5307.102	Other Commodities	Invoice: 19939250 /	3/29/2017	1,462.90	66649	1,462.90	
Advantage Computer	103	5209.103	Professional Services	Invoice: 58031 /	4/5/2017	250.00	66680	250.00	
	4/17/2017	102	5260.102	Vehicle Maintenace	Invoice: 5128709028299 / unit 27	4/5/2017	5.99	66681	5.99
Advance Auto Parts	106	5318.106	Tools	Invoice: 5128708739536 / test light for t	4/12/2017	15.19	66709	15.19	
Airgas USA, LLC	106	5214.106	Other Contractual Services	Invoice: 9944037031 /	4/12/2017	89.01	66710	89.01	
All Copy Products, Inc.	102	5214.102	Other Contractual Services	Invoice: 53848590 /	4/5/2017	18.99	66682	37.99	
All Copy Products, Inc.	105	5214.105	Other Contractual Services	Invoice: 53848590 /	4/5/2017	19.00	66682		
All Copy Products Inc.	102	5214.102	Other Contractual Services	Invoice: AR2055954 /	4/5/2017	80.13	66683	160.25	
All Copy Products Inc.	105	5214.105	Other Contractual Services	Invoice: AR2055954 /	4/5/2017	80.12	66683		
American Fidelity Assurance Co.	101	2052.101	Supplemental Insurance Payable	Invoice: 1401025 /	3/29/2017	258.33	66650	258.33	
American Fidelity Assurance	101	2052.101	Supplemental Insurance Payable	Invoice: B591626 /	4/5/2017	914.82	66684	914.82	
Shanan Anthony-Mesa	102	5206.102	Travel Expense & Training	Invoice: 4/7/17 ADV MEALS /	3/29/2017	155.00	66651	155.00	
Barnhart Security & Alarm, Inc.	106	5210.106	Maintenace And Repair Building	Invoice: 9086 /	4/12/2017	75.00	66711	75.00	
BCI Mechanical	290	5210.290	Maintenace And Repair Building	Invoice: 146726047 /	4/12/2017	310.00	66712	310.00	
Black & McDonald	101	5220.101	Street Light Repair & Maintenance	Invoice: 76774249 /	4/12/2017	1,763.52	66713	1,763.52	
Blue Sky Cleaners	102	5224.102	Laundry Service	Invoice: 4/3/17 /	4/12/2017	232.45	66714	232.45	
Bollcom, Inc.	101	5214.101	Other Contracted Services	Invoice: 8491 /	4/5/2017	89.00	66685	801.50	
Bollcom, Inc.	101	5214.101	Other Contracted Services	Invoice: 8490 /	4/5/2017	311.50	66685		
Bollcom, Inc.	101	5214.101	Other Contracted Services	Invoice: 8489 /	4/5/2017	401.00	66685		
Breeden Holdings, LLC	102	5260.102	Vehicle Maintenace	Invoice: 1030159 /	3/29/2017	35.00	66652	35.00	
Breeden Holdings, LLC	106	5260.106	Vehicle Maintenace	Invoice: 1030331 /	4/12/2017	25.00	66715	25.00	
Occupational Health Centers of the	106	5207.106	Medical Expense & Drug Testing	Invoice: 1009980920 / Francis Reeves	4/5/2017	58.00	66686	58.00	
Dash Medical Gloves	102	5306.102	Materials	Invoice: INV1047939 /	4/12/2017	40.45	66716	40.45	
E. Edwards, Inc.	106	5308.106	Clothing & Uniforms	Invoice: 4031712502 /	4/12/2017	134.99	66717	134.99	
Eligius Bronze	106	5306.106	Materials	Invoice: 1013949 /	4/12/2017	185.00	66718	185.00	
Family Support Payment Center	101	2055.101	Employee Garnishment Payable	Invoice: 3/23/17 HARPER /	3/29/2017	328.62	66653	328.62	
Family Support Payment Center	101	2055.101	Employee Garnishment Payable	Invoice: 4/6/17 HARPER /	4/5/2017	328.62	66687	328.62	
Galls, LLC	102	5308.102	Uniforms & Duty Gear	Invoice: 7167170 / rec 3/20/17	3/29/2017	16.99	66654	894.83	
Galls, LLC	102	5308.102	Uniforms & Duty Gear	Invoice: 7167154 /	3/29/2017	877.84	66654		
Galls, LLC	102	5308.102	Uniforms & Duty Gear	Invoice: 7201481 /	4/12/2017	62.98	66719	100.60	
Galls, LLC	102	5308.102	Uniforms & Duty Gear	Invoice: 7243646 /	4/12/2017	21.39	66719		
Galls, LLC	102	5308.102	Uniforms & Duty Gear	Invoice: 7197327 /	4/12/2017	16.23	66719		
Shea Geist	101	5256.101	Committee Funds	CK32231 Invoice: 2/27-3/30/17 EXP /	4/13/2017	297.79	32231	297.79	
Gilmore & Bell, P.C.	400	5209.400	Professional Services	Invoice: 37575 /	4/12/2017	700.00	66720	1,500.00	
Gilmore & Bell, P.C.	400	5209.400	Professional Services	Invoice: 37534 /	4/12/2017	400.00	66720		
Gilmore & Bell, P.C.	410	5209.410	Professional Services	Invoice: 37534 /	4/12/2017	400.00	66720		
Goodyear Auto Service Center	102	5260.102	Vehicle Maintenace	Invoice: 173637 /	4/5/2017	1,137.96	66688	1,137.96	
David J. Grummon, P.A.	103	5209.103	Professional Services	Invoice: 3/20/17 /	3/29/2017	132.00	66655	132.00	
House of Rocks	290	5307.290	Other Commodities	Invoice: 185297 /	4/12/2017	120.00	66721	1,611.00	

House of Rocks	290	5307.290	Other Commodities	Invoice: 185422 /	4/12/2017	501.00	66721	
House of Rocks	290	5307.290	Other Commodities	Invoice: 185255 /	4/12/2017	489.00	66721	
House of Rocks	290	5307.290	Other Commodities	Invoice: 185279 /	4/12/2017	501.00	66721	
Johnson County Wastewater	106	5288.106	Waste Water	Invoice: 3/9/17 MULTIPLE /	3/29/2017	132.23	66656	132.23
Johnson County Wastewater	106	5288.106	Waste Water	Invoice: 4/6/17 MULTIPLE /	4/12/2017	301.97	66722	301.97
Johnson County Government	101	5218.101	IT & Communication	Invoice: 116074 /	4/12/2017	4,935.14	66723	4,935.14
Johnson County Key Service, Inc.	103	5209.103	Professional Services	Invoice: 128959 /	4/12/2017	79.95	66724	79.95
KACE	104	5206.104	Travel Expense & Training	Invoice: 4/17 WELLS CONF /	4/5/2017	87.50	66689	87.50
Ka-Comm., Inc.	102	5260.102	Vehicle Maintenace	Invoice: 145657 /	3/29/2017	204.30	66657	204.30
Kansas City Board of Public Utilities	101	5222.101	Traffic Signal Expense	Invoice: 2834 3/27/17 /	4/5/2017	31.97	66690	31.97
KCP & L	101	5201.101	Electric	Invoice: 3/28/17 MULTIPLE2 /	4/5/2017	1,495.65	66691	1,581.01
KCP & L	106	5201.106	Electric	Invoice: 3/28/17 MULTIPLE2 /	4/5/2017	85.36	66691	
KCP & L	106	5201.106	Electric	Invoice: 3/28/17 MULTIPLE3 /	4/5/2017	408.78	66692	408.78
KCP & L	106	5201.106	Electric	Invoice: 1275 4/5/17 /	4/12/2017	1,659.75	66726	1,659.75
Keller Fire & Safety	101	5301.101	Office Supplies	Invoice: 227493 /	3/29/2017	40.60	66658	40.60
Keller Fire & Safety	102	5211.102	Maintenace & Repair Equipment	Invoice: 181460 /	4/12/2017	79.00	66727	119.60
Keller Fire & Safety	101	5301.101	Office Supplies	Invoice: 181311 /	4/12/2017	40.60	66727	
Kansas Gas Service	101	5289.101	Natural Gas	Invoice: 1745/7836 3/16/17 /	3/29/2017	241.62	66659	766.22
Kansas Gas Service	106	5289.106	Natural Gas	Invoice: 1745/7836 3/16/17 /	3/29/2017	524.60	66659	
Kansas One-Call System, Inc.	101	5220.101	Street Light Repair & Maintenance	Invoice: 7030438 /	4/12/2017	128.00	66728	128.00
Kansas Payment Center	101	2055.101	Employee Garnishment Payable	Invoice: 4/6/17 F.REEVES JR /	4/5/2017	138.46	66693	138.46
Kansas Secretary of State	105	5250.105	Insurance & Surety Bonds	Invoice: 4/17 NOTARY BOHON /	3/29/2017	25.00	66660	25.00
Kansas State Treasurer	103	5228.103	Fees Due State of Kansas	Invoice: 3/17 COURT REV /	4/5/2017	2,508.50	66694	2,508.50
Lamp, Rynearson & Assoc., Inc.	300	5209.300	Professional Services	Invoice: 316041010000005 /	3/29/2017	439.20	66661	439.20
Lamp, Rynearson & Assoc., Inc.	270	5209.270	Professional Services	Invoice: 317001010000001 /	4/12/2017	3,236.39	66729	9,841.97
Lamp, Rynearson & Assoc., Inc.	270	5209.270	Professional Services	Invoice: 317001010000002 /	4/12/2017	5,123.75	66729	
Lamp, Rynearson & Assoc., Inc.	300	5209.300	Professional Services	Invoice: 316041010000006 /	4/12/2017	1,481.83	66729	
Lanmarx Graphix..	104	5308.104	Clothing & Uniforms	Invoice: 1002317 /	3/29/2017	172.22	66662	172.22
LBA A/C, Heating & Plumbing	101	5210.101	Maintenace & Repair Building	Invoice: 235145 /	4/12/2017	457.40	66730	457.40
The Legal Record	101	5204.101	Legal Printing	Invoice: L66278 /	4/5/2017	75.89	66695	226.04
The Legal Record	101	5204.101	Legal Printing	Invoice: L66279 /	4/5/2017	43.64	66695	
The Legal Record	101	5204.101	Legal Printing	Invoice: L65678 /	4/5/2017	13.54	66695	
The Legal Record	101	5204.101	Legal Printing	Invoice: L66311 /	4/5/2017	18.06	66695	
The Legal Record	101	5204.101	Legal Printing	Invoice: L66277 /	4/5/2017	74.91	66695	
Lexington Plumbing & Heating Co.	300	5470.300	Park Maint/Infrastructure	Invoice: 60516 /	4/12/2017	177.50	66731	1,215.00
Lexington Plumbing & Heating Co.	300	5470.300	Park Maint/Infrastructure	Invoice: 60508 /	4/12/2017	860.00	66731	
Lexington Plumbing & Heating Co.	300	5470.300	Park Maint/Infrastructure	Invoice: 60390 /	4/12/2017	177.50	66731	
Kansas City Series of Lockton Co., LL	101	5250.101	Insurance & Surety Bonds	Invoice: 8859686 /	3/29/2017	50.00	66663	50.00
Lowe's Business Acct./GEMB	101	5210.101	Maintenace & Repair Building	CK32230 Invoice: 3/31/2017 /	3/31/2017	964.70	32230	1,180.56
Lowe's Business Acct./GEMB	106	5211.106	Maintenace & Repair Equipment	CK32230 Invoice: 3/31/2017 /	3/31/2017	100.94	32230	
Lowe's Business Acct./GEMB	106	5305.106	Dues, Subscriptions, & Books	CK32230 Invoice: 3/31/2017 /	3/31/2017	38.00	32230	
Lowe's Business Acct./GEMB	106	5318.106	Tools	CK32230 Invoice: 3/31/2017 /	3/31/2017	76.92	32230	
Lynn Peavey Company	102	5306.102	Materials	Invoice: 329313 /	3/29/2017	190.75	66664	190.75

MARC	101	5305.101	Dues, Subscriptions, & Books	Invoice: DI0002802 /	3/29/2017	1,684.00	66665	1,684.00
Venessa Maxwell-Lopez	103	5209.103	Professional Services	Invoice: 3/24/17 /	3/29/2017	150.00	66666	150.00
Midwest Public Risk	107	5126.107	Health Insurance	Invoice: B02TQ0 /	4/5/2017	27,050.69	66696	27,050.69
Moss Printing	101	5203.101	Printing & Advertising	Invoice: 9056 /	4/5/2017	40.00	66697	87.00
Moss Printing	101	5205.101	Postage & Mailing Permits	Invoice: 9056 /	4/5/2017	47.00	66697	
Moss Printing	101	5301.101	Office Supplies	Invoice: 9075 /	4/12/2017	100.00	66732	100.00
NAPA Auto Parts	106	5211.106	Maintenace & Repair Equipment	Invoice: 486356 /	4/12/2017	248.74	66733	248.74
Nationwide Retirement Solutions	101	2060.101	Section 457 Employee Payable	Invoice: 3/23/17 PAYROLL /	3/29/2017	1,223.41	66667	1,223.41
Nationwide Retirement Solutions	101	2060.101	Section 457 Employee Payable	Invoice: 4/6/17 PAYROLL /	4/5/2017	1,199.40	66698	1,199.40
Northeast Johnson Cty. Chamber of	108	5206.108	Travel Expense & Training	Invoice: 21328 /	4/12/2017	35.00	66734	35.00
Wex Bank	106	5302.106	Motor Fuels & Lubricants	CK32233 Invoice: 49240268 /	4/6/2017	215.66	32233	215.66
Purchase Power	101	5205.101	Postage & Mailing Permits	Invoice: 3/20/17 /	4/5/2017	639.85	66699	639.85
Praxair Distribution Inc	106	5214.106	Other Contractual Services	Invoice: 76673425 /	4/5/2017	25.07	66700	25.07
Praxair Distribution Inc	106	5306.106	Materials	Invoice: 76740530 /	4/12/2017	128.84	66735	128.84
Balls Food Stores	101	5254.101	Miscellaneous Charges	Invoice: 64887 /	4/5/2017	14.99	66701	14.99
Balls Food Stores	102	5301.102	Office Supplies	Invoice: 648890 /	4/12/2017	14.63	66736	1,239.63
Balls Food Stores	102	5301.102	Office Supplies	Invoice: RP040417 /	4/12/2017	1,225.00	66736	
Principal Life	107	5130.107	City Paid Life/ST Disability	Invoice: 3/17/17 /	3/29/2017	815.73	66668	815.73
ProShred of Kansas City	102	5214.102	Other Contractual Services	Invoice: 100120358 /	3/29/2017	22.50	66669	45.00
ProShred of Kansas City	105	5214.105	Other Contractual Services	Invoice: 100120358 /	3/29/2017	22.50	66669	
Wex Bank	104	5302.104	Motor Fuels & Lubricants	CK32227 Invoice: 49125609 /	3/24/2017	20.61	32227	459.48
Wex Bank	106	5302.106	Motor Fuels & Lubricants	CK32227 Invoice: 49125609 /	3/24/2017	438.87	32227	
Wex Bank	102	5302.102	Motor Fuels & Lubricants	CK32232 Invoice: 49189930 /	4/5/2017	1,686.67	32232	1,686.67
Greg Rader	102	5206.102	Travel Expense & Training	Invoice: 4/7/17 ADV. MEALS /	3/29/2017	155.00	66670	155.00
Rejis Commission	102	5214.102	Other Contractual Services	Invoice: 53525 /	4/5/2017	212.37	66702	212.37
Michael Rhoades	108	5206.108	Travel Expense & Training	CK32235 Invoice: 4/12/17 /	4/12/2017	855.00	32235	855.00
Riteway Maintenance & Supply, LLC	101	5214.101	Other Contracted Services	Invoice: 16441 /	4/5/2017	910.00	66703	910.00
Roeland Park Community Foundatio	101	5283.101	RP Community Foundation Grant Expi	Invoice: 3/29/17 CK REQUEST /	3/29/2017	140.00	66671	140.00
Roeland Park Property Owners	101	5258.101	RPPOA Common Area Expenses	CK32229 Invoice: 3/29/2017 /	3/29/2017	33,847.00	32229	33,847.00
Salina Police Dept.	102	5206.102	Travel Expense & Training	Invoice: 4/17 TRAINING /	3/29/2017	150.00	66672	150.00
George Schlegel	101	5230.101	Art Commissioner	Invoice: CHECKAPR /	4/1/2017	100.00	66677	100.00
Shawnee Mission Ford, Inc.	102	5260.102	Vehicle Maintenace	Invoice: C13924 /	3/29/2017	248.39	66673	248.39
Staples Advantage	101	5301.101	Office Supplies	Invoice: 8043496280 /	3/29/2017	203.98	66674	203.98
Staples Advantage	101	5301.101	Office Supplies	Invoice: 8043699995 /	4/5/2017	82.17	66704	258.45
Staples Advantage	101	5304.101	Janitorial Supplies	Invoice: 8043699995 /	4/5/2017	176.28	66704	
Staples Advantage	101	5301.101	Office Supplies	Invoice: 8043804351 /	4/12/2017	232.41	66737	254.52
Staples Advantage	101	5304.101	Janitorial Supplies	Invoice: 8043804351 /	4/12/2017	22.11	66737	
Suburban Lawn & Garden	101	5209.101	Professional Services	Invoice: 910077-2 /	3/29/2017	9.94	66675	9.94
Terminix Processing Center	106	5214.106	Other Contractual Services	Invoice: 363299641 /	3/29/2017	640.20	66676	640.20
United Way of Greater KC	101	2035.101	Other Withholding Payable	Invoice: 2017 1ST QTR /	4/12/2017	24.00	66738	24.00
US BANK	105	5206.105	Travel Expense & Training	Invoice: BOHON 3/27/17 /	4/10/2017	28.43	32234	1,528.15
US BANK	105	5206.105	Travel Expense & Training	Invoice: BOHON 3/27/17 /	4/10/2017	376.65	32234	
US BANK	105	5206.105	Travel Expense & Training	Invoice: JONES-LACY 3/27/17 /	4/10/2017	18.00	32234	

US BANK	105	5206.105	Travel Expense & Training	Invoice: MOODY 3/27/17 /	4/10/2017	50.00	32234	
US BANK	106	5206.106	Travel Expense & Training	Invoice: LEON 3/27/17 /	4/10/2017	30.00	32234	
US BANK	106	5206.106	Travel Expense & Training	Invoice: LEON 3/27/17 /	4/10/2017	394.90	32234	
US BANK	106	5211.106	Maintenace & Repair Equipment	Invoice: SCHARFF 3/27/17 /	4/10/2017	452.46	32234	
US BANK	106	5219.106	Meeting Expenses	Invoice: LEON 3/27/17 /	4/10/2017	90.00	32234	
US BANK	101	5301.101	Office Supplies	Invoice: BOHON 3/27/17 /	4/10/2017	26.26	32234	
US BANK	106	5306.106	Materials	Invoice: SCHARFF 3/27/17 /	4/10/2017	61.45	32234	
USIC Locating Services, LLC	101	5220.101	Street Light Repair & Maintenance	Invoice: 224654 /	4/12/2017	1,045.08	66739	1,045.08
Verizon Wireless	102	5202.102	Telephone	Invoice: 9782698956 /	4/5/2017	295.52	66705	415.55
Verizon Wireless	104	5202.104	Telephone	Invoice: 9782698956 /	4/5/2017	80.02	66705	
Verizon Wireless	106	5202.106	Telephone	Invoice: 9782698957 /	4/5/2017	40.01	66705	
Water District No 1 of Johnson Cour	101	5287.101	Water	Invoice: 3/27/17 MULTIPLE /	4/5/2017	56.95	66706	238.59
Water District No 1 of Johnson Cour	106	5287.106	Water	Invoice: 3/27/17 MULTIPLE /	4/5/2017	181.64	66706	
WaterOne	106	5306.106	Materials	CK32228 Invoice: 3/24/17 PERMIT /	3/24/2017	1,500.00	32228	1,500.00
WCA Waste Corporation	115	5272.115	Solid Waste Contract	Invoice: 990000238046 /	4/12/2017	34,493.52	66740	34,493.52
Shiloh Wells	104	5206.104	Travel Expense & Training	Invoice: 4/25-4/28/17 TRAVEL /	4/5/2017	55.00	66707	55.00
Windtrax, Inc	106	5260.106	Vehicle Maintenace	Invoice: 742720 /	4/12/2017	59.29	66741	59.29
Zerger & Mauer LLP	101	5215.101	City Attorney	Invoice: 201896 /	4/5/2017	11,917.12	66708	11,917.12
RSM, US LLP	101	5213.101	Audit Expense	Invoice no. R-5066740-301	4/14/2017	26,250.00	32236	26,250.00
First American Title Insurance Co.	360	5442.360	Building Expense	EFT#3/17/2017 Invoice: 3/17/2017 /	3/17/2017	10,000.00		
Forte	101	5214.101	Other Contracted Services	EFT#3/31/17 Invoice: 3/31/17 ALL ACCT	4/1/2017	279.92		
Forte	101	5214.101	Other Contracted Services	EFT#4/4/17 Invoice: 4/4/17 COURT /	4/4/2017	98.58		
Forte	101	5214.101	Other Contracted Services	EFT#4/4/17 Invoice: 4/4/17 ADMIN WEI	4/4/2017	14.20		
Forte	101	5214.101	Other Contracted Services	EFT#4/4/17 Invoice: 4/4/17 COURT WEI	4/4/2017	14.20		
Forte	101	5214.101	Other Contracted Services	EFT#4/4/17 Invoice: 4/4/17 ADMIN /	4/4/2017	14.20		
KPERS	101	2040.101	KPERS Accrued Employee	EFT#3/30/2017 Invoice: 3/30/2017 /	3/30/2017	1,768.27		
KPERS	107	5123.107	KPERS City Contribution	EFT#3/30/2017 Invoice: 3/30/2017 /	3/30/2017	2,493.25		
KP&F	101	2045.101	KP&F Employee Withholding Payable	EFT#3/30/2017 Invoice: 3/30/2017 /	3/30/2017	2,016.25		
KP&F	107	5131.107	KP&F City Contribution	EFT#3/30/2017 Invoice: 3/30/2017 /	3/30/2017	5,366.32		
Miller Management Systems, LLC	101	5214.101	Other Contracted Services	Invoice: EFTAPR /	4/1/2017	1,583.00		

\$ 216,472.43

Item Number: Consent Agenda- II.-B.
Committee 4/17/2017
Meeting Date:



City of Roeland Park
Action Item Summary

Date:
Submitted By:
Committee/Department:
Title: **February 20, 2017 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



February 20, 2017

Type

Cover Memo

**CITY COUNCIL MEETING MINUTES
CITY OF ROELAND PARK, KANSAS
Roeland Park City Hall
4600 W 51st Street, Roeland Park, KS 66205
Monday, February 20, 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

Poppa
Fast

Finance

Kelly
Janssen

Safety

Thompson
Rhoades

Public Works

Kellerman
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 that all Governing Body members were present

MODIFICATION OF AGENDA

The following Workshop items were added to the Consent Agenda:

- 1 – Agreement with I9 Sports
- 2 – 2016 Stormwater Project Bids
- 3 – 2017 Street Maintenance Bids
- 4 – 2018 CARS Project Design Contract

The following Workshop items were added to Business from the Floor:

- 5 – CBC Presentation on Northeast Johnson and Roe Cloverleaf
- 6 – Marketing Agreement with CBC for Northeast Johnson and Roe Cloverleaf

The following Workshop items were added to Item X, Workshop Items:

- 7 - Trash and Recycle Bin Placement and Shielding
- 8 - Leaf Pickup Program Discussion Continued
- 9 - Discussion of Establishing Hotel Motel Tax
- 10 - Snow Plowing Standards
- 11 - Governing Body Workshop Meeting Location

CMBR McNeil requested that the Solid Waste Bid Process for 2018 Services, Item C, be removed from the Consent Agenda and placed under New Business for further discussion.

CMBR Rhoades requested that the LKM Suggested Ordinance Elections as Nonpartisan, Item F, be removed from the Consent Agenda and placed under New Business for further discussion.

City Attorney Maurer said in regards to Consent Agenda Item F it is addressed Charter Ordinance 32 and does not know that an additional ordinance is needed. Mayor Marquardt reiterated there is already ordinance language of non-partisan elections and there is no need to adopt the LKM language.

I. CITIZEN COMMENT

Tom Madigan (5316 W. 49th Terrace) Mr. Madigan said that Nall Park is becoming alive again and used all the time. He went down to look at the park after the brush was removed and said it is amazing how big the ravine is and how much work was done. He personally thanked everyone that was there for the work day, especially Mr. Moody and CMBR Fast who took time to come down and help out. However, he did say he saw a teen come out of the park on a gas-powered dirt bike. He said that dirt bikes will quickly tear up the trail and suggested that the Council and Parks Committee work to preserve the progress that has been in the park.

Mr. Madigan also spoke about how unfinished Workshop items are incorporated into the City Council agenda and that the way it is currently done is confusing. He said people are frustrated when a Workshop agenda is moved to Council and voted on before there is public comment.

Mr. Madigan also said he believes there is some confusion on northeast site and does not remember a vote on how many stories the building would have. He questioned the survey results that 61 percent were in favor of a three-story building.

II. CONSENT AGENDA

- A. Appropriation Ordinance #901**
- B. January 19, 2017 Minutes**
- ~~**C. Solid Waste Bid Process for 2018 Services**~~ (Moved to New Business)
- D. Employee Recognition Program: Outstanding Service Award**
- E. 2017 Super Pass Agreement and Swim Meet Letter of Understanding**
- ~~**F. LKM Suggested Ordinance Elections as Nonpartisan**~~ (Moved to New Business)
- G. Roe Blvd. Advisory Committee Appointments**
- H. Agreement with I9 Sports (Workshop #1)**
- I. 2016 Stormwater Project Bids (Workshop #2)**
- J. 2017 Street Maintenance Bids (Workshop #3)**
- K. 2018 CARS Project Design Contract (Workshop #4)**

MOTION: CMBR THOMPSON MOVED AND CMBR KELLY SECONDED TO APPROVE THE CONSENT AGENDA AS AMENDED. (MOTION PASSED 8-0).

III. BUSINESS FROM THE FLOOR

- A. Applications / Presentations**
 - 1. Community for All Ages Silver Award**

CMBR Kelly reported that last month with the work of staff and Sustainability Committee the City has earned the silver recognition award for the Community for All Ages.

(Applause)

Ms. Kelly said one of the benefits of participating in Community for All Ages is learning from other cities and also provides opportunities to network. A national charrette has been made available and the report is to be published in the National AARP magazine. Roeland Park, in essence, is being recognized all over the country. They are raising awareness for not only making the community accessible and fun to live in for all, but also getting national recognition and raising the profile of City. CMBR Kelly said there are educational opportunities four times a year for elected officials or appointed committee members to go and learn different things on topics that would concern the City as far as being a first tier suburb. There are peer group meetings for staff and the appointed committees to go to monthly to help network and educate on challenges, advantages, and accomplishments of suburbs participating in the Community for All Ages program.

