

AGENDA
CITY OF ROELAND PARK, KANSAS
CITY COUNCIL MEETING
ROELAND PARK
Roeland Park, City Hall 4600 W. 51st Street
January 18, 2022 6:00 PM

- | | | |
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| <ul style="list-style-type: none"> • Mike Kelly, Mayor • Trisha Brauer, Council Member • Benjamin Dickens, Council Member • Jan Faidley, Council Member • Jennifer Hill, Council Member | <ul style="list-style-type: none"> • Michael Poppa, Council Member • Tom Madigan, Council Member • Kate Raglow, Council Member • Michael Rebne, Council Member | <ul style="list-style-type: none"> • Keith Moody, City Administrator • Erin Winn, Asst. Admin. • Kelley Nielsen, City Clerk • John Morris, Police Chief • Donnie Scharff, Public Works Director |
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Admin

Hill

Raglow

Finance

Madigan

Rebne

Safety

Faidley

Poppa

Public Works

Dickens

Brauer

Pledge of Allegiance

A. Instructions on Logging into Meeting Remotely

Roll Call

Modification of Agenda

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. 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. 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. Appropriations Ordinance #990

- B. Council Minutes December 20, 2021
- C. Committee Reappointments
- D. Approve Task Order with Larkin for 2022 Surface Treatment Program Design and Inspection
- III. **Business From the Floor**
 - A. **Applications / Presentations**
- IV. **Mayor's Report**
- V. **Workshop and Committee Reports**
- VI. **Reports of City Liaisons**
 - A. Arts Committee
- VII. **Unfinished Business**
- VIII. **New Business**
 - A. Approve 2022 CARS Agreement with Johnson County for Johnson Drive Project
 - B. Approve 2022 CARS Agreement with Johnson County for 53rd and Buena Vista Project
 - C. Approve Legal Services Agreement with Gilmore and Bell
 - D. Approve Financial Services Agreement with Columbia Capital
 - E. Appoint Liz Vogel, Ian Tompkins and Allen Foley to the Ad-Hoc Historical Committee
- IX. **Ordinances and Resolutions:**
 - A. Resolution 695 Setting Public Hearing on Establishment of TIF4
 - B. Ordinance 1023 Adopting 2018 Building Codes
- X. **Workshop Items:**
- XI. **Reports of City Officials:**
 - A. COVID Mitigation Strategies Update

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: Pledge of Allegiance- -A.
Committee 1/18/2022
Meeting Date:



City of Roeland Park

Action Item Summary

Date:

Submitted By:

Committee/Department:

Title: **Instructions on Logging into Meeting Remotely**

Item Type:

Recommendation:

See instructions to log in below.

Details:

The City Council Meeting will be held remotely. Below are instructions for joining the meeting by phone, online or both.

Kelley Nielsen is inviting you to a scheduled Zoom meeting.

Topic: City Council and Governing Body Workshop Meeting

Time: This is a recurring meeting Meet anytime

Join Zoom Meeting

<https://zoom.us/j/97767592270?pwd=VWNXbjNkejlVb0JBaStWMDF5WXpoZz09>

Meeting ID: 977 6759 2270

Passcode: council

One tap mobile

+16699006833,,97767592270# US (San Jose)

+12532158782,,97767592270# US (Tacoma)

Dial by your location

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

Meeting ID: 977 6759 2270

Find your local number: <https://zoom.us/j/adPknyVL7e>

Financial Impact

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

Additional Information

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

Item Number: Consent Agenda- II.-A.
Committee 1/18/2022
Meeting Date:



City of Roeland Park
Action Item Summary

Date:
Submitted By:
Committee/Department:
Title: **Appropriations Ordinance #990**
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
☐ Appropriations Ordinance #990	Cover Memo

Appropriation Ordinance - 1/3/2022 - #989

4600 West Fifty-First Street

Roeland Park, Kansas 66205

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

Thursday, January 13, 2022

Appropriation Ordinance - 1/18/2022 - #990

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 18th day of January, 2022.

Attest:

City Clerk

Mayor

Total Appropriation Ordinance

\$

344,952.85

Appropriation Ordinance - 1/18/2022 - #990

Vendor	Dept	Acct #	Description	Invoice Description	Check /EFT	Amount	Chk #	Check Amount
					Date			
Vendor	Dept	Account	Account Description	Reference	Date	Distribution Amount	Check #	Check Amount
ADP, Inc.	101	5214.101	Other Contracted Services	595250640	12/31/21	236.52	73016	236.52
Advance Auto Parts	115	5302.115	Motor Fuels & Lubricants	5128200324726	01/12/22	73.09	73055	73.09
Shawnee Mission Tree Service, Inc	106	5263.106	Tree Maintenance	66995	12/31/21	675.00	73028	16,020.65
Shawnee Mission Tree Service, Inc	106	5263.106	Tree Maintenance	69556	12/31/21	475.00		
Shawnee Mission Tree Service, Inc	106	5263.106	Tree Maintenance	69557	12/31/21	820.00		
Shawnee Mission Tree Service, Inc	106	5263.106	Tree Maintenance	71795	12/31/21	3,807.18		
Shawnee Mission Tree Service, Inc	106	5263.106	Tree Maintenance	71888	12/31/21	853.96		
Shawnee Mission Tree Service, Inc	106	5263.106	Tree Maintenance	71889	12/31/21	375.69		
Shawnee Mission Tree Service, Inc	106	5263.106	Tree Maintenance	71962	12/31/21	2,953.20		
Shawnee Mission Tree Service, Inc	106	5263.106	Tree Maintenance	72098	12/31/21	4,232.34		
Shawnee Mission Tree Service, Inc	106	5263.106	Tree Maintenance	72099	12/31/21	312.50		
Shawnee Mission Tree Service, Inc	106	5263.106	Tree Maintenance	72100	12/31/21	1,515.78		
AT&T	101	5202.101	Telephone	3241 12/21/21	12/31/21	95.74	73017	95.74
Black & McDonald	101	5220.101	Street Light Repair & Maintenance	761260387	12/31/21	1,909.17	73029	3,225.84
Black & McDonald	101	5222.101	Traffic Signal Expense	761260387	12/31/21	1,316.67		
Blue Sky Cleaners	102	5224.102	Laundry Service	5D0A90 12/31/21	12/31/21	105.25	73018	105.25
Blue Sky Cleaners	102	5224.102	Laundry Service	BA646 1/3/22	01/05/22	40.00	73027	40.00
Blue Valley Tractor & Supply	106	5211.106	Maintenace & Repair Equipment	247434	01/12/22	203.12	73056	203.12
Boelte-Hall, LLC	101	5208.101	Newsletter	2135053	12/31/21	1,807.00	73019	1,807.00
Breeden Holdings, LLC	102	5260.102	Vehicle Maintenance	1068861	01/12/22	445.90	73057	445.90
Commercial Aquatic Services, Inc.	220	5211.220	Maintenance & Repair Equipment	417341	12/31/21	3,288.62	73030	3,288.62
City of Shawnee	104	5305.104	Dues, Subscriptions, & Books	2022 Membership	01/01/22	120.00	72998	120.00
Civic Plus	220	5266.220	Computer Software	218322	01/01/22	4,635.00	72999	4,635.00
Clarkson Power Flow, Inc.	106	5211.106	Maintenace & Repair Equipment	1014447A	01/12/22	165.28	73058	165.28
Dell Marketing, L.P.	101	5266.101	Computer Software	10548659349	01/12/22	780.00	73059	780.00
Dog Waste Depot	110	5262.110	Grounds Maintenance	455581	12/31/21	1,000.38	73031	1,000.38
Domain Listings	101	5305.101	Dues, Subscriptions, & Books	2421848 12/31/21	01/01/22	228.00	73000	228.00
Electronic Contracting Company	101	5210.101	Maintenance & Repair Building	22124	01/12/22	300.00	73060	300.00
ETC Institute	101	5214.101	Other Contracted Services	29235	12/31/21	868.75	73032	868.75
Everygy	106	5201.106	Electric	255 12/21/21	12/31/21	44.24	73020	44.24
Everygy	106	5290.106	Street Light Electric	1275 1/3/22	12/31/21	1,774.07	73033	1,774.07
Fabric Print Inc.	106	5308.106	Clothing & Uniforms	2533400	12/31/21	225.00	73034	225.00
Foley Rental	106	5240.106	Equipment Rental	L2042201	12/31/21	936.00	73035	936.00
Galls, LLC	102	5308.102	Clothing & Uniforms	19982778	12/31/21	778.00	73021	778.00
Gather Media and Communication	101	5209.101	Professional Services	209	12/31/21	1,250.00	73036	1,250.00
Green For Life Environmental	115	5235.115	Disposal Fees	AS0000950405	12/31/21	1,175.00	73037	1,175.00
Green For Life Environmental	115	5272.115	Solid Waste Contract	AS0000953045	01/12/22	44,887.50	73061	44,887.50
Frank Gilman	103	5214.103	Other Contracted Services	Recurring Check	01/01/22	1,166.67	73001	1,166.67
Marek Gliniecki	101	5256.101	Committee Funds	1/9/22 ELGL	01/12/22	129.04	73062	129.04

GT Distributors - Austin	102	5308.102	Clothing & Uniforms	INV0881645	12/31/21	1,023.75	73038	1,023.75
Jennifer Hill	108	5206.108	Travel Expense & Training	12/29/21 Ck Req	01/01/22	855.00	73002	855.00
Ice-Masters	106	5210.106	Maintenace & Repair Building	546293	12/31/21	834.00	73039	834.00
ICMA	105	5305.105	Dues, Subscriptions, & Books	2022 Renewal	01/01/22	1,123.00	73003	1,123.00
INSCO Industries	270	5422.270	Street Light Replacement	J026598	12/31/21	60,500.00	73040	60,500.00
Johnson County Wastewater	101	5288.101	Waste Water	12/29/21 Multi	12/31/21	38.53	73041	206.87
Johnson County Wastewater	106	5288.106	Waste Water	12/29/21 Multi	12/31/21	150.20		
Johnson County Wastewater	220	5288.220	Waste Water	12/29/21 Multi	12/31/21	18.14		
Johnson County Government	103	5227.103	Prisoner Care	192474	12/31/21	455.00	73042	455.00
Johnson County Park & Recreation	290	5255.290	JoCo Management Fee	12/20/21	01/01/22	13,411.25	73004	13,411.25
Johnson & Wyandotte Counties	108	5214.108	Other Contracted Services	1/4/22	12/31/21	390.00	73043	390.00
KA-COMM., Inc.	102	5260.102	Vehicle Maintenance	182258	12/31/21	55.00	73022	55.00
Kansas City Board of Public Utilities	101	5222.101	Traffic Signal Expense	2834 12/21/21	12/31/21	32.99	73044	32.99
Keller Fire & Safety	101	5210.101	Maintenance & Repair Building	283532	01/12/22	413.48	73063	816.55
Keller Fire & Safety	106	5210.106	Maintenace & Repair Building	283534	01/12/22	324.88		
Keller Fire & Safety	220	5210.220	Maintenance & Repair Building	283531	01/12/22	78.19		
Key Equipment & Supply	106	5260.106	Vehicle Maintenance	KC201409	12/31/21	54.74	73045	54.74
Kansas Gas Service	220	5289.220	Natural Gas	2518 12/8/21	12/31/21	82.15	73046	82.15
Kansas Association of City/County	105	5305.105	Dues, Subscriptions, & Books	433	01/12/22	200.00	73064	200.00
KS Municipal Insurance Trust	107	5125.107	Worker's Compensation	132385	01/01/22	58,596.00	73005	58,596.00
Kansas One-Call System, Inc.	101	5220.101	Street Light Repair & Maintenance	1120446	12/31/21	70.80	73047	70.80
Lamp, Rynearson & Assoc., Inc.	270	5209.270	Professional Services	321001010000012	12/31/21	4,823.14	73048	45,993.78
Lamp, Rynearson & Assoc., Inc.	270	5209.270	Professional Services	321001100000002	12/31/21	538.10		
Lamp, Rynearson & Assoc., Inc.	290	5425.290	Other Capital Outlay	320010300000017	12/31/21	2,337.10		
Lamp, Rynearson & Assoc., Inc.	510	5428.510	Roe Parkway Extension & Maintenance	321001040000007	12/31/21	1,115.50		
Lamp, Rynearson & Assoc., Inc.	270	5430.270	Residential Street Reconstruction	320010400000019	12/31/21	864.00		
Lamp, Rynearson & Assoc., Inc.	270	5454.270	Sidewalk Improvements	321001080000004	12/31/21	2,015.00		
Lamp, Rynearson & Assoc., Inc.	370	5457.370	CARS 2020 - Roe	321001020000007	12/31/21	12,143.65		
Lamp, Rynearson & Assoc., Inc.	270	5460.270	CARS 2022 - 53rd Street	321001060000003	12/31/21	3,640.62		
Lamp, Rynearson & Assoc., Inc.	270	5463.270	2023 CARS - Elledge b/t Roe Ln & 4th	321001070000006	12/31/21	17,542.70		
Lamp, Rynearson & Assoc., Inc.	300	5472.300	R Park Development Plan	321001050000006	12/31/21	973.97		
League of Kansas Municipalities	101	5305.101	Dues, Subscriptions, & Books	22108	01/01/22	4,962.26	73006	4,962.26
Lynda Leonard	101	5230.101	Art Commissioner	Recurring Check	01/01/22	100.00	73007	100.00
Mid-American Signal, Inc.	101	5222.101	Traffic Signal Expense	22052	12/31/21	80.00	73049	80.00
Venessa Maxwell-Lopez	103	5209.103	Professional Services	1/7/22	01/12/22	150.00	73065	150.00
Micro Center A/R	101	5265.101	Computer System R&M	8717653	01/12/22	12.93	73066	12.93
Midwest Public Risk	107	5126.107	Health/Dental/Vision Insurance	12/23/21	01/01/22	34,904.00	73008	34,904.00
Missouri Organic	115	5235.115	Disposal Fees	33059	12/31/21	75.00	73050	975.00
Missouri Organic	115	5235.115	Disposal Fees	33121	12/31/21	75.00		
Missouri Organic	115	5235.115	Disposal Fees	33139	12/31/21	75.00		
Missouri Organic	115	5235.115	Disposal Fees	33156	12/31/21	75.00		
Missouri Organic	115	5235.115	Disposal Fees	33544	12/31/21	75.00		
Missouri Organic	115	5235.115	Disposal Fees	33564	12/31/21	75.00		
Missouri Organic	115	5235.115	Disposal Fees	33576	12/31/21	75.00		

Missouri Organic	115	5235.115	Disposal Fees	33583	12/31/21	75.00		
Missouri Organic	115	5235.115	Disposal Fees	33596	12/31/21	75.00		
Missouri Organic	115	5235.115	Disposal Fees	33607	12/31/21	75.00		
Missouri Organic	115	5235.115	Disposal Fees	33619	12/31/21	75.00		
Missouri Organic	115	5235.115	Disposal Fees	33632	12/31/21	75.00		
Missouri Organic	115	5235.115	Disposal Fees	33640	12/31/21	75.00		
Missouri Organic	115	5235.115	Disposal Fees	33689	01/12/22	75.00	73067	450.00
Missouri Organic	115	5235.115	Disposal Fees	33699	01/12/22	75.00		
Missouri Organic	115	5235.115	Disposal Fees	33702	01/12/22	75.00		
Missouri Organic	115	5235.115	Disposal Fees	33713	01/12/22	75.00		
Missouri Organic	115	5235.115	Disposal Fees	33737	01/12/22	75.00		
Missouri Organic	115	5235.115	Disposal Fees	33749	01/12/22	75.00		
Municode	101	5214.101	Other Contracted Services	368314	12/31/21	267.75	73023	267.75
NAPA Auto Parts	106	5260.106	Vehicle Maintenance	2138063962	12/31/21	31.49	73051	31.49
Kelley Nielsen	105	5206.105	Travel Expense & Training	12/16-29/21 Exp	12/31/21	11.20	73024	11.20
Principal Life Insurance Co.	107	5130.107	City Paid Life/ST Disability	1001 1/1/22	01/01/22	730.59	73009	730.59
Rejis Commission	102	5214.102	Other Contracted Services	469136	12/31/21	229.69	73025	459.38
Rejis Commission	102	5214.102	Other Contracted Services	474960	12/31/21	229.69		
RSC Communications, Inc.	106	5214.106	Other Contracted Services	104176	01/07/22	1,400.00	32718	1,400.00
Staples	101	5301.101	Office Supplies	8064678268	12/31/21	119.16	73052	255.19
Staples	101	5301.101	Office Supplies	8064730982	12/31/21	64.72		
Staples	101	5304.101	Janitorial Supplies	8064678268	12/31/21	14.43		
Staples	101	5304.101	Janitorial Supplies	8064730982	12/31/21	56.88		
Strasser True Value	106	5318.106	Tools	12/23/21	12/31/21	587.99	73053	587.99
Karen Torline	103	5214.103	Other Contracted Services	Recurring Check	01/01/22	1,416.67	73010	1,416.67
Town & Country Building Services	101	5214.101	Other Contracted Services	28260	01/12/22	745.00	73068	745.00
USIC Locating Services, LLC	101	5220.101	Street Light Repair & Maintenance	482842	12/31/21	621.14	73054	694.94
USIC Locating Services, LLC	370	5457.370	CARS 2020 - Roe	482842	12/31/21	73.80		
Verizon Wireless	102	5202.102	Telephone	9895765119	12/31/21	321.90	73026	441.93
Verizon Wireless	104	5202.104	Telephone	9895765119	12/31/21	80.02		
Verizon Wireless	106	5202.106	Telephone	9895765120	12/31/21	40.01		
Versasport LLC	300	5470.300	Park Maint/Infrastructure	1224	01/01/22	7,347.20	73011	7,347.20
Virtual Academy	102	5206.102	Travel Expense & Training	VA7422	01/12/22	1,035.00	73069	1,035.00
Watchmen Security Services, LLC	106	5210.106	Maintenace & Repair Building	62281	01/12/22	25.00	73070	25.00
Wichita State University	105	5305.105	Dues, Subscriptions, & Books	346733	01/01/22	75.00	73012	75.00
KPERS	101	2040.101	KPERS Accrued Employee	12/23/21 PR	01/03/22	5,328.50	EFT	5,328.50
KP&F	101	2045.101	KP&F Employee Withholding Payab	12/23/21 PR	01/03/22	8,299.01	EFT	8,299.01
Wex Bank	106	5302.106	Motor Fuels & Lubricants	5226 1/5/22	01/05/22	1,020.47	EFT	1,020.47
Wex Bank	102	5302.102	Motor Fuels & Lubricants	6429 1/5/22	01/05/22	2,440.81	EFT	2,440.81

\$344,952.85

Item Number: Consent Agenda- II.-B.
Committee 1/18/2022
Meeting Date:



City of Roeland Park
Action Item Summary

Date:
Submitted By:
Committee/Department:
Title: **Council Minutes December 20, 2021**
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
□ Council Minutes December 20, 2021	Cover Memo

CITY OF ROELAND PARK, KANSAS
CITY COUNCIL MEETING MINUTES
Roeland Park City Hall
4600 W 51st Street, Roeland Park, KS 66205
Monday, December 20, 2021, 6:00 P.M.

- | | | |
|--|---|--|
| <ul style="list-style-type: none">○ Mike Kelly, Mayor○ Trisha Brauer, Council Member○ Benjamin Dickens, Council Member○ Jan Faidley, Council Member○ Jennifer Hill, Council Member | <ul style="list-style-type: none">○ Tom Madigan, Council Member○ Michael Poppa, Council Member○ Kate Raglow, Council Member○ Michael Rebne, Council Member | <ul style="list-style-type: none">○ Keith Moody, City Administrator○ Erin Winn, Asst. City Administrator○ Kelley Nielsen, City Clerk○ John Morris, Police Chief○ Donnie Scharff, Public Works Director |
|--|---|--|

Admin
Hill
Raglow

Finance
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Safety
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Public Works
Dickens
Brauer

(Roeland Park Council Meeting Called to Order at 6:00 p.m.)

Pledge of Allegiance

Mayor Kelly called the City Council meeting to order and led everyone in the Pledge of Allegiance.

Roll Call

City Clerk Nielsen called the roll. All Governing Body members were present. Staff members present were City Administrator Moody, City Attorney Mauer, Assistant City Administrator Winn, Public Works Director Scharff, Police Chief Morris, City Clerk Nielsen, and Management Intern Verbrugge. Parks and Rec Superintendent Nichols was present virtually.

Modification of Agenda

Mayor Kelly suggested agenda modification to move the Ad Hoc Historical Committee Report to the first item under New Business and their conversation on Ordinance 1022 to Unfinished Business.

There was consensus for the modifications.

Public Hearing - Amend 2021 Budget

Mayor Kelly opened the public hearing. As no comments were made by the public, the Mayor closed the hearing.

I. Citizen Comments

No citizen comments were given.

II. Consent Agenda

- A. Appropriations Ordinance #988**
- B. Council Minutes December 6, 2021**

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

III. Business from the Floor - Proclamations/Applications/Presentation

A. Johnson County Department of Health and Environment COVID-19 Presentation

Dr. Sanmi Areola, Director of the Johnson County Health and Environment, made a presentation to the Governing Body on the impact COVID has had in the area. He provided information on the current variants affecting the population as well as measures they are taking to slow the virus down. Dr. Areola has been working in Johnson County on the pandemic since it began. He noted when he came to Johnson County he wanted to be in the community and meet people but that never happened because of COVID, and it has been a challenge for the department the past couple of years.

Dr. Areola said the data is showing that cases are trending upwards compared to where they were a few weeks ago and that 73 percent of the cases are caused by Omicron which is more infectious than Delta. However, it does not appear to cause as severe of an illness vaccinated individuals and those who have had their booster shot, but if affected appear to be the most resilient. He said COVID continues to be a pandemic of the unvaccinated even though there are breakthrough cases.

The county has changed their metrics in the reporting to include probable cases to the incident rate and positivity rate. He said the change includes antigen testing. Currently incidents are 360 per 100,000 people.

He said that cases in schools continue to trend up, which they attributed to celebrations around Halloween and Thanksgiving. The department continues to educate the public that the virus is still as active as it has been, and that people need to continue to be careful and take precautions.

He also said they are not under the illusion that they capture every infection in the county. He noted that a significant portion of people in the county are still not taking precautions. He stressed the virus is real, is killing people, and being destructive to people's lives. He said if people are six months past their initial shot, then it is time to get a booster. He told everyone to limit their circle of contact, continue testing, and wear masks. He applauded Roeland Park for the steps they have taken to protect their citizens.

Mayor Kelly thanked Dr. Areola for speaking to them and he appreciates receiving information from the source. He asked for suggestions on mitigation strategies, and where to send people for vaccinations and boosters. Dr. Areola said as a county they lead the region in terms of vaccination rate. They are over 70 percent, which is higher than the national average. He also added that there is not a wall around Johnson County and people come and go and other regions are not high in their percentage of vaccinations. He said there is not a problem in getting the vaccine. Many healthcare professionals provide them as well in their clinics. He also noted they were having a special clinic for 5- to 11-year-olds with no appointment necessary.

CMBR Hill asked about boosters for those aged 6 to 11 or even a third booster. Dr. Areola said boosters are available from Pfizer for those 16 and older. Currently there is no booster for younger than 16, but they do expect that to change even though there is no current directive.

CMBR Dickens asked for more information about the new Pfizer pill, its concept and availability. Dr. Areola said this is a positive to look for in 2002, and they hope to continue to get new tools to fight the virus. He added that there are long-acting antibodies currently in production.

CMBR Rebne asked Dr. Areola to speak to the benefit of vaccinated individuals wearing a mask. Dr. Areola said they are still dealing with variants. The virus is still new, and they are constantly learning and needing to adjust. He said it is prudent to wear masks to avoid breakthrough cases.

Mayor Kelly asked about the efficacy of the different masks. Dr. Areola responded the more protective they are the more inconvenient. He said that N95 is not always feasible and that cloth masks are not as efficient, but they work.

Mayor Kelly asked what the county focus is with regard to educating the people. Dr. Areola said that it is a challenge. He said he has never heard so much misinformation and the threshold is higher to sift through the noise to get people the right information. He recommended that people talk to their doctor. They try to educate the elected officials to get them to put out the correct message, and also to educate on mitigation measures. They also hope that there isn't a variant that circumvents the vaccine. He said the department speaks regularly to media outlets and other venues to get information out on a regular basis. He said they are a small staff and they have been doing this for two years non-stop. It is tiring but they need to get the important information out to the residents.

CMBR Faidley thanked Dr. Areola, the Department of Health and the Johnson County Board of County Commissioners for their work. She said this has been a hard time and they have relied upon their information and leadership as a public health official, and that information has meant a great deal to them. Dr. Areola said not to hesitate to contact them at any time.

CMBR Poppa asked what information can be viewed on the dashboard. Dr. Areola said the dashboard is broken down by districts and zip codes. CMBR Poppa said it looks as though they are mirroring 12 months ago but the cases are not as high as last year. Dr. Areola said that is correct, but they are also seeing a portion of the population not reporting their cases.

