City Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
https://www.topeka.org

Governing Body Agenda

July 17, 2018
6:00 PM

Mayor: Michelle De La Isla

Councilmembers

Karen A. Hiller	District No. 1	Brendan Jensen	District No. 6
Sandra Clear	District No. 2	Aaron Mays	District No. 7
Sylvia E. Ortiz	District No. 3	Jeff Coen	District No. 8
Tony Emerson	District No. 4	Michael Lesser	District No. 9
Mike Padilla	District No. 5		

City Manager: Brent Trout

Addressing the Governing Body: No person shall address the Governing Body during a Governing Body Meeting, unless they have notified the City Clerk at (785)368-3940 or by email at cclerk@topeka.org by 5:00 P.M. on the day of any Governing Body Meeting or sign up to speak at the meeting by 6:00 P.M. This limitation shall not apply to items added during the course of a meeting. The Governing Body 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 Governing Body.

Persons addressing the Governing Body will be limited to four (4) consecutive minutes on a particular agenda item. Debate, question/answer dialogue or discussion between Governing Body members will not be counted towards the four (4) minute time limitation. The Chair may extend time with the unanimous consent of the Governing Body or by an affirmative vote of five (5) Governing Body members may extend the four (4) minute limitation. The requirement to notify the City Clerk will not apply towards public hearings required by State and Federal law.

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 web site at https://www.topeka.org)

CALL TO ORDER:

INVOCATION:

PLEDGE OF ALLEGIANCE:

1. MAYORAL PROCLAMATIONS:

"National Night Out"
"Minority Mental Health Awareness Month"

2. PRESENTATIONS:

"American Public Works Association (APWA) Kansas Project of the Year Award"
"APWA Reaccreditation"

3. ROLL CALL:

4. APPOINTMENTS:

A. Board Appointment - Jayhawk Area Agency on Aging Advisory Council

BOARD APPOINTMENT recommending the appointment of Michael Snowden to the Jayhawk Area Agency on Aging Advisory Council for a term ending July 18, 2021. *(Council District No. 5)*

B. Board Appointment - Topeka Housing Authority Board of Commissioners

BOARD APPOINTMENT recommending the appointment Rickquette Cain to the Topeka Housing Authority Board of Commissioners to fill unexpired term and a full term expiring on January 1, 2023. *(Council District No. 3)*

5. CONSENT AGENDA:

A. Resolution - Downtown Fight Festival - Special Event

A RESOLUTION introduced by Councilmember Karen Hiller, approving a special event known as the Downtown Fight Festival. *(Council District No. 1)*

(Approval would allow the sale, consumption and possession of alcoholic liquor between the designated barricaded portions of S. Kansas Avenue for the Downtown Fight Festival event held on October 13, 2018, between the hours of 11:30 a.m. and 10:30 p.m.)

B. Resolution-Downtown Fight Festival-Noise Exception

A RESOLUTION introduced by Councilmember Karen Hiller granting Woodward Striking an exception to the provisions of City of Topeka Code Section 9.45.150, et seq., concerning noise prohibitions. *(Council District No. 1)*

(Approval would allow for amplified music and sound during the hours of 11:00 a.m. and 11:30 p.m. on October 13, 2018, on S. Kansas Avenue from 8th to 9th Street.)

C. Resolution - Classic Movie Nites in NOTO - Special Event

A RESOLUTION introduced by Councilmember Sandra Clear approving a special event known as the Classic Movie Nites in NOTO and rescinding Resolution No. 8976. *(Council District No. 2)*

(Approval would allow the sale, consumption and possession of alcoholic beverages within the designated barricaded area for the Classic Movie Nites in NOTO events on August 18, September 15 and October 20, 2018 between the hours of 7:30 p.m. and 10:30 p.m.)

D. MINUTES of the regular meeting of July 10, 2018

E. APPLICATIONS:

6. ACTION ITEMS:

A. Ordinance - International Property Maintenance Code (IPMC) Amendments - Notice and Process

ORDINANCE introduced by City Manager Brent Trout, concerning International Property Maintenance Code local amendments regarding notice and procedural matters, amending City of Topeka Code Sections 8.60.070, 8.60.080 and 8.60.110 and repealing original sections. *(Deferred from the meeting of June 19, 2018.)*

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

(Approval would clarify notification and service of process.)

B. Ordinance - International Property Maintenance Code (IPMC) Amendments - Unsafe Structures

ORDINANCE introduced by City Manager Brent Trout, amending Topeka Municipal Code 8.60.100; adding a new section numbered TMC 8.60.085; and creating a new Chapter 8.75 of the Topeka Municipal Code concerning Unsafe Structures. *(Deferred from the meeting of June 19, 2018.)*

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

(Approval would separate the garden-variety IPMC matters (rubbish, weeds) from unsafe structures (demolitions) by enacting a new ordinance addressing unsafe structures.)

C. Resolution - City Retailers' Sales Tax Extension

A RESOLUTION introduced by City Manager Brent Trout, to submit to the qualified electors of the City of Topeka, Kansas, the proposition of levying an additional special purpose retailers' sales tax of five-tenths of one percent (0.5%) in the City of Topeka, for the purpose of paying for certain improvements in the City, pursuant to K.S.A. 12-187 et seq., as amended.

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

7. ANNOUNCEMENTS:

8. PUBLIC COMMENT:

9. EXECUTIVE SESSION:

10. ADJOURNMENT:

City of Topeka

Council Action Form

Council Chambers

214 SE 8th Street

Topeka, Kansas 66603

www.topeka.org

July 17, 2018

DATE:	July 17, 2018		
CONTACT PERSON:	Mayor De La Isla	DOCUMENT #:	
SECOND PARTY/SUBJECT:	National Night Out/Minority Mental Health Awareness Month	PROJECT #:	
CATEGORY/SUBCATEGORY	006 Communication / 005 Other		
CIP PROJECT:	No		
ACTION OF COUNCIL:		JOURNAL #:	
		PAGE #:	

DOCUMENT DESCRIPTION:

"National Night Out"
"Minority Mental Health Awareness Month"

VOTING REQUIREMENTS:

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

Description

National Night Out

Minority Mental Health Awareness Month 2018

PROCLAMATION
By the Mayor

WHEREAS, *the National Association of Town Watch (NATW) sponsors a unique nationwide crime, drug and violence prevention program on August 11, 2018, entitled, "National Night Out"; and*

WHEREAS, *the "35th Annual National Night Out", provides a unique opportunity for Topeka/ Shawnee County to join forces with thousands of other communities across the country in promoting cooperative police-community crime prevention efforts; and*

WHEREAS, *Safe Streets plays a vital role in assisting the Topeka Police Department, the Shawnee County Sheriff's Office and the Shawnee County District Attorney's Office through joint crime, drug and violence prevention efforts in Topeka/Shawnee County, and is supporting, "National Night Out" 2018 locally; and*

WHEREAS, *it is essential that all citizens of Topeka/Shawnee County be aware of the importance*
of crime prevention programs and impact that their participation can have on reducing crime, drugs and violence in Topeka/Shawnee County; and

WHEREAS, *police-community partnerships, neighborhood safety, awareness and cooperation are important themes of the "National Night Out" program.*

NOW, THEREFORE, *I, Michelle De La Isla, Mayor of the City of Topeka, Kansas, do hereby proclaim Saturday, August 11, 2018, as*

NATIONAL NIGHT OUT

in Topeka/Shawnee County, and call upon all citizens of Topeka/Shawnee County to join Safe Streets, and the National Association of Town Watch, in supporting the "35th Annual National Night Out" on August 11, 2018.

IN WITNESS WHEREOF, *I, Michelle De La Isla, Mayor of the City of Topeka, Kansas, do hereby affix my official signature and the Official Seal of the City of Topeka, Kansas, on this 17th day of July, 2018.*

Michelle De La Isla, Mayor

PROCLAMATION

By the Mayor

WHEREAS, *good mental health is essential to everyone's overall health and well-being; and*

WHEREAS, *services are accessible and affordable for those in need in Topeka and Shawnee County, Kansas; and*

WHEREAS, *with treatment, those individuals with mental health conditions can recover and lead, full, productive lives; and*

WHEREAS, *persons in the racial minority population have additional mental health challenges, such as, for example, the social determinants of health related to the neighborhood or community where one lives, language and cultural barriers between providers and consumers, and the effects of chronic stress related to discrimination; and*

WHEREAS, *there are significant disparities that place persons in the racial minority population at greater risk for serious mental health problems, such as, for example, higher rates of suicide and reports of serious psychological distress; and*

WHEREAS, *each business, government agency, healthcare provider, organization, and citizen can, through their pro-active individual and collective actions, promote good mental health and recovery for persons in the racial minority population; and*

NOW, THEREFORE*, I, Michelle De La Isla, Mayor of the City of Topeka, Kansas, do proclaim the month of July, 2018, as*

Minority Mental Health Awareness Month

And, I encourage the citizens of Topeka to support all the mental health organizations in our community who work to promote mental wellness.

IN WITNESS WHEREOF, *I, Michelle De La Isla, Mayor of the City of Topeka, Kansas, do hereby affix my official signature and the Official Seal of the City of Topeka, Kansas, on this 17th Day of July, 2018.*

Michelle De La Isla, Mayor

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214 SE 8th Street
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July 17, 2018

DATE:	**July 17, 2018**		
CONTACT PERSON:	**Jason Peek**	**DOCUMENT #:**	
SECOND PARTY/SUBJECT:		**PROJECT #:**	
CATEGORY/SUBCATEGORY			
CIP PROJECT:	**No**		
ACTION OF COUNCIL:		**JOURNAL #:**	
		PAGE #:	

DOCUMENT DESCRIPTION:

"American Public Works Association (APWA) Kansas Project of the Year Award"
"APWA Reaccreditation"

VOTING REQUIREMENTS:

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

City of Topeka

Council Action Form

Council Chambers
214 SE 8th Street
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July 17, 2018

DATE:	**July 17, 2018**		
CONTACT PERSON:	**Michelle De La Isla**	**DOCUMENT #:**	
SECOND PARTY/SUBJECT:	**Jayhawk Area Agency on Aging Advisory Council**	**PROJECT #:**	
CATEGORY/SUBCATEGORY	**006 Communication / 005 Other**		
CIP PROJECT:	**No**		
ACTION OF COUNCIL:		**JOURNAL #:**	
		PAGE #:	

DOCUMENT DESCRIPTION:

BOARD APPOINTMENT recommending the appointment of Michael Snowden to the Jayhawk Area Agency on Aging Advisory Council for a term ending July 18, 2021. *(Council District No. 5)*

VOTING REQUIREMENTS:

POLICY ISSUE:

Not Applicable

STAFF RECOMMENDATION:

Mayor De La Isla is recommending the appointment of Michael Snowden for a term that will end July 18, 2021. This is a statutory board wherein the Mayor nominates and recommends and the Council has final approval.

BACKGROUND:

Federal Authority - Older Americans Act; KSA 75-5926 and Ordinance 18382. The Jayhawk Area Agency on Aging Advisory Council advises the Jayhawk Area Agency on Aging Board of Directors concerning policies and programs that affect older citizens in Douglas, Shawnee and Jefferson counties, and promotes the ability of older citizens to secure, and maintain independence and dignity in their community.