CMBR Kelly is proud of staff and the Sustainability Committee for having earned this and added a special thanks to the Sustainability Committee.

(Applause)

Mayor Marquardt thanked CMBR Kelly for her work in helping to move things along. He, too, thanked the staff.

2. AAA Traffic Gold Award

Bob Hamilton, KDOT Law Enforcement Liaison, was on hand for the third consecutive year to present Chief Morris and the Police Department with the AAA Traffic Gold Award. The last two years the City has received silver award. Mr. Hamilton said KDOT works with AAA to pick out law enforcement agencies across the state of Kansas that they think are deserving for the awards and that 25 agencies in the state qualified this year. High school seatbelt enforcement is one component for the department's recognition. This age group is the top one in the state that are wearing their seatbelts and credits the SAFE (Seatbelts are for Everyone) program across the state in 152 high schools across the state. He also recognized the Police Department for their traffic blitz program, walk your child to school, and seatbelt awareness at Bishop Miege. Roeland Park was also recognized for their departmental seatbelt policy noting that a lot of agencies across the state still do not have seatbelt policies for their officers. The Police Department was recognized for demonstrating strong, sustained efforts in addressing local traffic safety issues and adult seatbelt use which is at 86 percent. He added that child passenger seat usage is at 88 percent and alcohol crashes have come down from 10 to 4, with DUI arrests nearly cut two-thirds. He also praised the department for its Click-It or Ticket Enforcement and having no fatalities in the past five years which is impressive as Kansas fatality rates were high this year.

Mr. Hamilton thanked the Mayor and City Council for backing their Police Department.

(Applause and pictures were taken)

Chief Morris said they wrote 2,695 tickets last year. He said he appreciates the award and they will go for platinum next year.

Mayor Marquardt thanked Chief Morris and the Police Department.

(Applause)

3. "Fun Fitness Saturdays in R Park"

Loretta Carson (5532 Roe) with the Citizens Fundraising Initiative for R Park asked the Council to approve a series of events along with a banner and yard sign. She said the fundraisers are designed to bring people together to have fun in R Park and will be held the last Saturday of the month in June, July, August and September from 9-10 a.m. People of all ages and levels of fitness are welcome. Each month will have a different theme:

- June – yoga
- July - soccer croquet
- August - diamond challenge, nerf ball with a challenge at each base
- September - to be announced.

They are asking for \$5 donation for everyone that participates and proceeds will be put toward building the community picnic shelter in R Park. Ms. Carson also thanked I9 Sports of Johnson County for their help during the July and August activities.

She would like Public Works put up the two-sided banner on Roe Boulevard and a yard sign in R Park before each event.

Public Works Director Leon said he would just ask that it's not larger than 4x8.

CMBR Kelly recommended using the monument sign already at the park to announce the event. She also asked that the banner be in line with what is requested of everyone else in the City.

The banner will be the same for all events and will be put up the week before the months' event.

MOTION: CMBR POPPA MOVED AND CMBR MCNEIL SECONDED TO APPROVE THE FUN FITNESS SATURDAYS IN R PARK AND THE SIGNAGE RELATED TO THE EVENTS. (MOTION CARRIED 8-0)

4. CBC Presentation on Northeast Johnson and Roe Cloverleaf (Workshop #5)
(Combined with Item 5)

5. Marketing Agreement with CBC for Northeast Johnson and Roe Cloverleaf (Workshop #6)

Jason Glasrud, CBC developer, had made a presentation to the Governing Body at the preceding Workshop on the results of their site analysis. He provided the Governing Body an agreement for services similar to the one for the old pool/cave site, but updated to reflect the 2.69 acre site, and an outline of the planned scope of services. Phase 1 will allow CBC to move forward marketing the site in earnest. It also puts in motion the process to bring back concepts for the City's consideration. Phase 2 of the agreement allows for the City to utilize CBC in negotiation of any development agreements that would be required by the developer.

City Administrator Moody reiterated that this is the same marketing agreement previously entered into with CBC, and the rights and terms are the same.

CMBR Rhoades asked for clarification of Exhibit C, the 2.5 percent compensation of the public and private investment. Mr. Glasrud directed Mr. Rhoades to page 13, Phase 2 of the development agreement that said if a development agreement is required and CBC negotiates that agreement, this is the manner in which they would be compensated.

City Administrator Moody added that at this point it does not appear that this site would require the use of an incentive to encourage development.

MOTION: CMBR THOMPSON MOVED AND CMBR KELLY SECONDED TO APPROVE THE MARKETING AGREEMENT WITH CBC OF THE NORTHEAST JOHNSON DRIVE AND ROE SITE. (MOTION CARRIED 7-0; CMBR POPPA WAS NOT PRESENT FOR VOTE.)

IV. MAYOR'S REPORT

A. Proclamation – Safe Havens for Newborns Day 2017

CMBR Janssen read the Safe Havens for Newborns Day 2017 into the record.

MOTION: CMBR JANSSEN MOVED AND CMBR RHOADES SECONDED THE APPROVAL OF THE PROCLAMATION FOR HAVENS FOR NEWBORNS DAY 2017. (MOTION CARRIED 8-0)

V. WORKSHOP AND COMMITTEE REPORTS

A. Workshop Summary

CMBR Thompson read the Workshop Summary from the packet into the record.

B. Ad Hoc Committee Summary

CMBR Poppa, new Chair of the Ad Hoc Committee, reported that Jason Glasrud from CBC Marketing discussed the agreement that was just passed to market the Northeast Johnson and Roe Cloverleaf. It was also decided that there needs to be Council discussion of a hotel-motel tax to reimburse the City for the access road at the old pool/cave site. Also discussed at the meeting were business networking events, and Ian Hutchinson, the City's administrative intern, is helping with that as well. Information will soon be available on the City's website and survey was sent out

to businesses in Roeland Park as well as business owners who live in Roeland Park to get input from the business community to determine what their needs are.

Mayor Marquardt apologized for the late notice, but the need for an executive session had come up and he proposed to hold that at the end of the City Council meeting. All Governing Body members agreed.

VI. REPORTS OF CITY LIAISONS

No reports were given

VII. UNFINISHED BUSINESS

A. Liberty Tax Special Event Permit

Ms. Jones-Lacy said the permit was discussed at the Special Call Council February 13, however, there was incomplete information in terms of the date the permit was needed. After getting clarification from applicant, they would like the second special event to start April 12 and run through April 18. As a reminder to Council, this was approved at the Council meeting for Liberty Tax to have the special event through February 20th.

CMBR McNeil said she heard a complaint from a resident that they have too many signs, flags and the statue of liberty out waving at passersby. She said there was so much on a busy corner.

CMBR Poppa said that he drove by and it did seem to be more signage than the amount of temporary signs they approved for their lot. CMBR McNeil said she believed she saw at least six.

Ms. Jones-Lacy said she will ask code enforcement staff to stop by and compare what it displayed versus what has been approved.

Mayor Marquardt said approved is one A-frame, one inflatable and four wind feathers. CMBR McNeil said there is more than that.

CMBR Kelly asked if in regards to the feathers if there a distance from the curb and would like that checked. Ms. Jones-Lacy said set there are setback requirements.

City Administrator Moody said the signs cannot be in the right-of-way and have to be on private property.

MOTION: CMBR POPPA MOVED AND CMBR KELLY SECONDED TO APPROVE THE SPECIAL EVENT REQUEST FOR LIBERTY TAX BETWEEN APRIL 12, 2017 AND APRIL 18, 2017. (MOTION CARRIED 8-0)

VIII. NEW BUSINESS

A. Council President Nomination

CMBR Kellerman nominated CMBR Fast for Council President. Everyone was in agreement.

CMBR Fast said two years ago when she was first elected Council President her goal was that they become more efficient and productive. She feels like there has been a huge difference especially with the work that CMBRS Poppa and Janssen did on the meeting process. She said there is more consensus and collaboration and she does not want to go back to late night meetings every Monday.

B. Approve Alignment of Multipurpose Trail at Nall Park

City Administrator Moody the plan has been presented to Council and now needs approval so they can begin working with Boulevard Apartments on a legal description for the easement as well as its terms.

CMBR Kellerman asked what was included in the \$15,000 cost estimate. City Administrator Moody said the \$12,000 cost estimate provided by Urban Trail is for construction and the added funds are to complete the easement and surveying by the City.

CMBR Kellerman asked if they have received a written agreement from Boulevard with regard to their portion of the easement. City Administrator Moody said they have not yet received that, but it makes sense to him if as a City they approve the alignment of the trail so as to be able to convey what the plans are. There is not a lot of room on the Boulevard property on their side of the creek. If the plan is not supported by Boulevard, they would have to change the trail limiting it to City property.

CMBR McNeil said on the map presented the tags for the aquatic center, the dome and the community center are incorrect.

CMBR Rhoades inquired about the fence at the beginning of trail. Public Works Director Leon said it is a remnant of an old fence, but it would be opened up if they make the path and access will not be blocked.

Public Works Director Leon said the second work day for the trail will be Sunday, March 12, from 10:00 a.m. to 12:00 p.m. in Nall Park.

MOTION: CMBR THOMPSON MOVED AND CMBR POPPA SECONDED TO APPROVE THE ALIGNMENT AS DELINEATED. (MOTION CARRIED 7-1; WITH CMBR KELLERMAN VOTING NO.)

C. R Park Master Plan Presentation

Public Works Director Leon said the City does need an approved R Park Master Plan for staff to move forward in identifying how much it would cost the City and also give them direction on how to proceed. He said the Parks Committee has done an excellent job taking in the citizen survey results, feedback from Governing Body, staff and trying to incorporate that into the master plan.

City Administrator Moody added they anticipate applying for a grant for the tennis court replacements. One of the requirements is a plan has to be in place that reflects what they're proposing to do and approving this master plan qualifies as one of those requirements.

CMBR Rhoades wanted clarification that this was only to the plan and not approval of the expenses to implement the plan.

CMBR McNeil said she does not like to see the removal of the blacktop from the tether ball area and has heard from residents that they like this area for little kids to ride their bikes.

CMBR Kellerman said he too would like to see the blacktop stay and added his own personal memories of the site before the park.

Public Works Director Leon pointed to the darker shaded areas is where the committee would like to have more hard surface.

CMBR Kellerman expressed concerns about removal of playground equipment.

Jennifer Provyn from the Parks Committee said that a swing set will be relocated, but it is not being removed. They just want to condense and group the play area.

Gretchen Davis said she spoke with Sunflower Foundation in Kansas who said the limestone trail would be a good start no matter what kind of surface they decided to put down later on.

Ms. Provyn said there have been no final decisions made on the tether ball courts.

Public Works Director Leon said this master plan provides an overview of what they want to put in the park. CMBR Kellerman said he wanted it called a preliminary plan as future councils may want to make future changes.

Public Works Director Leon said when he views the master plan it is not a construction plan, just a plan and they are not looking for specific details.

CMBR Janssen said if they remove that much asphalt it will compete with tennis courts and basketball.

Mayor Marquardt said that keeping that much asphalt requires that much more maintenance.

CMBR McNeil said she can't support that much green space and removal of that much asphalt because of all the feedback she has received from constituents.

MOTION: CMBR RHOADES MOVED AND CMBR MCNEIL SECONDED TO AMEND THE PLAN TO SHOW BOTH OPTIONS OF AND KEEPING AND REMOVING THE ASPHALT, WHILE KEEPING THE GENERAL PLAN IN PLACE. THE NORTHEAST SECTION WOULD SHOW OPEN GREEN SPACE AND POSSIBLE ASPHALT. (MOTION CARRIED 5-4 WITH MAYOR MARQUARDT CASTING THE DECIDING VOTE.)

POLL THE COUNCIL FOR AMENDMENT

FAST - N MCNEIL - Y JANSSEN - Y RHOADES - Y KELLERMAN - Y THOMPSON - N KELLY - N POPPA - N
MAYOR MARQUARDT - Y

CMBR Kellerman moved to keep the backstop in place, but the motion failed for lack of a second.

Mayor Marquardt believes there is a happy medium between the hardscape because kids will be running into basketball hoops. He does not think the whole hardscape area is good at all and should be much reduced, but 50 percent bigger than what is shown.

MOTION: CMBR KELLY MOVED AND CMBR POPPA SECONDED TO APPROVE R PARK MASTER PLAN WITH THE OPTION OF HAVING MORE HARDSCAPE. (MOTION CARRIED 8-0)

D. Extending the Term of the Agreement with JCPRD for Aquatic Center

City Administrator Moody said the proposed ordinance has been reviewed by the city attorney and it extends the agreement to May 31, 2019.

MOTION: CMBR MCNEIL MOVED AND CMBR JANSSEN SECONDED TO APPROVE EXTENDING THE TERM OF THE AGREEMENT WITH JCPRD FOR THE AQUATICS CENTER TERM THROUGH MAY 31, 2019. (MOTION CARRIED 8-0)

E. Solid Waste Bid Process for 2018 Services (Item C from Consent Agenda)

CMBR McNeil said she still does not understand the need to involve MARC if the three cities work together independently. She believes it is a lot of money to spend for someone to help pick out someone to pick up our trash.

CMBR Poppa said the other cities came and spoke to the Council and were not willing to go it alone without MARC. He also said a portion of the annual fee to MARC would be paid by the solid waste company, not by the City.

City Administrator Moody said the 0.75 percent is paid by the contracted trash company to MARC.

There was discussion of using the bid process versus going it alone. City Administrator Moody reiterated the amount of time it pulls from staff to go through the bid process. Cities use consultants to facilitate the procedures and this is not a process they need to go through every year. They also want to make sure the agreement is well-written.

CMBR Fast said she didn't understand the thinking that by going it alone they would save money and also mentioned that the hourly money paid to staff would easily surpass what they would be paying to MARC. They would lose money because they would lose the other cities if they continue to act this way.

CMBR Thompson said she has heard that the other cities are having concerns on whether Roeland Park will continue with the multi-city agreement and asked what kind of message does that send.

MOTION: CMBR KELLERMAN MOVED AND CMBR POPPA SECONDED TO CALL THE QUESTION. (MOTION CARRIED 5-3 WITH CMBRS MCNEIL, RHOADES AND JANSSEN VOTING NO.)

POLL THE COUNCIL

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

MOTION: CMBR POPPA MOVED AND CMBR KELLY SECONDED TO APPROVE PARTICIPATING IN THE SOLID WASTE BID PROCESS ADMINISTERED BY MARC KCRPC. (MOTION CARRIED 6-2 WITH CMBRS KELLERMAN AND RHOADES VOTING NO.)

CMBR Janssen reminded the Council that they are currently under a contract that has no teeth performance-wise and that was orchestrated under MARC. He would encourage staff to take a hard look at performance measures to hopefully have some push-back.

CMBR McNeil asked if staff does not have the time to deal with and is that why they prefer to work with MARC. City Administrator Moody said there are two influences in this recommendation, one, the amount of time available to staff and two, he recognizes there was an alliance forged and those other two communities shared their opinions and would like to continue to work with MARC. Mr. Moody is of the mindset that communities can achieve more when working together.

CMBR Kelly said it was mentioned in early presentations that they are looking at ways to incorporate performance measures.

CMBR Rhoades said he voted no because of the cost savings and the way it was sold.

F. LKM Suggested Ordinance Elections as Nonpartisan (Item F from Consent Agenda)

Mayor Marquardt said research has been done into the City Code and believed that there is currently language denoting that elections are to be non-partisan.

CMBR Poppa asked to see what is stated in code. City Clerk Bohon said it is in Charter Ordinance 32 and not in the City Code.

CMBR Thompson suggested adopting LKM language so as to have it affirmatively stated that they do want to remain non-partisan.

CMBR Kellerman said that would be over-regulating and too much legislation involved with this and just to leave it where it is.

CMBR Thompson said she came up with this because both Mission and Westwood have done it and thought it was a good idea since they want to remain non-partisan and seemed to be unanimous when discussed at last Workshop.

Mayor Marquardt asked if they have seen the current City ordinance versus what the new language is. CMBR Thompson said she has not seen it.

City Administrator Moody said it is not yet on the City website because it has not been codified.

City Attorney Maurer said that the sample LKM sent out is almost what the City had adopted. He also said Mission Woods has the same non-partisan election language. LKM did recommend to include non-partisan language, but he did not see it in the code, so they created that section. What is proposed, however, does say exactly the same thing as what is in Charter Ordinance 32.

CMBR Poppa said he would like to withdraw the motion from the table.

MOTION: CMBR POPPA MOVED AND CMBR KELLY SECONDED TO APPROVE THE LKM SUGGESTED ORDINANCE ELECTION AS NON-PARTISAN (MOTION WITHDRAWN)

IX. ORDINANCES AND RESOLUTIONS

X. WORKSHOP ITEMS

MOTION: CMBR KELLY MOVED AND CMBR THOMPSON SECONDED TO ACCEPT THE CBC PRESENTATION AND TIMELINE FOR THE NORTHEAST JOHNSON AND ROE CLOVERLEAF. (MOTION CARRIED 8-0)

A. Trash and Recycle Bin Placement and Shielding (Workshop #7)

B. Leaf Pickup Program Discussion Continued (Workshop #8)

C. Discussion of Establishing Hotel Motel Tax (Workshop #9)

There was discussion whether to address this item or to move to a future Workshop. CMBR Rhoades felt that since the City had a letter of interest for a hotel at the cave site, it would be better to discuss it sooner rather than later.

CMBR Kelly said she would like to have the materials so they can formulate questions as there will not be enough time to make a final decision in this meeting.

After a brief discussion, the Governing Body agreed to begin the discussions.

City Administrator Moody said the Ad Hoc Development Committee would like the City entertain the use of a CID or hotel-motel tax to help with reimbursement for some of the site improvements related to connectivity and improved accessibility for both the upper and lower levels. There is anticipated to be an extension of Roe Parkway that will intersect with Roe Boulevard and also turn lanes as well as a drive connection from the lower level towards the upper level. He noted that these are unusual expenses for a pad site. Having the tax helps the City avoid taking on the role of paying for the improvements and then having to be reimbursed. It keeps the financial burden on the developers, lessees, owners and off of the City adding that those paying for the improvements are the ones who will benefit from the improvements. Mr. Moody looked at hotel/motel rates and transient guest tax rates in the Johnson County area and found eight percent to be the average. An ordinance has been drafted to reflect the guest tax rate. He added that the language is broad to give Council flexibility to use the tax for a variety of things. After a conservative calculation of a hotel with 100 rooms, 25 percent average occupancy, \$100 per night at an 8 percent rate, it could generate about \$73,000 a year in revenue.

CMBR Fast asked if the tax applies to the whole city. City Administrator Moody said it is city-wide and would apply to the Airbnb, but the City could also choose to provide an exemption for those.

CMBR Thompson said the Kansas hotel tax only applies to lodgings with three rooms or more for rent.

City Attorney Maurer said the Kansas transient guest tax applies to rooms and a room provider if they offer two or more rooms. Airbnb that offers two or more room accommodations would be subject to the guest tax. The City does have the capability to change the number of rooms the tax would apply to.

CMBR Fast said she would forward an article to the Governing Body in which Kansas has become the 15th state that taxes Airbnb.

CMBR Kellerman said the tax is passed along to Airbnb, not to the individual.

It was agreed to submit questions to staff for further discussion at the next Workshop agenda.

D. Snow Plowing Standards (Workshop #10)

E. Governing Body Workshop Meeting Location (Workshop #11)

XI. REPORTS OF CITY OFFICIALS

. City Clerk Bohon said effective March 6th, committee chairs will change to the following:

- Admin - CMBR Fast and CMBR Kelly
- Finance - Janssen and Thompson.
- Safety - CMBR Rhoades and CMBR Kellerman
- Public Works - CMBR McNeil and CMBR Poppa

Ms. Jones-Lacy is working with the cities of Overland Park and Shawnee to organize a tour of their downtown for Council and the Planning Commission scheduled for April 20th from 5:30 to 7:30. She will e-mail an agenda. 5:30 - 7:30. The downtown tour will have an emphasis of some of the partnerships they have formed and economic development tools that they have used to establish some of relationships

XII. EXECUTIVE SESSION

MOTION: CMBR THOMPSON MOVED AND SECONDED BY CMBR JANSSEN TO ENTER INTO TO EXECUTIVE SESSION TO DISCUSS ACQUISITION OF REAL ESTATE AND RETURN TO OPEN MEETING AT 9:30 P.M. (MOTION CARRIED 8-0)

MOTION: CMBR THOMPSON MOVED AND CMBR POPPA TO CONTINUE THE EXECUTIVE SESSION (MOTION ` CARRIED 8-0)

MOTION: CMBR THOMPSON MOVED AND CMBR POPPA TO CONTINUE EXECUTIVE SESSION TO 9:50 PM. (MOTION CARRIED 8-0)

XIII. ADJOURNMENT

(Roeland Park City Council Meeting Adjourned)

Joel Marquardt, Mayor

Kelley Bohon, City Clerk

Item Number: Applications/Presentations- A.-1.
Committee 4/17/2017
Meeting Date:



City of Roeland Park
Action Item Summary

Date: 4/4/2017
Submitted By: Staff
Committee/Department: Admin.
Title: **Peddlers License – Eric Schmitt**
Item Type: Other

Recommendation:

To reapprove peddlers license for Eric Schmitt with Edward Jones.

Details:

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



peddlers application Eric Schmitt

Type

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

To be filled in by City:

Date filed: _____

Case no.: _____

City of Roeland Park, Kansas

ARTICLE 2. PEDDLERS, TRANSIENT MERCHANTS 5-201

Application for Special Use Permit (5-207)

Fee: \$20.00 Per day/Per person

A) Applicant Eric R. Schmitt

Date of Birth: _____

Kansas Sales Tax # _____

B) Applicants Address 4435 Madison Ave #315N, KCMO 64111

Location address of property where intending to sell goods: 6405 Metcalf Ave #323 Overland Park, KS 66202

C) Name of Business and description of goods to be sold: Edward Jones Investment services

D) If employed, name and address of employer (attach credentials). Edward Jones 6405 Metcalf Ave #323 Overland Park, KS 66202

E) Length of time for right to do business: 1 week

F) Description of vehicle and license number: Nissan Altima mo-4K6-40V

G) Have you within the prior two years been convicted of any crime, misdemeanor, or violation of any municipal ordinance regulation. Y ☒ N

If yes, nature of offense and punishment or penalty assessed: _____

H) Each application shall be accompanied by the written permission of the owner, or tenant in possession of the location described in the application, from which or in front of which the application intends to offer goods, services, merchandise or personal property for sale.

I) Submit a copy of a paid personal property tax receipt from the Johnson County Treasurer or another county treasurer in the State of Kansas for all goods or merchandise brought into Johnson County from outside the State of Kansas to be sold or disposed of in a place of business temporarily occupied for their sale.

J) As a condition precedent to the issuance of a license as provided herein, any applicant wishing to sell firearms or previously owned (used) merchandise, including automobiles, shall agree on his behalf and on the behalf of all employees and agents engaged by him in the conduct of such business to make available for inspection by any law enforcement officer any and all such merchandise being sold in the course of the applicant's business. At the request of any law enforcement officer, the applicant shall provide serial numbers or other identification numbers for such merchandise marked with serial numbers or identification numbers as is being offered for sale by such applicant, his or her employees or agents.

Item Number: Mayor's Report- IV.-A.
Committee 4/17/2017
Meeting Date:



City of Roeland Park

Action Item Summary

Date:
Submitted By:
Committee/Department:
Title: **Proclamations - National Police Week (Michael Poppa and Sheri McNeil)**
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
 National Police Week	Cover Memo



Proclamation

NATIONAL POLICE WEEK

May 14– 20, 2017

To recognize National Police Week 2017 and to honor the service and sacrifice of those law enforcement officers killed in the line of duty while protecting our communities and safeguarding our democracy.

WHEREAS, there are approximately 900,000 law enforcement officers serving in communities across the United States, including the dedicated members of the Roeland Park Police Department;

WHEREAS, there have been 15,548 assaults against law enforcement officers in 2015, resulting in approximately 14,453 injuries;

WHEREAS, since the first recorded death in 1791, more than 20,000 law enforcement officers in the United States have made the ultimate sacrifice and been killed in the line of duty;

WHEREAS, the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, D.C.;

WHEREAS, 394 new names of fallen heroes are being added to the National Law Enforcement Officers Memorial this spring, including 143 officers killed in 2016 and 251 officers killed in previous years;

WHEREAS, the service and sacrifice of all officers killed in the line of duty will be honored during the National Law Enforcement Officers Memorial Fund's 29th Annual Candlelight Vigil, on the evening of May 13, 2017;

WHEREAS, the Candlelight Vigil is part of National Police Week, which takes place this year on May 14-20; NOTE: Because May 14, 2017 falls on a Sunday, some events will take place before the official dates of police week 2017.

WHEREAS, May 15 is designated as Peace Officers Memorial Day, in honor of all fallen officers and their families and U.S. flags should be flown at half staff;

THEREFORE, BE IT RESOLVED that I Joel Marquardt Mayor and the Roeland Park Governing Body formally designated May 14-20, 2017, as **Police Week in Roeland Park**, and publicly salutes the service of law enforcement officers in our community and in communities across the nation.

In witness whereof I have hereunto set my hand and caused this seal to be affixed.

Seal here

JOEL MARQUARDT
Mayor

Item Number: Mayor's Report- IV.-B.
Committee 4/17/2017
Meeting Date:



City of Roeland Park

Action Item Summary

Date:

Submitted By:

Committee/Department:

Title:

Proclamations - National Public Works Week (Michael Poppa and Teresa Kelly)

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
 Proclamations - National Public Works Week	Cover Memo



Proclamation

NATIONAL PUBLIC WORKS WEEK

May 21-27, 2017

WHEREAS, public works services provided in our community are an integral part of our citizens' everyday lives; and

WHEREAS, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as water, sewers, streets and highways, public buildings, solid waste collection, parks and canal maintenance; and

WHEREAS, the health, safety, and comfort of this community greatly depends on these facilities and services; and

WHEREAS, the quality and effectiveness of these facilities, as well as their planning, design, and construction, is vitally dependent upon the efforts and skill of public works officials; and

WHEREAS, the efficiency of the qualified and dedicated personnel, who staff public works departments, is materially influenced by the people's attitude and understanding of the importance of the work they perform.

WHEREAS, APWA has selected "Public Works Connects Us" as its theme for 2017's National Public Works Week, celebrating the vital role public works plays in connecting us all together. As the cornerstone of civilization, public works provides, maintains, and improves the structures and services that assure a higher quality of life for our communities. Its streets, roads, bridges, and public transportation keep us linked together from coast to coast, and its clean water and sanitation services keep us healthy and allow our communities to grow and prosper.

NOW, THEREFORE, Mayor Joel Marquardt of the City of Roeland Park, Kansas does hereby proclaim the week of May 21-27, 2017 as

NATIONAL PUBLIC WORKS WEEK

in the City of Roeland Park, and calls upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works; and to recognize the contributions which public works officials make every day to our health, safety, comfort, and quality of life.