IV. Mayor's Report

No report was given.

V. Reports of City Liaisons and Committees

A. Ad-Hoc Historical Advisory Committee

Chris Wolff, representative of the Ad Hoc Historical Committee, said they are working on copy for different marker signs they have proposed which will be presented at their next meeting. He did show them a mock-up of the interpretative signs that will tell the story of Roeland Park through signs and photographs.

Mr. Wolff also said he was stepping down from the leadership role as he is more of an idea man, and it is now time for implementation.

Mayor Kelly said he appreciates the time and effort that Mr. Wolff has given to the committee and also for his service to the City.

CMBR Madigan said Mr. Wolff has done a wonderful job and he would like to see him remain involved and he has a lot of historical knowledge and has come up with more in the past year than he thought was possible.

Mr. Wolff said he will still work with the City and is available in a supporting role.

VI. Unfinished Business

A. COVID Mitigation Strategies

Mayor Kelly said it is evidence that the Governing Body and staff cares about the health and well-being of their residents.

MOTION: CMBR HILL MOVED AND CMBR FAIDLEY SECONDED TO REMOVE THE MANDATE FROM THE TABLE. (THE MOTION CARRIED 8-0.)

Ms. Winn said the resolution does not list penalties but is modeled after New York City and reiterates best practices in regard to indoor masking.

Mayor Kelly appreciates the professionalism from Dr. Areola and the City staff's work putting together mitigation strategies. He said the focus of the White House is to get vaccinated. He also noted that the mandate will not persuade people to wear a mask, but their businesses deserve certainty. He reiterated the point made by Dr. Areola that despite their high vaccination rate of residents, there is no wall around Johnson County, and he supports the ability to be able to enforce masking indoors.

CMBR Rebne said when referencing the spike in cases, they need to continue to talk about a mitigation approach with masking, vaccines, and boosters. He said that what is safe for kids in schools is safe for all of them and he would support the ordinance.

CMBR Faidley offered an amendment to strike the language which addresses schools, public and private, and asked if that would violate the memorandum of understanding (MOU) with Bishop Miege High School. She said the public schools are under the authority of Johnson County but did not know what the legal implications would be if they passed this language. City Attorney Mauer responded that if they do not strike the private school language it would be consistent with the MOU. He added that the public space mentioned in the ordinance does not include public and private schools.

CMBR Poppa said he did not know if the ordinance is currently the most effective measure. He has spoken with the Northeast Johnson County Chamber President who said it is important to keep businesses open while keeping community members safe. He said they are generally supportive of the approach as outlined in the resolution and as well as the mitigation strategies; however, they believe it would be more effective as a regional approach to employ the mitigation strategies. CMBR Poppa also spoke with business owners and managers who have a concern of safety for their employees as it relates to individuals becoming irate at being forced to wear masks. He said until they have a county-wide approach with other cities along with Roeland Park, then the resolution would seem to be the most strategic right now.

CMBR Hill said they do not have months to get their neighbors on board and they need to look at this seriously. She asked Police Chief Morris if there was defiance against resolution. Chief Morris said

there was one incident at a convenience store where the employees were not following the resolution, so they called the corporate office. He said the department has received no specific calls for unruly behavior for noncompliance.

CMBR Madigan said the resolution is enforceable where the ordinance was not. From what he has read and in speaking with owners, the resolution is not enforceable. He said that the police will not stop investigating a robbery and go to a location because someone wasn't wearing a mask. He would not support a vote on the ordinance.

CMBR Rebne said they made a difference with the resolution. He noted that Price Chopper, Walmart, and Lowe's have had record sales and saying that they will lose business is unfounded.

CMBR Hill said that even though they did rescind the mandate, they said they would still offer support to businesses who wanted to continue. She asked what happened after the mandate expired. Police Chief Morris said he had his staff contact each business to let them know the resolution was in effect and they handed out flyers and when to each location even daycares. They did not do any notification when the mandate expired.

Mayor Kelly said there were a variety of strategies that Dr. Areola mentioned where they can utilize their time that has a practical impact.

CMBR Poppa wanted to know if they asked the businesses to keep the signage up.

CMBR Faidley said that businesses were told from their corporate offices to take the signs down after the mandate elapsed.

MOTION: CMBR HILL MOVED AND CMBR POPPA SECONDED TO CALL THE QUESTION. (MOTION CARRIED 7-1 WITH CMBR MADIGAN VOTING NO.)

City Administrator Moody said the options should be read as part of the ordinance.

A roll call vote was taken.

MOTION: CMBR HILL MOVED AND CMBR FAIDLEY SECONDED TO APPROVE ORDINANCE NO. 1022 - MASKING REQUIREMENTS. (MOTION FAILED 4-4 WITH CMBRS MADIGAN, DICKENS, BRAUER, AND POPPA VOTING NO.] *An ordinance needs five yes votes to pass.*

The Governing Body discussion then moved to Resolution 694.

CMBR Brauer asked how long they would keep the mask mandate in place.

CMBR Faidley asked for clarification on the trespass language. Mr. Mauer said it is identical to the previous resolution. He said it would be a violation of the City's trespass ordinance if they were contacted by store owner for someone not wearing a mask.

MOTION: CMBR POPPA MOVED AND CMBR DICKENS SECOND TO AMEND THE RESOLUTION TO INCLUDE THE TRESPASS CLAUSE TO STATE THE CITY WILL SUPPORT ANY BUSINESS THAT WOULD ENACT A MASK REQUIREMENT. (MOTION CARRIED 7-1 WITH CMBR HILL VOTING NO.)

Ms. Winn said they can add more of a business communication plan to the mitigation strategies.

MOTION: CMBR POPPA MOVED AND CMBR DICKENS SECONDED TO AMEND THE RESOLUTION TO INCLUDE CITY-OWNED BUILDINGS AND PUBLIC SPACES WOULD REQUIRE THE WEARING OF MASKS. (THE MOTION CARRIED 7-1 WITH CMBR HILL VOTING NO.)

CMBR Rebne asked what the expectation is with regard to signage and education.

Mayor Kelly said their mitigation strategies include outreach, \$10,000 of ARPA funds to be used to purchase masks, tests, and to do a broad educational campaign.

CMBR Hill recommended striking N95 masks as not a good or feasible option as stated by Dr. Areola. Mayor Kelly said the preference was for N95 as opposed to KN95 masks.

MOTION: CMBR POPPA MOVED AND CMBR FAIDLEY SECONDED TO ADOPT THE MITIGATION STRATEGIES AS OUTLINED IN THE PACKET. (MOTION CARRIED 7-1 WITH CMBR HILL VOTING NO.)

CMBR Hill said that the masks, if not worn correctly, are ineffective and the requested the language be changed to masks in general. Mayor Kelly said they will do the best they can in providing for their citizens.

CMBR Poppa asked for the motivation behind striking KN95 specifically. He said he ordered two boxes and they are readily available, but he did not know about bulk purchases.

CMBR Hill said in her own experience kids don't want them and they are hard to wear all day. She said with regular surgical masks they get more buy-in.

CMBR Madigan said he spends a lot of time at KU and has yet to see anything more than paper masks as a general rule. He said they shouldn't constrain themselves to one type of mask.

CMBR Rebne said it might be difficult for residents to obtain KN95 and they do look to the City to provide that. He suggested the language read KN95 or best available.

MOTION: CMBR HILL MOVED AND CMBR RAGLOW SECONDED TO STRIKE 1(a) TO READ "TO PURCHASE AND PROVIDE MASKS." (MOTION CARRIED 8-0)

MOTION: CMBR HILL MOVED AND CMBR REBNE SECONDED THAT THE MASK LANGUAGE WOULD READ KN95 OR BEST MASKS AVAILABLE. (MOTION CARRIED 8-0)

City Administrator Moody asked how the Council would like for the distribution of masks to occur.

Mayor Kelly said it would be as a broad education component and their relationship with businesses to let them know they are making masks available to them and at their request can deliver them. For citizens, they would be available at City Hall with proof of residency.

CMBR Faidley suggested as elected officials pairing up with the Police Department to help them. Mayor Kelly said to do it.

CMBR Faidley also asked if the educational component includes signage and when the mandate was in force before did those signs happen.

Police Chief Morris said each business had a different requirement for signs as to location, color, language, and size, and they just did not have enough funds to accommodate each business individually. They did, however, create sign templates online that were available for businesses to download.

Mayor Kelly ask with the \$10,000 allocated in ARPA funding if they could get a report as to the cost of signage at their January 3rd meeting. If at that time they find cost is a preclusion, they can address it at that time.

CMBR Poppa asked if they were getting the PIO involved. Ms. Winn said they will make sure Katie Garcia puts the information out on the City's website, on social media, and other venues they use to reach the public.

CMBR Poppa asked if they are able to tell City businesses of their intention regarding sign usage and placement. He also said he really liked CMBR Faidley's idea of Councilmembers partnering with the Police Department and reaching out to businesses.

CMBR Hill said when they voted in support of bigger signage before there was a problem, and now they are trying to do it again.

CMBR Faidley said that it needs to be the letter of the law regarding size and position but acknowledged it might be an issue with corporate regulations. Police Chief Morris said window signs are very hard to enforce as people can always say they never saw the sign. He said it needs to be a concerted effort on the part of everyone and that a sign will not fix the issue.

Mayor Kelly suggested at their January 3rd meeting they have a conversation on how to speak with businesses to promote effective signage.

CMBR Rebne said they have been down this road before adopting a resolution versus an ordinance. He said this is not an opportunity to water things down. He asked how signs can be practical if every corporation wants a difference sign. He added that this cannot be their main concern.

MOTION: CMBR POPPA MOVED AND CMBR MADIGAN SECONDED TO ADOPT RESOLUTION 694, AMENDING TO INCLUDE CITY SUPPORT OF A BUSINESS' ENFORCEMENT OF MASKING, AND THE REQUIREMENT OF WEARING MASKS INSIDE CITY-OWNED BUILDINGS AND AT PUBLIC SPACES, AND TO PROVIDE KN95 OR THE BEST MASKS AVAILABLE. (MOTION CARRIED 7-1 WITH CMBR HILL VOTING NO.)

VII. New Business

A. Amend 2021 Budget

MOTION: CMBR FAIDLEY MOVED AND CMBR MADIGAN SECONDED TO APPROVE TO AMEND THE 2021 BUDGET FOR THE TIF 1 FUND. (MOTION CARRIED 8-0)

B. Committee Reappointments

Mayor Kelly asked to amend the reappointment list to include Xavier Comeau and Michael Ryan to the Racial Equity Committee for reappointment.

CMBR Rebne noted there was an issue that occurred in the Arts Committee that was offensive to other artists and asked if this matter were resolved as he noted one of those persons was up for reappointment.

Mayor Kelly said he considered that in his appointment recommended, weighed the factors, spoke with the committee, and opted to make the recommendation at this time. He said the issue remains, but it will not be tolerated.

CMBR Faidley asked if the Mayor has had conversations with the individual. Mayor Kelly said he has had multiple conversations with multiple individuals and has had conversations to his satisfaction at this time.

CMBR Poppa requested that they do not have discussions that pertain to their residents on the dais.

CMBR Faidley said that residents reached out to the Mayor who wanted clarification.

CMBR Rebne said he is in support of all the reappointments with the exception of the individual being discussed.

MOTION: CMBR POPPA MOVED AND CMBR DICKENS SECONDED TO THE MAYOR'S REAPPOINTMENT RECOMMENDATIONS OF CHRISTINE WEBSTER, MARY SCHULTEIS AND LYNDIA LEONARD TO THE ARTS COMMITTEE; EMILY CRAMER AND MELISSA DOBBIN TO COMMUNITY ENGAGEMENT; ARDIE DAVIS, JUDY HYDE, AND LAURA SAVIDGE TO COMMUNITY FOUNDATION; LAURA SAVIDGE, JAIME DAVIS, LINDA THORNBURGH, SARAH MARTIN, JUDY HYDE, RUSSELL MCCORKLE, SARA COE, AND SANDRA BILLINGER TO PARKS; DIANE MORA, CARRIE PAULETTE, HAILE SIMS, AND MONICA ESPINOSA TO RACIAL EQUITY; JUDY HYDE TO SUSTAINABILITY; SARA COE, MICHAEL CALOVICH, AND LEONARD TOCCO TO AQUATICS; CHRIS WOLFF TO AD HOC HISTORICAL; AND ADDING XAVIER COMEAU AND MICHAEL RYAN TO THE RACIAL EQUITY COMMITTEE. (MOTION CARRIED 7-1 WITH CMBR REBNE VOTING NO.)

C. New Committee Appointments

MOTION: CMBR BRAUER MOVED AND CMBR REBNE SECONDED TO APPROVE EMILY CRAMER TO THE RACIAL EQUITY COMMITTEE AND DARREN NIELSEN TO THE BOARD OF ZONING APPEALS. (MOTION CARRIED 8-0.)

D. Approve Agreement for Street Lighting and Traffic Signal Maintenance Services

Mayor Kelly said he is getting a lot of comments on how good the streetlights look.

Public Works Director Scharff said there is a slight price increase of maintenance costs which is approximately \$1 per pole.

CMBR Faidley noted they bid out for the next three years. Public Works Director Scharff said Black & McDonald provided those numbers should the City decide to continue with them.

MOTION: CMBR MADIGAN MOVED AND CMBR REBNE TO APPROVE THE AGREEMENT WITH BLACK & MCDONALD FOR THE 2022 STREETLIGHT & TRAFFIC SIGNAL MAINTENANCE AT A COST NOT TO EXCEED \$40,283.50 (MOTION CARRIED 8-0.)

E. Approve Agreement for 2nd Phase of Street Light Painting

Public Works Director Scharff said there are 172 poles that remaining to be repainted. There has been an \$20/pole increase due to an increase in materials costs.

CMBR Hill asked about the reason one of the poles was down. Public Works Director Scharff said it is the result of a hit and run.

MOTION: CMBR POPPA MOVED AND CMBR MADIGAN TO APPROVE UNSCI INDUSTRIES TO RE-PAINT THE REMAINING 172 RESIDENTIAL STREETLIGHT POLES AT A COST NOT TO EXCEED \$62,000. (MOTION CARRIED 8-0.)

VIII. Ordinances and Resolutions

A. Ordinance 1022 - Masking Requirements

This item was discussed in Unfinished Business - COVID Mitigation Strategies

B. Resolution 693 - Opioid Settlement

MOTION: CMBR MADIGAN MOVED AND CMBR FAIDLEY SECONDED TO APPROVE THE RESOLUTION CERTIFYING CITY COSTS, AFFIRMING THAT THE CITY WILL ONLY SPEND FUNDS ON PERMISSIBLE PURPOSES, AND AUTHORIZING A CITY OFFICIAL TO EXECUTE ANY AGREEMENTS NECESSARY TO RECEIVE SETTLEMENT FUNDS. (MOTION CARRIED 8-0)

IX. Reports of City Officials

A. COVID Report

Mayor Kelly said Mr. Verbrugge's report is available in the agenda packet. He thanked Mr. Verbrugge for his work at Roeland Park and gave his best wishes for his endeavors in Washington, D.C.

B. City Clerk Report

City Clerk Nielsen said the staff holiday party will be Tuesday, December 28th at 11 a.m.

C. Police Department Report

Police Chief Morris reminded everyone that the Holiday Kindness Project continues.

Adjourn:

MOTION: CMBR BRAUER MOVED AND CMBR POPPA SECONDED TO ADJOURN. (MOTION CARRIED 8-0)

(Roeland Park City Council Meeting Adjourned at 7:56 p.m.)

Kelley Nielsen, City Clerk

Mike Kelly, Mayor

Item Number: Consent Agenda- II.-C.
Committee 1/18/2022
Meeting Date:



City of Roeland Park
Action Item Summary

Date: 1/10/2022
Submitted By: Mayor Mike Kelly
Committee/Department: Admin.
Title: **Committee Reappointments**
Item Type: Other

Recommendation:

To reappoint Marek Gliniecki and Jonna Crosby to the Arts Committee, Anita Macek to the Parks Committee, Darren Nielsen to Planning Commission, Carol Fields and David Smith to Sustainability Committee.

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

- 📁 Jonna Crosby
- 📁 Anita Macek
- 📁 Darren Nielsen
- 📁 Carol Fields
- 📁 David Smith

- Cover Memo
- Cover Memo
- Cover Memo
- Cover Memo
- Cover Memo

Online Form Submittal: Committee Volunteer Form

noreply@civicplus.com <noreply@civicplus.com>

Tue 8/24/2021 1:49 PM

To: Nielsen, Kelley <knielsen@roelandpark.org>; RP Intern <intern@roelandpark.org>; Erin Winn <EWinn@roelandpark.org>

Committee Volunteer Form

Date	8/24/2021
First Name	Jonna
Last Name	Crosby
Address	5000 Howe Drive
City	Roeland Park
State	Kansas
Zip	66205
Email	
Phone	
Place of Employment	Children's Mercy Hospital
How long have you been a resident of Roeland Park?	Almost 1 year
How much time do you have to devote per month?	1-2 days per week
Board & Committee Interest	Arts - We moved to Roeland Park, in December of 2020, my husband and I are life long residents in the Kansas City area and both attended Bishop Miege High School along with our three children so we are familiar with Roeland Park. Even though we are familiar with the area in the last 7 months we have discovered so many things in Roeland Park, by just driving around, word of mouth and the Roeland Park newsletter. Until receiving the newsletter I was not aware of the Arts Committee and the Art Gallery located in City Hall. I also read about George Schlegel and the amazing Legacy he has left to the City of Roeland Park and I am sure we have seen many of the sculptures around Roeland Park and would love to know the history. I do not have an Arts background or degree but I love and appreciate art of all types, we display many different pieces in our home. I would like to volunteer for the Arts Committee if you have any openings. Thank you for your time. Jonna Crosby

Select a Board or
Committee

Arts

Are you a high school
student between the ages of
14 and 18?

No

Additional Comments

Field not completed.

Resume

Field not completed.

Email not displaying correctly? [View it in your browser.](#)

Online Form Submittal: Committee Volunteer Form

noreply@civicplus.com <noreply@civicplus.com>

Tue 10/20/2020 12:17 PM

To: Nielsen, Kelley <knielsen@roelandpark.org>; Jones-Lacy, Jennifer <jjoneslacy@roelandpark.org>

Committee Volunteer Form

Date	10/20/2020
First Name	Anita
Last Name	Macek
Address	4800 Neosho
City	Roeland Park
State	Kansas
Zip	66205
Email	
Phone	
Place of Employment	Retired
How long have you been a resident of Roeland Park?	10 years, also grew up here for 20 years
How much time do you have to devote per month?	Whatever is needed
Board & Committee Interest	Parks and Trees
	I love this town and would like to contribute to its residents and its future. I'm an avid gardener with some pertinent experience. I'd also love to have a dog park nearby.
Select a Board or Committee	Parks
Are you a high school student between the ages of 14 and 18?	No
Additional Comments	I don't have a current resume, but was a teacher for 35 years and am experienced in working with groups and people of all ages. Most recently I volunteered with activities at Bickford Assisted Living and was the leader of a TOPS chapter in Lenexa.
Resume	Field not completed.

Online Form Submittal: Committee Volunteer Form

noreply@civicplus.com <noreply@civicplus.com>

Thu 9/9/2021 2:53 PM

To: Nielsen, Kelley <knielsen@roelandpark.org>; RP Intern <intern@roelandpark.org>; Erin Winn <EWinn@roelandpark.org>

Committee Volunteer Form

Date	9/9/2021
First Name	Darren
Last Name	Nielsen
Address	5204 Birch
City	Roeland Park
State	KS
Zip	66205
Email	
Phone	
Place of Employment	HNTB
How long have you been a resident of Roeland Park?	17 years
How much time do you have to devote per month?	6-10 hrs
Board & Committee Interest	I am a licensed Architect, and have been practicing for 24 years. I am licensed in 13 states, including Kansas. In addition to my current position on the RP Planning Commission, I am interested in a position on the Board of Zoning Appeals. Please let me know if you would like to discuss this request further.
Select a Board or Committee	Board of Zoning Appeals
Are you a high school student between the ages of 14 and 18?	No
Additional Comments	<i>Field not completed.</i>
Resume	<i>Field not completed.</i>

Email not displaying correctly? [View it in your browser.](#)

Committee Volunteer Application

wordpress@roelandpark.net on behalf of City of Roeland Park-Volunteer Form

Fri 12/8/2017 10:15 AM

To: Bohon, Kelley <kbohon@roelandpark.org>;

Committee Volunteer Application Form

Email:	
Date:	12/09/2017
Name:	Carol O. Fields
Daytime Phone Number:	
Evening Phone Number:	
Address:	3535 W. 47th Pl. Roeland Park, KS 66205 United States of America
Place of Employment:	retired
How long have you been a resident of Roeland Park?:	4 & 1/2 years
How much time do you have to devote per month?:	a few hours a few days
Briefly describe why you are interested in serving on a Board/Committee for the City of Roeland Park:	I think Sustainability in the immediate human and beyond human environment is very important and begins with our everyday life decisions. I have attended & mostly observed several meetings of the committee this year, and am pleased with what the committee has been doing. But I want the city to improve its yard waste program and help city residents find easier ways to compost more, and to explore solar power options also.
Select which Board or Committees you are interested in serving on: (only one per application):	Sustainability
Additional, comments:	As a retiree from Social work, then reseach accounting, I do not have a resume prepared at this time. I will call

Committee Volunteer Application

wordpress@roelandpark.net on behalf of City of Roeland Park-Volunteer Form

Thu 7/5/2018 4:09 PM

Deleted Items

To: Bohon, Kelley <kbohon@roelandpark.org>;

Committee Volunteer Application Form

Email:	
Date:	07/05/2018
Name:	David Smith
Daytime Phone Number:	
Evening Phone Number:	
Address:	5730 Roeland Drive Roeland Park, KS 66205
Place of Employment:	UnitedLex
How long have you been a resident of Roeland Park?:	One year
How much time do you have to devote per month?:	5730 Roeland Drive
Briefly describe why you are interested in serving on a Board/Committee for the City of Roeland Park:	I am a (currently) non-practicing attorney who has always had an interest in environmental issues. Climate change is a huge issue for me as I plan on living on this planet for at least another fifty years. I bike to work sixteen miles round-trip four or five times a week in order to reduce my carbon footprint. At present, my schedule is flexible and I'm willing to help out in whatever capacity I can.
Select which Board or Committees you are interested in serving on: (only one per application):	Sustainability
Additional, comments: (If any):	In 2003 Senior Football Captain Mike Kelly helped motivate me to run a 15:45 5K.
File Upload:	
HTML:	

Item Number: Consent Agenda- II.-D.
Committee 1/18/2022
Meeting Date:



City of Roeland Park
Action Item Summary

Date: 1/6/2022
Submitted By: Donnie Scharff, Director of Public Works
Committee/Department: Public Works
Title: **Approve Task Order with Larkin for 2022 Surface Treatment Program Design and Inspection**
Item Type: Other

Recommendation:

Approve Task Order for 2022 Contracted Surface Treatment Program with Lamp Ryneerson not to exceed \$23,910

Details:

Attached is a task order for Lamp Ryneerson to provide bidding and inspection services for the 2022 Contracted Surface Treatment Program (chipseal & UBAS). Staff utilized a contractor to prep 11 streets in 2021 for surface treatment in 2022 as part of our yearly maintenance program. Those 11 streets will receive surface treatments of UBAS and chipseal in 2022 under the bid package Larkin will develop and administer as part of this task order.

Staff works to prep 10%-12% of the street network each year with surface treatments planned for those streets the following year. Our goal is to provide surface treatment to each street every 8-10 years.

Financial Impact

Amount of Request: \$23,910	
Budgeted Item?	Budgeted Amount: Included in Annual Contracted Street Maintenance Line Item Budget
Line Item Code/Description: 5421.300- Street Maintenance	

Additional Information

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

ATTACHMENTS:

Description	Type
 2022 Street Maintenance Task Order	Cover Memo

City of Roeland Park – 2022 Street Maintenance

Contract: 2022 Street Maintenance

Ordinance or Resolution:

Task Agreement No: 21-10

Funding Amount: \$23,910.00

Purchase Order No:

Project Title: 2022 Street Maintenance

Contractor/Consultant:
Larkin Lamp Rynearson
9001 State Line Road, Suite 200
Kansas City, MO 64114

Division Manager:
Civil Design Group
Daniel G. Miller, P.E. – Civil Design Group Leader

Project Management Manual reviewed:

Attachments (Gantt Chart, etc.): None

PROJECT Scope (can be in the form of an attachment):

1. Chip Seal Street Maintenance Project: Contract Documents, Bidding, Construction Administration and Observation Fees. Services will be provided for an hourly rate not to exceed \$11,955.00, including direct expenses. See attachment.
2. UBAS Street Maintenance Project: Contract Documents, Bidding, Construction Administration and Observation Fees. Services will be provided for an hourly rate not to exceed \$11,955.00, including direct expenses. See attachment.