BUDGETARY IMPACT:

Not Applicable

SOURCE OF FUNDING:

Not Applicable

ATTACHMENTS:

Description

M.Snowden Resume 2018

MSnowden Application 2018

Rev. Michael J. Snowden

Contact

3506 SW Oakley Ave, Topeka, KS 66614

785.845.0134

info@michaeljsnowden.org

Expertise

- Congregational Leadership
- Spiritual Counseling
- Office Administration
- Community Outreach
- Board Recruitment
- Department Management

Education

- Global University – Berean School of the Bible
  Ministerial Studies, Level One (Certified Minister)
- Allen Community College
  General Coursework
- Topeka West High School
  Class of 2012

Certifications

- **Credentialed Minister**
  General Council of the Assemblies of God
  (May 2016 – Present)

References

- Available upon request

About Pastor Michael

Rev. Michael J. Snowden is the Worship Pastor at First Assembly of God. Pursuing a call to ministry, he has been a credentialed minister with the General Council of the Assemblies of God in May of 2016. He has a desire to help people understand that worship is a lifestyle that extends beyond the Sunday morning experience.

Active in the Topeka community, Pastor Michael currently serves on the Board of Directors for TDC Learning Centers, serving on several committees including: Internal, External, and Governance. He has also served at the Topeka Royal Family Kids Camp, a camp for kids in the foster care system in partnership with Kids in Need, Inc. A supporter of the local arts, he is a season ticket holder at Ballet Midwest and the Topeka Symphony.

In May, he announced his candidacy for the 56th District seat in Kansas House of Representatives.

Professional Experience

First Assembly of God — **March 2017 – Present**
Worship Pastor

- Leading the congregation in worship.
- Leading the worship team in weekly practices.
- Proficient in piano and vocal abilities.
- Oversee Worship Ministries Department.
- Arrange weekly music selections.
- Teaching small groups and classes.

First Assembly of God — **January 2014 – Present**
Administrative Staff

- Produce relevant promotional print and electronic promotional materials for both weekly services & general events.
- Produce the regularly scheduled e-letter, the Blvd Connection.
- Proofread and edit other promotional materials from the general office staff and pastors.

American Family Insurance — **April 2012 – March 2014**
CSR & Agent Assistant (Jeremy Stone Agency & Jeremy Snowden Agency)

- I was primarily responsible for answering phones, greeting clients, and processing client's monthly payments.
- Would setup personal insurance reviews for the agent to meet with clients to go over our client's insurance needs.
- In-charge of social media involvement and marketing strategies.
- Being licensed in casualty insurance, I was responsible for gaining new accounts through networking with local auto dealerships and giving them information about our agency.

Volunteer Experience

TDC Learning Center, Inc — **November 2015 – Present**
Member, Board of Directors

- TDC is governed by a volunteer Board of Directors, which develops policies and guidelines for the agency. The board is responsible for selecting and hiring an Executive Director.
- I serve on the internal affairs, external affairs and governance committees.
- I chair the subcommittee on board requirement.

Submit Date: Jun 27, 2018

Profile

Michael
First Name

Snowden
Last Name

info@michaeljsnowden.org
Email Address

3506 SW Oakley Ave
Street Address

Suite or Apt

Topeka
City

KS
State

66614
Postal Code

Are you a resident of the City of Topeka?

(•) Yes ( ) No

What district do you live in? *

[x] District 5

Check for your district here -> https://www.topeka.org/citycouncil

Mobile: (785) 845-0134
Primary Phone

Business: (785) 234-5555
Alternate Phone

Which Boards would you like to apply for?

Topeka Public Building Commission: Submitted
Shawnee County Juvenile Corrections Advisory Board: Submitted
Human Relations Commission: Submitted
Metropolitan Topeka Airport Authority: Submitted
Jayhawk Area Agency on Aging Advisory Council: Submitted
Topeka Shawnee County Public Library Board of Trustees: Submitted

First Assembly of God
Employer

Staff Pastor
Job Title

Are you a registered voter?

(•) Yes ( ) No

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

( ) Yes (•) No

If yes, please advise in which department you work:

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

( ) Yes (•) No

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?

( ) 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?

( ) Yes (•) No

If yes, please explain:

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

I love the city of Topeka. In my free time I would love to serve the community in any way that I can.

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.

Please see the attached resume.

Snowden_Resume_July_2018.pdf

Upload a Resume

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

Voluntary Self Identification

Ethnicity

☑ African American

Gender

☑ Male

Acknowledgements and Verification

Purpose of information being submitted.

☑ I Agree

The information I am submitting is true and correct.

☑ I Agree

Electronic Signature

☑ 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/

City of Topeka

Council Action Form

Council Chambers
214 SE 8th Street
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www.topeka.org
July 17, 2018

DATE:	**July 17, 2018**		
CONTACT PERSON:	**Mayor De La Isla**	**DOCUMENT #:**	
SECOND PARTY/SUBJECT:	**Topeka Housing Authority Board of Commissioners**	**PROJECT #:**	
CATEGORY/SUBCATEGORY	**006 Communication / 005 Other**		
CIP PROJECT:	**No**		
ACTION OF COUNCIL:		**JOURNAL #:**	
		PAGE #:	

DOCUMENT DESCRIPTION:

BOARD APPOINTMENT recommending the appointment Rickquette Cain to the Topeka Housing Authority Board of Commissioners to fill unexpired term and a full term expiring on January 1, 2023. *(Council District No. 3)*

VOTING REQUIREMENTS:

Mayor does not vote.

POLICY ISSUE:

The Topeka Housing Authority Advisory Board plans and studies the public housing needs of the City and to make recommendations to City officials.

STAFF RECOMMENDATION:

Mayor De La Isla recommends the Governing Body move to approve the appointment of Ms. Cain.

BACKGROUND:

The board shall consist of five members appointed by the Mayor; one of which must be a client of the housing authority. Members shall serve four-year terms on volunteer basis. Council nominations are not required.

BUDGETARY IMPACT:

There is a no budgetary impact to the City.

SOURCE OF FUNDING:

Not Applicable.

ATTACHMENTS:

Description

R.Cain Resume THA 2018

R.Cain THA Application 2018

Rickquette Cain
2611 SE 10th Street
Topeka Kansas 66607
785-608-1823
rickquette.cain.eason@gmail.com

Objective:
To advocate for the Topeka Housing Authority residents. I want to be able to communicate on what the residents concerns are. Being on the Board of Commissioners will be a very truly learning experience for me.

Education:
Graduated from Seaman high school in 1995.
Certification for Certified Nurse Assistant in 1994 at Southgate Village Nursing.
Licensed for Bail Agent in 2013.
Certification for Citizen Police Academy in 2014.
Certification for Citizen Patrol Coalition in 2014.
Certification for Medical Assistant in 2015.

Work History

08/2007-05/2014
Venitas Furniture & Appliances
2703 SE Indiana Avenue
Topeka Kansas 66607
Title- Administrative Assistant
Greeter. Janitorial. Customer complaints. Security. Cashier.

06/2014-06/2016
Legacy on 10th St
2015 SE 10th Ave
Topeka Kansas 66607
Title- Certified Nurse Assistant/Certified Medication Assistant
Nursing. Medication pass. Janitorial. Laundry.

10/2017-05/2018
Topeka Public Schools 501 District
624 SW 24th Street
Topeka Kansas 66611
Title- Preschool Teacher Para
Following teacher lead. Keeping students structured with teaching applications.

Volunteer Experiences

1994-Present
New Deliverance Pentecostal Church
2425 SE Indiana Ave
Topeka Kansas 66605
Title-Various Duties

Typing. Filing. Answering telephones. Directing programs. Daycare. Bishop Asst.

Activities Involved

Topeka Housing Authority

Resident Engagement Meetings.
Resident Advisory Board President.
Treat on Born Trail
Holiday Family Night at Pine Ridge Prep
Second Step Advisory Board Member
Pine Ridge Family Medical Center Advisory Board
Nancy Perry Day of Caring
Reading Success for children with United Way
Pine Ridge Prep Preschool
Ribbon cutting for Family Medical Center
Ribbon cutting for Topeka Metro Bus Shelter

References

1. Danette Wallace
   Community Liasion
   dwallace@unitedwaytopeka.org
   785-213-3972
2. Trey George
   Director of Topeka Housing Authority Inc.
   tgeorge@tha.gov
   785-383-5776
3. Jillian Fisher
   United Way
   jillian.fisher@unitedwaytopeka.org
   785-506-3813
4. Heather Hayden
   Parent Paraeducator Topeka Public Schools
   h.hayden@topeka501.org
   785-817-5122
5. Karen Williams
   Principal Pine Ridge Prep Preschool Topeka Public Schools
   Mrs.williams823@gmail.com
   785-220-3529
6. Pearson Carter Jr
   Community Advocate
   pearson.carterjr@yahoo.com
   785-438-0407

Rickquette Cain Eason
2611 SE 10th Street

Topeka Kansas 66607
785-608-1823

Mayor Michelle De La Isla
215 SE 7th Street   Room 350
Topeka Kansas 66603
785-368-3895

Dear Ms De La Isla,

I am interested in being on the Topeka Housing Authority Board of Commissioners because it will be a learning experience and I have always wanted to have a voice for my community and peers. I have always been involved in my community with all the different things that they have had going on including video interviews that I have been starred in (great experience).
I have listed a few things that I have been involved with as being a resident of the Topeka Housing Authority complexes.
I some day will like to be a community advocate for the entire Eastside community but this will be a start for me.

Thank you

Sincerely

Rickquette Cain

Submit Date: Jun 15, 2018

Profile

Rickquette
First Name

Cain
Last Name

rickquette.cain.eason@gmail.com
Email Address

2611 SE 10th Street
Street Address

Suite or Apt

Topeka
City

KS
State

66607
Postal Code

Are you a resident of the City of Topeka?

(•) Yes ( ) No

What district do you live in? *

[x] District 3 ✓

Check for your district here -> https://www.topeka.org/citycouncil

Mobile: (785) 608-1823
Primary Phone

Mobile: (785) 430-3116
Alternate Phone

Which Boards would you like to apply for?

Topeka Housing Authority Advisory Board: Submitted

Topeka Public Schools
Employer

Teacher Para
Job Title

Are you a registered voter?

(•) Yes ( ) No

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

○ Yes ● No

If yes, please advise in which department you work:

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

○ Yes ● No

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?

○ 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?

○ Yes ● No

If yes, please explain:

I do not know.

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

I would like to be the resident that sits on the board of commissioners because I feel like it will be a learning experience for me and I will be able to be the voice for the community.

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.

I am currently on these boards for the same company. Pine Ridge Family Medical Center Advisory Board. Second Step Advisory Board.

Resume.docx

Upload a Resume

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

Voluntary Self Identification

Ethnicity

☑ African American

Gender

☑ Female

Acknowledgements and Verification

Purpose of information being submitted.

☑ I Agree

The information I am submitting is true and correct.

☑ I Agree

Electronic Signature

☑ 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.

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July 17, 2018

DATE:	**July 17, 2018**		
CONTACT PERSON:	**Councilmember Hiller**	**DOCUMENT #:**	
SECOND PARTY/SUBJECT:		**PROJECT #:**	
CATEGORY/SUBCATEGORY	**020 Resolutions / 005 Miscellaneous**		
CIP PROJECT:	**No**		
ACTION OF COUNCIL:		**JOURNAL #:**	
		PAGE #:	

DOCUMENT DESCRIPTION:

A RESOLUTION introduced by Councilmember Karen Hiller, approving a special event known as the Downtown Fight Festival. *(Council District No. 1)*

(Approval would allow the sale, consumption and possession of alcoholic liquor between the designated barricaded portions of S. Kansas Avenue for the Downtown Fight Festival event held on October 13, 2018, between the hours of 11:30 a.m. and 10:30 p.m.)

VOTING REQUIREMENTS:

Majority vote of the Governing Body (6).

