

**SPRING HILL CITY COUNCIL  
REGULAR MEETING  
AGENDA  
THURSDAY, MARCH 24, 2016  
7:00 P.M.  
SPRING HILL CIVIC CENTER  
401 N. MADISON – ROOM 15**

**CALL TO ORDER**

**INVOCATION** Pastor Irvin Middlebusher, Ocheltree Baptist Church

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**APPROVAL OF AGENDA**

**CITIZEN PARTICIPATION**

**PRESENTATIONS:**

STEP Program, Kansas Department of Transportation, Mr. Bob Hamilton

Property/Casualty Liability Insurance, The Reilly Company, Mr. Kevin O'Brien

**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: March 10, 2016
2. Appropriation Order 2016-03-24
3. Proclamation: National Crime Victims' Rights Week, April 10-16, 2016
4. Consider Approval of Property/Casualty Liability Insurance: The Reilly Company
5. Consider Approval of Site Plan: Mid-Am Building Supply Development Plan
6. Consider Temporary Use Permit: TUP-01-16, Dollar General - outside storage of merchandise
7. Consider Temporary Use Permit: TUP-02-16, H.E.R.S., Inc. - outside storage of merchandise

## **FORMAL COUNCIL ACTION**

8. Consider Name of Park and Access Road
9. Ordinance No. 2016-04: Consider Adopting Spring Hill Zoning and Subdivision Regulations
10. Ordinance No. 2016-05: Consider Adopting Spring Hill Sign Regulations
11. Resolution No. 2016-R-05: 2016 Authorized Dates for Legal Discharge of Fireworks
12. Resolution No. 2016-R-06: Resolution of intent to finance certain equipment
13. Resolution No. 2016-R-07: Accepting utility easement from Taylor Oil relating to tract adjacent to Lots 84 and 85, Plat of Spring Hill, Kansas, located at the southeast corner of Nichols Street and Webster Street

## **ANNOUNCEMENTS and REPORTS**

## **ADJOURN**



## **INSURANCE SUMMARY & COMPARISON**

TERM DATES: April 1, 2016 to April 1, 2017

**Presented: March 24, 2016**

**By: Kevin O'Brien, CPCU**

**The Reilly Company  
11225 College Boulevard, Suite 210  
Overland Park, KS 66210**

# CITY OF SPRING HILL, KANSAS

## INSURANCE PROGRAM SUMMARY

### Overview of the Public Entity Insurance Marketplace for 2016:

The insurance marketplace in 2016 is as stable as it has been in the past several years. Insurance companies have benefited from the lack of any significant property catastrophe claims in the past few years and this has helped them generate some amount of underwriting profit.

This underwriting profit has taken the pressure off increasing property rates, but the concern is that the continued low interest rate environment could push insurance rates up again if claims experience rises. Insurance companies are highly regulated, and therefore unable for the most part, to invest in equities to help offset underwriting losses. As a result, public entities with poor loss experience are seeing rate increases and changing terms and conditions as their insurance program renews this year.

Two of the more common and widely used property insurance conditions we've seen emerge in the past two years are:

- 1) Significantly higher wind and hail deductibles, some mandated as percentage deductibles of 1% to 5% of total property values, and
- 2) Cosmetic Damage Endorsements that restrict the payment of hail losses to claims for hail damage only where the functionality of the roof or siding is compromised. Otherwise, no payment is made, regardless of the cosmetic damage/poor appearance of the structure.

Fortunately, and due to continued excellent claims history, neither of these two conditions will impact the City's insurance program proposed for 2016, though the deductible for wind and hail losses remains like last year at \$10,000.

The pages that follow summarize the differences in coverage, limits, and premiums from 2015 to 2016 with One Beacon Government Risk Insurance Program

### Summary of Changes in Coverage from 2015 to 2016:

- (1) Property values increased 7% over last year's values due to modifying replacement cost values of existing buildings, adding 5 generators, and adding 2 buildings to the insurance that were not shown last year. Each property also is insured with a 120% margin clause to allow for upward swings in costs if needed. However, property rates did not increase at all.
- (2) Inland Marine - Scheduled Equipment values (Public Works, Streets, Water, Wastewater) rose 15% from last year. However, rates for these coverages decreased slightly.
- (3) General Liability and Excess Liability premiums increased due to a 13% increase in expenditures from last year. However, rates for these coverages decreased slightly.
- (4) Law Enforcement Liability premiums increased due to an increase in the number of Law Enforcement Officers from last year of 10 to 12.
- (5) Auto premiums decreased even though there were three new vehicles added and 3 trailers added last year. This was because the rates were reduced slightly.
- (6) Pollution Liability Coverage was added this year to address the pollution exposures of the Wastewater Treatment Plant. This coverage is provided by a specialty insurer that has experience in writing this line of coverage.

**PRESENTED BY:** Kevin O'Brien, CPCU  
The Reilly Company  
11225 College Boulevard  
Overland Park, KS 66213

# CITY OF SPRING HILL, KANSAS

## EXPOSURE AND PREMIUM COMPARISON

<u>Item of Coverage</u>		<u>2015</u>		<u>2016</u>		
		Renewal		Renewal		
		One Beacon		One Beacon		
<b>Property</b>	Blanket Building & Personal Property Values - RC	\$	17,204,510		\$18,508,170	
	Specific Building Values - ACV		\$744,874		\$642,874	
	Computer Equipment Coverage		\$123,312		\$131,181	
	Total Property Values Insured		\$18,072,696		\$19,282,225	
	Business Interruption & Extra Expense		\$500,000		\$500,000	
	Data Breach Coverage	\$	25,000	\$	25,000	
	Property Deductible	\$	5,000	\$	5,000	
	Wind-Hail Deductible	\$	10,000	\$	10,000	
	<i>RC=Replacement Cost / ACV=Depreciated Value</i>					
	<b>Property Premium</b>		<b>\$</b>	<b>26,128.00</b>	<b>\$</b>	<b>28,121.00</b>
<b>Crime</b>			One Beacon		One Beacon	
	Employee Dishonesty (Excluding Treasurer)	\$	100,000	\$	100,000	
	Forgery & Alteration	\$	50,000	\$	50,000	
	Money & Securities (Inside)	\$	25,000	\$	25,000	
	Money & Securities (Outside)	\$	25,000	\$	25,000	
	Money Orders and Counterfeit Paper Currency	\$	100,000	\$	100,000	
	Computer Fraud	\$	100,000	\$	100,000	
	Deductible	\$	1,000	\$	1,000	
	<b>Crime Premium</b>			<b>Incl In Property</b>		<b>Incl In Property</b>
	<b>Inland Marine</b>			One Beacon		One Beacon
Contractor's Equipment - Unscheduled (ACV) - Misc Equipment < \$2,000 any one item		\$	50,000	\$	50,000	
Contractor's Equipment - Scheduled (ACV)		\$	448,364	\$	563,826	
Leased/Rented Equipment (ACV)		\$	75,000	\$	75,000	
Data Breach Coverage			\$25,000/\$100,000		\$25,000/\$100,000	
Emergency Equipment - Police (ACV)		\$	174,229	\$	174,229	
Total Equipment Values		\$	747,593	\$	863,055	
Inland Marine Deductible		\$	1,000	\$	1,000	
<i>ACV = Actual Cash Value = Market Value</i>						
<b>Inland Marine Premium</b>		<b>\$</b>	<b>3,356.00</b>	<b>\$</b>	<b>3,692.00</b>	
<b>General Liability (Occurrence Form)</b>			One Beacon		One Beacon	
	Limit of General Liability - Each Occurrence	\$	1,000,000	\$	1,000,000	
	Annual Aggregate Limit	\$	1,000,000	\$	1,000,000	
	Employee Benefits Legal Liability *	\$	1,000,000	\$	1,000,000	
	Sexual Abuse Coverage	\$	1,000,000	\$	1,000,000	
	Failure to Supply	\$	1,000,000	\$	1,000,000	
	Cemetery		Included		Included	
	Dam		Included		Included	
	General Liability Deductible per claim		*None		*None	
	Sewer Backup (resulting from negligence) *	\$	1,000,000	\$	1,000,000	
* Except \$1,000 ded for Sewer Backup and Employee Benefits Liability						
<b>General Liability Premium</b>		<b>\$</b>	<b>13,717.00</b>	<b>\$</b>	<b>15,149.00</b>	
<b>Law Enforcement Liability</b>			One Beacon		One Beacon	
	Law Enforcement Liability - each claim	\$	1,000,000	\$	1,000,000	
	Annual Aggregate Limit	\$	1,000,000	\$	1,000,000	
	Law Enforcement Deductible	\$	5,000	\$	5,000	
	<b>Law Enforcement Premium</b>		<b>\$</b>	<b>4,731.00</b>	<b>\$</b>	<b>5,423.00</b>

**CITY OF SPRING HILL, KANSAS**  
**EXPOSURE AND PREMIUM COMPARISON**

<u>Item of Coverage</u>	<u>2015</u>		<u>2016</u>	
	Renewal		Renewal	
	One Beacon		One Beacon	
<b>Public Official Errors &amp; Omissions Liability</b>				
Limit of Liability - Each Claim	\$	1,000,000	\$	1,000,000
Annual Aggregate Limit	\$	1,000,000	\$	1,000,000
Public Official Liability Deductible	\$	5,000	\$	5,000
<b>Public Official Liability Premium</b>		<b>\$5,668.00</b>		<b>\$5,872.00</b>
<b>Employment Practices Liability</b>				
	One Beacon		One Beacon	
Limit of Liability - Each Claim	\$	1,000,000	\$	1,000,000
Annual Aggregate Limit	\$	1,000,000	\$	1,000,000
Employment Practices Liability Deductible	\$	5,000	\$	5,000
<b>Employment Practices Premium</b>		<b>Incl in P.O.L. above</b>		<b>Incl in P.O.L. above</b>
<b>Business Automobile</b>				
	One Beacon		One Beacon	
Limit of Liability - Each Occurrence		\$1,000,000		\$1,000,000
Uninsured/Underinsured Motorist		\$1,000,000		\$1,000,000
Comprehensive Deductible		\$1,000		\$1,000
Collision Deductible (ACV)		\$1,000		\$1,000
Number of Vehicles Insured/Trailers		33 Power Units / 5 trlrs		36 Power Units / 8 trlrs
<b>Auto Premium</b>	<b>\$</b>	<b>21,691.00</b>	<b>\$</b>	<b>21,338.00</b>
<b>Excess Liability</b>				
	One Beacon		One Beacon	
Limit of General Liability - Each Occurrence	\$	3,000,000	\$	3,000,000
Annual Aggregate Limit	\$	3,000,000	\$	3,000,000
<b>Excess Over:</b> General Liability		<b>YES</b>		<b>YES</b>
Auto Liability		<b>YES</b>		<b>YES</b>
Employment Practices Liability		<b>YES</b>		<b>YES</b>
Public Official Liability		<b>YES</b>		<b>YES</b>
Law Enforcement Liability		<b>YES</b>		<b>YES</b>
Self Insured Retention	\$	10,000	\$	10,000
<b>Excess Liability Premium</b>	<b>\$</b>	<b>10,609.00</b>	<b>\$</b>	<b>11,724.00</b>
<b>Identity Theft for Employees</b>				
	4-1-12 to 4-1-15 Travelers		4-1-15 to 4-1-18 Travelers	
Limit of Liability - Each Claim	\$	10,000	\$	10,000
Annual Aggregate Limit	\$	10,000	\$	10,000
Identity Theft Deductible		Nil		Nil
<b>Identity Theft Premium</b>	<b>\$</b>	<b>213.00</b>	<b>\$</b>	<b>213.00</b>
<b>One Beacon Premium</b>	<b>\$</b>	<b>86,113.00</b>	<b>\$</b>	<b>91,532.00</b>

**CITY OF SPRING HILL, KANSAS**  
**EXPOSURE AND PREMIUM COMPARISON**

<u>Item of Coverage</u>	<u>2015</u>		<u>2016</u>	
	Renewal		Renewal	
<b>Pollution Liability - WWTP - NEW COVERAGE</b>	N/A		Colony Specialty	
Cleanup/Remediation Limit-per incident	\$	-	\$	1,000,000
Third Party Liability Limit-per incident	\$	-	\$	1,000,000
Non-Owned Disposal Site Liability-per incident	\$	-	\$	1,000,000
Annual Aggregate Limit	\$	-	\$	1,000,000
Pollution Deductible-per incident	\$	5,000	\$	5,000
<b>Pollution Liability Premium</b>		<b>\$0.00</b>		<b>\$6,745.84</b>
<b>Total Premium</b>	<b>\$</b>	<b>86,113.00</b>	<b>\$</b>	<b>98,277.84</b>

**Notes:**

- (1) Property values increased 7% over 2015 values
- (2) Equipment values increased by 15% overall from 2015 with additions/deletions
- (3) General Liability and Excess Liability increase is due to 13% increase in expenditures per 2016 budget
- (4) Vehicle changes involved adding three new vehicles and three trailers in 2015
- (5) Excess Liability Policy does not extend above Sexual Abuse Coverage, Failure to Supply Coverage, Pollution Coverage, or Uninsured Motorist/Underinsured Motorist Coverage, and Dam Collapse
- (6) Pollution Liability Coverage is added in 2016 to address the WWTP pollution liability exposure.

## City of Spring Hill, KS Property Listing 2016-17

Item	Address	Bldg Value	Pers Prop Value	Bldg * RC / ACV
Community Building	613 South Race St, Spring Hill, KS 66083	\$404,036	\$26,000	RC
Water Tower at AFG	AFG Industries, Spring Hill, KS 66083	\$1,600,000	\$0	RC
Sewer Lift Stations	Various Locations, Spring Hill, KS 66083	\$1,316,300	\$0	RC
Pad Mounted Generators	Various Locations, Spring Hill, KS 66083	\$1,219,840	\$0	RC
Public Works Building	502 East Nichols, Spring Hill, KS 66083	\$516,424	\$72,800	RC
Public Works Building Addition	502 East Nichols, Spring Hill, KS 66083	incl	\$0	RC
Water Plant Building (Parks)	Clubhouse Drive, Spring Hill, KS 66083	\$250,000	\$50,000	RC
Swimming Pool Building	900 Washington, Spring Hill, KS 66083	\$51,500	\$0	RC
Swimming Pool Pump Building	900 Washington, Spring Hill, KS 66083	\$36,050	\$0	RC
Swimming Pool incl Piping & Equip	900 Washington, Spring Hill, KS 66083	\$75,000	\$0	RC
WWTP-Belt Filter Press Building	22711 Woodland, Spring Hill, KS 66083	\$175,000	\$200,000	RC
WWTP-Digester Blower Building	22711 Woodland, Spring Hill, KS 66083	\$25,000	\$0	RC
WWTP-Sledge Pump Building	22711 Woodland, Spring Hill, KS 66083	\$85,000	\$55,000	RC
WWTP-Lab Building	22711 Woodland, Spring Hill, KS 66083	\$150,000	\$50,000	RC
WWTP-Office Building	22711 Woodland, Spring Hill, KS 66083	\$200,000	\$50,000	RC
WWTP-Head-Works Building	22711 Woodland, Spring Hill, KS 66083	\$4,500,000	\$25,000	RC
Hillsdale Res Water Pumps	Hillsdale Reservoir, Spring Hill, KS 66083	\$10,000	\$17,000	RC
Police Firing Range Storage Trailer	215th Street, Spring Hill, KS 66083	\$5,150	\$2,000	ACV
Ball Field Concession Stand	309 West North, Spring Hill, KS 66083	\$82,400	\$0	RC
Ball Field Storage Shed - Lower	309 West North, Spring Hill, KS 66083	\$7,500	\$4,000	ACV
Ball Field Bleachers (9)	309 West North, Spring Hill, KS 66083	\$0	\$0	ACV
Ball Field Metal Fences	309 West North, Spring Hill, KS 66083	\$70,000	\$0	ACV
Ball Field Light Poles/Lights	309 West North, Spring Hill, KS 66083	\$80,340	\$0	ACV
5 Poles w/Weather Alert Devices	Various Locations, Spring Hill, KS 66083	\$139,782	\$0	ACV
Ball Field Storage Shed - Upper Gazebo	309 West North, Spring Hill, KS 66083	\$25,000	\$20,000	RC
Park / Playground Equipment	103 S. Washington, Spring Hill, KS 66083	\$40,000	\$0	ACV
Traffic / School Crossing Lights	Various Park Locations, Spring Hill, KS 66083	\$240,102	\$0	ACV
Aquatic Center	Various City Locations, Spring Hill, KS 66083	\$60,000	\$0	ACV
Civic Center	20900 Sycamore, Spring Hill, KS 66093	\$2,600,000	\$50,000	RC
New Police Dept	401 North Madison, Spring Hill, KS 66083	\$3,589,820	\$25,000	RC
	418 East Nichols, Spring Hill, KS 66083	\$900,000	\$50,000	RC

**Total Values Insured (without computer equipment)**

**\$18,454,244      \$696,800**

Total Blanket Building Limit at Replacement Cost and 120% Margin \*\*

\$17,811,370

Total Blanket Contents Limit at Replacement Cost and 120% Margin

\$696,800

Total of Specifically Insured Buildings at Actual Cash Value with 90% Coinsurance

\$642,874

\* RC = Replacement Cost and ACV = Actual Cash Value (which is Depreciated Value)

\*\* Old structures and property in the open no longer qualify for blanket coverage and replacement cost

**Added in past year**

**Revised in past year**

## Spring Hill Vehicle List 2016-17

<u>Dept</u>	<u>Year</u>	<u>Make</u>	<u>Model</u>	<u>Body Type</u>	<u>VIN</u>	<u>Cost New</u>
Parks	1996	Ford	F350 Dump Dually	Truck	1FDLF47F0VEA27671	\$35,000
Parks	2005	Neal	23A18' Landscape Tr	Trailer	4A0AA202851000192	\$3,225
Parks	2005	Ford	F350 Super Duty Dua	Pickup truck	1FDWF37P45EC88284	\$24,227
PS	2001	Ford	Taurus	Priv Passenger rated,	1FAFP55U81G205790	\$20,000
PS	2005	Ford	Taurus	Priv Passenger rated,	1FAFP53U55A289773	\$20,000
PS	2005	Ford	F150	Pickup truck	1FTRX14W15NB40317	\$30,000
PS	2005	Ford	Crown Vic	Priv Passenger rated,	2FAHP71W76X155279	\$25,000
PS	2005	Ford	Crown Vic	Priv Passenger rated,	2FAHP71W45X150413	\$25,000
PS	2006	Dodge	Charger	Priv Passenger rated,	2B3KA43H66H504914	\$32,000
PS	2008	Ford	Crown Vic	Priv Passenger rated,	2FAFP71V98X151415	\$26,000
PS	2008	Dodge	Charger	Priv Passenger rated,	2B3KA43H28H134211	\$32,000
PS	2011	Jeep	Liberty	Priv Passenger rated,	1J4PN2GK5BW562554	\$35,000
PS	2013	Chevrolet	Tahoe 2WD w/PPD p	Priv Passenger rated,	1GNLC2E01DR206400	\$35,000
PS	2013	Chevrolet	Tahoe 2WD w/PPD p	Priv Passenger rated,	1GNLC2E03DR209377	\$35,000
PS	2015	Ford	Explorer	SUV	1FM5K8AR0FGA46094	
PS	2016	Ford	Explorer	SUV	1FM5K8AR7GGA72225	\$39,865
PS	2016	Ford	Explorer	SUV	1FM5K8AR5GGA72224	\$39,865
PW	1992	Goldstar	5' x 10' Trailer	Trailer	1GPFS1623NT086516	\$500
PW	1997	Nissan	King Cab XE/SE	Pickup truck	1N6SD16S3VC423833	\$20,000
PW	1998	Dodge	Ram 1500 1/2 ton	Pickup truck	1B7HC16Y5WS704690	\$10,000
PW	1998	Redi Haul	FSL12HE Uniloader T	Trailer	47SS122TOW1013376	\$5,000
PW	2002	International	4700 2 1/2 ton	Truck	1HTSCABM72H526218	\$27,000
PW	2003	Dodge	Ram 1500 1/2 ton	Pickup truck	1D7HU18N43J630976	\$11,000
PW	2004	Ford	F350 Super Duty	Pickup truck	1FDWF37P84ED36836	\$24,000
PW	2005	Neal Flatbed	20' Tandem Trailer	Trailer	4A0BA252751000200	\$7,000
PW	2007	International	4300 Dump	Truck	1HTMMAAM87H457344	\$80,539
PW	2013	International	4300M7 SBA 4X2	Truck	1HTHTSKM8DJ431664	\$64,104
PW	2015	International	7300 SFA 4x2	Truck-Tractor	1HTWAAAR1FH719572	
PW	2015	Redi Haul	Skid Loader	Trailer	47SS182T2F1027640	\$6,735
PW-Str	2014	Ford	F350 4x4	truck	1FTBF3B6XEED41405	\$39,547
PW-Str	2014	Ford	F350 4x4	truck	1FTBF3B6XEED41406	\$39,547
PW-Str	2013	Keizer-Morris	Asphalt Recycling	Trailer	1K9BU0913DN246159	\$29,836
PZ	2005	Ford	Escape	SUV (Planning)	1FMYU931X5KD98633	\$15,000
PZ	2008	Ford	Escape	SUV(planning)	1FMCU93168KE59474	\$18,000
Water	1992	Gold Star	16x7 2 Axle Flatbed	Trailer	TBD	\$650
Water	2001	Dodge	Ram 2500 3/4 ton	Pickup truck	3B7KF26Z21M564790	\$20,900
Water	2002	Ford	F250 Super Duty	Pickup truck	1FDNX20L72EC86728	\$20,000
Water	1996	Ford (jetter truck)	LN8000 w/sewer clea	Truck	1FDYR82E0TVA30425	\$105,000
Water	2001	Chevrolet	Silverado 1500 1/2 ton	Pickup truck	1GCEK14V71Z296255	\$18,200
Water	2001	Ford	Ranger	Pickup truck	1FTYR10C11PA41576	\$10,900
	2006	Ford	E450 Econoline	Diamond Cutaway	1FDXE45P16HB29786	\$27,960
	2006	Ford	E450 Econoline	Diamond Cutaway	1FDXE45P36HB29790	\$27,960
	2015	Carry-On	8.5 ftx 16 ft Enclosed	Trailer	4YMCL1625FM008015	\$5,022
	2016	Ford	F350	Pickup truck	1FDBF3F68GEA66311	\$30,332

### 6 Units Added in 2015

All vehicles are covered for liability and physical damage (subject to \$1,000 deductible per accident)  
 Items in Green above are covered for Liability only - no physical damage coverage applies

## POLLUTION LIABILITY: SPRING HILL WASTEWATER TREATMENT PLANT COVERAGE

Named Insured: City of Spring Hill, Kansas  
 Company Name: Colony Specialty (rated **A** by A.M. Best)  
 Policy Term: April 1, 2016 to April 1, 2017  
  
 Coverage: Claims-Made Form  
 Retroactive Date: 4/1/2016 – Policy Inception  
 Location: SHWWTP; 22711 Woodland, Spring Hill, KS 66083

<u>Limits</u>	<u>Coverage Description</u>
\$ 1,000,000	Cleanup / Remediation Coverage for New <b>Pollution Condition</b> (not pre-existing) that migrates from the SH WWTP premises
\$ 1,000,000	Third Party Liability Coverage for New <b>Pollution Condition</b> (not pre-existing) that migrates from the SH WWTP premises
\$ 1,000,000	Non-Owned Disposal Site Liability for New <b>Pollution Condition</b> (not pre-existing) that migrates from a non-owned disposal site
\$ 1,000,000	Total Policy Aggregate Limit for all Pollution Incidents
\$ 10,000	Deductible per Pollution Incident

Limits above apply as an Each Pollution Condition Limit subject to the Policy Aggregate Limit. Defense costs are included within the limits above and reduce the limit of liability available.

**Pollution Condition** means the discharge, dispersal, release, or escape of any solid, liquid, gaseous or thermal irritant, contaminant or pollutant, including smoke, vapor, soot, fumes, acids, alkalis, toxic or hazardous substances, electromagnetic fields, chemicals, waste, and microbial matter, into or upon land or any structure on land, the atmosphere, or any watercourse or body of water, including groundwater, in concentrations or at levels in excess of those naturally present in the environment.

Note: Policy excludes cleanup coverage for a **Pollution Condition** within the boundaries of the WWTP premises. Policy also excludes claims arising out of any odor migrating from the WWTP. This coverage is intended to address claims associated with off premises bodily injury, property damage, and cleanup/remediation costs resulting from a **Pollution Condition** migrating from the SH WWTP premises or from a non-owned disposal site. Claim includes suits and government or regulatory actions filed against the City.

Condition: 25% Minimum Earned Premium in the event of cancellation mid-term

*This page is designed to provide an overview of the Pollution Insurance coverages we are recommending for the City. It is intended only as a general summary and should not be construed as a legal interpretation of the insurance policy. Please refer to the specific insurance contract for details on coverages, conditions and exclusions.*

**City of Spring Hill, Kansas  
Minutes of City Council Regular Session  
March 10, 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 March 10, 2016. The meeting convened at 7:00p.m. with Mayor Ellis presiding, and Glenda Gerrity, City Clerk recording.

Councilmembers in attendance: Chris Leaton arrived at 7:03p.m.  
Clint Gillis  
Floyd Koder  
Andrea Hughes

Councilmembers absent: Chad Eckert

Staff in attendance: City Administrator Jonathan Roberts  
Police Chief Richard Mann  
Finance Director Melanie Landis  
Community Development Director Jim Hendershot  
Human Resources/Risk Manager 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**

The Mayor requested to delete the Executive Session.

**Motion by** Koder, seconded by Gillis, to approve the agenda as revised. Motion carried 3-0-0.

Councilman Leaton arrived.

**CONSENT AGENDA:**

**Motion by** Leaton, seconded by Gillis, to approve the Consent Agenda as presented.

1. **Approval of Minutes: February 25, 2016**
2. **Appropriation Order 2016-03-10**

Motion carried 4-0-0.

**FORMAL COUNCIL ACTION**

**3. Board Appointments**

The Mayor presented the following slate of board appointments for consideration:

**Cemetery Board:**

Susan Crawford – Term to February 2019  
Joy Rose – Term to February 2019  
Jim Wilson – Term to February 2019

**Green Board:**

Mark Squire – Term to February 2019  
Doug D’Albini – Term to February 2018

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

**Planning Commission:**

Janell Pollom – Term to February 2019

**Motion by** Leaton, seconded by Gillis, to approve the slate of appointments as stated. Motion carried 4-0-0.

**DISCUSSION**

**4. Scholarship Program for Swim Lessons**

The Finance Director gave a brief history of how the Spring Hill Recreation Commission (SHRC) processed their scholarship program for swim lessons. Last year, the SHRC assisted 19 participants in the swim lesson program that totaled approximately \$500. The SHRC funded the program through sponsorships. The City mailed letters to some entities that may be interested in sponsoring the swim lesson scholarship program. Since registration begins on Monday, March 14<sup>th</sup>, Ms. Landis requested if the City could dedicate \$150 toward the fund until scholarships are received. The Mayor graciously donated \$100 on behalf of Ellis & Judd Law Office and suggested to reach out to the Chamber of Commerce for additional donations from the businesses. City staff will follow-up with the entities that received a letter and reach out to the Chamber of Commerce.

**EXECUTIVE SESSION**

This item was deleted.

**ADJOURN**

Motion by Leaton, seconded by Gillis, to adjourn.

The meeting adjourned at 8:05p.m.

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Glenda Gerrity, City Clerk

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

# CITY OF SPRING HILL, KANSAS

## APPROPRIATION ORDER NUMBER 2016-03-24 PRESENTED: March 24, 2016

**Be it ordered by the Governing Body of the City of Spring Hill that the above dated order is and shall be approved and all claims honored and paid by the City Clerk.**

### **Section 1:**

Claims paid prior to approval of the City Council as authorized by Ordinance 2001-08:

Accounts Payable:	\$112,948.86
Payroll:	\$56,409.50
	\$169,358.36

### **Section 2:**

Claims presented for approval of payment:

Accounts Payable:	\$44,690.03
	<hr/>
	\$44,690.03

**Total amount of the Appropriation Order: \$214,048.39**

INVOICE NO	DATE	VENDOR/DESCRIPTION	GL ACCT #	AMOUNT	CK #	CK DATE
		AETNA				
PR20160226	2/26/2016	AETNA-457 PLAN	01-00-2035	\$ 257.50	1283188	3/04/2016 E
PR20160226	2/26/2016	AETNA-457 PLAN	01-18-5120	\$ 40.00	1283188	3/04/2016 E
PR20160226	2/26/2016	AETNA-457 PLAN	20-00-2035	\$ 30.00	1283188	3/04/2016 E
				-----		
		AETNA		\$ 327.50		
		ALAMAR UNIFORMS				
505579	2/23/2016	UNIFORMS	01-05-7680	\$ 10.00	215958	3/4/2016
				-----		
		ALAMAR UNIFORMS		\$ 10.00		
		AMERICAN EQUIPMENT CO.				
25393	2/18/2016	EQUIPMENT MAINTENANCE	01-02-7670	\$ 47.61	215959	3/4/2016
				-----		
		AMERICAN EQUIPMENT CO.		\$ 47.61		
		ATMOS ENERGY( W LAWRENCE)				
161902	2/19/2016	GAS SERVICE 705 W LAWRENCE ST	25-15-7624	\$ 44.69	1283216	3/14/2016 E
				-----		
		ATMOS ENERGY( W LAWRENCE		\$ 44.69		
		ATMOS ENERGY(418 NICHOLS)				
161902	2/19/2016	GAS SERVICES 418 E NICHOLS ST	01-05-7624	\$ 44.69	1283215	3/14/2016 E
				-----		
		ATMOS ENERGY(418 NICHOLS		\$ 44.69		
		ATMOS ENERGY(502 NICHOLS)				
161902	2/19/2016	GAS SERVICES	01-02-7624	\$ 353.09	1283218	3/14/2016 E
				-----		
		ATMOS ENERGY(502 NICHOLS		\$ 353.09		
		ATMOS ENERGY(CRESTONE ST)				
162302	2/23/2016	GAS SERVICES 20129 CRESTONE ST	25-15-7624	\$ 43.50	1283219	3/14/2016 E
				-----		
		ATMOS ENERGY(CRESTONE ST		\$ 43.50		
		ATMOS ENERGY(MADISON ST)				
161802	2/18/2016	GAS SERVICE 401 N MADISON ST	01-17-7624	\$ 2,046.22	1283214	3/14/2016 E
				-----		
		ATMOS ENERGY(MADISON ST)		\$ 2,046.22		
		ATMOS ENERGY(N JACKSON)				
162202	2/22/2016	GAS SERVICES 606 N JACKSON ST UNIT A	25-15-7624	\$ 45.50	1283217	3/14/2016 E
				-----		
		ATMOS ENERGY(N JACKSON)		\$ 45.50		

INVOICE NO	DATE	VENDOR/DESCRIPTION	GL ACCT #	AMOUNT	CK #	CK DATE
CENTURYLINK						
CENT160902	2/9/2016	TELEPHONE/COMMUNICATIONS	01-05-7622	\$ 8.08	1283197	3/09/2016 E
CENT160902	2/9/2016	TELEPHONE/COMMUNICATIONS	20-14-7622	\$ 8.09	1283197	3/09/2016 E
CENT160902	2/9/2016	TELEPHONE/COMMUNICATIONS	25-15-7622	\$ 8.09	1283197	3/09/2016 E
CENT160902	2/9/2016	TELEPHONE/COMMUNICATIONS	01-13-7622	\$ 8.09	1283197	3/09/2016 E
CENT160902	2/9/2016	TELEPHONE/COMMUNICATIONS	01-09-7622	\$ 8.09	1283197	3/09/2016 E
				-----		
CENTURYLINK				\$ 40.44		
CENTURYLINK						
161802	2/18/2016	TELEPHONE/COMMUNICATIONS	25-15-7622	\$ 69.37	1283196	3/09/2016 E
161802	2/18/2016	TELEPHONE/COMMUNICATIONS	01-04-7622	\$ 57.76	1283196	3/09/2016 E
161802	2/18/2016	TELEPHONE/COMMUNICATIONS	01-09-7622	\$ 110.07	1283196	3/09/2016 E
161802	2/18/2016	TELEPHONE/COMMUNICATIONS	01-05-7622	\$ 104.19	1283196	3/09/2016 E
161802	2/18/2016	TELEPHONE/COMMUNICATIONS	01-03-7622	\$ 84.77	1283196	3/09/2016 E
161802	2/18/2016	TELEPHONE/COMMUNICATIONS	01-12-7622	\$ 49.49	1283196	3/09/2016 E
161802	2/18/2016	TELEPHONE/COMMUNICATIONS	01-13-7622	\$ 315.48	1283196	3/09/2016 E
				-----		
CENTURYLINK				\$ 791.13		
CHAMPION BRANDS, LLC						
495456	2/17/2016	EQUIPMENT MAINTENANCE	01-02-7670	\$ 45.31	215960	3/4/2016
495458	2/17/2016	EQUIPMENT MAINTENANCE	01-02-7670	\$ 72.36	215960	3/4/2016
				-----		
CHAMPION BRANDS, LLC				\$ 117.67		
CINTAS FIRST AID & SAFETY						
5004583242	2/29/2016	FIRST AID SUPPLIES	25-15-6090	\$ 40.36	77872	3/17/2016
5004583242	2/29/2016	FIRST AID SUPPLIES	20-14-6090	\$ 40.37	77872	3/17/2016
5004583242	2/29/2016	FIRST AID SUPPLIES	01-02-6090	\$ 80.34	77872	3/17/2016
				-----		
CINTAS FIRST AID & SAFET				\$ 161.07		
CITY OF SPRING HILL						
161502	2/15/2016	1/15/16 - 02/15/16 TRASH	01-02-7628	\$ 106.49	77873	3/17/2016
161502	2/15/2016	1/15/16 - 02/15/16 TRASH	01-04-7628	\$ 94.48	77873	3/17/2016
161502	2/15/2016	1/15/16 - 02/15/16 TRASH	01-17-7628	\$ 188.96	77873	3/17/2016
161502	2/15/2016	1/15/16 - 02/15/16 TRASH	20-14-7628	\$ 58.44	77873	3/17/2016
161502	2/15/2016	1/15/16 - 02/15/16 TRASH	01-05-7628	\$ 82.46	77873	3/17/2016
161502	2/15/2016	1/15/16 - 02/15/16 T/W/S	01-12-7628	\$ 139.25	77873	3/17/2016
				-----		
CITY OF SPRING HILL				\$ 670.08		
CMI						
320416	2/18/2016	MISCELLANEOUS	01-02-6090	\$ 21.84	215961	3/4/2016
320439	2/18/2016	DRAINAGE PIPE	10-02-6320	\$ 7.42	215961	3/4/2016
320442	2/18/2016	DRAINAGE PIPE	10-02-6320	\$ 3.71	215961	3/4/2016
320518	2/23/2016	EQUIPMENT MAINTENANCE	01-02-7670	\$ 202.56	215961	3/4/2016
320528	2/23/2016	BUILDING MAINTENANCE	01-02-6160	\$ 24.78	215961	3/4/2016
320528	2/23/2016	EQUIPMENT MAINTENANCE	01-02-7670	\$ 3.85	215961	3/4/2016
320538	2/23/2016	HAND EQUIPMENT & TOOLS	01-02-6360	\$ 11.28	215961	3/4/2016
320557	2/24/2016	STREET MATERIALS	10-02-6330	\$ 9.02	215961	3/4/2016
320557	2/24/2016	EQUIPMENT MAINTENANCE	01-02-7670	\$ 2.99	215961	3/4/2016
TRAILER						
				-----		
CMI				\$ 287.45		

INVOICE NO	DATE	VENDOR/DESCRIPTION	GL ACCT #	AMOUNT	CK #	CK DATE
1572	2/21/2016	CREATIVE DISPLAYS OF KC, BANNER MAINTENANCE	01-09-6170	\$ 1,960.00	77874	3/17/2016
		CREATIVE DISPLAYS OF KC,		\$ 1,960.00		
60230927	2/9/2016	CROSS-MIDWEST TIRE CO. EQUIPMENT MAINTENANCE	01-02-7670	\$ 41.50	215962	3/4/2016
		CROSS-MIDWEST TIRE CO.		\$ 41.50		
162402	2/24/2016	DANNY JACOBS MILEAGE REIMBURSEMENT	01-11-6050	\$ 18.25	77875	3/17/2016
		DANNY JACOBS		\$ 18.25		
78384281	2/16/2016	DELL FINANCIAL SERVICES COMPUTER EQUIPMET	01-09-8120	\$ 916.40	77876	3/17/2016
		DELL FINANCIAL SERVICES		\$ 916.40		
3021662942	3/2/2016	E EDWARDS WORK WEAR PERSONAL PROTECTION EQUI	01-03-6370	\$ 150.00	77877	3/17/2016
		E EDWARDS WORK WEAR		\$ 150.00		
788	3/3/2016	EXACT MOBILE CONCRETE DRAINAGE PIPE	10-02-6320	\$ 1,612.99	77878	3/17/2016
		EXACT MOBILE CONCRETE		\$ 1,612.99		
SKC1115782	2/9/2016	FASTENAL COMPANY POOL BUILDING MAINTENANC	01-12-6160	\$ 48.00	215963	3/4/2016
		FASTENAL COMPANY		\$ 48.00		
296798-PA	2/16/2016	GERKEN RENT-ALL SPECIAL PARKS	11-03-8110	\$ 260.83	77879	3/17/2016
297725-PA	2/25/2016	CITY HALL PROJECT	31-31-8500	\$ 360.00	77879	3/17/2016
298745-PA	3/2/2016	PORTABLE RESTROOM	01-03-7240	\$ 110.00	77879	3/17/2016
298746-PA	3/2/2016	PORTABLE RESTROOM	01-03-7240	\$ 110.00	77879	3/17/2016
		GERKEN RENT-ALL		\$ 840.83		
PR20160226	2/26/2016	H KENT HOLLINS Garnishment	01-00-2040	\$ 69.39	77867	3/4/2016
		H KENT HOLLINS		\$ 69.39		
9825667	3/4/2016	HACH COMPANY EQUIPMENT MAINTENANCE	25-15-7670	\$ 1,916.39	77880	3/17/2016
		HACH COMPANY		\$ 1,916.39		
3845635	2/25/2016	HAWKINS INC CHEMICALS	25-15-6340	\$ 2,089.50	77881	3/17/2016
		HAWKINS INC		\$ 2,089.50		

INVOICE NO	DATE	VENDOR/DESCRIPTION	GL ACCT #	AMOUNT	CK #	CK DATE
1639	2/1/2016	HEARTLAND STRUCTURES BUILDING MAINTENANCE	01-02-6160	\$ 1,209.00	77882	3/17/2016
		HEARTLAND STRUCTURES		\$ 1,209.00		
		INTERNAL REVENUE SERVICE				
PR20160226	2/26/2016	FED/FICA TAX	01-00-2020	\$ 16,588.85	1283187	3/04/2016 E
PR20160226	2/26/2016	FED/FICA TAX	20-00-2020	\$ 1,098.11	1283187	3/04/2016 E
PR20160226	2/26/2016	FED/FICA TAX	25-00-2020	\$ 1,381.18	1283187	3/04/2016 E
		INTERNAL REVENUE SERVICE		\$ 19,068.14		
2454	2/5/2016	JAMES NEWTON DEPOSIT REFUND	01-00-2050	\$ 75.00	77883	3/17/2016
		JAMES NEWTON		\$ 75.00		
2512	3/5/2016	JENNIFER BLANN DEPOSIT REFUND	01-00-2050	\$ 75.00	77884	3/17/2016
		JENNIFER BLANN		\$ 75.00		
161503	3/15/2016	JULIE UPDIKE SPECIAL EVENTS	01-12-7290	\$ 30.00	77885	3/17/2016
		JULIE UPDIKE		\$ 30.00		
137411	3/8/2016	KA-COMM, INC. EQUIPMENT MAINTENANCE	01-05-7670	\$ 157.50	77886	3/17/2016
		KA-COMM, INC.		\$ 157.50		
PR20160226	2/26/2016	KAHRS LAW OFFICES, P.A. GARNISHMENT	01-00-2040	\$ 69.39	77868	3/4/2016
		KAHRS LAW OFFICES, P.A.		\$ 69.39		
6020461	2/29/2016	KANSAS ONE-CALL CONTRACTUAL SERVICES	20-14-7740	\$ 9.41	77887	3/17/2016
6020461	2/29/2016	CONTRACTUAL SERVICES	25-15-7740	\$ 9.42	77887	3/17/2016
6020461	2/29/2016	PROFESSIONAL SERVICES	01-02-7740	\$ 9.42	77887	3/17/2016
		KANSAS ONE-CALL		\$ 28.25		
PR20160226	2/26/2016	KANSAS PAYMENT CNTR CHILD SUPPORT 1	01-00-2040	\$ 158.31	77866	3/4/2016
		KANSAS PAYMENT CNTR		\$ 158.31		
2504	3/5/2016	KATIE CLEAR DEPOSIT REFUND	01-00-2050	\$ 75.00	77888	3/17/2016
		KATIE CLEAR		\$ 75.00		

INVOICE NO	DATE	VENDOR/DESCRIPTION	GL ACCT #	AMOUNT	CK #	CK DATE
162902	2/29/2016	KCP&L (18095 W 199TH ST) ELECTRIC SERVICE 18095 W 199TH ST SIREN	01-02-7626	\$ 20.56	1283205	3/09/2016 E
		KCP&L (18095 W 199TH ST)		\$ 20.56		
162902	2/29/2016	KCP&L (18539 WOODLAND RD) ELECTRIC SERVICE 18539 WOODLAND RD	25-15-7626	\$ 135.75	1283202	3/09/2016 E
		KCP&L (18539 WOODLAND RD)		\$ 135.75		
162902	2/29/2016	KCP&L (18700 W 191ST ST) ELECTRICITY	25-15-7626	\$ 164.64	1283200	3/09/2016 E
		KCP&L (18700 W 191ST ST)		\$ 164.64		
160103	3/1/2016	KCP&L (18899 S LONE ELM) ELECTRIC SERVICE 18899 S LONE ELM RD	25-15-7626	\$ 150.54	1283201	3/09/2016 E
		KCP&L (18899 S LONE ELM)		\$ 150.54		
160103	3/1/2016	KCP&L (20281 LONE ELM RD) ELECTRIC SERVICE 20281 LONE ELM RD	01-02-7626	\$ 20.85	1283206	3/09/2016 E
		KCP&L (20281 LONE ELM RD)		\$ 20.85		
160303	3/3/2016	KCP&L (STREET LIGHTS) ELECTRICITY	01-02-7626	\$ 8,828.18	1283199	3/09/2016 E
		KCP&L (STREET LIGHTS)		\$ 8,828.18		
160903	3/9/2016	KCP&L (WATER DP03) ELECTRIC SERVICE 22711 WOODLAND WATER DPO	25-15-7626	\$ 1,507.53	1283204	3/09/2016 E
		KCP&L (WATER DP03)		\$ 1,507.53		
160903	3/9/2016	KCP&L (WOODLAND W/W) ELECTRIC SERVICE 22711 WOODLAND WATER WAS	25-15-7626	\$ 4,989.33	1283203	3/09/2016 E
		KCP&L (WOODLAND W/W)		\$ 4,989.33		
20160307	3/8/2016	KERRY'S KENNELS KENNEL CHARGES	01-18-7110	\$ 234.00	77889	3/17/2016
		KERRY'S KENNELS		\$ 234.00		
PR20160226	2/26/2016	KP&F KP&F LIFE	01-00-2030	\$ 47.40	1283189	3/04/2016 E
PR20160226	2/26/2016	KP&F	01-00-2030	\$ 6,469.73	1283189	3/04/2016 E
		KP&F		\$ 6,517.13		

