

**SPRING HILL CITY COUNCIL  
REGULAR MEETING  
AGENDA  
THURSDAY, SEPTEMBER 8, 2016  
7:00 P.M.  
SPRING HILL CIVIC CENTER  
401 N. MADISON – ROOM 15**

**CALL TO ORDER**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**APPROVAL OF AGENDA**

**CITIZEN PARTICIPATION**

**PRESENTATION:** Public Safety Advisory Board Report, Tammy Shaw

**CONSENT AGENDA:**

The items on the Consent Agenda are considered by staff to be routine business items. Approval of the items may be made by a single motion, seconded, and a majority vote with no separate discussion of any item listed. Should a member of the Governing Body desire to discuss any item, it will be removed from the Consent Agenda and considered separately.

1. Approval of Minutes: August 25, 2016
2. Appropriation Order 2016-09-08
3. Consider Approval of Contract: Spring Hill, Kansas Public Auction, Branden Otto Auction
4. Consider Amendment to Contract: City Hall Building Remodel, Treanor Architects
5. Consider Approval of Change Order No. 2: Sidewalk Improvement at the High School, Kansas Heavy Construction, LLC
6. Consider Acceptance of Permanent Utility Easement: Village on Victory III, MCK Partnership
7. Consider Approval of Special Event Permits: Spring Hill Fall Festival Parade, Vendor and Arts & Crafts including Entertainment, Street Dance, Emilie Kaiser
8. Proclamation: Diaper Awareness Week

**FORMAL COUNCIL ACTION**

9. Resolution No. 2016-R-27: Ratifying and Confirming notice given of a Public Hearing on proposed Special Assessments to be levied in connection with certain improvements in the City of Spring Hill, Kansas (Estates of Wolf Creek Special Benefit District) and Repealing Resolution No. 2016-R-23

**ANNOUNCEMENTS and REPORTS**

**EXECUTIVE SESSION - Attorney-Client Privilege**

**ADJOURN**

THE FOLLOWING MINUTES ARE SUBJECT TO MODIFICATION  
AND ARE NOT OFFICIAL MINUTES  
UNTIL APPROVED BY THE SPRING HILL CITY COUNCIL

City of Spring Hill, Kansas  
Minutes of City Council Regular Session  
August 25, 2016

A Regular Session of the City Council was held in the Spring Hill Civic Center, 401 N. Madison, Council Chambers, Spring Hill, Kansas on August 25, 2016. The meeting convened at 7:00p.m. with Mayor Steven Ellis presiding and Glenda Gerrity, City Clerk, recording.

Councilmembers in attendance: Chris Leaton  
Clint Gillis, *arrived at 8:06p.m.*  
Floyd Koder  
Scott Snavely  
Andrea Hughes

Staff in attendance: Community Development Director Jim Hendershot  
Finance Director Melanie Landis  
Police Chief Richard Mann  
Human Resources Generalist Natalie Lazenby

Consultants in attendance: City Attorney Frank Jenkins

**ROLL CALL**

The City Clerk called the roll of the City Council. With a quorum present, the meeting commenced.

**APPROVAL OF THE AGENDA**

There were no changes to the agenda, therefore, the Mayor requested a motion to approve the agenda as presented.

**Motion by** Leaton, seconded by Snavely, to approve the agenda. Motion carried 4-0-0

**CITIZEN PARTICIPATION:**

There was no citizen participation.

**PUBLIC HEARING: 2017 Operating Budget**

The Mayor opened the public hearing for the 2017 Operating Budget.

The Finance Director stated that the purpose of the hearing is an opportunity for the Governing Body to hear and answer any objections of taxpayers relating to the proposed use of all funds and the amount of ad valorem tax. Ms. Landis also reported that the public hearing was published in the official City newspaper on August 10, 2016 which meets the required 10-day notice of the hearing.

With no comments from the public, the Mayor closed the public hearing.

**CONSENT AGENDA:**

**Motion by** Leaton, seconded by Snavely, to approve the Consent Agenda.

1. Approval of Minutes: August 14, 2016
2. Appropriation Order 2016-08-25
3. Request to Approve Change Order No. 3: Nichols/Race Street Storm Sewer Project, Linaweaver Construction

Motion carried 4-0-0.

**FORMAL COUNCIL ACTION**

**4. Ordinance 2016-10: Consider Approval of Conditional Use Permit (CU-2016-0002), 102 E. Nichols St., Mr. Matt Kelly, RP Automotive, Operate a used car and truck sales dealership**

The Community Development Director presented the ordinance authorizing a Conditional Use Permit to operate a used car and truck sales dealership at 102 E. Nichols Street. The Planning Commission held the required public hearing at their August 4, 2016 meeting. Opposition to the request was voiced by one individual based on the proximity to the adjacent church. The applicant has been in several discussions with the adjacent church representatives regarding the recently vacated right-of-way and have reached an agreement for permanent access to the church property from Webster Street. The details of this agreement will be finalized by both parties. The applicant anticipates 23 vehicles will be on the lot for sale.

The recommendation of the Planning Commission and staff is to approve Ordinance No. 2016-10, approving conditional use permit CU-2016-0002 subject to the following condition.

1. Annual review by staff

**Motion by** Leaton, seconded by Snavelly, to approve Ordinance 2016-10. Motion carried by roll of the Governing Body 5-0-0. Koder-Yea, Hughes-Yea, Leaton-Yea, Snavelly-Yea, Mayor Ellis-Yea.

**5. Ordinance 2016-11: Consider approval of Rezoning (Z-01-16), Northwest Corner of 191st St. and US169 Hwy, Brad Vince, PV Investments, LLC, Request to Rezone from RP-1 to R-1**

The Community Development Director presented the ordinance for a request to rezone property located at the northwest corner of 191<sup>st</sup> & US169/K7 Highway from RP-1 to R-1. Changes in the property ownership structure and current market conditions have lead the applicant to revise the 2007 approved plat to larger lots that fall under the R-1 District regulations. With the rezoning, the preliminary plat will see a reduction in lots from 712 to 488. The Spring Hill Planning Commission conducted the required public hearing on August 4, 2016. The rezoning request is compliant with the Comprehensive Plan. The 14-day protest period has passed with no protest petition being received by city staff.

Staff and the Spring Hill Planning Commission recommend approval of Ordinance No. 2016-11 for rezoning application Z-01-16 for the 225 acre tract located on the northwest corner of 191<sup>st</sup> & US169 Highway from RP-1 to R-1.

**Comments from the Public:**

Tom Ewing, 21684 W. 191<sup>st</sup> Street, is the owner west of this property and voiced his concern of road maintenance and dust control. Mr. Hendershot gave a brief overview of the road improvement phases that will be completed during construction of the subdivision. Staff also inspects the construction site to ensure the developer follows the Best Management Practices.

Scott McDade, 21900 W. 191<sup>st</sup> Street, stated that he is concerned about water flow from the development causing a problem on his property. Mr. Hendershot gave a brief overview of the stormwater study and explained that the subdivision cannot release greater quantities or lesser quality of water onto surrounding property owners than what already exists.

Bill Peterman, 19431 W. 200<sup>th</sup> Street, stated that he believed the developer/owner is responsible for water runoff.

Mr. Hendershot added that there are several layers of enforcement in regard to stormwater and the studies will be re-evaluated throughout the construction process. Mr. Hendershot also stated that he may be contacted now or in the future for any questions or concerns about stormwater runoff.

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Curtis Holland, attorney representing the Developer, agrees with Mr. Hendershot's statements and as the development proceeds, they will be coming back to the City's departments with regard to the engineering, including stormwater. Mr. Holland stated that there is a substantial flood plain located within the subdivision that can be utilized to detain and retain water and their plan is to use that area to cause the flooding of that particular land and release at a rate that's more slower when it leaves the property and heads toward the neighbor's property. This area also acts as open spaces and green spaces. Mr. Holland wanted the City Council to know that the Developer was being represented at the meeting and they are listening to the neighbor's concerns and heard them at the Planning Commission meeting. The developer will continue to work with the City to make sure that they follow all the rules with regards to water, traffic or any other standard that the City or other jurisdictions have for them.

**Motion by** Leaton, seconded by Snavelly, to approve Ordinance 2016-11. Motion carried by roll of the Governing Body 5-0-0. Hughes-Yea, Leaton-Yea, Snavelly-Yea, Koder-Yea, Mayor Ellis-Yea.

**6. Ordinance 2016-12: Designating certain streets within the City of Spring Hill as Main Traffic Ways and Traffic Way Connections**

The Finance Director presented the ordinance that designates certain streets with the City as Main Traffic Ways and Traffic Way Connections. Financing of certain road improvement projects first requires that an ordinance be passed designating the road(s) as either a main trafficway or trafficway connection. The ordinance provides a thorough list of existing roads that qualify as main trafficways and connectors and specifically those that may need future financing options. This ordinance can be updated in the future to include new additions to the City's roadway system.

**Motion by** Leaton, seconded by Snavelly, to approve Ordinance 2016-12. Motion carried by roll of the City Council 4-0-0. Leaton-Yea, Snavelly-Yea, Koder-Yea, Hughes-Yea.

**7. Resolution No. 2016-R-25: Project Authorization for Veterans Lane and Webster St. Acceleration Lane**

The Finance Director presented the resolution authorizing the City of Spring Hill to construct certain main trafficway improvements and authorizing the issuance of general obligation bonds of the City to pay the costs thereof. Two roadway projects, Webster Street Acceleration Lane and Veterans Lane, are underway which require financing for either all or part of the project.

The Webster Street acceleration lane is a CARS approved project and portions of the project related to design and construction are eligible for a 50% reimbursement through the CARS program. The financed portion of the project is intended to be repaid through excise tax funds.

Veteran's Lane is being financed 100% through general obligations bonds which are intended to be repaid through excise tax funds or other revenue sources.

The projects must be authorized by resolution in order to reimburse eligible costs to the City through general obligation bonds.

Staff recommended to approve Resolution 2016-R-25 authorizing the City of Spring Hill to construct certain main trafficway improvements and authorizing the issuance of general obligation bonds of the City to pay the costs thereof, all pursuant to KSA 12-685 *et seq.*

**Motion by** Leaton, seconded by Koder, to approve Resolution 2016-R-25. Motion carried 4-0-0.

**8. Resolution No. 2016-R-26: In Support of the Spring Hill USD #230 Mail Ballot Election**

The Mayor reported that at the August 11 City Council meeting, it was the consensus of the City Council to entertain a Resolution of Support for the Spring Hill USD230 Mail Ballot Election.

**Motion by** Leaton, seconded by Snavelly, to approve Resolution 2016-R-26. Motion carried 4-0-0.

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The Mayor directed staff to place the resolution on the City's Facebook page and provide a copy to USD230.

9. **Resolution No. 2016-R-20: Consider adoption of Resolution adding Article XI to the Spring Hill Employee Handbook relating to weapons in the work place and clarifying and expanding upon the reporting, investigation and discipline of harassment and sexual harassment claims made by employees; adopting the 2016 First Edition Spring Hill Employee Handbook; further rescinding Resolution No. 2013-R-13**

*Tabled from the July 28, 2016 and August 11, 2016 City Council meeting*

The City Attorney presented revisions to the Employee Handbook regarding sexual harassment and weapons in the workplace. The suggested updates to the Sexual Harassment Policy clarify and expand upon Article IX-4 Reporting, Article IX-5 Investigation and Article IX-6 Discipline of harassment and sexual harassment claims made by employees. The Weapons in the Work Place Policy is in response to House Bill 2502 that was adopted at the 2016 Legislative Session, which authorized employees to carry/possess a concealed handgun while engaged in their duties of employment, outside city buildings, in city vehicles and personal vehicles.

Councilwoman Hughes is concerned about the residents who may feel uncomfortable with an employee entering their private residence with a concealed weapon. There was discussion about the resident posting a "no gun" sticker on their door or if a "no carry" list could be maintained by staff. It was the consensus of the Council to revisit these options later since this regulation is only related to the employee handbook.

**Motion by** Leaton, seconded by Snavelly, to approve Resolution 2016-R-20. Motion carried 4-0-0.

10. **Consider Adoption of the 2017 Operating Budget**

The Finance Director presented the 2017 Operation Budget, which includes net expenditures of \$14,564,830, a total ad valorem tax of \$2,360,097 for the fire contract area and \$1,830,756 for the non-fire contract area with estimated tax levy rates of 38.862 and 26.582 respectively.

Assessed valuation for 2016 increased to \$68,874,061, or \$5,758,332 (9.1%), over 2015 increasing the dollars available per one mill to \$60,730 (blended rate). Estimated property tax delinquencies remain at approximately 2% for both Johnson and Miami Counties.

The Governing Body's desire is to adopt a budget with a mill levy similar to the 2016 budget. The proposed 2017 budget provides funds to continue services provided to the community at the existing service level. Staff and administration continue to search for ways to adequately fund delayed projects and planned future projects that serve the best interest of the community as identified by the Governing Body, City staff and the citizens of Spring Hill.

Staff recommended approval of the 2017 Operating Budget.

**Motion by** Leaton, seconded by Snavelly, to approve as stated. Motion carried 4-0-0.

*Councilman Gillis arrived at 8:06p.m. during Announcements and Reports.*

**ADJOURN**

**Motion by** Leaton, seconded by Snavelly, to adjourn.

The meeting adjourned at 8:10pm.

\_\_\_\_\_  
Glenda Gerrity, City Clerk

Approved by the Governing Body on \_\_\_\_\_.

## AGENDA ITEM REVIEW SHEET

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TO: GOVERNING BODY  
SUBMITTED BY: CHIEF RICHARD MANN  
MEETING DATE: SEPTEMBER 8TH, 2016  
DATE: AUGUST 31ST, 2016

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**Formal Action:** Approval of Agreement

**Issue:** Surplus of unneeded city equipment.

**Background:** The city over the last couple years has accumulated abundance of old items that are not in use at this time. Each department within the city has prepared a list of items that is outdated or no longer effective for city daily operations. These items have been stored and have taken up much needed space.

**Analysis:** In 2014, Branden Otto conducted the city's auction. Branden Otto Auction has been in service for several years and is known around the metropolitan area. Branden Otto has ties to Spring Hill through a local business in town. The Public auction date is preset for Sunday September 25th, at 1230 pm. The ability to auction unused city equipment will free up needed space and provide funds back into the general budget.

**Alternatives:** Approve contract with Branden Otto Auction  
Deny the contract  
Table the item for further discussion  
Direct city personnel to look at other options

**Legal Review:** Mr. Jenkins has reviewed the contract documents and his recommendation to the contract have been fulfilled.

