



## City of Topeka City Council Agenda

### City Council Chambers

214 SE 8th Street  
Topeka, Kansas 66603

[www.topeka.org](http://www.topeka.org)

October 17, 2017

6:00 PM

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**Mayor: Larry E. Wolgast**

#### **Councilmembers**

|                            |                       |                        |                       |
|----------------------------|-----------------------|------------------------|-----------------------|
| <b>Karen A. Hiller</b>     | <b>District No. 1</b> | <b>Brendan Jensen</b>  | <b>District No. 6</b> |
| <b>Sandra Clear</b>        | <b>District No. 2</b> | <b>Elaine Schwartz</b> | <b>District No. 7</b> |
| <b>Sylvia E. Ortiz</b>     | <b>District No. 3</b> | <b>Jeff Coen</b>       | <b>District No. 8</b> |
| <b>Tony Emerson</b>        | <b>District No. 4</b> | <b>Richard Harmon</b>  | <b>District No. 9</b> |
| <b>Michelle De La Isla</b> | <b>District No. 5</b> |                        |                       |

**Interim City Manager: Doug Gerber**

**Addressing the Council:** No person shall address the Council during a Council Meeting, unless they have notified the City Clerk at (785)368-3940 by 5:00 P.M. on the day of any Council Meeting of their desire to speak on a specific matter on the published meeting agenda or during the public comment portion of the Council Meeting. This limitation shall not apply to items added during the course of a meeting. The Council does not take action with respect to any subject not on the agenda unless added to the agenda by a two-thirds vote of the Council.

*Persons addressing the City Council will be limited to four (4) consecutive minutes of public address on a particular agenda item. Debate, question/answer dialogue or discussion between Councilmembers will not be counted towards the four (4) minute time limitation. The Chair may extend time with the unanimous consent of the Council or the Council by affirmative vote of five (5) members may extend the four (4) minute limitation.*

*Persons will be limited to addressing the City Council one (1) time on a particular matter unless otherwise allowed by an affirmative vote of five (5) members of the City Council.*

To make arrangements for special accommodations please call 785-368-3940. A 48-hour advance notice is preferred.

The Federal Communications Commission (FCC) has adopted use of the 711 dialing code for access to Telecommunications Relay Services (TRS). TRS permits persons with a hearing or speech disability to use the telephone system via a text telephone (TTY) or other device to call persons with or without such disabilities. To reach the City Clerk's office using the TRS, please dial 711.

(Agendas are available on Thursday afternoon in the City Clerk's office, 215 SE 7th - Room 166 and on the City's

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**CALL TO ORDER:**

**INVOCATION:**

**PLEDGE OF ALLEGIANCE:**

**1. MAYORAL PROCLAMATIONS:**

**2. PRESENTATIONS:**

**3. ROLL CALL:**

**4. APPOINTMENTS:**

**A. Board Appointment - Topeka Sustainability Advisory Board**

**BOARD APPOINTMENT** recommending the reappointment of Heather Weed to the Topeka Sustainability Advisory Board for a term ending December 31, 2019. *(Council District No. 1)*

**5. CONSENT AGENDA:**

**A. Resolution - Halloween Street Fair in NOTO - Special Event**

**A RESOLUTION** introduced by Councilmember Sandra Clear, approving a special event known as the Halloween Street Fair in NOTO. *(Council District No. 2)*

*(Approval would allow the sale, consumption and possession of alcoholic beverages within the designated barricaded area for the Halloween Street Fair in NOTO event on October 28, 2017 between the hours of 5:00 p.m. and 12:00 a.m. on October 29, 2017.)*

**B. Resolution - Top City Kustomz - Noise Exception**

**A RESOLUTION** introduced by Councilmember Karen Hiller, granting Top City Kustomz an exception to the provisions of City of Topeka Code Section 9.45.170 concerning noise prohibitions. *(Council District No. 1)*

*(City of Topeka Code Section 9.45.170, et seq., authorizes the City Council to grant noise exceptions. Approval would allow for amplified music and sound during the hours 12 noon and 11:59 p.m. on November 4, 2017.)*

**C. Ordinance - Expenditures - September 2-29, 2017**

**ORDINANCE** introduced by Interim City Manager Doug Gerber, allowing and approving City expenditures for the period of September 2, 2017, through September 29, 2017, and enumerating said expenditures therein.

*(Approval would authorize City expenditures in the amount of \$16,725,573.48.)*

**D. MINUTES of the regular meeting of October 10, 2017**

**E. APPLICATIONS:**

## 6. ACTION ITEMS:

### A. Development Agreement Amendment - Historic Jayhawk Theatre, Inc.

**APPROVAL** of an amendment to the development agreement with Historic Jayhawk Theatre, Inc. to reallocate Transient Guest Tax fund and require approval of changes to project scope exceeding \$100,000.

**Voting Requirement:** Majority vote of the Governing Body (6).

*(Approval would authorize the interim city manager to execute an amendment to the Development Agreement recommended by the Transient Guest Tax Committee.)*

### B. Policy and Finance Committee Report and Ordinance - Topeka Municipal Code Title 2 - Departments and Employees

**ORDINANCE** introduced by Interim City Manager Doug Gerber, concerning employees, the personnel code, departments created, and established positions; amending, repealing and renumbering several chapters in Title 2, Administration and Personnel of the Topeka Municipal Code. (Referred from the Policy and Finance Committee by a vote of 2-0-0 on October 12, 2017.)

**Voting Requirement:** Majority vote of the Governing Body (6).

*(Approval would establish a utilities department and clean up other items in Topeka Municipal Code Chapters 2.14, .25, 2.30, 2.35 and 2.65 to improve consistency and clarity of the code.)*

### C. Policy and Finance Committee Report and Ordinance - Topeka Municipal Code Title 13 - Utilities

**ORDINANCE** introduced by Interim City Manager Doug Gerber concerning the organization of the utilities department, adding new sections and amending and repealing several original sections of Title 13, Utilities, of the Topeka Municipal Code. (Referred from the Policy and Finance Committee by a vote of 2-0-0 on October 12, 2017.)

**Voting Requirement:** Majority vote of the Governing Body (6).

*(Approval would create the Utilities Department and makes changes to the industrial pretreatment requirements to comply with revisions requested by the Environmental Protection Agency. Additionally staff have made revisions to prevent obstructions to fire hydrants that prevent proper preventative maintenance. Further, some obsolete provisions in utility billing have been deleted.)*

### D. Public Hearing and Ordinance - BNSF Railway (V17S/03)

**PUBLIC HEARING and ORDINANCE** introduced by Interim City Manager Douglas Gerber, relating to the vacation of a segment of SE 8th Avenue located between SE Adams Street and SE Hancock Street and including a section of the BNSF Railway tracks, in the City of Topeka, Shawnee County, Kansas. (V17S/03) (Council District Nos. 1 and 2)

**Voting Requirement:** Majority vote of the Governing Body (6).

*(Vacation of the public right-of-way is for the permanent closure of 8th Avenue. A public utility easement within the subject right-of-way will be retained at the time of vacation, and the applicant will pay for construction of a new roadway between 8th Avenue and 10th Avenue for an alternative access route, with completion anticipated in February 2018.)*

### E. Project Budget, Petition and Resolution - Street Improvement Project T-701027.00

**PETITION, PROJECT BUDGET in the amount of \$2,013,485 and RESOLUTION OF ADVISABILITY AND AUTHORIZATION introduced by Interim City Manager Doug Gerber, authorizing improvement project T-701027.00 which will provide street and storm sewer services on SW 49th Street from Wenger Road to BNSF Railroad Crossing as more specifically described therein. (Council District No. 5)**

**Voting Requirement: Majority vote of the Governing Body (6).**

*(Approval would authorize the project budget for this street and storm sewer project located on SW 49th Street between Wenger Road to the BNSF Railroad Crossing. The petition project would be funded 100% by the property owners within the Improvement District.)*

**F. Ordinance - Repeal of Scrap Metal Dealers License**

**ORDINANCE introduced by Interim City Manager Doug Gerber, repealing Chapter 5.170 of the Topeka Municipal Code concerning the regulation of scrap metal dealers.**

**Voting Requirement: Majority vote of the Governing Body (6).**

*(Approval would repeal the ordinance regulating scrap metal dealers.)*

**7. NON-ACTION ITEMS:**

**A. Discussion - Fire Department Strategic Plan**

**DISCUSSION on the Fire Department Strategic Plan.**

**B. Discussion - Wheatfield Village Development Agreement**

**DISCUSSION related to the Development Agreement for the Wheatfield Village project at the northwest corner of 29th Street and SW Fairlawn Road.**

**8. ANNOUNCEMENTS:**

**PRELIMINARY AGENDA**

*(The City Clerk will provide a brief summary of items on the next scheduled Council meeting agenda. Also during this time, the City Manager and Governing Body Members may offer comments regarding City business and announce upcoming events.)*

**9. PUBLIC COMMENT:**

**10. EXECUTIVE SESSION:**

**Executive Sessions are closed meetings held in accordance with the provisions of the Kansas Open Meetings Act.**

*(Executive sessions will be scheduled as needed and may include topics such as personnel matters, considerations of acquisition of property for public purposes, potential or pending litigation in which the city has an interest, employer-employee negotiations and any other matter provided for in K.S.A. 75-4319.)*

**11. ADJOURNMENT:**



City of Topeka  
Council Action Form  
Council Chambers  
214 SE 8th Street  
Topeka, Kansas 66603  
[www.topeka.org](http://www.topeka.org)  
October 17, 2017

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DATE: October 17, 2017  
CONTACT PERSON: Mayor Wolgast DOCUMENT #:  
SECOND PARTY/SUBJECT: Topeka Sustainability PROJECT #:  
Advisory Board  
CATEGORY/SUBCATEGORY 006 Communication / 005 Other  
CIP PROJECT: No  
ACTION OF COUNCIL: JOURNAL #:  
PAGE #:

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**DOCUMENT DESCRIPTION:**

**BOARD APPOINTMENT** recommending the reappointment of Heather Weed to the Topeka Sustainability Advisory Board for a term ending December 31, 2019. *(Council District No. 1)*

**VOTING REQUIREMENTS:**

**POLICY ISSUE:**

The Topeka Sustainability Advisory Board promotes environmental awareness and advocates for policies that support sustainability specifically including, but not limited to, environmental awareness, waste reduction, recycling, energy conservation and natural resource conservation in the City of Topeka and to enhance the quality of life by improving the City's efforts in these areas.

**STAFF RECOMMENDATION:**

Mayor Wolgast recommends the reappointment of Heather Weed for a term that would end December 31, 2019.

**BACKGROUND:**

Ordinance No. 19165. The purpose of the board is to promote environmental awareness and to advocate for policies which support sustainability.

**BUDGETARY IMPACT:**

There is no budgetary impact to the City.

**SOURCE OF FUNDING:**

Not Applicable.

**ATTACHMENTS:**

**Description**

H Weed Application

H Weed Resume

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**Profile**

Heather

First Name

Weed

Last Name

heweeds@gmail.com

Email Address

508 1/2 SW 10th ave

Street Address

apt 205

Suite or Apt

Topeka

City

KS

State

66612

Postal Code

**Are you a resident of the City of Topeka?**☒ Yes ☐ No**What district do you live in? \***☒ District 1Check for your district here -> <https://www.topeka.org/citycouncil>

Mobile: (785) 817-8911

Primary Phone

Home:

Alternate Phone

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**Which Boards would you like to apply for?**

Topeka Sustainability Advisory Board: Submitted

Kansas Department of Health  
and Environmenta

Employer

Environmental Engineer

Job Title

**Are you a registered voter?**☒ Yes ☐ No

**Are you currently a full or part-time employee of the City of Topeka?**

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☐ Yes ☒ No

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If yes, please advise in which department you work:

**Are you or any immediate family member related to any city governmental official or employee?**

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☐ Yes ☒ No

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If yes, please advise who and how you are related:

**Are you or have you been a party to any civil litigation involving the City of Topeka?**

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☐ Yes ☒ No

**If yes, please explain:**

---

**Are you delinquent in payment of any taxes, fees, fines or special assessments owed to the State of Kansas, Shawnee County or the City of Topeka?**

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☐ Yes ☒ No

**If yes, please explain:**

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**Please state why you are interested in serving on this board or commission:**

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To advance sustainable progress in Topeka.

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## **Interests & Experiences**



**Please describe your education, experience and expertise including any honors or awards, civic, cultural, charitable or professional organization memberships that relate to the position you are seeking.**

In my work at the Bureau of Waste Management for KDHE, I am involved with promoting Sustainable Materials Management.

[H\\_Weed\\_resume\\_2017.pdf](#)  
Upload a Resume

Please attach any additional information you believe may be helpful in considering your application.

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## Voluntary Self Identification

### Ethnicity

☒ Caucasian/Non-Hispanic

### Gender

☒ Female

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## Acknowledgements and Verification

**Purpose of information being submitted.**

☒ I Agree

**The information I am submitting is true and correct.**

☒ I Agree

## Electronic Signature

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☒ I Agree

### Notification to applicants for City Board/Commissions

Please be advised that your application and any documents that you attach are public records and, as such, are available to the public, upon request, pursuant to the Kansas Open Records Act.

If you are appointed to the position, your application and resume will be included in the governing body meeting agenda which is posted online.

<http://topeka.novusagenda.com/agendapublic/>

Heather Weed, EIT

(785) 817-8911

heweeds@gmail.com

508 ½ SW 10<sup>th</sup> ave #205

Topeka, KS 66612

## EDUCATION

### **Bachelor of Science in Civil Engineering**

University of Kansas, July 2010

GPA 3.25

### **Certificate in Building Information Modeling Using Revit**

New York University, spring 2014

### **Solid Waste Landfill Design 2.2 CEU**

University of Wisconsin, March 2016

### **Soil Engineering for Non-Soils Engineers and Technicians 1.5 CEU**

University of Wisconsin, April 2017

## PROFESSIONAL EXPERIENCE

### **Kansas Department of Health and Environment**

Engineer Associate

April 6, 2015 – present

Topeka

Review design and operational plans for solid waste landfills in Kansas.

Independently manage permits for forty three facilities.

Designed project management system for my team in the Bureau of Waste Management.

### **Kansas Department of Health and Environment**

Temporary Agent

December 1, 2014 - April 5, 2015

Topeka

Provided office support for the Bureau of Community Health Systems.

### **American Conservation Experience**

AmeriCorps Volunteer

August 2014 – November 2014

California

Delineated tasks for up to six volunteers to complete assigned work.

Partnered with Bureau of Land Management to maintain the sustainable use of public lands.

Participated in crews across California - Santa Cruz, Lake Tahoe, Modoc and Shasta Counties.

### **Node Engineering and Consulting**

Junior Project Engineer

May 2013 – April 2014

New York City

Managed façade rework projects.

Designed and prepared plans for residential sprinkler and plumbing systems.

## APPOINTMENTS AND ELECTED POSITIONS

### **Topeka Sustainability Advisory Board**

December 2015 – present

Report to the city council on strategies for increasing community sustainability and resilience.

### **Complete Streets Advisory Committee**

January 2017 – present

A city and community partnership to reach Topeka's active and alternative transportation needs.

### **Society of Women Engineers**

August 2008 – May 2010

Elected KU chapter president 2009-2010 school year.

## SKILLS

AutoCAD

ArcGIS

C++ programming

Kansas Administrative Regulations, Agency 28 Article 29

Land Surveying

Microsoft Word, Excel, and Access

Revit



**SOURCE OF FUNDING:**

Not Applicable

**ATTACHMENTS:**

**Description**

Resolution

1 RESOLUTION NO. \_\_\_\_\_

2  
3 A RESOLUTION introduced by Councilmember Sandra Clear, approving a special  
4 event known as the Halloween Street Fair in NOTO.

5  
6 BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF TOPEKA,  
7 KANSAS, that:

8 Section 1. Pursuant to state law, alcoholic liquor may be consumed at a special  
9 event to be held on designated public streets, alleys, and sidewalks when a temporary  
10 permit has been issued by the Kansas Division of Alcohol Beverage Control (ABC) and the  
11 governing body has approved the event as required by K.S.A. 41-719 and 41-2645 and  
12 amendments thereto.

13 Section 2. Having considered the request of the sponsor to allow the possession  
14 and consumption of alcoholic liquor, the governing body hereby approves the event to be  
15 held between the hours of 5:00 p.m. on October 28, 2017 to 12:00 a.m. on October 29,  
16 2017, provided the sponsor secures a temporary permit from ABC and complies with all  
17 state laws and ordinances regulating alcoholic liquor.

18 Section 3. The 800 and 900 blocks of North Kansas Avenue and Laurent Street  
19 shall be closed during the dates and times identified in Section 2. Pursuant to K.S.A. 41-  
20 719 and 41-2645, the sponsor shall ensure that the area in which alcoholic liquor is  
21 possessed or consumed is clearly marked by signs, a posted map or other means  
22 ("Designated Barricaded Area").

23 Section 4. Event attendees may purchase, possess and consume alcoholic  
24 beverages within the Designated Barricaded Area. Pursuant to K.S.A. 41-719, no alcoholic  
25 liquor may be removed from Designated Barricaded Area or consumed inside vehicles  
26 while on public streets or alleys at the event.

Section 5. This Resolution shall take effect and be in force after its approval by the Governing Body.

ADOPTED and APPROVED by the Governing Body on \_\_\_\_\_.

CITY OF TOPEKA, KANSAS

Larry E. Wolgast, Mayor

ATTEST:

Brenda Younger, City Clerk





**City of Topeka**  
**Council Action Form**  
**Council Chambers**  
**214 SE 8th Street**  
**Topeka, Kansas 66603**  
**www.topeka.org**  
October 17, 2017

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**DATE:** October 17, 2017  
**CONTACT PERSON:** Karen Hiller **DOCUMENT #:**  
**SECOND PARTY/SUBJECT:** Luis F Munoz Yopez **PROJECT #:**  
**CATEGORY/SUBCATEGORY** 020 Resolutions / 005 Miscellaneous  
**CIP PROJECT:** No  
**ACTION OF COUNCIL:** **JOURNAL #:**  
**PAGE #:**

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**DOCUMENT DESCRIPTION:**

**A RESOLUTION** introduced by Councilmember Karen Hiller, granting Top City Kustomz an exception to the provisions of City of Topeka Code Section 9.45.170 concerning noise prohibitions. (*Council District No. 1*)

(*City of Topeka Code Section 9.45.170, et seq., authorizes the City Council to grant noise exceptions. Approval would allow for amplified music and sound during the hours 12 noon and 11:59 p.m. on November 4, 2017.*)

**VOTING REQUIREMENTS:**

Majority vote of the Governing Body (6).

**POLICY ISSUE:**

Top City Kustomz has requested that a noise exception be granted for a car show and concert to take place during specified date and time.

**STAFF RECOMMENDATION:**

Staff is recommending the Governing Body move to approve the resolution.

**BACKGROUND:**

Top City Kustomz is requesting the noise exception due to amplified music and sound at the event.

**BUDGETARY IMPACT:**

There is no budgetary impact to the City.

**SOURCE OF FUNDING:**

Not Applicable

**ATTACHMENTS:**

**Description**

Resolution

1 RESOLUTION NO. \_\_\_\_\_  
2

3 A RESOLUTION introduced by Councilmember Karen Hiller, granting Top City Kustomz  
4 an exception to the provisions of City of Topeka Code § 9.45.170  
5 concerning noise prohibitions.  
6

7 WHEREAS, City of Topeka Code § 9.45.170 makes it unlawful for any person to  
8 make, continue or cause to be made or continued any loud, unnecessary or unusual  
9 noise or any noise which either annoys, disturbs, injures or endangers the comfort,  
10 repose, health or safety or others within the limits of the city; and

11 WHEREAS, City of Topeka Code § 9.45.170 authorizes the City Council to grant  
12 exceptions to the prohibitions of this code section upon request and a showing that the  
13 proposed activity does not offend the spirit of the findings of City of Topeka Code §  
14 9.45.150; and

15 WHEREAS, Top City Kustomz has requested that it be granted an exception to  
16 the provisions of City of Topeka Code § 9.45.170 for the purposes, dates and times  
17 described herein; and

18 WHEREAS, upon review of the application, the Governing Body of the City of  
19 Topeka does hereby find that the requested activity does not offend the spirit of the  
20 findings of City of Topeka Code § 9.45.150.

21 NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of  
22 Topeka that Top City Kustomz is hereby granted an exception from the provisions of  
23 City of Topeka Code § 9.45.170 for amplified music and sound from 12 noon to 11:59  
24 p. m. during its Car Show and Concert event on November 4, 2017.  
25  
26

27 ADOPTED and APPROVED by the Governing Body \_\_\_\_\_.

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CITY OF TOPEKA, KANSAS

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\_\_\_\_\_  
Larry E. Wolgast, Mayor

36 ATTEST:

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41 \_\_\_\_\_  
Brenda Younger, City Clerk



**City of Topeka**  
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**Topeka, Kansas 66603**  
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October 17, 2017

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**DATE:** October 17, 2017  
**CONTACT PERSON:** Nickie Lee/kej **DOCUMENT #:**  
**SECOND PARTY/SUBJECT:** Monthly Expenditures **PROJECT #:**  
**CATEGORY/SUBCATEGORY** 014 Ordinances – Non-Codified / 005 Miscellaneous  
**CIP PROJECT:** No  
**ACTION OF COUNCIL:** **JOURNAL #:**  
**PAGE #:**

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**DOCUMENT DESCRIPTION:**

**ORDINANCE** introduced by Interim City Manager Doug Gerber, allowing and approving City expenditures for the period of September 2, 2017, through September 29, 2017, and enumerating said expenditures therein.

*(Approval would authorize City expenditures in the amount of \$16,725,573.48.)*

**VOTING REQUIREMENTS:**

Majority vote of the Governing Body (6).

**POLICY ISSUE:**

Approve and allow weekly payments of valid operating expenditures, pursuant to Resolution No. 7607.

**STAFF RECOMMENDATION:**

Staff recommends the Governing Body move to adopt the ordinance.

**BACKGROUND:**

Pursuant to Resolution No. 7607, adopted on April 12, 2005, which provides authorization to pay for certain expenditures prior to approval by the Council in an expenditure ordinance, the expenditures being authorized by this ordinance have been previously paid, in accordance with established procedures and policies for such payments.

**BUDGETARY IMPACT:**

Approved expenditures for the period September 2, 2017 through September 29, 2017, in the amount of \$16,725,573.48.

**SOURCE OF FUNDING:**

Appropriated funds and fees-for-service revenues of various City departments.

**ATTACHMENTS:**

**Description**

Monthly Expenditures

Detail A/P Report for 9/2 to 9/29/17

Detail CB55 Report for 9/2 to 9/29/17

1 (Published in the Topeka Metro News \_\_\_\_\_)

2  
3  
4 ORDINANCE NO. \_\_\_\_\_

5  
6 AN ORDINANCE introduced by Interim City Manager Doug Gerber, allowing and  
7 approving City expenditures for the period of September 2, 2017,  
8 through September 29, 2017, and enumerating said expenditures  
9 herein.

10  
11 BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

12 Section 1. All expenditures made or authorized to be made by issuance of checks  
13 or electronic transfers as enumerated herein, are in accordance with City of Topeka  
14 Resolution No. 7607.

15 Section 2. The claims and expenditures listed in Exhibit A, which is on file in the  
16 City Council Office and the City Clerk's Office and incorporated herein by said reference,  
17 are hereby allowed and approved for payment.

|    |                   |                                                         |                        |
|----|-------------------|---------------------------------------------------------|------------------------|
| 18 | <u>Section 3.</u> | Total of 318 vendor checks written this period          | 1,612,346.56           |
| 19 |                   | Total vendor payments voided in this period (net)       | (00.00)                |
| 20 |                   | Total of 505 ACH transfers to vendors this period       | 11,527,358.66          |
| 21 |                   | Total of 16 payroll checks to employees this period     | 30,327.33              |
| 22 |                   | Total of 3,661 payroll electronic transfers this period | <u>3,555,540.93</u>    |
| 23 |                   | Total for expenditures in this period                   | <u>\$16,725,573.48</u> |

24 Section 4. This ordinance shall take effect and be in force after its passage,  
25 approval and publication in the official city newspaper.

26 PASSED and APPROVED by the Governing Body \_\_\_\_\_

27  
28  
29 ATTEST:

\_\_\_\_\_  
Larry E. Wolgast, Mayor

30  
31  
32 \_\_\_\_\_  
33 Brenda Younger, City Clerk

# COUNCIL REPORT OF VENDOR PAYMENTS

Between 9/2/2017 and 9/29/2017

| Check No.                  | Check Date/PO #     | Vendor Name and Number                         | Check Amount                |
|----------------------------|---------------------|------------------------------------------------|-----------------------------|
| <b>Electronic Payments</b> |                     |                                                |                             |
| 60017<br>34816             | 09/15/2017<br>38032 | HENSON HUTTON MUDRICK &<br>2199                | 409.50<br><b>409.50</b>     |
| 60018<br>00000007417091    | 09/15/2017          | STATE OF KANSAS<br>Child Support - Amt<br>2732 | 152.35<br><b>152.35</b>     |
| 60019<br>00000008617091    | 09/15/2017          | STATE OF KANSAS<br>Child Support - Amt<br>2732 | 163.43<br><b>163.43</b>     |
| 60020<br>00000014517091    | 09/15/2017          | STATE OF KANSAS<br>Child Support - Amt<br>2732 | 160.50<br><b>160.50</b>     |
| 60021<br>00000020417091    | 09/15/2017          | STATE OF KANSAS<br>Child Support - Amt<br>2732 | 183.69<br><b>183.69</b>     |
| 60022<br>00000022217091    | 09/15/2017          | STATE OF KANSAS<br>Child Support - Amt<br>2732 | 1,150.00<br><b>1,150.00</b> |
| 60023<br>00000024217091    | 09/15/2017          | STATE OF KANSAS<br>Child Support - Amt<br>2732 | 53.08<br><b>53.08</b>       |
| 60024<br>00000031617091    | 09/15/2017          | STATE OF KANSAS<br>Child Support - Amt<br>2732 | 112.15<br><b>112.15</b>     |
| 60025<br>00000032417091    | 09/15/2017          | STATE OF KANSAS<br>Child Support - Amt<br>2732 | 259.85<br><b>259.85</b>     |
| 60026<br>00000034017091    | 09/15/2017          | STATE OF KANSAS<br>Child Support - Amt<br>2732 | 277.38<br><b>277.38</b>     |
| 60027<br>00000034317091    | 09/15/2017          | STATE OF KANSAS<br>Child Support - Amt<br>2732 | 498.46<br><b>498.46</b>     |
| 60028<br>00000034517091    | 09/15/2017          | STATE OF KANSAS<br>Child Support - Amt<br>2732 | 92.10<br><b>92.10</b>       |
| 60029<br>00000034817091    | 09/15/2017          | STATE OF KANSAS<br>Child Support - Amt<br>2732 | 183.29<br><b>183.29</b>     |
| 60030<br>00000038017091    | 09/15/2017          | STATE OF KANSAS<br>Child Support - Amt<br>2732 | 25.15<br><b>25.15</b>       |
| 60031<br>00000038517091    | 09/15/2017          | STATE OF KANSAS<br>Child Support - Amt<br>2732 | 368.88<br><b>368.88</b>     |
| 60032<br>00000041717091    | 09/15/2017          | STATE OF KANSAS<br>Child Support - Amt<br>2732 | 144.46<br><b>144.46</b>     |
| 60033<br>00000044717091    | 09/15/2017          | STATE OF KANSAS<br>Child Support - Amt<br>2732 | 185.13<br><b>185.13</b>     |
| 60034<br>00000064117091    | 09/15/2017          | STATE OF KANSAS<br>Child Support - Amt<br>2732 | 267.69<br><b>267.69</b>     |
| 60035<br>00000064117091    | 09/15/2017          | STATE OF KANSAS<br>Child Support - Amt<br>2732 | 323.08<br><b>323.08</b>     |
| 60036<br>00000066717091    | 09/15/2017          | STATE OF KANSAS<br>Child Support - Amt<br>2732 | 415.51<br><b>415.51</b>     |



**COUNCIL REPORT OF VENDOR PAYMENTS**

Between 9/2/2017 and 9/29/2017

| Check No.      | Check Date/PO # | Vendor Name and Number | Check Amount  |
|----------------|-----------------|------------------------|---------------|
| 60037          | 09/15/2017      | STATE OF KANSAS 2732   | <b>346.15</b> |
| 00000068217091 |                 | Child Support - Amt    | 346.15        |
| 60038          | 09/15/2017      | STATE OF KANSAS 2732   | <b>121.88</b> |
| 00000073217091 |                 | Child Support - Amt    | 121.88        |
| 60039          | 09/15/2017      | STATE OF KANSAS 2732   | <b>209.08</b> |
| 00000075417091 |                 | Child Support - Amt    | 209.08        |
| 60040          | 09/15/2017      | STATE OF KANSAS 2732   | <b>286.15</b> |
| 00000077917091 |                 | Child Support - Amt    | 286.15        |
| 60041          | 09/15/2017      | STATE OF KANSAS 2732   | <b>185.08</b> |
| 00000078517091 |                 | Child Support - Amt    | 185.08        |
| 60042          | 09/15/2017      | STATE OF KANSAS 2732   | <b>256.15</b> |
| 00000082717091 |                 | Child Support - Amt    | 256.15        |
| 60043          | 09/15/2017      | STATE OF KANSAS 2732   | <b>443.08</b> |
| 00000086617091 |                 | Child Support - Amt    | 443.08        |
| 60044          | 09/15/2017      | STATE OF KANSAS 2732   | <b>464.91</b> |
| 00000091117091 |                 | Child Support - Amt    | 464.91        |
| 60045          | 09/15/2017      | STATE OF KANSAS 2732   | <b>147.23</b> |
| 00000092417091 |                 | Child Support - Amt    | 147.23        |
| 60046          | 09/15/2017      | STATE OF KANSAS 2732   | <b>88.64</b>  |
| 00000093617091 |                 | Child Support - Amt    | 88.64         |
| 60047          | 09/15/2017      | STATE OF KANSAS 2732   | <b>304.15</b> |
| 00000095917091 |                 | Child Support - Amt    | 304.15        |
| 60048          | 09/15/2017      | STATE OF KANSAS 2732   | <b>487.38</b> |
| 00000098217091 |                 | Child Support - Amt    | 487.38        |
| 60049          | 09/15/2017      | STATE OF KANSAS 2732   | <b>144.51</b> |
| 00000101517091 |                 | Child Support - Amt    | 144.51        |
| 60050          | 09/15/2017      | STATE OF KANSAS 2732   | <b>124.15</b> |
| 00000102217091 |                 | Child Support - Amt    | 124.15        |
| 60051          | 09/15/2017      | STATE OF KANSAS 2732   | <b>368.88</b> |
| 00000104317091 |                 | Child Support - Amt    | 368.88        |
| 60052          | 09/15/2017      | STATE OF KANSAS 2732   | <b>153.69</b> |
| 00000109317091 |                 | Child Support - Amt    | 153.69        |
| 60053          | 09/15/2017      | STATE OF KANSAS 2732   | <b>276.92</b> |
| 00000109317091 |                 | Child Support - Amt    | 276.92        |
| 60054          | 09/15/2017      | STATE OF KANSAS 2732   | <b>71.08</b>  |
| 00000109717091 |                 | Child Support - Amt    | 71.08         |
| 60055          | 09/15/2017      | STATE OF KANSAS 2732   | <b>219.23</b> |
| 00000112417091 |                 | Child Support - Amt    | 219.23        |
| 60056          | 09/15/2017      | STATE OF KANSAS 2732   | <b>196.21</b> |
| 00000112917091 |                 | Child Support - Amt    | 196.21        |
| 60057          | 09/15/2017      | STATE OF KANSAS 2732   | <b>335.64</b> |

# COUNCIL REPORT OF VENDOR PAYMENTS

Between 9/2/2017 and 9/29/2017

| Check No.      | Check Date/PO # | Vendor Name and Number | Check Amount |
|----------------|-----------------|------------------------|--------------|
| 00000118117091 |                 | Child Support - Amt    | 335.64       |
| 60058          | 09/15/2017      | STATE OF KANSAS 2732   | 183.23       |
| 00000147417091 |                 | Child Support - Amt    | 183.23       |
| 60059          | 09/15/2017      | STATE OF KANSAS 2732   | 369.23       |
| 00000197317091 |                 | Child Support - Amt    | 369.23       |
| 60060          | 09/15/2017      | STATE OF KANSAS 2732   | 384.46       |
| 00000197917091 |                 | Child Support - Amt    | 384.46       |
| 60061          | 09/15/2017      | STATE OF KANSAS 2732   | 115.38       |
| 00000215417091 |                 | Child Support - Amt    | 115.38       |
| 60062          | 09/15/2017      | STATE OF KANSAS 2732   | 412.62       |
| 00000225917091 |                 | Child Support - Amt    | 412.62       |
| 60063          | 09/15/2017      | STATE OF KANSAS 2732   | 180.46       |
| 00000233517091 |                 | Child Support - Amt    | 180.46       |
| 60064          | 09/15/2017      | STATE OF KANSAS 2732   | 66.92        |
| 00000237917091 |                 | Child Support - Amt    | 66.92        |
| 60065          | 09/15/2017      | STATE OF KANSAS 2732   | 1,127.54     |
| 00000247617091 |                 | Child Support - Amt    | 1,127.54     |
| 60066          | 09/15/2017      | STATE OF KANSAS 2732   | 461.53       |
| 00000247817091 |                 | Child Support - Amt    | 461.53       |
| 60067          | 09/15/2017      | STATE OF KANSAS 2732   | 68.77        |
| 00000249317091 |                 | Child Support - Amt    | 68.77        |
| 60068          | 09/15/2017      | STATE OF KANSAS 2732   | 127.85       |
| 00000251517091 |                 | Child Support - Amt    | 127.85       |
| 60069          | 09/15/2017      | STATE OF KANSAS 2732   | 290.31       |
| 00000254817091 |                 | Child Support - Amt    | 290.31       |
| 60070          | 09/15/2017      | STATE OF KANSAS 2732   | 50.00        |
| 00000257817091 |                 | Child Support - Amt    | 50.00        |
| 60071          | 09/15/2017      | STATE OF KANSAS 2732   | 82.62        |
| 00000264217091 |                 | Child Support - Amt    | 82.62        |
| 60072          | 09/15/2017      | STATE OF KANSAS 2732   | 66.00        |
| 00000264217091 |                 | Child Support - Amt    | 66.00        |
| 60073          | 09/15/2017      | STATE OF KANSAS 2732   | 260.77       |
| 00000272017091 |                 | Child Support - Amt    | 260.77       |
| 60074          | 09/15/2017      | STATE OF KANSAS 2732   | 292.62       |
| 00000275817091 |                 | Child Support - Amt    | 292.62       |
| 60075          | 09/15/2017      | STATE OF KANSAS 2732   | 57.23        |
| 00000279417091 |                 | Child Support - Amt    | 57.23        |
| 60076          | 09/15/2017      | STATE OF KANSAS 2732   | 57.23        |
| 00000279417091 |                 | Child Support - Amt    | 57.23        |
| 60077          | 09/15/2017      | STATE OF KANSAS 2732   | 40.62        |
| 00000279417091 |                 | Child Support - Amt    | 40.62        |

**Between 9/2/2017 and 9/29/2017**

| <u>Check No.</u>                                                                                                                                                                                                                             | <u>Check Date/PO #</u>                                                                                                                                                                                                             | <u>Vendor Name and Number</u>          |       | <u>Check Amount</u> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|-------|---------------------|
| 60078<br>00000279417091                                                                                                                                                                                                                      | 09/15/2017                                                                                                                                                                                                                         | STATE OF KANSAS<br>Child Support - Amt | 2732  | <b>50.31</b>        |
| 60079<br>00000279517091                                                                                                                                                                                                                      | 09/15/2017                                                                                                                                                                                                                         | STATE OF KANSAS<br>Child Support - Amt | 2732  | <b>58.97</b>        |
| 60080<br>00000279517091                                                                                                                                                                                                                      | 09/15/2017                                                                                                                                                                                                                         | STATE OF KANSAS<br>Child Support - Amt | 2732  | <b>26.80</b>        |
| 60081<br>00000279517091                                                                                                                                                                                                                      | 09/15/2017                                                                                                                                                                                                                         | STATE OF KANSAS<br>Child Support - Amt | 2732  | <b>152.78</b>       |
| 60082<br>00000279517091                                                                                                                                                                                                                      | 09/15/2017                                                                                                                                                                                                                         | STATE OF KANSAS<br>Child Support - Amt | 2732  | <b>99.98</b>        |
| 60083<br>00000279517091                                                                                                                                                                                                                      | 09/15/2017                                                                                                                                                                                                                         | STATE OF KANSAS<br>Child Support - Amt | 2732  | <b>61.65</b>        |
| 60084<br>00000279517091                                                                                                                                                                                                                      | 09/15/2017                                                                                                                                                                                                                         | STATE OF KANSAS<br>Child Support - Amt | 2732  | <b>67.54</b>        |
| 60085<br>40397 AUG 2017                                                                                                                                                                                                                      | 09/15/2017<br>40397                                                                                                                                                                                                                | KURTZ, RONALD DEAN                     | 10925 | <b>275.00</b>       |
| 60086<br>1834651                                                                                                                                                                                                                             | 09/15/2017<br>28817                                                                                                                                                                                                                | LATHROP & GAGE LLP                     | 9731  | <b>248.50</b>       |
| 60087<br>60521<br>90579<br>90666                                                                                                                                                                                                             | 09/15/2017<br>37566<br>37566<br>37566                                                                                                                                                                                              | A 1 LOCK & KEY LLC                     | 13    | <b>324.77</b>       |
| 60088<br>55983<br>55984<br>55985                                                                                                                                                                                                             | 09/15/2017<br>37495<br>37720<br>39821                                                                                                                                                                                              | A-1 RENTAL INC                         | 20    | <b>575.00</b>       |
| 60089<br>2540917<br>286530<br>286534<br>286539<br>286958<br>286959<br>288294<br>288730<br>288766<br>288774<br>291400<br>291402<br>291616<br>291617<br>291620<br>291623<br>292120<br>292182<br>292183<br>292184<br>292185<br>292189<br>292218 | 09/15/2017<br>39590<br>37431<br>39589<br>39589<br>39589<br>39589<br>39589<br>39589<br>39589<br>37431<br>39589<br>39589<br>39589<br>37431<br>39589<br>39589<br>39589<br>39589<br>39589<br>39589<br>39589<br>39589<br>39589<br>37431 | AAA CLUB ALLIANCE INC                  | 10251 | <b>2,650.00</b>     |

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|-------------|-----------------|--------------------------------|-------------------|
| 292228      | 37431           |                                | 38.00             |
| 292231      | 39589           |                                | 38.00             |
| 292233      | 39589           |                                | 38.00             |
| 292253      | 39589           |                                | 38.00             |
| 292255      | 39589           |                                | 38.00             |
| 292256      | 39589           |                                | 38.00             |
| 292301      | 39589           |                                | 38.00             |
| 292316      | 39589           |                                | 38.00             |
| 292320      | 39589           |                                | 38.00             |
| 292542      | 37431           |                                | 38.00             |
| 292716      | 37431           |                                | 38.00             |
| 292718      | 39589           |                                | 38.00             |
| 292721      | 39589           |                                | 38.00             |
| 292723      | 39589           |                                | 38.00             |
| 292724      | 39589           |                                | 38.00             |
| 292725      | 39589           |                                | 38.00             |
| 292798      | 39589           |                                | 38.00             |
| 293065      | 37431           |                                | 38.00             |
| 293081      | 39589           |                                | 38.00             |
| 293083      | 39589           |                                | 38.00             |
| 293086      | 39589           |                                | 38.00             |
| 293088      | 39589           |                                | 38.00             |
| 293089      | 39589           |                                | 38.00             |
| 293090      | 39589           |                                | 38.00             |
| 293091      | 39589           |                                | 38.00             |
| 293092      | 39589           |                                | 38.00             |
| 293505      | 39589           |                                | 38.00             |
| 293506      | 39589           |                                | 38.00             |
| 60090       | 09/15/2017      | ABRAXIS LLC                    | 9922              |
| 220267      | 39900           |                                | 2,935.00          |
|             |                 |                                | <b>2,935.00</b>   |
| 60091       | 09/15/2017      | ADVANCED ENVIRONMENTAL TESTING | 8000              |
| 2225        | 37725           |                                | 551.00            |
|             |                 |                                | <b>551.00</b>     |
| 60092       | 09/15/2017      | AMERICAN PRESORT               | 177               |
| AUGUST 2017 | POSTAGE         |                                | 10,254.63         |
|             |                 |                                | <b>10,254.63</b>  |
| 60093       | 09/15/2017      | AMERIPRIDE                     | 197               |
| 2300831267  | 37322           |                                | 32.67             |
| 2300831895  | 37626           |                                | 98.09             |
| 2300832050  | 37534           |                                | 150.32            |
| 2300832052  | 37322           |                                | 34.61             |
| 2300832085  | 37322           |                                | 15.86             |
| 2300832122  | 37626           |                                | 10.56             |
| 2300832125  | 37626           |                                | 20.27             |
| 2300832132  | 37626           |                                | 135.08            |
| 2300832134  | 37626           |                                | 53.56             |
| 60094       | 09/15/2017      | AMINO BROTHERS CO INC          | 8026              |
| 34909 12    | 34909           |                                | 157,035.32        |
| 35988 7     | 35988           |                                | 258,056.66        |
| 39137 3     | 39137           |                                | 354,326.15        |
|             |                 |                                | <b>769,418.13</b> |
| 60095       | 09/15/2017      | ANSWER TOPEKA                  | 237               |
| 170800027   | 38107           |                                | 74.50             |
| 170800028   | 37605           |                                | 868.50            |
|             |                 |                                | <b>943.00</b>     |
| 60096       | 09/15/2017      | ARMSTRONG CONSTRUCTION         | 255               |
| 3103        | 39812           |                                | 1,125.00          |
| 3104        | 39812           |                                | 1,125.00          |
|             |                 |                                | <b>2,250.00</b>   |
| 60097       | 09/15/2017      | BARTLETT & WEST ENGINEERS      | 391               |
|             |                 |                                | <b>80,622.56</b>  |

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|------------------|-----------------|--------------------------------|--------------|
| 730062342        | 34828           |                                | 20,000.00    |
| 730062867        | 29826           |                                | 60,622.56    |
| 60098            | 09/15/2017      | BERMUDEZ, OSCAR                | 10602        |
| 776              | 39159           |                                | 3,787.11     |
| 60099            | 09/15/2017      | BINSWANGER ENTERPRISES LLC     | 7825         |
| I593017116       | 37421           |                                | 222.01       |
| I593017140       | 37421           |                                | 225.89       |
| I593017167       | 37421           |                                | 100.00       |
| 60100            | 09/15/2017      | BLACK & VEATCH CORPORATION     | 505          |
| 1247021          | 37647           |                                | 14,885.63    |
| 1252758          | 37647           |                                | 8,998.75     |
| 1252841          | 37171           |                                | 26,913.21    |
| 60101            | 09/15/2017      | BLUE CROSS BLUE SHIELD INC     | 528          |
| W/E 9/12/17      | 37524           |                                | 77,280.59    |
| W/E 9/5/17       | 37524           |                                | 49,724.89    |
| W/E 9/5/17 ADV ( | 37524           |                                | -100,000.00  |
| 60102            | 09/15/2017      | BOETTCHEER SUPPLY INC          | 543          |
| 1037737 1        | 37352           |                                | 14.90        |
| 1039171 1        | 37352           |                                | 63.98        |
| 1063619 1        | 37352           |                                | 369.16       |
| 60103            | 09/15/2017      | BRENNTAG MID SOUTH             | 607          |
| BMS733912        | 39697           |                                | 3,703.12     |
| 60104            | 09/15/2017      | BURNS & MCDONNELL              | 10450        |
| 35738 11         | 35738           |                                | 213,418.36   |
| 60105            | 09/15/2017      | C & C PRODUCE                  | 7788         |
| 001169498        | 37490           |                                | 578.50       |
| 60107            | 09/15/2017      | CENTRAL MECHANICAL CONST CO IN | 863          |
| 0000500631       | 38078           |                                | 298.44       |
| 0000500639       | 38078           |                                | 237.43       |
| 0000500673       | 38078           |                                | 280.00       |
| 0000500701       | 38078           |                                | 78.34        |
| 0000500712       | 38078           |                                | 3,354.89     |
| 0000500727       | 37957           |                                | 1,252.50     |
| 0000500757       | 37957           |                                | 1,483.85     |
| 0000500807       | 38078           |                                | 606.00       |
| 0000500826       | 37956           |                                | 790.00       |
| 0000500864       | 38078           |                                | 71.82        |
| 0000500874       | 38078           |                                | 1,472.85     |
| 0000500895       | 37956           |                                | 105.00       |
| 0000500901       | 37956           |                                | 4,942.06     |
| 0000500909       | 38078           |                                | 191.32       |
| 0000500946       | 37956           |                                | 280.00       |
| 0000500947       | 37957           |                                | 2,373.96     |
| 60108            | 09/15/2017      | CHEMTRADE CHEMCIALS            | 1864         |
| 92176241         | 39795           |                                | 3,154.45     |
| 60109            | 09/15/2017      | CODE PUBLISHING COMPANY        | 999          |
| 57528            | 38219           |                                | 257.40       |
| 60110            | 09/15/2017      | COLUMBIA CAPITAL MANAGEMENT LL | 1038         |
| 17116009         | 40085           |                                | 573.75       |
| 17116010         | BONDS           | 2017A GO BOND COI              | 20,000.00    |

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|----------------|-----------------|--------------------------------|------------------|
| 17116011       | BONDS           | 2017A TEMP NOTE COI            | 15,000.00        |
| 17116012       | BONDS           | 2017A REV BONDS COI            | 27,500.00        |
| 17116013       | 37971           |                                | 4,500.00         |
| 60111          | 09/15/2017      | CONCRETE SUPPLY OF TOPEKA      | 1066             |
| 160889         | 40022           |                                | 230.00           |
|                |                 |                                | <b>230.00</b>    |
| 60112          | 09/15/2017      | CONSOLIDATED ELECTRICAL        | 6778             |
| 8795 547869    | 36542           |                                | 82,012.00        |
|                |                 |                                | <b>82,012.00</b> |
| 60113          | 09/15/2017      | CONSOLIDATED RURAL WATER       | 1075             |
| 37542 7        | 37542           |                                | 5,434.33         |
|                |                 |                                | <b>5,434.33</b>  |
| 60114          | 09/15/2017      | CONTECH ENGINEERED SOLUTIONS   | 8337             |
| 15499598       | 37806           |                                | 585.00           |
|                |                 |                                | <b>585.00</b>    |
| 60115          | 09/15/2017      | COOK FLATT & STROBEL ENGINEERS | 1089             |
| 170822         | 31025           |                                | 4,000.00         |
| 37664          | 26717           |                                | 17,928.69        |
|                |                 |                                | <b>21,928.69</b> |
| 60116          | 09/15/2017      | DELTA DENTAL OF KANSAS INC     | 1323             |
| 37770 ADMIN AU | 37770           |                                | 3,260.80         |
| W/E 08/31/17   | 37770           |                                | 11,604.52        |
| W/E 09/07/17   | 37770           |                                | 6,801.80         |
|                |                 |                                | <b>21,667.12</b> |
| 60117          | 09/15/2017      | DESIGNED BUSINESS INTERIORS    | 1336             |
| 15016          | 39279           |                                | 170.00           |
| 15140          | 40340           |                                | 170.00           |
|                |                 |                                | <b>340.00</b>    |
| 60118          | 09/15/2017      | EMBROIDERY PLUS                | 1522             |
| 38139          | 40015           |                                | 452.37           |
| 38145          | 37823           |                                | 748.84           |
|                |                 |                                | <b>1,201.21</b>  |
| 60119          | 09/15/2017      | EXPRESS SERVICES INC           | 9622             |
| 19366190       | 39476           |                                | 1,346.70         |
| 19366191       | 37528           |                                | 2,809.60         |
| 19366192       | 37955           |                                | 433.80           |
|                |                 |                                | <b>4,590.10</b>  |
| 60120          | 09/15/2017      | FINANCIAL PRINTING RESOURCE    | 1662             |
| 48625          | BONDS           |                                | 1,140.86         |
| 48637          | BONDS           | 2017A REV BOND COI             | 1,073.93         |
|                |                 |                                | <b>2,214.79</b>  |
| 60121          | 09/15/2017      | FIT EXCAVATING INC             | 3126             |
| 2126           | 40353           |                                | 12,957.52        |
|                |                 |                                | <b>12,957.52</b> |
| 60122          | 09/15/2017      | FOLEY INDUSTRIES INC           | 1734             |
| SS240011349    | 37366           |                                | 2,497.14         |
|                |                 |                                | <b>2,497.14</b>  |
| 60123          | 09/15/2017      | FORD, SUSAN J                  | 10632            |
| 17 6           | 36930           |                                | 2,000.00         |
|                |                 |                                | <b>2,000.00</b>  |
| 60124          | 09/15/2017      | FRIENDS OF THE TOPEKA ZOO      | 1794             |
| FOTZ170915160; |                 | Friends of the Topeka Zoo Pass | 38.22            |
| FOTZ170915160; |                 | Friends of the Topeka Zoo Pass | 56.42            |
| FOTZ170915160; |                 | Friends of the Topeka Zoo Pass | 13.02            |
| FOTZ170915160; |                 | Friends of the Topeka Zoo Pass | 17.52            |
| FOTZ170915160; |                 | Friends of the Topeka Zoo Pass | 6.51             |
| FOTZ170915160; |                 | Friends of the Topeka Zoo Pass | 9.85             |
| FOTZ170915160; |                 | Friends of the Topeka Zoo Pass | 1.00             |
| FOTZ170915160; |                 | Friends of the Topeka Zoo Pass | 18.03            |
| FOTZ170915160; |                 | Friends of the Topeka Zoo Pass | 25.02            |
| FOTZ170915160; |                 | Friends of the Topeka Zoo Pass | 66.26            |
|                |                 |                                | <b>272.70</b>    |

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| FOTZ170915160: |                 | Friends of the Topeka Zoo Pass      | 20.85        |
| 60125          | 09/15/2017      | GRANT STREET GROUP 1965             | 5,000.00     |
| SIN002982      | BONDS           | 2017A GO BOND COI                   | 1,750.00     |
| SIN002983      | BONDS           | 2017A TEMP NOTE COI                 | 1,500.00     |
| SIN003014      | BONDS           | 2017A REV BOND COI                  | 1,750.00     |
| 60126          | 09/15/2017      | GREELEY EXCAVATING LLC 10812        | 114,550.20   |
| 39300 3        | 39300           |                                     |              |
| 60127          | 09/15/2017      | HAMM INC 6576                       | 2,970.45     |
| 160532         | 38678           |                                     |              |
| 60128          | 09/15/2017      | HELPING HANDS HUMANE SOCIETY I 2183 | 4,726.80     |
| 37646 AUG 2017 | 37646           |                                     |              |
| 60129          | 09/15/2017      | HENRY OUTDOOR POWER LLC 8004        | 4,920.00     |
| 1169           | 38930           |                                     | 1,097.50     |
| 1170           | 38913           |                                     | 50.00        |
| 1171           | 38854           |                                     | 40.00        |
| 1172           | 38934           |                                     | 155.00       |
| 1173           | 38931           |                                     | 390.00       |
| 1174           | 39070           |                                     | 660.00       |
| 1175           | 39069           |                                     | 65.00        |
| 1176           | 39071           |                                     | 145.00       |
| 1177           | 39072           |                                     | 225.00       |
| 1178           | 39098           |                                     | 180.00       |
| 1179           | 38930           |                                     | 1,097.50     |
| 1180           | 38913           |                                     | 50.00        |
| 1181           | 38854           |                                     | 40.00        |
| 1182           | 38934           |                                     | 155.00       |
| 1183           | 38931           |                                     | 390.00       |
| 1188           | 39098           |                                     | 180.00       |
| 60130          | 09/15/2017      | HERNLY ENVIRONMENTAL INC 9487       | 1,390.00     |
| 894            | 40132           |                                     | 695.00       |
| 895            | 40130           |                                     | 695.00       |
| 60131          | 09/15/2017      | HOUSING & CREDIT COUNSELING IN 2312 | 5,490.83     |
| 09012017A      | 40081           |                                     | 2,740.83     |
| 09012017B      | 40078           |                                     | 2,750.00     |
| 60132          | 09/15/2017      | HR PARTNERS LLC 1165                | 387.50       |
| 6586           | 39773           |                                     |              |
| 60133          | 09/15/2017      | JST CONSTRUCTION CO LLC 2599        | 1,952.00     |
| 170168         | 40224           |                                     |              |
| 60134          | 09/15/2017      | KANSAS ASSOCIATION OF CODE 2629     | 185.00       |
| ESOPI R 2017 W | 40426           |                                     |              |
| 60135          | 09/15/2017      | KANSAS GAS SERVICE 2707             | 4,043.13     |
| 51000034314520 |                 | 620 MADISON - COMMONS .14%          | 0.32         |
| 51000034314520 |                 | 620 MADISON - HOLLIDAY ROOM 5.      | 12.76        |
| 51000034314520 |                 | 620 MADISON - WELLNESS CLINIC       | 7.59         |
| 51000034314520 |                 | 620 MADISON - TPD INTERNAL AFF      | 3.39         |
| 51000034314520 |                 | 620 MADISON - WATER 3.6%            | 8.35         |
| 51000034314520 |                 | 620 MADISON - HND 14.6%             | 33.87        |
| 51000034314520 |                 | 620 MADISON - IT 5.3%               | 12.30        |
| 51000034314520 |                 | 620 MADISON - TSG 5.6%              | 12.99        |
| 51000034314520 |                 | 620 MADISON - PARKING 3.12%         | 7.24         |
| 51000034314520 |                 | 620 MADISON - ENG 18.8%             | 43.61        |
| 51000034314520 |                 | 620 MADISON - CODE 4.9%             | 11.37        |

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| 51000034314520 |                 | 620 MADISON - DSD PERMIT 6.45% | 14.96        |
| 51000034314520 |                 | 620 MADISON - DSD INSPECTION 6 | 14.96        |
| 51000034314520 |                 | 620 MADISON - TPD EMER COMM 2. | 6.77         |
| 51000034314520 |                 | 620 MADISON - FIRE INS 2.52%   | 5.85         |
| 51000034314520 |                 | 620 MADISON - PW ADMIN 4.07%   | 9.44         |
| 51000034314520 |                 | 620 MADISON - PLANNING 11.3%   | 26.22        |
| 51001191514520 |                 | 504 NW WINTER                  | 42.50        |
| 51001708814474 |                 | 1200 NE DIVISION               | 37.80        |
| 51007832216467 |                 | 1115 NE POPLAR                 | 294.78       |
| 51007832216467 |                 | 1115 NE POPLAR                 | 709.04       |
| 51011344914474 |                 | 2816 SW 29TH                   | 34.80        |
| 51013629514474 |                 | 324 SE JEFFERSON ACA           | 44.07        |
| 51014508716424 |                 | 2200 SW CENTRAL PRK            | 37.80        |
| 51018419516294 |                 | 6305 SW 9TH                    | 37.80        |
| 51020418414475 |                 | 5961 SW 10TH                   | 30.08        |
| 51020900114474 |                 | 1115 NE POPLAR                 | 62.95        |
| 51023202614474 |                 | 318 SE JEFFERSON #3            | 65.94        |
| 51026676414474 |                 | 312 SE JEFFERSON FIRE ADMIN 54 | 23.80        |
| 51026676414474 |                 | 312 SE JEFFERSON FLEET 46%     | 20.27        |
| 51029659016010 |                 | 2101 SW URISH #12              | 76.28        |
| 51029919914474 |                 | 1215 SW OAKLEY #7              | 68.42        |
| 51030363914521 |                 | 320 S KANSAS AVE CHIEF OFF 3.0 | 3.42         |
| 51030363914521 |                 | 320 S KANSAS AVE EXEC SRV 1.0  | 1.16         |
| 51030363914521 |                 | 320 S KANSAS AVE TRAIN 1.0%    | 1.16         |
| 51030363914521 |                 | 320 S KANSAS AVE ADULT CRIME 7 | 8.09         |
| 51030363914521 |                 | 320 S KANSAS AVE CRIME SCENE 1 | 1.16         |
| 51030363914521 |                 | 320 S KANSAS AVE FIELD OPS 26. | 30.39        |
| 51030363914521 |                 | 320 S KANSAS AVE COMM POLICE 2 | 2.31         |
| 51030363914521 |                 | 320 S KANSAS AVE SCHOOL RES 2. | 2.31         |
| 51030363914521 |                 | 320 S KANSAS AVE MOTORCYCLE UN | 1.16         |
| 51030363914521 |                 | 320 S KANSAS AVE ANIMAL CONTRO | 3.47         |
| 51030363914521 |                 | 320 S KANSAS AVE REC/PROP 6.0% | 6.93         |
| 51030363914521 |                 | 320 S KANSAS AVE PD IT .32%    | 0.37         |
| 51030363914521 |                 | 320 S KANSAS AVE NARC 3.0%     | 3.47         |
| 51030363914521 |                 | 320 S KANSAS AVE BIKE UNIT 1.0 | 1.16         |
| 51030363914521 |                 | 320 S KANSAS AVE CANINE UNIT 2 | 2.31         |
| 51030363914521 |                 | 320 S KANSAS AVE - FLEET 8.44% | 9.75         |
| 51030363914521 |                 | 320 S KANSAS AVE - CORONER 4.0 | 4.62         |
| 51030363914521 |                 | 320 S KANSAS AVE - SHERIFF 27. | 32.26        |
| 51031823814474 |                 | 934 NE QUINCY #1               | 42.76        |
| 51036856214474 |                 | 2010 SW 37TH #10               | 74.72        |
| 51040018714474 |                 | 1600 NW BUTTON                 | 307.22       |
| 51040186315501 |                 | 500 NE STRAIT                  | 30.08        |
| 51042095514474 |                 | 1419 NE SEWARD #6              | 40.23        |
| 51044161414474 |                 | 201 NW TOPEKA-STREET 47.8%     | 32.47        |
| 51044161414474 |                 | 201 NW TOPEKA-FLEET 25.1%      | 17.05        |
| 51044161414474 |                 | 201 NW TOPEKA-FORESTRY 22.4%   | 15.21        |
| 51044161414474 |                 | 201 NW TOPEKA-FACILITIES 4.7%  | 3.19         |
| 51046426414475 |                 | 545 NE LAKE                    | 30.08        |
| 51051368914474 |                 | 2000 NW 17TH #11               | 77.84        |
| 51053899415667 |                 | 1901 SW WESTERN                | 30.08        |
| 51058991414474 |                 | 3245 NW WATERWORKS             | 122.06       |
| 51059103214474 |                 | 813 SW CLAY #4                 | 54.30        |
| 51060942714236 |                 | 215 SE 7TH - COMMONS 2.69%     | 5.51         |
| 51060942714236 |                 | 215 SE 7TH - CONTRACTS 1.95%   | 3.99         |
| 51060942714236 |                 | 215 SE 7TH - IT/ERP 7.32%      | 14.99        |
| 51060942714236 |                 | 215 SE 7TH - FACILITIES .20%   | 0.41         |
| 51060942714236 |                 | 215 SE 7TH - TPAC 60%          | 122.85       |
| 51060942714236 |                 | 215 SE 7TH - COURT 5.6%        | 11.47        |
| 51060942714236 |                 | 215 SE 7TH - CREDIT UNION 1.2% | 2.46         |
| 51060942714236 |                 | 215 SE 7TH - CITY CLERK 1.6%   | 3.28         |
| 51060942714236 |                 | 215 SE 7TH - HR/WEELLNESS 4.7% | 9.62         |
| 51060942714236 |                 | 215 SE 7TH - PROSECUTION 1.86% | 3.81         |
| 51060942714236 |                 | 215 SE 7TH - PROBATION 2.4%    | 4.91         |



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| 51060942714236 |                 | 215 SE 7TH - COUNCIL OFFICE 1. | 2.25         |
| 51060942714236 |                 | 215 SE 7TH - CITY4 .86%        | 1.76         |
| 51060942714236 |                 | 215 SE 7TH - LEGAL 1.3%        | 2.66         |
| 51060942714236 |                 | 215 SE 7TH - LEGAL SPEC LIABIL | 2.66         |
| 51060942714236 |                 | 215 SE 7TH - MAYOR .82%        | 1.68         |
| 51060942714236 |                 | 215 SE 7TH - CITY MGR 1.3%     | 2.66         |
| 51060942714236 |                 | 215 SE 7TH - FINANCE 3.80%     | 7.78         |
| 51061145114474 |                 | 701 SW GAGE                    | 66.29        |
| 51061145114474 |                 | 823 SW GAGE ZOO                | 66.29        |
| 51061145114474 |                 | 821 SW GAGE                    | 63.00        |
| 51061145114474 |                 | 635 SW GAGE #C ZOO             | 63.00        |
| 51061145114474 |                 | 635 SW GAGE #B-B ZOO           | 63.00        |
| 51061145114474 |                 | 4200 SW 6TH BIG GAGE           | 81.05        |
| 51061145114474 |                 | 815 SW GAGE APES               | 64.64        |
| 51061145114474 |                 | 639 SW GAGE RAINFOREST         | 143.40       |
| 51061403614474 |                 | 2447 SE 29TH #9                | 67.66        |
| 51066777514474 |                 | 720 SW 21ST #5                 | 71.56        |
| 51071373414474 |                 | 2700 SW FAIRLAWN #8            | 87.27        |
| 51071699416020 |                 | 1215 SW 38TH                   | 30.92        |
| 51073291014474 |                 | 1901 SW WESTERN - WATER        | 69.56        |
| 51073565515665 |                 | 619 SE RICE RD #2              | 89.63        |
| 60136          | 09/15/2017      | KANSAS PERSONNEL SERVICES INC  | 2849         |
| 3044080        | 37491           |                                | 198.52       |
| 3044162        | 37757           |                                | 432.00       |
| 3044242        | 39051           |                                | 658.13       |
| 3044243        | 39619           |                                | 607.50       |
| 3044244        | 37757           |                                | 540.00       |
| 3044245        | 38534           |                                | 564.30       |
| 3044246        | 37567           |                                | 1,780.65     |
| 3044247        | 37952           |                                | 857.89       |
| 3044248        | 37491           |                                | 63.81        |
| 3044331        | 39051           |                                | 680.06       |
| 3044332        | 39619           |                                | 405.00       |
| 3044333        | 37567           |                                | 1,797.21     |
| 3044334        | 37952           |                                | 886.25       |
| 3044335        | 37491           |                                | 159.53       |
| 3044336        | 40402           |                                | 475.20       |
| 60137          | 09/15/2017      | KCR INTERNATIONAL TRUCKS INC   | 1347         |
| 130121977      | 37362           |                                | 10.30        |
| 130121989      | 37362           |                                | 321.94       |
| 130204109      | 37362           |                                | 2,528.49     |
| 60138          | 09/15/2017      | KEY WORKFORCE SOLUTIONS INC    | 9879         |
| 3044315        | 37539           |                                | 730.80       |
| 3044402        | 37539           |                                | 835.20       |
| 60139          | 09/15/2017      | LAWYERS TITLE OF TOPEKA INC    | 3002         |
| 19240          | 40404           |                                | 2,750.00     |
| 19243          | 37760           |                                | 250.00       |
| 19245          | 40404           |                                | 500.00       |
| 60140          | 09/15/2017      | LEWIS, GAIL A                  | 9952         |
| 8 2017         | 39630           |                                | 2,083.00     |
| 60141          | 09/15/2017      | LIGHTHOUSE CONTRACTING INC     | 3061         |
| 1627CENTRAL    | 39741           |                                | 6,745.00     |
| 60142          | 09/15/2017      | LOVES ENTERPRISES              | 3112         |
| 125518         | 34722           |                                | 32,269.30    |
| 60143          | 09/15/2017      | MATHER FLARE RENTAL INC        | 5791         |
|                |                 |                                | 3,621.92     |

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| 4927           | 37373           |                           | 95.40             |
| 4934           | 37373           |                           | 3,386.52          |
| 4937           | 37373           |                           | 45.00             |
| 4938           | 37373           |                           | 45.00             |
| 4940           | 37373           |                           | 50.00             |
| 60144          | 09/15/2017      | MATHESON TRI-GAS INC      | 7179              |
| 15995070       | 37536           |                           | 29.10             |
|                |                 |                           | <b>29.10</b>      |
| 60145          | 09/15/2017      | MEDTRAK SERVICES LLC      | 3330              |
| 238109         | 37662           |                           | 121,382.78        |
| 238328         | 37662           |                           | 13,003.29         |
| 238329         | 37662           |                           | 3,018.37          |
|                |                 |                           | <b>137,404.44</b> |
| 60146          | 09/15/2017      | MICHAEL & SONS INC        | 3377              |
| 553820         | 40050           |                           | 14,895.83         |
| 553821         | 40184           |                           | 13,279.80         |
|                |                 |                           | <b>28,175.63</b>  |
| 60147          | 09/15/2017      | MILLS, RANDY W            | 3456              |
| 37731 AUG 2017 | 37731           |                           | 619.15            |
|                |                 |                           | <b>619.15</b>     |
| 60148          | 09/15/2017      | MINNESOTA ELEVATOR INC    | 7834              |
| 717634         | 40329           |                           | 759.00            |
|                |                 |                           | <b>759.00</b>     |
| 60149          | 09/15/2017      | MOBILE MINI INC           | 10917             |
| 9002645094     | 39666           |                           | 603.00            |
|                |                 |                           | <b>603.00</b>     |
| 60150          | 09/15/2017      | MOODY'S INVESTORS SERVICE | 7102              |
| P0250197       | BONDS           | 2017A REV BOND COI        | 22,500.00         |
|                |                 |                           | <b>22,500.00</b>  |
| 60151          | 09/15/2017      | MYGOV LLC                 | 9627              |
| 2801           | 37641           |                           | 1,600.00          |
|                |                 |                           | <b>1,600.00</b>   |
| 60152          | 09/15/2017      | NEENAN COMPANY            | 3649              |
| S2469658 001   | 37809           |                           | 70.00             |
|                |                 |                           | <b>70.00</b>      |
| 60153          | 09/15/2017      | O REILLY AUTO PARTS       | 3714              |
| 152 350234     | 37396           |                           | 5.84              |
| 152 350821     | 37396           |                           | 90.03             |
| 152 350909     | 37396           |                           | 32.58             |
| 152 351060     | 37396           |                           | 124.92            |
| 152 351347     | 37396           |                           | 94.91             |
| 152 351427     | 37396           |                           | 8.50              |
| 152 351524     | 37396           |                           | 7.38              |
| 152 351649     | 37314           |                           | 29.98             |
|                |                 |                           | <b>394.14</b>     |
| 60154          | 09/15/2017      | ONEILL EXCAVATING INC     | 10202             |
| 000105         | 40323           |                           | 10,607.94         |
|                |                 |                           | <b>10,607.94</b>  |
| 60155          | 09/15/2017      | PACE ANALYTICAL SERVICES  | 3794              |
| 173898 60      | 37537           |                           | 48.60             |
| 173899 60      | 37537           |                           | 198.00            |
| 1760032959     | 37856           |                           | 570.00            |
|                |                 |                           | <b>816.60</b>     |
| 60156          | 09/15/2017      | POLYDYNE INC              | 5879              |
| 1167350        | 37923           |                           | 23,100.00         |
|                |                 |                           | <b>23,100.00</b>  |
| 60157          | 09/15/2017      | POMPS TIRE SERVICE INC    | 10675             |
| 1160007221     | 37432           |                           | 353.87            |
| 1160007240     | 37432           |                           | 1,415.22          |
| 1160007266     | 37432           |                           | 863.84            |
| 1160007322     | 37432           |                           | 133.63            |
|                |                 |                           | <b>3,000.59</b>   |