POLICY ISSUE:

Approval allows the barricaded portion of S. Kansas Avenue between 8th and 9th Streets to be closed to motor vehicle traffic for a special event, allowing special event attendees to buy, possess and consume alcoholic beverages in the specific area designated by the State of Kansas Division of Alcohol Beverage Control.

STAFF RECOMMENDATION:

Staff recommends the Governing Body move to approve the resolution.

BACKGROUND:

The Downtown Fight Festival event is scheduled for October 13, 2018, from 11:30 a.m. to 10:30 p.m.

BUDGETARY IMPACT:

There would be no budgetary impact to the City.

SOURCE OF FUNDING:

Not Applicable

ATTACHMENTS:

Description

Resolution

RESOLUTION NO. ___________

A RESOLUTION introduced by Councilmember Karen Hiller approving a special event known as the Downtown Fight Festival.

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

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

Section 2. Having considered the request of the sponsor of the Downtown Fight Festival to allow the possession and consumption of alcoholic liquor, the governing body hereby approves the event to be held on October 13, 2018, between the hours of 11:30 a.m. and 10:30 p.m., provided the sponsor secures a temporary permit from ABC and complies with all state laws and ordinances regulating alcoholic liquor.

Section 3. The following streets/alleys shall be closed to motor vehicle traffic during the dates and times identified in Section 2: A portion of S. Kansas Avenue between 8th Avenue and 9th Street. Pursuant to K.S.A. 41-719 and 41-2645, the sponsor shall ensure that the area in which alcoholic liquor is possessed or consumed is clearly marked by signs, a posted map or other means ("Designated Barricaded Area").

Section 4. Event attendees may purchase, possess and consume alcoholic beverages within the Designated Barricaded Area. Pursuant to K.S.A. 41-719, no alcoholic liquor may be removed from Designated Barricaded Area or consumed inside vehicles 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

____
Michelle De La Isla, Mayor

ATTEST:

____
Brenda Younger, City Clerk

City of Topeka
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www.topeka.org
July 17, 2018

DATE:	**July 17, 2018**		
CONTACT PERSON:	**Karen Hiller**	**DOCUMENT #:**	
SECOND PARTY/SUBJECT:	**Lucas Kennedy**	**PROJECT #:**	
CATEGORY/SUBCATEGORY	**020 Resolutions / 005 Miscellaneous**		
CIP PROJECT:	**No**		
ACTION OF COUNCIL:		**JOURNAL #:**	
		PAGE #:	

DOCUMENT DESCRIPTION:

A RESOLUTION introduced by Councilmember Karen Hiller granting Woodward Striking an exception to the provisions of City of Topeka Code Section 9.45.150, et seq., concerning noise prohibitions. *(Council District No. 1)*

(Approval would allow for amplified music and sound during the hours of 11:00 a.m. and 11:30 p.m. on October 13, 2018, on S. Kansas Avenue from 8th to 9th Street.)

VOTING REQUIREMENTS:

Majority vote of the Governing Body (6).

POLICY ISSUE:

City of Topeka code Section 9.45.170, et seq., authorizes the City Council to grant noise exceptions. Approval grants a noise exception to Woodward Striking for the Downtown Fight Festival on October 13, 2018.

STAFF RECOMMENDATION:

Staff recommends the Governing Body move to approve the resolution.

BACKGROUND:

Woodward Striking is requesting the noise exception due to live bands/amplified music and sound during specified date and time.

BUDGETARY IMPACT:

There is no budgetary impact to the City.

SOURCE OF FUNDING:

Not Applicable

ATTACHMENTS:

Description

Resolution

RESOLUTION NO. ________

A RESOLUTION introduced by Councilmember Karen Hiller granting Woodward Striking an exception to the provisions of City of Topeka Code Section 9.45.150 concerning noise prohibitions.

WHEREAS, City of Topeka Code Section 9.45.150, et seq. makes it unlawful for any person to make, continue or cause to made or continued any loud, unnecessary or unusual noise or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health or safety or others within the limits of the city; and

WHEREAS, City of Topeka Code Section 9.45.170, et seq. authorizes the Council to grant exceptions to the prohibitions of this code section upon request and a showing that the proposed activity does not offend the spirit of the findings of City of Topeka Code Section 9.45.150, et seq.; and

WHEREAS, Woodward Striking has requested that they be granted an exception to the provisions of City of Topeka Code Section 9.45.150, et seq. for the purposes, dates and times described herein, and

WHEREAS, upon review of the application of Woodward Striking the Governing Body of the City of Topeka does hereby find that the requested activity does not offend the spirit of the findings of City of Topeka Code Section 9.45.150, et seq.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Topeka that Woodward Striking is hereby granted an exception from the provisions of City of Topeka Code Section 9.45.150, et seq. during the

Downtown Fight Festival located on SW Kansas Avenue, 8th to 9th Street from 11:00 a.m. to 11:30 p.m. on October 13, 2018.

ADOPTED and APPROVED by the Governing Body ________________.

____

Michelle De La Isla, Mayor

ATTEST:

____

Brenda Younger, City Clerk

City of Topeka

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
July 17, 2018

DATE:	**July 17, 2018**		
CONTACT PERSON:	**Councilmember Clear**	**DOCUMENT #:**	
SECOND PARTY/SUBJECT:	**NOTOMA**	**PROJECT #:**	
CATEGORY/SUBCATEGORY	**020 Resolutions / 005 Miscellaneous**		
CIP PROJECT:	**No**		
ACTION OF COUNCIL:		**JOURNAL #:**	
		PAGE #:	

DOCUMENT DESCRIPTION:

A RESOLUTION introduced by Councilmember Sandra Clear approving a special event known as the Classic Movie Nites in NOTO and rescinding Resolution No. 8976. *(Council District No. 2)*

(Approval would allow the sale, consumption and possession of alcoholic beverages within the designated barricaded area for the Classic Movie Nites in NOTO events on August 18, September 15 and October 20, 2018 between the hours of 7:30 p.m. and 10:30 p.m.)

VOTING REQUIREMENTS:

Majority vote of the Governing Body (6)

POLICY ISSUE:

Pursuant to state law, the Governing Body must approve any special event where alcoholic liquor will be served and consumed on designated public streets, alleys, and sidewalks when a temporary permit has been issued by the Kansas Division of Alcohol Beverage Control (ABC).

STAFF RECOMMENDATION:

Staff recommends the Governing Body move to approve the resolution.

BACKGROUND:

Streets and alleys within the boundaries of the event shall be closed to motor vehicle traffic. The traffic engineer and the chief of police or their designees shall determine the streets and alleys to be closed and the closing times. Pursuant to K.S.A. 41-719 and 41-2645, the sponsor shall ensure that the area in which alcoholic liquor is possessed or consumed is clearly marked by signs, a posted map or other means ("Designated Barricaded Area").

BUDGETARY IMPACT:

There is no budgetary impact to the City.

SOURCE OF FUNDING:

Not Applicable

ATTACHMENTS:

Description

Resolution

RESOLUTION NO. ___________

A RESOLUTION introduced by Councilmember Sandra Clear approving a special event known as the Classic Movie Nites in NOTO and rescinding Resolution No. 8976.

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

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

Section 2. Having considered the request of the sponsor of the Classic Movie Nites in NOTO to allow the possession and consumption of alcoholic liquor, the governing body hereby approves the events to be held on August 18, September 15 and October 20, 2018, between the hours of 7:30 p.m. and 10:30 p.m., provided the sponsor secures a temporary permit from ABC and complies with all state laws and ordinances regulating alcoholic liquor.

Section 3. A portion or all of the following streets/alleys shall be closed to motor vehicle traffic during the dates and times identified in Section 2: 900 block of N. Kansas Avenue between NW Laurent Street and NW Norris Streeet. Pursuant to K.S.A. 41-719 and 41-2645, the sponsor shall ensure that the area in which alcoholic liquor is possessed or consumed is clearly marked by signs, a posted map or other means ("Designated Barricaded Area").

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

Section 5. City of Topeka Resolution No. 8976 is hereby rescinded.

Section 6. 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

____
Michelle De La Isla, Mayor

ATTEST:

____
Brenda Younger, City Clerk

City of Topeka
Council Action Form
Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
July 17, 2018

DATE:	**July 17, 2018**		
CONTACT PERSON:	**Mary Feighny, Deputy City Attorney**	**DOCUMENT #:**	
SECOND PARTY/SUBJECT:		**PROJECT #:**	
CATEGORY/SUBCATEGORY	**013 Ordinances - Codified / 078 Health and Sanitation**		
CIP PROJECT:	**No**		
ACTION OF COUNCIL:	**Discussion 061218. 061918 Deferred until July 17, 2018**	**JOURNAL #:**	
		PAGE #:	

DOCUMENT DESCRIPTION:

ORDINANCE introduced by City Manager Brent Trout, concerning International Property Maintenance Code local amendments regarding notice and procedural matters, amending City of Topeka Code Sections 8.60.070, 8.60.080 and 8.60.110 and repealing original sections. *(Deferred from the meeting of June 19, 2018.)*

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

(Approval would clarify notification and service of process.)

VOTING REQUIREMENTS:

Majority vote of the Governing Body (6).

POLICY ISSUE:

Whether to amend the IPMC to clarify notification and service of process.

STAFF RECOMMENDATION:

Staff recommends the Governing Body move to adopt the ordinance.

BACKGROUND:

The 2012 IPMC was adopted four years ago and certain tweaking is necessary in the area of notification and process, in general. In order to make the enforcement process more efficient, staff is recommending changes to service of notice by clarifying the methods of service of notice and reducing the need for publication service.

BUDGETARY IMPACT:

It is anticipated publication costs would be reduced. In 2017, $35,069 for all case types.

SOURCE OF FUNDING:

Department of Neighborhood Relations

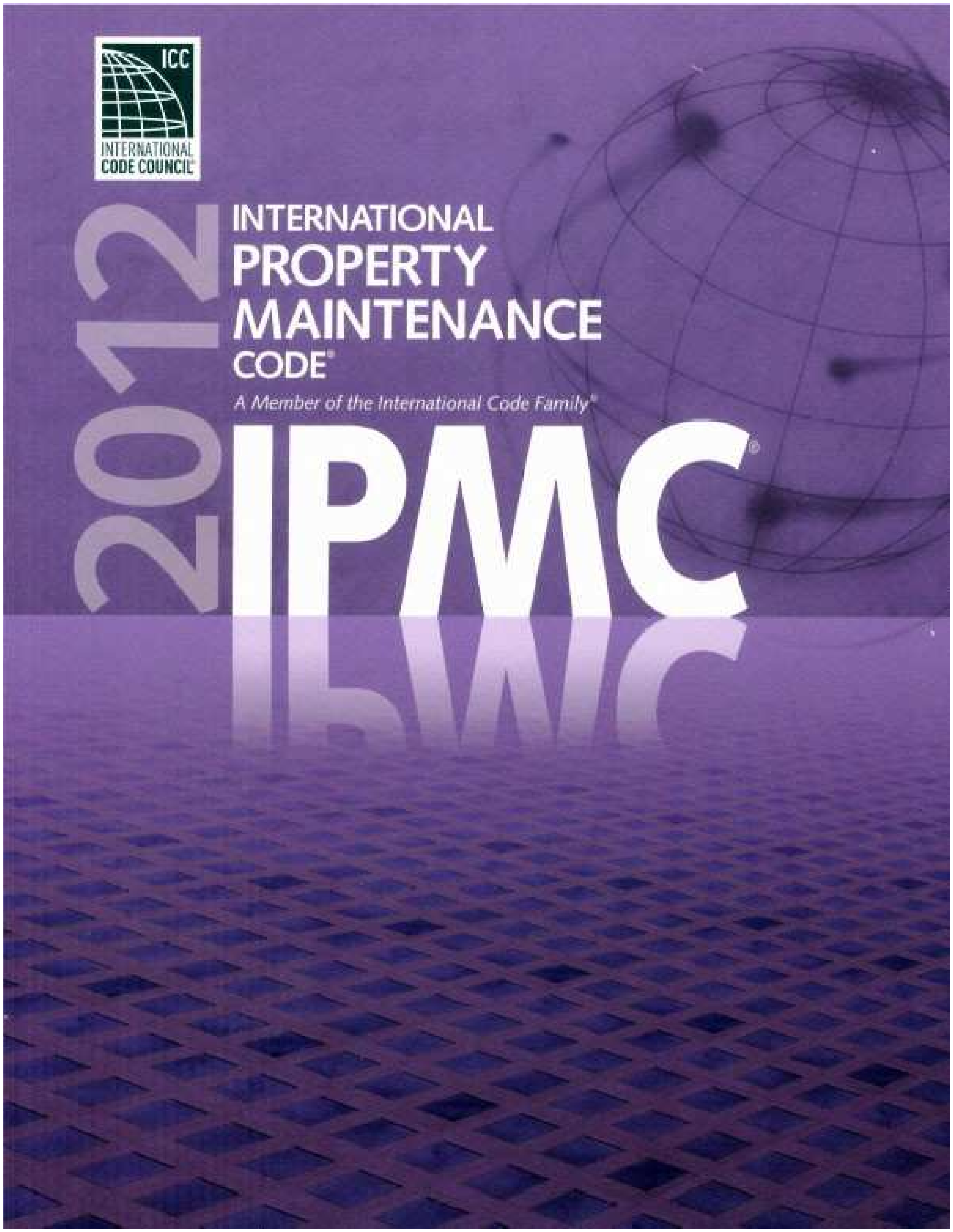
ATTACHMENTS:

Description

IPMC Amendments

Summary: Notice & Process (General IPMC)

Ordinance


ICC
INTERNATIONAL CODE COUNCIL
2012
INTERNATIONAL
PROPERTY
MAINTENANCE
CODE
A Member of the International Code Family
IPMC

2012 INTERNATIONAL PROPERTY MAINTENANCE CODE®

Proposed 2018 Changes. Deletions in strike-type. Additions are underlined.

SECTION 106 VIOLATIONS

[A] 106.1 Unlawful acts. It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of this code.

[A] 106.2 Notice of violation. The *code official* shall serve a notice of violation or order in accordance with Section 107.

[A] 106.3 Prosecution of violation. A person who fails to comply with a notice of violation served in accordance with Section 107, shall be guilty of a misdemeanor and, if convicted, may be punished in accordance with TMC 1.10.070. A violation of this chapter shall be deemed a strict liability offense. Abatement of a violation by the code official shall not be a defense or excuse to a violation. The pendency of an administrative hearing pursuant to section 8.60.110shall not be a defense to a violation or prevent prosecution and adjudication in municipal court.

[A] 106.4 Administrative penalties.

(a) There shall be an administrative monetary penalty of $100.00 imposed on the owner ~~or, in the case of inoperative vehicles, the vehicle owner~~ for each violation of this chapter that remains uncorrected after the time period stated in the notice of violation has elapsed.

(b) The administrative monetary penalty for a second or subsequent violation for which an administrative penalty has been imposed under this chapter that remains uncorrected after the time period stated in the notice of violation has elapsed for the same property within 12 months of the same or substantially same violation shall be $200.00.

[A] 106.5 Abatement of violation.

(a)Abatement. Upon the expiration of the compliance period stated in the notice of violation, the code official shall inspect the property. The code official may grant an extension of time if the owner demonstrates that due diligence is being exercised in abating the violation. If the owner has failed to comply within the compliance period~~,~~ or has failed to timely request an appeal hearing ~~or, in the case of an unsafe structure, failed to appear at a hearing,~~ the code official may abate the violation and assess the costs against the owner. If the costs are not paid within 30 days, the cost can be collected pursuant to K.S.A. 12-1,115 and amendments thereto and/or charged against the property pursuant to K.S.A. 12-1617e~~,~~ and K.S.A. 12-1617f~~, K.S.A. 12-1755, or K.S.A. 17-4759~~ and amendments thereto.

(b) Fees. The costs incurred by the city for abatement, including any administrative costs, shall be paid by the owner ~~or, in the case of inoperative vehicles, the vehicle owner~~. The administrative costs shall be:

General violations of the IPMC	$140.00
Weeds and grasses	$140.00
~~Inoperative vehicles~~	~~$175.00~~

SECTION 107
NOTICES AND ORDERS

[A] 107.1 Notice to person responsible. Whenever the *code official* determines that there has been a violation of ~~this code~~ the IPMC or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in Sections 107.2 and ~~107.3 to the person responsible for the violation as specified in this code. Notices for condemnation procedures shall also comply with Section 108.3.~~ served in the manner prescribed in Section 107.3

[A] 107.2 Form.

The notice prescribed in Section 107.1 shall include the following:

1. Description of the real estate ~~sufficient for identification~~.

2. A statement that includes a description of the conditions and identifies violations of ~~Chapter 8.60~~ the IPMC.

~~3. A statement of the correction action necessary and a reasonable time to complete the action. A reasonable time shall not exceed 60 calendar days.~~ 3. A statement that the property owner must abate the violation by the date designated in the notice or request a hearing before an administrative hearing officer on or before the date designated in the notice.

~~4. A statement that if the violation(s) is not corrected within the compliance period, the city may impose administrative penalties, abate the violation, and assess the costs against the owner.~~ 4. A statement advising that failure to timely comply with the notice may result in prosecution in municipal court regardless whether an administrative hearing is pending.

~~5. A statement advising that any owner may request an appeal hearing before an administrative hearing officer. The request shall be submitted to the code official within 10 calendar days from the date of service. Failure to timely request a hearing will allow the city to impose administrative penalties, abate the violation, and assess the costs against the owner. The scope of the appeal shall be limited to the following: (i) whether the provisions of Chapter 8.60 apply; (ii) whether the code official has correctly interpreted Chapter 8.60; and/or (iii) whether the requirements of Chapter 8.60 can be adequately satisfied by other means.~~ 5. For weed violations, a statement that no further notice shall be given prior to future abatements for the cutting or removal of weeds.

~~6. A statement advising that failure to timely comply with the notice may result in prosecution in municipal court regardless whether an administrative hearing is pending.~~
6. A statement that if the violation(s) is not corrected or a hearing requested ~~within the compliance period,~~ the city may impose administrative penalties, abate the violation, and assess the costs against the owner.

~~7. If code official has determined that the structure is unsafe pursuant to Section 108, the notice shall state that a hearing will be held before the administrative hearing officer not less than 10 calendar days nor more than 30 calendar days after service of the notice.~~

[A] 107.3 Method of service.

(a) Method of Service. Notice shall be served in one of the following manners:

1. Personal service; residence service. Delivering the notice to the property owner or leaving the notice at the property owner's dwelling or usual place of abode with someone of suitable age and discretion who resides there.

2. Personal service; residence service unsuccessful. If personal or residence service cannot be made, service may be effected by: (i) leaving a copy of the notice at the property owner's dwelling or usual place of abode; and (ii) mailing to the property owner by first-class mail a notice that the copy has been left at the dwelling or usual place of abode.

3. Personal service; legal entity. If the property owner is a legal entity, service may be effected as follows:

(i) Serving the notice on an officer, manager, partner or a resident, managing or general agent.

(ii) Leaving a copy of the notice at any business office with the person having charge of the office; or

(iii) Serving the notice on any agent authorized by appointment or by law to receive service of process.

~~4.~~ 4. Certified mail, return receipt requested to the last known address of the property owner as reflected in the records of the county appraiser. ~~Service shall be effective on the date of receipt.~~

~~5. If the property is unoccupied and the owner is a nonresident, certified mail, return receipt requested, to the last known address.~~

~~6. If the location of a person is unknown or if no address is available after diligent effort, then a copy of the notice shall be posted in a conspicuous place on the premises and published once in the official city newspaper. The failure of any such person to receive notice shall not affect the validity of any proceedings.~~

~~7. If the code official has determined that a structure is unsafe pursuant to Section 108 and the whereabouts of the owner are unknown and cannot be ascertained in the exercise of reasonable diligence, the code official may effect service by publishing the notice once each week for two consecutive weeks in the official city newspaper. A copy of the notice shall also be posted in a conspicuous place on the premises and a copy of the notice shall be filed with the register of deeds and the clerk of the district court of Shawnee County.~~ 5. Delivery failure. If the property owner or the property owner's agent has failed to accept delivery of notice or otherwise failed to effectuate receipt of notice during the preceding twenty-four month period, notice may be provided by other methods, including but not limited to door hangers, conspicuously posting notice on the property, personal notification, telephone communication, electronic communication, or first class mail.

~~8.~~ 6. Weeds. Pursuant to K.S.A. 12-1617f, the code official may provide a one-time annual written notice by first class mail or personal service to the property owner, property owner's agent or occupant. The notice shall include a statement that no further notice shall be given prior to cutting or removal of weeds.

9. 7. In addition to the methods identified in this section, the code official may provide notice by other methods, including, but not limited to, door hangers, conspicuously posting notice on the property, personal notification, telephone or ~~email~~ electronic communication, or first class mail.

~~10. As authorized by K.S.A. 12-1617f, the code official may provide a one-time yearly written notice by mail or personal service to the owner or occupant which will permit subsequent abatement mowings without any additional notice. The notice shall also include a statement that no further notice shall be given prior to cutting or removing weeds.~~

~~(b)) Service of Notice. The notice shall be served upon the owner of record, and one copy shall be served on each of the following, if known or available from public records: (1) the holder of any mortgage, deed of trust, lien, or encumbrance; and (2) the holder of any other estate or legal interest of record. The failure of the code official to serve any person shall not invalidate any proceedings hereunder as to any other person duly served or relieve such person from any duty or obligation. If the code official has determined that a structure is unsafe pursuant to Section 108, the notice shall also be served on any occupant who can be ascertained.~~

~~(c) Proof of Service. Proof of service of the notice shall be certified at the time of service by a written declaration under penalty of perjury executed by the person effecting service, declaring the time, date and manner in which service was made. The declaration, together with any receipt card returned in acknowledgment of receipt by certified mail, shall be affixed to the copy of the notice retained by the code official.~~

[A] 107.4 Unauthorized tampering. Signs, tags or seals posted or affixed by the *code official* shall not be mutilated, destroyed or tampered with, or removed without authorization from the *code official*.

[A] 107.5 Penalties. Penalties for noncompliance with orders and notices shall be as set forth in Section 106.4.

[A] 107.6 Transfer of ownership. It shall be unlawful for the owner of any dwelling unit or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such dwelling unit or structure to another until the provisions of the compliance order or notice of violation have been complied with, or until such owner shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the code official and shall furnish to the code official a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

SECTION 108
UNSAFE STRUCTURES AND EQUIPMENT

[A] 108.1 General. When a structure or equipment is found by the *code official* to be unsafe, ~~or when a structure is found~~ unfit for human *occupancy,* or ~~is found~~ unlawful, ~~such structure shall be *condemned* pursuant to the provisions of this code~~ as defined, respectively in sections 108.1.1 through 108.1.5, Chapter 8.75 of the Topeka Municipal Code will apply.

[A] 108.1.1 Unsafe structures. An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the *occupants* of the structure by not providing minimum safeguards to protect or warn *occupants* in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

[A] 108.1.2 Unsafe equipment. Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the *premises* or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or *occupants* of the *premises* or structure.