In witness whereof I have hereunto set my hand and caused this seal to be affixed.

Seal here

JOEL MARQUARDT
Mayor

Item Number: Mayor's Report- IV.-C.
Committee 4/17/2017
Meeting Date:



City of Roeland Park
Action Item Summary

Date:

Submitted By:

Committee/Department:

Title:

Proclamations - National City Clerk Week (Michael Poppa and Teresa Kelly)

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
 National City Clerks week	Cover Memo



Proclamation

Municipal Clerks Week May 7-13, 2017

Whereas, The Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world, and

Whereas, The Office of the Municipal Clerk is the oldest among public servants, and

Whereas, The Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels, and

Whereas, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all.

Whereas, The Municipal Clerk serves as the information center on functions of local government and community.

Whereas, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, province, county and international professional organizations.

Whereas, It is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

Now, Therefore, I, Joel Marquardt, Mayor of the City of Roeland Park, do recognize the week of May 7 through May 13, 2017, as

Municipal Clerks Week,

and further extend appreciation to our Municipal Clerk, Kelley Bohon and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

Dated this 17th day of April, 2017.

Seal here

JOEL MARQUARDT
Mayor

Item Number: Mayor's Report- IV.-D.
Committee 4/17/2017
Meeting Date:



City of Roeland Park

Action Item Summary

Date:

Submitted By:

Committee/Department:

Title:

Proclamations - National Bike Month (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?

ATTACHMENTS:

Description	Type
 National Bike Month	Cover Memo



Proclamation

Bike Month

WHEREAS, the National Safe Routes to School Partnership, the Mid-America Regional Council, BikeWalkKC, and dozens of partners across region are working together to promote Walk to School Day in Greater Kansas City, and

WHEREAS, the City of Roeland Park, Kansas recognizing the use of bicycles as a viable mode of transportation, endeavors to promote safe and responsible bicycling and is committed to incorporating the development of bicycle facilities within the City and supporting a livable community for all ages; and

WHEREAS, the City of Roeland Park, Kansas encourages the increased use of the bicycle, benefiting all citizens within the community by improving air quality, reducing traffic, decreasing the use of and dependence upon finite energy sources; and

WHEREAS, a lack of physical activity plays a leading role in rising rates of obesity, diabetes, other health problems among children, and being able to walk or bicycle to school offers an opportunity to build activity into daily routine; and

WHEREAS, community members and leaders are planning to make recommendations to enable Roeland Park's children to safely walk and bicycle in our communities and develop a list of suggestions for improvements that can be done over time; and

WHEREAS, the City of Roeland Park, Shawnee Mission School District, BikeWalk KC, Johnson County and Caring for Kids, have been working together for a year to develop safe routes to school by collaborating on the May 4, 2017 Walk, Roll and Stroll Pilot Program; and

WHEREAS, the League of American Bicyclists has established May as National Bicycle Month, Bike Walk KC establishes May as Bicycle Safety Month in the Kansas City Region and Roeland Park establishes a Walk, Roll and Stroll to school Day; and

WHEREAS, the Mayor, City Council, and BikeWalkKC encourage all citizens to ride their bicycles to work, to the store, to the park, to school, around their neighborhoods, and with friends and family to promote the personal and societal benefits achieved from bicycling; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF ROELAND PARK:

That the Mayor and Council hereby declare the month of May 2017, as "Bike Month" in the City of Roeland Park, Kansas.

Seal here

JOEL MARQUARDT
Mayor

Item Number: Mayor's Report- IV.-E.
Committee 4/17/2017
Meeting Date:



City of Roeland Park
Action Item Summary

Date:
Submitted By:
Committee/Department:
Title: **Proclamations - Arbor Day (Tim Janssen 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?

ATTACHMENTS:

Description



Arbor Day Proclamation

Type

Cover Memo



Proclamation

ARBOR DAY 2017

Whereas, In 1872 J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

Whereas, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

Whereas, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife, and

Whereas, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and beautify our community, and

Whereas, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

Whereas, trees, wherever they are planted, are a source of joy and spiritual renewal.

Now, Therefore, I, Joel Marquardt, Mayor of the City of Roeland Park, therefore do hereby proclaim April 28, 2017 as Arbor Day in the City of Roeland Park, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

Further, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

In testimony whereof, I have hereunto set my hand and caused to be affixed the Seal of the City of Roeland Park, this 17th day of April, 2017.

Seal here

JOEL MARQUARDT
Mayor

Item Number: Workshop Reports- V.-A.
Committee 4/17/2017
Meeting Date:



City of Roeland Park

Action Item Summary

Date: 4/17/2017
Submitted By: Jennifer Jones-Lacy
Committee/Department:
Title: **Workshop and Ad Hoc Summary**
Item Type: Report

Recommendation:

Please see below

Details:

Council Workshop April 10, 2017

I. DISCUSSION ITEMS:

1. **Review of Art Inventory prepared by Arts Committee:** Chair of the Arts Committee Marek Glinecki provided a summary of the Art Committee's recommendations on art that should be retired, re-placed or retained. The Council decided to have a special meeting for those interested to discuss the art inventory in more detail.

2. **Review and discuss sidewalk maintenance regulations:** Ms. Jones-Lacy stated that the ordinance requires all obstructions from the sidewalks to be removed by the property owner and that includes snow and ice. According to Code Enforcement staff, this has not been a major enforcement action because it hasn't been a large issue city-wide. There have only been a handful of letters that have gone out since Ms. Wells has been the Code Enforcement Officer and all of the letters went to commercial properties for snow on sidewalks. The Council decided to table the issue until the sidewalk plan provided by Public Works was discussed.

3. **1st Quarter Safety Statistics:** The Police Chief provided a summary of the 1st quarter 2017 safety statistics

4. Leaf Pickup Program Discussion Continued: Mr. Moody went through some of the questions asked by residents regarding the leaf program including why the program was only four weeks in the fall of 2016, what equipment is used to collect leaves and the cost, and challenges the City faces picking up leaves in the winter. The City will review the various options associated with running the leaf program in the future at the Community Forum on April 24th.

5. Review and Preliminary Approval of the CIP and Equipment Replacement Schedule: Mr. Moody went through the summary report of the CIP projects by department and funding source. Several members of the governing body asked about bonding and the schedule. Mayor Marquardt said he would like to see a comparison of shorter-term and longer-term bonds issued and what that would mean for us in interest cost savings if we were to go with a shorter-term debt issuance. Mr. Marquardt also asked if there was a dollar threshold for issuing bonds that required a public vote. Staff said they would look into it.

6. Review and Preliminary Approval of Objectives: The Governing body agreed to remove the Frisbee golf item as an objective since it was already in the CIP. Ms. Bohon is going to get full color pricing for the newsletter. The Ad-Hoc Development Committee was asked to review the sidewalk plan and money for extensions. The update to the Comprehensive Plan was moved to the CIP in FY 2019.

Ad Hoc Development Committee

Please see attached for minutes from previous meetings.

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
 Ad Hoc Development Committee Minutes -4-12-17	Exhibit

Agenda
Economic Development Ad-Hoc Committee
CITY of ROELAND PARK
Wednesday, April 10, 2017; 9:00am
Roeland Park City Hall

Committee Members

Mayor Joel Marquardt
Michael Rhoades
Michael Poppa
Erin Thompson

Guests

Keith Moody
Jennifer Jones-Lacy
Dan McGee, SKW

- I. Approval of minutes
 - a. 3/8/17 minutes approved

- II. Development updates – 30 min.
 - a. The Rocks (48th & Roe)
 - i. Zip KC feasibility study indicates need a hotel before can go forward
 - ii. Hotel group, Sunflower, has signed letter of intent.
 - iii. other potential prospects
 - iv. CIDs could be used for retaining walls
 - v. Asked for sanitary sewer advice from Pyramid and are going to ask them to do grading for driveway. Retaining wall along parking gives them different scenarios for parking. Grading plan will get finalized as sites get developed. Retaining wall, grading and sanitary sewer line costs have to be nailed down to determine if can do within TIF funds. If we get these done then close to being shovel ready.
 - vi. Lot 4 could be storm water detention and/or parking
 - vii. Land zoned residential so has to be re-zoned so need the preliminary development plan. See attached.
 - b. NE Johnson Drive & Roe
 - i. In process of getting it ready for re-zoning. Part not zoned (in Mission) part zoned residential.
 - ii. Traffic study -- Keith has given them direction.

- III. Plan committee site visit to The Rocks
 - a. 9 a.m. April 26, 2017

- IV. Roeland Park Business networking events update & next steps
 - a. Survey results (attached)
 - b. Those who responded wanted a networking event and the preference was for a morning meeting.
 - c. 8 a.m. First Thursday of November, February, May, August.

- i. Nov. 2, 2017
- ii. Feb. 3, 2018
- iii. May 3, 2018
- iv. Aug. 2, 2018

- V. Updated 2017 committee meeting schedule (attached) – review only.
- VI. Sidewalk plan -- committee will review. Jose will make this a priority.

2017 updated meeting dates/times:

12-Apr	9:00 AM	to	10:00 AM
26-Apr	9:00 AM	to	10:00 AM
10-May	9:00 AM	to	10:00 AM
17-May	8:00 AM	to	10:00 AM
7-Jun	8:00 AM	to	10:00 AM
21-Jun	8:00 AM	to	10:00 AM
5-Jul	8:00 AM	to	10:00 AM
19-Jul	8:00 AM	to	10:00 AM
2-Aug	8:00 AM	to	10:00 AM
16-Aug	8:00 AM	to	10:00 AM
6-Sep	8:00 AM	to	10:00 AM
20-Sep	8:00 AM	to	10:00 AM
4-Oct	8:00 AM	to	10:00 AM
18-Oct	8:00 AM	to	10:00 AM
1-Nov	8:00 AM	to	10:00 AM
15-Nov	8:00 AM	to	10:00 AM
6-Dec	8:00 AM	to	10:00 AM
20-Dec	8:00 AM	to	10:00 AM

Item Number: Reports of City Liaisons- VI.-A.
Committee 4/17/2017
Meeting Date:



City of Roeland Park
Action Item Summary

Date: 4/14/2017
Submitted By: Jose Leon, Director of Public Works
Committee/Department: Public Works
Title: **Stormwater Management Advisory Council (Jose Leon and Ryan Kellerman)**
Item Type: Other

Recommendation:

Staff will provide a report on the 3/31/2017 SMAC Committee Meeting.

Details:

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
 3/31/2017 SMAC Agenda Packet	Backup Material



Stormwater Management Advisory Council Meeting Agenda

**Public Works Building
1800 W. Old 56 Highway – Olathe**

**March 31, 2017
7:30 am**

ACTION ITEMS

1. Roll Call
2. Acceptance of September 16, 2016 meeting summary (pages 2-6)
3. Election of SMAC Executive Committee and Officers (page 7)

INFORMATIONAL ITEMS

4. 2018 DRAFT SMP Budget (pages 8-9)
5. SMP Strategic Plan Implementation Update (pages 10-11)
6. Areas of Known Topographic Change Update (page 12)
7. Lenexa: Opti-Continuous Monitoring and Adaptive Control project update (pages 13-15)
8. NPDES Update (page 16)
9. Adjourn

Breakfast Served

Agenda Item 1: September 16, 2016 SMAC Meeting Summary

Mr. Joe Johnson opened the meeting at 7:30 am by welcoming everyone.

Agenda Item 1: Roll Call Roll call was taken by Mr. Joe Johnson

<u>SMAC Representatives Present:</u> Mike Brungardt (De Soto) Kenneth Cook (Edgerton) Bill Stogsdill (Fairway) Tim McEldowney (Gardner) Jamie Pribyl (Lake Quivira) Joe Johnson (Leawood) Tom Jacobs (Lenexa) Kevin Bruemmer (Merriam) John Belger (Mission) Jennifer Lee (Mission Hills)	John Sullivan (Mission Woods/Westwood) Rob Beilfuss (Olathe) John Skubal (Overland Park) Keith Bredehoeft (Prairie Village) Jose Leon (Roeland Park) Mike Gregory (Shawnee) Jim Hendershot (Spring Hill) Paula Schwach (Westwood Hills) Brian Pietig (Johnson County)
<u>Others Present:</u> Andrew Smith (Black & Veatch) Lee Kellenberger (Jo.Co. Stormwater) Kent Lage (Jo.Co. Stormwater) Sarah Smith (Jo.Co. Stormwater) Heather Schmidt (Jo.Co. Stormwater) Burt Morey (Overland Park) Cynthia Moeller-Krass (Shawnee) Doug Whitacre (Shawnee) Melissa Prenger (Prairie Village) Mike Beezhold (HDR) Alecia Kates (MARC) Curt Talcott (RIC)	Brian Dyer (Merriam) Ron Shaffer (Johnson County) John Belger (Mission) William Zung (Stantec) Todd Bond (Parsons Brinkerhoff) Tom Morey (Kansas Dept of Agriculture) Tony Stanton (Olsson) Brad Schleeter (Affinis) Doug Carpenter (GBA) Matt Erlen (SKW) Trent Robinett (Trek Design Group) Joan Leavens (SMSD)
<u>Cities Not Represented:</u> Bonner Springs Edgerton	

Agenda Item 2: Acceptance of April 29, 2016 Meeting Summary

Mr. Joe Johnson asked for comments on the April 29, 2016 SMAC meeting summary.

Motion to accept the April 29, 2016 SMAC meeting summary was seconded and passed.

Agenda Item 3: Acceptance of June 30, 2016 Meeting Summary

Mr. Joe Johnson asked for comments on the June 30, 2016 SMAC meeting summary.

Motion to accept the June 30, 2016 SMAC meeting summary was seconded and passed.

Agenda Item 4: USGS Assessment of Streamflow Alteration

Mr. Lee Kellenberger, presented a proposal from the USGS to quantify streamflow alteration in one or two selected Johnson County watersheds, identify streamflow metrics that may have important implications for stream quality, and develop tools for monitoring streamflow characteristics that may be used to establish quantifiable goals and monitor effectiveness of management practices designed to restore urban streams.

Motion to approve the USGS Research Funding Request of \$99,950 was seconded and approved.

Agenda Item 5: Topographic-Based Geomorphic Evaluation Indian Creek Watershed

Mr. Kellenberger presented a proposal from Olsson Associates to evaluate physical stream changes over time within the Indian Creek watershed in Johnson County, KS, utilizing Light Detection and Ranging (LIDAR) topographic data from 1998 and 2012, as well as aerial photography across the same timeframe. The results of the study will help to identify locations where stream migration has created, or is trending toward, adverse impacts to structures and whether those structures were constructed prior to or after adoption of local stream buffer ordinances.

Motion to approve the Olsson Research Funding Request of \$98,240 was seconded and approved.

Agenda Item 6: 2017 SMP Proposed Expenditures

2017 EXPENDITURES SUMMARY

2017 Estimated Revenue	\$	14,372,813	
Previous years' unspent funds	\$	9,458,070	
Total Funds Available*	\$	23,830,883	
* \$750,000 Operating Reserves Withheld			
			% of budget
ADMINISTRATIVE SERVICES**	\$	573,280	2%
Personnel Services (2.8 FTEs)	\$	327,064	
County Support Services	\$	232,115	
Operating Expenses	\$	14,101	
**These are rounded amounts from the County's 2016 budget document			
SMP REGIONAL & SUPPORT PROJECTS			
NPDES PHASE II SERVICES	\$	510,000	2%
MCM 1: Public Education and Outreach	\$	200,000	
MCM 2: Public Participaton and Involvement	\$	150,000	
MCM 3: Illicit Discharge Detection and Elimination	\$	100,000	
TMDL Storm Event Monitoring	\$	30,000	
General NPDES Phase II Support	\$	30,000	
SUPPORT PROJECTS	\$	1,725,000	7%
Engineering Support	\$	500,000	
Studies (including PES)	\$	500,000	
Regional and R&D Projects	\$	300,000	
Stormwatch System Maintenance	\$	325,000	
USGS Streamflow Gauges	\$	100,000	
ADMINISTRATIVE SERVICES	\$	573,280	2%
REGIONAL & SUPPORT PROJECTS	\$	2,235,000	10%
DESIGN & CONSTRUCTION PROJECTS	\$	20,491,706	88%
Total Budgeted Expenditures	\$	23,299,986	100.0%

2017 Un-obligated Fund Balance \$ 530,897

Motion to accept the 2017 SMP Proposed Expenditures was seconded and approved.

Agenda Item 7: SMP Strategic Plan Implementation Next Steps

Mr. Kellenberger stated that the Board of County Commissioners formally adopted the 2016 SMP Strategic Plan at their meeting on August 11, 2016. We can now begin the process of implementing the strategies identified in the plan. Based on feedback from the Steering Committee during the plan development, and from the SMAC at our June 30, 2016 meeting, SMP staff intends to retain the services of Black and Veatch to assist program staff with implementation. This will be done through an amendment to our existing agreement for professional services. The estimated timeline for full implementation is 3-5 years. The estimated cost for implementation assistance services is \$450,000

Motion to approve the funding request for implementation assistance services was seconded and approved.

Agenda Item 8: 2016-2017 Water Quality Education Grants

Mrs. Heather Schmidt presented a summary of the Water Quality Education Grants that were awarded for the 2016-2017 school year. Five organizations received a total of \$99,723. These organizations will conduct education and outreach and public participation and involvement programs to help satisfy MCM1 and MCM 2 for all NPDES permitted communities in Johnson County.

Agenda Item 9: Areas of Known Topographic Change Update

Mrs. Sarah Smith presented and update on the Indian Creek mapping update project. Olsson has determined that there are 7 locations located within the watershed where a LOMR is recommended to be completed. A meeting with FEMA will be held on 9/15 to discuss the project and get feedback. Following the meeting, a scope of work for completing the LOMRs will be prepared and presented to Johnson County for review. Additionally Olsson will complete and submit a work plan that will serve as a manual to consultants completing the remaining watersheds.

Agenda Item 10: Maintenance of the Future Shaded Zone X Floodplain

Since FEMA is no longer processing changes in the Future Zone X, Mrs Sarah Smith stated that the SMP is looking into ways to keep these areas of our maps updated. Black and Veatch was hired to research this issue and has come up with following possible solutions.

- 1) Extend the Regulatory SFHA up past the 1-mile limit
- 2) Removal of Zone X (shaded) areas, upstream of the 1 square mile limit
- 3) County maintains all parts of the maps

In order to make the best decision for everyone we'd like to know how the cities are currently regulating their floodplains. The discussion at the SMAC meeting will be followed up with a more formal email poll.

Agenda Item 11: Flooding Due to Recent Heavy Rains

Mr. Lee Kellenberger led a discussion on observed or reported flooding around the county. During the week of August 21-27 Johnson County receive between ~ 6 -11 inches of rain depending on location.

Reported flooding ranged from:

No substantial flooding Major flooding occurred 5 water rescues Debris in trees 14 ft. above creek bottom Some farm fields flooded No flooding on streets or structures	Localized street flooding Huge roll off dumpster found in creek Major street flooding Quite a bit of basement flooding reported A few new sinkholes developed One significant pipe failure
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With no other comments, the meeting was adjourned.

Agenda Item 3

Election of 2017 SMAC Executive Committee and Officers

According to the SMAC Bylaws an Executive Committee composed of seven participating voting members shall be elected each year. Of that total, three members shall be representatives from the Kansas River Basin, three from the Blue River Basin, and one from the Marais des Cygnes River Basin. No City shall have more than one representative on the Executive Committee. Nominations and elections shall be made by SMAC as a whole. The Executive Committee members shall be elected at the first SMAC meeting of each calendar year.

KANSAS RIVER BASIN (3) Official SMAC Voting Representative: Bonner Springs – DeSoto – Mike Brungardt Gardner – Tim McEldowney Lake Quivira – Jamie Pribyl Lenexa – Tom Jacobs Merriam – Kevin Bruemmer Mission – John Belger Olathe – Rob Beilfuss Overland Park – Roeland Park – Jose Leon Shawnee – Mike Gregory *Vice Chairman Unincorporated Johnson County – Brian Pietig	BLUE RIVER BASIN (3) Official SMAC Voting Representative: Fairway – Bill Stogsdill Leawood – Joe Johnson *Chairman Lenexa – Tom Jacobs Mission – John Belger Mission Hills – Jennifer Lee Mission Woods – John Sullivan Olathe – Rob Beilfuss Overland Park – Prairie Village – Keith Bredehoeft Roeland Park – Jose Leon Spring Hill – Jim Hendershot Westwood – John Sullivan Westwood Hills – Michael Fox Unincorporated Johnson County – Brian Pietig
MARAIS DES CYGNES RIVER BASIN (1) Official SMAC Voting Representative: Edgerton – Kenneth Cook Gardner – Tim McEldowney Olathe – Rob Beilfuss Spring Hill – Jim Hendershot Unincorporated Johnson County – Brian Pietig	

2018 DRAFT EXPENDITURES SUMMARY

2018 Estimated Revenue	\$	15,178,000	
Previous years' unspent funds	\$	2,500,000	
Total Funds Available*	\$	17,678,000	
* \$750,000 Operating Reserves Withheld			
			% of budget
ADMINISTRATIVE SERVICES**		\$ 595,881	3%
Personnel Services (2.8 FTEs)	\$	337,356	
County Support Services	\$	234,525	
Operating Expenses	\$	24,000	
**These are rounded amounts from the County's 2017 budget document			
SMP REGIONAL & SUPPORT PROJECTS			
NPDES PHASE II SERVICES		\$ 510,000	3%
MCM 1: Public Education and Outreach	\$	200,000	
MCM 2: Public Participation and Involvement	\$	150,000	
MCM 3: Illicit Discharge Detection and Elimination	\$	100,000	
TMDL Storm Event Monitoring	\$	30,000	
General NPDES Phase II Support	\$	30,000	
SUPPORT PROJECTS		\$ 1,725,000	10%
Engineering Support	\$	500,000	
Studies (including PES)	\$	500,000	
Regional and R&D Projects	\$	300,000	
Stormwatch System Maintenance	\$	325,000	
USGS Streamflow Gauges	\$	100,000	
ADMINISTRATIVE SERVICES	\$	595,881	3%
REGIONAL & SUPPORT PROJECTS	\$	2,235,000	13%
DESIGN & CONSTRUCTION PROJECTS	\$	14,847,119	84%
Total Budgeted Expenditures	\$	17,678,000	100.0%

Johnson County Stormwater Management Program
2018 **DRAFT** List of Projects Eligible for Future Funding

Rank	Year Added	Cost Benefit Rating	City	Project Number	Location	Benefit Rating	Total Estimated Project Cost	City Share	SMP Share	Contingency	Total Project Authorization	Cumulative SMP Share with Change Order Authority
1	2016	1,637	Leawood (a)	TM 04 008	Leawood South Subdivision Stormwater Improvements	460	\$ 3,614,688	\$ 903,672	\$ 2,711,016	\$ 207,352	\$ 2,918,368	\$ 2,918,368
2	2016	6,480	Overland Park*	IC 10 069	89th & Craig Stormwater Improvements	250	\$ 1,620,000	\$ 405,000	\$ 1,215,000	\$ 121,500	\$ 1,336,500	\$ 4,254,868
3	2007	6,495	Overland Park	IC 10 061	95th Street to 97th Street, East of Riley	495	\$ 3,215,000	\$ 803,750	\$ 2,411,250	\$ 241,125	\$ 2,652,375	\$ 6,907,243
4	2006	7,759	Overland Park	IC 10 059	99th Street to 101st Street, West of Metcalf	220	\$ 1,707,000	\$ 426,750	\$ 1,280,250	\$ 128,025	\$ 1,408,275	\$ 8,315,518
5	2013	8,025	Merriam	TC 20 037	Campbell Creek - Knox Ave. to Campbell Lane	130	\$ 1,043,300	\$ 260,825	\$ 782,475	\$ 78,248	\$ 860,723	\$ 9,176,241
6	2017	9,626	Prairie Village	DB 11 014	84th & Reinhardt Stormwater Improvements	240	\$ 2,310,140	\$ 577,535	\$ 1,732,605	\$ 173,261	\$ 1,905,866	\$ 11,082,106
7	2016	10,540	Leawood	TM 04 007	Waterford Subdivision Stormwater Improvements	210	\$ 2,213,425	\$ 553,356	\$ 1,660,069	\$ 166,007	\$ 1,826,076	\$ 12,908,182
8	2015	11,630	Olathe	CC 09 018	Little Cedar Creek, Elm St. to Cedar St.	300	\$ 3,489,100	\$ 872,275	\$ 2,616,825	\$ 261,683	\$ 2,878,508	\$ 15,786,689
9	2017	11,750	Unincorporated	KC 01 005	New Century Parkway Stormwater Improvements in the Vicinity of Prairie Village Dr.	105	\$ 1,233,728	\$ 308,432	\$ 925,296	\$ 92,530	\$ 1,017,826	\$ 16,804,515
10	2017	11,903	Olathe	MC 09 028	Stevenson St. - E Oak St to Grace Ter Stormwater Improvements	210	\$ 2,499,530	\$ 624,883	\$ 1,874,648	\$ 187,465	\$ 2,062,112	\$ 18,866,627
11	2017	12,756	Gardner	KC 01 044	Sante Fe Street & Waverly Rd Stormwater Improvements	135	\$ 1,722,100	\$ 430,525	\$ 1,291,575	\$ 129,158	\$ 1,420,733	\$ 20,287,359
12	2015	12,863	Olathe*	CC 09 019	South Keeler Flood Area	140	\$ 1,800,750	\$ 450,188	\$ 1,350,563	\$ 135,056	\$ 1,485,619	\$ 21,772,978
13	2011	13,262	Merriam	TC 20 034	Hocker Street, between Farley St. and Knox Ave.	170	\$ 2,254,500	\$ 563,625	\$ 1,690,875	\$ 169,088	\$ 1,859,963	\$ 23,632,941
14	2016	16,030	Overland Park	IC 10 070	86th & Lamar Stormwater Improvements	270	\$ 4,328,124	\$ 1,082,031	\$ 3,246,093	\$ 324,609	\$ 3,570,702	\$ 27,203,643
15	2017	17,088	Prairie Village	DB 11 015	Delmar/Fontana Low Water Crossing Removal and Stormwater Improvements	250	\$ 4,272,110	\$ 1,068,028	\$ 3,204,083	\$ 320,408	\$ 3,524,491	\$ 30,728,134
16	2007	18,964	Overland Park	IC 10 060	97th Street to 99th Street, West of Metcalf	193	\$ 3,660,000	\$ 915,000	\$ 2,745,000	\$ 274,500	\$ 3,019,500	\$ 33,747,634
17	2017	30,771	Olathe	MC 09 020	South Ferrell Dr & West Virginia Ln Stormwater Improvements	210	\$ 6,461,940	\$ 1,615,485	\$ 4,846,455	\$ 484,646	\$ 5,331,101	\$ 39,078,734
18	2000	32,383	Overland Park	TM 10 007	122nd Terrace and Roe Stormwater Improvements	160	\$ 5,181,300	\$ 1,295,325	\$ 3,885,975	\$ 388,598	\$ 4,274,573	\$ 43,353,307
19	2011	32,572	Merriam	TC 20 033	South Quaker Creek, Slater & Hemlock Street	190	\$ 6,188,600	\$ 1,547,150	\$ 4,641,450	\$ 464,145	\$ 5,105,595	\$ 48,458,902