**Funding Review or Budgetary Impact:** This auction will provide funds back into the general budget.

**Recommendation:** It is staffs recommendation that the City Council approve the agreement with Branden Otto Auction for the City of Spring Hill Public Auction on Sunday, September 25<sup>th</sup>, 2016

**Attachments:** Agreement  
Certificate of Insurance

## AGREEMENT

**Auctioneer:** Branden Otto  
Cell Phone: 913-980-4466  
Cell Phone: 913-710-7111(Deb)  
Office Phone: 913-592-2400

**Owner's Name**      City of Spring Hill  
**Owner's Phone**    913-592-3664  
**Address**            401 N. Madison P.O. Box 424 Spring Hill, KS 66083  
**Auction Site**       City Hall (proposed)

**Type of Auction**

Public   X   Farm \_\_\_\_\_ Estate \_\_\_\_\_ Other \_\_\_\_\_

**Date of Sale** 9/25/16      **Time** 12:30 PM

**Auction Expenses paid by Seller (handled by Auctioneer):**

**Advertising:**

- suggested ads in Read It Free, Johnson's Co Gazette, KC Star,
- KansasAuctions.net (cap ad expense at \$500, we pay overage, if any)

**Port-a-Pot Rental**      \$75.00, if needed

**Commission**            20%

(Typically included in Commission) tables, signs, salebill design & printing, staff

**Additional Terms:**

Seller agrees to have clear title and the right to sell all goods free from any mortgages or liens.

No items shall be sold or withdrawn prior to auction without agreement between seller & auctioneer.

All auction proceeds will be collected & deposited by auction service. Once all checks have cleared (appr 10 days), the seller will receive payment of auction proceeds less auction expenses.

**Additional terms**   See attached Exhibit "A"  

**The terms of this agreement have been read and agreed upon.**

**Owner** \_\_\_\_\_ **Date** \_\_\_\_\_

**Auctioneer**   Branden Otto   **Date**   8/17/16  

by D. Chester, office  
mgr.

8/31/16  
DC

## EXHIBIT "A"

1. **Advertising.** Add Miami County Republic, official newspaper of the City (Owner).
2. **Inspection.** Prospective bidders will be allowed time prior to the sale to inspect items.
3. **No Warranty.** No warranty or guarantee of any kind is given by the City (Owner). All items are offered to sale "as is," "where at," and "without recourse."
4. **Removal.** The successful bidder will be required, at their own risk and expense, to remove any items bid upon within   /   days of the sale date. Receipt of each unit must be signed by the bidder, or their duly authorized agent, at the time the item is removed. Any item not called for or left behind will be considered as abandoned, and the City (Owner) has the right to dispose of same in any manner whatsoever.
5. **Termination for Convenience by City (Owner).** City (Owner) may terminate this Agreement at any time for convenience, for any reason or no reason at all, by delivering written notice of termination to Auctioneer.
6. **Assignment.** This Agreement may not be assigned by either party without the prior written consent of the other party.
7. **Amendment or Modification of Agreement.** Any amendment or modification of this Agreement shall be made only in writing, signed by City (Owner) and Auctioneer.
8. **Entire Agreement.** This Agreement constitutes the entire agreement between the City (Owner) and Auctioneer on this subject, and as such is intended to be the exclusive statement of the promises, representations, and negotiations made in connection with the subject matter hereof.
9. **Compliance With Kansas Acts Against Discrimination, and Other Discrimination Laws.** To the extent applicable, with respect to all Work provided by Auctioneer under this Agreement, Auctioneer agrees to comply with the requirements of K.S.A. 44-1030 of the Kansas Acts Against Discrimination. Auctioneer also agrees to comply with all ADA, Civil Rights Act, and Age Discrimination and Employment Act (ADEA) requirements and obligations.
10. **Notices.** Notices shall be deemed duly given upon hand-delivery, or upon mailing, first class or overnight delivery charge pre-paid, or upon emailing, addressed as below indicated.

If to the City (Owner): City of Spring Hill, Kansas  
401 North Madison Street  
P.O. Box 424  
Spring Hill, KS 66083  
Attn: Glenda Gerrity, City (Owner) Clerk  
Email: [gerrityg@springhillks.gov](mailto:gerrityg@springhillks.gov)

If to Auctioneer: Branden Otto  
22872 Edgerton Rd  
Edgerton, KS 66021  
\_\_\_\_\_  
Attn: \_\_\_\_\_  
Email: [branden@ottoauctioneering.com](mailto:branden@ottoauctioneering.com)



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
08/17/2016

**THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.**

**IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).**

<b>PRODUCER</b> Allied General Agency Company 1100 Locust St. Des Moines, IA 50391-1100	<b>CONTACT NAME:</b> Kelly Neufeld <b>PHONE (A/C No. Ext.):</b> 785-242-4122 <b>FAX (A/C No.):</b> <b>E-MAIL ADDRESS:</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 80%;">INSURER(S) AFFORDING COVERAGE</th> <th style="width: 20%;">NAIC #</th> </tr> <tr> <td>INSURER A:</td> <td></td> </tr> <tr> <td>INSURER B:</td> <td></td> </tr> <tr> <td>INSURER C: Capital Indemnity Corporation</td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> </tr> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A:		INSURER B:		INSURER C: Capital Indemnity Corporation		INSURER D:		INSURER E:		INSURER F:	
INSURER(S) AFFORDING COVERAGE	NAIC #														
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INSURER B:															
INSURER C: Capital Indemnity Corporation															
INSURER D:															
INSURER E:															
INSURER F:															
<b>INSURED</b> Otto, Branden 22872 Edgerton Rd. Edgerton, KS 68021-9247															

**COVERAGES**

**CERTIFICATE NUMBER:**

**REVISION NUMBER:**

**THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.**

INBR LTR	TYPE OF INSURANCE	ADDITIONAL INSURED	WARRANTY	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
C	<input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIED PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:			CP02007110-01	07/01/2010	07/01/2017	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (EA OCCURRENCE) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY						COMBINED SINGLE LIMIT (EA accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DEO <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

**CERTIFICATE HOLDER**

**CANCELLATION**

City of Spring Hill, KS Attn: Richard Mann 401 N Madison Spring Hill, KS 68083	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE John Klaassen
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## AGENDA ITEM REVIEW SHEET

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TO: GOVERNING BODY  
SUBMITTED BY: JIM HENDERSHOT, COMMUNITY DEVELOPMENT DIRECTOR  
MEETING DATE: SEPTEMBER 8, 2016  
DATE: AUGUST 31, 2016

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**Formal Action:** Approval of contract addendum with Treanor Architects, Lawrence, KS

**Issue:** Approval of addendum to contract with Treanor Architects for design Civic Center remodel.

**Background:** In January of 2016 the City entered into a contract with Treanor Architects for the design work of security enhancements to the Civic Center. The contract was a lump sum of \$17,000 and based on the scope of work proposed at that time. As the work on the design progressed the scope of work expanded to include a total remodel of the building.

**Analysis:** Staff has had multiple meetings with Treanor Architects and their team of design professional and engineers. As the scope of work for the Civic Center remodel expanded, so too did their work on the project. Jeff Lane is the lead architect on the project and has been extremely professional and patient as the project expanded. However, the original fee approved in January 2016 does not provide compensation for the design work of the expanded project.

Treanor Architects is proposing an addendum to the original contract that replaces the lump sum amount with a figure equal to 7% of the approved project cost. The percentage fee would be reduced by the amount paid to date from the previous contract.

This percentage approach for the design fees seems reasonable and widely accepted with larger projects.

**Alternatives:** Approval, denial, return to staff for further consideration.

**Legal Review:** City Attorney Frank Jenkins has reviewed attached contract addendum.

**Funding Review or Budgetary Impact:** Civic Center Capital Improvement Fund, and financing of the project.

**Recommendation:** Staff recommends approval of contact addendum with Treanor Architects in the amount of 7% of the cost of work for the remodel design work for the Spring Hill Civic Center, 401 N. Madison Street.

**Attachments:** 1) Contact addendum signed by Treanor Architects  
2) Exhibit A-Amendment #1

**ADDENDUM TO TREANOR ARCHITECTS, P.A. AGREEMENT**

This Addendum, and the Agreement (“**Agreement**”) to which this Addendum is attached, and which is incorporated by reference into and is made a part of the attached Agreement, is entered between **Treanor Architects, P.A.** (“**Treanor**”, and referenced in the Agreement to which this Addendum is attached as “Architect”) and the City of Spring Hill, Kansas, a Kansas municipal corporation (“**City**”, and referenced in the Agreement to which this Addendum is attached as “Owner”).

**WHEREAS**, The City and Treanor entered into an Agreement for architectural services relating to the City Hall Remodeling Project dated January 18, 2016 which provided that the compensation for the basic architectural services was a lump sum amount of \$17,000; and

**WHEREAS**, the parties have agreed to changes in the scope of services, as reflected in attached Exhibit A (program diagrams describing scope of services”) which is attached and designated as “Exhibit A (Amendment No. 1)”; and

**WHEREAS**, because of the change of the scope of services, the parties agree that the lump sum amount of \$17,000 should not be used and, in the alternative, the method of compensation should be changed to a percentage of seven percent (7%) of the Cost of Work.

**IT IS THEREFORE AGREED BY THE PARTIES**, notwithstanding anything to the contrary in the Agreement to which this Addendum is attached, to the following:

1. **Amendment to § 11.1 of Article 11 COMPENSATION.** The compensation amount “Lump sum fee of \$17,000” stated in § 11.1 is hereby amended to read as follows:

“Section 11.1 For the Architect’s Basic Services described under Article 3, the Owner shall compensate the Architect as follows:

Seven percent (7%) of the Cost of Work

The percentage to be paid to the Architect shall be reduced by the amount of the compensation, paid to date, to the Architect on the basis of the original lump sum formula of \$17,000.”

2. **Amendment to § 13.2.3 of Article 13 SCOPE OF THE AGREEMENT.** Exhibit A, listed in § 13.2.3, is hereby amended to read as follows:

“Exhibit A (Amendment No. 1) – program diagrams describing scope of services”.

3. **Binding Effect.** This Agreement shall be binding upon, and inure to the benefit of, the parties and their respective heirs, administrators, executors, successors, and permitted assigns.

**IN WITNESS WHEREOF**, the parties hereto have caused this Addendum to be signed by their duly authorized representatives. By signing below, the parties hereto agree to the Agreement to which this Addendum is attached, as modified by this Addendum.

**“Owner”**

City of Spring Hill, Kansas  
A Kansas municipal corporation

By: \_\_\_\_\_  
Steven M. Ellis, Mayor

Dated: \_\_\_\_\_, 2016

**ATTEST:**

By: \_\_\_\_\_  
Glenda Gerrity, City Clerk

Dated: \_\_\_\_\_, 2016

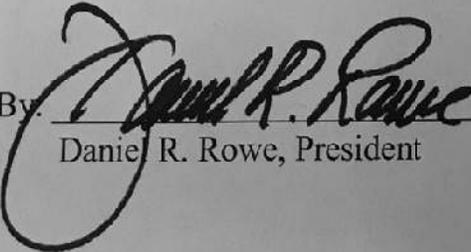
**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
Frank H. Jenkins, Jr., City Attorney

Dated: \_\_\_\_\_, 2016

**“Treasurer”**

Treasurer Architects, P.A.

By:  \_\_\_\_\_  
Daniel R. Rowe, President

Dated: August 30, 2016

**Exhibit A (Amendment No. 1)**



COUNCIL CHAMBERS

**CORE FACILITIES**

- MAXIMIZE OFFICE SPACE
- UPGRADED AND ADA ACCESSIBLE PUBLIC RESTROOMS
- MAXIMIZE CUSTOMER SERVICE
- FLEXIBLE COUNCIL CHAMBERS
- INCREASE ENERGY EFFICIENCY WITH NEW WINDOWS

**CLEAN**

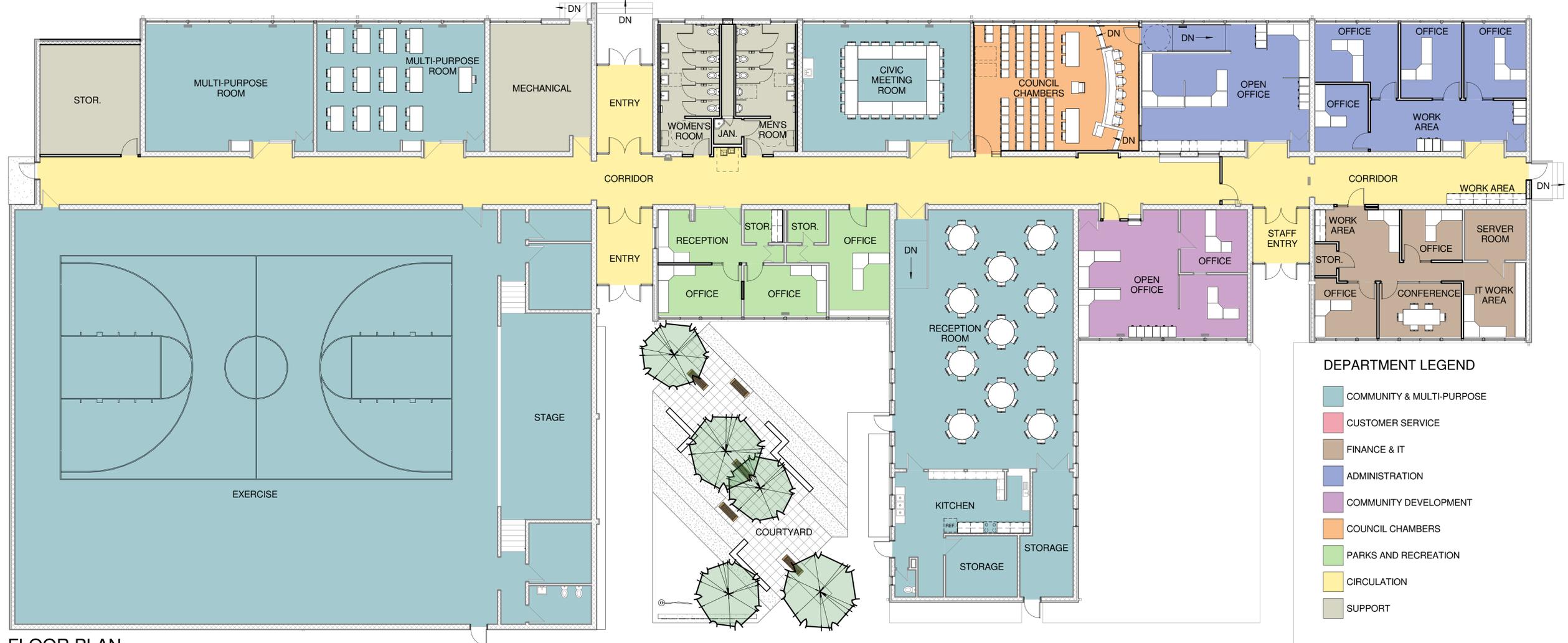
- LOW MAINTENANCE FINISHES
- DURABLE FINISHES