[A] 108.1.3 Structure unfit for human occupancy. A structure is unfit for human *occupancy* whenever the *code official* finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is insanitary, vermin or rat infested, contains filth and contamination, or lacks *ventilation,* illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the *occupants* of the structure or to the public.

[A] 108.1.4 Unlawful structure. An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under this code, or was erected, altered or occupied contrary to law.

[A] 108.1.5 Dangerous *structure* or *premises*. For the purpose of this code, any structure or *premises* that has any or all of the conditions or defects described below shall be considered dangerous:

1. Any door, aisle, passageway, stairway, exit or other means of egress that does not conform to the *approved* building or fire code of the jurisdiction as related to the requirements for existing buildings.
2. The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn loose, torn or otherwise unsafe as to not provide safe and adequate means of egress.
3. Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, *deterioration, neglect,* abandonment, vandalism or by any other cause to such an extent that

it is likely to partially or completely collapse, or to become *detached* or dislodged.

4. Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof that is not of sufficient strength or stability, or is not so *anchored,* attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value.
5. The building or structure, or part of the building or structure, because of dilapidation, *deterioration,* decay, faulty construction, the removal or movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.
6. The building or structure, or any portion thereof, is clearly unsafe for its use and *occupancy.*
7. The building or structure is *neglected,* damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.
8. Any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the *approved* building or fire code of the jurisdiction, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety.
9. A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, *ventilation,* mechanical or plumbing system, or otherwise, is determined by the *code official* to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.
10. Any building or structure, because of a lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause, is determined by the *code official* to be a threat to life or health.

11. Any portion of a building remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.

~~**[A] 108.2 Closing of vacant structures.** If the structure is vacant and unfit for human habitation and *occupancy,* and is not in danger of structural collapse, the *code official* is authorized to post a placard of condemnation on the *premises* and order the structure closed up so as not to be an attractive nuisance. Upon failure of the *owner* to close up the *premises* within the time specified in the order, the *code official* shall cause the *premises* to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate and may be collected by any other legal resource.~~

[A] 108.2.1 Authority to disconnect service utilities. The *code official* shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards set forth in Section 102.7 in case of emergency where necessary to eliminate an immediate hazard to life or property or when such utility connection has been made without approval. The *code official* shall notify the serving utility and, whenever possible, the *owner* and *occupant* of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnection the *owner* or *occupant* of the building structure or service system shall be notified in writing as soon as practical thereafter.

~~**[A] 108.3 Notice.** Whenever the *code official* has *condemned* a structure or equipment under the provisions of this section, notice shall be posted in a conspicuous place in or about the structure affected by such notice and served on the *owner* or the person or persons responsible for the structure or equipment in accordance with Section 107.3. If the notice pertains to equipment, it shall also be placed on the *condemned* equipment. The notice shall be in the form prescribed in Section 107.2.~~

[A] 108.4 Placarding. Upon failure of the *owner* or person responsible to comply with the notice provisions within the time given, the *code official* shall post on the *premises* or on defective equipment a placard bearing the word "Condemned" and a statement of the penalties provided for occupying the *premises,* operating the equipment or removing the placard.

[A] 108.4.1 Placard removal. The *code official* shall remove the condemnation placard whenever the defect or defects upon which the condemnation and placarding action were based have been eliminated. Any person who defaces or removes a condemnation placard without the approval of the *code official* shall be subject to the penalties provided by this code.

[A] 108.5 Prohibited occupancy. Any occupied structure *condemned* and placarded by the *code official* shall be vacated as ordered by the *code official*. Any person who shall occupy a placarded *premises* or shall operate placarded equipment, and any *owner* or any person responsible for the *premises* who shall let anyone occupy a placarded *premises* or operate placarded equipment shall be liable for the penalties provided by this code.

[A] 108.6 Abatement methods. The *owner, operator* or *occupant* of a building, *premises* or equipment deemed unsafe by the *code official* shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other *approved* corrective action.

[A] 108.7 Record. The *code official* shall cause a report to be filed on an unsafe condition. The report shall state the *occupancy* of the structure and the nature of the unsafe condition.

SECTION 110
DEMOLITION

~~**[A] 110.1 General.** The code official shall order the owner of any premises upon which is located any structure, which in the code official's judgment after review is so deteriorated or dilapidated or has become so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary, or to board up and hold for future repair or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, the code official shall order the owner to demolish and remove such structure, or board up until future repair. Boarding the building up for future repair shall not extend beyond one year, unless approved by the code official.~~

~~In this section, "unreasonable to repair" means that the repair costs exceed 30% of the replacement value of the structure as established by the Shawnee County Appraiser.~~

~~**[A] 110.2 Notices and orders.** All notices and orders shall comply with Section 107.~~

~~**[A] 110.3 Failure to comply.** If the *owner* of a *premises* fails to comply with a demolition order within the time prescribed, the *code official* shall cause the structure to be demolished and removed, either through an available public agency or by contract or arrangement with private persons, and the cost of such demolition and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.~~

~~**[A] 110.4 Salvage materials.** When any structure has been ordered demolished and removed, the governing body or other designated officer under said contract or arrangement aforesaid shall have the right to sell the salvage and valuable materials at the highest price obtainable. The net proceeds of such sale, after deducting the expenses of such demolition and removal, shall be promptly remitted with a report of such sale or transaction, including the items of expense and the amounts deducted, for the person who is entitled thereto, subject to any order of a court. If such a surplus does not remain to be turned over, the report shall so state.~~

SECTION 111
MEANS OF APPEAL

[A] 111.1 Administrative Appeal Hearing.

(a)) An owner shall have the right to appeal the notice of violation to an administrative hearing officer provided that a written application is submitted to the code official ~~within 10 calendar days from the date of service~~ on or before the date designated in the notice.

(b)) An application for ~~an appeal~~ a hearing shall be based on a claim that (i) the provisions of ~~Chapter 8.60~~ the IPMC do not apply; (ii) the code official has incorrectly interpreted ~~Chapter 8.60~~ the IPMC;

and/or (iii) the requirements of ~~Chapter 8.60~~ the IPMC can be adequately satisfied by other means. The owner may not appeal a requirement imposed by ~~Chapter 8.60~~ the IPMC. The intent of the appeal process is not to waive or set aside a requirement; it is to provide a means of reviewing a code official's decision on an interpretation or application of ~~Chapter 8.60~~ the IPMC or reviewing a code official's decision to approve or reject the equivalency of protection to an ~~Chapter 8.60~~ IPMC requirement.

(c)) ~~The administrative hearing officer shall schedule a hearing within three working days of receipt of the hearing request.~~ Written notice of the hearing date and time shall be provided to the person requesting the hearing ~~by first class mail~~. The hearing officer may continue the hearing to a later time.

(d)) The administrative hearing officer shall review the notice of violation and all relevant information. If the hearing officer determines that: (i) the notice of violation was served in accordance with subsection 107.3; (ii) the provisions of ~~Chapter 8.60~~ the IPMC apply; (ii) the code official has correctly interpreted ~~Chapter 8.60~~ the IPMC; and/or (iii) the requirements of the IPMC cannot be adequately satisfied by other means, the hearing officer shall order abatement of the violation, impose an administrative penalty, and assess the ~~abatement~~ costs against the owner.

(e) The order may be appealed to the district court in accordance with K.S.A. 60-2101 and amendments thereto.

[A] 111.2 Administrative Hearing; Unsafe Structure.

~~(a) After notice and hearing, if the administrative hearing officer determines that a structure is unsafe pursuant to Section 108, the administrative hearing officer shall state in writing the findings of facts in support of such determination and shall issue and cause to be served upon the owner an order: (1) to demolish and remove the structure within a prescribed period; or (2) if the structure is capable of being made safe by repairs, to repair and make safe and sanitary within a prescribed period.~~

~~(b) The administrative hearing officer may grant an extension of time where the administrative hearing officer finds that there is practical difficulty or undue hardship and that such extension is in harmony with the general purpose of this chapter to secure compliance with the IPMC.~~

Changes: Local amendments to the 2012 IPMC (Housing, sanitation, weeds, and inoperable vehicles)

Subject	Line #	Current	Change	Reason
Inoperative vehicles	27, 50-52	$100 penalty; $175 administrative cost	Delete	Conforms to current practice of not charging as police department imposes fees associated with impoundment.
Notice of IPMC Violation (Time to abate)	67-71	Must abate within 'reasonable time' not to exceed 60 calendar days	Must abate by date designated in notice	Provides more flexibility depending upon the violation. Generally, abatement periods are: weed violations (10 days); sanitation/inoperable vehicles (10 days); housing (up to 60 days)
Notice of IPMC Violation (Prosecution)	72-74, 89-91.	Failure to comply may result in prosecution in municipal court	No change	n/a
Notice of IPMC Violation (Weeds)	75-76, 137-141	One time annual notice served on property owner, agent or occupant. No further notice provided prior to future abatements	No change	n/a
Notice of IPMC Violation (Hearing Request)	68-71; 80-82	Property owner may request hearing if requested within 10 days from date of service.	Property owner may request hearing before date designated in notice.	A date certain is more definitive than tying notice to service date...
Notice of IPMC Violation (Failure to Comply/Request Hearing)	77-79	Failure to abate the violation or request a hearing; city may abate and assess costs against owner.	No change	n/a
Notice of IPMC Violation (Unsafe Structure)	92-95	Notice sets hearing within 30 days after service of the notice	All references to unsafe structures (notice, service and hearing) removed and placed into new ordinance on unsafe structures.	Eliminates confusion. The handling of procedures involving unsafe structures/demolitions require different treatment than generic IPMC violations involving weeds, housing, sanitation, and inoperable vehicles.

Changes: Local amendments to the 2012 IPMC (Housing, sanitation, weeds, and inoperable vehicles)

Subject	Line #	Current	Change	Reason
Service of Notice	96-145	Personal service. Certified mail which is effective upon date of receipt. If location of property owner is unknown, then publication once in Metro News.	Personal service expanded to authorize residence service as allowed by state law (i.e. leaving the notice at property owner's home). If service cannot be effected by personal/residence service, a copy can be left at the home and mailing notice by regular mail that a copy has been left at the home. Service methods for corporate entities outlined (i.e. service on agent identified in Secretary of State's records). Certified mail mailed to last known address of property owner as reflected in county appraiser's records. Removal of requirement that service by certified mail is effective only upon receipt. (Some people don't pick up certified mail). If property owner or agent has not accepted notice of violations in the preceding 2 year period (e.g. failed to pick up certified mail), notice can be provided by alternate methods (e.g. posting on property, email, telephone) Elimination of publication in the Metro News. Elimination of service on mortgagees and other interest holders.	Notification to a property owner is vital when requiring the owner to do something within a certain period of time. The changes clarify and expand notification options that mirror state statutes on nuisance and weed abatements. As many property owners are legal entities, the changes address service on corporations and limited liability companies. Publication is eliminated as ineffective and not required by state law. Identifying interest holders of record is unnecessary and not required by state law.
Administrative hearing (General IPMC violations)	170-197	Owners can request hearing if filed within 10 calendar days of date of service. Hearing issues limited to Code's interpretation or application of the IPMC. Administrative hearing officer must schedule a hearing within 3 working days of receipt of request. Hearing officer determines whether Code interpretation is correct. If so, hearing officer orders abatement, imposes administrative penalties and assesses costs against the owner.	Eliminates 3 day requirement. Requires hearing officer to determine whether service of notice was adequate. Adds provision that hearing officer's order may be appealed to the district court in accordance with state law.	3 day requirement unworkable. Appeal provision provides guidance to owners desirous of contesting orders. No changes involving hearing officer's responsibilities.