Totals 4,338 58,815,335 14,703,834 44,111,501 \$ 4,140,049 \$ 48,458,902

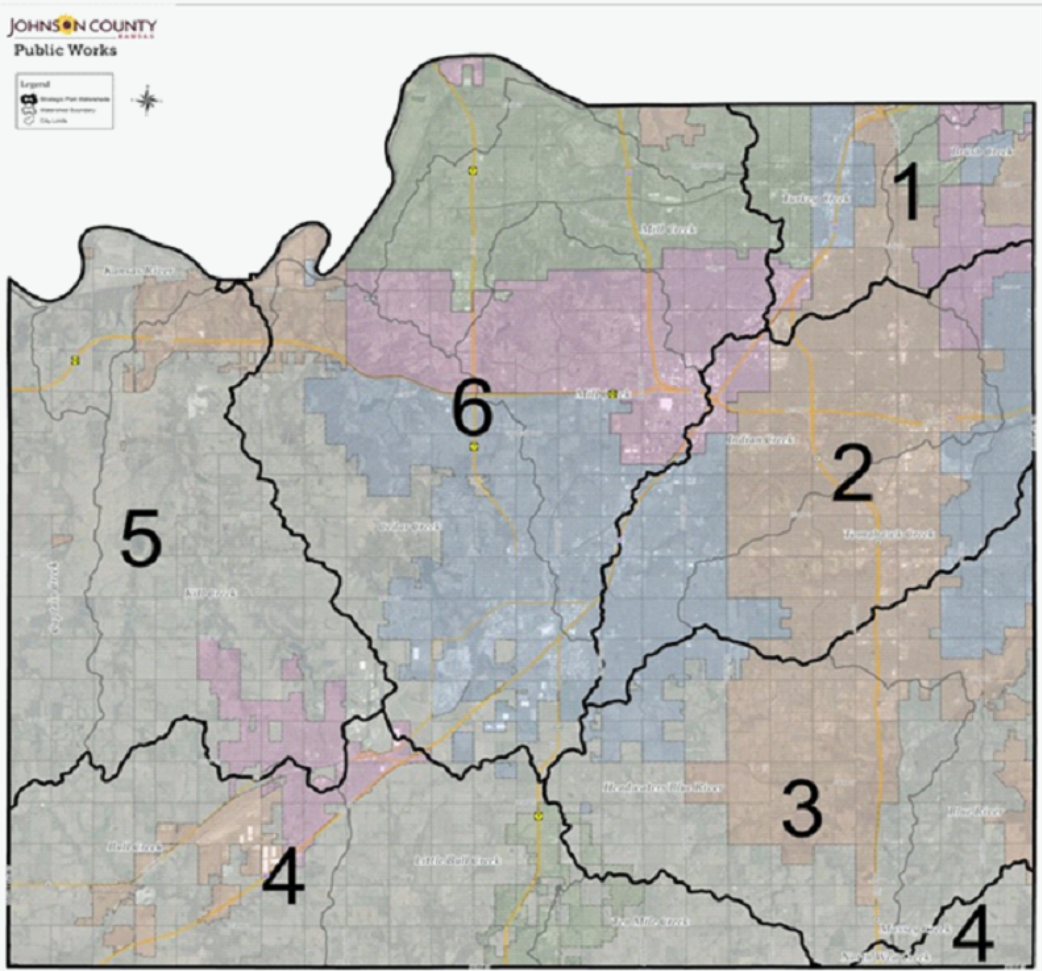
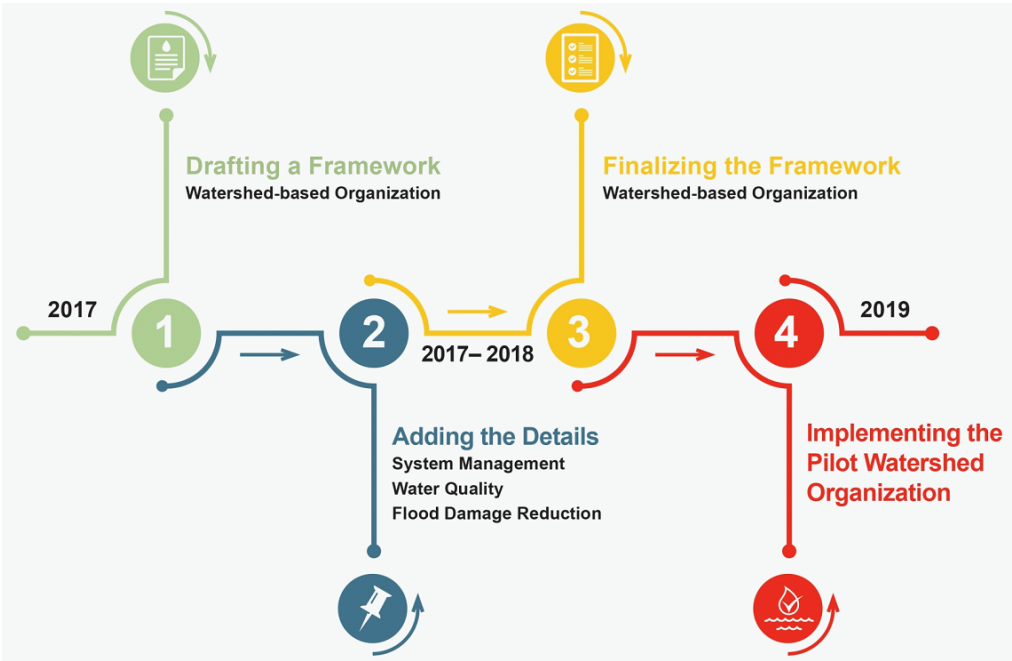
(a) This is a continuation project from 2017. Per SMP policies and procedures, the project must be funded by the city in 2018.

* Cities submitted revised cost estimates for 2018.

Agenda Item 5 SMP Strategic Plan Implementation Update

The implementation sub-committees have been formed and some are beginning to meet. Below is a summary of who is participating.

Sub- Committee Rosters		
Watershed Based Organization	System Management	Water Quality Focus
Celia Duran - Olathe	Bill Stogsdill - Fairway	Ian Fannin-Hughes - OP
Courtney Christensen - Mission Hills	Neil Meredith - Olathe	Patty Ogle - OP
Mike Brungardt - Desoto	Jose Leon - Roeland Park	Pam Fortun - OP
Tim Collins - Lenexa	Mike Gregory - Shawnee	Bryan Dyer - Merriam
Jim Hendershot - Spring Hill	Brad Weisenburger - Desoto	Rob Beilfuss - Olathe
Lorraine Basalo - OP	Tom Jacobs - Lenexa	Matt Just - Lenexa
Randy Gorton - Merriam/BHC Rhodes	John Sullivan - Westwood	David Roberts - Leawood
Tom Kimes - KCMO	Lorraine Basalo - OP	Todd Rogers - DHE
Tom Jacobs - MARC	Patrick Bean - JCW	Julie Davis - DHE
Leslie Rigney - Miami County CD	Jason Hrabe - AIMS	Teresa Rasmussen - USGS
Andy Sauer - Burns&Mac	Brent Johnson - Olsson	Lauren Grubbs - CDM
Brenda Macke - CDM	Doug Carpenter - GBA	Katie Handley - GBA
Chad Johnson - Olsson	Cliff Speegle - Affinis	David Dodds - AECOM
Les Barnt - GBA	Mike Beezhold - HDR	
	Stacy Gallick - Trekk	
Flood Damage Reduction	Funding Approach and Criteria / Alternative Funding	
Paula Swatch - Westwood Hills	Doug Whitacre - Shawnee	
Chet Belcher - Olathe	Burt Morey - OP	
Lauren Garwood - OP	Melissa Prenger - Prairie Village	
Cynthia Moeller-Krass - Shawnee	Tim McEldowney - Gardner	
Kevin Bruemmer - Merriam	John Belger - Mission	
Charles McAllister - JCW	Joe Johnson - Leawood	
Brian Kelly - USGS	Rob Beilfuss - Olathe	
John Denlinger - HDR	Courtney Christensen - Mission Hills	
Dan Miller - LRA	Matt Scott - CDM	
Beth Fry - GBA	Brad Schleeter - Affinis	
Matt Kapfer - PEI	Tony Stanton - Olsson	
John Parker - Burns & McDonnell	Steve Roth - Benesch	
Jessica Veach - CDM		



Agenda Item 6

Areas of Known Topographic Change Update

Project Background:

The Indian Creek watershed study was initiated in 2001, however, final Flood Insurance Rate Maps (FIRMS) were not adopted by FEMA until 2009. Since the inception of the watershed study in 2001, several areas were developed adjacent to the existing floodplain and completed prior to the 2009 maps being published. Johnson County and the cities contained within the Indian Creek watershed, have kept records of those areas that were developed prior to the new maps being adopted with the intention of completing map revisions at a later date if necessary.

Update:

In the discovery phase of the Indian Creek mapping update project, Olsson Associates determined that there are 7 locations located within the Johnson County Indian Creek Watershed where a LOMR is recommended to be completed. Two of these locations were grouped together for a total of 6 LOMR submittals.

All 6 LOMR submittals are currently in progress at various stages. To have been completed and are undergoing a review process before being submitted to FEMA. The anticipated completion date for all 6 LOMRs is the end of this year depending on the extensiveness of FEMA comments.

Olsson Associates has documented the procedure/methods they have used in a report and we plan to use the same procedures/methods in the remaining watersheds throughout the County. The next watershed we will be focusing on is the Mill Creek watershed. The affected cities are Shawnee, Lenexa and the city of Olathe.

Agenda Item 7

Lenexa: OPTI Continuous Monitoring and Adaptive Control

The City of Lenexa and Johnson County Stormwater have contracted with Opti to review their Continuous Monitoring and Adaptive Control (CMAC) system. The CMAC system involves installing a valve, power supply and pressure transducer at the outlet of an existing detention basin. The system is then connected to the internet where software monitors the forecast from the national weather service and automatically adjusts the level of our ponds in anticipation of a rain event. This allows us to maximize the function of our pond based on our goals for the pond.

Some potential operation scenarios might be:

- Increase the flood storage of a wet pond by lowering the water level in anticipation of a storm
- Increase water quality performance in any pond by holding the storm in the pond longer
- Address erosive channel flows by monitoring the outlet flow.

Some of the parameters that can be tweaked:

- Minimum and maximum pond elevations
- Release timing before and after a storm
- Probability of a storm before action is taken (eg. 70%).
- Minimum precipitation prediction before action is taken (eg. 0.05")

Installation was complete in November and monitoring will continue for one year. To date we have had few rains significant enough to set the system in motion. However, one event of note was on Christmas day.

The screen shots below show the results from that event. The first pond is the Coon Creek South pond and you can clearly see that the water level dropped prior to the storm. We then caught the entire event in the pond and held it with no discharge. This maximizes our water quality benefit in this pond.

The second screen shot is the Coon Creek north pond. This pond is directly downstream for the previous pond. It is interesting to note that the water level actually went up when the valve was opened due to the discharge for the south pond. That would indicate that a little more calibration is necessary on this pond.

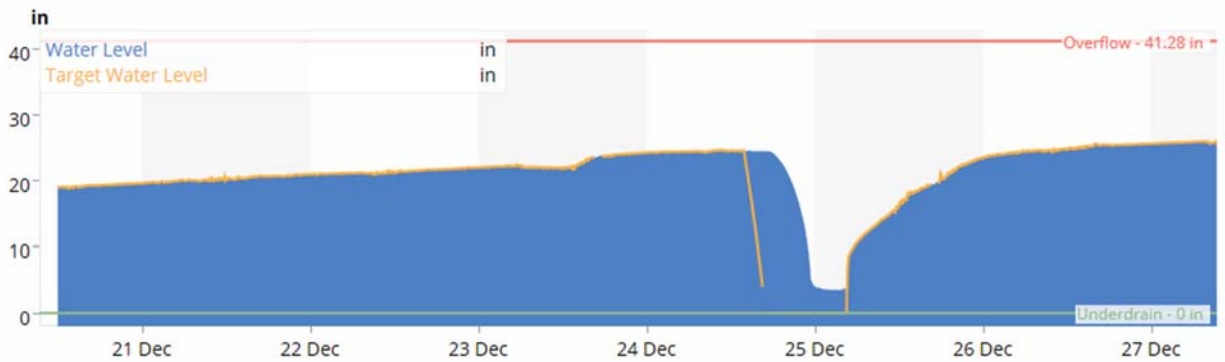


File Edit View Favorites Tools Help

Coon Creek South

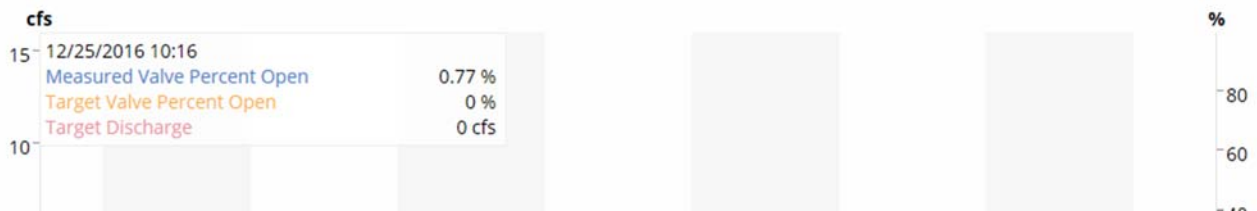
Pond Level

12hr | 24hr | 48hr | **1wk**



Pond Discharge

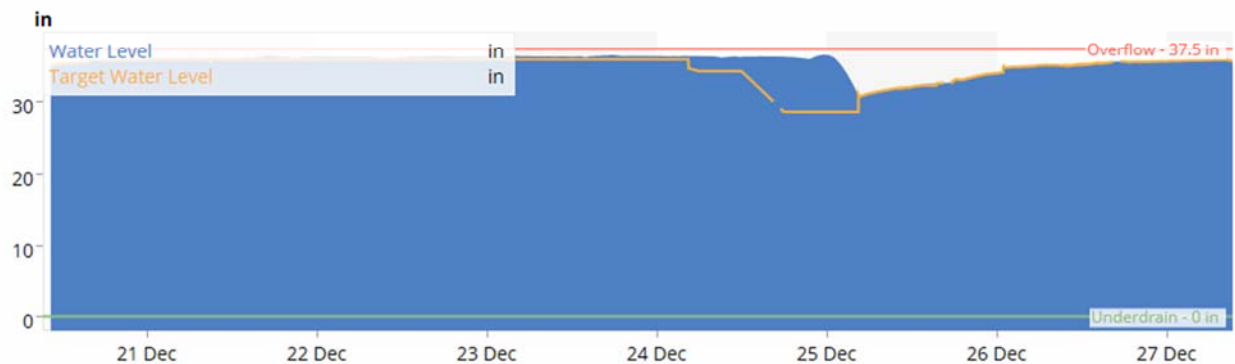
12hr | 24hr | **48hr** | 1wk



Coon Creek North

Pond Level

12hr | 24hr | 48hr | **1wk**



Pond Discharge

12hr | 24hr | **48hr** | 1wk



Agenda Item 8 NPDES Phase II Update

Mark your calendars and help us spread the word about these upcoming water quality related events.

April 1—Healthy Yards Expo, Shawnee Civic Centre (13817 Johnson Dr., Shawnee)

May 17—Rain Garden Class by David Dods at Johnson County Central Resource Library-- 6-8P.

June 3—Native Plant Sale at Shawnee Mission Park- Theater in the Park Pavilion- 9A-2P

Item Number: Ordinances and Resolutions:- IX.-A.
Committee 4/17/2017
Meeting Date:



City of Roeland Park

Action Item Summary

Date: 4/17/2017
Submitted By: Jennifer Jones-Lacy
Committee/Department: Admin.
Title: **Ordinance No. 941 - Amendment Related to City Code on Signs**
Item Type: Ordinance

Recommendation:

Approve the Revised Ordinance 941 regarding sign regulations.

Details:

Ordinance 941 was approved on March 20th by the Governing Body. This ordinance included several changes made by the Council as outlined below in "additional information". The ordinance approved on March 20th left out a change the Mayor had suggested and the Council had agreed to include during the Workshop on March 6th. The change is in Sec. 16-910 (c) of the Code. The revised ordinance includes the underlined section that was left out when approved by Council in March.

Sec. 16-910. - Signs Allowed in the Single-Family Residence, Duplex Residence and Multi-Residence Districts.

(c) Three temporary signs are permitted on any lot. All temporary signs shall have a sign surface no larger than three square feet, shall be no more than two and one-half linear feet wide, and with a maximum height of three and one-half feet above grade. For churches, synagogues, and other similar places of worship, schools, libraries, community centers, or other public or semi-public facilities within the district, two of the three signs may be no larger than six square feet (6sf, eg. 2'x3') and one may be no larger than 12 square feet (12sf, eg. 3'x4'). For lots with more than one building, each building having a footprint of 2,000 square feet or larger is allowed signage in accordance with the provisions stated above. For example, a lot with two buildings each with 2,000 square foot footprints would be allowed these three signs per building or six signs total.

Where more than three signs are used in this case no building may have more than these

where more than three signs are used in any case no building may have more than three signs near each building, with each building area defined by imaginary lines midway between each building. All temporary signs must be set back a minimum of five feet from the street line and only three (3) signs can be associated with one building...

The revised ordinance includes this language and requires the approval of six members of the Governing Body for final approval.

Financial Impact

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

Additional Information

The Governing Body discussed Ordinance 941 at the Council Workshop meeting on November 7th. Some Council members expressed concern about the new language and how it could cause some interpretation issues with signs currently on the campuses of schools and churches. The language was previously approved by the Planning Commission in August. Rather than rejecting the ordinance in its entirety, the Council recommended returning the item back to the Planning Commission for further consideration.

After further discussion with Councilmembers Rhoades and Janssen, the following recommendations will be submitted to the Planning Commission for consideration on November 22nd. If approved those revisions will come back to the Council for final approval in December.

A revised redlined version of the changes are attached. The changes recommended to the Planning Commission are to consider including the following alteration to the definitions section 16-201 of the City Code.

- (hh) Sign means a name, identification, description, display or illustration which is affixed to, painted or represented directly or indirectly upon a building or other outdoor surface which directs attention to or is designed or intended to direct attention to the sign face or to an object, product, place, activity, person, institution, organization or business. Each display surface of a sign or sign face must be considered to be a sign. Provided, however, that the following shall not be considered to be signs: signs located completely within an enclosed building, and not exposed to view from a street; any sign not visible to persons located off the premises from where the sign is located; score boards and related signs on athletic complexes; and bumper stickers that are no larger than eighteen (18) inches in length and five (5) inches in height.

In addition, replacing the term "facility" with the term "building" in section 16-909 (a) - Signs Permitted in All Districts. The intention here is to ensure the code allows signage by building instead of by parcel. The term building is defined in section 16-201(f).

Sec. 16-909. - Signs Permitted In All Districts.

- (a) Churches, synagogues, and other similar places of worship, schools, libraries, community centers, or other public or semi-public buildings shall be allowed two wall signs, with not more

than one on each façade. No sign shall have a sign surface area exceeding 25 square feet. In lieu of one of the wall signs, one monument sign shall be permitted. The monument sign shall be located on the premises, be not less than ten feet from the street line, and the sign surface of each sign face shall not exceed 25 square feet in area per face. The height of the sign shall not exceed five feet; provided, that for each two foot setback from the street line in excess of ten feet, one additional foot may be added to the height of the sign to a maximum of eight feet.

These changes are intended to add clarity to the ordinance and prevent possible unintended consequences of regulating signs not visible from off of a campus and athletics related signage.

In addition to the suggested changes outlined above, the Mayor had some additional suggestions to the sign code that would allow additional signs for public and religious institutions with multiple buildings on a single parcel located in a residential zoning district. The redline document of those changes to the city code is attached.

How does item relate to Strategic Plan?

N/A

How does item benefit Community for all Ages?

N/A

ATTACHMENTS:

Description	Type
☐ Ordinance 941 - REVISED	Ordinance
☐ Mayor's suggested changes - redline	Exhibit
☐ Redlined sign Regulations	Cover Memo

ORDINANCE NO. 941 - REVISED

AN ORDINANCE RELATING TO THE ZONING REGULATIONS OF THE CITY OF ROELAND PARK, KANSAS; AMENDING SECTION 16-910 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 16-902 of the Code of the City of Roeland Park, Kansas is hereby amended to read as follows:

Sec. 16-902. – Findings and Intent; Interpretation.

- A. Signs obstruct views, distract motorists, displace alternative uses for land, and pose other problems that legitimately call for regulation. The purpose of this Article is to regulate the size, color, illumination, movement, materials, location, height and conditions of all signs placed on private property for exterior observation, thus ensuring the protection of property values, the character of the various neighborhoods, the creation of a convenient, attractive and harmonious community, protection against destruction of or encroachment on historic convenience to citizens and encouraging economic investment. This Article allows adequate communication through signage while encouraging aesthetic quality in the design, location, size and purpose of all Signs. This Article must be interpreted in a manner consistent with the First Amendment guarantee of free speech. This Article is based on the following legislative intent and findings.
1. A sign placed on land or on a building for the purpose of identification, protection or directing persons to a use conducted therein must be deemed to be an integral but accessory and subordinate part of the principal use of the land or building. Therefore, the intent of this Article is to establish limitations on signs in order to ensure that they are appropriate to the land, building or use to which they are appurtenant and are adequate for the intended purpose while balancing the individual and community interests identified above.
 2. These regulations are intended to promote signs that are compatible with the use of the property to which they are appurtenant, landscape and architecture of surrounding buildings, are legible and appropriate to the activity to which they pertain, are not distracting to motorists, and are constructed and maintained in a structurally sound and attractive condition.
 3. These regulations do not regulate every form and instance of visual communication that may be displayed anywhere within the jurisdictional limits of the City. Rather, they are intended to regulate those forms and instances that are most likely to meaningfully affect one or more of the purposes set forth above.
 4. These regulations do not entirely eliminate all of the harms that may be created by the installation and display of signs. Rather, they strike an appropriate balance

that that preserves ample channels of communication by means of visual display while still reducing and mitigating the extent of the harms caused by signs.

5. These regulations are not intended to and do not apply to signs erected, maintained or otherwise posted, owned or leased by the federal government, the State of Kansas, Johnson County, or this City. The inclusion of "government" in describing some signs does not intend to subject the government to regulation, but instead helps illustrate the type of signs that falls within the immunities of the government from regulation.
6. Many signs are intended to be temporary in nature, and so do not meet the regular structural and installation requirements necessary to prevent them from being affected by weather and other natural forces and present a potential hazard to persons and property. Severe weather conditions include, but are not limited to, thunderstorms with accompanying high winds, tornadoes, ice accumulation, and flooding, and are characteristic of local weather conditions.
8. The primary purpose of signs unrelated to traffic and placed along a roadway is to attract the attention of drivers and distract them from their primary responsibility of constant attention to traffic and road conditions. This concern is especially acute in residential areas where young children present a significant potential hazard for drivers.
9. Signs inherently are out of keeping with their surroundings; they are intended to attract attention. Their purpose fails if they meld into the landscape. As such, they are a visual blight where the visual clutter of signs is at odds with the City's policy to make structures blend into the topography and be compatible with their natural surroundings.
10. Signs have an adverse effect on the aesthetic quality of a City, and thus risk depreciating property values. This potential adverse effect conflicts with the City's policy to enhance the quality of life through other land use regulations.
11. Residents are virtually captive audiences of signs displayed by neighbors; signs are an intrusion into residential privacy and interfere with the enjoyment of a resident's property because the vista from the resident's property may become so marred by the clutter of signs that the resident cannot successfully avoid observing the sign clutter.

SECTION 2. Existing Section 16-903 of the Code of the City of Roeland Park, Kansas is hereby amended to read as follows:

Sec. 16-903. - Definitions.

- (a) A-frame or sandwich sign means any sign supported from the ground utilizing one or more rear supporting braces, in which the combination of the sign and supports forms the letter "A," in the manner of an artist's easel.

- (b) Abandoned sign means any sign on any building, structure or premises that has been vacated for a six month period of time.
- (c) Attention-attracting device means a device with flashing, blinking, rotating, twirling or moving action, a changeable copy sign on which the message changes more than eight times per day, but not including a search light, or a balloon or an air or gas filled object designed or intended to attract the attention of the public to an establishment or to a sign.
- (d) Backlight sign means any sign that displays direct or indirect light from the back of that sign through a transparent, translucent or open material.
- (e) Banner means any sign of lightweight fabric or similar material that is permanently mounted to a pole or a building by a permanent frame at one or more edges. National, state or municipal flags, or the official flag of any institution or business shall not be considered a banner.
- (f) Building inspector means the building official of the City of Roeland Park, Kansas, or other designated authority charged with the administration or enforcement of the provisions of this article, or his or her duly authorized representatives.
- (g) Canopy sign means any sign that is a part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy.
- (h) Changeable copy sign means a sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the sign surface.
- (i) Code means the Code of the City of Roeland Park, Kansas, as hereinafter amended.
- (j) Commercial sign means any sign that directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity.
- (k) Curb line means the line at the face of the curb nearest to the street or roadway. In the absence of a curb, the curb line shall be established by the Building Inspector.
- (l) Detached sign means a sign located on the ground or on a structure located on the ground and not attached to a building.
- (m) Directional sign means any sign that provides direction for the safe and efficient flow of vehicular or pedestrian traffic on a property, and shall include signs marking entrances, exits, parking areas, loading areas or other operational features of the premises.
- (n) Directly illuminated sign means any sign the source of illumination of which is exposed to the human eye, such as, but not limited to, an incandescent bulb or fluorescent tube.
- (o) Government sign means a sign that is constructed, placed, or maintained by the federal, state or local government, or a sign that the federal, state or local government requires a property owner to construct, place or maintain either directly or to enforce a property owner's rights, including, but not limited to, traffic control devices, parking control signs, street identification signs, warning signs, legal postings and signs prohibiting or controlling access to property.