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| 1160007387      | 37432           |                                     | 121.15            |
| 1160007513      | 37432           |                                     | 112.88            |
| 60158           | 09/15/2017      | PROFESSIONAL ENGINEERING 4018       | <b>181,332.86</b> |
| 438787          | 36041           |                                     | 14,113.96         |
| 438901          | 15649           |                                     | 23,823.32         |
| 438902          | 36041           |                                     | 14,261.77         |
| 438903          | 36042           |                                     | 20,766.80         |
| 438904          | 38595           |                                     | 8,199.95          |
| 438905          | 39879           |                                     | 38,825.88         |
| 515809          | 19318           |                                     | 57.50             |
| 515810          | 19318           |                                     | 1,160.00          |
| 515811          | 39693           |                                     | 2,950.00          |
| 515812          | 35091           |                                     | 660.00            |
| 515814          | 36943           |                                     | 30,937.81         |
| 515815          | 38565           |                                     | 2,242.50          |
| 515816          | 39081           |                                     | 10,773.75         |
| 515817          | 39836           |                                     | 141.00            |
| 515844          | 39883           |                                     | 6,975.00          |
| 515871          | 36708           |                                     | 2,203.62          |
| 515872          | 36709           |                                     | 3,240.00          |
| 60159           | 09/15/2017      | PROFESSIONAL FIRE ALARM SYSTEM 4019 | <b>780.00</b>     |
| 15364 0609      | 37300           |                                     | 180.00            |
| 15810 0707      | 37300           |                                     | 330.00            |
| 15959 0717      | 37300           |                                     | 270.00            |
| 60160           | 09/15/2017      | QUALITY BUILT CONSTRUCTION LLC 9575 | <b>927.50</b>     |
| 40237 1700 SW F | 40237           |                                     | 927.50            |
| 60161           | 09/15/2017      | RANDY LONG TRUCKING LLC 4105        | <b>58,500.00</b>  |
| 247271          | 37545           |                                     | 58,500.00         |
| 60162           | 09/15/2017      | REIN, LINNEA S 4166                 | <b>862.50</b>     |
| 811003          | 37645           |                                     | 329.00            |
| 811005          | 37645           |                                     | 45.00             |
| 811006          | 37645           |                                     | 70.00             |
| 811007          | 37645           |                                     | 35.50             |
| 811008          | 37645           |                                     | 79.00             |
| 811009          | 37645           |                                     | 185.00            |
| 811011          | 38048           |                                     | 45.00             |
| 811012          | 37645           |                                     | 74.00             |
| 60163           | 09/15/2017      | SARIK LLC 9207                      | <b>1,991.52</b>   |
| Q5213           | 38933           |                                     | 1,991.52          |
| 60164           | 09/15/2017      | SELLERS EQUIPMENT INC 4470          | <b>1,495.03</b>   |
| IC225660        | 37399           |                                     | 1,466.27          |
| IC225704        | 37399           |                                     | 28.76             |
| 60165           | 09/15/2017      | SHAWNEE COUNTY 4503                 | <b>61,354.74</b>  |
| JULY 2017       | 38172           |                                     | 61,354.74         |
| 60166           | 09/15/2017      | SOUTHWEST PAPER COMPANY INC 4674    | <b>387.23</b>     |
| 977541          | 37826           |                                     | 387.23            |
| 60167           | 09/15/2017      | STAPLES CONTRACT N COMMERCIAL 4725  | <b>4,176.01</b>   |
| 3349748826      | 40192           |                                     | 1,630.80          |
| 3349748834      | 40193           |                                     | 271.80            |
| 3349748838      | 40208           |                                     | 27.18             |
| 3349938265      | 40217           |                                     | 6.48              |
| 3349938266      | 40217           |                                     | 494.96            |
| 3349938268      | 40217           |                                     | 1.64              |

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| 3349938269    | 40218           |                               | 472.49           |
| 3349938270    | 40227           |                               | 35.76            |
| 3349938271    | 40227           |                               | 65.72            |
| 3350064202    | 40227           |                               | 9.49             |
| 3350064203    | 40232           |                               | 454.95           |
| 3350064204    | 40232           |                               | 52.24            |
| 3350064205    | 40233           |                               | 40.18            |
| 3350134534    | 40233           |                               | -16.15           |
| 3350134535    | 40238           |                               | 48.43            |
| 3350134536    | 40240           |                               | 45.59            |
| 3350134537    | 40247           |                               | 180.76           |
| 3350134538    | 40247           |                               | 8.77             |
| 3350134539    | 40251           |                               | 55.25            |
| 3350134540    | 40251           |                               | 7.42             |
| 3350134542    | 40207           |                               | 102.78           |
| 3350205159    | 40202           |                               | 104.48           |
| 3350205160    | 40251           |                               | 11.76            |
| 3350205161    | 40261           |                               | 42.69            |
| 3350351840    | 40266           |                               | 20.54            |
| 60168         | 09/15/2017      | STONE II, WILLIAM A           | 7200             |
| 5860          | 40199           |                               | 2,600.00         |
|               |                 |                               | <b>2,600.00</b>  |
| 60169         | 09/15/2017      | THE GOODYEAR TIRE & RUBBER CO | 9375             |
| 123 1055533   | 37425           |                               | 682.41           |
| 123 1055573   | 37425           |                               | 52.20            |
|               |                 |                               | <b>734.61</b>    |
| 60170         | 09/15/2017      | THE TERMINIX INTERNATIONAL    | 10096            |
| 21271422      | 37489           |                               | 203.98           |
|               |                 |                               | <b>203.98</b>    |
| 60171         | 09/15/2017      | THE TIRE CUTTERS INC          | 5633             |
| 55824         | 37656           |                               | 150.00           |
| 55891         | 37656           |                               | 417.00           |
|               |                 |                               | <b>567.00</b>    |
| 60172         | 09/15/2017      | THERMO FISHER SCIENTIFIC LLC  | 4949             |
| 9617570       | 37561           |                               | 871.95           |
|               |                 |                               | <b>871.95</b>    |
| 60173         | 09/15/2017      | TOPEKA HABITAT FOR HUMANITY   | 7178             |
| 8281701       | 39888           |                               | 18,327.66        |
| 8281702       | 39886           |                               | 18,327.66        |
| 8281703       | 39887           |                               | 18,327.66        |
|               |                 |                               | <b>54,982.98</b> |
| 60174         | 09/15/2017      | TRIA HEALTH LLC               | 6938             |
| 0917 0006     | 37773           |                               | 2,250.00         |
|               |                 |                               | <b>2,250.00</b>  |
| 60175         | 09/15/2017      | TRUCK PARTS & EQUIPMENT INC   | 5102             |
| 451208        | 37408           |                               | 58.20            |
| 451454        | 37408           |                               | 269.75           |
| 451679        | 37408           |                               | 64.55            |
| 451853        | 37408           |                               | 9.30             |
| 452091        | 37453           |                               | 203.08           |
| 452126        | 37453           |                               | 46.08            |
|               |                 |                               | <b>650.96</b>    |
| 60176         | 09/15/2017      | U S LIME COMPANY - ST CLAIR   | 5117             |
| 164341        | 39695           |                               | 4,303.66         |
| 164381        | 39695           |                               | 4,479.93         |
| 164406        | 39695           |                               | 4,659.68         |
| 164429        | 39695           |                               | 8,839.44         |
|               |                 |                               | <b>22,282.71</b> |
| 60177         | 09/15/2017      | UMB BANK NA                   | 5127             |
| PCARD09012017 |                 |                               | 28,545.47        |
| PCARD09082017 |                 |                               | 38,955.53        |
|               |                 |                               | <b>67,501.00</b> |

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| 60178           | 09/15/2017      | VANDERBILT'S NO 6 5199             | 354.99       |
| 321097          | 38039           |                                    | 169.99       |
| 322300          | 38039           |                                    | 185.00       |
| 60179           | 09/15/2017      | VARNER, DANIEL D 9518              | 1,740.00     |
| 8/15/17         | 39050           |                                    | 1,740.00     |
| 60180           | 09/15/2017      | WALKER TOWEL & UNIFORM 5266        | 298.90       |
| 2331221         | 37547           |                                    | 86.25        |
| 2337299         | 37320           |                                    | 12.45        |
| 2337330         | 37547           |                                    | 86.25        |
| 2337857         | 37320           |                                    | 7.65         |
| 2337858         | 37320           |                                    | 23.90        |
| 2337863         | 37617           |                                    | 8.00         |
| 2338492         | 37617           |                                    | 16.90        |
| 2338493         | 37617           |                                    | 2.40         |
| 2338494         | 37617           |                                    | 23.70        |
| 2338495         | 37617           |                                    | 4.80         |
| 2338496         | 37617           |                                    | 15.00        |
| 2338497         | 37617           |                                    | 11.60        |
| 60181           | 09/15/2017      | COLLEGE HILL ASSOCIATION 10988     | 725.00       |
| 40388           | 40388           |                                    | 725.00       |
| 60182           | 09/15/2017      | APPLICATION SOFTWARE INC 8140      | 720.00       |
| AUGUST 2017 FI  | PAYROLL         |                                    | 720.00       |
| 60183           | 09/15/2017      | CITY OF TOPEKA FRIENDSHIP FUND 948 | 379.92       |
| FR101709151602  |                 | Friendship Fund                    | 63.00        |
| FR101709151602  |                 | Friendship Fund                    | 30.00        |
| FR101709151602  |                 | Friendship Fund                    | 33.00        |
| FR101709151602  |                 | Friendship Fund                    | 17.00        |
| FR101709151602  |                 | Friendship Fund                    | 6.00         |
| FR101709151602  |                 | Friendship Fund                    | 18.00        |
| FR101709151602  |                 | Friendship Fund                    | 2.00         |
| FR101709151602  |                 | Friendship Fund                    | 15.00        |
| FR101709151602  |                 | Friendship Fund                    | 34.00        |
| FR101709151602  |                 | Friendship Fund                    | 99.42        |
| FR101709151602  |                 | Friendship Fund                    | 51.50        |
| FR101709151602  |                 | Friendship Fund                    | 11.00        |
| 60184           | 09/15/2017      | COLONIAL LIFE & ACCIDENT 8789      | 7,349.14     |
| 9/1/17 PAYROLL  | PAYROLL         |                                    | 3,667.10     |
| 9/15/17 PAYROLL | PAYROLL         |                                    | 3,674.57     |
| ADJ-CHESTER 8   | PAYROLL         |                                    | 7.47         |
| ADJ-CHESTER 8   | PAYROLL         |                                    | 7.47         |
| ADJ-CHESTER 9   | PAYROLL         |                                    | 7.47         |
| ADJ-CHESTER 9   | PAYROLL         |                                    | 7.47         |
| ADJ-GOGAIN 8/1  | PAYROLL         |                                    | -7.47        |
| ADJ-GOGAIN 8/4  | PAYROLL         |                                    | -7.47        |
| ADJ-MORRIS I 7/ | PAYROLL         |                                    | -7.47        |
| 60185           | 09/15/2017      | COLONIAL LIFE & ACCIDENT 8789      | 10,451.28    |
| 9/1/17 PAYROLL  | PAYROLL         |                                    | 5,225.64     |
| 9/15/17 PAYROLL | PAYROLL         |                                    | 5,237.47     |
| ADJ-MORRIS I 7/ | PAYROLL         |                                    | -11.83       |
| 60186           | 09/15/2017      | COLONIAL LIFE & ACCIDENT 8789      | 1,810.10     |
| 9/1/17 PAYROLL  | PAYROLL         |                                    | 905.05       |
| 9/15/17 PAYROLL | PAYROLL         |                                    | 907.53       |
| ADJ-MORRIS I 7/ | PAYROLL         |                                    | -2.48        |
| 60187           | 09/15/2017      | COLONIAL LIFE & ACCIDENT 8789      | 6,958.56     |

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| 9/1/17 PAYROLL  | PAYROLL         |                               | 3,477.39     |
| 9/15/17 PAYROLL | PAYROLL         |                               | 3,457.81     |
| ADJ-GOGAIN 9/1  | PAYROLL         |                               | 23.36        |
| 60188           | 09/15/2017      | INTERNATIONAL ASSOCIATION OF  | 2424         |
| ADMIN FEE 9/15/ | PAYROLL         |                               | -13.56       |
| UNI11709151602  |                 | Union Dues - IAFF             | 7,729.20     |
| 60189           | 09/15/2017      | UNITED WAY OF GREATER TOPEKA  | 5157         |
| UW10170915160   |                 | United Way                    | 27.00        |
| UW10170915160   |                 | United Way                    | 1.00         |
| UW10170915160   |                 | United Way                    | 1.00         |
| UW10170915160   |                 | United Way                    | 6.00         |
| UW10170915160   |                 | United Way                    | 5.00         |
| UW10170915160   |                 | United Way                    | 8.00         |
| UW10170915160   |                 | United Way                    | 11.00        |
| UW10170915160   |                 | United Way                    | 8.00         |
| 60190           | 09/15/2017      | BERRY COMPANIES INC           | 5408         |
| 06172721        | 37412           |                               | 1,449.53     |
| 60191           | 09/15/2017      | BETTIS ASPHALT & CONSTRUCTION | 470          |
| 1708 065        | 36048           |                               | 1,114,602.22 |
| 1708 098        | 38677           |                               | 196.64       |
| 1708 137        | 38677           |                               | 141.13       |
| 1709 026        | 38677           |                               | 324.68       |
| 60192           | 09/15/2017      | CAPITAL CITY OIL CO INC       | 778          |
| 1074088         | 37433           |                               | 21,553.17    |
| 1074476         | 37433           |                               | 18,797.71    |
| FT 728          | 37433           |                               | 1,030.57     |
| M69671          | 37357           |                               | 810.00       |
| 60193           | 09/15/2017      | CHAMPION BRANDS LLC           | 883          |
| 525586          | 37439           |                               | 709.70       |
| 525587          | 37439           |                               | 201.24       |
| 525588          | 37439           |                               | 702.55       |
| 85025           | 37439           |                               | -40.00       |
| 85026           | 37439           |                               | -20.00       |
| 60194           | 09/15/2017      | FERGUSON ENTERPRISES INC      | 1639         |
| 6524650         | 37554           |                               | 126.41       |
| 6526825         | 37554           |                               | 26.20        |
| 60195           | 09/15/2017      | GRAYBAR                       | 1977         |
| 993273297       | 37739           |                               | 209.22       |
| 60196           | 09/15/2017      | HD SUPPLY FACILITIES          | 5175         |
| 349523          | 37596           |                               | 348.60       |
| 60197           | 09/15/2017      | HD SUPPLY WATERWORKS LTD      | 2146         |
| H615548         | 40118           |                               | 3,907.50     |
| 60198           | 09/15/2017      | IBT INC                       | 2377         |
| 7066602         | 37377           |                               | 10.69        |
| 7085007         | 37377           |                               | 20.82        |
| 60199           | 09/15/2017      | KEY EQUIPMENT & SUPPLY CO     | 2847         |
| 250733          | 37388           |                               | 356.58       |
| 60200           | 09/15/2017      | KRIZ DAVIS COMPANY            | 2916         |
| S101624564 001  | 37922           |                               | 85.07        |

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| 292757      | 39589           |                                    | 38.00        |
| 292758      | 39589           |                                    | 38.00        |
| 292759      | 39589           |                                    | 38.00        |
| 293093      | 39589           |                                    | 38.00        |
| 293507      | 39589           |                                    | 38.00        |
| 293511      | 39589           |                                    | 38.00        |
| 60212       | 09/22/2017      | ALL INCLUSIVE CONSTRUCTION & 7135  | 6,590.00     |
| 40038       | 40038           |                                    | 6,590.00     |
| 60213       | 09/22/2017      | ALTERNATIVES EAP LLC 8445          | 1,681.47     |
| 7311        | 38126           |                                    | 1,681.47     |
| 60214       | 09/22/2017      | AMERICAN MESSAGING SERVICES 5814   | 83.44        |
| F1050996RI  | 37926           |                                    | 83.44        |
| 60215       | 09/22/2017      | AMERIPRIDE 197                     | 551.02       |
| 2300833722  | 37322           |                                    | 32.67        |
| 2300834384  | 37626           |                                    | 98.09        |
| 2300834471  | 37534           |                                    | 150.51       |
| 2300834476  | 37322           |                                    | 34.61        |
| 2300834503  | 37322           |                                    | 15.86        |
| 2300834534  | 37626           |                                    | 10.56        |
| 2300834537  | 37626           |                                    | 20.27        |
| 2300834547  | 37626           |                                    | 135.08       |
| 2300834552  | 37626           |                                    | 53.37        |
| 60216       | 09/22/2017      | AMINO BROTHERS CO INC 8026         | 308,411.47   |
| 35668 9     | 35668           |                                    | 308,411.47   |
| 60217       | 09/22/2017      | BARTLETT & WEST ENGINEERS 391      | 143,432.66   |
| 730061937 M | 34828           |                                    | -1,614.04    |
| 730062868   | 37227           |                                    | 7,068.05     |
| 730062922   | 38601           |                                    | 296.00       |
| 730062923   | 35057           |                                    | 2,690.30     |
| 730062924   | 35611           |                                    | 4,900.00     |
| 730062925   | 38769           |                                    | 2,334.50     |
| 730062963   | 31654           |                                    | 5,208.00     |
| 730062977   | 23104           |                                    | 20,234.90    |
| 730062980   | 38105           |                                    | 3,150.00     |
| 730063049   | 24381           |                                    | 724.32       |
| 730063050   | 27680           |                                    | 22,633.14    |
| 730063051   | 34248           |                                    | 14,571.30    |
| 730063053   | 35057           |                                    | 8,461.89     |
| 730063054   | 36280           |                                    | 22,922.78    |
| 730063060   | 39779           |                                    | 29,851.52    |
| 60218       | 09/22/2017      | BERMUDEZ, OSCAR 10602              | 7,149.79     |
| 785         | 40055           |                                    | 7,149.79     |
| 60219       | 09/22/2017      | BLUE CROSS BLUE SHIELD INC 528     | 120,916.10   |
| W/E 9/19/17 | 37524           |                                    | 120,916.10   |
| 60220       | 09/22/2017      | BOBS JANITORIAL SERVICE & SUPP 539 | 1,167.00     |
| 188626      | 37323           |                                    | 1,167.00     |
| 60221       | 09/22/2017      | BRB CONTRACTORS INC 597            | 122,575.50   |
| 39799 1     | 39799           |                                    | 122,575.50   |
| 60222       | 09/22/2017      | SCHMIDTLEIN, BRIAN A 7498          | 90.00        |
| 251275      | 40443           |                                    | 90.00        |



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| 60223       | 09/22/2017      | C & C PRODUCE 7788                  | 661.00       |
| 001172541   | 37490           |                                     | 661.00       |
| 60224       | 09/22/2017      | CENTURY BUSINESS TECHNOLOGIES 870   | 16,993.91    |
| 457748      | 37384           |                                     | 5,166.12     |
| 460169      | 37384           |                                     | 8,322.67     |
| 462663      | 37384           |                                     | 433.88       |
| 462664      | 37384           |                                     | 305.41       |
| 462665      | 37384           |                                     | 254.34       |
| 462666      | 37384           |                                     | 445.58       |
| 462667      | 37384           |                                     | 457.12       |
| 462668      | 37384           |                                     | 377.48       |
| 462669      | 37384           |                                     | 375.78       |
| 462670      | 37384           |                                     | 277.12       |
| 462671      | 37384           |                                     | 578.41       |
| 60225       | 09/22/2017      | CODE PUBLISHING COMPANY 999         | 85.80        |
| 57652       | 38219           |                                     | 85.80        |
| 60226       | 09/22/2017      | COLLECTION BUREAU 1023              | 11,555.29    |
| 4727        | 37601           |                                     | 6,941.02     |
| 4730        | 37761           |                                     | 1,410.14     |
| 4731        | 39385           |                                     | 526.60       |
| 4732        | 37753           |                                     | 1,883.24     |
| 4733        | 37752           |                                     | 435.02       |
| 4734        | 37601           |                                     | 293.75       |
| 4735        | 37514           |                                     | 65.52        |
| 60227       | 09/22/2017      | CONCRETE SUPPLY OF TOPEKA 1066      | 7,116.76     |
| 158920R     | 37839           |                                     | 428.75       |
| 159465R     | 37839           |                                     | 186.25       |
| 159779R     | 37839           |                                     | 180.00       |
| 160478      | 37839           |                                     | 1,307.25     |
| 160479      | 37839           |                                     | 871.50       |
| 161758      | 37839           |                                     | 653.63       |
| 161760      | 37478           |                                     | 1,150.00     |
| 161834      | 40022           |                                     | 545.63       |
| 161935      | 40022           |                                     | 848.75       |
| 161936      | 37478           |                                     | 460.00       |
| 162180      | 40022           |                                     | 485.00       |
| 60228       | 09/22/2017      | CONSOLIDATED ELECTRICAL 6778        | 1,666.10     |
| 8795 546803 | 40035           |                                     | 756.00       |
| 8795 546820 | 40035           |                                     | 378.00       |
| 8795 547108 | 39478           |                                     | 88.80        |
| 8795 547230 | 39478           |                                     | 145.96       |
| 8795 547501 | 39478           |                                     | 265.00       |
| 8795 547785 | 39478           |                                     | 12.27        |
| 8795 547912 | 39478           |                                     | 20.07        |
| 60229       | 09/22/2017      | COOK FLATT & STROBEL ENGINEERS 1089 | 72,173.80    |
| 37709       | 32643           |                                     | 500.00       |
| 37715       | 39650           |                                     | 17,848.44    |
| 37716       | 37648           |                                     | 12,201.94    |
| 37717       | 40263           |                                     | 41,623.42    |
| 60230       | 09/22/2017      | CREATE UPLIFT 10785                 | 2,750.00     |
| 113         | 40471           |                                     | 2,750.00     |
| 60231       | 09/22/2017      | CREATIVE LANDSCAPE INC 1166         | 4,045.39     |
| 130568      | 37087           |                                     | 4,045.39     |
| 60232       | 09/22/2017      | CUT N EDGE INC 5919                 | 788.00       |

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|-------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|---------------------------------------|----------------------------------------------------------------------------------------------------|
| 112407                                                                        | 39182                                                                                       |                                       | 788.00                                                                                             |
| 60233<br>W/E 09/14/17                                                         | 09/22/2017<br>37770                                                                         | DELTA DENTAL OF KANSAS INC<br>1323    | 10,454.40                                                                                          |
| 60234<br>14892<br>15015                                                       | 09/22/2017<br>40361<br>40373                                                                | DESIGNED BUSINESS INTERIORS<br>1336   | 730.00<br>490.00<br>240.00                                                                         |
| 60235<br>2761                                                                 | 09/22/2017<br>38768                                                                         | DOWNTOWN TOPEKA INC<br>1408           | 7,617.01                                                                                           |
| 60236<br>468916                                                               | 09/22/2017<br>39702                                                                         | ED ROEHR SAFETY PRODUCTS<br>1484      | 4,345.00                                                                                           |
| 60237<br>CO2192152<br>CO2192472                                               | 09/22/2017<br>39696<br>39696                                                                | ETHANOL PRODUCTS LLC<br>9576          | 3,566.12<br>1,712.86<br>1,853.26                                                                   |
| 60238<br>903240026<br>903240035<br>903240043                                  | 09/22/2017<br>37748<br>37748<br>37748                                                       | EVOQUA WATER TECHNOLOGIES LLC<br>9245 | 3,300.00<br>1,100.00<br>1,100.00<br>1,100.00                                                       |
| 60239<br>2120691                                                              | 09/22/2017<br>CONSTELLATION                                                                 | EXELON CORPORATION<br>8898            | 2,623.59                                                                                           |
| 60240<br>19401050<br>19401051<br>19401052<br>19401053                         | 09/22/2017<br>37955<br>39476<br>37528<br>37955                                              | EXPRESS SERVICES INC<br>9622          | 5,929.56<br>1,310.54<br>1,346.70<br>2,809.60<br>462.72                                             |
| 60241<br>IN1974919                                                            | 09/22/2017<br>39638                                                                         | FLEETMATICS USA LLC<br>8154           | 2,088.00                                                                                           |
| 60242<br>10329849                                                             | 09/22/2017<br>37970                                                                         | GARDA CL SOUTHWEST INC<br>1839        | 779.68                                                                                             |
| 60243<br>161342                                                               | 09/22/2017<br>38678                                                                         | HAMM INC<br>6576                      | 6,564.57                                                                                           |
| 60244<br>25808                                                                | 09/22/2017<br>37369                                                                         | HD INDUSTRIES<br>2030                 | 42.64                                                                                              |
| 60245<br>1184<br>1185<br>1186<br>1187<br>1189<br>1191<br>1192<br>1193<br>1198 | 09/22/2017<br>39070<br>39069<br>39071<br>39072<br>38930<br>38854<br>38934<br>38931<br>39098 | HENRY OUTDOOR POWER LLC<br>8004       | 2,957.50<br>660.00<br>65.00<br>145.00<br>225.00<br>1,097.50<br>40.00<br>155.00<br>390.00<br>180.00 |
| 60246<br>6595<br>6596                                                         | 09/22/2017<br>39773<br>35717                                                                | HR PARTNERS LLC<br>1165               | 1,133.00<br>77.50<br>1,055.50                                                                      |
| 60247<br>5591934                                                              | 09/22/2017<br>37324                                                                         | JC EHRLICH COMPANY INC<br>9677        | 653.00<br>26.00                                                                                    |

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| 5724827        | 37324           |                                    | 627.00       |
| 60248          | 09/22/2017      | JST CONSTRUCTION CO LLC 2599       | 3,904.00     |
| 170183         | 40235           |                                    | 1,952.00     |
| 170184         | 40224           |                                    | 1,952.00     |
| 60249          | 09/22/2017      | KAN EQUIPMENT INC 2621             | 846.75       |
| 6 232921       | 37383           |                                    | 236.25       |
| 6 233085       | 37383           |                                    | 7.98         |
| 6W127493       | 37383           |                                    | 602.52       |
| 60250          | 09/22/2017      | KANE, ALAN C 9152                  | 17,700.00    |
| 1016           | 39318           |                                    | 17,700.00    |
| 60251          | 09/22/2017      | KANSAS ASSOCIATION OF CODE 2629    | 1,744.00     |
| BURKETT B 2017 | 40447           |                                    | 209.00       |
| BURKETT BRAD   | 40451           |                                    | 40.00        |
| HAUGEN M 2017  | 40447           |                                    | 185.00       |
| HENLEY M 2017  | 40447           |                                    | 209.00       |
| HERNANDEZ C 2  | 40447           |                                    | 209.00       |
| HERNANDEZ CA   | 40451           |                                    | 40.00        |
| HOLM R 2017 W  | 40447           |                                    | 185.00       |
| SCHARDINE J 20 | 40447           |                                    | 209.00       |
| WESSEL M 2017  | 40447           |                                    | 209.00       |
| WILLIAMS D 201 | 40447           |                                    | 209.00       |
| WILLIAMS DARR  | 40451           |                                    | 40.00        |
| 60252          | 09/22/2017      | KANSAS GAS SERVICE 2707            | 228.89       |
| 51006027914474 |                 | 322 NW CRANE - PD IMP LOT          | 37.69        |
| 51014508715501 |                 | 2521 SE 2ND ST                     | 33.45        |
| 51020266714474 |                 | 927 NW HARRISON - TRAFFIC          | 43.28        |
| 51045578114474 |                 | 2521 SE 2ND ST                     | 32.61        |
| 51047249914474 |                 | 201 NW TOPEKA - TRANS OP           | 8.18         |
| 51056030914474 |                 | 318 NW CRANE - ENG 27.52%          | 11.30        |
| 51056030914474 |                 | 318 NW CRANE - FACILITIES 72.4     | 29.77        |
| 51061145120239 |                 | 635 SW GAGE #QUAR - ZOO            | 32.61        |
| 60253          | 09/22/2017      | KANSAS PERSONNEL SERVICES INC 2849 | 2,387.40     |
| 3044435        | 37567           |                                    | 1,614.59     |
| 3044436        | 37952           |                                    | 772.81       |
| 60254          | 09/22/2017      | KANSAS STATE TREASURER 2757        | 33,215.36    |
| AUGUST 2017    | DE              |                                    | 33,215.36    |
| 60255          | 09/22/2017      | KCR INTERNATIONAL TRUCKS INC 1347  | 41,645.73    |
| 130122233      | 37362           |                                    | 1,913.06     |
| 130203987      | 37362           |                                    | 10,295.48    |
| 130204058      | 37362           |                                    | 17,493.01    |
| 130204145      | 37362           |                                    | 5,264.72     |
| 130204161      | 37362           |                                    | 5,920.15     |
| 130204183      | 37362           |                                    | 759.31       |
| 60256          | 09/22/2017      | KEY WORKFORCE SOLUTIONS INC 9879   | 522.00       |
| 3044418        | 37539           |                                    | 522.00       |
| 60257          | 09/22/2017      | KNOX SIGNS & GRAPHICS LLC 10121    | 805.13       |
| 7427           | 40453           |                                    | 805.13       |
| 60258          | 09/22/2017      | LANGUAGE LINE SERVICES INC 2967    | 62.70        |
| 4143615        | 38656           |                                    | 62.70        |
| 60259          | 09/22/2017      | LAWYERS TITLE OF TOPEKA INC 3002   | 7,500.00     |

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| 19186           | 37760           |                              | 250.00       |
| 19202           | 37760           |                              | 250.00       |
| 19307           | 40497           |                              | 4,750.00     |
| 19341           | 40497           |                              | 2,000.00     |
| 19406           | 37760           |                              | 250.00       |
| 60260           | 09/22/2017      | LEAGUE OF KANSAS 3010        | 52.63        |
| 17 2627         | 40420           |                              | 52.63        |
| 60261           | 09/22/2017      | MATHER FLARE RENTAL INC 5791 | 6,359.34     |
| 4930            | 37841           |                              | 90.00        |
| 4932            | 37501           |                              | 1,219.16     |
| 4933            | 37841           |                              | 20.00        |
| 4946            | 37841           |                              | 4.08         |
| 4947            | 37501           |                              | 163.50       |
| 4948            | 37501           |                              | 271.80       |
| 4952            | 37501           |                              | 1,741.50     |
| 4973            | 37501           |                              | 883.20       |
| 4974            | 37501           |                              | 205.00       |
| 4975            | 37501           |                              | 737.10       |
| 4976            | 37373           |                              | 375.00       |
| 4978            | 37841           |                              | 90.00        |
| 4979            | 37501           |                              | 71.40        |
| 4980            | 37841           |                              | 195.00       |
| 4981            | 37501           |                              | 34.00        |
| 4982            | 37501           |                              | 183.60       |
| 4983            | 37841           |                              | 75.00        |
| 60262           | 09/22/2017      | MATHESON TRI-GAS INC 7179    | 778.91       |
| 51210531        | 37309           |                              | 184.17       |
| 51210532        | 37309           |                              | 63.24        |
| 51210533        | 37309           |                              | 47.43        |
| 51210535        | 37484           |                              | 62.14        |
| 51210538        | 37536           |                              | 329.84       |
| 51210539        | 37536           |                              | 92.09        |
| 60263           | 09/22/2017      | MCPHERSON WRECKING INC 3318  | 14,640.00    |
| 17 079          | 40180           |                              | 14,640.00    |
| 60264           | 09/22/2017      | MILLS, RICKY A 3457          | 1,286.03     |
| 37732 AUG 2017  | 37732           |                              | 1,286.03     |
| 60265           | 09/22/2017      | MINNESOTA ELEVATOR INC 7834  | 8,631.96     |
| 707442          | 40469           |                              | 2,667.47     |
| 711226          | 40469           |                              | 2,667.47     |
| 714789          | 40469           |                              | 2,667.47     |
| 716925          | 40430           |                              | 629.55       |
| 60266           | 09/22/2017      | MOBILE MINI INC 10917        | 603.00       |
| 9002797594      | 39666           |                              | 603.00       |
| 60267           | 09/22/2017      | MONTALVO, HOWARD 10884       | 27.64        |
| C# CR 2016 001E | 39748           |                              | 27.64        |
| 60268           | 09/22/2017      | NPS SALES INC 8330           | 64.00        |
| L69019          | 37988           |                              | 64.00        |
| 60269           | 09/22/2017      | POLYDYNE INC 5879            | 12,283.56    |
| 1168155         | 39694           |                              | 12,283.56    |
| 60270           | 09/22/2017      | POMPS TIRE SERVICE INC 10675 | 123.15       |
| 1160007191      | 37432           |                              | 123.15       |

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|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|-------------------------------------|--------------------------------------------------------------------------------------------------------------------|
| 60271<br>14566 0510                                                                                                                                                      | 09/22/2017<br>39401                                                                         | PROFESSIONAL FIRE ALARM SYSTEM 4019 | 317.00<br><b>317.00</b>                                                                                            |
| 60272<br>36532 3<br>40016 11TH CT/C<br>40142 2915 SW L<br>40143 2745 VILL/<br>40144 6416 SW 2<br>40146 1842 SE 4<br>40147 4115 SE 4<br>40189 2510 STAF<br>40190 1175 WOC | 09/22/2017<br>36532<br>40016<br>40142<br>40143<br>40144<br>40146<br>40147<br>40189<br>40190 | QUALITY BUILT CONSTRUCTION LLC 9575 | 7,559.61<br>1,408.86<br>618.00<br>1,392.40<br>726.00<br>626.00<br>288.00<br>1,321.00<br>791.45<br><b>14,731.32</b> |
| 60273<br>2017 18<br>2017 19                                                                                                                                              | 09/22/2017<br>37846<br>37846                                                                | R & R VENTURES OF TOPEKA INC 4065   | 1,200.00<br>1,632.00<br><b>2,832.00</b>                                                                            |
| 60274<br>9941<br>9955<br>9988                                                                                                                                            | 09/22/2017<br>38933<br>38932<br>38933                                                       | SARIK LLC 9207                      | 768.90<br>976.38<br>1,548.26<br><b>3,293.54</b>                                                                    |
| 60275<br>IC225729                                                                                                                                                        | 09/22/2017<br>37399                                                                         | SELLERS EQUIPMENT INC 4470          | 1,430.45<br><b>1,430.45</b>                                                                                        |
| 60276<br>B07035097                                                                                                                                                       | 09/22/2017<br>40333                                                                         | SHI INTERNATIONAL CORPORATION 4540  | 73,150.40<br><b>73,150.40</b>                                                                                      |
| 60277<br>AUGUST 2017                                                                                                                                                     | 09/22/2017<br>DE                                                                            | SIMPLIFILE LC 9508                  | 1,001.00<br><b>1,001.00</b>                                                                                        |
| 60278<br>3203681 IN                                                                                                                                                      | 09/22/2017<br>37633                                                                         | SOUND PRODUCTS INC 4663             | 47.96<br><b>47.96</b>                                                                                              |
| 60279<br>3350847128<br>3351106301<br>3351604809<br>3351604810<br>3351604811<br>3351604812                                                                                | 09/22/2017<br>40282<br>40311<br>40311<br>40327<br>40328<br>40328                            | STAPLES CONTRACT N COMMERCIAL 4725  | 76.16<br>218.00<br>2.10<br>65.10<br>97.42<br>73.04<br><b>531.82</b>                                                |
| 60280<br>3713                                                                                                                                                            | 09/22/2017<br>40066                                                                         | SUNFLOWER PAVING INC 4815           | 118,193.22<br><b>118,193.22</b>                                                                                    |
| 60281<br>TAC 0401<br>TAC 0402                                                                                                                                            | 09/22/2017<br>40119<br>40119                                                                | TECHNICAL APPLICATIONS AND 10964    | 11,300.00<br>3,800.00<br><b>15,100.00</b>                                                                          |
| 60282<br>123 1055603<br>123 1055615                                                                                                                                      | 09/22/2017<br>37425<br>37425                                                                | THE GOODYEAR TIRE & RUBBER CO 9375  | 316.50<br>1,464.18<br><b>1,780.68</b>                                                                              |
| 60283<br>21271423<br>21274154<br>21274164<br>21274369                                                                                                                    | 09/22/2017<br>37489<br>37307<br>37307<br>37307                                              | THE TERMINIX INTERNATIONAL 10096    | 203.98<br>47.15<br>47.15<br>47.15<br><b>345.43</b>                                                                 |
| 60284                                                                                                                                                                    | 09/22/2017                                                                                  | TOPEKA METROPOLITAN TRANSIT 8812    | <b>224,352.50</b>                                                                                                  |

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| SNCO TAX 9/20/ | DE              |                                    | 224,352.50   |                  |
| 60285          | 09/22/2017      | U S LIME COMPANY - ST CLAIR 5117   |              | <b>22,076.78</b> |
| 164449         | 39695           |                                    | 4,586.39     |                  |
| 164460         | 39695           |                                    | 4,321.12     |                  |
| 164486         | 39695           |                                    | 4,387.43     |                  |
| 164498         | 39695           |                                    | 8,781.84     |                  |
| 60286          | 09/22/2017      | UMB BANK NA 5127                   |              | <b>29,004.33</b> |
| PCARD09152017  |                 |                                    | 29,004.33    |                  |
| 60287          | 09/22/2017      | VANDERBILT'S NO 6 5199             |              | <b>514.96</b>    |
| 322658         | 37321           |                                    | 139.99       |                  |
| 322803         | 38025           |                                    | 374.97       |                  |
| 60288          | 09/22/2017      | VETERINARY MEDICAL & SURGICAL 5222 |              | <b>636.04</b>    |
| 105360         | 37737           |                                    | 232.41       |                  |
| 106418         | 37737           |                                    | 341.92       |                  |
| 106440         | 37737           |                                    | 61.71        |                  |
| 60289          | 09/22/2017      | VICTOR L PHILLIPS COMPANY INC 5225 |              | <b>220.00</b>    |
| WT36854        | 37410           |                                    | 220.00       |                  |
| 60290          | 09/22/2017      | VIQ SOLUTIONS INC 10892            |              | <b>785.00</b>    |
| 10004          | 39522           |                                    | 785.00       |                  |
| 60291          | 09/22/2017      | WALKER TOWEL & UNIFORM 5266        |              | <b>76.40</b>     |
| 2340344        | 37320           |                                    | 12.60        |                  |
| 2340367        | 37469           |                                    | 32.25        |                  |
| 2340899        | 37320           |                                    | 7.65         |                  |
| 2340900        | 37320           |                                    | 23.90        |                  |
| 60292          | 09/22/2017      | CASTLE HOME MANAGEMENT LLC 9474    |              | <b>1,494.00</b>  |
| SHA106-0917    |                 | S+C September 2017Payment          | 466.00       |                  |
| SHA106-DEP     |                 | S+C September 2017DEPOSIT          | 1,028.00     |                  |
| 60293          | 09/22/2017      | HARRISON STREET INVESTMENTS 10485  |              | <b>2,038.00</b>  |
| GIN102-0917    |                 | S+C September 2017Payment          | 347.00       |                  |
| HED101-0917A   |                 | S+C September 2017Payment          | 184.00       |                  |
| LED102-0917    |                 | S+C September 2017Payment          | 400.00       |                  |
| LED102-DEP     |                 | S+C September 2017DEPOSIT          | 400.00       |                  |
| WIS103-0917    |                 | S+C September 2017Payment          | 307.00       |                  |
| WIS103-DEP     |                 | S+C September 2017DEPOSIT          | 400.00       |                  |
| 60294          | 09/22/2017      | KANSAS CARRIAGE HOUSE LLC 10256    |              | <b>514.00</b>    |
| KOL103-0917    |                 | S+C September 2017Payment          | 364.00       |                  |
| KOL103-DEP     |                 | S+C September 2017DEPOSIT          | 150.00       |                  |
| 60295          | 09/22/2017      | MYERS, MARY CHRIS 7286             |              | <b>121.00</b>    |
| MUN112-0917A   |                 | S+C September 2017Payment          | 121.00       |                  |
| 60296          | 09/22/2017      | PARK SOUTH PARTNERS LLC 7387       |              | <b>361.00</b>    |
| BIC102-0917A   |                 | S+C September 2017Payment          | 361.00       |                  |
| 60297          | 09/22/2017      | PIONEER ADAMS II LP 7285           |              | <b>434.00</b>    |
| POR101-0917    |                 | S+C September 2017Payment          | 434.00       |                  |
| 60298          | 09/22/2017      | PIONEER ADAMS TOWNE HOMES LP 6957  |              | <b>268.00</b>    |
| REA105-0917    |                 | S+C September 2017Payment          | 268.00       |                  |
| 60299          | 09/22/2017      | PIONEER CURTIS HOMES 3941          |              | <b>1,144.00</b>  |
| EST101-0917    |                 | S+C September 2017Payment          | 695.00       |                  |

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| GUE101-0917   |                 | S+C September 2017Payment         | 449.00       |
| 60300         | 09/22/2017      | POTTS, GERALD 6378                | 222.00       |
| WIL1047-0917A |                 | S+C September 2017Payment         | 222.00       |
| 60301         | 09/22/2017      | RLT ENTERPRISES LLC 9239          | 487.00       |
| BEC1001-0917  |                 | S+C September 2017Payment         | 75.00        |
| BEC101-DEP    |                 | S+C September 2017DEPOSIT         | 400.00       |
| ROB103-0917A  |                 | S+C September 2017Payment         | 12.00        |
| 60302         | 09/22/2017      | TRINITY PROPERTIES LLC 5098       | 526.00       |
| FRE108-0817A  |                 | S+C AUGUST 2017Payment            | 263.00       |
| FRE108-0917A  |                 | S+C September 2017Payment         | 263.00       |
| 60303         | 09/22/2017      | ACE ELECTRIC JONES COMPANY INC 35 | 663.46       |
| 4245          | 37679           |                                   | 663.46       |
| 60304         | 09/22/2017      | ANCOR INFORMATION MANAGEMENT 7058 | 9,964.04     |
| INV00296125   | 37593           |                                   | 9,964.04     |
| 60305         | 09/22/2017      | BERRY COMPANIES INC 5408          | 377.19       |
| 06173413      | 37412           |                                   | 377.19       |
| 60306         | 09/22/2017      | BETTIS ASPHALT & CONSTRUCTION 470 | 256,497.94   |
| 1708 149      | 39136           |                                   | 197,448.70   |
| 1708 151      | 40084           |                                   | 59,049.24    |
| 60307         | 09/22/2017      | BORDER STATES INDUSTRIES INC 9824 | 1,589.03     |
| 913608899     | 37559           |                                   | 528.40       |
| 913609150     | 37559           |                                   | 874.13       |
| 913677645     | 37559           |                                   | 186.50       |
| 60308         | 09/22/2017      | CAPITAL BELT & SUPPLY INC 776     | 232.37       |
| 102421        | 37488           |                                   | 197.71       |
| 102436        | 37488           |                                   | 34.66        |
| 60309         | 09/22/2017      | CAPITAL CITY OIL CO INC 778       | 23,680.98    |
| 1075052       | 37433           |                                   | 22,471.92    |
| FU 041        | 37433           |                                   | 845.66       |
| L16298        | 37436           |                                   | 363.40       |
| 60310         | 09/22/2017      | ELECTROLIFE BATTERY INC 5014      | 259.96       |
| NT235017      | 37402           |                                   | 259.96       |
| 60311         | 09/22/2017      | FERGUSON ENTERPRISES INC 1639     | 1,337.89     |
| 6534655       | 37554           |                                   | 124.19       |
| 6535870       | 37554           |                                   | 529.64       |
| 6535870 1     | 37554           |                                   | 684.06       |
| 60312         | 09/22/2017      | FLU-CON INC 1729                  | 532.99       |
| P 27624 0     | 37365           |                                   | 25.24        |
| P 27632 0     | 37365           |                                   | 60.40        |
| P 27789 0     | 37365           |                                   | 6.82         |
| P 27792 0     | 37365           |                                   | 90.69        |
| P 27828 0     | 37365           |                                   | 25.13        |
| P 27843 0     | 37365           |                                   | 247.56       |
| P 27852 0     | 37365           |                                   | 17.42        |
| P 27870 0     | 37365           |                                   | 59.73        |
| 60313         | 09/22/2017      | HD SUPPLY FACILITIES 5175         | 369.70       |
| 351969        | 37596           |                                   | 346.67       |
| 354409        | 37596           |                                   | 23.03        |

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| 60314          | 09/22/2017      | KEY EQUIPMENT & SUPPLY CO 2847      | <b>2,087.47</b>   |
| 250821         | 39214           |                                     | 1,799.94          |
| 250863         | 39214           |                                     | 287.53            |
| 60315          | 09/22/2017      | KRIZ DAVIS COMPANY 2916             | <b>401.07</b>     |
| S101622756 001 | 37538           |                                     | 387.58            |
| S101627549 001 | 37538           |                                     | 13.49             |
| 60316          | 09/22/2017      | LINDYSPRING WATER LLC 3071          | <b>44.40</b>      |
| 234363         | 38223           |                                     | 44.40             |
| 60317          | 09/22/2017      | MCELROY'S INC 3289                  | <b>1,215.00</b>   |
| SVC48836       | 37338           |                                     | 1,215.00          |
| 60318          | 09/22/2017      | MID-AMERICAN SIGNAL INC 3393        | <b>6,203.00</b>   |
| 17 581         | 39976           |                                     | 6,203.00          |
| 60319          | 09/22/2017      | NORTHEAST KANSAS HYDRAULICS IN 3705 | <b>268.53</b>     |
| 31374          | 37395           |                                     | 268.53            |
| 60320          | 09/22/2017      | SALISBURY SUPPLY COMPANY INC 4352   | <b>479.24</b>     |
| 128585         | 37483           |                                     | 106.33            |
| 128588         | 37483           |                                     | 210.57            |
| 128732         | 37483           |                                     | 129.58            |
| 129063         | 37483           |                                     | 32.76             |
| 60321          | 09/22/2017      | SCHMIDTLEIN EXCAVATING INC 4406     | <b>517,510.81</b> |
| 16124 10       | 35727           |                                     | 402,203.30        |
| 17120 03       | 39306           |                                     | 115,307.51        |
| 60322          | 09/22/2017      | TAZCO INC 4885                      | <b>14,026.93</b>  |
| 3381           | 40083           |                                     | 3,896.50          |
| 3382           | 39896           |                                     | 4,553.58          |
| 3383           | 39895           |                                     | 5,576.85          |
| 60323          | 09/22/2017      | TFM COMM INC 4914                   | <b>253.98</b>     |
| 189321         | 37844           |                                     | 253.98            |
| 60324          | 09/22/2017      | TOPEKA BLUE PRINT INC 5015          | <b>144.00</b>     |
| 173062         | 40448           |                                     | 144.00            |
| 60325          | 09/29/2017      | COOK & ASSOCIATES LLC 10126         | <b>9,660.00</b>   |
| 45525 2017     | CONTRACT        |                                     | 9,660.00          |
| 60326          | 09/29/2017      | STATE OF KANSAS 2732                | <b>152.35</b>     |
| 00000007417092 |                 | Child Support - Amt                 | 152.35            |
| 60327          | 09/29/2017      | STATE OF KANSAS 2732                | <b>163.43</b>     |
| 00000008617092 |                 | Child Support - Amt                 | 163.43            |
| 60328          | 09/29/2017      | STATE OF KANSAS 2732                | <b>160.50</b>     |
| 00000014517092 |                 | Child Support - Amt                 | 160.50            |
| 60329          | 09/29/2017      | STATE OF KANSAS 2732                | <b>183.69</b>     |
| 00000020417092 |                 | Child Support - Amt                 | 183.69            |
| 60330          | 09/29/2017      | STATE OF KANSAS 2732                | <b>1,130.70</b>   |
| 00000022217092 |                 | Child Support - Amt                 | 1,130.70          |
| 60331          | 09/29/2017      | STATE OF KANSAS 2732                | <b>53.08</b>      |
| 00000024217092 |                 | Child Support - Amt                 | 53.08             |



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| 60332<br>00000031617092 | 09/29/2017             | STATE OF KANSAS<br>Child Support - Amt 2732 | 112.15<br><b>112.15</b> |
| 60333<br>00000032417092 | 09/29/2017             | STATE OF KANSAS<br>Child Support - Amt 2732 | 259.85<br><b>259.85</b> |
| 60334<br>00000034017092 | 09/29/2017             | STATE OF KANSAS<br>Child Support - Amt 2732 | 277.38<br><b>277.38</b> |
| 60335<br>00000034317092 | 09/29/2017             | STATE OF KANSAS<br>Child Support - Amt 2732 | 498.46<br><b>498.46</b> |
| 60336<br>00000034517092 | 09/29/2017             | STATE OF KANSAS<br>Child Support - Amt 2732 | 92.10<br><b>92.10</b>   |
| 60337<br>00000034817092 | 09/29/2017             | STATE OF KANSAS<br>Child Support - Amt 2732 | 183.29<br><b>183.29</b> |
| 60338<br>00000038017092 | 09/29/2017             | STATE OF KANSAS<br>Child Support - Amt 2732 | 25.15<br><b>25.15</b>   |
| 60339<br>00000038517092 | 09/29/2017             | STATE OF KANSAS<br>Child Support - Amt 2732 | 368.88<br><b>368.88</b> |
| 60340<br>00000041717092 | 09/29/2017             | STATE OF KANSAS<br>Child Support - Amt 2732 | 144.46<br><b>144.46</b> |
| 60341<br>00000044717092 | 09/29/2017             | STATE OF KANSAS<br>Child Support - Amt 2732 | 185.13<br><b>185.13</b> |
| 60342<br>00000064117092 | 09/29/2017             | STATE OF KANSAS<br>Child Support - Amt 2732 | 267.69<br><b>267.69</b> |
| 60343<br>00000064117092 | 09/29/2017             | STATE OF KANSAS<br>Child Support - Amt 2732 | 323.08<br><b>323.08</b> |
| 60344<br>00000066717092 | 09/29/2017             | STATE OF KANSAS<br>Child Support - Amt 2732 | 415.51<br><b>415.51</b> |
| 60345<br>00000068217092 | 09/29/2017             | STATE OF KANSAS<br>Child Support - Amt 2732 | 346.15<br><b>346.15</b> |
| 60346<br>00000073217092 | 09/29/2017             | STATE OF KANSAS<br>Child Support - Amt 2732 | 121.88<br><b>121.88</b> |
| 60347<br>00000075417092 | 09/29/2017             | STATE OF KANSAS<br>Child Support - Amt 2732 | 209.08<br><b>209.08</b> |
| 60348<br>00000077917092 | 09/29/2017             | STATE OF KANSAS<br>Child Support - Amt 2732 | 286.15<br><b>286.15</b> |
| 60349<br>00000078517092 | 09/29/2017             | STATE OF KANSAS<br>Child Support - Amt 2732 | 185.08<br><b>185.08</b> |
| 60350<br>00000082717092 | 09/29/2017             | STATE OF KANSAS<br>Child Support - Amt 2732 | 256.15<br><b>256.15</b> |
| 60351<br>00000086617092 | 09/29/2017             | STATE OF KANSAS<br>Child Support - Amt 2732 | 443.08<br><b>443.08</b> |

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| Check No.      | Check Date/PO # | Vendor Name and Number | Check Amount  |
|----------------|-----------------|------------------------|---------------|
| 60352          | 09/29/2017      | STATE OF KANSAS 2732   | <b>464.91</b> |
| 00000091117092 |                 | Child Support - Amt    | 464.91        |
| 60353          | 09/29/2017      | STATE OF KANSAS 2732   | <b>147.23</b> |
| 00000092417092 |                 | Child Support - Amt    | 147.23        |
| 60354          | 09/29/2017      | STATE OF KANSAS 2732   | <b>88.64</b>  |
| 00000093617092 |                 | Child Support - Amt    | 88.64         |
| 60355          | 09/29/2017      | STATE OF KANSAS 2732   | <b>304.15</b> |
| 00000095917092 |                 | Child Support - Amt    | 304.15        |
| 60356          | 09/29/2017      | STATE OF KANSAS 2732   | <b>487.38</b> |
| 00000098217092 |                 | Child Support - Amt    | 487.38        |
| 60357          | 09/29/2017      | STATE OF KANSAS 2732   | <b>144.51</b> |
| 00000101517092 |                 | Child Support - Amt    | 144.51        |
| 60358          | 09/29/2017      | STATE OF KANSAS 2732   | <b>124.15</b> |
| 00000102217092 |                 | Child Support - Amt    | 124.15        |
| 60359          | 09/29/2017      | STATE OF KANSAS 2732   | <b>368.88</b> |
| 00000104317092 |                 | Child Support - Amt    | 368.88        |
| 60360          | 09/29/2017      | STATE OF KANSAS 2732   | <b>153.69</b> |
| 00000109317092 |                 | Child Support - Amt    | 153.69        |
| 60361          | 09/29/2017      | STATE OF KANSAS 2732   | <b>276.92</b> |
| 00000109317092 |                 | Child Support - Amt    | 276.92        |
| 60362          | 09/29/2017      | STATE OF KANSAS 2732   | <b>71.08</b>  |
| 00000109717092 |                 | Child Support - Amt    | 71.08         |
| 60363          | 09/29/2017      | STATE OF KANSAS 2732   | <b>219.23</b> |
| 00000112417092 |                 | Child Support - Amt    | 219.23        |
| 60364          | 09/29/2017      | STATE OF KANSAS 2732   | <b>196.21</b> |
| 00000112917092 |                 | Child Support - Amt    | 196.21        |
| 60365          | 09/29/2017      | STATE OF KANSAS 2732   | <b>335.64</b> |
| 00000118117092 |                 | Child Support - Amt    | 335.64        |
| 60366          | 09/29/2017      | STATE OF KANSAS 2732   | <b>183.23</b> |
| 00000147417092 |                 | Child Support - Amt    | 183.23        |
| 60367          | 09/29/2017      | STATE OF KANSAS 2732   | <b>369.23</b> |
| 00000197317092 |                 | Child Support - Amt    | 369.23        |
| 60368          | 09/29/2017      | STATE OF KANSAS 2732   | <b>92.33</b>  |
| 00000197917092 |                 | Child Support - Amt    | 92.33         |
| 60369          | 09/29/2017      | STATE OF KANSAS 2732   | <b>115.38</b> |
| 00000215417092 |                 | Child Support - Amt    | 115.38        |
| 60370          | 09/29/2017      | STATE OF KANSAS 2732   | <b>412.62</b> |
| 00000225917092 |                 | Child Support - Amt    | 412.62        |
| 60371          | 09/29/2017      | STATE OF KANSAS 2732   | <b>180.46</b> |
| 00000233517092 |                 | Child Support - Amt    | 180.46        |
| 60372          | 09/29/2017      | STATE OF KANSAS 2732   | <b>66.92</b>  |

# COUNCIL REPORT OF VENDOR PAYMENTS

Between 9/2/2017 and 9/29/2017

| Check No.      | Check Date/PO # | Vendor Name and Number | Check Amount    |
|----------------|-----------------|------------------------|-----------------|
| 00000237917092 |                 | Child Support - Amt    | 66.92           |
| 60373          | 09/29/2017      | STATE OF KANSAS 2732   | <b>1,127.54</b> |
| 00000247617092 |                 | Child Support - Amt    | 1,127.54        |
| 60374          | 09/29/2017      | STATE OF KANSAS 2732   | <b>461.68</b>   |
| 00000247817092 |                 | Child Support - Amt    | 461.68          |
| 60375          | 09/29/2017      | STATE OF KANSAS 2732   | <b>68.77</b>    |
| 00000249317092 |                 | Child Support - Amt    | 68.77           |
| 60376          | 09/29/2017      | STATE OF KANSAS 2732   | <b>127.85</b>   |
| 00000251517092 |                 | Child Support - Amt    | 127.85          |
| 60377          | 09/29/2017      | STATE OF KANSAS 2732   | <b>290.31</b>   |
| 00000254817092 |                 | Child Support - Amt    | 290.31          |
| 60378          | 09/29/2017      | STATE OF KANSAS 2732   | <b>50.00</b>    |
| 00000257817092 |                 | Child Support - Amt    | 50.00           |
| 60379          | 09/29/2017      | STATE OF KANSAS 2732   | <b>82.62</b>    |
| 00000264217092 |                 | Child Support - Amt    | 82.62           |
| 60380          | 09/29/2017      | STATE OF KANSAS 2732   | <b>66.00</b>    |
| 00000264217092 |                 | Child Support - Amt    | 66.00           |
| 60381          | 09/29/2017      | STATE OF KANSAS 2732   | <b>260.77</b>   |
| 00000272017092 |                 | Child Support - Amt    | 260.77          |
| 60382          | 09/29/2017      | STATE OF KANSAS 2732   | <b>292.62</b>   |
| 00000275817092 |                 | Child Support - Amt    | 292.62          |
| 60383          | 09/29/2017      | STATE OF KANSAS 2732   | <b>57.23</b>    |
| 00000279417092 |                 | Child Support - Amt    | 57.23           |
| 60384          | 09/29/2017      | STATE OF KANSAS 2732   | <b>57.23</b>    |
| 00000279417092 |                 | Child Support - Amt    | 57.23           |
| 60385          | 09/29/2017      | STATE OF KANSAS 2732   | <b>40.62</b>    |
| 00000279417092 |                 | Child Support - Amt    | 40.62           |
| 60386          | 09/29/2017      | STATE OF KANSAS 2732   | <b>50.31</b>    |
| 00000279417092 |                 | Child Support - Amt    | 50.31           |
| 60387          | 09/29/2017      | STATE OF KANSAS 2732   | <b>53.36</b>    |
| 00000279517092 |                 | Child Support - Amt    | 53.36           |
| 60388          | 09/29/2017      | STATE OF KANSAS 2732   | <b>24.25</b>    |
| 00000279517092 |                 | Child Support - Amt    | 24.25           |
| 60389          | 09/29/2017      | STATE OF KANSAS 2732   | <b>138.24</b>   |
| 00000279517092 |                 | Child Support - Amt    | 138.24          |
| 60390          | 09/29/2017      | STATE OF KANSAS 2732   | <b>90.46</b>    |
| 00000279517092 |                 | Child Support - Amt    | 90.46           |
| 60391          | 09/29/2017      | STATE OF KANSAS 2732   | <b>55.78</b>    |
| 00000279517092 |                 | Child Support - Amt    | 55.78           |
| 60392          | 09/29/2017      | STATE OF KANSAS 2732   | <b>61.12</b>    |
| 00000279517092 |                 | Child Support - Amt    | 61.12           |

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| Check No.     | Check Date/PO # | Vendor Name and Number            | Check Amount |
|---------------|-----------------|-----------------------------------|--------------|
| 60393         | 09/29/2017      | A 1 LOCK & KEY LLC 13             | 92.58        |
| 90711         | 37566           |                                   | 15.06        |
| 91001         | 37566           |                                   | 77.52        |
| 60394         | 09/29/2017      | AAA CLUB ALLIANCE INC 10251       | 532.00       |
| 288741        | 37431           |                                   | 38.00        |
| 288784        | 39589           |                                   | 38.00        |
| 288785        | 39589           |                                   | 38.00        |
| 291409        | 39589           |                                   | 38.00        |
| 291412        | 39589           |                                   | 38.00        |
| 291548        | 37431           |                                   | 38.00        |
| 291550        | 39589           |                                   | 38.00        |
| 291551        | 39589           |                                   | 38.00        |
| 291639        | 39589           |                                   | 38.00        |
| 292272        | 39589           |                                   | 38.00        |
| 292273        | 39589           |                                   | 38.00        |
| 292668        | 39589           |                                   | 38.00        |
| 292736        | 39589           |                                   | 38.00        |
| 292760        | 39589           |                                   | 38.00        |
| 60395         | 09/29/2017      | AMERIPRIDE 197                    | 545.84       |
| 2300836174    | 37322           |                                   | 32.67        |
| 2300836831    | 37626           |                                   | 98.09        |
| 2300836964    | 37534           |                                   | 150.53       |
| 2300836967    | 37322           |                                   | 34.61        |
| 2300837009    | 37322           |                                   | 15.86        |
| 2300837051    | 37626           |                                   | 10.56        |
| 2300837057    | 37626           |                                   | 20.27        |
| 2300837063    | 37626           |                                   | 129.88       |
| 2300837069    | 37626           |                                   | 53.37        |
| 60396         | 09/29/2017      | ANIMAL CLINIC OF NORTH TOPEKA 235 | 4,436.78     |
| 186169        | 37512           |                                   | 4,436.78     |
| 60397         | 09/29/2017      | ARMSTRONG CONSTRUCTION 255        | 5,350.00     |
| 3105          | 40032           |                                   | 5,350.00     |
| 60398         | 09/29/2017      | ASSOCIATION OF GOVERNMENT 276     | 30.00        |
| 40522 NEISWEN | 40522           |                                   | 30.00        |
| 60399         | 09/29/2017      | BARTLETT & WEST ENGINEERS 391     | 2,549.51     |
| 730063162     | 39808           |                                   | 666.00       |
| 730063174     | 39358           |                                   | 1,883.51     |
| 60400         | 09/29/2017      | BERRY COMPANIES INC 463           | 887.62       |
| 03024585      | 37351           |                                   | 887.62       |
| 60401         | 09/29/2017      | BINSWANGER ENTERPRISES LLC 7825   | 190.78       |
| 1593017548    | 37421           |                                   | 190.78       |
| 60402         | 09/29/2017      | BLUE CROSS BLUE SHIELD INC 528    | 94,521.37    |
| OCTOBER 2017  | 37524           |                                   | 94,521.37    |
| 60403         | 09/29/2017      | BLUE CROSS BLUE SHIELD INC 528    | 94,745.10    |
| W/E 9/26/17   | 37524           |                                   | 94,745.10    |
| 60404         | 09/29/2017      | BREATHING AIR SERVICES INC 601    | 416.75       |
| 2841          | 37892           |                                   | 416.75       |
| 60405         | 09/29/2017      | BRENNTAG MID SOUTH 607            | 3,719.52     |
| BMS753589     | 39697           |                                   | 3,719.52     |

# COUNCIL REPORT OF VENDOR PAYMENTS

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| Check No.                                                                       | Check Date/PO #                                                           | Vendor Name and Number             | Check Amount                                                                          |
|---------------------------------------------------------------------------------|---------------------------------------------------------------------------|------------------------------------|---------------------------------------------------------------------------------------|
| 60406<br>001175414                                                              | 09/29/2017<br>37490                                                       | C & C PRODUCE 7788                 | 618.00<br><b>618.00</b>                                                               |
| 60407<br>0000500593<br>0000500703                                               | 09/29/2017<br>37956<br>37957                                              | CENTRAL MECHANICAL CONST CO IN 863 | 245.00<br>135.00<br><b>380.00</b>                                                     |
| 60408<br>030793                                                                 | 09/29/2017<br>37486                                                       | CENTRAL NEBRASKA PACKING INC 7337  | 1,471.67<br><b>1,471.67</b>                                                           |
| 60409<br>92187720                                                               | 09/29/2017<br>39795                                                       | CHEMTRADE CHEMCIALS 1864           | 2,981.56<br><b>2,981.56</b>                                                           |
| 60410<br>4728<br>4729                                                           | 09/29/2017<br>37625<br>37625                                              | COLLECTION BUREAU 1023             | 6.66<br>175.80<br><b>182.46</b>                                                       |
| 60411<br>161155<br>161759R<br>161833R<br>162710<br>162905R<br>162990R<br>162991 | 09/29/2017<br>37839<br>37839<br>37839<br>40022<br>37839<br>37839<br>40022 | CONCRETE SUPPLY OF TOPEKA 1066     | 726.25<br>307.50<br>307.50<br>485.00<br>573.38<br>428.75<br>230.00<br><b>3,058.38</b> |
| 60412<br>79183840<br>79183841<br>79183842<br>79183843<br>79183844               | 09/29/2017<br>18266<br>19004<br>20537<br>22315<br>23723                   | DELL FINANCIAL SERVICES LP 1320    | 174.74<br>59.34<br>1,230.63<br>1,605.74<br>1,888.11<br><b>4,958.56</b>                |
| 60413<br>W/E 09/21/17                                                           | 09/29/2017<br>37770                                                       | DELTA DENTAL OF KANSAS INC 1323    | 12,908.30<br><b>12,908.30</b>                                                         |
| 60414<br>0817561688                                                             | 09/29/2017<br>37509                                                       | DILLONS COMPANY 2918               | 18.94<br><b>18.94</b>                                                                 |
| 60415<br>1680101                                                                | 09/29/2017<br>37560                                                       | ELECTRONICS SUPPLY CO INC 1505     | 677.20<br><b>677.20</b>                                                               |
| 60416<br>CO2192932                                                              | 09/29/2017<br>39696                                                       | ETHANOL PRODUCTS LLC 9576          | 1,817.72<br><b>1,817.72</b>                                                           |
| 60417<br>19435521<br>19435522<br>19435523<br>19435524<br>19435525               | 09/29/2017<br>37955<br>39476<br>37607<br>37528<br>37955                   | EXPRESS SERVICES INC 9622          | 612.72<br>1,370.82<br>643.20<br>2,060.80<br>1,447.20<br><b>6,134.74</b>               |
| 60418<br>2127<br>2129                                                           | 09/29/2017<br>40393<br>40291                                              | FIT EXCAVATING INC 3126            | 3,810.40<br>15,634.11<br><b>19,444.51</b>                                             |
| 60419<br>FOTZ170929140<br>FOTZ170929140                                         | 09/29/2017                                                                | FRIENDS OF THE TOPEKA ZOO 1794     | 6.00<br>7.98<br><b>13.98</b>                                                          |
| 60420                                                                           | 09/29/2017                                                                | GASAWAY, RICHARD B 10897           | <b>6,500.00</b>                                                                       |

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| Check No.      | Check Date/PO # | Vendor Name and Number         | Check Amount |
|----------------|-----------------|--------------------------------|--------------|
| 1559           | 39418           |                                | 6,500.00     |
| 60421          | 09/29/2017      | GREAT SOUTHERN BANK            | 9969         |
| SEPTEMBER 20   | CID CROSSWINDS  |                                | 18,725.72    |
| 60422          | 09/29/2017      | HAMM INC                       | 6576         |
| 162227         | 38678           |                                | 9,911.81     |
| 162513         | 40317           |                                | 27,236.16    |
| 60423          | 09/29/2017      | HARRIS & SONS ENTERPRISES INC  | 7996         |
| 544            | 40246           |                                | 44,027.10    |
| 60424          | 09/29/2017      | HELPING HANDS HUMANE SOCIETY I | 2183         |
| 44141 2017     | CONTRACT        |                                | 25,892.27    |
| 60425          | 09/29/2017      | HENRY OUTDOOR POWER LLC        | 8004         |
| 1190           | 38913           |                                | 50.00        |
| 1194           | 39070           |                                | 660.00       |
| 1195           | 39069           |                                | 65.00        |
| 1196           | 39071           |                                | 145.00       |
| 1197           | 39072           |                                | 225.00       |
| 1199           | 38930           |                                | 1,097.50     |
| 1201           | 38854           |                                | 40.00        |
| 1202           | 38934           |                                | 155.00       |
| 1203           | 38931           |                                | 390.00       |
| 1208           | 39098           |                                | 180.00       |
| 60426          | 09/29/2017      | HERNLY ENVIRONMENTAL INC       | 9487         |
| 901            | 40498           |                                | 225.00       |
| 60427          | 09/29/2017      | INNOVATIVE BUSINESS CONCEPTS   | 8226         |
| 41849 2017     | CONTRACT        |                                | 1,282.47     |
| 439            | 37515           |                                | 7.55         |
| 60428          | 09/29/2017      | JAYHAWK FIRE SPRINKLER CO      | 2503         |
| 28354          | 40518           |                                | 1,512.00     |
| 28355          | 40518           |                                | 135.60       |
| 28357          | 40518           |                                | 175.00       |
| 28358          | 40518           |                                | 331.00       |
| 28359          | 40518           |                                | 180.60       |
| 28360          | 40518           |                                | 311.00       |
| 28361          | 40518           |                                | 180.60       |
| 60429          | 09/29/2017      | JOINT ECONOMIC DEVELOPMENT     | 6898         |
| PAYMENT 9/28/1 | JEDO            |                                | 755,499.70   |
| 60430          | 09/29/2017      | KAN EQUIPMENT INC              | 2621         |
| 6W127277       | 37383           |                                | 909.52       |
| 60431          | 09/29/2017      | KANSAS HEAVY CONSTRUCTION LLC  | 9260         |
| 2000 3         | 39426           |                                | 146,456.55   |
| 60432          | 09/29/2017      | KANSAS PERSONNEL SERVICES INC  | 2849         |
| 3044432        | 39051           |                                | 561.60       |
| 3044433        | 39619           |                                | 529.74       |
| 3044434        | 37757           |                                | 432.00       |
| 3044438        | 40407           |                                | 356.40       |
| 3044439        | 40402           |                                | 475.20       |
| 3044507        | 39051           |                                | 609.86       |
| 3044508        | 39619           |                                | 599.40       |
| 3044509        | 37757           |                                | 540.00       |
| 3044510        | 37567           |                                | 1,805.31     |