Staff Signatures

Mayor:

Mike Kelly

City Administrator:

Keith Moody

Signature: _____

Date: _____

Signature: _____

Date: _____

Partner Signatures

Division Manager:

Daniel G. Miller, P.E.

Signature: _____

Date: 10/12/2021

Company Principal (if different):

Tony O'Malley, P.E.

Signature: _____

Date: _____

Project Type: Design X Construction X Property Acquisition Conceptual/Problem Solving Surveying

Project Discipline(s): Transportation X Planning Water Wastewater Stormwater

Report(s) Received:

Work on File:

This Task Agreement is subject to all the provisions included in the On-Call Professional Services Agreement, Public Works Department, Engineering Division by and between the City and Lamp Rynearson (Professional), **dated 11/2/2020.**

Attach scope of work, budget, and other supporting material



9001 State Line Rd., Ste. 200
Kansas City, MO 64114
[P] 816.361.0440
[F] 816.361.0045
LampRynearson.com

CIVIL DESIGN GROUP FEE ESTIMATE

PROJECT TITLE 2022 Street Maintenance
LOCATION Roeland Park
DATE 10/12/2021

PROJECT #
BY Greg Van Patten

Classification:	Civil Design Group Leader	Senior Project Engineer	Project Engineer IV	Project Designer IV	Construction Observer	Admin Asst.		
Associate:	Miller	Van Patten	Schleicher	McMurry	Bruemmer	Nichols	Subtotal of	Subtotal of Fee
Hourly Rate:	\$236.00	\$130.00	\$129.00	\$122.00	\$101.00	\$83.00	Hrs per Item	per Item

2022 Chip Seal Street Maintenance Project								
Contract Documents								
Project Extent Exhibit, Quantities		3	2				5	\$648.00
Project Manual	1	4				6	11	\$1,254.00
Specifications	1	3				4	8	\$958.00
Cost Estimate		2					2	\$260.00
Bidding		3				2	5	\$556.00
Bid Evaluation and Recommendation		2					2	\$260.00
Contract Documents for Execution		2				2	4	\$426.00
Subtotal of Hours per Associate	2	19	2	0	0	14	37	
Subtotal of Fee per Associate	\$472.00	\$2,470.00	\$258.00	\$0.00	\$0.00	\$1,162.00		
						Labor Fee		\$4,362.00
						Reimbursables	5%	\$218.10
						Contingency	5%	\$218.10
Subtotal of Engineering Services								\$4,798.20
Construction Administration								
Attend/ Prep Preconstruction Meeting	2	2			2		6	\$934.00
Shop Drawing Review/ Submittals	1	2					3	\$496.00
Field Visits		4					4	\$520.00
Construction Issues /Pay Estimate	1	3			1		5	\$727.00
Subtotal of Hours per Associate	4	11	0	0	3	0	18	
Subtotal of Fee per Associate	\$944.00	\$1,430.00	\$0.00	\$0.00	\$303.00	\$0.00		
						Labor Fee		\$2,677.00
						Reimbursables	5%	\$133.85
						Contingency	5%	\$133.85
Subtotal of Engineering Services								\$2,944.70

Construction Observation								
Construction Observation								\$0.00
Part Time, 20 Hours / Week / 10 Day Construction					40		40	\$4,040.00
Subtotal of Hours per Associate	0	0	0	0	40	0	40	
Subtotal of Fee per Associate	\$0.00	\$0.00	\$0.00	\$0.00	\$4,040.00	\$0.00		
						Labor Fee		\$4,040.00
						Reimbursables	0.575/mi	\$172.50
						Contingency	0%	\$0.00
Subtotal of Construction Administration								\$4,212.50

PROJECT TITLE2022 Street Maintenance

LOCATIONRoeland Park

DATE10/12/2021

PROJECT #

BYGreg Van Patten

Classification:	Civil Design	Senior Project	Project	Project	Construction	Admin		
	Group Leader	Engineer	Engineer IV	Designer IV	Observer	Asst.		
Associate:	Miller	Van Patten	Schleicher	McMurry	Bruemmer	Nichols	Subtotal of	Subtotal of Fee
Hourly Rate:	\$236.00	\$130.00	\$129.00	\$122.00	\$101.00	\$83.00	Hrs per Item	per Item
2022 UBAS Street Maintenance Project								
Contract Documents								
Project Extent Exhibit, Quantities		3	2				5	\$648.00
Project Manual	1	4				6	11	\$1,254.00
Specifications	1	3				4	8	\$958.00
Cost Estimate		2					2	\$260.00
Bidding		3				2	5	\$556.00
Bid Evaluation and Recommendation		2					2	\$260.00
Contract Documents for Execution		2				2	4	\$426.00
Subtotal of Hours per Associate	2	19	2	0	0	14	37	
Subtotal of Fee per Associate	\$472.00	\$2,470.00	\$258.00	\$0.00	\$0.00	\$1,162.00		
						Labor Fee		\$4,362.00
						Reimbursables	5%	\$218.10
						Contingency	5%	\$218.10
						Subtotal of Engineering Services		\$4,798.20
Construction Administration								
Attend/ Prep Preconstruction Meeting	2	2			2		6	\$934.00
Shop Drawing Review/ Submittals	1	2					3	\$496.00
Field Visits		4					4	\$520.00
Construction Issues /Pay Estimate	1	3			1		5	\$727.00
Subtotal of Hours per Associate	4	11	0	0	3	0	18	
Subtotal of Fee per Associate	\$944.00	\$1,430.00	\$0.00	\$0.00	\$303.00	\$0.00		
						Labor Fee		\$2,677.00
						Reimbursables	5%	\$133.85
						Contingency	5%	\$133.85
						Subtotal of Engineering Services		\$2,944.70
Construction Observation								
Construction Observation								\$0.00
Part Time, 20 Hours / Week / 10 Day Construction					40		40	\$4,040.00
Subtotal of Hours per Associate	0	0	0	0	40	0	40	
Subtotal of Fee per Associate	\$0.00	\$0.00	\$0.00	\$0.00	\$4,040.00	\$0.00		
						Labor Fee		\$4,040.00
						Reimbursables	0.575/mi	\$172.50
						Contingency	0%	\$0.00
						Subtotal of Construction Administration		\$4,212.50
Project Fee Summary								
						2022 Chip Seal Street Maintenance Project		
						Contract Documents, Bidding, Construction Administration and Observation Fees		\$11,955.40
						2022 UBAS Street Maintenance Project		
						Contract Documents, Bidding, Construction Administration and Observation Fees		\$11,955.40
						PROJECT TOTAL		\$23,910.80

Item Number: Reports of City Liaisons- VI.-A.
Committee 1/18/2022
Meeting Date:



City of Roeland Park
Action Item Summary

Date: 1/10/2022
Submitted By: Arts Committee
Committee/Department: Arts Committee
Title: **Arts Committee**
Item Type: Other

Recommendation:

Mary Schulteis and Marek Gliiecki to provide update.

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
☐ Call for Artist	Cover Memo



2022 Call for Artists for the Roeland Park Artistic Outdoor Staircase Project

Roe Lane & Elledge Drive
Roeland Park, Kansas 66205

Application Packet

Name _____

Address _____

City _____ State _____ Zip _____

Telephone _____ Email _____

Website _____

The Project

The City of Roeland Park, Arts Advisory Committee is requesting submissions for an Artist/ Artistic Team to create site-specific original artwork as part of a appropriate 2 dimensional application to be incorporated on a new outdoor staircase build. The staircase will be located at Roe Lane & Elledge Drive.

The application deadline is Saturday, March 12th 2022.

The installation of an artistic pedestrian staircase fits several of our city goals: Improve Community Assets, Keep Our Community Safe, and Encourage Investment in our Community. We look toward completing improved pedestrian access to create a more direct route to Roe Avenue from neighborhoods east of Roe Lane; to further enhance the east/west connectivity of our community and provide a safe route for the residents. The artwork should create a positive and fresh perspective residents and visitors will enjoy. It is the aim of the Arts Advisory

Committee through its volunteer members, city staff and elected leaders to bring the best and most creative art to the city.

The Staircase Art should demonstrate artistic excellence and will:

- Enhance the staircase installation and surrounding landscape.
- Be an original art piece acceptable for public viewing of all ages.
- Be appropriate for outdoor installation, i.e., able to stand up to severe weather, vandalism, and be adequately and safely incorporated into the staircase.
- Be well prepared and sealed as this will be key to ensuring the longevity of the artwork.
- Be composed of artwork on the Riser (vertical plane) only of each step. Application(s) to railings, upstands, etc. will be considered and welcomed if appropriate to the project.
- Be bold, colorful, and mural-esque in nature where each individual component when viewed as a whole creates one unified artwork.
- Consist of paint or other approved 2-D application or medium. Use of sustainable materials is expected.

Information about the site:

The outdoor staircase will be made of concrete with galvanized steel hand railing incorporated on both sides. There are 3 separate flights with varying number of risers. There are 31 risers (each 6" high with sloped inset) in total the bottom flight starts at street sidewalk level and the top landing is in a commercial parking lot. Total height is approximately 15.65 feet; width of treads is 5 feet with concrete upstands and railings on both sides. Depictions of the staircase and site location are included within this application packet.

Please visit the site location. An elementary school is located in the surrounding neighborhood to the east which is primarily single family residential.

Attached to this Call for Artists are the following:

- Preliminary site plan and staircase elevations prepared by site architect.
- Sample Artist Agreement / Contract.
- Sample Art Images are included only to provide inspiration and examples of the City's expectations.

The Compensation for the project:

The selected Artist/Artistic Team will receive \$8,000 for the completed project. In addition, the City of Roeland Park will reimburse the Artist/ Artistic team for pre-approved materials and equipment necessary to realize the work.

Eligibility

- The competition is open to established artists living in the Greater Kansas City Metro area. Artists whose work is well represented within the metro area are eligible to apply. Only artists with reviewable portfolios are eligible to apply.
- The artist selection panel will consider artistic diversity as one factor in the selection process.
- The commissioned Artist/Artistic Team will work with the Arts Advisory Committee and City Staff to create a site-specific, durable artwork for this outdoor installation.
- Applicants who wish to be considered for this project should have experience working within the public process in public settings.
- The artwork for the site must reflect the Project Intent as described above.
- All applicants must complete City required documents including a background check.
- We encourage Artist/Artistic Team whose work addresses issues of sustainability to consider applying for this project.

Application Requirements:

It will be the duty of the Artist/Artistic Team to include the following:

- Conceptual design drawing; sketches for the project: (Conceptual Design Proposals)
- Narrative description of the design.
- Current resume.
- Examples of work reflecting the experience and capability of the Artist/Artistic Team in completing projects of similar scope. Artists applying as a team should submit work samples of each individual artist's work.
- Time frame needed to complete the project.
- Information about the durability and safety of materials used.
- Artist/Artistic Team will provide estimate for cost of materials and equipment required for the project.

Timeline:

- Applications due Saturday March 12th, 2022, to include the above.
- Selection of 2 proposals by the Arts Advisory Committee Monday, March 14th, 2022.
- Presentation to City Council on Monday, March 21st, 2022.
- Special Called Arts Advisory Committee Meeting on March 23rd, 2022, to select and notify the winner.
- Beginning work in early to mid Spring, 2022.

Submission instructions:

- Email materials to Kelley Nielsen at knielsen@roelandpark.org with subject: Stair Art Submission
- Mail/hand deliver materials to
The City of Roeland Park
Attn: AAC/Stair Project
4600 W 51 Street #200, Roeland Park, KS 66205
- Mailed or hand delivered submissions will not be returned. Postmarks are not acceptable. Hand deliveries will be accepted during City Hall business hours only (Monday – Friday, 8 am to 5 pm).

Criteria for Selection:

- An initial proposal that reflects the Project as described in this document.
- A body of work reflecting artistic excellence.
- Experience working in public settings and public processes.
- Experience fabricating and installing permanent artwork suitable for the outdoor environment.

The Arts Advisory Committee will review the submittals and select two proposals to recommend to the Roeland Park City Council. The Arts Advisory Committee may request revisions or refinement of the submission prior to City Council review. Upon approval by City Council, the selected Artist /Artistic Team will be commissioned to create an original site-specific artwork.

Upon approval of the two recommended proposals, the Arts Advisory Committee will make the final decision.

The Arts Advisory Committee is committed to reflecting the diversity and cultural richness of Roeland Park in the selection process.

Additional Information:

The selected Artist/Artistic Team will receive a Contract for the Commission in the Amount of \$8,000. The Arts Advisory Committee recommends artists review the Sample Artist Agreement / Contract for this commission. The selected Artist /Artistic Team will be required to execute a similar Agreement / Contract form with the City of Roeland Park.

The Arts Advisory Committee is under no obligation to award a Commission for artwork based on the Conceptual Design Proposals submitted. Beyond formal notifications, the Arts Advisory Committee will not enter into any correspondence regarding their decision.

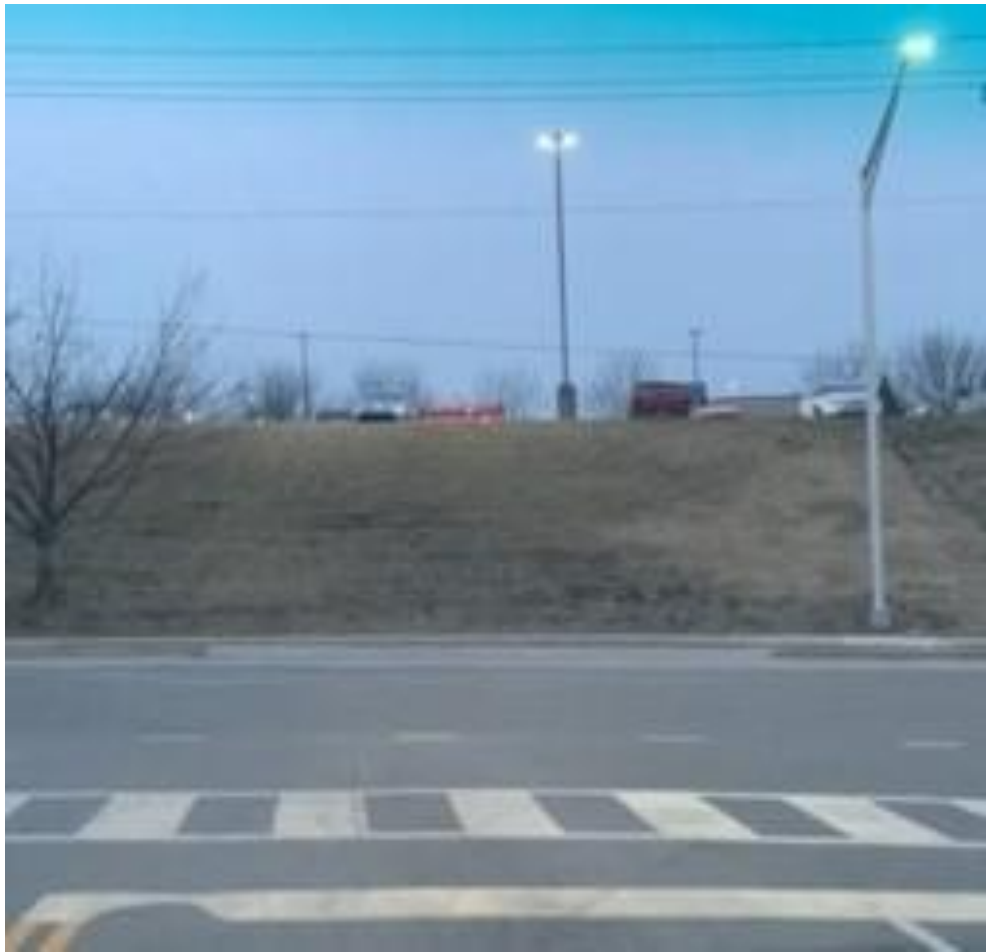
If you have any questions or need any additional information, please contact Mary Schulteis at marysunflowers@aol.com or Marek Gliniecki at marekgliniecki@yahoo.com

Inspiration





Location



Item Number: New Business- VIII.-A.
Committee 1/18/2022
Meeting Date:



City of Roeland Park

Action Item Summary

Date: 1/10/2022
Submitted By: Donnie Scharff, Director of Public Works
Committee/Department: Public Works
Title: **Approve 2022 CARS Agreement with Johnson County for Johnson Drive Project**
Item Type: Agreement

Recommendation:

Staff recommend approval of the 2022 CARS agreement with Johnson County for Johnson Drive.

Details:

Attached is the agreement with Johnson County for the the 2022 CARS project on Johnson Dr. In order to receive the CARS funds allocated to this project JOCO requires the recipient to execute this standard agreement. We do this for each project supported by CARS funds. The amount of CARS funding reflected in the agreement is consistent with the amount requested in our 2022 CARS funding request.

The project scope anticipates the addition of a new sidewalk along the north side of Johnson Dr that will connect from the existing sidewalk near the St. Luke's medical building to just west of Roeland Dr. Spot curb repairs and a UBAS surface treatment will be applied to the street. Median work is included as well.

The project is a joint effort with the City of Mission. Roeland Park's portion of the project is estimated to cost \$205,000. CARS will reimburse up to 50% of the construction and inspection cost as well as material testing.

Staff is working with the property owners on acquiring the temporary construction/permanent easements needed for the project.

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
☐ 2022 CARS Agreement	Cover Memo

**Agreement among Johnson County, Kansas,
the City of Mission, Kansas, and
the City of Roeland Park, Kansas, for the Public Improvement of
Johnson Drive from Lamar Avenue to Roe Avenue
(320001358)**

THIS AGREEMENT, made and entered into this _____ day of _____, 202_,
by and among the Board of County Commissioners of Johnson County, Kansas ("Board"), the City
of Mission, Kansas ("Mission"), and the City of Roeland Park, Kansas ("Roeland Park"). Mission
and Roeland Park are collectively referred to as the "Cities".

WITNESSETH:

WHEREAS, the parties have determined that it is in the best interests of the general public in
making certain public improvements to Johnson Drive from Lamar Avenue to Roe Avenue (the
"Project"); and

WHEREAS, the laws of the State of Kansas authorize the parties to this Agreement to
cooperate in undertaking the Project; and

WHEREAS, the governing bodies of each of the parties have determined to enter into this
Agreement for the purpose of undertaking the Project, pursuant to K.S.A. 12-2908 and K.S.A. 68-169,
and amendments thereto; and

WHEREAS, the Project has been approved, authorized, and budgeted by the Board as an
eligible project under the County Assistance Road System ("CARS") Program; and

WHEREAS, the Board has, by County Resolution No. 106-90, authorized its Chairman to
execute any and all Agreements for County participation in any CARS Program project which has
been approved and authorized pursuant to the Policies and Guidelines adopted by the Board and for
which funding has been authorized and budgeted therefore; and

WHEREAS, the governing body of Mission did approve and authorize its Mayor to execute
this Agreement by official vote of said body on the _____ day of _____, 202_.

WHEREAS, the governing body of Roeland Park did approve and authorize its Mayor to
execute this Agreement by official vote of said body on the _____ day of _____,
202_.

NOW, THEREFORE, in consideration of the mutual covenants and agreements hereinafter
contained, and for other good and valuable consideration, the parties agree as follows:

1. **Purpose of Agreement.** The parties enter into this Agreement for the purpose of undertaking the Project to assure a more adequate, safe, and integrated roadway network in the developing and incorporated areas of Johnson County, Kansas.
2. **Estimated Cost and Funding of Project**
 - a. The estimated cost of the Project (“Project Costs”), a portion of which is reimbursable under this Agreement is One Million Six Hundred Six Thousand Dollars (\$1,606,000).
 - b. Project Costs include necessary costs and expenses of labor and material used in the construction of the Project and construction inspection and staking for the Project.
 - c. The Project Costs shall be allocated between the parties as follows:
 - i. The Board shall provide financial assistance for the Project in an amount up to but not exceeding Fifty Percent (50%) of the Project Costs. However, the Board's financial obligation under this Agreement shall be limited to an amount not to exceed Six Hundred Twenty Two Thousand Dollars (\$622,000). For purposes of this Agreement, Project Costs shall not include any portion of costs which are to be paid by or on behalf of any state or federal governmental entity or for which the Cities may be reimbursed through any source other than the general residents or taxpayers of the Cities. Further, it is understood and agreed by the parties hereto that the Board shall not participate in, nor pay any portion of, the Costs incurred for or related to the following:
 1. Land acquisition, right-of-way acquisition, or utility relocation;
 2. Legal fees and expenses, design engineering services, Project administration, or financing costs;
 3. Taxes, licensing or permit fees, title reports, insurance premiums, exactions, recording fees, or similar charges;

4. Project overruns;
5. Project scope modifications or major change orders which are not separately and specifically approved and authorized by the Board; and
6. Minor change orders which are not separately and specifically approved and authorized by the Director of Public Works & Infrastructure of Johnson County, Kansas ("Public Works Director"). Minor change orders are those which do not significantly alter the scope of the Project and which are consistent with the CARS Program Policies and Guidelines and administrative procedures thereto adopted by the Board.

It is further understood and agreed that notwithstanding the designated amount of any expenditure authorization or fund appropriation, the Board shall only be obligated to pay for the authorized percentage of actual construction costs incurred or expended for the Project under appropriate, publicly bid, construction contracts. The Board will not be assessed for any improvement district created pursuant to K.S.A. 12-6a01 et seq., and amendments thereto, or any other improvement district created under the laws of the State of Kansas.

- ii. The Cities shall pay One Hundred Percent (100%) of all Project Costs not expressly the Board's obligation to pay as provided in this Agreement.

3. Financing

- a. The Board shall provide financial assistance, as provided in Paragraph 2.c. above, towards the cost of the Project with funds budgeted, authorized, and appropriated by the Board and which are unencumbered revenues that are on-hand in deposits of Johnson County, Kansas. This paragraph shall not be construed as limiting the ability of the Board to finance its portion of the costs

and expenses of the Project through the issuance of bonds or any other legally authorized method.

- b. The Cities shall pay their portion of the Project Costs with funds budgeted, authorized, and appropriated by the governing bodies of the Cities.

- 4. **Administration of Project.** The Project shall be administered by Mission acting by and through its designated representative who shall be the Cities' public official designated as Project Administrator. The Project Administrator shall assume and perform the following duties:

- a. Cause the making of all contracts, duly authorized and approved, for retaining consulting engineers to design and estimate the necessary costs and expenses of the Project Costs.
- b. Submit a copy of the plans and specifications for the Project to the Public Works Director for review prior to any advertisement for construction bidding, together with a statement of estimated Project Costs which reflects the Board's financial obligation under the terms of this Agreement. The Public Works Director or his designee shall review the plans and specifications for the Project and may, but shall not be obligated to, suggest changes or revisions to the plans and specifications.
- c. If required by applicable state or federal statutes, solicit bids for the construction of the Project by publication in the official newspaper of the City of Mission. If the Project is located in more than one city, then the Project Administrator shall be responsible for determining proper publication. In the solicitation of bids, the appropriate combination of best bids shall be determined by the Project Administrator.
- d. Cause the making of all contracts and appropriate change orders, duly authorized and approved, for the construction of the Project.
- e. Submit to the Public Works Director a statement of actual costs and expenses, in the form of a payment request, with attached copies of all invoices and supporting materials, on or before the tenth day of each month following the month in which costs and expenses have been paid. The Public Works Director shall review the statement or payment request to determine whether the statement or payment request is properly submitted and documented and,

upon concurrence with the Finance Director of Johnson County, Kansas (“Finance Director”), cause payment to be made to the Project Administrator of the Board's portion of the Project Costs within thirty (30) days after receipt of such statement or payment request. In the event federal or state agencies require, as a condition to state or federal participation in the Project, that the Board make payment prior to construction or at times other than set forth in this subsection, the Public Works Director and Finance Director may authorize such payment.

- f. Except when doing so would violate a state or federal rule or regulation, cause a sign to be erected in the immediate vicinity of the Project upon commencement of construction identifying the Project as part of the CARS Program. The form and location of the sign shall be subject to the review and approval of the Public Works Director.

Upon completion of the construction of the Project, the Project Administrator shall submit to each of the parties a final accounting of all costs and expenses incurred in the Project for the purpose of apportioning the same among the parties as provided in this Agreement. It is expressly understood and agreed that in no event shall the final accounting obligate the parties for a greater proportion of financial participation than that set out in Paragraph 2.c. of this Agreement. The final accounting of Project Costs shall be submitted by the Project Administrator no later than sixty (60) days following the completion of the Project construction.

It is further understood and agreed by the City that to the extent permitted by law and subject to the provisions of the Kansas Tort Claims Act including but not limited to maximum liability and immunity provisions, the City agrees to indemnify and hold the County, its officials, and agents harmless from any cost, expense, or liability not expressly agreed to by the County which result from the negligent acts or omissions of the City or its employees or which result from the City's compliance with the Policy and Procedures.

This agreement to indemnify shall not run in favor of or benefit any liability insurer or third party.