- (p) Holiday decorations means displays erected on a seasonal basis in observance of religious, national or state holidays that are not intended to be permanent in nature and that do not constitute commercial signs.
- (q) Indirectly illuminated sign means any sign that is partially or completely illuminated at any time by a light source that is a shielded so as to not be visible at eye level.
- (r) Marquee means any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed, and constructed to provide protection from the weather.
- (s) Marquee sign means any sign attached to, or in any manner made a part of a marquee.
- (t) Monument sign means a detached sign the width of which is a minimum of one and one-half times the width of the widest part of sign surface and the base of which consists of two or more supports and the height of the base is not more than two feet above the average grade of the ground. The base of a monument sign shall be architectural in nature and utilize materials consistent with the design of the building it is identifying.
- (u) Neon sign means a directly illuminated sign for which the light source is luminescent gas.
- (v) Non-affixed sign means any sign that is not permanently affixed to a building, structure or the ground.
- (w) Noncommercial sign means any sign that is not a commercial sign.
- (x) Nonconforming sign means any sign that does not comply with the sign provisions of this article or any other applicable provision of the Code.
- (y) Outdoor advertising sign means any sign advertising or directing attention to a name, a business, product, development, project, or service that is offered, manufactured, or sold at a location other than the premises upon which the sign is situated (commonly known as a billboard).
- (z) Pole or pylon sign means a detached sign supported by uprights, braces, columns, poles, or other vertical members that are not attached to a building.
- (aa) Portable sign means any sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs converted to an A-frame or sandwich sign; balloons or other gas or air filled objects used as commercial signs; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless that vehicle is used in the normal day-to-day operations of the business.
- (bb) Projecting sign means any sign located on the face of the building extending more than one foot from the face of the building to which it is attached.
- (cc) Public property, for the purposes of this article only, means:
 - (1) Any public building or premise owned by a governmental entity;
 - (2) Any sidewalk, public bridge, crosswalk, curb, paved portion of any street or highway, or the median strip of any divided street or highway;

- (3) The unpaved area between the street lines of any street adjacent to a tract of land owned or leased by a governmental entity;
 - (4) Any street sign or any traffic sign or signal;
 - (5) Any telephone, telegraph, electric wire, power, street lamp post or any other utility pole or line, or any fire hydrant;
 - (6) Any tree or other vegetation on public property, including without limitation those in between the street lines of a public street; and
 - (7) Any public park, open space area, bench, drinking fountain, or other property owned or leased by a governmental entity and used for governmental purposes.
- (dd) Roof sign means any sign erected, constructed and maintained fully upon or over the roof or parapet of a building or structure and having the roof or parapet as its principle means of support.
- (ee) Semi-illuminated sign means any sign located on a building face that is uniformly illuminated over the sign surface by use of electricity or other artificial light.
- (ff) Sight distance triangle means the two areas on all corner lots within the triangles formed by a short leg 15 feet long and a long leg 140 feet, both distances measured along the curblin or edge of the pavement.
- (gg) Sign means a name, identification, description, display or illustration which is affixed to, painted or represented directly or indirectly upon a building or other outdoor surface which directs attention to or is designed or intended to direct attention to the sign face or to an object, product, place, activity, person, institution, organization or business. Each display surface of a sign or sign face must be considered to be a sign. Provided, however, that the following shall not be considered to be signs: signs located completely within an enclosed building, and not exposed to view from a street; and bumper stickers that are no larger than eighteen (18) inches in length and five (5) inches in height.
- (hh) Sign alteration means the replacement, enlargement, reduction, reshaping, changing or adding to a sign, or sign structure or other supporting members.
- (ii) Sign maintenance means the normal care and minor repair necessary to retain a safe, attractive and finished sign, sign surface or sign structure. Changing copy or a logo on a sign surface without increasing sign dimensions shall be considered sign maintenance if the information, product or service depicted remains the same and if the sign is to serve the identical establishment using the same business firm name as before the change.
- (jj) Sign refacing means changing or replacing the words, numerals or other aspects of the sign surface to serve a different establishment or business, or to create a substantially different visual effect without alternating, moving or replacing the sign, sign structure, or sign surface.
- (kk) Sign structure means the support, poles, upright bracing or brackets and framework for any sign that is mounted on or affixed to a building, structure or the ground.
- (ll) Sign surface means the entire area within a square, circle, rectangle, triangle or combination thereof that encompasses the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the

display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including the sign structure.

- (mm) Snipe sign means any sign made of material such as cardboard, paper, pressed wood, plastic or metal that is attached to a fence, window, tree, utility pole or temporary structure or any sign that is not securely fastened to a building or structure or firmly anchored to the ground.
- (nn) Street line means the dividing line between the street right-of-way and the abutting property.
- (oo) Temporary sign means any sign intended to be displayed for a limited period of time on public or private property; is typically constructed from nondurable materials, including paper, cardboard, cloth, plastic or wallboard; and does not constitute a structure subject to the Building Code.
- (pp) Temporary wall sign means any sign attached to and erected parallel to and within one foot of the face or wall of a building and intended to be displayed for a limited period of time; typically constructed from nondurable materials, including paper, cardboard, cloth, plastic or wallboard; and does not constitute a structure subject to the Building Code.
- (qq) Two-faced sign means a sign with two sign faces and where the angle of separation of the faces is not greater than 135 degrees.
- (rr) Vehicle sign means a sign attached to or displayed upon a motor vehicle.
- (ss) Wall means the exterior or surface of a building or structure. For the purposes of the sign provisions of this article, walls shall include mansard-type or sloped-roof structures.
- (tt) Wall bulletin means any sign painted on a wall or a painted sign or poster that is attached to but does not project more than 12 inches from the building or structure.
- (uu) Wall sign means any sign attached to and erected parallel to and within one foot of the face or wall of a building, including wall bulletins.
- (vv) Window sign means any sign that is placed on the inside of a window or upon the windowpanes and is visible from the exterior of the window.
- (ww) Yard sign means a non-illuminated sign constructed of durable materials that is supported by one or more uprights, posts, or bases placed upon or affixed in the ground and not attached to any part of a building.

SECTION 3. Existing Section 16-907 of the Code of the City of Roeland Park, Kansas is hereby amended to read as follows:

Sec. 16-907. - Sign Permit Required; When; Application Procedures.

- (a) Except as otherwise provided in section 16-908, no sign shall be installed, erected or set in place, nor shall any sign alteration or sign refacing occur, until a sign permit has been issued by the Building Inspector and until a sign permit fee in an amount established by resolution adopted by the Governing Body is paid.

- (b) Any person desiring to erect a sign for which a permit is required shall submit an application to the City Clerk on a form provided by the City that shall contain the following information:
- (1) Name, address and telephone number of the applicant;
 - (2) Location of building, structure or lot to which or upon which the sign is to be attached or erected;
 - (3) Position of the sign in relation to nearby buildings or structures, streets and sidewalks;
 - (4) Drawing of the sign and specifications describing the sign;
 - (5) Length of time the sign will be displayed;
 - (6) Written consent of the owner of the building, structure or land to which or on which the sign is to be attached or erected, including the owner's address and phone number;
 - (7) Other information as the City Clerk and/or Building Inspector shall require to show full compliance with this article and all other provisions of the Code.
- (c) When the sign permit application is complete, the City Clerk shall forward the application to the Building Inspector. It shall be the duty of the Building Inspector, upon receipt of the application, to review the application and to conduct other investigations as is necessary to determine the application's accuracy. If the applicant has provided the information requested in the application, the information is accurate and it appears that the proposed sign will comply with this article and all other applicable provisions of the Code, the Building Inspector shall issue a sign permit. All issued sign permits shall contain the number of the permit and the date the permit is issued. If the Building Inspector determines that the proposed sign is not in compliance with all requirements of the Code, the Building Inspector shall notify the applicant in writing that the requested permit will not be issued, state in the notice the reasons for the denial, and inform the applicant of his or her right to appeal the Building Inspector's determination to the Board of Zoning Appeals. The Building Inspector shall either issue or deny the sign permit within 30 days of the date the City Clerk receives the application for the permit. If, on the 30th day after the City Clerk received the application, the application is not complete, the Building Inspector shall deny the requested permit.
- (d) Any person aggrieved by the denial of an application for a sign permit by the Building Inspector may appeal the Building Inspector's refusal to the Board of Zoning Appeals by giving written notice to the City Clerk not later than 20 days after notice of the Building Inspector's refusal to issue the requested sign permit. In any appeal, the Board of Zoning Appeals shall review the action of the Building Inspector at its next regularly scheduled meeting, but not later than 30 days after notice of appeal is received by the City Clerk, and if it determines that the action of the Building Inspector was incorrect, shall order the issuance of the permit under the terms and conditions as are appropriate.
- (e) In certain instances, as specifically designated in these regulations, the Planning Commission shall consider and approve or deny sign permit applications. In this instance, the Building Inspector shall not issue a sign permit unless the Planning Commission has first approved the subject sign permit application. The Planning Commission shall consider the sign permit application within the time frames set forth hereinabove for the Building

Inspector to either issue or deny the sign permit. If the Planning Commission denies the sign permit application, the applicant may appeal the Planning Commission's denial to the Governing Body by giving written notice to the City Clerk not later than 20 days after the Planning Commission's denial. The applicant shall be provided written notice of the Planning Commission's consideration of the sign permit application and the Governing Body's review of the applicant's appeal of the Planning Commission's denial, if the appeal is requested. The Governing Body shall consider the sign permit applicant's appeal at its next regularly scheduled meeting and the time frame for the Building Inspector to issue or deny the sign permit shall be deferred until two working days after the Governing Body has heard the sign permit applicant's appeal.

- (f) All rights and privileges acquired pursuant to this article, or any amendment hereto, are mere licenses and are revocable at any time by the City for cause, and all permits shall contain this provision.

SECTION 4. Existing Section 16-908 of the Code of the City of Roeland Park, Kansas is hereby amended to read as follows:

Sec. 16-908. - Signs Excluded From Sign Permit Requirement.

The following signs are not required to obtain a permit, however, these signs shall otherwise comply with this article and all other applicable provisions of the City Code.

- (a) Sign maintenance.
- (b) Directional signs.
- (c) Holiday decorations.
- (d) Window signs.
- (e) Flags, pennants or insignia of any governmental body, public or private school, church, synagogue or other place used primarily for worship, community centers, or other public, semi-public, or civic organizations or other similar noncommercial entity, when not displayed in connection with a commercial promotion or as an advertising device, and; provided that, not more than three flags, pennants or insignia shall be displayed on any building, structure or premises.
- (f) Integral decorative or architectural features of buildings, so long as these features do not contain letters, trademarks, moving parts or lights.
- (g) Decorative landscape markers, which may include logos or trademarks.
- (h) Signs on or adjacent to doors at the rear of commercial or industrial buildings displaying only the names and addresses of the occupants. Where multiple tenants share the same rear door, the sign may display the name and address of each tenant. These signs shall not exceed four square feet.
- (i) Vehicle signs where the motor vehicle is not primarily used as a sign.
- (j) Temporary signs.
- (k) Government signs.

SECTION 5. Existing Section 16-909 of the Code of the City of Roeland Park, Kansas is hereby amended to read as follows:

Sec. 16-909. - Signs Permitted In All Districts.

- (a) Churches, synagogues, and other similar places of worship, schools, libraries, community centers, or other public or semi-public facilities shall be allowed two wall signs, with not more than one on each façade. No sign shall have a sign surface area exceeding 25 square feet. In lieu of one of the wall signs, one monument sign shall be permitted. The monument sign shall be located on the premises, be not less than ten feet from the street line, and the sign surface of each sign face shall not exceed 25 square feet in area per face. The height of the sign shall not exceed five feet; provided, that for each two foot setback from the street line in excess of ten feet, one additional foot may be added to the height of the sign to a maximum of eight feet.
- (b) One directional sign shall be permitted at each entrance to a building site. These signs may be a pole or pylon sign, single- or two-faced and shall not exceed three feet in height, and four square feet of sign surface per face. These signs may indicate entrances, exits, addresses, direction of traffic-flow and the location of loading docks, parking areas, delivery doors, drive-through lanes and similar facilities. The sign shall be located on the premises and shall be set back from the street line a minimum of five feet.
- (c) Official governmental jurisdiction flags, including flags indicating weather conditions, and flags that are emblems of religious, charitable, public and nonprofit organizations. No flag shall exceed 50 square feet in area.
- (d) Noncommercial signs, provided that these signs shall conform to all sign surface and sign type area, height, setback, location, construction and maintenance requirements applicable to all other signs in the zoning district in which the noncommercial sign is located as set forth in this article or any other applicable provisions of the Code. No sign shall be displayed on private property without the written consent of the owner or occupant of the property on which the sign is displayed.
- (e) Although these regulations do not apply to signs constructed, placed or maintained by federal, state or local governments, these regulations clarify that government signs which form the expression of that government are allowed in every zoning district and include the signs described and/or required in the following subsections 1 through 4 when erected and maintained pursuant to law.
 - 1. Traffic control devices on public or private property must be erected and maintained so as to comply with the Manual on Uniform Traffic Control Devices adopted by the Kansas Secretary of Transportation pursuant to K.S.A. 8-2003, and amendments thereto. Because these regulations do not apply to the federal, state or local governments, a failure to comply with this provision by those governments does not constitute evidence of negligence or form the basis for a cause of action.
 - 2. Each property owner shall mark their property using numerals that identify the

address of the property so that public safety agencies can easily identify the address from the public street. Where required under this Code or other law, the identification must be on the curb or the principal building on the property. When located on a building, the size and location of the identifying numerals and letters, if any, must be proportional to the size of the building and the distance from the street to the building. In cases where the building is not located within view of the public street, the address identification must be located on a mailbox or other suitable display in the front yard that is visible from the street.

3. Where a federal, state or local law requires a property owner to post a sign on the owner's property to warn of a danger, to restrict access to the property either generally or specifically, or to advise of the existence of security systems, the owner must comply with the federal, state or local regulation to exercise that authority by posting a sign on the property. If the federal, state or local regulation describes the form and dimensions of the sign, the property owner must comply with those requirements. Otherwise, when the form and dimensions are not defined, and it is located on a building, fence or other structure, the sign and location of the warning sign must be proportional to the size of the structure and the distance from the street, but in no case larger than one and a half (1.5) square feet. A warning sign may also be installed in a place on the property to provide access to the notice that is required to be made, but in no case shall the sign be larger than one and a half (1.5) square feet and shall be set back a minimum of five (5) feet from the street line.
4. Official notices or advertisements may be posted or displayed by or under the direction of any public or court officer in the performance of official or directed duties. If the federal, state or local regulation describes the form and dimensions of the office notice or advertisement, the property owner must comply with those requirements; otherwise, when not defined, the sign shall be no larger than six (6) square feet and located on a place on the property to provide access to the notice that is required to be made. Provided, that all such signs must be removed by the property owner nor more than ten (10) days after their purpose has been accomplished or as otherwise required by law.

The signs described in subsections 1 through 4 above are an important component of measures necessary to protect the public safety and serve the compelling governmental interests of protecting the public and traffic safety, complying with legal requirements, serving the requirements of emergency response and protecting property rights or the rights of persons on property.

SECTION 6. Existing Section 16-910 of the Code of the City of Roeland Park, Kansas is hereby amended to read as follows:

Sec. 16-910. - Signs Allowed in the Single-Family Residence, Duplex Residence and Multi-Residence Districts.

- (a) One yard sign is permitted on any lot. The sign shall have a sign surface not more than six square feet in area with a maximum height of six feet, and shall be set back a minimum of five feet from the street line.
- (b) An unlimited number of window signs is permitted. The sign surface of any single window sign shall not exceed three square feet.
- (c) Three temporary signs are permitted on any lot. All temporary signs shall have a sign surface no larger than three square feet, shall be no more than two and one-half linear feet wide, and with a maximum height of three and one-half feet above grade. For churches, synagogues, and other similar places of worship, schools, libraries, community centers, or other public or semi-public facilities within the district, two of the three signs may be no larger than six square feet (6sf, eg. 2'x3') and one may be no larger than 12 square feet (12sf, eg. 3'x4'). For lots with more than one building, each building having a footprint of 2,000 square feet or larger is allowed signage in accordance with the provisions stated above. For example, a lot with two buildings each with 2,000 square foot footprints would be allowed these three signs per building or six signs total. Where more than three signs are used in this case no building may have more than these three signs near each building, with each building area defined by imaginary lines midway between each building. All temporary signs must be set back a minimum of five feet from the street line and only three (3) signs can be associated with one building. No temporary sign shall obstruct or impair access to a public sidewalk, public or private street or driveway, traffic control sign, bus stop, fire hydrant or any type of street furniture, or otherwise create a hazard, including a tripping hazard. Temporary signs shall not be posted on trees or utility poles. No temporary sign shall be illuminated or painted with light-reflecting paint. A temporary sign may be posted for so long as it remains in good condition. Once a temporary sign is tattered or otherwise is no longer in good condition, it shall be removed or replaced. If the Building Inspector determines that a temporary sign is not in good condition, the property owner shall be notified of that determination and shall remove or replace the sign within three days of such notification. Signs which are not removed or replaced within three days of such notification shall be deemed a nuisance and shall be subject to abatement in accordance with the provisions of Chapter VIII, Article 3, of the Code. The Building Inspector's determination that a temporary sign is not in good condition may be appealed to the Board of Zoning Appeals. Any appeal to the Board of Zoning Appeals shall stay any abatement proceedings during the time the matter is pending before the Board of Zoning Appeals.

SECTION 7. Existing Section 16-917 of the Code of the City of Roeland Park, Kansas is hereby amended to read as follows:

Sec. 16-917. - Prohibition and Amortization of nonconforming signs.

- (a) All signs that existed on the effective date of these regulations, or any amendment thereto, that becomes a nonconforming sign by virtue of these regulations, or any amendment thereto, shall be discontinued and removed within five and one-half years of the date that the sign became a nonconforming sign. No changes in the basic structure, source of illumination, location or appearance of a sign, sign alteration, or sign refacing shall be made to any sign. If the business to which the sign is related should move to another site (which

move, in the opinion of the Building Inspector, creates, in effect, an outdoor advertising sign) then the sign shall be removed or otherwise brought into full compliance with all applicable provisions of the Code.

- (b) Upon application to the City Clerk, the Governing Body may extend the time for discontinuance and/or removal of a nonconforming sign. No extension of time shall be granted for a period of time longer than that necessary to allow the owner of the sign to recoup the owner's initial investment in the nonconforming sign. The application for extension shall be on a form provided by the City and shall be accompanied by:
 - (1) A copy of the original sign permit issued for the nonconforming sign or other evidence satisfactory to the City of the date upon which the nonconforming sign was initially installed;
 - (2) Evidence that annual sign inspections have taken place each year since the initial date of installation of the nonconforming sign;
 - (3) Documentation evidencing the initial cost of purchase or construction and installation of the sign;
 - (4) If the nonconforming sign is not on property owned by the sign owner, the lease or other document establishing the sign owner's right to place the sign at its present location and all amendments thereto; and
 - (5) All documents evidencing the degree to which the value of the sign has been depreciated for income tax or other purposes.
- (c) In determining whether to grant the extension and the length of the extension, if one is to be granted, the Governing Body shall consider the following:
 - (1) The nature of the nonconforming sign;
 - (2) The character of the sign;
 - (3) The location of the sign;
 - (4) That part of the owner's total business that will be impacted by the removal or replacement of the nonconforming sign;
 - (5) The sign owner's original capital investment in the nonconforming sign;
 - (6) The investment realization from the nonconforming sign to date;
 - (7) Depreciation taken by the owner of the sign for income tax or other purposes;
 - (8) The life expectancy of the nonconforming sign;
 - (9) The existence or non-existence of lease obligations;
 - (10) The existence of a contingency clause in any lease permitting termination of the lease;
 - (11) The other economic uses of any leasehold interests in the land or structure upon which the sign is located;
 - (12) The value of, or feasibility of, subleases and assignments of any lease.
 - (13) The extent to which the investment of the owner in the nonconforming sign has been recouped;

- (14) The fact that similar signs are prohibited in the same area;
- (15) Other reasonable uses of the land;
- (16) The salvage value of the nonconforming sign;
- (17) The sign owner's loss of sharing revenue, if any; and
- (18) The ability of the sign owner to transfer the nonconforming sign to another location where it could be placed and would be in compliance with this article and all other provisions of the Code.

SECTION 8. Existing Sections 16-902, 16-903, 16-907, 16-908, 16-909, 16-910 and 16-917 of the Code of the City of Roeland Park, Kansas are hereby repealed.

SECTION 9. This ordinance shall take effect upon its publication in the official City newspaper.

PASSED by the City Council this 17th day of April, 2017. APPROVED by the Mayor.

Joel Marquardt, Mayor

ATTEST:

Kelley Bohon, City Clerk

APPROVED AS TO FORM

Steven E. Mauer, City Attorney

SECTION 1. Existing Section 16-910 of the Code of the City of Roeland Park, Kansas is hereby amended to read as follows:

Sec. 16-910. - Signs Allowed in the Single-Family Residence, Duplex Residence and Multi-Residence Districts.

- (a) One yard sign is permitted on any lot. The sign shall have a sign surface not more than six square feet in area with a maximum height of six feet, and shall be set back a minimum of five feet from the street line.
- (b) An unlimited number of window signs is permitted. The sign surface of any single window sign shall not exceed three square feet.
- (c) Three temporary signs are permitted on any lot. All temporary signs shall have a sign surface no larger than three square feet, shall be no more than two and one-half linear feet wide, and with a maximum height of three and one-half feet above grade. For churches, synagogues, and other similar places of worship, schools, libraries, community centers, or other public or semi-public facilities within the district, two of the three signs may be no larger than six square feet (6sf, eg. 2'x3') and one may be no larger than 12 square feet (12sf, eg. 3'x4'). For lots with more than one building, each building having a footprint of 2,000 square feet or larger is allowed signage in accordance with the provisions stated above. For example, a lot with two buildings each with 2,000 square foot footprints would be allowed these three signs per building or six signs total. Where more than three signs are used in this case no building may have more than these three signs near each building, with each building area defined by imaginary lines midway between each building. ~~The lot may be subdivided by imaginary lot lines midway between each building having over a 2,000 square foot footprint (granting three signs per larger building).~~ All temporary signs must be ~~within 150 feet of a building and~~ set back a minimum of five feet from the street line and only three (3) signs can be associated with one building. No temporary sign shall obstruct or impair access to a public sidewalk, public or private street or driveway, traffic control sign, bus stop, fire hydrant or any type of street furniture, or otherwise create a hazard, including a tripping hazard. Temporary signs shall not be posted on trees or utility poles. No temporary sign shall be illuminated or painted with light-reflecting paint. A temporary sign may be posted for so long as it remains in good condition. Once a temporary sign is tattered or otherwise is no longer in good condition, it shall be removed or replaced. If the Building Inspector determines that a temporary sign is not in good condition, the property owner shall be notified of that determination and shall remove or replace the sign within three days of such notification. Signs which are not removed or replaced within three days of such notification shall be deemed a nuisance and shall be subject to abatement in accordance with the provisions of Chapter VIII, Article 3, of the Code. The Building Inspector's determination that a temporary sign is not in good condition may be appealed to the Board of Zoning Appeals. Any appeal to the Board of Zoning Appeals shall stay any abatement proceedings during the time the matter is pending before the Board of Zoning Appeals.

ARTICLE 9. - SIGN REGULATIONS

Sec. 16-901. - Purpose.

The purpose of this article is to create the framework for a comprehensive and balanced system of content- and viewpoint-neutral regulation of signs to facilitate easy and pleasant communication between people while protecting the First Amendment rights of resident individuals and businesses of the City and preserving and improving the quality of the City's environment by avoiding visual clutter harmful to traffic and pedestrian safety, property values, business opportunities, and community appearance. With these purposes in mind, it is the intent of these regulations:

- (a) To authorize the use of signs that are:
 - (1) Compatible with their surroundings,
 - (2) Appropriate to the activity that displays them,
 - (3) Expressive of the identity of individual activities and the community as a whole, and
 - (4) Legible under the circumstances in which they are seen; and
- (b) To ensure that nonconforming signs are eliminated in the City after a reasonable grace period that allows sign owners to recoup their initial investments in those nonconforming signs.

Sec. 16-902. ~~Findings and Intent; Interpretation.~~

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A. Signs obstruct views, distract motorists, displace alternative uses for land, and pose other problems that legitimately call for regulation. The purpose of this Article is to regulate the size, color, illumination, movement, materials, location, height and conditions of all signs placed on private property for exterior observation, thus ensuring the protection of property values, the character of the various neighborhoods, the creation of a convenient, attractive and harmonious community, protection against destruction of or encroachment on historic convenience to citizens and encouraging economic investment. This Article allows adequate communication through signage while encouraging aesthetic quality in the design, location, size and purpose of all Signs. This Article must be interpreted in a manner consistent with the First Amendment guarantee of free speech. This Article is based on the following legislative intent and findings.

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1. A sign placed on land or on a building for the purpose of identification, protection or directing persons to a use conducted therein must be deemed to be an integral but accessory and subordinate part of the principal use of the land or building. Therefore, the intent of this Article is to establish limitations on signs in order to ensure that they are appropriate to the land, building or use to which they are appurtenant and are adequate for the intended purpose while balancing the individual and community interests identified above.

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2. These regulations are intended to promote signs that are compatible with the use of the property to which they are appurtenant, landscape and architecture of surrounding buildings, are legible and appropriate to the activity to which they pertain, are not distracting to motorists, and are constructed and maintained in a structurally sound and attractive condition.

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3. These regulations do not regulate every form and instance of visual communication that may be displayed anywhere within the jurisdictional limits of the City. Rather, they are intended to regulate those forms and instances that are most likely to meaningfully affect one or more of the purposes set forth above.

4. These regulations do not entirely eliminate all of the harms that may be created by the installation and display of signs. Rather, they strike an appropriate balance that that preserves ample channels of communication by means of visual display while still reducing and mitigating the extent of the harms caused by signs.
5. These regulations are not intended to and do not apply to signs erected, maintained or otherwise posted, owned or leased by the federal government, the State of Kansas, Johnson County, or this City. The inclusion of "government" in describing some signs does not intend to subject the government to regulation, but instead helps illustrate the type of signs that falls within the immunities of the government from regulation.
6. Many signs are intended to be temporary in nature, and so do not meet the regular structural and installation requirements necessary to prevent them from being affected by weather and other natural forces and present a potential hazard to persons and property. Severe weather conditions include, but are not limited to, thunderstorms with accompanying high winds, tornadoes, ice accumulation, and flooding, and are characteristic of local weather conditions.
8. The primary purpose of signs unrelated to traffic and placed along a roadway is to attract the attention of drivers and distract them from their primary responsibility of constant attention to traffic and road conditions. This concern is especially acute in residential areas where young children present a significant potential hazard for drivers.
9. Signs inherently are out of keeping with their surroundings; they are intended to attract attention. Their purpose fails if they meld into the landscape. As such, they are a visual blight where the visual clutter of signs is at odds with the City's policy to make structures blend into the topography and be compatible with their natural surroundings.
10. Signs have an adverse effect on the aesthetic quality of a City, and thus risk depreciating property values. This potential adverse effect conflicts with the City's policy to enhance the quality of life through other land use regulations.
11. Residents are virtually captive audiences of signs displayed by neighbors; signs are an intrusion into residential privacy and interfere with the enjoyment of a resident's property because the vista from the resident's property may become so marred by the clutter of signs that the resident cannot successfully avoid observing the sign clutter.

Sec. 16-903. - Definitions.