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|-----------------|-----------------|------------------------------------|--------------|
| 3044511         | 37952           |                                    | 850.81       |
| 3044513         | 40407           |                                    | 582.86       |
| 3044514         | 40402           |                                    | 594.00       |
| 60433           | 09/29/2017      | KCR INTERNATIONAL TRUCKS INC 1347  | 1,571.47     |
| 130204210       | 37362           |                                    | 1,571.47     |
| 60434           | 09/29/2017      | KEY WORKFORCE SOLUTIONS INC 9879   | 391.50       |
| 3044582         | 37539           |                                    | 391.50       |
| 60435           | 09/29/2017      | LAWYERS TITLE OF TOPEKA INC 3002   | 1,000.00     |
| 19405           | 40536           |                                    | 750.00       |
| 19417           | 37760           |                                    | 250.00       |
| 60436           | 09/29/2017      | LIGHTHOUSE CONTRACTING INC 3061    | 15,000.00    |
| 3506G 1         | 40131           |                                    | 15,000.00    |
| 60437           | 09/29/2017      | LOVES ENTERPRISES 3112             | 5,801.76     |
| 125519          | 34722           |                                    | 5,801.76     |
| 60438           | 09/29/2017      | MEDTRAK SERVICES LLC 3330          | 89,106.57    |
| 239329          | 37662           |                                    | 76,483.51    |
| 239547          | 37662           |                                    | 12,531.62    |
| 239548          | 37662           |                                    | 91.44        |
| 60439           | 09/29/2017      | MEJIA, CARLOS 10987                | 2,000.00     |
| 1530 SW 17TH    | 40496           |                                    | 2,000.00     |
| 60440           | 09/29/2017      | MICHAEL & SONS INC 3377            | 12,515.79    |
| 553822          | 40346           |                                    | 7,636.96     |
| 553823          | 40293           |                                    | 4,878.83     |
| 60441           | 09/29/2017      | MISSOURI DOOR CO INC 3747          | 180.00       |
| 9065            | 37240           |                                    | 180.00       |
| 60442           | 09/29/2017      | MOHAN CONSTRUCTION INC 3487        | 113,287.00   |
| 39643 3         | 39643           |                                    | 113,287.00   |
| 60443           | 09/29/2017      | NCH CORPORATION 875                | 377.24       |
| 2851268         | 37438           |                                    | 377.24       |
| 60444           | 09/29/2017      | PROFESSIONAL ENGINEERING 4018      | 16,960.50    |
| 515813          | 38965           |                                    | 15,340.50    |
| 515927          | 36709           |                                    | 1,620.00     |
| 60445           | 09/29/2017      | PROTECTION 1 ALARM MONITORING 6532 | 1,338.21     |
| 118367617       | PROTECTION 1    |                                    | 1,338.21     |
| 60446           | 09/29/2017      | RECREATION ENGINEERING AND 8873    | 7,320.00     |
| 33143 11        | 33143           |                                    | 7,320.00     |
| 60447           | 09/29/2017      | SARIK LLC 9207                     | 1,991.52     |
| Q5219           | 38933           |                                    | 1,991.52     |
| 60448           | 09/29/2017      | SHAWNEE REGIONAL PREVENTION & 4525 | 75.00        |
| 40530 MCGIVER   | 40530           |                                    | 25.00        |
| 40530 MILNER N  | 40530           |                                    | 25.00        |
| 40530 SMITH RIC | 40530           |                                    | 25.00        |
| 60449           | 09/29/2017      | SOUTHERN UNIFORM & EQUIPMENT 4672  | 215.22       |
| 56391           | 39613           |                                    | 215.22       |

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| Check No.     | Check Date/PO # | Vendor Name and Number             | Check Amount      |
|---------------|-----------------|------------------------------------|-------------------|
| 60450         | 09/29/2017      | STAPLES CONTRACT N COMMERCIAL 4725 | <b>1,569.16</b>   |
| 3351977046    | 40364           |                                    | 2.57              |
| 3352049665    | 40218           |                                    | 76.80             |
| 3352049666    | 40266           |                                    | 37.04             |
| 3352049667    | 40282           |                                    | 60.92             |
| 3352049668    | 40364           |                                    | 633.66            |
| 3352049669    | 40365           |                                    | 159.45            |
| 3352049670    | 40365           |                                    | -96.16            |
| 3352049671    | 40369           |                                    | 43.05             |
| 3352049672    | 40372           |                                    | 59.79             |
| 3352049673    | 40363           |                                    | 88.87             |
| 3352128903    | 40327           |                                    | 42.65             |
| 3352128904    | 40380           |                                    | 42.49             |
| 3352128905    | 40382           |                                    | 221.89            |
| 3352128906    | 40383           |                                    | 63.28             |
| 3352128907    | 40390           |                                    | 19.94             |
| 3352128908    | 40390           |                                    | 11.64             |
| 3352128909    | 40390           |                                    | 5.12              |
| 3352128910    | 40394           |                                    | 96.16             |
| 60451         | 09/29/2017      | SUNFLOWER PAVING INC 4815          | <b>169,127.29</b> |
| 3714          | 39132           |                                    | 169,127.29        |
| 60452         | 09/29/2017      | SUPERIOR SIGNALS INC 6761          | <b>477.00</b>     |
| 12629523      | 37457           |                                    | 477.00            |
| 60453         | 09/29/2017      | SYMBOLARTS 4849                    | <b>1,008.00</b>   |
| 0289883 IN    | 40176           |                                    | 1,008.00          |
| 60454         | 09/29/2017      | THE GOODYEAR TIRE & RUBBER CO 9375 | <b>1,365.60</b>   |
| 123 1055633   | 37425           |                                    | 85.10             |
| 123 1055640   | 37461           |                                    | 1,280.50          |
| 60455         | 09/29/2017      | THE TERMINIX INTERNATIONAL 10096   | <b>203.98</b>     |
| 21273940      | 37489           |                                    | 203.98            |
| 60456         | 09/29/2017      | TOPEKA YOUTH PROJECT INC 5060      | <b>8,725.00</b>   |
| 47000         | 38567           |                                    | 8,725.00          |
| 60457         | 09/29/2017      | TORGESON TRENCHING SERVICE 5062    | <b>13,754.70</b>  |
| 2001316       | 38658           |                                    | 11,041.00         |
| 2001551       | 38658           |                                    | 935.00            |
| 2001552       | 38658           |                                    | 1,778.70          |
| 60458         | 09/29/2017      | U S LIME COMPANY - ST CLAIR 5117   | <b>21,736.47</b>  |
| 164550        | 39695           |                                    | 4,363.00          |
| 164560        | 39695           |                                    | 8,926.70          |
| 164573        | 39695           |                                    | 4,212.91          |
| 164589        | 39695           |                                    | 4,233.86          |
| 60459         | 09/29/2017      | UMB BANK NA 5127                   | <b>58,808.33</b>  |
| PCARD09222017 |                 |                                    | 58,833.27         |
| PCARD09262017 |                 |                                    | -24.94            |
| 60460         | 09/29/2017      | WALKER TOWEL & UNIFORM 5266        | <b>126.40</b>     |
| 2343427       | 37320           |                                    | 12.45             |
| 2344055       | 37320           |                                    | 7.65              |
| 2344056       | 37320           |                                    | 23.90             |
| 2344060       | 37617           |                                    | 8.00              |
| 2344707       | 37617           |                                    | 16.90             |
| 2344708       | 37617           |                                    | 2.40              |
| 2344709       | 37617           |                                    | 23.70             |
| 2344710       | 37617           |                                    | 4.80              |



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| 2344711        | 37617           |                                | 15.00             |
| 2344712        | 37617           |                                | 11.60             |
| 60461          | 09/29/2017      | KURTZ, HENRY JOE               | 2924              |
| CHA106-0917    |                 | ESF DEPOSIT & 1st month rent   | 1,025.00          |
|                |                 |                                | <b>1,025.00</b>   |
| 60462          | 09/29/2017      | CITY OF TOPEKA FRIENDSHIP FUND | 948               |
| FR101709291407 |                 | Friendship Fund                | 63.00             |
| FR101709291407 |                 | Friendship Fund                | 30.00             |
| FR101709291407 |                 | Friendship Fund                | 33.00             |
| FR101709291407 |                 | Friendship Fund                | 17.00             |
| FR101709291407 |                 | Friendship Fund                | 6.00              |
| FR101709291407 |                 | Friendship Fund                | 18.00             |
| FR101709291407 |                 | Friendship Fund                | 2.00              |
| FR101709291407 |                 | Friendship Fund                | 15.00             |
| FR101709291407 |                 | Friendship Fund                | 34.00             |
| FR101709291407 |                 | Friendship Fund                | 99.42             |
| FR101709291407 |                 | Friendship Fund                | 51.50             |
| FR101709291407 |                 | Friendship Fund                | 11.00             |
| 60463          | 09/29/2017      | UNITED WAY OF GREATER TOPEKA   | 5157              |
| UW10170929140  |                 | United Way                     | 27.00             |
| UW10170929140  |                 | United Way                     | 1.00              |
| UW10170929140  |                 | United Way                     | 1.00              |
| UW10170929140  |                 | United Way                     | 6.00              |
| UW10170929140  |                 | United Way                     | 5.00              |
| UW10170929140  |                 | United Way                     | 8.00              |
| UW10170929140  |                 | United Way                     | 11.00             |
| UW10170929140  |                 | United Way                     | 8.00              |
| 60464          | 09/29/2017      | ACE ELECTRIC JONES COMPANY INC | 35                |
| 4319           | 37679           |                                | 154.80            |
| 4320           | 37679           |                                | 390.00            |
|                |                 |                                | <b>544.80</b>     |
| 60465          | 09/29/2017      | BERRY COMPANIES INC            | 5408              |
| 06173760       | 37851           |                                | 199.91            |
| 06173828       | 37412           |                                | 500.00            |
|                |                 |                                | <b>699.91</b>     |
| 60466          | 09/29/2017      | BETTIS ASPHALT & CONSTRUCTION  | 470               |
| 1708 152       | 38881           |                                | 276,744.10        |
| 1709 060       | 35545           |                                | 133,247.11        |
|                |                 |                                | <b>409,991.21</b> |
| 60467          | 09/29/2017      | CAPITAL BELT & SUPPLY INC      | 776               |
| 102518         | 37488           |                                | 107.61            |
|                |                 |                                | <b>107.61</b>     |
| 60468          | 09/29/2017      | CAPITAL CITY OIL CO INC        | 778               |
| 1075144        | 37433           |                                | 17,301.00         |
|                |                 |                                | <b>17,301.00</b>  |
| 60469          | 09/29/2017      | CHAMPION BRANDS LLC            | 883               |
| 526475         | 37439           |                                | 1,181.28          |
|                |                 |                                | <b>1,181.28</b>   |
| 60470          | 09/29/2017      | FERGUSON ENTERPRISES INC       | 1639              |
| 6544163        | 37804           |                                | 280.90            |
|                |                 |                                | <b>280.90</b>     |
| 60471          | 09/29/2017      | FLU-CON INC                    | 1729              |
| P 27995 0      | 37365           |                                | 93.03             |
| P 28050 0      | 37365           |                                | 30.83             |
|                |                 |                                | <b>123.86</b>     |
| 60472          | 09/29/2017      | GRAYBAR                        | 1977              |
| 993348178      | 37739           |                                | 448.41            |
| 993514834      | 37739           |                                | 98.63             |
|                |                 |                                | <b>547.04</b>     |

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| 60473                         | 09/29/2017      | HACH COMPANY 2038                   | 900.16       |
| 10618722                      | 37563           |                                     | 102.39       |
| 10620296                      | 37563           |                                     | 648.77       |
| 10624150                      | 37563           |                                     | 149.00       |
| 60474                         | 09/29/2017      | KEY EQUIPMENT & SUPPLY CO 2847      | 1,491.95     |
| 250532                        | 37982           |                                     | 286.50       |
| 250538                        | 37982           |                                     | 428.82       |
| 250763                        | 37388           |                                     | 301.63       |
| 250792                        | 37388           |                                     | 265.00       |
| 250793                        | 37388           |                                     | 210.00       |
| 60475                         | 09/29/2017      | LINDYSPRING WATER LLC 3071          | 305.60       |
| 1117867                       | 37870           |                                     | 25.60        |
| 1117868                       | 38223           |                                     | 19.20        |
| 1117869                       | 37871           |                                     | 19.20        |
| 1122565                       | 37986           |                                     | 19.20        |
| 1122844                       | 38223           |                                     | 19.20        |
| 1122849                       | 37871           |                                     | 83.20        |
| 1128288                       | 37751           |                                     | 25.60        |
| 1128289                       | 38223           |                                     | 38.40        |
| 1130632                       | 37986           |                                     | 8.00         |
| 1131381                       | 38223           |                                     | 8.00         |
| 1131450                       | 38223           |                                     | 30.00        |
| 1132571                       | 38223           |                                     | 10.00        |
| 60476                         | 09/29/2017      | NORTHEAST KANSAS HYDRAULICS IN 3705 | 1,793.00     |
| 31381                         | 37395           |                                     | 1,793.00     |
| 60477                         | 09/29/2017      | OLDCASTLE PRECAST INC 3739          | 625.59       |
| 120038410                     | 37845           |                                     | 625.59       |
| 60478                         | 09/29/2017      | SALISBURY SUPPLY COMPANY INC 4352   | 647.26       |
| 129198                        | 37853           |                                     | 98.00        |
| 129205                        | 37483           |                                     | 180.47       |
| 129325                        | 37483           |                                     | 147.69       |
| 129460                        | 37853           |                                     | 151.95       |
| 129611                        | 37498           |                                     | 69.15        |
| 60479                         | 09/29/2017      | SCHMIDTLEIN EXCAVATING INC 4406     | 25,301.63    |
| 16130 10                      | 36267           |                                     | 2,613.60     |
| 17124 PO2                     | 39798           |                                     | 22,688.03    |
| 60480                         | 09/29/2017      | TAZCO INC 4885                      | 5,913.21     |
| 3384                          | 39882           |                                     | 5,913.21     |
| 60481                         | 09/29/2017      | TFM COMM INC 4914                   | 1,264.85     |
| 189350                        | 38225           |                                     | 767.35       |
| 189506                        | 38225           |                                     | 255.00       |
| 189593                        | 38225           |                                     | 242.50       |
| 60482                         | 09/29/2017      | UDDIN, SHOEB 8137                   | 6,332.71     |
| SD 17 10 1                    | 39914           |                                     | 6,332.71     |
| Total for Electronic Payments |                 |                                     | 9,034,233.41 |
| Need to Define MNL            |                 |                                     |              |
| 468                           | 09/15/2017      | GREAT WEST LIFE & ANNUITY 9755      | 49,347.19    |
| 679385032                     | PAYROLL         |                                     | 49,347.19    |
| 469                           | 09/15/2017      | VERIFONE INC 5217                   | 200.00       |
| 72992056 8/2017               | ACH DEBT        |                                     | 200.00       |

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| 470                          | 09/15/2017      | DEPT OF TREASURY 9805               | 481,718.34   |
| PAYROLL 9/1/17               | PAYROLL         |                                     |              |
| 471                          | 09/15/2017      | KANSAS DEPT OF REVENUE 9806         | 98,180.12    |
| PAYROLL 9/1/17               | PAYROLL         |                                     |              |
| 472                          | 09/15/2017      | KPERS 9818                          | 521,999.78   |
| PAYROLL-KPER:                | PAYROLL         |                                     |              |
| PAYROLL-KPF 9                | PAYROLL         |                                     |              |
| PAYROLL-WAR 5                | PAYROLL         |                                     |              |
| 473                          | 09/22/2017      | ASI DAILY EMPLOYEE PAYMENTS 9872    | 14,487.19    |
| W/E 9/1/17                   | ACH DEBT        |                                     |              |
| W/E 9/15/17                  | ACH DEBT        |                                     |              |
| W/E 9/8/17                   | ACH DEBT        |                                     |              |
| 474                          | 09/22/2017      | AUTOMATED MERCHANT SYSTEMS INC 9931 | 3,765.60     |
| 1708250086 8/20              | ACH DEBT        |                                     |              |
| 475                          | 09/22/2017      | GREAT WEST LIFE & ANNUITY 9755      | 49,544.40    |
| 680868481                    | PAYROLL         |                                     |              |
| 476                          | 09/22/2017      | TRANSFIRST HOLDINGS INC 9923        | 42,609.42    |
| CC FEE AUGUST                | ACH DEBT        |                                     |              |
| 477                          | 09/22/2017      | VERIFONE INC 5217                   | 600.00       |
| 72811640 5/2017              | ACH DEBT        |                                     |              |
| 72869785 6/2017              | ACH DEBT        |                                     |              |
| 72927879                     | ACH DEBT        |                                     |              |
| 478                          | 09/22/2017      | CORVEL HEALTHCARE CORPORATION 8818  | 53,563.45    |
| W/E 9/1/17                   | ACH DEBT        |                                     |              |
| W/E 9/15/17                  | ACH DEBT        |                                     |              |
| W/E 9/8/17                   | ACH DEBT        |                                     |              |
| 479                          | 09/22/2017      | DEPT OF TREASURY 9805               | 487,808.25   |
| PAYROLL 9/15/17              | PAYROLL         |                                     |              |
| 480                          | 09/22/2017      | KANSAS DEPT OF REVENUE 9806         | 100,556.36   |
| PAYROLL 9/15/17              | PAYROLL         |                                     |              |
| 481                          | 09/22/2017      | KPERS 9818                          | 554,384.71   |
| MEDRANO, J 7/1               | PAYROLL         |                                     |              |
| MILLER, J 7/1/17             | PAYROLL         |                                     |              |
| PAYROLL-KPER:                | PAYROLL         |                                     |              |
| PAYROLL-KPF 9                | PAYROLL         |                                     |              |
| 482                          | 09/29/2017      | ASI DAILY EMPLOYEE PAYMENTS 9872    | 4,273.14     |
| W/E 9/22/17                  | ACH DEBT        |                                     |              |
| 483                          | 09/29/2017      | CORVEL HEALTHCARE CORPORATION 8818  | 24,036.15    |
| W/E 9/22/17                  | ACH DEBT        |                                     |              |
| Total for Need to Define MNL |                 |                                     | 2,487,074.10 |
| Need to Define PPD           |                 |                                     |              |
| 6692                         | 09/15/2017      | COPLEY, BRAXTON 8461                | 230.10       |
| 42984.6352                   |                 | ORLANDO FL 8/26-30/17               |              |
| 6693                         | 09/15/2017      | DAVIS, SYLVIA N 3380                | 306.05       |
| 42984.6372                   |                 | ORLANDO FL 8/26-30/2017             |              |
| 6694                         | 09/15/2017      | GERBER, DOUGLAS EUGENE 9621         | 178.69       |

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| 42979.6518         |                 | LINCOLN NE 8/29-CCA MEETING                            | 178.69          |
| 6695<br>42989.6416 | 09/15/2017      | MURRAY, DAVE<br>WICHITA KS 9/28/17 TOLLS ONLY          | 6622<br>15.00   |
| 6696<br>42964.6706 | 09/15/2017      | PEEK, JASON MATTHEW<br>SAN DIEGO CA 7/8-12/17          | 10395<br>795.91 |
| 6697<br>42989.4248 | 09/15/2017      | PURNEY, STEVEN R<br>OSAGE BEACH MO 9/6-8/17            | 6306<br>66.30   |
| 6698<br>42985.4676 | 09/15/2017      | RODMAN, THOMAS C<br>PITTSBURG KS 8/30-31/17            | 6616<br>168.63  |
| 6699<br>42983.3322 | 09/15/2017      | RUSSELL, JACQUELYN M<br>EE-SNACKS H&W CENTER OPENHOUSE | 4309<br>65.38   |
| 6700<br>42992.3316 | 09/22/2017      | BREES, DIANE R<br>PITTSBURG KS 8/30-31/17              | 11007<br>261.78 |
| 6701<br>42970.6114 | 09/22/2017      | CHILD, DEREK D<br>EE-BOOT REIMBURSEMENT (FOP)          | 9461<br>96.87   |
| 6702<br>42996.6554 | 09/22/2017      | CLEMONS, TED PAUL<br>MANHATTAN 9/6/17 FUEL             | 9985<br>10.00   |
| 6703<br>42996.4101 | 09/22/2017      | DEFOREST, DENNIS E<br>EE-SAFETY SHOES (FOP)            | 1300<br>70.94   |
| 6704<br>42996.3811 | 09/22/2017      | DINWIDDIE, DENNIS E<br>INDIANAPOLIS IN 9/9-14/17       | 8206<br>186.30  |
| 6705<br>42964.5838 | 09/22/2017      | GOODRICH, ROBERT E<br>EE-EXAM REIMBURSEMENT FEE        | 10970<br>25.00  |
| 6706<br>42923.5991 | 09/22/2017      | MORAN, RICHARD A<br>EE-REGISTRATION KSFFA CONF         | 3516<br>300.00  |
| 6707<br>42985.6027 | 09/22/2017      | ROBERTSON, LISA M<br>EE-IMLA FLIGHT BUFFALO OCT 13     | 10238<br>382.60 |
| 6708<br>42994.3953 | 09/22/2017      | BROWNE, WILLIAM JAMES<br>EE-AB DL 9/14/17              | 7964<br>32.80   |
| 6709<br>42992.6522 | 09/29/2017      | BALDERES, JARON<br>ORLANDO FL 8/26-8/30/17             | 10933<br>230.10 |
| 6710<br>42990.4352 | 09/29/2017      | BULMER, AARON N<br>ADV-WASHINGTON DC 10/2-4/17         | 11003<br>169.05 |
| 6711<br>42998.6226 | 09/29/2017      | BURGER, CODY P<br>EE-FOP BOOT REIMBURSEMENT            | 8130<br>150.00  |
| 6712<br>42990.6944 | 09/29/2017      | HARRELL, JENNIFER<br>ORLANDO FL 8/26-30/17             | 10967<br>830.02 |
| 6713<br>42997.5476 | 09/29/2017      | MALOTT, NICOLE<br>WICHITA KS 8/28-31/17                | 3183<br>321.96  |
| 6714<br>42985.5266 | 09/29/2017      | PEEK, JASON MATTHEW<br>ORLANDO FL 8/25-8/30/17         | 10395<br>723.41 |

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| 6715<br>42992.3445                  | 09/29/2017      | REYNOLDS, AMBER<br>ORLANDO FL 8/26-8/30/17                 | 9930<br>434.26          |
| <b>Total for Need to Define PPD</b> |                 |                                                            | <b>6,051.15</b>         |
| <b>Check Payments</b>               |                 |                                                            |                         |
| 727517<br>00000109317091            | 09/15/2017      | BUTLER & ASSOCIATES PA<br>Garnishment - Pct of Net         | 730<br>249.15           |
| 727518<br>00000246817091            | 09/15/2017      | BUTLER & ASSOCIATES PA<br>Garnishment - Pct of Net         | 730<br>118.49           |
| 727519<br>00000119217091            | 09/15/2017      | CHAPTER 13 TRUSTEE<br>Bankruptcy - Amt 26 PP               | 2494<br>63.70           |
| 727520<br>00000067717091            | 09/15/2017      | CHAPTER 13 TRUSTEE<br>Bankruptcy - Amt 26 PP               | 2494<br>484.61          |
| 727521<br>00000238517091            | 09/15/2017      | CHAPTER 13 TRUSTEE<br>Bankruptcy - Amt 26 PP               | 2494<br>36.92           |
| 727522<br>00000100917091            | 09/15/2017      | CHAPTER 13 TRUSTEE<br>Bankruptcy - Amt 26 PP               | 2494<br>138.46          |
| 727523<br>00000015217091            | 09/15/2017      | CHAPTER 13 TRUSTEE<br>Bankruptcy - Amt 26 PP               | 2494<br>183.69          |
| 727524<br>00000254717091            | 09/15/2017      | CHAPTER 13 TRUSTEE<br>Bankruptcy - Amt 26 PP               | 2494<br>46.15           |
| 727525<br>00000237917091            | 09/15/2017      | CHAPTER 13 TRUSTEE<br>Bankruptcy - Amt 26 PP               | 2494<br>130.00          |
| 727526<br>00000029717091            | 09/15/2017      | CHAPTER 13 TRUSTEE<br>Bankruptcy - Amt 26 PP               | 2494<br>207.69          |
| 727527<br>00000229617091            | 09/15/2017      | CHAPTER 13 TRUSTEE<br>Bankruptcy - Amt 26 PP               | 2494<br>120.00          |
| 727528<br>00000241017091            | 09/15/2017      | FAMILY SUPPORT PAYMENT CENTER<br>Child Support - Amt       | 6780<br>307.85          |
| 727529<br>00000246817091            | 09/15/2017      | H KENT HOLLINS ATTORNEY AT LAW<br>Garnishment - Pct of Net | 6502<br>118.50          |
| 727530<br>00000255217091            | 09/15/2017      | KAHRS LAW OFFICES PA<br>Garnishment - Pct of Net           | 2618<br>217.36          |
| 727531<br>00000029117091            | 09/15/2017      | PENDLETON & SUTTON<br>Garnishment - Pct of Net             | 3878<br>344.91          |
| 727532<br>00000265317091            | 09/15/2017      | OFFICE OF THE ATTORNEY GENERAL<br>Child Support - Amt      | 10437<br>92.31          |
| 727533<br>00000215517091            | 09/15/2017      | UNITED STATES GOVERNMENT<br>Student Loan Federal - Pct     | 9489<br>278.37          |
| 727534<br>00000111617091            | 09/15/2017      | UNITED STATES TREASURY<br>Tax Levy Federal - Amount        | 5156<br>219.24          |
| 727535                              | 09/15/2017      | WILLIAM GRIFFIN CHAPTER                                    | 5446<br><b>2,145.24</b> |

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| 00000055617091                   |                 | Bankruptcy - Amt 26 PP             | 2,145.24     |
| 727536                           | 09/15/2017      | WILLIAM GRIFFIN CHAPTER 5446       | 570.12       |
| 00000041317091                   |                 | Bankruptcy - Amt 26 PP             | 570.12       |
| 727537                           | 09/15/2017      | WILLIAM GRIFFIN CHAPTER 5446       | 692.31       |
| 00000080117091                   |                 | Bankruptcy - Amt 26 PP             | 692.31       |
| 727538                           | 09/15/2017      | WILLIAM GRIFFIN CHAPTER 5446       | 207.69       |
| 00000082817091                   |                 | Bankruptcy - Amt 26 PP             | 207.69       |
| 727539                           | 09/15/2017      | STOKES, KENNETH A 7035             | 1,531.00     |
| COMPENSATE F 40375               |                 |                                    | 1,531.00     |
| 727540                           | 09/15/2017      | AFFINITY AUTOMOTIVE PRODUCTS 10521 | 499.20       |
| 200171 37466                     |                 |                                    | 499.20       |
| 727541                           | 09/15/2017      | ALERT ENTERPRISES INC 4479         | 244.85       |
| 23245 39414                      |                 |                                    | 244.85       |
| 727542                           | 09/15/2017      | ALFA LAVAL INC 9878                | 3,872.37     |
| 277046618 40060                  |                 |                                    | 3,872.37     |
| 727543                           | 09/15/2017      | ARTSCONNECT INC 263                | 330.00       |
| 593 40339                        |                 |                                    | 330.00       |
| 727544                           | 09/15/2017      | ASSOCIATES IN DISPUTE RESOLUTI 274 | 966.00       |
| 8466 LRR 40321                   |                 |                                    | 966.00       |
| 727545                           | 09/15/2017      | AT&T 281                           | 620.80       |
| 0218908301 38367                 |                 |                                    | 620.80       |
| 727546                           | 09/15/2017      | AT&T 281                           | 112.23       |
| 147404396 9/1/17 POLICE UVERSE   |                 |                                    | 112.23       |
| 727547                           | 09/15/2017      | AT&T 281                           | 76.52        |
| 148547694 8/25/17 WELLNESS UVERS |                 |                                    | 76.52        |
| 727548                           | 09/15/2017      | AT&T 281                           | 712.16       |
| 1698425333 37595                 |                 |                                    | 712.16       |
| 727549                           | 09/15/2017      | AT&T 282                           | 526.95       |
| 0738033665 0825 CIRCUITS         |                 |                                    | 526.95       |
| 727550                           | 09/15/2017      | AT&T 282                           | 807.89       |
| 0780773571 0825 CIRCUITS         |                 |                                    | 807.89       |
| 727551                           | 09/15/2017      | AXON ENTERPRISE INC 10916          | 22,661.42    |
| SI1497733 39663                  |                 |                                    | 22,661.42    |
| 727552                           | 09/15/2017      | BRIDGESTONE AMERICAS INC 1855      | 1,861.12     |
| 526 58769 37367                  |                 |                                    | 236.19       |
| 526 58896 37367                  |                 |                                    | 197.60       |
| 526 59105 37443                  |                 |                                    | 773.51       |
| 526 59117 37367                  |                 |                                    | 177.71       |
| 526 59118 37367                  |                 |                                    | 182.71       |
| 526 59309 37367                  |                 |                                    | 259.78       |
| 526 59545 37367                  |                 |                                    | 33.62        |
| 727553                           | 09/15/2017      | BROWNS SUPER SERVICE INC 670       | 350.00       |
| 56013 37355                      |                 |                                    | 175.00       |
| 56120 37355                      |                 |                                    | 175.00       |

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|--------------|-----------------|-------------------------------------|--------------|
| 727554       | 09/15/2017      | CONRAD FIRE EQUIPMENT INC 1073      | 241.88       |
| 520278       | 37786           |                                     | 192.34       |
| 520295       | 37361           |                                     | 49.54        |
| 727555       | 09/15/2017      | CREATIVE SIGNS INC 1167             | 6,525.00     |
| 38204        | 39544           |                                     | 6,525.00     |
| 727556       | 09/15/2017      | DESMAN INC 10815                    | 10,619.00    |
| C17399       | 39045           |                                     | 10,619.00    |
| 727557       | 09/15/2017      | DOUG RICHERT PONTIAC CADILLAC 1397  | 16,384.34    |
| 267793       | 37363           |                                     | 222.48       |
| 267800       | 37363           |                                     | 95.56        |
| 564816       | 37363           |                                     | 15,876.71    |
| 565417       | 37363           |                                     | 189.59       |
| 727558       | 09/15/2017      | ED BOZARTH CHEVROLET INC 578        | 22.56        |
| 702933       | 37353           |                                     | 22.56        |
| 727559       | 09/15/2017      | ELLIOTT AUTO SUPPLY COMPANY 5676    | 394.17       |
| 8 680606     | 37414           |                                     | 48.71        |
| 8 Z06022     | 37455           |                                     | 345.46       |
| 727560       | 09/15/2017      | EXPERIAN INFORMATION SOLUTIONS 5760 | 114.58       |
| CD1805005020 | 37606           |                                     | 62.58        |
| CD1805005021 | 37606           |                                     | 52.00        |
| 727561       | 09/15/2017      | FINLAY AUTOMOTIVE SUPPLY INC 10237  | 358.93       |
| 074129       | 37465           |                                     | 90.83        |
| 074133       | 37430           |                                     | 31.36        |
| 074163       | 37430           |                                     | 132.96       |
| 074232       | 37465           |                                     | 114.56       |
| 074501       | 37465           |                                     | 24.50        |
| 074619       | 37430           |                                     | -35.28       |
| 727562       | 09/15/2017      | HEALTHSTAT INC 9951                 | 81,517.01    |
| 46644        | 37774           |                                     | 54,267.62    |
| 46674        | 37774           |                                     | 27,249.39    |
| 727563       | 09/15/2017      | SPENCER & COMPANY 2321              | 7,726.78     |
| S 19572      | 37371           |                                     | 80.13        |
| W 21419      | 37371           |                                     | 2,898.81     |
| W 21773      | 37371           |                                     | 4,514.56     |
| W 21864      | 37371           |                                     | 233.28       |
| 727564       | 09/15/2017      | INFOSEAL LLC 2396                   | 805.00       |
| 0000087570   | 40260           |                                     | 805.00       |
| 727565       | 09/15/2017      | JAMES L DUNLAP 2533                 | 74.55        |
| 596511       | 37379           |                                     | 74.55        |
| 727566       | 09/15/2017      | KA-COMM INC 2615                    | 258.66       |
| 149158       | 37382           |                                     | 258.66       |
| 727567       | 09/15/2017      | STATE OF KANSAS 2637                | 1,305.00     |
| LG 17 001341 | BONDS           | 2017A GO BOND COI                   | 360.00       |
| LG 17 001342 | BONDS           | 2017A TEMP NOTE COI                 | 585.00       |
| LG 17 001377 | BONDS           | 2017A REV BOND COI                  | 360.00       |
| 727568       | 09/15/2017      | KANSAS AUTOMOTIVE INC 2639          | 1,579.51     |
| 2998452      | 37385           |                                     | 1.04         |

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| 2998924                      | 37385           |                               | 5.64         |
| 2998980                      | 37385           |                               | 109.44       |
| 2999208                      | 37385           |                               | 32.62        |
| 2999351                      | 37385           |                               | 6.61         |
| 2999394                      | 37385           |                               | 853.06       |
| 2999433                      | 37385           |                               | 7.47         |
| 2999519                      | 37385           |                               | 21.36        |
| 2999524                      | 37385           |                               | 27.98        |
| 2999576                      | 37448           |                               | 15.55        |
| 2999628                      | 37316           |                               | 2.92         |
| 2999805                      | 37385           |                               | 49.40        |
| 2999831                      | 37385           |                               | 42.72        |
| 3000162                      | 37385           |                               | 31.60        |
| 3000304                      | 37385           |                               | 17.88        |
| 3000867                      | 37385           |                               | 17.49        |
| 3000868                      | 37312           |                               | 73.81        |
| 3000994                      | 37385           |                               | 4.50         |
| 3001284                      | 37385           |                               | 1.99         |
| 3001467                      | 37316           |                               | 11.90        |
| 3001488                      | 37316           |                               | 1.83         |
| 3001559                      | 37316           |                               | -1.67        |
| 3001565                      | 37316           |                               | 7.11         |
| 3001727                      | 37312           |                               | 40.98        |
| 3001822                      | 37316           |                               | 1.80         |
| 3001929                      | 37448           |                               | 139.32       |
| 3001966                      | 37385           |                               | 15.69        |
| 3002073                      | 37448           |                               | 17.16        |
| 3002188                      | 37385           |                               | 11.88        |
| 3002337                      | 37316           |                               | 10.43        |
|                              |                 |                               |              |
| 727569                       | 09/15/2017      | KANSAS DEPT OF HEALTH & ENVIR | 2676         |
| #MKS72SO01 10                | 40419           |                               | 2,000.00     |
| 40411 #12728 BC              | 40411           |                               | 20.00        |
|                              |                 |                               |              |
| 727570                       | 09/15/2017      | STATE OF KANSAS               | 2691         |
| 7249 8TB7 7DC2SALES TAX WATE |                 |                               | 55,765.02    |
|                              |                 |                               |              |
| 727571                       | 09/15/2017      | KANSAS PRIMA                  | 2736         |
| 40433 LANGSTO                | 40433           |                               | 50.00        |
|                              |                 |                               |              |
| 727572                       | 09/15/2017      | KBC INC                       | 10809        |
| 8003037                      | 39533           |                               | 45.99        |
| 8004542                      | 39533           |                               | 10.97        |
| 8004564                      | 39533           |                               | 16.56        |
| 8004595                      | 39533           |                               | 8.76         |
|                              |                 |                               |              |
| 727573                       | 09/15/2017      | LAIRD NOLLER FORD INC         | 2939         |
| 1197503                      | 37390           |                               | 183.11       |
| 1197871                      | 37390           |                               | 66.28        |
| 1197896                      | 37390           |                               | 31.53        |
| 8108688                      | 37390           |                               | 1,751.86     |
|                              |                 |                               |              |
| 727574                       | 09/15/2017      | LOCATE HOLDINGS INC           | 10901        |
| 248092                       | 39457           |                               | 37,963.00    |
|                              |                 |                               |              |
| 727575                       | 09/15/2017      | MIDWEST COATING               | 3407         |
| 3549                         | 40343           |                               | 220.88       |
| 3577                         | 40360           |                               | 202.30       |
| 3688                         | 40362           |                               | 215.60       |
|                              |                 |                               |              |
| 727576                       | 09/15/2017      | NAILL ENTERPRISES LTD         | 4931         |
| 2770 19                      | 37616           |                               | 96.15        |



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| 727577          | 09/15/2017      | OZARK INTEGRATED PEST SERVICE 3791   | 265.00       |
| 9452            | 37549           |                                      | 230.00       |
| 9468            | 37549           |                                      | 35.00        |
| 727578          | 09/15/2017      | PREMIER WORKSITE SOLUTIONS LLC 10540 | 2,348.00     |
| 1006            | 38536           |                                      |              |
| 727579          | 09/15/2017      | RDG SCHUTTE WILSCAM BIRGE 6549       | 17,696.55    |
| 31819           | 35164           |                                      |              |
| 727580          | 09/15/2017      | REEVES WIEDEMAN COMPANY INC 4154     | 308.42       |
| 5042331         | 39582           |                                      | 64.55        |
| 5064139         | 37594           |                                      | 109.15       |
| 5064200         | 37594           |                                      | 52.75        |
| 5065972         | 37594           |                                      | 81.97        |
| 727581          | 09/15/2017      | S&P CAPITAL IQ LLC 10402             | 1,472.00     |
| 35230715        | BONDS           |                                      | 626.00       |
| 35231554        | BONDS           | 2017A REV BOND COI                   | 846.00       |
| 727582          | 09/15/2017      | SBC GLOBAL SERVICES INC 286          | 7,737.88     |
| SB024843        | 37597           |                                      | 6,607.65     |
| SW128898        | 37597           |                                      | 1,130.23     |
| 727583          | 09/15/2017      | SCOTTY WILSON ENTERPRISES INC 4442   | 27,600.00    |
| 617706          | 40179           |                                      | 10,300.00    |
| 617707          | 39859           |                                      | 1,800.00     |
| 617708          | 39860           |                                      | 15,500.00    |
| 727584          | 09/15/2017      | SEATTLE SEWING SOLUTIONS INC 10972   | 827.00       |
| 201707B002      | 38940           |                                      |              |
| 727585          | 09/15/2017      | SHAWNEE COUNTY 4519                  | 225.00       |
| 38014 4         | 38014           |                                      |              |
| 727586          | 09/15/2017      | SHAWNEE COUNTY 4521                  | 10.00        |
| 14134308        | 37333           |                                      |              |
| 727587          | 09/15/2017      | SIMILAR MODE UNIFORMS INC 4563       | 2,814.73     |
| 58814           | 40058           |                                      |              |
| 727588          | 09/15/2017      | TIMBERLINE FISHERIES CORP 10900      | 268.21       |
| 103572376       | 39906           |                                      | 66.91        |
| 103601474       | 39906           |                                      | 66.91        |
| 104017480       | 39906           |                                      | 134.39       |
| 727589          | 09/15/2017      | RAD INC 5042                         | 188.14       |
| 58067           | 37405           |                                      | 94.07        |
| 58188           | 37405           |                                      | 94.07        |
| 727590          | 09/15/2017      | UNIFIED SCHOOL DISTRICT NO 501 5133  | 60,086.00    |
| 2693            | 40399           |                                      |              |
| 727591          | 09/15/2017      | VERMEER GREAT PLAINS INC 5218        | 365.92       |
| P31909          | 37409           |                                      | 118.05       |
| P31947          | 37454           |                                      | 247.87       |
| 727592          | 09/15/2017      | WESTAR ENERGY INC 5376               | 563,735.73   |
| 0115356084-8.17 |                 | METERED TRAFFIC SIGNALS              | 9,524.18     |
| 0262780905-8.17 |                 | 1127 INNOVATION PKWY PUMP            | 47.88        |
| 0552066743-8.17 |                 | 4103 SW POSTOAK DRIVE                | 406.78       |
| 0681383808-8.17 |                 | 101 SW US HIGHWAY 75 SIGN            | 43.43        |

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| 0749842804-8.17  |                 | 2200 WATERWORKS DR             | 78.96        |
| 0793252472-8.17  |                 | 927 HARRISON OFFICE            | 1,137.70     |
| 0843913860-8.17  |                 | 5261 NW BRICKYARD RD           | 29.24        |
| 0846578667-8.17  |                 | 801 NE KINCAID RD              | 106.63       |
| 1047755001-8.17  |                 | 635 SW GAGE BLVD B ZOO BEARS   | 88.90        |
| 1079563957-8.17  |                 | 1215 SW OAKLEY AVE             | 489.49       |
| 1119938145-8.17  |                 | 402 SE BRANNER ST LT           | 63.38        |
| 1213827529-8.17  |                 | 635 SW Gage #19 - ARC BUILDING | 610.16       |
| 1315447745-8.17  |                 | 5928 SW 53RD ST PUMP           | 42.14        |
| 1348331074-8.17  |                 | 3305 SE WESTEDGE               | 46.22        |
| 1408512766-8.17  |                 | 1215 SW 38TH                   | 1,628.74     |
| 1421891304-8.17  |                 | 215 SE 7TH - COMMONS 2.69%     | 328.48       |
| 1421891304A-8.1  |                 | 215 SE 7TH - CONTRACTS 1.95%   | 238.11       |
| 1421891304B-8.1  |                 | 215 SE 7TH - IT/ERP 7.32%      | 893.85       |
| 1421891304C-8.1  |                 | 215 SE 7TH - FACILITIES .20%   | 24.42        |
| 1421891304D-8.1  |                 | 215 SE 7TH - TPAC 60%          | 7,326.60     |
| 1421891304E-8.1  |                 | 215 SE 7TH - COURT 5.6%        | 683.82       |
| 1421891304F-8.1  |                 | 215 SE 7TH - CREDIT UNION 1.2% | 146.53       |
| 1421891304G-8.1  |                 | 215 SE 7TH - CITY CLERK 1.6%   | 195.38       |
| 1421891304H-8.1  |                 | 215 SE 7TH - HR/WELLNESS 4.7%  | 573.92       |
| 1421891304I-8.17 |                 | 215 SE 7TH - PROSECUTION 1.86% | 227.12       |
| 1421891304J-8.1  |                 | 215 SE 7TH - PROBATION 2.4%    | 293.06       |
| 1421891304K-8.1  |                 | 215 SE 7TH - COUNCIL OFFICE 1. | 134.32       |
| 1421891304L-8.1  |                 | 215 SE 7TH - CITY4 .86%        | 105.01       |
| 1421891304M-8.1  |                 | 215 SE 7TH - LEGAL 1.3%        | 158.74       |
| 1421891304N-8.1  |                 | 215 SE 7TH - LEGAL SPEC LIABIL | 158.74       |
| 1421891304NO-8   |                 | 215 SE 7TH - MAYOR .82%        | 100.13       |
| 1421891304OP-8   |                 | 215 SE 7TH - CITY MGR 1.3%     | 158.74       |
| 1421891304Q-8.1  |                 | 215 SE 7TH - FINANCE 3.80%     | 464.02       |
| 1519476504-8.17  |                 | 813 SW CLAY STREET             | 774.19       |
| 1597278899-8.17  |                 | 419 SE 13TH ST                 | 31.65        |
| 1601805968-8.17  |                 | 3500 SW WANAMAKER ST LT        | 64.56        |
| 1644917029-8.17  |                 | 3245 NW WATER WORKS DR         | 112,567.77   |
| 1671696488-8.17  |                 | 7215 SW TOPEKA BLVD            | 31.96        |
| 1677223701-8.17  |                 | 635 SW GAGE BLVD A - VET CLINI | 631.29       |
| 1709729387-8.17  |                 | 201 NW TOPEKA-STREET           | 61.89        |
| 1720154406-8.17  |                 | 6834 SW 17TH STREET PUMP       | 177.35       |
| 1737172307-8.17  |                 | 6531 SW 29TH ST S LT           | 100.65       |
| 1747452090-8.17  |                 | 2400 NW WATERWORKS             | 9,202.66     |
| 1762092009-8.17  |                 | 1908 SE 29TH ST B              | 27.66        |
| 1793486451-8.17  |                 | 120 NW CRANE -SW               | 24.09        |
| 1830815552-8.17  |                 | 420 NW WAITE ST                | 24.54        |
| 1883517398-8.17  |                 | 619 SE RICE RD                 | 786.82       |
| 1894285067-8.17  |                 | 1115 NE POPLAR ST B            | 63.78        |
| 1911987884-8.17  |                 | 4827 NW 17TH ST PUMP (SUNFLOWE | 30.09        |
| 1947734359-8.17  |                 | 201 NW TOPEKA-STREET PAL       | 540.41       |
| 1977020420-8.17  |                 | 2521 SE 2ND ST                 | 89.24        |
| 2069150421-8.17  |                 | 7325 SW 40TH                   | -2,541.55    |
| 2189423730-8.17  |                 | 2700 SW FAIRLAWN RD            | 942.91       |
| 2266273903-8.17  |                 | 825 S KANSAS AVE G CENTRE CITY | 1,407.35     |
| 2272608403-8.17  |                 | 800 SE MONROE ST (PAL)         | 199.51       |
| 2273632565-8.17  |                 | 1800 NE GRANTVILLE RD          | 233.83       |
| 2336545121-8.17  |                 | 635 SW GAGE BLVD C - CARNIVORE | 135.28       |
| 2336829480-8.17  |                 | NINTH STREET/215 SE 9TH        | 2,228.52     |
| 2362208215-8.17  |                 | 1915 WESTERN                   | 1,529.12     |
| 2437202074-8.17  |                 | 200 NE QUINCY ST               | 55.23        |
| 249842055-8.17   |                 | 215 SE 7TH - COMMONS 2.69%     | 205.07       |
| 249842055A-8.17  |                 | 215 SE 7TH - CONTRACTS 1.95%   | 148.66       |
| 249842055B-8.17  |                 | 215 SE 7TH - IT/ERP 7.32%      | 558.03       |
| 249842055C-8.17  |                 | 215 SE 7TH - FACILITIES .20%   | 15.25        |
| 249842055D-8.17  |                 | 215 SE 7TH - TPAC 60%          | 4,574.05     |
| 249842055E-8.17  |                 | 215 SE 7TH - COURT 5.6%        | 426.91       |
| 249842055F-8.17  |                 | 215 SE 7TH - CREDIT UNION 1.2% | 91.48        |
| 249842055G-8.17  |                 | 215 SE 7TH - CITY CLERK 1.6%   | 121.97       |

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| 249842055H-8.17  |                 | 215 SE 7TH - HR/WELLNESS 4.7%  | 358.30       |
| 249842055I-8.17  |                 | 215 SE 7TH - PROSECUTION 1.86% | 141.80       |
| 249842055J-8.17  |                 | 215 SE 7TH - PROBATION 2.4%    | 182.96       |
| 249842055K-8.17  |                 | 215 SE 7TH - COUNCIL OFFICE 1. | 83.86        |
| 249842055L-8.17  |                 | 215 SE 7TH - CITY4 .86%        | 65.56        |
| 249842055M-8.17  |                 | 215 SE 7TH - LEGAL 1.3%        | 99.10        |
| 249842055N-8.17  |                 | 215 SE 7TH - LEGAL SPEC LIABIL | 99.10        |
| 249842055O-8.17  |                 | 215 SE 7TH - MAYOR .82%        | 62.51        |
| 249842055P-8.17  |                 | 215 SE 7TH - CITY MGR 1.3%     | 99.10        |
| 249842055Q-8.17  |                 | 215 SE 7TH - FINANCE 3.80%     | 289.72       |
| 2518492210-8.17  |                 | CORONADO/917 QUINCY            | 2,395.66     |
| 2527930189-8.17  |                 | 620 MADISON - COMMONS .14%     | 16.76        |
| 2527930189A-8.1  |                 | 620 MADISON - HOLLIDAY ROOM 5. | 658.57       |
| 2527930189B-8.1  |                 | 620 MADISON - WELLNESS CLINIC  | 391.55       |
| 2527930189C-8.1  |                 | 620 MADISON - TPD INTERNAL AFF | 174.82       |
| 2527930189D-8.1  |                 | 620 MADISON - WATER 3.6%       | 431.07       |
| 2527930189E-8.1  |                 | 620 MADISON - HND 14.6%        | 1,748.22     |
| 2527930189F-8.1  |                 | 620 MADISON - IT 5.3%          | 634.63       |
| 2527930189G-8.1  |                 | 620 MADISON - TSG 5.6%         | 670.55       |
| 2527930189H-8.1  |                 | 620 MADISON - PARKING 3.12%    | 373.59       |
| 2527930189I-8.17 |                 | 620 MADISON - ENG 18.8%        | 2,251.13     |
| 2527930189J-8.1  |                 | 620 MADISON - CODE 4.9%        | 586.73       |
| 2527930189K-8.1  |                 | 620 MADISON - DSD PERMIT 6.45% | 772.33       |
| 2527930189L-8.1  |                 | 620 MADISON - DSD INSPECTION 6 | 772.33       |
| 2527930189M-8.1  |                 | 620 MADISON - TPD EMER COMM 2. | 349.64       |
| 2527930189N-8.1  |                 | 620 MADISON - FIRE INS 2.52%   | 301.75       |
| 2527930189O-8.1  |                 | 620 MADISON - PW ADMIN 4.07%   | 487.35       |
| 2527930189P-8.1  |                 | 620 MADISON - PLANNING 11.3%   | 1,353.07     |
| 2556481079-8.17  |                 | 8TH & MADISON (PAL)            | 218.42       |
| 2772553529-8.17  |                 | 4130 SE EAST EDGE RD PUMP      | 329.92       |
| 2868104065-8.17  |                 | 201 NW TOPEKA-STREET           | 66.12        |
| 2909742456-8.17  |                 | 200 N KANSAS AVE               | 24.09        |
| 2952910200-8.17  |                 | 3305 SW 46TH                   | 53.66        |
| 2978671422-8.17  |                 | 635 SW GAGE BLVD 2 - CONCESSIO | 878.53       |
| 3068995963-8.17  |                 | 2739 SE LAKE TERR              | 27.87        |
| 309522996-8.17   |                 | 201 NW TOPEKA-STREET PAL       | 193.00       |
| 3145100253-8.17  |                 | 1901 WESTERN                   | 2,018.49     |
| 3182415820-8.17  |                 | 3919 SE 29TH STREET            | 113.97       |
| 3216962429-8.17  |                 | 5950 SW 41ST                   | 22.73        |
| 3235310123-8.17  |                 | 550 NW 46TH                    | 92.27        |
| 3358892424-8.17  |                 | 635 SW GAGE BLVD #14 - QUARAN  | 108.08       |
| 3359889707-8.17  |                 | 318 NW CRANE ST FAC 72.48%     | 24.10        |
| 3359889707A-8.1  |                 | 318 NW CRANE ST ENG 27.52%     | 9.15         |
| 3377855825-8.17  |                 | 3332 SW WANAMAKER ST LT        | 66.90        |
| 3379200926-8.17  |                 | 3140 SW WANAMAKER ST LT CENTER | 69.46        |
| 342334703-8.17   |                 | 6315 SW 29TH ST ST LT          | 114.37       |
| 3429732386-8.17  |                 | QUINCY ST PUMP FPM             | 29.53        |
| 3468280796-8.17  |                 | 201 NE CURTIS ST               | 120.46       |
| 3481742208-8.17  |                 | 1419 NE SEWARD AVE             | 601.29       |
| 3675168021-8.17  |                 | 3105 NW GREEN HILLS RD HALF DA | 51.90        |
| 3675521733-8.17  |                 | 1200 JEFFERSON                 | 1,195.99     |
| 3703989372-8.17  |                 | 810 NW US HIGHWAY 24 PUMP      | 63.85        |
| 3704094176-8.17  |                 | 2744 SE 33RD TERR.             | 47.55        |
| 3769422865-8.17  |                 | 639 SW GAGE BLVD- ZOO RAIN FO  | -246.12      |
| 3791139844-8.17  |                 | 3441 SHORELINE DR.             | 60.56        |
| 3890967088-8.17  |                 | 635 SW GAGE BLVD #1 - OFFICE   | 1,790.08     |
| 3962419033-8.17  |                 | 545 NE LAKE                    | 8,514.98     |
| 4010895542-8.17  |                 | 400 NE SPRUCE LN PUMP          | 90.58        |
| 4058088318-8.17  |                 | 5000 1/2 SW REDBUD LN.         | 101.25       |
| 4141273470-8.17  |                 | 934 NE QUINCY                  | 37.64        |
| 416151990-8.17   |                 | BURNETTS MOUND (tower)         | 108.48       |
| 4181861543-8.17  |                 | 500 NE STRAIT AVE.             | 6,995.94     |
| 4208864031-8.17  |                 | WINTER & I70                   | 81.91        |
| 4264149424-8.17  |                 | 4748 NW GREEN HILLS RD         | 103.50       |

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|------------------|-----------------|--------------------------------|--------------|
| 4269643687-8.17  |                 | 2901 SE CROCO                  | 44.65        |
| 4284165684-8.17  |                 | 815 SW GAGE BLVD-ZOO COMMISSAR | 599.27       |
| 4398184091-8.17  |                 | 1901 WESTERN AVE A             | 209.28       |
| 4451931225-8.17  |                 | 2906 SW KANZA DR LT            | 132.60       |
| 4495154762-8.17  |                 | 315 SE 21ST                    | 59.22        |
| 4495259422-8.17  |                 | 6402 SW 21ST ST ST LT          | 72.43        |
| 4500418622-8.17  |                 | 201 NW TOPEKA-STREET 55.2.%    | 1,469.70     |
| 4500418622A-8.1  |                 | 201 NW TOPEKA-FLEET 28.2%      | 750.83       |
| 4500418622B-8.1  |                 | 201 NW TOPEKA-FORESTRY 13.7%   | 364.76       |
| 4500418622C-8.1  |                 | 201 NW TOPEKA-FACILITIES 2.9%  | 77.21        |
| 4542484126-8.17  |                 | JACKSON/512 SW JACKSON         | 2,446.53     |
| 4565831865-8.17  |                 | 6305 SW 9TH B B                | 3,908.35     |
| 4634088434-8.17  |                 | 1019 SW 22ND                   | 6,826.72     |
| 4672756422-8.17  |                 | 3205 NW HICKORY RIDGE LN       | 65.53        |
| 4688166907-8.17  |                 | 3300 SE DOWNING DR             | 113.76       |
| 4727296348-8.17  |                 | 324 SE JEFFERSON - FIRE        | 24.09        |
| 4732150028-8.17  |                 | 3033 SW WANAMAKER ST LT        | 57.22        |
| 4756774986-8.17  |                 | 3930 SW WANAMAKER              | 24.72        |
| 4789320685-8.17  |                 | 415 SE 43RD PUMP               | 73.46        |
| 4901109460-8.17  |                 | TOWNSITE/120 SE 6TH            | 4,998.96     |
| 5026432749-8.17  |                 | 2816 SW 29TH ST.- WW           | 5,580.71     |
| 5033670348-8.17  |                 | 700 JEFFERSON- COMMONS .14%    | 0.13         |
| 5033670348A-8.1  |                 | 700 JEFFERSON- HOLLIDAY ROOM 5 | 5.07         |
| 5033670348B-8.1  |                 | 700 JEFFERSON - WELLNESS CLINI | 3.01         |
| 5033670348C-8.1  |                 | 700 JEFFERSON - TPD INTERNAL A | 1.35         |
| 5033670348D-8.1  |                 | 700 JEFFERSON- WATER 3.6%      | 3.32         |
| 5033670348E-8.1  |                 | 700 JEFFERSON- HND 14.6%       | 13.45        |
| 5033670348F-8.1  |                 | 700 JEFFERSON- IT 5.3%         | 4.88         |
| 5033670348G-8.1  |                 | 700 JEFFERSON- TSG 5.6%        | 5.16         |
| 5033670348H-8.1  |                 | 700 JEFFERSON- PARKING 3.12%   | 2.87         |
| 5033670348I-8.17 |                 | 700 JEFFERSON- ENG 18.8%       | 17.32        |
| 5033670348J-8.1  |                 | 700 JEFFERSON- CODE 4.9%       | 4.51         |
| 5033670348K-8.1  |                 | 700 JEFFERSON- DSD PERMIT 6.45 | 5.94         |
| 5033670348L-8.1  |                 | 700 JEFFERSON- DSD INSPECTION  | 5.94         |
| 5033670348M-8.1  |                 | 700 JEFFERSON- TPD EMER COMM 2 | 2.69         |
| 5033670348N-8.1  |                 | 700 JEFFERSON- FIRE INS 2.52%  | 2.32         |
| 5033670348O-8.1  |                 | 700 JEFFERSON- PW ADMIN 4.07%  | 3.75         |
| 5033670348P-8.1  |                 | 700 JEFFERSON- PLANNING 11.3%  | 10.41        |
| 5044012316-8.17  |                 | 6400 UNIVERSITY                | 682.27       |
| 5080166655-8.17  |                 | CRANE & N HARRISON (PAL)(Impou | 654.85       |
| 5162823140-8.17  |                 | ITS CAMERAS                    | 82.40        |
| 5209177869-8.17  |                 | 322 NW CRANE ST (Impound)      | 294.82       |
| 5237660226-8.17  |                 | 1439 NE ATCHISON AVE           | 156.83       |
| 5256371057-8.17  |                 | N TYLER & KS RV                | 24.20        |
| 5278673283-8.17  |                 | 3306 SE CROCO RD               | 384.33       |
| 528113064-8.17   |                 | 2222 NW 35TH ST                | 235.38       |
| 52866323-8.17    |                 | 6009 SW 29TH ST ST LT          | 94.02        |
| 5288815051-8.17  |                 | 5961 SW 10TH                   | 3,231.78     |
| 5365632154-8.17  |                 | 322 NW CRANE ST (PAL)          | 271.19       |
| 5380218945-8.17  |                 | 831 NE US HWY 24               | 36.10        |
| 5652128807-8.17  |                 | 1641 SW ANCASTER               | 142.06       |
| 5755425065-8.17  |                 | 635 SW GAGE BLVD - A-QUARANTEE | 391.65       |
| 575745505-8.17   |                 | 4545 NW 43RD ST PUMP           | 44.55        |
| 6029216846-8.17  |                 | 635 SW GAGE BLVD #24 - APES    | 1,164.63     |
| 6043959044-8.17  |                 | CRANE & N HARRISON (PAL) (Impo | 18.93        |
| 6145729420-8.17  |                 | 318 NW CRANE ST FAC 72.48%     | 284.43       |
| 6145729420A-8.1  |                 | 318 NW CRANE ST ENG 27.52%     | 108.00       |
| 6149102541-8.17  |                 | 600 SW 42ND ST TANK            | 26.43        |
| 6358801391-8.17  |                 | 2700 NE MERIDEN RD             | 2,201.46     |
| 6385101124-8.17  |                 | 4540 NW SIOUX                  | 222.44       |
| 6418900406-8.17  |                 | 230 SE ALKIRE                  | 54.91        |
| 6473225120-8.17  |                 | 4300 SE 23RD TERR              | 934.68       |
| 6515388660-8.17  |                 | 5802 SW 6TH AVE                | 72.13        |
| 6548990643-8.17  |                 | PARKNSHOP/611 QUINCY           | 1,205.28     |

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|-----------------|-----------------|--------------------------------|--------------|
| 6600935533-8.17 |                 | BURNETT'S MOUND                | 76.56        |
| 6684018868-8.17 |                 | 5002 NW KENDALL DR             | 54.20        |
| 6806672566-8.17 |                 | 1610 BUTTON RD.                | 284.56       |
| 6878412783-8.17 |                 | 3245 NW WATER WORKS DR         | 60.91        |
| 6987642013-8.17 |                 | 2860 SE GOLDEN                 | 32.76        |
| 7006406272-8.17 |                 | 2000 NW TYLER                  | 112.38       |
| 7052702107-8.17 |                 | 2101 SW URISH RD               | 713.99       |
| 7054526981-8.17 |                 | DECORATIVE STREET LIGHTS       | 1,603.94     |
| 7093577888-8.17 |                 | 2000 NW 17TH ST                | 979.55       |
| 7108482567-8.17 |                 | 223 SW TUFFY KELLOGG DR LT     | 132.37       |
| 7129070441-8.17 |                 | 324 SE JEFFERSON               | 2,822.29     |
| 7165756657-8.17 |                 | 400 US HWY 24                  | 57.11        |
| 7222261768-8.17 |                 | 138 N KS AVE                   | 54.21        |
| 7291675894-8.17 |                 | 300 SE 40TH                    | 65.33        |
| 731539692-8.17  |                 | BURNETTES MOUND (PAL) ( tower) | 69.42        |
| 7391817447-8.17 |                 | 123 SE 29TH ST LT              | 43.31        |
| 7479004144-8.17 |                 | 112 SW 8TH CROSBY PLACE        | 1,985.09     |
| 7548807911-8.17 |                 | 4035 SW 6TH AVE - ZOO LIGHTING | 98.46        |
| 7561894529-8.17 |                 | 8TH & MONROE (PAL)             | 103.85       |
| 7634627729-8.17 |                 | 3030 SE CROCO RD.              | 83.78        |
| 7672355786-8.17 |                 | 3450 SW BELLE AVE POND         | 265.52       |
| 7678466617-8.17 |                 | 200 NE CRANE                   | 118.02       |
| 7781238941-8.17 |                 | STREET LIGHTS                  | 146,777.50   |
| 7858393411-8.17 |                 | 3712 SW STONEBRIDGE CT.        | 50.33        |
| 7891221852-8.17 |                 | 300 SE JEFERSON - FIRE 54%     | 499.00       |
| 7891221852A-8.1 |                 | 300 SE JEFERSON - FLEET 46%    | 425.07       |
| 8045856673-8.17 |                 | 932 NE Quincy - FIRE           | 567.83       |
| 8101041023-8.17 |                 | 3158 1/2 SE 6TH AVE            | 27.54        |
| 8276026298-8.17 |                 | 322 NW CRANE ST (PAL) (Impound | 33.25        |
| 8290044485-8.17 |                 | 3414 SE 35TH ST.               | 87.54        |
| 8336454201-8.17 |                 | 1600 NW BUTTON RD.             | 57,738.69    |
| 8513066501-8.17 |                 | 2300 SE 45TH ST                | 73.80        |
| 857144328-8.17  |                 | 2000 NW 17TH ST                | 33.25        |
| 8573461924-8.17 |                 | 1103 QUINCY/TANK               | 75.56        |
| 8595931907-8.17 |                 | 201 NW TOPEKA-STREET           | 24.09        |
| 8718757529-8.17 |                 | 1703 INDIAN HILLS              | 135.47       |
| 8797295426-8.17 |                 | 3107 SE SILVERLEAF CT          | 62.12        |
| 8828977802-8.17 |                 | 6305 SW 9TH ST                 | 330.09       |
| 889044562-8.17  |                 | 1419 NE SEWARD AVE             | 15.22        |
| 8917561729-8.17 |                 | 120 NW CRANE - EMER WATER PUMP | 393.56       |
| 8927971666-8.17 |                 | 1200 DIVISION ST.              | 6,834.84     |
| 8990425420-8.17 |                 | PEDESTRIAN ST LIGHTS           | 2,307.49     |
| 9163909456-8.17 |                 | 5610 SW FOXCROFT CIR.          | 62.33        |
| 9172705484-8.17 |                 | 6255 CALIFORNIA (Gun Range)    | 233.06       |
| 9244495706-8.17 |                 | 2001 NW WINTER ST              | 34.99        |
| 9281634463-8.17 |                 | 635 SW GAGE BLVD - EXHIBIT     | 162.95       |
| 9381575612-8.17 |                 | 1115 NE POPLAR ST              | 48,013.23    |
| 9388419420-8.17 |                 | 1908 SE 29TH ST A              | 95.36        |
| 9396200104-8.17 |                 | 1325 SW 16TH STREET            | 24.09        |
| 9406297791-8.17 |                 | 720 SW 21st STREET             | 1,389.15     |
| 9415932749-8.17 |                 | 1615 NW 8TH ST                 | 41.99        |
| 9464440167-8.17 |                 | 1801 SW 44TH                   | 105.71       |
| 9511026279-8.17 |                 | SCHOOL SPEED FLASHER           | 371.00       |
| 9553074355-8.17 |                 | 434 SE NORWOOD                 | 3,968.13     |
| 9561558646-8.17 |                 | 2447 SE 29TH STREET #9 99.98%  | 1,033.64     |
| 9610319286-8.17 |                 | 1900 SW 17TH ST LT             | 93.24        |
| 9619954781-8.17 |                 | 6548 SW 21ST ST ST LT          | 67.79        |
| 9662481100-8.17 |                 | 5605 SW FOXCROFT CIR S         | 41.21        |
| 9673824013-8.17 |                 | 320 S KANSAS AVE CHIEF OFF 3.0 | 830.37       |
| 9673824013B-8.1 |                 | 320 S KANSAS AVE EXEC SRV 1.0  | 276.78       |
| 9673824013C-8.1 |                 | 320 S KANSAS AVE TRAIN 1.0%    | 276.78       |
| 9673824013D-8.1 |                 | 320 S KANSAS AVE ADULT CRIME 7 | 1,937.47     |
| 9673824013E-8.1 |                 | 320 S KANSAS AVE CRIME SCENE 1 | 276.78       |
| 9673824013F-8.1 |                 | 320 S KANSAS AVE FIELD OPS 26. | 7,282.14     |

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| 9673824013G-8.1 |                 | 320 S KANSAS AVE COMM POLICE 2 | 553.56          |
| 9673824013H-8.1 |                 | 320 S KANSAS AVE SCHOOL RES 2. | 553.56          |
| 9673824013I-8.1 |                 | 320 S KANSAS AVE MOTORCYCLE UN | 276.78          |
| 9673824013J-8.1 |                 | 320 S KANSAS AVE ANIMAL CONTRO | 830.35          |
| 9673824013K-8.1 |                 | 320 S KANSAS AVE REC/PROP 6.0% | 1,660.69        |
| 9673824013L-8.1 |                 | 320 S KANSAS AVE PD IT .32%    | 88.57           |
| 9673824013M-8.1 |                 | 320 S KANSAS AVE NARC 3.0%     | 830.35          |
| 9673824013N-8.1 |                 | 320 S KANSAS AVE BIKE UNIT 1.0 | 276.78          |
| 9673824013O-8.1 |                 | 320 S KANSAS AVE CANINE UNIT 2 | 553.56          |
| 9673824013P-8.1 |                 | 320 S KANSAS AVE - FLEET 8.44% | 2,336.04        |
| 9673824013Q-8.1 |                 | 320 S KANSAS AVE - CORONER 4.0 | 1,107.13        |
| 9673824013R-8.1 |                 | 320 S KANSAS AVE - SHERIFF 27. | 7,730.52        |
| 969270611-8.17  |                 | 3700 FAIRLAWN PUMP             | 9,950.79        |
| 9772420004-8.17 |                 | 6900 SW CRESTWOOD              | 44.34           |
| 9785702480-8.17 |                 | 2306 SE SAGIS CT               | 81.91           |
| 9804384888-8.17 |                 | 1901 SW 17TH ST ST LT          | 91.35           |
| 9905880069-8.17 |                 | 1200 NE DIVISION (PAL)         | 33.93           |
| 994842527-8.17  |                 | 2010 SW 37TH ST                | 646.31          |
| 727593          | 09/15/2017      | ARC PHYSICAL THERAPY PLUS      | 9956            |
| 1019185         | 37796           |                                | 750.00          |
|                 |                 |                                | <b>750.00</b>   |
| 727594          | 09/15/2017      | CORVEL CORPORATION INC         | 8931            |
| INDEMNITY 8/1-5 | 37677           |                                | 6,270.00        |
|                 |                 |                                | <b>6,270.00</b> |
| 727626          | 09/15/2017      | FRATERNAL ORDER OF POLICEMEN   | 1773            |
| UNF1170915160;  |                 | Union Dues - FOP               | 78.52           |
| UNF1170915160;  |                 | Union Dues - FOP               | 9,332.95        |
|                 |                 |                                | <b>9,411.47</b> |
| 727627          | 09/15/2017      | SURENCY LIFE & HEALTH          | 10654           |
| 9/1/17 PAYROLL  | PAYROLL         |                                | 4,233.67        |
| 9/15/17 PAYROLL | PAYROLL         |                                | 4,218.85        |
| ADJ-LEWIS B 9/1 | PAYROLL         |                                | 3.98            |
| ADJ-LEWIS B 9/1 | PAYROLL         |                                | 3.98            |
| ADJ-MANNING C   | PAYROLL         |                                | 3.98            |
| ADJ-MANNING C   | PAYROLL         |                                | 3.98            |
| ADJ-SCHAFFER A  | PAYROLL         |                                | -10.42          |
| ADJ-SCHAFFER A  | PAYROLL         |                                | -10.42          |
|                 |                 |                                | <b>8,447.60</b> |
| 727628          | 09/15/2017      | ENVIRONMENTAL & PROCESS SYSTEM | 1543            |
| IK1708 14       | 40303           |                                | 531.64          |
|                 |                 |                                | <b>531.64</b>   |
| 727629          | 09/15/2017      | FASTENAL COMPANY               | 1619            |
| KSTOP244483     | 37364           |                                | 1.86            |
| KSTOP244508     | 37364           |                                | 2.53            |
| KSTOP244545     | 37364           |                                | 9.32            |
| KSTOP244599     | 37364           |                                | 9.22            |
| KSTOP244612     | 37364           |                                | 12.37           |
|                 |                 |                                | <b>35.30</b>    |
| 727630          | 09/15/2017      | GRAINGER                       | 1964            |
| 9538159634      | 37315           |                                | 34.50           |
| 9539801820      | 40281           |                                | 192.70          |
|                 |                 |                                | <b>227.20</b>   |
| 727631          | 09/15/2017      | KANSAS SAND & CONCRETE         | 2744            |
| 90162545        | 37479           |                                | 1,500.00        |
| 90162733        | 37479           |                                | 420.00          |
| 90162986        | 37479           |                                | 600.00          |
|                 |                 |                                | <b>2,520.00</b> |
| 727632          | 09/15/2017      | KEY REFRIGERATION SUPPLY LLC   | 2848            |
| 4194598 00      | 37577           |                                | 35.19           |
|                 |                 |                                | <b>35.19</b>    |
| 727633          | 09/15/2017      | MID-STATES MATERIALS LLC       | 3401            |
| 65155           | 37609           |                                | 1,091.37        |
|                 |                 |                                | <b>1,091.37</b> |