In addition, the Cities shall, and hereby agree to, insert as a special provision of its contract with the general contractor ("Project Contractor") chosen to undertake the Project construction as contemplated by this Agreement the following paragraphs:

The Project Contractor shall defend, indemnify and save the Board of County Commissioners of Johnson County, Kansas and the City harmless from and against all liability for damages, costs, and expenses arising out of any claim, suit, action or otherwise for injuries and/or damages sustained to persons or property by reason of the negligence or other actionable fault of the Project Contractor, his or her sub-contractors, agents or employees in the performance of this contract.

The Board of County Commissioners of Johnson County, Kansas shall be named as an additional insured on all policies of insurance issued to the Project Contractor and required by the terms of his/her agreement with the City.

5. Acquisition of Real Property for the Project

- a. The Board shall not pay any costs for acquisition of real property in connection with the Project.
- b. Each City shall be responsible for the acquisition of any real property, together with improvements thereon, located within such City's corporate boundaries, which is required in connection with the Project; such real property acquisition may occur by gift, purchase, or by condemnation as authorized and provided by the Eminent Domain Procedure Act, K.S.A. 26-201 et seq. and K.S.A. 26-501 et seq., and any such acquisition shall comply with all federal and state law requirements.

6. **Duration and Termination of Agreement**

- a. The parties agree that this Agreement shall remain in full force and effect until the completion of the Project, unless otherwise terminated as provided for in Paragraph 6.b. hereinbelow. The Project shall be deemed completed and this Agreement shall be deemed terminated upon written certification to each of the parties by the Project Administrator that the Project has been accepted as constructed. The Project Administrator shall provide a copy of the Project Administrator's certification to both the Public Works Director and the Finance Director within thirty (30) days of the Project Administrator's determination that the Project is complete.
- b. It is understood and agreed that the Public Works Director shall review the status of the Project annually on the first day of March following the execution of this Agreement to determine whether satisfactory progress is being made on the Project. In the event that the Public Works Director determines that satisfactory progress is not being made on the Project due to one or both of the Cities' breach of this Agreement by not meeting the agreed upon project deadlines or otherwise not complying with the terms of this Agreement, the Public Works Director is authorized to notify the City that has breached the Agreement that it shall have thirty (30) days from receipt of such notification to take steps to cure the breach (the "Cure Period"). It is further understood and agreed that the Board shall have the option and right to revoke funding approval for the Project and terminate this Agreement should the Board find, based upon the determination of the Public Works Director, that satisfactory progress is not being made on the Project and that the Cities have not taken sufficient steps to cure the breach during the Cure Period. Should the Board exercise its option as provided herein, it shall send written notice of the same to the Cities and the Board shall have no further liability or obligation under this Agreement.

7. **Placing Agreement in Force.** The attorney for the Cities shall cause sufficient copies of this Agreement to be executed to provide each party hereto with a duly executed copy of this Agreement for its official records.

IN WITNESS WHEREOF, the above and foregoing Agreement has been executed by each of the parties hereto and made effective on the day and year first above written.

**Board of County Commissioners of
Johnson County, Kansas**

Ed Eilert, Chairman

Attest:

Lynda Sader
Deputy County Clerk

Approved as to form:

Robert A. Ford
Assistant County Counselor

City of Mission, Kansas

Solana Flora, Mayor

Attest:

City Clerk

Approved as to form:

City Attorney

City of Roeland Park, Kansas

Mike Kelly, Mayor

Attest:

City Clerk

Approved as to form:

City Attorney

Item Number: New Business- VIII.-B.
Committee 1/18/2022
Meeting Date:



City of Roeland Park
Action Item Summary

Date: 1/7/2022
Submitted By: Donnie Scharff, Director of Public Works
Committee/Department: Public Works
Title: **Approve 2022 CARS Agreement with Johnson County for 53rd and Buena Vista Project**
Item Type: Agreement

Recommendation:

Staff recommends approval for the 2022 CARS Agreement with the Johnson County for Buena Vista/53rd Street from Shawnee Mission Parkway to Mission Road.

Details:

Attached is the agreement with Johnson County for the 2022 CARS project for Buena Vista/53rd St from Shawnee Mission Parkway to Mission Road. In order to receive the CARS funds allocated to this project JOCO requires the recipient to execute this standard agreement. We do this for each project supported by CARS funds. The amount of CARS funding reflected in the agreement is consistent with the amount requested in our 2022 CARS funding request.

This project entails a new sidewalk along the westside of Buena Vista from 54th Ter to 55th Street as well as a new sidewalk on the eastside from 53rd St to 54th Terr. A mill & overlay of the street as well as spot curb repair will be included in the project. This project will require temporary construction easements and possibly permanent sidewalk easements. It is possible that the adjoining properties may not be willing to provides these easements which would necessitate a condemnation process. The easements should be secured prior to awarding a contract. Designs must be developed to determine the easement areas needed.

Financial Impact

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

Additional Information

The cost estimated for the project is \$448,916 which includes engineering, construction, and material testing. The total amount eligible through CARS is \$432,916.

CARS will pay for up to 50% of the construction and inspection which will be \$201,000.

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

ATTACHMENTS:

Description	Type
 2022 CARS Agreement	Cover Memo

**Agreement among Johnson County, Kansas,
the City of Fairway, Kansas, and
the City of Roeland Park, Kansas, for the Public Improvement of
Buena Vista/53rd Street from Shawnee Mission Parkway to Mission Road
(320001352)**

THIS AGREEMENT, made and entered into this _____ day of _____, 202_,
by and among the Board of County Commissioners of Johnson County, Kansas ("Board"), the City
of Fairway, Kansas ("Fairway"), and the City of Roeland Park, Kansas ("Roeland Park"). Fairway
and Roeland Park are collectively referred to as the "Cities".

WITNESSETH:

WHEREAS, the parties have determined that it is in the best interests of the general public in
making certain public improvements to Buena Vista/53rd Street from Shawnee Mission Parkway to
Mission Road (the "Project"); and

WHEREAS, the laws of the State of Kansas authorize the parties to this Agreement to
cooperate in undertaking the Project; and

WHEREAS, the governing bodies of each of the parties have determined to enter into this
Agreement for the purpose of undertaking the Project, pursuant to K.S.A. 12-2908 and K.S.A. 68-169,
and amendments thereto; and

WHEREAS, the Project has been approved, authorized, and budgeted by the Board as an
eligible project under the County Assistance Road System ("CARS") Program; and

WHEREAS, the Board has, by County Resolution No. 106-90, authorized its Chairman to
execute any and all Agreements for County participation in any CARS Program project which has
been approved and authorized pursuant to the Policies and Guidelines adopted by the Board and for
which funding has been authorized and budgeted therefore; and

WHEREAS, the governing body of Fairway did approve and authorize its Mayor to execute
this Agreement by official vote of said body on the _____ day of _____, 202_.

WHEREAS, the governing body of Roeland Park did approve and authorize its Mayor to
execute this Agreement by official vote of said body on the _____ day of _____,
202_.

NOW, THEREFORE, in consideration of the mutual covenants and agreements hereinafter
contained, and for other good and valuable consideration, the parties agree as follows:

1. **Purpose of Agreement.** The parties enter into this Agreement for the purpose of undertaking the Project to assure a more adequate, safe, and integrated roadway network in the developing and incorporated areas of Johnson County, Kansas.
2. **Estimated Cost and Funding of Project**
 - a. The estimated cost of the Project ("Project Costs"), a portion of which is reimbursable under this Agreement is Four Hundred Forty Nine Thousand Dollars (\$449,000).
 - b. Project Costs include necessary costs and expenses of labor and material used in the construction of the Project and construction inspection and staking for the Project.
 - c. The Project Costs shall be allocated between the parties as follows:
 - i. The Board shall provide financial assistance for the Project in an amount up to but not exceeding Fifty Percent (50%) of the Project Costs. However, the Board's financial obligation under this Agreement shall be limited to an amount not to exceed Two Hundred One Thousand Dollars (\$201,000). For purposes of this Agreement, Project Costs shall not include any portion of costs which are to be paid by or on behalf of any state or federal governmental entity or for which the Cities may be reimbursed through any source other than the general residents or taxpayers of the Cities. Further, it is understood and agreed by the parties hereto that the Board shall not participate in, nor pay any portion of, the Costs incurred for or related to the following:
 1. Land acquisition, right-of-way acquisition, or utility relocation;
 2. Legal fees and expenses, design engineering services, Project administration, or financing costs;
 3. Taxes, licensing or permit fees, title reports, insurance premiums, exactions, recording fees, or similar charges;

4. Project overruns;
5. Project scope modifications or major change orders which are not separately and specifically approved and authorized by the Board; and
6. Minor change orders which are not separately and specifically approved and authorized by the Director of Public Works & Infrastructure of Johnson County, Kansas ("Public Works Director"). Minor change orders are those which do not significantly alter the scope of the Project and which are consistent with the CARS Program Policies and Guidelines and administrative procedures thereto adopted by the Board.

It is further understood and agreed that notwithstanding the designated amount of any expenditure authorization or fund appropriation, the Board shall only be obligated to pay for the authorized percentage of actual construction costs incurred or expended for the Project under appropriate, publicly bid, construction contracts. The Board will not be assessed for any improvement district created pursuant to K.S.A. 12-6a01 et seq., and amendments thereto, or any other improvement district created under the laws of the State of Kansas.

- ii. The Cities shall pay One Hundred Percent (100%) of all Project Costs not expressly the Board's obligation to pay as provided in this Agreement.

3. **Financing**

- a. The Board shall provide financial assistance, as provided in Paragraph 2.c. above, towards the cost of the Project with funds budgeted, authorized, and appropriated by the Board and which are unencumbered revenues that are on-hand in deposits of Johnson County, Kansas. This paragraph shall not be construed as limiting the ability of the Board to finance its portion of the costs

and expenses of the Project through the issuance of bonds or any other legally authorized method.

- b. The Cities shall pay their portion of the Project Costs with funds budgeted, authorized, and appropriated by the governing bodies of the Cities.

4. **Administration of Project.** The Project shall be administered by Fairway acting by and through its designated representative who shall be the Cities' public official designated as Project Administrator. The Project Administrator shall assume and perform the following duties:

- a. Cause the making of all contracts, duly authorized and approved, for retaining consulting engineers to design and estimate the necessary costs and expenses of the Project Costs.
- b. Submit a copy of the plans and specifications for the Project to the Public Works Director for review prior to any advertisement for construction bidding, together with a statement of estimated Project Costs which reflects the Board's financial obligation under the terms of this Agreement. The Public Works Director or his designee shall review the plans and specifications for the Project and may, but shall not be obligated to, suggest changes or revisions to the plans and specifications.
- c. If required by applicable state or federal statutes, solicit bids for the construction of the Project by publication in the official newspaper of the City of Fairway. If the Project is located in more than one city, then the Project Administrator shall be responsible for determining proper publication. In the solicitation of bids, the appropriate combination of best bids shall be determined by the Project Administrator.
- d. Cause the making of all contracts and appropriate change orders, duly authorized and approved, for the construction of the Project.
- e. Submit to the Public Works Director a statement of actual costs and expenses, in the form of a payment request, with attached copies of all invoices and supporting materials, on or before the tenth day of each month following the month in which costs and expenses have been paid. The Public Works Director shall review the statement or payment request to determine whether the statement or payment request is properly submitted and documented and,

upon concurrence with the Finance Director of Johnson County, Kansas ("Finance Director"), cause payment to be made to the Project Administrator of the Board's portion of the Project Costs within thirty (30) days after receipt of such statement or payment request. In the event federal or state agencies require, as a condition to state or federal participation in the Project, that the Board make payment prior to construction or at times other than set forth in this subsection, the Public Works Director and Finance Director may authorize such payment.

- f. Except when doing so would violate a state or federal rule or regulation, cause a sign to be erected in the immediate vicinity of the Project upon commencement of construction identifying the Project as part of the CARS Program. The form and location of the sign shall be subject to the review and approval of the Public Works Director.

Upon completion of the construction of the Project, the Project Administrator shall submit to each of the parties a final accounting of all costs and expenses incurred in the Project for the purpose of apportioning the same among the parties as provided in this Agreement. It is expressly understood and agreed that in no event shall the final accounting obligate the parties for a greater proportion of financial participation than that set out in Paragraph 2.c. of this Agreement. The final accounting of Project Costs shall be submitted by the Project Administrator no later than sixty (60) days following the completion of the Project construction.

It is further understood and agreed by the City that to the extent permitted by law and subject to the provisions of the Kansas Tort Claims Act including but not limited to maximum liability and immunity provisions, the City agrees to indemnify and hold the County, its officials, and agents harmless from any cost, expense, or liability not expressly agreed to by the County which result from the negligent acts or omissions of the City or its employees or which result from the City's compliance with the Policy and Procedures.

This agreement to indemnify shall not run in favor of or benefit any liability insurer or third party.

In addition, the Cities shall, and hereby agree to, insert as a special provision of its contract with the general contractor ("Project Contractor") chosen to undertake the Project construction as contemplated by this Agreement the following paragraphs:

The Project Contractor shall defend, indemnify and save the Board of County Commissioners of Johnson County, Kansas and the City harmless from and against all liability for damages, costs, and expenses arising out of any claim, suit, action or otherwise for injuries and/or damages sustained to persons or property by reason of the negligence or other actionable fault of the Project Contractor, his or her sub-contractors, agents or employees in the performance of this contract.

The Board of County Commissioners of Johnson County, Kansas shall be named as an additional insured on all policies of insurance issued to the Project Contractor and required by the terms of his/her agreement with the City.

5. Acquisition of Real Property for the Project

- a. The Board shall not pay any costs for acquisition of real property in connection with the Project.
- b. Each City shall be responsible for the acquisition of any real property, together with improvements thereon, located within such City's corporate boundaries, which is required in connection with the Project; such real property acquisition may occur by gift, purchase, or by condemnation as authorized and provided by the Eminent Domain Procedure Act, K.S.A. 26-201 et seq. and K.S.A. 26-501 et seq., and any such acquisition shall comply with all federal and state law requirements.

6. **Duration and Termination of Agreement**

- a. The parties agree that this Agreement shall remain in full force and effect until the completion of the Project, unless otherwise terminated as provided for in Paragraph 6.b. hereinbelow. The Project shall be deemed completed and this Agreement shall be deemed terminated upon written certification to each of the parties by the Project Administrator that the Project has been accepted as constructed. The Project Administrator shall provide a copy of the Project Administrator's certification to both the Public Works Director and the Finance Director within thirty (30) days of the Project Administrator's determination that the Project is complete.
- b. It is understood and agreed that the Public Works Director shall review the status of the Project annually on the first day of March following the execution of this Agreement to determine whether satisfactory progress is being made on the Project. In the event that the Public Works Director determines that satisfactory progress is not being made on the Project due to one or both of the Cities' breach of this Agreement by not meeting the agreed upon project deadlines or otherwise not complying with the terms of this Agreement, the Public Works Director is authorized to notify the City that has breached the Agreement that it shall have thirty (30) days from receipt of such notification to take steps to cure the breach (the "Cure Period"). It is further understood and agreed that the Board shall have the option and right to revoke funding approval for the Project and terminate this Agreement should the Board find, based upon the determination of the Public Works Director, that satisfactory progress is not being made on the Project and that the Cities have not taken sufficient steps to cure the breach during the Cure Period. Should the Board exercise its option as provided herein, it shall send written notice of the same to the Cities and the Board shall have no further liability or obligation under this Agreement.

7. **Placing Agreement in Force.** The attorney for the Cities shall cause sufficient copies of this Agreement to be executed to provide each party hereto with a duly executed copy of this Agreement for its official records.

IN WITNESS WHEREOF, the above and foregoing Agreement has been executed by each of the parties hereto and made effective on the day and year first above written.

**Board of County Commissioners of
Johnson County, Kansas**

Ed Eilert, Chairman

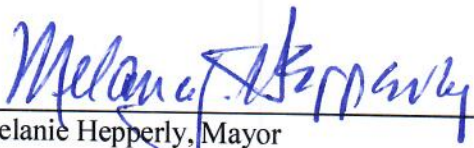
Attest:

Lynda Sader
Deputy County Clerk

Approved as to form:

Robert A. Ford
Assistant County Counselor

City of Fairway, Kansas



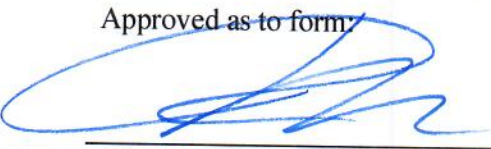
Melanie Hepperly, Mayor

Attest:



City Clerk

Approved as to form:



City Attorney

City of Roeland Park, Kansas

Mike Kelly, Mayor

Attest:

City Clerk

Approved as to form:

City Attorney

Item Number: New Business- VIII.-C.
Committee 1/18/2022
Meeting Date:



City of Roeland Park
Action Item Summary

Date: 1/13/2022
Submitted By: Keith Moody
Committee/Department: Admin.
Title: **Approve Legal Services Agreement with Gilmore and Bell**
Item Type: Agreement

Recommendation:

Staff recommends approving an agreement for special legal services related to the Sunflower Development with Gilmore and Bell.

Details:

The attached service proposal from Gilmore and Bell (the City's special council on bonding and development) is similar to a "Task Order" the City would execute with the City Engineer when we have a defined project. Gilmore and Bell will provide direction, advice and approval documents (ordinances and resolutions) in association with the incentives contemplated as part of the Sunflower Development project. They will also provide advise in developing the business terms included in the Development Agreement.

The costs incurred by the City for these services will be paid for by Sunflower Developer per the terms of the "Funding Agreement" also on the agenda for Council's consideration. The service agreement reflects work being billed at an hourly rate along with a not to exceed amount per incentive element. If the CID incentive is not used on this project then there will be no legal expenses incurred for that element.

Financial Impact

Amount of Request: N/A	
Budgeted Item?	Budgeted Amount: Covered by Sunflower Development through Funding Agreement
Line Item Code/Description:	

Additional Information

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

ATTACHMENTS:

Description		Type
	Legal Services Agreement with Gilmore & Bell for the Sunflower Project	Cover Memo

AGREEMENT FOR PROFESSIONAL SERVICES

THIS AGREEMENT made as of January 18, 2022 (the “Agreement”), by and between the City of Roeland Park, Kansas, hereinafter called the CITY, and GILMORE & BELL, P.C., hereinafter called the CONSULTANT.

WHEREAS, the CITY is authorized and empowered to contract with the CONSULTANT for provisions of legal services as hereinafter described; and

WHEREAS, the CONSULTANT, (a Professional Corporation with offices at 2405 Grand Blvd., Suite 1100, Kansas City, Missouri 64108) is registered and in good standing in accordance with the laws of the State of Missouri and is qualified to provide the legal services desired by the CITY; and

WHEREAS, the CITY has been approached regarding a potential mixed-use development project generally located at 4800 Roe Parkway (collectively, the “Project”), and the Project is expected to involve the establishment of (i) a tax increment financing district (“TIF District 4”) pursuant to K.S.A. 12-1770 *et seq.*, as amended (the “TIF Act”), and the adoption of one redevelopment plan within such district; and (ii) a community improvement district pursuant to K.S.A. 12-6a26 *et seq.* (the “CID Act”).

NOW THEREFORE, in consideration of the mutual covenants and promises contained herein, the parties hereto agree as follows:

The CONSULTANT will serve as the CITY’S professional legal counsel in those phases of the Project to which this Agreement applies and will give consultation and advice to the CITY during the performance of its services.

AND the CITY is authorized and empowered to contract with the CONSULTANT for the purpose of providing services as the City’s legal counsel in connection with the Project;

The CITY and the CONSULTANT in consideration of their mutual covenants herein agree in respect to the performance of professional services by the CONSULTANT and the payment for those services by the CITY, as set forth below.

PART A — SERVICES TO BE PROVIDED BY THE CONSULTANT

As special TIF counsel, the CONSULTANT shall proceed with the following services to advise the City’s staff with respect to removal of a portion of existing TIF District 3 necessary to accommodate the Project, creation of proposed TIF District 4, and approval of one (1) redevelopment plan within TIF District 4 (the “TIF Services”):

- a. Draft or review the necessary resolutions and other documents calling the required public hearings and advising CITY staff regarding the legal process for providing notices required under the TIF Act (excepting preparation of maps and legal descriptions necessary therefor, which shall be provided by the City).

- b. Draft or review the required ordinances to create the redevelopment district and

approve one (1) redevelopment plan (excepting preparation of maps and legal descriptions necessary therefor, which shall be provided by the City).

c. Draft or review one redevelopment plan for the first TIF project plan within TIF District 4 to be considered by the CITY.

d. Review a substantially final draft of the development agreement relating to the Project, said development agreement to be prepared by the City Attorney, and any comments thereto provided by the developer of the Project.

e. As reasonably necessary, meet with CITY staff and consultants and/or representatives of the developer of the Project in order to provide the TIF Services described above.

As special CID counsel, the CONSULTANT shall proceed with the following services to advise the City's staff with respect to establishment of one CID located at the Project site (the "CID Services"):

a. Draft the necessary petition, resolution(s), and other documents calling the required public hearing(s) and advising CITY staff regarding the legal process for providing notices required under the CID Act (excepting preparation of maps and legal descriptions necessary therefor, which shall be provided by the City).

b. Draft the required ordinance to create the community improvement district (excepting preparation of maps and legal descriptions necessary therefor, which shall be provided by the City).

c. As reasonably necessary, meet with CITY staff and consultants and/or representatives of the developer of the Project in order to provide the CID Services described above.

In the event services outside of or in addition to the scope of this Agreement, or unusual or unforeseen circumstances are encountered, the CONSULTANT and CITY may, upon written authorization by the City Administrator, agree to CONSULTANT'S performance of such additional services upon terms mutually agreeable to both parties.

CONSULTANT'S duties in this engagement are limited to those expressly set forth above. Among other things, CONSULTANT'S duties do not include:

a. Preparing requests for tax rulings from the Internal Revenue Service or no-action letters from the Securities and Exchange Commission or representing the CITY in Internal Revenue Service examinations or inquiries.

b. Drafting state constitutional or legislative amendments or pursuing test cases or other litigation.

- c. Making an investigation or expressing any view as to the creditworthiness of the CITY or the developer or the financial advisability of the Project.
- d. Preparing or negotiating the terms of any guaranteed investment contract or other investment agreement.
- e. Reviewing the CITY's past continuing disclosure compliance or representing the CITY in Securities and Exchange Commission investigations.
- f. Attending CITY Council Meetings, Committee of the Whole meetings, or other meetings of CITY officials.
- g. Advising on any matters relating to real estate matters or transactions with which the City is involved, including providing or reviewing legal descriptions, maps, surveys and the like necessary for preparing proceedings relating to the TIF Services and the CID Services.
- h. Advising on any other TIF matters within the City (other than the establishment of TIF District 4 and the removal of a portion of TIF District 3).
- i. Addressing any other matter not specifically set forth above.

PART B — INSPECTIONS AND CONFERENCES:

Representatives of the CITY shall have the right to inspect and review the work being done by the CONSULTANT and consult with the CONSULTANT at any time. Conferences are to be held at the request of the CITY or CONSULTANT.

PART C — COMPENSATION:

The CITY agrees to pay the CONSULTANT as compensation for all the services stipulated in PARTS A and B herein on an hourly basis at \$330 per hour of attorney time and \$110 per hour of legal assistant time. In addition, CONSULTANT will be reimbursed for all out-of-pocket expenses incurred on CITY'S behalf.

During the term of this Agreement set forth below, in no event will CONSULTANT'S compensation under this Agreement exceed \$15,000 (excepting out-of-pocket expenses incurred on CITY's behalf), consisting of up to \$12,500 for the TIF Services and up to \$2,500 for the CID Services.

CONSULTANT shall invoice CITY monthly for all services rendered and expenses incurred during the previous month.

All invoices for services shall be accompanied by a documented breakdown of expenses incurred.

Payment will be made within 30 days of the date such invoice is submitted by the CONSULTANT, subject to the CITY'S review thereof.

PART D – OBLIGATIONS OF CITY:

CITY, at its own expense, will provide the following:

1. Make available to CONSULTANT on request with reasonable notice, at CITY'S offices, all existing records other data possessed by the CITY when such are necessary, advisable or helpful to the CONSULTANT in the prosecution of its work under this Agreement.
2. Designate in writing a person to act as the CITY'S representative with respect to the services to be performed or furnished by the CONSULTANT under this Agreement. Such person shall have complete authority to transmit instructions, receive information, interpret and define the CITY'S policies and decisions with respect to the CONSULTANT'S services for the Project. In the absence of any such designation, or until such designation is made by CITY, its City Administrator shall serve as the designated representative.

PART E — TERMINATION OF THE AGREEMENT:

This Agreement may be terminated by the CITY with 15 days written notice. Any such termination by the CONSULTANT shall require a 45-day notice to the City. In the event of substantial failure by the other party to perform in accordance with the terms hereof through no fault of the terminating party; provided however, that in any such case, the CONSULTANT, to the extent not in default, shall be paid for all services actually rendered and all costs reasonably incurred up to the time of termination on the basis of the payment provisions of this Agreement. In all events, the CITY shall have the right to terminate the services of the CONSULTANT, irrespective of whether the CONSULTANT is in default, upon such date as shall be specified in a notice to be delivered in writing to the CONSULTANT.