(Published in the Topeka Metro News ____)

ORDINANCE NO. ______________

AN ORDINANCE introduced by City Manager Brent Trout, concerning International Property Maintenance Code local amendments regarding notice and procedural matters, amending City of Topeka Code § 8.60.070, § 8.60.080 and § 8.60.110 and repealing original sections.

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

Section 1. That section 8.60.070 of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Section 106 – Violations, abatements, fees.

Section 106.3, Prosecution of violation, is deleted in its entirety and the following provisions shall be substituted therefor:

A person who fails to comply with a notice of violation served in accordance with Section 107, shall be guilty of a misdemeanor and, if convicted, may be punished in accordance with TMC 1.10.070. A violation of this chapter shall be deemed a strict liability offense. Abatement of a violation by the code official shall not be a defense or excuse to a violation. The pendency of an administrative hearing pursuant to section 8.60.110 shall not be a defense to a violation or prevent prosecution and adjudication in municipal court.

Section 106.4, Violation penalties, is deleted in its entirety and the following provisions shall be substituted therefor:

Administrative penalties.

(a) There shall be an administrative monetary penalty of $100.00 imposed on the owner ~~or, in the case of inoperative vehicles, the vehicle owner~~ for each violation of this chapter that remains uncorrected after the time period stated in the notice of violation has elapsed.

(b) The administrative monetary penalty for a second or subsequent violation for which an administrative penalty has been imposed under this chapter that remains uncorrected after the time period stated in the notice of violation has elapsed for the same property within 12 months of the same or substantially same violation shall be $200.00.

Section 106.5, Abatement of violations, is deleted in its entirety and the following provisions shall be substituted therefor:

(a) Abatement. Upon the expiration of the compliance period stated in the notice of violation, the code official shall inspect the property. The code official may grant an extension of time if the owner demonstrates that due diligence is being exercised in abating the violation. If the owner has failed to comply within the compliance period~~,~~ or has failed to timely request an appeal hearing ~~or, in the case of an unsafe structure, failed to appear at a hearing,~~ the code official may abate the violation and assess the costs against the owner. If the costs are not paid within 30 days, the cost can be collected pursuant to K.S.A. 12-1,115 and amendments thereto and/or charged against the property pursuant to K.S.A. 12-1617e~~,~~and K.S.A. 12-1617f~~, K.S.A. 12-1755, or K.S.A. 17-4759~~ and amendments thereto.

(b) Fees. The costs incurred by the city for abatement, including any administrative costs, shall be paid by the owner ~~or, in the case of inoperative vehicles, the vehicle owner~~. The administrative costs shall be:

General violations of the IPMC	$140.00

Weeds and grasses	$140.00
~~Inoperative vehicles~~	~~$175.00~~

Section 2. That section 8.60.080 of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Section 107 – Notices~~ and orders~~.

Section 107.1, Notice to person responsible, is deleted in its entirety and the following provision shall be substituted therefor:

Whenever the code official determines that there has been a violation of the IPMC or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in section 107.2 and served in the manner prescribed in section 107.3

Section 107.2, Form, is deleted in its entirety and the following provisions shall be substituted therefor:

The notice prescribed in Section 107.1 shall include the following:

1. Description of the real estate~~ sufficient for identification~~.

2. A statement that includes a description of the conditions and identifies violations of ~~Chapter 8.60~~the IPMC.

3. ~~A statement of the correction action necessary and a reasonable time to complete the action. A reasonable time shall not exceed 60 calendar days.~~A statement that the property owner must abate the violation by the date designated in the notice or request a hearing before an administrative hearing officer on or before the date designated in the notice.

4. A statement advising that failure to timely comply with the notice may

result in prosecution in municipal court regardless whether an administrative hearing is pending.

5. For weed violations, a statement that no further notice shall be given prior to future abatements for the cutting or removal of weeds.

~~4~~6. A statement that if the violation(s) is not corrected or a hearing requested ~~within the compliance period~~, the city may impose administrative penalties, abate the violation, and assess the costs against the owner.

~~5. A statement advising that any owner may request an appeal hearing before an administrative hearing officer. The request shall be submitted to the code official within 10 calendar days from the date of service. Failure to timely request a hearing will allow the city to impose administrative penalties, abate the violation, and assess the costs against the owner. The scope of the appeal shall be limited to the following: (i) whether the provisions of Chapter 8.60 apply; (ii) whether the code official has correctly interpreted Chapter 8.60; and/or (iii) whether the requirements of Chapter 8.60 can be adequately satisfied by other means.~~

~~6. A statement advising that failure to timely comply with the notice may result in prosecution in municipal court regardless whether an administrative hearing is pending.~~

~~7. If code official has determined that the structure is unsafe pursuant to Section 108, the notice shall state that a hearing will be held before the administrative hearing officer not less than 10 calendar days nor more than 30 calendar days after service of the notice.~~

Section 107.3, Method of Service, is deleted in its entirety and the following provisions shall be substituted therefor:

~~(a)~~ Method of Service. Notice shall be served in one of the following manners:

1. Personal service; residence service. Delivering the notice to the property owner or leaving the notice at the property owner’s dwelling or usual place of abode with someone of suitable age and discretion who resides there.

2. Personal service; residence service unsuccessful. If personal or residence service cannot be made, service may be effected by: (i) leaving a copy of the notice at the property owner’s dwelling or usual place of abode; and (ii) mailing to the property owner by first-class mail a notice that the copy has been left at the dwelling or usual place of abode.

3. Personal service; legal entity. If the property owner is a legal entity, service may be effected as follows:

(i) serving the notice on an officer, manager, partner or a resident, managing or general agent;

(ii) leaving a copy of the notice at any business office with the person having charge of the office; or

(iii) serving the notice on any agent authorized by appointment or by law to receive service of process.

~~2~~4. Certified mail, return receipt requested, to the last known address of the property owner as reflected in the records of the county appraiser. ~~Service shall be effective on the date of receipt.~~

~~3. If the property is unoccupied and the owner is a nonresident, certified~~

~~mail, return receipt requested, to the last known address.~~

~~4. If the location of a person is unknown or if no address is available after diligent effort, then a copy of the notice shall be posted in a conspicuous place on the premises and published once in the official city newspaper. The failure of any such person to receive notice shall not affect the validity of any proceedings.~~

5. ~~If the code official has determined that a structure is unsafe pursuant to Section 108 and the whereabouts of the owner are unknown and cannot be ascertained in the exercise of reasonable diligence, the code official may effect service by publishing the notice once each week for two consecutive weeks in the official city newspaper. A copy of the notice shall also be posted in a conspicuous place on the premises and a copy of the notice shall be filed with the register of deeds and the clerk of the district court of Shawnee County.~~ Delivery failure. If the property owner or the property owner's agent has failed to accept delivery of notice or otherwise failed to effectuate receipt of notice during the preceding twenty-four month period, notice may be provided by other methods, including but not limited to door hangers, conspicuously posting notice on the property, personal notification, telephone communication, electronic communication, or first class mail.

6. Weeds. Pursuant to K.S.A. 12-1617f, the code official may provide a one-time annual written notice by first class mail or personal service to the property owner, property owner's agent or occupant. The notice shall include a statement that no further notice shall be given prior to cutting or removal of weeds.

~~6~~7. In addition to the methods identified in this section, the code official may provide notice by other methods, including, but not limited to, door hangers, conspicuously posting notice on the property, personal notification, telephone or ~~email~~electronic communication, or first class mail.

~~7. As authorized by K.S.A. 12-1617f, the code official may provide a one-time yearly written notice by mail or personal service to the owner or occupant which will permit subsequent abatement mowings without any additional notice. The notice shall also include a statement that no further notice shall be given prior to cutting or removing weeds.~~

~~(b) Service of Notice. The notice shall be served upon the owner of record, and one copy shall be served on each of the following, if known or available from public records: (1) the holder of any mortgage, deed of trust, lien, or encumbrance; and (2) the holder of any other estate or legal interest of record. The failure of the code official to serve any person shall not invalidate any proceedings hereunder as to any other person duly served or relieve such person from any duty or obligation. If the code official has determined that a structure is unsafe pursuant to Section 108, the notice shall also be served on any occupant who can be ascertained.~~

~~(c) Proof of Service. Proof of service of the notice shall be certified at the time of service by a written declaration under penalty of perjury executed by the person effecting service, declaring the time, date and manner in which service was made. The declaration, together with any receipt card returned in acknowledgment of receipt by certified mail, shall be affixed to the copy of the notice retained by the code official.~~

Section 3. That section 8.60.110 of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Section 111 – Hearing.

Sections 111.1 through 111.8 are deleted in their entireties and the following provisions shall be substituted therefor:

Section 111.1 Administrative ~~Appeal~~ Hearing

(a) An owner shall have the right to appeal the notice of violation to an administrative hearing officer provided that a written application is submitted to the code official ~~within 10 calendar days from the date of service~~ on or before the date designated in the notice.

(b) An application for a~~n appeal~~ hearing shall be based on a claim that (i) the provisions of ~~Chapter 8.60~~the IPMC do not apply; (ii) the code official has incorrectly interpreted ~~Chapter 8.60~~the IPMC; and/or (iii) the requirements of ~~Chapter 8.60~~the IPMC can be adequately satisfied by other means. The owner may not appeal a requirement imposed by ~~Chapter 8.60~~the IPMC. The intent of the appeal process is not to waive or set aside a requirement; it is to provide a means of reviewing a code official's decision on an interpretation or application of ~~Chapter 8.60~~the IPMC or reviewing a code official's decision to approve or reject the equivalency of protection to a ~~Chapter 8.60~~the IPMC requirement.

(c) T~~he administrative hearing officer shall schedule a hearing within three working days of receipt of the hearing request.~~ Written notice of the hearing date and time shall be provided to the person requesting the hearing ~~by first class mail~~. The hearing officer may continue the hearing to a later time.

(d) The administrative hearing officer shall review the notice of violation and all relevant information. If the hearing officer determines that: (i) the notice of violation was served in accordance with subsection 107.3; (ii) the provisions of ~~Chapter 8.60~~the IPMC apply; (iii) the code official has correctly interpreted ~~Chapter 8.60~~IPMC; and/or (~~iii~~iv) the requirements of ~~Chapter 8.60~~the IPMC cannot be adequately satisfied by other means, the hearing officer shall order abatement of the violation, impose an administrative penalty, and assess the ~~abatement~~ costs against the owner.

(e) The order may be appealed to the district court in accordance with K.S.A. 60-2101 and amendments thereto.

~~Section 111.2 Administrative Hearing; Unsafe Structure.~~

~~(a) After notice and hearing, if the administrative hearing officer determines that a structure is unsafe pursuant to Section 108, the administrative hearing officer shall state in writing the findings of facts in support of such determination and shall issue and cause to be served upon the owner an order: (1) to demolish and remove the structure within a prescribed period; or (2) if the structure is capable of being made safe by repairs, to repair and make safe and sanitary within a prescribed period.~~

~~(b) The administrative hearing officer may grant an extension of time where the administrative hearing officer finds that there is practical difficulty or undue hardship and that such extension is in harmony with the general purpose of this chapter to secure compliance with the IPMC.~~

Section 4. That original § 8.60.070, § 8.60.080 and § 8.60.110 of The Code of the City of Topeka, Kansas, is hereby specifically repealed.

Section 5. This ordinance shall take effect and be in force from September 1, 2018, and after its passage, approval and publication in the official City newspaper.