**SAFETY & SECURITY**

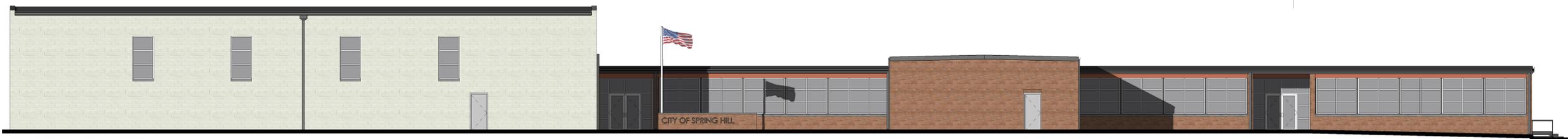
- SAFETY FOR STAFF AND THE PUBLIC
- "STATE OF THE ART" ACCESS CONTROL
- SECURE ACCESS FOR STAFF

**STATISTICS**

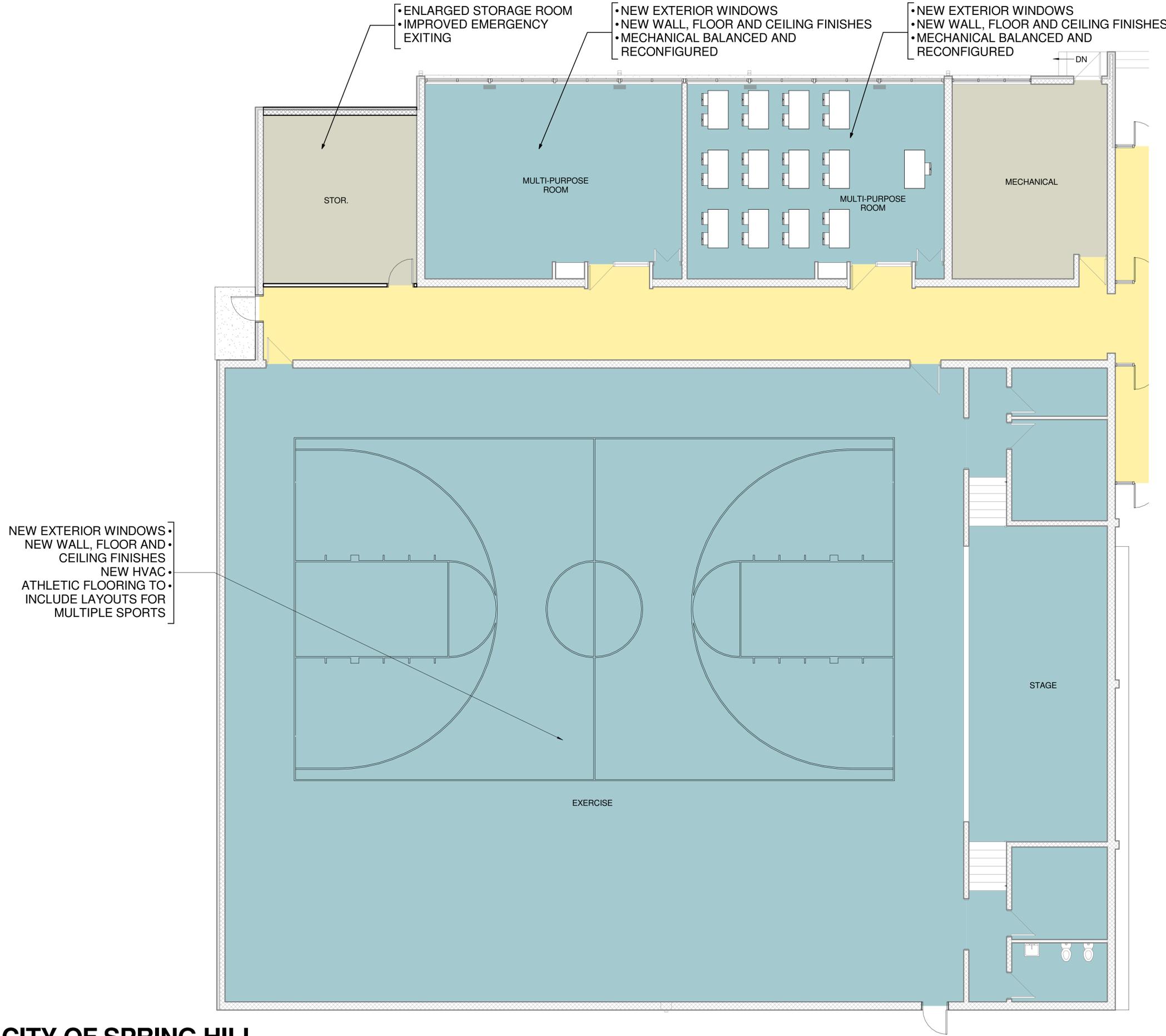
- GROSS AREA: 23,138 SF
- COMMUNITY GROSS AREA: 16,668 SF



FLOOR PLAN

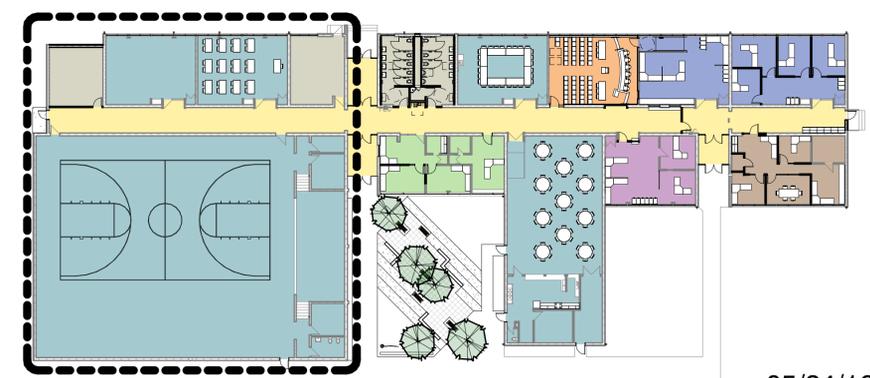


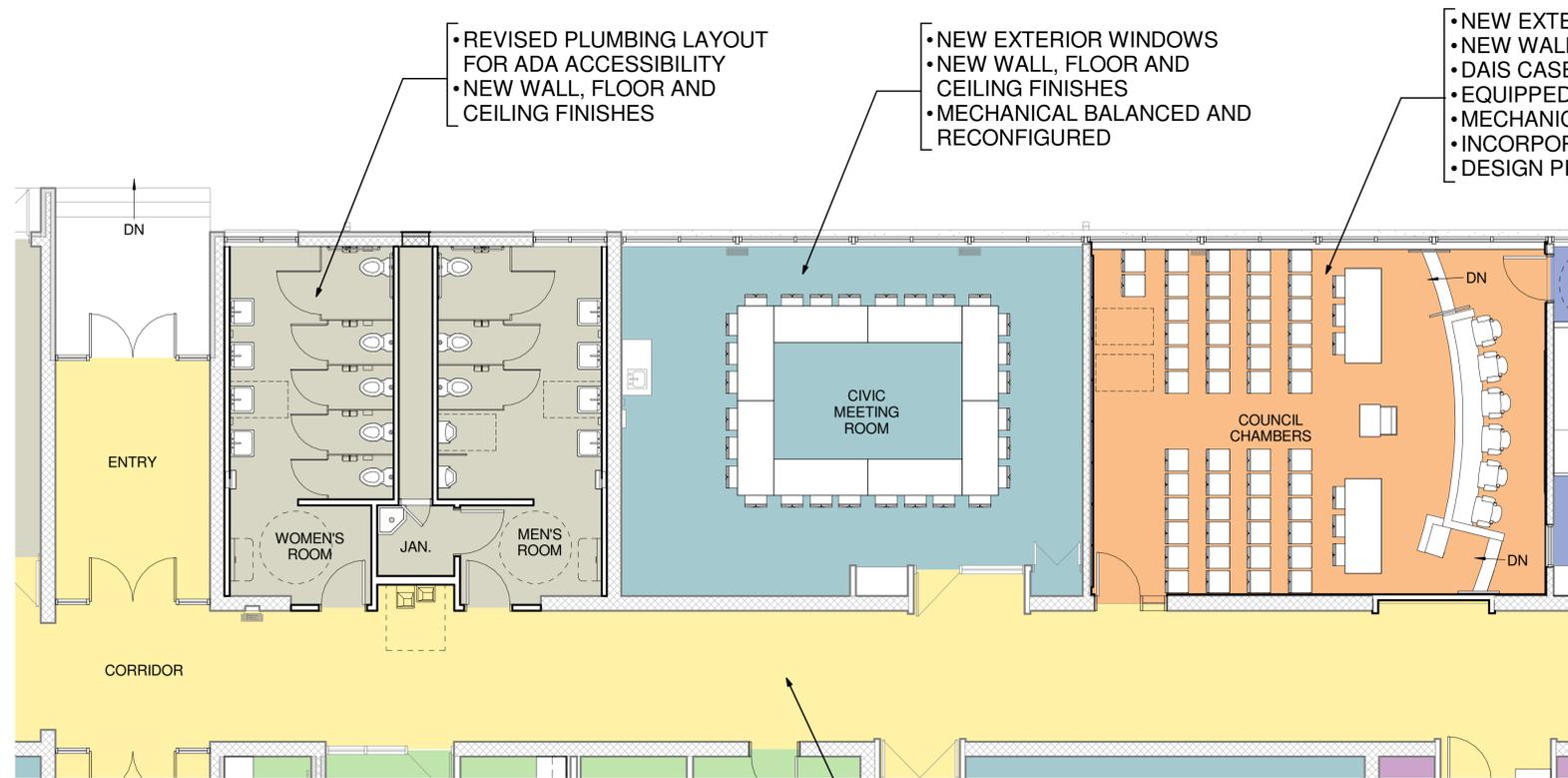
EAST ELEVATION



DEPARTMENT LEGEND

- COMMUNITY & MULTI-PURPOSE
- CUSTOMER SERVICE
- FINANCE & IT
- ADMINISTRATION
- COMMUNITY DEVELOPMENT
- COUNCIL CHAMBERS
- PARKS AND RECREATION
- CIRCULATION
- SUPPORT

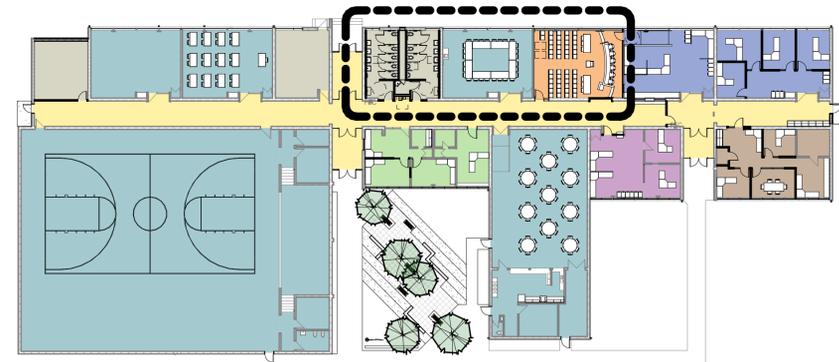


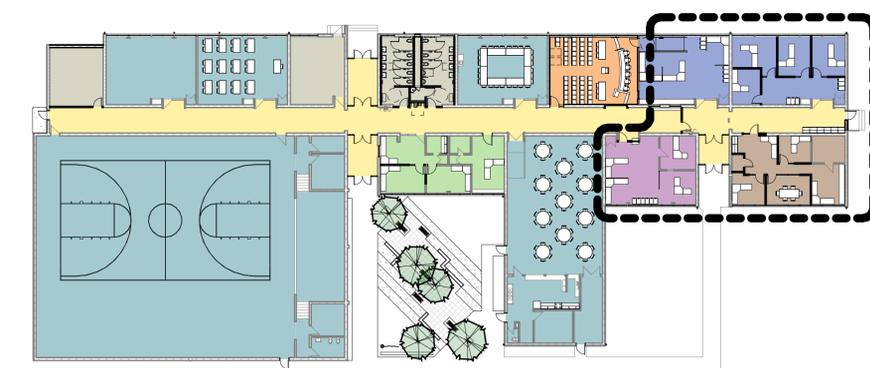
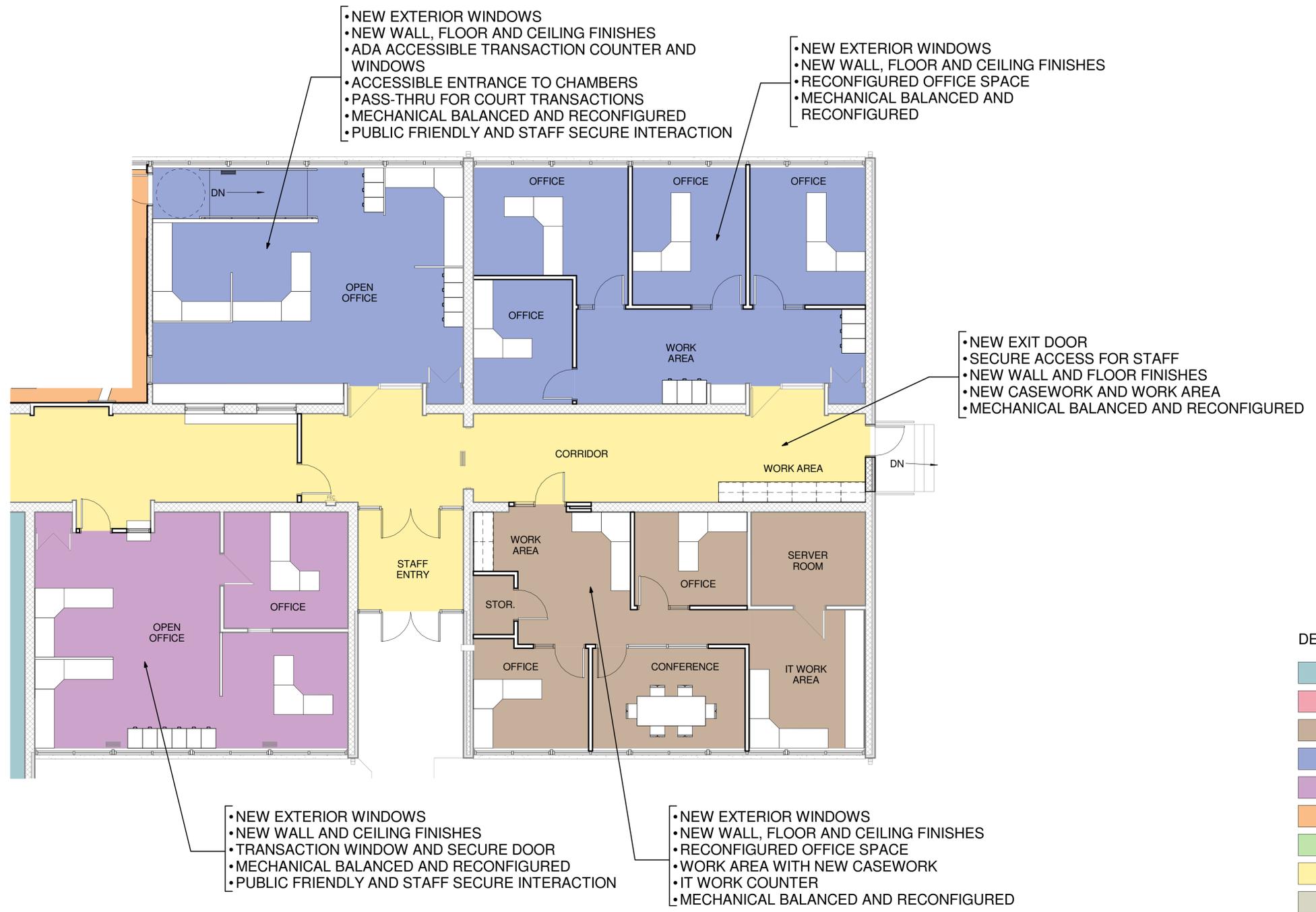