No such termination shall be deemed to release the CONSULTANT or any insurer from obligations under part G, Section 1 of this Agreement for liability arising from or out of anything occurring or arising on or prior to such termination.

PART F — COMMISSIONS AND FEES:

The CONSULTANT warrants that it has not employed or retained any company or person, other than a bona fide employee working solely for CONSULTANT, to solicit or secure this Agreement, and that it has not paid or agreed to pay any company or person, other than a bona fide employee working solely for the CONSULTANT, any fee, commission, percentage, brokerage fee, gifts, or any other consideration, contingent upon resulting from the award or making of the Agreement. For breach or violation of this warranty, the CITY shall have the right to annul this Agreement without liability, or, in its discretion, to deduct from the Agreement price or consideration, or otherwise recover the full amount of such fee, commission, percentage, brokerage fee, gifts, or contingent fee.

PART G — GENERAL CONSIDERATIONS:

1. **Insurance.** The CONSULTANT, its agent, representatives, and employees shall secure and maintain professional liability insurance for protection from claims arising out of the performance of this Agreement. Such insurance shall provide protection from claims arising out of this Agreement caused

by any error, omission, or act of the CONSULTANT or its employees, agents or representatives in at least the amounts hereunder set forth as desirable.

The professional liability insurance provided shall be in at least the amount of Five Million Dollars (\$5,000,000.00) per claim and annual aggregate (including contractual liability coverage, with all coverage retroactive to the earlier of the date of this Agreement and the commencement of CONSULTANT'S services in relation to the Project), which coverage shall be maintained for a period of three (3) years after the date of final payment under this Agreement, if reasonably available and in the reasonable opinion of the CONSULTANT affordable.

2. **Successor and Assigns.** The CITY and the CONSULTANT each binds itself and its principals, successors, executors, administrators and assigns to the other party of this Agreement and to the principals, successors, executors, administrators and assigns of such other party in respect to all covenants of the Agreement; provided that, neither the CITY nor the CONSULTANT will assign, sublet or transfer its interest in this Agreement without the written consent of the other. CONSULTANT shall not assign the right to any payments to be received hereunder, without the prior written consent of the CITY. Nothing herein shall be construed as creating any personal liability on the part of any officer or agent of any public body which may be party hereto, nor shall it be construed as giving any rights or benefits hereunder to anyone other than the CITY and the CONSULTANT.

3. **Ownership of Documents.** The CITY acknowledges the CONSULTANT'S work product as instruments of professional service. Nevertheless, the work product prepared under this Agreement is property of the CITY and any documents related thereto shall be submitted to the CITY upon request.

4. **No Collusion/Financial Interest.** The only parties interested in this Agreement are named herein and this Agreement is made without collusion with any person, firm or corporation. No member of the City Council, officer or agent of the CITY, is directly or indirectly financially interested in the Agreement.

PART H – NON DISCRIMINATION

1. CONSULTANT shall observe the provisions of the Kansas Act Against Discrimination and shall not discriminate against any person in the performance of work under this Agreement because of race, religion, color, sex, disability, national origin, or ancestry. In all solicitations or advertisements for employees, CONSULTANT shall include the phrase "Equal Opportunity Employer" or a similar phrase approved by the Kansas Human Rights Commission.

2. If CONSULTANT fails to comply with the manner in which CONSULTANT reports to the Kansas Human Rights Commission in accordance with the Provisions of K.S.A. 44-1031 and amendments thereto, CONSULTANT shall be deemed to have breached this Agreement and the Agreement may be cancelled, terminated, or suspended, in whole or in part by CITY.

3. If CONSULTANT is found guilty of violation of the Kansas Act Against Discrimination under decision or order of the Kansas Human Rights Commission which has become final, CONSULTANT shall be deemed to have breached the Agreement and this Agreement may be canceled, terminated or suspended in whole or in part by CITY.

4. Notwithstanding anything expressed or implied elsewhere in this AGREEMENT, if CITY exercises any of its rights under the provisions of the preceding three paragraphs, CONSULTANT shall have no right to recompense or additional payments by reason of such action by CITY.

PART I – MISCELLANEOUS

1. **Severability.** Any provision or part of the Agreement held to be void or unenforceable under any law or regulation shall be deemed stricken and all remaining provisions shall continue to be valid and binding upon the CITY and the CONSULTANT, who agree that the Agreement shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision that comes as close as possible to expressing the intention of the stricken provision.

2. **Notices.** Any notice required under this Agreement will be in writing, addressed to the appropriated party at the address which appears on the signature page to this Agreement (as modified in writing from item to time by such party) and given personally, by registered or certified mail, return receipt requested, by facsimile, by email or by a nationally recognized overnight courier service. All notices shall be effective upon the date of receipt.

3. **Controlling Law.** This Agreement is to be governed by the law of the State of Kansas.

4. **Project Manager.** The project manager for CONSULTANT will be the undersigned.

5. **Independent Contractor.** The intent of the CITY and CONSULTANT is that CONSULTANT shall perform its services under this agreement in all respects as an independent contractor. CONSULTANT shall employ and direct all persons performing any work hereunder, and such persons shall be and remain the sole employees of and subject to the control and direction of CONSULTANT, and shall not be the employees or subject to the direction of CITY, it being the intention of the parties hereto that CONSULTANT shall be and remain an independent contractor, and nothing herein contained shall be construed as inconsistent with that status.

6. **Modification.** The scope of work to be done under this Agreement shall be subject to modification and supplementation upon the written agreement of the duly authorized representatives of the contracting parties. The CONSULTANT shall have no obligation to perform services in connection with a change in the scope of work unless the cost thereof shall be agreed to under this paragraph.

7. **Term.** With respect to the TIF Services, the term of this agreement shall expire on June 30, 2022. With respect to the CID Services, the term of this agreement shall expire on September 30, 2022.

8. **Bonds.** The Project is expected to be financed on a pay-as-you-go basis. In the event bonds are issued for the Project, including but not limited to TIF bonds, CID bonds, or industrial revenue bonds, a separate engagement letter will be entered into with respect to professional services for such bonds.

9. **Attorney-Client Relationship.** Upon acceptance of this engagement letter, the CITY will be a client of the CONSULTANT, and an attorney-client relationship will exist between the parties. As CITY is aware, CONSULTANT represents many political subdivisions. It is possible that during the time that CONSULTANT is representing the CITY in this engagement, one or more of CONSULTANT's present or future clients will have transactions with the CITY. It is also possible that CONSULTANT may be asked to represent, in an unrelated matter, one or more of such entities. CONSULTANT does not believe such representation, if it occurs, will adversely affect CONSULTANT's ability to represent the CITY as provided in this letter, either because such matters will be sufficiently different from CONSULTANT's representation contemplated herein so as not to make such representations adverse to CONSULTANT's representation of the CITY, or because the potential of such adversity is remote or minor and is outweighed by the consideration that it is unlikely that advice given to the other client will be relevant to any aspect of CONSULTANT's representation of the CITY contemplated herein. Acceptance of this letter will signify the CITY's consent to CONSULTANT's representation of others consistent with the circumstances described in this paragraph.

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IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement as of the day and year first above written.

GILMORE & BELL, P.C.

By _____

Kevin J. Wempe

Title: Shareholder

Address:

2405 Grand Blvd., Suite 1100

Kansas City, Missouri 64108

Email: kwempe@gilmorebell.com

CITY OF ROELAND PARK, KANSAS

By _____

Title: Mayor

Address:

4600 W. 51st Street

Roeland Park, Kansas 66205

Attn: Keith Moody, City Administrator

Email: kmoody@roelandpark.org

ATTEST:

Kelley Nielsen, City Clerk

Email: knielsen@roelandpark.org

Approved as to form:

Steven E. Mauer, City Attorney

Email: semauer@mauerlawfirm.com

Item Number: New Business- VIII.-D.
Committee 1/18/2022
Meeting Date:



City of Roeland Park
Action Item Summary

Date: 1/13/2022
Submitted By: Keith Moody
Committee/Department: Admin.
Title: **Approve Financial Services Agreement with Columbia Capital**
Item Type: Agreement

Recommendation:

Staff recommends entering into an agreement for financial advisory services with Columbia Capital related to the Sunflower Development project.

Details:

The attached service proposal from Columbia Capital (the City's Financial Advisor) is similar to a "Task Order" we would execute with the City Engineer when we have a defined project. Columbia Capital will review proforma financial data required of Sunflower. They will ensure assumptions are reasonable and acceptable for the project and the market. They will provide advise in developing the business terms included in the the Development Agreement. They will also complete a feasibility analysis as required under TIF statute and perform financial modeling which will assist the city in determining an appropriate incentive mix for the project.

The costs incurred by the City for these services will be paid for by Sunflower Development per the terms of the "Funding Agreement" on this agenda for Council's consideration.

Financial Impact

Amount of Request: N/A	
Budgeted Item?	Budgeted Amount: Covered by Sunflower Development through Funding Agreement
Line Item Code/Description:	

Additional Information

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

ATTACHMENTS:

Description		Type
	Financial Advisory Services with Columbia Capital related to Sunflower Development Project	Cover Memo

January 6, 2022

Mr. Keith Moody
City Administrator
City of Roeland Park

Via Electronic Mail

Dear Keith:

Thank you for the opportunity to serve the City of Roeland Park (the **City**) as its economic development consultant with respect to the proposed tax increment financing district and community improvement district incentive for the Rocks redevelopment project (the **Project**). The purpose of this letter is to memorialize the City's engagement of Columbia Capital Management, LLC (**Columbia Capital**) as its economic development consultant.

Project

We understand that the City is considering the grant of certain tax increment financing (**TIF**) incentives, community improvement district (**CID**) incentives and potentially other incentives to the developer (Sunflower Development or a related a single purpose entity) for acquisition, blight remediation and redevelopment of the "Rocks" property in Roeland Park.

Scope of Services

Columbia Capital agrees to serve the City by providing economic development consulting services as detailed below:

- 1) The TIF statute requires a "feasibility" finding. Columbia Capital will prepare the financial modeling for the project, based upon inputs agreed between the City and developer, and make the necessary finding under the TIF statute.
- 2) We will use the modeling to help determine, to the extent desired by the City, a form of "but-for" test to assist in analyzing the developer's before and after expected rates of return on the project. This information can assist the City in identifying a reasonable incentive mix for the project.
- 3) We will participate in the negotiations on terms and conditions of the business deal, including level of TIF and CID subsidy, use of proceeds, etc.

4) We will participate in negotiation of the development agreement and will review the documents associated with the creation of the TIF district and project plan and CID.

Term of Engagement and Early Termination

The parties agree that Columbia Capital's engagement on this project will commence upon execution of this letter and expire upon our delivery of our TIF feasibility finding to you, unless extended by the parties.

Project Team

Columbia Capital agrees to commit the human and materiel resources necessary to deliver the required financial advisory services to the City. Jeff White will maintain day-to-day responsibility for executing the scope of services identified above and will be your primary contact for the engagement. Khalen Dwyer and Deric Marr will be available to the City as needed for Columbia Capital to fulfill its obligations to the City.

Fees for Services

For the scope of services items identified above, Columbia will invoice the City as follows:

- \$24,600 on a non-contingent, fixed-fee basis to be invoiced and paid concurrent with our delivery to you of our statutory feasibility analysis for the TIF project plan; plus
- Reasonable travel and out-of-pocket costs related to the execution of the scope of services described above (which we expect to be very minimal).

It is customary for the developer to pay for our costs and those of the City's counsel on these types of transactions. We are amenable to the developer paying us directly with the permission of the City.

This limited scope engagement does not include advice on any financing that might accompany the incentives request. We will propose separate engagements for those incentives should the developer request them.

Thank you for the opportunity to work on this exciting project!

Respectfully submitted,
COLUMBIA CAPITAL MANAGEMENT, LLC



Jeff White
Managing Member

ACKNOWLEDGED AND ACCEPTED

The City hereby engages Columbia Capital Management, LLC, as its economic development consultant pursuant to the terms set forth above of the date first set forth above.

Keith Moody
City Administrator

Item Number: New Business- VIII.-E.
Committee 1/18/2022
Meeting Date:



City of Roeland Park
Action Item Summary

Date: 1/14/2022
Submitted By: Mayor Mike Kelly
Committee/Department: Admin.
Title: **Appoint Liz Vogel, Ian Tompkins and Allen Foley to the Ad-Hoc Historical Committee**
Item Type: Other

Recommendation:

To appoint Liz Vogel, Ian Tompkins and Allen Foley to the Ad-Hoc Historical Committee.

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
 Liz Vogel	Cover Memo

- 📁 Ian Tompkins
- 📁 Allen Foley

Cover Memo
Cover Memo

Online Form Submittal: Committee Volunteer Form

noreply@civicplus.com <noreply@civicplus.com>

Mon 1/10/2022 9:12 PM

To: Nielsen, Kelley <knielsen@roelandpark.org>; RP Intern <intern@roelandpark.org>; Erin Winn <EWinn@roelandpark.org>

Committee Volunteer Form

Date	1/10/2022
First Name	Liz
Last Name	Vogel
Address	5419 W 51ST St
City	Roeland Park
State	KS
Zip	66205
Email	
Phone	
Place of Employment	Hallmark Cards, Inc.
How long have you been a resident of Roeland Park?	2.5yrs
How much time do you have to devote per month?	A few hours
Board & Committee Interest	I signed up for the ad-hoc historical committee to help out w/design needs as well as learn more about the city's history.
Select a Board or Committee	Ad-Hoc Historical Committee
Are you a high school student between the ages of 14 and 18?	No
Additional Comments	Filling this out again, as instructed to do so. Apparently it didn't register properly the first time around - last year.
Resume	Field not completed.

Email not displaying correctly? [View it in your browser.](#)

Online Form Submittal: Committee Volunteer Form

noreply@civicplus.com <noreply@civicplus.com>

Mon 1/10/2022 8:53 PM

To: Nielsen, Kelley <knielsen@roelandpark.org>; RP Intern <intern@roelandpark.org>; Erin Winn <EWinn@roelandpark.org>

Committee Volunteer Form

Date	1/10/2022
First Name	Ian
Last Name	Tompkins
Address	5406 Linden St.
City	Roeland Park
State	Kansas
Zip	66205
Email	
Phone	
Place of Employment	<i>Field not completed.</i>
How long have you been a resident of Roeland Park?	1.5 years
How much time do you have to devote per month?	Around 15
Board & Committee Interest	I am a graphic designer, and I'm interested in helping the Ad-Hoc Historical Committee with design needs as they develop interpretive signage for Roeland Park.
Select a Board or Committee	Ad-Hoc Historical Committee
Are you a high school student between the ages of 14 and 18?	No
Additional Comments	I have been meeting with the Historical Committee since May 2021
Resume	<i>Field not completed.</i>

Email not displaying correctly? [View it in your browser.](#)

Online Form Submittal: Committee Volunteer Form

noreply@civicplus.com <noreply@civicplus.com>

Tue 1/11/2022 9:40 AM

To: Nielsen, Kelley <knielsen@roelandpark.org>; RP Intern <intern@roelandpark.org>; Erin Winn <EWinn@roelandpark.org>

Committee Volunteer Form

Date	1/11/2022
First Name	Allen
Last Name	Foley
Address	3920 W 53RD ST
City	ROELAND PARK
State	KS
Zip	66205-2434
Email	
Phone	
Place of Employment	Self Employed, Foley Solutions LLC
How long have you been a resident of Roeland Park?	16 years
How much time do you have to devote per month?	Very little but will try to expand
Board & Committee Interest	History Committee
Select a Board or Committee	Ad-Hoc Historical Committee
Are you a high school student between the ages of 14 and 18?	No
Additional Comments	Resubmitted from 2/2021
Resume	Field not completed.

Email not displaying correctly? [View it in your browser.](#)

Item Number: **Ordinances and Resolutions:- IX.-**
 A.
Committee **1/18/2022**
Meeting Date:



City of Roeland Park
Action Item Summary

Date: 1/13/2022
Submitted By: Keith Moody
Committee/Department: Admin.
Title: **Resolution 695 Setting Public Hearing on Establishment of TIF4**
Item Type: Resolution

Recommendation:

Staff recommends setting the date of a public hearing to consider establishing a new TIF district (4) created from a portion of TIF district 3.

Details:

Approving the date of a public hearing is the first step of creating a TIF district. Gilmore and Bell has recommended creating a new stand alone TIF district (TIF 4) for the Sunflower Development site (The Rocks land area). Approval of a resolution setting the date of a future public hearing on the topic is required per statute. Attached is a memo from Kevin Wempe, providing a summary on the steps to create a TIF district.

Creating a new TIF 4 district out of a portion of TIF 3 will eventually entail an ordinance removing the area from TIF 3 (anticipated to occur following action to create TIF 4). Moving this land from TIF 3 to TIF 4 will not decrease the increment being captured by TIF 3 because all of the land being removed is tax exempt (because it is owned by the City) and therefore does not currently generate any increment for TIF 3.

Sunflower Development is certain they need TIF resources to complete the project and the City has anticipated the incentive request as reflected in the approved MOU with Sunflower. How much increment will be made available to the Sunflower project has not yet been determined, that is a business term that will be specified in the Development Agreement after consideration of the proforma financials have been assembled and considered.

Financial Impact

Amount of Request: N/A	
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
☐	Resolution Setting Public Hearing on Creating TIF 4	Cover Memo
☐	TIF Memo from Gilmore & Bell	Cover Memo

RESOLUTION NO. 695

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF ROELAND PARK, KANSAS ESTABLISHING THE DATE AND TIME OF A PUBLIC HEARING REGARDING THE ESTABLISHMENT OF A REDEVELOPMENT DISTRICT PURSUANT TO K.S.A. 12-1770 ET SEQ.

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

Section 1. The City of Roeland Park, Kansas (the “City”) is considering the establishment of a redevelopment district pursuant to K.S.A. 12-1770 *et seq.*, as amended (the “Act”).

Section 2. Notice is hereby given that a public hearing will be held by the City to consider establishment of a redevelopment district on **February 21, 2022** in the City Council chambers located in City Hall, 4600 W. 51st Street, Roeland Park, Kansas 66205, commencing at 6:00 p.m. or as soon thereafter as the matter may be heard.

Section 3. A map of the proposed redevelopment district is attached hereto as **Exhibit A**. The boundaries of the proposed redevelopment district are legally described in **Exhibit B** hereto. A description and map of the proposed redevelopment district are available for inspection and copying in the offices of the City Clerk, City Hall, 4600 W. 51st Street, Roeland Park, Kansas 66205, Monday through Friday (other than holidays) between 8:00 a.m. and 5:00 p.m.

Section 4. The proposed district plan for the proposed redevelopment district is described in a general manner as follows:

A redevelopment district containing up to two project areas consisting of some or all of the following uses: one or more commercial or residential facilities and all related infrastructure improvements, including site work, parking facilities, storm water, streets, sidewalks, traffic signals, sanitary sewers, water lines, gas lines, electric lines, landscaping, rock excavation, grading, retaining walls, and all related expenses to redevelop and finance the project, and all other associated public and private infrastructure and other items allowable under the Act.

Section 5. The City Council will consider the findings necessary for the establishment of a redevelopment district after conclusion of the public hearing.

Section 6. The City Clerk is hereby authorized and directed to publish this resolution once in the official city newspaper not less than one week or more than two weeks preceding the date set for the public hearing. The City Clerk is also authorized and directed to mail a copy of this resolution via certified mail, return receipt requested to the board of county commissioners, the board of education of any school district levying taxes on property within the proposed redevelopment district, and to each owner and occupant of land within the proposed redevelopment district, not more than 10 days following the date of the adoption of this Resolution.

Section 7. This Resolution shall become effective upon its adoption by the City Council.

ADOPTED by the City Council of the City of Roeland Park, Kansas on January 18, 2022.

[SEAL]

Attest:

Mike Kelly, Mayor

Kelley Nielsen, City Clerk

EXHIBIT A

MAP OF PROPOSED REDEVELOPMENT DISTRICT

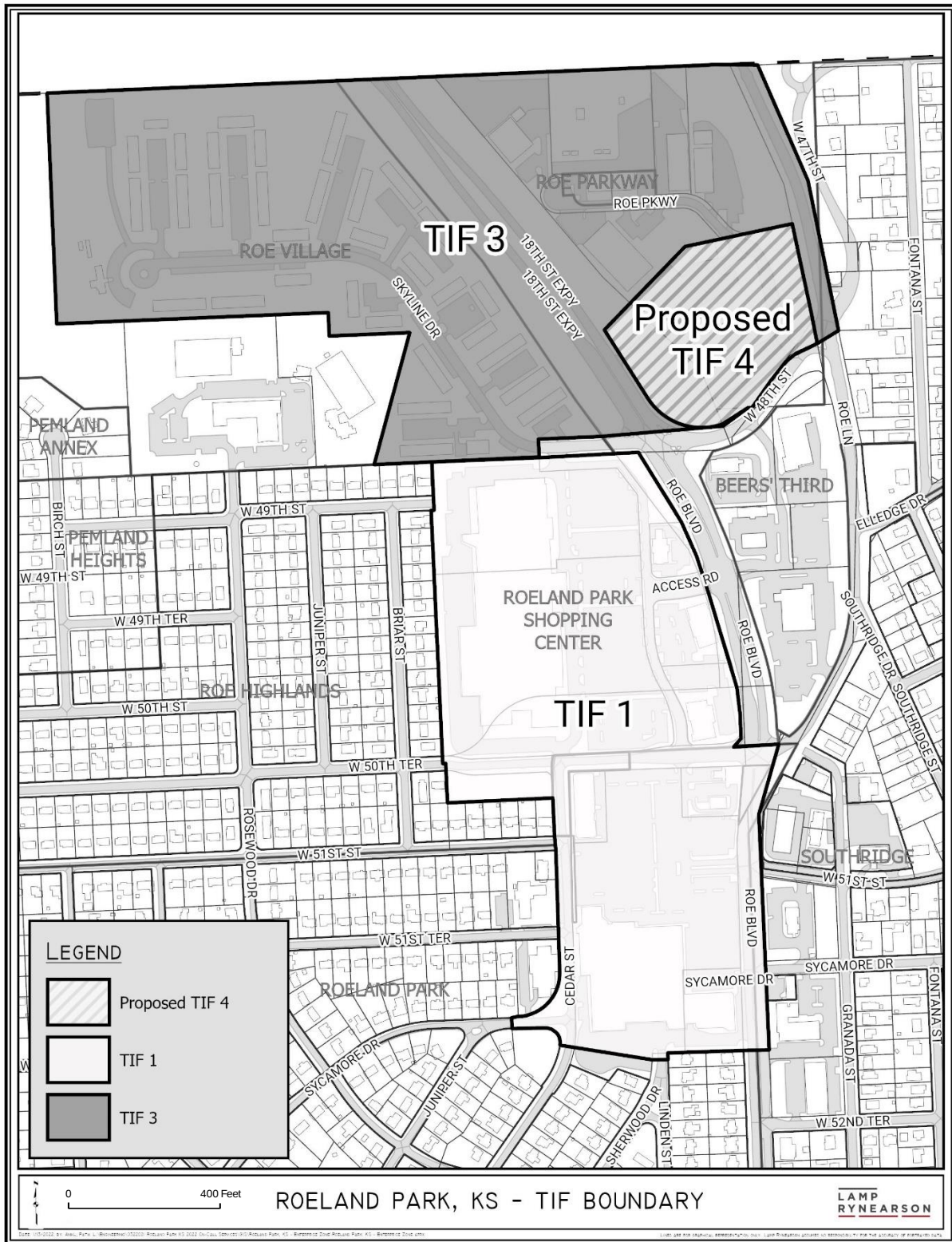


EXHIBIT B

LEGAL DESCRIPTION OF PROPOSED REDEVELOPMENT DISTRICT

The following property located in Johnson County, Roeland Park, Kansas:

Proposed TIF 4 Boundary

Legal Description

All of that part of the North Half of Section 4, Township 12 South, Range 23 East, situate in the City of Roeland Park, Johnson County, Kansas, being described as follows:

Commencing at the Northeast corner of the Northwest Quarter of said Section 4; thence South 2°31'58" East, along the East line of the Northwest Quarter of said Section 4, a distance of 594.35 feet to the Point of Beginning; thence North 78°00'03" East, departing the East line of the Northwest Quarter of said Section 4, a distance of 247.12 feet to a point on the Western right-of-way line of Roe Lane, as now established; thence South 12°03'57" East, along the Western right-of-way line of said Roe Lane, a distance of 317.23 feet to a point of intersection in the Western right-of-way line of said Roe Lane; thence South 12°03'57" East, departing the Western right-of-way line of said Roe Lane, a distance of 100.00 feet; thence South 63°47'03" West a distance of 79.73 feet; thence Southwesterly, along a curve to the left that is non-tangent with the exit of the last described course, having a radius of 300.00 feet, a central angle of 25°01'43", and an arc distance of 131.05 feet to a point on the Northwestern right-of-way line of W. 48th Street, as now established; thence along the Northwestern right-of-way line of said W. 48th Street the following (5) courses: 1) Southwesterly along a curve to the right that is non-tangent with the exit of the last described course, having an initial tangent bearing of South 38°45'18" West, a radius of 300.00 feet, a central angle of 1°58'16", and an arc distance of 10.32 feet; 2) South 36°46'32" West a distance of 112.40 feet; 3) South 52°33'03" West a distance of 4.61 feet; 4) Southwesterly along a curve to the right that is non-tangent with the exit of the last described course, having an initial tangent bearing of South 43°02'55" West, a radius of 210.00 feet, a central angle of 19°00'11", and an arc distance of 69.65 feet; 5) South 52°33'03" West a distance of 34.42 feet to the intersection with the Northeastern right-of-way line of Roe Boulevard, as now established; thence along the Northeastern right-of-way line of said Roe Boulevard the following three (3) courses: 1) North 20°45'27" West a distance of 8.36 feet; 2) Westerly and Northwesterly along a curve to the right that is non-tangent with the exit of the last described course, having a radius of 210.00 feet, a central angle of 76°28'50", and an arc distance of 280.32 feet; 3) thence North 32°26'59" West a distance of 275.64 feet; thence North 44°06'13" East, departing the Northeastern right-of-way line of said Roe Boulevard, a distance of 396.21 feet; thence North 78°00'03" East a distance of 126.88 feet to the Point of Beginning. Containing 322,276 square feet, or 7.40 acres, more or less.