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| 727634         | 09/15/2017      | MIDWEST MOTOR SUPPLY CO INC 2854    | 1,108.10     |
| 5813991        | 37449           |                                     | 39.80        |
| 5813998        | 37313           |                                     | 89.91        |
| 5838898        | 37963           |                                     | 462.50       |
| 5839341        | 37963           |                                     | 428.36       |
| 5841954        | 37963           |                                     | 87.53        |
| 727635         | 09/15/2017      | ROACH HARDWARE 4230                 | 102.14       |
| 130022         | 37492           |                                     | 16.99        |
| 130077         | 37492           |                                     | 26.77        |
| 130088         | 37492           |                                     | 58.38        |
| 727636         | 09/15/2017      | SAFETY CONSULTING INC 4335          | 1,925.00     |
| 170761         | 37840           |                                     | 1,100.00     |
| 170763         | 37470           |                                     | 165.00       |
| 170764         | 37531           |                                     | 440.00       |
| 170765         | 37998           |                                     | 220.00       |
| 727637         | 09/15/2017      | SHAWNEE COUNTY 4504                 | 127,372.48   |
| AUGUST 2017    | DE              |                                     | 127,372.48   |
| 727638         | 09/15/2017      | SHAWNEE COUNTY 7574                 | 88,044.56    |
| AUGUST 2017    | DE              |                                     | 88,044.56    |
| 727639         | 09/15/2017      | SUNFLOWER RENTAL 4817               | 950.00       |
| 451316         | 39477           |                                     | 950.00       |
| 727640         | 09/15/2017      | TARWATER FARM & HOME SUPPLY 4872    | 140.77       |
| 102146         | 37400           |                                     | 140.77       |
| 727641         | 09/15/2017      | ALANIS-NEGRETE, J REYES 9715        | 25.00        |
| CR 2007 001176 | DEANN K MASSEY  |                                     | 25.00        |
| 727642         | 09/15/2017      | BARNES, DENNIS 9995                 | 30.00        |
| CR 2015 000534 | BEVERLY MARTIN  |                                     | 30.00        |
| 727643         | 09/15/2017      | COX COMMUNICATIONS 7748             | 100.00       |
| CR 2015 000795 | DAVID T GAINES  |                                     | 100.00       |
| 727644         | 09/15/2017      | GROSS, CHRISTINA A 11001            | 95.00        |
| CR 2016 000197 | AE ZUNIGA       |                                     | 95.00        |
| 727645         | 09/15/2017      | HOWLAND, BRIAN R 10281              | 50.00        |
| CR 2015 000160 | AARON M COWDIN  |                                     | 50.00        |
| 727646         | 09/15/2017      | KANSAS BUREAU OF INVESTIGATION 2646 | 65.00        |
| CR 2014 002045 | GENE W RUCKMAN  |                                     | 40.00        |
| CR 2017 000181 | JK POTTER       |                                     | 25.00        |
| 727647         | 09/15/2017      | KENT, TAYLOR SIERRA 10786           | 150.00       |
| CR 2016 001288 | KYLE C ALMONT   |                                     | 150.00       |
| 727648         | 09/15/2017      | SEARS 6824                          | 100.00       |
| CR 2016 001468 | A ALVAREZ       |                                     | 100.00       |
| 727649         | 09/15/2017      | WAGEMAKER, WILLIAM 6826             | 50.00        |
| CR 2016 001497 | KP GOODMAN      |                                     | 50.00        |
| 727650         | 09/22/2017      | GRIGSBY, CATHERINE J & 11008        | 500.00       |
| TEMPORARY EA   | 40494           |                                     | 500.00       |

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|-------------------------------------------------------------------------------------|---------------------------------------------------------------------------|------------------------------------|------------------------------------------------------------------------------------------------------------|
| 727651<br>217305                                                                    | 09/22/2017<br>37915                                                       | ALL SIGNS LLC<br>122               | 65.00<br><b>65.00</b>                                                                                      |
| 727652<br>1676628309                                                                | 09/22/2017<br>LONG DISTANCE                                               | AT&T<br>281                        | 482.27<br><b>482.27</b>                                                                                    |
| 727653<br>GC34690                                                                   | 09/22/2017<br>37595                                                       | AT&T<br>281                        | 722.00<br><b>722.00</b>                                                                                    |
| 727654<br>3019264                                                                   | 09/22/2017<br>28170                                                       | AT&T CAPITAL SERVICES<br>284       | 7,131.57<br><b>7,131.57</b>                                                                                |
| 727655<br>1634360621                                                                | 09/22/2017<br>37349                                                       | AUTO ZONE INC<br>310               | 10.83<br><b>10.83</b>                                                                                      |
| 727656<br>40439                                                                     | 09/22/2017<br>40439                                                       | BLACKMON, HOWARD W<br>10856        | 163.66<br><b>163.66</b>                                                                                    |
| 727657<br>526 59066<br>526 59308                                                    | 09/22/2017<br>37367<br>37367                                              | BRIDGESTONE AMERICAS INC<br>1855   | 134.64<br>498.60<br><b>633.24</b>                                                                          |
| 727658<br>56268<br>56391                                                            | 09/22/2017<br>37355<br>37355                                              | BROWNS SUPER SERVICE INC<br>670    | 175.00<br>200.00<br><b>375.00</b>                                                                          |
| 727659<br>5375 01<br>5376 01                                                        | 09/22/2017<br>39244<br>39245                                              | C&B EQUIPMENT MIDWEST INC<br>10873 | 1,283.00<br>1,477.50<br><b>2,760.50</b>                                                                    |
| 727660<br>17 0469<br>17 0517<br>17 0720<br>17 0721<br>17 0722<br>17 0723<br>17 0841 | 09/22/2017<br>40262<br>40262<br>40262<br>40262<br>40262<br>40262<br>40262 | CFO SOLUTIONS LLC<br>10978         | 17,879.25<br>17,879.25<br>2,499.25<br>12,015.63<br>18,744.38<br>8,555.13<br>32,682.50<br><b>110,255.39</b> |
| 727661<br>AUGUST 2017                                                               | 09/22/2017<br>40442                                                       | COREFIRST BANK & TRUST<br>1111     | 1,814.91<br><b>1,814.91</b>                                                                                |
| 727662<br>161516<br>161585<br>161647<br>161674<br>161720<br>161755                  | 09/22/2017<br>39467<br>39467<br>39467<br>39467<br>39467<br>39467          | CUMULUS BROADCASTING LLC<br>1203   | 453.25<br>328.00<br>570.00<br>243.00<br>380.00<br>532.00<br><b>2,506.25</b>                                |
| 727663<br>0000534<br>0000576                                                        | 09/22/2017<br>39131<br>39131                                              | D & D LAWN CARE LLC<br>10861       | 1,240.00<br>900.00<br><b>2,140.00</b>                                                                      |
| 727664<br>CONTRACT 4622                                                             | 09/22/2017<br>CONTRACT                                                    | EAGLE AUTOMOTIVE LLC<br>10986      | 650.00<br><b>650.00</b>                                                                                    |
| 727665<br>0003490669                                                                | 09/22/2017<br>37599                                                       | ENVISION INDUSTRIES INC<br>1549    | 24.90<br><b>24.90</b>                                                                                      |
| 727666<br>5 921 65417                                                               | 09/22/2017<br>37548                                                       | FEDEX<br>1632                      | 116.78<br><b>116.78</b>                                                                                    |



# COUNCIL REPORT OF VENDOR PAYMENTS

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| Check No.      | Check Date/PO # | Vendor Name and Number             | Check Amount |
|----------------|-----------------|------------------------------------|--------------|
| 727667         | 09/22/2017      | FINLAY AUTOMOTIVE SUPPLY INC 10237 | 253.80       |
| 073435         | 37430           |                                    | 12.12        |
| 073476         | 37430           |                                    | 58.47        |
| 073527         | 37465           |                                    | 15.39        |
| 073592         | 37430           |                                    | 30.73        |
| 073646         | 37430           |                                    | 60.41        |
| 074971         | 37430           |                                    | 10.29        |
| 075194         | 37430           |                                    | 57.30        |
| 075378         | 37430           |                                    | 9.09         |
| 727668         | 09/22/2017      | FISHER, JASON K 10865              | 137.50       |
| 40396 AUG 2017 | 40396           |                                    |              |
| 727669         | 09/22/2017      | FORMVERSE INC 10699                | 700.00       |
| 170901 096     | 38893           |                                    |              |
| 727670         | 09/22/2017      | HARTZELL FAN INC 11002             | 2,765.00     |
| 65576          | 40195           |                                    |              |
| 727671         | 09/22/2017      | HEARTLAND ALARMS INC 5718          | 507.00       |
| 50221          | 40454           |                                    |              |
| 727672         | 09/22/2017      | SPENCER & COMPANY 2321             | 837.25       |
| S 19348        | 37371           |                                    | 11.46        |
| S 19355        | 37371           |                                    | 31.35        |
| S 19639        | 37371           |                                    | 19.20        |
| W 21857        | 37371           |                                    | 775.24       |
| 727673         | 09/22/2017      | INFORMATION NETWORK OF KANSAS 2395 | 53.77        |
| 1792942        | 37750           |                                    |              |
| 727674         | 09/22/2017      | ITR AMERICA LLC 2167               | 1,780.00     |
| 242390 01      | 37446           |                                    |              |
| 727675         | 09/22/2017      | JMA INFORMATION TECHNOLOGY 2536    | 554.21       |
| 37028          | 39847           |                                    |              |
| 727676         | 09/22/2017      | JOHN HOFFER CHRYSLER PLYMOUTH 2541 | 1,700.82     |
| 48192          | 37381           |                                    |              |
| 727677         | 09/22/2017      | KANSAS AUTOMOTIVE INC 2639         | 507.66       |
| 3001662        | 37312           |                                    | 198.38       |
| 3001925        | 37448           |                                    | 305.20       |
| 3002114        | 37385           |                                    | 4.08         |
| 727678         | 09/22/2017      | STATE OF KANSAS 2697               | 540.00       |
| 40234 CFF EVEN | 40234           |                                    |              |
| 727679         | 09/22/2017      | KANSAS INTELLIGENCE 10054          | 100.00       |
| 40490 STULTS-L | 40490           |                                    | 50.00        |
| 40490 ZIMMERM  | 40490           |                                    | 50.00        |
| 727680         | 09/22/2017      | KANSAS ONE CALL SYSTEM INC 2728    | 3,368.00     |
| 7080477        | 37598           |                                    |              |
| 727681         | 09/22/2017      | KANSAS SECRETARY OF STATE 2745     | 60.00        |
| 38664          | 38664           |                                    |              |
| 727682         | 09/22/2017      | KANSAS SECRETARY OF STATE 2745     | 40.00        |
| 38664 ADD      | 38664           |                                    |              |

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| Check No.                               | Check Date/PO #                       | Vendor Name and Number              | Check Amount             |
|-----------------------------------------|---------------------------------------|-------------------------------------|--------------------------|
| 727683<br>38671                         | 09/22/2017<br>38671                   | KANSAS SECRETARY OF STATE 2745      | 60.00                    |
| 727684<br>38671 ADD                     | 09/22/2017<br>38671                   | KANSAS SECRETARY OF STATE 2745      | 40.00                    |
| 727685<br>8004689                       | 09/22/2017<br>39533                   | KBC INC 10809                       | 24.14                    |
| 727686<br>1197967<br>1197969<br>1198144 | 09/22/2017<br>37390<br>37390<br>37390 | LAIRD NOLLER FORD INC 2939          | 16.30<br>16.30<br>114.71 |
| 727687<br>3701<br>3735                  | 09/22/2017<br>37241<br>37241          | MIDWEST COATING 3407                | 110.00<br>186.00         |
| 727688<br>37728 JUL-AUG ;               | 09/22/2017<br>37728                   | MOSER, ROBERT E 3537                | 450.00                   |
| 727689<br>2770 20                       | 09/22/2017<br>37616                   | NAILL ENTERPRISES LTD 4931          | 96.15                    |
| 727690<br>10224                         | 09/22/2017<br>39884                   | PEARSON KENT MCKINLEY RAAF 3867     | 2,680.00                 |
| 727691<br>6082                          | 09/22/2017<br>37829                   | PETDATA INC 10112                   | 2,814.05                 |
| 727692<br>37676 10                      | 09/22/2017<br>37676                   | POLICE IMPREST FUNDS 3971           | 2,999.00                 |
| 727693<br>E0934979                      | 09/22/2017<br>38948                   | PRISON REHABILITATIVE 6556          | 36.90                    |
| 727694<br>0901BCBK07928                 | 09/22/2017<br>40462                   | JEFFERSON STREET HOTEL PARTNER 4090 | 4,382.00                 |
| 727695<br>5069034                       | 09/22/2017<br>37594                   | REEVES WIEDEMAN COMPANY INC 4154    | 9.80                     |
| 727696<br>53898                         | 09/22/2017<br>37463                   | ROLLING PRAIRIE 9658                | 111.75                   |
| 727697<br>00687 167199                  | 09/22/2017<br>37417                   | SAFELITE FULFILLMENT INC 6839       | 49.95                    |
| 727698<br>2017 1515                     | 09/22/2017<br>38908                   | SEABROOKS TOO LLC 10813             | 279.00                   |
| 727699<br>38793<br>40235                | 09/22/2017<br>39814<br>38718          | SHAWNEE COUNTY 4522                 | 630.00<br>130.00         |
| 727700<br>37855 AUG 2017                | 09/22/2017<br>37855                   | SHAWNEE COUNTY RURAL WATER 5719     | 1,499.00                 |
| 727701<br>58818                         | 09/22/2017<br>40058                   | SIMILAR MODE UNIFORMS INC 4563      | 36.84                    |

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| 727702         | 09/22/2017      | TIMBERLINE FISHERIES CORP 10900    | 355.19       |
| 103582602      | 39906           |                                    | 66.91        |
| 103587359      | 39906           |                                    | 154.46       |
| 103592406      | 39906           |                                    | 66.91        |
| 104022603      | 39906           |                                    | 66.91        |
| 727703         | 09/22/2017      | RAD INC 5042                       | 94.88        |
| 58255          | 37405           |                                    | 94.88        |
| 727704         | 09/22/2017      | TRANSUNION RISK AND 9436           | 118.00       |
| AUG 2017 ACCT  | 37503           |                                    | 118.00       |
| 727705         | 09/22/2017      | TRAVELERS INSURANCE COMPANY 5089   | 4,500.00     |
| 000525826 #2C4 | 38904           |                                    | 4,500.00     |
| 727706         | 09/22/2017      | UNITED STATES POSTAL SERVICE 5150  | 190.92       |
| 40465 PERMIT B | 40465           |                                    | 190.92       |
| 727707         | 09/22/2017      | WELLS, DAVID L 5359                | 1,222.00     |
| 70             | 38112           |                                    | 1,222.00     |
| 727708         | 09/22/2017      | WENDY GREENING 10693               | 150.00       |
| 2951           | 38820           |                                    | 150.00       |
| 727709         | 09/22/2017      | WEST PUBLISHING CORPORATION 4972   | 686.00       |
| 836719748      | 38603           |                                    | 686.00       |
| 727710         | 09/22/2017      | TOPEKA RENTALS LLC 5046            | 424.00       |
| FOW101-DMGS    |                 | S+C September 2017DAMAGES          | 340.00       |
| WOO1111-0817A  |                 | S+C AUGUST 2017Payment             | 42.00        |
| WOO1111-0917A  |                 | S+C September 2017Payment          | 42.00        |
| 727735         | 09/22/2017      | CENTRAL STATES MACHINING & WEL 869 | 85.00        |
| 87502          | 37359           |                                    | 85.00        |
| 727736         | 09/22/2017      | FASTENAL COMPANY 1619              | 402.74       |
| KSTOP244733    | 37557           |                                    | 171.42       |
| KSTOP244886    | 37557           |                                    | 170.10       |
| KSTOP244930    | 37557           |                                    | 55.20        |
| KSTOP244955    | 37364           |                                    | 4.89         |
| KSTOP244973    | 37364           |                                    | 1.13         |
| 727737         | 09/22/2017      | GRAINGER 1964                      | 854.10       |
| 9543153937     | 40316           |                                    | 854.10       |
| 727738         | 09/22/2017      | KANSAS SAND & CONCRETE 2744        | 600.00       |
| 90163804       | 37479           |                                    | 600.00       |
| 727739         | 09/22/2017      | MCCRAY LUMBER COMPANY 3280         | 196.10       |
| TO00898338 001 | 37807           |                                    | 76.48        |
| TO00901475 001 | 37807           |                                    | 25.24        |
| TO00902592 001 | 37807           |                                    | 42.11        |
| TO00915864 001 | 37807           |                                    | 28.00        |
| TO00916497 001 | 37807           |                                    | 24.27        |
| 727740         | 09/22/2017      | MID-STATES MATERIALS LLC 3401      | 554.15       |
| 65308          | 37805           |                                    | 554.15       |
| 727741         | 09/22/2017      | MIDWEST MOTOR SUPPLY CO INC 2854   | 5,112.42     |
| 5820779        | 37963           |                                    | 763.29       |
| 5820904        | 37963           |                                    | 860.18       |
| 5827400        | 37963           |                                    | 623.24       |

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|----------------|--------------------------|-----------------------------|--------------|
| 5827517        | 37963                    |                             | 849.19       |
| 5827794        | 37963                    |                             | 934.32       |
| 5853044        | 37963                    |                             | 1,082.20     |
| 727742         | 09/22/2017               | NATIONAL SIGN COMPANY       | 3629         |
| IN 183989      | 40258                    |                             | 3,997.50     |
| 727743         | 09/22/2017               | ROACH HARDWARE              | 4230         |
| 130115         | 37492                    |                             | 80.53        |
| 130144         | 37492                    |                             | 4.29         |
| 130147         | 37492                    |                             | 37.43        |
| 130205         | 37492                    |                             | 0.50         |
| 130243         | 37492                    |                             | 32.47        |
| 130258         | 37492                    |                             | 36.99        |
| 130303         | 37492                    |                             | 13.99        |
| 130316         | 37492                    |                             | 92.90        |
| 130317         | 37492                    |                             | 44.35        |
| 727744         | 09/22/2017               | SAFETY CONSULTING INC       | 4335         |
| 170762         | 37840                    |                             | 605.00       |
| 727745         | 09/22/2017               | SAFETY SUPPLIES             | 4336         |
| SSI 170898     | 37544                    |                             | 168.64       |
| 727746         | 09/22/2017               | SAMCO INC                   | 4355         |
| SVC07334       | 40446                    |                             | 573.15       |
| SVC07477       | 39905                    |                             | 1,350.00     |
| SVC07479       | 40082                    |                             | 5,690.00     |
| SVC07480       | 39943                    |                             | 4,365.00     |
| SVC07484       | 40200                    |                             | 734.00       |
| 727747         | 09/22/2017               | SHERWIN WILLIAMS CO INC     | 4538         |
| 4501 5         | 40452                    |                             | 173.85       |
| 727748         | 09/22/2017               | TARWATER FARM & HOME SUPPLY | 4872         |
| 102426         | 37400                    |                             | 38.05        |
| 727749         | 09/22/2017               | FULTZ, ROBERT               | 9448         |
| CR 2013 001413 | JOHN W COLLINS           |                             | 25.00        |
| 727750         | 09/22/2017               | LOWE, SHARON                | 10920        |
| CR 2017 000335 | JOSIAH M COOK            |                             | 50.00        |
| 727751         | 09/22/2017               | TARGET                      | 6825         |
| CR 2015 001434 | AP WEICHERT              |                             | 40.00        |
| 727752         | 09/29/2017               | BUTLER & ASSOCIATES PA      | 730          |
| 00000109317092 | Garnishment - Pct of Net |                             | 188.99       |
| 727753         | 09/29/2017               | BUTLER & ASSOCIATES PA      | 730          |
| 00000246817092 | Garnishment - Pct of Net |                             | 118.13       |
| 727754         | 09/29/2017               | BUTLER & ASSOCIATES PA      | 730          |
| 00000020917092 | Garnishment - Pct of Net |                             | 436.22       |
| 727755         | 09/29/2017               | CHAPTER 13 TRUSTEE          | 2494         |
| 00000119217092 | Bankruptcy - Amt 26 PP   |                             | 63.70        |
| 727756         | 09/29/2017               | CHAPTER 13 TRUSTEE          | 2494         |
| 00000067717092 | Bankruptcy - Amt 26 PP   |                             | 484.61       |
| 727757         | 09/29/2017               | CHAPTER 13 TRUSTEE          | 2494         |
|                |                          |                             | 138.46       |

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| 00000100917092 |                 | Bankruptcy - Amt 26 PP               | 138.46        |
| 727758         | 09/29/2017      | CHAPTER 13 TRUSTEE 2494              | <b>183.69</b> |
| 00000015217092 |                 | Bankruptcy - Amt 26 PP               | 183.69        |
| 727759         | 09/29/2017      | CHAPTER 13 TRUSTEE 2494              | <b>46.15</b>  |
| 00000254717092 |                 | Bankruptcy - Amt 26 PP               | 46.15         |
| 727760         | 09/29/2017      | CHAPTER 13 TRUSTEE 2494              | <b>130.00</b> |
| 00000237917092 |                 | Bankruptcy - Amt 26 PP               | 130.00        |
| 727761         | 09/29/2017      | CHAPTER 13 TRUSTEE 2494              | <b>207.69</b> |
| 00000029717092 |                 | Bankruptcy - Amt 26 PP               | 207.69        |
| 727762         | 09/29/2017      | CHAPTER 13 TRUSTEE 2494              | <b>120.00</b> |
| 00000229617092 |                 | Bankruptcy - Amt 26 PP               | 120.00        |
| 727763         | 09/29/2017      | FAMILY SUPPORT PAYMENT CENTER 6780   | <b>307.85</b> |
| 00000241017092 |                 | Child Support - Amt                  | 307.85        |
| 727764         | 09/29/2017      | H KENT HOLLINS ATTORNEY AT LAW 6502  | <b>118.13</b> |
| 00000246817092 |                 | Garnishment - Pct of Net             | 118.13        |
| 727765         | 09/29/2017      | KAHRS LAW OFFICES PA 2618            | <b>215.94</b> |
| 00000255217092 |                 | Garnishment - Pct of Net             | 215.94        |
| 727766         | 09/29/2017      | PENDLETON & SUTTON 3878              | <b>336.67</b> |
| 00000029117092 |                 | Garnishment - Pct of Net             | 336.67        |
| 727767         | 09/29/2017      | OFFICE OF THE ATTORNEY GENERAL 10437 | <b>92.31</b>  |
| 00000265317092 |                 | Child Support - Amt                  | 92.31         |
| 727768         | 09/29/2017      | UNITED STATES GOVERNMENT 9489        | <b>229.45</b> |
| 00000215517092 |                 | Student Loan Federal - Pct           | 229.45        |
| 727769         | 09/29/2017      | UNITED STATES TREASURY 5156          | <b>219.24</b> |
| 00000111617092 |                 | Tax Levy Federal - Amount            | 219.24        |
| 727770         | 09/29/2017      | WILLIAM GRIFFIN CHAPTER 5446         | <b>570.12</b> |
| 00000041317092 |                 | Bankruptcy - Amt 26 PP               | 570.12        |
| 727771         | 09/29/2017      | WILLIAM GRIFFIN CHAPTER 5446         | <b>692.31</b> |
| 00000080117092 |                 | Bankruptcy - Amt 26 PP               | 692.31        |
| 727772         | 09/29/2017      | WILLIAM GRIFFIN CHAPTER 5446         | <b>207.69</b> |
| 00000082817092 |                 | Bankruptcy - Amt 26 PP               | 207.69        |
| 727773         | 09/29/2017      | ADVANCE STORES COMPANY INC 64        | <b>13.77</b>  |
| 1649724878930  | 37348           |                                      | 13.77         |
| 727774         | 09/29/2017      | AT&T 281                             | <b>712.16</b> |
| 1698858605     | 37595           |                                      | 712.16        |
| 727775         | 09/29/2017      | AT&T TELECONFERENCE SERVICES 289     | <b>16.80</b>  |
| 709 023699     | 39689           |                                      | 16.80         |
| 727776         | 09/29/2017      | C & B INDUSTRIES INC 9568            | <b>165.76</b> |
| 7215           | 37603           |                                      | 146.20        |
| 7326           | 37603           |                                      | 16.04         |
| 7328           | 37603           |                                      | 3.52          |

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| 727777<br>17886                                                                        | 09/29/2017<br>40509                                                                | CCG SYSTEMS INC 855                  | 19,836.71                                                                     |
| 727778<br>9791924862                                                                   | 09/29/2017<br>DE                                                                   | CELLCO PARTNERSHIP 9497              | 1,171.10                                                                      |
| 727779<br>075794<br>075890<br>075960<br>076109<br>076661<br>076739<br>076788<br>076791 | 09/29/2017<br>37430<br>37430<br>37430<br>37465<br>37430<br>37430<br>37430<br>37430 | FINLAY AUTOMOTIVE SUPPLY INC 10237   | 375.31<br>40.35<br>78.46<br>73.07<br>93.08<br>13.65<br>13.21<br>58.20<br>5.29 |
| 727780<br>S 19718                                                                      | 09/29/2017<br>37447                                                                | SPENCER & COMPANY 2321               | 122.89                                                                        |
| 727781<br>19058<br>19078                                                               | 09/29/2017<br>37378<br>37378                                                       | JAYHAWK AUTO INC 2501                | 2,563.21<br>1,563.21<br>1,000.00                                              |
| 727782<br>1501439 IN                                                                   | 09/29/2017<br>40482                                                                | JUSTICE SYSTEMS 2606                 | 49,950.00                                                                     |
| 727783<br>40491 COPLEY E                                                               | 09/29/2017<br>40491                                                                | STATE OF KANSAS 2637                 | 10.00                                                                         |
| 727784<br>40510 2017                                                                   | 09/29/2017<br>40510                                                                | KANSAS DEPARTMENT OF REVENUE 2666    | 50.00                                                                         |
| 727785<br>7271 83JJ 5GNT SALES TAX ZOO                                                 | 09/29/2017                                                                         | STATE OF KANSAS 2691                 | 3,986.68                                                                      |
| 727786<br>40535                                                                        | 09/29/2017<br>40535                                                                | STATE OF KANSAS 2697                 | 450.00                                                                        |
| 727787<br>COT 20170905                                                                 | 09/29/2017<br>40418                                                                | KANSAS WATER ENVIRONMENT ASSOC 2777  | 375.00                                                                        |
| 727788<br>8004719<br>8004730<br>8004733<br>8004747                                     | 09/29/2017<br>39533<br>39533<br>39533<br>39533                                     | KBC INC 10809                        | 786.85<br>700.47<br>72.44<br>12.30<br>1.64                                    |
| 727789<br>404778                                                                       | 09/29/2017<br>37335                                                                | LINEAGE MAILING SERVICES LLC 9223    | 1,938.93                                                                      |
| 727790<br>2770 21                                                                      | 09/29/2017<br>37616                                                                | NAILL ENTERPRISES LTD 4931           | 96.15                                                                         |
| 727791<br>37676 11                                                                     | 09/29/2017<br>37676                                                                | POLICE IMPREST FUNDS 3971            | 1,670.00                                                                      |
| 727792<br>1007                                                                         | 09/29/2017<br>38536                                                                | PREMIER WORKSITE SOLUTIONS LLC 10540 | 2,358.00                                                                      |
| 727793<br>1171                                                                         | 09/29/2017<br>40213                                                                | PTM EQUIPMENT INC 10969              | 8,145.00                                                                      |

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|-----------------------------------------------|---------------------------------------|-------------------------------------|--------------------------------------------|
| 727794<br>735779                              | 09/29/2017<br>37631                   | PUR O ZONE INC 6773                 | 533.00<br><b>533.00</b>                    |
| 727795<br>5074092<br>5074567                  | 09/29/2017<br>39582<br>37594          | REEVES WIEDEMAN COMPANY INC 4154    | 99.35<br>140.70<br><b>240.05</b>           |
| 727796<br>1648 3                              | 09/29/2017<br>36925                   | ROSIN PRESERVATION LLC 7896         | 1,500.00<br><b>1,500.00</b>                |
| 727797<br>005306<br>009247<br>009384          | 09/29/2017<br>37468<br>40289<br>40545 | SAMS CLUB 4357                      | 15.40<br>350.64<br>269.94<br><b>635.98</b> |
| 727798<br>SB030813<br>SW129062                | 09/29/2017<br>37597<br>37597          | SBC GLOBAL SERVICES INC 286         | 6,607.65<br>1,130.23<br><b>7,737.88</b>    |
| 727799<br>2017 SEPT CZOC                      | 09/29/2017<br>40470                   | SCOTT HR LLC 8542                   | 1,700.00<br><b>1,700.00</b>                |
| 727800<br>617709                              | 09/29/2017<br>40310                   | SCOTTY WILSON ENTERPRISES INC 4442  | 7,400.00<br><b>7,400.00</b>                |
| 727801<br>COMPENSATION                        | 09/29/2017<br>40493                   | SHAWNEE COUNTY 4498                 | 2,910.00<br><b>2,910.00</b>                |
| 727802<br>01290FIRE<br>01293FIRE<br>01918FIRE | 09/29/2017<br>37333<br>37333<br>37333 | SHAWNEE COUNTY 4521                 | 17.00<br>17.00<br>17.00<br><b>51.00</b>    |
| 727803<br>975546                              | 09/29/2017<br>40357                   | SPECIALIZED PRODUCTS COMPANY 10991  | 9,964.69<br><b>9,964.69</b>                |
| 727804<br>104026658                           | 09/29/2017<br>39906                   | TIMBERLINE FISHERIES CORP 10900     | 157.81<br><b>157.81</b>                    |
| 727805<br>4891                                | 09/29/2017<br>40484                   | TOPEKA FOUNDRY & IRON WORKS IN 5029 | 900.00<br><b>900.00</b>                    |
| 727806<br>178                                 | 09/29/2017<br>40140                   | TOPEKA INDEPENDENT LIVING 5772      | 70.00<br><b>70.00</b>                      |
| 727807<br>40408                               | 09/29/2017<br>40408                   | TOPEKA PUBLIC SCHOOLS 6833          | 1,000.00<br><b>1,000.00</b>                |
| 727808<br>10694                               | 09/29/2017<br>37842                   | VAC-CON SERVICES INC 8824           | 126.10<br><b>126.10</b>                    |
| 727809<br>3 201708 0                          | 09/29/2017<br>37487                   | VCA CENVET INC 5886                 | 168.29<br><b>168.29</b>                    |
| 727810<br>9020777394                          | 09/29/2017<br>38218                   | VERITIV OPERATING COMPANY 10171     | 1,772.74<br><b>1,772.74</b>                |
| 727811<br>TZ 01 2017                          | 09/29/2017<br>40512                   | ZOO CONSERVATION OUTREACH 5601      | 3,000.00<br><b>3,000.00</b>                |
| 727823<br>40529 2017                          | 09/29/2017<br>40529                   | AMERICAN PUBLIC WORKS 178           | 5,602.00<br><b>5,602.00</b>                |

# COUNCIL REPORT OF VENDOR PAYMENTS

Between 9/2/2017 and 9/29/2017

| Check No.                                           | Check Date/PO #                                | Vendor Name and Number              | Check Amount                                    |
|-----------------------------------------------------|------------------------------------------------|-------------------------------------|-------------------------------------------------|
| 727824<br>17 0231                                   | 09/29/2017<br>40288                            | DAVIS FENCE CO INC<br>1267          | 3,660.00<br><b>3,660.00</b>                     |
| 727825<br>KSTOP245024<br>KSTOP245032<br>KSTOP245136 | 09/29/2017<br>37557<br>37557<br>37364          | FASTENAL COMPANY<br>1619            | 67.01<br>510.46<br>37.90<br><b>615.37</b>       |
| 727826<br>9550053889                                | 09/29/2017<br>40391                            | GRAINGER<br>1964                    | 946.40<br><b>946.40</b>                         |
| 727827<br>90164344<br>90165130<br>90165482          | 09/29/2017<br>37838<br>37479<br>37479          | KANSAS SAND & CONCRETE<br>2744      | 517.00<br>1,260.00<br>420.00<br><b>2,197.00</b> |
| 727828<br>65511<br>65526                            | 09/29/2017<br>37609<br>37805                   | MID-STATES MATERIALS LLC<br>3401    | 1,116.96<br>233.44<br><b>1,350.40</b>           |
| 727829<br>5838850<br>5868684                        | 09/29/2017<br>37449<br>37963                   | MIDWEST MOTOR SUPPLY CO INC<br>2854 | 566.32<br>2,101.30<br><b>2,667.62</b>           |
| 727830<br>130357<br>130370<br>130373<br>130478      | 09/29/2017<br>37492<br>37492<br>37492<br>37492 | ROACH HARDWARE<br>4230              | 3.99<br>39.90<br>1.99<br>15.97<br><b>61.85</b>  |
| 727831<br>170941                                    | 09/29/2017<br>40409                            | SAFETY CONSULTING INC<br>4335       | 275.00<br><b>275.00</b>                         |
| 727832<br>SSI 170902<br>SSI 170917                  | 09/29/2017<br>37544<br>39601                   | SAFETY SUPPLIES<br>4336             | 400.00<br>4,950.00<br><b>5,350.00</b>           |
| 727833<br>CR 2015 001522                            | 09/29/2017<br>AJ BRUNDAGE                      | LUTHI, PAMELA<br>10889              | 25.00<br><b>25.00</b>                           |
| 727834<br>CR 2015 000786                            | 09/29/2017<br>WA MORTON                        | MELANSON DE-MELO, POLYANA<br>10441  | 305.00<br><b>305.00</b>                         |
| <b>Total for Check Payments</b>                     |                                                |                                     | <b>1,561,849.84</b>                             |
| <b>TOTAL OF PAYMENTS</b>                            |                                                |                                     | <b>13,089,208.50</b>                            |



# Payment Listing

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CB255 Date: 10/03/17  
Time: 10:42

JOB SUBMISSION PARAMETERS

User Name: INFORBC\kjohnson  
Job Name: CB255KEJ2  
Step Nbr: 1

Cash Code: 07 US BANK OPERATING ACCT  
or Cash Code Group:

Transaction Code: SYS AP SYSTEM PAYMENT  
Check Date: 090217 - 092917  
Check Nbr: -  
Company: 1 CITY OF TOPEKA

Transaction Status: P Paid  
Report Sequence: C By Transaction Code  
Detail Option: Summary

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# Payment Listing

CB255 Date 10/03/17  
Time 10:42

Page 1

Payment Listing  
Cash Code 07 US BANK OPERATING ACCT  
By Transaction Code (Status: Paid )

Transaction Code SYS AP SYSTEM PAYMENT

| Reference<br>Number | Payment<br>Nbr | Co. | Post<br>Date | Pay<br>Date | Void<br>Date | Amount   | Status     | Payee Name           | Pay<br>Group | Proc<br>Grp |
|---------------------|----------------|-----|--------------|-------------|--------------|----------|------------|----------------------|--------------|-------------|
| 1195 WEBST          | 727595         | 1   | 09/12/17     | 09/15/17    |              | 19313.03 | Historical | VINCENT COOK         | COT          |             |
| FOUST FLEE          | 727596         | 1   | 09/08/17     | 09/15/17    |              | 22.00    | Historical | FOUST FLEET SERVICE  | COT          |             |
| HALES DAVI          | 727597         | 1   | 09/12/17     | 09/15/17    |              | 335.28   | Historical | DAVID A HALES        | COT          |             |
| HOLLINGSWO          | 727598         | 1   | 09/06/17     | 09/15/17    |              | 9.82     | Historical | SAMANTHA HOLLINGSWOR | COT          |             |
| QUINN MARK          | 727599         | 1   | 08/30/17     | 09/15/17    |              | 950.00   | Historical | MARK QUINN           | COT          |             |
| CELTIC FOX          | 727600         | 1   | 09/11/17     | 09/15/17    |              | 250.00   | Historical | CELTIC FOX           | COT          |             |
| DOWNTOWN T          | 727601         | 1   | 09/05/17     | 09/15/17    |              | 250.00   | Historical | DOWNTOWN TOPEKA INC  | COT          |             |
| RACE AGAIN          | 727602         | 1   | 09/11/17     | 09/15/17    |              | 250.00   | Historical | RACE AGAINST BREAST  | COT          |             |
| CHURCH OF           | 727603         | 1   | 08/31/17     | 09/15/17    |              | 693.36   | Historical | CHURCH OF CHRIST     | COT          |             |
| COAL CREEK          | 727604         | 1   | 08/31/17     | 09/15/17    |              | 209.17   | Historical | COAL CREEK CONSTRUCT | COT          |             |
| CUNNINGHAM          | 727605         | 1   | 08/31/17     | 09/15/17    |              | 19.04    | Historical | MALLORY R CUNNINGHAM | COT          |             |
| DODDS HARL          | 727606         | 1   | 08/31/17     | 09/15/17    |              | 50.00    | Historical | HARLEY R DODDS       | COT          |             |
| FROST LAUR          | 727607         | 1   | 08/31/17     | 09/15/17    |              | 94.02    | Historical | LAUREN M FROST       | COT          |             |
| HUFFMAN KE          | 727608         | 1   | 08/31/17     | 09/15/17    |              | 22.10    | Historical | KELSEY ROSE HUFFMAN  | COT          |             |
| HAMILTON/G          | 727609         | 1   | 09/11/17     | 09/15/17    |              | 928.18   | Historical | JAN HAMILTON         | COT          |             |
| ORTIZ ADRI          | 727610         | 1   | 08/31/17     | 09/15/17    |              | 155.66   | Historical | ADRIAN ORTIZ         | COT          |             |
| OSBORN JUL          | 727611         | 1   | 08/31/17     | 09/15/17    |              | 62.12    | Historical | JULIE OSBORN         | COT          |             |
| PROFESSION          | 727612         | 1   | 08/31/17     | 09/15/17    |              | 71.12    | Historical | PROFESSIONAL MARTIAL | COT          |             |
| SMITH TINA          | 727613         | 1   | 08/31/17     | 09/15/17    |              | 55.33    | Historical | TINA C SMITH         | COT          |             |
| WALKER SHA          | 727614         | 1   | 09/08/17     | 09/15/17    |              | 312.28   | Historical | SHANA Z WALKER       | COT          |             |
| JACOBS PAU          | 727615         | 1   | 09/13/17     | 09/15/17    |              | 306.73   | Historical | PAUL J JACOBS        | COT          |             |
| WURTZ DENN          | 727616         | 1   | 09/01/17     | 09/15/17    |              | 16.53    | Historical | DENNIS M WURTZ       | COT          |             |
| ANDEREGG D          | 727617         | 1   | 08/28/17     | 09/15/17    |              | 695.00   | Historical | DAKOTA LEE ANDEREGG  | COT          |             |
| AVALOS CYN          | 727618         | 1   | 09/07/17     | 09/15/17    |              | 126.00   | Historical | CYNTHIA SHAKIRA AVAL | COT          |             |
| CHAVEZ ROB          | 727619         | 1   | 09/01/17     | 09/15/17    |              | 90.00    | Historical | ROBERT L CHAVEZ      | COT          |             |
| KANATZAR M          | 727620         | 1   | 09/05/17     | 09/15/17    |              | 517.95   | Historical | MEGAN MARIE KANATZER | COT          |             |
| KRESIN KYL          | 727621         | 1   | 08/30/17     | 09/15/17    |              | 511.00   | Historical | KYLEE MARIE KRESIN   | COT          |             |
| MORALES-RA          | 727622         | 1   | 09/05/17     | 09/15/17    |              | 10.00    | Historical | GUADALUPE MORALES-RA | COT          |             |
| MORERE PAT          | 727623         | 1   | 08/24/17     | 09/15/17    |              | 25.00    | Historical | PATRICK CHRISTOPHER  | COT          |             |
| TUBBS RASH          | 727624         | 1   | 08/28/17     | 09/15/17    |              | 647.00   | Historical | RASHAUN KEONTE TUBBS | COT          |             |
| WELCH CHRI          | 727625         | 1   | 09/06/17     | 09/15/17    |              | 30.00    | Historical | CHRISTOPHER LEE WELC | COT          |             |
| MCCLURE EL          | 727711         | 1   | 09/18/17     | 09/22/17    |              | 250.00   | Historical | MCCLURE ELEMENTARY P | COT          |             |
| RUPNICKI J          | 727712         | 1   | 09/18/17     | 09/22/17    |              | 250.00   | Historical | JONA RUPNICKI        | COT          |             |
| VISIT TOPE          | 727713         | 1   | 09/18/17     | 09/22/17    |              | 250.00   | Historical | VISIT TOPEKA INC     | COT          |             |
| ANDERSON D          | 727714         | 1   | 09/18/17     | 09/22/17    |              | 24.92    | Historical | DAVID C ANDERSON     | COT          |             |
| CRUSE CLAU          | 727715         | 1   | 09/18/17     | 09/22/17    |              | 62.12    | Historical | CLAUDIA CRUSE        | COT          |             |
| GONZALEZ-V          | 727716         | 1   | 09/18/17     | 09/22/17    |              | 82.83    | Historical | JAMIE M GONZALEZ-VAL | COT          |             |
| LEWIS JEFF          | 727717         | 1   | 09/18/17     | 09/22/17    |              | 129.11   | Historical | JEFFREY L LEWIS      | COT          |             |
| LUNKIN YOL          | 727718         | 1   | 09/18/17     | 09/22/17    |              | 69.47    | Historical | YOLANDA R LUNKINS    | COT          |             |
| MCWILLIAMS          | 727719         | 1   | 09/18/17     | 09/22/17    |              | 296.10   | Historical | STACY L MCWILLIAMS   | COT          |             |
| MITCHELL D          | 727720         | 1   | 09/18/17     | 09/22/17    |              | 39.92    | Historical | DAVID P MITCHELL     | COT          |             |
| RENYER HUG          | 727721         | 1   | 09/18/17     | 09/22/17    |              | 138.71   | Historical | HUGH D RENYER        | COT          |             |
| SHAWNEE EA          | 727722         | 1   | 09/18/17     | 09/22/17    |              | 115.38   | Historical | SHAWNEE EAST FOUNDAT | COT          |             |
| UNITED DE           | 727723         | 1   | 09/18/17     | 09/22/17    |              | 88.12    | Historical | UNITED DEVELOPMENT   | COT          |             |
| UNITED DEV          | 727724         | 1   | 09/18/17     | 09/22/17    |              | 85.84    | Historical | UNITED DEVELOPMENT   | COT          |             |
| WOLKEY II           | 727725         | 1   | 09/18/17     | 09/22/17    |              | 239.95   | Historical | STEVEN WOLKEY II     | COT          |             |
| COTT JESSE          | 727726         | 1   | 09/13/17     | 09/22/17    |              | 136.00   | Historical | JESSE LELAND COTT    | COT          |             |
| GATEWOOD A          | 727727         | 1   | 09/13/17     | 09/22/17    |              | 515.01   | Historical | AIREL MARILYN GATEWO | COT          |             |
| GUILLEN BR          | 727728         | 1   | 09/18/17     | 09/22/17    |              | 66.50    | Historical | BRYANT WADE GUILLEN  | COT          |             |

# Payment Listing

CB255 Date 10/03/17  
Time 10:42

Page 2

Payment Listing  
Cash Code 07 US BANK OPERATING ACCT  
By Transaction Code (Status: Paid )

Transaction Code SYS AP SYSTEM PAYMENT

| Reference<br>Number | Payment<br>Nbr | Co. | Post<br>Date | Pay<br>Date | Void<br>Date | Amount   | Status     | Payee Name           | Pay<br>Group | Proc<br>Grp |
|---------------------|----------------|-----|--------------|-------------|--------------|----------|------------|----------------------|--------------|-------------|
| HUTCHISON           | 727729         | 1   | 09/11/17     | 09/22/17    |              | 230.00   | Historical | RUSSELL E HUTCHISON  | COT          |             |
| OLIVER-BAR          | 727730         | 1   | 09/18/17     | 09/22/17    |              | 106.00   | Historical | ANDREW STEVEN OLIVER | COT          |             |
| RETANA FRA          | 727731         | 1   | 09/14/17     | 09/22/17    |              | 304.00   | Historical | FRANCISCO SIMENTAL R | COT          |             |
| PREKOPY HA          | 727732         | 1   | 09/08/17     | 09/22/17    |              | 12.68    | Historical | HALEY ANN PREKOPY    | COT          |             |
| BRINKERHOF          | 727733         | 1   | 09/08/17     | 09/22/17    |              | 10.00    | Historical | KEITH MICHAEL BRINKE | COT          |             |
| RIAS SABRI          | 727734         | 1   | 09/08/17     | 09/22/17    |              | 10.00    | Historical | SABRINA DENISE RIAS  | COT          |             |
| 2308 HIGH           | 727812         | 1   | 09/25/17     | 09/29/17    |              | 17572.01 | Historical | JAMES MEYER          | COT          |             |
| AKERS MONT          | 727813         | 1   | 09/26/17     | 09/29/17    |              | 17.77    | Historical | MONTY D AKERS        | COT          |             |
| HRABAK PAM          | 727814         | 1   | 09/26/17     | 09/29/17    |              | 32.71    | Historical | PAMELA M HRABAK      | COT          |             |
| VALDES AMY          | 727815         | 1   | 09/26/17     | 09/29/17    |              | 95.44    | Historical | AMY VALDES           | COT          |             |
| WEGE GREGO          | 727816         | 1   | 09/26/17     | 09/29/17    |              | 52.99    | Historical | GREGORY WEGE         | COT          |             |
| ZOELLER AS          | 727817         | 1   | 09/26/17     | 09/29/17    |              | 73.87    | Historical | ASHLEY ZOELLER       | COT          |             |
| SINGER EXC          | 727818         | 1   | 09/22/17     | 09/29/17    |              | 865.43   | Historical | SINGER EXCAVATING    | COT          |             |
| HAYDEN OPE          | 727819         | 1   | 09/25/17     | 09/29/17    |              | 250.00   | Historical | HAYDEN OPERATION FUN | COT          |             |
| SEAMAN USD          | 727820         | 1   | 09/25/17     | 09/29/17    |              | 250.00   | Historical | SEAMAN USD 345       | COT          |             |
| USD 501 TO          | 727821         | 1   | 09/25/17     | 09/29/17    |              | 250.00   | Historical | USD 501 TOPEKA HIGH  | COT          |             |
| SAFETY SUP          | 727822         | 1   | 09/20/17     | 09/29/17    |              | 496.12   | Historical | SAFETY SUPPLIES INC  | COT          |             |

Transaction Code SYS Total ----- 50496.72

Cash Code 07 Total ----- 50496.72

Report Total ----- 50496.72

\*\*\* REPORT COMPLETED \*\*\*



**City of Topeka**  
**Council Action Form**  
**Council Chambers**  
**214 SE 8th Street**  
**Topeka, Kansas 66603**  
**[www.topeka.org](http://www.topeka.org)**  
October 17, 2017

---

**DATE:** October 17, 2017  
**CONTACT PERSON:** Mary Feighny, Deputy City Attorney  
**DOCUMENT #:**  
**SECOND PARTY/SUBJECT:** Historic Jayhawk Theatre, Inc.  
**PROJECT #:**  
**CATEGORY/SUBCATEGORY** 007 Contracts and Amendments / 018 Other  
**CIP PROJECT:** No  
**ACTION OF COUNCIL:**  
**JOURNAL #:**  
**PAGE #:**

---

**DOCUMENT DESCRIPTION:**

**APPROVAL** of an amendment to the development agreement with Historic Jayhawk Theatre, Inc. to reallocate Transient Guest Tax fund and require approval of changes to project scope exceeding \$100,000.

**Voting Requirement:** Majority vote of the Governing Body (6).

*(Approval would authorize the interim city manager to execute an amendment to the Development Agreement recommended by the Transient Guest Tax Committee.)*

**VOTING REQUIREMENTS:**

Majority vote of the governing body (6).

**POLICY ISSUE:**

Whether to authorize the amendment to the development agreement.

**STAFF RECOMMENDATION:**

Staff recommends approval of the amendment.

**BACKGROUND:**

On September 5, 2017, the governing body approved a resolution authorizing a reallocation of \$155,000 of Transient Guest Tax (TGT) funding from costs associated with construction of the Jackson Street marquee to architectural construction documents and an amendment to the development agreement capturing that reallocation as well as requiring approval of the governing body for changes to the project if the cost exceeds \$100,000. The resolution requires that the governing body approve the amendment to the development

agreement.

**BUDGETARY IMPACT:**

None

**SOURCE OF FUNDING:**

Transient Guest Tax funds

**ATTACHMENTS:**

**Description**

Resolution

Development Agreement - Amended Proposal

RESOLUTION NO. 8947

A RESOLUTION introduced by Councilmember Elaine Schwartz supporting the Historic Jayhawk Theatre, Inc.'s request to reallocate transient guest tax funding and to amend the Development Agreement to reflect the reallocation and require approval of changes to the project scope

WHEREAS, on November 6, 2016, the Governing Body approved execution of a Development Agreement with the Historic Jayhawk Theatre, Inc. ("Jayhawk") granting six hundred eighty-thousand (\$680,000.00) over a 12 year period for the restoration of the theatre ("the Project") and

WHEREAS, the Project approved by the Governing Body contained an allocation of one hundred fifty-five thousand dollars (\$155,000.00) for the costs associated with construction of the Jackson Street marquee; and

WHEREAS, the Jayhawk Board of Directors has determined that it would rather fundraise for the marquee and use those previously allocated funds for architectural construction documents; and

WHEREAS, on August 10, 2017, the Transient Guest Tax Committee considered the Jayhawk's request and voted unanimously to recommend to the Governing Body: (1) approval of the reallocation through an amendment to the Development Agreement; and (2) amendment of the Development Agreement to require that changes to the scope of the Project in excess of one hundred thousand dollars (\$100,000.00) be approved by the Governing Body, upon recommendation of the Transient Guest Tax Committee .

NOW, THEREFORE, BE IT RESOLVED, BY THE GOVERNING BODY OF THE CITY OF TOPEKA, KANSAS, that:

Section 1. Having considered the favorable recommendation of the Transient Guest Tax Committee, the Jayhawk's reallocation request is approved.

Section 2. The Interim City Manager is directed to facilitate, through the City Attorney, amendments to the Development Agreement that: (1) reflect the reallocation; and (2) require approval of the Governing Body, upon recommendation of the Transient Guest Tax Committee, for changes to the scope of the Project in excess of one hundred thousand dollars (\$100,000.00).

Section 3. Staff will prepare and submit an amended agreement and Exhibit A to the Council for approval.

ADOPTED and APPROVED by the Governing Body on September 5, 2017.

CITY OF TOPEKA, KANSAS

Larry E. Wolgast, Mayor

ATTEST:

Brenda Younger, City Clerk

1 CITY OF TOPEKA CONTRACT NO. \_\_\_\_\_

2  
3 AMENDMENT NO. 1 TO CITY OF TOPEKA CONTRACT NO. 45485

4  
5 THIS AMENDMENT No. 1 to City of Topeka Contract No. 45485 is entered into  
6 this \_\_\_\_ day of \_\_\_\_\_, 2017, by and between the City of Topeka,  
7 hereinafter referred to as "City," and the Historic Jayhawk Theatre, Inc., hereinafter  
8 referred to as "Jayhawk."

9 WHEREAS, on November 6, 2016 the parties entered into an Agreement ("the  
10 Original Contract") addressing the allocation of transient guest tax funding in the amount  
11 of six hundred eighty-thousand (\$680,000.00) over a 12 year period to the Jayhawk;  
12 and

13 WHEREAS, the Original Contract provided that one hundred fifty-five thousand  
14 dollars (\$155,000.00) would be used to construct a second (Jackson Street) marquee;  
15 and

16 WHEREAS, the Jayhawk has determined that it would rather fundraise for the  
17 marquee and use those funds for architectural construction documents; and

18 WHEREAS, upon recommendation of the Transient Guest Tax Committee  
19 ("Committee"), the Governing Body, on September 5, 2017, approved the reallocation  
20 and directed the Interim City Manager to facilitate an amendment to the Original  
21 Contract that would: (1) reflect the reallocation; and (2) require approval of the  
22 Governing Body, upon recommendation of the Committee, for changes to the scope of  
23 the Project in excess of one hundred thousand dollars (\$100,000.00); and

24 WHEREAS, the amendment to the Original Contract is now considered for  
25 approval by the Governing Body.



NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS  
CONTAINED HEREIN, THE PARTIES AGREE AS FOLLOWS:

Section 1. Section 1(a)(ii) of the Original Contract ("Funding Allocation;  
Distribution and Use") shall be amended as follows:

(ii) Construction Phase. The Grantee shall use the remaining  
ninety percent (90%) of the Allocated Funds, Six Hundred Twelve  
Thousand Dollars (\$612,000.00), for the bricks and mortar part of the  
Project (hereinafter referred to as the "Construction Phase" and more  
specifically described in **Exhibit A**, which is attached hereto and  
incorporated herein by reference). The Construction Phase of the Project  
will encompass an eleven (11)-year period of time and will consist,  
generally, of the following:

- One Hundred Fifty-Five Thousand Dollars (\$155,000.00) to cover  
part of the costs associated with construction of the second  
(Jackson Street) Marquee to develop complete architectural  
construction documents.
- Four Hundred Fifty-Seven Thousand Dollars (\$457,000.00) to  
secure grants for permanent, ~~smaller scope~~ projects including:  
HVAC, restoration of the original ("Jayhawk") Marquee neon and  
steel letters; a restored ticket booth; and associated architectural  
fees.

The Grantee shall use the Allocated Funds only for the Project.

Any changes to the scope of the Project pertaining to the use of Allocated

Funds exceeding one hundred thousand dollars (\$100,000.00) shall be approved by the ~~City Manager or his/her designee~~ Governing Body, upon recommendation by the Transient Guest Tax Committee.

Section 2. Counterparts. This Agreement may be signed by faxed or electronic signature, which shall be deemed to be an original signature. This Agreement may be executed in counterparts, each of which shall be deemed to be an original, and all of which shall be deemed to constitute one and the same instrument.

Section 3. Conflict. This Amendment controls over any provision in the Original Contract that conflicts with this amendment.

IN WITNESS WHEREOF, the parties hereto have executed this agreement on the day and year first written above.

CITY OF TOPEKA, KANSAS

\_\_\_\_\_  
Doug Gerber, Interim City Manager

ATTEST:

\_\_\_\_\_  
Brenda Younger, City Clerk

APPROVED AS TO FORM AND LEGALITY  
BY THE CITY ATTORNEY'S OFFICE

DATE \_\_\_\_\_ BY \_\_\_\_\_

HISTORIC JAYHAWK THEATRE, INC

\_\_\_\_\_  
Jeff Carson, Board Chair

# **Exhibit A**

## **I. Historic Landmark**

The Historic Jayhawk Theatre is ninety (90) years old and is on the National Register of Historic Places. For years, the Historic Jayhawk Theatre served as a popular movie house and entertainment venue that helped launch the career of burlesque performer Gypsy Rose Lee, fueled the popularity of Bob Hope and other vaudeville veterans and featured uniformed ushers and usherettes strolling the aisles. With plaster sunflowers and Jayhawks lining the arch and the Goddess of Agriculture gazing over the audience, the state-of-the-art theater built in 1926 was Topeka's premier destination. However, when the White Lakes Mall opened in 1976 and newer theaters brought competition, the Jayhawk Theatre's entertainment era ended.

## **II. Project Summary/General Development Plan**

The goal of the Project is to restore the Historic Jayhawk Theatre ("HJT") as a first-class live event and film venue that will serve as an attractive, sought-after tourist destination that can be sustained in the many years to come. The Project consists of improving the main Theatre space (a 900 seat venue), as well as an adjacent 4,700 square foot space that will be used as a gathering area, entertainment, technical and administrative support area. The 13 member, all volunteer board includes 4 who own historic properties in downtown Topeka, and all four have experience in restoration of historic projects. One board member is an experienced contractor/builder with extensive experience throughout the United States. 5 board members are small business owners.

As part of our development plan, the HJT intends to retain the services of an Executive Director who will focus, full-time, on fundraising and marketing the Project to private donors, as well as obtaining an additional \$3.5 million in historic state and federal tax credits. The TGT funds, combined with these private donations and tax credits, will allow the HJT to break ground by 2019, and become operational by 2022. We are planning to ensure that we continue to offer events, and will remain open and available for tours and events as much as possible along the way. In order to ensure the HJT's

long-term care, there are plans to establish an endowment fund with \$800,000 to be used for future maintenance and repair. (TGT funds will NOT be used for this purpose).

### **III. Allocated (Transient Guest Tax) Funds**

The Allocated Funds are to be distributed in two parts:

- (1) The Pre-Development Phase
- (2) The Construction Phase

#### **A. Pre-Development Phase - TGT Allocation year 1: \$68,000**

ARCHITECTURAL PLANS:           \$8,000

Includes costs associated with retaining a design professional to prepare schematic and design development and marketing documents.

EXECUTIVE/DEVELOPMENT DIRECTOR COMPENSATION:       \$60,000

The Executive Director (ED) will be hired on a contract basis, with no payroll taxes, unemployment insurance and other regular payroll costs included. The main role of the ED will be to conduct fundraising. Within the first six months of the allocation period and upon completion of schematic and design development and marketing documents, which will demonstrate our progress to public and private donors, the ED will begin a capital campaign with a goal of raising \$3,500,000 (\$1,000,000 of that amount to be raised in 24 months maximum). These private funds will be used to fund big ticket construction items in the main theatre such as HVAC, mechanical and fire sprinkling portion of the Project. All TGT funds will be targeted for tourism enhancing projects, mainly in the 4,700 sq. Ft. gathering space, to allow us to continue to offer programming of live music, films and events, while the main theatre is under construction. ALL spending decisions will be made with careful consideration of the most efficient and economical approach to the construction timeline, including how they impact Historic Tax Credits.

## **B. Construction Phase; Timeline and Operating Plan**

Once finalized, a Design and Construction Timeline and Operating Plan will be added to this Exhibit A prior to the Grantee's Qualification for Funding, which is required prior to the Grantee being able to receive any portion of the funding associated with the Construction Phase of the Project. [See Section 1(b)(ii) above.] However, preliminary information is provided below:

1. *Construction Phase 1 - TGT Allocation years 2, 3 and 4.* During allocation years ~~5-8~~ 2-4, we will ~~set aside 80% of~~ use the quarterly TGT allocations, ~~or \$11,333 per quarter, in a separate account.  $\$11,333 \times 4 = \$45,331$  per year. We will allow these funds to accumulate for 3 years to be used to fund approximately 90% of the 2<sup>nd</sup> marquee to be built and installed at that time~~ part of the costs for complete architectural construction documents. The remaining 20% of the quarterly allocations, ~~or \$2,833, will be used for soft costs—including architectural and engineering costs related to construction in the gathering space that accumulates along the way.~~

2. *Construction Phase 2 - TGT Allocation years 5-8.* During allocation years 5-8, we anticipate using the allocations for a combination of grant matching and other “one-off” projects as deemed necessary. This may include catering kitchen (\$50,000), restoring the display cases along the Jayhawk Walk for use as a future Kansas Film History museum (\$25,000) and will fund final design elements for the gathering space (\$150,000).

3. *Construction Phase 3 - TGT Allocation years 9-12.* During allocation years 9-12, we anticipate the theatre and gathering space will have been operational for a few years, but perhaps without all facility support areas completed. We intend to utilize these funds to pay for development and remodeling of these areas to enhance the functionality of the gathering space. These small scope projects will be determined as the project directors and architect see fit.

\*Please refer to HJT business plan for construction and operating budget Information.

#### **IV. Economic Development/Tourism**

The HJT Project is a complex and challenging one: The goal is to preserve a ninety-year old historic structure, while at the same time create a modern 900 seat film and live entertainment venue. Comprehensive work will need to occur, starting from the ground up; comprehensive painting and plaster work; installation of complete electrical and mechanical systems and setting up modern technical hardware and software systems; to ensure that the end-result will be a state-of-the-art theatre that will attract a diverse audience from across Kansas and the surrounding region for many years to come. Located at 720 S. Kansas Avenue, the HJT will be the spark that downtown Topeka needs to generate an authentic nightlife, with retail and dining options nearby.

The HJT will offer tourists a truly unique experience through diverse programming that will include live music, dance, film and special events. This means HJT guests can expect something new and enriching during each and every visit. In addition, part of HJT's strategic plan is to market throughout the State of Kansas to ensure "top-of-mind" awareness. This means people who visit Topeka for business or pleasure can plan on catching a movie or live show, and perhaps even make a decision to extend their stay. It is anticipated that the HJT will attract over 60,000 visitors each year, mostly to after-hours events. We also believe that the Topeka Performing Arts Center will benefit by our ability to help brand downtown Topeka as a credible entertainment destination. Our programming strategy will be seen as an excellent 900 seat complement to the 2,400-seat TPAC venue.

The City of Topeka has invested over \$5 million in the Kansas Avenue renovation and private partners have raised over \$3.5 million to construct various pocket parks and other enhancements – and as of this writing, private investments total over \$70 million. Adding an historic theater to the "downtown mix" will go a long way toward making Topeka a preferred entertainment destination. Event planners will be able to include the HJT as one of many entertainment amenities available for those visiting Topeka from out-of-town to attend conferences and other occasions. In addition, businesses seeking

to relocate will take a closer look at Topeka – and those businesses must recruit qualified employees who will want reasons to make Topeka their home. Coordinating efforts to develop an outdoor plaza, renovate Constitution Hall, improve Riverfront Park and address other attractions located within or near downtown is crucial. The Historic Jayhawk Theatre will serve as a focal point for downtown and will be a significant source of pride for generations to come.



City of Topeka  
Council Action Form  
Council Chambers  
214 SE 8th Street  
Topeka, Kansas 66603  
[www.topeka.org](http://www.topeka.org)  
October 17, 2017

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DATE: October 17, 2017  
CONTACT PERSON: Lisa Robertson and Jacques Russell DOCUMENT #:  
SECOND PARTY/SUBJECT: TMC Title 2 PROJECT #:  
CATEGORY/SUBCATEGORY 013 Ordinances - Codified / 002 Administration  
CIP PROJECT: No  
ACTION OF COUNCIL: Referred to Policy and Finance Committee JOURNAL #:  
071817. Deferred  
090517.  
PAGE #:

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**DOCUMENT DESCRIPTION:**

**ORDINANCE** introduced by Interim City Manager Doug Gerber, concerning employees, the personnel code, departments created, and established positions; amending, repealing and renumbering several chapters in Title 2, Administration and Personnel of the Topeka Municipal Code. *(Referred from the Policy and Finance Committee by a vote of 2-0-0 on October 12, 2017.)*

**Voting Requirement:** Majority vote of the Governing Body (6).

*(Approval would establish a utilities department and clean up other items in Topeka Municipal Code Chapters 2.14, .25, 2.30, 2.35 and 2.65 to improve consistency and clarity of the code.)*

**VOTING REQUIREMENTS:**

Majority vote of the Governing Body (6).

**POLICY ISSUE:**

Approval would establish a Utilities Department and clean up other items in Topeka Municipal Code Chapters 2.14, 2.25, 2.30, 2.35 and 2.65 to improve consistency and clarity of the code.

**STAFF RECOMMENDATION:**

Staff recommends the Governing Body move to adopt the ordinance.

**BACKGROUND:**

In recent years, the water distribution, storm water and water pollution control divisions have been operating



under the umbrella of a utilities department model. Satisfied with the efficiencies of this model, Staff began the process of reviewing Title 2 of the Topeka Municipal Code, entitled "Administration and Personnel," for purposes of determining where best to place a section to acknowledge this new "Utilities Department." Chapter 2.25, entitled "Departments, Established Positions, and Employees" seemed to be the most logical location. After an initial review of Chapter 2.25 by Legal and Human Resources Department Staff members, it was determined that modifications to other sections contained within Chapter 2.25 (as well as Chapters 2.14, 2.30, 2.35 and 2.65) were sorely needed (for a variety of reasons). Staff met on multiple occasions to conduct further review and then proceeded with compiling a list of proposed revisions. These proposed revisions were submitted to the Governing Body during its meeting on July 18, 2017 accompanied by a recommendation to refer to the Council Policy and Finance Committee. The Policy and Finance Committee met on August 10, 2017 and August 25, 2017, voting on August 25, 2017 to place the proposed revisions on the September 5, 2017 Governing Body agenda with a "Do Pass" recommendation.

**BUDGETARY IMPACT:**

There is no budgetary impact to the City.

**SOURCE OF FUNDING:**

Not Applicable

**ATTACHMENTS:**

**Description**

Committee Report - October 12, 2017

Summary of Amendments

Ordinance - With Committee Amendments 10-12-17

# COMMITTEE REFERRAL SHEET

## COMMITTEE REPORT

**Name of Committee:** Policy and Finance

**Referred by City Council at Council meeting:** September 5, 2017

**Date referred from Committee:** October 12, 2017

**Title:** Proposed Amendments to Topeka Municipal Code Title 2: Administration and Personnel

**Committee Action:** Councilmember Richard Harmon moved to recommend to the Council approval TMC Title 2 changes as proposed. Councilmember Tony Emerson seconded.