- NEW ENTRY DOORS AND WINDOWS
- NEW FLOOR FINISHES
- MECHANICAL BALANCED
- SECURE ACCESS FOR STAFF

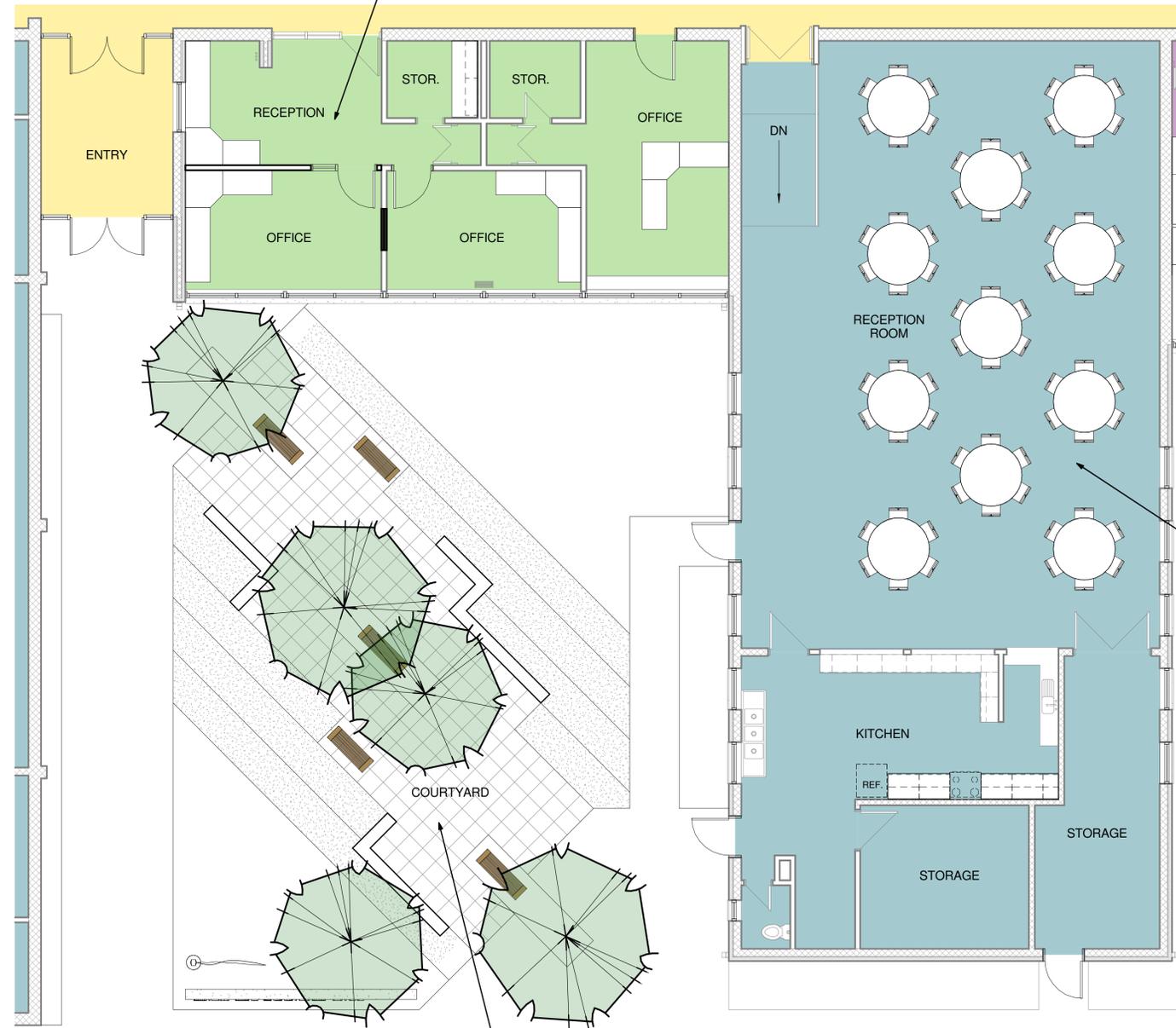
DEPARTMENT LEGEND

- COMMUNITY & MULTI-PURPOSE
- CUSTOMER SERVICE
- FINANCE & IT
- ADMINISTRATION
- COMMUNITY DEVELOPMENT
- COUNCIL CHAMBERS
- PARKS AND RECREATION
- CIRCULATION
- SUPPORT





- NEW EXTERIOR WINDOWS
- NEW WALL, FLOOR AND CEILING FINISHES
- ADA ACCESSIBLE PUBLIC COUNTER & RECEPTION
- RECONFIGURED OFFICE SPACE AND WORK AREA
- MECHANICAL BALANCED AND RECONFIGURED



- NEW EXTERIOR WINDOWS
- NEW WALL, FLOOR AND CEILING FINISHES
- CASEWORK IN KITCHEN WITH NEW SINK AND EQUIPMENT HOOK-UPS
- MECHANICAL BALANCED AND RECONFIGURED

- NEW EXTERIOR SIGNAGE FOR PUBLIC ENTRY
- NEW SIDEWALK AND PAVERS
- SHADED SEATING AREAS
- NEW NATIVE LANDSCAPING AND VEGETATION

DEPARTMENT LEGEND

- COMMUNITY & MULTI-PURPOSE
- CUSTOMER SERVICE
- FINANCE & IT
- ADMINISTRATION
- COMMUNITY DEVELOPMENT
- COUNCIL CHAMBERS
- PARKS AND RECREATION
- CIRCULATION
- SUPPORT



## AGENDA ITEM REVIEW SHEET

---

TO: GOVERNING BODY  
SUBMITTED BY: JIM HENDERSHOT  
MEETING DATE: SEPTEMBER 8, 2016  
DATE: SEPTEMBER 1, 2016

---

**Consent / Formal Action / Discussion Item:** Consent

**Issue:** Approval of Change Order No. 2 for the sidewalk improvement at the High School

**Background:** As part of the city's 2016 CARS project and the access road to the future West Lake Park, a section was added to construct a sidewalk from the Estates of Wolf Creek development and connect to the existing sidewalk on the east side of Ridgeview Road just north of the High School. The bid amount for this section of the project was \$47,185.00. This work has now been completed and waiting for final inspection.

**Analysis:** A summary of the final quantities from the contractor shows that the amount of seeding exceeded the bid quantity by 0.25 acres. The bid price for the seeding was \$1,800.00 per acre. The final cost of the seeding will be \$450.00 more than the bid amount. The final quantity for the sodding was 250 SY less than the bid amount. The bid price for the sodding was \$6.00 per SY. The final cost of the sodding will be \$1,500.00 less than the bid amount. This change order will result in a net reduction in the project cost by \$1,050.00.

**Funding Review or Budgetary Impact:** This recommendation is being presented in accordance with Section 7 of the Spring Hill Purchasing Policy. The expenditures will be paid from the City's street fund.

**Recommendation:** We recommend the City accept Change Order No. 2 in the amount of (\$1,050.00). This will reduce the project cost to \$46,135.00 or 2.23% below the bid amount.

**Attachments:** Change Order No. 2.

**CONTRACT CHANGE ORDER**

**OWNER:** CITY OF SPRING HILL, KANSAS      **DATE:** 09/01/16  
**JOB NO.:** 246-215099.2

**PROJECT:** STREET AND SIDEWALK IMPROVEMENTS      **CHANGE ORDER NO.:** 2

**CONTRACTOR:** Kansas Heavy Construction, LLC      **COMPLETION DATES:**  
 P.O. Box 860603      **Substantial:** 11/15/16  
 Shawnee, KS 66286      **Final:** 12/15/16

You are hereby directed to make the following changes to the subject Contract Documents:

Item (a)	Description (b)	Increase in Contract Price (c)	Decrease in Contract Price (d)
2-17	<b>Section 1 - Sidewalk Improvements at High School</b>		
2-18	<b>ADD</b> 0.25 AC of Seeding @ \$1,800.00 per AC	\$ 450.00	
	<b>DELETE</b> 250 SY of Sodding @ \$6.00 per SYF		(\$1,500.00)
<b>TOTALS</b>		<b>\$ 450.00</b>	<b>\$ (\$1,500.00)</b>

1.	Original Contract Amount		\$ 845,519.50
2.	This Change Order (c-d) <del>ADD/DEDUCT</del>	\$ -1,050.00	
3.	Previous Change Order <del>ADD/DEDUCT</del>	\$ 152,137.50	
4.	Total (line 2+3) <del>ADD/DEDUCT</del>		\$ 151,087.50
5.	Revised Contract Amount (line 1+4)		\$ 996,607.00

The time provided in the Agreement is unchanged by 0 calendar days.

Recommended by (Engineer): John W. Brant      Date 9/1/16  
 Accepted by (Contractor): KANSAS HEAVY CONSTRUCTION, LLC      Date 8-31-16  
 Approved by (Owner): \_\_\_\_\_      Date \_\_\_\_\_

Distribution:     Owner     Contractor     Engineer     Resident Project Representative     Other

## AGENDA ITEM REVIEW SHEET

---

TO: GOVERNING BODY  
SUBMITTED BY: JIM HENDERSHOT  
MEETING DATE: SEPTEMBER 8, 2016  
DATE: SEPTEMBER 1, 2016

---

**Consent / Formal Action / Discussion Item:** Consent

**Issue:** Acceptance of Permanent Utility Easement across Tract A, Village on Victory III

**Background:** As part of the development of Village on Victory III, KCPL has request and additional permanent utility easement be granted across Tract A. This will be used to provide the necessary electrical power supply for this new phase of development.

**Analysis:** The developer, MCK Partnership, LLC, at the request of KCPL, contacted the city regarding this permanent utility easement. The developer will be donating the easement to the city. The location of the easement is such that it will not interfere with any of the existing utilities already installed in this area. The form of the easement was reviewed and approved by the city attorney's office prior to execution by the developer.

**Funding Review or Budgetary Impact:** No fund will be expended as the developer is donating this permanent utility easement.

**Recommendation:** We recommend the City accept the permanent utility easement across Tract A, Village on Victory III.

**Attachments:** Permanent Utility Easement and Exhibit A

Tract No.  
Parcel No.  
Address:

**PERMANENT UTILITY EASEMENT**

**THIS AGREEMENT**, made and entered into this 26<sup>th</sup> day of August, 2016, by and between MCK Partnership, L.L.C., located at P.O. Box 1330, Kearney, Missouri 64060, hereinafter called Grantor, and the **CITY OF SPRING HILL, KANSAS**, a Municipal Corporation, in the County of Johnson, State of Kansas, hereinafter called Grantee.

**WITNESSETH:**

**WHEREAS**, the Grantee desires to obtain a Permanent Utility Easement in, on, over, under and through the Grantor's property.

**NOW, THEREFORE**, for the consideration hereinafter described, the parties hereto agree as follows:

**SECTION ONE  
GRANT OF EASEMENT**

In consideration of One Dollar (\$1.00) in hand paid and other valuable consideration, receipt of which is hereby acknowledged, Grantor does hereby grant and convey unto Grantee, its successors, assigns, employees, agents, contractors, subcontractors, suppliers and other authorized users a Permanent Utility Easement for:

- (i) ingress and egress for the purposes set forth herein;
- (ii) the installation, construction, reconstruction, maintenance, inspection, repair and removal of sidewalks, pedestrian and bicycle paths, sanitary sewers, storm drainage facilities, utilities (including electrical, water, telephone, communication and data transmission, distribution and service lines), traffic signals and any other purpose incidental to the construction, reconstruction, improvement, maintenance

or operation of any aspect of any utility service (including, without limitation, electricity, natural gas, water, sanitary sewer, storm drainage, telephone or cable television) or the construction, reconstruction, improvement, maintenance, inspection, repair and removal of any facilities or operations related to any aspect of any utility service; and

- (iii) the purpose of constructing, using, replacing and maintaining a culvert, storm sewer, drainage ditch, or other drainage facility, tributary connections and appurtenances thereto in any part of the easement, including the right to maintain, repair and replace the drainage facility and for any reconstruction and future expansion of such facility within the area of the easement

on, in, over, under and through the following described land (such land is referred to herein as the premises):

**Permanent Utility Easement:  
(See Exhibit A)**

**SECTION TWO  
ADDITIONAL RIGHTS OF GRANTEE**

- (1) Grantee shall have the right to install additional facilities or improvements or to replace said facilities or improvements in the above-described easement at some future date and under the same conditions as the earlier facilities or improvements were installed, except no additional payment shall be made for the purchase of said right.
- (2) The Grantee and its employees and agents shall at all times have free access to the facilities or improvements, using such reasonable route as Grantor may designate or approve.
- (3) Grantee may assign its rights hereunder, in whole or in part, or may share, cooperate, or otherwise allow other public or private entities to use some or all of the rights granted hereunder, on such terms and conditions as Grantee may determine, without additional compensation to Grantor.

**SECTION THREE  
RIGHTS OF GRANTOR**

Grantor reserves the right to fully use and enjoy the premises except for such use as may unreasonably interfere with the exercise by Grantee or any other authorized user of the rights granted herein. Grantor shall not construct nor permit to be constructed any house, structure, or obstruction on or over the premises or interfering with the construction, maintenance, or operation of any utility line, improvement, facility or appurtenance constructed pursuant to this

instrument or with any right granted to Grantee or any use by Grantee authorized by this instrument. Grantor may fence the whole or any part of the boundaries of the area within the Permanent Utility Easement without approval of the Grantee as long as said fence does not interfere with Grantee's access rights to, across or over the said Permanent Utility Easement. Grantor further agrees that he will not change the grade of the area within the said Permanent Utility Easement without approval of the Grantee.

#### **SECTION FOUR PROTECTION OF SURFACE**

Any utility lines that are placed underground on the premises shall be constructed at a sufficient depth so that such utility lines will not interfere with the cultivation or drainage of the property.