The bearings in this description are based on the Kansas State Plane Coordinate System, North Zone, NAD83.

This description prepared by:
Kellan M. Gregory, KS PLS #1577
Lamp Rynearson
9001 State Line Road
Kansas City, Missouri 64114
Kansas CLS-350



GILMORE & BELL PC
2405 GRAND BOULEVARD, SUITE 1100
KANSAS CITY, MISSOURI 64108-2521
816-221-1000 | 816-221-1018 FAX
GILMOREBELL.COM

TO: Keith Moody, City Administrator, City of Roeland Park, Kansas

FROM: Kevin Wempe, Gilmore & Bell, P.C.

DATE: January 18, 2022

RE: Tax Increment Financing Resolution

TIF Generally. Tax increment financing (TIF) is a statutory procedure available to cities in the State of Kansas to encourage redevelopment within certain eligible areas. The theory of TIF is that, by encouraging redevelopment projects, the value of real property in a redevelopment district will increase, and a portion of the increase in property taxes (and in some cases certain sales taxes and other fees) collected within the district can be utilized to finance eligible project costs. Increased tax revenues associated with redevelopment are not abated, but rather are diverted to fund eligible costs associated with redevelopment.

TIF Resolution and Upcoming Procedure. The Resolution presented for consideration is the first official step in the process that is required by the TIF statutes (K.S.A. 12-1770 *et seq.*, or the “TIF Act”). The Resolution formally calls a public hearing on the establishment of a TIF district to be held at the City Council’s meeting to be held on February 21, 2022.

Prior to the public hearing, the TIF Act requires publication of the Resolution and notice of the public hearing to be mailed to the county, school district, and property owners within the proposed TIF district. Following the public hearing, the City Council will consider an ordinance making certain findings and establishing the proposed TIF district (“TIF District 4”). Creating a TIF district establishes the geographic boundaries of the district and the “base value” of the TIF district, and future property tax revenues allocable to increases in assessed valuation in excess of this base value can be captured by the TIF district.

Proposed TIF District 4 is currently located within a TIF district previously established by the City (“TIF District 3”). At the February 21st meeting, the City Council will also consider an ordinance removing from TIF District 3 the portion of property allocable to proposed TIF District 4.

If the City Council proceeds with the establishment of TIF District 4, the TIF Act prescribes the necessary further steps for the adoption of a redevelopment project plan (a “TIF Plan”), which is necessary to allow for utilization of TIF revenues for the proposed project. Adopting a TIF Plan requires several procedural steps, including preparation of a feasibility study, a determination by the City’s Planning Commission that the TIF Plan is consistent with the City’s comprehensive plan for development, and a public hearing (and providing notice thereof to property owners with the proposed TIF District 4 and certain other taxing jurisdictions).

It is expected that, in the coming months, the developer will provide additional details regarding its proposed project for TIF District 4, including the extent of TIF and other potential City incentives requested. City staff and consultants will evaluate this data, develop a proposed TIF Plan and related development agreement, and return to the City Council at a later date with recommended courses of action.

Item Number: Ordinances and Resolutions:- IX.-
B.
Committee Meeting Date: 1/18/2022



City of Roeland Park
Action Item Summary

Date: 1/11/2022
Submitted By: John Jacobson
Committee/Department: Neighborhood Services
Title: Ordinance 1023 Adopting 2018 Building Codes
Item Type: Ordinance

Recommendation:

Staff recommends the adoption of the 2018 building codes.

Details:

Background:

The City currently uses the 2012 building codes. Staff recommends adopting the 2018 building codes, as this set of codes will make improvements in the sustainability and efficiency of building and closely aligns to the age and condition of our housing stock. The vast majority of Johnson County municipalities have adopted the 2018 codes, with a few remaining with the 2012 codes.

On November 15, 2021 staff reviewed in detail the amendments to the 2018 building codes recommended by the Johnson County Building Officials review committee. The amendments reflected in the attached ordinance are consistent with the review provided by staff and the direction from Council to move this item forward for adoption at a future council meeting. The City Attorney has developed and approves the ordinance attached.

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
 Ordinance 1023 Adopting 2018 Building Codes	Cover Memo

ORDINANCE NO. 1023

AN ORDINANCE RELATING TO BUILDING CODES; AMENDING AND REPEALING EXISTING SECTIONS 4-200, 4-300, 4-400, 4-500, 4-600, 4-700, 4-800, 4-900, 4-1000, 4-1100 and 4-1200 OF THE CODE OF THE CITY OF ROELAND PARK, KANSAS;

WHEREAS, The City of Roeland Park wishes to update its Municipal Building Code to include the changes made to the 2018 International Code Series.

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

SECTION 1.

Existing Sections 4-201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, and 214 of the Code of the City of Roeland Park, Kansas is hereby amended to read as follows:

Sec. 4-201. - International Building Code Incorporated by Reference.

There is hereby incorporated by reference the "International Building Code, 2018 Edition, including appendix chapters E, F, G, I and J," published by the International Code Council. No fewer than one copy of the "International Building Code, 2018 Edition," marked or stamped in the manner provided by K.S.A. 12-3010, with all sections or portions thereof intended to be omitted clearly marked and showing portions that are amended and to which shall be attached a copy of amendments shall be filed with the City Clerk and shall be open to inspection and available to the public at reasonable business hours. Official copies of such Code shall be supplied at the cost of the City to the officials and agencies in the manner listed and the set forth in K.S.A. 12-3010. Subsequent references to the "Building Code" shall mean the International Building Code, 2018 Edition published by the International Code Council.

Sec. 4-202. - IBC Section 101.1 Amended.

Section 101.1, entitled "Title," shall be amended to read "These regulations shall be known as the Building Code of the City of Roeland Park, Kansas, hereinafter referred to as "this code.'"

Sec. 4-203. - IBC Section 101.2 Amended.

Section 101.2, entitled "Scope," shall be amended to read as follows: "Exception: Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories high with separate means of egress and their accessory structures shall comply with the International Residential Code as amended."

Sec. 4-204. - IBC Section 109.4.8 Amended.

Section 101.4.8 shall be added to read: "101.4.8 Electrical. The provisions of the 2017 National

Electrical Code, as amended, shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.”

Sec. 4-205. - IBC Section 103.2 Amended.

Section 103.2, entitled “Appointment,” shall be deleted in its entirety

Sec. 4-206. - IBC Section 105.1.3 Amended.

Section 105.1.3 is hereby added to read as follows: “105.1.3 COUNTY LICENSE REQUIRED. All persons undertaking work which requires a permit as provided in Section 105, or seeking to obtain that permit from the City, are required to have a currently valid contractor's license from the Johnson County Contractor's Licensing Program. That County license shall have been issued by the County in accordance with the provisions of the Johnson County Contractors Licensing Program and the Contractor Licensing Regulations adopted by the Board of County Commissioners by Resolution 058-01 on August 9, 2001, and any regulations subsequently adopted by the Contractor Licensing Review Board as authorized by said County Licensing Regulations, as said Resolution and regulations may be amended from time to time by said Boards.

- Exception: The owner of a single family dwelling shall be allowed to secure a permit to construct, alter or repair said dwelling provided the following conditions are met: (1) the homeowner currently occupies the dwelling or will occupy the dwelling once the construction has been completed; and (2) the homeowner undertakes the work himself/herself, without compensation and no person shall be employed to assist the homeowner in any way on such work except a builder or building contractor licensed by Johnson County. The Building Official may waive the provisions of this Section where it can be established that no license exists for the installation, alteration or repair of a certain type of work requiring a permit, or due to other unique circumstances.

Sec. 4-207. - IBC Section 105.2 Amended.

Section 105.2, entitled “Work exempt from permit,” shall be revised to and amended to delete the following exemptions from the permit requirement under “Building:”:

- (1) One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet
- (2) Fences not over 7 feet (1829 mm) high.
- (3) Oil derricks.
- (5) Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18,927 L) and the ratio of height to diameter or width does not exceed 2 to 1.
- (6) Sidewalks and driveways.

Sec. 4-208. - IBC Section 105.3.2 Amended.

Section 105.3.2, “Time limit of application,” shall be amended to read as follows: “An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except

that the building official is authorized to grant one or more extensions of time for additional periods not exceeding 180 days each. The extension or extensions shall be requested in writing and justifiable cause demonstrated.”.

Sec. 4-209. - IBC Section 109.3 Amended.

Section 109.3, entitled “Building Permit Valuations,” shall be amended to add the following sentence at the end of said provision: “Alternatively, building permits fee may be set and established administratively by the City according to the schedule as established by the City and as amended.”.

Sec. 4-210. - IBC Section 1809.5 Amended.

Section 1809.5 of the International Building Code, 2012 Edition, is hereby amended with the addition of the following sentence:

Frost Protection. Except where otherwise protected from frost, foundations and other permanent supports of buildings and structures shall be protected from frost by one or more of the following methods:

- 1.Extending below the frost line of thirty-six (36") inches;
- 2.Constructing in accordance with ASCE 32; or,
- 3.Erecting on solid rock with the support from a geo-technical report.

Exception: Free standing, non-habitable buildings of light frame construction less than 400 square-feet in floor area.

Sec.4-211 IBC Section 109.4 Amended

Section 109.4, entitled “Work commencing before permit issuance” shall be amended to read; “Any person who commences work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits, shall be subject to a fee equal to one half of the permit fee, in addition to required fees.

Sec. 4-212 IBC Section 114.4 Amended

Section 114.4, entitled “Violation penalties,” shall be amended to add the following at the end of said provision: “In addition to any administrative remedies or other legal or equitable remedies provided, any persons violating the provisions of this code shall, upon conviction thereof, be fined in a sum not to exceed \$500.00, or be imprisoned not to exceed six months or be both so fined and imprisoned. Each person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of the city ordinances is committed, continued or permitted by any such person.”

Sec. 4-213 IBC Section 1612.3 Amended

Section 1612.3, entitled “Establishment of flood hazard area,” shall be deleted, and in lieu thereof,

shall be inserted the following: “To establish flood hazard areas, the City of Roeland Park may adopt a flood hazard map and supporting data. If and when the city undertakes such a task, such shall comply with the requirements of Section 1612.3 and shall be incorporated into the city’s code requirements.”

Sec. 4-214 IBC Chapter 32 Deleted

Chapter 32 is deleted in its entirety

SECTION 3. Existing Section 4-301,302,303,304,305,306,307,308,309 of the Code of the City of Roeland Park, Kansas is hereby amended to read as follows:

Sec. 4-301. - International Existing Building Code Adopted by Reference.

There is hereby incorporated by reference the "International Existing Building Code, 2018 Edition," and including Resource A, published by the International Code Council. No fewer than one copy of the "International Existing Building Code, 2018 Edition," marked and showing portions that are amended and to which shall be attached a copy of amendments shall be filed with the City Clerk and shall be open to inspection and available to the public at reasonable business hours. Official copies of such code shall be supplied at the cost of the City to the officials and agencies in the manner listed and set forth in K.S.A. 12-3010. Subsequent references to the "Existing Building Code" shall mean the International Existing Building Code, 2018 Edition.

Sec. 4-302. - IEBC Section 101.1 Amended.

Section 101.1, entitled “Title,” shall be amended to read: “These regulations shall be known as the International Existing Building Code of the City of Roeland Park, Kansas, hereinafter referred to as “this code.”

Sec. 4-303. - IEBC Section 105.2 Amended.

Section 105.2, entitled “Work Exempt from Permit,” shall be amended to delete the following exemptions from the permit requirements:

- (1) Sidewalks and driveways not more than 30 inches (762 mm) above grade and not over any basement or story below.
- (2) Window awnings supported by an exterior wall.

Sec. 4-304. - IEBC Section 105.2 Amended.

Section 105.2 of the International Existing Building Code, 2018 Edition, Permits, is hereby modified to delete the "Building: 1." exemption from the items not requiring a permit.

Sec. 4-305. - IEBC Section 113.4 Amended.

Section 113.4, entitled "Violation penalties," shall be amended to add the following:

In addition to any administrative remedies or other legal or equitable remedies provided, any persons violating the provisions of this code shall, upon conviction thereof, be fined in a sum not to exceed \$500.00, or be imprisoned not to exceed six months or be both so fined and imprisoned. Each person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of the city ordinances is committed, continued or permitted by any such person

Sec. 4-306. - IEBC Section 108.6 Amended.

Section 108.6 of the International Existing Building Code, 2018 Edition, is hereby amended to read as set out in [Section 4-104](#) of this Code.

Sec. 4-307. - IEBC Section 112 Amended.

Section 112 of the International Existing Building Code, 2018 Edition, is hereby amended to read as set out in [Section 4-110](#) of the City Code.

Sec. 4-308. - IEBC Section 113 Amended.

Section 113 of the International Existing Building Code, 2018 Edition, is hereby amended to read as set out in [section 4-109](#) of the City Code.

Sec. 4-309. - IEBC Section 114.3 Amended.

Section 114.3 of the International Existing Building Code, 2018 Edition, is hereby amended to read:

"Unlawful Continuance. Any violations or penalties are subject to the provisions of Chapter I - Article 1 - [Section 1-117](#) of the Code of the City of Roeland Park Kansas."

SECTION 4. Existing Section 4-401,402,403,404,405,406,407 of the Code of the City of Roeland Park, Kansas is hereby amended to read as follows:

Sec. 4-401. - International Mechanical Code Incorporated by Reference.

There is hereby incorporated by reference the "International Mechanical Code, 2018/ Edition," published by the International Code Council. No fewer than one copy of the "International Mechanical Code, 2018 Edition," marked or stamped in the manner provided by K.S.A. 12-3010, with all sections or portions thereof intended to be omitted clearly marked and showing portions that are amended and to which shall be attached a copy of amendments shall be filed with the City Clerk and shall be open to inspection and available to the public at reasonable business hours. Official copies of such code shall be supplied at the cost of the City to the officials and agencies in the manner listed and the set forth in K.S.A. 12-3010. Subsequent references to the "Mechanical Code" shall mean the International Building Code, 2018 Edition published by the International Code Council.

Sec. 4-402. - IMC Section 101.1 Amended.

Section 101.1, entitled “Title,” shall be amended to read: “These regulations shall be known as the Mechanical Code of the City of Roeland Park, Kansas, hereinafter referred to as ‘this code.’”

Sec. 4-403. - IMC Section 106.5.2 Amended.

Section 106.5.2 of the International Mechanical Code, 2018 Edition, is hereby amended to read as follows:

The schedule of permit fees shall be established by the Governing Body by resolution.

Sec. 4-404. - IMC Section 106.5.3 Amended.

Section 106.5.3 of the International Mechanical Code, 2018 Edition, is hereby amended to read as set out in [Section 4-104](#) of the City Code.

Sec. 4-405. - IMC Section 108.4 Amended.

Section 108.4 of the International Mechanical Code, 2018 Edition, is hereby amended to read as set out in [Section 4-109](#) of the City Code.

Sec. 4-406. - IMC Section 108.5 Amended.

Section 108.5 of the International Mechanical Code, 2018 Edition, is hereby amended to read:

Replace the words "Amount" with the number "One (\$1)" and "One Thousand (\$1,000)" respectively.

Sec. 4-407. - IMC Section 109 Amended.

Section 109 of the International Mechanical Code, 2018 Edition, is hereby amended to read as set out in [Section 4-110](#) of the City Code.

SECTION **5.** Existing Section **4-**
501,502,503,504,505,506,507,508,509,510,511,512,513,514,515,516 of the Code of the City
of Roeland Park, Kansas is hereby amended to read as follows:

Sec. 4-501. - International Plumbing Code Incorporated by Reference.

There is hereby incorporated by reference the "International Plumbing Code, 2018 Edition," including appendix chapters C, E and F, published by the International Code Council. No fewer than one copy of the "International Plumbing Code, 2018 Edition," marked or stamped in the manner provided by KSA 12-3010 with all sections or portions thereof intended to be omitted clearly marked and showing portions that are amended and to which shall be attached a copy of amendments shall be filed with the City Clerk and shall be open to inspection and available to the public at reasonable business hours. Official copies of such code shall be supplied at the cost of the City to the officials and agencies in the manner listed and set forth in KSA 12-3010. Subsequent references to the Plumbing Code shall mean the International Plumbing Code, 2018 Edition.

published by the International Code Council.

Sec. 4-502. - IPC Section 101.1 Amended.

Section 101.1 of the International Plumbing Code, 2018 Edition, is hereby amended to read as follows:

Replace the words "Name of Jurisdiction" with the words "the City of Roeland Park, Kansas."

Sec. 4-503. - IPC Section 103.1 Deleted.

Section 103.1 of the International Plumbing Code, 2018 Edition, is hereby deleted.

(Code 2022)

Sec. 4-504. - IPC Section 103.2 Deleted.

Section 103.2 of the International Plumbing Code, 2018 Edition, is hereby deleted.

(Code 2022)

Sec. 4-505. - IPC Section 106.6.2 Amended.

Section 106.6.2 of the International Plumbing Code, 2018 Edition, is hereby amended to read as follows:

Fee Schedule. The Governing Body shall establish permit fees by resolution.

Sec. 4-506. - IPC Section 106.6.3 Amended.

Section 106.6.3 of the International Plumbing Code 2018 Edition is hereby amended to read as set out in [Section 4-104](#) of this Code.

Sec. 4-507. - IPC Section 106.7 Amended.

Section 106.7 shall be added to the end of Section 106 of the International Plumbing Code 2018 Edition and shall read as provided in [Section 4-102](#) of the City Code.

Sec. 4-508. - IPC Section 108.4 Amended.

Section 108.4 of the International Plumbing Code, 2018 Edition, amended to read as set out in [Section 4-109](#) of the City Code.

Sec. 4-509. - IPC Section 108.5 Amended.

Section 108.5 of the International Plumbing Code, 2018 Edition, is hereby amended as follows:

Replace the words Amount with the number One (\$1.00) and One Thousand (\$1,000) respectively.

Sec. 4-510. - IPC Section 109 Amended.

Section 109 of the International Plumbing Code, 2018 Edition, is hereby amended to read as set out in [Section 4-110](#) of the City Code.

Sec. 4-511. - IPC Section 305.4.1 Amended.

Section 305.4.1 of the International Plumbing Code, 2018 Edition, is Hereby Amended as Follows:

Building sewers that connect to private sewage disposal systems shall be prohibited whenever possible. Where circumstances would require a private sewage disposal system, application shall be made to the Johnson County Department of Environmental for approval. The private sewage disposal system shall be registered with Johnson County; shall be installed accordingly, meeting all Johnson County rules and regulations; and, shall be tested and maintained according to the rules and regulations of Johnson County.

Sec. 4-512. - IPC Section 607.3 Amended.

Section 607.3 of the International Plumbing Code, 2018 Edition, is hereby amended by adding the following:

607.3 Thermal expansion. An expansion tank shall be provided for all new and/or replacement water heaters.

Sec. 4-513. - IPC Section 701.3 Amended.

Section 701.3 of the International Plumbing Code, 2018 Edition, is hereby amended by adding the following paragraph:

All residential duplex units and or condominium units shall have installed separate sanitary sewer service lines to each living unit from the main line to the living unit.

Sec.4-514.- IPC Section 702 Amended

Section 702.3, Table 702.3, of the International Plumbing Code 2018 Edition, is hereby amended entitled "Building Sewer Pipe," is hereby amended by removing the following pipes from the

approved material list: “Vitrified clay pipe.”

Sec. 4-515. - IPC Section 703 Amended.

Section 702.4, Table 702.4, of the International Plumbing Code 2018 Edition, entitled “Pipe Fittings,” is hereby amended by removing the following pipes from the approved material list: “Vitrified clay pipe.”

Sec. 4-515. - IPC Section 708.3.5 Amended.

Section 708.1.10 of the International Plumbing Code, 2018 Edition, is hereby amended by adding the following:

An approved type clean out fitting acceptable to the Johnson County Wastewater District shall be installed outside of a building and extended above grade from the waste or soil lines serving a building constructed with a concrete floor on grade or with a crawl space foundation.

Sec. 4-516. - IPC Section 903.1 Amended.

Section 903.1 of the International Plumbing Code, 2018 Edition, is hereby amended to read as follows:

Insert the number "twelve (12)" in the space that says NUMBER.

SECTION 6.

Existing Section 4-601,602,603,604,605,606,607,608,609,610,611,612,613 of the Code of the City of Roeland Park, Kansas is hereby amended to read as follows:

Sec. 4-601. - International Energy Conservation Code Incorporated by Reference.

There is hereby incorporated by reference the "International Energy Conservation Code, 2018 Edition," published by the International Code Council. No fewer than one copy of the "International Energy Conservation Code, 2018 Edition," marked and showing portions that are amended and to which shall be attached a copy of amendments shall be filed with the City Clerk and shall be open to inspection and available to the public at reasonable business hours. Official copies of such code shall be supplied at the cost of the City to the officials and agencies in the manner listed and set forth in K.S.A. 12-3010. Subsequent references to the Energy Code shall mean the International Energy Conservation Code, 2018 Edition.
(Code 2022)

Sec. 4-602. - IECC Section C101.1 Amended.

Section C101.1 is amended to read as follows:

Replace the words "Name of Jurisdiction" with the words "the City of Roeland Park, Kansas."

Sec. 4-603. - IECC Section C104.2 Amended.

Section C104.2 of the International Energy Conservation Code, 2018 Edition, is hereby amended to read as follows:

The schedule of permit fees shall be established by the Governing Body by resolution.

Sec. 4-604. - IECC Section C104.3 Amended.

Section C104.3 of the International Energy Conservation Code, 2018 Edition, is hereby amended to read as follows:

Replace the words "code official" with the words "Governing Body by resolution."

Sec. 4-605. - IECC Section C107.5 Amended.

Section C107.2 of the International Energy Conservation Code, 2012 Edition, is hereby amended to read as set out in [Section 4-104](#) of this Code.

Sec. 4-606. - IECC Section C108.4 Amended.

Section C108.4 of the International Energy Conservation Code, 2018 Edition, is hereby amended to read as set out in [section 4-109](#) of the City Code.

Sec. 4-607. - IECC Section C109 Amended.

Section C109 of the International Energy Conservation Code, 2018 Edition, is hereby amended to read as set out in [Section 4-110](#) of the City Code.

Sec. 4-608. - IECC Section R101.1 Amended.

Section R101.1 is amended to read as follows:

Replace the words "Name of Jurisdiction" with the words "the City of Roeland Park, Kansas."

Sec. 4-609. - IECC Section R107.2 Amended.

Section R104.2 of the International Energy Conservation Code, 2018 Edition, is hereby amended to read as follows:

The schedule of permit fees shall be established by the Governing Body by resolution.

Sec. 4-610. - IECC Section R107.3 Amended.

Section R104.3 of the International Energy Conservation Code, 2018 Edition, is hereby amended to read as follows:

Replace the words "code official" with the words "Governing Body by resolution."

Sec. 4-611. - IECC Section R107.5 Amended.

Section R104.5 of the International Energy Conservation Code, 2018 Edition, is hereby amended to read as set out in [Section 4-104](#) of this Code.

Sec. 4-612. - IECC Section R108.4 Amended.

Section R108.4 of the International Energy Conservation Code, 2018 Edition, is hereby amended to read as set out in [Section 4-109](#) of the City Code.

Sec. 4-613. - IECC Section R402.1.2 Amended.