Motion passed with a vote of 2-0. (Jensen was absent)

**Comments:**

**Amendments:** See Ordinance

**Members of Committee:** Tony Emerson (Chair), Richard Harmon, Brendan Jensen

**Agenda Date Requested:** 10/17/17

## SUMMARY OF TITLE 2 ORDINANCE

### New Chapter 2.25, “Employees Generally and Personnel Code”

| <b>Current TMC Section</b> | <b>Topic</b>                                                                                 | <b>Proposed Action/New TMC Section Number</b> | <b>Purpose for Amendment or Repeal</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|----------------------------|----------------------------------------------------------------------------------------------|-----------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2.25.020                   | Approval of memorandum agreements in conjunction with the collective bargaining process      | Amend/Number stays the same                   | Minor changes were made to reflect current practice in accordance with K.S.A. 75-4331 and to explain the respective duties of the negotiating team and governing body in the meet and confer process.                                                                                                                                                                                                                                                                                            |
| 2.25.030                   | Employee compensation                                                                        | <i>Repeal</i>                                 | Repeal will ensure that there is no inconsistency between the TMC and the Personnel Code. Adjustment to employee compensation plans is a duty of the HR Director pursuant to Personnel Code, Article IV (with the Governing Body providing budgetary authority for any proposed changes). Repeal achieves the goal of addressing the subject in a single location and eliminating unnecessary confusion.                                                                                         |
| 2.25.060                   | Oath                                                                                         | Amend/Renumber to 2.25.030                    | Amendment sets forth one central location (individual personnel file) for filing documentation related to oaths taken by both elected officials and employees. In addition, there is no statutory requirement to file elected officials' oaths with the City Clerk.                                                                                                                                                                                                                              |
| 2.25.040                   | Payroll deduction                                                                            | <i>Repeal</i>                                 | The Kansas Wage Payment Act, KSA 44-319, controls when and how payroll deductions can be made. Repealing this code section removes the necessity to amend the TMC every time the state law is revised and avoids potential inconsistency between controlling state law and the TMC. (For example, KSA 60-1613 was repealed in 2012 but is still referenced in TMC 2.25.040.)                                                                                                                     |
| 2.25.070                   | Protective insurance required                                                                | Amend/Renumber to 2.25.040                    | The City currently uses theft insurance to protect its interests, which serves the same purpose as either a blanket or position bond for employees. The TMC should be amended to reflect this current practice. (The City's current theft insurance policy covers employee theft up to \$150K per loss; with \$150K additional coverage for the City Manager, Treasurer, and Administrative and Financial Services Director and \$50K additional coverage for the Mayor and Purchasing Officer.) |
| 2.25.050                   | Part-time, seasonal, and/or temporary employees or personnel - Personal Protective Equipment | <i>Repeal</i>                                 | Personal protective equipment for employees is already addressed in Article III, Section 3 of the Personnel Code – and Article I, Section 2(M) & (X) of that Code demonstrates applicability to all types of employees. Repeal achieves the goal of addressing this subject in a single location and eliminating unnecessary confusion.                                                                                                                                                          |
| 2.25.080                   | Reimbursements for conferences, seminars, conventions, and related travel                    | Amend/Renumber to 2.25.050                    | Reimbursement for employee travel is addressed in the City’s Travel Policy (P124). Repealing subsection (a) achieves the goal of addressing employee travel in a single location and eliminating unnecessary confusion. Because reimbursement for Governing Body travel is not specifically addressed in P124, the language in subsection (b) should be retained so that Governing Body travel can still be addressed, as appropriate, by the Body.                                              |
| 2.25.100                   | Accounting upon separation from employment                                                   | Amend/Renumber to 2.25.070                    | The process used to settle final pay when employment is terminated has been modified.                                                                                                                                                                                                                                                                                                                                                                                                            |
| 2.30.010                   | Personnel rules and regulations- Adopted; Amendments                                         | Amend/Renumber to 2.25.100                    | The originally adopted “Personnel Rules and Regulations” have commonly been referred to as the “Personnel Code.” This amendment clarifies that both terms refer to the same document and specifies that there will be a review of the Personnel Code conducted on a more routine basis. This section also contains the procedure for approving revisions to the Personnel Code (currently in 2.30.020).                                                                                          |
| 2.30.020                   | Personnel rules and regulations- Copies                                                      | Amend/Renumber to 2.25.110                    | The number of Personnel Code copies required to be kept in Clerk’s office has been reduced from three to one (See also TMC 2.30.010).                                                                                                                                                                                                                                                                                                                                                            |

## SUMMARY OF TITLE 2 ORDINANCE

### New Chapter 2.30 “Departments Created and Established Positions”

|          |                                               |                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|----------|-----------------------------------------------|----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2.25.110 | City Clerk position created                   | Amend/Renumber to 2.30.010 | Each of these departments and positions already existed (except for the Utilities Department). The purpose for making the vast majority of proposed amendments is to provide greater uniformity among the Director positions and to remove unnecessary provisions. For example, the specific job responsibilities of each Department Director are more appropriately included within that particular director’s position description and should not be duplicated in the TMC. |
| 2.25.120 | Legal Department created                      | Amend/Renumber to 2.30.070 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 2.25.130 | Administrative and Financial services created | Amend/Renumber to 2.30.020 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 2.25.150 | Judicial department created                   | Amend/Renumber to 2.30.060 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 2.25.160 | Human Resources department created            | Amend/Renumber to 2.30.040 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 2.25.170 | Public Works department created               | Amend/Renumber to 2.30.110 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 2.25.190 | IT department created                         | Amend/Renumber to 2.30.050 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 2.25.200 | Neighborhood Relations department created     | Amend/Renumber to 2.30.080 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 2.25.210 | Planning department created                   | Amend/Renumber to 2.30.090 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 2.25.230 | Police department created                     | Amend/Renumber to 2.30.100 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 2.25.240 | Fire department created                       | Amend/Renumber to 2.30.030 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 2.25.260 | Zoological Park created                       | Amend/Renumber to 2.30.130 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|          | Utilities department created                  | Create new § 2.30.120      | A new Utilities Department has been created.                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 2.25.250 | Enforcing officer designated                  | <i>Repeal</i>              | This section was moved to the appropriate department section (see Neighborhood Relations) and retained reference to enforcing officer, since required by statute (KSA 12-1750).                                                                                                                                                                                                                                                                                               |
| 2.25.220 | Department of parks and recreated             | <i>Repeal</i>              | This section should have been repealed with the other Parks and Recreation provisions when consolidation with SNCO occurred.                                                                                                                                                                                                                                                                                                                                                  |
| 2.25.140 | City treasurer position created               | <i>Repeal</i>              | This section was moved to the appropriate department section (see Admin. & Fin. Services) and retained since the city treasurer is specifically denoted as an “officer” in Charter Section A2-41.                                                                                                                                                                                                                                                                             |
| 2.25.180 | City engineer position created                | <i>Repeal</i>              | This section was moved to the appropriate department section (see Public Works), and retained since the city engineer is specifically referenced in so many subsequent code provisions.                                                                                                                                                                                                                                                                                       |

#### Miscellaneous

|          |                              |               |                                                                                                                                                                                                                                                                      |
|----------|------------------------------|---------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2.35.010 | Consumer protection division | <i>Repeal</i> | This section should be repealed because the City no longer has a Consumer Protection Division or a Weights and Measures Inspector.                                                                                                                                   |
| 2.65.110 | Planning Department          | <i>Repeal</i> | This section should be repealed because it is duplicative of the TMC section creating the Planning Department (in Chapter 2.30) and is otherwise unnecessary. The position description of the Planning Director will control associated duties and responsibilities. |

(Published in the Topeka Metro News \_\_\_\_\_)

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE introduced by Interim City Manager Douglas Gerber, concerning employees, the personnel code, departments created, and established positions; amending, repealing and renumbering several chapters in Title 2, Administration and Personnel of the Topeka Municipal Code.

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

Section 1. That section 2.14.010, City manager – Goal and objectives-Review and evaluation, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**City manager – Goals, and objectives and evaluation – Review and evaluation.**

(a) ~~The city council governing body~~ shall establish annual goals and objectives for the city manager ~~on or before May 1st of each year~~ within thirty (30) days of completing his or her annual evaluation. To assist the ~~city council governing body~~ with this responsibility, the city manager ~~shall~~ may provide the ~~city council governing body~~ with proposed goals and objectives ~~prior to April 15th of each year.~~

(b) ~~The city council governing body shall provide the city manager with a written annual evaluation prior to March 31st of each year~~ conduct a formal, written review and evaluation of the city manager's performance on an annual basis. As part of each such review and evaluation, the governing body shall provide the city manager with a summary of its input and comments related to the particular period of time covered by the review and evaluation and shall provide an adequate and timely opportunity for the city manager to respond either in writing or through discussion with

29 the governing body.

30 ARTICLE I. EMPLOYEES GENERALLY

31 Section 2. That section 2.25.020, Approval of employee agreements, of The  
32 Code of the City of Topeka, Kansas, is hereby amended to read as follows:

33 **Approval of ~~employee~~ memorandum agreements in conjunction with the**  
34 **meet and confer process.**

35 (a) The power and authority of the city to enter into an  
36 ~~employment~~ memorandum agreements with city employees represented by a  
37 recognized employee organization shall be vested in the ~~city council~~ governing body.  
38 Except as otherwise provided in this section, no memorandum of agreement between  
39 the city and a recognized employee organization shall be valid unless the agreement is  
40 approved by the ~~city council~~ governing body and signed by the city manager.

41 (b) The city manager or designee shall represent the city as head of the  
42 negotiating team when collectively bargaining with a recognized employee organization.  
43 The city manager or designee shall negotiate all terms and provisions of a  
44 memorandum of agreement and may reach a tentative agreement on those terms and  
45 provisions with a recognized employee organization.

46 (c) If a tentative agreement is reached between the city ~~manager or designee~~  
47 and the recognized employee organization, a memorandum of ~~understanding~~ agreement  
48 will be prepared within 14 days and presented to the ~~city council~~ governing body for  
49 approval. The ~~city council~~ governing body, as soon as practicable after receiving a report  
50 from the ~~city controller~~ director of administrative and financial services ~~or on~~ the fiscal  
51 effect the terms of such memorandum agreement will have upon the city, shall consider

the memorandum agreement and take appropriate action.

(d) The ~~city council~~governing body shall take appropriate action to implement the memorandum ~~in the form of a resolution~~agreement. If the ~~city council~~governing body rejects a proposed memorandum agreement, the matter shall be returned to the city ~~manager~~negotiating team and the employee organization for further deliberation.

Section 3. That section 2.25.030, Employee compensation, of The Code of the City of Topeka, Kansas, is hereby repealed.

**~~Employee compensation.~~**

~~The city's compensation plan shall be reviewed and approved by the city council. Nothing in this section will invalidate a properly approved employment agreement with city employees represented by a recognized employee organization.~~

Section 4. That section 2.25.060, Oath, of the Code of the City of Topeka, Kansas, is hereby renumbered as section 2.25.030 and amended to read as follows:

**Oath.**

(a) All officers of the city, whether elected or appointed, and each person to be employed by the city shall, before entering upon the duties of their respective offices, appointment or employment, take and subscribe an oath or affirmation, as follows:

"I do solemnly swear (or affirm, as the case may be) that I will support the Constitution of the United States of America and the Constitution of the State of Kansas and faithfully discharge the duties of \_\_\_\_\_ (here enter name of office or employment). So help me God."

(b) Oaths or affirmations required under this article shall be administered before such officers and in the manner prescribed by ~~K.S.A. 54-101, 54-102 and 54-~~

75 ~~103~~ State law.

76 (c) All officers and employees required by law to take and subscribe or file  
77 any oath or affirmation shall be supplied the necessary forms for this purpose at the  
78 expense of the city and, upon taking and subscribing or signing any such oath or  
79 affirmation, such completed original or copies of ~~forms for city employees'~~ oaths shall be  
80 filed with the city department of human resources department. ~~Completed original or~~  
81 ~~copies of forms of oaths for elected and appointed officers shall be filed with the city~~  
82 ~~clerk.~~

83 (d) The ~~city treasurer~~ department of administrative and financial services shall  
84 not disburse any funds in payment for services to any officer or employee of the city  
85 until the original oath or affirmation provided for in this article shall have been duly  
86 subscribed and the original or a copy is filed with the ~~city by such officer or~~  
87 ~~employee~~ department of human resources.

88 Section 5. That section 2.25.040, Payroll deduction, of The Code of the City of  
89 Topeka, Kansas, is hereby repealed.

90 **Payroll deduction.**

91 ~~(a) The department of administrative and financial services is hereby authorized~~  
92 ~~to place into full force and effect a payroll deduction plan, and keep proper record and~~  
93 ~~account thereof, whereby upon written request of a city employee proper deduction from~~  
94 ~~the salary due such employee shall be made for Topeka United Way fund, employees'~~  
95 ~~group health insurance plan, contributions to a savings program, union dues, and such~~  
96 ~~other deductions approved by the city manager and authorized by such employee. The~~  
97 ~~department of administrative and financial services is further authorized to deduct court-~~



ordered child support payments and other court-approved indebtedness from employee salary checks, pursuant to the provisions of K.S.A. 60-1613.

~~(b) The city manager may set, in accordance with state statutes where applicable, a reasonable handling fee for the expense of processing authorized deductions. Such handling fee will be paid by the recipient of the deduction and not by the employee requesting the deduction.~~

Section 6. That section 2.25.070, Bonds required, of the Code of the City of Topeka, Kansas, is hereby renumbered as section 2.25.040 and amended to read as follows:

**BondsProtective insurance required.**

~~(a) — Amount of Bond. All employees shall be covered by a blanket bond and/or a position bond payable to and for the use and benefit of the city in a minimum amount of \$50,000. Bond limits shall be in an amount not less than any minimum required by state law.~~

~~(b) — The bonds provided for in this section shall be made payable to the city and shall be conditioned for the faithful discharge and performance of the duties of the employees and to save the city free from all loss caused by neglect of duty or malfeasance, and shall contain such other conditions and provisions as may be directed by the statutes of the state governing cities of the first class or by the ordinances of the city. The city manager shall obtain~~provide ~~insurance to protect the city from losses caused by employee neglect of duty or malfeasance.~~

Section 7. That section 2.25.050, Part-time, seasonal, and temporary employees – Personal protective equipment, of The Code of the City of Topeka,

Kansas, is hereby repealed.

**~~Part-time, seasonal, and temporary employees — Personal protective equipment.~~**

~~(a) Part-time, seasonal and temporary employees of the city who are assigned to work in areas requiring personal protective equipment, as provided in established departmental rules and standards, shall be furnished adequate head, eye, face, hand, and respiratory personal protective equipment, at the expense of the city department in which the employees are assigned. Part-time, seasonal and temporary employees working in jobs for which personal protective footwear is required by departmental rules and standards shall be required to obtain such footwear at their own expense as a prerequisite to assignment in such jobs.~~

~~(b) The head of each department employing part-time, seasonal or temporary personnel shall be responsible for obtaining compliance as to such employees with the provisions of this section.~~

Section 8. That section 2.25.080, Reimbursements for conferences, seminars, conventions and short courses, of the Code of the City of Topeka, Kansas, is hereby ~~repealed~~ renumbered as section 2.25.050 and amended to read as follows:

**Reimbursements for conferences, seminars, conventions and short courses attended by governing body members.**

~~(a) — Employees Eligible — Authorization — Reimbursements Generally. Benefit-eligible nonelected employees, and, in some cases, individuals appointed to special commissions, may be reimbursed for official travel and related expenses while carrying out official duties attending professional conferences, or attending directly job-related~~

144 ~~training courses or seminars which will benefit the city. Generally, no individual or~~  
145 ~~employee shall attend more than two national and two state conferences in one year~~  
146 ~~except with the approval of the relevant department head. Authorization for attending~~  
147 ~~conferences, training sessions or related activities shall be made in advance and~~  
148 ~~pursuant to departmental policies authorizing such attendance. Approval shall be~~  
149 ~~obtained from the appropriate department head and the department head shall obtain~~  
150 ~~approval from the city manager for such employee's travel. Attendance at hearings and~~  
151 ~~special official presentations shall not be subject to the limitations set forth in this~~  
152 ~~section. Employees who become or are officers of a governing body of a professional~~  
153 ~~organization related to typically assigned duties may be authorized to attend a~~  
154 ~~reasonable but limited number of business sessions of such organizations in addition to~~  
155 ~~other authorized meetings. Provided, there shall be no duplication of reimbursement for~~  
156 ~~any expenses by the city if the professional organization pays the expenses in full or in~~  
157 ~~part. Persons authorized to travel shall be reimbursed for actual air, bus or train fare, or~~  
158 ~~equivalent reimbursement for personal use of an automobile, not to exceed in any event~~  
159 ~~the typical air coach fare for such travel. Reimbursements shall be made for actual room~~  
160 ~~costs for overnight lodging, taxi fares, auto rental, if specifically authorized, meals, tips~~  
161 ~~and other travel related expenses upon proper presentation of appropriate itemized~~  
162 ~~receipts. Persons seeking travel reimbursement shall certify and swear to the accuracy~~  
163 ~~and legitimacy of all receipts submitted.~~

164 ~~(b) Elected Officials. Councilmembers and the mayor~~Governing body  
165 members may be reimbursed for official travel and related expenses in accordance with  
166 ~~the resolutions passed~~adopted by the council relating to out of stategoverning body that

167 contain guidance related to such travel and ~~upon~~ expenses, in addition to the submittal  
168 of corresponding documentation confirming all relevant expenditures.

169 (c) — The reimbursement procedure ~~for reimbursements for official travel~~ shall  
170 be established by rule and regulation as authorized by Charter Ordinance No. 94.

171 Section 9. That section 2.25.090, Approval of employment and severance  
172 agreements, of the Code of the City of Topeka, Kansas, is hereby renumbered as  
173 section ~~2.25.050 and amended to read as follows:~~ 2.25.060.

174 Section 10. That section 2.25.100, Accounting upon separation from  
175 employment, of the Code of the City of Topeka, Kansas, is hereby renumbered as  
176 section 2.25.070 and amended to read as follows:

177 **Accounting upon separation from employment.**

178 ~~To assure that a department or division head upon retirement, resignation or~~  
179 ~~discharge from city employment has accounted fully for all funds and city property~~  
180 ~~entrusted to him/her and~~ An inventory audit will be conducted in accordance with policies  
181 adopted by the administration before prior to separation from employment for purposes  
182 of ensuring that an employee, upon retirement, resignation or discharge from city  
183 employment, has accounted fully for all funds and city property entrusted to him or her.  
184 After providing written notice and explanation to the employee, the city may deduct from  
185 the employee's final wages such amounts permitted by the Kansas Wage Payment Act  
186 or other applicable law. ~~The employee shall reconcile or arrange financial settlement of~~  
187 ~~items for which the employee cannot account. Financial settlement is considered to be a~~  
188 ~~payment in the form of a personal check or lump-sum payment.~~

190 ARTICLE II. PERSONNEL CODE

191 Section 11. That section 2.30.010, Personnel rules and regulations-Adopted-  
192 Copies on file, of the Code of the City of Topeka, Kansas, is hereby renumbered as  
193 section 2.25.100 and amended to read as follows:

194 ~~Personnel rules and regulations~~Code - ~~Adopted — Copies on file;~~  
195 Amendments.

196 (a) The city's p~~ersonnel r~~Rules and r~~egulations~~Code, city of Topeka, Kansas,  
197 ~~as set forth in the document of the same name and dated~~were originally adopted and  
198 approved by Ordinance No. 16404 on December 30, 1991, are hereby adopted and  
199 ~~approved as the city's official p~~ersonnel rules and regulations, and shall takeCode,  
200 and took effect on January 6, 1992. ~~The city clerk shall maintain on file no fewer than~~  
201 ~~three copies of the personnel rules and regulations, to be kept available to the public for~~  
202 ~~inspection, and shall make copies available for purchase pursuant to the city open~~  
203 ~~records policy.~~

204 (b) The city's Personnel Code shall be reviewed by the city attorney and  
205 human resources director during the last quarter of the city's fiscal year, in even-  
206 numbered years. Any revisions proposed by the city attorney and human resources  
207 director as a result of this review shall be submitted to the governing body for approval,  
208 via resolution, no later than March 31<sup>st</sup> of the next odd-numbered year.

209 Section 12. That section 2.30.020, Personnel rules and regulations -  
210 Amendments, of the Code of the City of Topeka, Kansas, is hereby renumbered as  
211 section 2.25.110 and amended to read as follows:  
212

**Personnel rules and regulationsCode – AmendmentsCopies.**

~~The personnel rules and regulations, as adopted and approved in TMC 2.30.010, may be amended, in whole or in part, by resolution approved by the council.~~

The city clerk shall post publicly on the city's website and maintain on file one copy of the city's Personnel Code for purposes of making said document available to the public. The city clerk shall make copies available pursuant to the city open records policy.

**CHAPTER 2.30 TMC-DEPARTMENTS CREATED; ESTABLISHED POSITIONS**

Section 13. That section 2.25.110, City clerk position created – Duties, of the Code of the City of Topeka, Kansas, is hereby renumbered as section 2.30.010 and amended to read as follows:

**City clerk position created – Duties.**

(a) There is hereby created the position of city clerk in the city. The city clerk shall be appointed by and under the administrative direction of the city manager. The city manager, pursuant to Charter Ordinance No. 94, § 1 (Appendix A, § A2-54), shall be responsible for supervising and evaluating the performance of the city clerk. The city clerk shall be responsible for the overall operation of the city clerk's office.

(b) The city clerk shall attend all meetings of the city council, governing body and be responsible for keeping a time record of its proceedings, and also keep as well as a record of all official acts, and when necessary, shall attest them. The city clerk shall also be responsible for keeping and preserving the corporate seal of the city, and all records, public papers and documents of the city not belonging to any other officer. The

city clerk shall be authorized to administer oaths; and the copies of all papers filed in the clerk's office, and transcripts from the records of the proceedings of the ~~council~~council governing body, including ordinances duly certified by the city clerk under the corporate seal of the city, shall be taken as evidence in all courts of the state without further proof.

Section 14. That section 2.25.120, Legal department created, of the Code of the City of Topeka, Kansas, is hereby renumbered as section 2.30.070 and amended to read as follows:

**Legal department created; outside practice prohibited.**

(a) There is hereby created a legal department. The city attorney shall be appointed by the city manager. The city manager, pursuant to Charter Ordinance No. 94, Section 21 (~~Appendix. A, Section~~§ A2-54), shall be responsible for supervising and evaluating the performance of the city attorney. The city attorney shall be responsible for the overall operation of the legal department.

(b) The city attorney and assistant city attorneys shall be prohibited from providing legal representation to any client outside of the scope of the attorney's duties for the city; provided, however, that the city manager may, with notice to the ~~city council~~council governing body, grant a temporary exception to this prohibition to permit an attorney to conclude and terminate representation of clients ~~which~~that commenced prior to the attorney beginning employment with the city; and provided further, that the attorney can ~~provide~~perform such legal services without interfering with the attorney's job duties to the city, without conflict of interest to the city of Topeka, and in accordance with the Kansas Rules of Professional Conduct.

259           Section 15. That section 2.25.130, Department of administrative and financial  
260 services created, of the Code of the City of Topeka, Kansas, is hereby renumbered as  
261 section 2.30.020 and amended to read as follows:

262           ~~Department of a~~**Administrative and financial services department created;**  
263 **City treasurer appointment.**

264           (a) There is hereby created a department of administrative and financial  
265 services. The director of the department of administrative and financial services shall be  
266 appointed by and serve under the administrative direction of the city manager. The city  
267 manager, pursuant to Charter Ordinance No. 94, § 1 (Appendix A, § A2-54), shall be  
268 responsible for supervising and evaluating the performance of the administrative and  
269 financial services director. The administrative and financial services director shall be  
270 responsible for overall operation of the department.

271           (b) The director of administrative and financial services shall appoint a city  
272 treasurer who shall be responsible for receiving, keeping and safeguarding all public  
273 moneys belonging to the city. The city treasurer shall also be responsible for paying out  
274 public moneys belonging to the city only by authorized warrants or warrant checks and  
275 bearing the required signatures established by resolution of the governing body.

276           Section 16. That section 2.25.140, City treasurer position created, of the Code  
277 of the City of Topeka, Kansas, is hereby repealed.

278           ~~**City treasurer position created.**~~

279           ~~The position of city treasurer is hereby created. It shall be the duty of the city~~  
280 ~~treasurer to receive, keep and safeguard all public moneys belonging to the city and to~~  
281 ~~pay out such moneys only by warrants or warrant checks as authorized and bearing the~~



required signatures, or from petty cash funds established by resolution of the council in accordance with provisions of K.S.A. 13-518.

Section 17. That section 2.25.150, Judicial department created, of the Code of the City of Topeka, Kansas, is hereby renumbered as section 2.30.060 and amended to read as follows:

**Judicial department created.**

There is hereby created a judicial department ~~which shall include the administration of municipal court and related court services.~~ The municipal judge shall be appointed by the city manager, ~~who.~~ The city manager, pursuant to Charter Ordinance No. 94, § 21 (Appendix A, § A2-54), shall be responsible for supervising and evaluating the performance of the municipal judge. The municipal judge shall be responsible for the efficient administration, operation and delivery of all municipal court and related court services.

Section 18. That section 2.25.160, Department of human resources created, of the Code of the City of Topeka, Kansas, is hereby renumbered as section 2.30.040 and amended to read as follows:

~~Department of h~~**Human resources department created.**

There is hereby ~~established~~created a department of human resources. The director of human resources shall be appointed by the city manager. The city manager, pursuant to Charter Ordinance No. 94, § 1 (Appendix A, § A2-54), shall be responsible for supervising and evaluating the performance of the human resources director. and The human resources director shall be responsible for the overall operation of the human resources department and ~~managing~~management of all personnel matters

including labor negotiations and employee benefits.

Section 19. That section 2.25.170, Department of public works created, of the Code of the City of Topeka, Kansas, is hereby renumbered as section 2.30.110 and amended to read as follows:

~~Department of p~~**Public works department created; City engineer appointment.**

(a) There is hereby created a department of public works. The director of the department of public works shall be appointed by the city manager. The city manager, pursuant to Charter Ordinance No. 94, § 1 (Appendix A, § A2-54), shall be responsible for supervising and evaluating the performance of the public works director. The director of public works shall be responsible for the overall operation of the department.

(b) The director of public works shall appoint a city engineer, who shall be a professional civil engineer responsible for preparing plans, specifications and estimates for, as well as supervisions the construction of all public improvements. The city engineer shall also be responsible for performing all surveying and engineering work under the direction of the public works director and performing all other duties pertaining to the position of city engineer, as assigned by the director of public works. The city engineer shall be registered as a professional engineer in the state.

Section 20. That section 2.25.180, City engineer position created, of the Code of the City of Topeka, Kansas, is hereby repealed.

**City engineer position created.**

~~The position of city engineer is hereby created. The city engineer shall be a professional civil engineer who shall prepare plans, specifications and estimates for and~~

328 ~~superintend the construction of all public improvements, do all surveying and~~  
329 ~~engineering under the direction of the director of public works, and perform all other~~  
330 ~~duties pertaining to the city engineer's office. The city engineer shall be registered as a~~  
331 ~~professional engineer in the state.~~

332 Section 21. That section 2.25.190, Department of information technology  
333 created, of the Code of the City of Topeka, Kansas, is hereby renumbered as section  
334 2.30.050 and amended to read as follows:

335 **~~Department of i~~Information technology department created.**

336 There is hereby created a department of information technology. The director of  
337 information technology shall be appointed by the city manager. The city manager,  
338 pursuant to Charter Ordinance No. 94, § 1 (Appendix A, § A2-54), shall be responsible  
339 for supervising and evaluating the performance of the director of information technology.  
340 The director of information technology shall be responsible for the overall operation of  
341 the information technology department.

342 Section 22. That section 2.25.200, Department of neighborhood relations  
343 created, of the Code of the City of Topeka, Kansas, is hereby renumbered as section  
344 2.30.080 and amended to read as follows:

345 **~~Department of n~~Neighborhood relations department created; Enforcing**  
346 **officer designated.**

347 (a) There is hereby created a department of neighborhood relations. The  
348 director of the ~~department~~ neighborhood relations shall be appointed by the city  
349 manager. The city manager, pursuant to Charter Ordinance No. 94, § 1 (Appendix A, §  
350 A2-54), shall be responsible for supervising and evaluating the performance of the

351 director of neighborhood relations. The director of neighborhood relations shall be  
352 responsible for the overall operation of the department and all programs administered  
353 by the department.

354 (b) The city manager designates the director of neighborhood relations or  
355 designee as the enforcing officer for purposes of administering the State's unsafe or  
356 dangerous structures or abandoned property law, K.S.A. 12-1750 et seq. and the city's  
357 property maintenance code.

358 Section 23. That section 2.25.210, City planning department created, of the  
359 Code of the City of Topeka, Kansas, is hereby renumbered as section 2.30.090 and  
360 amended to read as follows:

361 **City planning department created.**

362 (a) — There is hereby created a department of planning. The city planning  
363 department is established pursuant to TMC 2.65.110 as amended and shall act as the  
364 staff of the Topeka planning commission. The director of the department planning shall  
365 be known as the planning director and is appointed by the city manager. The city  
366 manager, pursuant to Charter Ordinance No. 94, § 1 (Appendix A, § A2-54), shall be  
367 responsible for supervising and evaluating the performance of the director of planning.

368 (b) — The planning director of planning shall have the responsibilities as set  
369 forth in TMC 2.65.110 as amended and shall actively participate in the development and  
370 updating of the capital improvement program for the city of Topeka be responsible for  
371 the overall operation of the planning department.

372 Section 24. That section 2.25.220, Department of parks and recreations  
373 created, of the Code of the City of Topeka, Kansas, is hereby repealed.

**~~Department of parks and recreation created.~~**

~~There is hereby created a department of parks and recreation. The director of the department of parks and recreation shall be appointed by the city manager.~~

Section 25. That section 2.25.230, Police department created, of the Code of the City of Topeka, Kansas, is hereby renumbered as section 2.30.100 and amended to read as follows:

**Police department created.**

There is hereby created a police department. The ~~chief of police~~ chief shall be appointed by the city manager. The city manager, pursuant to Charter Ordinance No. 94, § 1 (Appendix A, § A2-54), shall be responsible for supervising and evaluating the performance of the police chief. The police ~~chief of the police department~~ shall be responsible for the overall operation of the department, including the discipline, good order, and proper conduct of members of the police department and any reserve force.

Section 26. That section 2.25.240, Fire department created, of the Code of the City of Topeka, Kansas, is hereby renumbered as section 2.30.030 and amended to read as follows:

**Fire department created.**

There is hereby ~~established~~ created a fire department, ~~which shall consist of the~~ The fire chief of the fire department who shall be appointed by the city manager. The city manager, pursuant to Charter Ordinance No. 94, § 1 (Appendix A, § A2-54), shall be responsible for supervising and evaluating the performance of the fire chief. The fire ~~chief of the fire department~~ shall be responsible for the overall operation of the department, including the discipline, good order, and proper conduct of members of the

fire department.

Section 27. That section 2.25.250, Enforcing officer designated, of the Code of the City of Topeka, Kansas, is hereby repealed.

**Enforcing officer designated.**

~~The city manager designates the director of the department of neighborhood relations or designee as the enforcing officer for purposes of administering the unsafe or dangerous structures law, K.S.A. 12-1750 et seq.~~

Section 28. That section 2.25.260, Department of the zoological park, of the Code of the City of Topeka, Kansas, is hereby renumbered as section 2.30.130 and amended to read as follows:

**Department of the zZoological park department created.**

~~There~~ department of the zoological park is hereby created a zoological park department. The director of the zoological park shall be appointed by the city manager. The city manager, pursuant to Charter Ordinance No. 94, § 1 (Appendix A, § A2-54), shall be responsible for supervising and evaluating the performance of the director of the zoological park. The director of the zoological park shall be responsible for the overall operation of the department.

Section 29. That The Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered 2.30.120, which said section reads as follows:

**Utilities department created.**

There is hereby created a department of utilities. The director of the department of utilities shall be appointed by the city manager. The city manager, pursuant to Charter Ordinance No. 94, § 21 (Appendix A, § A2-54), shall be responsible for

420 supervising and evaluating the performance of the director of utilities. The director of  
421 utilities shall be responsible for the overall operation of the utilities department.

422 Section 30. That section 2.35.010, Consumer protection division, of the Code of  
423 the City of Topeka, Kansas, is hereby repealed.

424 **~~Consumer protection division.~~**

425 ~~The position of weights and measures inspector is hereby established. This~~  
426 ~~position is under the control, direction and direct supervision of the city manager or~~  
427 ~~designee.~~

428 Section 31. That section 2.65.110, Planning department, of the Code of the City  
429 of Topeka, Kansas, is hereby repealed.

430 **~~Planning department.~~**

431 ~~(a) Created. There is hereby established and created the Topeka planning~~  
432 ~~department, which shall act as the staff of the Topeka planning commission. The~~  
433 ~~director of such department shall be known as the planning director and shall be hired~~  
434 ~~by the city manager.~~

435 ~~(b) Planning Director. The planning director shall have a master's degree from a~~  
436 ~~college or university in city or regional planning or other related field, plus five years of~~  
437 ~~planning experience.~~

438 ~~(c) Upon the direction of the Topeka planning commission, the planning~~  
439 ~~department shall be responsible for preparing, developing, directing, implementing and~~  
440 ~~administering short and long range planning programs to ensure the orderly growth and~~  
441 ~~harmonious development of the city, and the city's three-mile extraterritorial jurisdiction~~  
442 ~~and promote efficient use of city resources in compliance with ordinances, resolutions,~~

statutes, policies and procedures pertaining to land use, development, zoning, and economic development. The planning director shall advocate for and monitor the implementation of the comprehensive metropolitan plan and facilitate the update of the comprehensive metropolitan plan annually.

(d) The planning director shall actively participate in the development and update of the capital improvement programs for the city.

(e) The Topeka planning department shall provide the city council such advice as appropriate regarding all proposed annexations in conformance with the provisions of Chapter 12, Article 5 of the Kansas Statutes Annotated and amendments thereto.

Section 32. That original § 2.14.010, § 2.25.020, § 2.25.060, § 2.25.070, § ~~2.25.090~~, § 2.25.100, § 2.30.010, § 2.30.020, § 2.25.110 through § 2.25.170, § 2.25.190 through § 2.25.210, § 2.25.230, § 2.25.240 and § 2.25.260, of The Code of the City of Topeka, Kansas, is hereby specifically repealed.

Section 33. This ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper.

Section 34. This ordinance shall supersede all ordinances, resolutions or rules, or portions thereof, which are in conflict with the provisions of this ordinance.

Section 35. Should any section, clause or phrase of this ordinance be declared invalid by a court of competent jurisdiction, the same shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so declared to be invalid.



469 PASSED AND APPROVED by the Governing Body on \_\_\_\_\_.

470  
471 CITY OF TOPEKA, KANSAS

472  
473  
474  
475 \_\_\_\_\_  
476 Larry E. Wolgast, Mayor

477 ATTEST:  
478  
479 \_\_\_\_\_  
480 Brenda Younger, City Clerk  
481



City of Topeka  
Council Action Form  
Council Chambers  
214 SE 8th Street  
Topeka, Kansas 66603  
[www.topeka.org](http://www.topeka.org)  
October 17, 2017

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DATE: October 17, 2017  
CONTACT PERSON: Braxton Copley DOCUMENT #:  
SECOND PARTY/SUBJECT: TMC Title 13-Utilities PROJECT #:  
CATEGORY/SUBCATEGORY 013 Ordinances - Codified / 146 Utilities  
CIP PROJECT: No  
ACTION OF COUNCIL: Referred to Policy and JOURNAL #:  
Finance Committee  
071817. Deferred  
090517.

PAGE #:

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**DOCUMENT DESCRIPTION:**

**ORDINANCE** introduced by Interim City Manager Doug Gerber concerning the organization of the utilities department, adding new sections and amending and repealing several original sections of Title 13, Utilities, of the Topeka Municipal Code. (Referred from the Policy and Finance Committee by a vote of 2-0-0 on October 12, 2017.)

**Voting Requirement:** Majority vote of the Governing Body (6).

*(Approval would create the Utilities Department and makes changes to the industrial pretreatment requirements to comply with revisions requested by the Environmental Protection Agency. Additionally staff have made revisions to prevent obstructions to fire hydrants that prevent proper preventative maintenance. Further, some obsolete provisions in utility billing have been deleted.)*

**VOTING REQUIREMENTS:**

Majority vote of the Governing Body (6).

**POLICY ISSUE:**

Approval would establish that the Utilities Director is responsible for all operations related to the water, wastewater and storm water divisions. Further, other items in Title 13 have been cleaned up to provide greater consistency and clarity.

**STAFF RECOMMENDATION:**

Staff recommends the Governing Body move to adopt the ordinance.

**BACKGROUND:**

In recent years the water, wastewater and storm water divisions have been operating under the umbrella of a utilities department model. Satisfied with the efficiencies of that model the ordinance would place the overall direction and control under the utilities director. Additionally, the EPA has requested several changes to the industrial pretreatment code sections to strengthen enforcement abilities.

**BUDGETARY IMPACT:**

There is no budgetary impact to the City.

**SOURCE OF FUNDING:**

Not applicable.

**ATTACHMENTS:****Description**

Committee Report - October 12, 2017

Summary of Amendments

Ordinance - With Committee Amendments 10-12-17

# COMMITTEE REFERRAL SHEET

## COMMITTEE REPORT

**Name of Committee:** Policy and Finance

**Referred by City Council at Council meeting:** September 5, 2017

**Date referred from Committee:** October 12, 2017

**Title:** Proposed Amendments to Topeka Municipal Code Title 13: Utilities

**Committee Action:** Councilmember Richard Harmon moved to recommend to the Governing Body approval TMC Title 13 changes as proposed. Councilmember Tony Emerson seconded.

Motion passed with a vote of 2-0. (Jensen was absent)

**Comments:**

**Amendments:** See Ordinance

**Members of Committee:** Tony Emerson (Chair), Richard Harmon, Brendan Jensen

**Agenda Date Requested:** 10/17/17

## **Summary of Utility Ordinance Amendments**

### **Water Service Taps**

13.10.100 Allows for contractors to make service taps under the supervision of City inspectors.

### **Obstruction of Fire Hydrants**

13.10.420 Clarifies existing language to prohibit any obstruction including fencing and landscaping within 36" radius of the hydrant.

### **Rendering of Bills**

13. 10.490 Clarifies that bills are rendered monthly not bimonthly. Clearly states that estimated bills are permitted when reading is prevented by inclement weather or meter failure or defect. Initial and final bills will have a prorated base charge.

### **Industrial Pretreatment**

13.05.050 (d) (1) - Allow for suspension of surcharge increase when an industry needs to bypass their pretreatment facility for maintenance or equipment failure if bypass is less than seven days.

Have added new definitions or substantially revised definitions for the following:

- Act, Clean Water Act,
- Administrative Order,
- Authorized or duly authorized representative of the user,
- Biochemical oxygen demand (BOD),
- Categorical Pretreatment Standards or Categorical Standard,
- Consent Order (CO),
- FOG,
- Industrial wastes,
- Local Limit,
- Paint Filter test,
- Pretreatment Requirements,
- Pretreatment standard,
- Prohibited Discharge Standards or Prohibited Standards,

- Publicly owned treatment works (POTW),
- Show Cause Order, Silver associated process,
- Slug Discharge and Slug Load,
- Standard industrial classification or SIC and
- Total suspended solids.

Have removed definitions for the following:

- National Categorical Pretreatment Standard,
- National Prohibitive Discharge Standard and
- Superintendent.

13.15.100 (c) Allows Utility Director to take action on noncompliant users including the use of an enforcement response plan.

13.15.120 and 13.20.140 - Clarified that the Utilities Director may pursue multiple enforcement measures for example—administrative orders, administrative monetary penalties, injunctive relief. Also gives the ability to publish in the newspaper a list of users in significant non-compliance.

13.20.282 Revised Unlawful waste discharges in sanitary sewer to include Interference or Pass Through of the POTW. (*Interference is a discharge that interferes with the operation of our POTW or causes non-compliance with our NPDES Permit. Pass Through is discharge that passes through our POTW and causes violation of our NPDES permit*). Revised pH limits allowed for discharge. Also Utility Director may adopt an Enforcement Response Plan.

13.20.300 – Limitations, allows Utility Director to implement local limits on pollutants that could cause interference or pass through and develop BMPs in individual wastewater discharge permits. Redefined temperature limitations at the treatment plant.

13.20.370 - Dilution of discharges, redefined to include mass limitations.

13.20.410 - Wastewater discharge permit, redefined the requirements of a discharge permit.

13.20.445 – Clarifies that any Appeals shall be in accordance with the uniform Appeals Procedure set forth in 2.145 TMC

13.20.450 - Wastewater discharge permits contents were amended to more closely mirror the current NPDES Permits.

13.20.475 - Wastewater discharge permit; Director now has the authority to revoke a permit.

13.20.520 - Reporting requirements of discharge permits were amended to include that reports need to be signed by the authorized representative. The Monitoring and Sampling Requirements were revised to track with the EPA's model ordinance language.

13.20.525 - Certification of Permit Applications and User Reports was added.

13.20.530 - Notice of hazardous waste discharge was amended to read the same as the language in 40 CFR Part 261.

13.20.540 – Significant noncompliance was amended to exclude the technical review criteria definition for pH and include the use of the Enforcement Response plan when needed.

13.20.545 – Upset was added for pretreatment plants. (*Upset is a temporary noncompliance caused by factors beyond control of user—ie loss of power to a facility*)

13.20.550 – Recordkeeping was strengthened by using EPA's model ordinance language including a three year retention period as well as the ability to inspect and copy records.

13.20.570 - Liquid waste hauler discharge permit application was amended to include the word hauler.

13.20.580, 13.20.590, 13.20.600 and 13.20.660 Liquid waste hauler and regulations were amended to include the words hauler or hauled liquid.

(Published in the Topeka Metro News \_\_\_\_\_)

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE introduced by Interim City Manager Douglas Gerber concerning the organization of the utilities department, adding ~~a~~new sections and amending and repealing several original sections of Title 13, Utilities, of the City of Topeka Code.

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

Section 1. That section 13.05.017, Water, water pollution control, and stormwater utility, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Water, water pollution control, and stormwater utility.**

(a) The ~~city council~~governing body of the city of Topeka, Kansas, hereby authorizes the combination of the city's water and water pollution control utility and the city's stormwater utility into a single utility to be known as the water, water pollution control, and stormwater utility of the city of Topeka, Kansas.

(b) The city manager is hereby authorized to take such further actions as may be necessary to effectuate the creation of such water, water pollution control, and stormwater utility herein authorized and the mayor and city clerk are hereby authorized to execute any and all documents necessary to effectuate such purpose.

(c) The utility rates provided in this article for the water, water pollution control, and stormwater utility shall be set by the governing body to provide for the payment of the costs of operating and maintaining the water, water pollution control, and stormwater utility and paying the principal of and interest on all bonds and other obligations of the water, water pollution control, and stormwater utility in order that such utility rates of the water division, water pollution control division, and/or stormwater division of the water, water pollution control, and stormwater utility not be set or



otherwise established so that the utility rates of one such division subsidize the other.

(d) The revenues of the water, water pollution control, and stormwater utility are hereby pledged to the payment of any revenue bonds or other obligations issued or incurred by the city in connection with the city's water, water pollution control, and stormwater utility.

(e) The ~~public works~~utilities director shall establish a central utility billing office, administered by the ~~water division~~utilities department for billing and collecting all utility charges imposed by the combined water, water pollution control, and stormwater utility of the city of Topeka, Kansas. Furthermore, the city may contract with other local, public utilities to provide such entities with billing and collection services.

Section 2. That section 13.05.050, Sanitary sewer service rates, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Sanitary sewer service rates.**

The following are established as the monthly sewer service rates, effective on the dates specified, for discharging wastewater into the sanitary sewer system.

(a) Base Charge. A customer who has a private sewer line that is connected to the city wastewater system, as determined by the utilities director ~~of public works~~ or designee, shall pay a monthly base charge that is based upon the size of the water meter. This base charge shall apply regardless whether wastewater has passed from the private sewer line to the city wastewater system during the billing period. The rates for properties inside and outside the city are as follows:

**Base Charge (Property Inside City)**

|              | <b>Jan. 1, 2015</b> | <b>Jan. 1, 2016</b> | <b>Jan. 1, 2017</b> |
|--------------|---------------------|---------------------|---------------------|
| 1" and below | \$9.12              | \$9.58              | \$10.06             |

|        |          |          |          |
|--------|----------|----------|----------|
| 1 1/2" | \$18.24  | \$19.15  | \$20.11  |
| 2"     | \$29.19  | \$30.65  | \$32.18  |
| 3"     | \$54.73  | \$57.47  | \$60.34  |
| 4"     | \$91.22  | \$95.78  | \$100.57 |
| 6"     | \$182.44 | \$191.56 | \$201.14 |
| 8"     | \$291.91 | \$306.51 | \$321.84 |
| 10"    | \$419.62 | \$440.60 | \$462.63 |

51

**Base Charge (Property Outside City)**

|              | <b>Jan. 1, 2015</b> | <b>Jan. 1, 2016</b> | <b>Jan. 1, 2017</b> |
|--------------|---------------------|---------------------|---------------------|
| 1" and below | \$15.96             | \$16.77             | \$17.61             |
| 1 1/2"       | \$31.92             | \$33.51             | \$35.19             |
| 2"           | \$51.08             | \$53.64             | \$56.32             |
| 3"           | \$95.78             | \$100.57            | \$105.60            |
| 4"           | \$159.64            | \$167.62            | \$176.00            |
| 6"           | \$319.27            | \$335.23            | \$352.00            |
| 8"           | \$510.84            | \$536.39            | \$563.22            |
| 10"          | \$734.34            | \$771.05            | \$809.60            |

52 (b) Wastewater Volume Charge. The customer shall pay on a monthly basis  
53 for the volume of wastewater passing from the private sewer line to the city wastewater  
54 system according to the rate schedule in subsection (c) of this section.

55 (1) Residential and Multifamily Residences/Public Water System Supply.  
56 The charge shall be based on a calculated average water volume  
57 determined in accordance with TMC 13.10.490 and 13.10.510 for water  
58 used in the months of December, January and February. The average water  
59 volume determined by this method shall be referred to as the three-month

winter average. The three-month winter average water volume shall be recalculated each year following the three-month winter period and shall be in effect for the following 12-month period. For a customer who has not established an average, the charge shall be the average of the residential three-month winter average for the applicable meter reading route.

(2) Residential and Multifamily Residences/Well Water Supply. The charge for a customer whose potable water is supplied by a well shall be based on the average of the residential three-month winter average for the applicable meter reading route. Alternatively, the customer may install and maintain, at the customer's cost, a water meter approved by the utilities director of ~~public works~~ or designee. If a meter is installed, the sewer rates shall be calculated based on the average water volume used in the months of December, January, and February as measured at the meter; provided, that access is granted to the utilities director of ~~public works~~ or designee to read, inspect, test, or repair the meter.

(3) Commercial and Industrial. The volume shall be based on the lesser of water volumes determined in accordance with TMC 13.10.490 or actual metered sewer discharges. Credit shall be given for those metered flows which do not enter the sewer collection system. Those customers who discharge wastewater with a biological oxygen demand in excess of 300 milligrams per liter and/or suspended solids in excess of 300 milligrams per liter will be assessed the excess strength charge in accordance with the schedule of rates and charges in subsection (c) of this section.

(c) Schedule of Rates and Charges.

84 (1) Inside City.

|                                                      | Jan. 1, 2015 | Jan. 1, 2016 | Jan. 1, 2017 |
|------------------------------------------------------|--------------|--------------|--------------|
| <b>Domestic Strength Wastewater:</b>                 |              |              |              |
| Volume Charge per 1,000 gallons                      | \$4.09       | \$4.29       | \$4.50       |
| <b>Excess Strength Charges:</b>                      |              |              |              |
| Biochemical Oxygen Demand per mg/l per 1,000 gallons | \$0.002161   | \$0.002161   | \$0.002161   |
| Suspended Solids per mg/l per 1,000 gallons          | \$0.001371   | \$0.001371   | \$0.001371   |

85 (2) Outside City.

|                                                      | Jan. 1, 2015 | Jan. 1, 2016 | Jan. 1, 2017 |
|------------------------------------------------------|--------------|--------------|--------------|
| <b>Domestic Strength Wastewater:</b>                 |              |              |              |
| Volume Charge per 1,000 gallons                      | \$7.16       | \$7.51       | \$7.88       |
| <b>Excess Strength Charges:</b>                      |              |              |              |
| Biochemical Oxygen Demand per mg/l per 1,000 gallons | \$0.003782   | \$0.003782   | \$0.003782   |
| Suspended Solids per mg/l per 1,000 gallons          | \$0.002399   | \$0.002399   | \$0.002399   |

86 (d) Adjustment of Bills.

87 (1) Notwithstanding section (b)(3) of TMC 13.05.050, in the event a  
88 customer's facility bypass system becomes inoperable because of equipment  
89 failure or system maintenance, the customer may request a temporary  
90 suspension of the imposition of excess strength charges in accordance with the  
91 policy established by the utilities director.

92 (2) The monthly rate and charge on a bill may be adjusted  
93 administratively by the water pollution control division to the actual or estimated  
94 volume or strength, provided a significant change from normal conditions of  
95 discharge of waste or strength during the billing period can be demonstrated. In  
96 no event shall an adjusted monthly charge be less than the minimum rate as

established in this section.

Section 3. That section 13.05.060, ERU rate, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**ERU rate.**

(a) There is hereby established for purposes of calculating the stormwater drainage fee the equivalent residential unit (ERU). The ERU is hereby established to be 2,018 feet of impervious area.

(b) The ERU rate to be charged for stormwater drainage fees for each ERU is hereby established as follows:

| <b>ERU rates per month:</b>     | <b>May 1, 2008</b> | <b>Jan. 1, 2009</b> | <b>Jan. 1, 2010</b> | <b>Jan. 1, 2011</b> |
|---------------------------------|--------------------|---------------------|---------------------|---------------------|
| <b>Single-family residence:</b> |                    |                     |                     |                     |
| Less than 1,500 sq. ft.         | \$2.75             | \$2.75              | \$2.75              | \$2.75              |
| 1,501 to 3,500 sq. ft.          | \$4.25             | \$4.25              | \$4.25              | \$4.25              |
| Over 3,500 sq. ft.              | \$6.65             | \$6.65              | \$6.65              | \$6.65              |
| <b>All other residential</b>    | \$4.25             | \$4.25              | \$4.25              | \$4.25              |
| <b>All nonresidential</b>       | \$4.25             | \$4.25              | \$4.25              | \$4.25              |

(c) The following enumerated factors and review process are hereby adopted by the city to evaluate any reductions of stormwater utility fees charged to properties which are located within a duly created drainage district:

(1) Quantify the functional activities and frequency for the activities that are being performed within a drainage district's boundary within the city's service area by the city.

(2) Quantify the functional activities and frequency for the activities that are being performed within a drainage district's boundary within the city's service area by the drainage district.

(3) If an identical function is being performed by the drainage district and is

not replicated by the city within the drainage district's service area, quantify the specific unit of service, including but not limited to length, cross-section area, surface area, number of structures, rehabilitation activities and the frequency for this performance.

(4) Compare the same function and frequency with the costs appropriate for the city staff to perform an identical activity utilizing the city's budget for that specific function.

(5) Utilizing the city's cost for a function and the specific units accomplished in the drainage district's boundary, extend the unit cost times the units accomplished to obtain the total annual cost for all identical functions.

(6) Utilizing the total costs for all functions provided by the drainage district based upon city unit costs, divide this total cost by the ERUs within the drainage district (divided by 12 to obtain monthly) and obtain a "drainage district ERU equivalent cost."

(7) For all parcels within the specific drainage district boundary and within the city limits, subject the "drainage district ERU equivalent cost" from the city's stormwater ERU rate (monthly).

(d) The ~~public works~~utilities department is directed to annually review, utilizing the factors and process referenced herein, and determine monetary savings, if any, to the city for stormwater services provided by duly created drainage districts. The ~~public works~~utilities department shall report its determination of savings to the stormwater utility, if any, to the ~~council of the city~~governing body by June 15th of each year. Rate reductions for properties within duly created drainage districts shall be adopted by separate ordinance and be based upon savings to the stormwater utility.

(e) Utilizing the enumerated factors and review process adopted herein, the stormwater rate reduction for the following duly created drainage districts is as follows:

Shunganunga Drainage District 0

Kaw River Drainage District 0

North Topeka Drainage District (per ERU, per month) \$0.83

Section 4. That section 13.10.030, Water superintendent, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Water superintendentUtilities director; express authority.**

(a) ~~Position Created. There is hereby created the position of water superintendent in the city. The water superintendent~~Utilities Director or designee shall have the authority to manage and control the city's water utility ~~subject to the supervision of the director of public works.~~

**(b) Specific Duties, Responsibilities and Authority.**

~~(1) The water superintendent is responsible for directing the total operation of the water utility; oversees the inspection and maintenance of facilities; hiring, firing and training of employees (union/nonunion); is involved in negotiating the union contract; and personally directs staff.~~

~~(2) The water superintendent initiates and supervises the development of plans for new facilities at the treatment plant; authorizes installation of water mains; oversees preparation of plans and specifications and compilation of cost estimates; negotiates contract terms; conducts the backflow prevention and cross connection control program; and oversees plans for infrastructure reconstruction, repair or replacement.~~

160           ~~(3)~~ In order to protect the safety of the city's water supply, including  
161 maintaining the integrity of any water intake located on the Kansas River, the  
162 ~~water superintendent~~utilities director may take appropriate measures to prohibit  
163 individuals from entering or remaining within 150 feet of such intake. Such  
164 measures may include, but are not limited to, cordoning off the area and posting  
165 signs warning of criminal penalties for trespass.

166           ~~(4) The water superintendent prepares the water division budget and~~  
167 ~~administers the funds; is responsible for the internal accounting systems,~~  
168 ~~combined utility billing and collection systems; and oversees all purchases.~~

169           ~~(5) The water superintendent coordinates the water utility operation with~~  
170 ~~federal, state and other regulatory agencies and is responsible for distribution of~~  
171 ~~water to all qualified customers.~~

172           ~~(6) The water superintendent prepares/reviews all water division~~  
173 ~~ordinances and/or resolutions prior to presentation to the director of public works,~~  
174 ~~screens state legislative material which might affect a water utility, serves on~~  
175 ~~committees and is active in various associations within the water utility field.~~

176           ~~(7c)~~ The ~~water superintendent~~utilities director shall have the authority to  
177 make account adjustments, settle contract disputes, and write off accounts  
178 related to the utility billing system and accounts receivable for the purpose of  
179 correcting errors, settling disputed accounts, and inducing prompt payment for  
180 any amount up to \$10,000. Any account adjustments, write-offs, contract  
181 disputes or settlements of disputed accounts exceeding \$10,000 shall be  
182 approved by the ~~city council~~governing body.

183           Section 5. That section 13.10.070, Application for city water service line



connection, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Application for city water service line connection.**

Any person requesting a new city water service line connection must first make application with the water division.

An application will not be processed unless and until all outstanding debts, if any, due to the city of Topeka, including the combined water, wastewater and stormwater utility, are paid in full, whether such obligation is for unpaid accounts, charges, services, equipment or materials.

Each person requesting a new city water service line connection to the water distribution system shall pay all connection costs, which include water system fees, water service installation fees, tap fees, and other charges, as applicable.

A new city water service line connection shall require the installation of a water meter meeting specifications determined by the ~~water superintendent~~ utilities director. Such meters shall be installed at the expense of the property owner and thereafter owned and maintained by the city. All city water service line installations shall be in accordance with the provisions of TMC 13.10.250.

Section 6. That section 13.10.090, Turning off of water, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Turning off of water.**

The city reserves the right at any time to shut off the water supply for repairs, extensions, nonpayment of charges, to prevent waste of water, to prevent cross contamination of the water supply system or for any other reason, and shall not be liable for any damage resulting from shutting off the water. When water service has been

turned off by the water division, it shall be unlawful for any person to turn the water on or to connect the premises with water except when authorized in writing by the water division to do so. When water has been so turned on without authority, the water division shall turn off the water at the main, and service will not be restored until the cost of turning such water off and on has been paid by the consumer or the property owner.

Section 7. That section 13.10.100, Persons or companies who can install city water service lines or water meter service, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Persons or companies who can install city water service lines or water meter service.**

(a) City Water Service Line. No person shall install any city water service line unless the person shall be a duly licensed contractor to perform work in the city's right-of-way or city employees under the direction of the ~~water superintendent~~ utilities director. Service taps to water mains shall only be performed by city employees under the direction of the ~~water superintendent~~ utilities director or duly licensed ~~plumbing~~ contractors under the ~~direction of the water superintendent~~ direct supervision of an employee of the utilities director department.

(b) Water Meter Service. No person shall install any water meter service or perform any work permitted by the terms of this chapter in the city unless the person shall be a duly licensed plumbing contractor, a licensed utility contractor engaged by the city to perform work on its behalf, or a city employee under the direction of the ~~water superintendent~~ utilities director. Any such person shall faithfully comply with all city ordinances and water division policies in reference to excavation and plumbing and all rules and regulations made in pursuance thereof.

232           Section 8.     That section 13.10.120, Water service to owner of real property  
233 outside city limits – Requirements, of The Code of the City of Topeka, Kansas, is hereby  
234 amended to read as follows:

235           **Water service to owner of real property outside city limits – Requirements.**

236           Real property that is located outside of the city's boundaries may be eligible for  
237 water service if the property meets the requirements in subsections (a) and (b) of this  
238 section.

239           (a)     Annexation. The property to be served is annexed into the city unless the  
240 property owner consents to annexation and one of the following applies:

241                   (1) There is an imminent threat to public health and safety as determined  
242 by the Kansas Department of Health and Environment or a similar regulatory  
243 agency, or a court of law. However, this exemption does not apply to property  
244 located between the original location of the public infrastructure and the property  
245 to be served.

246                   (2) Connection to public infrastructure will promote an industrial  
247 development project within the employment tier of the urban growth area or  
248 outside the urban growth area consistent with the comprehensive plan.

249                   (3) The parcels were created before February 15, 2007, in accordance  
250 with both the subdivision regulations and zoning in effect at the time of their  
251 creation, and water infrastructure, not including transmission lines, is adjacent to  
252 the property to be served.

253                   (4) The city has agreed to provide water service to the property owner by  
254 virtue of the following: (i) a contract; (ii) approval of a final plat prior to February  
255 15, 2007, which includes water service; or (iii) an approved plat meeting the

comprehensive plan's urban growth area design standards and compliance with the zoning that was in effect on March 16, 2015.

(5) The city has previously provided water service to the same parcel of real estate for which service has been requested. The reconnection of service shall be limited to the same size of service line as the previous service. Further, the reconnection shall be limited to the same number of lines or connections which previously existed.

(6) Service is requested by a facility owned and operated by a political and taxing subdivision.

(b) Platting. The property to be served is platted consistent with the design standards and development policies contained in the adopted elements of the comprehensive plan unless all of the following conditions exist:

(1) A detached single-family dwelling is located on the property and there are no other structures except permitted accessory structures.

(2) Adequate utility and drainage easements and/or street rights-of-way exist, as determined by the director of ~~public works~~utilities or designee, or such easements are provided by the property owner.

(3) There are no existing or anticipated drainage problems related to the site or the development.

(4) Adequate public utilities service the property.

(5) Existing or proposed improvements comply with all applicable zoning and development code requirements.

Section 9. That section 13.10.140, Application, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Application.**

Any person requesting a utility account shall make application with the water division and pay a security deposit when required. Security deposit amounts shall be established by the ~~water superintendent~~utilities director and set forth on a schedule maintained by the ~~water superintendent~~utilities director. Such security deposit amounts shall be sufficient to secure the city from financial loss and based on customer credit history, when applicable. The water division shall return deposit amounts if service is discontinued or if customer credit history justifies return of deposit. The ~~water superintendent~~utilities director shall have the authority to apply deposits, with any accrued interest, towards unpaid utility accounts.

Section 10. That section 13.10.150, Deposits fund, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Deposits fund.**

The ~~water superintendent~~utilities director shall keep a record of all deposits made with the water division, together with the name of the depositor and the amount deposited, and such deposit shall be deposited by the ~~superintendent~~utilities director with the city treasurer in a separate account within the water utility fund to be known as customers' deposits; and shall pay to the depositor interest at the rate determined by the state corporation commission, such interest to be credited on January 1st succeeding such deposit and on January 1st thereafter and shall be payable at the water division in cash credited on the utility bill. Interest credited to the customers' deposits shall be charged to the water utility fund. Any interest credited shall not draw interest. Interest earned and received by the city on invested customers' deposits shall be credited to the water utility fund. The fund shall be maintained separately by the city

304 treasurer and upon discontinuance of service the deposit shall be returned to the  
305 customer together with unpaid interest on the deposit at the current rate established for  
306 each calendar year as prescribed by K.S.A. 12-822, as may be amended, provided all  
307 bills for all city utility services including water repairs or other service rendered shall  
308 have been paid by the customer. Should the fund accumulate in a sufficient amount for  
309 investment, it shall be invested by the city treasurer in bonds of the city or in such other  
310 securities as prescribed by K.S.A. 12-822 and 12-1675, as may be amended.

311 Section 11. That section 13.10.190, Operations, maintenance and funding, of  
312 The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

313 **Operations, maintenance and funding.**

314 The water utility shall include fluoridation in the drinking water treatment  
315 operations, as determined by the ~~public-works~~utilities director, or his or her designee,  
316 and as recommended by the Kansas Department of Health and Environment.

317 Funds for equipment, operations and maintenance expenses to fluoridate the city's  
318 water supply system shall be provided from the water, water pollution control, and  
319 stormwater utility fund.

320 Section 12. That section 13.10.240, Size, of The Code of the City of Topeka,  
321 Kansas, is hereby amended to read as follows:

322 **Size.**

323 The size of each city water service line and customer water service line shall be  
324 determined by the ~~water-superintendent~~utilities director. Any change in the size of the  
325 existing city water service line or customer water service line shall be at the expense of  
326 the property owner unless the change in size is in the benefit of the water division as  
327 determined by the ~~water-superintendent~~utilities director.

Section 13. That section 13.10.270, City water service line termination/abandonment/replacement, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**City water service line termination/abandonment/replacement.**

City water service line termination, abandonment and/or replacement shall be in accordance with water division policies established and maintained by the ~~water superintendent~~ utilities director.

Section 14. That section 13.10.290, Fire protection lines, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Fire protection lines.**

Services for fire protection shall be fitted with such fixtures only as are needed for fire protection, and shall be installed entirely separate from all city water service lines and customer water service lines used for other purposes, and be kept entirely separate from all other such lines, except as provided in the building conservation code currently adopted by the city or authorized by the ~~water superintendent~~ utilities director. Any water pipe which shall be installed as a fire protection line, either sprinkler systems or otherwise, and all valves or openings must be sealed by the water division and the seals shall not be broken, except in case of fire. Immediate notice of breaking of any seal must be given to the water division. All services for fire protection located after the valve isolating the fire protection line from the water main shall be considered to be private fire service lines and shall be the responsibility of the property owner. It shall be the duty and responsibility of the property owner to keep the private fire service line in good repair. In the event the property owner fails to maintain the private fire service line, then the city may undertake the needed repair and assess the cost of repair to the real

property serviced by the private fire service line.

Section 15. That section 13.10.350, Repair, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Repair.**

All meters measuring water furnished to consumers shall be repaired or replaced by the water division, ~~provided the meter is installed in an approved meter box or application for installation of the meter box is signed by the property owner or otherwise,~~ and the cost of ~~repairing~~ the repair or replacement shall be charged against the ~~owner~~ water division. All meters damaged ~~by hot water~~ because of the negligent acts or ~~freezing through negligence~~ omissions of the property owner shall be charged to the property owner.

Section 16. That section 13.10.390, Hydrant meter – Deposit required, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Hydrant meter – Deposit required.**

Hydrant meter deposit amounts shall be established by the ~~water superintendent~~ utilities director, as approved by the ~~public works~~ utilities ~~director~~ **city manager**, and set forth on a schedule maintained by the ~~water superintendent~~ utilities director. Such fees shall be based upon the size of the hydrant meter, and cost for the water division to replace the hydrant meter and hydrant wrench.

A refundable deposit shall be required and held without interest. Upon request from customer, deposit shall be refunded after hydrant meter is returned to water division and any cost of damage to meter, meter appurtenances and delinquent amounts due to water division for customer's account have been paid in full.

Section 17. That section 13.10.400 Hydrant meter – Fees, of The Code of the



City of Topeka, Kansas, is hereby amended to read as follows:

**Hydrant meter – Fees.**

Hydrant meter rental fee amounts shall be established by the ~~water superintendent, as approved by the public works director,~~utilities director and set forth on a schedule maintained by the ~~water superintendent~~utilities director. Such fees shall be based on operating costs for issuing and maintaining hydrant meters.

Customers shall be charged rental fees on a monthly basis, with a minimum charge of one month's rental. Under no circumstances shall fees be prorated.

Customers shall be assessed, when applicable, administrative fees such as: Annual testing fee, manual meter reading and consumption estimation fee, and delinquent account fee.

Administrative fee amounts shall be established by the ~~water superintendent~~utilities director, as approved by the ~~public works~~utilities ~~director~~ city manager, and set forth on a schedule maintained by the ~~water superintendent~~utilities director. Such fees shall be based on operating costs for testing and billing for hydrant meters and may be waived when customers comply with testing and billing requirements.

Section 18. That section 13.10.415, Requirements, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Requirements.**

(a) Each owner of a private fire hydrant shall comply with all of the following requirements:

(1) The hydrant shall be used only for fire protection;

(2) The hydrant shall be approved by the fire chief and the ~~water~~

~~superintendent~~utilities director or their designees prior to installation.

(3) The hydrant shall be installed in accordance with the city of Topeka and Shawnee County standard technical specifications in such a manner and location so that the hydrant is accessible at all times to the fire department for the purpose of fire protection.

(4) The connecting water line between the city water main shall not be less than six inches in diameter. When connected to a fire protection line, the owner shall ensure that there is backflow protection in accordance with TMC 14.35.560.

(5) The hydrant shall be painted a bright red color and the pumper nozzle cap (or hose nozzle caps in absence of pumper nozzle) is painted industrial yellow in accordance with the standards of the water division.

(b) Inspection, Testing, Maintenance, Repair. Each owner of a private fire hydrant shall be responsible for the repair and maintenance of each hydrant. This responsibility includes, but is not limited to, the following:

(1) The owner shall perform testing, at the request of the fire department or water division, which demonstrates that the hydrant is in proper operating condition; and

(2) The owner shall perform a flow test on a schedule established by the ~~water superintendent~~utilities director and submit the results, on a form provided by the water division, to the ~~water superintendent~~utilities director within 10 days of the test.

Section 19. That section 13.10.420, Obstruction, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Obstruction.**

No person shall obstruct visibility of or accessibility of a public or private fire hydrant by placing material of any kind within a 36" radius around the circumference of the hydrant, including but not limited to ~~snow accumulation, parked vehicles, refuse, equipment, or any obstruction~~ that would impair visibility or accessibility to any firefighter or water utility employee. "Material" includes but is not limited to pushing or stockpiling of snow, vehicles, refuse, equipment, posts, fences and landscaping.

Section 20. That section 13.10.430, Use by city departments and divisions, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Use by city departments and divisions.**

Water used by all city departments and divisions from a fire hydrant shall be measured by a method acceptable to the ~~water superintendent~~ utilities director. The fire department shall submit a report monthly to the ~~water superintendent~~ utilities director stating estimated water usage for firefighting. All other city divisions or departments shall report monthly to the ~~water superintendent~~ utilities director the amount of water used by their department or division.

Section 21. That section 13.10.440, Changing location, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Changing location.**

Any change in the location of a private fire hydrant shall be approved by the fire chief, the city engineer and the ~~water superintendent~~ utilities director or designee. The cost of moving a hydrant shall be paid by the party desiring the change.

Section 22. That section 13.10.450, Altering color, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Altering color.**

It shall be unlawful for any person to alter the color of any fire hydrant in the city absent permission of the ~~water superintendent~~ fire chief and utilities director or their designees.

Section 23. That section 13.10.460, Damage to fire hydrant, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Damage to fire hydrant.**

(a) Any person who damages or impairs the operation of a fire hydrant shall immediately notify the water division.

(b) Each owner of a private fire hydrant shall notify both the fire chief and the ~~water superintendent~~ utilities director if the owner has knowledge that a private water hydrant has been damaged or is inoperable.

Section 24. That section 13.10.480, Water protection fees and clean drinking water fees, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Water protection fees and clean drinking water fees.**

Water protection fees and clean drinking water fees shall be imposed, collected, and remitted by the ~~water superintendent~~ utilities director in accordance with K.S.A. 82a-954 and 82a-2101, as may be amended.

Section 25. That section 13.10.490, Rendering of bills, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Rendering of bills.**

The water division shall render bills each month based on a monthly ~~or bimonthly~~ reading and a monthly rate, ~~either monthly or bimonthly~~, to all water consumers of the

city for the water consumed, such bill to be mailed or delivered by the water division not later than 10 business days following the date of the reading. All meters shall be read monthly ~~or bimonthly~~, or as near monthly ~~or bimonthly~~ as practicable unless an estimate of consumption is necessary. The base charge for the initial month or final month of service will be prorated for the portion of the month for which service was provided. The initial bill will not be calculated for a period of less than 15 days. In the event the period of service is less than 15 days, the initial bill will be rendered after the end of the following month and will include that month plus the initial period. ~~Meter readings are not required to be taken unless the water has been turned on at least 15 days, but after 15 days the monthly rates will apply.~~ On any service for which, for any reason, a monthly reading was not taken, a period of 45 days to 74 days may be considered two months, a period of 75 days to 104 days may be considered three months, etc. ~~Final bills are computed on a monthly basis, regardless of the number of days since the previous reading.~~ Where it is impossible to read a meter because of meter failure or mechanical defect or when inclement weather prevents meter reading, ~~where a meter has ceased to register, or where a meter is out of order and is, without doubt, registering much less than actual consumption, based on consumption of the previous month or the same month of the previous year,~~ the quantity may be estimated in accordance with the policy established by the utilities director. The water division does not assume the responsibility for speedy and safe delivery of, or failure to receive, the bill; a duplicate may be obtained ~~by calling~~ in person at the utility office, or by telephone.

Section 26. That section 13.10.495, Fees and charges, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Fees and charges.**

496 Fees and charges for materials, equipment or services provided by the water  
497 division or for loss prevention shall be established by the ~~public works~~utilities director or  
498 his or her designee, and approved by the city manager, and set forth on a schedule of  
499 fees and charges maintained by the ~~water superintendent~~utilities director. Such fees  
500 and charges shall be based on the following factors, including, but not limited to,  
501 reimbursing the city for all costs associated with providing the materials, equipment or  
502 service and to protect the city from financial loss. The ~~water superintendent~~utilities  
503 director shall have the authority to waive service fees and charges to correct errors and  
504 settle disputed accounts in accordance with TMC 13.10.030.

505 Section 27. That section 13.10.497, Water system fees, of The Code of the City  
506 of Topeka, Kansas, is hereby amended to read as follows:

507 **Water system fees.**

508 Water system fees shall be determined by the ~~public works~~utilities director or his  
509 or her designee, and approved by the city manager, and reviewed and adjusted if  
510 necessary at least every five years. Such water system fees shall be set forth on a  
511 schedule maintained by the ~~water superintendent~~utilities director. Such fees shall be  
512 based on the system's value, capacity and demand factors.