#### **SECTION FIVE RESTORATION OF SURFACE**

After any construction operations have been completed, Grantor shall restore the premises to as near as reasonably possible the condition that existed prior to construction and/or to conform to the design criteria of Grantee or other authorized user.

All of said restoration to be done within a reasonable time after construction completion.

#### **SECTION SIX WARRANTY OF TITLE**

Grantor covenants and warrants that it is the owner of the premises and has the right, title and capacity to grant the easement herein conveyed.

#### **SECTION SEVEN EFFECT OF AGREEMENT**

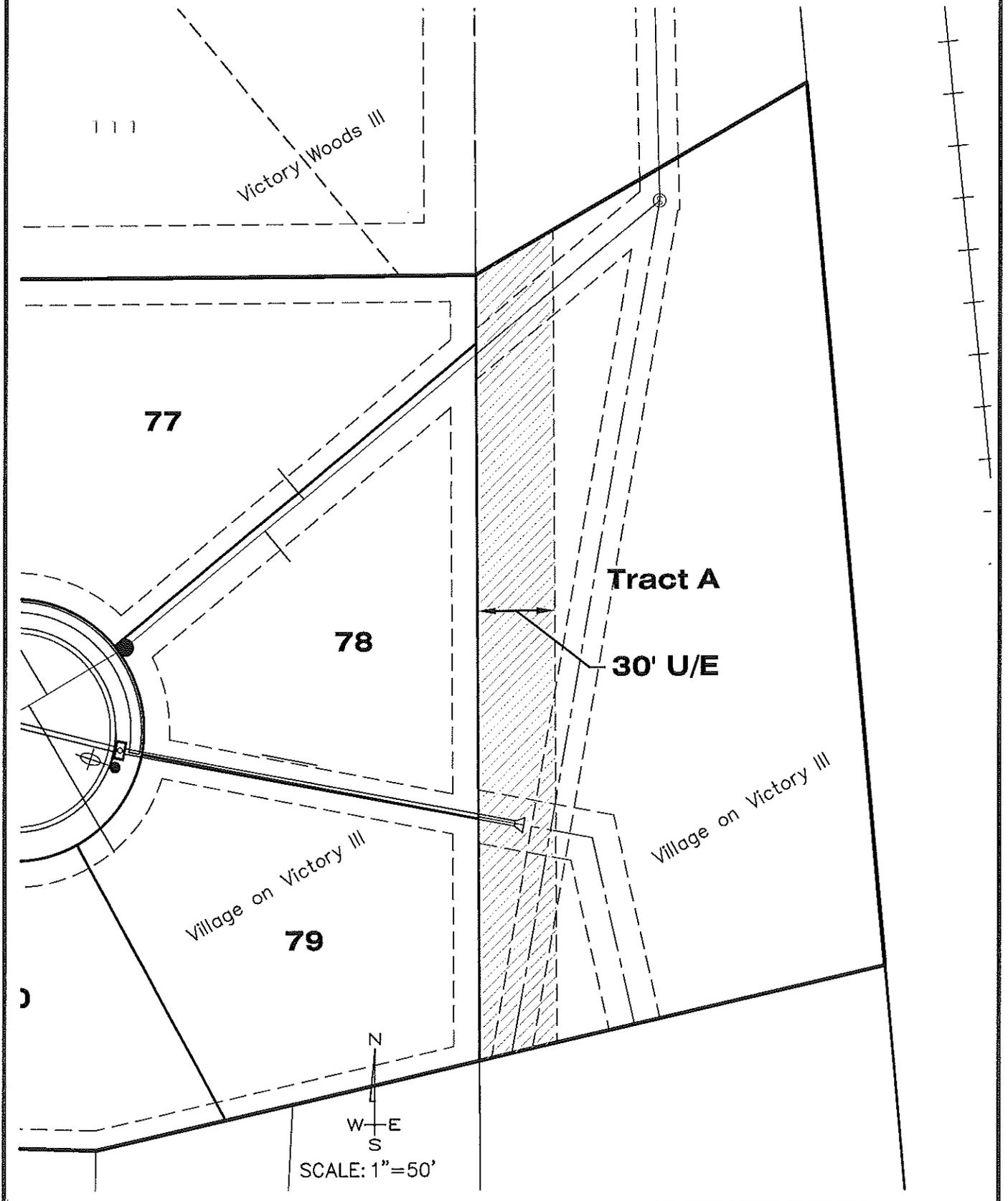
The easement granted herein shall run with the land. This Agreement shall be binding upon the heirs, legal representatives, successors and assigns of the parties hereto.

**IN WITNESS WHEREOF**, Grantor has executed this agreement the day and year first above written.



Exhibit A

All of the West 30.00 feet of Tract A, Village on Victory III, a subdivision in the City of Spring Hill, Miami, County, Kansas



## AGENDA ITEM REVIEW SHEET

---

TO: GOVERNING BODY  
SUBMITTED BY: GLENDA GERRITY, CITY CLERK  
MEETING DATE: SEPTEMBER 8, 2016  
DATE: SEPTEMBER 1, 2016

---

**Consent Item:** Consideration of Special Event Permit: 2016 Fall Festival - PARADE

**Background:** The Fall Festival is an annual event coordinated by a volunteer group of residents. This event requires a special event permit.

**Analysis:** The Fall Festival Committee has submitted a Special Event Application for the Parade to be held on September 17, 2016 from 10:00am – Noon. Set-up will begin at 7:00am.

The Chief of Police, Johnson County Fire District No. 2, Risk Manager, Community Development Department, Street Department, Parks Department and City Clerk are currently reviewing all documentation that was submitted to the City Clerk on September 1, 2016.

**Alternatives:**

- Approve Special Event Permit contingent upon staff review.
- Deny Special Event Permit
- Table Special Event Permit

**Legal Review:** The City's Risk Manager is currently reviewing the certificate of insurance to ensure proper coverage for the parade.

**Funding Review or Budgetary Impact:** There will be overtime within the Police Department for this event.

**Recommendation:** Staff recommends that the City Council approve the Special Event Permit for the Spring Hill Fall Festival Parade contingent upon review of the application and insurance coverage by city staff.

**Attachments:** 2016 Annual Fall Festival Event Application for the Parade  
Map of the Parade Route  
Approved Permit

**SPECIAL EVENT APPLICATION**

Name of Event: Spring Hill Fall Festival - PARADE

Name of Business/Sponsor/Organization: Spring Hill Fall Festival Inc.

Type of Event: Parade

Address / Vicinity of Proposed Event /Route: Start on West 215th Street head north on Webster towards North Street

Application Date: 8/11/2016 Start Date: 9/17/2016 End Date: 9/17/2016

Hours of Event: 10:00am C.S.T. - 12:00pm C.S.T. (Set-up: 7:00am C.S.T.)

**APPLICANT / AUTHORIZED REPRESENTATIVE**

Name: Meggin Nilssen

Address: 20150 W 219t Terr City: Spring Hill Zip: 66083

Phone: 913-302-1915 Fax: 913-451-5443 Email: mnilssen@bankbv.com

**PROPERTY OWNER**

Name: USD 230 and City of Spring Hill, Kansas

Address: \_\_\_\_\_ City: Spring Hill Zip: 66083

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

**EVENT SUPERVISOR (If other than the applicant)**

Name: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

**ATTACHMENTS INCLUDED:**

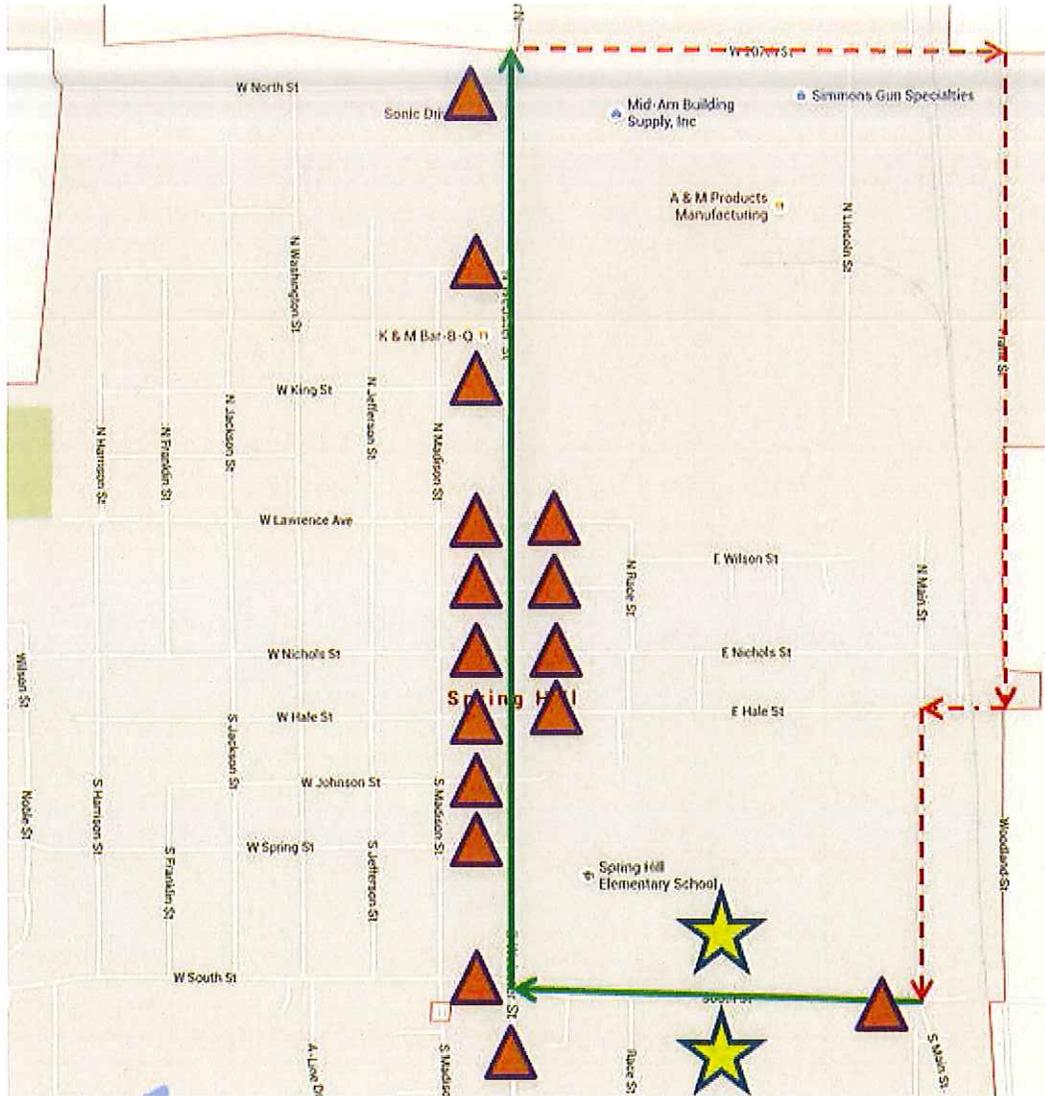
- List of Services requested to be provided by the City of Spring Hill
- Site Plan showing the location of proposed activities and structures in relation to existing buildings, parking areas, streets and property lines.
- Routes/Staging/Dispersal/Parking Plans
- Flyer/Brochure/Advertisement of the event
- If applicable, classification of dangerous and/or exotic animals
- Sponsoring Agency's Certificate of Insurance
- Operator's Certificate of Insurance
- Completed Release

I UNDERSTAND THAT THE FACILITIES FOR THIS EVENT MUST BE INSPECTED PRIOR TO THE COMMENCEMENT OF OPERATION AND MUST CONFORM TO ALL REGULATIONS OF THE CITY OF SPRING HILL AS DESCRIBED IN THE SPRING HILL MUNICIPAL CODE TO INCLUDE BUT NOT LIMITED TO THE NATIONAL ELECTRICAL CODE. I UNDERSTAND THAT FAILURE TO COMPLY WITH THESE MAY RESULT IN PERMISSION TO OPERATE BEING WITHHELD UNTIL ALL CODES ARE MET.

Emilee Haisa  
APPLICANT'S SIGNATURE

\_\_\_\_\_  
DATE

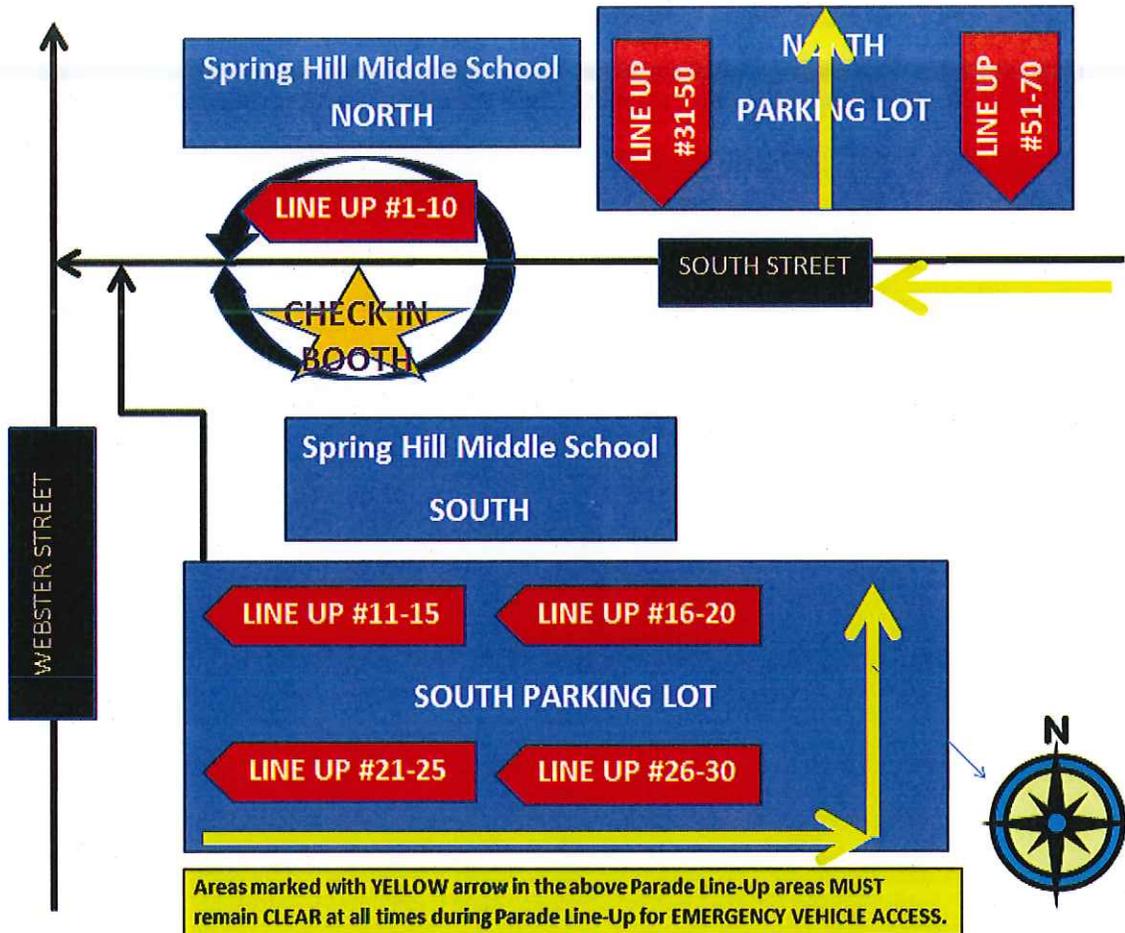
**PARADE ROUTE:**



**LEGEND**

- Parade Route (Green Line)
- Post Parade Route BACK to School (Red Dashed Line)
- Streets/Intersection Closures (Orange Triangle)
- Line Up Areas (Yellow Star)

**PARADE LINE-UP:**



**SPRING HILL FALL FESTIVAL PARADE OVERVIEW:**

Please find the following overview of the Spring Hill Fall Festival Parade ("Parade).