Table R402.1.2 of the International Energy Conservation Code, 2018 Edition, is hereby amended to read as follows:

Table R402.1.2

Insulation and Fenestration Requirements by Component^a

Climate Zone	Fenestration U-Factor	Skylight U-Factor ^b	Glazed Fenestration SHGC ^b	Ceiling R-Value ^f	Wood Frame Wall R-Value	Mass Wall R-Value	Floor R-Value	Basement Wall R-Value ^c	Slab R-Value & Depth ^d	Crawl Space Wall R-Value ^e
4	0.35	0.55	0.4	49	13	8/13	19	10/13	NR	10/13

(a) R-values are minimums. U-factors and SHGC are maximums. When insulation is installed in a cavity which is less than the label or design thickness of the insulation, the installed R-value of the insulation shall not be less than the R-value specified in the table.

(b) The fenestration U-factor column excludes skylights. The SHGC column applies to all glazed fenestration.

(c) "10/13" means R-10 continuous insulation on the interior or exterior of the home or R-13 cavity insulation at the interior of the basement walls.

(d) R-5 shall be added to the required slab edge R-values for heated slabs.

(e) No change.

(f) No change.

(g) No change

(h) Refers to wall cavity insulation minimum standards only.

(i) No change.

(j) Loose-fill insulation shall be installed at the rate recommended by the manufacturer's statement "so many bags per 1,000 sq ft." Where the pitch of the roof restricts the minimum thickness at the exterior wall line, the insulation shall be blown into the cavity so as to achieve a greater compacted density to a point where the "minimum thickness" can be achieved. An alternative is to install high density batts around the perimeter edge per R1102.2.

SECTION 7. Existing Section 4-701 Through 4-741 of the Code of the City of Roeland Park, Kansas is hereby amended to read as follows:

Sec. 4-701. - International Residential Code Incorporated by Reference.

There is hereby incorporated by reference the "International Residential Code for One and Two Family Dwellings, 2018 Edition," including appendix chapters E, F, G, H, J, K, O, Q and the referenced standards in Chapter 44, published by the International Code Council. No fewer than one copy of the "International Residential Code, 2018 Edition," marked or stamped in the manner provided by K.S.A. 12-3010, with all sections or portions thereof intended to be omitted clearly marked and showing portions that are amended and to which shall be attached a copy of amendments shall be filed with the City Clerk and shall be open to inspection and available to the public at reasonable business hours. Official copies of such code shall be supplied at the cost of the City to the officials and agencies in the manner listed and set forth in K.S.A. 12-3010. Subsequent references to the Residential Code shall mean the International Residential Code for One- and Two-Family Dwellings, 2018 Edition, published by the International Code Council.

Sec. 4-702. - IRC Section R101.1 Amended.

Section R101 of the International Residential Code, 2018 Edition, Title is hereby amended to read as follows:

Replace the words "Name of Jurisdiction" with the words "the City of Roeland Park, Kansas."

Sec. 4-703. - IRC Section R105.2 Amended.

Section R105.2 of the International Residential Code, 2018 Edition, Work Exempt from Permit, is hereby amended to read as follows:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses provided the floor area is less than 100 square feet.
2. Eliminate this exception. All fences will require a permit in accordance with Chapter XVI - [Section 16-613](#) of the City's codes.
3. Retaining walls that are not over 4 feet in height measured from the bottom of the footing to the top of the wall unless supporting a surcharge.
4. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2 to 1.
5. Eliminate this exception. All concrete poured within the City of Roeland Park shall require a permit.
6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.

7. Prefabricated swimming pools that are 24 inches deep or less.
8. Swings and other playground equipment.
9. Window awnings supported by an exterior wall which do not project more than 54 inches from the wall and do not require additional support.
10. Eliminate this exception. A deck is a structure therefore all decks shall require a permit.

Sec. 4-704. - IRC Section R108.2 Amended.

Section R108.2 of the International Residential Code, 2018 Edition, Fees is hereby amended to read as follows:

The Schedule of Permit Fees shall be established by the Governing Body by resolution.

Sec. 4-705. - IRC Section R108.5 Amended.

Section R108.5 of the International Residential Code, 2018 Edition, is hereby amended to read as set out in [Section 4-104](#) of this Code.

Sec. 4-706. - IRC Section R109.1.8 Amended.

Section R109.1.8 of the International Residential Code, 2018 Edition, is hereby added to read as follows:

If mud dirt rock or any other type of debris from the permitted building site has been found in the public right-of-way then all inspections for that permitted building will not be conducted until the right-of-way has been cleaned and inspected.

Sec. 4-707. - IRC Section R101.1 Amended.

Section R110.4 of the International Residential Code, 2018 Edition, Temporary Occupancy is hereby amended to read as follows:

The fee for a Temporary Certificate of Occupancy shall be established by the Governing Body by resolution. The length of a temporary occupancy certificate shall be thirty (30) days unless weather conditions prevent the placement of landscaping until after thirty (30) days. From June 15 to September 15 sod and trees shall not be planted and the fee for a Temporary Certificate of Occupancy is reduced by fifty (50%) percent. The Building Official, upon due cause, may extend the time period of the Temporary Certificate of Occupancy.

Exception: Sod and trees can be planted between June 15 and September 15 if the homeowner provides the Neighborhood Services Department a letter stating they will water through those months in order to prevent the landscaping from dying. If they fail to do so they will re-establish

all landscaping at the direction of the Code Official. If the letter is provided by the builder, they shall be responsible for the landscaping in the event the property changes ownership before September 15.

Sec. 4-708. - IRC Section R12 Amended.

Section R112 of the International Residential Code, 2018 Edition, Board of Appeals, is hereby amended to read as set out in [Section 4-110](#) of the City Code.

Sec. 4-709. - IRC Section R113.4 Amended.

Section R113.4 of the International Residential Code, 2018 Edition, Violation Penalties is hereby amended to read as set out in [Section 4-109](#) of the City Code.

Sec. 4-710. - IRC Section R1301.2/Table R301.2 Amended.

Section R301.2, Table R301.2(1) of the International Residential Code, 2018 Edition, is hereby amended to insert the following information as follows:

Climatic and Geographic Design Criteria

- a. Roof Snow Load: 20 pounds per square foot
- b. Wind Speed: 90 miles per hour
- c. Topographic effects: No
- d. Seismic Design Category: A
- e. Weathering: Severe
- f. Frost Line Depth: 36 inches
- g. Termite: Moderate to Heavy
- h. Decay: Slight to Moderate
- i. Winter Design Temperature: Six degrees Fahrenheit
- j. Ice Barrier Underlayment Required: Yes
- k. Flood Hazards: Latest adopted FIRM and FBFM documents
- l. Air Freezing Index: 1,000
- m. Mean Annual Temperature: 54.7 degrees Fahrenheit

Sec. 4-711. - IRC Section R302.2 Amended.

Section R302.2 of the International Residential Code, 2018 Edition, Townhouses, is hereby amended to read as follows:

Each townhouse shall be considered a separate building and shall be separated by fire resistance rated wall assemblies of 2-hour and meeting the corresponding UL detail.

Sec. 4-712. - IRC Section R302.3 Amended.

Section R302.3 of the International Residential Code, 2018 Edition, Two-family dwellings, is hereby amended to read as follows:

Each dwelling unit shall be considered a separate building. Dwelling unit separation for two-family dwellings shall be constructed in the same manner as that of townhouses with all fire resistance rated walls a minimum of 2-hour. 2-hour walls must meet a UL standard for design. All utility connections serving two family dwellings and townhouses shall be separate.

Sec. 4-713. - IRC Section R303.4 Amended.

Section R303.4 of the International Residential Code, 2018 Edition, Mechanical ventilation, is hereby amended to read as follows:

Where the air infiltration rate of a dwelling unit is less than three (3) air changes per hour when tested with a blower door at a pressure of 0.2 inch wick (50 Pa) in accordance with Section R402.4.1.2 of the International Energy Conservation Code, the dwelling unit shall be provided with whole-house mechanical ventilation in accordance with Section M1507.3.

Sec. 4-714. - IRC Section R306.5 Amended.

Section R306.5 of the International Residential Code, 2018 Edition, Temporary toilet facilities, is hereby added to read as follows:

Toilet facilities shall be provided within 500 feet measured from the property line adjacent to the street for all new one and two family dwellings starting from the time of the footing inspection until the issuance of a temporary certificate of occupancy or when toilet facilities in the dwelling unit become available. Temporary toilet facilities shall be removed once the temporary certificate of occupancy is issued. A minimum of one (1) unit is required for every 5 dwelling units under construction.

Exceptions:

1. On lots of multiple permit issuance by the same builder the temporary toilet facility may remain

past the temporary occupancy certificate issuance as long as the toilet facility is not adjacent to an occupied dwelling and there are active building permit(s) for the builder within 500 feet of the jobsite.

2. A temporary toilet facility is to be removed after a maximum of 12 months from the date it was placed.

3. The Building official shall have the final approval on the location of all temporary toilet facilities.

(Code 2022)

Sec. 4-715. - IRC Section R309.5 Deleted.

Section R309.5 of the International Residential Code, 2018 Edition, Fire Sprinkler Systems, is hereby deleted in its entirety.

(Code 2022)

Sec. 4-716. - IRC Section R313 Deleted.

Section R313 of the International Residential Code, 2018 Edition, Automatic Fire Sprinkler Systems, is hereby deleted in its entirety.

Sec. 4-717. - IRC Section R315.3 Amended.

Section R315.3 of the International Residential Code, 2018 Edition, Carbon Monoxide Alarms, where required in existing dwellings, is hereby amended to read as follows:

Where work requiring a permit occurs in existing dwellings that have attached garages or in existing dwellings within which fuel-fired appliances exist, carbon monoxide alarms shall be provided in accordance with Section R315.1.

Exception: Work involving only exterior items such as roofs, siding, decks and such are exempt from the requirements of this section.

Sec. 4-718. - IRC Section R501.3 Amended.

Section R501.3 of the International Residential Code, 2018 Edition, Fire protection of floors, is hereby amended to read as follows:

Floor assemblies not required elsewhere in this code to be fire resistance rated shall be provided with a ½-inch gypsum wallboard membrane, ⅝-inch wood structural membrane or equivalent on

the underside of the floor framing member for open web-type floor truss systems and I joist systems.

Exceptions:

1. Floor systems located directly over a space protected by an automatic sprinkler system in accordance with Section P2904 NFPA 13D or other approved systems.
2. Floor systems located directly over a crawl space not intended for storage or fuel fired appliances.
3. The aggregate area of the unprotected portions shall not exceed 80 square feet.

Sec. 4-719. - IRC Section R401.1 Amended.

Section R401.1 of the International Residential Code, 2018 Edition, is hereby amended to add the following paragraph:

The construction of foundations shall be in accordance with the latest edition of the Johnson County Building Officials Residential Foundation Guidelines.

Sec. 4-720. - IRC Section R403.1.1 Amended.

Section R403.1.1 of the International Residential Code, 2018 Edition, Minimum size, is hereby added to read as follows:

The minimum size for all residential concrete footings shall be 8 inches in depth and 16 inches in width. Steel shall be minimum ½" in size with two (2) bars running parallel in the footing. Single story trench footings are to be a minimum of 12 inches in width. Footing projections shall be at least 2 inches and shall not exceed the thickness of the footing. The minimum load-bearing value of soil shall be 2,000 psf. Soils investigation reports are required when it appears the soil bearing value is below 2,000 psf, or when conditions exist as described in R401.4. Footings for all three-story structures shall be designed by a licensed Kansas engineer.

Sec. 4-721. - IRC Section R502.2.2 Amended.

Section R502.2.2 of the International Residential Code, 2018 Edition, Decks, is hereby added to read as follows:

The construction of decks and balconies shall be done by using the latest edition of the Johnson County Building Officials Deck Design publication.

Sec. 4-722. - IRC Section R506.3 Amended.

Section R506.3 of the International Residential Code, 2018 Edition, Garage Floors, is hereby

added to read as follows:

All garage floors are to be constructed of concrete and shall be installed according to the City of Roeland Park "Typical Garage Slab Detail." The Building Official will review for acceptance other engineered systems prepared by a licensed engineer in Kansas in lieu of the required slab detail.

(Code 2022)

Sec. 4-723. - IRC Section R602.10.6.3.1 Amended.

Section R602.10.6.3.1 of the International Residential Code, 2018 Edition, Braced wall panel construction methods, is hereby added to read as follows:

The Johnson County Braced Wall Report will be required as the braced wall standard for all garages, including the H frame detail. Other methods of portal frames at garage door openings shall be engineered.

(Code 2022)

Sec. 4-724. - IRC Section R905.8.3.1 Amended.

Section R905.8.3.1 of the International Residential Code, 2018 Edition, is hereby amended to read as follows:

Ice barrier. Ice and water shield protection shall be required on all new or replacement roof coverings. It shall consist of at least two layers of underlayment cemented together or a self-adhering polymer modified bitumen sheet in place of normal underlayment and extend from the lowest edges of all roof surfaces to a point not less than 24 inches inside the exterior wall line of the building.

Exception: Detached accessory structures, less than 200 square-feet of floor area, that contain no conditioned floor area.

Sec. 4-725. - IRC Section R907.3 Amended.

Section R907.3 of the International Residential Code, 2018 Edition, recovering versus Replacement, is hereby amended to read as follows:

New roof coverings shall not be installed without first removing all existing layers of roof coverings down to the roof decking.

Exception: Where the existing roof assembly includes an ice barrier membrane that is adhered to

the roof deck the existing ice barrier membrane shall be permitted to remain in place and covered with an additional layer of ice barrier membrane in accordance with Section R905.

Sec. 4-726. - IRC Section N1101.1 Amended.

Section N1101.1 of the International Residential Code, 2018 Edition, Scope, is hereby amended to add the following paragraphs following the first paragraph: (Code 2022)

Sec. 4-727. - IRC Section N1102.1.1 Amended.

Table N1102.1.2 of the International Residential Code, 2018 Edition, is hereby amended as follows:

Table N1102.1.1 - Insulation and Fenestration Requirements by Component ^a

Table R402.1.2

Insulation and Fenestration Requirements by Component^a

Climate Zone	Fenestration U-Factor	Skylight U-Factor ^b	Glazed Fenestration SHGC ^b	Ceiling R-Value ^f	Wood Frame Wall R-Value	Masonry Wall R-Value	Floor R-Value	Basement Wall R-Value ^c	Slab R-Value & Dept ^h	Crawl Space Wall R-Value ^c
4	0.35	0.55	0.4	49	13	8/13	19	10/13	NR	10/13

(a) R-values are minimums. U-factors and SHGC are maximums. When insulation is installed in a cavity which is less than the label or design thickness of the insulation, the installed R-value of the insulation shall not be less than the R-value specified in the table.

(b) The fenestration U-factor column excludes skylights. The SHGC column applies to all glazed fenestration.

(c) "10/13" means R-10 continuous insulation on the interior or exterior of the home or R-13 cavity insulation at the interior of the basement walls.

(d) R-5 shall be added to the required slab edge R-values for heated slabs.

(e) No change.

(f) No change.

(g) No change.

(h) Refers to wall cavity insulation minimum standards only.

(i) The second R-value applies when more than half the insulation is on the interior of the mass wall.

(j) Loose-fill insulation shall be installed at the rate recommended by the manufacturer's statement "so many bags per 1,000 sq ft." Where the pitch of the roof restricts the minimum thickness at the exterior wall line, the insulation shall be blown into the cavity so as to achieve a greater compacted density to a point where the "minimum thickness" can be achieved. An alternative is to install high density batts around the perimeter edge per R1102.2.

Sec. 4-728. - IRC Section N1102.4.1.2 Amended.

Section N1102.4.1.2 of the International Residential Code, 2018 Edition, Testing, is hereby amended to read as follows:

The building or dwelling unit shall be tested and verified as having an air leakage rate not exceeding 5 air changes per hour. Testing shall be conducted with a blower door at a pressure of 0.2 inches w.g. (50 Pascals). Where required by the Code Official, testing shall be conducted by an approved third party. A written report of the results of the test shall be signed by the party conducting the test and provided to the Code Official. Testing shall be performed at any time after creation of all penetrations of the building thermal envelope.

During testing

1. Exterior windows and doors, fireplaces and stove doors shall be closed but not sealed beyond the intended weather stripping or other infiltration control measures.
2. Dampers, including exhaust, intake, makeup air, backdraft and flue dampers shall be closed but not sealed beyond intended infiltration control measures.
3. Interior doors, if installed at the time of the test, shall be open.
4. Exterior doors for continuous ventilation systems and heat recovery ventilators shall be closed and sealed.
5. Heating and cooling systems, if installed at the time of the test, shall be turned off.
6. Supply and return registers, if installed at the time of the test, shall be fully open.

(Code 2022)

Sec. 4-729. - IRC Section N1103.2.2 Amended.

Section N1103.3..2. of the International Residential Code, 2018 Edition, Sealing Mandatory, is hereby amended to read as follows:

Ducts air handlers and filter boxes shall be sealed. Joints and seams shall comply with section M1601.4.1 of this code.

Exceptions:

1. Air impermeable spray foam products shall be permitted to be applied without additional joint seals.
2. Where a duct connection is made that is partially inaccessible three screws or rivets shall be equally spaced on the exposed portion of the joint so as to prevent a hinge effect.
3. Continuously welded and locking-type longitudinal joints and seams in ducts operating at static pressure classification shall not require additional closure systems.

Duct tightness shall be verified by either of the following:

1. Post construction test: Total leakage shall be less than or equal to 4 cfm per 100 square feet of conditioned floor area when tested at a pressure differential of 0.1 inches wg (25 Pa) across the entire system, including the manufacturer's air handler enclosure. All register boots shall be taped or otherwise sealed during the test.
2. Rough in test: Total leakage shall be less than or equal to 4 cfm per 100 square feet of conditioned floor area when tested at a pressure differential of 0.1 inches wg (25 Pa) across the system, including the manufacturer's air handler enclosure. All registers shall be taped or otherwise sealed during the test. If the air handler is not installed at the time of the test, total leakage shall be less than or equal to 3 cfm per 100 square feet of conditioned floor area.

Exceptions:

1. The total leakage test is not required for ducts and air handlers located entirely within the building thermal envelope.
2. On the post-construction test it is permissible to test for "leakage to the outdoors" versus a "total leakage." Leakage to the outdoors shall be less than or equal to 8 cfm per 100 square feet of conditioned floor space.

(Code 2022)

Sec. 4-730. - IRC Section N1103.2.3 Deleted.

Section N1103.3.5 of the International Residential Code, 2018 Edition, building cavities

(Mandatory), is hereby deleted.

Sec. 4-731. - IRC Section N1103.4.2 Amended.

Section N1103.4.1 of the International Residential Code, 2018 Edition, Hot water pipe insulation (prescriptive), is hereby amended to read as follows:

Insulation for hot water pipe with a minimum thermal resistance R-value of R-3 shall be applied to the following:

1. Piping located under a floor slab.
2. Buried piping.
3. Supply and return piping in recirculation systems other than demand recirculation systems.

(Code 2022)

Sec. 4-732. - IRC Section N1104.1 Amended.

Section N1104.1 of the International Residential Code, 2012 Edition, Lighting equipment (Mandatory), is hereby amended to read as follows:

Fuel gas lighting systems shall not have continuously burning pilot lights.

Sec. 4-733. - IRC Section P2503.4 Amended.

Section P2503.4 of the International Residential Code, 2012 Edition, Building Sewer Testing, is hereby amended to read as follows:

The building sewer shall be tested by insertion of a test plug at the point of connection with the public sewer and filling the building sewer with water, testing with not less than a ten (10') foot head of water and be able to maintain such pressure for fifteen (15) minutes or by air, maintain five (5) PSI for fifteen (15) minutes. This testing will be required when ordered by the Building Official.

(Code 2022)

Sec. 4-734. - IRC Section P2503.5 Amended.

Section P2503.5 of the International Residential Code, 2018 Edition, DWV Systems Testing, is hereby amended to read as follows:

Rough and finished plumbing installations shall be tested in accordance with Sections P2503.5.1 and P2503.5.2. This testing will be required when ordered by the Building Official.

Sec. 4-735. - IRC Section P2903.4 Amended.

Section P2903.4 of the International Residential Code, 2018 Edition, Thermal expansion control, is hereby amended to read:

A means for controlling increased pressure caused by thermal expansion shall be installed in each dwelling unit. A thermal expansion tank shall be the means in which to control thermal expansion. At the time a water heater is new or replaced, a thermal expansion tank shall be installed.

Exception: In cases where a thermal expansion tank is not feasible, the Code Official shall determine an approved method of thermal expansion control.

Sec. 4-736. - IRC Section P2904 Amended.

Section P2904 of the International Residential Code, 2018 Edition, is hereby to be used as a reference for standards and requirements only if a sprinkler system is installed. Automatic Fire Sprinkler systems (section R313) are deleted from the requirements of this code adoption.

Sec. 4-737. - IRC Section P3114.1 Amended.

Section P3114.1 of the International Residential Code, 2018 Edition, Air admittance valves, General, is hereby amended to read as follows:

Vent systems using air admittance valves shall comply with this section. Individual and branch type air admittance valves shall conform to ASSE 1051. Stack-type air admittance valves shall conform to ASSE 1050. The use of air admittance valves shall only be done so by the approval of the Building Official.

Sec. 4-738. - IRC Section E3608.1 Amended.

Section E3608.1 of the International Residential Code, 2012 Edition, Grounding electrode system, is hereby amended to read as follows:

All electrodes specified in Sections E3608.1.1, E3608.1.2, E3608.1.3, E3608.1.4 and E3608.1.5 that are present at each building or structure served shall be bonded together to form the grounding electrode system. Where none of these electrodes are present, one or more of the electrodes specified in Sections E3608.1.3, E3608.1.4 and E3608.1.5 shall be installed and used.

Exception: Concrete encased electrodes shall not be required to be part of the grounding system when at least two 2 rod or pipe electrodes are provided in compliance with E3608.1.1.2 and E3608.1.4.1.

Sec. 4-739. - IRC Section E3902.2 Amended.

Section E3902.2 of the International Residential Code, 2018 Edition, Garage and accessory

building receptacles, is hereby amended to read as follows:

All 125-volt single phase 15 or 20 ampere receptacles installed in garages and grade level portions of accessory buildings used for storage or work areas shall have ground fault circuit interrupter protection for personnel.

Exceptions:

1. Dedicated receptacles supplying garage door openers.
2. A single receptacle supplying a dedicated branch circuit that is located and identified for a specific use by a cord and plug connected appliance such as a refrigerator, freezer, or a central vacuum system.”

Sec. 4-740. - IRC Section E3902.5 Amended.

Section E3902.5 of the International Residential Code, 2018 Edition, Unfinished basement receptacles, is hereby amended to read as follows:

All 125-volt single phase 15 and 20 ampere receptacles installed in unfinished basements shall have ground-fault circuit interrupter protection for personnel. For purposes of this section, unfinished basements are defined as portions or areas of the basement not intended as habitable rooms and limited to storage areas, work areas and the like.

Exceptions:

1. A dedicated receptacle supplying only a permanently installed fire alarm or burglar alarm system.
2. Dedicated receptacles supplying sump pumps.
3. A single receptacle supplying a dedicated branch circuit that is located and identified for a specific use by a cord and plug connected appliance such as a refrigerator, freezer, or a central vacuum system.”

(Code 2022)

Sec. 4-741. - IRC Section E3902.16 Amended.

Section E3902.16 of the International Residential Code, 2018 Edition, Arc-fault circuit interrupter protection, is hereby amended to read as follows:

All branch circuits that supply 120-volt single phase 15 and 20 ampere outlets installed in libraries, dens, bedrooms, closets and similar rooms or areas shall be protected by a combination type arc-fault circuit interrupter installed to provide protection of the branch circuit. Other rooms, such as family rooms, dining rooms, living rooms, parlors, sunrooms, recreation rooms, hallways and similar rooms or areas are exempt from this requirement. For these purposes a smoke alarm shall not be considered an outlet and is not required to be on an arc-fault circuit. Isolated circuits serving smoke detectors and/or carbon monoxide detectors shall be exempt from arc-fault protection.

Exception:

1. Where an outlet branch circuit type AFCI is installed at the first outlet to provide protection for the remaining portion of the branch circuit, the portion of the branch circuit between the branch circuit overcurrent device and the first outlet shall be installed with metal outlet and junction boxes and RMC, IMC, EMT, type MC, or steel armored type AC cables meeting the requirements of Section E3908.8
2. Where an outlet branch circuit type AFCI is installed at the first outlet to provide protection for the remaining portion of the branch circuit the portion of the branch circuit between the branch circuit overcurrent device and the first outlet shall be installed with metal or nonmetallic conduit or tubing that is encased in not less than 2 inches of concrete.
3. AFCI protection is not required for an individual branch circuit supplying only a fire alarm system where the branch circuit is wired with metal outlet and junction boxes and RMC, IMC, EMT, or steel-sheathed armored cable, Type AC or Type MC, meeting the requirements of Section E3908.8.

SECTION 8. Existing Sections 4-901,902,903,904,905,906,907,908,909,910,911,912 of the Code of the City of Roeland Park, Kansas is hereby amended to read as follows:

Sec. 4-901. - International Fire Code Incorporated by Reference.