- (a) A-frame or sandwich sign means any sign supported from the ground utilizing one or more rear supporting braces, in which the combination of the sign and supports forms the letter "A," in the manner of a artist's easel.
- (b) Abandoned sign means any sign on any building, structure or premises that has been vacated for a six month period of time.
- (c) Attention-attracting device means a device with flashing, blinking, rotating, twirling or moving action, a changeable copy sign on which the message changes more than eight times per day, but not including a search light, or a balloon or an air or gas filled object designed or intended to attract the attention of the public to an establishment or to a sign.
- (d) Backlighted sign means any sign that displays direct or indirect light from the back of that sign through a transparent, translucent or open material.
- (e) Banner means any sign of lightweight fabric or similar material that is permanently mounted to a pole or a building by a permanent frame at one or more edges. National, state or municipal flags, or the official flag of any institution or business shall not be considered a banner.

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Deleted: The governing body hereby finds that: ¶
 (a) . Sign regulations may impact First Amendment rights and that these rights are important constitutional rights that must be protected; ¶
 (b) . Unregulated signage has direct and secondary effects that are harmful to the safety and general welfare of the City as a whole and to its individual citizens; ¶
 (c) . These direct and secondary effects result from the visual clutter that occurs as a result of the unregulated installation and lack of maintenance of signs; ¶
 (d) . These direct and secondary effects include harm to traffic and pedestrians' safety, depreciation of property values within the City, decreased business opportunities for individual and business residents of the City (resulting in decreased sales, property and other tax revenues that are necessary to provide an adequate level of public service to City residents), community blight, and an overall less pleasing community appearance; ¶
 (e) . Because of these direct and secondary effects, the City has a compelling interest in regulating signs within the City; ¶
 (f) . For the most part, these regulations are content- and viewpoint-neutral, reasonable time, manner and place restrictions that directly advance the City's stated interests; ¶
 (g) . To the extent that certain provisions of these regulations are content-based, they are intended to further compelling governmental interests; ¶
 (h) . The scope of the regulations is proportionate to the interests served and narrowly tailored to achieve the desired objective; ¶
 (i) . A direct nexus exists between the desired City's goals and the means chosen in these regulations to achieve its desired goals; ¶
 (j) . The goals of the ordinance from which this article is derived cannot be fully achieved if existing signs, which do not conform to the regulations contained herein, are allowed to remain as they exist on the effective date of said ordinance for an unlimited amount of time; therefore, a grace period of five and one-half years is hereby established to allow the owners of existing, nonconforming signs a reasonable period of time to conform these signs to the provisions of this article or remove them, which grace period shall end on November 25, 1999; ¶

- (f) Building inspector means the building official of the City of Roeland Park, Kansas, or other designated authority charged with the administration or enforcement of the provisions of this article, or his or her duly authorized representatives.
- (g) Canopy sign means any sign that is a part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy.
- (h) Changeable copy sign means a sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the sign surface.
- (i) Code means the Code of the City of Roeland Park, Kansas, as hereinafter amended.
- (j) Commercial sign means any sign that directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity.
- (k) Curb line means the line at the face of the curb nearest to the street or roadway. In the absence of a curb, the curb line shall be established by the Building Inspector.
- (l) Detached sign means a sign located on the ground or on a structure located on the ground and not attached to a building.
- (m) Directional sign means any sign that provides direction for the safe and efficient flow of vehicular or pedestrian traffic on a property, and shall include signs marking entrances, exits, parking areas, loading areas or other operational features of the premises.
- (n) Directly illuminated sign means any sign the source of illumination of which is exposed to the human eye, such as, but not limited to, an incandescent bulb or fluorescent tube.
- ~~(o) Government sign means a sign that is constructed, placed, or maintained by the federal, state or local government, or a sign that the federal, state or local government requires a property owner to construct, place or maintain either directly or to enforce a property owner's rights, including, but not limited to, traffic control devices, parking control signs, street identification signs, warning signs, legal postings and signs prohibiting or controlling access to property.~~
- (p) Holiday decorations means displays erected on a seasonal basis in observance of religious, national or state holidays that are not intended to be permanent in nature and that do not constitute commercial signs.
- ~~(q) Indirectly illuminated sign means any sign that is partially or completely illuminated at any time by a light source that is a shielded so as to not be visible at eye level.~~
- ~~(r) Marquee means any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed, and constructed to provide protection from the weather.~~
- (s) Marquee sign means any sign attached to, or in any manner made a part of a marquee.
- (t) Monument sign means a detached sign the width of which is a minimum of one and one-half times the width of the widest part of sign surface and the base of which consists of two or more supports and the height of the base is not more than two feet above the average grade of the ground. The base of a monument sign shall be architectural in nature and utilize materials consistent with the design of the building it is identifying.
- ~~(u) Neon sign means a directly illuminated sign for which the light source is luminescent gas.~~
- (v) Non-affixed sign means any sign that is not permanently affixed to a building, structure or the ground.
- (w) Noncommercial sign means any sign that is not a commercial sign.
- (x) Nonconforming sign means any sign that does not comply with the sign provisions of this article or any other applicable provision of the Code.

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Deleted: Identification sign means any sign or set of numerals or letters that denotes a principal building's location with respect to streets or to those home or buildings around the principal building.

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Deleted: Legal posting means any sign intended to convey a legal right or restriction on a property, such as a "no trespassing" sign; a sign intended to warn the public of a bona fide danger on the property, such as a "beware of dog" sign; or a sign placed by order of a court or by a government official in the normal course of their duties. ¶

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Deleted: Name plate sign means any single-faced, non-illuminated wall sign that displays only the name and/or occupation of the person or persons occupying space in a building. Name plate signs may be incorporated within a wall sign, and shall otherwise be subject to regulations restricting wall signs. ¶

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(y) Outdoor advertising sign means any sign advertising or directing attention to a name, a business, product, development, project, or service that is offered, manufactured, or sold at a location other than the premises upon which the sign is situated (commonly known as a billboard).

(z) Pole or pylon sign means a detached sign supported by uprights, braces, columns, poles, or other vertical members that are not attached to a building.

(aa) Portable sign means any sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs converted to an A-frame or sandwich sign; balloons or other gas or air filled objects used as commercial signs; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless that vehicle is used in the normal day-to-day operations of the business.

(bb) Projecting sign means any sign located on the face of the building extending more than one foot from the face of the building to which it is attached.

(cc) Public property, for the purposes of this article only, means:

- (1) Any public building or premise owned by a governmental entity;
- (2) Any sidewalk, public bridge, crosswalk, curb, paved portion of any street or highway, or the median strip of any divided street or highway;
- (3) The unpaved area between the street lines of any street adjacent to a tract of land owned or leased by a governmental entity;
- (4) Any street sign or any traffic sign or signal;
- (5) Any telephone, telegraph, electric wire, power, street lamp post or any other utility pole or line, or any fire hydrant;
- (6) Any tree or other vegetation on public property, including without limitation those in between the street lines of a public street; and
- (7) Any public park, open space area, bench, drinking fountain, or other property owned or leased by a governmental entity and used for governmental purposes.

(dd) Roof sign means any sign erected, constructed and maintained fully upon or over the roof or parapet of a building or structure and having the roof or parapet as its principle means of support.

(ee) Semi-illuminated sign means any sign located on a building face that is uniformly illuminated over the sign surface by use of electricity or other artificial light.

(ff) Sight distance triangle means the two areas on all corner lots within the triangles formed by a short leg 15 feet long and a long leg 140 feet, both distances measured along the curblane or edge of the pavement.

(gg) Sign means a name, identification, description, display or illustration which is affixed to, painted or represented directly or indirectly upon a building or other outdoor surface which directs attention to or is designed or intended to direct attention to the sign face or to an object, product, place, activity, person, institution, organization or business. Each display surface of a sign or sign face must be considered to be a sign. Provided, however, that the following shall not be considered to be signs: signs located completely within an enclosed building, and not exposed to view from a street; any sign not visible to persons located off the premises from where the sign is located; score boards and related signs on athletic complexes; and bumper stickers that are no larger than eighteen (18) inches in length and five (5) inches in height.

(hh) Sign alteration means the replacement, enlargement, reduction, reshaping, changing or adding to a sign, or sign structure or other supporting members.

(ii) Sign maintenance means the normal care and minor repair necessary to retain a safe, attractive and finished sign, sign surface or sign structure. Changing copy or a logo on a sign surface without

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Deleted: Official sign means any sign installed or erected by a governmental body or agency or by a public utility such as traffic signs, signals, regulatory devices or warnings; signs designating properties or structures officially designated by the federal, state or local government as being of historical significance; or other similar signs.

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Deleted: any framed, bracketed, free-form, or engraved surface, and the support therefor, that is fabricated to create words, numerals, figures, devices, designs, trademarks, or logos, and that is mounted on or affixed to a building, structure, or the ground, and that is visible to persons not located on the premises where the sign is located, with the purpose of attracting the attention of these persons or communicating information to them.

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increasing sign dimensions shall be considered sign maintenance if the information, product or service depicted remains the same and if the sign is to serve the identical establishment using the same business firm name as before the change.

(jj) Sign refacing means changing or replacing the words, numerals or other aspects of the sign surface to serve a different establishment or business, or to create a substantially different visual effect without alternating, moving or replacing the sign, sign structure, or sign surface.

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(kk) Sign structure means the support, poles, upright bracing or brackets and framework for any sign that is mounted on or affixed to a building, structure or the ground.

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(ll) Sign surface means the entire area within a square, circle, rectangle, triangle or combination thereof that encompasses the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including the sign structure.

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(mm) Snipe sign means any sign made of material such as cardboard, paper, pressed wood, plastic or metal that is attached to a fence, window, tree, utility pole or temporary structure or any sign that is not securely fastened to a building or structure or firmly anchored to the ground.

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(nn) Street line means the dividing line between the street right-of-way and the abutting property.

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(oo) Temporary sign means any sign intended to be displayed for a limited period of time on public or private property; is typically constructed from nondurable materials, including paper, cardboard, cloth, plastic or wallboard; and does not constitute a structure subject to the Building Code.

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(pp) Temporary wall sign means any sign attached to and erected parallel to and within one foot of the face or wall of a building and intended to be displayed for a limited period of time; typically constructed from nondurable materials, including paper, cardboard, cloth, plastic or wallboard; and does not constitute a structure subject to the Building Code.

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(qq) Two-faced sign means a sign with two sign faces and where the angle of separation of the faces is not greater than 135 degrees.

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(rr) Vehicle sign means a sign attached to or displayed upon a motor vehicle.

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(ss) Wall means the exterior or surface of a building or structure. For the purposes of the sign provisions of this article, walls shall include mansard-type or sloped-roof structures.

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(tt) Wall bulletin means any sign painted on a wall or a painted sign or poster that is attached to but does not project more than 12 inches from the building or structure.

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(uu) Wall sign means any sign attached to and erected parallel to and within one foot of the face or wall of a building, including wall bulletins.

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(vv) Window sign means any sign that is placed on the inside of a window or upon the windowpanes and is visible from the exterior of the window.

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(ww) Yard sign means a non-illuminated sign constructed of durable materials that is supported by one or more uprights, posts, or bases placed upon or affixed in the ground and not attached to any part of a building.

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Sec. 16-904. - Regulations Generally.

Other than lawful nonconforming signs, no signs shall be permitted in any zoning district of the City except in accordance with these provisions.

Sec. 16-905. - Computations.

The following principles shall control the computation of sign surface area and sign height.

- (a) Computation of sign surface area of individual signs. The area of a sign surface (that is also the sign area of a wall sign or any or other sign with only one face) shall be computed by measuring the area of the smallest circle, square, rectangle, triangle or combination thereof that will encompass the extreme limits of the writing, representation, emblem or other display, together with any material or color forming integral part of the background of the sign or used to differentiate the sign from the backdrop or sign structure against which it is placed, but not including the sign structure or decorative fence or wall between the fence or wall otherwise meet zoning ordinance regulations and that is clearly incidental to the display itself.
- (b) Computation of area of multi-face signs. The sign surface area for a sign with more than one face shall be computed by adding together the area of all sign surfaces on the sign.
- (c) Computation of height. The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lowest of (a) existing grade prior to construction, or (b) the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign. In cases in which the normal grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal structure on the zoned lot, whichever is lower.

Sec. 16-906. - Prohibited Signs.

The following types of signs shall be prohibited, except where specifically permitted in this article:

- (a) Any sign that is not otherwise included as a type of sign authorized hereby.
- (b) Any sign that prevents free ingress to or egress from any door, window, or fire escape.
- (c) Any sign that obstructs the view within the sight distance triangle of a street intersection or that interferes with the view necessary for motorists to proceed safely through intersections or to enter onto or exit from public or private streets.
- (d) Any outdoor advertising sign.
- (e) Any non-affixed sign.
- (f) Any roof sign, banner, portable sign, pennant, searchlight, A-frame or sandwich sign, snipe sign.
- (g) Any directly, indirectly or semi-illuminated sign and neon sign.
- (h) Pole or pylon signs.
- (i) Any sign located on public property.
- (j) Any sign that, by reason of its size, location, movement, content, coloring, or manner of illumination, may be confused with or construed as a traffic-control sign, signal or device, or the light of an emergency vehicle or that hides from view any traffic or street sign or signal or device.
- (k) Any sign giving false statements concerning zoning or land use.
- (l) Any abandoned sign.
- (m) Any sign containing a message that is obscene, as that term is defined in K.S.A. 21-4301(c), and any amendments thereto.
- (n) Any sign containing false or misleading advertising.
- (o) Any changeable copy sign, except on churches, public or private schools, or public buildings, theater listing signs, and service station price signs.
- (p) Attention-attracting devices.

Sec. 16-907. - Sign Permit Required; When; Application Procedures.

- (a) Except as otherwise provided in section 16-908, no sign shall be installed, erected or set in place, nor shall any sign alteration or sign refacing occur, until a sign permit has been issued by the Building Inspector and until a sign permit fee in an amount established by resolution adopted by the Governing Body is paid.
- (b) Any person desiring to erect a sign for which a permit is required shall submit an application to the City Clerk on a form provided by the City that shall contain the following information:
- (1) Name, address and telephone number of the applicant;
 - (2) Location of building, structure or lot to which or upon which the sign is to be attached or erected;
 - (3) Position of the sign in relation to nearby buildings or structures, streets and sidewalks;
 - (4) Drawing of the sign and specifications describing the sign;
 - (5) Length of time the sign will be displayed;
 - (6) Written consent of the owner of the building, structure or land to which or on which the sign is to be attached or erected, including the owner's address and phone number;
 - (7) Other information as the City Clerk and/or Building Inspector shall require to show full compliance with this article and all other provisions of the Code.
- (c) When the sign permit application is complete, the City Clerk shall forward the application to the Building Inspector. It shall be the duty of the Building Inspector, upon receipt of the application, to review the application and to conduct other investigations as is necessary to determine the application's accuracy. If the applicant has provided the information requested in the application, the information is accurate and it appears that the proposed sign will comply with this article and all other applicable provisions of the Code, the Building Inspector shall issue a sign permit. All issued sign permits shall contain the number of the permit and the date the permit is issued. If the Building Inspector determines that the proposed sign is not in compliance with all requirements of the Code, the Building Inspector shall notify the applicant in writing that the requested permit will not be issued, state in the notice the reasons for the denial, and inform the applicant of his or her right to appeal the Building Inspector's determination to the Board of Zoning Appeals. The Building Inspector shall either issue or deny the sign permit within 30 days of the date the City Clerk receives the application for the permit. If, on the 30th day after the City Clerk received the application, the application is not complete, the Building Inspector shall deny the requested permit.
- (d) Any person aggrieved by the denial of an application for a sign permit by the Building Inspector may appeal the Building Inspector's refusal to the Board of Zoning Appeals by giving written notice to the City Clerk not later than 20 days after notice of the Building Inspector's refusal to issue the requested sign permit. In any appeal, the Board of Zoning Appeals shall review the action of the Building Inspector at its next regularly scheduled meeting, but not later than 30 days after notice of appeal is received by the City Clerk, and if it determines that the action of the Building Inspector was incorrect, shall order the issuance of the permit under the terms and conditions as are appropriate.
- (e) In certain instances, as specifically designated in these regulations, the Planning Commission shall consider and approve or deny sign permit applications. In this instance, the Building Inspector shall not issue a sign permit unless the Planning Commission has first approved the subject sign permit application. The Planning Commission shall consider the sign permit application within the time frames set forth hereinabove for the Building Inspector to either issue or deny the sign permit. If the Planning Commission denies the sign permit application, the applicant may appeal the Planning Commission's denial to the Governing Body by giving written notice to the City Clerk not later than 20 days after the Planning Commission's denial. The applicant shall be provided written notice of the Planning Commission's consideration of the sign permit application and the Governing Body's review of the applicant's appeal of the Planning Commission's denial, if the appeal is requested. The Governing Body shall consider the sign permit applicant's appeal at its next regularly scheduled meeting and the time frame for the Building Inspector to issue or deny the sign permit shall be deferred until two working days after the Governing Body has heard the sign permit applicant's appeal.

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- (f) All rights and privileges acquired pursuant to this article, or any amendment hereto, are mere licenses and are revocable at any time by the City for cause, and all permits shall contain this provision.

Sec. 16-908. - Signs Excluded From Sign Permit Requirement.

The following signs are not required to obtain a permit, however, these signs shall otherwise comply with this article and all other applicable provisions of the City Code.

- (a) Sign maintenance.
- (b) Directional signs.
- (c) Holiday decorations.

(d) Window signs.

(e) Flags, pennants or insignia of any governmental body, public or private school, church, synagogue or other place used primarily for worship, community centers, or other public, semi-public, or civic organizations or other similar noncommercial entity, when not displayed in connection with a commercial promotion or as an advertising device, and; provided that, not more than three flags, pennants or insignia shall be displayed on any building, structure or premises.

(f) Integral decorative or architectural features of buildings, so long as these features do not contain letters, trademarks, moving parts or lights.

(g) Decorative landscape markers, which may include logos or trademarks.

(h) Signs on or adjacent to doors at the rear of commercial or industrial buildings displaying only the names and addresses of the occupants. Where multiple tenants share the same rear door, the sign may display the name and address of each tenant. These signs shall not exceed four square feet.

(i) Vehicle signs where the motor vehicle is not primarily used as a sign.

(j) Temporary signs.

(k) Government signs.

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(e) . Identification signs.¶

(f) . Legal postings.¶

(g) . Name plate signs.¶

(h) . Official signs.¶

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Sec. 16-909. - Signs Permitted In All Districts.

- (a) Churches, synagogues, and other similar places of worship, schools, libraries, community centers, or other public or semi-public buildings shall be allowed two wall signs, with not more than one on each façade. No sign shall have a sign surface area exceeding 25 square feet. In lieu of one of the wall signs, one monument sign shall be permitted. The monument sign shall be located on the premises, be not less than ten feet from the street line, and the sign surface of each sign face shall not exceed 25 square feet in area per face. The height of the sign shall not exceed five feet; provided, that for each two foot setback from the street line in excess of ten feet, one additional foot may be added to the height of the sign to a maximum of eight feet.
- (b) One directional sign shall be permitted at each entrance to a building site. These signs may be a pole or pylon sign, single- or two-faced and shall not exceed three feet in height, and four square feet of sign surface per face. These signs may indicate entrances, exits, addresses, direction of traffic-flow and the location of loading docks, parking areas, delivery doors, drive-through lanes and similar facilities. The sign shall be located on the premises and shall be set back from the street line a minimum of five feet.
- (c) Official governmental jurisdiction flags, including flags indicating weather conditions, and flags that are emblems of religious, charitable, public and nonprofit organizations. No flag shall exceed 50 square feet in area.
- (d) Noncommercial signs, provided that these signs shall conform to all sign surface and sign type area, height, setback, location, construction and maintenance requirements applicable to all other signs in the zoning district in which the noncommercial sign is located as set forth in this article or any other

applicable provisions of the Code. No sign shall be displayed on private property without the written consent of the owner or occupant of the property on which the sign is displayed.

(e) Although these regulations do not apply to signs constructed, placed or maintained by federal, state or local governments, these regulations clarify that government signs which form the expression of that government are allowed in every zoning district and include the signs described and/or required in the following subsections 1 through 4, when erected and maintained pursuant to law.

1. Traffic control devices on public or private property must be erected and maintained so as to comply with the Manual on Uniform Traffic Control Devices adopted by the Kansas Secretary of Transportation pursuant to K.S.A. 8-2003, and amendments thereto. Because these regulations do not apply to the federal, state or local governments, a failure to comply with this provision by those governments does not constitute evidence of negligence or form the basis for a cause of action.

2. Each property owner shall mark their property using numerals that identify the address of the property so that public safety agencies can easily identify the address from the public street. Where required under this Code or other law, the identification must be on the curb or the principal building on the property. When located on a building, the size and location of the identifying numerals and letters, if any, must be proportional to the size of the building and the distance from the street to the building. In cases where the building is not located within view of the public street, the address identification must be located on a mailbox or other suitable display in the front yard that is visible from the street.

3. Where a federal, state or local law requires a property owner to post a sign on the owner's property to warn of a danger, to restrict access to the property either generally or specifically, or to advise of the existence of security systems, the owner must comply with the federal, state or local regulation to exercise that authority by posting a sign on the property. If the federal, state or local regulation describes the form and dimensions of the sign, the property owner must comply with those requirements. Otherwise, when the form and dimensions are not defined, and it is located on a building, fence or other structure, the sign and location of the warning sign must be proportional to the size of the structure and the distance from the street, but in no case larger than one and a half (1.5) square feet. A warning sign may also be installed in a place on the property to provide access to the notice that is required to be made, but in no case shall the sign be larger than one and a half (1.5) square feet and shall be set back a minimum of five (5) feet from the street line.

4. Official notices or advertisements may be posted or displayed by or under the direction of any public or court officer in the performance of official or directed duties. If the federal, state or local regulation describes the form and dimensions of the office notice or advertisement, the property owner must comply with those requirements; otherwise, when not defined, the sign shall be no larger than six (6) square feet and located on a place on the property to provide access to the notice that is required to be made. Provided, that all such signs must be removed by the property owner not more than ten (10) days after their purpose has been accomplished or as otherwise required by law.

The signs described in subsections 1 through 4 above are an important component of measures necessary to protect the public safety and serve the compelling governmental interests of protecting the public and traffic safety, complying with legal requirements, serving the requirements of emergency response and protecting property rights or the rights of persons on property.

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Sec. 16-910. - Signs Allowed in the Single-Family Residence, Duplex Residence and Multi-Residence Districts.

- (a) One yard sign is permitted on any lot. The sign shall have a sign surface not more than six square feet in area with a maximum height of six feet, and shall be set back a minimum of five feet from the street line.
- (b) An unlimited number of window signs is permitted. The sign surface of any single window sign shall not exceed three square feet.
- (c) Three temporary signs are permitted on any lot. All temporary signs shall have a sign surface no larger than three square feet, shall be no more than two and one-half linear feet wide, and with a maximum height of three and one-half feet above grade. All temporary signs shall be set back a minimum of five feet from the street line. No temporary sign shall obstruct or impair access to a public sidewalk, public or private street or driveway, traffic control sign, bus stop, fire hydrant or any type of street furniture, or otherwise create a hazard, including a tripping hazard. Temporary signs shall not be posted on trees or utility poles. No temporary sign shall be illuminated or painted with light-reflecting paint. A temporary sign may be posted for so long as it remains in good condition. Once a temporary sign is tattered or otherwise is no longer in good condition, it shall be removed or replaced. If the Building Inspector determines that a temporary sign is not in good condition, the property owner shall be notified of that determination and shall remove or replace the sign within three days of such notification. Signs which are not removed or replaced within three days of such notification shall be deemed a nuisance and shall be subject to abatement in accordance with the provisions of Chapter VIII, Article 3, of the Code. The Building Inspector's determination that a temporary sign is not in good condition may be appealed to the Board of Zoning Appeals. Any appeal to the Board of Zoning Appeals shall stay any abatement proceedings during the time the matter is pending before the Board of Zoning Appeals.

Sec. 16-911. - Signs Permitted In Commercial and Industrial Districts.

- (a) To the extent that a residential land use is permitted in a commercial or industrial zoning district, signs for a residential land use shall be permitted as in the single-family, duplex residential and multi-residence districts.
- (b) In all commercial and industrial districts, one window sign is permitted in lieu of any sign permitted by this article, provided that, the window sign shall not have a sign surface exceeding eight square feet.
- (c) In all commercial and industrial districts, one temporary sign is permitted on any developed lot. All temporary signs shall have a sign surface no larger than three square feet, shall be no more than two and one-half linear feet wide, and with a maximum height of three and one-half feet above grade. All temporary signs shall be set back a minimum of five feet from the street line. No temporary sign shall obstruct or impair access to a public sidewalk, public or private street or driveway, traffic control sign, bus stop, fire hydrant or any type of street furniture, or otherwise create a hazard, including a tripping hazard. Temporary signs shall not be posted on trees or utility poles. No temporary sign shall be illuminated or painted with light-reflecting paint. A temporary sign may be posted for so long as it remains in good condition. Once a temporary sign is worn or otherwise is no longer in good condition, it shall be removed or replaced. If the Building Inspector determines that a temporary sign is not in good condition, the property owner shall be notified of that determination and shall remove or replace the sign within three days of such notification. Signs which are not removed or replaced within three days of such notification shall be deemed a nuisance and shall be subject to abatement in accordance with the provisions of Chapter VIII, Article 3, of the Code. The Building Inspector's determination that a temporary sign is not in good condition may be appealed to the Board of Zoning Appeals. Any appeal to the Board of Zoning Appeals shall stay any abatement proceedings during the time the matter is pending before the Board of Zoning Appeals.
- (d) One yard sign is permitted on any lot. The sign shall have a sign surface not more than six square feet in area with a maximum height of six feet, and shall be set back a minimum of five feet from the street line.
- (e) In all commercial and industrial districts, one temporary sign is permitted on any undeveloped lot. No temporary signs shall exceed eight feet in height or have a sign surface larger than 32 square feet of sign surface per face. Temporary signs shall have a maximum of two faces, and shall be set back at least 20 feet from the street line. No temporary sign shall be located closer than 50 feet from any

residentially zoned property. A temporary sign shall be removed prior to the issuance of a certificate of occupancy. A temporary sign is permitted for as long as it remains in good condition. Once a temporary sign is worn or otherwise is no longer in good condition, it shall be removed or replaced. If the Building Inspector determines that a temporary sign is not in good condition, the property owner shall be notified of that determination and shall remove or replace the sign within three days of the notification. Temporary signs that are not removed or replaced within three days of the notification shall be deemed a nuisance and shall be subject to abatement in accordance with the provisions of Chapter VIII, Article 3. The Building Inspector's determination that a temporary sign is not in good condition may be appealed to the Board of Zoning Appeals. Any appeal to the Board of Zoning Appeals shall stay any abatement proceedings during the time the matter is pending before the Board of Zoning Appeals.