513 At the discretion of the city manager or ~~city council~~governing body, as applicable,  
514 the water system fees authorized in this section may be waived or modified for  
515 economic development projects which offer extraordinary benefits to the city. The city  
516 manager shall be authorized to grant a waiver of up to 25 percent of the fees. ~~City~~  
517 ~~council~~Governing body approval shall be required for any waiver in excess of 25  
518 percent.

519 Section 28. That section 13.10.560, Delinquent utility account – Restoration of

water service, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Delinquent utility account – Restoration of water service.**

(a) If a utility account becomes delinquent, water service may be discontinued and shut off pursuant to K.S.A. 12-808c and 12-860, as may be amended, and as defined in water division policies established and maintained by the ~~water superintendent~~ utilities director.

(b) Restoration of water service for delinquent utility accounts shall be in accordance with water division policies established and maintained by the ~~water superintendent~~ utilities director.

Section 29. That section 13.10.580, Unauthorized water service, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Unauthorized water service.**

Water service shall only be provided by authorized water division personnel or an authorized agent acting on behalf of the city. If a residence, business or other structure is determined to be connected to the city's water distribution system without authorization by the water division, an unauthorized water service fee may be assessed by the ~~water superintendent~~ utilities director plus any additional costs incurred by the division for the parts and labor to restore service. Water service shall only be restored upon payment in full of the unauthorized water service fee, costs for parts and labor, and any other applicable charges. The amount of the unauthorized water service fee shall be established by the ~~public works~~ utilities director or his or her designee, and approved by the city manager, based upon costs to secure the city from financial loss as determined and set forth on a schedule maintained by the ~~water~~

~~superintendent~~ utilities director.

Section 30. That section 13.10.620, Authorization, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Authorization.**

The ~~director of the public works department~~ utilities director or his or her designee ~~(referred to in this article as the “director”), or the assistant public works director (referred to in this article as the “assistant director”)~~ in the absence of the director, upon the ~~recommendation of the superintendent of the water division,~~ is hereby authorized and directed to implement the applicable provisions of this article upon the determination that such implementation is necessary to protect the public welfare and safety.

Section 31. That section 13.10.650, Enforcement – Penalty for violations, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Enforcement – Penalty for violations.**

(a) Authority. The ~~superintendent of the water division~~ utilities director and other employees of the water division are authorized to enforce all provisions of this article.

(b) First Violation. Any consumer who violates any provisions of this article shall be issued a written notice of the violation. The written notice shall be affixed to the property where the violation occurred and mailed to the consumer of record and to any other person known to the city who is responsible for the violation and its corrections. Such notice shall describe the violation and order that it be corrected, cured or abated immediately or within such specified time as the city determines is reasonable under the circumstances. Failure to receive such notice shall not invalidate further actions by the



city. If the order is not complied with, the city may terminate water service to the customer. If water service is terminated, a charge for disconnection, reconnection and restoration of service shall be made. The charge will be for the actual costs of terminating and restoring service plus the appropriate amount listed below:

(1) Residential: \$50.00.

(2) Commercial/industrial: An amount equal to 100 percent of the average monthly water bills for the previous 12 months.

(c) Second and Subsequent Violations. In the event of additional violations of this article, the city will terminate water service to the consumer and a charge for terminating and restoring service will be made. The charge will be for the actual costs of terminating and restoring the service, plus:

(1) For second violations, the highest of \$200.00 or an amount equal to 200 percent of the average monthly water bills for the previous 12 months.

(2) For any additional violations after the second violation, the highest of \$300.00 or an amount equal to 300 percent of the average monthly water bills for the previous 12 months.

Any customer who has service disconnected pursuant to this section may appeal the cost of terminating and restoring service ~~to the council of the city~~ in accordance with Chapter 2.145 TMC.

(d) Code Violation. Any violation of the water conservation plan shall also be considered a violation of this code and may be punishable by proceedings in municipal court. Each day's violation shall constitute a separate offense and shall be punished accordingly.

Section 32. That section 13.10.670, Prohibitions – Guidelines for

implementation of stages, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Prohibitions – Guidelines for implementation of stages.**

No consumer shall knowingly make, cause, use or permit the use of water from the city for residential, commercial, industrial, agricultural, governmental or any other purpose in a manner which is contrary to any provision of this article or in an amount in excess of that use permitted by the conservation stage in effect pursuant to the provisions of this article. The utilities director, ~~in conjunction with the superintendent of the water division,~~ shall promulgate guidelines which set forth criteria for determining when a particular conservation stage is to be implemented or terminated. Such guidelines shall be updated as the conditions of the utility system change.

Section 33. That section 13.15.010, Definitions, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Definitions.**

The following terms, phrases and abbreviations when used in this chapter and Chapters 13.20, 13.25, 13.30 and 13.35 TMC shall have the meanings ascribed to them in this section unless specifically stated otherwise:

“Accelerated erosion” means erosion caused by development activities that exceeds the natural processes by which the surface of the land is worn away by the action of water, wind, or chemical action.

“Act or “the Act.”” means the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. section 1251, et seq.

“Administrative Order (AO)” – An order for compliance, issued by the utilities director. May contain compliance schedules and/or fines for additional days of noncompliance.

Types of AOs include consent orders, compliance orders, show cause orders and cease and desist orders.

“Applicant” means a person who has requested approval of a subdivision or site plan.

“Appraisal district” means the office of the county appraiser.

“Approval authority” means the Environmental Protection Agency (EPA) or, if the pretreatment program has been formally delegated to the state Department of Health and Environment (KDHE), it shall mean the Director of the Division of Environment of KDHE.

“Authorized or duly authorized representative of the user” means:

~~(1) A principal executive officer of at least the level of vice president, if the industrial user is a corporation;~~

~~(2) A general partner or proprietor, if the industrial user is a partnership or proprietorship, respectively;~~

~~(3) A duly authorized representative of the individual designated above, if such representative is responsible for the overall operation of the facilities from which the indirect discharge originates; or~~

~~(4) A duly authorized representative responsible for the operation of a facility owned and/or operated by the state, federal or local government.~~

(a) If the User is a corporation:

(1) The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or

(2) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management

decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(b) If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.

(c) If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.

(d) The individuals described in subsections (a), (b) and (c) of this section may designate a Duly Authorized Representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the utilities director.

“Beneficial uses” means uses of the waters of the state that may be protected against quality degradation which include, but are not necessarily limited to, domestic, municipal, agricultural and industrial supply, power generation, recreation, aesthetic enjoyment, navigation and the preservation and enhancement of fish, wildlife and other aquatic resources or reserves, and other uses, both tangible or intangible, as specified

by federal or state law.

“Best management practices (BMPs)” means the schedules of activities, practices, and maintenance procedures which prevent or reduce the discharge of pollutants directly or indirectly to the POTW, MS4 and/or to the waters of the United States. BMPs can be structural or nonstructural, and also include treatment facilities and requirements, operating and maintenance procedures, and practices to control plant and construction site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage, and such other provisions as the ~~superintendent~~utilities director determines appropriate for the control of pollutants.

“Biochemical oxygen demand (BOD)” means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures in five days at 20 degrees Celsius, expressed in milligrams per liter, as outlined in Standard Methods 5210 B – 2001 approved in 40 CFR Part 136.

“Bonds” means revenue bonds, general obligation bonds, notes, loans or any other debt obligations issued or incurred to finance the costs of construction.

“Building” means any structure, either temporary or permanent, having walls and a roof, designed for the shelter of any person, animal, or property, and occupying more than 150 square feet of area.

~~“Categorical Pretreatment Standards” or “Categorical Standard” The industrial activity performed at the facility is regulated by one or more of the federal regulations means~~  
any regulation containing discharge standards promulgated pursuant to the CWA that apply to a specific category of users. Categorical Pretreatment Standards are found in Title 40 Code of Federal Regulations (40 CFR) Parts 401 - 424 and 425 – 471. The Categorical Pretreatment Standards are applicable if the facility discharges process

wastewater to a POTW. In the EPA Pretreatment Categories and Standards, the categorical activity is assigned pretreatment limitations, reporting requirements, or both.

“Cease and Desist orders” means a cease and desist order directs a noncompliant user to cease illegal or authorized discharges immediately or to terminate its discharge altogether.

“Channel” means a natural or artificial watercourse with a definite bed and banks that conducts continuously or periodically flowing water.

“City” means the city of Topeka, Kansas.

“Clean Water Act” or “the Act” means the federal Water Pollution Control Act (33 U.S.C. Section 1251 et seq.), and any subsequent amendments thereto.

“Clearing” means any activity that removes the vegetative surface cover.

“Compliance Order” – A compliance order directs the user to achieve or restore compliance by a date specified in the order. It is issued unilaterally and its terms need not be discussed with the industry in advance.

“Composite sample” means a combination of individual samples of water or wastewater taken at selected intervals (generally hourly or some similar specified period) to minimize the effect of the variability of the individual sample. Individual samples may have equal volume or may be roughly proportional to the flow at time of sampling.

“Consent Order (CO)” – Consent order for compliance. Legally enforceable agreement between the City and the industrial violator designed to restore compliance.

“Construction activity” means activities subject to NPDES construction permits. These include construction projects resulting in land disturbance of one acre or more. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.

“Contamination” means an impairment of the quality of the waters of the state by waste to a degree which creates a hazard to the public health. “Contamination” shall include any equivalent effect resulting from the disposal of wastewater, whether or not waters of the state are affected.

“Cooling water” means the water discharged from any use such as air conditioning, cooling or refrigeration or to which the only pollutant added is heat.

“Costs of construction” means costs reasonably incurred in connection with providing capital improvements to the system or any portion thereof, including but not limited to the costs of:

- (1) Acquisition of all property, real or personal, and all interests in connection therewith including all rights-of-way and easements therefor;
- (2) Physical construction, installation and testing, including the costs of labor, services, materials, supplies and utility services used in connection therewith;
- (3) Architectural, engineering, legal and other professional services;
- (4) Insurance premiums taken out and maintained during construction, to the extent not paid for by a contractor for construction and installations;
- (5) Any taxes or other charges which become due during construction;
- (6) Expenses incurred by the city or on its behalf with its approval in seeking to enforce any remedy against any contractor or subcontractor in respect of any default under a contract relating to construction;
- (7) Principal of and interest of any bonds, temporary notes or loans; and
- (8) Miscellaneous expenses incidental thereto.

“Debt service” means, with respect to any particular fiscal year and any particular series

of bonds, an amount equal to the sum of all interest payable on such bonds during such fiscal year, plus any principal installments of such bonds during such fiscal year.

“Dedication” means the deliberate appropriation of property by its owner for general public use.

“Department” means the ~~public works~~utilities department of the city.

“Detention” means the temporary storage of storm runoff in a stormwater management practice with the goals of controlling peak discharge rates and providing gravity settling of pollutants.

“Detention facility” means a detention basin or alternative structure designed for the purpose of temporary storage of stream flow or surface runoff and gradual release of stored water at controlled rates.

“Developed property” means real property other than undisturbed property.

“Developer” means a person who undertakes land disturbance activities.

“Direct discharge” means the discharge of treated or untreated wastewater directly to the waters of the state.

“Director” or “Utilities Director” means the director of the utilities department ~~of public works~~ or his or her designee.

“Discharge” means the addition or introduction of any pollutant, wastewater, stormwater, or any other substance into the POTW, ~~municipal separate storm sewer system (MS4)~~ or into waters of the United States.

“Documented waste strength” means the average concentration of the analytes BOD, TSS, and TKN of a set of 12 samples collected, at random, in a two-year period. Twelve samples for liquid waste Class 2 and 12 samples for liquid waste Class 3 will be tested every two years and the results will be averaged to determine the waste strength for



760 billing purposes.

761 “Domestic septage” means the liquid or solid material removed from a septic tank,  
762 cesspool, portable toilet, type III marine sanitation device, or similar system that  
763 receives only liquid domestic waste (household, noncommercial, nonindustrial sewage)  
764 as defined by the Federal Part 503 regulation.

765 “Domestic sewage” means sewage originating from residential uses or activities  
766 including, but not limited to, kitchen, bathroom, laundry sources, dishwashing, toilets,  
767 baths, showers, sinks, garbage units and food preparation.

768 “Drainage easement” means a legal right granted by a landowner to a grantee allowing  
769 the use of private land for stormwater management purposes.

770 “Drainage fee” means a fee authorized by state law and this title which is established to  
771 pay operations and maintenance, extension and replacement and debt service.

772 “Drainage way” means any channel that conveys surface runoff throughout the site.

773 “Dwelling unit” means a single unit or apartment providing complete, independent living  
774 facilities for one or more persons, including permanent provisions for living, sleeping,  
775 eating, cooking and sanitation.

776 “Environmental Protection Agency (EPA)” means the U.S. Environmental Protection  
777 Agency, or, where appropriate, the term may also be used as a designation for the  
778 administrator or other duly authorized official of such agency.

779 “Equivalent residential unit (ERU)” means the average impervious area of residential  
780 developed property per dwelling unit located within the city and as established by  
781 ordinance as provided in this chapter.

782 “Erosion and sediment control plan” means a document which describes the BMPs and  
783 activities to be implemented by a person or business to identify sources of pollution or

contamination at a site and the actions to eliminate or reduce pollutant discharges to stormwater, stormwater conveyance systems and/or receiving waters to the maximum extent practicable.

“ERU rate” means a drainage fee charged on each ERU as established ~~by council ordinance as provided in~~ Chapter 13.05 TMC.

“Exempt property” means public rights-of-way, public streets, alleys, sidewalks and drainage structures.

“Fee in lieu” means a payment of money in place of meeting all or part of the stormwater performance standards required by Chapter 13.35 TMC.

“Final stabilization” means the condition when all soil disturbing activities at a site have been completed, and a uniform, perennial vegetative cover with a density of 70 percent of the cover for unpaved areas and areas not covered by permanent structures has been established, or equivalent permanent stabilization measures such as the use of riprap, gabions, or geotextiles have been employed.

“Fiscal year” means a 12-month period commencing on January 1st of any year.

“FOG” means Fats, Oils and Grease from animal or vegetable sources.

“Foundation drain” means a perforated pipe or a pipe with open joints or porous material installed either outside exterior foundation walls or inside exterior foundation walls or beneath a basement floor for the purpose of preventing the buildup of water pressure and water capillarity beneath the floor.

“Grab sample” means a sample which is taken from a waste stream on a one-time basis with no regard to the flow in the waste stream and without consideration of time.

“Hazardous substance” means any substance listed in Table 302.4 of 40 CFR Part 302.

“Hazardous waste” means any substance identified or listed as a hazardous waste by

the United States Environmental Protection Agency pursuant to 40 CFR Part 261.

“Hazardous waste treatment, disposal, and recovery facility” means all land and physical structures, other appurtenances and improvements on the land used for the treatment, disposal, or recovery of hazardous waste.

“Holding tank waste” means any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks and vacuum-pump tank trucks.

“Hydrologic soil group (HSG)” means a Natural Resource Conservation Service classification system in which soils are categorized into four runoff potential groups. The groups range from A soils, with high permeability and little runoff production, to D soils, which have low permeability rates and produce much more runoff.

“Illicit connection” means any pipe, conduit, drain or other means of transmitting any substance or waste into the MS4 or municipal sanitary sewer system which is not specifically authorized under Chapters 13.20, 13.25 and 13.30 TMC.

“Illicit discharge” means any direct or indirect discharge to the MS4 or municipal sanitary sewer system, except as specifically permitted under Chapter 13.20, 13.25 or 13.30 TMC.

“Impervious area” means the number of square feet of hard surfaced areas which either prevent or retard the entry of water into the soil mantle, as it entered under natural conditions as undisturbed property, and/or causes water to run off the surface in greater quantities or at an increased rate of flow from that present under natural conditions as undisturbed property, including, but not limited to, roofs, roof extensions, patios, porches, driveways, sidewalks, pavement, graveled areas and athletic courts.

“Indirect discharge” means the discharge or the introduction of nondomestic pollutants from any source regulated under Section 307(b) or (c) of the Act ([33 U.S.C. 1317](#)) into

the POTW (including holding tank waste discharged into the system).

“Industrial activity” means activities subject to NPDES industrial permits as defined in 40 CFR Section 122.26(b)(14).

“Industrial user” means any user contributing ~~industrial waste to an indirect discharge~~ into the municipal sewer system.

“Industrial wastes” means the liquid wastes from industrial manufacturing processes, trade, or business.

“Infiltration” means the process of percolating stormwater into the subsoil.

“Interference” means a discharge which, alone or in conjunction with a discharge or discharges from other sources, both:

(1) Inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and

(2) Is a cause of a violation of any requirement of the POTW’s NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with statutory provisions and regulations or permits issued thereunder by the state or federal government.

“Jurisdictional wetland” means an area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.

“KDHE” means the Kansas Department of Health and Environment.

“Land disturbance activity” means any activity that changes the physical conditions of landform, vegetation or hydrology, creates bare soil, or otherwise may cause erosion or

sedimentation. Such activities include, but are not limited to, clearing, removal of vegetation, stripping, grading, grubbing, excavating, filling, logging and storing of materials.

“Landowner” means the legal or beneficial owner of land, including those holding the right to purchase or lease the land, or any other person holding proprietary rights in the land.

“Liquid waste” means waste which will not pass the paint filter test, is biologically compatible with the wastewater treatment process, and will not pass through or interfere with the wastewater treatment process. Liquid waste meeting the above criteria is further defined by the following categories:

(1) “Class 1 liquid waste” means a domestic septage which originates from storage devices (holding tanks) that are typically pumped at frequent intervals (less than every 30 days) as these devices are nondischarging storage structures for sanitary waste which have no connection to a lateral field or discharge point. Class 1 liquid waste is biologically characterized as being only partially stabilized and having low TSS, BOD5, and TKN content.

(2) “Class 2 liquid waste” means a domestic septage which originates from treatment devices (septic tanks) that are typically pumped at long intervals (more than every 30 days) and having a connection to a lateral field or discharge point. Class 2 liquid waste is biologically characterized as being well stabilized and having high TSS, BOD5, and TKN.

(3) “Class 3 liquid waste” means a domestic septage which originates from storage devices (portable toilets, type III marine sanitation devices) that are typically pumped at frequent intervals (less than every 30 days) as these

880 devices are nondischarging storage structures for sanitary waste which  
881 have no connection to a lateral field or discharge point. Class 3 liquid waste  
882 differs from the other classes of septage as it is chemically stabilized when  
883 generated. This liquid waste is typically characterized as having high TSS,  
884 BOD5, and TKN.

885 (4) "Class 4 liquid waste" means a liquid waste which is composed primarily  
886 of fatty matter from animal or vegetable sources and originates from  
887 residential or commercial grease interceptors. Class 4 liquid waste is  
888 typically characterized as containing two to five percent FOG, five to 30  
889 percent solids and very high organic content.

890 (5) "Class 5 liquid waste" means a liquid waste not defined in the first four  
891 categories above and not defined as a hazardous waste. This liquid waste  
892 includes liquid waste of industrial, commercial, or other origin including, but  
893 not limited to, landfill leachate, wastewater residuals and tanning waste.

894 "Liquid waste hauler" means any person, persons, partnership or corporation which  
895 transports liquid, nonhazardous waste.

896 "Local Limit" means specific discharge limits developed and enforced by the **utilities**  
897 director upon industrial or commercial facilities to implement the general and specific  
898 discharge prohibitions listed in 40 CFR 403.5(a)(1) and (b).

899 "Maintenance agreement" means a legally recorded document that acts as a property  
900 deed restriction, and which provides for long-term maintenance of stormwater  
901 management practices.

902 "Mass emission rate" means the weight of material discharged to the sewer system  
903 during a given time interval, which, unless otherwise specified, is measured in pounds

per day of a particular constituent or combination of constituents.

“Municipal combined sewer” means a sewer owned and operated by the city or other public agency which receives or carries the combination of surface runoff, wastewater, sewage and/or industrial wastes to the POTW.

“Municipal sanitary sewer” means a sewer owned and operated by the city or other public agency which carries wastewater, ~~sewage and/or industrial wastes~~, either directly or indirectly, to a ~~POTW~~ wastewater treatment plant and to which storm, surface and ground waters are not intentionally admitted.

“Municipal sanitary sewer system” means sanitary sewers, pumping stations, sewage treatment plants, main sewers, interceptor sewers, outfall sewers, and works for the collection, transportation, pumping and treating of wastewater, sewage or industrial waste ~~owned and operated by the city of the POTW.~~

“Municipal separate storm sewer system (MS4)” or “municipal stormwater system” means a system of conveyances, including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, natural channels or streams, or storm drains maintained by the city and designed for collecting or conveying stormwater, and which is not used for collecting or conveying sewage.

~~“National categorical pretreatment standard” or “pretreatment standard” means any regulation which establishes or sets pollutant discharge limits promulgated by the EPA in accordance with Section 307(b) and (c) of the Act (33 U.S.C. 1317), which applies to a specific category of industrial users.~~

~~“National prohibitive discharge standard” or “prohibitive discharge standard” means any regulation developed under the authority of Section 307(b) of the Act.~~

“New source” means any building, structure, facility or installation from which there is or

may be a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under Section 307(c) of the Act, which will be applicable to such source if such standards are thereafter promulgated in accordance with that section; provided, that such building, structure, facility or installation meets the criteria outlined by 40 CFR 403.3(~~km~~) of the general pretreatment regulations.

~~“Nonhazardous liquid waste” means a waste not listed under 40 CFR Part 261.~~

“Nonhazardous waste” means waste not listed under 40 CFR Part 261.

“Nonpoint source pollution” means pollution from any source other than from any discernible, confined, and discrete conveyances, and shall include, but not be limited to, pollutants from agricultural, silvicultural, mining, construction, subsurface disposal and urban runoff sources.

“Nonresidential developed property” means developed property that is classified by the county appraisal for the commercial, industrial or other nonresidential uses.

“Notice of intent (NOI)” means the application supplied by KDHE to apply for a permit to discharge stormwater from either a construction site or industrial site.

“Notice of termination (NOT)” means the application supplied by KDHE submitted by either the construction or industrial site permittee to either designate completion of a project or the termination of permitted stormwater discharges from a site.

“NPDES” means the National Pollutant Discharge Elimination System.

“NPDES construction activity permit for discharges of runoff from construction activities” means the NPDES permit issued to an individual or entity by KDHE for all construction sites which disturb a cumulative total of one acre of land or greater.

“NPDES industrial general permit for stormwater discharges associated with industrial



activity” or “NPDES industrial general permit” means the industrial general permit including any amendments thereto issued by KDHE which regulates the discharge of stormwater runoff from certain types of industrial activity.

“Offset fee” means a monetary compensation paid to the city of Topeka for failure to meet pollutant load reduction targets.

“Off-site facility” means a stormwater management measure located outside the subject property boundary described in the application for subdivision or site plan approval.

“Owner” or “operator” means the party or parties that either individually or taken together meet the following three criteria: (1) they own the facility; (2) they have operational control over the facility; (3) they have the day-to-day operational control of those activities at the facility necessary to ensure compliance.

“Pass-through” means a discharge which exits the POTW into waters of the United States in quantities or concentrations which alone or in conjunction with a discharge or discharges from other sources is a cause of a violation of any requirement of the POTW’s NPDES permit (including an increase in the magnitude or duration of a violation).

“Paint Filter test” means a method used to determine the presence of free liquids in a representative sample of waste by placing a sample in a filter to determine whether excess liquids are present.

“Person” means any individual, partnership, copartnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity or other legal representatives, agents or assignees.

“pH” means the negative logarithm of the reciprocal concentration of hydrogen ions measured in grams per liter of solution.

976 “Pollutant” means anything which causes or contributes to pollution including, but not  
977 limited to, paints, varnishes, and solvents; oil and other automotive fluids; nonhazardous  
978 liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other  
979 discarded or abandoned objects, articles, and accumulations, so that same may cause  
980 or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous  
981 substances and wastes; sewage, fecal coliform and pathogens; dissolved and  
982 particulate metals; animal wastes; wastes and residues that result from constructing a  
983 building or structure (including but not limited to sediments, slurries, and concrete  
984 rinsates); and noxious or offensive matter of any kind.

985 “Pollution” means the human-made or human-induced alteration of the quality of waters  
986 by waste to a degree which unreasonably affects, or has the potential to unreasonably  
987 affect, either the waters for beneficial uses or the facilities which serve these beneficial  
988 uses.

989 “Premises” means any building lot, parcel of land, or portion of land whether improved  
990 or unimproved including adjacent sidewalks and parking strips.

991 “Pretreatment” or “treatment” means the reduction of the amount of pollutants, the  
992 removal of pollutants or the alteration of the nature of pollutant properties in wastewater  
993 to a less harmful state prior to or in lieu of discharging or otherwise introducing such  
994 pollutants into the sanitary sewer system. The reduction or alteration can be obtained by  
995 physical, chemical or biological processes or process changes by other means, except  
996 by dilution as prohibited by federal regulation.

997 “Pretreatment Requirements” means any substantive or procedural requirement related  
998 to pretreatment imposed on a User, other than a Pretreatment Standard.

999 ~~“Pretreatment standard” means any regulation containing pollutant discharge limits~~

~~promulgated by the EPA in accordance with Section 307(b) and (c) of the Act which applies to industrial users~~prohibited discharge standards, Categorical Pretreatment Standards, and Local Limits.

“Private service line” means a pipe or enclosed conduit to convey waste or wastewater from the premises of a user to a public sanitary sewer.

“Prohibited Discharge Standards” or “Prohibited Standards” means absolute prohibitions against discharge of certain substances set forth in TMC 13.20.280.

“Publicly owned treatment works (POTW)” means a treatment works as defined by Section 212 of the Act (33 U.S.C. 1292), which is owned ~~in this instance by the city,~~ including any ~~sewers that convey wastewater to the POTW treatment plant, but does not include pipes, sewers or other conveyances not connected to a facility providing treatment and also includes any public sanitary sewer or public combined sewer that convey wastewaters to the POTW from persons outside the city who are users of the city’s POTW~~devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature and any conveyances that convey wastewater to a treatment plant.

“Qualified personnel” means a person who possesses the appropriate skills and ability as demonstrated by sufficient education, training, experience, and/or, when applicable, any required certification or licensing to perform a specific activity in a timely and complete manner consistent with the applicable regulatory requirements and generally accepted industry standards for such activity.

“Recharge” means the replenishment of underground water reserves.

“Redevelopment” means any construction, alteration or improvement in areas where existing land use is commercial, industrial, institutional or multi-family residential,

previously developed property.

“Release” means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the municipal sanitary system or MS4 or the waters of the United States.

“Residential developed property” means developed property which is classified by the county appraisal, as amended or supplemented, as used or usable for residential purposes upon which there is located at least one dwelling unit.

“Revenues” means all rates, fees, assessments, rentals or other charges or other income received by the utility, in connection with the management and operation of the system, including amounts received from the investment or deposit of moneys in any fund or account and any amounts contributed by the city, all as calculated in accordance with sound accounting practice.

“Show Cause Order” – An order requiring an industrial user to appear at a hearing and show cause why a proposed enforcement action should not be taken.

“Significant industrial user” means a user of the municipal sanitary sewer system that meets one or more of the following criteria:

(1) Users whose average wastewater strength cannot be established because of seasonal or other variations and/or operations;

(2) Users whose wastewater strength exceeds the normal range of wastewater strength;

(3) Users using an unmetered source of water;

(4) Users who fall under those guidelines set forth for federal categorical industries;

(5) Users discharging an amount greater than 25,000 gallons per day of

process wastewater for any day during the preceding 12-month period;

(6) Users whose average discharge, measured either by volume of flow, weight of suspended solids, biochemical oxygen demand, or chemical oxygen demand, exceeds two percent of the average loading on the applicable treatment facility; and

(7) Other users determined by the ~~superintendent~~utilities director to require special regulation or source control.

“Silver associated process” means any process, manufacturing or service related business which falls within any of the following standard industrial classifications: 2711, 2721, 2731, 2732, 2741, 2751 to 2754, and 8062 under the most recent edition of the Standard Industrial Classifications ~~Manual issued by the EOP, OMB~~set forth by the Occupational Safety and Health Administration.

“Slug” means any discharge of wastewater, sewage or industrial waste which, in concentration of any given constituent or in quantity of flow, exceeds for any 15-minute period more than five times its average 24-hour concentration or flows during normal operation.

“Slug Discharge” means any Discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch Discharge, which has a reasonable potential to cause Interference or Pass Through, or in any other way violate the POTW’s regulations, Local Limits or Permit conditions.

“Slug Load” means any discharge at a flow rate or concentration, which could cause a violation of the prohibited discharge standards in TMC 13.20.280.

“Standard industrial classification” or “SIC” means a classification pursuant to ~~the most recent edition of the~~ Occupational Safety and Health Administration’s Standard

~~Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget divisions.~~

“State” means the state of Kansas.

“Stop work order” means an order issued which requires that all construction activity on a site be stopped.

“Storm drainage design criteria” means the storm drainage design criteria chapter found in the current edition of the City of Topeka Design Criteria and Drafting Standards Manual.

“Stormwater” means any water flow occurring during or following any form of natural precipitation (i.e., rain, snow, or ice) and any surface runoff or drainage resulting therefrom.

“Stormwater discharge associated with industrial activity” means the discharge from any system which is used for collecting and conveying stormwater and which is directly related to manufacturing, processing, or raw materials storage areas at an industrial plant which is within one of the categories of facilities listed in 40 CFR Part 122.26(b)(14), and which is not excluded from the United States Environmental Protection Agency’s definition of the same term.

“Stormwater management” means the use of structural or nonstructural practices that are designed to reduce stormwater runoff pollutant loads, discharge volumes, and/or peak flow discharge rates.

“Stormwater pollution prevention plan (SWPPP)” means a document which describes the BMP and activities to be implemented by a person or business to identify sources of pollution or contamination at a site and the actions to eliminate or reduce pollutant discharges to stormwater, stormwater conveyance systems and/or receiving waters to

the maximum extent practicable, prepared under the supervision of an engineer, geologist, architect, landscape architect or a certified professional in erosion and sediment control.

“Stormwater runoff” means flow on the surface of the ground, resulting from precipitation.

“Stormwater treatment practices (STPs)” means measures, either structural or nonstructural, that are determined to be the most effective, practical means of preventing or reducing point source or nonpoint source pollution inputs to stormwater runoff and water bodies.

“Stormwater utility” or “utility” means the enterprise fund utility established in Chapter 13.25 TMC to operate, maintain and improve the MS4 and for such other purposes as stated.

~~“Superintendent” means the individual responsible for the operation and management of the city water pollution control operation of the city public works department, or his or her designee.~~

“System extension and replacement” means extensions, additions and capital improvements to, or the renewal and replacement of, capital assets of, or purchasing and installing new equipment for, the sanitary sewer system or MS4, or land acquisition for the systems, and any costs related thereto, or paying extraordinary maintenance and repair, including the costs of construction, or any other expenses which are not costs of operation and maintenance or debt service.

“Total suspended solids” means solids that will either float on the surface of or are in suspension with water, sewage or other liquids, and which are removable by ~~laboratory~~ filtering in accordance with Standard Methods 2540 D-1997 and approved in 40 CFR

Part 136.

“Toxic pollutant” means any pollutant or combination of pollutants listed as toxic in regulations promulgated by the administrator of the Environmental Protection Agency under the provision of Section 307(a)(1) of the Act.

“Undisturbed property” means real property which has not been altered from its natural state by dredging, filling, removal of trees and vegetation or other activities which have disturbed or altered the topography or soils on the property.

“Unpolluted water” means water to which no pollutant has been added, either intentionally or accidentally, which would render such water unacceptable for disposal to storm or natural drainages or directly to surface waters.

“User” means any person that discharges, directly or indirectly, causes or permits the discharge of wastewater into the municipal sanitary sewer system.

“Waste” means substances, whether liquid or solid, associated with human habitation or of human origin or from any producing, manufacturing or processing operation of whatever nature, whether treated or untreated, discharged into or permitted to enter a municipal sanitary sewer system.

“Wastewater” means waste and water, whether treated or untreated, discharged into or permitted to enter a municipal sanitary sewer system.

“Water quality standard” means the criteria set by the Kansas Department of Health and Environment for individual pollutants based on different water uses within the state.

“Watercourse” means a permanent or intermittent stream or other body of water, either natural or manmade, which gathers or carries surface water.

“Waters of the state” means any water, surface or underground, within the boundaries of the state.



“Waters of the United States” means surface watercourses and water bodies as defined at 40 CFR 122.2.

Section 34. That section 13.15.020, Statement of purpose, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Statement of purpose.**

The purpose of Chapters 13.15, 13.20, 13.25, 13.30 and 13.35 TMC is to:

(a) Prevent the introduction of pollutants into the municipal wastewater system which will interfere with the operation of the system or contaminate the resulting sludge;

(b) Prevent the introduction of pollutants into the municipal wastewater system which will pass through the system, inadequately treated, into receiving waters or the atmosphere or otherwise be incompatible with the system;

(c) Improve the opportunity to recycle and reclaim wastewaters and sludges from the system;

(d) Enable the ~~water pollution control division of the public works~~utilities department to meet water quality requirements, to ensure compliance with any applicable effluent limitations, national standards of performance, toxic pretreatment effluent standards, and other discharge criteria which are required by state and federal law; and

(e) Provide for the issuance of permits to certain users and the establishment of penalties for violation of Chapters 13.15, 13.20, 13.25, 13.30 and 13.35 TMC.

Section 35. That section 13.15.030, Statement of policy, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Statement of policy.**

Chapters 13.15, 13.20, 13.25, 13.30 and 13.35 TMC provide for the regulation of contributors to the municipal wastewater system through the issuance of wastewater discharge permits to ~~certain non-domestic~~ significant industrial users and through enforcement of general requirements for the other users, authorizes monitoring and enforcement activities, requires user reporting and assumes that existing customers will not be preempted

Section 36. That section 13.15.040, Applicability, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Applicability.**

Chapters 13.15, 13.20, 13.25, 13.30 and 13.35 TMC shall apply to the city and to persons outside of the city who are, by contract or agreement with the city, users of the city's publicly owned treatment works (POTW). Except as otherwise provided in this chapter, the ~~superintendent~~ utilities director shall administer, implement, and enforce the provisions of Chapters 13.15, 13.20, 13.25, 13.30 and 13.35 TMC.

Section 37. That section 13.15.100, Powers and duties of the superintendent, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Powers and duties of the ~~superintendent~~ utilities director.**

The ~~superintendent~~ utilities director shall have the responsibility and authority to ensure compliance with the NPDES permits issued to the city in order to protect the waters of the state of Kansas and the United States.

(a) Specifically, the ~~superintendent~~ utilities director is authorized to perform the necessary construction, repair, maintenance and rehabilitation as is necessary in his judgment to ensure the safe and efficient functioning of the POTW system. Additionally, the ~~superintendent~~ utilities director shall be responsible for the efficient and safe

treatment of all waste at the POTW and the treatment, application or disposal of solid waste. The ~~superintendent~~utilities director shall also have the authority to regulate ~~industrial pretreatment~~significant industrial users and the hauling and disposal of liquid waste.

(b) The ~~superintendent~~utilities director is authorized to perform the construction, repair, maintenance and rehabilitation as is necessary in his or her sole judgment to ensure the MS4 system functions safely and efficiently to limit erosion and protect water quality. This authority shall include the authority for bank stabilization and clearing obstructions in natural channels and streams. Additionally, the ~~superintendent~~utilities director shall have the authority to implement drainage correction to alleviate surface water flooding or erosion. The ~~superintendent~~utilities director shall have the authority to regulate construction activities, stream buffer regulation, and excavation.

(c) The remedies provided for in this code are not exclusive. The utilities director may take any, all, or any combination of these actions against a noncompliant User. Enforcement of pretreatment violations will generally be in accordance with the City's enforcement response plan. However, the utilities director may take other action against any User when the circumstances warrant. Further, the utilities director is empowered to take more than one enforcement action against any noncompliant User.

Section 38. That section 13.15.110, Notice of violation, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Notice of violation.**

(a) Contents of Notice. Whenever the ~~superintendent~~utilities director finds that any user has violated or is violating any provisions set forth in Chapters 13.20, 13.25,

13.30 and 13.35 TMC, the ~~superintendent~~utilities director may, in accordance with the city's enforcement response plan, serve notice upon such user which contains the following:

(1) The street address or a legal description sufficient for identification of the premises at which the violation is occurring.

(2) A clear statement of violation and code section in violation.

(3) If applicable, notice may contain a statement of the corrective action required to be taken as determined by the ~~superintendent~~utilities director.

(b) Service of Notice. The notice and any amended or supplemental notice shall be served upon the owner of record, and one copy thereof shall be served on each of the following, if applicable, if known or disclosed from official public records: (1) the tenant in possession or (2) the contractor or other individual named in the permit upon which work is being done on the premises. The failure of the ~~superintendent~~utilities director to serve any person required herein to be served shall not invalidate any proceedings hereunder as to any other person duly served or relieve any such person from any duty or obligation imposed by the provisions of this section.

(c) Method of Service. Service of the notice shall be made upon all persons entitled either personally or by mailing a copy of such notice by certified mail, postage prepaid, return receipt requested, to each such person at their address as it appears on the register of deeds, Shawnee County records or at the address listed in the permit or under which the work is being done. If the location of such person is unknown or if no address of such person so appears after diligent effort, then copies of such notice shall be mailed by first class mail to the individual at the address of the real property at which the violation is occurring, and a copy of such notice shall be published once in the

official city paper. The failure of any such person to receive such notice shall not affect the validity of any proceedings taken under this section. Service by certified mail in the manner herein provided shall be effective on the date of receipt.

Section 39. That section 13.15.120, Enforcement methods, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Enforcement methods.**

The following enforcement methods shall apply to provisions set forth in Chapters 13.20, 13.25, 13.30 and 13.35 TMC.

(a) Abatement of Nuisance. Once the property owner has been given notice and opportunity to correct the violations and then failed to do so, the city shall be authorized to abate the violation in accordance with K.S.A. 12-1617e, as amended, which may result in a service assessment and lien imposed pursuant to TMC 3.45.090 et seq. or K.S.A. 12-6a17 and amendments thereto.

(b) Emergency Provisions.

(1) Immediate Abatement. The ~~superintendent~~utilities director is authorized to require immediate abatement of any violation of the provisions set forth in Chapters 13.20, 13.25, 13.30 and 13.35 TMC that constitutes an immediate threat to the health, safety or well-being of the public. If any such violation is not abated immediately as directed by the ~~superintendent~~utilities director, the city may abate the violation. Any costs of abating incurred by the city shall be fully reimbursed by the property owner and/or responsible party. Any relief obtained under this section shall not prevent the city from seeking other and further relief authorized under this article.

(2) Emergency Shut-Off Water. In addition to any other remedies available

under this article, the ~~superintendent~~utilities director shall be authorized to order the shut-off of water to the property to eliminate an immediate threat to the health, safety, or well-being of the public.

(3) Placarding. Whenever the ~~superintendent~~utilities director determines that there has been a violation of any provisions set forth at Chapter 13.20, 13.25, 13.30 or 13.35 TMC or has reasonable grounds to believe that a violation has occurred that is an immediate threat to the health, safety, or well-being of the public, the ~~superintendent~~utilities director shall have the authority to order the immediate removal of persons from their property and shall give notice to the owner or the person or persons responsible therefor in the manner prescribed below. Such written notice shall contain the following:

(i) The street address or a legal description sufficient for identification of the premises at which the violation is occurring.

(ii) A clear statement of violation and code section in violation.

(iii) If applicable, notice may contain a statement of the corrective action required to be taken as determined by the ~~superintendent~~utilities director.

(4) Stop Work Order.

(i) Authority. Whenever the ~~superintendent~~utilities director finds any construction activity being performed is either in violation of the provisions set forth in Chapters 13.20, 13.25, 13.30 and 13.35 TMC, applicable permit, or is dangerous or unsafe, the ~~superintendent~~utilities director is authorized to issue a stop work order.

(ii) Issuance. The stop work order shall be in writing and shall be given

to the owner of the property involved, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume.

(iii) Unlawful Continuance. It shall be unlawful for any person to continue to work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition.

(5) Injunctions. Whenever a violation of the provisions set forth in Chapter 13.20, 13.25, 13.30 or 13.35 TMC causes or threatens to cause a condition of contamination, pollution or nuisance, the ~~superintendent~~utilities director may petition the district court for the issuance of a preliminary or permanent injunction, or both, as may be appropriate in restraining the continuance of such violation.

(6) Injunctive Relief. When the utilities director finds that a User has violated, or continues to violate, any provision of Chapters 13.20, 13.25, 13.30 and 13.35 TMC, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, the utilities director may petition the district court through the City Attorney **or such other attorney engaged by the City Attorney** for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the individual wastewater discharge permit, or other requirement imposed by this ordinance on activities of the User. The utilities director may also

seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the User to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against a User.

(7) Administrative Orders. The utilities director may issue an order directing a user to take certain action to resolve any violations. Orders may contain any requirements reasonably necessary and appropriate to address the noncompliance, including but not limited to, the installation of treatment technology, conducting additional self-monitoring and implementing best management practices. Orders may include a consent order, compliance order, show cause order, or a cease and desist order.

(8) The utilities director shall annually publish in the official city newspaper **or such other official city publication** a list of the industrial users that were in significant non-compliance of any pretreatment requirements or standards, during the previous calendar year. The notification shall also summarize any enforcement actions taken against an industrial user, by the city, during the same twelve (12) months.

Section 40. That section 13.15.130, Administrative search warrants, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Administrative search warrants.**

If the ~~superintendent~~utilities director has been refused access to a building, structure or property, or any part thereof, and if the ~~superintendent~~utilities director has demonstrated probable cause to believe that there may be a violation of the provisions set forth in Chapter 13.20, 13.25, 13.30 or 13.35 TMC or that there is a need to inspect



the property to verify compliance with the provisions of Chapter 13.20, 13.25, 13.30 or 13.35 TMC or any permit or order issued hereunder, or to protect the overall public health, safety and welfare of the community, then, upon application to a district court judge, the ~~superintendent~~utilities director shall obtain an administrative search warrant describing therein the specific location subject to the administrative warrant. The warrant shall specify what, if anything, may be searched on the property described. Such warrant shall be served at reasonable hours by the ~~superintendent~~utilities director.

Section 41. That section 13.15.140, Administrative monetary penalties, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Administrative monetary penalties.**

When the utilities director finds that a user has violated, or continues to violate, any provision of Chapters 13.20, 13.25, 13.30 and 13.35 TMC, an individual wastewater discharge permit or order issued hereunder or any other pretreatment standard or requirement, the utilities director may impose on such user an amount not to exceed the maximum penalty as outlined below. Such administrative monetary penalties shall be assessed on a per-violation, per-day basis. In the case of monthly or other long-term average discharge limits, administrative monetary penalties shall be assessed for each day during the period of violation. The ~~superintendent~~utilities director shall have the authority to impose the following administrative monetary penalties:

(a) The following administrative monetary penalty shall apply to violations of the provisions relating to construction activity, erosion and sediment control and stormwater management practices in Chapters 13.20, 13.25, 13.30 and 13.35 TMC:

(1) Fifty dollars per violation for a first violation.

(2) One hundred dollars per violation for a second violation within a

continuous 12-month period of the first violation.

(3) Two hundred dollars per violation for a third or subsequent violation within a continuous 12-month period of the two previous violations.

(b) The following administrative monetary penalty shall apply to violations of the provisions relating to the introduction of industrial or hazardous waste into ~~municipal separate storm sewer system or municipal sanitary sewer system in Chapter 13.20, 13.25, 13.30 or 13.35 TMC~~ the POTW:

(1) One hundred dollars per violation for a first violation.

(2) Five hundred dollars per violation for a second violation within a continuous 12-month period of the first violation.

(3) One thousand dollars per violation for a third or subsequent violation within a continuous 12-month period of the two previous violations.

(c) Notwithstanding the forgoing, the utilities director shall have the authority to impose an administrative monetary penalty of up to \$1000 for a single violation which materially inhibits or disrupts the POTW or causes it to violate a requirement under its NPDES permit.

Section 42. That section 13.20.100, Connection required – Enforcement, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Connection required – Enforcement.**

(a) It shall be the duty of every person owning any dwelling house or any other building within the city to make connections with the public sanitary sewer for the purpose of disposing of all substances from any such building, affecting the public health which may be lawfully and properly disposed of by means of such sewer. Connection with the public sanitary sewer is required when the main or lateral sewer is

adjacent to the property and one or more of the following conditions exist:

(1) The septic system serving the property constitutes a public nuisance.

The utilities director ~~of public works~~ for the city is hereby designated to determine when a septic system is a public nuisance; and/or

(2) The property changes ownership; and/or

(3) Modifications are made to the main structure located on the property that requires issuance of a building permit; and/or

(4) Within five years of the construction of the public main or lateral sanitary sewer, such time not starting any sooner than the effective date of this chapter.

(b) Failure to Connect/Service Assessment. If any person shall fail, neglect or refuse to connect any such building with the sewer system as provided by this article for more than 30 calendar days or in the case of public nuisance for more than 10 days after being notified in writing by the department of public works or their designee to do so, the city may advertise for bids for the construction and make contracts therefor to the lowest responsible bidder and may cause such buildings or premises to be connected with the sewer system and may assess the cost of expense including any applicable connection fees thereof against the property and premises so connected, such assessment to be made in the same manner as other special assessments are made. The city and its designated representatives shall have the right of entry onto properties for the purposes set forth in this article.

(c) Extension of Time to Connect. The ~~council~~city manager may extend the time to make connection with the public sanitary sewer if city administered loan money for qualifying property owners is not available at the written request of the person

owning the dwelling or other building and the requester is a qualified property owner.

Section 43. That section 13.20.120, Size, location, plans, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Size, location, plans.**

The utilities director shall have the city engineer ~~shall~~ or other engineer lay out and determine the size, location and grade, and make all necessary plans, specifications, requirements and estimates, for all sewers within the main sewer districts and sewer subdistricts heretofore designated or hereafter created and designated and file the same in the engineer's office for the use of the city, and at the expiration of the term of office deliver the same intact to the successor. When the city engineer or other engineer does not have sufficient staff or the improvement is of such nature as to require special knowledge or experience, the ~~public works~~ utilities director may enter into a contract with consulting engineers for the engineering work, such work to be approved by the city engineer or other engineer.

Section 44. That section 13.20.130, Permit - Required, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Permit – Required.**

(a) No sewer or drain of any kind shall be connected with the sewers constructed under authority of the city within any of the main sewer districts or sewer subdistricts of the city, except by written permission of the city engineer and by compliance with all the rules, regulations and specifications provided for the proper construction and maintenance of such sewers or drains.

(b) Any person owning property within the city limits, which property is not within any lateral sanitary sewer district theretofore created, desiring to make

connection to the sanitary sewage system, shall make application for a permit to the city engineer utilities department.

Section 45. That section 13.20.150, Sanitary sewer failures and repair responsibilities, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Sanitary sewer failures and repair responsibilities.**

(a) The maintenance and repair of a building service line and its connection with the city sewer main is the responsibility of the owner of the property it serves. It is therefore the responsibility of the property owner to make repairs if there is a failure in the building service line or the wye connection to the city sewer main and the responsibility of the city if there is a failure in the city sewer main. The first indication of sewer failure or potential failure may vary. It is the intention of the water pollution control division to cooperate with the individual property owners and the plumbers in the resolution of these sanitary failures within the following guidelines.

(b) Sewer Failure – Excavation.

(1) Settlement of Ground Surface. In some cases failure of a sewer line is first indicated by settlement of the ground surface near a failure. This can happen before there is any apparent malfunction in either the building service line or the city sewer main. When this occurs over or near the connection of the building service line to the city sewer main, it is not always possible to determine before excavation whether the failure is in the building service line, the city sewer main, or both. If there is no indication at this time that the building service line has failed, the water pollution control division will make an attempt to determine the problem by inspection of the city sewer main. If the problem is with the city sewer

main, or if the city is unable to inspect the city sewer, the division will make the initial excavation to determine the source of the problem.

(2) Sewer Stoppage/Backup. If the backup of sewage is the first indication of failure, the water pollution control division will assist by investigating to determine if there is a stoppage in the city sewer main.

(i) If the city sewer main has deteriorated to the point where it appears to be the source of the problem or if the city sewer main contains a stoppage that cannot be removed by conventional methods, then the water pollution control division will make the initial excavation to determine the extent of the failure.

(ii) If the city sewer main is not obstructed, but is open and flowing, and the private sewer line has failed, it then becomes the responsibility of the property owner to make the necessary repairs within seven days. In this case, the water pollution control division will not make the initial excavation.

(3) Excavation Requirement. It shall be the total responsibility of the party making the excavation to make it of adequate size for water pollution control division personnel to work safely for inspection of the sewer and/or repairing of the wye connection.

(c) Sewer Repairs.

(1) City Sewer Is Broken. If the city sewer main is broken or in such poor condition that it is impractical to make a new wye connection (except where the city sewer main was broken during excavation by others), then the water pollution control division will provide the following services:

(i) Make the additional excavation required to remove the damaged pipe and replace the broken section(s) of pipe.

(ii) Install a new wye connection thereto and pour a concrete base under the city sewer or provide adequate support.

(iii) If the material removed from the hole is unacceptable for backfilling, the water pollution control division will furnish new backfill material.

(iv) Haul off any excess dirt or other material unacceptable for backfill.

(v) Remove any debris left on city property.

(vi) Replace the surfacing.

(vii) If the initial excavation was made by the property owner(s), the water pollution control division may share in the cost, depending upon the reason for the initial excavation.

(2) Broken Wye. If the wye connection itself is broken at the city sewer main, the private sewer line has also failed and the city sewer is in good condition, the water pollution control division will also haul off any excess dirt or other material unacceptable for backfill and remove any debris left on city property. The water pollution control division may participate in the cost of additional items of work where the cost is excessive due to surfacing or deep sewers. It is the responsibility of the property owner(s) to hire a plumber to install the private sewer line(s), replace the backfill material and compact it in accordance with engineering department standards.

(3) City Sewer Intact.

(i) If the city sewer main and the wye connection itself are intact and only the private sewer line(s) is damaged, the water pollution control division has no responsibility and therefore will not assist in or pay for any portion of the repair work. In such cases, the ~~water pollution control superintendent~~utilities director or designee shall direct the property owner, from which the building service line extends, to repair the service line within seven days.

(ii) The property owner may, through written request, authorize the water pollution control division to cause the private sewer line to be repaired and reimburse the water pollution control division for any cost and expenses incurred therewith.

(iii) The water pollution control division shall exercise diligence, including sending a certified letter, return receipt requested, in attempting to locate and direct the property owner to repair the service line. However, if said property owner cannot be located or if said property owner fails to secure the service of a contractor to repair the private sewer service line within 72 hours of having received notice from the ~~superintendent~~utilities director, then the water pollution control division shall **may** cause the private sewer line, situated in the public right-of-way, to be repaired and excavation backfilled. The said property owner shall be responsible for any cost and expenses incurred in connection with said repair.

(iv) The water pollution control division shall submit a bill to the owner of any property for which it caused a private sewer line to be repaired. In the event the owner of any property for which the water



pollution control division has caused replacement or repair of a private sewer service line shall neglect, fail or refuse to pay the cost or expenses incurred by the water pollution control division, such charges shall constitute a lien upon the real estate from which the private sewer line extends, and shall be certified by the city clerk to the county clerk, to be placed on the tax roll for collection, subject to the same penalties and collected in like manner as other taxes are by law collectable.

(v) The officials of the utilities department ~~of public works~~ shall be authorized to inspect any sewer repair work done in public right-of-way or easement pursuant to the provisions of this section.

Section 46. That section 13.20.160, Settling, collapse of public ways due to faulty sewer installation – Repairs – Costs, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Settling, collapse of public ways due to faulty sewer installation – Repairs – Costs.**

(a) Whenever officials of the city's ~~public works~~utilities department investigate any localized settlements or collapses in public streets, easements, alleys or rights-of-way and determine that such settlement or collapse has occurred due to inadequacies of a public sewer line, then the water pollution control division ~~shall~~ **may** make or cause to be made immediate repairs and backfill the excavation. However, if the settlement or collapse is found to have resulted from inadequacies in a private sewer line, then the ~~water pollution control division superintendent~~utilities director or designee shall direct the property owner from which the building service line extends to repair the service line within seven days.

(b) The property owner may, through written request, authorize the water pollution control division to cause a private sewer line to be repaired and reimburse the water pollution control division for any cost and expenses incurred therewith.

(c) The water pollution control division shall exercise diligence, including sending a certified letter, return receipt requested, in attempting to locate and direct the property owner to repair the service line. However, if such property owner cannot be located or if such property owner fails to secure the service of a contractor to repair the private sewer service line within 72 hours of having received notice from the ~~superintendent~~utilities director, then the water pollution control division shall may cause the private sewer line situated in the public right-of-way to be repaired and excavation backfilled. The property owner shall be responsible for any cost and expenses incurred in connection with such repair.

(d) The water pollution control division shall submit a bill to the owner of any property for which it caused a private sewer line to be repaired. If the owner of any property for which the water pollution control division has caused placement or repair of a private sewer service line shall neglect, fail or refuse to pay the cost or expenses incurred by the water pollution control division, such charges shall constitute a lien upon the real estate from which the private sewer line extends, and shall be certified by the city clerk to the county clerk, to be placed on the tax roll for collection, subject to the same penalties and collected in like manner as other taxes are by law collectable.

(e) The officials of the utilities ~~department of public works~~ shall be authorized to inspect any sewer repair work done in public rights-of-way or easements pursuant to the provisions of this section.

Section 47. That section 13.20.170, Approval of connections by engineer –

Compliance with applicable laws, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Approval of connections by engineer – Compliance with applicable laws.**

Sewer service to property outside of the city may be connected to the city sewage system or to sewers belonging to another but emptying into the city sewage system only with the approval of the ~~city engineer~~ utilities director. Such sewer service connections shall comply with all applicable ordinances, specifications, rules and regulations of the city.

Section 48. That section 13.20.190, Sewer districts - Application, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Sewer districts – Application.**

Any sewer district outside of the city may apply to the utilities department ~~of public works~~ for permission to connect to the city sewage system and to empty sewage therein. Such application shall contain among other things a statement on the part of any applicant that the applicant agrees to be governed by the terms of this chapter and amendments thereto and any additional agreements which may be entered into between the applicant and the city.

Section 49. That section 13.20.200, Sewer districts – License or contract, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Sewer districts – License or contract.**

If an application is made as provided for in TMC 13.20.190, the utilities director ~~of public works~~ shall consider the application and may grant permission for connection to the city sewage system conditioned by the terms of this chapter and such ordinances, rules and regulations or resolutions as are made applicable thereto. Such permission

shall become operative upon entering into a contract. The contract shall have no term but shall be revocable by the city at any time on 10 days' written notice to the licensee, and any such revocation shall state a reasonable number of days at the end of which the licensee shall have disconnected from the city sewage system.

Section 50. That section 13.20.220, Sewer service to owner of real property outside city limits – Requirements, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Sewer service to owner of real property outside city limits – Requirements.**

Real property that is located outside of the city's boundaries may be eligible for sewer service if the property meets the requirements in subsections (a) and (b) of this section.

(a) Annexation. The property to be served is annexed into the city unless the property owner consents to annexation and one of the following applies:

(1) There is an imminent threat to public health and safety as determined by the Kansas Department of Health and Environment or a similar regulatory agency, or a court of law. However, this exemption does not apply to property located between the original location of the public infrastructure and the property to be served.

(2) Connection to public infrastructure will promote an industrial development project within the employment tier of the urban growth area or outside the urban growth area consistent with the comprehensive plan.

(3) The parcels were created before February 15, 2007, in accordance with both the subdivision regulations and zoning in effect at the time of their creation, and sewer infrastructure, not including transmission lines, is adjacent to

the property to be served.

(4) The city has agreed to provide sewer service to the property owner by virtue of the following: (i) a contract; (ii) approval of a final plat prior to February 15, 2007, which includes sewer service; or (iii) an approved plat meeting the comprehensive plan's urban growth area design standards and compliance with the zoning that was in effect on March 16, 2015.

(5) The city has previously provided sewer service to the same parcel of real estate for which service has been requested. The reconnection of service shall be limited to the same size of service line as the previous service. Further, the reconnection shall be limited to the same number of lines or connections which previously existed.

(6) Service is requested by a facility owned and operated by a political and taxing subdivision.

(b) Platting. The property to be served is platted consistent with the design standards and development policies contained in the adopted elements of the comprehensive plan unless all of the following conditions exist:

(1) A detached single-family dwelling is located on the property and there are no other structures except permitted accessory structures.

(2) Adequate utility and drainage easements and/or street rights-of-way exist, as determined by the utilities director ~~of public works~~ or designee, or such easements are provided by the property owner.

(3) There are no existing or anticipated drainage problems related to the site or the development.

(4) Adequate public utilities service the property.

(5) Existing or proposed improvements comply with all applicable zoning and development code requirements.

Section 51. That section 13.20.230, Agreement for annexation for future connections, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Agreement for annexation for future connections.**

(a) Findings. The following findings pertaining to sewage collection facilities and services out of the city limits are hereby made and declared:

(1) The city has in the past contracted with the board of county commissioners to allow county sewer districts to connect to the city sewage collection system;

(2) The city is providing a municipal service to these county sewer districts without the collection of any tax money;

(3) Many residents of the county sewer districts earn their living in the city and use its municipal facilities; and

(4) The city does not have adequate control over the quality of construction of facilities constructed outside of the city limits.

(b) Policy. Based on the findings made and declared in subsection (a) of this section, it is hereby declared to be the policy of the city that connection to the city sewage collection system of any additional sewer house lines, lateral sewers, sewer mains or sewer districts located outside the city limits will be conditional upon either annexation or consent to annexation of the area to be served, as determined by the city of Topeka ~~public works~~utilities director after review by the planning director.

Section 52. That section 13.20.240, Combined sewers not to be approved, of

The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Combined sewers not to be approved.**

No request or petitions for construction of combined sewers will be considered or approved by the ~~public works~~utilities department.

Section 53. That section 13.20.260, Prohibitions on storm drainage and groundwater, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Prohibitions on storm drainage and groundwater.**

(a) Disposal of stormwater, groundwater, street drainage, subsurface drainage, yard drainage, foundation drains on construction directly or indirectly to any sanitary sewer will not be allowed unless a permit is issued by the utilities department ~~of public works~~. The department may approve such discharge only when no reasonable construction is available or such water is determined to constitute a pollution hazard. Storm drainage and groundwater as described above shall be discharged into such storm sewers as are reasonably available and specially designed for such purpose or into a natural watercourse. No such waters shall be discharged or disposed of in any manner causing or tending to create a public nuisance upon any private premises in the city or upon any public street, alley or public grounds in the city.

(b) If the approval is granted for the discharge of such waters referred to in subsection (a) of this section into the sanitary sewers, the user shall measure such discharges and pay the applicable wastewater service charges and meet such other conditions that may be required by the department.

(c) The existing wastewater collection system shall not be used to drain water from the trench during construction of any new sanitary sewer. The connection between

the new system being constructed and the existing system shall not be made until the new system has been inspected and approved. When portions of the system are approved and put into service prior to completion of the entire project, the incomplete lines shall be plugged to prevent water in the trench from entering the existing sewage collection system.

Section 54. That section 13.20.270, Prohibition on unpolluted water, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Prohibition on unpolluted water.**

(a) Unpolluted water, including but not limited to noncirculated cooling water, process water or blow-down from cooling towers or evaporative coolers or any other unpolluted water, will not be permitted to be discharged through direct or indirect connection to a sanitary sewer without written approval of the utilities department ~~of public works~~. The department may approve the discharge of such water only when no reasonable alternative method of disposal is available.

(b) If approval is granted for the discharge of unpolluted water to a sanitary sewer, the user shall measure such discharge and pay the applicable wastewater service charges and fees and shall meet such other conditions as may be required by the department.

Section 55. That section 13.20.280, Unlawful waste discharges in sanitary sewer, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Unlawful waste discharges in sanitary sewer.**

(a) No user of the POTW shall contribute or cause to be contributed, directly or indirectly, any pollutant or wastewater which will interfere with the operation or



performance of the POTW or cause Interference or Pass Through. These general prohibitions apply to all such users of the POTW whether or not the user is subject to national categorical pretreatment standards or any other national, state or local pretreatment standards or requirements.

(b) A user may not contribute the following substances to the POTW:

(1) Any liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the POTW or to the operation of the POTW. At no time shall two successive readings on an explosion hazard meter, at the point of discharge into the system (or at any point in the system) be more than five percent nor any single reading over 10 percent of the lower explosive limit (LEL) of the meter. Prohibited materials include but are not limited to gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides, sulfides, and any pollutant which creates a fire hazard or explosion hazard in the POTW, including but not limited to waste streams with a closed cup flashpoint of less than 140 degrees Fahrenheit or 60 degrees Celsius.

(2) Solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities, such as but not limited to grease, garbage with particles greater than one-half inch in any dimension, animal guts or tissue, paunch manure, bones, hair, hides or fleshings, entrails, whole bloods, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, wastepaper, wood, plastics, gasoline, tar,

asphalt, residues, residues from refining or processing of fuel or lubricating oil, mud or glass grinding or polishing waste.

(3) Any wastewater having a pH of less than 5.5 or greater than 10.8, or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment and/or personnel of the POTW.

(4) Any wastewater containing pollutants in sufficient quantity, either singly or by interaction with other pollutants, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create an interference in the receiving waters of the POTW, or to exceed the limitation set forth in a categorical pretreatment standard. Such pollutants shall include but not be limited to any pollutant identified pursuant to Section 307(a) of the Act.

(5) Any pollutants which result in the presence of toxic gases, vapors or fumes within the POTW in a quantity that may cause acute worker health and safety problems.

(6) Any substance which may cause the POTW's effluent or any other product of the POTW such as residues, sludges or scums to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines or regulations developed under Section 405 of the Act, any criteria, guidelines or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substance Control Act, or state criteria applicable to the sludge management method currently being used by the city.

(7) Any substance which will cause the POTW to violate its NPDES and/or

state discharge system permit or the receiving water quality standards.

(8) Any wastewater with objectionable color not removed in the treatment process, such as but not limited to dye wastes and vegetable tanning solutions.

(9) Any wastewater having a temperature which will inhibit biological activity in the POTW treatment plant resulting in interference, but in no case wastewater with a temperature at the introduction into the POTW which exceeds 40 degrees Celsius (104 degrees Fahrenheit).

(10) Any pollutants, including oxygen-demanding pollutants (BOD, etc.) released at a flow rate and/or pollutant concentration which a user knows or has reason to know will cause interference to the POTW. In no case shall a slug load have a flow rate or contain concentration or quantities of pollutants that exceed for any time period longer than 15 minutes more than five times the average 24-hour concentrations, quantities or flow during normal operation.

(11) Any wastewater containing any radioactive waste or isotope of such half-life or concentration as may exceed limits established by the ~~superintendent~~ utilities director in compliance with applicable state or federal regulations.

(12) Any wastewater which causes a hazard to human life or creates a nuisance.

(c) When the ~~superintendent~~ utilities director determines that a user is contributing to the POTW any of the above-enumerated substances in such amounts as to interfere with the operation of the POTW, the ~~superintendent~~ utilities director shall:

(1) Advise the user of the impact of the contribution on the POTW; and

(2) Develop effluent limitations for such user to correct the interference

with the POTW.

The utilities director will adopt and enforce an Enforcement Response Plan, if required.

Section 56. That section 13.20.290, Federal categorical pretreatment standards, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Federal categorical pretreatment standards.**

Upon a new promulgation of the federal categorical pretreatment standards for a particular industrial subcategory, the federal standard, if more stringent than limitations and/or requirements imposed under this chapter for sources in that subcategory, shall immediately supersede the limitations imposed under this chapter. The ~~superintendent~~utilities director shall notify all affected users of the applicable reporting requirements under 40 CFR 403.12. Conversely, any state or local limitations and/or requirements shall apply if the state or local limitation is more stringent than the federal limitations and/or requirements.

Section 57. That section 13.20.300, Limitations – Wastewater strength, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Limitations – Wastewater strength.**

(a) ~~No person shall discharge wastewater containing in excess of 1.76 mg/l lead or 2.61 mg/l zinc.~~The utilities director is authorized to establish Local Limits pursuant to 40 CFR 403 5(c). The director shall administratively establish Local Limits for those pollutants that may cause a Pass Through or Interference.

(b) ~~No person who conducts a silver associated process shall discharge wastewater containing in excess of 0.57 mg/l total silver. Persons who do not engage in~~

~~silver associated processes are prohibited from discharging detectable amounts of silver until such time as a determination can be made of the silver associated process and/or an adjustment can be made to the silver limit so as to protect the POTW and/or receiving stream. Any adjustment of the silver limit shall be in conformity with 40 CFR 403.~~  
The director may develop BMPs in individual wastewater discharge permits to implement Local Limits and the requirements of TMC 13.20.280 this section (TMC 13.20.300).

~~(c) The limitations of subsection (a) of this section are subject to change if and when they become unacceptable to the division of water pollution control or to any public agency having regulatory jurisdiction over the division of water pollution control.~~

~~(dc)~~ No person shall discharge wastewater containing concentrations which will violate conditions found in this chapter or wastewaters which will violate the conditions established by the definitions of pass-through and interference. The ~~division of water pollution control~~ utilities director reserves the right to define numerical discharge permit limits as outlined in this chapter for any parameters as may be needed to protect the POTW system.

~~(ed)~~ No person shall discharge any wastewater:

(1) Having an average daily temperature higher than 140 degrees Fahrenheit or ~~causing the temperature of the sewage in the city sewer to be raised more than 10 degrees Fahrenheit~~ that will inhibit biological activity in the treatment plant resulting in Interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed 104 degrees F (40 degrees C).

(2) Having a pH lower than 5.5 or higher than 10.8.

(3) Having any water or waste containing fats, wax, grease or oils excluding soy or vegetable oil, whether emulsified or not, in excess of 100 mg/l or containing substances which may solidify or become viscous at temperatures between 32 and 150 degrees Fahrenheit (zero and 65 degrees Celsius).

(4) Having any water or waste containing soy or vegetable oil emulsified or not in excess of 150 mg/l.

(5) Containing petroleum oil, nonbiodegradable cutting oil or products of mineral oil origin in amounts that will cause interference or pass-through.

Section 58. That section 13.20.330, Limitations – Point of discharge, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Limitations – Point of discharge.**

No person shall discharge any substance directly into a manhole or other opening in a sanitary sewer other than through a building sewer approved by the utilities department of public works. However, upon written application by the user and payment of the applicable wastewater service charges and fees, the department may grant permission for such direct discharges at approved locations.

Section 59. That section 13.20.380, Monitoring facilities, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Monitoring facilities.**

(a) When required by the city, the owners of any property served by the sewage collection system shall install a suitable control manhole for sampling and measuring devices, if necessary, to facilitate observation, measurement and sampling of the wastewater. Such manhole shall be accessible, safely located and shall be constructed in accordance with the department's requirements and all applicable local

agency construction standards of quality. The cost of construction of the manhole and installation of the measuring and sampling accessories shall be at the expense of the owner.

(b) There shall be ample space in or near each sampling manhole to allow accurate collection in compositing of the wastewater samples for analysis. The measuring equipment and accessories shall be made available for use of department personnel on request at no expense to the city. When specialized equipment is required to collect the samples of wastewater from the manhole because of the peculiar characteristics of the individual manhole, the user shall make the equipment available to department personnel upon request at no expense to the city. There shall be no restrictions on the sharing of the sampling and measuring equipment in the sampling manholes of the different users nor upon the users' right to contract with an independent firm to perform this service.

(c) If a water supply is used other than the city water supply, the city may require that such meters as are deemed necessary by the city be installed on such supplemental water supply. During the period of installation of additional equipment, manholes, etc., the city shall estimate as accurately as possible the volume and strength of the wastewater.

(d) The monitoring facility should normally be situated on the user's premises, but when such a location would be impractical or cause undue hardship on the user, the water pollution control division may recommend to the utilities director ~~of public works~~ that the user be allowed to construct the facility in the public right-of-way and locate it so it will not be obstructed by landscaping or parked vehicles. Construction shall be completed within a specified time following written notification by the department.

(e) It shall be unlawful for any person to cover up or bury any existing manhole cover with dirt, rock, surfacing, bituminous surfacing, concrete or other material or obscure the location so that the manhole cannot be found or is not accessible for sewer maintenance. Cost of regrading or rebuilding the manhole, including resurfacing of the adjacent street or alley, may be charged to the person responsible.