The Spring Hill Fall Festival Parade will take place on the third Saturday in September ("Parade Date") noted as the Start Date on the Special Event Application. Parade Start ("Parade Start") is promptly 10:00am CST. Parade Conclusion ("Parade End") is approximately 12:00pm CST.

Please see the attached Parade Rules ("Rules") for the Parade.

Please see the attached geographical view of the Parade Route ("Parade Route") for the Parade.

Parade Line-Up ("Parade Line-Up") areas will be hosted in the USD 230 Spring Hill Middle School North and South Parking Lots. A Facility Usage Request Form has been submitted to USD 230 for use of facilities in conjunction with Parade Line-Up. Parade Line-Up will begin at 7:00am CST and proceed until Parade Start.

Parade Participants ("Participants") includes any individual or business who has voluntarily registered for the parade including but not limited to, participants participating on behalf of said Participants (such as members of Participants participating in the parade). All Participants will be notified of Parade Rules ("Rules"), Parade Line-Up, and Parade Start. It is the responsibility of Participant to communicate with those actively participating on their behalf the Parade Rules, Parade Line-Up, and Parade Start. The following is noted on the Website and Paper Registration:

**Liability Waiver and Confirmation**

By submitting your registration, you agree not to hold the Spring Hill Fall Festival Committee, Inc. or the City of Spring Hill, liable for any expenses, claims, actions, damages, theft, loss of any kind, actually or allegedly resulting from or connected with the operation of said parade. Any damages or loss of personal property or merchandise is the responsibility of the above named. By submitting your registration, you understand the rules and regulations of the parade and will comply; failure to comply with the rules and regulations may result in expulsion from the parade. The Spring Hill Fall Festival Committee reserves the rights to change said rules and regulations at any time prior to and during the Festival period for safety issues. Violation of rules and regulations will be in default of the license agreement.

All Participants must register via the Spring Hill Fall Festival website ("Website Registration") or complete a handwritten Parade Registration form ("Paper Registration") to be registered in Parade. All participants operating a motorized vehicle must present a Current Driver's License and Insurance to participate in parade. Participants must provide this information the prior to Parade Start to participate in Parade. The following is noted on the Website and Paper Registration:

**IMPORTANT:** All individuals operating a motor vehicle will be REQUIRED to provide a copy of a valid driver's license and insurance card to participate in the Spring Hill Fall Festival Parade. If you are unable to provide a copy of a valid driver's license and insurance card prior to the start of the parade, you will not be allowed to operate a motor vehicle in the parade. Please send copies of driver's license and insurance to [springhillff@gmail.com](mailto:springhillff@gmail.com) with your Business/Organization Name in the subject line.

The City of Spring Hill, Kansas will provide street closures along the Parade Route to ensure emergency vehicles can safely transport to/from dwellings located along the Parade Route and surrounding areas. It is the responsibility of the City of Spring Hill, Kansas to block streets along Parade Route prior to Parade Start until the Parade End. It is the responsibility of the City of Spring Hill, Kansas to ensure that emergency vehicles can safely transport to/from dwellings along Parade Route and surrounding areas during Parade Start and Parade End.

Participants are encouraged to safely use the Post Parade Route ("Post Parade Route") back to designated Parade Line-Up at the conclusion of the parade. This will allow participants to safely exit Parade Route for clean-up and pick-up.

In the event of inclement weather, the City of Spring Hill, Kansas will work directly with Contact Person for the Spring Hill Fall Festival prior to Parade Start regarding cancellation. In the event of an emergency, Contact Person will notify emergency personnel using 9-1-1 emergency protocol.

## **RULES:**

Here are the **general rules** for the Parade:

- Check-In will start at 8:00am. You **MUST** check-in to obtain your Parade Line-Up Number. You must have this Parade Line-Up Number in order to be in the parade. Parade Line-Up Numbers ensure that you have provided all required information (such as Drivers License and Insurance), and are aware of all emergency protocol such as how to report an emergency and where to report in the event of an emergency evacuation.
- If you are a **motorized entry** (i.e. float, vehicle, commercial vessel) and haven't provided a copy of your **Driver's License and Insurance**, you will be **REQUIRED** to provide this at check-in. If you do not provide this information at check-in, you will not be able to participate with your motorized entry. Sorry this is a State requirement!
- **DESIGNATED PARADE LINE-UP AREAS** will be assigned which correspond to your Parade Line-Up Number. You will be reminded at check-in where you must park.
- For the safety of our parade participants, please **proceed with caution in the designated parade line-up areas**. When maneuvering floats and equipment, please ensure you are aware of your surroundings.
- **We recommend that all parade participants (i.e. children, band members, sports players, teenagers, etc.) arrive NO EARLIER than 9:30am in the designated parade line-up areas.** This will reduce the amount of children and young adults in the designated parade line-up areas. Please let parents and guardians know of your designated parade line-up areas for proper drop-off. An adult must accompany all children and young adults in the designated parade line-up areas.
- **NO ITEMS CAN BE THROWN from a parade entry.** Candy, Flyers, and any other items must be handed out during the parade. For the safety of those watching the parade, do not throw or use force when handing out candy, flyers, or other items.
- **Participants must either ride on a float or walk.** For the safety of our parade participants, please ensure that all participants are securely placed on floats, etc. and remain on them during the entire parade route. Please **DO NOT ALLOW** participants to get on-off parade entries. An adult must accompany all children and young adults on a parade entry.
- Please **pick-up all TRASH** and debris from the designated parade line-up areas.
- Please remind parents and guardians where they can **PICK UP** children and young adults.
- In the event of **inclement weather that would require a cancellation of the Parade**, the Spring Hill Fall Festival Committee will make an announcement on their Facebook page and make every attempt to notify parade participants via email of a cancellation.
- Please proceed with **CAUTION** in ALL designated parade line-up areas and parade route, it is imperative that all operators of motorized vehicles and parade participants be **ALERT** and **AWARE** of ALL parade participants, spectators, and patrons of our community!
- In the event of a fire or other emergency, please call 9-1-1 and immediately notify Parade Chair and/or report to Parade Check-In.
- In the event of an emergency evacuation, all participants must report to Parade Check-In for direction on relocating or evacuating occupants.

**WEBSITE REGISTRATION AND PAPER REGISTRATION:**

*(Please see attached)*

**ANNUAL SPRING HILL FALL FESTIVAL PARADE**

**Saturday, September 17th, 2016 at 10:00am**

**[Click Here to Register Online.](#)**

The Spring Hill Fall Festival Committee, Inc., cordially invites you to join our 61st annual Fall Festival Parade. The Parade is scheduled for September 17, 2016 at 10:00am. Line-up will be at 8:00am to 9:30am in the Spring Hill Middle School parking lot (301 E. South Street, Spring Hill, Kansas 66083) on the south side of school. Prejudging takes place in the parking lot from 9:15am to 9:45am, with final judging from the grandstand at Webster and Wilson. Best of all our parade is free to enter!!

All entries (including children) will register at the concession stand at the Middle School and will be prejudged and placed in line there. **Parade route, this year, will be approximately 1.5 miles and will end at the ball fields/Sonic at 207th and Washington. In order to prevent accidents, The Festival Committee requests that NO candy or other objects be thrown from any parade entry. Walkers may hand out candy by riding or walking next to the curb. We appreciate your understanding and cooperation.**

**IMPORTANT: All entry forms must be submitted by September 13th and must be submitted with a COPY of a valid driver's license and vehicle insurance card for**

We look forward to having you be a part of the 2016 Spring Hill Fall Festival weekend and hope you will find time to enjoy the many other events scheduled around town.

Questions please contact the Spring Hill Fall Festival Committee at [springhillff@gmail.com](mailto:springhillff@gmail.com)

# CITY OF SPRING HILL, KANSAS CERTIFICATE OF EVENT APPROVAL



Special Event: Spring Hill Fall Festival - PARADE

Sponsoring Organization: Spring Hill Fall Festival Inc.

Event Supervisor: Meggin Nilssen

Contact Number: (913) 302-1915 cell phone

Date and Times of Event: September 17, 2016 10:00am – Noon – (Set-up 7:00am)

Type of Event: Parade

Location of Event: Start on West South Street toward Webster St, north on Webster Street towards North Street, end at the Spring Hill Ball Field Complex

Route (if applicable): Attached

### Additional Comments or Conditions:

This form shall be in the possession of the event supervisor or their representative at the event site and shall be presented upon request to any officer of the Police Department prior to or during the event.

Traffic Control Assistance: It is the responsibility of the applicant/sponsor to make arrangements for traffic signs or personnel as directed by the City of Spring Hill Police Department, 913-592-2700, and Streets Department, 913-592-3317.

Failure to adhere to requirements of conditions contained herein will render this approval void.

The City of Spring Hill, Kansas, shall be held harmless from any liability resulting from the conduct of this event.

Issued by:

\_\_\_\_\_  
Mayor

Date: \_\_\_\_\_

Attest:

\_\_\_\_\_  
City Clerk

## AGENDA ITEM REVIEW SHEET

---

TO: GOVERNING BODY  
SUBMITTED BY: GLENDA GERRITY, CITY CLERK  
MEETING DATE: SEPTEMBER 8, 2016  
DATE: SEPTEMBER 1, 2016

---

**Consent Item:** Consideration of Special Event Permit: 2016 Fall Festival – Vendor, Arts and Craft Show including Entertainment (City Park)

**Background:** The Fall Festival is an annual event coordinated by a volunteer group of residents. This event requires a special event permit.

**Analysis:** The Fall Festival Committee has submitted a Special Event Application for the Vendor, Arts and Craft Show including Entertainment at the City Park to be held on September 17, 2016 from 8:00am – 6:00pm. Set-up will begin at 6:00am.

The Chief of Police, Johnson County Fire District No. 2, Risk Manager, Community Development Department, Street Department, Parks Department and City Clerk are currently reviewing all documentation that was submitted to the City Clerk on September 1, 2016.

**Alternatives:**

- Approve Special Event Permit contingent upon staff review.
- Deny Special Event Permit
- Table Special Event Permit

**Legal Review:** The City's Risk Manager is currently reviewing the certificate of insurance to ensure proper coverage for the activities at the City Park.

**Funding Review or Budgetary Impact:** There will be overtime within the Police Department for this event.

**Recommendation:** Staff recommends that the City Council approve the Special Event Permit for the Spring Hill Fall Festival Vendor, Arts and Crafts Show including Entertainment at the City Park contingent upon review of the application and insurance coverage by city staff.

**Attachments:** 2016 Annual Fall Festival Event Application for the Vendor, Arts & Crafts including Entertainment  
Map of the City Park  
Approved Permit

## SPECIAL EVENT APPLICATION

Name of Event: Spring Hill Fall Festival - VENDOR, ARTS AND CRAFTS SHOW

Name of Business/Sponsor/Organization: Spring Hill Fall Festival Inc.

Type of Event: Vendor, Arts and Crafts Show including Park Entertainment

Address / Vicinity of Proposed Event /Route: Spring Hill City Park

Application Date: 08/10/2016 Start Date: 09/17/2016 End Date: 09/17/2016

Hours of Event: 8:00am CST - 6:00pm CST (Set-Up: 6:00am CST)

### APPLICANT / AUTHORIZED REPRESENTATIVE

Name: Emilie Kaiser  
Address: 22400 St. Francis City: Spring Hill Zip: 66083  
Phone: 9133028229 Fax: \_\_\_\_\_ Email: \_\_\_\_\_

### PROPERTY OWNER

Name: City of Spring Hill, Kansas  
Address: 401 N Madison City: Spring Hill Zip: 66083  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

### EVENT SUPERVISOR (If other than the applicant)

Name: \_\_\_\_\_  
Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

### ATTACHMENTS INCLUDED:

- List of Services requested to be provided by the City of Spring Hill
- Site Plan showing the location of proposed activities and structures in relation to existing buildings, parking areas, streets and property lines.
- Routes/Staging/Dispersal/Parking Plans
- Flyer/Brochure/Advertisement of the event
- If applicable, classification of dangerous and/or exotic animals
- Sponsoring Agency's Certificate of Insurance
- Operator's Certificate of Insurance
- Completed Release

I UNDERSTAND THAT THE FACILITIES FOR THIS EVENT MUST BE INSPECTED PRIOR TO THE COMMENCEMENT OF OPERATION AND MUST CONFORM TO ALL REGULATIONS OF THE CITY OF SPRING HILL AS DESCRIBED IN THE SPRING HILL MUNICIPAL CODE TO INCLUDE BUT NOT LIMITED TO THE NATIONAL ELECTRICAL CODE. I UNDERSTAND THAT FAILURE TO COMPLY WITH THESE MAY RESULT IN PERMISSION TO OPERATE BEING WITHHELD UNTIL ALL CODES ARE MET.

Emilie Kaiser  
APPLICANT'S SIGNATURE

9/10/16  
DATE

**INDEMNIFICATION STATEMENT [Waiver of Liability]**

INTERMEDIATE FORM:

COMPARATIVE FORM INDEMNITY OBLIGATION WITH DEFENSE OBLIGATION

To the fullest extent permitted by law,

**Spring Hill Fall Festival Inc.**

\_\_\_\_\_ [hereafter referred to as OPERATOR and/or SPONSOR] shall indemnify, hold harmless and defend the city of Spring Hill, hereafter referred to as the CITY, and all of its appointed and elected officials, agents, officials and employees from and against all claims, damages, losses and expenses, including but not limited to reasonable attorneys' fees arising out of or resulting from the conduct or management of the Special Event, known as Vendors/Arts and Crafts and Park Entertainment and any condition created in or about the Special Event or any accident, injury or damage whatsoever occurring in or at the Special Event, provided that any such claim, damage, loss or expense: (a) is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property, including loss of use resulting there from, and (b) is caused in whole or in part by any alleged act or omission of the OPERATOR / SPONSOR or anyone directly or indirectly employed by them or anyone for whose acts they may be liable, regardless of whether it is caused in part by the negligent act or omission of the CITY or any of its appointed and elected officials, agents, officials and employees. Notwithstanding the foregoing, the special event OPERATOR'S / SPONSOR'S obligation to indemnify the CITY or any of its appointed and elected officials, agents, officials and employees for any judgment, decree or arbitration award shall extend only to the percentage of negligence of the CITY in contributing to such claim, damage, loss and expense. In any and all claims against the CITY or any of its appointed and elected officials, agents, officials and employees, by any employee of the OPERATOR and/or SPONSOR, the indemnification obligation under this paragraph shall not be limited by any limitation on the amount or type of damages, compensation or benefits payable by or for OPERATOR and/or SPONSOR under workers compensation acts, disability benefit acts or other employee benefit acts. Such workers compensation policies or plans maintained on behalf of OPERATOR and/or SPONSOR shall waive subrogation against the CITY.