There is hereby incorporated by reference the "International Fire Code, 2018 Edition," including Appendices B, C, D, E, F, G, H, I, J, published by the International Code Council and referenced standards in Chapter VII of the Code of the City of Roeland Park Kansas. No fewer than one copy of the "International Fire Code, 2018 Edition," marked and showing portions that are amended and to which shall be attached a copy of amendments shall be filed with the City Clerk and shall be open to inspection and available to the public at reasonable business hours. Official copies of such code shall be supplied at the cost of the City to the officials and agencies in the manner listed and set forth in K.S.A. 12-3010. Subsequent references to the Fire Code shall mean the International Fire Code, 2018 Edition, including Appendices B, C, D, E, F, G, H, I, J and referenced standards in Chapter VII of the Code of the City of Roeland Park Kansas.

Sec. 4-902. - IFC Section 101.1 Amended.

Section 101.1 of the International Fire Code, 2018 Edition, is amended to read as follows:

Replace the words "Name of Jurisdiction" with the words "the City of Roeland Park, Kansas."

Sec. 4-903. - IFC Section 103.2 Amended.

Section 103.2 of the International Fire Code, 2018 Edition, Appointment is hereby amended to read as follows:

The Fire Code Official shall also be known as Fire District #2 of Johnson County, Kansas and/or the Building Official.

Sec. 4-904. - IFC Section 105.6.27 Amended.

Section 105.6.27 of the International Fire Code, 2018 Edition, LP gas is hereby amended to read as follows:

The storage and use of LP gas for primary and secondary heating utility connections and accessory uses in residential, non-residential and agricultural land is not permitted.

Exceptions:

1. LP gas is permitted for outdoor residential cooking appliances and outdoor decorative heating uses in containers 5 gallons 20 pounds or less. No use is permitted on multi-family decks, patios or balconies.
2. LP containers 500 gallons or less are permitted to supply municipal water and wastewater facilities. All LP tanks are to be a minimum of 500 feet from residential zoned properties.

Sec. 4-905. - IFC Section 107 Amended.

Section 107 of the International Fire Code, 2018 Edition, Inspections is hereby added to read as follows:

The Code Official, Fire Code Official or his designee may conduct annual inspections of all properties excluding one- and two-family dwellings for fire and safety requirements. Notice to the property owner or responsible agent of the property is not required in advance of the inspection when conducted during normal business hours.

Sec. 4-906. - IFC Section 109 Amended.

Section 109 of the International Fire Code, 2018 Edition, Board of Appeals, is hereby amended to

read as set out in [Section 4-110](#) of the City Code.

Sec. 4-907. - IFC Section 110.4 Amended.

Section 110.4 of the International Fire Code, 2018 Edition, Violation Penalties is hereby amended to read as set out in [Section 4-109](#) of the City Code.

Sec. 4-908. - IFC Section 315.3 Amended.

Section 315.4 of the International Fire Code, 2018 Edition, Outside Storage is hereby added to read as follows:

No outside storage of combustible materials is permitted on porches, decks or patios for multi-family occupancies two stories or higher. This shall include, but not be limited to, beds, clothing, boxes, gas cans, lawn mowers and trash. The use of barbeque grills or portable heating appliances on wood decks, porches or balconies in multi-family buildings is prohibited.

Sec. 4-909. - IFC Section 501.3 Amended.

Section 501.3 of the International Fire Code, 2018 Edition, is hereby amended to read as follows:

Construction documents. Construction documents for proposed fire apparatus roads, locations of fire lanes, or security gates across fire apparatus access; and construction documents and hydraulic calculations for fire hydrant systems shall be submitted to the Building Code Official and Fire District #2 of Johnson County Kansas for review and approval prior to construction.

Sec. 4-910. - IFC Section 505.1.1 Amended.

Section 505.1.1 of the International Fire Code, 2018 Edition, is hereby added to read as follows:

Secondary Address Numbers. Multi-tenant retail shopping centers in which tenant spaces have secondary entry doors from an exterior facade of the building and have paved vehicle access adjacent to such doors shall have approved numbers or addresses placed on each door. Secondary address numbers shall be a minimum of four (4") inches in height.

Exceptions:

1. If more than one entry door is installed on a facade only one door needs to be marked (entry doors defined as overhead or cargo doors and normal passage doors).
2. Further exceptions may be permitted by Fire District #2 of Johnson County Kansas and/or the Building Code Official.

Sec. 4-911. - IFC Section 506.1 Amended.

Section 506.1 of the International Fire Code, 2018 Edition, is hereby amended to read as follows:

Where Required. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, a key box shall be installed in an approved location as required by Fire District #2 of Johnson County Kansas. The key box shall be an approved type listed in accordance with UL 1037 and shall contain keys or access cards to gain necessary access as required by Fire District #2 of Johnson County Kansas.

Sec. 4-912. - IFC Section 506.2 Amended.

Section 506.2 of the International Fire Code, 2018 Edition, is hereby amended to read as follows:

Key Box Maintenance. The operator of the building shall immediately notify Fire District #2 of Johnson County Kansas and provide the new key when a lock is changed or rekeyed. The key to such lock shall be secured in the box. The key shall be maintained in working order by the operator/owner/occupant of the building.

SECTION 9. Existing Section 4-1001,1002,1003,1004,1005,1006 of the Code of the City of Roeland Park, Kansas is hereby amended to read as follows:

Sec. 4-1001. - International Fuel Gas Code Incorporated by Reference.

There is hereby incorporated by reference the "International Fuel Gas Code, 2018 Edition," published by the International Code Council. No fewer than one copy of the "International Mechanical Code, 2018 Edition," marked and showing portions that are amended and to which shall be attached a copy of amendments shall be filed with the City Clerk and shall be open to inspection and available to the public at reasonable business hours. Official copies of such code shall be supplied at the cost of the City to the officials and agencies in the manner listed and set forth in K.S.A. 12-3010. Subsequent references to the Fuel Gas Code shall mean the International Fuel Gas Code, 2018 Edition.

Sec. 4-1002. - IFGC Section 101.1 Amended.

Section 101.1 of the International Fuel Gas Code, 2018 Edition, Title is hereby amended to read as follows:

The words "Name of Jurisdiction" shall be replaced by the words "the City of Roeland Park, Kansas."

Sec. 4-1003. - IFGC Section 106.6.2 Amended.

Section 106.6.2 of the International Fuel Gas Code, 2018 Edition, Fee Schedule, is hereby amended to read as follows:

The Schedule of Permit fees shall be established by the Governing Body by resolution.

Sec. 4-1004. - IFGC Section 106.6.3 Amended.

Section 106.6.3 of the International Fuel Gas Code, 2018 Edition, is hereby amended to read as set out in [section 4-104](#) of this Code.

Sec. 4-1005. - IFGC Section 108.4 Amended.

Section 108.4 of the International Fuel Gas Code, 2018 Edition, Violation Penalties, is hereby amended to read as set out in [section 4-109](#) of the City Code.

Sec. 4-1006. - IFGC Section 109 Amended.

Section 109 of the International Fuel Gas Code, 2018 Edition, Means of Appeal is hereby amended to read as set out in [Section 4-110](#) of the City Code.

SECTION 10. Existing Sections 4-801,802,803,803,804,805,806,807,808,809 of the Code of the City of Roeland Park is hereby amended to read as follows:

Sec. 4-801. - International Property Maintenance Code Incorporated by Reference.

There is hereby incorporated by reference the "International Property Maintenance Code, 2018 Edition," including Appendix A, published by the International Code Council. No fewer than one copy of the "International Property Maintenance Code, 2018 Edition," marked and showing portions that are amended and to which shall be attached a copy of amendments shall be filed with the City Clerk and shall be open to inspection and available to the public at reasonable business hours. Official copies of such code shall be supplied at the cost of the City to the officials and agencies in the manner listed and set forth in K.S.A. 12-3010. Subsequent references to the Property Maintenance Code shall mean the International Property Maintenance Code, 2018 Edition, including Appendix A and referenced standards in Chapter 8 of the International Property Maintenance, 2018 Edition.

Sec. 4-802. - IPMC Section 101.1 Amended.

Section 101.1 is amended to read as follows:

Replace the words "Name of Jurisdiction" with the words "the City of Roeland Park, Kansas".

Sec. 4-803. - IPMC Section 103.5 Amended.

Section 103.5 of the International Property Maintenance Code, 2018 Edition, Fee Schedule, is hereby amended to read as follows:

The Schedule of Permit and/or associated fees shall be established by the Governing Body by resolution.

Sec. 4-804. - IPMC Section 112.4 Amended.

Section 112.4 of the International Property Maintenance Code, 2018 Edition, is hereby amended to read as set out in [Section 4-104](#) of this Code.

Sec. 4-805. - IPMC Section 302.4 Amended.

Section 302.4 of the International Property Maintenance Code, 2018 Edition, is hereby amended to read:

Replace the words "Jurisdiction to Insert Height in Inches" with "Eight (8") inches."

Sec. 4-806. - IPMC Section 304.14 Amended.

Section 304.14 of the International Property Maintenance Code, 2018 Edition, is hereby amended to read:

Replace the words "Date" with "January 1st" and "December 31st" respectively.

Sec. 4-807. - IPMC Section 602.3 Amended.

Section 602.3 of the International Property Maintenance Code, 2018 Edition, is hereby amended to read:

Replace the words "Date" with "November 1st" and "March 31st" respectively.

(Code 2022)

Sec. 4-808. - IPMC Section 602.4 Amended.

Section 602.4 of the International Property Maintenance Code, 2018 Edition, is hereby amended to read:

Replace the words "Date" with "November 1st" and "March 31st" respectively.

Sec. 4-809. - Appeals.

Appeals from the application of provisions of the IPMC may be taken to the Code Board of Appeals in accordance with the provisions of [Section 4-110](#) of the City Code.

SECTION 11. Existing Sections 4-1101,1102,1103,1104,1105,1106 of the Code of the City

of Roeland Park is hereby amended to read as follows:

Sec. 4-1101. - National Electrical Code Incorporated by Reference.

There is hereby incorporated by reference the "National Electrical Code, 2017 Edition," published by the National Fire Protection Association. No few than one copy of the "National Electrical Code, 2017 Edition," marked or stamped in the manner provided by K.S.A. 12-3010 with all sections or portions thereof intended to be omitted clearly marked and showing portions that are amended and to which shall be attached a copy of amendments shall be filed with the City Clerk and shall be open to inspection and available to the public at reasonable business hours. Official copies of such code shall be supplied at the cost of the city to the officials and agencies in the manner listed and set forth in K.S.A. 12-3010. Subsequent references to the Electric Code shall mean the National Electric Code, 2017 Edition, published by the National Fire Protection Association.

Sec. 4-1102. - NEC Section 90.4 Amended.

Section 90.4 of the National Electrical Code 2017 Edition is hereby amended to be replaced with the following paragraphs:

(a) The *Code* is intended to be suitable for mandatory application by governmental bodies that exercise legal jurisdiction over electrical installations, include signaling and communication systems, and for use by insurance inspectors. The authority having jurisdiction for enforcement of the Code has the responsibility for making interpretations of the rules, for deciding on the approval of equipment and materials and for granting the special permission contemplated in a number of the rules.

(b) By Special permission, the authority having jurisdiction may waive special requirements in this Code or permit alternative methods where it is assured that equivalent objectives can be achieved by establishing and maintaining effective safety.

(c) This code may require new products, constructions, or materials that may not yet be available at the time the Code is adopted. In such event, the authority having jurisdiction may permit the use of the products, constructions, or materials that comply with the most recent previous edition of this Code adopted by the jurisdiction.

(d) Existing Equipment Electrical conductors and equipment lawfully installed prior to the effective date of this Code may have their existing use, maintenance or repair continued if the use, maintenance or repair is in accordance with the original design and location and is not a hazard to life, health or property. The owner or his/her designated agent shall be responsible for adequate maintenance of electrical conductors and equipment.

(e) **Right of Entry.** Upon presentation of proper credentials, the building official or his/her duly authorized representatives may enter any building structure or premises in the City at reasonable hours to perform any duty imposed upon him/her by this Code.

(f) **Stop Orders.** Whenever any work is being done contrary to the provisions of this Code, the

building official shall notify in writing the persons engaged in the doing or causing such work to be done of violations found specifying a period of time allowed to bring the work into code conformance.

(g) Authority to Condemn Equipment:

(1) Whenever the building official learns or ascertains that any electrical conductor or equipment as defined in this Code has become hazardous to life, health or property, he/she shall order in writing that such equipment be restored to a condition of safety or be dismantled or removed from its present location. The written notice shall fix a time limit for compliance with such order.

(2) The building official is authorized to have electrical current and/or fuel supply to equipment as defined in this Code seal off by the proper utility supplier where such installation is done without permit or does not meet the provisions of this Code. Where electric current or fuel supply has been sealed off, it shall be unlawful for any unauthorized person to break such seal. Upon corrections being made to meet requirements set forth in this Code, the building official shall contact the proper utility supplier to approve the removal such seal.

(h) Authority to Abate.

(1) Any portion of an electrical system found by the building official to be unsafe as defined herein is hereby declared to be a nuisance.

(2) Where a nuisance exists or an electrical system is maintained in violation of this Code, or any notice issued pursuant to this section, the building official shall require the nuisance or violation to be abated and where necessary shall seek such abatement in the manner provided by Law.

(i) Administrative Authority. The building official or authorized representatives shall be the authority duly appointed to enforce this Code.

(1) Violations. It shall be unlawful for any person, firm or corporation to violate any of the provisions of this Code. The issuance or granting of a permit or approval of plans shall not prevent the building official from thereafter requiring the correction of errors in said plans and specifications or from preventing construction operations being carried on hereunder when in violation of this Code, or of any other Ordinance, or from revoking any certificate of approval when issued in error. Every permit issued by the building official under the provisions of this Code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within 180 days from date of issuance of such permit or if the work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work can be recommenced, a new permit shall be first obtained to do so and the fee therefore shall be one-half the amount required for a new permit for such work provided no changes have been made or will be made in the original plans and specifications for such work and provided further that such suspension or abandonment has not exceeded one (1) year.

(2) Penalties. Are hereby amended to read as set out in [Section 4-109](#) of the City Code.

(3) Liability. The building official or any employee charged with the enforcement of this Code

acting in good faith without malice for the jurisdiction in the discharge of his/her duties shall not thereby render himself liable personally and he/she hereby is relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required or by reasons of any act or omission in the discharge of his/her duties. Any suit brought against the building official or his/her employees because of such act or omission performed by him/her in the enforcement of any provisions of this Code shall be defended by legal representation of the City until final termination of the proceeding.

(j) Permit Required:

(1) No installation alteration or removal shall be made to the wiring of any building or structure for light, heat or power or to increase the load of energy carried by such wires or equipment, nor shall any building or structure be wired for electric lights, appliances, motors, apparatus or heating devices, nor shall alterations be made thereto without a permit being first issued by the City and applicable business and contractor licenses.

(2) The building official may in writing suspend or revoke a permit issued under provisions of this Code whenever the permit is issued in error or on the basis of incorrect information supplied or in violation of any Ordinance or regulation of any provisions of this Code.

(k) Permit fees. The governing body shall establish the permit fees by resolution.

(l) The refunding of permit fees shall be the same as set out in [Section 4-104](#) of this Code.

(m) Inspections. All work shall be subject to inspection by the building official or his/her appointed designee. Any portion of equipment which will be concealed prior to completion shall be subject to inspection prior to such work being concealed.

(n) Code Board of Appeals shall be the same as set out in [Section 4-109](#) of the City Code.

Sec. 4-1103. - NEC Section 210.12(A) Amended.

Section 210.12 (A) Dwelling Units of the National Electrical Code, 2017 Edition, is hereby amended to read as follows:

Dwelling Units. All 120-volt, single phase, 15- and 20-ampere branch circuits supplying outlets installed in dwelling unit bedrooms, dens, libraries, closets and similar rooms or areas shall be protected by a listed arc-fault circuit interrupter, combination-type, installed to provide protection of the branch circuit. Arc-fault circuit interrupters, combination types, will not be required for the family rooms, dining rooms, living rooms, parlors, sunrooms, recreation rooms, hallways or similar rooms or areas. Isolated circuits serving smoke detectors and/or carbon monoxide detectors shall be exempt from arc-fault protection.

(Code 2022)

Sec. 4-1104. - NEC Section 310.1 Amended.

Section 310.1 of the National Electrical Code, 2017 Edition, is hereby amended to read as follows:

Scope. This Article covers general requirements for conductors and their type designations, insulations, markings, mechanical strengths, ampacity ratings and uses. These requirements do not apply to conductors that form an integral part of equipment such as motors motor controllers and similar equipment or to conductors specifically provided for elsewhere in this Code.

Informational Note: For flexible cords and cables, see Article 400. For fixture wires, see Article 402.

The use of nonmetallic sheathed cable with aluminum or copper clad aluminum conductors' size 8 or smaller will not be permitted for branch circuit wiring in construction, alteration or repair. This shall apply to branch circuits from distribution point.

Sec. 4-1105. - Appeals.

Appeals from the application of provisions of the NEC may be taken to the Code Board of Appeals in accordance with the provisions of [Section 4-110](#) of the City Code

SEC. 4-1201. -Adopting the International Swimming Pool and Spa Code by reference

SEC. 4-1202-.ADOPTION. The International Swimming Pool and Spa Code, 2018 Edition, published by the International Code Council is hereby adopted into the Code of the City of Roeland Park.

SEC. 4-1203. The following provisions shall be amended to read as follows:

a) **Section 108: Means of Appeal:**

- a. Appeals from the application of provisions of the SPSC may be taken to the Code Board of Appeals in accordance with the provisions of Section 4-110 of the City Code

SEC. 4-1204-.ADDITIONS. Add the following sections:

- a) **Section 109 Certificate of Occupancy.** Add Section 109 to end of chapter 1, Scope and Administration.
- b) **Section 109.1 Use and occupancy.** Add the following to Section 109.1: A swimming pool and its associated structures shall not be used or occupied, until the building official has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Certificates presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid.
- c) **Section 109.2 Section Temporary Occupancy.** Add the following to Section 109.2: Up to 90-day temporary certificate of occupancy may be issued upon request from the owner or

contractor, subject to the approval of the Building Code Official. Additional time may be granted by the Building Code Official upon written request and for a fee of \$100.00.

- d) **Section 305.2 Outdoor swimming pools and spas.** Add the following to Section 305.2: Outdoor pools and spas and indoor swimming pools shall be surrounded by a barrier that complies with Section 305.2.1 through 305.7.

Exception:

In one- and two- family dwellings equipped with a safety cover that is listed and labeled in accordance with ASTM F1346.

- a) **Section 305.4 Structure wall as a barrier.** Where a wall of a dwelling or structure serves as part of the barrier and where doors or windows provide direct access to the pool or spa through that wall, one of the following shall be required:

1. Operable windows having a sill height of less than 48 inches (1219 mm) above the indoor finished floor and doors shall have an alarm that produces an audible warning when the window, door or their screens are opened. The alarm shall be listed and labeled as a water hazard entrance alarm in accordance with UL 2017. In dwellings or structures not required to be Accessible units, Type A units or Type B units, the operable parts of the alarm deactivation switches shall be located 54 inches (1372 mm) or more above the finished floor. In dwellings or structures required to be Accessible units, Type A units or Type B units, the operable parts of the alarm deactivation switches shall be located not greater than 54 inches (1372 mm) and not less than 48 inches (1219 mm) above the finished floor.

Exception:

In one- and two-family dwellings, operable basement and grade level windows having a lock height less than 48 inches above the indoor finish floor and all doors, shall have an alarm that produces an audible alarm when the window or door are opened.

2. A safety cover that is listed and labeled in accordance with ASTM F1346 is installed for the pools and spas.
3. An approved means of protection, such as self-closing doors with self-latching devices, is provided. Such means of protection shall provide a degree of protection that is not less than the protection afforded by Item 1 or 2.

SEC. 4-1205-. AMENDMENTS.

- a) **Section 101.1 Title.** Amend Section 101.1 as follows: These regulations shall be known as the Swimming Pool and Spa Code of Roeland Park, Kansas, hereinafter referred to as “this Code.”
- b) **Section 105.5.3 Expiration.** Amend Section 105.5.3 as follows: Every permit issued by the Code Official under the provisions of this Code shall expire by limitation and become null and void if:
1. The building or work authorized by such permit is not commenced within 180 days from the date of such permit, or

2. The building or work authorized by such permit has not progressed to the point of the next required inspection within 180 days of either the issuance of the permit, or from the date of the last inspection.

Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefore shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work; and provided further that the untimely progress has not exceeded one year. In order to renew action on a permit that has expired for a period exceeding one year, the permittee shall pay a new full permit fee.

- c) **Section 105.6.2 Schedule of permit fees.** Amend Section 105.6.2 as follows: Fee Schedule. The Governing Body shall establish permit fees by resolution.

Applications for which no permit is issued within 180 days following the date of application shall expire and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Building Code Official. The Building Code Official may extend the time for action by the applicant for a period not exceeding 180 days on written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

- c) **Section 107.4 Violation penalties.** Amend Section 107.4 as follows: It shall be unlawful for any person, firm or corporation to violate a provision of the Code or who shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair fuel gas work in violation of the approved construction documents or directive of the Building Code Official, or of a permit or certificate issued under the provisions of this Code. Violation of any provision of this Code shall be a class I Infraction punishable upon conviction as provided in the Municipal Code of Roeland Park Kansas. Each separate day or any portion thereof, during which any violation of this Code occurs or continues, shall also be deemed to constitute a separate offense.
- d) **Section 107.5 Stop work orders.** Amend Section 107.5 as follows: Upon notice from the Code Official, work on any plumbing or gas system that is being done contrary to the provisions of this Code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the Building Code Official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as the person is directed to perform to remove a violation or unsafe conditions, shall be guilty upon conviction of a public offense,

- e) **Section 305.2.5 Closely spaced horizontal members.** Amend section 305.2.5 as follow: Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 44 inches (1143 mm), the horizontal members shall be located on the pool or spa side of the fence. Spacing between vertical members shall not exceed 1 ¾ inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1 ¾ inches (44 mm) in width.
- f) **305.2.6 Widely spaced horizontal members.** Amend section 305.2.6 as follow: Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 44 inches (1143 mm) or more, spacing between vertical members shall not exceed 4 inches (102 mm). Where there are decorative cutouts within vertical members, the interior width of the cutouts shall not exceed 1 ¾ inches (44 mm).

SECTION 13. This ordinance shall take effect upon its publication in the official City newspaper.

PASSED by a majority of the City Council of Roeland Park, Kansas this 18th day of January 2022. **APPROVED** by the Mayor.

Mike Kelly, Mayor

ATTEST:

Kelly Nielsen, City Clerk

APPROVED AS TO FORM:

Steven E. Mauer, City Attorney

Item Number: Reports of City Officials:- XI.-A.
Committee 1/18/2022
Meeting Date:



City of Roeland Park

Action Item Summary

Date: 1/18/2022
Submitted By: Erin Winn
Committee/Department: Administration
Title: **COVID Mitigation Strategies Update**
Item Type: Report

Recommendation:

To give staff direction on ongoing COVID mitigation strategies.

Details:

On January 12th, Council doubled the funding allocated to COVID-19 mitigation strategies. In the week following, staff spent or obligated the following funds:

1) \$9000 for at-home COVID test kits* (working with a vendor to finalize bulk quote)

-Starting tomorrow, the federal government will deliver up to 4 at-home test kits per citizen, free of charge. Citizens simply enter their name and mailing address at www.covidtests.gov. Additionally, private insurers must now reimburse residents for up to 8 at-home tests per month. Staff is seeking direction on whether we should pursue large orders of at-home test kits in light of these updates.

2) \$1000 for laminated masking signage including A-Frame signs for City Hall, 16 in by 20 in signs for businesses and 6 in by 6 in sticker signs for businesses

-small signs ready for pick-up, large signs to be ready by the end of the week

3) 4,000 KN95 masks were secured from the state free of charge

-Staff is working to determine the best way to distribute the masks. We are weighing pros and cons of an outdoor distribution event in front of City Hall versus just making them available at the front desk for residents to come pick up at their convenience. We don't want to overwhelm the front desk but we also want a convenient process for residents.

Current focus areas:

Business outreach and education: Staff has prepared an Ordinance 1022 educational memo for businesses and is working with Council members to hand deliver as many as possible.

Public education and outreach: Staff posted information about the masking requirements of Ordinance 1022 on all social media platforms and the email newsletter. We are working diligently to answer questions and address misconceptions.

Roeland Park testing site: Staff is working with the Emergency Preparedness Director at JCDHE to finalize details for a testing site to be held at the Roeland Park Community Center. The site would be managed by an outside company and the City would incur no cost. Staff is working with our JCPRD partners to ensure that the testing isn't disruptive to the on-site preschool and other patrons. We hope to finalize the partnership this week and will share all details with Council and residents as soon as possible.

Direction needed:

1. Should we provide masks for businesses?
2. Should we pause on a large at-home test kit order considering the recent federal updates and the possibility of a PCR testing site in city limits?

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?