INVOICE NO	DATE	VENDOR/DESCRIPTION	GL ACCT #	AMOUNT	CK #	CK DATE
		KPERS				
PR20160226	2/26/2016	KPERS TIER 1	01-00-2030	\$ 3,823.89	1283186	3/04/2016 E
PR20160226	2/26/2016	KPERS TIER 1	20-00-2030	\$ 528.48	1283186	3/04/2016 E
PR20160226	2/26/2016	KPERS TIER 1	25-00-2030	\$ 350.35	1283186	3/04/2016 E
PR20160226	2/26/2016	KPERS LIFE	01-00-2030	\$ 146.85	1283186	3/04/2016 E
PR20160226	2/26/2016	KPERS LIFE	20-00-2030	\$ 30.20	1283186	3/04/2016 E
PR20160226	2/26/2016	KPERS LIFE	25-00-2030	\$ 17.40	1283186	3/04/2016 E
PR20160226	2/26/2016	KPERS post 7/09	01-00-2030	\$ 2,729.31	1283186	3/04/2016 E
PR20160226	2/26/2016	KPERS post 7/09	25-00-2030	\$ 507.46	1283186	3/04/2016 E
PR20160226	2/26/2016	KPERS TIER 3	01-00-2030	\$ 573.34	1283186	3/04/2016 E
PR20160226	2/26/2016	KPERS D&D	01-00-2030	\$ 469.47	1283186	3/04/2016 E
PR20160226	2/26/2016	KPERS D&D	20-00-2030	\$ 34.81	1283186	3/04/2016 E
PR20160226	2/26/2016	KPERS D&D	25-00-2030	\$ 56.51	1283186	3/04/2016 E
				-----		
		KPERS		\$ 9,268.07		
		KS ASSN OF CHIEFS OF POLI				
30602	3/8/2016	PROFESSIONAL SERVICES	01-05-7740	\$ 315.00	77890	3/17/2016
				-----		
		KS ASSN OF CHIEFS OF POL		\$ 315.00		
		KS ATTORNEY GENERAL				
LG16000137	2/18/2016	COST OF ISSUANCE FEE	74-00-6000	\$ 165.00	77891	3/17/2016
				-----		
		KS ATTORNEY GENERAL		\$ 165.00		
		KS DEPT OF REV				
160102	2/1/2016	FEBRUARY SALES TAX	20-00-2060	\$ 1,568.27	1283207	3/07/2016 E
				-----		
		KS DEPT OF REV		\$ 1,568.27		
		KS STATE TREASURER				
162902	2/29/2016	REINSTATEMENT FEES	01-00-2206	\$ 290.00	77892	3/17/2016
162902	2/29/2016	JUDICIAL BRANCH SURCHARG	01-00-2206	\$ 88.00	77892	3/17/2016
162902	2/29/2016	JUDICIAL BRANCH TRAINING	01-00-2202	\$ 36.50	77892	3/17/2016
162902	2/29/2016	LAW ENFORCEMENT TRAINING	01-00-2201	\$ 775.00	77892	3/17/2016
162902	2/29/2016	DUE FEES	01-00-2208	\$ 1,000.00	77892	3/17/2016
				-----		
		KS STATE TREASURER		\$ 2,189.50		
		KS WITHHOLDING TAX				
PR20160226	2/26/2016	STATE TAX	01-00-2020	\$ 2,298.66	1283185	3/04/2016 E
PR20160226	2/26/2016	STATE TAX	20-00-2020	\$ 151.48	1283185	3/04/2016 E
PR20160226	2/26/2016	STATE TAX	25-00-2020	\$ 163.35	1283185	3/04/2016 E
				-----		
		KS WITHHOLDING TAX		\$ 2,613.49		
		L & K GROUP HOLDINGS, LLC				
141748566	2/1/2016	REFUSE	25-15-7628	\$ 3,271.72	1283253	3/17/2016 E
1672448568	3/1/2016	REFUSE	25-15-7628	\$ 3,901.15	1283254	3/17/2016 E
				-----		
		L & K GROUP HOLDINGS, LL		\$ 7,172.87		
		LOGAN CONTRACTORS SUPPLY,				
R49623	3/4/2016	DRAINAGE PIPE	10-02-6320	\$ 82.50	77893	3/17/2016
				-----		
		LOGAN CONTRACTORS SUPPLY		\$ 82.50		

INVOICE NO	DATE	VENDOR/DESCRIPTION	GL ACCT #	AMOUNT	CK #	CK DATE
314895	3/8/2016	LYNN PEAVEY COMPANY POLICE MISCELLANEOUS	01-05-6090	\$ 123.75	77894	3/17/2016
		LYNN PEAVEY COMPANY		\$ 123.75		
SC02160764	2/29/2016	MAJESTIC FRANCHSING CLEANING SERVICES	01-17-7610	\$ 340.00	215965	3/4/2016
		MAJESTIC FRANCHSING		\$ 340.00		
2491	2/27/2016	MARK VAN HOUTEN DEPOSIT REFUND	01-00-2050	\$ 75.00	77895	3/17/2016
		MARK VAN HOUTEN		\$ 75.00		
20160229	3/8/2016	MIAMI COUNTY SHERIFF OFFI PRISONER BOARDING	01-06-7120	\$ 80.00	77896	3/17/2016
		MIAMI COUNTY SHERIFF OFF		\$ 80.00		
0038843-IN	2/12/2016	MICROCOMM EQUIPMENT MAINTENANCE	25-15-7670	\$ 255.00	77897	3/17/2016
0038843-IN	2/12/2016	EQUIPMENT MAINTENANCE	20-14-7670	\$ 255.00	77897	3/17/2016
		MICROCOMM		\$ 510.00		
6733	3/7/2016	MOKAN OUTDOOR EQUIPMENT MAINTENANCE	25-15-7670	\$ 1,560.63	77898	3/17/2016
		MOKAN OUTDOOR		\$ 1,560.63		
N440238	2/11/2016	NEPTUNE TECHNOLOGY GROUP METERS/SUPPLIES	20-14-6320	\$ 6,747.99	215966	3/4/2016
		NEPTUNE TECHNOLOGY GROUP		\$ 6,747.99		
217016	2/5/2016	OFFICE MAX OFFICE SUPPLIES	01-13-6110	\$ 17.54	215967	3/4/2016
268268	2/9/2016	OFFICE SUPPLIES	01-13-6110	\$ 47.81	215967	3/4/2016
630194	2/16/2016	OFFICE SUPPLIES	01-13-6110	\$ 24.49	215967	3/4/2016
		OFFICE MAX		\$ 89.84		
109457 00	2/29/2016	OLATHE WINWATER WORKS DRAINAGE PIPE	10-02-6320	\$ 227.52	77899	3/17/2016
		OLATHE WINWATER WORKS		\$ 227.52		
166198848	2/24/2016	PACE ANALYTICAL SERVICES, LAB ANALYSIS	25-15-7250	\$ 248.00	77900	3/17/2016
		PACE ANALYTICAL SERVICES		\$ 248.00		

INVOICE NO	DATE	VENDOR/DESCRIPTION	GL ACCT #	AMOUNT	CK #	CK DATE
		PONZER - YOUNGQUIST				
163101A	1/31/2016	BROOKWOOD FARMS	01-16-7730	\$ 711.00	215968	3/4/2016
163101A	1/31/2016	TRAFFIC SAFETY COMMITTEE	01-16-7730	\$ 135.00	215968	3/4/2016
163101A	1/31/2016	JEFFERSON STORM	01-02-7730	\$ 270.00	215968	3/4/2016
163101A	1/31/2016	WOODLAND RIDGE VI	01-16-7730	\$ 67.50	215968	3/4/2016
163101A	1/31/2016	VILLAGE ON VICTORY	01-16-7730	\$ 270.00	215968	3/4/2016
163101A	1/31/2016	LINCOLN ST	01-02-7730	\$ 360.19	215968	3/4/2016
163101A	1/31/2016	ANNEXATION	01-09-7730	\$ 270.00	215968	3/4/2016
163101B	1/31/2016	ENGINEERING DESIGN	85-00-7730	\$ 8,450.00	215968	3/4/2016
163101B	1/31/2016	ENGINEERING DESIGN	62-00-7730	\$ 8,450.00	215968	3/4/2016
				-----		
		PONZER - YOUNGQUIST		\$ 18,983.69		
		PRAXAIR DISTRIBUTION INC.				
72494045	2/29/2016	EQUIPMENT MAINTENANCE	25-15-7670	\$ 44.61	77901	3/17/2016
72494045	2/29/2016	EQUIPMENT RENTAL/LEASE	01-02-7660	\$ 59.52	77901	3/17/2016
				-----		
		PRAXAIR DISTRIBUTION INC		\$ 104.13		
		QUILL				
3738267	3/1/2016	OFFICE SUPPLIES	01-05-6110	\$ 9.99	77902	3/17/2016
3793618	3/2/2016	OFFICE SUPPLIES	01-05-6110	\$ 50.76	77902	3/17/2016
				-----		
		QUILL		\$ 60.75		
		REJIS COMMISSION				
46769	3/8/2016	MEMBERSHIP DUES	01-05-7630	\$ 39.86	77903	3/17/2016
46770	3/8/2016	MEMBERSHIP DUES	01-05-7630	\$ 16.00	77903	3/17/2016
46771	3/8/2016	MEMBERSHIP DUES	01-05-7630	\$ 54.00	77903	3/17/2016
				-----		
		REJIS COMMISSION		\$ 109.86		
		RURAL WATER DISTRICT #2 M				
61021030-6	3/1/2016	WATER	20-14-7200	\$ 24,465.17	77904	3/17/2016
				-----		
		RURAL WATER DISTRICT #2		\$ 24,465.17		
		SHAWN TOPLIKAR				
2470	2/27/2016	DEPOSIT REFUND	01-00-2050	\$ 175.00	77905	3/17/2016
				-----		
		SHAWN TOPLIKAR		\$ 175.00		
		SHIRT HOLE				
160903	3/9/2016	UNIFORMS-COMMUNITY DEVEL	01-16-7680	\$ 296.00	77906	3/17/2016
				-----		
		SHIRT HOLE		\$ 296.00		
		SUDDENLINK				
162102	2/21/2016	TELEPHONE/COMMUNICATIONS	01-12-7622	\$ 540.81	1283195	3/09/2016 E
162102	2/21/2016	TELEPHONE/COMMUNICATIONS	01-03-7622	\$ 515.81	1283195	3/09/2016 E
162102	2/21/2016	TELEPHONE/COMMUNICATIONS	01-09-7622	\$ 364.94	1283195	3/09/2016 E
162102	2/21/2016	TELEPHONE/COMMUNICATIONS	20-14-7622	\$ 564.94	1283195	3/09/2016 E
162102	2/21/2016	TELEPHONE/COMMUNICATIONS	25-15-7622	\$ 540.61	1283195	3/09/2016 E
162102	2/21/2016	TELEPHONE/COMMUNICATIONS	01-05-7622	\$ 740.61	1283195	3/09/2016 E
162102	2/21/2016	TELEPHONE/COMMUNICATIONS	01-13-7622	\$ 740.60	1283195	3/09/2016 E
				-----		
		SUDDENLINK		\$ 4,008.32		

INVOICE NO	DATE	VENDOR/DESCRIPTION	GL ACCT #	AMOUNT	CK #	CK DATE
18400	3/2/2016	TED PHILLIPS BOND REFUND	01-00-2200	\$ 100.00	77907	3/17/2016
				-----		
		TED PHILLIPS		\$ 100.00		
1011	3/3/2016	THE QUILTED SUNFLOWER UNIFORMS-COMMUNITY DEVEL	01-16-7680	\$ 10.00	77908	3/17/2016
				-----		
		THE QUILTED SUNFLOWER		\$ 10.00		
8392	2/23/2016	TRENARY'S TREE CARE CITY HALL PROJECT	31-31-8500	\$ 500.00	77909	3/17/2016
				-----		
		TRENARY'S TREE CARE		\$ 500.00		
116377	3/7/2016	TRI STAR SEED COMPANY SEED/SOD	01-02-6350	\$ 74.96	77910	3/17/2016
				-----		
		TRI STAR SEED COMPANY		\$ 74.96		
161703	3/17/2016	UNITED COMMUNITY SERVICES HUMAN SERVICES	01-09-7410	\$ 155.00	77911	3/17/2016
				-----		
		UNITED COMMUNITY SERVICE		\$ 155.00		
127994	2/1/2016	VALIDITY SCREENING EMPLOYMENT CERTIFICATION	01-05-6320	\$ 40.00	215969	3/4/2016
				-----		
		VALIDITY SCREENING		\$ 40.00		
		VERIZON WIRELESS				
9761000535	2/23/2016	TELEPHONE/COMMUNICATIONS	01-01-7622	\$ 51.93	1283192	3/09/2016 E
9761000535	2/23/2016	TELEPHONE/COMMUNICATIONS	01-02-7622	\$ 69.07	1283192	3/09/2016 E
9761000535	2/23/2016	TELEPHONE/COMMUNICATIONS	01-03-7622	\$ 51.93	1283192	3/09/2016 E
9761000535	2/23/2016	TELEPHONE/COMMUNICATIONS	01-04-7622	\$ 61.93	1283192	3/09/2016 E
9761000535	2/23/2016	TELEPHONE/COMMUNICATIONS	01-05-7622	\$ 665.43	1283192	3/09/2016 E
9761000535	2/23/2016	TELEPHONE/COMMUNICATIONS	01-08-7622	\$ 51.93	1283192	3/09/2016 E
9761000535	2/23/2016	TELEPHONE/COMMUNICATIONS	01-11-7622	\$ 183.88	1283192	3/09/2016 E
9761000535	2/23/2016	TELEPHONE/COMMUNICATIONS	01-13-7622	\$ 69.07	1283192	3/09/2016 E
9761000535	2/23/2016	TELEPHONE/COMMUNICATIONS	01-16-7622	\$ 102.79	1283192	3/09/2016 E
9761000535	2/23/2016	TELEPHONE/COMMUNICATIONS	20-14-7622	\$ 71.93	1283192	3/09/2016 E
9761000535	2/23/2016	TELEPHONE/COMMUNICATIONS	25-15-7622	\$ 123.87	1283192	3/09/2016 E
				-----		
		VERIZON WIRELESS		\$ 1,503.76		
		VISA 0001				
20160301	3/9/2016	GASOLINE	01-05-6140	\$ 40.75	1283252	3/09/2016 E
20160301	3/9/2016	OFFICE SUPPLIES	01-05-6110	\$ 15.50	1283252	3/09/2016 E
20160301	3/9/2016	TRAINING	01-05-7640	\$ 85.00	1283252	3/09/2016 E
20160301	3/9/2016	OFFICE SUPPLIES	01-05-6110	\$ 20.97	1283252	3/09/2016 E
20160301	3/9/2016	K-9 SUPPLIES	01-05-6315	\$ 50.23	1283252	3/09/2016 E
20160301	3/9/2016	TRAINING	01-05-7640	\$ 558.00	1283252	3/09/2016 E
20160301	3/9/2016	TRAINING	01-05-7640	\$ 558.00	1283252	3/09/2016 E
				-----		
		VISA 0001		\$ 1,328.45		

INVOICE NO	DATE	VENDOR/DESCRIPTION	GL ACCT #	AMOUNT	CK #	CK DATE
160103	3/1/2016	VISA 0011 TRAINING	01-11-7640	\$ 20.00	1283210	3/09/2016 E
				-----		
		VISA 0011		\$ 20.00		
		VISA 0035				
20160301	3/9/2016	POSTAGE	01-05-6020	\$ 7.93	1283250	3/09/2016 E
20160301	3/9/2016	VEHICLE MAINTENANCE	01-05-6150	\$ 84.44	1283250	3/09/2016 E
20160301	3/9/2016	EQUIPMENT MAINTENANCE	01-05-7670	\$ 21.55	1283250	3/09/2016 E
20160301	3/9/2016	VEHICLE MAINTENANCE	01-05-6150	\$ 84.44	1283250	3/09/2016 E
20160301	3/9/2016	POSTAGE	01-05-6020	\$ 16.71	1283250	3/09/2016 E
20160301	3/9/2016	VEHICLE MAINTENANCE	01-05-6150	\$ 53.85	1283250	3/09/2016 E
20160301	3/9/2016	POSTAGE	01-05-6020	\$ 5.53	1283250	3/09/2016 E
				-----		
		VISA 0035		\$ 274.45		
		VISA 0043				
20160301	3/9/2016	TRAINING	01-05-7640	\$ 16.25	1283251	3/09/2016 E
20160301	3/9/2016	TRAINING	01-05-7640	\$ 15.80	1283251	3/09/2016 E
20160301	3/9/2016	TRAINING	01-05-7640	\$ 25.90	1283251	3/09/2016 E
20160301	3/9/2016	GASOLINE	01-05-6140	\$ 37.30	1283251	3/09/2016 E
20160301	3/9/2016	TRAINING	01-05-7640	\$ 12.98	1283251	3/09/2016 E
20160301	3/9/2016	TRAINING	01-05-7640	\$ 11.37	1283251	3/09/2016 E
20160301	3/9/2016	TRAINING	01-05-7640	\$ 23.38	1283251	3/09/2016 E
20160301	3/9/2016	TRAINING	01-05-7640	\$ 16.26	1283251	3/09/2016 E
20160301	3/9/2016	TRAINING	01-05-7640	\$ 20.04	1283251	3/09/2016 E
20160301	3/9/2016	TRAINING	01-05-7640	\$ 25.90	1283251	3/09/2016 E
20160301	3/9/2016	TRAINING	01-05-7640	\$ 5.84	1283251	3/09/2016 E
20160301	3/9/2016	TRAINING	01-05-7640	\$ 8.11	1283251	3/09/2016 E
20160301	3/9/2016	TRAINING	01-05-7640	\$ 25.90	1283251	3/09/2016 E
20160301	3/9/2016	TRAINING	01-05-7640	\$ 16.26	1283251	3/09/2016 E
20160301	3/9/2016	TRAINING	01-05-7640	\$ 17.88	1283251	3/09/2016 E
20160301	3/9/2016	TRAINING	01-05-7640	\$ 8.66	1283251	3/09/2016 E
20160301	3/9/2016	TRAINING	01-05-7640	\$ 8.66	1283251	3/09/2016 E
20160301	3/9/2016	TRAINING	01-05-7640	\$ 18.41	1283251	3/09/2016 E
20160301	3/9/2016	TRAINING	01-05-7640	\$ 19.50	1283251	3/09/2016 E
20160301	3/9/2016	TRAINING	01-05-7640	\$ 25.90	1283251	3/09/2016 E
20160301	3/9/2016	TRAINING	01-05-7640	\$ 9.13	1283251	3/09/2016 E
20160301	3/9/2016	TRAINING	01-05-7640	\$ 10.01	1283251	3/09/2016 E
20160301	3/9/2016	GASOLINE	01-05-6140	\$ 14.00	1283251	3/09/2016 E
20160301	3/9/2016	TRAINING	01-05-7640	\$ 25.90	1283251	3/09/2016 E
				-----		
		VISA 0043		\$ 419.34		
		VISA 0045				
160103	3/1/2016	SHAC POPCORN MACHINE REP	01-12-7670	\$ 110.02	1283191	3/09/2016 E
160103	3/1/2016	#109 CHAINSAW REPAIR	01-03-7670	\$ 59.03	1283191	3/09/2016 E
160103	3/1/2016	SHAC LIFT CHARGER	01-12-7670	\$ 170.20	1283191	3/09/2016 E
				-----		
		VISA 0045		\$ 339.25		

INVOICE NO	DATE	VENDOR/DESCRIPTION	GL ACCT #	AMOUNT	CK #	CK DATE
		VISA 0050				
160103	3/1/2016	TRUCK 419 REPAIRS	01-02-6150	\$ 23.88	1283198	3/09/2016 E
160103	3/1/2016	HAND TOOLS	01-17-6360	\$ 5.98	1283198	3/09/2016 E
160103	3/1/2016	JANITORIAL SUPPLIES	01-17-7610	\$ 12.36	1283198	3/09/2016 E
160103	3/1/2016	WATER	01-17-6090	\$ 6.99	1283198	3/09/2016 E
160103	3/1/2016	WATER	01-13-6090	\$ 6.99	1283198	3/09/2016 E
160103	3/1/2016	BUILDING MAINTENANCE	01-17-6160	\$ 6.75	1283198	3/09/2016 E
160103	3/1/2016	OFFICE SUPPLIES	01-17-6110	\$ 16.46	1283198	3/09/2016 E
160103	3/1/2016	WATER	01-17-6090	\$ 6.99	1283198	3/09/2016 E
160103	3/1/2016	ARGON FOR STREET DEPT	01-02-7670	\$ 86.98	1283198	3/09/2016 E
160103	3/1/2016	FUEL FILTER #201	01-02-6150	\$ 11.52	1283198	3/09/2016 E
160103	3/1/2016	JANITORIAL SUPPLIES	01-17-7610	\$ 14.97	1283198	3/09/2016 E
160103	3/1/2016	WATER	25-15-6090	\$ 13.98	1283198	3/09/2016 E
160103	3/1/2016	JANITORIAL SUPPLIES	25-15-6090	\$ 35.94	1283198	3/09/2016 E
160103	3/1/2016	BUILDING MAINTENANCE	01-17-6160	\$ 17.50	1283198	3/09/2016 E
160103	3/1/2016	SUPPLIES	01-02-6090	\$ 11.00	1283198	3/09/2016 E
160103	3/1/2016	JANITORIAL SUPPLIES	01-17-7610	\$ 12.36	1283198	3/09/2016 E
160103	3/1/2016	WATER	01-17-6090	\$ 13.98	1283198	3/09/2016 E
160103	3/1/2016	WATER	20-14-6090	\$ 6.99	1283198	3/09/2016 E
160103	3/1/2016	TRAILER REPAIR	01-02-7670	\$ 20.94	1283198	3/09/2016 E
160103	3/1/2016	WATER	25-15-6090	\$ 6.99	1283198	3/09/2016 E
160103	3/1/2016	WATER	01-17-6090	\$ 6.99	1283198	3/09/2016 E
160103	3/1/2016	AIR FILTER	01-02-6160	\$ 10.97	1283198	3/09/2016 E
				-----		
		VISA 0050		\$ 357.51		
		VISA 0068				
160103	3/1/2016	CONFINED SPACE VENTILATI	25-15-6370	\$ 282.99	1283194	3/09/2016 E
160103	3/1/2016	CONFINED SPACE VENTILATI	20-14-6370	\$ 282.98	1283194	3/09/2016 E
160103	3/1/2016	CONFINED SPACE VENTILATI	01-02-6370	\$ 282.98	1283194	3/09/2016 E
160103	3/1/2016	PIPE THREAD SEALANT	20-14-6320	\$ 4.79	1283194	3/09/2016 E
160103	3/1/2016	BACTERIOLOGICAL SAMPLES	20-14-6020	\$ 22.95	1283194	3/09/2016 E
160103	3/1/2016	THM/HAAS BOTTLES TO KDHE	20-14-6020	\$ 9.85	1283194	3/09/2016 E
160103	3/1/2016	CHART RECORDER PENS	25-15-6110	\$ 101.78	1283194	3/09/2016 E
160103	3/1/2016	#303 TIRE REPAIR	20-14-6150	\$ 23.51	1283194	3/09/2016 E
160103	3/1/2016	SERVICE 1" TRASH PUMP	20-14-7670	\$ 57.25	1283194	3/09/2016 E
160103	3/1/2016	SERVICE CLIPPER CUT OFF	20-14-7670	\$ 58.25	1283194	3/09/2016 E
160103	3/1/2016	GLASS FIBER FILTERS	25-15-6350	\$ 104.17	1283194	3/09/2016 E
160103	3/1/2016	AIR COMPRESSOR BELT-BELT	25-15-7670	\$ 53.24	1283194	3/09/2016 E
160103	3/1/2016	BACTERIOLOGICAL SAMPLES	20-14-6020	\$ 22.95	1283194	3/09/2016 E
160103	3/1/2016	APWA SUPERVISOR TRAINING	20-14-7640	\$ 125.00	1283194	3/09/2016 E
160103	3/1/2016	APWA SUPERVISOR TRAINING	25-15-7640	\$ 125.00	1283194	3/09/2016 E
160103	3/1/2016	OFFICE SUPPLIES	25-15-6110	\$ 1.30	1283194	3/09/2016 E
160103	3/1/2016	OFFICE SUPPLIES	20-14-6110	\$ 1.29	1283194	3/09/2016 E
				-----		
		VISA 0068		\$ 1,560.28		

INVOICE NO	DATE	VENDOR/DESCRIPTION	GL ACCT #	AMOUNT	CK #	CK DATE
		VISA 0076				
160103	3/1/2016	OFFICE SUPPLIES	01-13-6110	\$ 19.99	1283193	3/09/2016 E
160103	3/1/2016	OFFICE SUPPLIES	01-02-6110	\$ 16.48	1283193	3/09/2016 E
160103	3/1/2016	#201 EXHAUST REPAIR	01-02-6150	\$ 742.86	1283193	3/09/2016 E
160103	3/1/2016	MAILBOX POST AND RACHET	01-02-6090	\$ 43.84	1283193	3/09/2016 E
160103	3/1/2016	METAL RAILING FOR SALT D	01-02-6160	\$ 31.41	1283193	3/09/2016 E
160103	3/1/2016	EQUIPMENT MAINTENANCE	01-02-7670	\$ 136.50	1283193	3/09/2016 E
160103	3/1/2016	TAX	01-02-6090	\$ 11.60	1283193	3/09/2016 E
160103	3/1/2016	REFUND TAX	01-02-6090	\$ (11.60)	1283193	3/09/2016 E
160103	3/1/2016	SV300 BELLY PLATE REPAIR	01-02-7670	\$ 333.84	1283193	3/09/2016 E
				-----		
		VISA 0076		\$ 1,324.92		
		VISA 0084				
20160301	3/9/2016	VEHICLE MAINTENANCE	01-05-6150	\$ 72.47	1283249	3/09/2016 E
20160301	3/9/2016	GIFTS/DONATIONS	01-05-6040	\$ 32.99	1283249	3/09/2016 E
20160301	3/9/2016	GASOLINE	01-05-6140	\$ 18.75	1283249	3/09/2016 E
20160301	3/9/2016	GASOLINE	01-05-6140	\$ 6.00	1283249	3/09/2016 E
20160301	3/9/2016	POLICE MISCELLANEOUS	01-05-6090	\$ 6.49	1283249	3/09/2016 E
20160301	3/9/2016	VEHICLE MAINTENANCE	01-05-6150	\$ 13.80	1283249	3/09/2016 E
20160301	3/9/2016	EQUIPMENT MAINTENANCE	01-05-7670	\$ 114.79	1283249	3/09/2016 E
20160301	3/9/2016	VEHICLE MAINTENANCE	01-05-6150	\$ 3.98	1283249	3/09/2016 E
20160301	3/9/2016	HOSPITALITY	01-05-6091	\$ 28.87	1283249	3/09/2016 E
				-----		
		VISA 0084		\$ 298.14		
		VISA 0143				
160103	3/1/2016	LEGAL PUBLICATION	01-08-7120	\$ 150.00	1283209	3/09/2016 E
				-----		
		VISA 0143		\$ 150.00		
		VISA 0200				
160103	3/1/2016	VEHICLE MAINTENANCE	01-16-6150	\$ 5.00	1283190	3/09/2016 E
				-----		
		VISA 0200		\$ 5.00		
		WATCH GUARD				
7082	3/8/2016	POLICE MISCELLANEOUS	01-05-6090	\$ 218.00	77912	3/17/2016
				-----		
		WATCH GUARD		\$ 218.00		

INVOICE NO	DATE	VENDOR/DESCRIPTION	GL ACCT #	AMOUNT	CK #	CK DATE
		WESTAR ENERGY(GROUP BILL)				
3353160703	3/7/2016	ELECTRIC SERVICE GROUP BILL	01-02-7626	\$ 502.65	1283220	3/14/2016 E
3353160703	3/7/2016	ELECTRIC SERVICE GROUP BILL	01-03-7626	\$ 65.43	1283220	3/14/2016 E
3353160703	3/7/2016	ELECTRIC SERVICE GROUP BILL	01-09-7626	\$ 24.08	1283220	3/14/2016 E
3353160703	3/7/2016	ELECTRIC SERVICE GROUP BILL	01-12-7626	\$ 71.41	1283220	3/14/2016 E
3353160703	3/7/2016	ELECTRIC SERVICE GROUP BILL	01-17-7626	\$ 1,657.73	1283220	3/14/2016 E
3353160703	3/7/2016	ELECTRIC SERVICE GROUP BILL	20-14-7626	\$ 1,119.56	1283220	3/14/2016 E
3353160703	3/7/2016	ELECTRIC SERVICE GROUP BILL	25-15-7626	\$ 581.99	1283220	3/14/2016 E
3353160703	3/7/2016	ELECTRIC SERVICE GROUP BILL	01-05-7626	\$ 574.51	1283220	3/14/2016 E
				-----		
		WESTAR ENERGY(GROUP BILL)		\$ 4,597.36		
		WESTAR ENERGY(ST. LIGHTS)				
160703	3/7/2016	ELECTRIC SERVICE STREET LIGHTS	01-02-7626	\$ 3,949.13	1283221	3/14/2016 E
				-----		
		WESTAR ENERGY(ST. LIGHTS)		\$ 3,949.13		
		ZANE L. TODD, JR.-ATTY AT LEGAL SERVICES	01-06-7710	\$ 625.00	77913	3/17/2016
161503	3/15/2016			-----		
		ZANE L. TODD, JR.-ATTY A		\$ 625.00		
				-----		
		***** REPORT TOTAL *****		\$ 157,638.89		

# Proclamation

**Whereas**, Americans are the victims of more than 20 million crimes each year<sup>1</sup>, and crime can touch the lives of anyone regardless of age, national origin, race, creed, religion, gender, sexual orientation, immigration, or economic status;

**Whereas**, many victims face challenges in finding appropriate services, including victims with disabilities, young victims of color, Deaf and hard of hearing victims, LGBTQ victims, tribal victims, elder victims, victims with mental illness, immigrant victims, teen victims, victims with limited English proficiency, and others;

**Whereas**, too many communities feel disconnected from the justice and social response systems, and have lost trust in the ability of those systems to recognize them and respond to their needs;

**Whereas**, victims of repeat victimization who fail to receive supportive services are at greater risk for long-term consequences of crime;

**Whereas**, the victim services community has worked for decades to create an environment for victims that is safe, supportive and effective;

**Whereas**, intervening early with services that support and empower victims provides a pathway to recovery from crime and abuse;

**Whereas**, honoring the rights of victims, including the right to be heard and to be treated with fairness, dignity, and respect, and working to meet their needs rebuilds their trust in the criminal justice and social service systems;

**Whereas**, serving victims and rebuilding their trust restores hope to victims and survivors, as well as their communities;

**Whereas**, National Crime Victims' Rights Week, April 10-16, 2016, is an opportune time to commit to ensuring that all victims of crime—even those who are challenging to reach or serve—are offered culturally and linguistically accessible and appropriate services in the aftermath of crime; and

**Whereas**, the City of Spring Hill is hereby dedicated to serving victims, building trust, and restoring hope for justice and healing;

Now, therefore, I, Steven M. Ellis, as Mayor of Spring Hill, do hereby proclaim the week of April 10-16, 2016, as

## Crime Victims' Rights Week

And reaffirm this City's commitment to creating a victim service and criminal justice response that assists all victims of crime during Crime Victims' Rights Week and throughout the year; and to express our sincere gratitude and appreciation for those community members, victim service providers, and criminal justice professionals who are committed to improving our response to all victims of crime so that they may find relevant assistance, support, justice, and peace.

ATTEST:

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



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

\_\_\_\_\_  
Date

<sup>1</sup>Jennifer L. Truman and Lynn Langton, *Criminal Victimization, 2014*, (Washington, DC: Bureau of Justice Statistics, U.S. Department of Justice, 2015), 1, accessed November 6, 2015, <http://www.bjs.gov/content/pub/pdf/cv14.pdf>.

## AGENDA ITEM REVIEW SHEET

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TO: GOVERNING BODY  
SUBMITTED BY: NATALIE LAZENBY, HUMAN RESOURCES SPECIALIST/RISK MANAGER  
MEETING DATE: MARCH 24, 2016  
DATE: MARCH 15, 2016

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### Consent Item

**Issue:** Annual Property & Casualty Insurance Policy with The Reilly Company

**Background:** The Reilly Company continues to provide the City of Spring Hill with a cost-effective Property & Casualty Insurance Policy.

**Summary of Changes in Coverage from 2015 to 2016 are as follows:**

- (1) Property values increased 7% over last year's values due to modifying replacement cost values of existing buildings, adding 5 generators, and adding 2 buildings to the insurance that were not shown last year. Each property also is insured with a 120% margin clause to allow for upward swings in costs if needed. However, property rates did not increase at all.
- (2) Inland Marine - Scheduled Equipment values (Public Works, Streets, Water, and Wastewater) rose 15% from last year. However, rates for these coverages decreased slightly.
- (3) General Liability and Excess Liability premiums increased due to a 13% increase in expenditures from last year. However, rates for these coverages decreased slightly.
- (4) Law Enforcement Liability premiums increased due to an increase in the number of Law Enforcement Officers from last year of 10 to 12.
- (5) Auto premiums decreased even though there were three new vehicles added and 3 trailers added last year. This was because the rates were reduced slightly.
- (6) Pollution Liability Coverage was added this year to address the pollution exposures of the Wastewater Treatment Plant. This coverage is provided by a specialty insurer that has experience in writing this line of coverage.

**Analysis:** Mr. Kevin O'Brien will provide an analysis of the coverage that is needed.

**Alternatives:** Return to staff for further consideration

**Legal Review:** n/a

**Recommendation:** To approve The Reilly Company Property, Casualty and Pollution Insurance for the term dates of April 1, 2016 to April 1, 2017.

**Attachments:** Insurance Summary & Comparison



## **INSURANCE SUMMARY & COMPARISON**

TERM DATES: April 1, 2016 to April 1, 2017

**Presented: March 24, 2016**

**By: Kevin O'Brien, CPCU**

**The Reilly Company  
11225 College Boulevard, Suite 210  
Overland Park, KS 66210**

# CITY OF SPRING HILL, KANSAS

## INSURANCE PROGRAM SUMMARY

### Overview of the Public Entity Insurance Marketplace for 2016:

The insurance marketplace in 2016 is as stable as it has been in the past several years. Insurance companies have benefited from the lack of any significant property catastrophe claims in the past few years and this has helped them generate some amount of underwriting profit.

This underwriting profit has taken the pressure off increasing property rates, but the concern is that the continued low interest rate environment could push insurance rates up again if claims experience rises. Insurance companies are highly regulated, and therefore unable for the most part, to invest in equities to help offset underwriting losses. As a result, public entities with poor loss experience are seeing rate increases and changing terms and conditions as their insurance program renews this year.

Two of the more common and widely used property insurance conditions we've seen emerge in the past two years are:

- 1) Significantly higher wind and hail deductibles, some mandated as percentage deductibles of 1% to 5% of total property values, and
- 2) Cosmetic Damage Endorsements that restrict the payment of hail losses to claims for hail damage only where the functionality of the roof or siding is compromised. Otherwise, no payment is made, regardless of the cosmetic damage/poor appearance of the structure.

Fortunately, and due to continued excellent claims history, neither of these two conditions will impact the City's insurance program proposed for 2016, though the deductible for wind and hail losses remains like last year at \$10,000.

The pages that follow summarize the differences in coverage, limits, and premiums from 2015 to 2016 with One Beacon Government Risk Insurance Program

### Summary of Changes in Coverage from 2015 to 2016:

- (1) Property values increased 7% over last year's values due to modifying replacement cost values of existing buildings, adding 5 generators, and adding 2 buildings to the insurance that were not shown last year. Each property also is insured with a 120% margin clause to allow for upward swings in costs if needed. However, property rates did not increase at all.
- (2) Inland Marine - Scheduled Equipment values (Public Works, Streets, Water, Wastewater) rose 15% from last year. However, rates for these coverages decreased slightly.
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- (6) Pollution Liability Coverage was added this year to address the pollution exposures of the Wastewater Treatment Plant. This coverage is provided by a specialty insurer that has experience in writing this line of coverage.

**PRESENTED BY:** Kevin O'Brien, CPCU  
The Reilly Company  
11225 College Boulevard  
Overland Park, KS 66213

# CITY OF SPRING HILL, KANSAS

## EXPOSURE AND PREMIUM COMPARISON

<u>Item of Coverage</u>		<u>2015</u>		<u>2016</u>		
		Renewal		Renewal		
		One Beacon		One Beacon		
<b>Property</b>	Blanket Building & Personal Property Values - RC	\$	17,204,510		\$18,508,170	
	Specific Building Values - ACV		\$744,874		\$642,874	
	Computer Equipment Coverage		\$123,312		\$131,181	
	Total Property Values Insured		\$18,072,696		\$19,282,225	
	Business Interruption & Extra Expense		\$500,000		\$500,000	
	Data Breach Coverage	\$	25,000	\$	25,000	
	Property Deductible	\$	5,000	\$	5,000	
	Wind-Hail Deductible	\$	10,000	\$	10,000	
	<i>RC=Replacement Cost / ACV=Depreciated Value</i>					
	<b>Property Premium</b>		<b>\$</b>	<b>26,128.00</b>	<b>\$</b>	<b>28,121.00</b>
<b>Crime</b>		One Beacon		One Beacon		
	Employee Dishonesty (Excluding Treasurer)	\$	100,000	\$	100,000	
	Forgery & Alteration	\$	50,000	\$	50,000	
	Money & Securities (Inside)	\$	25,000	\$	25,000	
	Money & Securities (Outside)	\$	25,000	\$	25,000	
	Money Orders and Counterfeit Paper Currency	\$	100,000	\$	100,000	
	Computer Fraud	\$	100,000	\$	100,000	
	Deductible	\$	1,000	\$	1,000	
	<b>Crime Premium</b>		<b>Incl In Property</b>		<b>Incl In Property</b>	
	<b>Inland Marine</b>		One Beacon		One Beacon	
Contractor's Equipment - Unscheduled (ACV) - Misc Equipment < \$2,000 any one item		\$	50,000	\$	50,000	
Contractor's Equipment - Scheduled (ACV)		\$	448,364	\$	563,826	
Leased/Rented Equipment (ACV)		\$	75,000	\$	75,000	
Data Breach Coverage			\$25,000/\$100,000		\$25,000/\$100,000	
Emergency Equipment - Police (ACV)		\$	174,229	\$	174,229	
Total Equipment Values		\$	747,593	\$	863,055	
Inland Marine Deductible		\$	1,000	\$	1,000	
<i>ACV = Actual Cash Value = Market Value</i>						
<b>Inland Marine Premium</b>		<b>\$</b>	<b>3,356.00</b>	<b>\$</b>	<b>3,692.00</b>	
<b>General Liability (Occurrence Form)</b>		One Beacon		One Beacon		
	Limit of General Liability - Each Occurrence	\$	1,000,000	\$	1,000,000	
	Annual Aggregate Limit	\$	1,000,000	\$	1,000,000	
	Employee Benefits Legal Liability *	\$	1,000,000	\$	1,000,000	
	Sexual Abuse Coverage	\$	1,000,000	\$	1,000,000	
	Failure to Supply	\$	1,000,000	\$	1,000,000	
	Cemetery		Included		Included	
	Dam		Included		Included	
	General Liability Deductible per claim		*None		*None	
	Sewer Backup (resulting from negligence) *	\$	1,000,000	\$	1,000,000	
* Except \$1,000 ded for Sewer Backup and Employee Benefits Liability						
<b>General Liability Premium</b>		<b>\$</b>	<b>13,717.00</b>	<b>\$</b>	<b>15,149.00</b>	
<b>Law Enforcement Liability</b>		One Beacon		One Beacon		
	Law Enforcement Liability - each claim	\$	1,000,000	\$	1,000,000	
	Annual Aggregate Limit	\$	1,000,000	\$	1,000,000	
	Law Enforcement Deductible	\$	5,000	\$	5,000	
	<b>Law Enforcement Premium</b>		<b>\$</b>	<b>4,731.00</b>	<b>\$</b>	<b>5,423.00</b>

**CITY OF SPRING HILL, KANSAS**  
**EXPOSURE AND PREMIUM COMPARISON**

<u>Item of Coverage</u>	<u>2015</u>		<u>2016</u>	
	Renewal		Renewal	
	One Beacon		One Beacon	
<b>Public Official Errors &amp; Omissions Liability</b>				
Limit of Liability - Each Claim	\$	1,000,000	\$	1,000,000
Annual Aggregate Limit	\$	1,000,000	\$	1,000,000
Public Official Liability Deductible	\$	5,000	\$	5,000
<b>Public Official Liability Premium</b>		<b>\$5,668.00</b>		<b>\$5,872.00</b>
<b>Employment Practices Liability</b>				
	One Beacon		One Beacon	
Limit of Liability - Each Claim	\$	1,000,000	\$	1,000,000
Annual Aggregate Limit	\$	1,000,000	\$	1,000,000
Employment Practices Liability Deductible	\$	5,000	\$	5,000
<b>Employment Practices Premium</b>		<b>Incl in P.O.L. above</b>		<b>Incl in P.O.L. above</b>
<b>Business Automobile</b>				
	One Beacon		One Beacon	
Limit of Liability - Each Occurrence		\$1,000,000		\$1,000,000
Uninsured/Underinsured Motorist		\$1,000,000		\$1,000,000
Comprehensive Deductible		\$1,000		\$1,000
Collision Deductible (ACV)		\$1,000		\$1,000
Number of Vehicles Insured/Trailers		33 Power Units / 5 trlrs		36 Power Units / 8 trlrs
<b>Auto Premium</b>	<b>\$</b>	<b>21,691.00</b>	<b>\$</b>	<b>21,338.00</b>
<b>Excess Liability</b>				
	One Beacon		One Beacon	
Limit of General Liability - Each Occurrence	\$	3,000,000	\$	3,000,000
Annual Aggregate Limit	\$	3,000,000	\$	3,000,000
<b>Excess Over:</b> General Liability		<b>YES</b>		<b>YES</b>
Auto Liability		<b>YES</b>		<b>YES</b>
Employment Practices Liability		<b>YES</b>		<b>YES</b>
Public Official Liability		<b>YES</b>		<b>YES</b>
Law Enforcement Liability		<b>YES</b>		<b>YES</b>
Self Insured Retention	\$	10,000	\$	10,000
<b>Excess Liability Premium</b>	<b>\$</b>	<b>10,609.00</b>	<b>\$</b>	<b>11,724.00</b>
<b>Identity Theft for Employees</b>				
	4-1-12 to 4-1-15 Travelers		4-1-15 to 4-1-18 Travelers	
Limit of Liability - Each Claim	\$	10,000	\$	10,000
Annual Aggregate Limit	\$	10,000	\$	10,000
Identity Theft Deductible		Nil		Nil
<b>Identity Theft Premium</b>	<b>\$</b>	<b>213.00</b>	<b>\$</b>	<b>213.00</b>
<b>One Beacon Premium</b>	<b>\$</b>	<b>86,113.00</b>	<b>\$</b>	<b>91,532.00</b>

**CITY OF SPRING HILL, KANSAS**  
**EXPOSURE AND PREMIUM COMPARISON**

<u>Item of Coverage</u>	<u>2015</u>		<u>2016</u>	
	Renewal		Renewal	
<b>Pollution Liability - WWTP - NEW COVERAGE</b>	N/A		Colony Specialty	
Cleanup/Remediation Limit-per incident	\$	-	\$	1,000,000
Third Party Liability Limit-per incident	\$	-	\$	1,000,000
Non-Owned Disposal Site Liability-per incident	\$	-	\$	1,000,000
Annual Aggregate Limit	\$	-	\$	1,000,000
Pollution Deductible-per incident	\$	5,000	\$	5,000
<b>Pollution Liability Premium</b>		<b>\$0.00</b>		<b>\$6,745.84</b>
<b>Total Premium</b>	<b>\$</b>	<b>86,113.00</b>	<b>\$</b>	<b>98,277.84</b>

**Notes:**

- (1) Property values increased 7% over 2015 values
- (2) Equipment values increased by 15% overall from 2015 with additions/deletions
- (3) General Liability and Excess Liability increase is due to 13% increase in expenditures per 2016 budget
- (4) Vehicle changes involved adding three new vehicles and three trailers in 2015
- (5) Excess Liability Policy does not extend above Sexual Abuse Coverage, Failure to Supply Coverage, Pollution Coverage, or Uninsured Motorist/Underinsured Motorist Coverage, and Dam Collapse
- (6) Pollution Liability Coverage is added in 2016 to address the WWTP pollution liability exposure.