Section 6. This ordinance shall supersede all ordinances, resolutions or rules, or portions thereof, which are in conflict with the provisions of this ordinance.

Section 7. 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

____
Michelle De La Isla, Mayor

ATTEST:

____
Brenda Younger, City Clerk

City of Topeka

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
July 17, 2018

DATE:	**July 17, 2018**		
CONTACT PERSON:	**Mary Feighny, Deputy City Attorney**	**DOCUMENT #:**	
SECOND PARTY/SUBJECT:		**PROJECT #:**	
CATEGORY/SUBCATEGORY	**013 Ordinances - Codified / 078 Health and Sanitation**		
CIP PROJECT:	**No**		
ACTION OF COUNCIL:	**Discussion 061218. 61918 Deferred until July 17, 2018**	**JOURNAL #:**	
		PAGE #:	

DOCUMENT DESCRIPTION:

ORDINANCE introduced by City Manager Brent Trout, amending Topeka Municipal Code 8.60.100; adding a new section numbered TMC 8.60.085; and creating a new Chapter 8.75 of the Topeka Municipal Code concerning Unsafe Structures. *(Deferred from the meeting of June 19, 2018.)*

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

(Approval would separate the garden-variety IPMC matters (rubbish, weeds) from unsafe structures (demolitions) by enacting a new ordinance addressing unsafe structures.)

VOTING REQUIREMENTS:

Majority vote of the Governing Body (6).

POLICY ISSUE:

Whether to enact a new ordinance addressing unsafe structures.

STAFF RECOMMENDATION:

Staff recommends the Governing Body move to adopt the ordinance.

BACKGROUND:

The notice and procedural requirements for unsafe structures are currently contained within the same ordinance that addresses garden-variety IPMC violations (e.g. weeds, housing, sanitation) which has led to confusion. Staff is recommending a stand-alone ordinance for unsafe structures and reducing publication notice from two to one, where the location of the owner is unknown. State law requires only 1 publication.

BUDGETARY IMPACT:

It is anticipated publication costs would be reduced. In 2017, $11,252 was spent for publication for unsafe structure cases.

SOURCE OF FUNDING:

Not Applicable

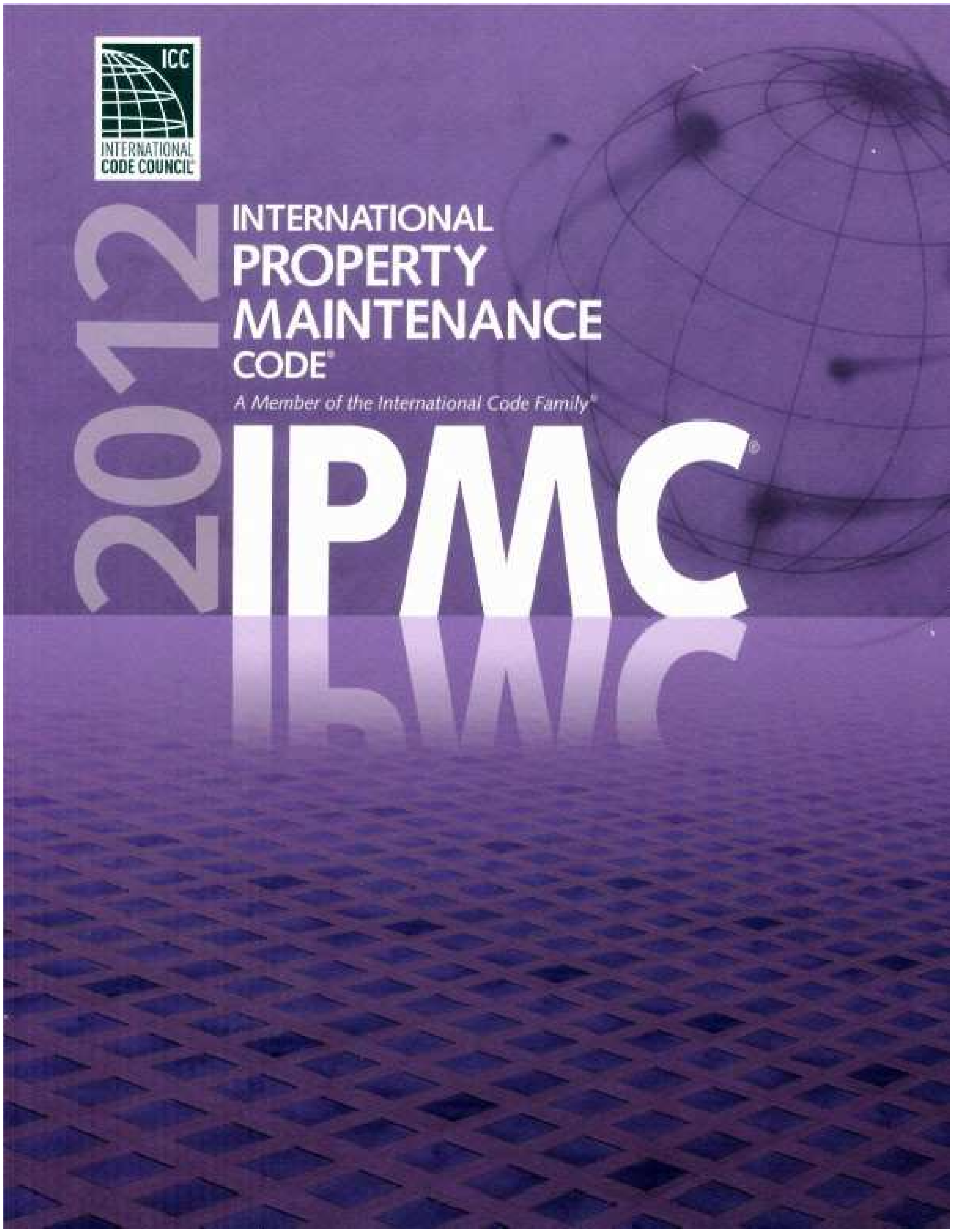
ATTACHMENTS:

Description

IPMC Amendments

Summary: Unsafe Structures

Ordinance


ICC
INTERNATIONAL CODE COUNCIL
2012
INTERNATIONAL
PROPERTY
MAINTENANCE
CODE
A Member of the International Code Family
IPMC

2012 INTERNATIONAL PROPERTY MAINTENANCE CODE®

Proposed 2018 Changes. Deletions in strike-type. Additions are underlined.

SECTION 106
VIOLATIONS

[A] 106.1 Unlawful acts. It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of this code.

[A] 106.2 Notice of violation. The *code official* shall serve a notice of violation or order in accordance with Section 107.

[A] 106.3 Prosecution of violation. A person who fails to comply with a notice of violation served in accordance with Section 107, shall be guilty of a misdemeanor and, if convicted, may be punished in accordance with TMC 1.10.070. A violation of this chapter shall be deemed a strict liability offense. Abatement of a violation by the code official shall not be a defense or excuse to a violation. The pendency of an administrative hearing pursuant to section 8.60.110shall not be a defense to a violation or prevent prosecution and adjudication in municipal court.

[A] 106.4 Administrative penalties.

(a) There shall be an administrative monetary penalty of $100.00 imposed on the owner ~~or, in the case of inoperative vehicles, the vehicle owner~~ for each violation of this chapter that remains uncorrected after the time period stated in the notice of violation has elapsed.

(b) The administrative monetary penalty for a second or subsequent violation for which an administrative penalty has been imposed under this chapter that remains uncorrected after the time period stated in the notice of violation has elapsed for the same property within 12 months of the same or substantially same violation shall be $200.00.

[A] 106.5 Abatement of violation.

(a)Abatement. Upon the expiration of the compliance period stated in the notice of violation, the code official shall inspect the property. The code official may grant an extension of time if the owner demonstrates that due diligence is being exercised in abating the violation. If the owner has failed to comply within the compliance period~~,~~ or has failed to timely request an appeal hearing ~~or, in the case of an unsafe structure, failed to appear at a hearing,~~ the code official may abate the violation and assess the costs against the owner. If the costs are not paid within 30 days, the cost can be collected pursuant to K.S.A. 12-1,115 and amendments thereto and/or charged against the property pursuant to K.S.A. 12-1617e~~,~~ and K.S.A. 12-1617f~~, K.S.A. 12-1755, or K.S.A. 17-4759~~ and amendments thereto.

(b) Fees. The costs incurred by the city for abatement, including any administrative costs, shall be paid by the owner ~~or, in the case of inoperative vehicles, the vehicle owner~~. The administrative costs shall be:

General violations of the IPMC	$140.00
Weeds and grasses	$140.00
~~Inoperative vehicles~~	~~$175.00~~

SECTION 107
NOTICES AND ORDERS

[A] 107.1 Notice to person responsible. Whenever the *code official* determines that there has been a violation of ~~this code~~ the IPMC or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in Sections 107.2 and ~~107.3 to the person responsible for the violation as specified in this code. Notices for condemnation procedures shall also comply with Section 108.3.~~ served in the manner prescribed in Section 107.3

[A] 107.2 Form.

The notice prescribed in Section 107.1 shall include the following:

1. Description of the real estate ~~sufficient for identification~~.

2. A statement that includes a description of the conditions and identifies violations of ~~Chapter 8.60~~ the IPMC.

~~3. A statement of the correction action necessary and a reasonable time to complete the action. A reasonable time shall not exceed 60 calendar days.~~ 3. A statement that the property owner must abate the violation by the date designated in the notice or request a hearing before an administrative hearing officer on or before the date designated in the notice.

~~4. A statement that if the violation(s) is not corrected within the compliance period, the city may impose administrative penalties, abate the violation, and assess the costs against the owner.~~ 4. A statement advising that failure to timely comply with the notice may result in prosecution in municipal court regardless whether an administrative hearing is pending.

~~5. A statement advising that any owner may request an appeal hearing before an administrative hearing officer. The request shall be submitted to the code official within 10 calendar days from the date of service. Failure to timely request a hearing will allow the city to impose administrative penalties, abate the violation, and assess the costs against the owner. The scope of the appeal shall be limited to the following: (i) whether the provisions of Chapter 8.60 apply; (ii) whether the code official has correctly interpreted Chapter 8.60; and/or (iii) whether the requirements of Chapter 8.60 can be adequately satisfied by other means.~~ 5. For weed violations, a statement that no further notice shall be given prior to future abatements for the cutting or removal of weeds.

~~6. A statement advising that failure to timely comply with the notice may result in prosecution in municipal court regardless whether an administrative hearing is pending.~~
6. A statement that if the violation(s) is not corrected or a hearing requested ~~within the compliance period,~~ the city may impose administrative penalties, abate the violation, and assess the costs against the owner.

~~7. If code official has determined that the structure is unsafe pursuant to Section 108, the notice shall state that a hearing will be held before the administrative hearing officer not less than 10 calendar days nor more than 30 calendar days after service of the notice.~~

[A] 107.3 Method of service.

(a) Method of Service. Notice shall be served in one of the following manners:

1. Personal service; residence service. Delivering the notice to the property owner or leaving the notice at the property owner's dwelling or usual place of abode with someone of suitable age and discretion who resides there.

2. Personal service; residence service unsuccessful. If personal or residence service cannot be made, service may be effected by: (i) leaving a copy of the notice at the property owner's dwelling or usual place of abode; and (ii) mailing to the property owner by first-class mail a notice that the copy has been left at the dwelling or usual place of abode.

3. Personal service; legal entity. If the property owner is a legal entity, service may be effected as follows:

(i) Serving the notice on an officer, manager, partner or a resident, managing or general agent.