Section 60. That section 13.20.370, Dilution of discharges, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Dilution of discharges.**

No user shall ever increase the use of process water or in any way attempt to dilute a discharge as a partial or complete substitute for adequate treatment in order to achieve compliance with ~~the limitations contained in the federal categorical pretreatment standards or in any other pollutant-specific limitation developed by the city or state~~ a discharge limitation unless expressly authorized by an applicable pretreatment standard or requirement. The utilities director may impose mass limitations on users who are using dilution to meet applicable pretreatment standards or requirements or in other cases when the imposition of mass limitations is warranted.

Section 61. That section 13.20.400, Accidental discharges, slug loads or treatment bypass, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Accidental discharges, slug loads or treatment bypass.**

(a) Each discharger shall provide protection from accidental discharge and/or slug loads of prohibited materials or other wastes regulated by this chapter. Users shall submit oral notice to the water pollution control division ~~within 24 hours~~ immediately from



the time the user becomes aware of the accidental discharge, slug discharge or treatment bypass. A written submission shall also be provided within five days of the time the user becomes aware of the bypass. The written submission shall contain:

(1) A description of the accidental discharge, slug load or treatment bypass and its cause;

(2) The exact date and time of the accidental discharge, slug load or treatment bypass;

(3) The exact date and time of correction and volume of the accidental discharge, slug load or treatment bypass;

(4) If the accidental discharge, slug load or treatment bypass has not been corrected, the anticipated time it is expected to continue; and

(5) Steps taken or planned to reduce, eliminate and prevent reoccurrence of the accidental discharge, slug load or treatment bypass.

(b) The notification required by this section will not relieve users of liability for any expense, loss or damage to the sewer system, treatment plant or treatment process, or for any fines imposed on the water pollution control division on account thereof by any public, state or federal agency.

(c) The water pollution control division may issue various notices and information directed towards more effective water pollution control. Such notices and information shall be made available to employees of the user for their information and to solicit their cooperation. A notice shall be furnished and permanently posted on the user's bulletin board advising employees whom to call in case of an accidental discharge in violation of this chapter.

(d) Any possible connection or entry point for a persistent or deleterious

substance to be discharged to the user's plumbing or drainage system shall be appropriately labeled to warn operating personnel against discharge of such substance in violation of this chapter.

(e) In any case where an industrial user knows in advance of the need to bypass and/or discharge a slug load, it shall submit prior notice to the ~~superintendent~~ utilities director at least 10 days before the date of bypass and/or discharge of a slug load. Such notice shall include information which identifies the time and date of the start and stop of the discharge, the estimated volume of the discharge, as well as any proposed primary treatment to be applied to the discharge.

(f) Upon the request of the ~~superintendent~~ utilities director, any industrial user may be required to submit to the division of water pollution control a slug control plan. The plan shall contain, at a minimum, the following elements:

(1) Description of discharge practices, including nonroutine batch discharges;

(2) Description of stored chemicals; and

(3) Procedures for immediately notifying the water pollution control division of slug discharges, including any discharge that would violate a prohibition of this chapter, with procedures for follow-up written notification within five days.

Section 62. That section 13.20.410, Wastewater discharge permit, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Wastewater discharge permit; Required.**

~~All significant industrial users shall be required to obtain a wastewater discharge permit before connecting to or discharging into a sanitary sewer.~~

(a) No significant industrial user shall discharge wastewater into the POTW

without first obtaining an individual wastewater discharge permit.

(b) The utilities director may require other users to obtain individual wastewater discharge permits as necessary to carry out the purposes of this chapter.

(c) Any violation of the terms and conditions of an individual wastewater discharge permit shall be deemed a violation of this chapter and subject the wastewater discharge permittee to the enforcement actions including administrative monetary penalties set out in this chapter. Obtaining an individual wastewater discharge permit does not relieve a permittee of its obligation to comply with all federal and state pretreatment standards or requirements or with any other requirements of federal, state and local law.

Section 63. That section 13.20.420, Optional permits, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Optional permits.**

(a) ~~The superintendent of the water pollution control division~~utilities director may issue a wastewater discharge permit to any user in accordance with the terms of this article in the following categories:

(1) A user who requires an estimation of wastewater flow by the water pollution control division.

(2) Any person whose wastewater strength is less than the normal range of wastewater strength because of pretreatment, process changes or other reasons.

(3) Any user identified in the Occupational Safety and Health Administration's Standard Industrial Classification Manual, 1972, Office of Management and Budget, ~~as amended and supplemented~~, under the following

divisions as follows:

(i) Division A – Agriculture, Forestry and Fishing.

(ii) Division B – Mining.

(iii) Division D – Manufacturing.

(iv) Division E – Transportation, Communications, Electric, Gas,  
and Sanitary Services.

(v) Division I – Services.

(b) A user in the divisions listed in subsection (a) of this section may be excluded if it is determined that they will introduce only segregated domestic wastes or wastes from sanitary conveniences.

Section 64. That section 13.20.430, Application, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Wastewater discharge permit; Application.**

Users seeking a wastewater discharge permit shall complete and file with the ~~superintendent~~utilities director an application in the form prescribed by the ~~superintendent~~utilities director and accompanied by the applicable fees. The applicant may be required to submit, in units and terms appropriate for evaluation, the following information:

(a) Name and address of applicant.

(b) Volume of wastewater to be discharged.

(c) Constituents and characteristics of strength of the wastewater, including but not limited to those contained in TMC 13.20.280 and 13.20.300 concerning unlawful waste discharge and limitations on wastewater strength.

(d) Time and duration of discharge.

(e) Average and 30-minute peak wastewater flow rates, including daily, monthly and seasonal variations if any.

(f) A plat showing location and size of building sewers, sampling points, pretreatment facilities, public sewer and other pertinent details.

(g) General description of activities, facilities and plant processes on the premises, including either the principal product and the quantity per day produced or the principal raw material and the quantity per day consumed.

(h) The standard industrial classification rating describing the applicant's facilities.

(i) Number of employees and hours of work.

(j) Where known, the nature and concentration of any pollutants in the discharge which are limited by any city, state or federal pretreatment standards, and a statement regarding whether or not the pretreatment standards are being met on a consistent basis, and if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required for the user to meet applicable pretreatment standards.

(k) If additional pretreatment and/or O&M will be required to meet the pretreatment standards, the shortest schedule by which the user will provide such additional pretreatment; the completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard. The following conditions shall apply to this schedule:

(1) The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to

meet the applicable pretreatment standards (e.g., hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, etc.).

(2) No increment referred to in subsection (k)(1) of this section shall exceed nine months.

(3) The user shall submit a progress report to the water pollution control division no later than 14 days following each date in a compliance schedule, and on the final date for compliance, the user shall submit a progress report to the ~~superintendent~~utilities director including, as a minimum, whether or not the user complied with the increment of progress to be met on such date and, if not, the date on which the user expects to comply with the increment of progress, the reason(s) for the delay and the steps being taken by the user to return the construction to the schedule established. In no event shall more than nine months elapse between such progress reports to the ~~superintendent~~utilities director.

(l) A certification statement by an authorized representative of the industrial user in accordance with 40 CFR ~~2403.12~~(l).

Section 65. That section 13.20.440, Evaluation and acceptance, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Evaluation and acceptance.**

The ~~superintendent~~utilities director will evaluate the data furnished by the user and may require additional information. After evaluation and acceptance of the data furnished, the ~~superintendent~~utilities director shall issue a wastewater discharge permit subject to terms and conditions provided in this article; provided, that the permit

applicant meets all the required criteria.

Section 66. That The Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered 13.20.445, which said section reads as follows:

**Appeal.**

Appeals from notices of violation, imposition of administrative monetary penalties or enforcement activities including, but not limited to, the denial or revocation of a waste water discharge permit shall be in accordance with the administrative appeal procedure set forth in Chapter 2.145 TMC.

Section 67. That section 13.20.450, Conditions, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

~~Conditions~~ **Wastewater discharge permits; Contents.**

(a) Wastewater discharge permits shall be expressly subject to all provisions of this chapter and all other regulations, rates and charges established by the department.

(a) Permits ~~may~~shall contain the following:

(1) ~~The unit charge or schedule of service charges and fees for the wastewater to be discharged to the sanitary sewer.~~ A statement that indicates the wastewater discharge permit issuance date, expiration date and effective date as set forth in TMC 13.20.470.

(2) ~~The average and maximum strength, characteristics or constituents of the user's wastewater discharge in accordance with general pretreatment standards, categorical pretreatment standards, local limits and state and local law.~~ A statement that the wastewater discharge permit is nontransferable without prior notification to the City in accordance with TMC 13.20.480 and provisions for

furnishing the new owner or operator with a copy of the existing wastewater discharge permit.

~~(3) Limits on rate and time of discharge or requirements for flow regulation and equalization.~~Effluent limits, including BMPs, based on applicable Pretreatment Standards.

~~(4) Installation of inspection and sampling facilities including city access to such facilities.~~Self monitoring, sampling, reporting, notification, and record-keeping requirements. These requirements shall include an identification of pollutants (or best management practice) to be monitored, sampling location, sampling frequency, and sample type based on Federal, State, and local law.

~~(5) Pretreatment requirements.~~A statement of applicable civil and criminal penalties for violation of Pretreatment Standards and Requirements, and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable Federal, State, or local law.

~~(6) Specifications for monitoring programs which may include sampling locations, frequency and method of sampling, number, types and standards of tests and reporting schedule; methods of sampling and analysis are to comply with federal regulations contained within 40 CFR 136 of the Federal Register.~~Requirements to control Slug Discharge, if determined by the utilities director to be necessary.

~~(7) Submission of technical reports or discharge reports.~~

~~(8) Maintaining plant records relating to wastewater discharge as specified by the department, and affording department access thereto.~~

~~(9) Other conditions as necessary to ensure compliance with this~~



~~chapter and all other regulations established by the city, as a result of state or federal laws.~~

~~(10) When nonbiodegradable toxicants are proposed or present in the user's wastewater discharge, discharge rates shall be specified in the permit. Pretreatment or control of nonbiodegradable toxicants to conform to the discharge rates as prescribed shall be achieved at or as near to the source of discharge as practicable.~~

~~(11) The inclusion of a compliance schedule for the purpose of obtaining the technology needed to achieve the required discharge status from the industrial user.~~

~~(12) Statement of applicable penalties in the event of noncompliance.~~

(b) Permits may contain, but are not limited to, the following conditions:

(1) Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization;

(2) Requirements for the installation of pretreatment technology, pollution control, or construction of appropriate containment devices, designed to reduce, eliminate, or prevent the introduction of pollutants into the treatment works;

(3) Requirements for the development and implementation of spill control plans or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or nonroutine discharges;

(4) Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the POTW;

(5) The unit charge or schedule of User charges and fees for the management of the wastewater discharged to the POTW;

(6) Requirements for installation and maintenance of inspection and sampling facilities and equipment, including flow measurement devices;

(7) A statement that compliance with the individual wastewater discharge permit does not relieve the permittee of responsibility for compliance with all applicable Federal and State Pretreatment Standards, including those which become effective during the term of the individual wastewater discharge permit [or the general permit; and

(8) Other conditions as deemed appropriate by the utilities director to ensure compliance with this ordinance, and State and Federal laws, rules, and regulations.

(b) The ~~superintendent~~utilities director may change the conditions of a wastewater discharge permit from time to time as laws and regulations enacted by the state or federal government may require. Whenever the discharge from any user is causing excessive operation or maintenance problems in the sewage collection system or the wastewater treatment plant, the ~~superintendent~~utilities director may change the conditions of that wastewater discharge permit to alleviate the problem. The ~~superintendent~~utilities director may allow a user reasonable time to comply with any division required changes in the permit; provided, that such changes are not in conflict with changes required by the state or federal government. The time allowed for such compliance would be consistent with time limitations imposed upon the city by regulatory agencies.

(c) All industrial users shall promptly notify the division of water pollution

control in advance of any substantial change. A substantial change shall consist of 10 percent in wastewater volume or character of pollutants in the discharge, including the listed characteristic hazardous wastes for which the industrial user has submitted notification ~~in~~pursuant to 40 CFR 403.12(p). A change in the wastewater strength shall immediately effect recalculation of the wastewater service charges and fees.

(d) The conditions in wastewater discharge permits shall be enforced by the ~~superintendent~~utilities director in accordance with the provisions of this chapter and any regulations established by the division of water pollution control. Any discharger who exceeds the conditions of the permit will be subject to the enforcement provisions set forth in this chapter.

Section 68. That section 13.20.460, Permit modifications to comply with new pretreatment standards, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Permit modifications to comply with new pretreatment standards.**

(a) Within 90 days of the promulgation of a national categorical pretreatment standard, the permit of a user subject to such standards shall be revised to require compliance with such standard within the time frame prescribed by the outlined regulations for such standard. Where a user subject to a national categorical pretreatment standard has not previously submitted an application for a permit as required by this chapter, the user shall apply for a wastewater discharge permit within 180 days after the promulgation of the applicable national categorical pretreatment standard. In addition, the user with an existing wastewater discharge permit shall submit to the division of water pollution control within 180 days after the promulgation of the applicable federal categorical pretreatment standard the information required by this

chapter.

(b) A wastewater discharge permit shall be modified by the ~~superintendent~~utilities director to include compliance schedules or to change limits, sampling locations, or any other conditions in the permit if in the opinion of the ~~superintendent~~utilities director such changes are necessary for any reason in the operation of the POTW.

Section 69. That section 13.20.470, Duration, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Duration.**

Permits issued under this article shall be for a specified time period, not to exceed five years. A permit may be issued for a period less than a year or may be stated to expire on a specific date. The user shall apply for permit reissuance a minimum of 45 days prior to the expiration of the user's existing permit. The terms and conditions of the permit may be subject to modification by the ~~superintendent~~utilities director during the term of the permit as limitations or requirements are modified or other just cause exists. The user shall be informed of any proposed changes in his permit at least 30 days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

Section 70. That The Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered 13.20.475, which said section reads as follows:

**Wastewater discharge permit; Revocation**

(a) The utilities director may revoke a wastewater discharge permit for good cause, including, but not limited to, the following reasons:

(1) Failure to notify the utilities director of significant changes to the

wastewater prior to the changed discharge:

(2) Failure to provide prior notification to the utilities director of changed conditions pursuant to TMC 13.20.520(f):

(3) Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application:

(4) Falsifying self-monitoring reports and certification statements:

(5) Tampering with monitoring equipment:

(6) Refusing to allow the utilities director timely access to the facility premises and records:

(7) Failure to meet effluent limitations:

(8) Failure to pay administrative monetary penalties:

(9) Failure to pay sewer charges:

(10) Failure to meet compliance schedules:

(11) Failure to complete a wastewater survey or the wastewater discharge permit application:

(12) Failure to provide advance notice of the transfer of business ownership of a permitted facility; or

(13) Violation of any Pretreatment Standard or Requirement, or any terms of the wastewater discharge permit or Chapters 13.20, 13.25, 13.30 or 13.35 TMC.

(b) Wastewater discharge permits shall be voidable upon cessation of operations or transfer of business ownership. All wastewater discharge permits issued to a User are void upon the issuance of a new wastewater discharge permit to that User.

Section 71. That section 13.20.480, Transfer, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Transfer.**

Wastewater discharge permits are issued to a specific user for a specific operation. A wastewater discharge permit shall not be reassigned or transferred or sold to a new owner, new user, different premises, or a new or changed operation without the prior approval of the ~~superintendent~~utilities director. Any succeeding owner or user shall also comply with the terms and conditions of the existing permit.

Section 72. That section 13.20.490, Duties of superintendent, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Duties of ~~superintendent~~utilities director.**

It shall be the duty of the ~~superintendent of the water pollution control division~~utilities director or his or her designated representative to make such inspections and tests as deemed reasonably necessary to determine compliance with the provisions of this article, and the ~~superintendent~~utilities director may cause the owner of any property connected to a public sanitary sewer receiving the discharge of industrial or commercial waste from any premises to install and maintain such devices and treatment facilities as may be necessary to prevent the discharge of all harmful wastes and substances as provided by this article.

Section 73. That section 13.20.520, Reporting requirements, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Reporting requirements.**

(a) Baseline Monitoring Report. Within 180 days after the effective date of a categorical pretreatment standard, or 180 days after the final administrative decision

made upon a categorical determination, industrial users subject to such categorical pretreatment standards and currently discharging to or scheduled to discharge to a POTW shall be required to submit a report which contains the following information:

(1) Identifying information including the name and address of the facility with the name of the operators and owners.

(2) A list of environmental control permits held by the user.

(3) A brief description of the nature, average rate of production, and standard industrial classification carried out by the user.

(4) Flow measurements showing the measured average and maximum daily flow.

(5) Measurements of pollutants identifying the pretreatment standards applicable to each regulated process.

(6) Certification statement reviewed by an authorized representative of the industrial user as outlined in 40 CFR 403.12(l).

(7) Compliance schedule if additional pretreatment and/or operations and maintenance will be required to meet the pretreatment standards.

(8) Such report shall also contain a certification statement signed by an authorized representative.

(b) **Ninety-Day Compliance Report.** Within 90 days following the date of final compliance with applicable pretreatment standards or, in the case of a new source, following commencement of the introduction of wastewater to the POTW, any user subject to the pretreatment standards and requirements shall submit to the ~~superintendent~~ utilities director a report indicating the nature and concentration of all pollutants in the discharge from the regulated process which are limited by pretreatment

standards and requirements and the average and maximum daily flow for the process units in the user's facility which are limited by such pretreatment standards and requirements. The report shall state whether the applicable pretreatment standards or requirements are being met on a consistent basis, and if not, what additional operations and maintenance and/or pretreatment is necessary to bring the user into compliance with the applicable pretreatment standards or requirements. ~~This statement shall meet the signatory requirements of 40 CFR 403.12(l).~~ Such report shall also contain a certification statement signed by an authorized representative.

(c) Periodic Compliance Reports.

(1) Any user subject to a pretreatment standard, after the compliance date of such pretreatment standard, or, in the case of a new source, after commencement of the discharge of waste to the POTW, shall submit to the ~~superintendent~~ utilities director reports as required by the permit. Such reports shall also contain a certification statement signed by an authorized representative. In no case will the report cover a period in excess of six months for categorical industries.

(2) Significant noncategorical industrial users shall submit to the water pollution control division at least once every six months a description of the nature, concentration and flow of the pollutants required to be reported in accordance ~~to~~ with the wastewater treatment discharge permit issued.

(3) All periodic compliance reports must be signed and certified in accordance with TMC 13.20.525.

(d) Monitoring and Sampling Requirements.

(1) The monitoring reports required in TMC 13.20.520(c) shall contain



the results of sampling and analysis of the discharge, including the flow and the nature and concentration or mass limitations, where requested by the utilities director, of pollutants contained therein which are limited by the applicable pretreatment standards. This sampling and analysis may be performed by the utilities director, in lieu of the industrial user. Where the utilities director performs the required sampling and analysis in lieu of the industrial user, the industrial user will not be required to submit the compliance certification required in the baseline monitoring and 90-day reports, required in 40 CFR Part 403.12. In addition, where the utilities director collects all the information required for these reports, including flow data, the industrial user will not be required to submit the same information.

(2) If sampling performed by an industrial user indicates a violation, the user shall notify the utilities director within 24 hours of becoming aware of the violation. The industrial user shall also repeat the sampling and analysis and submit the results of the repeat analysis to the utilities director within 30 days after becoming aware of the violation. However, the industrial user is not required to resample if:

(i) The utilities director performs sampling at the industrial user at a frequency of at least once per month, or

(ii) The utilities director performs sampling at the industrial user between the time when the user performs its initial sampling and the time when the industrial user receives the results of this sampling.

(3) The monitoring reports submitted to the utilities director shall be based upon data obtained through appropriate sampling and analysis, performed

during the period identified in the permit and shall be representative of discharge occurring during the reporting period. The utilities director shall require that frequency of monitoring necessary to assess and assure compliance by the industrial user, with applicable pretreatment standards and requirements.

(4) All analyses shall be performed in accordance with procedures established by the EPA pursuant to section 304(h) of the Act and contained in 40 CFR Part 136 and amendments thereto or with any other test procedures approved by the EPA in accordance with 40 CFR §136.4 and §136.5. Sampling shall be performed in accordance with the techniques approved by the EPA. Where 40 CFR Part 136 does not include sampling or analytical techniques for the pollutants in question or where the EPA determines that the Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analyses shall be performed using validated analytical methods or any other sampling and analytical procedures, including procedures suggested by the utilities director or other parties approved by EPA.

(5) If an industrial user subject to the reporting requirements monitors any pollutant more frequently than required by the utilities director and uses approved wastewater sampling and analytical methods, the results of this monitoring shall be included in their monitoring report.

(e) Sample Collection. Samples collected to satisfy reporting requirements must be based on data obtained through appropriate sampling and analysis performed during the period covered by the report and based on data that is representative of conditions occurring during the reporting period.

(1) Except as indicated in subsection (e)(2) and (e)(3) of this section,

the User must collect wastewater samples using 24 hour flow proportional composite sampling techniques, unless time proportional composite sampling or grab sampling is authorized by the utilities director. Where time proportional composite sampling or grab sampling is authorized by the utilities director, the samples must be representative of the discharge. Using protocols (including appropriate preservation) specified in 40 CFR Part 136 and appropriate EPA guidance, multiple grab samples collected during a 24 hour period may be composited prior to the analysis as follows: for cyanide, total phenols, and sulfides the samples may be composited in the laboratory or in the field; for volatile organics and oil and grease, the samples may be composited in the laboratory. Composite samples for other parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be authorized by the utilities director, as appropriate. In addition, grab samples may be required to show compliance with Instantaneous Limits.

(2) Samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.

(3) For sampling required in support of baseline monitoring and 90 day compliance reports required in TMC 13.20.520(a) and (b) [40 CFR 403.12(b) and (d)], a minimum of four (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds for facilities for which historical sampling data do not exist; for facilities for which historical sampling data are available, the utilities director may authorize a lower minimum. For the reports required by 40 CFR 403.12(e) and 403.12(h), the Industrial User

is required to collect the number of grab samples necessary to assess and assure compliance by with applicable Pretreatment Standards and Requirements.

(f) Reports of Changed Conditions. Each User must notify the utilities director of any significant changes to the User's operations or system which might alter the nature, quality, or 10% change in the volume of its wastewater at least 30 days before its introduction.

(g) Reports of Potential Problems.

(1) In the case of any discharge, including, but not limited to, accidental discharges, discharges of a nonroutine, episodic nature, a noncustomary batch discharge, a Slug Discharge or Slug Load, that might cause potential problems for the POTW, the User shall immediately telephone and notify the utilities director of the incident. This notification shall include the location of the discharge, type of waste, concentration and volume, if known, and corrective actions taken by the User.

(2) Within five (5) days following such discharge, the User shall, unless waived by the utilities director, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the User to prevent similar future occurrences. Such notification shall not relieve the User of any expense, loss, damage, or other liability which might be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the User of any fines, penalties, or other liability which may be imposed pursuant to this ordinance.

(3) A notice shall be permanently posted on the User's bulletin board

or other prominent place advising employees who to call in the event of a discharge described in subsection (g)(1) of this section. Employers shall ensure that all employees, who could cause such a discharge to occur, are advised of the emergency notification procedure.

(4) Significant Industrial Users are required to notify the utilities director immediately of any changes at its facility affecting the potential for a Slug Discharge.

(h) Compliance Schedule. If additional pretreatment and/or O&M will be required to meet the Pretreatment Standards, the shortest schedule by which the User will provide such additional pretreatment and/or O&M must be provided. The completion date in this schedule shall not be later than the compliance date established for the applicable Pretreatment Standard. A compliance schedule pursuant to this Section must meet the requirements set out in TMC 13.20.450.

(i) Compliance Schedule Progress Report. The following conditions shall apply to the compliance schedule required by TMC 13.20.450:

(1) The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the User to meet the applicable Pretreatment Standards (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation);

(2) No increment referred to above shall exceed nine (9) months;

(3) The User shall submit a progress report to the utilities director no

later than fourteen (14) days following each date in the schedule and the final date of compliance including, as a minimum, whether or not it complied with the increment of progress, the reason for any delay, and, if appropriate, the steps being taken by the User to return to the established schedule; and

(4) In no event shall more than nine (9) months elapse between such progress reports to the utilities director.

Section 74. That The Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered 13.20.525, which said section reads as follows:

**Certification statements.**

Certification of Permit Applications and User Reports and Initial Monitoring  
~~Waiver~~—The following certification statement is required to be signed and submitted by Users submitting permit applications in accordance with TMC 13.20.430; Users submitting baseline monitoring reports and periodic compliance reports under TMC 13.20.520; The following certification statement must be signed by an Authorized Representative:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

Section 75. That section 13.20.530, Notice of hazardous waste discharge, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Notice of hazardous waste discharge.**

~~The industrial user shall notify the division of water pollution control, the EPA Regional Waste Management Division Director and state hazardous waste authorities in writing of any discharge into the POTW of a substance, which, if otherwise disposed of, would be a hazardous waste under 40 CFR 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the industrial user discharges more than 100 kilograms of such wastes per calendar month, the notification shall also contain the following information, to the extent such information is known and readily available to the industrial user:~~

~~(a) An identification of the hazardous constituents contained in the wastes, and estimation of the mass and concentration of such constituents in the waste stream discharged during that calendar month; and~~

~~(b) An estimation of the mass of constituents in the waste stream expected to be discharged during the following 12 months.~~

(a) Any User who commences the discharge of hazardous waste shall notify the POTW, the EPA Regional Waste Management Division Director, and State hazardous waste authorities, in writing, of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the User discharges more than one hundred (100) kilograms of such

waste per calendar month to the POTW, the notification also shall contain the following information to the extent such information is known and readily available to the User: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the wastestream discharged during that calendar month, and an estimation of the mass of constituents in the wastestream expected to be discharged during the following twelve (12) months. All notifications must take place no later than one hundred and eighty (180) days after the discharge commences. Any notification under this section need be submitted only once for each hazardous waste discharged. However, notifications of changed conditions must be submitted under TMC 13.20.530. The notification requirement in this section does not apply to pollutants already reported by Users subject to categorical Pretreatment Standards under the self monitoring requirements of TMC 13.20.530.

(b) Dischargers are exempt from the requirements of paragraph A, above, during a calendar month in which they discharge no more than fifteen (15) kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than fifteen (15) kilograms of nonacute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one time notification. Subsequent months during which the User discharges more than such quantities of any hazardous waste do not require additional notification.

(c) In the case of any new regulations under section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the User must notify the Utilities Director the EPA Regional Waste Management Waste Division Director, and State hazardous waste authorities of the



discharge of such substance within ninety (90) days of the effective date of such regulations.

(d) In the case of any notification made under this Section, the User shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.

(e) This section does not create a right to discharge any substance not otherwise permitted to be discharged by Chapter 13.20, 13.25, 13.30 and 13.35 TMC, a permit issued thereunder, or any applicable Federal or State law.

Section 76. That section 13.20.540, Significant noncompliance, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Significant noncompliance.**

It shall be unlawful for any industrial user to be in significant noncompliance with the pretreatment requirements set forth in this article. An industrial user is in significant noncompliance if its violation meets one or more of the following criteria:

(a) Chronic Violations. Sixty-six percent or more of the measurements exceed the same daily maximum limit or the same average limit in a six-month period (any magnitude of exceedance).

(b) Technical Review Criteria or “TRC” Violations. Thirty-three percent or more of the measurements exceed the same daily maximum limit or the same average limit by more than the TRC in a six-month period.

There are two groups of TRCs: BOD, TSS, fats, oil, and grease, where the TRC is 1.4; and group II for all other pollutants, where the TRC is 1.2 except pH. No TRC will be used for pH.

(c) Any other violation of an effluent limit (average or daily maximum) that the

city believes has caused, alone or in combination with other discharges, interference (e.g., slug loads) or pass-through; or endangered the health of the sewage treatment personnel or the public.

(d) Any discharge of a pollutant that has caused imminent endangerment to human health/welfare or to the environment and has resulted in the POTW's exercise of its emergency authority, as found in the ERP, to halt or prevent such a discharge.

(e) Violations of compliance schedule milestones, contained in a local control mechanism or enforcement order, for starting construction, completing construction, and attaining final compliance by 90 days or more after the schedule date.

(f) Failure to provide reports for compliance schedules, self-monitoring data, or categorical standards (baseline monitoring reports, 90-day compliance reports, and periodic reports) within 30 days from the due date.

(g) Failure to accurately report noncompliance.

(h) Any other violation or group of violations that the ~~superintendent~~utilities director considers to be significant.

Section 77. That The Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered 13.20.545, which said section reads as follows:

**Upset.**

(a) For the purposes of this section, upset means an exceptional incident in which there is unintentional and temporary noncompliance with categorical Pretreatment Standards because of factors beyond the reasonable control of the User. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

(b) An upset shall constitute an affirmative defense to an action brought for noncompliance with categorical Pretreatment Standards if the requirements of paragraph (C), below, are met.

(c) A User who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

(1) An upset occurred and the User can identify the cause(s) of the upset;

(2) The facility was at the time being operated in a prudent and workman-like manner and in compliance with applicable operation and maintenance procedures; and

(3) The User has submitted the following information to the utilities director within twenty-four (24) hours of becoming aware of the upset. If this information is provided orally, a written submission must be provided within five (5) days:

(i) A description of the indirect discharge and cause of noncompliance;

(ii) The period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue; and

(iii) Steps being taken and/or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

(d) In any enforcement proceeding, the User seeking to establish the occurrence of an upset shall have the burden of proof.

(e) Users shall have the opportunity for a judicial determination on any claim of upset only in an enforcement action brought for noncompliance with categorical Pretreatment Standards.

(f) Users shall control production of all discharges to the extent necessary to maintain compliance with categorical Pretreatment Standards upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

Section 78. That section 13.20.550, Recordkeeping, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Recordkeeping.**

~~Records shall be kept by the user for a period of at least five years.~~ Users subject to the reporting requirements of this chapter shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by TMC Title 13, any additional records of information obtained pursuant to monitoring activities undertaken by the User independent of such requirements, and documentation associated with BMPs established under TMC 13.20.300. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the User or the City, or where the User has been specifically notified of a longer retention period by the utility director.

Section 79. That section 13.20.570, Liquid waste discharge permit application, application fee, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Liquid waste hauler discharge permit application, application fee.**

(a) Applications for a liquid waste hauler discharge permit shall be made to the WPC and shall contain the following information:

(1) Name and address, including business address of liquid waste hauler.

(2) Quantity, capacity, license plate number, and type of all vehicles operated by hauler, for the purpose of hauling liquid waste.

(3) Types of materials pumped by hauler including a waste characterization profile on each type of material.

(4) Proof of insurance in the following types and amounts:

(i) Bodily injury, nonvehicular: \$300,000 each occurrence.

(ii) Property damage, nonvehicular: \$100,000 each occurrence.

(iii) Automobile insurance: \$100,000 single occurrence, \$300,000 aggregate, \$50,000 property damage.

(5) Any other information deemed necessary by the ~~superintendent of the WPC~~ utilities director in order to review the application.

(b) An application must be accompanied by the appropriate fee before it will be considered by the ~~superintendent~~ utilities director. Permit application fees are as follows:

(1) Payment of a \$50.00 application fee (nonrefundable), for those haulers operating only within Shawnee County, shall accompany the application in addition to a \$20.00 permit fee per vehicle.

(2) Payment of a \$100.00 application fee (nonrefundable), for any hauler operating outside Shawnee County, shall accompany the application in addition to a \$20.00 permit fee per vehicle.

(c) The ~~superintendent~~utilities director may issue a permit if, after review of the application, the ~~superintendent~~utilities director finds:

(1) The liquid waste is domestic generated waste or commercial/food waste with the exception of grease trap waste; and

(2) The liquid waste may be discharged into the WPC disposal facility without causing passthrough or interference; and

(3) The liquid waste meets all applicable federal, state, and city requirements. Any permit issued shall be valid for a period of one year following issuance.

Section 80. That section 13.20.580, Control authority, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Control authority.**

Liquid waste haulers shall be subject to the conditions of a liquid waste hauler permit as set forth herein. Administration of liquid waste hauler ordinances shall be the responsibility of the water pollution control division (WPC), utilities ~~department of public works~~.

Section 81. That section 13.20.590, Permit, conditions, renewal, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Permit, conditions, renewal.**

Any liquid waste hauler discharge permit may include conditions imposed by the ~~superintendent of the WPC~~utilities director in order to assure compliance with federal

pretreatment standards, applicable state regulations and city regulations. Conditions which may be imposed include, but are not limited to, the following:

(a) Liquid waste which violates any prohibited discharge standard of the general pretreatment regulations, 40 CFR 403.5(b) or any local limit is prohibited.

(b) Liquid waste which contains hazardous waste is prohibited.

(c) Liquid waste from commercial or industrial grease traps is prohibited.

Liquid waste discharge permits shall not be transferred, assigned or sold. Application for renewal of a discharge permit shall be made to the ~~superintendent of the WPC~~utilities director 30 days prior to the expiration date contained on the permit.

Section 82. That section 13.20.600, Liquid waste discharge location, fees, manifest, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Liquid waste discharge location, fees, manifest.**

The ~~superintendent of the WPC~~utilities director shall designate the disposal facility to receive permitted hauled liquid waste. Disposal of hauled liquid waste at any location or site other than the designated disposal facility is prohibited. The ~~superintendent~~utilities director also shall designate the hours of operation of the disposal facility and establish procedures by which the disposal facility may be used. Disposal of hauled liquid waste at any other time than the designated hours of operation or in violation of the established procedures of usage is prohibited.

The disposal charge for hauled liquid waste shall be calculated at a rate of ~~\$16.00/1,000 gallons through December 31, 2000. Effective January 1, 2001, the disposal charge will be calculated at a rate~~ adjusted to the current documented waste strength. The disposal charge will be evaluated every two years thereafter and adjusted,

if necessary, to reflect changes in the excess strength commercial rate charge, the current documented waste strength, and the WPC's percent of expenses related to treatment of the liquid waste. Such charge will be billed by the WPC and payable on a monthly basis.

Each liquid waste load which is presented for discharge shall be accompanied by a load manifest on forms prepared by the WPC which contains the following information:

- (a) Permit holder name, permit number and truck license number.
- (b) Originating location of liquid waste.
- (c) Volume of liquid waste pumped.
- (d) Liquid waste characterization (i.e., industrial/domestic waste).
- (e) Signature and telephone number of a legal representative of the waste generator certifying to the above information.
- (f) Signature of liquid waste hauler certifying the above information to be true and accurate.

A manifest shall be prepared for each location where the hauler receives liquid waste. Failure to present the manifest to the WPC at the time of discharge shall be cause to deny access to the designated disposal facility. Manifest records shall be maintained by the hauler for a period of three years.

Section 83. That section 13.20.610, Discharge of contents from holding tanks, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Discharge of contents from holding tanks.**

The contents from holding tanks of domestic waste only shall be allowed with the approval of the ~~superintendent~~ utilities director or designee, at a rate of \$15.00 per 1,000



gallons discharged. Holding tank waste shall be accompanied by a manifest which has been signed by the generator. There shall be no mixing of holding tank wastewater with waste of any other type. A “holding tank” is defined as a nondischarging, storage structure for sanitary wastewater of domestic origin with no connection to a lateral field or any other type of discharge point from the storage tank.

Section 84. That section 13.20.620, Change in liquid waste profile, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Change in liquid waste profile.**

A permitted waste hauler shall notify the ~~superintendent of the WPC~~utilities director at least seven days prior to any planned significant change in waste profile. In the event a liquid waste hauler desires to discharge industrial liquid waste then the hauler shall contact the WPC for a separate permit and rate schedule. Any industrial waste shall meet categorical pretreatment standards, if applicable.

Section 85. That section 13.20.630, Rights of refusal, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Rights of refusal.**

Notwithstanding any provision to the contrary, the ~~superintendent of the WPC~~utilities director or designee ~~of the superintendent~~ may refuse any liquid waste load. Further, the ~~superintendent~~utilities director may order the testing of the waste load by the hauler prior to disposal. Designated staff of the WPC may also conduct sampling of any liquid waste to confirm compliance with the permit.

Section 86. That section 13.20.640, Enforcement, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Enforcement.**

Any liquid waste hauler permit may be revoked by the ~~superintendent of the~~  
WPC utilities director upon the occurrence of any of the following:

- (a) Failure to pay disposal charges for a period of 60 days.
- (b) Failure to provide or maintain manifest records.
- (c) Submission of inaccurate or false information concerning waste characterization.
- (d) Attempted disposal or disposal of hazardous waste.
- (e) Disposal of waste into the city's system at any site other than the designated site.

Section 87. That section 13.20.650, Liquid waste hauler – Regulatory penalty, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Liquid waste hauler – Regulatory penalty.**

If any public state or federal agency imposes or threatens to impose any penalty upon the WPC, the ~~superintendent~~ utilities director will immediately notify the person(s) or agency reasonably believed to be causing the WPC to be in violation by virtue of their discharge to the city sewer. If a penalty is subsequently assessed against the WPC, the person(s) or agency causing the WPC to be in violation shall be held liable for the penalty. All fines imposed as a result of a violation of this chapter shall be paid by the person(s) or agency causing the violation to the city and credited to the WPC.

Section 88. That section 13.20.660, Liquid waste hauler – Damage to facilities, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Liquid waste hauler – Damage to facilities.**

When it has been determined that a discharge of hauled liquid waste causes an obstruction, damage, or any other impairment to the wastewater disposal facilities, the

WPC may assess a charge for the work required to clean or repair the facility against the liquid waste hauler responsible for the discharge.

The repairs may be made by a private contractor or by personnel of the WPC at the option of the ~~superintendent of the WPC~~utilities director. Where applicable, the WPC may add such charge to the liquid waste hauler's wastewater service charges.

Section 89. That section 13.20.680, Connection fees and monthly rates/charges established, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Connection fees and monthly rates/charges established.**

(a) Rates and charges for sewer maintenance, sewage transportation, and sewage treatment shall be established by ordinance in amounts sufficient to pay costs and expenses of the following three general classifications:

- (1) Sewage disposal and treatment; and
- (2) Sewage transportation; and
- (3) Sewer operation and maintenance.

All such rates shall be reviewed at least every five years or more frequently at the discretion of the city, except rates for sewage disposal and treatment, which rates shall be reviewed, altered, or amended as other rates within the city limits.

(b) At the discretion of the city manager or ~~city council~~governing body, the connection fees listed in this section may be waived for economic development projects which, due to their unusual nature or magnitude, offer extraordinary benefits to the community. The city manager may waive up to 25 percent of the fees. ~~City council~~Governing body approval shall be required for approval for any waiver in excess of 25 percent.

(c) The ~~public works~~utilities director shall determine the system connection fee for each consumer making application for a new service connection. The system connection fee shall be paid prior to connection as part of the application process. Such system connection fees shall be based on the system's value, total capacity, and associated water meter size. Applications for sewer connections for which there is no associated water service application shall have a sewer connection fee which is calculated on the basis of projected flows from other sources approximating the water service size. System connection fees are in addition to other rates, charges, deposits, or fees established by law. The system connection fees for all classifications and meter sizes shall be paid prior to connection. These fees shall include all materials and labor by city personnel.

The system connection fees for meters larger than eight inches shall be determined by the ~~public works~~utilities director based on projected flows.

Section 90. That section 13.20.710, Treatment of liquid waste – Setting of rate, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Treatment of liquid waste – Setting of rate.**

The ~~superintendent~~utilities director shall have the authority to accept liquid waste for treatment at the plant and to establish the rate for treatment of any class of liquid waste. The ~~superintendent~~utilities director shall take certain factors into consideration in setting the rates for treatment of liquid waste including, but not limited to, surcharge rate, documented waste strength, special treatment requirements, special handling and administrative costs. Nothing contained herein shall limit the ~~superintendent~~utilities director's ability to refuse to accept any liquid waste for treatment.

Section 91. That section 13.20.720, Special treatment conditions, of The Code

of the City of Topeka, Kansas, is hereby amended to read as follows:

**Special treatment conditions.**

Any stronger sewage or sewage objectionable because of interference with the normal biological treatment processes of the plant is subject to acceptance by the ~~superintendent~~utilities director upon terms worked out between the city and the proposed customer seeking an outlet for strong sewage wastes.

Section 92. That section 13.20.740, Rendering of bills, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Rendering of bills.**

The customer services office of the ~~public works~~utilities department shall render bills monthly to all persons whose premises are connected to the sanitary sewer system of the city. The customer service office shall not assume responsibility for speedy and safe delivery or the failure to receive such bills. A duplicate may be obtained by calling in person at the customer service office or by telephoning the office requesting a duplicate bill.

Section 93. That section 13.20.780, Certification of names of water users without sewage connection, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Certification of names of water users without sewage connection.**

~~The superintendent of water pollution control shall certify to the~~ utilities director of ~~public works~~shall compile a list, at least 30 days prior to the effective date of the sewage service charges fixed by this article, the names of all water users who do not have connections with sanitary sewers, and shall certify monthly thereafter the names of all persons who become users, whose premises are connected with a sanitary sewer

system.

Section 94. That section 13.20.820, Use of grease traps/interceptors, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Use of grease traps/interceptors.**

Grease traps/interceptors shall be installed in accordance with the requirements of Chapter 14.35 TMC to ensure compliance with the effluent limitations contained in this chapter. Each grease generator shall be responsible for servicing and routine cleaning of the grease trap and/or grease interceptor to maintain it in satisfactory operating condition. Each grease generator shall ensure that grease traps and grease interceptors are cleaned as often as necessary to ensure that sediment and floating materials do not accumulate to impair the efficiency of the grease trap and/or grease interceptor; to ensure the discharge is in compliance with local discharge limits; and that no visible grease is observed in discharge. Each grease generator shall also be responsible for removing the cover of the grease trap for inspection at the request of any representative of the ~~public works~~utilities department. Any existing grease generator not currently using a grease trap and/or grease interceptor shall be required to install such if future data (laboratory data and/or preventive maintenance data) show a need for waste pretreatment requirements regulated by the water pollution control division.

Section 95. That section 13.20.830, Quarterly reporting, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Quarterly reporting.**

Each grease generator shall submit a quarterly grease report on such forms provided by the city to the ~~superintendent~~utilities director. The quarterly grease report

shall be submitted on or before the last calendar day of March, June, September, and December in each year.

Each quarterly grease report shall provide the following information, including, but not limited to, a record of the dates the grease trap and/or grease interceptor was cleaned, the name and contact information for the grease hauler, if applicable, and grease generator contact information. Failure to submit a quarterly grease report or failure to submit a complete report within 30 days of the due date may result in the issuance of a notice of violation and enforcement under Article II of this chapter.

Section 96. That section 13.20.840, Record keeping, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Record keeping.**

Each grease generator shall maintain a grease trap/interceptor maintenance log on such forms provided by the division that shall indicate all dates of trap/interceptor cleaning, disposal method, quantity removed, and the name of the grease hauler that pumped the interceptor or the individual who cleaned the trap. The grease trap/interceptor maintenance log shall indicate the cleaning dates for at least the previous 12 months and shall be available for inspection and review by the ~~superintendent~~ utilities director. Failure to maintain a maintenance log shall result in the issuance of a notice of violation and enforcement in accordance with this chapter.

Section 97. That section 13.20.850, Additives, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Additives.**

The introduction of any solvent-based products (i.e., fuel, gasoline or any other hydrocarbons) or enzymatic agents is prohibited in the collection system. All other

chemicals, emulsifiers, live bacteria, or other grease cutters or additives shall be approved by the ~~superintendent~~utilities director prior to use. Based upon the information received and any other information solicited from the potential user or supplier, the ~~superintendent~~utilities director shall permit or deny the use of the additive in writing. Permission to use any specific additive may be withdrawn by the city at any time. Any violation of this section may result in the issuance of a notice of violation and enforcement in accordance with this chapter.

Section 98. That section 13.20.910, Grease waste inspection, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Grease waste inspection.**

Grease wastes pumped from any grease generator shall be subject to inspection, sampling, and analysis to determine compliance with all applicable provisions of these rules and regulations of the ~~superintendent~~utilities director who shall perform or supervise such inspection, sampling, and analysis at any time during the commission of any servicing of any grease trap or interceptor.

Section 99. That section 13.20.940, Suspension or revocation of license, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Suspension or revocation of license.**

Failure of any grease hauler to comply with the requirements of this chapter shall be subject to the following enforcement procedures:

(a) Notice of Violation. A notice of violation will be issued to any grease hauler that is found to be in noncompliance with the requirements of this chapter. The notice shall state the violation and shall give the grease hauler 10 business days to remedy or otherwise correct the violation. The grease hauler shall have 10 calendar days from the



receipt of notice by the grease hauler to correct or otherwise remedy the violation.

(b) Grounds for Notice of Violation. A grease hauler may be issued a notice of violation for any one of the following grounds:

(1) Falsification of any information submitted as part of the application for the LGH.

(2) Failure to comply with any requirements or regulations concerning grease traps/interceptors as provided for in this chapter.

(3) Failure to pay required fees, or any other assessed fees.

(4) Failure to comply with any other license condition.

(5) Discharging any liquid waste into a nonauthorized location.

(6) Falsifying information required for a discharge manifest, or any other applicable forms, applications or reports required under this chapter.

(7) Disposal of waste into the municipal sewer system at any site other than the designated disposal site.

(8) Any other violation which constitutes an imminent or substantial damage to the health or welfare of persons or the environment.

(c) License Suspension/Revocation.

(1) In the event that a grease hauler shall fail to remedy a violation within the time frame set forth in the notice, the license shall be suspended as follows:

(i) Upon the first failure to remedy a violation, the grease hauler license will be suspended by the division until such time as the violation has been remedied.

(ii) Upon the second failure to remedy a violation, the grease hauler's license shall be suspended for a period of three months.

(iii) Upon the third failure to remedy a violation, the grease hauler's

license shall be suspended for a period of one year. The license

suspension shall only be lifted after expiration of the one-year period and

the grease hauler has applied for a new grease hauler license meeting all

requirements of TMC 13.20.870.

(2) During any period of any license suspension, a grease hauler may not

engage in any grease hauling activities.

(3) Upon receipt of a notice of suspension issued by the division, the

grease hauler shall have 10 days to file a written notice of appeal of the license

suspension with the ~~superintendent~~utilities director. An administrative hearing

shall be set within 10 days of the receipt of the appeal. The suspension of the

license shall be stayed until the hearing before the city's administrative hearing

officer.

Section 100. That section 13.20.950, Prohibited acts, of The Code of the City of

Topeka, Kansas, is hereby amended to read as follows:

**Prohibited acts.**

(a) In addition to any other enforcement provisions contained in this chapter, it shall be unlawful for any person to do the following:

(1) Violate any term or condition of the grease hauler license.

(2) Failure to follow any filing, reporting, inspection or monitoring requirement required by federal, state, or city law or regulation.

(3) Failure to comply with any lawful order or requirement made by the ~~superintendent~~utilities director.

(4) Failure to maintain accurate grease interceptor service reports.

(5) Disposal of waste at any site other than the designated disposal site.

(b) Any person violating this section may be punished by:

(1) A fine of not more than \$499.00;

(2) Imprisonment in jail for not more than 179 days; or

(3) Both such fine and imprisonment, not to exceed the limits set out in subsections (b)(1) and (b)(2) of this section.

Section 101. That section 13.25.110, Program responsibility, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Program responsibility.**

It shall be the duty of the utilities director ~~of public works~~ to administer the stormwater utility and the director may delegate such duty and responsibility within the utilities department ~~of public works~~ as is necessary to carry out the provisions of this chapter. The department shall keep an accurate record of all persons using the services and facilities of such stormwater management system of the city and to make changes in accordance with the rates and charges established in this chapter.

Section 102. That section 13.30.040, Reporting of accidental discharges into the municipal storm sewer system, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Reporting of accidental discharges into the municipal storm sewer system.**

(a) Any owner of a facility, vehicle, or other source of a discharge into the municipal storm sewer system, or waters of the United States, other than stormwater shall immediately notify the utilities director ~~of public works~~ and the fire chief concerning the incident. This shall include all substances as listed in 49 CFR Part 171, Hazardous Materials, 40 CFR Part 302, Hazardous Substances, 40 CFR Part 355, Extremely

Hazardous Substances, 40 CFR Part 261.3, Hazardous Waste, and Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA) Part 101, Biological Agents or Other Disease-Causing Agents. This shall further include releases of 10 gallons or greater or releases in any amount that contains a reportable quantity of one or more of the listed substances.

(b) When notifying the utilities director of ~~public works~~ and fire chief the owner reporting shall supply information regarding the following:

- (1) What was released;
- (2) Location of release;
- (3) Time and duration of release;
- (4) Estimate of quantity of release;
- (5) Source of release;
- (6) Known or anticipated health risks associated with release;
- (7) Precautions needed as result of release;
- (8) Any steps that have been taken to contain and/or clean up the release;
- (9) Names and telephone numbers of person or persons to be contacted for further information.

(c) Within 15 days following a release, the owner of the facility, vehicle or other source of the release must submit a written report containing information specified directly above and any additional information requested by the utilities director of ~~public works~~ or fire chief.

Section 103. That section 13.30.060, Erosion and sediment control standards, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Erosion and sediment control standards.**

The ~~superintendent~~utilities director or designee shall adopt and maintain erosion and sediment control standards to assist in the administration of this chapter. The erosion and sediment control standards shall be based on, but not limited to, the following principles:

- (a) Fit the development to existing site conditions.
- (b) Minimize the extent of exposure.
- (c) Minimize duration of exposure.
- (d) Break work activities into phases when possible.
- (e) When possible, protect disturbed areas from any unnecessary run-on of stormwater from adjacent sites, at least during the construction period.
- (f) Stabilize disturbed areas.
- (g) Keep runoff velocities low.
- (h) Retain sediment on the site.
- (i) Inspect and maintain control measures.
- (j) Use performance measures and outcomes.
- (k) Timely employment and maintenance of all measures.
- (l) BMPs as identified by the ~~superintendent~~utilities director.

Section 104. That section 13.30.070, General provisions, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**General provisions.**

Responsibility to Implement Best Management Practices. Notwithstanding the presence or absence of requirements of this chapter, any person engaged in activities or operation, or owning facilities or property which will or may result in pollutants entering stormwater, the storm drain system, or waters of the U.S. shall implement best

management practices to the extent they are technologically achievable to prevent and reduce such pollutants.

(a) Any person undertaking land disturbance activities shall comply with the requirements and standards set forth in this chapter. Permit requirements for land disturbance activities are set forth in this chapter.

(b) Applicability. Regardless of whether or not a land disturbance activity requires a permit, any person engaged in any land disturbance activity shall comply with the spirit and intent of this chapter. At a minimum, such persons shall employ BMPs for erosion and sediment control in proportion to the scale of the activity to reduce the amount of sediment or other pollutants in stormwater discharges associated with those activities.

(c) Responsible Person(s). When the term “responsible person(s)” is used in this chapter, it shall mean the landowner of the property upon which a land disturbance activity takes place and any person(s) performing a land disturbance activity. When a permit is issued, a landowner is responsible for land disturbance activities from permit issuance to closure, unless the city approves a transfer of responsibility to a new landowner when land is sold.

(d) Time Requirement. Where land disturbance activities have temporarily or permanently ceased on a portion of a project site for over 14 consecutive days, the disturbed areas shall be protected from erosion by stabilizing the areas with mulch or other similarly effective soil stabilizing BMPs, unless the timeframe for compliance is extended by the ~~superintendent~~utilities director. Where implementation of stabilization measures is precluded by snow cover, stabilization measures shall be initiated as soon as practicable.

Section 105. That section 13.30.080, Permit, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Permit.**

(a) No person shall receive any permit for building, grading or other land development without meeting the requirements of this title and obtaining a land disturbance activity permit. Additionally, no responsible person shall initiate any grading or other land disturbance activity without first obtaining a land disturbance activity permit.

(b) Application – Requirements. A land disturbance activity permit shall be required when any of the following occur:

(1) The removal, increase or stockpiling of any materials exceeds either 3,000 square feet or 100 cubic yards.

(2) The grading, excavation or stockpiling of any earthwork significantly changes a recognized, established watercourse or results in a significant change in drainage or runoff conditions to an established drainage easement of record.

(3) The land disturbance activity exceeds one acre in area.

(4) The ~~superintendent~~utilities director determines that a land disturbance activity permit is required because of unique circumstances and a potential impact on the environment.

(c) The land disturbance activity permit shall be obtained prior to clearing of land in preparation for any of the activities set out in subsection (a) of this section. When the area exceeds one acre, the land disturbance activity permit must be applied for at least 90 days prior to beginning construction.

(d) Application – Exceptions. A land disturbance activity permit shall not be

required for the following:

(1) The removal or increase of earthwork in conjunction with any construction project of less than 3,000 square feet for which a building or construction permit has been issued, provided the removal or increase of earthwork is contained on the parcel of property at which the land disturbance activity is taking place. Property adjoining the parcel of property for which a building permit or construction permit has been issued may be used for the temporary storage of fill material, provided written permission has been obtained from the adjoining property owner and the storage of fill materials ends at the completion of the permitted work. However, the work will conform to the standards and other requirements of this chapter and other applicable city ordinances.

(2) Cemetery graves.

(3) Sanitary landfills, where such landfills have been authorized by KDHE.

(4) Demolition landfills, where such landfills have been authorized by KDHE.

(5) Exploratory excavations, tests and sampling under the direction of a soils engineer or engineering geologist or as approved by the ~~public works~~utilities director.

(e) Nothing contained in subsection (d) of this section shall be construed as exempting from regulation excavation work or land disturbance activity which is regulated by separate permit as required under federal or state law or regulation or a permit or requirements set forth in TMC 12.45.040 concerning construction activity in the city's rights-of-way; TMC 17.30.150 concerning construction activities in floodplains;



TMC 17.20.020 concerning construction adjacent to flood control levees; or TMC 17.10.040 concerning activities in buffer zones.

(f) Review. The ~~superintendent~~utilities director shall complete a review of the SWPPP within 14 days of receiving the SWPPP from the developer.

(1) Permit Required. If the ~~superintendent~~utilities director determines that the SWPPP meets the requirements of this chapter, the ~~superintendent~~utilities director shall issue a permit valid for a specified period of time that authorizes the land disturbance activity contingent on the implementation and completion of the SWPPP.

(2) Denial. If the ~~superintendent~~utilities director determines that the SWPPP does not meet the requirements of this chapter, the city shall not issue a permit for the land disturbance activity. The SWPPP must be resubmitted for approval before the land disturbance activity begins. All land use and building permits shall be suspended until the developer has an approved stormwater pollution prevention plan.

(3) ~~Superintendent~~Utilities director Inspections and Enforcement. The ~~superintendent~~utilities director shall conduct inspections on a regular basis to ensure that erosion and sediment control measures are properly installed and maintained. In all cases the inspectors will attempt to work with the builder or developer to maintain proper erosion and sediment control at all sites. In cases where cooperation is withheld, construction stop work orders shall be issued by the ~~superintendent~~utilities director, until erosion and sediment control measures meet the requirements of this chapter. An inspection must follow before work can commence. Inspections are required as follows:

(i) Before any land disturbance activity begins.

(ii) For residential construction, at the time of footing inspections.

(iii) At the completion of the project.

Section 106. That section 13.30.100, Stormwater prevention plan or erosion and sediment control plan, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Stormwater prevention plan or erosion and sediment control plan.**

(a) SWPPP Required. A SWPPP shall be required for any project which will have land disturbance activity of one acre or more. Applicant for a permit shall provide ~~superintendent~~utilities director with a copy of NOI issued by KDHE and a copy of SWPPP submitted as part of the NOI application.

(b) Erosion Control Plan Required. An erosion and sediment control plan shall be required for any project which will have removal or increase of 101 or more cubic yards of soils or other material subject to erosion by wind or water or land disturbance activity of 3,000 or more feet but less than one acre.

(c) The erosion control plan or SWPPP shall meet the following criteria:

(1) Minimize, in area and duration, exposed soil and unstable soil conditions.

(2) Minimize disturbance of natural soil cover and vegetation.

(3) Protect receiving water bodies, wetlands and storm sewer inlets.

(4) Protect adjacent properties from sediment deposition.

(5) Minimize off-site sediment transport on trucks and equipment.

(6) Minimize work in and adjacent to water bodies and wetlands.

(7) Maintain stable slopes.

(8) Avoid steep slopes and the need for high cuts and fills.

(9) Minimize disturbance to the surrounding soils, root systems and trunks of trees adjacent to site activity that are intended to be left standing.

(10) Minimize the compaction of site soils.

(d) Erosion and Sediment Control Plan or SWPPP Requirements. The erosion and sediment control plan or SWPPP shall include the following on all relevant plans and drawings:

(1) Site Plans for Existing and Proposed Conditions. A complete site plan and specifications, signed by the person who designed the plan, shall be drawn to an easily legible scale, shall be clearly labeled with a north arrow and a date of preparation, and shall include, at a minimum, the following information:

(i) Project Map. A map at least eight and one-half by 11 inches indicating site boundaries, property lines and lot dimensions in relation to surrounding roads, buildings and other structures, and other significant geographic features.

(ii) Identification of all natural and artificial water features (including drain tiles) on or adjacent to the site including, but not limited to, lakes, ponds, streams (including intermittent streams), wetlands, natural or artificial water diversion or detention areas, subsurface drainage facility, stormwater conveyance, and storm sewer catch basins.

(iii) Identification of 100-year flood elevations and stream buffers.

(iv) Existing and proposed grades showing drainage on and adjacent to the site.

(v) Existing and proposed impervious surfaces.

(vi) Steep slopes where areas of 12 percent or more exist over a distance of 50 feet or more.

(vii) Location of all areas not to be disturbed during construction including trees, vegetation, and appropriated areas for infiltration.

(viii) Proposed grading or other land disturbing activity including areas of grubbing, clearing, tree removal, grading, excavation, fill and other disturbance; areas of soil or earth material storage; quantities of soil or earth material to be removed, placed, stored or otherwise moved on site, and delineated limits of disturbance.

(ix) Locations of proposed runoff control, erosion prevention, sediment control, and temporary and permanent soil stabilization measures.

(2) Erosion and Sediment Control Plan or SWPPP Specifications. The erosion and sediment control plan or SWPPP shall include a specifications section that addresses and includes the following requirements that are applicable to the project:

(i) Stockpiles of soil or other materials subject to erosion by wind or water shall be covered, vegetated, enclosed, fenced on the down gradient side or otherwise effectively protected from erosion if the soil or material is stockpiled for more than seven calendar days. No stockpiling is allowed in the street.

(ii) To reduce soil compaction and enhance vegetation establishment, all compacted soil shall be tilled to a depth of at least six inches before revegetation.

(iii) Provide that all silt fences used for erosion and sedimentation control and all other temporary controls shall not be removed until 70 percent of the permanent ground cover has been established and all temporary erosion control shall be removed within 30 days thereafter.

(iv) Methods to prevent sediment damage to adjacent properties and sensitive environmental areas such as water bodies, plant communities, rare, threatened and/or endangered species habitat, wildlife corridors, greenways, etc.

(v) Design and construction methods to stabilize steep slopes.

(vi) Stabilization of all waterways and outlets.

(vii) Protection of storm sewer infrastructure from sediment loading or plugging.

(viii) Stabilization of disturbed areas, including utility construction areas, as soon as possible.

(ix) Protection of roads from sediment and mud from construction site activities.

(x) Disposal of collected sediment and floating debris.

(xi) Any mitigation measures required as a result of any review conducted for the project (e.g., stream buffer mitigation, etc.).

(3) Schedule of Events. A detailed schedule indicating dates and sequence of land alteration activities; implementation, maintenance and removal of erosion and sedimentation control measures; and permanent site stabilization measures shall be provided.

(4) Designation of Responsible Person. The erosion and sediment control plan or SWPPP must identify the person who will oversee the implementation of the erosion and sediment control plan and the installation, inspection and maintenance of the temporary and permanent erosion control measures.

(5) Monitoring, Reporting and Inspection. A detailed description of how erosion control, sediment control and soil stabilization measures implemented pursuant to the erosion and sediment control plan or SWPPP will be monitored, reported, maintained and removed. At a minimum, the erosion and sediment control plan or SWPPP shall provide for the following:

(i) During the construction season, the responsible party shall inspect the erosion and pollution control devices and complete the inspection and maintenance reports every seven days and within 24 hours of a precipitation event of one-half inch or more.

(ii) During inactive seasons, such as winter shutdowns, inspection of the site condition shall be made at least once a month. The devices shall be monitored at least daily during prolonged rainfall. Corrective action must begin within 48 hours of any deficiencies being found and must be completed within seven calendar days.

(iii) Each inspection report shall contain, at a minimum, the name of the responsible party, date of inspection, observations relative to the effectiveness of the erosion and pollution control measures, actions taken or necessary to correct deficiencies and areas where activities have been completed. Site inspection reports shall be maintained on site with the SWPPP or erosion control plans.

(6) Changes or Modification. The ~~superintendent~~utilities director will require additional or modified information when there is a change in design, operation, maintenance, weather or seasonal conditions that have a significant effect on discharge and/or inspections indicate that the erosion and sediment control plan is not effective and existing BMPs are not controlling pollutants and discharges from the site.

(e) SWPPP or Erosion and Sediment Control Plan Performance Standards and Design Criteria. All SWPPPs and erosion and sediment control plans shall be reviewed by the ~~superintendent~~utilities director for effectiveness of erosion and sediment control measures in the context of the site topography and drainage. Proposed design, suggested location and phased implementation of effective, practicable stormwater pollution prevention measures for SWPPPs and erosion and sediment control plans shall be designed, engineered and implemented using the following performance standards and design criteria:

(1) Runoff Easements. If a stormwater management plan involves directing some or all runoff from the site, the responsible person shall obtain from adjacent property owners any necessary easements or other property interests concerning flowage of water.

(2) Scheduling Site Activities. The responsible person shall schedule site activities to lessen their impact on erosion and sediment creation.

(3) Minimize Exposed Soil. The responsible person shall minimize the amount of exposed soil. Mass grading should be avoided and sequencing promoted. At no time shall no more than 20 acres be exposed.

(4) Perimeter Sediment Controls. Perimeter sediment control measures

shall be properly installed by the builder before construction activity begins. Such structures may be adjusted during dry weather to accommodate short-term activities, such as those that require very large vehicles. As soon as this activity is finished or before rainfall, the erosion and sediment control structures must be returned to the configuration specified by the ~~superintendent~~utilities director.

(5) Channel Protection. Channel protection measures will be required as set forth in the erosion control plan, SWPPP or as set forth in the applicable state or federal regulation.

(6) Outlet Protection. Pipe outlets must have energy dissipation installed within 24 hours of connection to a surface water.

(7) Erosion and Sediment Control Methods.

(i) All disturbed areas shall be stabilized if it has not been worked for 14 days with temporary erosion protection or permanent cover.

(ii) If more than 10 acres are disturbed and drained to a single point of discharge, temporary sediment basins must be installed. When site restrictions do not allow for a temporary sediment basin, equivalent measures such as smaller basins, check dams, and vegetated buffer strips can be included.

(iii) For disturbed areas less than 10 acres, sedimentation basins are encouraged, but not required. The responsible person shall install erosion and sediment controls at locations directed by the ~~superintendent~~utilities director. Minimum requirements include silt fences, rock check dams, or other equivalent control measures along slopes. Silt



fences, rock check dams, etc., must be regularly inspected and maintained.

(8) Sediment Basins Related to Impervious Surface Area. Where a project's ultimate development replaces surface vegetation with one or more cumulative acres of impervious surface, and all runoff has not been accounted for in the city of Topeka's existing stormwater management plan or practice, runoff from the one-half-inch 24-hour storm event shall be treated unless discharge is to a special water where runoff from the one-inch 24-hour storm event shall be treated.

(9) Silt Fence. Silt fence shall be properly installed by being trenched and buried at least six inches into the soil. Generally, sufficient silt fence will be required to contain sheet flow runoff generated at an individual site.

(10) Stockpile Protections. For soil stockpiles greater than 10 cubic yards the toe of the pile must be more than 25 feet from a road, drainage channel or stormwater inlet. If left for more than seven days, erosion from stockpiles must be controlled with perimeter control devices such as silt fence. If the physical features on the site prevent stockpiling at least 25 feet from a road drainage channel or stormwater inlet, the ~~superintendent~~ utilities director may allow stockpiling within 25 feet, provided the stockpile must be controlled with perimeter control devices immediately.

(11) Vehicle Entrances. Temporary rock construction entrances must be installed and maintained wherever vehicles enter and exit a site. The design of this entrance shall take into consideration the amount of traffic that will be

entering and exiting the site. Construction entrances shall be stabilized with at least two-inch clear aggregate or an approved equal as determined by the ~~superintendent~~utilities director. On sites with high traffic, the ~~superintendent~~utilities director may require wash racks, wash ponds or other means of minimizing sediment leaving the site.

(12) Street Cleaning. Streets shall be cleaned and swept within 24 hours whenever tracking of sediments occurs and before sites are left idle for weekends and holidays.

(13) Dewatering Treatment Required. Sediment laden water that is being removed from the site by pumping or trenching shall be treated to remove a minimum of 80 percent of suspended solids before discharge. Water may not be discharged in a manner that causes erosion to receiving channels or flooding of the discharge site.

(14) Storm Drain Protection. All storm drain inlets shall be protected during construction with control measures as approved by the ~~superintendent~~utilities director. These devices shall remain in place until final stabilization of the site. A regular inspection and maintenance plan shall be developed and implemented to assure these devices are operational at all times. Storm drain protection shall be removed and area inlet shall be cleaned of debris following site stabilization.

(f) Modification of Plan. The responsible person must amend the erosion control plan or SWPPP as necessary to include additional requirements such as additional or modified BMPs designed to correct problems identified or address situations whenever:

(1) A change in design, construction, operation, maintenance, weather, or

seasonal conditions that has a significant effect on the discharge of pollutants to surface waters or underground waters.

(2) Inspections indicate the erosion control plan or SWPPP is not effective in eliminating or significantly minimizing the discharge of pollutants to surface waters or underground waters or that the discharges are causing water quality standard exceedances.

(3) The SWPPP is not achieving the general objectives of controlling pollutants or is not consistent with the terms and conditions of this permit.

Section 107. That section 13.30.110, Regulation of industrial activities, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Regulation of industrial activities.**

All operators of landfills; hazardous waste treatment, disposal, and recovery facilities; municipal waste facilities; EPA hazardous waste generators; Kansas hazardous waste generators; and industrial facilities that are subject to Section 313 of Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA); and any other industrial facilities the utilities director of ~~public works~~ determines are contributing a substantial pollutant load to the municipal stormwater sewer system; and who must obtain coverage for stormwater discharge associated with industrial activity shall:

(a) Submit to the ~~superintendent~~utilities director a signed copy of notice of intent (NOI) or notice of nonexposure (NOE), filed with the state of Kansas.

(b) Prepare and implement a stormwater pollution prevention plan in accordance with the requirements set forth in operator's KDHE industrial stormwater permit. The operator shall upon request provide the ~~superintendent~~utilities director with

a copy of the SWPPP including any amendments thereto.

(c) No discharge shall contain any hazardous metals in a concentration greater than that which would exceed state of Kansas Surface Water Quality Standards.

Section 108. That section 13.30.120, Sampling of stormwater runoff by each industry, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Sampling of stormwater runoff by each industry.**

The operator shall upon request by the ~~superintendent~~utilities director provide a copy of any stormwater sampling and analysis results required to be submitted to the KDHE under the terms of the industrial stormwater permit. Any additional information about each industry's sampling program shall be submitted to the ~~superintendent~~utilities director upon request including, but not limited to:

(a) Results from the stormwater sampling;

(b) Maintenance records on stormwater structural controls;

(c) Information on the status and performance of stormwater structural controls;

(d) Information on the status and performance of any stormwater nonstructural controls; and

(e) Copies of all Superfund Amendments and Reauthorization Act Title III Section 313 reports that contain information on ground water and surface water monitoring, chemical release data, and corrective actions required by Kansas Department of Health and Environment.

Section 109. That section 13.30.130, Inspection of industrial facilities, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Inspection of industrial facilities.**

At least once per year qualified personnel (provided by the operator) shall conduct a comprehensive site compliance evaluation. The operator shall upon request provide the ~~superintendent~~utilities director a copy of the annual site compliance evaluation. The operator shall submit to the ~~superintendent~~utilities director a copy of the notice of termination (NOT), submitted to the state of Kansas upon cessation of all stormwater discharges associated with industrial activity.

Section 110. That section 13.35.020, Waiver – Exemptions - Mitigations, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Waiver – Exemptions – Mitigations.**

(a) The utilities director may grant a waiver for one or more stormwater management requirements if the standard can be met in any of the following ways:

(1) Discharging the stormwater runoff to an existing stormwater management facility, whether public or private, that is an off-site facility designed, adequately sized, constructed and maintained to provide a level of stormwater control that is equal to or greater than that which would be afforded by on-site practices and there is an entity responsible for long-term operation and maintenance of the stormwater practice, provided the developer produces a written agreement permitting the discharge of stormwater runoff and long-term operation and maintenance to the existing stormwater management facility.