## City of Spring Hill, KS Property Listing 2016-17

Item	Address	Bldg Value	Pers Prop Value	Bldg * RC / ACV
Community Building	613 South Race St, Spring Hill, KS 66083	\$404,036	\$26,000	RC
Water Tower at AFG	AFG Industries, Spring Hill, KS 66083	\$1,600,000	\$0	RC
Sewer Lift Stations	Various Locations, Spring Hill, KS 66083	\$1,316,300	\$0	RC
Pad Mounted Generators	Various Locations, Spring Hill, KS 66083	\$1,219,840	\$0	RC
Public Works Building	502 East Nichols, Spring Hill, KS 66083	\$516,424	\$72,800	RC
Public Works Building Addition	502 East Nichols, Spring Hill, KS 66083	incl	\$0	RC
Water Plant Building (Parks)	Clubhouse Drive, Spring Hill, KS 66083	\$250,000	\$50,000	RC
Swimming Pool Building	900 Washington, Spring Hill, KS 66083	\$51,500	\$0	RC
Swimming Pool Pump Building	900 Washington, Spring Hill, KS 66083	\$36,050	\$0	RC
Swimming Pool incl Piping & Equip	900 Washington, Spring Hill, KS 66083	\$75,000	\$0	RC
WWTP-Belt Filter Press Building	22711 Woodland, Spring Hill, KS 66083	\$175,000	\$200,000	RC
WWTP-Digester Blower Building	22711 Woodland, Spring Hill, KS 66083	\$25,000	\$0	RC
WWTP-Sledge Pump Building	22711 Woodland, Spring Hill, KS 66083	\$85,000	\$55,000	RC
WWTP-Lab Building	22711 Woodland, Spring Hill, KS 66083	\$150,000	\$50,000	RC
WWTP-Office Building	22711 Woodland, Spring Hill, KS 66083	\$200,000	\$50,000	RC
WWTP-Head-Works Building	22711 Woodland, Spring Hill, KS 66083	\$4,500,000	\$25,000	RC
Hillsdale Res Water Pumps	Hillsdale Reservoir, Spring Hill, KS 66083	\$10,000	\$17,000	RC
Police Firing Range Storage Trailer	215th Street, Spring Hill, KS 66083	\$5,150	\$2,000	ACV
Ball Field Concession Stand	309 West North, Spring Hill, KS 66083	\$82,400	\$0	RC
Ball Field Storage Shed - Lower	309 West North, Spring Hill, KS 66083	\$7,500	\$4,000	ACV
Ball Field Bleachers (9)	309 West North, Spring Hill, KS 66083	\$0	\$0	ACV
Ball Field Metal Fences	309 West North, Spring Hill, KS 66083	\$70,000	\$0	ACV
Ball Field Light Poles/Lights	309 West North, Spring Hill, KS 66083	\$80,340	\$0	ACV
5 Poles w/Weather Alert Devices	Various Locations, Spring Hill, KS 66083	\$139,782	\$0	ACV
Ball Field Storage Shed - Upper Gazebo	309 West North, Spring Hill, KS 66083	\$25,000	\$20,000	RC
Park / Playground Equipment	103 S. Washington, Spring Hill, KS 66083	\$40,000	\$0	ACV
Traffic / School Crossing Lights	Various Park Locations, Spring Hill, KS 66083	\$240,102	\$0	ACV
Aquatic Center	Various City Locations, Spring Hill, KS 66083	\$60,000	\$0	ACV
Civic Center	20900 Sycamore, Spring Hill, KS 66093	\$2,600,000	\$50,000	RC
New Police Dept	401 North Madison, Spring Hill, KS 66083	\$3,589,820	\$25,000	RC
	418 East Nichols, Spring Hill, KS 66083	\$900,000	\$50,000	RC

**Total Values Insured (without computer equipment)**

**\$18,454,244      \$696,800**

Total Blanket Building Limit at Replacement Cost and 120% Margin \*\*

\$17,811,370

Total Blanket Contents Limit at Replacement Cost and 120% Margin

\$696,800

Total of Specifically Insured Buildings at Actual Cash Value with 90% Coinsurance

\$642,874

\* RC = Replacement Cost and ACV = Actual Cash Value (which is Depreciated Value)

\*\* Old structures and property in the open no longer qualify for blanket coverage and replacement cost

**Added in past year**

**Revised in past year**

## Spring Hill Vehicle List 2016-17

<u>Dept</u>	<u>Year</u>	<u>Make</u>	<u>Model</u>	<u>Body Type</u>	<u>VIN</u>	<u>Cost New</u>
Parks	1996	Ford	F350 Dump Dually	Truck	1FDLF47F0VEA27671	\$35,000
Parks	2005	Neal	23A18' Landscape Tr	Trailer	4A0AA202851000192	\$3,225
Parks	2005	Ford	F350 Super Duty Dua	Pickup truck	1FDWF37P45EC88284	\$24,227
PS	2001	Ford	Taurus	Priv Passenger rated,	1FAFP55U81G205790	\$20,000
PS	2005	Ford	Taurus	Priv Passenger rated,	1FAFP53U55A289773	\$20,000
PS	2005	Ford	F150	Pickup truck	1FTRX14W15NB40317	\$30,000
PS	2005	Ford	Crown Vic	Priv Passenger rated,	2FAHP71W76X155279	\$25,000
PS	2005	Ford	Crown Vic	Priv Passenger rated,	2FAHP71W45X150413	\$25,000
PS	2006	Dodge	Charger	Priv Passenger rated,	2B3KA43H66H504914	\$32,000
PS	2008	Ford	Crown Vic	Priv Passenger rated,	2FAFP71V98X151415	\$26,000
PS	2008	Dodge	Charger	Priv Passenger rated,	2B3KA43H28H134211	\$32,000
PS	2011	Jeep	Liberty	Priv Passenger rated,	1J4PN2GK5BW562554	\$35,000
PS	2013	Chevrolet	Tahoe 2WD w/PPD p	Priv Passenger rated,	1GNLC2E01DR206400	\$35,000
PS	2013	Chevrolet	Tahoe 2WD w/PPD p	Priv Passenger rated,	1GNLC2E03DR209377	\$35,000
PS	2015	Ford	Explorer	SUV	1FM5K8AR0FGA46094	
PS	2016	Ford	Explorer	SUV	1FM5K8AR7GGA72225	\$39,865
PS	2016	Ford	Explorer	SUV	1FM5K8AR5GGA72224	\$39,865
PW	1992	Goldstar	5' x 10' Trailer	Trailer	1GPFS1623NT086516	\$500
PW	1997	Nissan	King Cab XE/SE	Pickup truck	1N6SD16S3VC423833	\$20,000
PW	1998	Dodge	Ram 1500 1/2 ton	Pickup truck	1B7HC16Y5WS704690	\$10,000
PW	1998	Redi Haul	FSL12HE Uniloader T	Trailer	47SS122TOW1013376	\$5,000
PW	2002	International	4700 2 1/2 ton	Truck	1HTSCABM72H526218	\$27,000
PW	2003	Dodge	Ram 1500 1/2 ton	Pickup truck	1D7HU18N43J630976	\$11,000
PW	2004	Ford	F350 Super Duty	Pickup truck	1FDWF37P84ED36836	\$24,000
PW	2005	Neal Flatbed	20' Tandem Trailer	Trailer	4A0BA252751000200	\$7,000
PW	2007	International	4300 Dump	Truck	1HTMMAAM87H457344	\$80,539
PW	2013	International	4300M7 SBA 4X2	Truck	1HTHTSKM8DJ431664	\$64,104
PW	2015	International	7300 SFA 4x2	Truck-Tractor	1HTWAAAR1FH719572	
PW	2015	Redi Haul	Skid Loader	Trailer	47SS182T2F1027640	\$6,735
PW-Str	2014	Ford	F350 4x4	truck	1FTBF3B6XEED41405	\$39,547
PW-Str	2014	Ford	F350 4x4	truck	1FTBF3B6XEED41406	\$39,547
PW-Str	2013	Keizer-Morris	Asphalt Recycling	Trailer	1K9BU0913DN246159	\$29,836
PZ	2005	Ford	Escape	SUV (Planning)	1FMYU931X5KD98633	\$15,000
PZ	2008	Ford	Escape	SUV(planning)	1FMCU93168KE59474	\$18,000
Water	1992	Gold Star	16x7 2 Axle Flatbed	Trailer	TBD	\$650
Water	2001	Dodge	Ram 2500 3/4 ton	Pickup truck	3B7KF26Z21M564790	\$20,900
Water	2002	Ford	F250 Super Duty	Pickup truck	1FDNX20L72EC86728	\$20,000
Water	1996	Ford (jetter truck)	LN8000 w/sewer clea	Truck	1FDYR82E0TVA30425	\$105,000
Water	2001	Chevrolet	Silverado 1500 1/2 ton	Pickup truck	1GCEK14V71Z296255	\$18,200
Water	2001	Ford	Ranger	Pickup truck	1FTYR10C11PA41576	\$10,900
	2006	Ford	E450 Econoline	Diamond Cutaway	1FDXE45P16HB29786	\$27,960
	2006	Ford	E450 Econoline	Diamond Cutaway	1FDXE45P36HB29790	\$27,960
	2015	Carry-On	8.5 ftx 16 ft Enclosed	Trailer	4YMCL1625FM008015	\$5,022
	2016	Ford	F350	Pickup truck	1FDBF3F68GEA66311	\$30,332

### 6 Units Added in 2015

All vehicles are covered for liability and physical damage (subject to \$1,000 deductible per accident)  
 Items in Green above are covered for Liability only - no physical damage coverage applies

## POLLUTION LIABILITY: SPRING HILL WASTEWATER TREATMENT PLANT COVERAGE

Named Insured: City of Spring Hill, Kansas  
 Company Name: Colony Specialty (rated **A** by A.M. Best)  
 Policy Term: April 1, 2016 to April 1, 2017

Coverage: Claims-Made Form  
 Retroactive Date: 4/1/2016 – Policy Inception  
 Location: SHWWTP; 22711 Woodland, Spring Hill, KS 66083

<u>Limits</u>	<u>Coverage Description</u>
\$ 1,000,000	Cleanup / Remediation Coverage for New <b>Pollution Condition</b> (not pre-existing) that migrates from the SH WWTP premises
\$ 1,000,000	Third Party Liability Coverage for New <b>Pollution Condition</b> (not pre-existing) that migrates from the SH WWTP premises
\$ 1,000,000	Non-Owned Disposal Site Liability for New <b>Pollution Condition</b> (not pre-existing) that migrates from a non-owned disposal site
\$ 1,000,000	Total Policy Aggregate Limit for all Pollution Incidents
\$ 10,000	Deductible per Pollution Incident

Limits above apply as an Each Pollution Condition Limit subject to the Policy Aggregate Limit. Defense costs are included within the limits above and reduce the limit of liability available.

**Pollution Condition** means the discharge, dispersal, release, or escape of any solid, liquid, gaseous or thermal irritant, contaminant or pollutant, including smoke, vapor, soot, fumes, acids, alkalis, toxic or hazardous substances, electromagnetic fields, chemicals, waste, and microbial matter, into or upon land or any structure on land, the atmosphere, or any watercourse or body of water, including groundwater, in concentrations or at levels in excess of those naturally present in the environment.

Note: Policy excludes cleanup coverage for a **Pollution Condition** within the boundaries of the WWTP premises. Policy also excludes claims arising out of any odor migrating from the WWTP. This coverage is intended to address claims associated with off premises bodily injury, property damage, and cleanup/remediation costs resulting from a **Pollution Condition** migrating from the SH WWTP premises or from a non-owned disposal site. Claim includes suits and government or regulatory actions filed against the City.

Condition: 25% Minimum Earned Premium in the event of cancellation mid-term

*This page is designed to provide an overview of the Pollution Insurance coverages we are recommending for the City. It is intended only as a general summary and should not be construed as a legal interpretation of the insurance policy. Please refer to the specific insurance contract for details on coverages, conditions and exclusions.*

## AGENDA ITEM REVIEW SHEET

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TO: GOVERNING BODY  
SUBMITTED BY: JIM HENDERSHOT, COMMUNITY DEVELOPMENT DIRECTOR  
MEETING DATE: MARCH 24, 2016  
DATE: MARCH 15, 2016

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**Consent Agenda:** Site Plan SP-01-16, Mid-Am Building Supply

**Issue:** Approval of site development plan for Mid-Am Building Supply, 20301 W. 207<sup>th</sup> Street.

**Background:** The applicant, Mid-Am Building Supply, has submitted a request for approval of a site development plan at 20301 W 207<sup>th</sup> St. The project consists of a stormwater detention basin with connecting piping, private access road, graveled outside storage area, fencing, lighting and landscaping.

As business for Mid-Am Building Supply expands so does the need for additional storage area for merchandise. This increased area creates the need for stormwater management not only for the storage area but also for possible future building expansions. This development plan provides remedies for immediate business needs as well as possible future expansions.

**Analysis:** The Spring Hill Planning Commission conducted the review of this application at their regular meeting on March 3, 2016 (see attached minutes). The site plan and staff report included with this packet were presented to the Planning Commission with no comment received by the public. Discussion on the traffic patterns created by this development was the dominant topic of discussion. The staff report indicates the private road providing access to Webster Street would become the primary entrance/exit for trucks at the facility. Questions from the Planning Commission resulted in clarification from the plant representatives that the majority of trucks would continue to use the 207<sup>th</sup> Street entrance and the private road would be a secondary point of access. Representatives from the company also stressed the vast majority of trucks entering and leaving the facility do so in the early morning hours, before 6:00a.m., to meet their daily schedules.

After further discussion the Planning Commission voted unanimously to recommend approval of the site development plan as presented.

**Alternatives:** Alternatives include approval, denial, continuation, or returning the application to the Planning Commission for further review.

**Legal Review:** n/a

**Funding Review or Budgetary Impact:** n/a

**Recommendation:** The Planning Commission and staff recommend approval of site plan SP-01-16 including the issuance of permits for Mid-Am Building Supply located at 20301 W. 207<sup>th</sup> Street.

## AGENDA ITEM REVIEW SHEET

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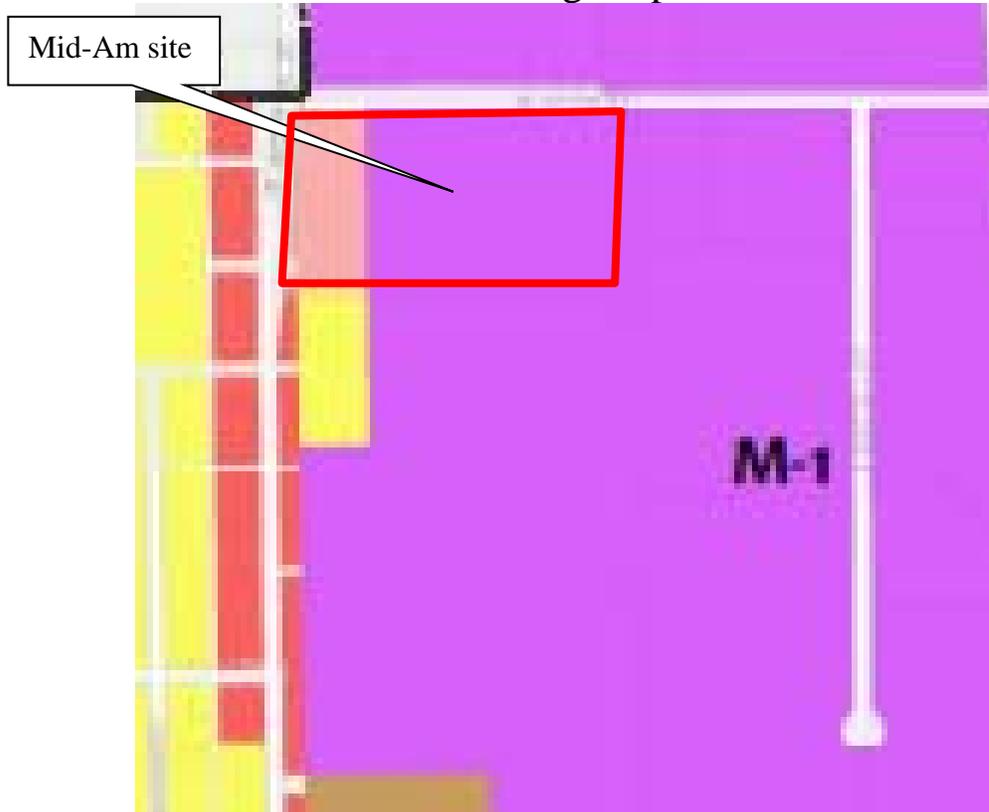
**Attachments:** Staff report  
PC minutes of 12/3/15  
Site plan



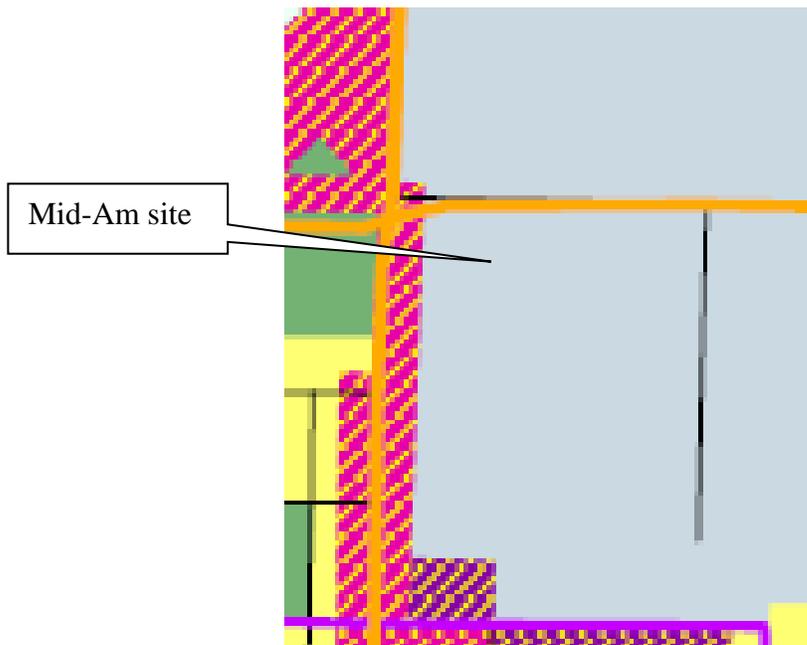
Aerial Photo



Zoning Map



## Future Land Use Map



**BACKGROUND:** The applicant, Mid-Am Building Supply, has submitted a request for approval of a site development plan at 20301 W 207<sup>th</sup> St. The project consists of a stormwater detention basin with connecting piping, private access road, gravel outside storage area, fencing, lighting and landscaping.

As business for Mid-Am Building Supply expands so does the need for additional storage area for merchandise. This increased area creates the need for stormwater management not only for the storage area but also for possible future building expansions. This development plan provides remedies for immediate business needs as well as possible future expansions.

### **STAFF REVIEW:**

Staff has reviewed the site plan under the requirements of Section 17.340 of the Spring Hill Zoning Ordinance as follows:

- All lot lines and right-of-ways are identified
- All proposed structures with applicable data are identified
- All parking and traffic areas have been identified and the type of surface and base course identified
- Utilities are available, identified, and in compliance with regulations
- Exterior lighting on the proposed structure is compliant with regulations as per the lighting diagram and will not negatively affect surrounding properties or traffic. Manufacturer information on the fixtures is included with this staff report.
- Consultants, utility providers, and city staff have reviewed the site plan and provided comments. These comments and recommendations have been implemented into the site plan as applicable. In particular, the Traffic Impact Study was reviewed by BHC Rhodes, traffic consultant for the City of Spring Hill, and the stormwater study was reviewed by Olsson & Associates who has

- performed several reviews for the City over the past years. Copies of the traffic and stormwater studies are included with this staff report.
- New storage areas will be enclosed with chain-link fence to match the existing fence. A gate will be installed on the east end of the private access road for security.

### STANDARDS OF REVIEW

In addition to the above noted items the site plan has been reviewed for compliance with the following standards:

1. *The extent to which the proposal conforms to the provisions of the Code.*  
The proposed use is in compliance with the Spring Hill Zoning Code.
2. *The extent to which the proposal conforms to the provisions of the Spring Hill Subdivision Regulations.*  
The site is in compliance with the Spring Hill Subdivision Regulations.
3. *The extent to which the development would be compatible with the surrounding area.*  
The project is compatible with the surrounding area which is industrial in use.
4. *The extent to which the proposal conforms to the recommendations of the Spring Hill Comprehensive Plan including but not limited to the Vision Plan, the Community Development Recommendations, and the Planning and Principles and Design Guidelines.*  
The proposal is in conformance with the recommendations of the Comprehensive Plan including the Future Land Use map that identifies this area as industrial.
5. *The extent to which the proposal conforms to customary engineering standards used in the City.*  
The overall project has been designed by recognized and licensed architects and engineers.
6. *The extent to which the location of streets, paths, walkways, and driveways are located so as to enhance safety and minimize any adverse traffic impact on the surrounding area. (Refer to photo below)*  
As shown on the project plans and photo below the project includes a private road intersecting with Webster Street. As noted in the traffic study, this road is planned to be the primary entry/exit point for trucks utilizing the facility. Current truck counts are approximately 27 per day with an anticipated additional 8-10 trucks at full buildout of the facility. Peak hours for traffic in the vicinity of Mid-Am occurs between 7:00-8:00am and 5:00-6:00pm, however, truck traffic to the facility is predominately between these peak traffic hours. Utilizing the Webster St. private road will serve to decrease truck traffic on 207<sup>th</sup>. Conversations with JOCO Fire District #2 personnel revealed an occasional stacking of trucks on 207<sup>th</sup> that would block the drive entrance to the fire department. Decreasing truck traffic on 207<sup>th</sup> will help to reduce the opportunities for this stacking issue. In addition, as noted in the traffic report, the current lane configuration of Webster Street provides for a center turn lane that will serve to reduce any traffic stacking due to trucks entering Mid-Am from Webster Street. The vast majority of trucks to Mid-Am arrive from the north therefore a northbound right hand turn lane on Webster is not warranted.



**ADDITIONAL REVIEW CRITERIA:**

*Site Drainage and Stormwater Review:* A stormwater study was provided with the application and was reviewed by Olsson and Associates. Comments from this review were forwarded to the design team and changes were implemented into the design as applicable. Excerpts from the stormwater study including the summary and recommendations are included with this staff report. The full study is on file at City Hall.

*Landscaping and Buffering:* Buffering is not required with this development as the adjoining properties are either vacant or industrial in zoning and/or use. The required landscaping around the detention basin along with street trees on 207<sup>th</sup> Street are detailed in the enclosed plans. This project does require the removal of several existing trees on the site, however, trees along Webster Street will remain and are accounted for in the landscaping requirements.

**Planning Commission Review and Action:** Upon review of the site plan application the Planning Commission may by a majority vote of those members present:

- Recommend approval of the application to the Governing Body, or
- Recommend denial of the application to the Governing Body and notify the applicant of such action, or
- Table action on the application to a specific date and notify the applicant of such action

**RECOMMENDATION:**

It is the recommendation of staff that the Planning Commission recommend approval of site plan SP-01-16 for the Mid-Am Building Supply Site Development Plan.

*Suggested Motion: Motion to recommend approval of site plan application SP-01-16 for Mid-Am Building Supply as presented by staff.*

Attachments:      Site Development Plan  
                         Traffic Impact Study  
                         BHC Rhodes email on traffic study review  
                         Stormwater Study (Pages 1-9)  
                         Lighting diagrams and product information  
                         GBA letter in response to Olsson & Assoc. comments  
                         GBA letter in response to Ponzer Youngquist comments

THE FOLLOWING MINUTES ARE SUBJECT TO MODIFICATION  
AND ARE NOT OFFICIAL MINUTES  
UNTIL APPROVED BY THE SPRING HILL PLANNING COMMISSION

**City of Spring Hill, Kansas  
Minutes of Planning Commission Regular Session  
March 3, 2016**

A Regular Session of the Planning Commission was held in the Spring Hill Civic Center, 401 N. Madison, Room 15, Spring Hill, Kansas on March 3, 2016. The meeting convened at 7:03 p.m. with Vice Chairman Michael Weber presiding, and Christie Campbell, Planning Secretary recording.

Commissioners in attendance: Troy Mitchell – arrived at 7:43 p.m.  
Josh Nowlin  
Paul Ray  
Cindy Squire  
Tyler Vaughan  
Michael Weber

Commissioners absent: Tobi Bitner  
Janell Pollom  
Stephen Sly

Staff in attendance: Jim Hendershot, Community Development Director  
Christie Campbell, Planning Secretary

Public in attendance: Mr. Harland Russell, GBA, Representative for Mid Am  
Mr. Dave Mennenga, GBA, Representative for Mid Am  
Mr. Jim Stewart, Mid Am Operations Manager

**ROLL CALL**

The secretary called the roll of the Planning Commissioners. With a quorum present, the meeting commenced.

**APPROVAL OF THE AGENDA**

The agenda was revised to correct the subdivision name in item #3 from Ridgeview to Ridgefield.

**Motion by Ms. Squire**, seconded by Mr. Nowlin, to approve the agenda as revised.

**Roll Call Vote:** Ray-Aye, Nowlin-Aye, Weber-Aye, Vaughan-Aye, Squire-Aye

**Motion carried 5-0-0**

**FORMAL ACTION**

**1. Site Plan (SP-01-16) – Mid Am Building Supply Site Improvements**

*Beginning of Staff Report*

*End of Staff Report*

Mr. Hendershot, Community Development Director, presented the staff report to the Planning Commission. The applicant, Mid Am Building Supply, has submitted a request for approval of a site development plan at 20301 W 207<sup>th</sup> St. The project consists of a stormwater detention basin with connecting piping, private access road, gravel outside storage area, fencing, lighting and landscaping.

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As business for Mid-Am Building Supply expands, so does the need for additional storage area for merchandise. This increased area creates the need for stormwater management not only for the storage area but also for possible future building expansions. This development plan provides remedies for immediate business needs as well as possible future expansions.

Mr. Hendershot stated that one of the concerns that he noted in early discussions of this project was the existing condition of Webster St. and what additional truck traffic would do to the actual surface of the road. He indicated that it is very difficult to predict, and referenced that they absolutely do not want to create another issue similar to Lincoln St. in the industrial park. In conversations with GBA, the architecture/engineering firm representing Mid Am, along with John Brann, the City's engineer, and BHC Rhodes it was determined that the road surface on Webster St. in the vicinity of Mid Am is more than adequate to handle the actual load of traffic and would not cause deterioration to the road at any more rapid pace. The road surface is in very good condition right now, along with the existing turn lane to allow northbound and southbound traffic to pass if truck traffic is present.

Commissioner Vaughan asked for clarification on what the stormwater storage (detention basin) would look like on the site. His main concern is that the location of this property is the main way into the city, and wants to ensure there will be enough landscaping and buffering along Webster St. Mr. Hendershot referenced a slide image outlining the proposed location of the detention basin. Mr. Hendershot deferred to Mr. Harland Russell, GBA Engineer, to discuss the height around the berms.

Mr. Russell addressed the Planning Commission with an explanation of how detention basins function. He stated that it is intended to hold water during storm events and the time immediately following a storm. It will be a dry basin most of the time; there won't be permanent pooling of water in the basin, as it will drain out. Mr. Russell confirmed that the basin will not be a concrete basin; rather, a grassy area that will be maintained by Mid Am. He indicated that the contours of the basin will be approximately 8' tall and sized to go as deep as it possibly can in an effort to minimum the berming. At the northwest corner of the property there is an existing pipe that goes underneath Webster St. This existing structure controls the elevation and design of the new detention basin. He also stated that Mid Am was very proactive in creating a basin design for the entire site that would take into consideration future site development. It was noted that there are no additional plans for expansion at this time. Mr. Russell further explained that they will try to keep the existing dirt on site and use in the basin design, as it is more cost efficient. He stated that there will be a 4' rise in berm elevation on the Webster St. side, along with street trees, that will create natural screening and buffering.

Commissioner Vaughan inquired about concerns with increased truck traffic, which has been addressed with other recent expansion projects in the industrial park. Mr. Hendershot indicated the construction of the northbound acceleration lane at 207<sup>th</sup> and Webster St., along with the Mid Am private access road, will alleviate any traffic issues.

Mr. Hendershot stated that discussions with Mid Am have indicated that the private access road intersecting with Webster St. is planned to be the primary entry/exit point for projected truck traffic utilizing the facility. Mr. Russell interjected stating there may have been some misunderstanding, as it is not the plan for the private access road to be the primary entry/exit. He explained that their intention is to use the private access road to disperse the truck traffic if necessary.

Commissioner Nowlin suggested that it might be a good idea to divert the truck traffic to 207<sup>th</sup> Street only.

Mr. Jim Stewart, Mid Am Operations Manager, stated that the majority of the truck traffic going in or out of the private access road would be Mid Am's trucks, not vendor freight trucks. Also, the majority of the Mid Am truck traffic would revolve around the business's customer delivery schedule. The Mid Am trucks are loaded and ready to start deliveries during non-peak hours between midnight and 6:00 a.m. The majority of the freight trucks delivering product to Mid Am would continue to use the 207<sup>th</sup> Street access; those trucks will

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only use the access road in times of traffic overflow.

Commissioner Vaughan asked for clarification on freight trucks versus Mid Am's trucks and the percentage of those trucks. Mr. Stewart indicated that the percentage between the two would be 50/50. Mr. Stewart explained that the Mid Am delivery trucks are smaller day-cab trucks that are loaded with product and delivered to their customers. The freight trucks are the standard sleeper trucks, in which they unload the product at the Mid Am site.

Commissioner Squire asked if Mid Am would communicate with the freight truck drivers regarding location for entry and exit of the facility during peak hours. Mr. Stewart stated that the majority of business operations with regards to product drops at their site would be during non-peak hours, so entry and exit traffic at the 207<sup>th</sup> street location should not be an issue.

Commissioner Squire asked if the private access road would be paved. Mr. Hendershot stated that because it is a private road that it does not have to be paved. The only required paved portion would be the driveway approach. Mr. Russell indicated that Mid Am initially wants to minimize the amount of concrete they use on site at this time, so that they can expand in the future if necessary. The gravel option is also more cost efficient. Mr. Hendershot reiterated that if this access road is ever changed to a public road, then it would be required to be paved.

Commissioner Squire asked about the removal of trees abutting the residential area on Webster St. Mr. Russell stated that they will be adding trees and shrubs, and try to leave as many existing trees as possible. Mr. Hendershot clarified the existing trees along the property line between Mid Am and the residence to the south are not on Mid Am property, so those trees would stay in place as a natural buffer.

Commissioner Nowlin asked if the expense of tree removal would be at the City or Mid Am's expense. Mr. Hendershot confirmed that it would be at Mid Am's expense.

Commissioner Ray asked how big the concrete pad at the entrance of the private access road would be. Mr. Russell stated that the design plans show 32' at the property line and the frontage would be 54' wide. Mr. Hendershot added that the concrete pad would be about about 25' from the curb to the back of the approach.

Commissioner Nowlin asked how the private access road would affect the businesses that are located directly across from it on Webster St. Mr. Hendershot indicated that the vast majority of the Mid Am traffic would be coming and going from the north and wouldn't have a need to proceed southbound on Webster St.; therefore, it should not cause any issues with businesses along Webster St. Mr. Hendershot further clarified that the wide center turn lane would eliminate potential traffic congestion.

**Motion by** Mr. Vaughan, seconded by Mr. Nowlin, to approve the site plan application SP-01-16 for Mid Am Building Supply Site Improvements.

**Roll Call Vote:** Ray-Aye, Nowlin-Aye, Weber-Aye, Vaughan-Aye, Squire-Aye

**Abstain:** Mr. Mitchell abstained from voting as he arrived late in the discussion.

**Motion Carried 5-0-1**

The site plan application (SP-01-16) will be forwarded to the City Council for review on March 24, 2016.

# SITE DEVELOPMENT PLAN MID AM BUILDING SUPPLY SECTION 14, TOWNSHIP 15 SOUTH, RANGE 23 EAST CITY OF SPRING HILL, JOHNSON COUNTY, KANSAS

**GBA**  
architects  
engineers  
9801 Renner Boulevard  
Lenexa, Kansas 66219  
913.492.0400  
www.gbateam.com

## Legal Description

Tract 1: All that part in the Northeast Quarter (NE $\frac{1}{4}$ ) of Section Fourteen (14), Township Fifteen (15), Range Twenty-Three (23), in Johnson County, Kansas more particularly described as:  
Commencing at the Northwest Corner of the Northeast Quarter of Section 14, Township 15, Range 23; thence North 90 degrees 0 minutes 0 seconds East, along the North line of the Northeast Quarter of Section 14, Township 15, Range 23, 1,030.00 feet; thence South 0 degrees 0 minutes 57 seconds West, 642.00 feet; thence North 90 degrees 0 minutes 0 seconds West, 1,030.00 feet; thence North 0 degrees, 0 minutes 57 seconds East, 642.00 feet to the point of beginning, except part in street and highway rights-of-way; and  
All of the South 620 feet of the North 660 feet of the West 1030 feet of the Northeast  $\frac{1}{4}$  of Section 14, Township, Range 23, now in the city of Spring Hill, Johnson County, Kansas.  
Tract 2:  
All that part of Outside Lots 66 and 67 of the Original Town of Spring Hill, lying Easterly of Webster Street as now established, and part of the Outside Lot 68 of the Original Town of Spring Hill described as follows: Beginning at the Northeast corner of said Lot 68; thence South 0 degrees 00 minutes 00 seconds West a distance of 62.51 feet, to a point on the East right of way line of said Webster Street; thence Northerly along the East right of way line of said Webster Street, along a curve to the right, having an initial bearing of North 0 degrees 09 minutes 56 seconds East, a radius of 2804.90 feet, a distance of 97.49 feet, to a point on the North line of said Lot 68; thence North 88 degrees 35 minutes 48 seconds East, along the North line of said Lot 68 a distance of 60.67 feet, to the point of beginning, in the City of Spring Hill, Johnson County, Kansas.  
Outside Lots 66, 67 and the North 83.15 feet of Outside Lot 68 all of the Original Town of Spring Hill, Johnson County, Kansas, except part in street and highway rights-of-way.

## Index of Sheets

Sheet No.	Description
C1	Cover Sheet
C2	General Layout & Notes
C3	Grading Plan
C4	Dimension Plan
C5	Utility Plan
C6	Drainage Map & Calculations
C7-C8	Construction Details
C9	Erosion Control Plan
C10	Erosion Control Notes
C11	Erosion Control Details
L1	Landscape Plan
L2	Landscape Details

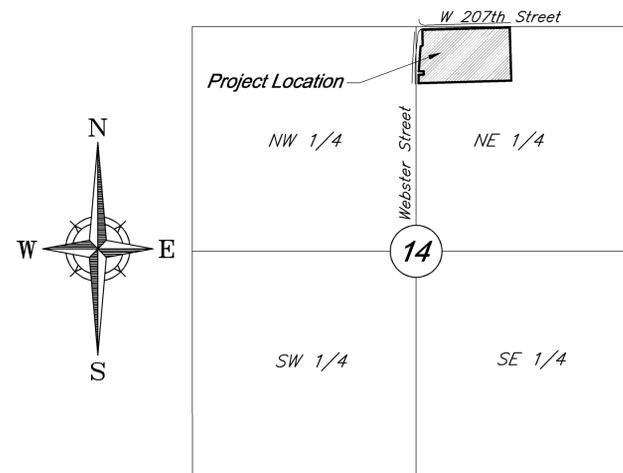
## Property Owner/Developer:

Mid Am Building Supply  
20301 W 207th St.  
Spring Hill, KS 66083  
Phone: 913-592-4313

Local Contact:  
Mark Hays  
Phone: 319-931-6078  
mark.hays@midambuilding.com

## Prepared By:

George Butler Associates, Inc.  
One Renner Ridge  
9801 Renner Boulevard  
Lenexa, KS 66219  
Phone: 913-492-0400  
Fax: 913-577-8312  
Contact: Mr. Brad Burton



**VICINITY MAP**  
Section 14-T15S-R23E  
Scale: 1"=1000'

## UTILITY COMPANIES

Water: Spring Hill Water District	913-592-3626
Sewer: City of Spring Hill	913-592-3317
Electric: Westar	800-401-5666
Telephone/Cable: Century Link Suddenlink	888-723-8010 877-794-2724
Gas: Atmos Energy	888-286-6700

## Project Datum

Horizontal: Modified Kansas North State Plane  
Vertical: North American Vertical Datum 1988  
Project Combined Adjusted Factor: 0.9999485

## PROJECT BENCHMARKS

BM #10 - Chiseled "+" on E. Bonnet Bolt of Fire Hydrant on North Side of Webster near Southeast Corner of Sonic Parking Lot.  
N - 168210.61  
E - 2217555.11  
EL: 1067.39

BM #11 - Chiseled "+" on Bonnet Bolt of Fire Hydrant on South side of 207th Street, East of Eastern Property Line of Mid-Am.  
N - 168742.77  
E - 2218812.19  
EL: 1077.29

## HORIZONTAL CONTROL

CP #100 -  $\frac{1}{2}$ " Iron Bar with GBA cap on West side of Webster Near South end of Sonic Parking Lot.  
N - 168220.22  
E - 2217566.97

CP #101 -  $\frac{1}{2}$ " Iron Bar with GBA cap at the Northeast corner of Webster and 207th Street.  
N - 168762.12  
E - 2217722.51

CP #102 -  $\frac{1}{2}$ " Iron Bar with GBA cap on the N. side of 207th Street near projected East property line of Mid-Am.  
N - 168790.70  
E - 2218717.64

PREPARED & SUBMITTED BY:  
GEORGE BUTLER ASSOCIATES, INC.  
9801 RENNER BOULEVARD  
LENEXA, KANSAS 66219-9745

PROJECT ENGINEER: \_\_\_\_\_

DATE: \_\_\_\_\_

APPROVED: \_\_\_\_\_

CITY ENGINEER: \_\_\_\_\_

DATE: \_\_\_\_\_

ACTING DIRECTOR OF PUBLIC WORKS: \_\_\_\_\_

DATE: \_\_\_\_\_

PROPOSED FACILITY FOR:

Mid Am Building Supply

20301 W 207th St.  
Spring Hill, KS 66083



REVISION

PROJECT NUMBER  
13257.00  
DATE  
2/19/2016

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SHEET TITLE

Cover Sheet

SHEET NUMBER

C1



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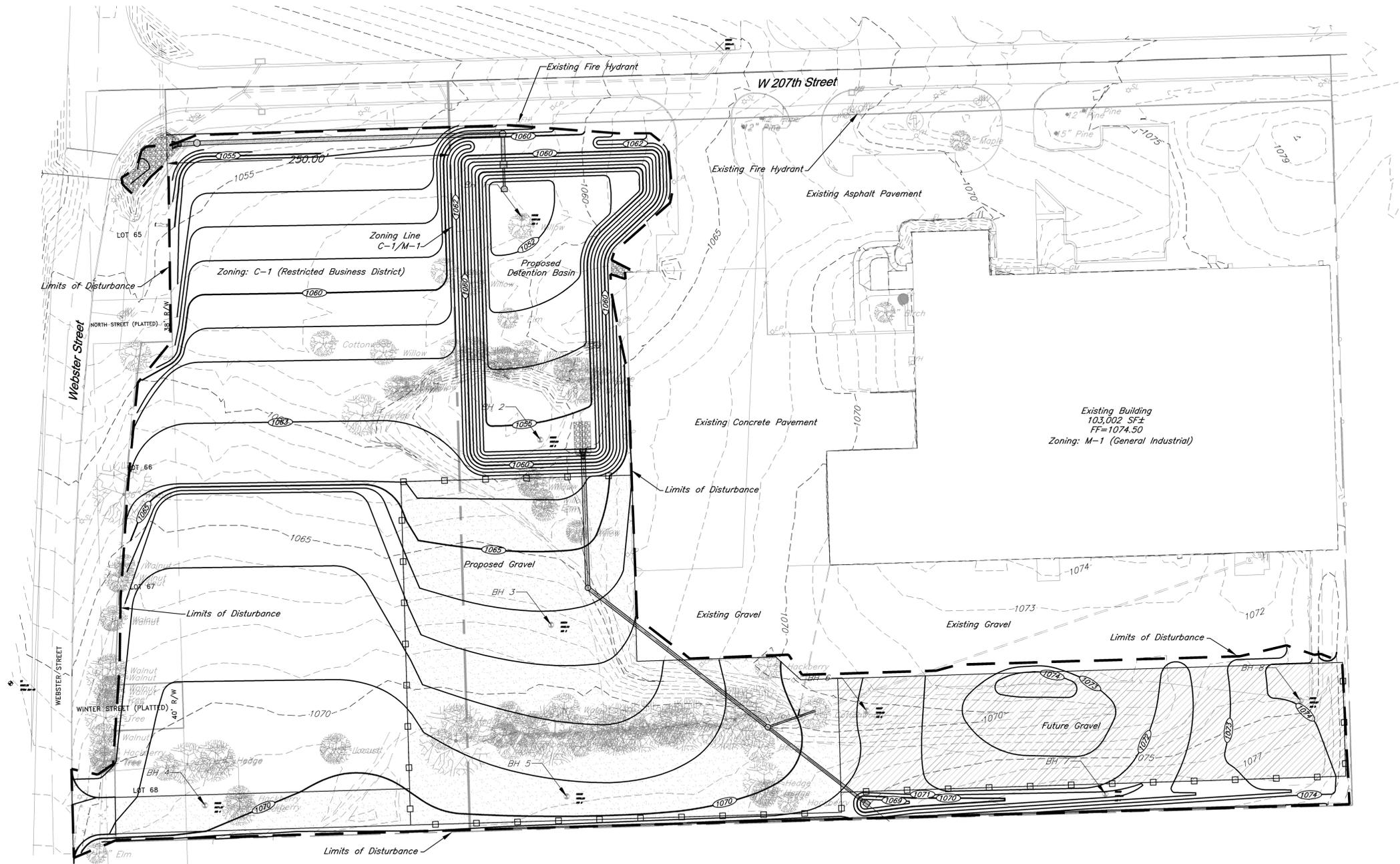
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DATE  
2/19/2016

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**General Layout & Notes**

SHEET NUMBER

**C2**



**General Notes:**

- All Construction shall conform to the City of Spring Hill, Kansas's Technical Specifications in effect at the time of the City's approval date shown on the approved plans and incorporated herein by reference.
- Property Corners and/or Section corners disturbed or damaged by construction activities shall be reset by a Registered Land Surveyor licensed in the state of Kansas, at the Contractor's expense.
- Construction Staking shall be the responsibility of the General Contractor.
- The Contractor shall be responsible for the restoration of the Right-of-Way and for damaged improvements such as curbs, driveways, sidewalks, street light and traffic signal junction boxes, traffic signal equipment, irrigation systems, etc. Damaged improvements shall be repaired in conformance with the latest City standards and to the City's satisfaction.
- All work shall be confined within easements and/or construction limits as shown on the plans.
- The Contractor shall, prior to the commencement of work, investigate surface and subsurface conditions to be encountered across the site and notify the Engineer if any discrepancies or changed conditions are noted.
- This project will include numerous activities occurring on site including storm sewer, sanitary sewer, grading, utility, building construction etc. Contractor shall coordinate his work with other contractors on site.
- All trash and debris identified on site shall be properly handled and disposed of in accordance with state of Kansas regulations.
- All measurements on these plans are horizontal distances, not slope distances.
- All concrete shall be KCMMS - 4,000 PSI unless otherwise noted.
- It shall be the Contractor's responsibility to have one copy of these approved plans and the most current city standards and specifications on the job site at all times.
- The locations of existing underground utilities are taken from utility company records. They are approximate and have not been field verified. The Contractor is to determine the exact location of all existing utilities before commencing work and agrees to be fully responsible for any and all damages which might result from his failure to do so.
- The Contractor is to coordinate the relocation of any utilities that may be encountered prior to the start of construction.
- All traffic signage, barricades, drum, pavement markings, and other traffic control devices shall be in accordance with the latest edition of the *Manual of Uniform Traffic Control Devices (M.U.T.C.D.)*.
- All proposed utilities are to be located underground.

**Permitting:**

- Excavation for Utility work within the Right-of-Way requires a Right-of-Way work permit from the Public Works Department, in addition to all other permits.
- Contractor is responsible for obtaining all required permits, paying all fees, and for otherwise complying with all applicable regulations governing the work.

**Erosion Control:**

- The Contractor is responsible for providing erosion and sediment control BMP's to prevent sediment from reaching paved areas, storm sewer systems, drainage courses, and adjacent properties. In the event the prevention measures are not effective, the contractor shall remove any debris, silt, or mud and restore the Right-of-Way, or adjacent properties to original or better condition.
- Contractor shall ensure that all construction shall conform to the requirements of the Stormwater Pollution Prevention Plan (SWPPP), a copy of which shall be maintained and updated on site by the Contractor.
- The Contractor shall sod all disturbed areas within the Public Street Right-of-Way unless otherwise noted in the plans.
- No trees shall be damaged or removed without prior authorization from owner unless otherwise shown on this plan.
- Contractor to remove all remaining rock checks, silt fences and other erosion control upon final stabilization of the site.