Date: 8/31/14

Emilie Kaiser

**Emilie Kaiser, Treasurer**

Title

STATE OF KANSAS )

) SS.

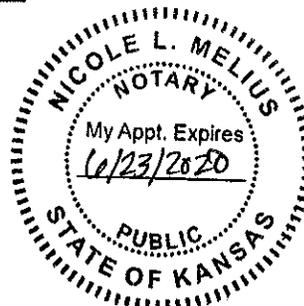
COUNTY OF Johnson )

SUBSCRIBED AND SWORN TO before me this 31 day of August, 2014.

Nicole L. Melius

Notary Public

My Appointment Expires: 6/23/2020



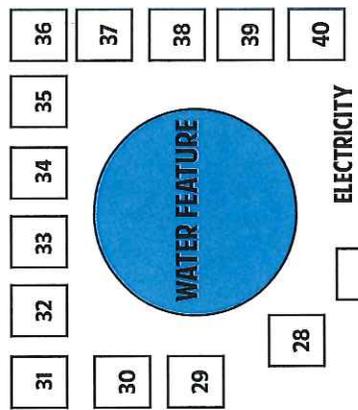
NICHOLS ST- STREET WILL BE BLOCKED

SH POLICE DEPT  
JCFD2 FIRE TRUCK

PICNIC TABLE

RESTROOMS

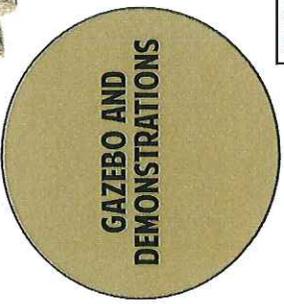
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CARICATURE DRAWINGS

WATER HYDRANT



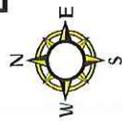
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PICNIC TABLE



HANDICAP PARKING IS IN THE SPRING HILL BAPTIST CHURCH PARKING LOT NORTH OF THE PARK

HALE ST



PARKING

VENDOR/DEMO CHECK-IN

INFLATABLE #1

INFLATABLE #2



PONY RIDES

PARKING

WASHINGTON STREET

JACKSON STREET- STREET WILL BE BLOCKED

PARKING

## Listing of Events:

- Petting Zoo 12-3
- Pony Rides 12-4
- Sculpture Contest 9-1pm
- Inflatables 12-4
- Vendor booths - setup at 8:00am until 5:00pm
- Demonstrations: 12:00-4pm
  - 11:30 Yang Masters 816-588-1945
  - 12:00 cheerleaders high school Emilie
  - 12:30 The Studio school of Dance Kristin 913-620-2725
  - 1:00 Improv group at the high school Mr Buffum
  - 1:30 White Shield dance team Brandee
  - 2:00
  - 2:30 Little Miss/Mr.
  - 3:00 cheerleaders April Horne
  - 3:30 Jazz band
  - 4:00 presentation of citizen of the year
  - 4:30

# CITY OF SPRING HILL, KANSAS CERTIFICATE OF EVENT APPROVAL



Special Event: Spring Hill Fall Festival – VENDOR, ARTS and CRAFT SHOW

Sponsoring Organization: Spring Hill Fall Festival Inc.

Event Supervisor: Emilie Kaiser

Contact Number: (913) 302-8729 cell phone

Date and Times of Event: September 17, 2016 8:00am – 6:00pm – (Set-up 6:00am)

Type of Event: Vendor, Arts and Crafts Show including Park Entertainment

Location of Event: City Park

Route (if applicable): Map Attached

Additional Comments or Conditions:

This form shall be in the possession of the event supervisor or their representative at the event site and shall be presented upon request to any officer of the Police Department prior to or during the event.

Traffic Control Assistance: It is the responsibility of the applicant/sponsor to make arrangements for traffic signs or personnel as directed by the City of Spring Hill Police Department, 913-592-2700, and Streets Department, 913-592-3317.

Failure to adhere to requirements of conditions contained herein will render this approval void.

The City of Spring Hill, Kansas, shall be held harmless from any liability resulting from the conduct of this event.

Issued by:

\_\_\_\_\_  
Mayor

Date: \_\_\_\_\_

Attest:

\_\_\_\_\_  
City Clerk

## AGENDA ITEM REVIEW SHEET

---

TO: GOVERNING BODY  
SUBMITTED BY: GLENDA GERRITY, CITY CLERK  
MEETING DATE: SEPTEMBER 8, 2016  
DATE: SEPTEMBER 1, 2016

---

**Consent Item:** Consideration of Special Event Permit: 2016 Fall Festival – Street Dance

**Background:** The Fall Festival is an annual event coordinated by a volunteer group of residents. This event requires a special event permit.

**Analysis:** The Fall Festival Committee has submitted a Special Event Application for the Street Dance on Main Street to be held on September 17, 2016 from 6:00pm – 11:00pm. Set-up will begin at 1:00pm. The Committee has met with the businesses along Main Street about this event and the street closure of Main Street.

The Chief of Police, Johnson County Fire District No. 2, Risk Manager, Community Development Department, Street Department, Parks Department and City Clerk are currently reviewing all documentation that was submitted to the City Clerk on September 1, 2016.

**Alternatives:**

- Approve Special Event Permit contingent upon staff review.
- Deny Special Event Permit
- Table Special Event Permit

**Legal Review:** The City's Risk Manager is currently reviewing the certificate of insurance to ensure proper coverage for the parade.

**Funding Review or Budgetary Impact:** There will be overtime within the Police Department for this event.

**Recommendation:** Staff recommends that the City Council approve the Special Event Permit for the Street Dance contingent upon review of the application and insurance coverage by city staff.

**Attachments:** 2016 Annual Fall Festival Event Application for the Street Dance  
Map of Main Street  
Approved Permit

## SPECIAL EVENT APPLICATION

Name of Event: FALL FESTIVAL STREET DANCE

Name of Business/Sponsor/Organization: SPRING HILL FALL FESTIVAL COMMITTEE

Type of Event: STREET DANCE

Address / Vicinity of Proposed Event /Route: MAIN STREET - SPRING HILL

Application Date: 8-4-2016 Start Date: 9-17-16 End Date: 9-17-16

Hours of Event: 6:00 P.M. - 11:00 P.M. (SET-UP: 1:00 P.M.)

### APPLICANT / AUTHORIZED REPRESENTATIVE

Name: BOB METCALF

Address: 205 S. HARRISON City: SPRING HILL Zip: 66083

Phone: 913-200-6123 Fax: \_\_\_\_\_ Email: KMETCALF1950@YAHOO.COM

### PROPERTY OWNER

Name: CITY OF SPRING HILL, KS

Address: 401 N. MADISON City: SPRING HILL Zip: 66083

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

### EVENT SUPERVISOR (If other than the applicant)

Name: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

### ATTACHMENTS INCLUDED:

- List of Services requested to be provided by the City of Spring Hill
- Site Plan showing the location of proposed activities and structures in relation to existing buildings, parking areas, streets and property lines.
- Routes/Staging/Dispersion/Parking Plans
- Flyer/Brochure/Advertisement of the event.
- If applicable, classification of dangerous and/or exotic animals
- Sponsoring Agency's Certificate of Insurance
- Operator's Certificate of Insurance
- Completed Release

I UNDERSTAND THAT THE FACILITIES FOR THIS EVENT MUST BE INSPECTED PRIOR TO THE COMMENCEMENT OF OPERATION AND MUST CONFORM TO ALL REGULATIONS OF THE CITY OF SPRING HILL AS DESCRIBED IN THE SPRING HILL MUNICIPAL CODE TO INCLUDE BUT NOT LIMITED TO THE NATIONAL ELECTRICAL CODE. I UNDERSTAND THAT FAILURE TO COMPLY WITH THESE MAY RESULT IN PERMISSION TO OPERATE BEING WITHHELD UNTIL ALL CODES ARE MET.

Bob Metcalf  
APPLICANT'S SIGNATURE

8-4-2016  
DATE

**INDEMNIFICATION STATEMENT [Waiver of Liability]**

INTERMEDIATE FORM:

COMPARATIVE FORM INDEMNITY OBLIGATION WITH DEFENSE OBLIGATION

To the fullest extent permitted by law,

SPRING HILL FAN FESTIVAL INC [hereafter referred to as OPERATOR and/or SPONSOR] shall indemnify, hold harmless and defend the city of Spring Hill, hereafter referred to as the CITY, and all of its appointed and elected officials, agents, officials and employees from and against all claims, damages, losses and expenses, including but not limited to reasonable attorneys' fees arising out of or resulting from the conduct or management of the Special Event, known as Street Dance and any condition created in or about the Special Event or any accident, injury or damage whatsoever occurring in or at the Special Event, provided that any such claim, damage, loss or expense: (a) is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property, including loss of use resulting there from, and (b) is caused in whole or in part by any alleged act or omission of the OPERATOR / SPONSOR or anyone directly or indirectly employed by them or anyone for whose acts they may be liable, regardless of whether it is caused in part by the negligent act or omission of the CITY or any of its appointed and elected officials, agents, officials and employees. Notwithstanding the foregoing, the special event OPERATOR'S / SPONSOR'S obligation to indemnify the CITY or any of its appointed and elected officials, agents, officials and employees for any judgment, decree or arbitration award shall extend only to the percentage of negligence of the CITY in contributing to such claim, damage, loss and expense. In any and all claims against the CITY or any of its appointed and elected officials, agents, officials and employees, by any employee of the OPERATOR and/or SPONSOR, the indemnification obligation under this paragraph shall not be limited by any limitation on the amount or type of damages, compensation or benefits payable by or for OPERATOR and/or SPONSOR under workers compensation acts, disability benefit acts or other employee benefit acts. Such workers compensation policies or plans maintained on behalf of OPERATOR and/or SPONSOR shall waive subrogation against the CITY.

Date: 8-4-2016 Bob Metcalf  
Title Bob Metcalf - Board Member

STATE OF KS )  
COUNTY OF Johnson ) ss:

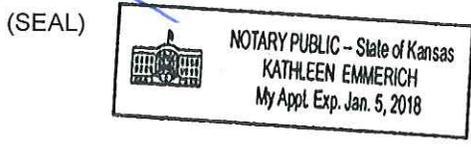
BE IT REMEMBERED that on this 4 day of August, 2016, before me, the undersigned, a notary public in and for the County and State aforesaid, came Robert Metcalf (Name)

\_\_\_\_\_ of \_\_\_\_\_, who is personally known to me to be (Official Capacity) (Business/Sponsor/Organization) the person who executed, as such officer, the within instrument on behalf of said entity and such person duly acknowledged the execution of the same to be the voluntary act and deed of said entity.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal and the day and year last above written.

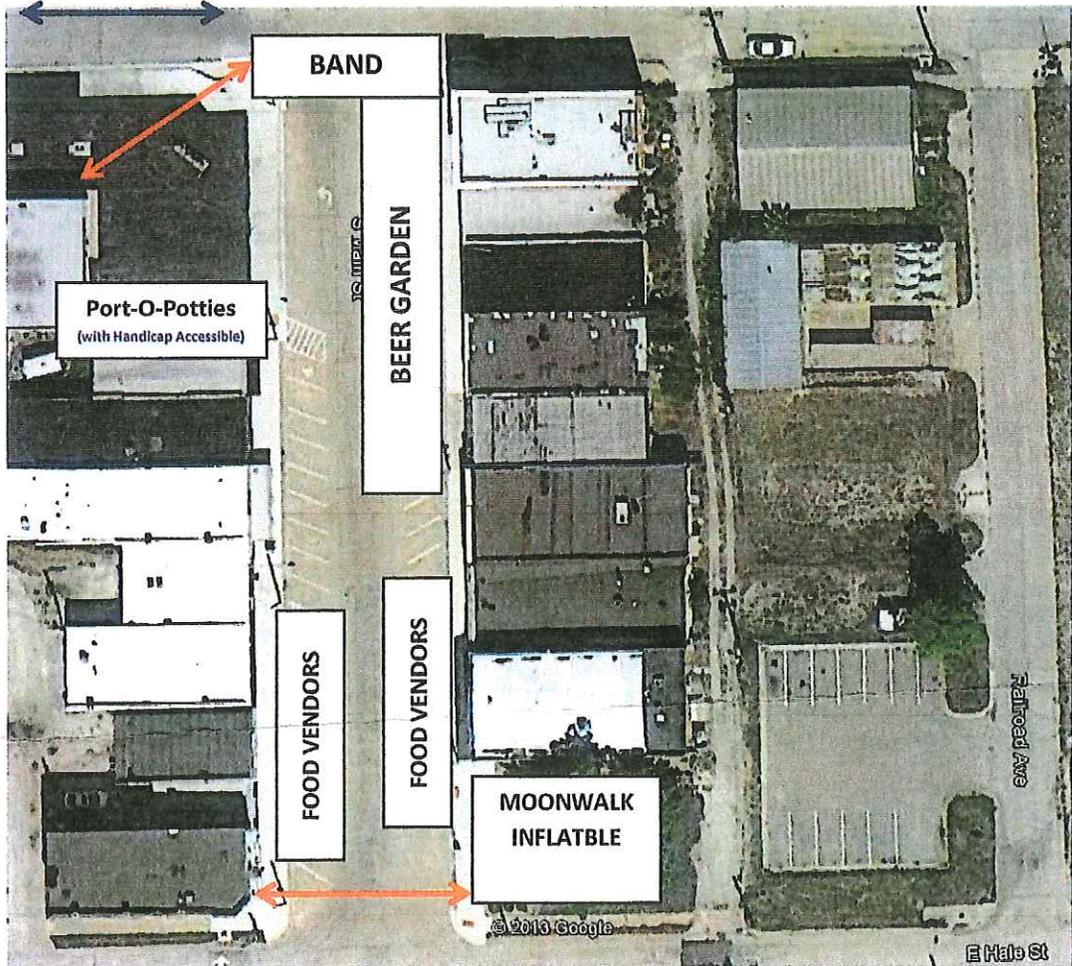
My Commission Expires: 1-5-2018

[Signature]  
Notary Public



# SPRING HILL FALL FESTIVAL

## STREET DANCE MAP



↔ Handicap Parking to be accessible from Spring Hill Police Department.