(2) Engineering studies determine that installing a stormwater management facility in order to meet the stormwater management standards will cause adverse impact to water quality, or cause a negative impact to a downstream channel.

(3) For redevelopment, engineering studies demonstrate there is no net increase in stormwater runoff from current conditions.

(b) Acceptable mitigation measures may be required in order to prevent deterioration of existing culverts, bridges, dams, and other structures, degradation of biological functions or habitat, accelerated stream bank or stream bed erosion or siltation, and increased threat of flood damage to public health, life, and property. Such mitigation measures may include, but are not limited to:

(1) The purchase and donation of privately owned lands, or the granting of an easement to be dedicated for preservation or reforestation.

(2) The creation of a stormwater management facility or other drainage improvement on previously developed properties, public or private, that currently lack stormwater management facilities.

(3) Granting an easement or dedicating land to the city to be used for the construction of an off-site stormwater management facility. Such easement shall be granted prior to issuance of any building permit.

(c) A request for waiver shall not be granted without an engineering study shown in drainage plans submitted for new development or redevelopment that creates additional impervious surfaces establishing the adequacy of downstream or shared off-site stormwater management facilities which offer equivalent or greater protection than the standard(s) for which a waiver is requested.

(d) Site plans for single-family and two-family dwellings on individual lots are exempt from this chapter unless they are located in an area which drains to an impacted waterway as deemed by the utilities director based on an engineering study.

Section 111. That section 13.35.030, Performance criteria for stormwater

management, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Performance criteria for stormwater management.**

All subdivision plats and site plans shall meet the following requirements for stormwater management:

(a) Designs shall establish stormwater management practices to control peak flow rates of discharge according to the storm drainage design criteria. These practices should utilize pervious areas for stormwater treatment and to infiltrate stormwater runoff from driveways, sidewalks, rooftops, parking lots, storage areas, and landscaped areas to the maximum extent practical to provide treatment for both water quality and quantity.

(b) All stormwater runoff generated from new developments shall not discharge directly into a jurisdictional wetland or local water body without adequate treatment as specified in the post construction stormwater quality policy. Where such discharges are proposed, they shall meet all applicable local, state and federal requirements, permits, plans and programs. The owner is responsible for complying with all local state and federal permits that are applicable to the site.

(c) BMPs shall be designed to promote infiltration to the maximum extent possible through the use of structural and nonstructural methods.

(d) For new development and redevelopment, structural stormwater treatment practices shall meet the following performance standards:

(1) Stormwater runoff shall be treated for water quality prior to discharge from the development site.

(2) Designed according to the City of Topeka Design Criteria and Drafting Standards.

(3) Reduce the discharge of the total maximum daily load (TMDL) regulated pollutants to an associated stream and/or lake as identified in the Post Construction Stormwater Quality Policy set forth by the utilities director.

(4) Reduce the discharge of principal pollutants of concern as identified in the Post Construction Stormwater Quality Policy set forth by the utilities director.

Section 112. That section 13.35.040, Requirements for stormwater management plan approval, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Requirements for stormwater management plan approval.**

(a) No application for subdivision plats or site plans to which this chapter applies shall be approved unless the application includes a stormwater management plan detailing in concept how runoff and associated water quality impacts resulting from development will be controlled or managed.

(b) Stormwater Management Concept. The stormwater management concept plan shall include the following information to evaluate the environmental characteristics of the project site, the potential impacts of all proposed development of the site, both present and future, on the water resources, and the effectiveness and acceptability of the measures proposed for managing stormwater generated at the project site:

(1) A map (or maps) indicating the location of existing and proposed buildings, roads, parking areas, utilities, structural stormwater management and sediment control facilities. The map(s) will also clearly show proposed land use with tabulation of the percentage of surface area to be adapted to various uses,



drainage patterns, locations of utilities, roads and easements, and the limits of clearing and grading. A written description of the site plan and justification of proposed changes in natural conditions may also be required.

(2) A plan designed by qualified personnel showing that the proposed stormwater management measures are capable of controlling runoff from the site in compliance with this chapter and the specifications of the storm drainage design criteria. A written or graphic inventory of the natural resources at the site and surrounding area as it exists prior to the commencement of the project and a description of the watershed and its relation to the project site. This description shall address soil conditions, forest cover, topography, wetlands, native vegetative areas on the site, and environmentally sensitive features that provide particular opportunities or constraints for development.

(3) A written description of the individual(s) responsible for maintenance of the proposed plan.

(4) A written description of the maintenance that shall be performed by the responsible party.

(5) The utilities director may also require a concept plan to address the maximum development potential of a site under existing zoning, regardless of whether the applicant presently intends to develop the site to its maximum potential.

(c) Final Stormwater Management Plan Requirements. After review of the stormwater management concept plan, and modifications to that plan as deemed necessary by the utilities director, a final stormwater management plan shall be submitted for approval. The final stormwater

management plan, in addition to the information from the concept plan,  
shall include the following:

(1) Contact Information. The name, address, and telephone number of all  
persons having a legal interest in the property and the tax reference number and  
parcel number of the property or properties affected.

(2) Topographic Base Map. A one inch equals 200 feet topographic base  
map of the site which extends a minimum of 100 feet beyond the limits of the  
proposed development and indicates existing surface water drainage including  
streams, ponds, culverts, ditches, and wetlands; current land use including all  
existing structures; locations of utilities, roads, and easements; and significant  
natural and manmade features not otherwise shown.

(3) Calculations. Hydrologic and hydraulic design calculations for the pre-  
development and post-development conditions for the design storms specified in  
the storm drainage design criteria. Such calculations shall include (i) description  
of the design storm frequency, intensity and duration, (ii) time of concentration,  
(iii) soil curve numbers or runoff coefficients, (iv) peak runoff rates and total runoff  
volumes for each watershed area, (v) infiltration rates, where applicable, (vi)  
culvert capacities, (vii) flow velocities, (viii) data on the increase in rate and  
volume of runoff for the design storms referenced in the storm drainage design  
criteria, and (ix) documentation of sources for all computation methods and field  
test results.

(4) Soils Information. If a stormwater management control measure  
depends on the hydrologic properties of soils (e.g., infiltration basins), then a  
soils report shall be submitted. The soils report shall be based on on-site boring

logs or soil pit profiles. The number and location of required soil borings or soil pits shall be determined based on the need to determine the suitability and distribution of soil types present at the location of the control measure.

(5) Maintenance and Repair. The design and planning of all stormwater management facilities shall include detailed maintenance and repair procedures to ensure their continued function, as well as the individual(s) responsible for such maintenance. The applicant shall identify the parts or components of a stormwater management facility that need to be maintained and the equipment, skills or training necessary. Provisions for the periodic review and evaluation of the effectiveness of the maintenance program and the need for revisions or additional maintenance procedures shall be included.

(6) Landscaping. The applicant shall present a detailed plan for management of vegetation at the site after construction is finished, including responsibility for the maintenance of vegetation at the site and the practices employed to ensure that adequate vegetative cover is preserved. These provisions shall be prepared by qualified personnel.

(7) Easements. The applicant shall provide access to the city for all stormwater treatment facilities or easements at the site for the purpose of inspection and repair by securing all the necessary easements needed on a permanent basis. These easements will be shown on the recorded plat or granted by separate instrument and shall run with the land.

(8) Erosion and Sediment Control Plans for Construction of Stormwater Management Measures. The applicant shall prepare an erosion and sediment control plan or submit a SWPPP for all construction activities related to

implementing any on-site stormwater management practices.

(9) Other Environmental Permits. The applicant shall assure that all other applicable environmental permits have been acquired for the site prior to approval of the final stormwater design plan.

(10) Requirement for Stabilization. Banks of all streams, channels, ditches and other earthen stormwater conveyances shall be left in a stabilized condition upon completion of the new development or redevelopment. No actively eroding, bare or unstable vertical banks shall remain after completion of construction.

(11) All stormwater facilities and systems, including those designed and constructed for water quality treatment, downstream channel stabilization, and peak discharge control shall be designed, constructed and maintained in accordance with the criteria, standards, and specifications presented in this chapter, or other professionally accepted manual for stormwater quality management. The standards for water quality treatment, downstream channel stabilization and peak discharge analysis and control shall be achieved through the use of one or more stormwater quality management facilities that are designed and constructed in accordance with the design criteria, guidance, and specifications provided in a professionally accepted manual for stormwater quality or other acceptable professional methods. Methods, designs or technologies for stormwater quality management facilities that are not provided in any stormwater quality manual may be submitted for approval if it is proven that such methods, designs or technologies will meet or exceed the stormwater treatment standards set forth in this chapter.

Section 113. That section 13.35.050, Construction inspection, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Construction inspection.**

(a) The utilities director shall have the right to perform inspections during the construction of the stormwater management system.

(b) As Built Plans. All applicants shall submit actual “as built” plans for any stormwater management practices located on site after final construction is completed. The plan shall identify the final design specifications for all stormwater management facilities and shall be certified by qualified personnel.

Section 114. That section 13.35.060, Maintenance and repair of stormwater facilities, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Maintenance and repair of stormwater facilities.**

(a) Stormwater Management Easement. Prior to the approval of subdivision or site plan applications pertaining to land development activities described in TMC 13.35.010(a), the owner of the site shall provide for access to the facility at reasonable times for periodic inspection by the city, or its contractor or agent, and shall require the property owner to ensure that the facility is maintained in proper working condition to meet design standards and any other provisions established by this chapter. The stormwater management easement shall be shown on the recorded plat or granted by separate, recorded instrument.

(b) Inspection of Stormwater Facilities. The utilities director shall have the ability to conduct inspections of the stormwater facilities. Inspections may include, but are not limited to: reviewing maintenance and repair

records; sampling discharges, surface water, groundwater, and material or water in drainage control facilities; and evaluating the condition of drainage control facilities and other stormwater treatment practices.

(c) Failure to Maintain Practices. If a responsible party fails or refuses to meet the requirements set forth in the stormwater management plan, the city, after reasonable notice, may pursue enforcement of the plan or the provisions of this chapter.

Section 115. That original § 13.05.017, § 13.05.050, § 13.05.060, § 13.10.030, § 13.10.070, § 13.10.090, § 13.10.100, § 13.10.120, § 13.10.140, § 13.10.150, § 13.10.190, § 13.10.240, § 13.10.270, § 13.10.290, § 13.10.350, § 13.10.390, § 13.10.400, § 13.10.415, § 13.10.420, § 13.10.430, § 13.10.440, § 13.10.450, § 13.10.460, § 13.10.480, § 13.10.490, § 13.10.495, § 13.10.497, § 13.10.560, § 13.10.580, § 13.10.620, § 13.10.650, § 13.10.670, § 13.15.010, § 13.15.020, § 13.15.030, § 13.15.040, § 13.15.100, § 13.15.110, § 13.15.120, § 13.15.130, § 13.15.140, § 13.20.100, § 13.20.120, § 13.20.130, § 13.20.150, § 13.20.160, § 13.20.170, § 13.20.190, § 13.20.200, § 13.20.220, § 13.20.230, § 13.20.240, § 13.20.260, § 13.20.270, § 13.20.280, § 13.20.290, § 13.20.300, § 13.20.330, § 13.20.370, § 13.20.380, § 13.20.400, § 13.20.410, § 13.20.420, § 13.20.430, § 13.20.440, § 13.20.450, § 13.20.460, § 13.20.470, § 13.20.480, § 13.20.490, § 13.20.520, § 13.20.530, § 13.20.540, § 13.20.550, § 13.20.570, § 13.20.580, § 13.20.590, § 13.20.600, § 13.20.610, § 13.20.620, § 13.20.630, § 13.20.640, § 13.20.650, § 13.20.660, § 13.20.680, § 13.20.710, § 13.20.720, § 13.20.740, § 13.20.780, § 13.20.820, § 13.20.830, § 13.20.840, § 13.20.850, § 13.20.910, § 13.20.940, § 13.20.950, § 13.25.110, § 13.30.040, § 13.30.060, § 13.30.070, § 13.30.080, § 13.30.100, § 13.30.110, § 13.30.120, § 13.30.130, § 13.35.020, §

13.35.030, § 13.35.040, § 13.35.050 and § 13.35.060 of The Code of the City of Topeka, Kansas, are hereby specifically repealed.

Section 116. This ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper.

Section 117. This ordinance shall supersede all ordinances, resolutions or rules, or portions thereof, which are in conflict with the provisions of this ordinance.

Section 118. Should any section, clause or phrase of this ordinance be declared invalid by a court of competent jurisdiction, the same shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so declared to be invalid.

PASSED AND APPROVED by the Governing Body on \_\_\_\_\_.

CITY OF TOPEKA, KANSAS

\_\_\_\_\_  
Larry E. Wolgast, Mayor

ATTEST:

\_\_\_\_\_  
Brenda Younger, City Clerk



City of Topeka  
Council Action Form  
Council Chambers  
214 SE 8th Street  
Topeka, Kansas 66603  
[www.topeka.org](http://www.topeka.org)  
October 17, 2017

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|                       |                                     |             |
|-----------------------|-------------------------------------|-------------|
| DATE:                 | October 17, 2017                    |             |
| CONTACT PERSON:       | Bill Fiander                        | DOCUMENT #: |
| SECOND PARTY/SUBJECT: | BNSF Railway                        | PROJECT #:  |
| CATEGORY/SUBCATEGORY  | 018 Public Hearings / 010 Vacations |             |
| CIP PROJECT:          | No                                  |             |
| ACTION OF COUNCIL:    |                                     | JOURNAL #:  |
|                       |                                     | PAGE #:     |

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**DOCUMENT DESCRIPTION:**

**PUBLIC HEARING and ORDINANCE** introduced by Interim City Manager Douglas Gerber, relating to the vacation of a segment of SE 8th Avenue located between SE Adams Street and SE Hancock Street and including a section of the BNSF Railway tracks, in the City of Topeka, Shawnee County, Kansas. (V17S/03) (Council District Nos. 1 and 2)

**Voting Requirement:** Majority vote of the Governing Body (6).

*(Vacation of the public right-of-way is for the permanent closure of 8th Avenue. A public utility easement within the subject right-of-way will be retained at the time of vacation, and the applicant will pay for construction of a new roadway between 8th Avenue and 10th Avenue for an alternative access route, with completion anticipated in February 2018.)*

**VOTING REQUIREMENTS:**

Majority vote of the Governing Body (6).

**POLICY ISSUE:**

BNSF Railway is requesting the vacation of public right-of-way for the purpose of adhering to federal government requirements associated with implementation of 'Positive Train Control' (PTC) on railway lines throughout the USA. Vacation of the public right-of-way and the permanent closure of 8<sup>th</sup> Avenue will eliminate the need for expensive signaling and related safety improvements.

A public utility easement within the subject right-of-way will be retained at the time of vacation, and the applicant will pay for construction of a new roadway between 8th Avenue and 10th Avenue for an alternative access route, with completion anticipated in February 2018.

**STAFF RECOMMENDATION:**



Staff recommends the Governing Body conduct the public hearing and move to adopt the ordinance.

**BACKGROUND:**

The request by BNSF Railway provides for vacation of a segment of SE 8th Avenue public right-of-way.

Public Works Department staff have worked with the applicant to design a new roadway that will connect 8<sup>th</sup> Avenue and 10<sup>th</sup> Avenue just to the east of the BNSF Railway tracks and become a new segment of SE Washington Street as depicted on the attached aerial map. BNSF will pay for the construction of the approximately 1000 lineal feet of new concrete roadway with completion anticipated in February 2018. The new street will provide permanent access for the approximately one dozen property owners directly or indirectly affected by the vacation of right-of-way. Some of these property owners currently utilize Chestnut Street via 6<sup>th</sup> Avenue as their primary access and may continue to do so.

With the assistance of City staff the applicant conducted a neighborhood information meeting for affected property owners regarding the proposed vacation on October 5, 2017, and also held previous meetings with property owners prior to that.

The vacation request has been reviewed by City departments and utility providers. Kansas Gas Service has a gas main and AT&T has a duct crossing the tracks at this location. The City has a storm sewer running in an east-to-west direction beneath the tracks. The utility providers do not object to the vacation provided a utility easement is retained. The Planning Department and Public Works Department recommend approval of the Ordinance approving vacation of this segment of SE 8<sup>th</sup> Avenue. However, the ordinance will not become effective until BNSF executes the agreement to pay for the costs of the new street.

**BUDGETARY IMPACT:**

The City will have approximately 180 fewer lineal feet of public right-of-way to maintain.

**SOURCE OF FUNDING:**

Not applicable

**ATTACHMENTS:**

**Description**

Ordinance

Legal Notice

Summary Report

Aerial Map

Staff Comments

Neighborhood Informational Meeting 10-05-2017

(Published in the Topeka Metro News \_\_\_\_\_ )

**ORDINANCE NO.**

**AN ORDINANCE** introduced by Interim City Manager Douglas Gerber, relating to the vacation of public right-of-way for a segment of SE 8<sup>th</sup> Avenue approximately 180 feet in length lying between SE Adams Street and SE Hancock Street, and including a section of the BNSF Railway tracks, in the City of Topeka, Shawnee County, Kansas (Case V17S/03) (Council Districts No.1 and No.2)

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

**Section 1.** That pursuant to the requirements of K.S.A. 12-504 as amended, a petition by BNSF Railway, as property owner, has been filed with the office of the City Clerk, requesting the vacation of the following described public right-of-way located within the City of Topeka, Shawnee County, Kansas:

A part of Eighth Avenue East in C. K. Holliday's Addition to the City of Topeka, Shawnee County, Kansas, described as: Beginning at the Southeast corner of Lot 251 on Holliday Street in said addition; thence easterly to the Southwest corner of Lot 252 on Holliday Street; thence easterly on the North line of Eighth Avenue East to the Southeast corner of said Lot 252; thence easterly on an extension of the North line of Eighth Avenue East to a point on a line 45 feet west of the East line of Washington Street in said addition; thence southerly on an extension of said line 45 feet west of the extended East line of Washington Street, to a point on a prolongation of the South line of Eighth Avenue East from the west; thence westerly on the said prolongation of the South line of Eighth Avenue East and on the South line of Eighth Avenue East, to a point 56.18 feet easterly distant from the intersection of the South line of Eighth Avenue East with the Centerline of vacated Charles Street in said addition; thence northeasterly to the point of beginning.

**Section 2.** That said petition has been duly published for two (2) consecutive weeks in a newspaper of general circulation and 20 days prior to hearing, and on **October 17, 2017** the petition is ready for determination by the Governing Body of the City of Topeka, Kansas.

**Section 3.** That the Governing Body of the City of Topeka, after being duly informed and hearing the evidence presented finds that:

- a. Legal notice was given as required by K.S.A. 12-504 as amended.
- b. No private rights will be injured or endangered by such vacation.
- c. The public will suffer no loss or inconvenience by such vacation.

**Section 4.** That the Governing Body of the City of Topeka does hereby find that justice requires the petition of vacation be granted and does hereby order the vacation of the below described public right-of-way for a segment of SE 8<sup>th</sup> Avenue located within the City of Topeka, Kansas:

A part of Eighth Avenue East in C. K. Holliday's Addition to the City of Topeka, Shawnee County, Kansas, described as: Beginning at the Southeast corner of Lot 251 on Holliday Street in said addition; thence easterly to the Southwest corner of Lot 252 on Holliday Street; thence easterly on the North line of Eighth Avenue East to the Southeast corner of said Lot 252; thence easterly on an extension of the North line of Eighth Avenue East to a point on a line 45 feet west of the East line of Washington Street in said addition; thence southerly on an extension of said line 45 feet west of the extended East line of Washington Street, to a point on a prolongation of the South line of Eighth Avenue East from the west; thence westerly on the said prolongation of the South line of Eighth Avenue East and on the South line of Eighth Avenue East, to a point 56.18 feet easterly distant from the intersection of the South line of Eighth Avenue East with the Centerline of vacated Charles Street in said addition; thence northeasterly to the point of beginning.

**Section 5.** That the Council of the City of Topeka does hereby find that justice further requires the provision for a public utility easement over the described property as set forth in Section 4 and does hereby order the retention of the below described area as a public utility easement:

A part of Eighth Avenue East in C. K. Holliday's Addition to the City of Topeka, Shawnee County, Kansas, described as: Beginning at the Southeast corner of Lot 251 on Holliday Street in said addition; thence easterly to the Southwest corner of Lot 252 on Holliday Street; thence easterly on the North line of Eighth Avenue East to the Southeast corner of said Lot 252; thence easterly on an extension of the North line of Eighth Avenue East to a point on a line 45 feet west of the East line of Washington Street in said addition; thence southerly on an extension of said line 45 feet west of the extended East line of Washington Street, to a point on a prolongation of the South line of Eighth Avenue East from the west; thence westerly on the said prolongation of the South line of Eighth Avenue East and on the South line of Eighth Avenue East, to a point 56.18 feet easterly distant from the intersection of the South line of Eighth Avenue East with the Centerline of vacated Charles Street in said addition; thence northeasterly to the point of beginning.

**Section 6.** The City Clerk is hereby directed to certify a copy of this ordinance to the Shawnee County Register of Deeds Office for appropriate recording.

**Section 7.** This Ordinance shall take effect and be in force only upon publication in the official city newspaper.

**PASSED AND APPROVED** by the Governing Body of the City of Topeka \_\_\_\_\_,  
2017.

ATTEST:

\_\_\_\_\_  
Larry E. Wolgast, Mayor

\_\_\_\_\_  
Brenda Younger, City Clerk

To Be Codified \_\_\_\_  
Not To Be Codified X

**Please have the attached published in the Topeka Metro News in the Legal Advertising Section on Monday, September 25, 2017 and Monday, October 2, 2017.**

**IN THE MATTER OF THE PROPOSED VACATION OF:**

Public right-of-way for a segment of SE 8<sup>th</sup> Avenue as located between SE Adams Street and SE Hancock Street and coterminous with BSNF Railway property including railroad tracks in the City of Topeka, Shawnee County, Kansas **(Case V17S/03) (Council Districts No. 1 & 2)**

**NOTICE OF PUBLIC HEARING**

(Pursuant to K.S.A. 12-504 et seq.)

**To Whom It May Concern:**

**Public notice is hereby given that a petition has been filed by BSNF Railway to vacate property legally described as follows:**

A part of Eighth Avenue East in C. K. Holliday's Addition to the City of Topeka, Shawnee County, Kansas, described as: Beginning at the Southeast corner of Lot 251 on Holliday Street in said addition; thence easterly to the Southwest corner of Lot 252 on Holliday Street; thence easterly on the North line of Eighth Avenue East to the Southeast corner of said Lot 252; thence easterly on an extension of the North line of Eighth Avenue East to a point on a line 45 feet west of the East line of Washington Street in said addition; thence southerly on an extension of said line 45 feet west of the extended East line of Washington Street, to a point on a prolongation of the South line of Eighth Avenue East from the west; thence westerly on the said prolongation of the South line of Eighth Avenue East and on the South line of Eighth Avenue East, to a point 56.18 feet easterly distant from the intersection of the South line of Eighth Avenue East with the Centerline of vacated Charles Street in said addition; thence northeasterly to the point of beginning.

The petition will be presented to the Council of the City of Topeka for hearing **Tuesday, October 17, 2017** at 6:00 P.M. or as soon thereafter as the same may be heard in the City Council Chambers, Municipal Building, 2<sup>nd</sup> Floor, 8<sup>th</sup> and Monroe Streets, Topeka, Kansas, at which time and place all interested persons may appear and be heard, either for or against granting the prayer of said Petition.

**BY THE GOVERNING BODY,  
CITY OF TOPEKA, KANSAS**

# **CITY OF TOPEKA PLANNING DEPARTMENT**

## **SUMMARY REPORT**

**Subject: Case V17S/03 By: BNSF Railway**

V17S/03 is a request by BNSF Railway to vacate approximately 180 lineal feet of public right-of-way for a segment of SE 8<sup>th</sup> Avenue located between SE Adams Street and SE Hancock Street, and including a short section of the BNSF Railway tracks. BNSF is requesting the vacation of public right-of-way for the purpose of adhering to federal government requirements associated with implementation of 'Positive Train Control' (PTC) on railway lines throughout the USA. Vacation of the public right-of-way and the permanent closure of 8<sup>th</sup> Avenue will eliminate the need for expensive signaling and related safety improvements.

Public Works Department staff have worked with the applicant to design a new roadway that will connect 8<sup>th</sup> Avenue and 10<sup>th</sup> Avenue just to the east of the BNSF Railway tracks and become a new segment of SE Washington Street as depicted on the attached aerial map. BNSF will pay for the construction of the approximately 1000 lineal feet of new concrete roadway with completion anticipated in February 2018. The new street will provide permanent access for the approximately one dozen property owners directly or indirectly affected by the vacation of right-of-way. Some of these property owners currently utilize Chestnut Street via 6<sup>th</sup> Avenue as their primary access and may continue to do so.

With the assistance of City staff the applicant conducted a neighborhood information meeting for affected property owners regarding the proposed vacation on October 5, 2017, and also held previous meetings with property owners prior to that. The applicant's report to the City regarding the October 5<sup>th</sup> neighborhood information meeting is attached.

The vacation request has been reviewed by City departments and utility providers. Kansas Gas Service has a gas main and AT&T has a duct crossing the tracks at this location. The City has a storm sewer running in an east-to-west direction beneath the tracks. The utility providers do not object to the vacation provided a utility easement is retained. The Planning Department and Public Works Department recommend approval of the Ordinance approving vacation of this segment of SE 8<sup>th</sup> Avenue.





**V17S/03 By: BNSF Railway**





## DEPARTMENTAL COMMENTS:

Case: V17S/03 By: BNSF Railway

**Location:** A public right-of-way for a segment of SE 8<sup>th</sup> Avenue located between SE Adams Street and SE Hancock Street and generally coterminous with BNSF Railway tracks.

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### DEPARTMENTS:

- **Water Division:**        X   No Objection             Objection  
Comments:
- **Engineering:**        X   No Objection             Objection  
Comments:
- **Parks Department:**        X   No Objection             Objection  
Comments:
- **County Refuse:**        X   No Objection             Objection
- **Fire Department:**        X   No Objection             Objection
- **Police Department:**        X   No Objection             Objection  
Comments:

### UTILITY COMPANIES:

- **AT&T:**        X   No Objection             Objection  
Comments: Public utility easement need be established or retained.
- **Westar:**        X   No Objection             Objection  
Comments:
- **Kansas Gas Service:**        X   No Objection             Objection  
Comments: Public utility easement need be established or retained.
- **Cox Communications:**        X   No Objection             Objection  
Comments:

John Neunuebel, Planner II  
Prepared: September 25, 2017



**Subject:** Summary of Neighborhood Information Meeting for BNSF Railway 8<sup>th</sup> Avenue Vacation

**Meeting Location:** Holliday Building – 620 SE Madison Street

**Date/Time:** 10/05/17; 5:30 p.m.

**Attendance:** Applicant Representative of BNSF Railway; Kamalah Young; two area property owners; Council Member Karen Hiller; City Staff from Planning, Public Works, and Interim City Manager Doug Gerber (Sign-In Sheet attached)

Meeting began at 5:35 p.m. with Mike Hall, City of Topeka Planning Department, providing an overview of the vacation process including the public hearing before the Governing Board. Kamalah Young, BNSF Railway, provided information on need for subject vacation, and Jason Peek and other Public Works staff provided information regarding project timeline related to designing and contracting for construction of new public roadway between 8<sup>th</sup> Avenue and 10<sup>th</sup> Avenue, east of BNSF Railway tracks. The two affected property owners in attendance were generally familiar with the requested vacation having been to previous information meetings held by the applicant and City staff, and asked questions regarding the timing of new roadway and the vacation of 8<sup>th</sup> Avenue public right-of-way. City staff explained that the current project schedule anticipated the road being substantially completed by January 19, 2018, with final completion by February 2, 2018. It was acknowledged that this is an aggressive schedule, with possible factors that may delay completion being the receiving of bids that come in over current budget estimates, as well as bad winter weather that would slow construction. Project applicant BNSF Railway confirmed they would be paying for construction of new roadway. Council Member Karen Hiller inquired of property owners of their concerns with the project, and also stated that it should be understood that there would appear to be a possibility that the segment of 8<sup>th</sup> Avenue may be vacated and closed to traffic prior to completion of the new access roadway. City staff provided information about various scenarios to allow primary and secondary access during construction of the roadway including the immediate removal of barriers from the vacated roadway should the need arise for emergency access, for example. Council Member Hiller asked if property owners in attendance had concerns regarding access and they indicated they were comfortable with how the project was proceeding. After some continued discussion, the meeting adjourned at 6:15 p.m. and attendees were thanked for attending and their continued interest.

## Neighborhood Information Meeting

## Sign in Sheet

## Proposed Vacation of a Segment of SE 8th Avenue as Requested by BNSF Railway

**Date: October 5, 2017 at 5:30 PM**

**Meeting Location: Holliday Bldg., 1st.Floor Conference Room**

[illegible]



City of Topeka  
Council Action Form  
Council Chambers  
214 SE 8th Street  
Topeka, Kansas 66603  
[www.topeka.org](http://www.topeka.org)  
October 17, 2017

---

DATE: October 17, 2017  
CONTACT PERSON: Jennifer Harrell DOCUMENT #:  
SECOND PARTY/SUBJECT: SW 49th Street and Wengert Road to BNSF PROJECT #: T-701027.00  
Railroad Crossing  
CATEGORY/SUBCATEGORY 020 Resolutions / 004 Public Improvements  
CIP PROJECT: Yes  
ACTION OF COUNCIL: JOURNAL #:  
PAGE #:

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**DOCUMENT DESCRIPTION:**

PETITION, PROJECT BUDGET in the amount of \$2,013,485 and RESOLUTION OF ADVISABILITY AND AUTHORIZATION introduced by Interim City Manager Doug Gerber, authorizing improvement project T-701027.00 which will provide street and storm sewer services on SW 49th Street from Wenger Road to BNSF Railroad Crossing as more specifically described therein. (Council District No. 5)

**Voting Requirement:** Majority vote of the Governing Body (6).

*(Approval would authorize the project budget for this street and storm sewer project located on SW 49th Street between Wenger Road to the BNSF Railroad Crossing. The petition project would be funded 100% by the property owners within the Improvement District.)*

**VOTING REQUIREMENTS:**

Majority vote of the Governing Body (6).

**POLICY ISSUE:**

The City would benefit in authorizing improvements for infrastructure elements in serving the Central Crossing Commerce Park Subdivision No. 2 (SW 49th Street between Wenger Road and BNSF Railroad Crossing).

**STAFF RECOMMENDATION:**

The Benefit District Committee, as defined in Resolution No. 8726, recommends the Governing Body move to approve the petition, project budget and resolution.

**BACKGROUND:**

This improvement project will include design and construction services, approximately 2,400 linear feet of 41 feet back to back street pavement, curb and gutter, grading, curb inlets, storm sewer structures and any other contingencies required for a complete project. The existing road section is an un-improved gravel roadway with open ditches.

The Improvement District for Central Crossing Commercial Park Subdivision No. 2 includes:

Lots 1 and 2, Block A - Frito Lay Subdivision No. 2

Lot 1, Block A - Central Crossing Commerce Park, Subdivision No. 2

Lot 1, Block A - Central Crossing Commerce Park Subdivision

Lot 1, Block A - S.A.P. Subdivision No. 2

**BUDGETARY IMPACT:**

The total project budget is \$2,013,485.00. This project will be paid by funding from GO Topeka and the improvement petitioners. Go Topeka and Westar will pay their pro rata share of the cost at time of construction. The remaining two property owners have requested their costs to be paid through an assessment on a unit basis for their share of the total project costs. The City of Topeka would finance this cost through General Obligation Bonds.

**SOURCE OF FUNDING:**

The project will be paid at 100% by the property owners within the Improvement District.

**ATTACHMENTS:**

**Description**

Project Budget - T-701027.00

Petition T-701027.00

Resolution - T-701027.00

Map - T-701027.00

# PROJECT BUDGET

Project No. T 701027.00

**SW 49th Street - Wenger Road to BNSF RR Crossing**

**LOCATION:**

Lots 1 and 2, Block A, Frito Lay Subdivision No. 2  
 Lot 1, Block A, Central Crossing Commerce Park Subdivision No. 2  
 Lot 1, Block A, Central Crossing Commerce Park Subdivision  
 Lot 1, Block A, S. A. P. Subdivision No. 2

**DESCRIPTION OF PROJECT:**

Construct approximately 2,400 LF of 41' back to back street with curb and gutter and storm sewer, geotechnical engineering and all other contingencies required for a complete project.

**SOURCE OF FUNDS:**

Assessment District

**COST ESTIMATE:**

|                                            | <u>City of Topeka</u> | <u>Other Funds</u> | <u>Total</u>       |
|--------------------------------------------|-----------------------|--------------------|--------------------|
| Construction:                              |                       | \$1,619,485.00     | \$1,619,485        |
| Design                                     |                       |                    |                    |
| Geotechnical Report                        |                       | \$5,000.00         | \$5,000            |
| Project Service Fees:                      |                       |                    |                    |
| <i>Construction Admin &amp; Inspection</i> |                       | \$129,000.00       | \$129,000          |
| <i>Construction Staking</i>                |                       | \$0.00             | \$0                |
| Administrative Fees:                       |                       |                    |                    |
| <i>Legal Dept. Admin.</i>                  |                       | \$48,000.00        | \$48,000           |
| <i>Engineering Admin.</i>                  |                       | \$33,000.00        | \$33,000           |
| Right-of Way Acquisition:                  |                       |                    |                    |
| Contingency Amount                         |                       | \$48,000.00        | \$48,000           |
| Interim Interest                           |                       | \$131,000.00       | \$131,000          |
|                                            |                       | \$131,773.95       |                    |
| <b>Total:</b>                              | <b>\$0</b>            | <b>\$2,013,485</b> | <b>\$2,013,485</b> |

**PUBLIC HEARING:**

**PROJECT AUTHORITY:**

a. Statutes: KSA 12-6a Petition Project  
 b. Ord./Res. No.: \_\_\_\_\_  
 c. Improvement District: \_\_\_\_\_  
 d. City at Large: \_\_\_\_\_  
 e. Method of Assessment: Unit Basis (100 Units Total)

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

**PROJECT ENGINEER:** Jennifer Harrell

## IMPROVEMENT PROJECT

### PETITION

THE MAYOR AND COUNCILMEMBERS  
City of Topeka

We, the undersigned owners of record of real estate located within the Improvement District legally described herein, do hereby respectfully petition for the following street improvements, in accordance with the conditions herein contained, and as provided by K.S.A. 12-6a01, *et seq.*, as amended.

STREET IMPROVEMENT \_\_\_\_\_ PROJECT NO. T-701027.00 \_\_\_\_\_

#### A. GENERAL NATURE OF IMPROVEMENT:

To Pave:

SW 49<sup>th</sup> Street from the east curb return of SW Wenger Road to the west edge of the BNSF Railroad right of way crossing with concrete pavement, curb and gutter, grading, curb inlets and storm sewer pipes. Included with the project are geotechnical engineering costs and all other contingencies needed to complete the project.

#### B. PROPOSED IMPROVEMENT DISTRICT:

Lots 1 and 2, Block A, Frito Lay Subdivision No. 2  
Lot 1, Block A, Central Crossing Commerce Park Subdivision  
Lot 1, Block A, Central Crossing Commerce Park Subdivision No. 2  
Lot 1, Block A, S. A. P. Subdivision No. 2

#### C. ESTIMATED OR PROBABLE COST:

\$2,013,485

This cost estimate has been prepared using the best information available, without benefit of a detailed engineering design. Variances may occur as the design details are developed. These costs should not be considered final.

#### D. METHOD OF ASSESSMENT:

On a unit basis for all lots which are included in the improvement district. This project consists of 5 Lots with units assessed as follows:

|                                                                   |                 |
|-------------------------------------------------------------------|-----------------|
| Lot 1, Block A, Frito Lay Subdivision No. 2:                      | 16 Units        |
| Lot 2, Block A, Frito Lay Subdivision No. 2:                      | 7 Units         |
| Lot 1, Block A, Central Crossing Commerce Park Subdivision:       | 19 Units        |
| Lot 1, Block A, Central Crossing Commerce Park Subdivision No. 2: | 54 Units        |
| Lot 1, Block A, S.A.P. Subdivision No. 2:                         | <u>4 Units</u>  |
|                                                                   | 100 Units Total |

#### E. APPORTIONMENT OF COSTS:

Costs are to be paid 100 percent by the owners of property within the Improvement District.



F. CERTIFICATION OF SIGNERS OF THE PETITION:

We understand, agree and certify:

- (i) That we own 100% of the property or properties included in the Improvement District; and
- (ii) That this Petition is one submitted pursuant to subsection (c) of K.S.A. 12-6a04, and amendments thereto; and
- (iii) That the proposed Improvement District does not include all properties which may be deemed to benefit from the proposed improvements; and
- (iv) That we may not withdraw our signature from this Petition after the City Council commences consideration of this Petition or later than seven (7) days after such filing, whichever occurs first; and
- (v) That we are willing to pay the costs of the proposed improvements; and
- (vi) That we hereby waive the notice of and the opportunity to appear at a Public Hearing available under K.S.A. 12-6a01. *et seq.*, Further we request that the City Council adopt a Resolution authorizing the above described improvement; and
- (vii) That the parcels of property contained within the Improvement District may not be altered by replatting or other means until assessments have been levied unless the developer submits a new Petition signed by all property owners with the changes or modifications to the parcels within the Improvement District. Provided, however, no new petition will be required if all owners of the parcel(s) to be altered provide the City Engineer written notice specifying the allocation of the project costs among the new parcels to be created through the replat. Said written notice of the allocation of project costs shall accompany the application for the replat and also shall be filed with the Register of Deeds and shall be a covenant running with the land and binding on the subsequent owners of said parcels; and
- (viii) That, in addition to the costs for the improvement, we will be responsible for paying all applicable rates, fees or charges for municipal services such as water, sanitary sewer or storm water management; and
- (ix) That, if the property is not owned by an individual or individuals, we have disclosed the name of the company, partnership, trust corporation or other entity which owns the property along with our title, position or office, and we have been duly authorized to execute this Petition on behalf of the entity.

| <i>Name of Property Owner</i>                               | <i>Name, Title and Signature of Person Executing Petition</i> | <i>Legal Description of Property Owned</i>                                                                                              | <i>Date</i> |
|-------------------------------------------------------------|---------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|-------------|
| Growth<br>Organization of<br>Topeka/Shawnee<br>County, Inc. |                                                               | Lot 1, Block A, Central Crossing<br>Commerce Park Subdivision<br>Lot 1, Block A, Central Crossing<br>Commerce Park Subdivision No.<br>2 |             |

*Molly Howey*

4.6.17

Molly Howey, Vice President of Business Development & Attraction

#### **CERTIFICATION OF PERSON CARRYING PETITION AND WITNESSING SIGNATURES**

I, the undersigned, hereby certify that I have personally witnessed each and every person whose name appears on this document individually affix his or her signature and swear that the foregoing is true and correct to the best of my knowledge.

4.6.17

Date

*[Signature]*

Signature of Person Carrying Petition

#### **CERTIFICATION OF DEVELOPER**

I, the undersigned developer of record of real estate located within the Improvement District, hereby certify:

- (i) That I have a financial interest in the following properties which have delinquent special assessments located within the City or the City's three mile extraterritorial jurisdiction: None; and
- (ii) That I will notify, in writing, each and every purchaser of parcels of property within the Improvement District that the property is subject to special assessments to pay for the Improvement; and
- (iii) That I will notify in writing each and every purchaser of parcels of property within the Improvement District that in addition to the costs for the Improvement, the property owners will be responsible for paying all applicable rates, fees or charges for municipal services such as water, sanitary sewer or storm water management.

4-6-17

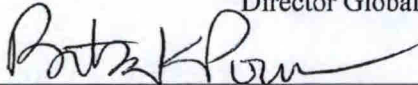
Date

*Molly Howey*

Signature



| <i>Name of Property Owner</i> | <i>Name, Title and Signature of Person Executing Petition</i> | <i>Legal Description of Property Owned</i>     | <i>Date</i>        |
|-------------------------------|---------------------------------------------------------------|------------------------------------------------|--------------------|
| Frito-Lay, Inc.               | Betsy K. Power<br>Director Global Real Estate                 | Lot 1, Block A, Frito Lay<br>Subdivision No. 2 | August 10,<br>2017 |



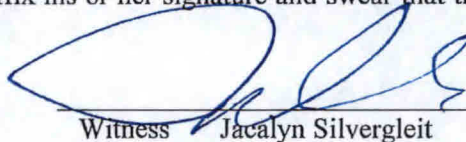
Betsy K. Power, Director Global Real Estate

#### **CERTIFICATION OF PERSON CARRYING PETITION AND WITNESSING SIGNATURES**

I, the undersigned, hereby certify that I have personally witnessed each and every person whose name appears on this document individually affix his or her signature and swear that the foregoing is true and correct to the best of my knowledge.

August 10, 2017

Date



Witness Jacalyn Silvergleit

#### **CERTIFICATION OF DEVELOPER**

I, the undersigned developer of record of real estate located within the Improvement District, hereby certify:

- (i) That I have a financial interest in the following properties which have delinquent special assessments located within the City or the City's three mile extraterritorial jurisdiction: X None \_\_\_\_\_; and
- (iv) That I will notify, in writing, each and every purchaser of parcels of property within the Improvement District that the property is subject to special assessments to pay for the Improvement; and
- (v) That I will notify in writing each and every purchaser of parcels of property within the Improvement District that in addition to the costs for the Improvement, the property owners will be responsible for paying all applicable rates, fees or charges for municipal services such as water, sanitary sewer or storm water management.

August 10, 2017

Date



Signature Betsy K. Power  
Director Global Real Estate

| <i>Name of Property Owner</i> | <i>Name, Title and Signature of Person Executing Petition</i> | <i>Legal Description of Property Owned</i> | <i>Date</i> |
|-------------------------------|---------------------------------------------------------------|--------------------------------------------|-------------|
|-------------------------------|---------------------------------------------------------------|--------------------------------------------|-------------|

Westar Energy

Lot 2, Block A, Frito Lay  
Subdivision No. 2

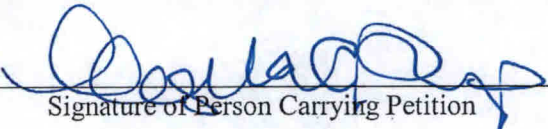
Paul J. Wallen      Executive Director Transmission & Sub Station Construction      4/20/17  
Name, Title

#### **CERTIFICATION OF PERSON CARRYING PETITION AND WITNESSING SIGNATURES**

I, the undersigned, hereby certify that I have personally witnessed each and every person whose name appears on this document individually affix his or her signature and swear that the foregoing is true and correct to the best of my knowledge.

4-20-17

Date

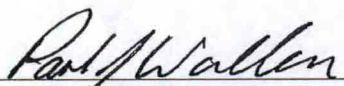
  
Signature of Person Carrying Petition

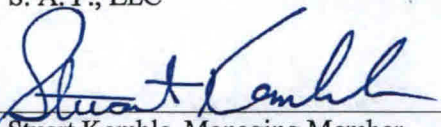
#### **CERTIFICATION OF DEVELOPER**

I, the undersigned developer of record of real estate located within the Improvement District, hereby certify:

- (i) That I have a financial interest in the following properties which have delinquent special assessments located within the City or the City's three mile extraterritorial jurisdiction: None; and
- (vi) That I will notify, in writing, each and every purchaser of parcels of property within the Improvement District that the property is subject to special assessments to pay for the Improvement; and
- (vii) That I will notify in writing each and every purchaser of parcels of property within the Improvement District that in addition to the costs for the Improvement, the property owners will be responsible for paying all applicable rates, fees or charges for municipal services such as water, sanitary sewer or storm water management.

4/20/17  
Date

  
Signature

| <i>Name of Property Owner</i> | <i>Name, Title and Signature of Person Executing Petition</i>                                                       | <i>Legal Description of Property Owned</i>    | <i>Date</i> |
|-------------------------------|---------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-------------|
| S. A. P., LLC                 | <br>Stuart Kemble, Managing Member | Lot 1, Block A, S. A. P.<br>Subdivision No. 2 | 4/20/17     |

#### **CERTIFICATION OF PERSON CARRYING PETITION AND WITNESSING SIGNATURES**

I, the undersigned, hereby certify that I have personally witnessed each and every person whose name appears on this document individually affix his or her signature and swear that the foregoing is true and correct to the best of my knowledge.

4-20-17  
Date

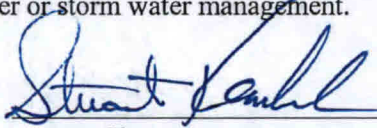
  
Signature of Person Carrying Petition

#### **CERTIFICATION OF DEVELOPER**

I, the undersigned developer of record of real estate located within the Improvement District, hereby certify:

- (i) That I have a financial interest in the following properties which have delinquent special assessments located within the City or the City's three mile extraterritorial jurisdiction: None; and
- (viii) That I will notify, in writing, each and every purchaser of parcels of property within the Improvement District that the property is subject to special assessments to pay for the Improvement; and
- (ix) That I will notify in writing each and every purchaser of parcels of property within the Improvement District that in addition to the costs for the Improvement, the property owners will be responsible for paying all applicable rates, fees or charges for municipal services such as water, sanitary sewer or storm water management.

4/20/17  
Date

  
Signature

RESOLUTION OF ADVISABILITY AND AUTHORIZATION NO. \_\_\_\_\_

A RESOLUTION introduced by Interim City Manager Douglas Gerber, authorizing Improvement Project No. T-701027.00 which provides for street construction on SW 49<sup>th</sup> Street as more specifically described herein.

WHEREAS, the City Clerk has received a petition, pursuant to K.S.A. 12-6a04(c), as amended, containing the signatures of the property owners of 100% of the area in the improvement district hereinafter described; and

WHEREAS, the property owners, having waived the notice and hearing requirements of K.S.A. 12-6a04(a), have agreed to pay all of the costs for the proposed improvement which the property owners are requesting be constructed by the City.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Topeka, Kansas, that it finds Improvement Project No. T-701027.00, hereinafter described, to be advisable and does hereby authorize and order said improvement to be made in accordance with its findings as follows:

A. GENERAL NATURE OF IMPROVEMENT:

To pave SW 49th Street from the east curb return of SW Wenger Road to the west edge of the BNSF Railroad right of way crossing with concrete pavement, curb and gutter, grading, curb inlets and storm sewer pipes. Included with the project are geotechnical engineering costs and all other contingencies needed to complete the project.

B. PROPOSED IMPROVEMENT DISTRICT:

Lots 1 and 2, Block A, Frito Lay Subdivision No. 2  
Lot 1, Block A, Central Crossing Commerce Park Subdivision  
Lot 1, Block A, Central Crossing Commerce Park Subdivision No. 2  
Lot 1, Block A, S. A. P. Subdivision No. 2

C. ESTIMATED OR PROBABLE COST:

\$2,013,485.00

This cost estimate has been prepared using the best information available, without benefit of a detailed engineering design. Variances may occur as the design details are developed. These costs should not be considered final.



42 D. PROPOSED METHOD OF ASSESSMENT:

43  
44 On a unit basis for all lots which are included in the improvement district. This  
45 project consists of 5 Lots with units assessed as follows:

46  
47 Lot 1, Block A, Frito Lay Subdivision No. 2: 16 Units  
48 Lot 2, Block A, Frito Lay Subdivision No. 2: 7 Units  
49 Lot 1, Block A, Central Crossing Commerce Park Subdivision: 19 Units  
50 Lot 1, Block A, Central Crossing Commerce Park Subdivision No. 2: 54 Units  
51 Lot 1, Block A, S.A.P. Subdivision No. 2: 4 Units  
52 TOTAL 100 Units

53  
54 E. APPORTIONMENT OF COSTS:

55  
56 100% of the costs will be paid by the property owners within the Improvement  
57 District. The Improvement District does not include all the properties which may  
58 benefit from the proposed improvement. Regardless, all the persons who signed  
59 the petition have agreed to pay the costs of the proposed improvement.  
60

61 BE IT FURTHER RESOLVED THAT:

62 1. The City Clerk is directed to file a certified copy of this Resolution with the Register of  
63 Deeds.

64 2. Upon completion of the project described herein, the City Clerk is directed to provide  
65 all assessment notices in accordance with the provisions of K.S.A. 12- 6a09, as amended.

66 THIS RESOLUTION shall become effective upon one publication in the official city  
67 newspaper.

68 ADOPTED and APPROVED by the Governing Body on \_\_\_\_\_.

69 CITY OF TOPEKA, KANSAS

70  
71  
72  
73 \_\_\_\_\_  
74 Larry E. Wolgast, Mayor

75 ATTEST:

76  
77  
78  
79 \_\_\_\_\_  
80 Brenda Younger, City Clerk

of Topeka  
)

SW Westview Rd

Frito Lay Inc

Westar Energy Inc

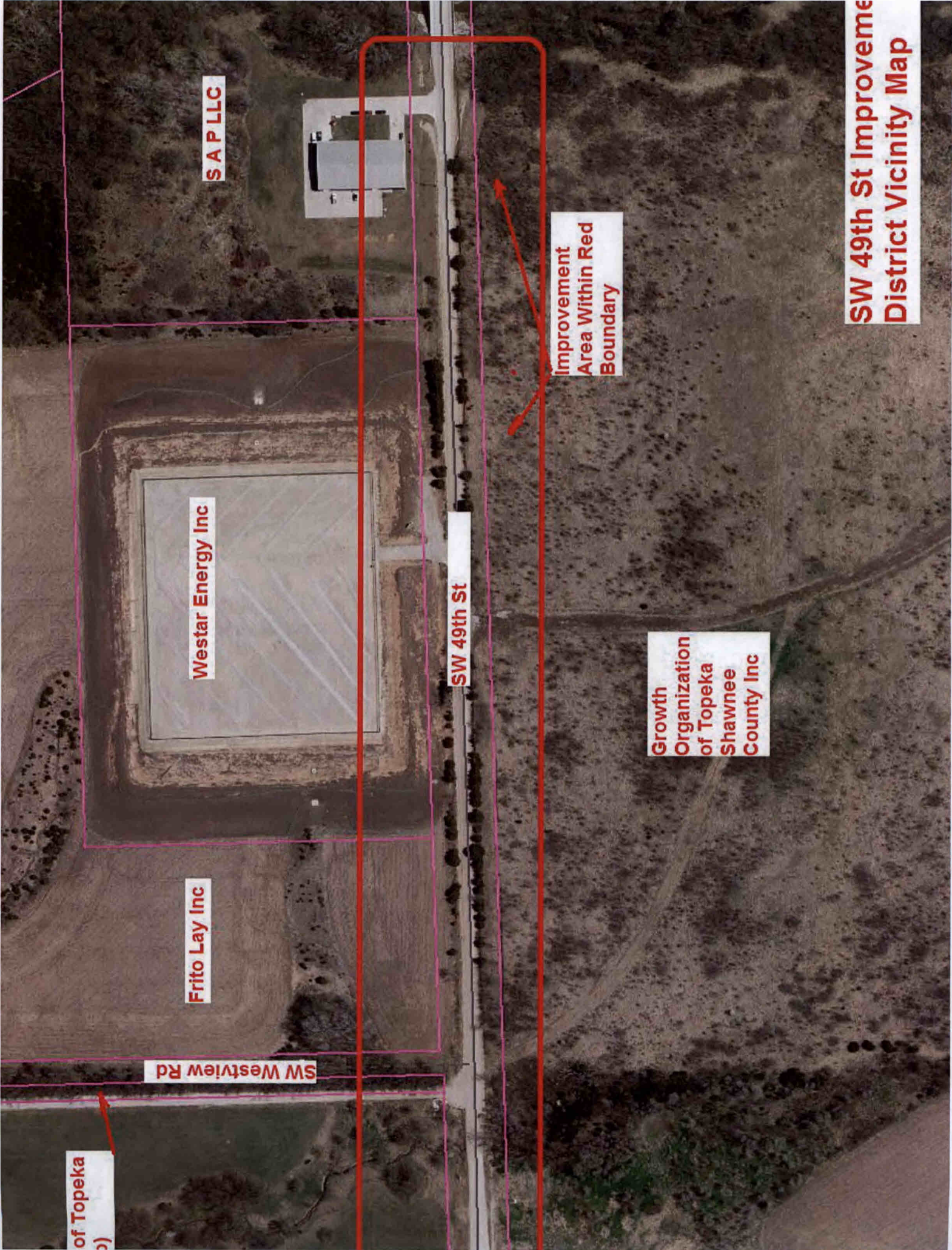
S A PLLC

SW 49th St

Improvement  
Area Within Red  
Boundary

Growth  
Organization  
of Topeka  
Shawnee  
County Inc

SW 49th St Improvement  
District Vicinity Map





**City of Topeka**  
**Council Action Form**  
Council Chambers  
214 SE 8th Street  
Topeka, Kansas 66603  
[www.topeka.org](http://www.topeka.org)  
October 17, 2017

---

**DATE:** October 17, 2017  
**CONTACT PERSON:** Mary Feighny, Deputy City Attorney  
**DOCUMENT #:**  
**SECOND PARTY/SUBJECT:** PROJECT #:  
**CATEGORY/SUBCATEGORY** 013 Ordinances - Codified / 030 Businesses  
**CIP PROJECT:** No  
**ACTION OF COUNCIL:** JOURNAL #:  
PAGE #:

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**DOCUMENT DESCRIPTION:**

**ORDINANCE** introduced by Interim City Manager Doug Gerber, repealing Chapter 5.170 of the Topeka Municipal Code concerning the regulation of scrap metal dealers.

**Voting Requirement:** Majority vote of the Governing Body (6).

*(Approval would repeal the ordinance regulating scrap metal dealers.)*

**VOTING REQUIREMENTS:**

Majority vote of the governing body (6).

**POLICY ISSUE:**

Whether to repeal the ordinance in light of state law that prohibits cities from regulating scrap metal dealers.

**STAFF RECOMMENDATION:**

Staff recommends the Governing Body move to adopt the ordinance.

**BACKGROUND:**

State law places the regulation of scrap metal dealers under the purview of the Kansas Attorney General. K.S.A. 50-6,109f prohibits cities from regulating in this area and makes all ordinances passed prior to July 1, 2015, null and void.

**BUDGETARY IMPACT:**

There is no budgetary impact to the City.

**SOURCE OF FUNDING:**

Not Applicable.

**ATTACHMENTS:**

**Description**

Ordinance



1 (Published in the Topeka Metro News \_\_\_\_\_)

2  
3 ORDINANCE NO. \_\_\_\_\_

4  
5 AN ORDINANCE introduced by Interim City Manager, Douglas Gerber, repealing  
6 Chapter 5.170 of the Topeka Municipal Code concerning the  
7 regulation of scrap metal dealers.  
8

9 WHEREAS, a 2015 state law put registration of scrap metal dealers within the  
10 purview of the Attorney General pursuant to K.S.A 50-6,109f and K.S.A. 50-6,112a and  
11 prohibits cities from enforcing ordinances related to scrap metal.

12 THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY  
13 OF TOPEKA, KANSAS:

14 Section 1. That section 5.10.300, Regulated scrap metal dealer, of The Code  
15 of the City of Topeka, Kansas, is hereby repealed.

16 **~~Regulated scrap metal dealer.~~**

17 ~~(a) The initial registration fee for a regulated scrap metal dealer shall be \$400.00.~~

18 ~~(b) The renewal fee shall be \$50.00.~~

19 Section 2. That section 5.170.010, Definitions, of The Code of the City of  
20 Topeka, Kansas, is hereby repealed.

21 **~~Definitions.~~**

22 ~~(a) "Scrap metal dealer" means any person that operates a business out of a~~  
23 ~~fixed location, and that is also either:~~

24 ~~(1) Engaged in the business of buying and dealing in regulated scrap metal;~~

25 ~~(2) Purchasing, gathering, collecting, soliciting or procuring regulated scrap metal;~~

26 ~~or~~

27 ~~(3) Operating, carrying on, conducting or maintaining a regulated scrap metal yard~~

28 ~~or place where regulated scrap metal is gathered together and stored or kept for~~

shipment, sale or transfer.

(b) ~~“Regulated scrap metal” means wire, cable, bars, ingots, wire scraps, pieces, pellets, clamps, aircraft parts, junk vehicles, vehicle parts, pipes or connectors made from aluminum; catalytic converters containing platinum, palladium or rhodium; and copper, titanium, tungsten, stainless steel and nickel in any form; for which the purchase price was primarily based on the content therein of aluminum, copper, titanium, tungsten, nickel, platinum, palladium, stainless steel or rhodium; any item composed in whole or in part of any nonferrous metal other than an item composed of tin, that is purchased or otherwise acquired for the purpose of recycling or storage for later recycling. Aluminum shall not include food or beverage containers.~~

(c) ~~“Regulated scrap metal yard” means any yard, plot, space, enclosure, building or any other place where regulated scrap metal is collected, gathered together and stored or kept for shipment, sale or transfer.~~

(d) ~~“Junk vehicle” means a vehicle not requiring a title as provided in Chapter 8 of the Kansas Statutes Annotated, and amendments thereto, aircraft, boat, farming implement, industrial equipment, trailer or any other conveyance used on the highways and roadways, which has no use or resale value except as scrap.~~

(e) ~~“Nonferrous metal” means a metal that does not contain iron or steel, including but not limited to copper, brass, aluminum, bronze, lead, zinc, nickel and their alloys.~~

(f) ~~“Tin” means a metal consisting predominantly of light sheet metal ferrous scrap, including large and small household appliances, construction siding and construction roofing.~~

(g) ~~“Vehicle part” means the front clip consisting of the two front fenders, hood, grill and front bumper of an automobile assembled as one unit; or the rear clip consisting of~~

~~those body parts behind the rear edge of the back doors, including both rear quarter panels, the rear window, trunk lid, trunk floor panel and rear bumper, assembled as one unit; or any other vehicle part.~~

Section 3. That section 5.170.020, Registration, of The Code of the City of Topeka, Kansas, is hereby repealed.

**~~Registration.~~**

~~(a) No person or business entity shall purchase any regulated scrap metal without having first registered each place of business located within the city.~~

~~(b) Each applicant for registration shall submit an application to the city clerk and an application fee required by TMC [5.10.300](#). The application shall be verified and upon a form approved by the attorney general. The application shall contain the following information:~~

~~(1) Name and residence of the applicant;~~

~~(2) Length of time applicant has resided within the state of Kansas;~~

~~(3) The place of business;~~

~~(4) Name of the owner of the premises; and~~

~~(5) Prior convictions for property crimes within 10 years immediately preceding the date of application.~~

~~(c) Each registrant shall display or post the registration in the business office of the premises.~~

~~(d) Notwithstanding subsection (a) of this section, registration is not required for a business licensed pursuant to K.S.A. [8-2404](#), and amendments thereto, unless such business purchases or recycles regulated scrap metal that is not motor vehicle components.~~

77           Section 4.   That section 5.170.030, Tem of initial registration – Renewal, of  
78   The Code of the City of Topeka, Kansas, is hereby repealed.

79           ~~**Term of initial registration – Renewal.**~~

80           ~~(a) Each registration shall be for a term of 10 years from the date the registration~~  
81   ~~is approved by the governing body. Registrations shall not be transferable.~~

82           ~~(b) Upon application by the registration holder and submission of a renewal fee~~  
83   ~~prescribed by TMC [5.10.300](#), the governing body may renew the registration for an~~  
84   ~~additional 10-year period if the registration holder is otherwise qualified for registration~~  
85   ~~and the registration holder's previous registration was not revoked.~~

86           Section 5.   That section 5.170.040, Disqualifiers, of The Code of the City of  
87   Topeka, Kansas, is hereby repealed.

88           ~~**Disqualifiers.**~~

89           ~~After examining the application and determining that the applicant meets the~~  
90   ~~statutory requirements to be registered, the governing body shall direct the city clerk to~~  
91   ~~issue a registration. However, a registration shall be denied for any of the following~~  
92   ~~reasons:~~

93           ~~(a) The applicant is under 18 years of age and his or her parents or legal~~  
94   ~~guardians have been convicted of a felony or other crime which would disqualify a~~  
95   ~~person from registration and such crime was committed during the time that such~~  
96   ~~parents or legal guardian held a registration under this chapter.~~

97           ~~(b) The applicant, within five years immediately preceding the date of application,~~  
98   ~~has pled guilty to, been convicted of, released from incarceration for or released from~~  
99   ~~probation or parole for committing, attempting to commit, or conspiring to commit a~~  
100   ~~violation of any of the following crimes:~~

- ~~(1) Property crime;~~  
~~(2) Perjury;~~  
~~(3) Compounding a crime;~~  
~~(4) Obstructing legal process or official duty;~~  
~~(5) Falsely reporting a crime;~~  
~~(6) Interference with law enforcement;~~  
~~(7) Interference with judicial process; or~~  
~~(8) Any crime involving moral turpitude.~~

~~(c) The applicant, within the five years immediately preceding the date of application, has pled guilty to, been found guilty of, or entered a diversion agreement for violating the scrap metal dealers' laws, including K.S.A. [50-6,109](#) et seq., and amendments thereto, the laws of another state comparable to such provisions or laws of any county or city regulating the sale or purchase of regulated scrap metal three or more times.~~

~~(d) The applicant, within the three years immediately preceding the date of application, held a scrap metal dealer registration which was revoked, or managed a facility for a scrap metal dealer whose registration was revoked, or was an employee whose conduct led to or contributed to the revocation of such registration.~~

~~(e) The applicant made a materially false statement on the registration application or has made a materially false statement on a registration or similar filing within three years immediately preceding the date of application.~~

~~(f) The applicant is a partnership or limited liability company and one or more members is not otherwise qualified for registration.~~

~~(g) The applicant is a corporation and its manager, officer or director thereof, or any stockholder owning in the aggregate more than 25 percent of the stock of such~~

corporation, is ineligible to receive a registration for any reason.

(h) The applicant's place of business is conducted by a manager or agent who would be ineligible to receive a registration.

(i) The applicant's spouse has been convicted of a felony or other crime which would disqualify the spouse from registration and such crime was committed during the time that the spouse was registered under this chapter.

Section 6. That section 5.170.050, Suspension not to exceed 30 days, of The Code of the City of Topeka, Kansas, is hereby repealed.

**~~Suspension not to exceed 30 days.~~**

The governing body, upon five days notice to the registrant, may suspend the registration of a particular site for up to 30 days for any of the following reasons:

(a) The registrant has been convicted of violating any of the provisions of K.S.A. 50-6,109 et seq., and amendments thereto, or any similar ordinance or county resolution;

(b) The employment or continuation in employment of a person if the registered scrap metal dealer knows such person has, within the 24 months prior to the date of notice of a suspension or revocation action, been convicted of violating any of the provisions of K.S.A. 50-6,109 et seq., and amendments thereto, or the laws of another state comparable to such provisions, or any ordinance or county resolution in Kansas or in another state controlling scrap metal sale or purchase; or

(c) Permitting any criminal activity under the Kansas criminal code, or similar ordinance, in or upon the registrant's place of business.

Section 7. That section 5.170.060, Suspension or revocation, of The Code of the City of Topeka, Kansas, is hereby repealed.

**~~Suspension or revocation.~~**

~~(a) The governing body may revoke the registration for a particular site where the registration for that site has been suspended three or more times within a 24-month period.~~

~~(b) The governing body, upon five days notice to the registrant, shall revoke or suspend the registration for a particular site for either of the following reasons:~~

~~(1) The registrant has fraudulently registered by knowingly providing materially false information on the registration application.~~

~~(2) The registrant has become ineligible to obtain a registration under this chapter.~~

Section 8. That section 5.170.070, hearing before governing body - Appeal, of The Code of the City of Topeka, Kansas, is hereby repealed.

~~**Hearing before governing body – Appeal.**~~

~~(a) Upon receipt from the city clerk of a notice of intent to deny an application or revoke or suspend a registration, a person may request a hearing before the governing body if both of the following conditions are met:~~

~~(1) The person requests, in writing, a hearing; and~~

~~(2) The request is submitted, in writing, to the city clerk within seven days of receipt of the notice of intent. If the request is not timely submitted, the action in subsection (a) of this section shall become effective. If the request is timely submitted, the matter will be scheduled for consideration by the governing body.~~

~~(b) An applicant, within 20 days of a denial of a registration application by the governing body, may appeal to the district court pursuant to L. 2011, Chapter 86, §3(c)(4).~~

~~(c) A registrant may appeal the revocation or suspension of a registration to the district court within 20 days from the date of suspension or revocation by the governing body pursuant to L. 2011, Chapter 86, §3(c)(4).~~

Section 9. This ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper.

Section 10. This ordinance shall supersede all ordinances, resolutions or rules, or portions thereof, which are in conflict with the provisions of this ordinance.

Section 11. Should any section, clause or phrase of this ordinance be declared invalid by a court of competent jurisdiction, the same shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so declared to be invalid.

PASSED AND APPROVED by the City Council on \_\_\_\_\_.

CITY OF TOPEKA, KANSAS

Larry E. Wolgast, Mayor

ATTEST:

Brenda Younger, City Clerk





City of Topeka  
Council Action Form  
Council Chambers  
214 SE 8th Street  
Topeka, Kansas 66603  
[www.topeka.org](http://www.topeka.org)  
October 17, 2017

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**DATE:** October 17, 2017  
**CONTACT PERSON:** Craig Duke, Fire Chief **DOCUMENT #:**  
**SECOND PARTY/SUBJECT:** Fire Department **PROJECT #:**  
Strategic Plan  
**CATEGORY/SUBCATEGORY** 006 Communication / 005 Other  
**CIP PROJECT:** No  
**ACTION OF COUNCIL:** **JOURNAL #:**  
**PAGE #:**

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**DOCUMENT DESCRIPTION:**

**DISCUSSION** on the Fire Department Strategic Plan.

**VOTING REQUIREMENTS:**

Discussion only. No action required by the Governing Body at this time.

**POLICY ISSUE:**

The Fire Department will provide a brief update on the Department's strategy and plans in obtaining Accreditation through the Center for Public Safety Excellence (CPSE).

**STAFF RECOMMENDATION:**

Staff recommends obtaining Accreditation through the Center for Public Safety.

**BACKGROUND:**

The Fire Department is comprised of many organizational units and teams and accreditation will help ensure fire and emergency services are meeting the needs of the community. As the Department works towards accreditation they will continue to provide the current level of service while improving efficiency within the overall system.

**BUDGETARY IMPACT:**

Not Applicable

**SOURCE OF FUNDING:**

Not Applicable



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October 17, 2017

---

|                              |                                           |                    |
|------------------------------|-------------------------------------------|--------------------|
| <b>DATE:</b>                 | <b>October 17, 2017</b>                   |                    |
| <b>CONTACT PERSON:</b>       | <b>Nickie Lee, Director of Finance</b>    | <b>DOCUMENT #:</b> |
| <b>SECOND PARTY/SUBJECT:</b> | <b>Wheatfield Village Representatives</b> | <b>PROJECT #:</b>  |
| <b>CATEGORY/SUBCATEGORY</b>  | <b>018 Public Hearings / 011 Other</b>    |                    |
| <b>CIP PROJECT:</b>          | <b>No</b>                                 |                    |
| <b>ACTION OF COUNCIL:</b>    |                                           | <b>JOURNAL #:</b>  |
|                              |                                           | <b>PAGE #:</b>     |

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**DOCUMENT DESCRIPTION:**

**DISCUSSION** related to the Development Agreement for the Wheatfield Village project at the northwest corner of 29th Street and SW Fairlawn Road.

**VOTING REQUIREMENTS:**

Discussion item; no action required.

**POLICY ISSUE:**

To discuss the development agreement for the Wheatfield Village project.

**STAFF RECOMMENDATION:**

Staff recommends the Governing Body discuss the development agreement.

**BACKGROUND:**

29 Fairlawn, L.L.C., a development entity led by Jim Klausman and Floyd Eaton, has purchased approximately 13 acres of property located at the northwest corner of 29th and Fairlawn in southwest Topeka. The developer has requested assistance from the City of Topeka in the redevelopment of the property through establishing a Tax Increment Financing (TIF) district and forming a Community Improvement District (CID).

The TIF district was established on June 26, 2017. Public hearings for both districts were conducted on October 3, 2017. One of the next steps related to the development of the area at 29th and Fairlawn is consideration of a development agreement between the City and the developer.

**BUDGETARY IMPACT:**

The City will not take on any risk or financial obligations as a result of the redevelopment because the developer has agreed that it will be pay-as-you-go. The developer will be solely responsible for paying project debt,

regardless of whether the TIF generates enough revenue to reimburse the TIF-eligible project costs.

**SOURCE OF FUNDING:**

Developer