**Earthwork:**

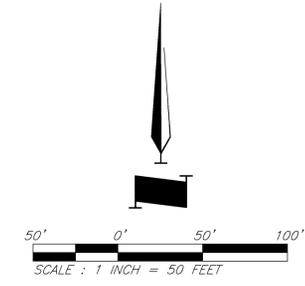
- The Contractor shall be responsible for removing and disposing of grass and vegetation that is found on site. Contractor shall strip site of organic material to a depth acceptable to the Geotechnical Engineer and prior to the placement of fill. Disposal of all debris shall be performed by the contractor in strict accordance with all applicable codes and ordinances. All clearing and grubbing, stripping, and grading operations shall be performed in accordance with the recommendations as found in the Geotechnical Report, and erosion control and grading plans for this site.
- Slopes shall be constructed to a maximum slope of 3:1 (Horiz:Vert).
- Refer to the Geotechnical Report Mid-American Building Supply New Addition Dated January 7, 2016 prepared by Alpha-Omega Geotech for grading and pavement recommendations and boring logs. All earthwork shall conform to the recommendations of the Report.
- Unless otherwise noted, all spot elevations and contours are shown to "Finish" grade surface. Contractor shall adjust for any overcut required in paving, parking, landscape, or building pad areas as defined in the Geotechnical Report, these plans, or the project specifications.
- All temporary slopes and excavations should conform to Occupational Safety and Health Administration (OSHA) standards for the Construction Industry (29 CFR part 1026, subpart P).

**Utility:**

- All Manholes, Catch Basins, Utility Valves, Meter Pits, and other utility equipment shall be adjusted or rebuilt to grade as required.
- Prior to beginning work, the Contractor shall notify all utility companies who have facilities in the vicinity of the project area of the work to be performed.
- All Utility extensions and construction shall conform to the Standards and Specifications of the applicable Utility Companies.
- No open cutting of public streets will be allowed.

**Storm Sewer:**

- All RCP shall be Class III.
- Pipe Lengths are called out from center of structure to center of structure.
- Drainage across the project site during construction shall be the Contractor's responsibility. Surface drainage shall be controlled to reduce or prevent the flow of surface water onto adjacent grounds. Contractor shall control downstream erosion and silt during construction. Flexibility is given to the Contractor to make minor grading revisions along roads or between building pads to improve drainage during construction, with prior approval of the engineer.
- Prior to ordering precast storm sewer structures, Contractor shall provide shop drawings to the Engineer for review and approval.



**Zoning**

Existing Zoning is C-1 Restricted Business and M-1 General Industrial.

**Floodplain Information**

This project is located in Zone X noted as areas determined to be outside the 0.2% annual chance floodplain per FEMA Flood Insurance Rate Map 20091C0138G, revised August 3, 2009.



REVISION

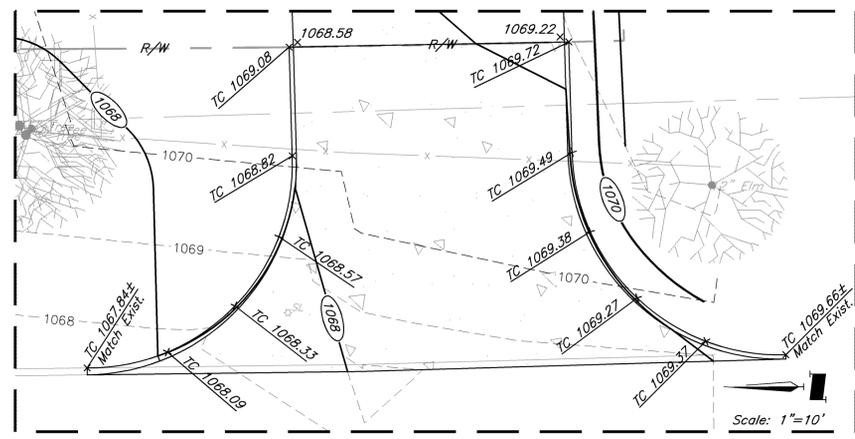
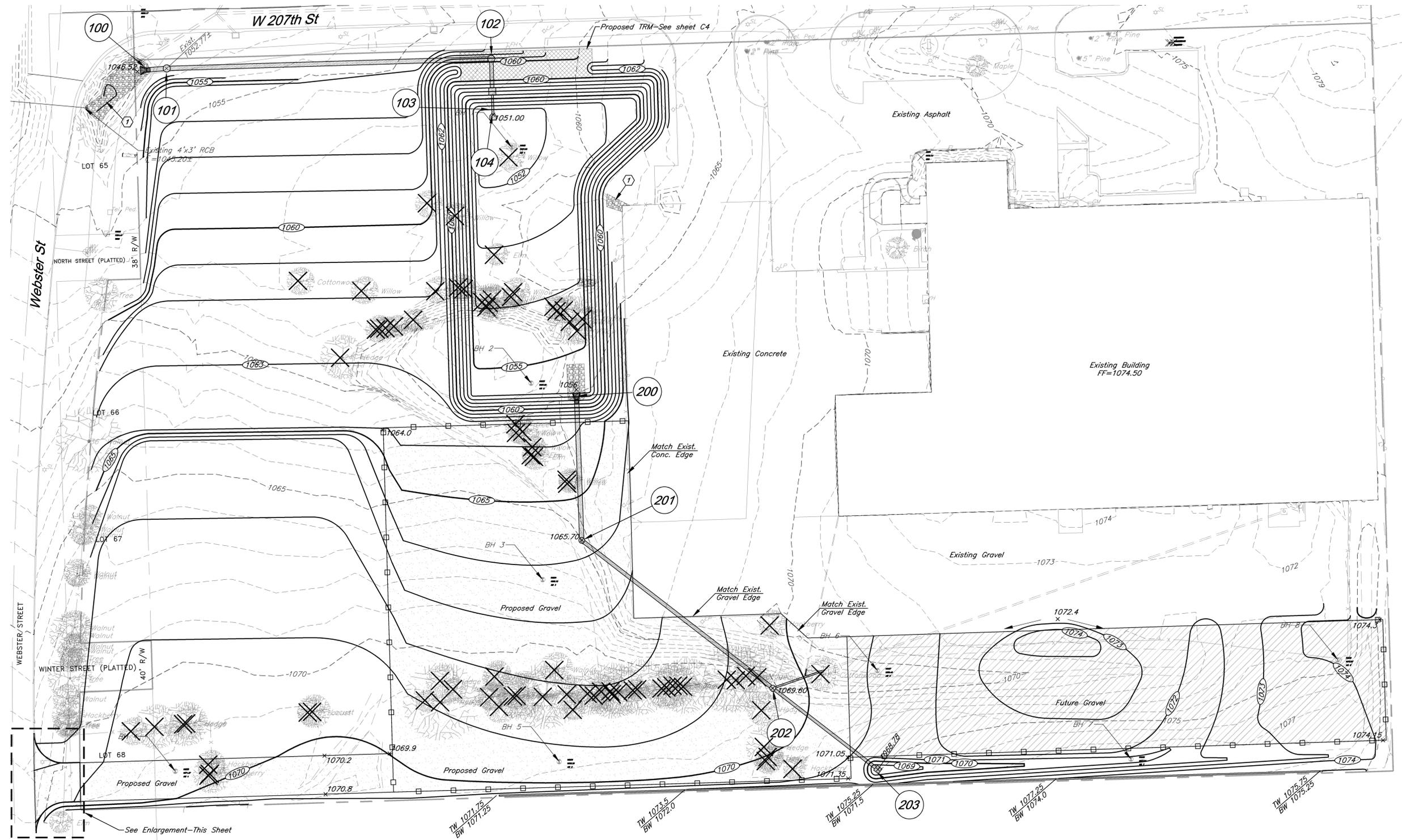
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DATE  
2/19/2016

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**Grading Plan**

SHEET NUMBER

**C3**



General Construction Notes:

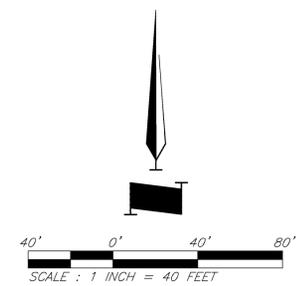
- ① Grade existing swale to drain. Line with rip-rap as noted on sheet C5.

Grading and Earthwork Notes:

- All Earthwork shall conform to recommendations outlined by Alpha-Omega Geotech in their report Mid-American Building Supply New Addition, dated January 7, 2016.
- Topsail shall be stripped to a minimum depth of 6" (or as otherwise directed by the geo-technical engineer).
- Structural Design of retaining wall to be provided by others.
- TW and BW elevations noted on plans are to the top of the wall and to the surface grade at the base of wall. Any additional depth of wall required for structural purposes is the responsibility of the structural Engineer designing the wall.
- It is anticipated that the site grading will produce approximately 10,000 yards of stockpile dirt. The owner and/or contractor will determine the best location for the stockpile and ensure that appropriate erosion control measures will be employed to prevent soil from leaving the site.

Grading Legend

- Proposed Contours
- Existing Contour
- Boring Hole
- Spot Grades
- Top of Curb Spot Grades
- Existing Spot Grades
- Top of Retaining Wall
- Bottom of Retaining Wall
- Remove Existing Tree
- Drainage Flow Arrow





REVISION

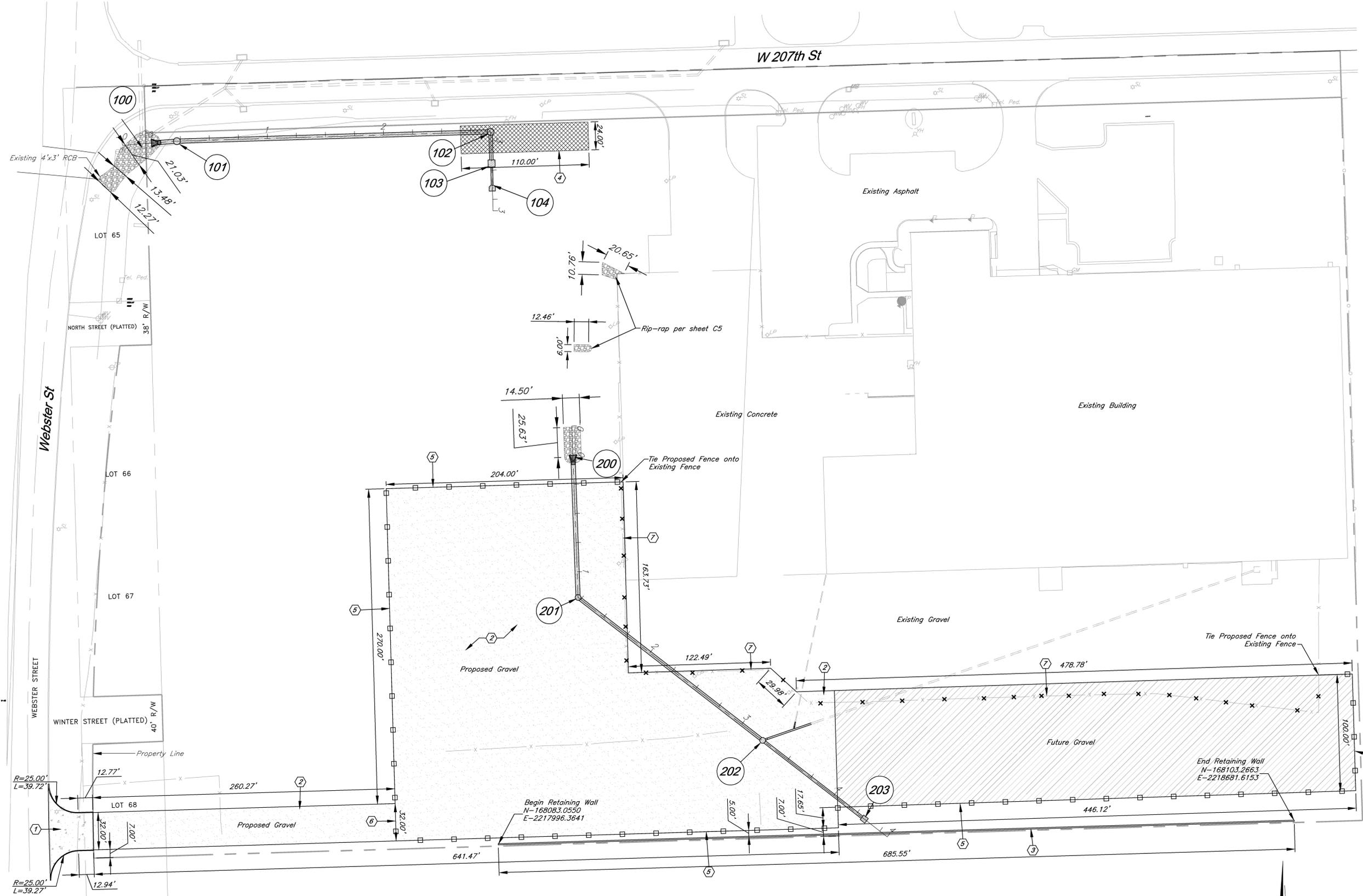
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2/19/2016

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**Dimension Plan**

SHEET NUMBER

**C4**



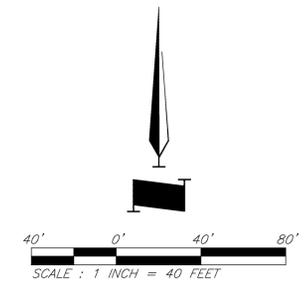
**Notes:**  
1. See Sheets C7 and C8 for details.  
2. Structural design of retaining wall to be provided by others.

**Construction Notes:**

- ① Construct Industrial Entrance Drive  
104.70 LF Curb and Gutter  
172 SY Concrete pavement
- ② Construct 10,265 SY (total) Compacted Gravel Surface
- ③ Construct 685.55 LF Retaining Wall
- ④ Install 293 SY North American Green SC 250 TRM  
in Emergency Spillway
- ⑤ Install total 1,478± LF chain link fence with  
barbed wire to match existing fence. Contractor to  
coordinate fence material with owner.
- ⑥ Install 2 Leaf Swing Gate using overhead frame  
and wheels on gate leaves. Gate posts and base  
to be sized by fence contractor. Contractor to  
coordinate gate material with owner.
- ⑦ Remove total 803 LF Existing Fence

**LEGEND**

- Heavy Duty Concrete
- Gravel Surface 1A
- Future Gravel Surface 1A
- Proposed Fence



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REVISION

PROJECT NUMBER  
13257.00

DATE  
2/19/2016

DESIGNED  
HTR/DRV/JRH

DRAWN  
HTR/DRV/JRH

REVIEWED  
HTR/BDB

SHEET TITLE

Utility Plan

SHEET NUMBER

C5

**General Utility Notes:**

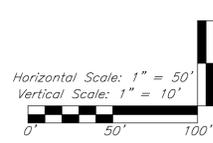
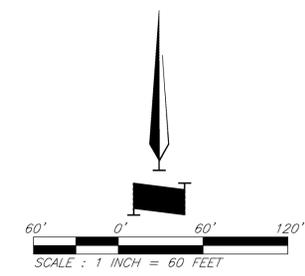
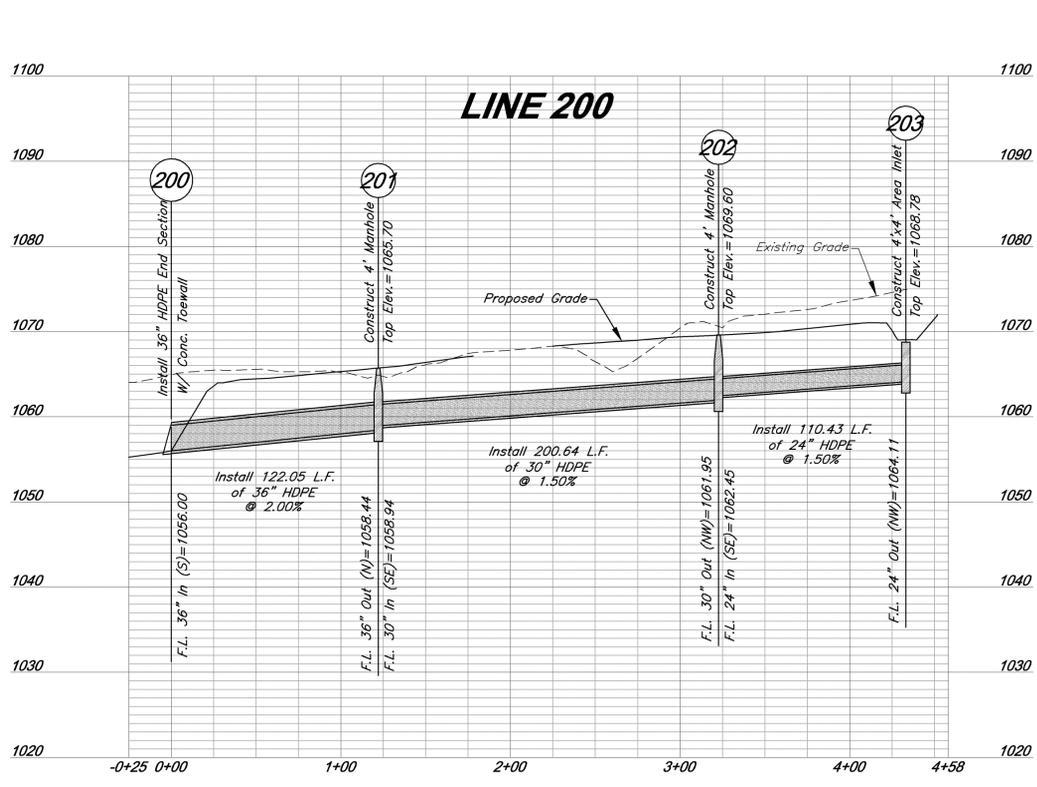
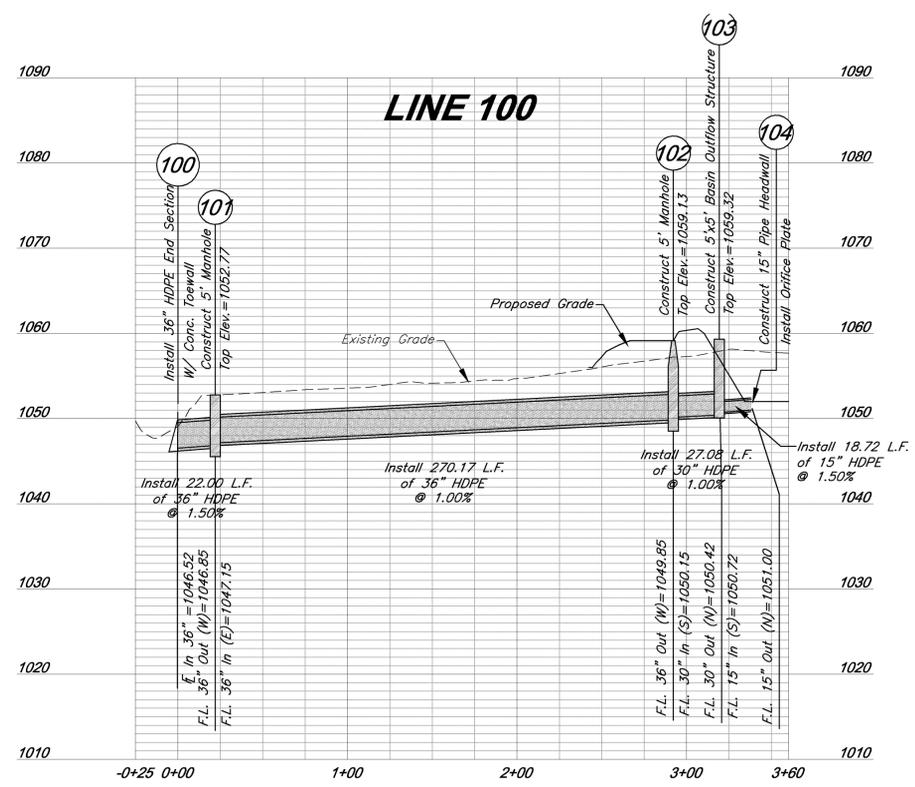
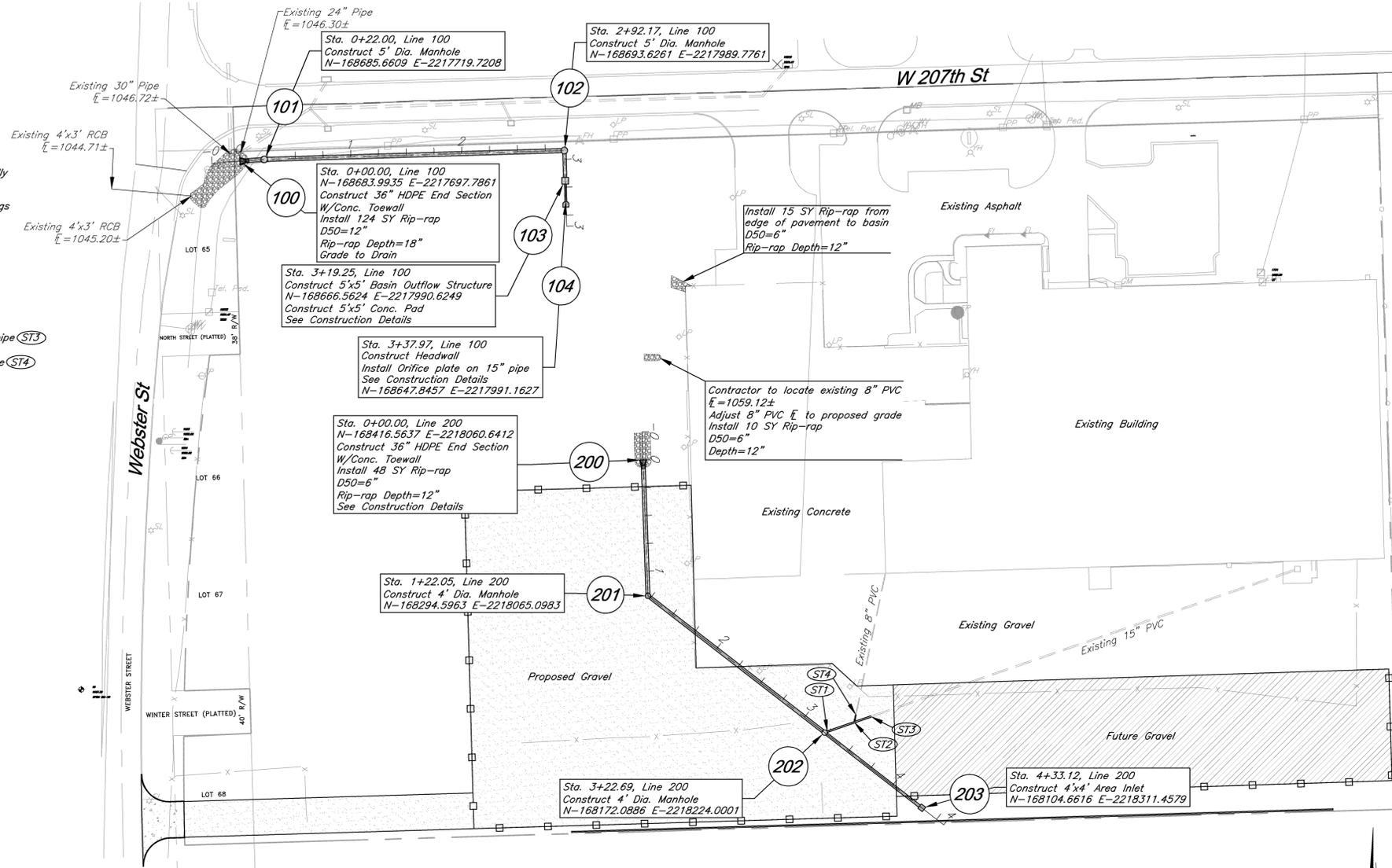
1. Contractor shall be responsible for locating all existing utilities.
2. All existing utility vaults, lids, valves, etc. shall be adjusted to final grade.
3. All utilities located within public Right of Way shall adhere to all applicable City of Spring Hill Standards.
4. Any pavement, curb, pavers, landscape, etc. disturbed by utility services or other construction incidental to the improvements shown on these plans shall be repaired to like or better condition.

**Storm Sewer General Notes:**

1. All RCP shall be class III.
2. Storm sewer lengths are calculated from center of structure to center of structure.
3. All pipe connections to inlets shall occur at center of structure wall unless specifically noted otherwise.
4. All work shall conform to City of Spring Hill standards.
5. Precast structures shall be constructed with KCMMB 4,000 psi concrete. Shop drawings shall be submitted to the Engineer for review prior to casting.
6. All in grade inlets shall match adjacent slope.

**Storm Sewer Construction Notes**

- (S1) Connect 15" PVC to Manhole 202,  $\bar{E}=1065.22$   
Install 28.26 LF SDR 26 15" PVC @ 2%± Northeast to (S2)
- (S2) Install Why connection,  $\bar{E}=1065.78\pm$   
N-168181.2855 E-2218250.7249  
Install 15.81 LF SDR 26 15" PVC Northeast @ 2%±, connect to existing 15" PVC pipe (S3)  
Connect 8" PVC via elbow and wye connection  
Install cleanout and 6.80 LF SDR 26 8" PVC North, connect to Existing 8" PVC pipe (S4)
- (S3) Existing 15" PVC,  $\bar{E}=1066.10\pm$   
N-168186.4292 E-2218265.6715
- (S4) Existing 8" PVC,  $\bar{E}=1068.03\pm$   
N-168187.9400 E-2218252.1201







REVISION

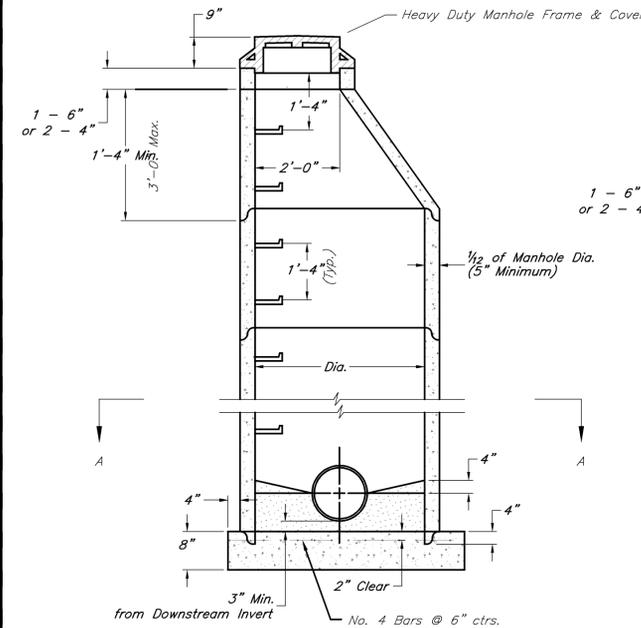
PROJECT NUMBER  
13257.00  
DATE  
2/19/2016

DESIGNED  
HTR/DRV/JRH  
DRAWN  
HTR/DRV/JRH  
REVIEWED  
HTR/BDB  
SHEET TITLE

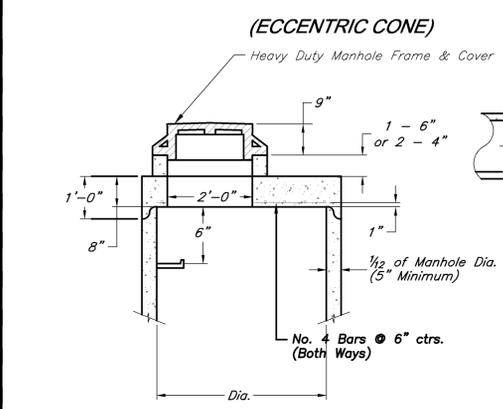
Construction  
Details

SHEET NUMBER

C7

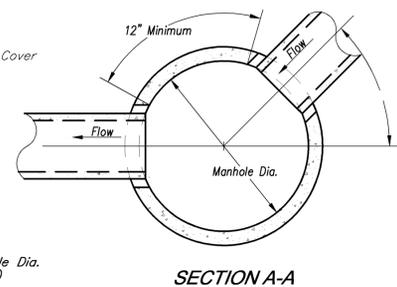


**(CONCENTRIC CONE)**  
(Shallow Manholes only)



**(ECCENTRIC CONE)**

**(SHALLOW TYPE)**  
(To be Used Only When Specified in Plans)



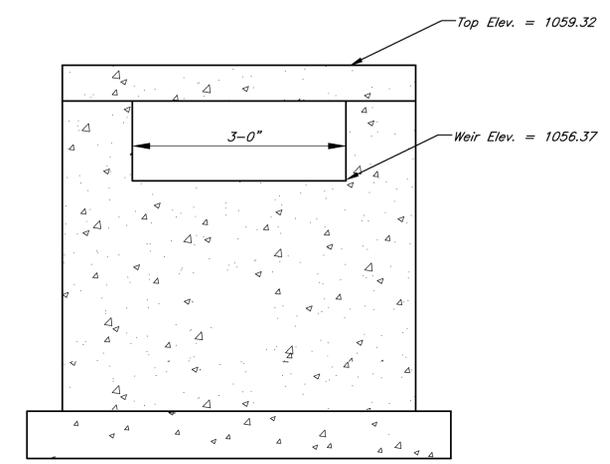
**SECTION A-A**

**STANDARD PRECAST MANHOLE**

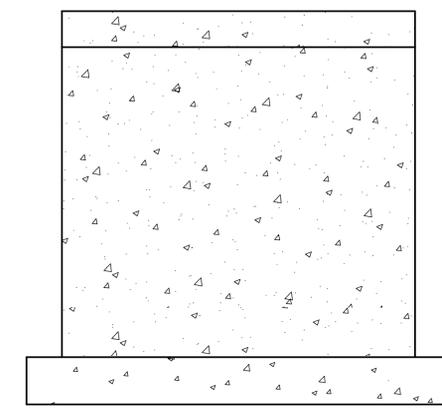
N.T.S.

**Precast Manhole Notes**

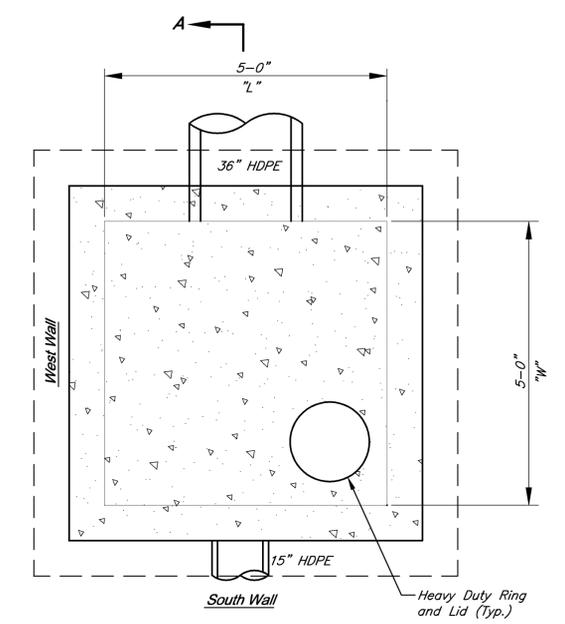
1. The inside diameter of the manhole shall be 4'-0" for pipe diameters from 12" thru 24". All manhole bases (pre-cast or poured-in-place) shall have No. 4 reinforcing bars placed at 6" centers both ways.
2. All manhole rings and covers shown in plans shall be heavy duty.
3. Standard cast iron manhole steps or steel core, plastic coated steps may be used. See Approved Materials List for pre-approved steps.
4. Reinforcement in all sections shall equal or exceed A.S.T.M. C-478 specifications.
5. Mastic material to be used at all sections joints. O-rings may be used for joints below the cone section, but the cone section itself shall not have O-ring joints.
6. Approved gasket or concrete mortar to be used around pipe in knock-outs.
7. Pipe connections to pre-cast structures shall have a minimum of 6" of concrete around the entire pipe within 2' of the structure.



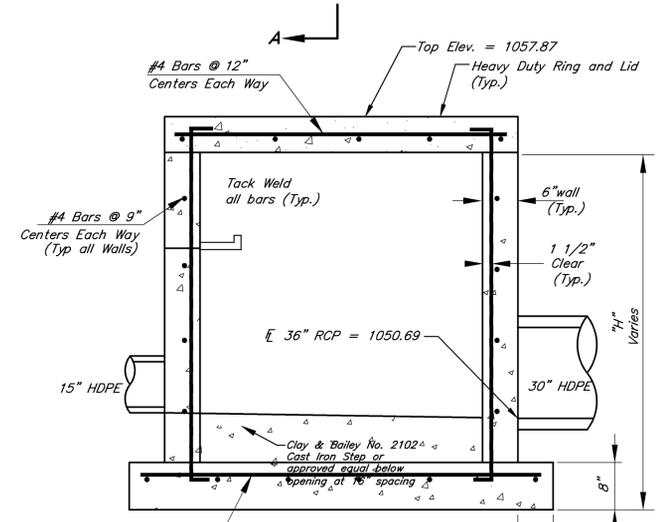
**South Wall**  
Not to Scale



**North, East and West Walls**  
Not to Scale



**PLAN VIEW**



**SECTION A-A**

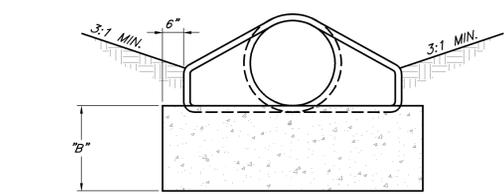
**BASIN OUTFLOW - STRUCTURE 103**

Not to Scale

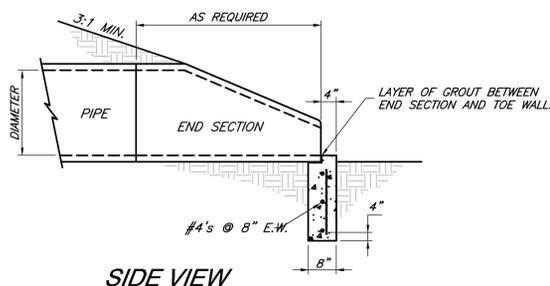
**END SECTION NOTES:**

1. THE DEPTH OF THE TOE WALL SHALL BE PER TABLE. IF BEDROCK IS ENCOUNTERED A MINIMUM OF 12" INTO BEDROCK IS REQUIRED.
2. ALL CONCRETE SHALL BE KCMMB-4K.

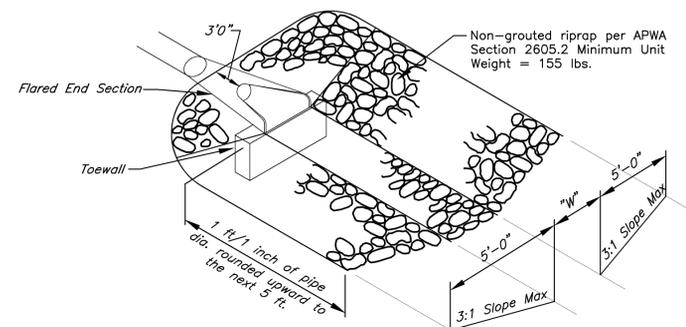
TABLE		
TOE WALL DEPTH	PIPE DIAMETER	"B"
12" - 21"	18"	
24" - 48"	24"	
54" - 66"	36"	



**FRONT VIEW**

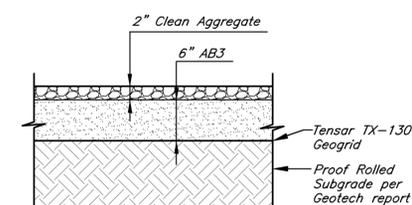


**END SECTION DETAIL**



**OUTLET EROSION PROTECTION - RIPRAP**

N.T.S.



**GRAVEL SURFACE 1A**  
N.T.S.

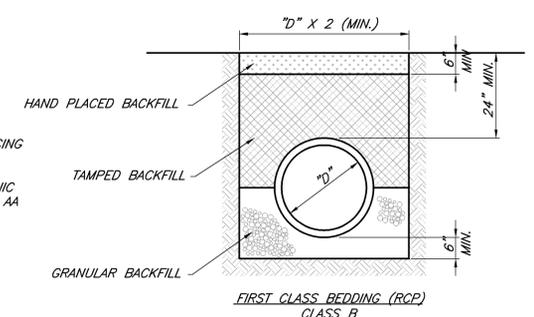
**TYPICAL SECTION**

**NOTES:**

1. Gravel sections noted are per geotechnical report, "Mid-American Building Supply New Addition" by Alpha-Omega Geotech (dated January 7, 2016). See report for details and further direction.
2. Refer to Geotech report for gravel size, type and performance specifications.

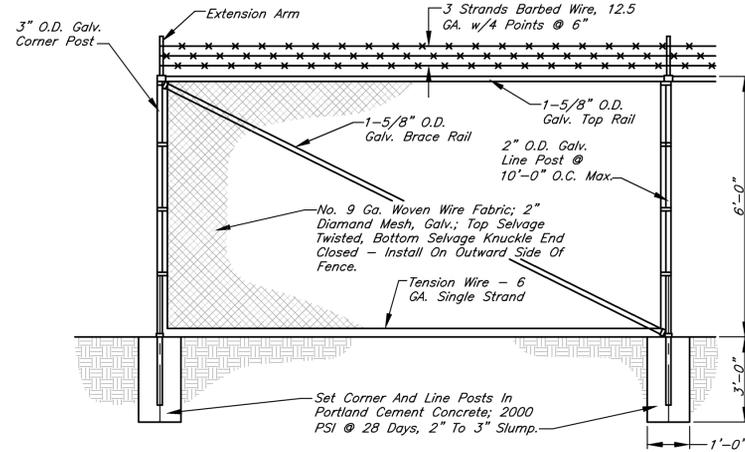
**PIPE BEDDING NOTES:**

1. GRANULAR FILL SHALL BE 1/2" CLEAN ROCK, PLACED IN 6" LIFTS AND COMPACTED BY SLICING WITH A SHOVEL.
2. TAMPED FILL SHALL BE FINELY DIVIDED, JOB EXCAVATED MATERIAL FREE OF DEBRIS, ORGANIC MATERIAL, AND STONES, COMPACTED TO TYPE AA MR-5 COMPACTION.
3. HAND PLACED FILL SHALL BE FINELY DIVIDED MATERIAL, FREE OF DEBRIS AND STONES, COMPACTED TO TYPE AA MR-5 COMPACTION.
4. ALL PIPE SHALL BE INSPECTED PRIOR TO BACKFILL. ALL PIPE COVERED PRIOR TO INSPECTION SHALL BE UNCOVERED AT THE CONTRACTOR'S EXPENSE.



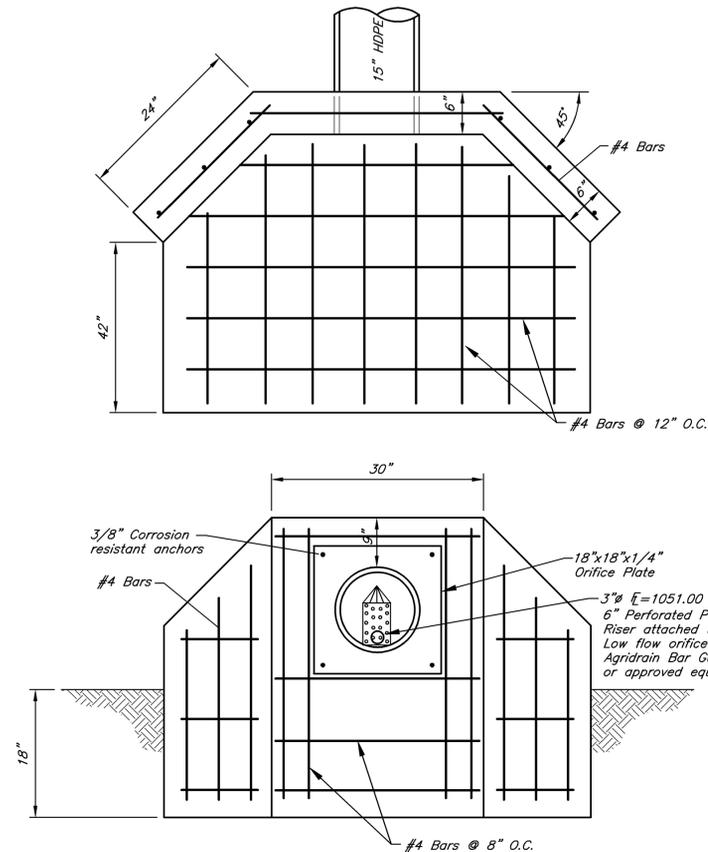
**PIPE BEDDING DETAILS**

Not to Scale

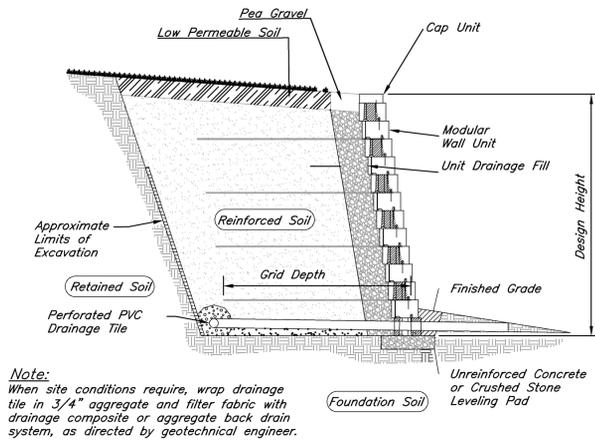


**Notes:**  
 1. Match existing fence on site per owner's direction.  
 2. Gate Posts Shall Be Galv. Steel Tubing - Size To Vary Per Size And Type Of Gate.

**6' GALVANIZED CHAIN LINK FENCE**  
 Not to Scale



**HEADWALL DETAIL - STRUCTURE 104**  
 Not to Scale



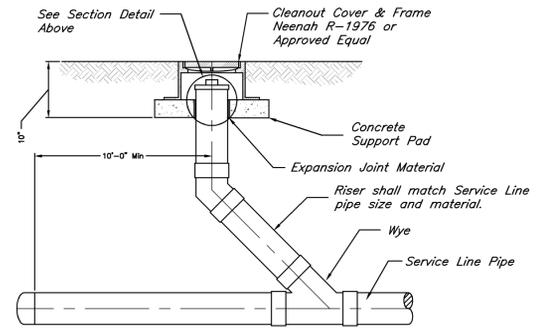
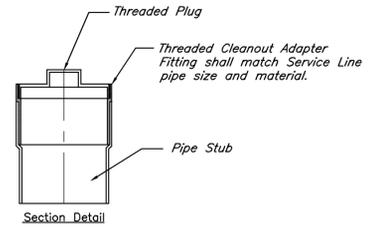
**Note:**  
 When site conditions require, wrap drainage tile in 3/4" aggregate and filter fabric with drainage composite or aggregate back drain system, as directed by geotechnical engineer.

**Typical Reinforced Wall Section**  
 Wall Unit - 1" Setback

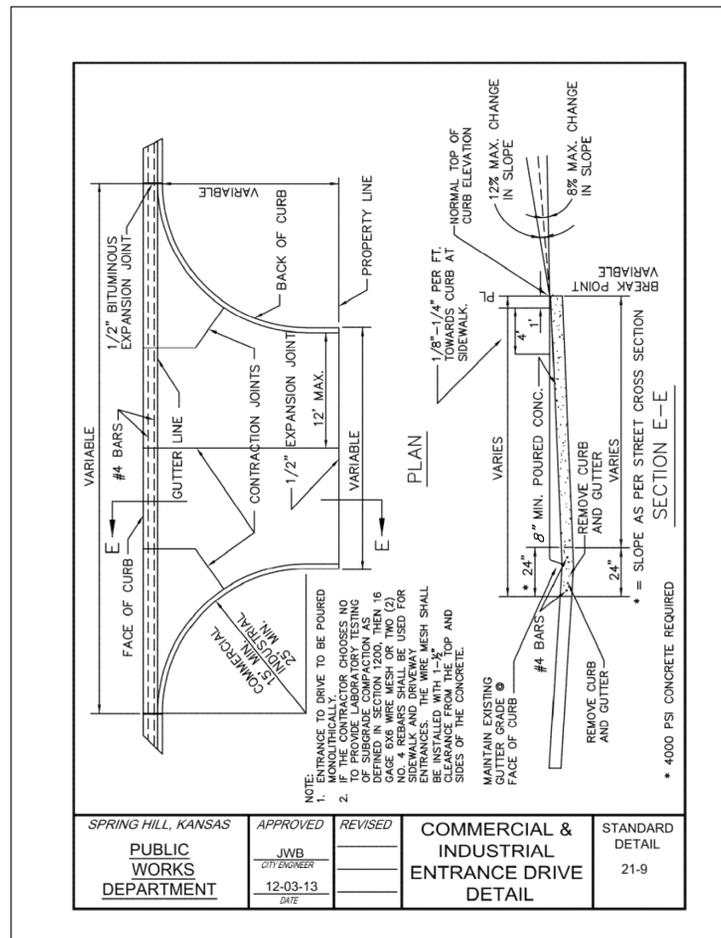
**MODULAR CONCRETE RETAINING WALL SYSTEM**  
 NOT TO SCALE

**General Notes:**

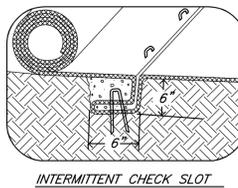
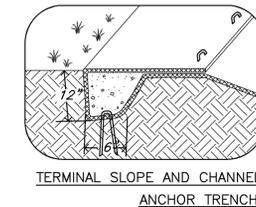
- The details shown above are Standard details and are for informational purposes only.
- The retaining wall shall be Modular stacked concrete block retaining wall, Style & Color to be determined by owner. The Contractor shall be responsible for retaining the services of a registered professional engineer, licensed in the State of Kansas, to design the stacked concrete block retaining walls and footings. The Contractor shall provide drawings sealed by the engineer to the owner for review prior to any construction of the retaining walls.
- If additional exploratory investigation is necessary for the design of the retaining walls, retaining the services of a geotechnical engineer shall be the responsibility of the manufacturer or Contractor and shall be coordinated with the owner.
- The Contractor shall note if any storm drainage pipes or utility crossings that are located beneath the wall. The footings of the retaining wall shall span over crossings with enough clearance to avoid crushing the pipe or sleeve if the wall settles.
- The designer of the retaining walls shall be responsible for specifying criteria for backfill material and compaction, drainage, filter fabric, soil reinforcing fabric and all other materials and methods related to the construction of the retaining wall system.