↔ Barricade Spring Hill Oil Entrance and Entrance from Hale to allow for emergency access.

# CITY OF SPRING HILL, KANSAS CERTIFICATE OF EVENT APPROVAL



Special Event: Spring Hill Fall Festival – STREET DANCE

Sponsoring Organization: Spring Hill Fall Festival Inc.

Event Supervisor: Bob Metcalf

Contact Number: (913) 200-0123 cell phone

Date and Times of Event: September 17, 2016 6:00pm – 11:00pm – (Set-up 1:00pm)

Type of Event: Street Dance including live music, beer garden and activities

Location of Event: Downtown Main Street between Hale and Nichols Street

Route (if applicable): Map Attached

### Additional Comments or Conditions:

This form shall be in the possession of the event supervisor or their representative at the event site and shall be presented upon request to any officer of the Police Department prior to or during the event.

Traffic Control Assistance: It is the responsibility of the applicant/sponsor to make arrangements for traffic signs or personnel as directed by the City of Spring Hill Police Department, 913-592-2700, and Streets Department, 913-592-3317.

Failure to adhere to requirements of conditions contained herein will render this approval void.

The City of Spring Hill, Kansas, shall be held harmless from any liability resulting from the conduct of this event.

Issued by:

\_\_\_\_\_  
Mayor

Date: \_\_\_\_\_

Attest:

\_\_\_\_\_  
City Clerk

PROCLAMATION

Whereas, Diaper Need, the condition of not having a sufficient supply of clean diapers to ensure that infants and toddlers are clean, healthy and dry, can adversely affect the health and welfare of infants, toddlers and their families; and

Whereas, national surveys report that one in three mothers experiencing diaper need at some time while their children are less than three years of age and forty-eight percent of families delay changing a diaper to extend their supply; and

Whereas, the average infant or toddler requires an average of 50 diaper changes per week over three years; and

Whereas, diapers cannot be bought with food stamps or WIC vouchers, and a monthly supply of diapers can cost as much as six percent of a full-time minimum wage worker's salary, therefore obtaining a sufficient supply of diapers can cause economic hardship to families; and

Whereas, a supply of diapers is generally an eligibility requirement for infant and toddlers to participate in childcare programs and quality early education programs; and

Whereas, the people of Spring Hill recognize that addressing Diaper Need can lead to economic opportunity for the state's low-income families and can lead to improved health for families and their communities; and

Whereas, Spring Hill is proud to be home to various community organizations [alternatively, list state diaper banks] that recognize the importance of diapers in helping provide economic stability for families and distribute diapers to poor families through various channels; now

Therefore, I, Steven M. Ellis, Mayor of the City of Spring Hill, Kansas do hereby proclaim the week of September 26<sup>th</sup> through October 2<sup>nd</sup>, 2016 as

DIAPER NEED AWARENESS WEEK

in the City of Spring Hill and encourage the citizens of Spring Hill to donate generously to diaper banks, diaper drives, and those organizations that distribute diapers to families in need to help alleviate diaper need in Spring Hill and environs.

ATTEST:



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Steven M Ellis, Mayor

---

Glenda Gerrity, City Clerk

## AGENDA ITEM REVIEW SHEET

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TO: GOVERNING BODY  
SUBMITTED BY: MELANIE LANDIS, FINANCE DIRECTOR  
MEETING DATE: SEPTEMBER 8, 2016  
DATE: AUGUST 31, 2016

---

**Formal Action:** Resolution 2016-R-27 ratifying and confirming notice given of a public hearing on proposed special assessments to be levied in connection with certain improvements in the City of Spring Hill, KS (Estates of Wolf Creek special benefit district) and repealing resolution 2016-R-23.

**Background/Analysis:**

An improvement district was created on August 14, 2014 for construction of improvements as follows:

*Construction of approximately 3,625 linear feet of 12" thru 18" PVC gravity sanitary sewers, including engineering design, construction staking, construction observation, as-builts and all related appurtenances, to serve a portion of the preliminarily platted Estates of Wolf Creek subdivision, in the NE 1/4, of Sec. 1, Twp. 15, Rg. 23 in the City of Spring Hill, Johnson County, Kansas.*

Construction is complete and the levying of assessments process begins by holding a notice of public hearing for the parcels included in the benefit district. Financing for the general obligation bond will be completed in the fall of 2016 and assessments will be levied for the benefit district beginning with the November 2017 tax roll.

**The original public hearing scheduled for September 8, 2016 has been re-scheduled for September 22, 2016. A revised public hearing notice was published in the Miami County Republic on Wednesday, August 31, 2016 and notices with the revised date were mailed to each property owner in the improvement district. The purpose for the revised hearing date is to correct the project summary description provided in the initial notice.**

**Legal Review:** Revised resolution provided by Kutak Rock, the City's bond counsel and City attorney, Frank Jenkins, has approved.

**Funding Review or Budgetary Impact:** Twenty (20) year financing of this project through general obligation bonds will be paid 100% by the property owners.

**Alternatives:**

1. Approve Resolution 2016-R-27.
2. Deny Resolution 2016-R-27.
3. Table Resolution 2016-R-27 resulting in a delay of the assessment process.

**Recommended Motion:**

Move to approve resolution 2016-R-27 ratifying and confirming notice given of a public hearing on proposed special assessments to be levied in connection with certain improvements in the City of Spring Hill, KS (Estates of Wolf Creek special benefit district) and repealing resolution 2016-R-23.

**Attachments:**

Resolution 2016-R-27

**RESOLUTION NO. 2016-R-27**

**A RESOLUTION RATIFYING AND CONFIRMING NOTICE GIVEN OF A PUBLIC HEARING ON PROPOSED SPECIAL ASSESSMENTS TO BE LEVIED IN CONNECTION WITH CERTAIN IMPROVEMENTS IN THE CITY OF SPRING HILL, KANSAS (ESTATES OF WOLF CREEK SPECIAL BENEFIT DISTRICT) AND REPEALING RESOLUTION NO. 2016-R-23**

**WHEREAS**, pursuant to Resolution No. 2014-R-09 of the City of Spring Hill, Kansas (the “City”), adopted on August 14, 2014 (the “Improvement Resolution”), the Governing Body of the City has authorized the creation of an improvement district (the “District”) and the construction of the following improvements (the “Improvements”):

Construction of approximately 3,265 linear feet of 12” thru 18” PVC gravity sanitary sewers, including engineering design, construction staking, construction observation, as-builts and all related appurtenances, to serve a portion of the preliminarily platted Estates of Wolf Creek subdivision, in the NE 1/4, of Sec. 1, Twp. 15, Rg. 23 in the City of Spring Hill, Johnson County, Kansas; and

**WHEREAS**, the Improvements are complete and it is necessary and advisable to prepare an assessment roll and to provide notice of a public hearing of such proposed assessments all in accordance with K.S.A. 12-6a09;

**WHEREAS**, pursuant to Resolution No. 2016-R-23 of the City adopted on August 11, 2016, the Finance Director and City Clerk prepared a proposed assessment roll and caused to be mailed and published notice of a public hearing to be held on September 8, 2016;

**WHEREAS**, it is necessary to reschedule the public hearing from September 8, 2016 to September 22, 2016;

**WHEREAS**, the City Clerk has mailed and published notice of the rescheduled public hearing to be held on September 22, 2016;

**WHEREAS**, the Governing Body desires to ratify and confirm the actions of the Finance Director and City Clerk to prepare the proposed assessment roll and publish and mail notice of the public hearing to be held on September 22, 2016; and

**WHEREAS**, it is necessary to repeal and replace Resolution No. 2016-R-23 with this Resolution;

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SPRING HILL, KANSAS, AS FOLLOWS:**

**Section 1.** The actions of the Finance Director and City Clerk to prepare a proposed assessment roll for the Improvements setting forth the proposed assessment against each lot, piece or parcel of land within the District in the manner set forth in the Improvement Resolution,

and to maintain such proposed assessment roll on file with the City Clerk open for public inspection, are hereby ratified and confirmed.

**Section 2.** The Governing Body shall hold a public hearing for the District on the proposed assessments at its regular meeting on September 22, 2016.

**Section 3.** The actions of the City Clerk to publish notice of the rescheduled public hearing, in substantially the form set forth in *Exhibit A* to this Resolution, on a date not less than 10 days prior to September 22, 2016, the date of the rescheduled hearing, and to mail to the owners of the property liable to pay the assessments, at their last known post office address, a notice of the rescheduled hearing and a statement of the cost proposed to be assessed all in accordance with K.S.A. 12-6a09 are hereby ratified and confirmed.

**Section 4.** Resolution No. 2016-R-23 is hereby repealed and replaced by this Resolution.

**Section 5.** This Resolution shall be in full force and effect from and after its adoption.

**ADOPTED** by the Governing Body of the City of Spring Hill, Kansas, on September 8, 2016.

**CITY OF SPRING HILL, KANSAS**

\_\_\_\_\_  
Mayor

(Seal)

ATTEST:

\_\_\_\_\_  
City Clerk

## EXHIBIT A

[Form of notice of public hearing to be published no later than September 12, 2016.]

### NOTICE OF PUBLIC HEARING (Estates of Wolf Creek Special Benefit District)

Notice is hereby given by the City Council of the City of Spring Hill, Kansas (the "City"), that the public hearing previously scheduled for September 8, 2016, will be rescheduled to be held **September 22, 2016, at 7:00 p.m.** (or as soon as practical thereafter) at City Hall, 401 N. Madison, in the City for the purpose of considering and hearing any and all complaints and objections to the assessment roll prepared in connection with the following improvements in the City:

Construction of approximately 3,265 linear feet of 12" thru 18" PVC gravity sanitary sewers, including engineering design, construction staking, construction observation, as-builts and all related appurtenances, to serve a portion of the preliminarily platted Estates of Wolf Creek subdivision, in the NE 1/4, of Sec. 1, Twp. 15, Rg. 23 in the City of Spring Hill, Johnson County, Kansas; and

The improvements have been completed at a total cost of \$410,000, 0% of which will be chargeable to the City-at-large, and 100% of which will be assessed in the manner set forth in Resolution No. 2014-R-09 of the City, adopted on August 14, 2014, to the property in the improvement district described following the end of this Notice.

The assessment roll is on file in the office of the City Clerk and may be examined by any interested party. Anyone who wishes to make any complaint, comment or objection, written or oral, to the assessment roll may appear and will be heard at the public hearing or at any adjournment of such meeting and the Governing Body of the City will hear and pass on any such objections, and may amend the proposed assessments as described in the assessment roll. Upon completion of the public hearing, the amounts of the assessments will be finally determined by the Governing Body of the City.

DATED August 31, 2016.

Glenda Gerrity, City Clerk

## PROPERTY IN THE IMPROVEMENT DISTRICT

ALL THAT PART OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 15 SOUTH, RANGE 23 EAST, IN THE CITY OF SPRING HILL, JOHNSON COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 1; THENCE N 02°05'00" W, ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 1, A DISTANCE OF 2,599.53 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 1; THENCE N 87°51'10" E, ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 1, A DISTANCE OF 1,350.00 FEET; THENCE S 02°08'50" E, A DISTANCE OF 409.29 FEET; THENCE S 32°37'51" E, ALONG THE WESTERLY PLAT LINE OF WOLF CREEK ELEMENTARY SCHOOL, A PLATTED SUBDIVISION OF LAND IN THE CITY OF SPRING HILL, JOHNSON COUNTY, KANSAS, AND ITS NORTHWESTERLY EXTENSION, A DISTANCE OF 957.14 FEET TO AN ANGLE POINT ON THE WESTERLY PLAT LINE OF SAID WOLF CREEK ELEMENTARY SCHOOL; THENCE ALONG THE WESTERLY PLAT LINE OF SAID WOLF CREEK ELEMENTARY SCHOOL, FOR THE FOLLOWING THREE (3) COURSES; THENCE S 04°10'12" E, A DISTANCE OF 98.66 FEET; THENCE S 41°12'08" W, A DISTANCE OF 121.61 FEET; THENCE SOUTHEASTERLY ON A CURVE TO THE LEFT, SAID CURVE HAVING AN INITIAL TANGENT BEARING OF S 46°55'16" E AND A RADIUS OF 375.00 FEET, AN ARC DISTANCE OF 130.81 FEET TO AN ANGLE POINT ON THE WESTERLY PLAT LINE OF ESTATES OF WOLF CREEK, A PLATTED SUBDIVISION OF LAND IN THE CITY OF SPRING HILL, JOHNSON COUNTY, KANSAS; THENCE ALONG THE WESTERLY PLAT LINE OF SAID ESTATES OF WOLF CREEK, FOR THE FOLLOWING SIX (6) COURSES; THENCE S 23°05'34" W, A DISTANCE OF 50.00 FEET; THENCE S 01°12'00" E, A DISTANCE OF 111.08 FEET; THENCE S 04°30'00" W, A DISTANCE OF 45.66 FEET; THENCE S 01°12'00" E, A DISTANCE OF 137.00 FEET; THENCE S 81°00'00" W, A DISTANCE OF 13.91 FEET; THENCE S 09°00'00" E, A DISTANCE OF 139.64 FEET TO THE NORTHWEST PLAT CORNER OF SAID ESTATES OF WOLF CREEK, 3RD PLAT, A PLATTED SUBDIVISION OF LAND IN THE CITY OF SPRING HILL, JOHNSON COUNTY, KANSAS; THENCE ALONG THE WESTERLY PLAT LINE OF SAID ESTATES OF WOLF CREEK, 3RD PLAT, FOR THE FOLLOWING TWO (2) COURSES; THENCE S 05°00'00" E, A DISTANCE OF 49.00 FEET; THENCE S 10°48'00" E, A DISTANCE OF 254.76 FEET TO THE NORTHWEST PLAT CORNER OF SAID ESTATES OF WOLF CREEK, 5TH PLAT, A PLATTED SUBDIVISION OF LAND IN THE CITY OF SPRING HILL, JOHNSON COUNTY, KANSAS; THENCE ALONG THE WESTERLY PLAT LINE OF SAID ESTATES OF WOLF CREEK, 5TH PLAT, FOR THE FOLLOWING THREE (3) COURSES; THENCE CONTINUING S 10°48'00" E, A DISTANCE OF 205.07 FEET; THENCE S 05°48'00" E, A DISTANCE OF 80.39 FEET; THENCE S 01°12'00" E, A DISTANCE OF 73.32 FEET TO THE SOUTHWEST PLAT CORNER OF SAID ESTATES OF WOLF CREEK, 5TH PLAT, SAID POINT ALSO BEING ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 1; THENCE S 88°49'31" W, ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 1, A DISTANCE OF 1,912.69 FEET TO THE POINT OF BEGINNING, CONTAINING 4,426,031 SQUARE FEET OR 101.6077 ACRES, MORE OR LESS.