- (f) In all commercial and industrial districts, one temporary wall sign is permitted in lieu of any sign permitted by this article, provided that, the wall sign shall not have a sign surface exceeding seven percent of the area of the wall upon which it is mounted.
- (g) Office building and planned office building districts.
 - (1) In the office building and planned office building districts, not more than three wall signs shall be permitted on each office building, no more than one sign on any façade. No sign shall have a sign surface area exceeding seven percent of the area of the wall upon which it is mounted.
 - (2) In lieu of the wall signs, one monument sign for each building shall be permitted. The sign shall not exceed five feet in height and the sign surface shall not exceed 50 square feet per face if located at least ten feet from the street line of public street or private street curb line. For each additional two foot setback from the street line of a public street or a private street curb line over ten feet, one additional foot may be added to the height of the sign to a maximum of ten feet. If not sitting within the landscaped setback, the sign base shall be located within a curbed landscaped area, extending a minimum of three feet on all sides of the sign base.
 - (3) In lieu of one wall sign, one marquee sign or one canopy sign shall be permitted. The sign shall be first approved by the Planning Commission.
- (h) Retail business and planned restricted business districts.
 - (1) In retail business and planned restricted business districts, wall signs as indicated above for office building and planned office building districts shall be permitted except that these signs shall be allowed for each business or commercial establishment in a multi-tenant building and shall be located on the façade of the tenant space. These signs may be indirectly illuminated or semi-illuminated, but shall not extend above the height of the wall upon which they are mounted, and any wall bulletin shall not be larger than ten square feet in area. In addition, one non-illuminated wall sign, with a sign surface not more than six square feet, may be placed at each major entrance to a multi-tenant building.
 - (2) In lieu of one of the wall signs, one monument sign for each building shall be permitted. The sign shall not exceed five feet in height and the sign surface shall not exceed fifty square feet per face if located at least ten feet from the street line of a public street or private street curb line. For each additional two foot set back from the street line of a public street or private street curb line over ten feet, one additional foot may be added to the height of the sign, to a maximum of ten feet. If not sitting within the landscaped setback, the sign base shall be located within a curbed landscaped area, extending a minimum of three feet on all sides of the sign base.
 - (3) In lieu of one wall sign, one projecting sign of the same area as the wall sign replaced shall be permitted, provided that no projecting sign shall extend more than three feet from the face of the building or one-third of the sidewalk width from the wall of the supporting building, whichever is less. The lower edge of a projecting sign shall be no closer than ten feet to any sidewalk or 14 feet to any street or alley surface where vehicles may pass below. The upper edge of a projecting sign shall neither stand vertically above the eave line of a single structure nor above the second-story sill line of a multi-story structure. All projecting signs shall be attached at right angles to the supporting structure and may be anchored no more than six inches from the structure.

- (4) In lieu of one wall sign, one neon sign shall be permitted, with a sign surface not exceeding ten square feet. Any neon sign located within the building and within 48 inches of any window or door and visible from outside of the building shall constitute the neon sign allowed in lieu of a wall sign. Retail liquor stores so licensed by the Kansas Division of Alcoholic Beverage Control using a neon sign shall be further limited to a sign that has a border, lettering, figure or design of the sign or tubing that is not more than four inches high or three inches wide, restricted to lines that shall be not more than one inch apart, only one line shall be allowed to be in excess of three feet in length, and any border shall not allow the sign surface to exceed ten square feet. Any retail liquor store sign shall be located on the corner of a window or on the door. In addition, retail liquor stores shall be allowed to use interior neon tubing to partially or fully outline a window or windows providing that neon tubing does not flash, blink, rotate or move. The neon border shall not be permitted to be wider than a maximum of four inches. In measuring the area of the sign or tube, a rectangle shall be constructed from the highest, lowest and widest points where the sign or tube exists, and the area shall be calculated to include all that area within the rectangle. In no event shall a neon sign be used on any façade of the main structure except as otherwise provided herein. No neon signs shall blink, flash or otherwise be used to display intermittent lighting sequences or to simulate motion. Neon signs shall be installed, wired and inspected in accordance with the National Electrical Code, as it may be amended.
- (5) In lieu of one wall sign, one marquee sign or one canopy sign shall be permitted. The sign shall be first approved by the Planning Commission. If a development plan is required for the use, the marquee sign or canopy sign shall be approved at the time of final development plan approval.
- (6) Drive-through restaurants and car washes may have two single-faced signs located in conjunction with a drive-through lane. The sign shall not exceed eight feet in height or 32 square feet of sign surface per face.
- (7) In the case of a shopping center designated as one unified entity and consisting of one or several attached or free-standing buildings, one indirectly or semi-illuminated monument sign, in addition to all other authorized signs may be permitted. The monument sign shall not exceed five feet in height, with the sign surface not exceeding 50 square feet per face if located ten feet from the street line of a public street or private street curb line. For each additional two foot setback from the street line of a public street or private street curb line, one additional foot may be added to the height of the sign to a maximum of ten feet. If not sitting within the landscaped setback, the sign base shall be located within a curbed landscaped area, extending a minimum of three feet on all sides of the sign base.
- (8) Except in the case of a shopping center designated as one unified entity and consisting of one or several attached or free-standing buildings, one indirectly or semi-illuminated monument sign shall be permitted in lieu of one wall sign for each commercial building, which sign shall conform to the height, size and setback requirements applicable to monument signs in the office building, and planned office building districts.
- (9) Banners may be used as architectural or decorative accessories in shopping centers provided they are generally uniform throughout a group of shops, and in harmony with the architectural theme of the center. No banner shall be installed unless its location and design have first been approved by the Planning Commission.
- (i) Planned General Business and Planned Industrial Park District.
- (1) Each business establishment shall be permitted not more than three indirectly or semi-illuminated wall, marquee or canopy signs, not more than one on each business façade. The sign surface of any such sign shall not exceed seven percent of the total area of the façade upon which it is placed. Wall signs shall not extend above the height of the wall. Marquee and canopy signs shall not extend more than six inches beyond the front of the marquee or canopy on which they are located, above the height of the wall on which the marquee or canopy is mounted, and their lower edge shall be no closer than ten feet to any sidewalk or 14 feet to any street or alley surface where cars may pass below. The sign surface of any wall sign shall not exceed ten square feet.

In addition, one non-illuminated wall sign, with a sign surface not exceeding six square feet, may be placed on each major entrance to a multi-tenant building.

- (2) In lieu of one of the above signs, one projecting sign shall be permitted for each establishment provided that the sign surface of the projecting sign shall not exceed seven percent of the total area of the façade upon which it is attached, shall not extend more than three feet from the face of the building or one-third of the sidewalk width, whichever is less, above the roof level of the building where the sign is located, and the sign's lower edge shall be no closer than ten feet to any sidewalk or 14 feet to any street or alley surface where cars may pass below.
- (j) Drive-through restaurants and car washes may have two single-faced signs located in conjunction with a drive-through lane. Each sign shall not exceed eight feet in height or 32 square feet of sign surface per face.

Sec. 16-912. - Additional Regulations Applicable to All Districts.

- (a) For any sign authorized in any zoning district, a noncommercial message may be substituted for any allowed commercial message or any other allowed noncommercial message, provided that the sign is legal without consideration of message content. If the sign is one for which no sign permit is required, the message substitution may be made without additional approval. The purpose of this provision is to prevent inadvertent favoring of commercial speech over noncommercial speech, or favoring of any particular noncommercial message over any other noncommercial message. This provision does not allow for the substitution of an offsite commercial message in place of an onsite commercial message.
- (b) All signs shall be of sound structural quality, be maintained in good repair and have a clean and neat appearance. Land adjacent to these signs shall be kept free from debris, weeds and trash.
- (c) No part of any sign shall be located closer than ten feet from a side or rear property line.
- (d) Any backlighted sign or backlighted canopy, marquee or panel shall comply with all federal, state and local laws concerning the placement, dimensions, materials or other regulations controlling these signs; provided, however, that the dimensions of a backlighted sign or backlighted canopy, marquee or panel shall be measured by constructing a rectangle for the highest, lowest and widest points of the object, display or surface that displays a light source, except that the opaque surfaces immediately related to or a part of that same sign or panel shall also be calculated in the dimensions of the sign. Provided further, in calculating the dimensions of a continuous panel which spans at least 80 percent of any one façade or a single common structure with multi-tenants, the continuous opaque areas between, over and below the lighted area for these independent operations shall not be calculated to determine the dimensions of the signs, canopies, marquees, or panels. Up to 25 percent of the surface of any face of any marquee, facade, or wall may be backlighted so long as it is ornamental or decorative in purpose and does not employ any business and/or company logo, trademark, or pattern exclusive to a business and/or company. Similarly, canopies may be backlighted to the extent of 25 percent of the wall area to which they are attached. The backlighted area shall be in addition to signage areas otherwise allowed.
- (e) The background panel of all semi-illuminated signs shall be opaque, with only the lettering illuminated.

Sec. 16-913. - Service Stations.

Service stations shall be permitted the following signs:

- (a) One non-illuminated, indirectly illuminated or semi-illuminated monument sign provided the sign is not closer than 50 feet to any boundary of a residential district. The sign shall not exceed ten feet in height nor 70 square feet in sign surface area per face. If not sitting within the landscaped setback, the sign base shall be located within a curbed landscaped area, extending a minimum of three feet on all sides of the sign base.
- (b) No more than two signs that display fuel prices shall be permitted. These signs may be monument or wall signs, indirectly illuminated or semi-illuminated signs, but shall not exceed 15 square feet in sign surface area each.

- (c) Each fuel pump island may have a sign on each end not exceeding four square feet in area each.
- (d) A maximum of two indirectly or semi-illuminated signs. These signs shall not exceed one square foot in area each.
- (e) A maximum of two additional non-illuminated signs not to exceed six square feet in area and to be mounted not to exceed four feet in height shall be allowed.

Sec. 16-914. - Signs Permitted In Conjunction With Special Use Permits.

- (a) In the case of uses authorized by a special use permit, all signs in conjunction therewith shall be approved by the planning commission, except where private sign criteria, in accordance with section 16-915, have been previously approved for development.
- (b) In reviewing and approving the signs, the planning commission shall take into consideration:
 - (1) The use of the facility;
 - (2) The height of the building;
 - (3) The surrounding land uses and zoning districts;
 - (4) The relationship of the site to public streets and the type of public street; and
 - (5) The topography of the site. Where appropriate, the sign regulations of the underlying zoning district or the most analogous zoning district shall be allowed.

Sec. 16-915. - Private Sign Criteria.

All hotels and motor hotels, and shopping centers business parks, office parks or industrial parks shall be required to prepare a set of sign criteria governing all exterior signs in the development. The criteria shall be binding upon all subsequent purchasers or lessees within the development. The size, colors, materials, styles of lettering, appearance of logos, types of illumination and location of signs shall be set out in the criteria. In all respects, the criteria shall be within the regulations set out in this chapter and shall be for the purpose of assuring harmony and visual quality throughout the development. Final development plans (in the case of a planned zoning district) or building permits (in the case of a conventional zoning district) shall not be approved until the governing body has approved the sign criteria. No sign permit shall be issued for a sign that does not conform to the criteria. For purposes of this section, the terms "shopping centers, business parks, office parks or industrial parks" shall mean a project of one or more buildings that has been planned as an integrated unit or cluster on property under unified control or ownership at the time that zoning was approved by the City. The sale, subdivision or other partition of the site after zoning approval does not exempt the project or portions thereof from complying with these regulations relative to the number of detached signs, harmony and visual quality of signs to be installed.

Sec. 16-916. - Removal of Unsafe, Unlawful or Abandoned Signs.

- (a) If the Building Inspector shall find that any sign regulated herein is unsafe or insecure, or is a menace to the public, or, has been constructed or erected, or is being maintained in violation of this article or Chapter IV, Article 9 of the Code, the Building Inspector shall give notice thereof to the permittee, or, if the sign is one that does not require a permit, to the owner of the property on which the sign is located. If the person so notified fails to alter or remove the sign so as to comply with the standards herein set forth within 48 hours after notice, the sign may be removed or altered to comply with these provisions by the Building Inspector at the expense of the permittee or owner of the property upon which the sign is located, and the permit shall be revoked. The Building Inspector shall refuse to issue a permit to any permittee or owner who refuses to pay costs so assessed. The Building Inspector may cause any sign which is an immediate peril to persons or property to be removed summarily and without notice.
- (b) When the Building Inspector notifies a permittee or property owner that a sign is not in compliance pursuant to subsection (a) hereof, the Building Inspector shall also inform such person of the right to file an appeal with the Board of Zoning Appeals contesting the Building Inspector's determination.

- (c) If the time period set forth in subsection (a) hereof has elapsed and the sign has not been removed, the Building Inspector shall send written notification by certified mail, return receipt requested, to the record owner of the property on which the sign is located indicating when the sign shall be, removed. If the sign has not been removed within 30 days after receipt of the notice, the City may have the sign removed and the cost assessed to the property owner.
- (d) Where a sign has been removed by the City pursuant to subsection (c) hereof, the City Clerk shall mail a statement of the cost of removal of that sign to the last known address of the record owner or persons in charge of the property. If the cost is not paid within ten days from the mailing of the notice, the Governing Body shall proceed to pass an ordinance levying a special assessment for the cost against the lot or piece of land and the City Clerk shall certify the assessment to the County Clerk for collection of payment the same as other assessments and taxes are collected and paid to the City.
- (e) If a building, structure or premise is a vacated for a six month period of time, the owner of that property shall be responsible for removing any signs located thereon with the exception of one wall sign in the case of property located in a commercial and industrial district, and with the exception of one yard sign in the case of property located in a residential district. In addition, the owner shall be responsible for restoring the façade of the building, structure or premise to its normal appearance.

Sec. 16-917. - Prohibition and Amortization of nonconforming signs.

- (a) All signs that existed on the effective date of these regulations, or any amendment thereto, that becomes a nonconforming sign by virtue of these regulations, or any amendment thereto, shall be discontinued and removed within five and one-half years of the date that the sign became a nonconforming sign. No changes in the basic structure, source of illumination, location or appearance of a sign, sign alteration, or sign refacing shall be made to any sign. If the business to which the sign is related should move to another site (which move, in the opinion of the Building Inspector, creates, in effect, an outdoor advertising sign) then the sign shall be removed or otherwise brought into full compliance with all applicable provisions of the Code.
- (b) Upon application to the City Clerk, the Governing Body may extend the time for discontinuance and/or removal of a nonconforming sign. No extension of time shall be granted for a period of time longer than that necessary to allow the owner of the sign to recoup the owner's initial investment in the nonconforming sign. The application for extension shall be on a form provided by the City and shall be accompanied by:
 - (1) A copy of the original sign permit issued for the nonconforming sign or other evidence satisfactory to the City of the date upon which the nonconforming sign was initially installed;
 - (2) Evidence that annual sign inspections have taken place each year since the initial date of installation of the nonconforming sign;
 - (3) Documentation evidencing the initial cost of purchase or construction and installation of the sign;
 - (4) If the nonconforming sign is not on property owned by the sign owner, the lease or other document establishing the sign owner's right to place the sign at its present location and all amendments thereto; and
 - (5) All documents evidencing the degree to which the value of the sign has been depreciated for income tax or other purposes.
- (c) In determining whether to grant the extension and the length of the extension, if one is to be granted, the Governing Body shall consider the following:
 - (1) The nature of the nonconforming sign;
 - (2) The character of the sign;
 - (3) The location of the sign;
 - (4) That part of the owner's total business that will be impacted by the removal or replacement of the nonconforming sign;

Deleted: in accordance with Chapter IV, Article 9

- (5) The sign owner's original capital investment in the nonconforming sign;
- (6) The investment realization from the nonconforming sign to date;
- (7) Depreciation taken by the owner of the sign for income tax or other purposes;
- (8) The life expectancy of the nonconforming sign;
- (9) The existence or non-existence of lease obligations;
- (10) The existence of a contingency clause in any lease permitting termination of the lease;
- (11) The other economic uses of any leasehold interests in the land or structure upon which the sign is located;
- (12) The value of, or feasibility of, subleases and assignments of any lease.
- (13) The extent to which the investment of the owner in the nonconforming sign has been recouped;
- (14) The fact that similar signs are prohibited in the same area;
- (15) Other reasonable uses of the land;
- (16) The salvage value of the nonconforming sign;
- (17) The sign owner's loss of sharing revenue, if any; and
- (18) The ability of the sign owner to transfer the nonconforming sign to another location where it could be placed and would be in compliance with this article and all other provisions of the Code.

Sec. 16-918. - Approval of Variances.

Any variance from these regulations may be approved only by the Board of Zoning Appeals after an application for a permit has been denied for the proposed sign, by the Building Inspector as provided in these regulations.

Sec. 16-919. - Severability.

Severability is intended throughout and within the provisions of this article. If any section, subsection, sentence, clause, phrase or portion of the article is held to be invalid or unconstitutional by a court of competent jurisdiction, then that decision shall not affect the validity of the remaining portions of this article.

Item Number: Ordinances and Resolutions:- IX.-
 B.
Committee 4/17/2017
Meeting Date:



City of Roeland Park

Action Item Summary

Date: 4/17/2017
Submitted By: Jennifer Jones-Lacy
Committee/Department: Admin.
Title: **Ordinance 949 - Changes to Type 1 Special Event Terms**
Item Type: Ordinance

Recommendation:

Vote on Ordinance 942

Or

Send the Ordinance 942 back to the Planning Commission to consider the changes suggested in the ordinance.

Details:

On March 20th, the Council approved Ordinance No. 949 (attached) but only by a simple majority. The vote was 5 "yea" and 3 "nay" and the Mayor did not vote. Because the ordinance was a change from the original Planning Commission recommendation in November 2016, approval actually requires a super majority, or six "yea" votes.

After the meeting, staff discovered that the ordinance was not approved according to our regulations since the Mayor did not vote. The Governing Body has two options:

- 1) Return the item back to the Planning Commission for further consideration outlining the changes in Ordinance 949.
- 2) Vote on the ordinance again with the Mayor participating in the vote if six Council Members do not vote in the affirmative.

The process is governed by KSA 12-756.

For the detailed staff report, see "additional information" below.

Financial Impact

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

Additional Information

Staff Report from March 20th Council Meeting

Recommended changes to the Special Event section of the City code were made by the Planning Commission on November 22, 2016. These changes are listed under "additional information" on this staff report along with background for these changes. Since that date the Council has contemplated these changes and have requested some amendments. The following changes stem from that direction and include contributions from the City Attorney. The italicized text indicates additions/changes to code. The regular text represents current language.

Sec. 16-703. - Special Events; Permit Not Required.

Special events meeting the Type 1 definition are allowed without a special event permit provided all the following performance standards are met:

- (a) The special event is conducted entirely on private property owned or leased by the sponsoring organization as a permanent facility or with the written permission of the property owner or lessee.
- (b) Any structure used in conjunction with the special event shall meet all applicable yard setbacks, shall be the subject of a valid building permit, and shall be promptly removed upon the cessation of the event.
- (c) The special event shall be restricted to hours of operation between 8:00 a.m. and 11:00 p.m., to a maximum duration of four days, and to a maximum frequency for similar events of six non-consecutive times per calendar year.

Special events meeting the Type 1 definition that include on-site signs and/or displays in conjunction with the event are allowed without a permit provided the following conditions are met:

- (a) The special event does not involve outdoor activities (i.e. people congregating or participating in outdoor activities);*
- (b) The special event does not continue for more than thirty one (31) consecutive days and the property does not exceed a total of more than sixty (60) special event days. At least fifteen (15) days must pass between each special event;*
- (c) Any/all special event display(s) area does not exceed five hundred (500) square feet per parcel, or, should a single parcel contain more than one address, per address.*

(d) The special event shall not endanger or be materially detrimental to the public health, safety or welfare or injurious to property or improvements in the immediate vicinity of the neighborhood special event.

(e) The special event shall not cause undue traffic congestion or accident potential.

How does item relate to Strategic Plan?

N/A

How does item benefit Community for all Ages?

N/A

ATTACHMENTS:

Description	Type
 Ordinance 949	Ordinance

ORDINANCE NO. 949

AN ORDINANCE AMENDING SECTION 16-703 SPECIAL EVENTS; PERMIT NOT REQUIRED TO ADD SECTION PERTAINING TO ON-SITE DISPLAYS IN CONJUNCTION WITH TYPE 1 SPECIAL EVENTS

WHEREAS the City of Roeland Park, Kansas ("City") previously enacted Section 16-703 concerning Type 1 Special Events; and

WHEREAS, the governing body has determined it is advisable to amend Section 16-703 of the City Code to add an additional section addressing on-site displays which accompany or are in conjunction with Type 1 Special Events.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ROELAND PARK, KANSAS:

Section 1. Section 16-703 of the City Code is hereby amended to read as follows:

Sec. 16-703. - Special Events; Permit Not Required.

- a. Special events meeting the Type 1 definition are allowed without a special event permit provided all the following performance standards are met:
 - 1) The special event is conducted entirely on private property owned or leased by the sponsoring organization as a permanent facility or with the written permission of the property owner or lessee.
 - 2) Any structure used in conjunction with the special event shall meet all applicable yard setbacks, shall be the subject of a valid building permit, and shall be promptly removed upon the cessation of the event.
 - 3) The special event shall be restricted to hours of operation between 8:00 a.m. and 11:00 p.m., to a maximum duration of four days, and to a maximum frequency for similar events of six non-consecutive times per calendar year.
- b. Special events meeting the Type 1 definition that include on-site signs and/or displays in conjunction with the event are allowed without a permit provided the following conditions are met:
 - 1) The special event does not involve outdoor activities (i.e. people congregating or participating in outdoor activities);
 - 2) The special event does not continue for more than thirty one (31) consecutive days and the property does not exceed a total of more than sixty (60) special event days. At least fifteen (15) days must pass between each special event;
 - 3) Any/all special event display(s) area does not exceed five hundred (500) square feet per parcel, or, should a single parcel contain more than one address, per address.
 - 4) The special event shall not endanger or be materially detrimental to the public health, safety or welfare or injurious to property or improvements in the immediate vicinity of the neighborhood special event.
 - 5) The special event shall not cause undue traffic congestion or accident potential.

Section 2. Effective Date. This Ordinance shall take effect and be in full force from and after its passage by the governing body of the City, approval by the Mayor and publication in the official City newspaper.

PASSED by the Governing Body, not less than two-thirds of the members elect voting in favor thereof, this 17th day of April, 2017.

The Mayor not having approved the ordinance on or before the next regular meeting, took effect without the Mayor's signature.

Joel Marquardt, Mayor

ATTEST:

Kelley Bohon, City Clerk

APPROVED AS TO FORM

Steven E. Mauer, City Attorney

Item Number: Ordinances and Resolutions:- IX.-
C.
Committee 4/17/2017
Meeting Date:



City of Roeland Park
Action Item Summary

Date: 4/14/2017
Submitted By: Jose Leon, Director of Public Works
Committee/Department: Public Works Committee
Title: **Resolution 651 - 2018-2022 CARS**
Item Type: Resolution

Recommendation:

Staff recommends Council to approve Resolution #651 a resolution approving the proposed 2018-2022 Five Year Program under the County Assistance Road System (CARS).

Details:

Financial Impact

Amount of Request: 0	
Budgeted Item?	Budgeted Amount: 0
Line Item Code/Description: 0	

Additional Information

How does item relate to Strategic Plan?

Plan and Prioritize the CIP to maximize the City's dollars invested in our street network.

How does item benefit Community for all Ages?

All projects with in the 5-year project will looks to enhance or add features while considering the Community For Ages impacts.

ATTACHMENTS:

Description		Type
	Resolution 651	Backup Material
	Exhibit A	Backup Material
	CARS	Cover Memo

**CITY OF ROELAND PARK, KANSAS
RESOLUTION NO 651**

**A RESOLUTION APPROVING THE PROPOSED 2018-2022
FIVE YEAR PROGRAM UNDER THE
COUNTY ASSISTANCE ROAD SYSTEM.**

WHEREAS, the City Engineer has prepared 2018-2022 Five Year Program under the County Assistance Road System (CARS); and

WHEREAS, a copy of the proposed 2018-2022 Five Year Program and supporting documentation is attached hereto as Exhibit "A," and incorporated herein by reference; and

WHEREAS, the City Council has reviewed the proposed 2018-2022 Five Year Program and supporting documentation and determined that they are acceptable and should be submitted for approval to the Board of County Commissioners;

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF ROELAND PARK, KANSAS:

That the proposed 2018-2022 Five Year Program for the County Assistance Road System (CARS), including supportive documentation attached hereto as Exhibit "A" is hereby approved and shall be submitted for approval to the Board of County Commissioners of Johnson County, Kansas.

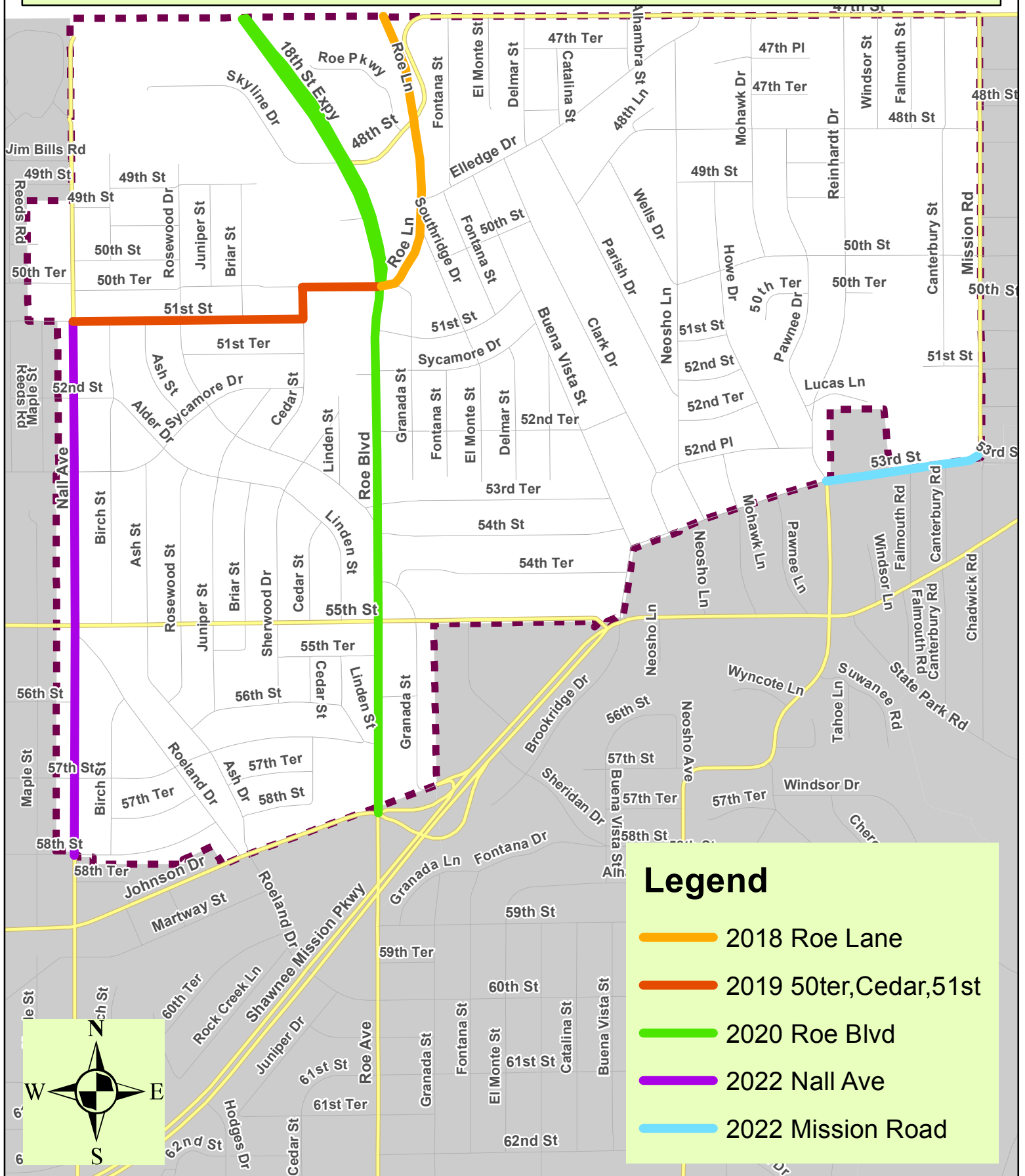
PASSED by the City Council this 17th day of April, 2017

Joel Marquardt, Mayor

ATTEST:

Kelley Bohon, City Clerk

City of Roeland Park Resolution 651 - Exhibit A 2018 - 2022 CARS Projection





—| LARKIN |—
LAMP RYNEARSON

9001 State Line Road, Suite 200
Kansas City, Missouri 64114

April 14, 2017

Keith Moody
City Administrator
City of Roeland Park
4600 W. 51st Street
Roeland Park, KS 66205

**RE: 2018-2022 CARS Report
Roeland Park Kansas**

Dear Keith,

Enclosed please find the 2018-2022 County Assistance Road System (CARS) report that can be used to submit to Johnson County for inclusion in the Capital Improvements Programs (C.I.P.).