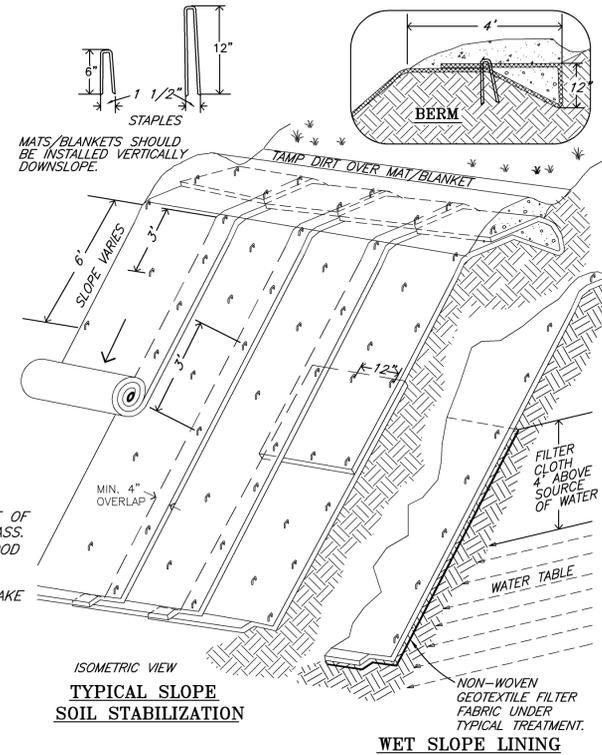
**CLEANOUT DETAIL**  
 No Scale



SPRING HILL, KANSAS	APPROVED	REVISED	COMMERCIAL & INDUSTRIAL ENTRANCE DRIVE DETAIL	STANDARD DETAIL 21-9
PUBLIC WORKS DEPARTMENT	JWB CITY ENGINEER	12-03-13 DATE		



- NOTES**
- SLOPE SURFACE SHALL BE FREE OF ROCKS, CLODS, STICKS AND GRASS. MATS/BLANKETS SHALL HAVE GOOD SOIL CONTACT.
  - LAY BLANKETS LOOSELY AND STAKE OR STAPLE TO MAINTAIN DIRECT CONTACT WITH THE SOIL. DO NOT STRETCH.



**EROSION CONTROL BLANKETS AND TURF REINFORCEMENT MATTRESS SLOPE INSTALLATION**  
 Not to Scale

PROPOSED FACILITY FOR:



REVISION	
PROJECT NUMBER	13257.00
DATE	2/19/2016
DESIGNED	HTR/DRV/JRH
DRAWN	HTR/DRV/JRH
REVIEWED	HTR/BDB
SHEET TITLE	

**Construction Details**

SHEET NUMBER

**C8**



**EROSION CONTROL GENERAL NOTES**

- The Contractor is responsible for the control of erosion control during construction and until the Owner accepts the work as complete. The erosion control measures are shown on this plan as a typical minimum installation. The Contractor shall be responsible for adjusting or adding to these measures as necessary during the phasing of the construction to assure adequate control.
- Clearing and grubbing within 50' of a defined drainage course should be avoided when possible. Where changes to a defined drainage course occur, work should be delayed until all materials and equipment necessary to protect and complete the drainage change are on site. Changes shall be completed as quickly as possible once the work has been initiated. The area impacted by the construction activities shall be revegetated or protected from erosion as soon as possible, areas within 50' of a defined drainage ways should be recontoured as needed or otherwise protected within five (5) working days after grading has ceased.
- Where soil disturbing activities cease in an area for more than 14 days, the disturbed areas shall be protected from erosion by stabilizing the area with mulch or other similarly effective erosion control measures. If the slope of the area is greater than 3:1 or if the slope is greater than 3% and greater than 150 feet in length, then the disturbed areas shall be protected from erosion by stabilizing the area with mulch or other similarly effective erosion control measures if activities cease for more than seven (7) days.
- Existing vegetation shall be preserved to the extent and where practical. In no case shall disturbed areas remain without vegetative ground cover for a period in excess of 60 days.
- Additional site management practices which shall be adhered to during the construction process shall include:
  - Solid and hazardous waste management including providing trash containers and regular site clean up for proper disposal of solid waste such as building material, product/material shipping waste, food containers and cups, and providing containers for the proper disposal of waste paints solvents, and cleaning compounds.
  - Provisions of portable toilets for proper disposal of sanitary sewage.
  - Storage of construction materials away from drainage courses and low areas.
  - Installation of containment berms and use of drip pans at petroleum product and liquid storage tanks and containers.
- All disturbed areas shall be seeded, fertilized and mulched, or sodded, in accordance with the Standards and Specifications adopted by the City of Spring Hill, Kansas and good engineering practices. This shall be completed within fourteen (14) days after completing the work, in any area. If this is outside of the seeding period, silt barriers or other similarly effective measures shall be provided until such time that the areas can be seeded.
- All erosion control measures, temporary or permanent, require maintenance to preserve their effectiveness. All erosion control devices shall be inspected immediately after each heavy rainstorm and at least daily during prolonged rainfall. Any required repairs should be made immediately. All costs associated with the repair work including related incidentals will be the contractor's responsibility and shall be included in the Contractor's bid for the proposed work. Only after the project is complete and accepted can the erosion control be removed.
- Seeding shall be done before the proposed seedbed becomes eroded, crusted over, or dried out and shall not be done when the ground is frozen, or covered with snow. The seed shall comply with requirements of Kansas Seed Law and the Federal Seed Act. Also, it shall contain no seed of any plant on the Federal Noxious Weed List. Other weed seed shall not exceed one percent by weight of mix.
- Seed and Fertilizer Rate:
  - Mix 1 -
  - Tall Fescue / Blue Grass ---195 lbs. per Acre
  - Lime -----2000 lbs. per Acre (50 lbs. per 1000 sq. ft.)
  - Fertilizer -----800 to 1200 lbs. per Acre (25 lbs. per 1000 sq. ft.)
- During the dates Dec. 15 through May 30 ALL lime, fertilizer, seed, and mulch shall be applied to finished slopes of disturbed areas. During the months of June, July, October, and November 1st through December 15th, lime, fertilizer, seed, and mulch shall be applied at the following rates:
  - Lime - 100% of the specified quantity
  - Fertilizer - 75% of the specified quantity
  - Seed - 50% of the specified quantity
  - Mulch - 100% of the specified quantity
- Mulch shall be Vegetative type, cereal straw form stalks of oats, rye, or barley, or approved equal. The straw shall be free of prohibited weed seed and relatively free of all other noxious and undesirable seed. Apply straw mulch at a rate of 1.5 tons per acre as a seed cover or 2.5 tons per acre as a stand alone cover. Mulch shall be embedded by a mulch anchoring tool or disk type roller having flat serrated disks spaced not more than 10 inches apart and cleaning scrapers shall be provided.

**EROSION AND SEDIMENT CONTROLS**

The layout of erosion control best management practices (BMPs) shown on the engineering plans is intended to control erosion and minimize, if not eliminate, the transport of sediment from the disturbed areas. The Contractor shall be responsible for the evaluation of existing surface drainage patterns and for making adjustments to the BMP locations to best control erosion and minimize, if not eliminate, the transport of sediment from the disturbed areas. The following are measures to achieve the control of erosion and sediment.

- Stabilization Practices - Stabilization practices are very effective at preventing erosion by shielding the soil surface from the impact of rain, slowing the velocity of runoff, holding soils in place, and increasing infiltration of runoff and allowing the soil to absorb more rainfall.
  - Temporary Seeding Stabilization - During acceptable growing periods (see Table 1 below); temporary seeding of annual vegetation with a straw mulch cover shall be used as a temporary cover until permanent vegetation is established. If there is a possibility that a vegetative cover will be required to control erosion for more than 1 year, then consider the addition of a perennial/permanent grass species as part of a seeding mixture.

Table 1. Temporary Seeding Dates and Minimum Application Rates

Seeding Dates	Temporary Seed Species	Minimum Application Rates (pure live seed lbs. per acre)	Straw Mulch (tons per acre)
Jan. 1 - Jan. 31	None	Not Applicable	2.5
Feb. 1 - May 31	Annual Ryegrass	120	1.5
June 1 - Aug. 4	None	Not Applicable	2.5
Aug. 15 - Nov. 15	Cereal/Winter Rye	120	1.5
Nov. 16 - Dec. 31	None	Not Applicable	2.5

Seedbed Preparation - For broadcast seeding or drilling, loosen soil to depth of 3 inches. For no till drilling, loosen soil if it is compacted. Loosen compacted, hard or crusted soil surfaces with a disk, ripper, chisel, harrow or other tillage equipment. Avoid preparing the seedbed under excessively wet conditions. For establishment and long-term growth, apply a complete fertilizer at rates recommended by soil tests or as specified in plans and specifications. If soil pH is less than 6.0, apply lime according to soil tests. Incorporate necessary lime and fertilizer to a depth of 3 to 6 inches of soil.

Installation - For the best results use certified seed. Apply seed uniformly using a cyclone seeder, drop-type spreader, drill, cultipacker seeder or hydroseeder. When using a drill seeder, plant rye or other grains about 1 inch deep and plant grasses no more than 1/2 inch. A vegetative straw mulch cover shall be applied over the seed mixture to help germinate and establish plant cover, control weeds, and protect seed mixture against temperature extremes. Follow straw mulch preparation and application procedures described herein.

- Temporary Mulch Stabilization - During non-growing periods, a straw mulch cover shall be applied in unseeded areas to protect against erosion until temporary or permanent vegetation is established.

Site Preparation - Divert runoff water from areas above the site that will be mulched. Remove stumps, roots and other debris from the construction area. Grade area as needed to permit the use of equipment for seeding, mulching and maintenance. Shape area so that it is relatively smooth.

Application - Spread straw mulch uniformly over the area with a power blower, hydroseeder, or by hand. No more than 25% of the ground surface should be visible after spreading. Apply straw mulch at a rate of 1.5 tons per acre as a seed cover or 2.5 tons per acre as a stand alone cover. The straw should be dry, unchopped, unweathered; free of weed seeds and rot. In areas of steep slopes or high winds, or in critical areas such as swales, mulching may need to be secured to the ground with a binder, netting, or tacking.

- Permanent Seeding Stabilization - All disturbed areas except for the areas designated for sodding shall be permanently seeded with a cool season grass mixture as specified by the Owner.

Seedbed Preparation - For broadcast seeding or drilling, loosen soil to depth of 3 inches. For no till drilling, loosen soil if it is compacted. Loosen compacted, hard or crusted soil surfaces with a disk, ripper, chisel, harrow or other tillage equipment. Avoid preparing the seedbed under excessively wet conditions. For establishment and long-term growth, apply a complete fertilizer at rates recommended by soil tests or as specified in plans and specifications. If soil pH is less than 6.0, apply lime according to soil tests. Incorporate necessary lime and fertilizer to a depth of 3 to 6 inches of soil.

Installation - For the best results use certified seed. Apply seed uniformly using a cyclone seeder, drop-type spreader, drill, cultipacker seeder or hydroseeder. When using a drill seeder, plant rye or other grains about 1 inch deep and plant grasses no more than 1/2 inch. A vegetative straw mulch cover shall be applied over the seed mixture to help germinate and establish plant cover, control weeds, and protect seed mixture against temperature extremes.

- Permanent Sodding Stabilization - Areas designated sodding shall be sodded with a cool season grass mixture.

Site Preparation - Apply amendments according to soil test recommendations or as specified in plans and specifications. Incorporate amendments to a depth of 4 to 6 inches with a disk or chisel plow. Rake or harrow to achieve a smooth, final grade on which to lay the sod. The surface should be loose, and free of plants, trash, and other debris.

Laying Sod - Sod should not be laid on soil surfaces that are frozen. During high temperatures, moisten the soil immediately prior to laying sod. This cools the soil and reduces root burning and dieback. The first row of sod should be in a straight line with subsequent rows placed parallel to and butting tightly against each other. Stagger joints to create a brick-like pattern and promote more uniform growth and strength. Ensure that sod is not stretched or overlapped and that all joints are butted tight to prevent spaces which would cause drying of the roots. On slopes 3:1 or steeper, or wherever erosion may be a problem, lay sod with staggered joints and secure by stapling or pegging. Immediately after laying the sod, roll or tamp it to provide firm contact between roots and soil, then irrigate sod deeply so that the underside of the sod pad and the soil 4 inches below the sod is thoroughly wet.

2. Structural Practices

- Silt Fence - A temporary sediment barrier consisting of a geotextile fabric shall be installed as shown on the attached engineering plans and details. Silt fencing shall be installed to maintain sediment onsite.

Minimum Requirements:

Location - Fence should be built on a nearly level grade and at least 10 feet from the toe of the slope to provide a broad shallow sediment pool. Install on the contour, where fence can intercept runoff as a sheet flow; not located crossing channels, waterways or other concentrated flow paths; not attached to existing trees.

Spacing of Support Posts - 10 feet maximum for fence supported by wire; 6 feet maximum for high strength fabric without supportive wire backing. Support posts should be driven into the ground a minimum of 10 inches deep.

Trench - Bottom 1 foot of fence must be buried minimum of 4 inches deep.

- Stockpiles - The toe of stockpiles shall be placed a minimum of 10 feet from erosion control measures. If stockpiles are to remain for more than 14 days, they shall be temporarily stabilized with vegetative mulch and temporary seeding.

- Straw Wattles - Straw Wattles shall be installed per the engineering details. If voids develop beneath the product, the Engineer may require the Contractor to fill in and compact the area of voids and restake the product back in place. No additional payment will be made for this work.

- Maintenance - The contractor shall repair all erosion control measures or re-seed areas that are disturbed or damaged as a result of weather or other situations, within 2 days after the occurrence. This will include all areas bare of vegetation.

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Lenexa, Kansas 66219  
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www.gbateam.com

Mid Am Building Supply

20301 W 207th St.  
Spring Hill, KS 66083

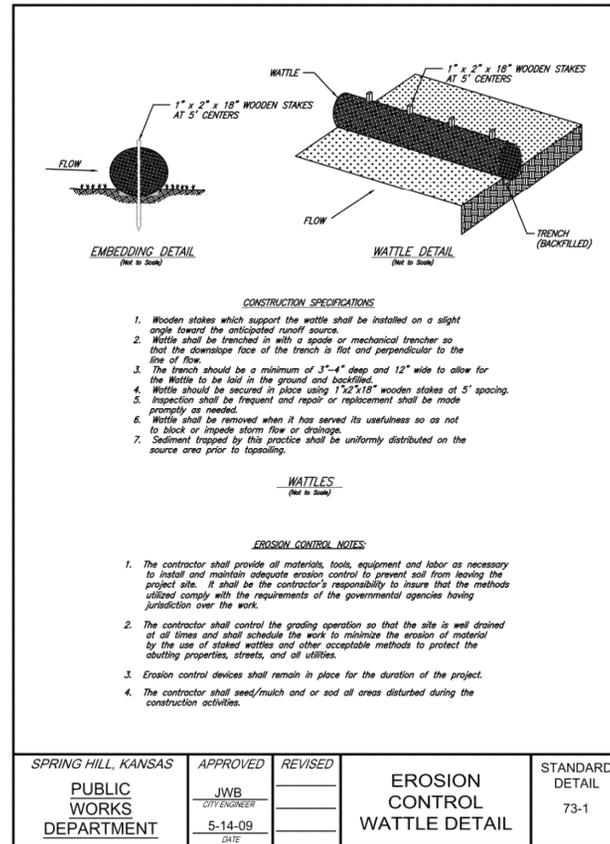
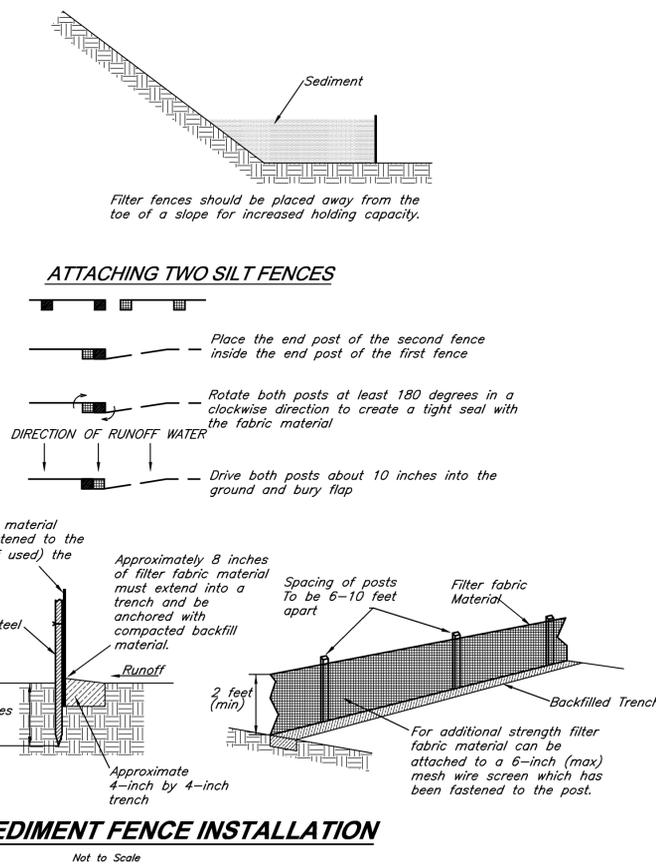
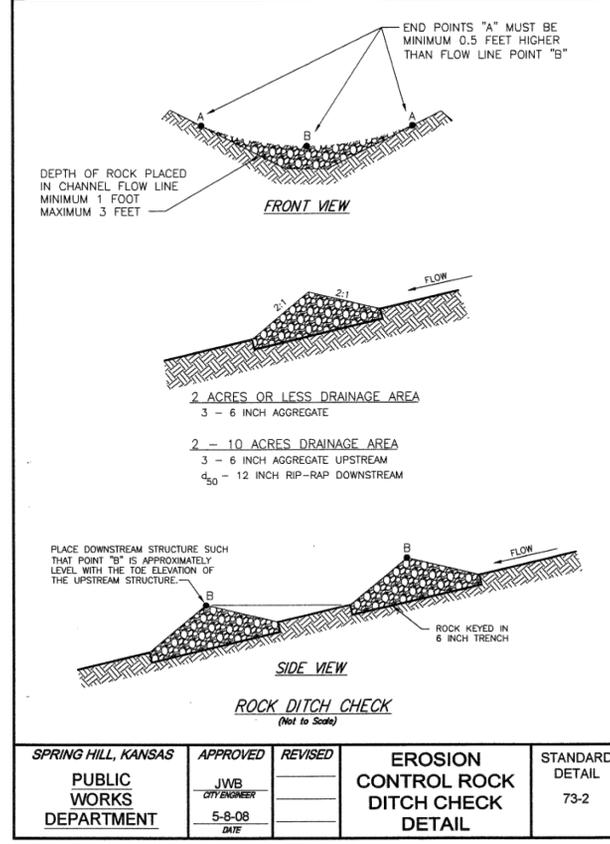
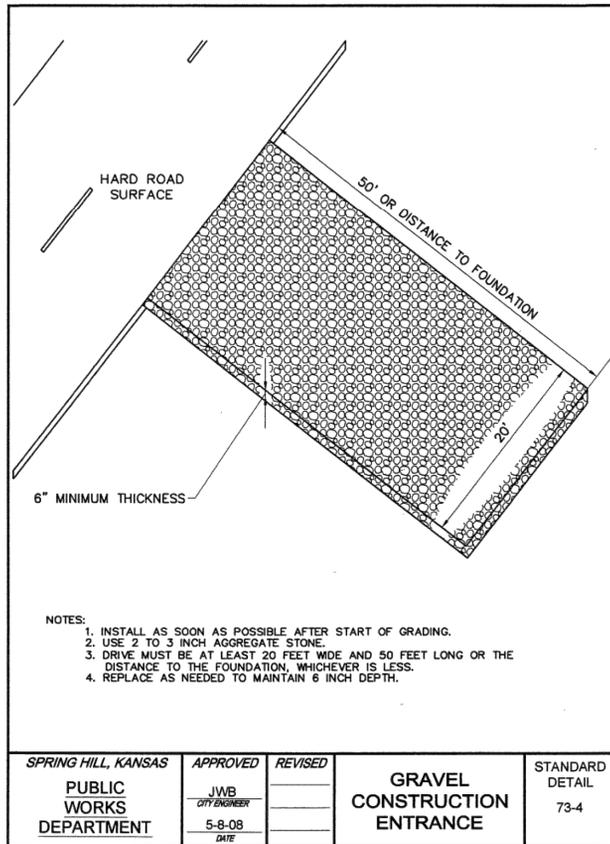
PROPOSED FACILITY FOR:



REVISION
PROJECT NUMBER 13257.00
DATE 2/19/2016
DESIGNED HTR/DRV/JRH
DRAWN HTR/DRV/JRH
REVIEWED HTR/BDB
SHEET TITLE

**Erosion Control Notes**

SHEET NUMBER  
**C10**







## AGENDA ITEM REVIEW SHEET

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TO: GOVERNING BODY  
SUBMITTED BY: JIM HENDERSHOT, COMMUNITY DEVELOPMENT DIRECTOR  
MEETING DATE: MARCH 24, 2016  
DATE: MARCH 14, 2016

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**Consent Agenda Item:** Temporary Use Permit TUP-01-16, Dollar General.

**Issue:** Proposed Temporary Use Permit

**Background:** The applicant, Dollar General, has submitted a temporary use permit application for the outside display of merchandise on the sidewalk at their store located at 702 S. Webster St.

**Analysis:** A temporary use permit is required to be approved by the City Council if the time period exceeds three days. This permit request is from the date of issuance through December 31, 2016. Approval of the permit allows for limited display of merchandise on the sidewalk that is compatible with the business and seasonably appropriate.

**Alternatives:** Approval, denial, table.

**Legal Review:** Not applicable.

**Funding Review or Budgetary Impact:** Not applicable.

**Recommendation:** Staff recommends approval of TUP-01-16 allowing the outside display of merchandise on the sidewalk subject to the following conditions:

1. Products placed on the sidewalk are limited to merchandise available for sale. All other items must be removed from the sidewalk, including cardboard waste and recycle bins
2. Display area limited to the sidewalk and does not include the parking area
3. Temporary Use permit expires 12/31/16
4. Unresolved violations of Temporary Use Permit and related conditions are subject to revocation of TUP by staff.

**Attachments:** TUP application



# Temporary Use Permit Application

Community Development/Planning Dept.  
401 N. Madison St., Spring Hill, KS 66083  
(913) 592-3657 • (913) 592-5040 FAX  
planning@springhillks.gov • www.springhillks.gov

**RECEIVED**

MAR 03 2016

CITY OF SPRING HILL, KS

## TEMPORARY USE AREA

ADDRESS 702 S Webster, Spring Hill, KS 66083  
PRESENT USE OF PROPERTY Retail  
PRESENT ZONING \_\_\_\_\_  
LEGAL DESCRIPTION \_\_\_\_\_

## REASON FOR REQUESTING A TEMPORARY USE PERMIT

to display general merch outside of store

TIME REQUIRED FOR TEMPORARY USE year

## APPLICANT

NAME Amanda Taylor  
ADDRESS PO BOX 535  
CITY Spring Hill STATE KS ZIP 66083  
PHONE 913-686-2023 FAX \_\_\_\_\_  
EMAIL f.manda81@gmail.com

## OWNER (if different from Applicant)

NAME Dollar General  
ADDRESS 702 S Webster  
CITY Spring Hill STATE KS ZIP 66083  
PHONE 913-686-2023 FAX MA  
EMAIL NA

APPLICANT/OWNER SIGNATURE Amanda Taylor DATE 3/1/16

**OFFICE USE ONLY**

FILE CODE TUP-01-16 TUP EXPIRATION DATE \_\_\_\_\_  
Is TUP subject to special conditions? Yes or No \_\_\_\_\_  
PLANNING & DEVELOPMENT COORDINATOR \_\_\_\_\_ DATE \_\_\_\_\_  
CITY ADMINISTRATOR \_\_\_\_\_ DATE \_\_\_\_\_  
CITY COUNCIL APPROVAL REQUIRED (Yes or No) \_\_\_\_\_  
CITY COUNCIL MEETING DATE 3/24/16 CITY COUNCIL APPROVAL DATE \_\_\_\_\_

Please see the back of this application for more details regarding Temporary Use Permits, Section 17.356.

## AGENDA ITEM REVIEW SHEET

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TO: GOVERNING BODY  
SUBMITTED BY: JIM HENDERSHOT, COMMUNITY DEVELOPMENT DIRECTOR  
MEETING DATE: MARCH 24, 2016  
DATE: MARCH 17, 2016

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**Consent Agenda Item:** Temporary Use Permit TUP-02-16, H.E.R.S. Inc.

**Issue:** Proposed Temporary Use Permit

**Background:** The applicant, H.E.R.S. Inc. has submitted a temporary use permit application for the outside display of merchandise on the north side of the business located at 107 W. Johnson Street.

The business is the sale and repair of mowers and small equipment. The applicant is requesting permission to display mowers outside during business hours with a maximum of 10 mowers displayed behind the property line.

**Analysis:** A temporary use permit is required to be approved by the City Council if the time period exceeds three days. This permit request is from the date of issuance through December 31, 2016. Approval of the permit allows for limited display of merchandise on private property that is compatible with the business and seasonably appropriate.

**Alternatives:** Approval, denial, table.

**Legal Review:** Not applicable.

**Funding Review or Budgetary Impact:** Not applicable.

**Recommendation:** Staff recommends approval of TUP-02-16 allowing the outside display of merchandise on the sidewalk subject to the following conditions:

1. Outside display is limited to 10 lawnmowers or less
2. Display area limited to the paved area on the north side of 107 W. Johnson St. south the property line. Use of public right-of-way is prohibited.
3. Temporary Use Permit expires 12/31/16, subject to renewal by the Governing Body
4. Unresolved violations of Temporary Use Permit and related conditions are subject to revocation of TUP by staff.

**Attachments:** TUP application



# Temporary Use Permit Application

Community Development/Planning Dept.  
401 N. Madison St., Spring Hill, KS 66083  
(913) 592-3657 • (913) 592-5040 FAX  
planning@springhillks.gov • www.springhillks.gov

# RECEIVED

MAR 14 2016

CITY OF SPRING HILL, KS

## TEMPORARY USE AREA

ADDRESS 107 West Johnson St., Spring Hill, Ks. 66083  
PRESENT USE OF PROPERTY Small Engine Repair shop, sales & service of outdoor power Equip  
PRESENT ZONING C-2 (general business district)  
LEGAL DESCRIPTION Spring Hill LT 3 EX S 30' & 911 LTs 4+5 & E 1/2 Vac alley ady LT5 & N 30' LT4 BLK 3 SPC 23

REASON FOR REQUESTING A TEMPORARY USE PERMIT  
To display lawn equipment on pavement in front of shop during business hours (Business hours: Mon-Fri, 8:00am to 4:30pm)

TIME REQUIRED FOR TEMPORARY USE Monday thru Friday, 8:00am to 4:30pm

## APPLICANT

NAME Cathy Mitchell / H.E.R.S. Inc.  
ADDRESS 107 West Johnson St.  
CITY Spring Hill STATE Ks. ZIP 66083  
PHONE 913.247.3530 FAX 913.247.3531  
EMAIL Cathy@hersinc.net

## OWNER (if different from Applicant)

NAME Bernard J. Byrne  
ADDRESS \_\_\_\_\_  
CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_  
PHONE \_\_\_\_\_ FAX \_\_\_\_\_  
EMAIL \_\_\_\_\_

APPLICANT/OWNER SIGNATURE Cathy Mitchell DATE 2/23/16

OFFICE USE ONLY	
FILE CODE <u>TUP-02-116</u>	TUP EXPIRATION DATE <u>12/31/16</u>
Is TUP subject to special conditions? <input checked="" type="radio"/> Yes or No	
PLANNING & DEVELOPMENT COORDINATOR <u>[Signature]</u>	DATE <u>3/17/16</u>
CITY ADMINISTRATOR _____	DATE _____
CITY COUNCIL APPROVAL REQUIRED <input checked="" type="radio"/> Yes or No	
CITY COUNCIL MEETING DATE _____	CITY COUNCIL APPROVAL DATE _____

Please see the back of this application for more details regarding Temporary Use Permits, Section 17.356.



## AGENDA ITEM REVIEW SHEET

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TO: GOVERNING BODY  
SUBMITTED BY: JIM HENDERSHOT, COMMUNITY DEVELOPMENT DIRECTOR  
MEETING DATE: MARCH 24, 2016  
DATE: MARCH 14, 2016

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**Formal Action:** Approval of name of park and access road.

**Issue:** The park planned for the west side of the lake at the golf course has not officially been named. In addition, the street from 199<sup>th</sup> to the park must have a designated name.

**Background:** The City will soon begin construction of the access road from 199<sup>th</sup> south to the planned park on the west side of the Spring Hill Lake. The road right-of-way has been dedicated and Johnson County is awaiting on the official street name for mapping purposes. Staff was charged with developing a suggestion and recommendation for the park and street names.

**Analysis:** The park to be constructed at Spring Hill Lake is an opportunity for the City to pay tribute to an individual or group of individuals in Spring Hill. Similar to placing a name on a building, identifying a park should be a decision that is given serious consideration and offers an opportunity to show pride in the community. With the attached letter of support from American Legion Post #350 and with a recommendation from the Spring Hill Green Board (to be provided at the meeting) staff is offering the park name of Spring Hill Veteran's Park, and Veteran's Lane for the access road.

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

**Legal Review:** City Attorney Frank Jenkins has reviewed attached contract. Kevin O'Brien with Reilly Insurance has reviewed the insurance submissions.

**Funding Review or Budgetary Impact:** N/A

**Recommendation:** Staff, the Spring Hill Green Board and American Legion Post #350 recommend the name Spring Hill Veteran's Park and Veteran's Lane for the park and access road at Spring Hill Lake.

**Attachments:** 1) Support letter, American Legion Post #350



American Legion  
Cole-Smith Post #350  
Spring Hill, KS



March 4, 2016

TO: City of Spring Hill, Kansas  
401 North Madison  
Spring Hill, KS 66083

SUBJECT: Letter of Endorsement

Dear Mayor and the City of Spring Hill,

It is our humble pleasure to endorse the City of Spring Hill's recommendation to name Spring Hill's newest park on the west side of the lake at Sycamore Ridge Golf Course *Veterans Park* and the lane going to it *Veterans Lane*. The members in attendance at our last normal meeting Tuesday night unanimously voted to support the City's recommendation. We believe this would be a fitting memorial to Spring Hill's past and current residents who have served and are currently serving our Country with distinction. For over 150 years Spring Hill has given their men and women to defend this great nation of ours. It is only fitting to honor their service by naming a park *Veterans Park* where families can go and enjoy some of the freedoms they fought so bravely to defend.

We hope in the future the park will have an area set aside to commemorate all the Veterans from Spring Hill who have served our Country with distinction. Perhaps a flag pole with a plaque that reads, "*To all the Veterans of Spring Hill who served their country with honor and distinction.*"

Sincerely,

A handwritten signature in black ink that reads "Darrell Beck".

**DARRELL BECK**  
Commander  
American Legion  
Cole-Smith Post 350  
Spring Hill, KS  
(913) 530-4598  
[darrell.h.beck.ctr@mail.mil](mailto:darrell.h.beck.ctr@mail.mil)

*"Veterans helping Veterans"*

## AGENDA ITEM REVIEW SHEET

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TO: GOVERNING BODY  
SUBMITTED BY: JIM HENDERSHOT, COMMUNITY DEVELOPMENT DIRECTOR  
MEETING DATE: MARCH 24, 2016  
DATE: MARCH 14, 2016

---

**Formal Action:** Ordinance #2016-04 adopting the Unified Zoning Ordinance and Subdivision Regulations, 2016 Edition.

**Issue:** The proposed ordinance would incorporate several changes to the Zoning and Subdivision Regulations.

**Background:** Over the past several months the Spring Hill Planning Commission has been discussing several amendments to the Zoning and Subdivision Regulations. A review of the proposed changes is as follows:

- Delete all references to “Growth Area” (24)
- Correction of enforcing staff member’s title (3)
- Corrections to Table of Contents (2)
- New code sections addressing microbreweries
- Increase in structure heights in industrial districts
- Clarification of document submittal and accompanying documents
- Deletion of regulations for code issues duplicated in International Residential Code
- Amendments to residential fence regulations
- Deletion of subdivision covenant submittal
- Clarification of responsibility of recording plats and improvement agreements

**Analysis:** The above listed items represent amendments that have been pending awaiting an opportunity to implement the amendments together rather than sporadically. The Planning Commission has discussed the issues over the course of several meetings and formally held the required public hearing on March 3, 2016. There being no public comment and after general discussion of the proposed amendments, the PC voted unanimously to recommend adoption of the Spring Hill Zoning and Subdivision Regulations, 2016 First Edition.

**Alternatives:** Approval, denial, continuance, remanding to PC for further review.

**Legal Review:** City Attorney Frank Jenkins has drafted the ordinance incorporating the changes noted above.

**Funding Review or Budgetary Impact:** This recommendation is being presented in accordance with Section (list section) of the Spring Hill Purchasing Policy. This expenditure will be drawn from (list name of account and line item number). N/A

## AGENDA ITEM REVIEW SHEET

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**Recommendation:** The Planning Commission recommends approval of Ordinance #2016-04 adopting the Unified Zoning Ordinance and Subdivision Regulations, 2016 First Edition.

**Attachments:** Ordinance draft  
Planning Commission minutes of March 3, 2016  
Overview of recommended amendments  
Excerpts from Zoning & Subdivision Code – redline changes

**ORDINANCE NO. 2016-04**

**AN ORDINANCE REGULATING ZONING AND SUBDIVISION REGULATIONS OF THE CITY OF SPRING HILL, KANSAS; INCORPORATING BY REFERENCE THE UNIFIED ZONING ORDINANCE AND SUBDIVISION REGULATIONS, 2016 FIRST EDITION; SUCH INCORPORATING BEING AUTHORIZED BY K.S.A. 12-3009 AND 12-3012, INCLUDING ANY AMENDMENTS THERETO; DELETING REFERENCE TO THE SPRING HILL GROWTH AREA; PROVIDING FOR THE ADDITION OF MICROBREWERY AND MICROBREWERY WITH CONSUMPTION ON PREMISES AS PERMITTED USES IN C-2 DISTRICTS; INCREASED STRUCTURE HEIGHTS IN MP AND MP-1 DISTRICTS; RESTRICTED THE LOCATION OF FENCES IN PROXIMITY TO STREET RIGHT-OF-WAY IN R-1 AND R-2 DISTRICTS; PROVIDING FOR PENALTIES FOR VIOLATIONS OF THE ORDINANCE AND FURTHER REPEALING ORDINANCE NO. 2015-06.**

**WHEREAS**, Planning Commission of the City of Spring Hill, Kansas, did cause a notice of public hearing to be published according to law and did hold a public hearing on the 3rd day of March, 2016, in the City of Spring Hill, Kansas, regarding the adoption of changes to the Unified Zoning Ordinance and Subdivision Regulations (“Code”); and

**WHEREAS**, the Planning Commission recommended to the Governing Body that changes to the Unified Zoning Ordinance and Subdivision Regulations be adopted which consisted of the following:

- A. Deleted reference to the “Spring Hill Growth Area in Miami County” or “Growth Area” because the jurisdiction of the Code no longer extends into the area previously included in the Interlocal Agreement with Miami County, Kansas.
- B. Changed the definition of Zoning Administrator from Planning and Development Coordinator to Director of Community Development.
- C. Revised Table of Contents of the Code.
- D. Added a definition of “Microbrewery” and a definition of “Microbrewery with consumption on premises”. These uses are also added to the list of permitted accessory commercial uses in C-2 Districts.
- E. Increased structure heights from 35 feet to 55 feet in MP and M-1 Districts.
- F. Clarified document submittals and accompanying documents.
- G. Deleted regulations for issues that were addressed in the Code but duplicated the International Residential Code.
- H. Amended the fence regulations to prohibit fences in R-1 and R-2 Districts that exceed six feet in height from being erected in the side and/or rear yard no closer to the abutting side street than three feet measured from the property line, provided such fence shall not be erected in the vision triangle.

- I. Deleted the requirement that a final plat application contain restrictive covenants applicable to the subdivision.
- J. Amended the procedure for filing a final plat with the register of deeds to provide that it shall be the city's responsibly to file the plat rather than the obligation of the applicant.
- K. Added non-substantive Code changes.

**WHEREAS**, the Governing Body considered and affirmed said recommendation of the Planning Commission at its March 24, 2016, meeting.

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

**SECTION ONE:** Section 17.301A of the Spring Hill Municipal Code is hereby amended to read as follows:

**"17.301A. Code Adopted.**

"The Unified Zoning Ordinance and Spring Hill Subdivision Regulations, compiled on the 3<sup>rd</sup> day of March, 2016, by the Planning Commission of the City of Spring Hill, Kansas (hereinafter referred to as "2016 First Edition") is hereby adopted. Not less than one (1) copy of said Unified Zoning Ordinance and Spring Hill Subdivision Regulations shall be marked or stamped "Official Copy as Adopted by Ordinance No. 2016-04" with all sections or portions thereof intended to be omitted or changed clearly marked to show any such deletion or change, and to it shall be attached a copy of this Ordinance and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours. The Police Department, Municipal Judge, and all administrative departments of the City charged with enforcement of the Ordinance shall be supplied at the cost of the City, such number of official copies of said standard marked Ordinance similarly marked as may be deemed expedient."

**SECTION TWO:** Penalty.

- (a) It is unlawful for any person to violate any of the provisions of this ordinance.
- (b) Any person violating the provisions of these rules and regulations shall upon conviction thereof be fined a sum not to exceed Two Thousand Five Hundred Dollars (\$2,500.00) or confined to the county jail for a period not to exceed 179 days or both such fine and confinement. In addition to proceeding under authority

of this section, the City shall further have the authority to maintain suits or actions in any court of competent jurisdiction for the purpose of enforcing any provisions of these rules and regulations and to abate addition to other remedies, institute injunction, mandamus, or other appropriate actions or proceedings to prevent such violations.

- (c) Each day any violation of these rules and regulations continues shall constitute a separate offense.

**SECTION THREE:** That this Ordinance shall be construed as follows:

- A. **Liberal Construction.** The provisions of this Ordinance shall be liberally construed to effectively carry out its purposes which are hereby found and declared to be in furtherance of the public health, safety, welfare, and convenience.
- B. **Savings Clause.** The repeal of Ordinance sections, as provided herein below shall not affect any rights acquired, fines, penalties, forfeitures or liabilities incurred thereunder, or actions involving any of the provisions of said Ordinances or parts thereof. Said Ordinance repealed is hereby continued in force and effect after the passage, approval, and publications of this Ordinance for the purposes of such rights, fines, penalties, forfeitures, liabilities and actions therefor.
- C. **Invalidity.** If for any reason any chapter, article, section, subsection, sentence, portion or part of this proposed Ordinance set out in this Ordinance, or the application thereof to any person or circumstances is declared to be unconstitutional or invalid, such decision will not affect the validity of the remaining portions of this Code or other Ordinances.

**SECTION FOUR: Repeal.** Ordinance No. 2015-06 is hereby repealed.

**SECTION FIVE: Effective Date.** This Ordinance shall be in force from and after its passage, approval and publication as provided by law.

**PASSED** by the Governing Body this 24<sup>th</sup> day of March, 2016.

**APPROVED** by the Mayor this 24<sup>th</sup> day of March, 2016.

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Steven M. Ellis, Mayor

ATTEST:

---

Glenda Gerrity, City Clerk

(SEAL)

APPROVED AS TO FORM:

---

Frank H. Jenkins, Jr., City Attorney

THE FOLLOWING MINUTES ARE SUBJECT TO MODIFICATION  
AND ARE NOT OFFICIAL MINUTES  
UNTIL APPROVED BY THE SPRING HILL PLANNING COMMISSION

**City of Spring Hill, Kansas  
Minutes of Planning Commission Regular Session  
March 3, 2016**

A Regular Session of the Planning Commission was held in the Spring Hill Civic Center, 401 N. Madison, Room 15, Spring Hill, Kansas on March 3, 2016. The meeting convened at 7:03 p.m. with Vice Chairman Michael Weber presiding, and Christie Campbell, Planning Secretary recording.

Commissioners in attendance: Troy Mitchell – arrived at 7:43 p.m.  
Josh Nowlin  
Paul Ray  
Cindy Squire  
Tyler Vaughan  
Michael Weber

Commissioners absent: Tobi Bitner  
Janell Pollom  
Stephen Sly

Staff in attendance: Jim Hendershot, Community Development Director  
Christie Campbell, Planning Secretary

Public in attendance: Mr. Harland Russell, GBA, Representative for Mid Am  
Mr. Dave Mennenga, GBA, Representative for Mid Am  
Mr. Jim Stewart, Mid Am Operations Manager

**ROLL CALL**

The secretary called the roll of the Planning Commissioners. With a quorum present, the meeting commenced.

**APPROVAL OF THE AGENDA**

The agenda was revised to correct the subdivision name in item #3 from Ridgeview to Ridgefield.

**Motion by Ms. Squire**, seconded by Mr. Nowlin, to approve the agenda as revised.

**Roll Call Vote:** Ray-Aye, Nowlin-Aye, Weber-Aye, Vaughan-Aye, Squire-Aye

**Motion carried 5-0-0**

**FORMAL ACTION**

**4. Public Hearing – Proposed Amendments to the Zoning, Subdivision, and Sign Regulations**

*With no exparte contacts or conflicts of interest between the members of the Planning Commissioners and applicant, Vice Chairman Weber formally opened the public hearing at 7:51 p.m.*

Mr. Hendershot, Community Development Director, presented a power point outlining the regulation changes. One item that was highlighted was the clarification on the definition of a microbrewery and limited quantities. According to the definition from Wikipedia and the Microbrewery Association, limited quantity is defined as less than 15,000 barrels or 460,000 gallons.

THE FOLLOWING MINUTES ARE SUBJECT TO MODIFICATION  
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UNTIL APPROVED BY THE SPRING HILL PLANNING COMMISSION

Another item that was discussed in detail was to allow fencing in side yards on corner lots with relation to the vision triangle and property line. It was recommended by the Planning Commission that the side yard on corner lots abutting the street should have a 3’ setback from the property line. (*see suggested changes in red below*)

- C. Where Screening and Fencing is Prohibited. This zoning ordinance prohibits the erection of a continuous fence more than two feet high in the front yard or side yard abutting a street except: 1) in the AG and R-R district where a see-through fence with a height of four feet or less would be allowed; or 2) in the MP and M-1 district where a security fence would be allowed; or 3) the zoning administrator may approve a portion of a fence to be built in the street side yard of a corner lot to screen outdoor mechanical equipment associated with the structure, walkout doors toward the back of the side building line or other unusual cases as deemed appropriate; or 4) **in the R-1 and R-2 districts a fence not to exceed six feet in height may be erected in the side and/or rear yard no closer to the abutting side street than three feet measured from the property line, provided such fence shall not be erected in the vision triangle.** In addition, this ordinance prohibits the erection of a fence with a height greater than six feet in Districts R-R through MH. Further, in the interest of safety, every attempt should be made to eliminate blind corners near all drive and street intersections. (Also see Section 17.348 - Site Distance on Corner Lots.) Nothing herein shall discourage or prohibit the landscaping, planting, screening and the erection of stand alone decorative fences no taller than three feet in the front yard that are not hazardous to traffic.

Another item discussed in detail were temporary sign regulations with regards to placement. (*Refer to the suggested changes outlined in red below*)

- 9. Temporary signs for special events for public, charitable, religious or fraternal organizations, subject to the following limitations:
  - a. May be located on premises or off premises, subject to approval of the Zoning Administrator.
  - b. These signs are prohibited on public property and public right-of-way. **EXCEPTION: With the approval of the Zoning Administrator these temporary signs may be placed in the area of the Spring Hill “Welcome” signs located at 223<sup>rd</sup> St. and Webster (northeast corner) and 199<sup>th</sup> and Webster St. Signs are prohibited in the vision triangle or any area that may create a vision obstruction to vehicular traffic or a safety hazard to pedestrian traffic. Signs located in these areas may be placed 10 days prior to the event, and shall be removed within 48 hours after the event's completion.**

**The following are staff recommended amendments to the Zoning Regulations of the City of Spring Hill.**

<u>Page</u>	<u>Section</u>	<u>Description</u>
1	17.301.C	Delete reference to Growth Area
1	17.301.D	Delete reference to Growth Area
13	17.302.B.65	Delete reference to Growth Area
15	17.302.B.91	Deleting the phrase “except breweries” allows for breweries and microbreweries to be classified as General Manufacture. This was an issue in a recent CUP.
16	17.302.B.94	Added definition of microbrewery for clarification
25	17.302.B.168	Correct job title
26	17.304.B.2	Delete reference to Growth Area
30	17.306.A	Delete reference to Growth Area
32	17.308.A	Delete reference to Growth Area
52	17.320.A	Delete reference to Growth Area
66	17.326.C.4	Added microbrewery to CUP uses in C-2
66	17.326.C.4	Corrects error in section reference

THE FOLLOWING MINUTES ARE SUBJECT TO MODIFICATION  
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71	17.328.D.8	Increased height of buildings and other structures in MP Districts to be comparable with other area cities. This has been an obstacle when recruiting industrial businesses
75	17.330.D.8	Increased height of buildings and other structures in M-1 Districts to be comparable with other area cities. This has been an obstacle when recruiting industrial businesses
96	17.336.A.7	Many establishments are creating outdoor areas for smoking, eating and drinking
97	17.336.A.8.j	Delete reference to Growth Area
113	17.338.A.1	Change in table to allowable heights for MP and M-1 as per above
121	17.340.C	Digital submission reduces the need for paper copies
125	17.340.H.3	Requirements that are deleted in b, c and d are included in the International Residential Code and adopted by the City of Spring Hill.
173	17.360.C	Allows for fencing in the side yards of corner lots subject to vision triangle restrictions. Clarifies the location of rear yard fencing with relation to the property line.
185	17.364.E	Delete reference to Growth Area
186	17.364.E.1	Delete reference to Growth Area
187	17.364.K	Delete reference to Growth Area
192	17.366.N	Delete reference to Growth Area
192	17.366.O	Delete reference to Growth Area

**The following are staff recommended amendments to the Subdivision Regulations of the City of Spring Hill.**

<u>Page</u>	<u>Section</u>	<u>Description</u>
196	T.O.C.	Corrects page numbering in table of contents
198	17.370.A	Delete reference to Growth Area
199	17.370.C.3	Delete reference to Growth Area
200	17.370.E.23	Delete reference to Growth Area
205	17.370.E.32	Correct job title
209	17.372.C.1	Digital submissions reduce the need for paper copies
210	17.372.C.3.d.i	Delete reference to Growth Area
211	17.372.C.3.d.i	Delete reference to Growth Area
212	17.372.D.2.a.i	Additional set of paper copies of construction drawings are needed for Public Works review
213	17.372.D.2.a.iv	Restrictive covenants are not enforceable by municipalities and often are not imposed by the developer. Requiring them to be submitted implies enforcement and/or approval by the city.
216	17.372.D.2.f	The City has assumed this responsibility to ensure the process is Completed
220	17.376.B.1	Delete reference to Growth Area
228	17.378.B.2	Delete reference to Growth Area
236	17.380.A	Delete reference to Growth Area

THE FOLLOWING MINUTES ARE SUBJECT TO MODIFICATION  
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UNTIL APPROVED BY THE SPRING HILL PLANNING COMMISSION

*With no further questions or comments from the public, Vice Chairman Weber officially closed the public hearing at 8:28 p.m.*

**Motion by** Mr. Nowlin, seconded by Mr. Vaughan, to approve the Zoning, Subdivision, and Sign regulations with the change to Section 17.360.C to allow fences in side yards on corner lots abutting the street to have a setback of at least 3 feet from the property line.

**Roll Call Vote:** Ray-Aye, Nowlin-Aye, Weber-Aye, Vaughan-Aye, Squire-Aye, Mitchell-Aye

**Motion carried 6-0-0**

The following are staff recommended amendments to the Subdivision Regulations of the City of Spring Hill.

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30	17.306.A	Delete reference to Growth Area
32	17.308.A	Delete reference to Growth Area
52	17.320.A	Delete reference to Growth Area
66	17.326.C.4	Added microbrewery to CUP uses in C-2
66	17.326.C.4	Corrects error in section reference
71	17.328.D.8	Increased height of buildings and other structures in MP Districts to be comparable with other area cities. This has been an obstacle when recruiting industrial businesses
75	17.330.D.8	Increased height of buildings and other structures in M-1 Districts to be comparable with other area cities. This has been an obstacle when recruiting industrial businesses
96	17.336.A.7	Many establishments are creating outdoor areas for smoking, eating and drinking
97	17.336.A.8.j	Delete reference to Growth Area
113	17.338.A.1	Change in table to allowable heights for MP and M-1 as per above
121	17.340.C	Digital submission reduces the need for paper copies

125	17.340.H.3	Requirements that are deleted in b, c and d are included in the International Residential Code and adopted by the City of Spring Hill.
173	17.360.C	Allows for fencing in the side yards of corner lots subject to vision triangle restrictions. Clarifies the location of rear yard fencing with relation to the property line.
185	17.364.E	Delete reference to Growth Area
186	17.364.E.1	Delete reference to Growth Area
187	17.364.K	Delete reference to Growth Area
192	17.366.N	Delete reference to Growth Area
192	17.366.O	Delete reference to Growth Area

## SECTION 17.301 - SHORT TITLE

- A. Title. This code, including the zoning district map made a part hereof, shall be known and may be cited and referred to as the "Spring Hill Unified Zoning Ordinance." It may also be referred to throughout this document as "this Code."
- B. Authority. This Code is adopted under the home rule powers of the City and the specific authority of K.S.A. 12-741 et seq., as amended, and is intended to exercise broadly the powers granted to the City there under.
- C. Jurisdiction. The provisions of this Code shall apply within the corporate limits of the City of Spring Hill ~~and the growth area included in the Interlocal Agreement with the Miami County Commission.~~
- D. Purpose. This Code is adopted to preserve and improve the public health, safety and general welfare of the citizens of Spring Hill, ~~the growth area within Miami County~~ and to implement the Comprehensive Plan of the City of Spring Hill, as adopted in April 1996, and as it may be amended from time to time. More specifically, it is the purpose of this Code to implement the following regulatory aspects of the Comprehensive Plan's goals:
1. Create a housing inventory, which maintains the character and scale of a small town or village, creates a pleasing pedestrian environment and ensures a desirable mix of housing styles and colors.
  2. Create a park and open space system which serves the recreational needs of all citizens, is conveniently located for the majority of citizens, preserves the natural environment, and enhances the visual character of the City and surrounding areas.
  3. Create a tax base that provides a variety of funding sources.
  4. Create a transportation system, which efficiently moves traffic into, through and out of the City.
  5. Provide a system of services and facilities that are responsive to the community's needs.
  6. Maintain a small town atmosphere.
- E. Applicability. The following general requirement shall apply to all zoning districts.
1. No Building or land shall be used for any purpose whatsoever or put to any use whatsoever except in accordance with the applicable provision of this Code.
  2. No building or structure shall be constructed, reconstructed or substantially repaired except in accordance with the applicable provisions of this Code.

under license of the Kansas Secretary of Health and Environment, except where it is a group home as defined by KSA 12-736.

~~65. **Growth Area** means the area around the City of Spring Hill that is identified as Exhibit A of the Interlocal Agreement between Miami County, Kansas and the City of Spring Hill, Kansas providing for the joint regulation of the use of land lying within territory designated as the growth area of the City of Spring Hill as approved and adopted by Ordinance No. 97-02.~~

66. **Habitable Floor** means any floor usable for year-round living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof. A floor used only for storage is not a "habitable floor."

67. **Height, Building** means the vertical distance between the average finished grade along the front of a building and: 1) the highest point of the coping of a flat roof; 2) the deckline of a mansard roof; or 3) the average height level between the eaves and ridge line of a gable, hip or gambrel roof.

68. **Home Occupation** means a business, profession, or occupation conducted wholly within a dwelling unit (or accessory structure within the AG district) for gain or support by a resident of the dwelling unit and which is accessory to the use of the dwelling unit as a residence. A dwelling unit includes the attached or detached garage.

69. **Hotel or Motel** means a building containing six or more guestrooms intended or designed to be used, rented or hired out to be occupied, or which are occupied for sleeping accommodation for transient guests, usually for less than a week. Typical uses include hotels, motels, tourist courts, or other similar designation.

70. **Inoperable Vehicle** means any vehicle that is unable to operate or move under its own power, or any major parts thereof such as body, chassis, engine, frame, or the trailer portion of a tractor-trailer rig. This also includes vehicles without a valid license plate, has one or more deflated tires, or the vehicle is on jacks, blocks, chains or other support.

71. **Kennel, Boarding/Breeding/Training** means premises housing five or more adult dogs, three or more of which are owned by someone other than the property resident, and premises housing over ten adult dogs.

72. **Kennel, Hobby** means premises housing five to ten adult dogs owned by the property resident.

73. **Land disturbance** means any activity that changes the physical conditions of landform, vegetation and hydrology, creates bare soil, or otherwise may cause erosion or sedimentation. Such activities include, but are not limited to, clearing, removal of

of the county, or a plot described by metes and bounds, the description which has been recorded in the office of the register of deeds of the county.

- 86. Lot, Through** means an interior lot having frontage on two streets.
- 87. Lot Width** means the horizontal distance between side lines, measured at the front building line.
- 88. Lot, Zoning** means a parcel or tract of land used, developed, or built upon as a unit under single ownership or control. Said parcel or tract may consist of one or more lots of record, one or more portions of a lot or lots of record, or any combination thereof.
- 89. Manufactured Home** means a structure, which is subject to the federal manufactured home construction and safety standards established pursuant to 42 U.S.C. Sec. 5403.
- 90. Manufactured Home Subdivision** means a subdivision that is platted for development as individual home sites for manufactured homes, modular homes, residential-design manufactured homes and site-built single-family dwellings to be placed on permanent foundations.
- 91. Manufacturing, General** means an establishment engaged in the manufacture, predominantly from previously prepared materials or from lightweight nonferrous materials, or finished products or parts, including processing fabrication, assembly, treatment and packaging of such products, and incidental storage, sales and distribution of such products, but excluding "basic industry." Typical uses include apparel and garment factories, appliance manufacturing and assembly, bakeries engaged in large-scale production and wholesale distribution, beverage manufacturing and bottling (~~excluding breweries~~), boat building and repair, electrical and electronic equipment, food processing (excluding slaughterhouses and rendering plants), furniture and fixtures, jewelry manufacturing, laundry and dry cleaning plants, leather products, millwork and cabinetry, creameries, chemical laboratories not producing fumes or odors, meat cutting and wholesale storage, machine shops, motion picture lots, musical instrument manufacturing, pharmaceutical and toiletries manufacturing, sign painting and fabrication, monument and grave marker manufacturing, rubber and plastics products manufacturing, tobacco products manufacturing, cleaning/pressing and dyeing, cold storage plants, and toy manufacturing.
- 92. Manufacturing, Limited** means an establishment primarily engaged in the onsite production of goods by hand manufacturing, processing, fabrication or assembling or a commodity which generally involves only the use of hand tools or other equipment not exceeding two horsepower or a kiln not exceeding eight kilowatts, which may include assembly and packaging, as well as incidental, direct sales to consumers of those goods produced on-site; related office laboratories and business; and loading and unloading truck/rail facilities. Typical uses include ceramic shops, candle-making shops, custom jewelry manufacturing, electronic and computer products assembly,

precision machining of tools, dies and jigs, production of instruments and lenses for medical, dental, optical, scientific and other professional purposes, and upholstery shops.

- 93. Medical Service** means an establishment providing therapeutic, preventive, or corrective personal treatment services on an outpatient basis by physicians, provision of medical testing and analysis services. Typical uses include medical and dental offices and clinics, blood banks and medical laboratories.
- 94. Microbrewery** means a small brewery making specialty beer in limited quantities of less than 15,000 barrels or 460,000 gallons per year.
- 95. Mobile Home** means a movable detached single-family dwelling unit that was manufactured prior to 1976 or that does not conform to the Manufacture Home Construction and Safety Standards Act (HUD Code). Such units shall provide all of the accommodations necessary to be a dwelling unit and be connected to utilities in conformance with all applicable regulations. The term "mobile home" does not include a recreational vehicle.
- 96. Motor Vehicle** means every vehicle, other than a motorized bicycle or a motorized wheelchair, lawn tractor or garden tractor, which is self-propelled.
- 97. Multifamily** means the use of a site for three or more dwelling units within a single building. Typical uses include triplexes, fourplexes, apartments, residential condominiums and town houses.
- 98. Neighborhood Swimming Pool** means any non-publicly owned swimming pool that is not located on the same lot as a residential dwelling unit but which is intended as an amenity for use by the residents and their guests of that subdivision or by a group of subdivisions in the immediate vicinity.
- 99. Net Site Area** means the land area of a lot or tract after all public street and alley rights-of-way as are required by the provisions of this regulation have been subtracted.
- 100. New Construction** means those structures where new construction or substantial improvement of which is begun after December 31, 1979, or the effective date of the Flood Insurance Rate Map, whichever is later.
- 101. Nonconforming Use** means the use of any land, building or structure, which does not comply, with the use regulation of the zoning district in which such use is located, but which complied with the use regulation in effect at the time the use was established.

- 162. Vocational School** means a use providing education or training in business, commercial trades, language, arts or other similar activity or occupational pursuit and not otherwise defined as "school, elementary, middle and high."
- 163. Warehouse, Self-Service Storage** means an enclosed storage facility of a commercial nature containing independent, fully enclosed bays, which are leased to persons exclusively for dead storage of their household goods or personal property.
- 164. Warehousing** means the storage of materials, equipment, or products within a building for manufacturing use or for distribution to wholesalers or retailers, as well as activities involving significant movement and storage of products or equipment. Typical uses include major mail distribution centers, frozen food lockers, and moving and storage firms, but excluding "self-service storage warehouses."
- 165. Welding or Machine Shop** means a workshop where machines, machine parts, or other metal products are fabricated. Typical uses include forges (hand), machine shops, welding shops and sheet metal shops for electroplating, plumbing, steel fabrication, and the like.
- 166. Wholesale or Business Services** means an establishment primarily engaged in the display, storage and sale of goods or services to other firms.
- 167. Zoning Area** means the area zoned as set out on the Official Zoning Map for the City of Spring Hill filed of record and amended from time to time.
- 168. Zoning Administrator** means the ~~Planning and Development Coordinator~~ **Community Development Director** for the City of Spring Hill.
- 169. Zoning Regulation** means the lawfully adopted zoning ordinance for the City of Spring Hill and amended from time to time.

(Ord. 2003-20; 2003-32; 2006-48; 2015-06)

SECTION 17.304 - DISTRICTS - MAP

A. Zoning Districts Established. The following base zoning districts, special purposes zoning districts and overlay districts are hereby established:

MAP CODE	DISTRICT NAME
<b>Residential Base Districts</b>	
AG	Agricultural
R-R	Rural Residential
R-1	Single-Family Residential
R-1A	Small Lot Single-Family Residential
R-2	Two-Family Residential
R-3	Multifamily
R-4	Multifamily
MH	Manufactured Housing
<b>Commercial Base Districts</b>	
C-O	Office Building
C-1	Restricted Business
C-2	General Business
<b>Industrial Base Districts</b>	
MP	Industrial Park
M-1	General industrial
<b>Special Purpose and Overlay Districts</b>	
PD	Planned
P-O	Protective Overlay

B. Zoning Map.

1. Adoption of official zoning map. The boundaries of the zoning districts established by this Code shall be shown on a map or series of maps entitled "Official Zoning District Map." The legend of the official zoning district map shall indicate the date of adoption. Original copies of such maps and all amendments thereto shall be maintained in the office of the Zoning Administrator. In case of any dispute regarding the zoning classification of property subject to this Code, the original maps maintained by the Zoning Administrator shall control.
2. Omitted land. In case any land subject to this Code has not been specifically included within any of the districts shown on such map such land shall automatically be classified into the R-R district. ~~whether it is within the Spring Hill City Limits or within the Growth Area of Spring Hill~~

## SECTION 17.306 - AG AGRICULTURAL DISTRICT

- A. Purpose. It is the purpose of this district to provide for agricultural and related uses in a manner, which will allow for the eventual conversion of the land in this district to more intensive urban uses. The AG district is generally compatible with the "Agricultural" designation of the *Spring Hill Comprehensive Plan*. ~~The AG district is intended for application in the Spring Hill Growth Area in Miami County.~~
- B. Permitted Uses. In District AG no building, structure, land or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for one or more of the following and their customary accessory uses:
1. Agriculture uses  
Agriculture, subject to Section 17.336.A.1
  2. Residential uses  
Single-family
  3. Public and civic uses  
Parks and recreation  
Utility, minor
  4. Commercial uses  
Kennel, hobby, subject to Section 17.336.A.11
  5. Industrial manufacturing and extractive uses  
NONE
- C. Conditional uses. The following uses shall be permitted in the AG district if reviewed and approved by the Planning Commission and Governing Body in accordance with the procedures and standards of Section 17.354.
1. Agriculture uses  
NONE
  2. Residential uses  
Earth-sheltered residence  
Wind energy conversion systems, subject to Section 17.336.A.15  
Hospitals, nursing or convalescent homes congregate care facilities, and retirement housing (Ord. 2003-32)

## SECTION 17.308 - R-R RURAL RESIDENTIAL DISTRICT

- A. Purpose. It is the purpose of this district to provide for the development of the low-density residential neighborhoods that retain the character of the basically rural area and yet allow for the eventual conversion of the land in this district to more intensive urban uses. The R-R district is generally compatible with the "Single-Family" designation of the *Spring Hill Comprehensive Plan*. ~~The R-R district is intended for application in the Spring Hill Growth Area in Miami County.~~
- B. Permitted Uses. In District R-R no building, structure, land or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for one or more of the following and their customary accessory uses:
1. Agriculture uses  
Agriculture, subject to Section 17.336.A.1
  2. Residential uses  
Single-family
  3. Public and civic uses  
Church or place of worship, subject to Section 17.336.A.5  
Parks and recreation  
Utility, minor
  4. Commercial uses  
NONE
  5. Industrial manufacturing and extractive uses  
NONE
- C. Conditional uses. The following uses shall be permitted in the R-R district if reviewed and approved by the Planning Commission and Governing Body in accordance with the procedures and standards of Section 17.354.
1. Agriculture uses  
NONE
  2. Residential uses  
Earth-sheltered residence  
Wind energy conversion systems, subject to Section 17.336.A.15  
Hospitals, nursing or convalescent homes congregate care facilities, and retirement housing (Ord. 2003-32)

SECTION 17.320 - MH MANUFACTURED HOUSING DISTRICT

- A. Purpose. It is the purpose of this district to provide for manufactured home development to occur within manufactured home subdivision. The district is intended for application in the City of Spring Hill ~~and in the Spring Hill Growth Area in Miami County~~ where adequate public facilities and infrastructure is available. (Ord. 2006-48)
- B. Permitted Uses. In District MH no building, structure, land or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for one or more of the following and their customary accessory uses:
1. Agriculture uses  
Agriculture, subject to Section 17.336.A.1
  2. Residential uses  
Single-family  
Manufactured home subdivision  
(Ord. 2006-48)
  3. Public and civic uses  
Church or place of worship, subject to Section 17.336.A.5  
Parks and recreation  
Utility, minor
  4. Commercial uses  
NONE
  5. Industrial manufacturing and extractive uses  
NONE
- C. Conditional uses. The following uses shall be permitted in the MH district if reviewed and approved by the Planning Commission and Governing Body in accordance with the procedures and standards of Section 17.354.
1. Agriculture uses  
NONE
  2. Residential uses  
Neighborhood swimming pool, subject to Section 17.336.A.12  
Hospitals, nursing or convalescent homes congregate care facilities, and retirement housing (Ord. 2003-32)

## SECTION 17.326 - C-2 GENERAL BUSINESS DISTRICT

- A. Purpose. It is the purpose of this district to provide a zone, which will accommodate the broad range of retail shopping activities and service and offices. The C-2 district is generally appropriate for areas designated as “Mixed-Use Commercial” by the *Spring Hill Comprehensive Plan*. The C-2 district should typically be directed to limited areas appropriate for highest intensity development such as interchanges along U.S. 169 Highway, rather than near residential neighborhoods. It is intended for application in those areas in the city limits of Spring Hill where adequate public facilities and infrastructure are available. (Ord. 2006-48)
- B. Permitted Uses. In District C-2 no building, structure, land or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for one or more of the following and their customary accessory uses:
1. Agriculture uses  
Agriculture, subject to Section 17.336.A.1
  2. Residential uses  
NONE, except residential dwellings may be permitted subject to approval of a P-O Protective Overlay District in accordance with Section 17.334. Approval of a P-O district shall establish specific development standards for residential uses in the underlying C-2 district. (Ord. 2006-48)
  3. Public and civic uses  
Church or place of worship, subject to Section 17.336.A.5-6  
Community assembly  
Cultural group, subject to Section 17.336.A.5-6  
Golf Course  
Government service  
Library  
Parks and recreation  
Recycling collection station, public, subject to Section 17.336.A.14  
School, elementary, middle and high, subject to Section 17.336.A.5-6  
Utility, minor
  4. Commercial uses  
Animal care, limited, subject to Section 17.336.A.2  
Automated teller machine  
Banks and financial institutions  
Construction sales and service, retail uses only, subject to Section 17.336.A.8  
Convenience store  
Funeral home  
Medical service

**Microbrewery**

**Microbrewery with consumption on premises, subject to Section 17.336.A.7**

Recreation and entertainment, indoor

Recreation and entertainment, outdoor, subject to Section 17.336.13

Service station

Tavern and drinking establishment, subject to Section 17.336.A.6-7

Vehicle and equipment sales

Vehicle repair, limited

Vehicle repair, general

Warehouse, self-service storage

(Ord. 2004-41)

5. Industrial manufacturing and extractive uses

Extraction of minerals

D. Property development standards. Each site in the C-2 district shall be subject to the following minimum property development standards (See Section 17.338.A.1.). For exceptions see Section 17.348. Modifications to property development standards may be granted with approval of a PD planned district in accordance with Section 17.332 and the property development standards schedule for planned districts (Section 17.338.A.2). (Ord. 2006-48)

1. Minimum lot size: No minimum.

2. Minimum lot width: No minimum.

3. Minimum lot depth: No minimum.

4. Minimum front setback: 15 feet. If build height exceeds two stories in height, the setback shall be increased by three feet for each story in excess of two.

Exception: Zero front setback for properties zoned C-2 and located within tracts described as follows:

Lots 1-22, Block 2, Sprague's Addition to Spring Hill

Lots 1-6, Block 3, Sprague's Addition to Spring Hill

Lots 1-7, Block 4, Sprague's Addition to Spring Hill

Lots 1-12, Block 5, Sprague's Addition to Spring Hill

(Ord. 2013-13)

5. Minimum rear setback: None, except for utility or drainage easement or where rear line of lot abuts districts AG through C-O districts it shall be a minimum of 25 feet. (Ord. 2006-48)

6. Minimum interior side setback: None, except where side line of lot abuts districts AG through C-O the setback will be the same as the adjoining district, but shall be no less

5. Industrial manufacturing and extractive uses
  - Auto wrecking or salvage yard, subject to Section 17.336.A.3
  - Cargo Container Storage Facilities, subject to Section 17.336.A.5
  - Cargo Container Maintenance Facilities, subject to Section 17.336.A.5
  - Manufacturing, general
  - Extraction of mineral(Ord 2015-06)

D. Property development standards. Each site in the MP district shall be subject to the following minimum property development standards (See Section 17.338.A.1.). For exceptions see Section 17.348.

1. Minimum lot size: No minimum (minimum park size 10 acres).
2. Minimum lot width: No minimum.
3. Minimum lot depth: No minimum.
4. Minimum front setback: 50 feet.
5. Minimum rear setback: 15 feet.
6. Minimum interior side setback: 10 feet, except where side yard abuts a lot zoned AG through MH the setback shall be 25 feet. A side yard shall be provided on each side of a building or unit group of buildings, the total of side yards shall not be less than 40 feet. (Ord. 2006-48)
7. Minimum street side setback: 20 feet.
8. Maximum height: ~~35~~ 55 feet. A structure other than a building may be erected to a height not to exceed ~~60~~ 100 feet provided such structure is set back from all property lines a distance equal to or greater than its height and is approved by the Planning Commission.

E. Use Limitations.

1. All operations shall be conducted within a fully enclosed building.
2. All storage of materials, products or equipment shall be within a fully enclosed building or in an open yard so screened that the materials, products or equipment are not visible at eye level (5 feet) within 300 feet of the property. The storage yard may be surfaced with gravel, bituminous, or concrete.
3. Truck traffic shall have direct access to major thoroughfares. Docks shall be located

Freeway sign, subject to Chapter XVIII, Article 7, Section 17.730.A.5.g, Sign Regulations of Spring Hill, Kansas (Ord. 2006-48)

Hotel/motel, subject to Section 17.336.A.10

Off-Premise Billboard Signs, subject to Chapter XVIII, Article 7, Section 17.730.A.6, Sign Regulations of Spring Hill, Kansas (Ord. 2006-48)

Service station

5. Industrial manufacturing and extractive uses

Auto wrecking or salvage yard, subject to Section 17.336.A.3

Cargo Container Storage Facilities, subject to Section 17.336.A.5

Cargo Container Maintenance Facilities, subject to Section 17.336.A.5

Basic industry

Extraction of mineral

(Ord 2015-06)

D. Property development standards. Each site in the M-1 district shall be subject to the following minimum property development standards. (See Section 17.338.A.1.) For exceptions see Section 17.348.

1. Minimum lot size: No minimum.

2. Minimum lot width: No minimum.

3. Minimum lot depth: No minimum.

4. Minimum front setback: 30 feet.

5. Minimum rear setback: 20 feet.

6. Minimum interior side setback: 10 feet, except where side yard abuts a lot zoned AG through MH the setback shall be 25 feet. A side yard shall be provided on each side of a building or unit group of buildings, the total of side yards shall not be less than 30 feet. (Ord. 2006-48)

7. Minimum street side setback: 15 feet.

8. Maximum height: ~~35~~ 55 feet. A structure other than a building may be erected to a height not to exceed ~~60~~ 100 feet provided such structure is set back from all property lines a distance equal to or greater than its height and is approved by the Planning Commission.

E. Use Limitations.

1. All storage of materials, products or equipment shall be within a fully enclosed building or in an open yard so screened that the materials, products or equipment are

- ii. On a parcel or tract of land entirely surrounded by any combination of highways, streets or alleys.
  - iii. A lot or parcel of land immediately adjoining R-2 to C-2 District inclusive; or on a corner lot immediately opposite (on the other side of the street) any R-2 to C-2 District.
  - iv. On a lot approved by the City Council after a public hearing held by the Planning Commission, provided it is found that the use does not materially damage or curtail the appropriate use of neighboring property, and the use conforms to the applicable district regulations and is compatible and does not violate the general spirit and intent of the Zoning Ordinance.
7. Class B clubs, taverns and drinking establishments. Private clubs (taverns, dance clubs) alcoholic beverages are consumed on the premises shall be considered conditional uses and subject to Section 17.354. They shall not be allowed to locate within 200 feet of a church or place of worship, school, nursing home, library, or hospital. This distance shall be measured from the nearest lot line of the church or place of worship, public park, school or residential zoning district to the nearest lot line of the premises on which the drinking establishment is located or of any parking lot designated to be used by the patrons of such businesses, whichever is closest. For purposes of this measurement, the required parking spaces for such a business located within a multi-tenant structure or shopping center are those located nearest the public entrance to the business. ~~No~~ Outdoor service of food and drink as an accessory part of the operation shall be allowed **when approved with the conditional use permit.**
8. Communication towers. Whether allowed by right or by a conditional use permit, communication towers shall be subject to the following provisions. (Ord. 2002-07)
- a. The applicant shall present satisfactory proof that the proposed location and use is reasonably necessary.
  - b. There shall be no nighttime lighting of or on the tower except for the red obstruction warning lights.
  - c. No commercial advertising signs shall be allowed on the tower.
  - d. The applicant must document that no co-location on an existing tower or other structure exists within five miles of the proposed location. Also, the applicant must document that efforts were made to locate on existing towers or other structures but such efforts were unsuccessful. Affidavit of the applicant or intended user of the tower shall place documentation of this requirement in the record. At the request of the Planning Commission additional evidence in the form of testimony may be required from the applicant or intended user of the tower.

- e. The design of all communication towers will be a monopole structure unless the applicant can provide sufficient information that a different type of tower design is required. In all cases, the tower must include aesthetics that accommodate abutting neighborhoods. (Ord. 2002-07)
  - f. All proposed communication towers shall be designed to accommodate at least two additional platforms to lease space on the tower to other companies. Any application for proposed commercial communication towers in excess of 150 feet shall provide documentation that a letter of intent for at least two additional users to be located on the tower. (Ord. 2002-07)
  - g. All communication towers provide information from a licensed engineer that the integrity of the structure will not collapse outside of the property line. (Ord. 2002-07)
  - h. Any application for a proposed tower in excess of 150 feet in height shall include documentation regarding the necessity for the proposed height from a Radio Frequency Engineer. Such documentation shall be in the form of an affidavit acceptable to the Planning Commission and signed by said Engineer. At the request of the Planning Commission additional evidence in the form of testimony may be required from said Engineer. (Ord. 2002-07)
  - i. The tower and accessory equipment must meet all requirements of the Federal Aviation Administration and the Federal Communication Administration. (Ord. 2002-07)
  - j. ~~In the Spring Hill Growth Area, communication towers shall only be allowed in an area either designated as Agricultural or Industrial on the Future Land Use Map of the Spring Hill Comprehensive Plan. (Ord. 2002-07)~~
  - ~~kj.~~ Communication towers shall be allowed as an accessory use to Government Services or Cemeteries in any zoning district. (Ord. 2002-07)
  - ~~hk.~~ Communication towers shall be allowed in the C-2 zoning district if the tower is located adjacent to U.S. 169 Highway. (Ord. 2002-07)
9. Construction sales and service. When a construction sales and service business is located in the C-2 and M-P, it shall be mainly a retail business and not a wholesale or service business and it shall comply with all limitation on outdoor display and storage as specified in Section 17.342.C.
10. Day care. Day care centers shall be subject to the following standards.
- a. Day care centers shall comply with all applicable state regulations.

Property Development Standards - Commercial and Industrial Zoning Districts

Development Standard	Zoning District				
	C-0	C-1	C-2	MP	M-1
Minimum Lot Size (sq. ft.)					
Single-family	N/A	N/A	N/A	N/A	N/A
Duplex (lot area/unit)	N/A	N/A	N/A	N/A	N/A
Multifamily (lot area/unit)	3,000	N/A	N/A	N/A	N/A
Nonresidential	6,000	None	None	None	None
Minimum lot width (feet)	None	None	None	None	None
Front Setback (feet)	35	15	15*	50	30
Rear Setback (feet)	30	10	10	15	20
Interior Side Setback (feet)	7	None	None	10	10
Street Side Setback (feet)	25	15	25	20	15
Maximum Height (feet)	35	35	45	<del>35</del> 55	<del>35</del> 55

\* See Section 17.326.D.4 for exception to front setback in C-2 District

(Ord. 2003-20; 2006-48, 2013-13)

- Property development standards schedule for planned districts. The following property development standards schedules provide tabular summaries of modified property development standards allowed in planned districts. The schedules are intended for reference and do not necessarily reflect all of the regulations that may apply to particular uses or districts such as screening buffers required by Section 17.360. Further modifications to the property development standards listed in this section may be granted in unique instances that results in exceptional development design and achieves the objectives of planned zoning districts and the recommendations of the *Comprehensive Plan* including the Planning Principles and Design Guidelines.

Property development standards including development density, site design, and architectural design requirements shall be determined in planned districts with approval of the preliminary development plan, with consideration given to the recommendations

- C. Submission Requirements. The Site Plan shall include the following data, details, and supporting plans, which are found relevant to the proposal. The applicant shall provide **20 12** legible and complete site plans **and a digital format approved by the Zoning Administrator**. The site plans shall be prepared by an architect, engineer, landscape architect, or other qualified professional, unless waived by the Zoning Administrator, at a scale of one inch equals 30 feet for sites of five or fewer acres and be prepared at a scale of one inch equals 40 feet for sites over five acres. Items required for submission include:
1. Name of the project, address boundaries, legal description, date, north arrow and scale of the plan.
  2. Name and address of the owner of record, developer, and name address and phone number of preparer.
  3. All existing lot lines, easements, and rights-of-way. The area shall be shown in acres or square feet, abutting land uses and structures.
  4. The location and dimensions of all existing and proposed structures and indicate the number of stories, gross floor area, and entrances to all structures. Also, typical elevations and building materials shall be shown.
  5. The location and dimensions of existing and proposed curb cuts, aisles, off-street parking, loading spaces and walkways.
  6. The location, height, and material for screening walls and fences.
  7. The type of surfacing and base course proposed for all parking, loading and walkway areas.
  8. A landscape plan showing all existing open space, trees forest cover and water sources, and all proposed changes to these features including size and type of plant material. Water sources will include ponds, lakes, brooks, streams, wetlands, flood plains, and drainage retention areas located on the site, proposed by the applicant, or identified by the applicant.
  9. The net public area shall be shown for proposed offices and commercial establishments. The proposed use, the required number of off-street parking spaces, and the number of off-street parking spaces shown shall be listed on the site plan. If the exact use is not known at the time a site plan is submitted for review, the number of minimum parking spaces required by the Zoning District shall calculate the off-street parking requirements.

3. Two sets of plans shall be submitted to the City. Scale shall be 1/4 inch equals 1 foot. Plans shall include the following:
  - a. Four elevations.
  - b. Location of all lights, switches, and outlets; ~~there shall be a light over all stairs.~~ Plans shall show location of all furnaces, hot water heaters, sump pump, floor drains, size of beams, columns, footings, flue sizes and location and types. Plans shall show sizes, spacing and lumber species to meet City codes.
  - c. ~~One-hour fire rating required between garages and living quarters.~~
  - d. ~~Stairs shall have minimum headroom of six feet eight inches.~~
  - ec. Exterior elevations shall show materials to be used and approximate finished grades.
  - fd. Foundation plan will also show footing sizes, height of concrete walls, and special footings, such as for fireplaces.
  - g.e. Details pertaining to any required conditions or improvements related to the subject property as established by the approved final development plan when located in a planned district, such as landscaping, fencing, exterior building materials, and architectural design.
4. Two plot plans fully dimensioned showing walks, drives, patios, porches, retaining walls, if any, and showing existing and final grades at corners of building and side property lines. Also show grades at each lot corner and curbs and grades of top of curbs at driveway and street juncture. Show the proposed elevation of each floor level and/or top of foundation wall. Provide direction arrows indicating how water will drain.
5. Building inspections required:
  - a. Pre-footing Inspection. When all excavation, forming and placement of reinforcing is complete and prior to pouring.
  - b. Rough in Inspection of Below Floor Slab Plumbing. No sewer connection is to be made until the rough-in inspection is completed and it is observed that the roofing is completed at the rough-in framing stage.
  - c. Rough-In Framing, Rough-In Electrical, Rough-In Plumbing. All prior to drywall work.

5. In Districts C-O through M-1 all buildings shall provide screening of roof clutter, including mechanical equipment, fans, vents, flues, antenna, and satellite dishes.

6. Where it is deemed necessary as a solution to a problem by either the Planning Commission or Governing Body.

(Ord. 2002-07; 2006-48; 2007-24; 2009-21)

C. Where Screening and Fencing is Prohibited. This zoning ordinance prohibits the erection of a continuous fence more than two feet high in the front yard or side yard abutting a street except: 1) in the AG and R-R district where a see-through fence with a height of four feet or less would be allowed; or 2) in the MP and M-1 district where a security fence would be allowed; or 3) the zoning administrator may approve a portion of a fence to be built in the street side yard of a corner lot to screen outdoor mechanical equipment associated with the structure, walkout doors toward the back of the side building line or other unusual cases as deemed appropriate; or 4) in the R-1 and R-2 districts a fence not to exceed six feet in height may be erected in the side and/or rear yard no closer to the abutting side street than three feet measured from the property line, provided such fence shall not be erected in the vision triangle. In addition, this ordinance prohibits the erection of a fence with a height greater than six feet in Districts R-R through MH. Further, in the interest of safety, every attempt should be made to eliminate blind corners near all drive and street intersections. (Also see Section 17.348 - Site Distance on Corner Lots.) Nothing herein shall discourage or prohibit the landscaping, planting, screening and the erection of stand alone decorative fences no taller than three feet in the front yard that are not hazardous to traffic.

To provide for continuity when the side or rear yard of one residential property abuts the front yard of another residential property on a corner lot, the fence cannot protrude beyond the front building line of the adjacent lot.

Exception: The Chief Building Inspector may approve the placement of a fence on a corner lot closer to the street than the front building line of the adjacent lot provided all of the following are met:

1. The fence shall not be erected closer to the street than the street side setback line of the corner lot.
2. No blind corners are created at drive or street intersections.

(Ord. 2009-21)

D. Buffer Screens; where required.

1. Buffer impact screens shall be provided between developments of differing land uses adjoining one another and shall comply with Section 17.360.G, except as follows:
  - a. Buffer impact screen requirements may be modified through increased or decreased requirements, or may be waived entirely by the Planning Commission and City Council with approval of a site plan, or a preliminary and final development plan in

6. suitability of parcel for uses permitted by the proposed district;
7. detrimental effects on nearby parcels;
8. proposed amendment corrects an error;
9. length of time of property has been vacant;
10. adequacy of current facilities;
11. conformity with the Comprehensive Plan;
12. hardship if application is denied;
13. any additional information; and
14. recommendation of the Zoning Administrator.

The applicant shall have the burden of demonstrating that the proposal meets the applicable review criteria.

- E. Certified List of Property Owners. The applicant shall furnish to the City Clerk a certified list of all owners of record of lands located within at least 200 feet of the area proposed to be altered in the city limits; and the area of notification shall be extended to at least 1,000 feet in the unincorporated area when properties proposed to be altered are located adjacent to or outside of the city limits; ~~or 1,000 feet in the growth area, of the area proposed to be zoned.~~ The list shall include title owners of such property, their mailing addresses, and a legal description of their property. This information must be obtained through a title insurance company. Twenty days prior to the hearing, the Zoning Administrator shall mail to all parties described, a copy of the published notice of the hearing. (Ord. 2006-48)
- F. Posting of Sign. Upon application for rezoning, the applicant shall post a sign, as provided by the City Clerk, on the property in question. The rezoning sign must be posted not less than 15 days prior to the date of the public hearing to be held by the Planning Commission. The sign may be posted anytime in advance of that 15-day minimum. The applicant shall place the sign within five feet of the street right-of-way in a central position on the property to be rezoned. The site may require the posting of two such signs if fronting on two major streets and if the site is more than five acres. The bottom of the sign shall be raised a minimum of two feet above the ground line. The owner or agent shall present a letter to the City Clerk stating the day the sign was posted and that he personally checked the sign, and as of the date of the hearing the sign was still posted. The sign shall remain posted until after Governing Body action and shall then be removed by the applicant. (Ord. 2006-48)

- G. Application and Application Review. The applicant will file a completed application for rezoning and other required documents with the Zoning Administrator 20 days prior to the public hearing. The staff will review the application and the applicant may obtain a copy of the staff review at the same time that it is sent to the Planning Commission.
- H. Public Hearing by the Planning Commission. The Planning Commission meets on the first Thursday of each month with the exception of holidays. The Chairman of the Planning Commission will announce each application. A short review of the staff comments will then be presented. The applicant will then be allowed to make any presentation or statement desired. The Chairman will then ask if there is anyone else who wishes to speak in favor of the application. At the termination of those speaking in favor of the application, the Chairman will ask for those who wish to speak in opposition to the application. After discussion has concluded, the Planning Commission will take action on each application in the form of recommendation for approval, denial or continuance until a later date.
- I. Protest Period and Petition. After the conclusion of the Planning Commission public hearing, a 14 day protest period begins, during which time of all owners of record of lands located either within: 200 feet in the city limits; or 1000 feet adjacent to or outside of the city limits; ~~or 1,000 feet in the growth area,~~ of the area proposed to be zoned may file with the City Clerk a petition indicating their protest to the proposed rezoning application. To be valid, the petition must be filed within the 14 days immediately following the conclusion of the Planning Commission hearing and must be signed by the owners of record of 20 percent or more of the total real property within the area required to be notified by this act of the proposed rezoning of a specific property located either within: 200 feet in the city limits; 1000 feet adjacent to or outside of the city limits; or 1,000 feet in the growth area, of the area proposed to be rezoned, excluding public street right-of-way and property excluded pursuant to Section 17.364.I.1. Copies of the protest petition form are available at City Hall.
1. For the purpose of determining the sufficiency of a protest petition, if the proposed rezoning was requested by the owner of the specific property subject to the rezoning or the owner of the specific property subject to the rezoning does not oppose in writing such rezoning, such property also shall be excluded when calculating the “total real property within the area required to be notified” as that phrase is used in Section 17.364.I
- J. Governing Body Action. After the 14-day protest period has concluded, the application will be placed on an agenda for Governing Body action. The Planning Commission will forward with the application the results of the hearing held by the Planning Commission. If a petition has been filed in opposition to the rezoning, a favorable vote of three-fourths of all Council members is required to approve the application.
1. At the time of the City Council meeting, the City staff will make a brief presentation. An opportunity is then available for the applicant to make any presentation or statement desired. After the discussion has concluded, the Governing Body will take action on each application in the form of:

- adopt such recommendation by ordinance,
- override the Planning Commission's recommendation by a 2/3 majority vote of the membership of the Governing Body,
- return such recommendations to the Planning Commission with a statement specifying the basis for the Governing Body's failure to approve or disapprove,
- denial, or
- continuance.

The application may be continued to the following meeting.

2. If the Governing Body returns the Planning Commission's recommendations, the Planning Commission, after considering the same, may resubmit its original recommendations giving the reasons therefore or submit new and amended recommendations. Upon receipt of such recommendations, the Governing Body, by a simple majority thereof, may adopt or may revise or amend and adopt such recommendations, or it need take no further action thereon. If the Planning Commission fails to deliver its recommendation to the Governing Body following the Planning Commission's next regular meeting after receipt of the Governing Body's report, the Governing Body shall consider such course of inaction on the part of the Planning Commission as a resubmission of the original recommendation and proceed accordingly.

(Ord. 2004-41; 2006-48)

K. Continuances - Action Required of Applicant. Upon request of the applicant to the Secretary of the Planning Commission, one continuance may be granted of the hearing before the Planning Commission; and one continuance may be granted for Council action on the Planning Commission recommendation. Any such continuance, when requested by the applicant, shall be made to a day certain and shall be for not less than one month. The applicant shall notify all the owners of record of lands located either within: 200 feet in the city limits; ~~or 1000 feet adjacent to or outside of the city limits;~~ ~~or 1,000 feet in the growth area;~~ of the area proposed to be zoned of the area for which the rezoning application has been filed. Such notice shall be given by certified mail, return receipt requested, and shall state that the matter has been continued at the request of the applicant, and the date to which such an application is continued. In the event there is not sufficient time to give notice by mail, the applicant shall attempt to contact each of such owners by telephone, advising of the continuance and the date to which such application is continued. The applicant shall file an affidavit that such notice has been given, the manner and the time thereof.