The project information was obtained from AIMS Mapping System, inspection and historic knowledge of the projects. The engineer's estimates of probable costs were taken from estimates of project quantities and previous contractor bids.

You may contact me with any questions, or if you need additional information.

Sincerely,

Larkin Lamp Ryneearson

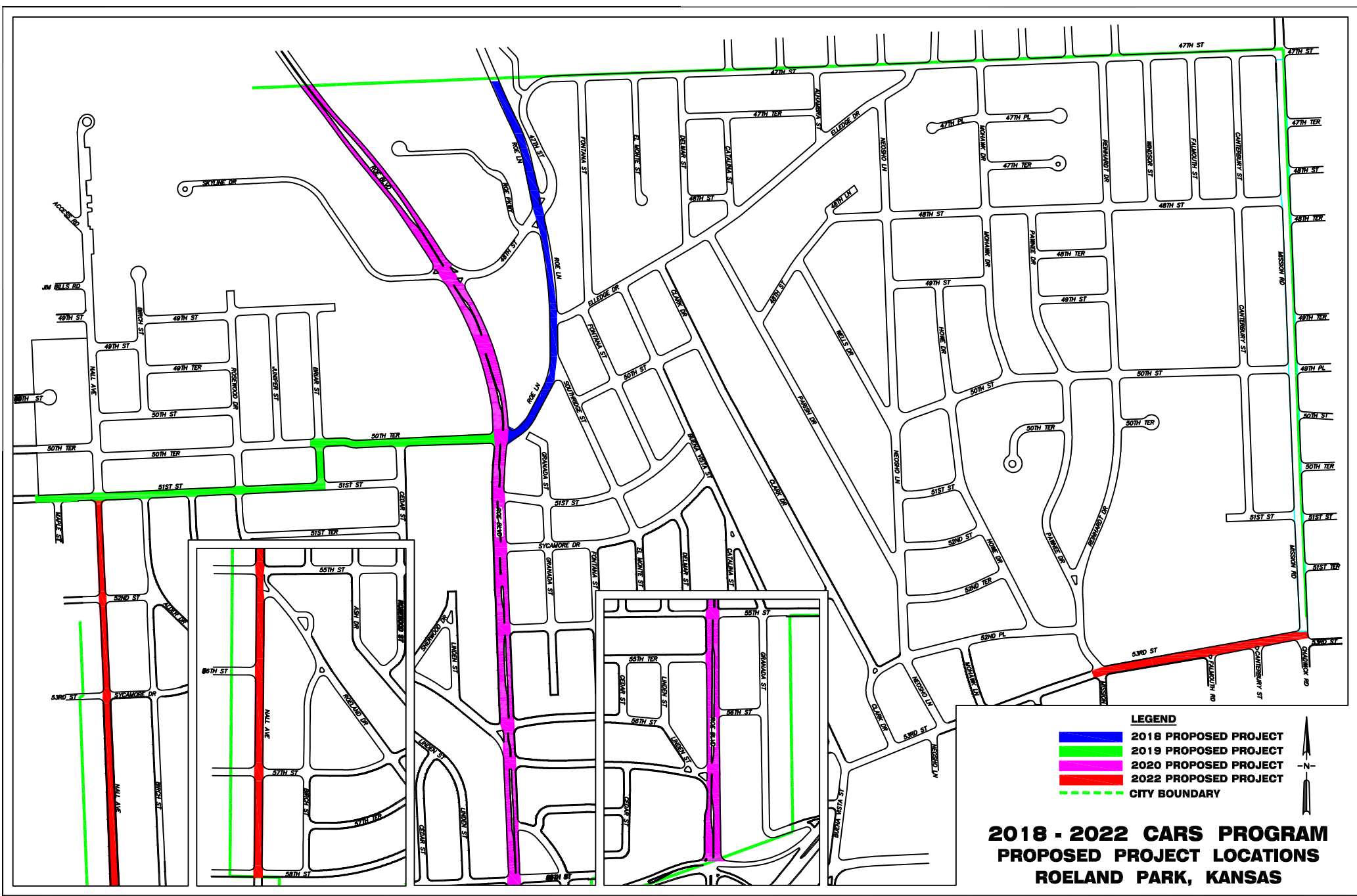
Daniel G. Miller, P.E.
Civil Design Group Leader

cc: Project File
Jose Leon, Public Works Director

L:\0317001 Roeland Park KS 2017 On Call City Eng\DOCUMENTS\2018 CARS\FORMS\2018-2022 CARS Report to RP 04102017.docx

**County Assistance Road Program
2018-2022 Program Summary Sheet
Roeland Park, Kansas
4-14-17**

Priority	Project Location	Proposed Start/ Finish	Project Type	CARS Route Classification		Construction Cost	Design Cost	Cost Admin	Total Project Cost	Roeland Park Portion	CARS Funding
				Major	Minor						
1	Roe Lane, Roe Blvd to County Line	4/2018 to 9/2018	Major Maintenance		x	\$1,407,525	\$116,831	\$68,338	\$1,672,694	\$908,150	\$737,753
2	51st Street – Nall to Cedar, Cedar- 51st to 50th Terr, 50th Terr – Cedar to Roe Blvd	4/2019 to 9/2019	Major Maintenance		x	\$448,787	\$59,838	\$27,782	\$536,407	\$301,260	\$238,284
3	Roe Blvd, County line to Johnson Drive	4/2020 to 9/2020	Major Maintenance	x		\$6,300,000	\$819,000	\$724,500	\$8,088,500	\$2,362,000	\$1,181,000
4	53 rd Street from Mission Road to Chadwick	5/2022 to 9/2022	Major Maintenance		x	\$146,000	\$25,000	\$10,000	\$181,000	\$52,000	\$78,000
5	Nall Avenue – 51st to 58th	4/2022 to 9/2022	Major Maintenance	x		\$790,988	\$105,465	\$48,966	\$945,419	\$530,209	\$419,977





LARKIN
LAMP RYNEARSON

9001 State Line Road Suite 200
Kansas City Missouri 64114
(816) 361-0440 www.LRA-inc.com

ENGINEERS ESTIMATE

PROJECT TITLE 2018 CARS Program
LOCATION Roeland Park Kansas
DATE 4/10/2017
BY Dan Miller



Item No.	Item Description	Unit	Estimated		Unit Price	Total
			Quantity			
1	Mobilization	L.S.	1	\$	80,000.00	\$ 80,000.00
2	Clearing, Grubbing, Demolition	L.S.	1	\$	46,000.00	\$ 46,000.00
3	Curb and Gutter (remove and replace)	L.F.	1840	\$	30.00	\$ 55,200.00
4	Asphalt Mill (2") (Full Width)	S.Y.	10245	\$	6.00	\$ 61,470.00
5	Asphaltic Concrete Surface (2")	TON	1153	\$	80.00	\$ 92,240.00
6	Full Depth Patching	S.Y.	1025	\$	70.00	\$ 71,750.00
7	Full Depth Road Widening	S.Y.	500	\$	60.00	\$ 30,000.00
8	Storm Structures	Ea.	10	\$	4,800.00	\$ 48,000.00
9	Pipe (15" RCP)	L.F.	90	\$	75.00	\$ 6,750.00
10	Pipe (18" RCP)	L.F.	90	\$	85.00	\$ 7,650.00
11	Pipe (30" RCP)	L.F.	190	\$	105.00	\$ 19,950.00
12	Pipe (36" RCP)	L.F.	300	\$	135.00	\$ 40,500.00
13	Pipe (42" RCP)	L.F.	250	\$	155.00	\$ 38,750.00
14	Pipe (54" RCP)	L.F.	453	\$	185.00	\$ 83,805.00
15	Pipe (88"x54" RCPA)	L.F.	600	\$	315.00	\$ 189,000.00
16	Rip Rap	S.Y.	67	\$	72.00	\$ 4,824.00
17	Sidewalk Construction (4")	S.F.	8300	\$	6.50	\$ 53,950.00
18	Sidewalk Repair (4")	S.F.	3400	\$	10.00	\$ 34,000.00
19	Integral Sidewalk with Toewall	L.F.	200	\$	40.00	\$ 8,000.00
20	Integral Sidewalk & Wall	L.F.	400	\$	60.00	\$ 24,000.00
21	Sidewalk Ramp with Detectable Warning	Ea.	3	\$	2,200.00	\$ 6,600.00
22	Sidewalk Metal Railing	L.F.	200	\$	75.00	\$ 15,000.00
23	Sidewalk Ramp Repair	Ea.	3	\$	1,800.00	\$ 5,400.00
24	Pavement Markings (Paint)	L.S.	1	\$	10,000.00	\$ 10,000.00
25	Pavement Markings For Bike Lane (Paint)	L.S.	1	\$	4,000.00	\$ 4,000.00
26	Bike Lane Pavement Markings Symbols	Ea.	24	\$	100.00	\$ 2,400.00
27	Signs For Bike Lane	Ea.	24	\$	200.00	\$ 4,800.00
28	Additional Street Lighting Poles	Ea.	15	\$	5,000.00	\$ 75,000.00
29	Traffic Control	L.S.	1	\$	46,000.00	\$ 46,000.00
30	Sodding	L.S.	1	\$	7,600.00	\$ 7,600.00

Subtotal: \$ 1,172,639.00

Contingency (20%) \$ 234,527.80

Total Construction Cost \$ 1,407,166.80

CARS Form A
2018--2022 Project Application for the
County Assistance Road System (CARS) Program

Submit one form for each project. Make copies of this form as needed.

Complete & Return by May 4, 2017

Submitting City: Roeland Park **Number 1 Priority (Y/N)** Y

Project Location: Roe Lane, Roe Blvd to County Line

Joint Project With: na **Administrating City:** Roeland Park

Contact Name & Title: Jose Leon, Public Works Director

Estimated Project Schedule: Start Date (mo/yr): 04/2018 **Completion Date (mo/yr):** 09/2018

Current Average Daily Traffic (ADT): 3976 (2016) **Accident History (Prior 3 Years):** 19

Project Type: Major Maintenance (Capacity, Major Maintenance, Bridge Replacement, Bridge Rehabilitation, Route Enhancement, System Management)

Current Level of Service (LOS) [System Management Projects Only]: na

Sufficiency Rating (Bridge Projects): na **Pavement Condition:** Good ☒ Fair ☐ Poor ☐

Detailed Description of Existing Facility:

Existing two-lane pavement with curb and gutter, no sidewalk. Pavement is in good condition.

Detailed Description of Project Scope:

The project includes design, plans, specifications, construction administration, and construction observation duties for constructing the 2018 CARS project, including Roe Lane from Roe Ave to County Line. The project includes storm drainage improvements, marked bike lanes, extending sidewalk to the county line, street lighting improvements, and mill and overlay of Roe Lane. Restoration will include sodding along the curb, sidewalk and through disturbed areas for storm drainage improvements.

Project Cost Information *

1. Design cost:	\$ 116,831
2. Right-of-way acquisition cost:	\$ 0
3. Utility relocation cost:	\$ 10,000
4. Construction cost:	\$ 1,407,167
5. Construction engineering cost:	\$ 68,338
Total project cost:	\$ 1,602,694

Calculation of CARS Eligible costs:

A. Sum item # 4 & 5 above	(+)	\$ 1,475,505
B. Federal Aid Participation	(-)	\$ 0
C. State Aid Participation	(-)	\$ 0
D. Other Non-local Participation	(-)	\$ 0

Subtotal (CARS eligible costs) \$ 1,475,505

CARS funding request \$ 737,753

(Request cannot exceed 50% of the CARS eligible costs)

Funding participation by other cities:

City Name: na Funding: _____
City Name: na Funding: _____

*Program policies require that a licensed professional engineer prepare and seal construction cost estimates for upcoming fiscal year projects (i.e., 2017 Program Projects). A copy of the sealed estimates **must** be furnished for all 2018 CARS Program requests.

CARS Form A
2018--2022 Project Application for the
County Assistance Road System (CARS) Program

Submit one form for each project. Make copies of this form as needed.

Complete & Return by May 4, 2017

Submitting City: Roeland Park **Number 1 Priority (Y/N)** Y

Project Location: 51st Street – Nall to Cedar, Cedar- 51st to 50th Terrace, 50th Terrace – Cedar to Roe Blvd

Joint Project With: na **Administrating City:** Roeland Park

Contact Name & Title: Jose Leon, Public Works Director

Estimated Project Schedule: Start Date (mo/yr): 4/2019 **Completion Date (mo/yr):** 9/2019

Current Average Daily Traffic (ADT): 3724 (2007) **Accident History (Prior 3 Years):** 11

Project Type: Major Maintenance (Capacity, Major Maintenance, Bridge Replacement, Bridge Rehabilitation, Route Enhancement, System Management)

Current Level of Service (LOS) [System Management Projects Only]: na

Sufficiency Rating (Bridge Projects): na **Pavement Condition:** Good ☐ Fair ☒ Poor ☐

Detailed Description of Existing Facility:

51st Street – Nall to Cedar, Cedar- 51st to 50th Terrace, 50th Terrace – Cedar to Roe Blvd: Existing two lane pavement with curb and gutter in fair condition. Sidewalks are present on the north side of 51st Street, the east side of Cedar and on both sides of 50th Terrace.

Detailed Description of Project Scope:

The project includes design, plans, specifications, construction administration, and construction observation duties for constructing the CARS project. Curb and sidewalk replacement mill and overlay. 'Share the Road' Markings.

Project Cost Information *

1.	Design cost:		\$ 59,838
2.	Right-of-way acquisition cost:		\$ 0
3.	Utility relocation cost:		\$ 0
4.	Construction cost:		\$ 448,787
5.	Construction engineering cost:		\$ 27,782
	Total project cost:		\$ 536,407

Calculation of CARS Eligible costs:

A.	Sum item # 4 & 5 above	(+)	\$ 476,569
B.	Federal Aid Participation	(-)	\$ 0
C.	State Aid Participation	(-)	\$ 0
D.	Other Non-local Participation	(-)	\$ 0

Subtotal (CARS eligible costs) \$ 476,569

CARS funding request \$ 238,284

(Request cannot exceed 50% of the CARS eligible costs)

Funding participation by other cities:

City Name: na Funding:

City Name: na Funding:

*Program policies require that a licensed professional engineer prepare and seal construction cost estimates for upcoming fiscal year projects (i.e., 2017 Program Projects). A copy of the sealed estimates **must** be furnished for all 2018 CARS Program requests.

CARS Form A
2018--2022 Project Application for the
County Assistance Road System (CARS) Program

Submit one form for each project. Make copies of this form as needed.

Complete & Return by May 4, 2017

Submitting City: Roeland Park **Number 1 Priority (Y/N)** Y

Project Location: Roe Blvd, County line to Johnson Drive

Joint Project With: na **Administrating City:** Roeland Park

Contact Name & Title: Jose Leon, Public Works Director

Estimated Project Schedule: Start Date (mo/yr): 4/2020 **Completion Date (mo/yr):** 9/2020

Current Average Daily Traffic (ADT): 20000 **Accident History (Prior 3 Years):** 195

Project Type: Major Maintenance (Capacity, Major Maintenance, Bridge Replacement, Bridge Rehabilitation, Route Enhancement, System Management)

Current Level of Service (LOS) [System Management Projects Only]: na

Sufficiency Rating (Bridge Projects): na **Pavement Condition:** Good ☐ Fair ☒ Poor ☐

Detailed Description of Existing Facility:

Existing two lanes north and two lanes south with raised median, asphalt pavement, curb and gutter, sidewalk on one side and signalized intersections.

Detailed Description of Project Scope:

The project includes design, plans, specifications, construction administration, and construction observation duties for constructing the CARS project. Mill and overlay with 2-inch asphalt concrete surface, adjust manholes, and make spot full depth patching. Repair concrete inlays at major intersections, construct new sidewalk, remove and replace damaged sidewalk, curb and gutter. Upgrade sidewalks and ramps to ADA compliance.

Project Cost Information *

1.	Design cost:	<u></u>	\$ 819,000
2.	Right-of-way acquisition cost:	<u></u>	\$ 215,000
3.	Utility relocation cost:	<u></u>	\$ 30,000
4.	Construction cost:	<u></u>	\$ 6,300,000
5.	Construction engineering cost:	<u></u>	\$ 724,500
	Total project cost:	<u></u>	\$ 8,088,500

Calculation of CARS Eligible costs:

A.	Sum item # 4 & 5 above	(+)	<u></u>	\$ 7,024,500
B.	Federal Aid Participation	(-)	<u></u>	\$ 4,662,500
C.	State Aid Participation	(-)	<u></u>	\$ 0
D.	Other Non-local Participation	(-)	<u></u>	\$ 0
	Subtotal (CARS eligible costs)		<u></u>	\$ 2,362,000
	CARS funding request		<u></u>	\$ 1,181,000

(Request cannot exceed 50% of the CARS eligible costs)

Funding participation by other cities:

City Name: na Funding:
City Name: na Funding:

*Program policies require that a licensed professional engineer prepare and seal construction cost estimates for upcoming fiscal year projects (i.e., 2017 Program Projects). A copy of the sealed estimates **must** be furnished for all 2018 CARS Program requests.

CARS Form A
2018--2022 Project Application for the
County Assistance Road System (CARS) Program

Submit one form for each project. Make copies of this form as needed.

Complete & Return by May 4, 2017

Submitting City: Roeland Park **Number 1 Priority (Y/N)** Y

Project Location: 53rd Street from Mission Road to Chadwick

Joint Project With: Fairway **Administrating City:** Fairway

Contact Name & Title: Jose Leon Public Works Director

Estimated Project Schedule: Start Date (mo/yr): 05/22 **Completion Date (mo/yr):** 09/22

Current Average Daily Traffic (ADT): 51000 **Accident History (Prior 3 Years):** 4

Project Type: Major Maintenance (Capacity, Major Maintenance, Bridge Replacement, Bridge Rehabilitation, Route Enhancement, System Management)

Current Level of Service (LOS) [System Management Projects Only]: na

Sufficiency Rating (Bridge Projects): na **Pavement Condition:** Good ☐ Fair ☒ Poor ☐

Detailed Description of Existing Facility:

Aerial street, two lane roadway, two-foot curb and gutter, and asphaltic concrete pavement.

Detailed Description of Project Scope:

Two inch mill and overlay, spot curb replacement and striping.

Project Cost Information *

1.	Design cost:	\$ 25,000
2.	Right-of-way acquisition cost:	\$ 0
3.	Utility relocation cost:	\$ 0
4.	Construction cost:	\$ 146,000
5.	Construction engineering cost:	\$ 10,000
	Total project cost:	\$ 181,000

Calculation of CARS Eligible costs:

A.	Sum item # 4 & 5 above	(+)	\$ 156,000
B.	Federal Aid Participation	(-)	\$ 0
C.	State Aid Participation	(-)	\$ 0
D.	Other Non-local Participation	(-)	\$ 0

Subtotal (CARS eligible costs) \$ 156,000

CARS funding request \$ 78,000

(Request cannot exceed 50% of the CARS eligible costs)

Funding participation by other cities:

City Name: Fairway Funding: \$ 51,000

City Name: Funding:

*Program policies require that a licensed professional engineer prepare and seal construction cost estimates for upcoming fiscal year projects (i.e., 2017 Program Projects). A copy of the sealed estimates **must** be furnished for all 2018 CARS Program requests.

CARS Form A
2018--2022 Project Application for the
County Assistance Road System (CARS) Program

Submit one form for each project. Make copies of this form as needed.

Complete & Return by May 4, 2017

Submitting City: Roeland Park **Number 1 Priority (Y/N)** Y

Project Location: Nall Avenue – 51st to 58th

Joint Project With: na **Administrating City:** Roeland Park

Contact Name & Title: Jose Leon, Public Works Director

Estimated Project Schedule: Start Date (mo/yr): 04/2022 **Completion Date (mo/yr):** 9/2022

Current Average Daily Traffic (ADT): 1250 (2013) **Accident History (Prior 3 Years):** 12

Project Type: Major Maintenance (Capacity, Major Maintenance, Bridge Replacement, Bridge Rehabilitation, Route Enhancement, System Management)

Current Level of Service (LOS) [System Management Projects Only]: na

Sufficiency Rating (Bridge Projects): na **Pavement Condition:** Good ☐ Fair ☒ Poor ☐

Detailed Description of Existing Facility:

Existing two lane pavement with curb and gutter in fair condition.

Detailed Description of Project Scope:

The project includes design, plans, specifications, construction administration, and construction observation duties for constructing the CARS project. Mill and overlay with 2inch asphalt concrete surface, replace curb and gutters, replace driveways, replace sidewalk and add bike lanes. Ramps and sidewalk constructed to ADA compliance.

Project Cost Information *

1.	Design cost:	\$ 105,465
2.	Right-of-way acquisition cost:	\$ 0
3.	Utility relocation cost:	\$ 0
4.	Construction cost:	\$ 790,988
5.	Construction engineering cost:	\$ 48,966
	Total project cost:	\$ 945,419

Calculation of CARS Eligible costs:

A.	Sum item # 4 & 5 above	(+)	\$ 839,954
B.	Federal Aid Participation	(-)	\$ 0
C.	State Aid Participation	(-)	\$ 0
D.	Other Non-local Participation	(-)	
	Subtotal (CARS eligible costs)		\$ 839,954
	CARS funding request		\$ 419,977

(Request cannot exceed 50% of the CARS eligible costs)

Funding participation by other cities:

City Name: na Funding: _____
City Name: na Funding: _____

*Program policies require that a licensed professional engineer prepare and seal construction cost estimates for upcoming fiscal year projects (i.e., 2017 Program Projects). A copy of the sealed estimates **must** be furnished for all 2018 CARS Program requests.

Item Number: Ordinances and Resolutions:- IX.-
 D.
Committee 4/17/2017
Meeting Date:



City of Roeland Park
Action Item Summary

Date: 3/30/2017
Submitted By: Staff
Committee/Department: Admin.
Title: **Ordinance R Park Event Parrty in ARRR Park**
Item Type: Ordinance

Recommendation:

**To approve ordinance allowing consumption of alcohol for the Citywide Block Party
June 10th Parrty in ARRR Park**

**Ordinance 952 AN ORDINANCE ALLOWING CONSUMPTION OF ALCOHOL ON
CERTAIN PUBLIC PROPERTY FOR A LIMITED TIME AND PURPOSE, PURSUANT TO
K.S.A. 2013 SUPP. 41-719(d).**

Details:

City Code requires an ordinance be passed if there is an event involving alcohol on public property. The Community Events Committee has asked for permission to have this event that may include the consumption of alcohol.

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
 Ordinance 952	Cover Memo

ORDINANCE NO 952

AN ORDINANCE ALLOWING CONSUMPTION OF ALCOHOL ON CERTAIN PUBLIC PROPERTY FOR A LIMITED TIME AND PURPOSE, PURSUANT TO K.S.A. 2013 SUPP. 41-719(d).

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ROELAND PARK, KANSAS:

SECTION 1. Purpose. The purpose of this ordinance is to allow for consumption of alcoholic liquor at the City of Roeland Park's "R Park" (located at 5535 Juniper) for a Community Block Party on June 10, 2017.

SECTION 2. Exemption of City Property. Pursuant to K.S.A. 2013 Supp. 41-719(d), the City hereby exempts for a limited time and purpose the following property ("Exempted Property"), title of which is vested in the City, from K.S.A. 2013 Supp. 41-719(c), which prohibits the drinking or consumption of alcoholic liquor by any person on public property:

A tract of land in the Northwest Quarter of Section 9, Township 12, Range 25, in the City of Roeland Park, Johnson County, Kansas, described as follows:

Beginning at a point which is 906.14 feet West and 215 feet South of the Northeast corner of said Northwest Quarter, thence West 510; thence South 512.7 feet to the North line of 56th Street; thence Northeasterly along the North line of 56th Street to a point which is 465.54 feet South of the point of beginning; thence North 465.54 feet to the point of beginning, except that part in any road.

The exemption of the foregoing property from the provisions of K.S.A. 2013 Supp. 41-719(c) shall be limited to June 10, 2017, and thereafter, the exemption and all other sections of this ordinance shall be of no force or effect.

SECTION 3. Limited Suspension of Certain City Ordinances Pertaining to Alcoholic Liquor. Notwithstanding any provisions in the Code of the City of Roeland Park, Kansas to the contrary, including but not limited to Sections 3-102 and 12-108 of the Code, the City may allow the possession, drinking and consumption of alcoholic liquor by persons twenty-one (21) years of age or older on June 10, 2017 on the Exempted Property in conjunction with the Community Block Party for residents; provided that nothing contained in this ordinance shall constitute a suspension of any ordinances prohibiting drunkenness, disturbing the peace, or disorderly conduct on the Exempted Property.

SECTION 4. Take Effect. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

PASSED by the City Council the 17th day of April 2017. APPROVED by the Mayor.

Joel Marquardt, Mayor

ATTEST:

Kelley Bohon, City Clerk

APPROVED AS TO FORM:

Steven E. Mauer, City Attorney