L. Traffic Study for Rezoning. In the case of an application for rezoning of land for use, which may, in the opinion of staff, the Planning Commission or the Governing Body, substantially change traffic patterns, or create traffic congestion, either body may, by motion, require that the applicant procure the services of a competent professional traffic engineer for the purpose of preparing a traffic study. Such traffic study shall show that the traffic generated by the proposed development will be handled on the site in an orderly and efficient manner, and that vehicular

4. That the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare.
  5. That the granting of the variance desired will not be opposed to the general spirit and intent of the zoning title.
- L. Exceptions. The Board may grant exceptions to the provisions of this title when the Board is specifically authorized to grant such exceptions by the terms of the zoning title. In no event shall exceptions to the provisions of the zoning title be granted when the use or exception contemplated is not specifically listed as an exception in the zoning title. Further, the Board shall not have the power to grant an exception when the conditions of such an exception, as established by the Governing Body in this title, are not found to be present.
- M. Dissatisfaction with Determination of Board. Any person, official, or governmental agency dissatisfied with any order or determination of the Board may bring an action in the Johnson County or Miami County District Court to determine the reasonableness of any such order of determination.
- N. Hearing Before Board. The City shall mail on or before ten days from the date of hearing set for an appeal or application a copy of the same to the owners of record of all real property (in accordance with Section 17.364.E) located either within: 200 feet in the city limits; or 1000 feet adjacent to or outside of the city limits; ~~or 1,000 feet in the growth area,~~ of the boundaries of the property which is the subject of the appeal.
- O. Plat to be Filed Secretary of Board. The appellant or applicant shall file with the Secretary of the board on or before 20 days prior to the date of hearing set for an appeal or application, a plat of the land which is the subject of the appeal or application, said plat being drawn to scale and showing the ownership of all real estate located either within: 200 feet in the city limits; or 1000 feet adjacent to or outside of the city limits; ~~or 1,000 feet in the growth area,~~ from the boundaries of appellant's or applicant's real property; provided that an appellant or applicant shall show on said plat the location of all present and proposed improvements relating to appellant's or applicant's real property.
- P. Time for Hearing Appeal or Application. When an appeal or application has been filed with the Secretary of the Board, said Secretary shall notify the Chair who will call a meeting of the Board; provided that notice of the time, place, and subject of the hearing shall be published in the official newspaper of the City once on a date not less than twenty days prior to the date set for the hearing; provided further that a copy of the publication notice shall be mailed to each party to the appeal within seven days from the date of publication.

SECTION 17.368 - LEGALITIES, SEVERABILITY, VESTING OF DEVELOPMENT  
RIGHTS, APPEALS, PENALTIES

**A. Legality.** See Section 17.364.C of this Code.

**B. Severability.** If any section, subsection, clause, phrase or portion of this Code is for any reason held invalid or unconstitutional by any court or competent jurisdiction, such portions shall be deemed separate, distinct and independent provisions and such holding shall not affect the validity of the remaining portions of this Code.

**C. Vesting of Development Rights.**

1. For the purpose of single-family residential developments, development rights in such land use shall vest upon recording of a plat of such land. If construction is not commenced on such land within five years of recording a plat, the development rights in such shall expire.
2. For all purposes other than single-family developments, the right to use land for a particular purpose shall vest upon the issuance of all permits required for such use by a city or county and construction has begun and substantial amounts of work have been completed under a validly issued permit.
3. The Governing Body may provide in zoning regulations for earlier vesting of development rights, however, vesting shall occur in the same manner for all uses of land within a land-use classification under the adopted zoning regulations.
4. The provisions of this section shall become effective on and after August 14, 1997.

**D. Appeals.**

1. The Governing Body's decision on an application for an amendment to the official zoning map or to the text of this Zoning Code shall be the final local action. Appeals of such final local action shall be taken to the district court in and for the Tenth Judicial District of the State of Kansas.
2. The provisions of this section shall become effective on and after August 14, 1997.

**E. Penalties.**

1. The City may seek such criminal or civil penalties as are provided by Kansas law, municipal or county code. Any violation occurring within the City ~~or the Spring Hill Growth Area~~ shall be punished in accordance with Section 17-303A. For purposes of these penalties, each day's violation shall constitute a separate offense.
2. Any city, and any person the value or use of whose property is or may be affected by such

## SECTION 17.370 - GENERAL PROVISIONS

- A. Title and Scope.** These Regulations, entitled the Spring Hill Subdivision Regulations, prescribe minimum design requirements and approval procedures for the development of new subdivisions and re-subdivisions of land in the City of Spring Hill ~~and the growth area included in the Interlocal Agreement with the Miami County Commission.~~
- B. Purpose.** The division and improvement of land for urban development has a significant and lasting impact upon the physical environment of Spring Hill and places increasing demands upon public facilities and services. The creation of new streets, lots and utility systems requires significant capital investments and failure to adequately size and construct sewers and streets, insure adequate water supplies, manage storm water runoff and erosion, and plan for public services may result in physical and environmental problems which are difficult and costly to resolve.

These Regulations set forth uniform rules and procedures for the division and improvement of real property to assure that new subdivisions are properly planned and integrated with existing streets, utilities and other public facilities systems, to prevent potential environmental hazards, and to coordinate the use of private and public resources to achieve planned and orderly land development through the proper location and design of streets, building lines, open spaces, and utilities and the standards by which streets, utilities and other physical improvements shall be erected, constructed and installed.

In addition, the Community Development Recommendations of the Spring Hill Comprehensive Plan including the Planning Principles and Design Guidelines will supplement these Regulations. The purpose of the Comprehensive Plan Recommendations is to provide quality and design criteria relating to all development within the City.

(Ord. 2006-48)

- C. Applicability.** The provisions and regulations of this chapter apply to all zoning districts, except the provisions of any section of these regulations may be modified in planned zoning districts in accordance with the recommendations of the *Comprehensive Plan* and its associated Planning Principles and Design Guidelines, provided such modifications will not be contrary to the public interest or will not place unnecessary burden on the City.

Except as otherwise provided in this chapter, no subdivision may be developed until both a preliminary and final plat have been approved and filed in accordance with these provisions and the consideration of the *Comprehensive Plan*, *Major Thoroughfare Plan*, *Planning Principles and Design Guidelines*, and any applicable studies and plans approved by the Planning Commission and the Governing Body. Approval of a preliminary plat does not constitute acceptance of the subdivision, but authorizes preparation of the final plat. No improvements shall take place in the subdivision prior to approval and recording of the final plat and submittal and approval of street, sanitary sewer, water line and storm sewer

construction plans by the City Engineer.

These Regulations shall apply to any person desiring to do any of the following:

1. Subdivide or further subdivide any lot or tract of land into two or more parts.
2. Re-subdivide any lot or tract of land that has previously been subdivided into two or more parts.
3. Establish any street, alley, sidewalk, park or other property intended for public use or for the use of prospective or existing owners of lots or tracts of land fronting on or adjacent to such property.

The owner(s) of any land located within Spring Hill ~~or within the growth area~~ subdividing said land in a manner previously cited shall cause to be prepared a subdivision plat in accordance with the provisions of these Regulations. No building permit will hereafter be issued by the City of Spring Hill for construction on any land that has not been subdivided in compliance with these Regulations and all other applicable state laws and City of Spring Hill regulations in effect at the time of the subdivision of said land.

4. After the effective date of these Subdivision Regulations, the owner or owners of any land, subdividing the same into two or more lots, blocks, tracts, or parcels, shall cause a subdivision plat or parcel split to be made.

(Ord. 2006-48)

**D. Exemptions.** These Regulations shall not apply in the following instances or transactions:

1. Any lot or tract of land located within the area governed by these Regulations that has been legally subdivided or platted prior to the effective date of these Regulations. Exemptions from these Regulations shall not apply to any subsequent subdivision of a lot or tract.
2. The division or further division of land into tracts of 10 acres or more when subdivided only for agricultural use and does not involve or result in the creation of new streets, easements of access or other dedication.
3. A transaction between owners of adjoining tracts of land or lots which involves only a change in the boundary between the land owned by such persons, provided no additional lots are created and such tracts of land or lots comply with the design requirements for lots in Section 17.376.D of these Regulations and applicable provisions of the Spring Hill Zoning Regulations.

14. Cul-De-Sac means a local street with only one outlet and having a circular turnaround for the safe and convenient reversal of traffic movement.
15. Dead End Street means a street having only one outlet and having no turnaround.
16. Developer means the owner, or any other person, firm or corporation authorized by the owner, undertaking proceedings under the provisions of these Regulations for the purpose of subdividing land.
17. Double Frontage means a lot having a frontage on two nonintersecting streets, as distinguished from a corner lot.
18. Easement means an authorization by a property owner for the use by another, for a specified purpose, of any designated part of his property.
19. Final Plat means the map or plan or record of a subdivision and any accompanying materials, as described in the Subdivision Regulations.
20. Frontage means
  - a. Street Frontage. All of the property on one side of a street between two intersecting streets (crossing or terminating), measured along the line of the street, or if the street is dead-ended, then all of the property abutting on one side between an intersecting street and the dead-end of the street.
  - b. Lot Frontage. The distance for which the front boundary line of the lot and the right-of-way are coincidental.
21. Frontage Road means a public or private marginal access roadway generally paralleling and contiguous to a street or highway providing access to abutting properties and which is designed to promote safety by eliminating unlimited ingress and egress to such street or highway by providing points of access at generally uniformly spaced intervals.
22. Governing Body means the Spring Hill City Council and Mayor. (Ord. 2006-48)
23. ~~Growth Area means the area around the City of Spring Hill that is identified as Exhibit A of the Interlocal Agreement between Miami County, Kansas and the City of Spring Hill, Kansas providing for the joint regulation of the use of land lying within territory designated as the growth area of the City of Spring Hill as approved and adopted by Ordinance No. 97-02.~~

39. Subdivision mean any land, vacant or improved, which is divided or proposed to be divided into two or more lots, parcels, sites, units, plots or interests for the purpose of offer, sale, lease, or development, either on the installment plan or upon any and all other plans, terms and conditions, including re-subdivision. Subdivision includes the division or development of residential and nonresidential-zoned land, whether by deed, metes-and-bounds description map, plat or other recorded instrument.
40. Subdivision, Non-Residential means a subdivision whose intended use is other than residential, such as commercial or industrial. Such subdivision shall comply with the applicable provisions of these Regulations.
41. Tract or Lot Split means the dividing or redividing of a lot or tract of land into not more than two tracts or lots subject to the criteria within these Regulations.
42. Walkways means where blocks have substantial pedestrian traffic may occur such as adjacent to schools, the Planning Commission may require pedestrian walkways through blocks. Such walkways shall be 10 feet in width, shall be adequately fenced and shall contain a concrete walk the entire length. Such walkways shall be dedicated to the public in the same manner as streets.
43. Zoning Administrator means the ~~Planning and Development Coordinator~~ **Community Development Director** for the City of Spring Hill.

**F. Adequate Public Facilities and Services.**

1. In order to prevent the premature development of land which might pose a threat to the health, safety or general welfare of the community at large, or the occupants of land in the particular area of the City, it shall be the policy of the City that no application for conditional use permit, preliminary or final development plan or preliminary or final plat shall be approved unless public facilities and services are available, or will be provided as a condition of the application, which are adequate to serve the development.
2. For purposes of this section, the determination of the adequacy of public facilities and services shall be made in accordance with the following criteria.
  - a. The road network serving the site shall be capable of handling the increased traffic generated by the development. The Governing Body has the discretion to require the creation of a benefit district for the improvement of nearby arterial streets to ensure that the road network is capable of handling present and future traffic caused by development in the area.
  - b. The development must be served by a public sanitary sewer system. Sewer lines

**C. Preliminary Plat.**

1. Application. The subdivision application form shall be filed with the Zoning Administrator and shall be accompanied by ~~16~~ 12 copies of the preliminary plat and a digital format approved by the Zoning Administrator. The appropriate fee shall be paid upon filing the application. (Ord. 2005-29; 2006-48)
2. Preliminary Development Plan as Substitute for Preliminary Plat. Where property has been zoned to a planned zoning district, an approved preliminary development plan may substitute for a preliminary plat where said preliminary development plan contains all information required for preliminary plats as set forth in Section 17.372.C.3, Preliminary Plat Contents. (Ord. 2006-48)
3. Preliminary Plat Contents. The following information shall be shown on the preliminary plat or attached hereto:
  - a. Items Pertaining to the Title:
    - i. The name of the proposed subdivision.
    - ii. Location of the subdivision by reference to a section corner.
    - iii. The name(s) and address(es) of the owner(s)/developer and the licensed surveyor, architect, or engineer who prepared the plat.
    - iv. North arrow.
    - v. Scale of drawings (The preliminary plat shall be drawn to a scale of not less than 1 inch = 100 feet; however, with special conditions and prior approval, this scale may be exceeded).
    - vi. The legal description of the entire dimension of the subdivision.
  - b. Items Pertaining to the Subject Property (Existing):
    - i. All of the land to be platted as well as all platted or unplatted adjacent properties shall be shown. A heavy solid line should accurately indicate the boundary of the platted area.
    - ii. Existing contours with the contour intervals not more than five feet. All elevations and contours shall be related to mean sea level.
    - iii. The location, width and names of all existing platted or private streets or other

public ways within or adjacent to the tract, together with easements, railroad and utility rights-of-way, parks and other significant features such as city boundary lines and monuments.

- iv. Environmental features, including the location and direction of drainage channels and areas subject to one hundred-year flood, including those areas identified by flood studies prepared by the Johnson County Storm Water Management Program. (Ord. 2006-48)

c. Items Pertaining to the Plat (Proposed):

- i. Layout and names of streets, with general dimensions and appropriate grades and their relationship to adjoining or projected streets or roadways.
- ii. Intended layout, zoning, numbers, and dimensions of lots.
- iii. Parcels of land intended to be dedicated or reserved for parks, school or other public use, or to be reserved for the use of property owners within the subdivision.
- iv. A preliminary plat will not be approved without a plan showing how water and sanitary sewers will serve it.
- v. Location and type of utilities to be installed, including the approximate location of extensions of any sanitary and/or storm sewers and water mains.
- vi. Utility and other easements, indicating width and purpose.
- vii. A statement or other indications of phasing of the development and an appropriate timetable if applicable.
- viii. Vicinity sketch which indicates the relationship between the proposed subdivision and the surrounding properties, streets and other features.

d. Items to Accompany the Plat:

- i. The names and addresses of owners of record of lands located within at least 200 feet of the area proposed to be platted in the city limits; and the area of notification shall be extended to at least 1,000 feet in the unincorporated area when properties proposed to be platted are located adjacent to or outside of the city limits; ~~or 1,000 feet in the growth area,~~ of the proposed platted area in accordance with Section 17.364.E of the City of Spring Hill Zoning Ordinance. Twenty days prior to the meeting, the City Clerk shall mail to each party a courtesy letter with information about the plat application and the meeting date



The Planning Commission shall forward to the Governing Body a statement of the action taken by the Planning Commission.

The Governing Body may, at its request, require that it must approve the preliminary plat before the applicant can submit a final plat.

(Ord. 2006-48)

7. Effect of Approved Preliminary Plat. Approval of the preliminary plat does not constitute final acceptance of the subdivision by the Governing Body. It establishes the overall layout and design of the proposed subdivision and authorizes the applicant to prepare a final plat. Any deviation of the final plat from the intent of the approved preliminary plat as determined by the Planning Commission shall be disallowed and shall cause the re-initiation of the preliminary platting process.

The applicant shall file a final plat application along with the required documents described in Section 17.372.D within one year after approval of the preliminary plat by the Planning Commission. Upon failure to do so within the time specified, approval of the preliminary plat is null and void, unless an extension of time, limited to one year, is applied for by the developer and granted by the Zoning Administrator. An extension shall be granted only once.

(Ord. 2006-48)

#### **D. Final Plat.**

1. Application. The final platting process is intended to provide a complete surveyed drawing of the subdivision for the purpose of providing a legal record of lots, streets, and areas for dedication and easements for future reference and transactions. The final plat submitted may be for all of the property approved in the preliminary plat or may be for only a portion or "phase" thereof.

The applicant shall file a final plat application with the Zoning Administrator including ~~16~~ 12 copies of the final plat and a digital format approved by the Zoning Administrator, along with the additional information required herein.

(Ord. 2005-29; 2006-48)

2. Final Plat Contents. The following information shall be shown on the final plat and attached thereto:

- a. Items to be Included on the Final Plat:

- i. ~~Two~~ Three copies of separate drawings showing a profile and cross section of all streets, alleys or public use areas. The profiles and cross sections shall be drawn to specifications as on file, and acceptable to the City Engineer.

- ii. A certificate which states that the person or persons whose names are signed to this document and/or appear on the final plat are the sole and lawful owners or agents of the property, that the plat is made with their desires, and that they dedicate the areas shown on the plat or as set forth in the document to the perpetual use by the public for the specific purpose stated herein. The City Clerk shall verify ownership.
- iii. Certification by the County Clerk in Johnson County or the County Treasurer in Miami County showing that all due or unpaid taxes have been paid in full.
- iv. ~~A copy of restrictive covenants applicable to the subdivision including the fencing requirements of the Spring Hill Zoning Ordinance.~~
- v. Where natural drainage ways are part of the drainage dedication easement, note that the drainage way will be maintained by the abutting property owners.
- vi. Proof of adequate public facilities as set forth by Section 17.370.F. (Ord. 2006-48)
- vii. Provide for adequate control of storm water runoff to prevent soil erosion, such as silt fences. This includes applying for a Notice of Intent (NOI) for storm water discharges associated with construction activity under the National Discharge Elimination System. A copy of the NOI along with the Storm water Pollution Prevention Plan must be filed with the Zoning Administrator.
- viii. Provide for adequate disposal of construction refuse. No construction refuse will be allowed to be stored, maintained or kept in the open on any lot, tract or parcel.
- ix. Three copies of a properly executed written agreement by the developer to undertake and complete, to the satisfaction of the City, all public improvements required as a condition for approval of the plat. The agreement shall also set out the time limit for the completion of the specified work, the amount of surety bond to be posted as security for satisfactory completion of the work, and the right of the City, in the event the required work is not completed in a proper or timely manner, to perform or complete the work and recover the actual cost thereof from the developer or the developer's sureties. (Ord. 2002-31)

The developer's agreement for public improvements will set out the public improvements required and also set out or incorporate by appropriate references, the plans and specifications for said improvements. The developer's agreement and bond for required public improvements shall be reviewed and approved as to the form and content by the City Engineer and the City Attorney.

The Zoning Administrator shall serve as final plat coordinator and all review comments shall be directed to such person.

- d. Spring Hill Planning Commission Review and Action. The Planning Commission shall determine if the final plat conforms to the provisions of the subdivision regulations, and the recommendations of the *Comprehensive Plan* and associated Planning Principles and Design Guidelines. If such determination is not made within 60 days after the first meeting of such commission following the date of the submission of the plat to the Zoning Administrator thereof, such plat shall be deemed to have been approved and a certificate shall be issued by the Zoning Administrator upon demand. If the Planning Commission finds the final plat does not conform to the requirements of the subdivision regulations, and the recommendations of the *Comprehensive Plan* and associated Planning Principles and Design Guidelines, the Planning Commission shall notify the owner or owners of such fact. If the final plat conforms to the requirements of such regulations, there shall be endorsed thereon the fact that the plat has been submitted to and approved by the Planning Commission. (Ord. 2006-48)
- e. Governing Body Review and Action. The Governing Body shall accept or refuse the dedications of land for public purposes within 30 days after the first meeting of the Governing Body following the date of the submission of the plat to the clerk thereof. The Governing Body may defer action for an additional 30 days for the purpose of allowing for modifications to comply with the requirements established by the Governing Body. No additional filing fees shall be assessed during that period. If the Governing Body defers or refuses such dedication, it shall advise the Planning Commission of the reasons therefore.

The Zoning Administrator may approve a minor engineering change to a plat after it has been approved. Both the Planning Commission and the Governing Body shall approve all other changes or amendments to a plat.

- f. Recording of Final Plat. It shall be the applicant's city's responsibility to file the final plat with the Records and Tax Administration of Johnson County or the Register of Deeds Miami County, Kansas, after approval of the final plat by the Governing Body, as required by State law. The final plat will not be considered official until a file stamp copy is submitted to the City Clerk. In addition, the applicant will need to record with the county an affidavit concurrently with the recording of the final plat to identify the organization that will be the legal entity having permanent responsibility and authority for the installation, maintenance and repair of the landscape or screen tracts, private greenways, parks or common open space areas as indicated on the final plat, as well as for the payment of the expenses including taxes and special assessments. (2007-24 09/07)

## SECTION 17.376 - SUBDIVISION DESIGN STANDARDS

- A. Applicability.** All subdivisions of land subject to these Regulations shall conform to the following minimum design standards. Such design criteria shall govern the approval of subdivision plats by the Planning Commission and the Governing Body.

All subdivisions shall be platted with due consideration toward sound traffic engineering principles, safe and accessible building sites, adequate methods of storm water drainage and provisions for a sanitary water supply and effective sewage disposal system. All subdivision plats shall be consistent with applicable Citywide development plans and policies and shall be coordinated with existing planned or committed public improvements.

- B. Street Standards.** The *Technical Specifications for Public Improvement Projects* and the *Design Criteria for Public Improvement Projects* include detailed criteria required for street design and construction. The final street design and arrangement of the development shall be completed in accordance with the *Major Thoroughfare Plan* of the *Comprehensive Plan* and applicable corridor studies and plans and shall be subject to approval by the Planning Commission and the Governing Body. The following are the general street design criteria. (Ord. 2006-48)

1. **External Street Considerations.** The arrangement, alignment, and width of streets in new subdivisions shall be properly integrated with the existing principal street system and, where appropriate, shall provide for the continuation of existing principal streets in adjoining subdivisions or their projection where adjoining property is not platted. In no case shall the width of streets in new subdivisions be less than the minimum street widths established in this Section.

All subdivisions are required to have access to a paved street. If a street is not paved then the developer will be responsible to pave the road, if it is located in the City, to the standards listed in the Technical Specifications and the Design Criteria. If a portion of an arterial or collector street is located within both the city limits of Spring Hill and the unincorporated area of Johnson County or Miami County, ~~or the Spring Hill Growth Area,~~ then the road shall be surfaced with a permanent, bituminous or concrete paving from the intersections of all local and collector streets in the subdivision to an intersection with an existing paved arterial street. ~~For roads in the Spring Hill Growth Area, the developer will be responsible for paving the road to Miami County standards. In the Growth Area, the road must be paved up to an intersection with an existing paved road. (Ord. 2006-48)~~

2. **Internal Street Layout.** The location, arrangement, character and type of all streets shall be designed in their relations to topographical conditions, the extent and impact of storm water runoff, the safe and convenient circulation of traffic within the subdivision, the uses of the land to be served by such streets, and shall comply with the

## SECTION 17.378 - REQUIREMENTS FOR IMPROVEMENTS

- A. Applicability.** Prior to, and as a condition to approval of any final plat by the Governing Body, the developer shall agree to install or provide for certain improvements within the proposed subdivision. Such improvements installed by the developer shall comply with the standards and specifications of the City, utility company or public agency having jurisdiction and shall be subject to any applicable surety requirements to guarantee their proper installation.
- B. Required Improvements.** Every developer shall install, or through the appropriate public agencies and utility companies, shall provide for the installation of public improvements in accordance with the criteria listed in the *Technical Specifications for Public Improvement Projects* and the *Design Criteria for Public Improvement Projects*. The following are the general improvements that are required.
- 1. Water Supply and Sewage Disposal.** The type of water supply and sewage disposal utilized to serve the subdivision shall be subject to the requirements of the Spring Hill Sanitary Code. The plans for water supply and disposal of sewage to serve the platted area shall give due consideration to the present and/or foreseeable needs of the subject property and adjoining properties intended to be developed, as well as the overall effectiveness of the system, based on the characteristics of the land and the nature of development. The developer shall have an approved Water Quality Management Plan. Where a public water supply is provided through the City of Spring Hill, such construction and installation of the system shall be in compliance with the *Technical Specifications for Public Improvement Projects* and the *Design Criteria for Public Improvement Projects*.

The connection of the subdivision to the public sewage system shall be in accordance with the requirements of the City of Spring Hill. Additionally, the construction of all public water supply and sewer systems shall be subject to the regulations of the Kansas State Department of Health and Environment.

- 2. Private Sewage Disposal System.** Must be located on a minimum of two acres and be approved for sewage treatment by the Johnson County Environmental Department for the land is located within the Spring Hill City limits regardless if the land is located within either Johnson County or Miami County. ~~All land located in the growth area must be approved for sewage treatment by Miami County.~~ If the Spring Hill public sewer is within 200 feet of a property line, then the property owner must connect up to the public sewer system as required in the *City of Spring Hill Sewer Rules and Regulations*, Article 2, Section 13-201.

## SECTION 17.380 - MINIMUM DWELLING SIZE

### A. Minimum Dwelling Size – Classification.

The minimum floor area for each dwelling unit within the City ~~and the Spring Hill Growth Area~~ which is situated upon land, is as follows:

Single-Family	960 Sq. Ft.
Duplex	800 Sq. Ft.
One and Two Story Apartment	600 Sq. Ft.
Three Story Apartment	450 Sq. Ft.

(Ord. 2002-07)

### B. Design Guidelines for Residential-Design Manufactured Housing.

1. The roof must be double-pitched and have a minimum vertical rise of three feet for each 12 feet of horizontal run, and covered with material that is residential in appearance, including, but not limited to wood, asphalt composition shingles or fiberglass, but excluding corrugated aluminum, corrugated fiberglass or metal roof.
2. Exterior siding cannot have a high-gloss finish and must be residential in appearance, including, but not limited to clapboards, simulated clapboards such as conventional vinyl or metal siding, wood shingles, shakes, or similar material, but excluding smooth, ribbed, or corrugated metal or plastic panels.
3. The home must be placed on a permanent foundation that complies with the City building code for residential structures. In addition, the tie down construction shall be pre-engineered or certified by a professional engineer, licensed in the State of Kansas.
4. The hitch, axles, and wheels must be removed.
5. The unit must be oriented on the lot so that its long axis is parallel with the street. A perpendicular or diagonal placement may be permitted if there is a building addition or substantial landscaping so that the narrow dimension of the unit, as so modified and facing the street, is no less than 50 percent of the unit's long dimension.
6. The lot must be landscaped to ensure compatibility with surrounding properties.
7. The home must be at least 24 feet in width and contain at least 960 square feet of enclosed living space (floor area).
8. A garage is required. The external material and roofing of the garage must be similar to that of the dwelling unit.

## AGENDA ITEM REVIEW SHEET

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TO: GOVERNING BODY  
SUBMITTED BY: JIM HENDERSHOT, COMMUNITY DEVELOPMENT DIRECTOR  
MEETING DATE: MARCH 24, 2016  
DATE: MARCH 14, 2016

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**Formal Action:** Adoption of Ordinance No. 2016-05 *Sign Regulations of the City of Spring Hill, Kansas 2016 First Edition* implementing amendments to sign code.

**Issue:** The proposed ordinance would incorporate several changes to the Zoning and Subdivision Regulations.

**Background:** Over the past several months the Spring Hill Planning Commission has been discussing several amendments to the Spring Hill Sign Regulations. A review of the proposed changes is as follows:

- Deletion of reference to Growth Area (3)
- Correction of title of enforcing officer
- Exception to placement of temporary public event signs at city entrances

**Analysis:** The above listed items represent amendments that have been pending awaiting an opportunity to implement the amendments together rather than sporadically. The Planning Commission has discussed the issues over the course of several meetings and formally held the required public hearing on March 3, 2016. There being no public comment and after general discussion of the proposed amendments, the PC voted unanimously to recommend adoption of the Spring Hill Sign Regulations, 2016 First Edition.

**Alternatives:** Alternatives include approval, denial or remanding the matter to the Planning Commission for further study.

**Legal Review:** City Attorney Frank Jenkins has prepared an ordinance that adopts the "Sign Regulations of the City of Spring Hill, Kansas, 2016 First Edition" that incorporates the above noted amendments into the body of the code.

**Funding Review or Budgetary Impact:** This recommendation is being presented in accordance with Section (list section) of the Spring Hill Purchasing Policy. This expenditure will be drawn from (list name of account and line item number). n/a

**Recommendation:** It is the recommendation of staff and Planning Commission that Ordinance No. 2016-05 "Sign Regulations of the City of Spring Hill, Kansas 2016 First Edition" be adopted by the City Council.

**Attachments:** Draft ordinance  
Planning Commission minutes March 3, 2016  
Outline of proposed amendments  
Excerpts from Sign Regulations – redline changes

**ORDINANCE NO. 2016-05**

**AN ORDINANCE AMENDING CHAPTER XVII, ARTICLE 7, SECTION 17-701, PERTAINING TO THE SIGN REGULATIONS OF SPRING HILL, KANSAS; INCORPORATING BY REFERENCE THE SIGN REGULATIONS OF THE CITY OF SPRING HILL, KANSAS, FIRST EDITION 2016; AMENDING SECTION 17.790 PROVIDING FOR PENALTIES FOR VIOLATION OF THE SIGN REGULATIONS; AND REPEALING ORDINANCE 2012-12 AND ALL OTHER ORDINANCES AND SECTIONS OF ORDINANCES IN CONFLICT HEREWITH.**

**WHEREAS**, Planning Commission of the City of Spring Hill, Kansas, did cause a notice of public hearing to be published according to law and did hold a public hearing on the 3rd day of March, 2016, in the City of Spring Hill, Kansas, regarding the adoption of changes to Sign Regulations of the City of Spring Hill, Kansas (“Code”); and

**WHEREAS**, the Planning Commission recommended to the Governing Body that changes to the Code, be adopted by the City Governing Body, including but not limited to the following:

- A. Deleted reference to the “Spring Hill Growth Area in Miami County” or “Growth Area” because the jurisdiction of the City no longer extends into the area previously included in the Intergovernmental Agreement with Miami County, Kansas.
- B. Changed the definition of Zoning Administrator from Planning and Development Coordinator to Community Development Director.
- C. Amended Section 17.740.B.9.b. which grants an exception to the prohibition of the placement of temporary signs on public property and public right-of-way. The exception permits temporary signs for special events for public, charitable, religious or fraternal organizations to be placed in the area of the Spring Hill “Welcome” signs located at 223<sup>rd</sup> St. and Webster (northeast corner) and 199<sup>th</sup> and Webster St. Signs are limited to no more than 32 square feet in size and nine feet in height. Signs are prohibited in the vision triangle or any area that may create a visual obstruction to vehicular traffic or a safety hazard to pedestrian traffic. Signs located in these areas may be placed 10 days prior to the event, and shall be removed within 48 hours after the event’s completion.

**WHEREAS**, the Governing Body considered and affirmed said recommended changes at its March 24, 2016, meeting.

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

**SECTION ONE:** Chapter XVII, Article 7, Section 17-701 of the Municipal Code of Spring Hill, Kansas, is hereby amended to read as follows:

**“17-701. SIGN REGULATIONS.** Pursuant to K.S.A. 12-3009 et seq. and K.S.A. 12-3301 et seq., there is hereby incorporated by reference for the purpose of regulating signs within the corporate limits of the City of Spring Hill, Kansas, a

sign ordinance known as ‘**SIGN REGULATIONS OF THE CITY OF SPRING HILL, KANSAS 2016 FIRST EDITION**’, hereinafter referred to as the Sign Regulations; prepared and published in booklet form by the City of Spring Hill, Kansas. Not less than one (1) copy of said sign regulations shall be marked or stamped “Official Copy as adopted by Ordinance No. 2016-05” and to it shall be attached a copy of this ordinance and filed with the City Clerk to be open for inspection and available to the public at all reasonable hours. The Police Department, Municipal Judge, and all administrative departments of the City charged with the enforcement of the Ordinance shall be supplied at the cost of the City, such number of official copies of said marked Ordinance similarly marked as may be deemed expedient.”

**SECTION TWO:** Chapter XVII, Article 7, Section 17-790 of the Municipal Code of Spring Hill, Kansas, is hereby amended to read as follows:

**“17-790. PENALTY.**

- (a) It is unlawful for any person, firm, corporation, partnership or association to violate any of the provisions of this ordinance.
- (b) Any person violating the provisions of these rules and regulations shall upon conviction thereof be fined a sum not to exceed Two Thousand Five Hundred Dollars (\$2,500.00) or confined to the county jail for a period not to exceed 179 days or both such fine and confinement. In addition to proceeding under authority of this section, the City shall further have the authority to maintain suits or actions in any court of competent jurisdiction for the purpose of enforcing any provisions of these rules and regulations and to abate addition to other remedies, institute injunction, mandamus, or other appropriate actions or proceedings to prevent such violations.
- (c) Each day any violation of these rules and regulations continues shall constitute a separate offense.”

**SECTION THREE:** That this Ordinance shall be construed as follows:

- A. **Liberal Construction.** The provisions of this Ordinance shall be liberally construed to effectively carry out its purposes which are hereby found and declared to be in furtherance of the public health, safety, welfare and convenience.
- B. **Savings Clause.** The repeal of Ordinance sections, as provided herein below shall not affect any rights acquired, fines, penalties, forfeitures or liabilities incurred thereunder, or actions involving any of the provisions of said Ordinance or parts thereof. Said Ordinance repealed is hereby continued in force and effect after the passage, approval, and publications of this Ordinance for the purposes of such rights, fines, penalties, forfeitures, liabilities and actions therefore.
- C. **Invalidity.** If for any reason any chapter, article, section, subsection, sentence, portion or part of this proposed Ordinance set out in this Ordinance, or the application thereof to any person or circumstances is declared to be unconstitutional or invalid, such decision will not affect the validity of the

remaining portions of this Code or other Ordinances.

**SECTION FOUR:** Ordinance No. 2012-12 and all other Ordinances or sections of Ordinances in conflict herewith are hereby repealed.

**SECTION FIVE:** This Ordinance shall be in force upon publication as provided by law.

**PASSED BY THE CITY COUNCIL** this 24<sup>th</sup> day of March, 2016.

**APPROVED BY THE MAYOR** this 24th day of March, 2016.

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

ATTEST:

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

APPROVED AS TO FORM:

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

To the Publisher: Please publish one time. Immediately after publication, please forward the following proof of publication of the above and foregoing ordinance to:

1 copy to Glenda Gerrity, City Clerk, P.O. Box 424, Spring Hill, KS 66083; and

1 copy to Frank H. Jenkins, Jr., City Attorney, 105 South Kansas Avenue, Olathe, KS 66061.

THE FOLLOWING MINUTES ARE SUBJECT TO MODIFICATION  
AND ARE NOT OFFICIAL MINUTES  
UNTIL APPROVED BY THE SPRING HILL PLANNING COMMISSION

**City of Spring Hill, Kansas  
Minutes of Planning Commission Regular Session  
March 3, 2016**

A Regular Session of the Planning Commission was held in the Spring Hill Civic Center, 401 N. Madison, Room 15, Spring Hill, Kansas on March 3, 2016. The meeting convened at 7:03 p.m. with Vice Chairman Michael Weber presiding, and Christie Campbell, Planning Secretary recording.

Commissioners in attendance: Troy Mitchell – arrived at 7:43 p.m.  
Josh Nowlin  
Paul Ray  
Cindy Squire  
Tyler Vaughan  
Michael Weber

Commissioners absent: Tobi Bitner  
Janell Pollom  
Stephen Sly

Staff in attendance: Jim Hendershot, Community Development Director  
Christie Campbell, Planning Secretary

Public in attendance: Mr. Harland Russell, GBA, Representative for Mid Am  
Mr. Dave Mennenga, GBA, Representative for Mid Am  
Mr. Jim Stewart, Mid Am Operations Manager

**ROLL CALL**

The secretary called the roll of the Planning Commissioners. With a quorum present, the meeting commenced.

**APPROVAL OF THE AGENDA**

The agenda was revised to correct the subdivision name in item #3 from Ridgeview to Ridgefield.

**Motion by Ms. Squire**, seconded by Mr. Nowlin, to approve the agenda as revised.

**Roll Call Vote:** Ray-Aye, Nowlin-Aye, Weber-Aye, Vaughan-Aye, Squire-Aye

**Motion carried 5-0-0**

**FORMAL ACTION**

**4. Public Hearing – Proposed Amendments to the Zoning, Subdivision, and Sign Regulations**

*With no exparte contacts or conflicts of interest between the members of the Planning Commissioners and applicant, Vice Chairman Weber formally opened the public hearing at 7:51 p.m.*

Mr. Hendershot, Community Development Director, presented a power point outlining the regulation changes. One item that was highlighted was the clarification on the definition of a microbrewery and limited quantities. According to the definition from Wikipedia and the Microbrewery Association, limited quantity is defined as less than 15,000 barrels or 460,000 gallons.

THE FOLLOWING MINUTES ARE SUBJECT TO MODIFICATION  
AND ARE NOT OFFICIAL MINUTES  
UNTIL APPROVED BY THE SPRING HILL PLANNING COMMISSION

Another item that was discussed in detail was to allow fencing in side yards on corner lots with relation to the vision triangle and property line. It was recommended by the Planning Commission that the side yard on corner lots abutting the street should have a 3' setback from the property line. *(see suggested changes in red below)*

- C. Where Screening and Fencing is Prohibited. This zoning ordinance prohibits the erection of a continuous fence more than two feet high in the front yard or side yard abutting a street except: 1) in the AG and R-R district where a see-through fence with a height of four feet or less would be allowed; or 2) in the MP and M-1 district where a security fence would be allowed; or 3) the zoning administrator may approve a portion of a fence to be built in the street side yard of a corner lot to screen outdoor mechanical equipment associated with the structure, walkout doors toward the back of the side building line or other unusual cases as deemed appropriate; or 4) *in the R-1 and R-2 districts a fence not to exceed six feet in height may be erected in the side and/or rear yard no closer to the abutting side street than three feet measured from the property line, provided such fence shall not be erected in the vision triangle.* In addition, this ordinance prohibits the erection of a fence with a height greater than six feet in Districts R-R through MH. Further, in the interest of safety, every attempt should be made to eliminate blind corners near all drive and street intersections. (Also see Section 17.348 - Site Distance on Corner Lots.) Nothing herein shall discourage or prohibit the landscaping, planting, screening and the erection of stand alone decorative fences no taller than three feet in the front yard that are not hazardous to traffic.

Another item discussed in detail were temporary sign regulations with regards to placement. *(Refer to the suggested changes outlined in red below)*

- 9. Temporary signs for special events for public, charitable, religious or fraternal organizations, subject to the following limitations:
  - a. May be located on premises or off premises, subject to approval of the Zoning Administrator.
  - b. These signs are prohibited on public property and public right-of-way. *EXCEPTION: With the approval of the Zoning Administrator these temporary signs may be placed in the area of the Spring Hill "Welcome" signs located at 223<sup>rd</sup> St. and Webster (northeast corner) and 199<sup>th</sup> and Webster St. Signs are prohibited in the vision triangle or any area that may create a vision obstruction to vehicular traffic or a safety hazard to pedestrian traffic. Signs located in these areas may be placed 10 days prior to the event, and shall be removed within 48 hours after the event's completion.*

**The following are staff recommended amendments to the Sign Regulations of the City of Spring Hill**

<u>Page</u>	<u>Section</u>	<u>Description</u>
T.O.C		Correct page numbers
1	17.710.A	Delete reference to Growth Area
3	17.720.A.6	Delete reference to Growth Area
5	17.720.A.27	Correct job title
13	17.740.A	Delete reference to Growth Area
14	17.740.B.9	Would allow temporary signs for special public events to be located at the two city "Welcome" signs and at no cost.

*With no further questions or comments from the public, Vice Chairman Weber officially closed the public hearing at 8:28 p.m.*

**Motion by Mr. Nowlin, seconded by Mr. Vaughan, to approve the Zoning, Subdivision, and Sign regulations with the change to Section 17.360.C to allow fences in side yards on corner lots abutting the street to have a setback of at least 3 feet from the property line.**

**Roll Call Vote:** Ray-Aye, Nowlin-Aye, Weber-Aye, Vaughan-Aye, Squire-Aye, Mitchell-Aye

**Motion carried 6-0-0**

The following are staff recommended amendments to the Sign Regulations of the City of Spring Hill

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14	17.740.B.9	Would allow temporary signs for special public events to be located at the two city "Welcome" signs and at no cost.

**OFFICIAL COPY as Adopted by Ordinance No. 2012-12**

**CHAPTER XVII, ARTICLE 7**

**SIGN REGULATIONS OF SPRING HILL, KANSAS  
FIRST EDITION 2012**

<b>SECTION:</b>		<b>PAGE:</b>
17.710	Purpose	1
17.720	Definitions	3
17.730	Sign Types Permitted: Zone Restrictions	7
17.740	Permits	13
17.750	Additional Regulations	17
17.760	Temporary Signs	21
17.770	Nonconforming Signs	23
17.780	Appeals	25
17.790	Penalty For Violations	27

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## SECTION 17.710

### PURPOSE

- A. **Purpose.** These Regulations, entitled the Spring Hill Sign Regulations, prescribe minimum standards to safeguard life, health, property, property values and public welfare by regulating and controlling the quality of materials, construction, installation and maintenance of signs, in addition to the number, size sign type, and type of illumination of all signs and sign structures for the land within the City of Spring Hill ~~and the growth area included in the Interlocal Agreement with the Miami County Commission.~~

In addition, the Community Development Recommendations on signage of the Spring Hill Comprehensive Plan will supplement these Regulations. The purpose of the Comprehensive Plan Recommendations is to provide quality and design criteria relating to all development within the City.

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## SECTION 17.720

### DEFINITIONS

- A. **Definitions.** For the purpose of these Regulations, certain terms, words, and phrases are hereby defined and shall have the meaning assigned to them in this Section when used or referred to throughout these Regulations.
1. **Approved Combustible Material** means wood, or materials no more combustible than wood, and approved combustible plastics.
  2. **Approved Combustible Plastics** means those plastics which, when tested in accordance with the American Society for Testing Materials standard methods for test for flammability of plastics over 0.050 inch in thickness (D635-44), burn no faster than 2.5 inches per minute in sheets 0.060 inch thickness.
  3. **Attention Attracting Device** means any flasher, blinker, animation, banner, clock or other object designed or intended to attract the attention of the public to an establishment or to a sign.
  4. **Detached Sign** means any sign not attached to a building.
  5. ~~**Growth Area** means the area around the City of Spring Hill that is identified as Exhibit A of the Interlocal Agreement between Miami County, Kansas and the City of Spring Hill, Kansas providing for the joint regulation of the use of land lying within territory designated as the growth area of the City Spring Hill as approved and adopted by Ordinance No. 97-02.~~
  6. **Illuminated Signs** means:
    - a. Semi-Illuminated Sign. Any sign, which is uniformly illuminated internally over its entire area, including the area of the sign, by use of electricity or other artificial light.
    - b. Indirectly Illuminated Sign. Any sign, which is partially or completely illuminated at any time by an external light source, which is so shielded, as to not be visible at, eye level.
    - c. Fully Illuminated Sign. Any sign, which is illuminated by an external or internal light, source which is visible.

7. **Incidental Sign** means a sign, which guides or directs pedestrian or vehicular traffic, or a sign in conjunction with a drive-thru window, which may be mounted on the ground, on a building or in connection with a detached sign.
8. **Institutional Use** means an organization that is either a public organization, charitable organization, religious organization, fraternal organization, or civic organization qualifying as a 501(c)(3) tax exempt organization under the Internal Revenue Code. (Ord. 2004-42)
9. **Marquee Sign** means any sign attached flat against the marquee or permanent sidewalk canopy of a building and not extending above the roofline.
10. **Monument Sign** means an identification sign, which rises from the ground, and generally has no clearance under it.
11. **Off-Premise Billboard Sign** means a billboard sign which directs attention to a business, commodity, service, activity or product sold, conducted or offered off the premises where such sign is located.
12. **On-Premise Sign** means a freestanding sign, which directs attention to a business, commodity, service, activity or product, sold, conducted or offered on the premises, and within a shopping center or complex where such sign is located. (Ord. 2002-32)
13. **Portable Sign** means a sign that is not permanently affixed to one location, which may be mounted on wheels, and has the capability of being moved from one site to the next.
14. **Projecting Sign** means any sign that is extending more than one foot from the face of the building to which is attached, or which extends more than one foot above the roofline.
15. **Real Estate Sign** means an on-site or off-site sign which advertises the sale, rental or lease of property, or special program signs, such as, open house, energy conservation, warranty, builder, etc.
16. **Roof Sign** means a sign which extends above a roof or parapet wall of a building and which is wholly or partially supported by said roof.
17. **Shopping Center** means a group of commercial establishments planned, developed, owned or managed as a unit, related in type of shops to the trade area that the unit serves and with common parking facilities, in such a way as to give a unified character. (Ord. 2002-32)

18. **Shopping Complex** means a group of freestanding buildings, or buildings constructed in such a ways as to give an appearance of being interrelated because of architectural similarity and/or access to a street using interconnected drives and parking areas; or a building divided into three or more separate offices or businesses. A complex shall be limited to office or business complexes and shopping complexes. (Ord. 2002-32)
19. **Sign** means any words, letters, numerals, figures, devices, design, or trademarks by which information is made known to the public.
20. **Sign Area** means the area of a sign set out in these Regulations shall mean the area encompassed by the perimeter of the sign.

The area of the sign shall be computed from the area enclosed by the perimeter upon which the letters, logo, etc. are placed except that when individual letters, logo, etc. are mounted individually and directly upon a building surface without change in the color or appearance of the surface background, the area of the sign shall be deemed to be the rectangle or other geometric form that encompasses the letters, logo, etc.

21. **Snipe Sign** means any sign of a material such as cardboard, paper, pressed wood, plastic or metal.
22. **Subdivision Amenity Sign** means a sign directing traffic to amenities such as clubhouse or swimming pool within the subdivision.
23. **Subdivision Entrance Marker** means a detached sign identifying the Subdivision, located at one or more of the subdivision entrances.
24. **Temporary Sign** means a sign of cloth or other combustible material, with or without a frame, which is usually attached to the outside of a building on a wall or store front, for a limited period of time; or a sign which is not permanently attached to the ground, building or other load bearing structure.
25. **Under Canopy Sign** means a display attached to the underside of a marquee or canopy and protruding over public or private sidewalks or right-of-way.
26. **Wall Sign** means a sign attached to or erected against an exterior wall of a building or structure, which projects not more than 12 inches from a wall and presents only one face with advertising copy to the public and does not extend above the roof line.
27. **Zoning Administrator** means the ~~Planning and Development Coordinator~~ **Community Development Director** of the City of Spring Hill.

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## SECTION 17.730

### SIGN TYPE PERMITTED: ZONE RESTRICTIONS

**A. Permitted Sign.** The following described signs, are permitted in each of the following zoning districts.

#### 1. District AG Agricultural

- a. One unilluminated sign not larger than 32 square feet in area and not to exceed 20 feet in height, pertaining to the sale, lease or identification of the premises upon which it is located, or to the sale of products raised thereon. (Ord. 2004-29)
- b. One unilluminated sign not to exceed one square foot in area located at the entrance to the occupation, which advertises a customary home occupation. (Ord. 2007-02)
- c. Not more than two on-premise unilluminated or indirectly illuminated subdivision entrance markers per street. Subdivision entrance markers shall be identified and detailed on the preliminary plat, as per Section 17.372.C.3.c.ix, and are subject to approval of the Planning Commission with respect to location, size, appearance and design. (Ord. 2009-22)
- d. Unilluminated subdivision amenity signs shall be allowed within the subdivision; they shall not exceed six square feet in area, and shall not exceed eight feet in height. (Ord. 2004-29)
- e. Churches, public and other institutional uses may display one unilluminated, semi-illuminated or indirectly illuminated, detached sign showing names, activities and services therein. The free standing sign shall not exceed 40 square feet in area, and shall not exceed six feet in height. (Ord. 2004-29)
- f. When a church, public or other institutional uses abuts U.S. 169 Highway, a detached un-illuminated or indirectly illuminated sign facing the highway with a maximum sign area of 72 square feet and a maximum height of 12 feet shall be allowed. These signs shall be separated by at least 500 linear feet. The sign shall be required to have landscaping and shall be visually appealing<sup>1</sup>. The sign must abut the highway where there is no separation between the property and the highway by a road right-of-way. (Ord. 2004-29)

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<sup>1</sup> Nothing herein within this provision regarding landscaping and aesthetics shall be construed to be applicable to those cases within the scope of the Religious Land Use and Institutionalized Persons Act of 2000 (“RLUIPA”).

- g. All detached/freestanding signs shall be set back from any property line a distance as follows: one foot setback for each foot of sign height. (Ord. 2004-29)

**2. District R-R Rural Residential**  
**District R-1 Single-Family Residential**  
**District R-2 Two-Family Residential**

- a. Signs as permitted in 17.730.A.1.b through 17.730.A.1.f. (Ord. 2007-02)

**3. District R-3 Multifamily**  
**District R-4 Multifamily**  
**District MH Manufactured Housing**

- a. Signs as permitted in 17.730.A.1.c through 17.730.A.1.f.
- b. A multifamily development shall be permitted not more than one unilluminated wall sign per building, with a maximum sign area of 12 square feet. In addition, a multifamily development shall be permitted one unilluminated or indirectly illuminated detached sign for each entrance of the development. Such sign shall not exceed eight feet in height and 32 square feet in area.

**4. District C-O Office Building**

- a. Each office building shall be permitted not more than two unilluminated or semi-illuminated wall signs, provided such signs shall indicate only the name of the building or establishments housed therein. No such sign shall have an overall area exceeding five percent of the area of the wall upon which it is mounted.
- b. In lieu of one of the above wall signs, an office park consisting of one or several buildings, either attached or freestanding, shall be permitted one detached sign, provided such sign shall indicate only the name of the building or establishments housed therein. Such sign shall not exceed eight feet in height and 10 square feet in area. When a monument sign is used, total area and height of the structure shall not exceed 65 square feet and eight feet respectively.
- c. Each establishment or firm housed within an office building is allowed one unilluminated, semi-illuminated or indirectly illuminated projecting, marquee or under canopy sign, not exceeding three feet square in area.
- d. In lieu of 17.730.A.4.b, not more than two on-premise unilluminated or indirectly illuminated subdivision entrance markers per street, with a maximum sign area of

32 square feet and a maximum sign height of four feet shall be permitted.

- e. A detached sign shall be set back from any property line a distance as follows: one foot setback for each foot of sign height for a pole sign and one-half foot setback for each foot of sign height for a monument sign.

**5. District C-1 Restricted Business**  
**District C-2 General Business**  
**District MP Industrial Park**  
**District M-1 General Industrial**

Unless otherwise provided, signs in these districts may be unilluminated, semi-illuminated or indirectly illuminated.

- a. Each business or commercial establishment shall be permitted not more than three wall or marquee signs provided the total area of signs on a facade shall not exceed ten percent of the total area of that facade.
- b. In lieu of one of the above wall or marquee signs, one projecting sign or under canopy sign shall be permitted.
- c. In lieu of one of the above-attached signs, one detached sign shall be permitted for each freestanding commercial building. The maximum sign area shall be 15 square feet and the maximum sign height shall be 12 1/2 feet. When a monument sign is used, total area and height of the structure shall not exceed 72 square feet and nine feet, respectively.
- d. A shopping center designed as one unified entity and consisting of one or several buildings, either attached or freestanding, shall be permitted one detached sign identifying the entire center by name. All other signs in the center shall consist of wall, projecting, under canopy or marquee signs. The maximum square footage of the shopping center detached sign shall be 100 square feet.
- e. Incidental signs are subject to the approval of the Zoning Administrator and shall not exceed nine square feet in area.
- f. In lieu of 17.730.A.4.c, not more than two on-premise unilluminated or indirectly illuminated subdivision entrance markers per street, with a maximum sign area of 48 square feet and a maximum sign height of six feet shall be allowed.
- g. A shopping center or complex with 200 linear feet or more of frontage along the right-of-way of U.S. 169, shall be permitted one freeway frontage pole or monument

sign with a maximum height of 25 feet above the center line height of the nearest through traffic lane. The maximum height of the sign may be increased to a maximum height of 50 feet due to topography or visibility if a licensed sign contractor submits a letter indicating that additional height will be required. The maximum sign area shall be 100 square feet for signs that are 35 feet in height or less and 150 square feet for signs between 36 feet and 50 feet in height. Shopping complex signs shall be separated by at least 1,000 linear feet, shall require an approved conditional use permit, and shall be visually appealing. (Ord. 2002-32)

- h. When a single business or commercial establishment abuts U.S. 169, a detached unilluminated or indirectly illuminated sign facing the highway with a maximum sign area of 96 square feet and a maximum height of 21 feet shall be allowed. Signs facing U.S. 169 shall be separated by at least 500 linear feet, shall require an approved site plan, and shall be visually appealing. (Ord. 2002-32)
  - i. All detached/freestanding signs shall be set back from any property line a distance as follows: one foot setback for each foot of sign height for a pole sign and one-half foot setback for each foot of sign height for a monument sign.
- 6. Off-Premise Billboard Signs.** Any sign that is located off-premise will be considered an off-premise billboard sign. Off-premise billboard signs shall be permitted only as follows:
- a. Off-premise billboard signs shall be allowed only in zones MP and M-1 abutting U.S. 169, and shall be allowed only on private property.
  - b. Off-premise billboard signs shall be separated by at least 1,000 linear feet. In addition, a billboard shall be separated by at least 2,000 linear feet when it is located across U.S. 169 from another billboard sign.
  - c. All off-premise billboard signs shall comply with the size requirements as specified by the Kansas Department of Transportation.
  - d. The maximum height of off-premise billboard signs shall be 30 feet with a maximum sign area of 300 square feet. In addition, billboards will only be allowed: to have two faces; to be a “V” shaped sign separated by no more than 20 feet; and must be supported by a monopole. (Ord. 2000-28)
  - e. All regulations of K.S.A. 68-2234 inclusive and 21-3739, as may be amended, excepting K.S.A. 68-2234(c)(3) and (4) shall be followed.
  - f. Off-premise billboard signs shall be set back from any property line a distance as

follows: one foot setback for each foot of sign height. In addition, no billboard shall be allowed within 800 feet of the property line of a residence, park, school, church, or hospital. (Ord. 2007-02)

- g. All off-premise billboard signs may be unilluminated or indirectly illuminated with the lighting shielded from view. In addition, flashing or intermittent lighting attracting device shall not be allowed.
- i. All off-premise billboard signs must be kept in good repair and must display the property owner's name.
- j. All off-premise billboard signs shall require an approved site plan and conditional use permit. The Zoning Administrator shall perform an annual inspection of each billboard sign to determine if it is in conformance with the site plan and the conditional use permit.

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## SECTION 17.740

### PERMITS

- A. Permits Required.** Except as otherwise provided in this article, it shall be unlawful for any person to erect, construct, enlarge, move or convert any sign in the City of Spring Hill ~~or the Spring Hill Growth Area~~, or cause the same to be done, without first obtaining a sign permit from the City of Spring Hill.

Permits shall not be required under the following conditions:

1. Replacing or altering changeable copy on theater marquees, billboards, gasoline stations, and similar signs.
  2. Painting, repairing, cleaning or maintaining of a sign shall not be considered an erection or alteration, which requires a permit unless a structural change is made.
- B. Exemptions.** A permit will not be required for the following listed signs. These exemptions, however, shall apply only to the requirement of the permit and shall not be construed as relieving the owner of the sign from the responsibility for its erection, maintenance and appearance.
1. One project, or "for sale" or "for rent", sign is permitted per street frontage; it must be located on the premises; and it must be removed upon completion of the project or within ten days after sale or letting of the property. In addition, one "open house" sign per street frontage, located on the premises, is allowed four (4) days prior to the event. (Ord. 2009-20)
  2. "Construction project" signs, with a maximum sign area of 32 square feet with a maximum height of nine feet.
  3. "Coming soon" signs for businesses with a 32 square feet with a maximum height of nine feet. These types of signs shall be allowed in conjunction with any existing signs on the property six months prior to a building permit being issued.
  4. Subdivision, commercial and industrial acreage or structure "for sale" or "for rent" signs. Maximum height shall be nine feet. Maximum sign area shall be 32 square feet.
  5. Residential structure "for sale" or "for rent" signs, with a maximum size of six square feet.

6. Public street name signs, traffic control signs, rezoning signs, informational signs, legal notices, railroad crossing signs, danger, warning and such temporary, emergency or non-advertising signs necessary for traffic control or as may be approved by the City Council.
7. Memorial signs or tablets, names of buildings, and date of erection when cut into any masonry surface or when constructed of bronze or other metal.
8. Signs inside buildings, inside windows, or painted on windows or on glass portions of doors of buildings.
9. Temporary signs for special events for public, charitable, religious or fraternal organizations, subject to the following limitations:
  - a. May be located on premises or off premises, subject to approval of the Zoning Administrator.
  - b. These signs are prohibited on public property and public right-of-way. **EXCEPTION:** With the approval of the Zoning Administrator these temporary signs may be placed in the area of the Spring Hill “Welcome” signs located at 223<sup>rd</sup> St. and Webster (northeast corner) and 199<sup>th</sup> and Webster St. Signs are limited to no more than 32 square feet in size and nine feet in height. Signs are prohibited in the vision triangle or any area that may create a vision obstruction to vehicular traffic or a safety hazard to pedestrian traffic. Signs located in these areas may be placed 10 days prior to the event, and shall be removed within 48 hours after the event's completion.
  - c. May be placed prior to the event, and shall be removed within 48 hours after the event's completion. (Ord 2009-20)
10. Snipe Signs and residential/directional real estate signs.
  - a. These signs shall not exceed six square feet in area.
  - b. These signs are prohibited on public property and public right-of-way and if any such sign is on public property or the public right-of-way the City may remove the sign.  
(Ord. 2007-02)
11. Directional Signs for religious and public organization.

- a. These signs shall be based upon color, size, and type of material approved by the City Council.
  - b. These signs may be placed only in the public right-of-way along Webster Street.
  - c. The Zoning Administrator must approve all signs.
- (Ord. 2002-08)

12. Political signs for city, county, state and federal elections subject to the following limitations:

- a. Snipe signs shall not exceed 6 sq. ft. in area
- b. Prohibited on public property and public right-of-way and if any such sign is located on public property or the public right-of-way the City may remove and dispose of the sign
- c. Signs placed in zoning districts RR, R1, R2, R3, R4 and MH shall not exceed 6 sq. ft. in area
- d. Signs placed in zoning districts CO, C1 and C2 shall not exceed 16 sq. ft. in area
- e. Signs placed in zoning districts MP and M1 shall not exceed 32 sq. ft. in area
- f. Signs may be placed or erected four (4) weeks prior to an election day and must be removed within 48 hours following the election day.
- g. Signs shall be erected on private property and shall not be erected in locations which would conflict with Section 17.750.C.3 (sight triangle) and 17.750.C.4 (obstruction of means of egress) of these regulations
- h. Signs exceeding 6 sq. ft. in area shall be constructed of wood or rigid non-combustible materials
- i. Signs exceeding 6 sq. ft. in area shall be affixed to the ground in a substantial manner to prevent breaking or blowing
- j. Signs erected or maintained that may be injurious to the public may be removed and disposed by the City

(Ord 2012-12)

- C. Application for Permit.** Application for a permit shall be made to the Zoning Administrator upon a form provided and shall be accompanied by written approval of the property owner, site plans and specifications as may be required.
- D. Permit Fees.** Every applicant, before being granted a permit hereunder, shall pay a fee to the City of Spring Hill that has been established by resolution to defray the cost of processing the application.
- E. Inspection.** As soon as a sign has been erected, the permittee shall notify the Building Inspector, who shall inspect such sign and approve the same if it is in compliance with the provisions of this Regulation. The Building Inspector may, from time to time as he deems, inspect all signs or other structures regulated by this Regulation for the purpose of ascertaining whether they are secure or whether they are in need of removal or repair. If the sign does not comply with the provisions of this Regulation the Zoning Administrator shall notify the applicant in writing of such non-compliance and give the applicant ten days to bring the sign into compliance. If the Building Inspector determines a hazardous situation

exists, compliance shall be ordered to occur as soon as possible.

- F. Permit Revocable At Any Time.** All rights and privileges acquired under the provisions of this Regulation, or any amendments thereto, are mere licenses revocable at any time by the Zoning Administrator. Installation shall be completed within six months after date of issuance of the sign permit.

## SECTION 17.750

### ADDITIONAL REGULATIONS

- A. Maintenance.** All signs, together with all their supports, braces, guys and anchors, shall be kept in good repair and in a proper state of preservation. The Building Inspector may order the removal of any sign that is not maintained in accordance with the provisions of the City Code.
- B. Prohibited Signs.**
1. It shall be unlawful for any person to display any real estate advertisements or signs which recite that real property is to be used for purposes or will be zoned for land uses in the future, when in fact such real estate is not presently zoned for such purposes.
  2. It shall be unlawful for any person to display upon any sign or other advertising structure any obscene, indecent or immoral matter.
  3. Attention attracting devices, electrical signs and illuminated signs which are an annoyance to residential neighborhoods, or may impair night vision, or are a hazard to traffic, or interfere with or conflict with traffic signals, whether inside or outside the building, are prohibited.
  4. Portable signs.
  5. It shall be unlawful for any person to display any sign on public property or in the public right-of-way. In addition, no sign shall be attached to a fence, tree, temporary structure, or insecurely fastened to a building or the ground.
  6. Inflatable signs.
- C. Engineering Design and Materials.**
1. Wind Pressure Resistance. All signs shall be designed and constructed to withstand wind pressure of not less than 25 pounds per square foot.
  2. Except as specifically provided elsewhere, all permanent signs, sign structures, and non-structural trim shall be constructed of approved combustible or non-combustible materials.

3. Signs along all streets and boundaries shall not interfere with line of sight within 20 feet of the point of intersection of pavement of:
  - a. A vehicular access way or driveway and a street (Figure 1).
  - b. A vehicular access way or driveway and a sidewalk (Figure 2).
  - c. Two or more vehicular access ways or driveways (Figure 3).

No sign which obstructs sight lines at elevations between two feet and eight feet above roadways shall be located at any corner lot within the triangular area formed by the right-of-way lines and a line connecting them at points 25 feet from their point of intersection or at equivalent points on private streets (Figure 4).

Figure 1

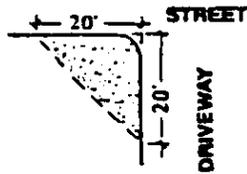


Figure 2

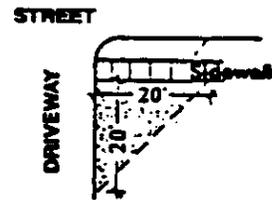


Figure 3

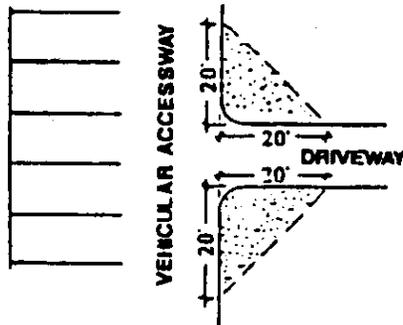
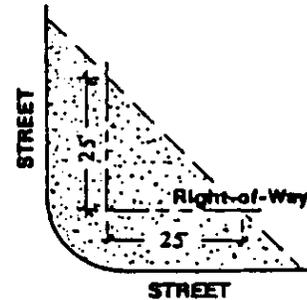


Figure 4



4. Obstruction of egress, openings, ventilation. A sign shall not be erected, constructed or maintained so as to obstruct any fire escape, window, door or other opening; or so as to prevent free passage from one part of the roof to any other part thereof.

A sign shall not be attached in any form, shape or manner to a fire escape or shall not be

so placed as to interfere with an opening, which is required for legal ventilation.

5. Letters, figures, characters or representations in cutout or irregular form maintained in conjunction with, attached to or superimposed upon any sign shall be safely and securely built or attached to the sign structure.
6. Illuminated signs produced in quantity (other than signs custom-built for specific locations) shall be constructed in accordance with the "Standards for Electric Signs (U.L. 48) of the Underwriters' Laboratories, Inc.
7. All electrical signs, either temporary or permanent, shall be connected to permanent electrical service installed according to the requirements of the National Electrical Code for the City of Spring Hill, Kansas. All wiring for newly constructed detached signs shall be underground.
8. The following type signs shall have a seal of a registered engineer or registered architect affixed to the plans: attention attracting devices, detached signs, electrical, illuminated, marquee, billboards, poster panel, projecting and roof. The City Building Inspector may require signed and sealed drawings/plans of the sign for review by the City Engineer.

In addition, the following standards will apply:

- a. Projecting signs shall not project more than five feet, six inches beyond the face of the building. Projecting signs shall be a minimum of 10 feet above the level of any sidewalk from the bottom of the sign. Any projecting sign within 25 feet of a street or alley intersection shall be a minimum of 14 feet above the sidewalk from the bottom of the sign.

All projecting signs shall be rigid mounted, shall be supported by strong steel brackets attached to walls of buildings with through bolts, expansion bolts or other equally secure methods, and shall be braced and held firmly in place with soft iron or steel cables or chains of adequate strength. All such supports shall be attached to walls of building with expansion bolts or equivalent method. Projecting signs, which are permitted to extend above parapet walls, may be attached through bolts, but shall not be attached to any part of the wall above a point of bearing of the roof joists or rafters.

- b. Wall signs shall be securely fastened to a masonry wall by means of anchors bolts, expansion screws or similar connectors. A wall sign, which is attached to a wall of wood, may be anchored with wood blocks used in connection with screws and nails.
- c. Under-canopy signs of greater than four square feet shall be rigidly mounted, and

there shall be eight feet, six inches clearance between the base of any rigidly mounted under-canopy sign and the sidewalk. There shall be a minimum clearance of seven feet, six inches between the base of any non-rigidly mounted under-canopy sign and the sidewalk.

- d. Detached signs shall be supported with a maximum of two poles, uprights, or supports.

**D. Removal of Obsolete Signs.**

1. If a building, structure or premise is vacated for a three-month period of time, the owner of said property shall be responsible for removing any commercial sign or signs, along with the structure supporting the sign(s), located thereon with the exception of advertisements dealing with the sale or leasing of the facility. In addition, the owner shall be responsible for restoring the facade of the building, structure or premise to its normal appearance.
2. If the time period set forth in 17.750.D.1 has elapsed and the sign or signs have not been removed, the Zoning Administrator shall send written notification by certified mail, return receipt requested, to the property owner of record indicating that the sign shall be removed. If the sign has not been removed within 30 days after the receipt of the notice, the City may have the sign removed and the cost, including reasonable administrative fees, assessed to the property owner.
3. Where a sign has been removed by the City pursuant to 17.750.D.2, the City Clerk shall mail a statement of the cost of removal of said sign or signs to the last known address of the owner of record or person in charge of such property. If such costs are not paid within 10 days from the mailing of such notice, the Governing Body shall proceed to pass an ordinance levying a special assessment for such cost against the lot or piece of land and the City Clerk shall certify such assessment to the County Clerk for collection and payment the same as other assessment and taxes are collected and paid to the City (K.S.A. 12-1617e).

## SECTION 17.760

### TEMPORARY SIGNS

- A. Required Permits.** Except as specifically otherwise provided elsewhere in this section, the Zoning Administrator shall approve all permits for temporary signs. (Ord. 2007-02)
- B. Duration and Number of Permits.** Except as specifically otherwise provided elsewhere in this section, only one temporary sign permit may be issued at any one time for any business, industry or shopping center. The total number of days, which a temporary sign may be displayed, shall be 10 different times for a period of two weeks each or for a longer period than two weeks, up to 140 days, if approved by the Zoning Administrator in one calendar year (January 1 to December 31). (Ord. 2007-02)
- C. Construction.** Construction of temporary signs shall meet the same engineering design and materials standards as for permanent signs. The signs shall be made of cloth or other combustible material, with or without a frame. They can be attached to the outside of a building on a wall or store front or a sign which is not permanently attached to the ground, building or other load bearing structure. (Ord. 2002-08)
- D. Removal.** These signs shall not be displayed for duration longer than the permit allows, or the City may remove the sign. (Ord. 2002-08)
- E. Size.** Except as specifically otherwise provided elsewhere in this section, size of temporary sign shall not exceed the size of signs permitted for permanent signs of similar permitted construction and location within the same zoning district.
- F. Location.** Temporary signs shall be erected entirely on private property and shall not be erected in locations which would conflict with Sections 17.750.C.4 and 17.750.C.5.

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## SECTION 17.770

### NONCONFORMING SIGNS

- A. Nonconforming signs are declared by these Regulations to be incompatible to, and inconsistent with, land development and other permitted signs set forth within any particular zoning district. It is the intent of this section to allow those nonconforming signs to continue until they are removed under the terms of these Regulations, but not to encourage their survival.
1. **Alterations of Nonconforming Signs.** No nonconforming sign or advertising structure shall be expanded, relocated or restored unless said sign or advertising structure is brought into conformance with the provisions of this section or any other applicable city code requirement.
  2. **Replacement, Restoration or Reconstruction.** In the event that any existing nonconforming sign, as provided for in this section, is damaged by any means, including, but not limited to, fire, flood, wind, explosion, act of God or act of a public enemy, to an extent of 50 percent or more of the replacement, restoration or reconstruction value of the sign, or 50 percent of the square footage of the sign copy area, said sign shall not be replaced, restored or reconstructed unless it is brought into full compliance with the provisions of these Regulations. Any nonconforming sign which remains damaged or in disrepair, regardless of the percentage of construction (or damage) value or area of square footage which is damaged, for a period of three months following the date of damage without the issuance of a valid sign permit, shall not be replaced, restored or reconstructed unless it is brought into full compliance with all applicable codes and ordinances.
  3. **Repairs and Maintenance.** Routine repairs and maintenance of nonconforming signs necessary to maintain health and safety may be permitted. Said repairs and maintenance shall include such activities as painting and the replacement of a damaged or deteriorated sign face. The cost of said repairs and maintenance shall not exceed 50 percent of the replacement cost of the sign, which is to be repaired or maintained. Said value shall be that which is current at the time of the repair or maintenance. The replacement cost will be determined by the Zoning Administrator through bids from an independent sign company. Prior to said repair and maintenance taking place, the Building Inspector shall be consulted to determine if a sign permit is necessary. If such determination is made, then all applicable work performed shall be accomplished through the issuance of a valid sign permit as required by these Regulations.
  4. **Termination of Nonconforming Signs.** Upon the discontinuance of a use to which

any nonconforming sign or advertising structure is accessory to, the tenant or property owner shall remove all nonconforming signs, supports and structures upon the building or property upon which said use was located.

## **SECTION 17.780**

### **APPEALS**

Appeals to sections of this Regulation for interpretation or variance to the sections of this Regulation shall be to the Board of Zoning Appeals.

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## **SECTION 17.790**

### **PENALTY FOR VIOLATIONS**

It shall be unlawful for any person, firm, corporation, partnership or association to violate any of the provisions of this Regulation; and, upon conviction for said violations, said person, firm, corporation, partnership or association shall be punished in accordance with Section 17-303A. Each day the violation continues to exist shall be construed as a new violation and subject to conviction and punishment therefore.

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## AGENDA ITEM REVIEW SHEET

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TO: GOVERNING BODY

SUBMITTED BY: JIM HENDERSHOT, COMMUNITY DEVELOPMENT DIRECTOR

MEETING DATE: MARCH 24, 2016

DATE: MARCH 14, 2016

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**Formal Agenda:** Consideration of resolution establishing legal dates for discharge of fireworks.

**Issue:** Section 6-104.a of the Spring Hill Municipal Code requires the Governing Body to annually establish the legal dates for the discharge of fireworks in Spring Hill.

**Background:** Each year the Governing Body establishes the dates for the legal discharge of fireworks. This flexibility in dates was created to allow for weekend celebrations in the community with the legal discharge of fireworks.

**Analysis:** July 4, 2016 falls on a Monday and allows for weekend celebration events with fireworks. In addition, fireworks are available for legal purchase June 28 thru July 5. Allowing the legal discharge of fireworks in conjunction with the legal sales dates eliminates confusion of residents and lessens law enforcement issues. Hours of legal discharge remain 8:00a.m. to 11:00p.m. Dates for discharging fireworks for the New Year holiday remain December 31, 2016 through January 1, 2017 from 11:00p.m. to 12:30a.m.

**Alternatives:** denial, approval, or directing staff to further review the issue

**Legal Review:** City Attorney Frank Jenkins has reviewed the draft resolution

**Funding Review or Budgetary Impact:** This recommendation is being presented in accordance with Section (list section) of the Spring Hill Purchasing Policy. This expenditure will be drawn from (list name of account and line item number). N/A

**Recommendation:** Staff recommends approval of Resolution #2016-R-05 establishing the legal dates for the legal discharge of fireworks in 2016 as June 28 through July 5 (8:00a.m.-11:00p.m.) and December 31, 2016 through January 1, 2017 (11:00p.m. to 12:30a.m.)

**Attachments:** Draft resolution

**RESOLUTION NO. 2016-R-05**

**A RESOLUTION DESIGNATING THE DAYS AUTHORIZED FOR THE DISCHARGE OF CONSUMER (1.4G) FIREWORKS WITHIN THE CITY OF SPRING HILL, KANSAS PURSUANT TO SECTION 6-104(a).2 OF THE SPRING HILL MUNICIPAL CODE.**

**WHEREAS**, Section 6-104 of the Spring Hill Municipal Code (SHMC) prohibits the discharge of consumer (1.4G) fireworks within the City of Spring Hill, Kansas, except for those days designated by resolution adopted by the Governing Body of Spring Hill, Kansas.

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

**SECTION ONE: Authorized Days for Discharge of Consumer (1.4G) Fireworks.** Pursuant to Section 6-104(a).2 of the SHMC, the following days are designated as the days that the discharge of consumer (1.4G) fireworks are permitted to be discharged within the City of Spring Hill, Kansas:

- A. *July 4th Holiday.* The discharge of consumer (1.4G) fireworks shall be permitted on June 28, 29 and 30, and July 1, 2, 3, 4 2016. The discharge of the designated fireworks on these specified days shall be limited to the hours between 8:00 A.M. and 11:00 P.M.
- B. *December 31, 2016 through January 1, 2017.* The discharge of consumer (1.4G) fireworks shall be permitted on December 31, 2016 and January 1, 2017. The discharge of the designated fireworks on these specified days shall be limited to the hours between 11:00 P.M. and 12:30 A.M.

**SECTION TWO: Effective Date.** This Resolution shall be effective upon its adoption by the Governing Body.

**ADOPTED** by the Governing Body this 24th day of March, 2016.

**APPROVED** by the Mayor this 24th day of March 2016.

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**Steven M. Ellis, Mayor**

**ATTEST:**

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**Glenda Gerrity, City Clerk**

(SEAL)

**Approved As To Form:**

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**Frank H. Jenkins, Jr.,  
City Attorney**

## AGENDA ITEM REVIEW SHEET

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TO: GOVERNING BODY  
SUBMITTED BY: MELANIE LANDIS, FINANCE DIRECTOR  
MEETING DATE: MARCH 24, 2016  
DATE: MARCH 17, 2016

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**Formal Action:** Resolution of intent to finance certain equipment

**Background/Analysis:** When purchasing equipment, leasing is a viable option when cash is not readily available. The proposed resolution would allow the City to purchase the equipment prior to having the lease details worked out. The City has used a lease process with local banks the last several years and has had great success with low interest rates and would expect the same to continue with the proposed process.

Equipment to be funded include:

(1) Crack sealing machine	\$40,000
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The purchase of a crack sealing machine will allow staff to work when weather permits instead of only when rental of the machine is available.

An additional resolution for other equipment budgeted for 2016 purchase will be added to a future agenda. The timing of this purchase may, weather permitting, allow the street department to start some of the planned crack sealing in the spring as opposed to waiting for fall.

**Alternatives:**

1. Approve a resolution of intent to finance certain equipment with the issuance of federally tax-exempt debt.
2. Deny a resolution of intent to finance certain equipment with the issuance of federally tax-exempt debt.
3. Table acceptance of bids.

**Legal Review:** The resolution was reviewed by Kutak Rock and City Attorney, Frank Jenkins.

**Funding Review or Budgetary Impact:** Principal and interest payments will be paid from the appropriate budgeted funds for all proposed equipment.

**Recommendation:** Approval of resolution 2016-R-06 of intent to finance certain equipment with the issuance of federally tax-exempt debt.

**Attachments:**

1. Resolution 2016-R-06

## RESOLUTION NO. 2016-R-06

A RESOLUTION OF INTENT OF THE CITY OF SPRING HILL, KANSAS, TO FINANCE CERTAIN EQUIPMENT WITH THE ISSUANCE OF FEDERALLY TAX-EXEMPT DEBT.

WHEREAS, the Internal Revenue Service has issued Section 1.150-2 of the Treasury Regulations (the "Reimbursement Regulations") which prescribe procedures applicable to the City of Spring Hill, Kansas (the "City"), for issuing bonds or other tax-exempt obligations, all or a portion of the proceeds of which are to be used to reimburse the City for expenditures made by the City before the date such obligations are issued; and

WHEREAS, the Reimbursement Regulations generally require the City to make a declaration of official intent to reimburse itself for previous expenditures out of the proceeds of subsequently issued bonds or other tax-exempt borrowing, that the borrowing occur and the reimbursement be made within a specified period of time after the payment of the expenditure or after the equipment in question is placed in service, and that a reimbursed expenditure be a capital expenditure; and

WHEREAS, the Governing Body of the City has determined it is necessary and desirable to acquire the following items of equipment (collectively, the "Equipment"): one crack sealing machine at an estimated cost of \$40,000; and

WHEREAS, the City anticipates using bonds, notes or other tax-exempt obligations to finance all or a portion of the cost of the Equipment;

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

**Section 1.** In order to comply with the requirement of the Reimbursement Regulations concerning declarations of official intent to reimburse the City for previously paid Equipment expenditures from the proceeds of subsequently issued debt, the Governing Body of the City hereby indicates its intent to reimburse the City with the proceeds of bonds, notes or other obligations of the City, the interest on which is expected to be exempt from federal income taxation, for costs of the Equipment in an amount not to exceed \$40,000.

**Section 2.** This resolution shall be in full force and effect from and after its adoption.

[Remainder of Page Intentionally Left Blank]

ADOPTED by vote of the Governing Body of the City of Spring Hill, Kansas, on \_\_\_\_\_, 2016.

CITY OF SPRING HILL, KANSAS

(Seal)

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

ATTEST:

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

# Agenda Item Review Sheet

**To:** Mayor and City Council  
**From:** Frank H. Jenkins, Jr., City Attorney  
**Date:** March 17, 2016  
**Meeting:** March 24, 2016

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**Formal Action:** Acceptance of dedication of a permanent utility easement from Taylor Oil, Inc. located at approximately the southeast corner of the intersection of Nichols Street and Webster Street.

**Issue:** Retaining a utility easement to maintain existing sanitary and drainage systems and construction of future utility systems within the easement.

**Background:**

February 7, 1978 – Taylor Oil, Inc. became the record owner of real property where the existing gas station is located at the southeast corner of Nichols and Webster. At the same time, Taylor Oil, Inc. took possession of the vacant and unplatted lot (“Tract”) immediately east and adjacent to the gas station which is depicted on Exhibit A, attached hereto. Taylor Oil is not the record owner of this property.

May 19, 2015 – Taylor Oil advised the City that it was attempting to establish ownership of the Tract; however, it had not located any deed for the property. Therefore, it intended to file a quiet title action to establish ownership on the basis of adverse possession. Rather than name the City in the quiet title action, it requested that the City to disclaim any interest in the real property.

As a result of the inquiry by Taylor Oil, the City staff investigated whether the City had any interest in the property. It determined the following:

- A. The City at some unknown point in time, began to maintain a sanitary sewer system evidenced by an existing manhole at the extreme southeast corner of the Tract and possibly a storm water structure on the tract.
- B. Based upon documents provided to the City by the attorney for Taylor Oil and the City Staff’s review of City records, it appears that the City is not the record owner of the Tract and there are no recorded easements establishing that the City has property right in the Tract.
- C. Therefore, the City Staff determined that the City has no interest in the Tract other than to retain a utility easement that would protect the City’s ability to maintain the existing utility systems and to construct future systems as needed.

March 14, 2016 – The District Court in Taylor Oil, Inc. v. Caleb Dwyer, et al., Johnson County District Court, Case No. 15 CV06789, granted judgment to Taylor Oil and determined that Taylor Oil, Inc. was the owner of the Tract on the basis of adverse possession, subject to the continuation of any existing public utility easement operated by the City of Spring Hill.

March 15, 2016 – Taylor Oil, Inc. executed the attached utility easement which granted the City access to the Tract and the right to maintain and install any utilities of the City. A copy of the permanent utility easement is attached to the resolution attached hereto.

**Analysis:** The 15 foot utility easement along the south portion of the Tract grants the City the right to access and maintain the existing sanitary sewer and drainage system. It also grants the City the right to construct future utility systems. Prior to recording the easement it is recommended that the RTA records be reviewed to confirm that Taylor Oil has not recorded any instrument (such as a mortgage) that would take priority over the easement that was granted to the City.

**Funding Review or Budgetary Impact:** Not applicable.

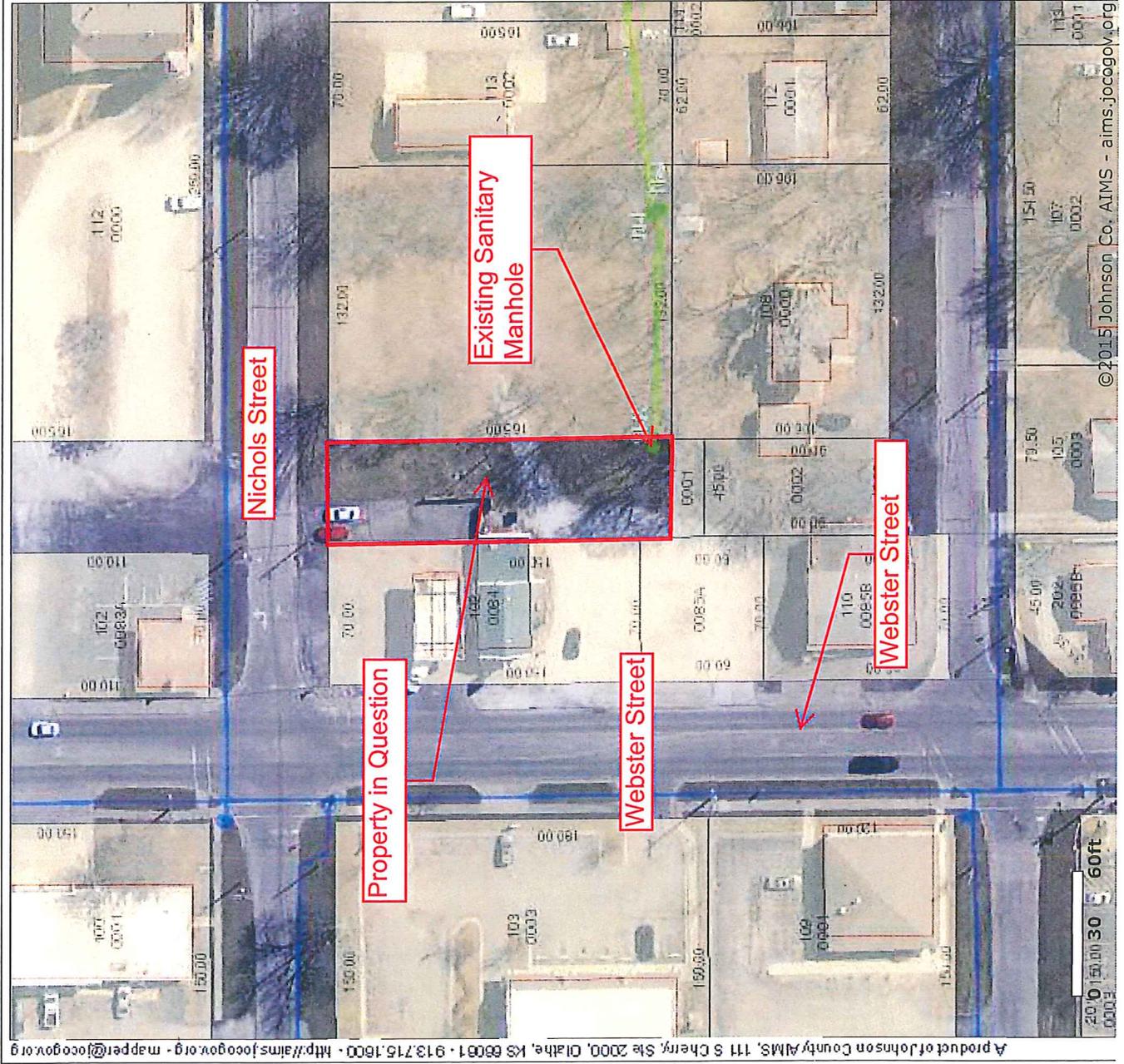
**Alternatives:**

1. Motion to approve the Resolution No. \_\_\_\_ to accept the permanent utility easement from Taylor Oil, Inc.
2. Motion to deny the approval of the resolution.
3. Motion to table the matter.

**Recommendation:** Approval of the resolution to accept the permanent utility easement from Taylor Oil, Inc.

**Attachment:** Drawing (Exhibit A)  
Resolution  
Permanent Utility Easement

cc: Jonathan Roberts, City Administrator  
Jim Hendershot, Community Development Director  
Trent Wempe, Public Works Department  
Glenda Gerrity, City Clerk



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# Johnson Co AIMS Map

## LEGEND

AIMS Imagery: 2014

Address Point

Building/Structure

Property

- Untaxed
- Vertical
- Unplatted
- Mineral Rights
- Common Interest
- Platted
- Right-of-way
- Leased Land

Water Mains

Main — Abandoned Main

Sewer Mains

Main — Abandoned Main

## EXHIBIT

A



Disclaimer: No person shall sell, give, reproduce, or receive for the purpose of selling or offering for sale, any portion of the data provided herein. Johnson County makes every effort to produce and publish the most current and accurate information possible. Johnson County assumes no liability whatsoever associated with the use or misuse of such data, and disclaims any representation or warranty as to the accuracy and currency of the data.



8/17/2015

**RESOLUTION NO. 2016-R-07**

**A RESOLUTION ACCEPTING THE DEDICATION OF A PERMANENT UTILITY EASEMENT FROM TAYLOR OIL, INC RELATING TO AN UNPLATTED TRACT BETWEEN LOT 84 AND 85, PLAT OF SPRING HILL, KANSAS, LOCATED AT APPROXIMATELY THE SOUTHEAST CORNER OF NICHOLS STREET AND WEBSTER STREET.**

**WHEREAS**, Taylor Oil, Inc. has agreed to convey to the City, a permanent utility across the south 15 feet of an unplatted tract of land between Lot 84 and Lot 85, Plat of Spring Hill, located at approximately the southeast corner of the intersection of Nichols street and Webster Street.

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

**SECTION ONE.** The City of Spring Hill, Kansas, hereby accepts the dedication of the permanent utility easement by Taylor Oil, Inc. in consideration of One Dollar (\$1.00) and other valuable consideration. The easement is attached hereto.

**SECTION TWO.** The City Clerk is hereby authorized and directed to file the above-described permanent utility easement with the Records and Tax Administration (RTA) of Johnson County, Kansas.

**ADOPTED** by the City Council this 24<sup>th</sup> day of March, 2016.

**APPROVED** by the Mayor this 24<sup>th</sup> day of March, 2016.

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**Steven M. Ellis, Mayor**

**ATTEST:**

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**Glenda Gerrity, City Clerk**

**Approved as to Form:**

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**Frank H. Jenkins Jr., City Attorney**

**PERMANENT UTILITY EASEMENT**

**THIS AGREEMENT**, made and entered into this 15th day of March, 2016, by and between **TAYLOR OIL, INC**, a Kansas Corporation, P.O. Box 581, Wellsville, Kansas 66092, 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, co-operate, 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 Grantee chooses to place 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, Grantee 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.

GRANTOR:

**TAYLOR OIL, INC.**

By: Harold Taylor pres  
Harold Taylor, President

STATE OF KANSAS )  
 ) ss:  
COUNTY OF FRANKLIN )

Before me, the undersigned, a Notary Public, within and for said County and State on this 15th day of March, 2016, personally appeared **HAROLD TAYLOR**, who is the **PRESIDENT** of Taylor Oil, Inc., a corporation duly organized, incorporated and existing under and by virtue of the laws of the State of Kansas, who is personally known to me to be the person who executed, as such officer, the within instrument on behalf of said corporation and such person duly acknowledged the execution of the same to be the voluntary act and deed of said corporation.

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

J. L. Croucher  
Notary Public

My Commission Expires:

\_\_\_\_\_  
 (SEAL)

**EXHIBIT A**

**TAYLOR OIL, INC. PERMANENT UTILITY**

A permanent utility easement across all that part of the Southeast  $\frac{1}{4}$  of Section 14, Township 15 South, Range 23 East, City of Spring Hill, Johnson County, Kansas, more particularly described as follow:

Commencing at the Northwest corner of the Southeast  $\frac{1}{4}$  of said Section 14; thence South  $02^{\circ}24'21''$  East, along the West line of the Southeast  $\frac{1}{4}$  of said Section 14, a distance of 749.28 feet, to a point on the South Right of Way line of Nichols Street, said point also being the Northeast corner of Lot 84, Plat of Spring Hill; thence North  $87^{\circ}52'19''$  East, along the South Right of Way line of Nichols Street, a distance of 46.63 feet to the Northwest corner of Lot 15 Dwyer's 1<sup>st</sup> Addition; thence South  $02^{\circ}02'54''$  East, along the west line of said Lot 15, a distance of 164.83 feet (165' Plat), to the Southwest corner of said Lot 15 and the POINT OF BEGINNING of said permanent utility easement; thence South  $87^{\circ}39'28''$  West, a distance of 45.60 feet, to a point on the East line of Lot 85 Plat of Spring Hill; thence North  $02^{\circ}24'23''$  West, along the East line of said Lots 85 and 84, a distance of 15.00 feet; thence North  $87^{\circ}39'28''$  East, a distance of 45.69 feet to a point on the West line of said Lot 15; thence South  $02^{\circ}02'54''$  East, along the West line of said Lot 15, a distance of 15.00 feet to the POINT OF BEGINNING. Containing 685 square feet or 0.0157 acres more or less.