(ii) Leaving a copy of the notice at any business office with the person having charge of the office; or

(iii) Serving the notice on any agent authorized by appointment or by law to receive service of process.

~~4.~~ 4. Certified mail, return receipt requested to the last known address of the property owner as reflected in the records of the county appraiser. ~~Service shall be effective on the date of receipt.~~

~~5. If the property is unoccupied and the owner is a nonresident, certified mail, return receipt requested, to the last known address.~~

~~6. If the location of a person is unknown or if no address is available after diligent effort, then a copy of the notice shall be posted in a conspicuous place on the premises and published once in the official city newspaper. The failure of any such person to receive notice shall not affect the validity of any proceedings.~~

~~7. If the code official has determined that a structure is unsafe pursuant to Section 108 and the whereabouts of the owner are unknown and cannot be ascertained in the exercise of reasonable diligence, the code official may effect service by publishing the notice once each week for two consecutive weeks in the official city newspaper. A copy of the notice shall also be posted in a conspicuous place on the premises and a copy of the notice shall be filed with the register of deeds and the clerk of the district court of Shawnee County.~~ 5. Delivery failure. If the property owner or the property owner's agent has failed to accept delivery of notice or otherwise failed to effectuate receipt of notice during the preceding twenty-four month period, notice may be provided by other methods, including but not limited to door hangers, conspicuously posting notice on the property, personal notification, telephone communication, electronic communication, or first class mail.

~~8.~~ 6. Weeds. Pursuant to K.S.A. 12-1617f, the code official may provide a one-time annual written notice by first class mail or personal service to the property owner, property owner's agent or occupant. The notice shall include a statement that no further notice shall be given prior to cutting or removal of weeds.

9. 7. In addition to the methods identified in this section, the code official may provide notice by other methods, including, but not limited to, door hangers, conspicuously posting notice on the property, personal notification, telephone or ~~email~~ electronic communication, or first class mail.

~~10. As authorized by K.S.A. 12-1617f, the code official may provide a one-time yearly written notice by mail or personal service to the owner or occupant which will permit subsequent abatement mowings without any additional notice. The notice shall also include a statement that no further notice shall be given prior to cutting or removing weeds.~~

~~(b)) Service of Notice. The notice shall be served upon the owner of record, and one copy shall be served on each of the following, if known or available from public records: (1) the holder of any mortgage, deed of trust, lien, or encumbrance; and (2) the holder of any other estate or legal interest of record. The failure of the code official to serve any person shall not invalidate any proceedings hereunder as to any other person duly served or relieve such person from any duty or obligation. If the code official has determined that a structure is unsafe pursuant to Section 108, the notice shall also be served on any occupant who can be ascertained.~~

~~(c) Proof of Service. Proof of service of the notice shall be certified at the time of service by a written declaration under penalty of perjury executed by the person effecting service, declaring the time, date and manner in which service was made. The declaration, together with any receipt card returned in acknowledgment of receipt by certified mail, shall be affixed to the copy of the notice retained by the code official.~~

[A] 107.4 Unauthorized tampering. Signs, tags or seals posted or affixed by the *code official* shall not be mutilated, destroyed or tampered with, or removed without authorization from the *code official*.

[A] 107.5 Penalties. Penalties for noncompliance with orders and notices shall be as set forth in Section 106.4.

[A] 107.6 Transfer of ownership. It shall be unlawful for the owner of any dwelling unit or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such dwelling unit or structure to another until the provisions of the compliance order or notice of violation have been complied with, or until such owner shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the code official and shall furnish to the code official a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

SECTION 108
UNSAFE STRUCTURES AND EQUIPMENT

[A] 108.1 General. When a structure or equipment is found by the *code official* to be unsafe, ~~or when a structure is found~~ unfit for human *occupancy,* or ~~is found~~ unlawful, ~~such structure shall be *condemned* pursuant to the provisions of this code~~ as defined, respectively in sections 108.1.1 through 108.1.5, Chapter 8.75 of the Topeka Municipal Code will apply.

[A] 108.1.1 Unsafe structures. An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the *occupants* of the structure by not providing minimum safeguards to protect or warn *occupants* in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

[A] 108.1.2 Unsafe equipment. Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the *premises* or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or *occupants* of the *premises* or structure.

[A] 108.1.3 Structure unfit for human occupancy. A structure is unfit for human *occupancy* whenever the *code official* finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is insanitary, vermin or rat infested, contains filth and contamination, or lacks *ventilation,* illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the *occupants* of the structure or to the public.

[A] 108.1.4 Unlawful structure. An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under this code, or was erected, altered or occupied contrary to law.

[A] 108.1.5 Dangerous *structure* or *premises*. For the purpose of this code, any structure or *premises* that has any or all of the conditions or defects described below shall be considered dangerous:

1. Any door, aisle, passageway, stairway, exit or other means of egress that does not conform to the *approved* building or fire code of the jurisdiction as related to the requirements for existing buildings.
2. The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn loose, torn or otherwise unsafe as to not provide safe and adequate means of egress.
3. Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, *deterioration, neglect,* abandonment, vandalism or by any other cause to such an extent that

it is likely to partially or completely collapse, or to become *detached* or dislodged.

4. Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof that is not of sufficient strength or stability, or is not so *anchored,* attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value.
5. The building or structure, or part of the building or structure, because of dilapidation, *deterioration,* decay, faulty construction, the removal or movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.
6. The building or structure, or any portion thereof, is clearly unsafe for its use and *occupancy.*
7. The building or structure is *neglected,* damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.
8. Any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the *approved* building or fire code of the jurisdiction, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety.
9. A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, *ventilation,* mechanical or plumbing system, or otherwise, is determined by the *code official* to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.
10. Any building or structure, because of a lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause, is determined by the *code official* to be a threat to life or health.

11. Any portion of a building remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.

~~**[A] 108.2 Closing of vacant structures.** If the structure is vacant and unfit for human habitation and *occupancy,* and is not in danger of structural collapse, the *code official* is authorized to post a placard of condemnation on the *premises* and order the structure closed up so as not to be an attractive nuisance. Upon failure of the *owner* to close up the *premises* within the time specified in the order, the *code official* shall cause the *premises* to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate and may be collected by any other legal resource.~~

[A] 108.2.1 Authority to disconnect service utilities. The *code official* shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards set forth in Section 102.7 in case of emergency where necessary to eliminate an immediate hazard to life or property or when such utility connection has been made without approval. The *code official* shall notify the serving utility and, whenever possible, the *owner* and *occupant* of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnection the *owner* or *occupant* of the building structure or service system shall be notified in writing as soon as practical thereafter.

~~**[A] 108.3 Notice.** Whenever the *code official* has *condemned* a structure or equipment under the provisions of this section, notice shall be posted in a conspicuous place in or about the structure affected by such notice and served on the *owner* or the person or persons responsible for the structure or equipment in accordance with Section 107.3. If the notice pertains to equipment, it shall also be placed on the *condemned* equipment. The notice shall be in the form prescribed in Section 107.2.~~

[A] 108.4 Placarding. Upon failure of the *owner* or person responsible to comply with the notice provisions within the time given, the *code official* shall post on the *premises* or on defective equipment a placard bearing the word “Condemned” and a statement of the penalties provided for occupying the *premises,* operating the equipment or removing the placard.

[A] 108.4.1 Placard removal. The *code official* shall remove the condemnation placard whenever the defect or defects upon which the condemnation and placarding action were based have been eliminated. Any person who defaces or removes a condemnation placard without the approval of the *code official* shall be subject to the penalties provided by this code.

[A] 108.5 Prohibited occupancy. Any occupied structure *condemned* and placarded by the *code official* shall be vacated as ordered by the *code official.* Any person who shall occupy a placarded *premises* or shall operate placarded equipment, and any *owner* or any person responsible for the *premises* who shall let anyone occupy a placarded *premises* or operate placarded equipment shall be liable for the penalties provided by this code.

[A] 108.6 Abatement methods. The *owner, operator* or *occupant* of a building, *premises* or equipment deemed unsafe by the *code official* shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other *approved* corrective action.

[A] 108.7 Record. The *code official* shall cause a report to be filed on an unsafe condition. The report shall state the *occupancy* of the structure and the nature of the unsafe condition.

SECTION 110
DEMOLITION

~~**[A] 110.1 General.** The code official shall order the owner of any premises upon which is located any structure, which in the code official's judgment after review is so deteriorated or dilapidated or has become so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary, or to board up and hold for future repair or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, the code official shall order the owner to demolish and remove such structure, or board up until future repair. Boarding the building up for future repair shall not extend beyond one year, unless approved by the code official.~~

~~In this section, "unreasonable to repair" means that the repair costs exceed 30% of the replacement value of the structure as established by the Shawnee County Appraiser.~~

~~**[A] 110.2 Notices and orders.** All notices and orders shall comply with Section 107.~~

~~**[A] 110.3 Failure to comply.** If the *owner* of a *premises* fails to comply with a demolition order within the time prescribed, the *code official* shall cause the structure to be demolished and removed, either through an available public agency or by contract or arrangement with private persons, and the cost of such demolition and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.~~

~~**[A] 110.4 Salvage materials.** When any structure has been ordered demolished and removed, the governing body or other designated officer under said contract or arrangement aforesaid shall have the right to sell the salvage and valuable materials at the highest price obtainable. The net proceeds of such sale, after deducting the expenses of such demolition and removal, shall be promptly remitted with a report of such sale or transaction, including the items of expense and the amounts deducted, for the person who is entitled thereto, subject to any order of a court. If such a surplus does not remain to be turned over, the report shall so state.~~

SECTION 111
MEANS OF APPEAL

[A] 111.1 Administrative Appeal Hearing.

(a)) An owner shall have the right to appeal the notice of violation to an administrative hearing officer provided that a written application is submitted to the code official ~~within 10 calendar days from the date of service~~ on or before the date designated in the notice.

(b)) An application for ~~an appeal~~ a hearing shall be based on a claim that (i) the provisions of ~~Chapter 8.60~~ the IPMC do not apply; (ii) the code official has incorrectly interpreted ~~Chapter 8.60~~ the IPMC;

and/or (iii) the requirements of ~~Chapter 8.60~~ the IPMC can be adequately satisfied by other means. The owner may not appeal a requirement imposed by ~~Chapter 8.60~~ the IPMC. The intent of the appeal process is not to waive or set aside a requirement; it is to provide a means of reviewing a code official's decision on an interpretation or application of ~~Chapter 8.60~~ the IPMC or reviewing a code official's decision to approve or reject the equivalency of protection to an ~~Chapter 8.60~~ IPMC requirement.

(c)) ~~The administrative hearing officer shall schedule a hearing within three working days of receipt of the hearing request.~~ Written notice of the hearing date and time shall be provided to the person requesting the hearing ~~by first class mail~~. The hearing officer may continue the hearing to a later time.

(d)) The administrative hearing officer shall review the notice of violation and all relevant information. If the hearing officer determines that: (i) the notice of violation was served in accordance with subsection 107.3; (ii) the provisions of ~~Chapter 8.60~~ the IPMC apply; (ii) the code official has correctly interpreted ~~Chapter 8.60~~ the IPMC; and/or (iii) the requirements of the IPMC cannot be adequately satisfied by other means, the hearing officer shall order abatement of the violation, impose an administrative penalty, and assess the ~~abatement~~ costs against the owner.

(e) The order may be appealed to the district court in accordance with K.S.A. 60-2101 and amendments thereto.

[A] 111.2 Administrative Hearing; Unsafe Structure.

~~(a) After notice and hearing, if the administrative hearing officer determines that a structure is unsafe pursuant to Section 108, the administrative hearing officer shall state in writing the findings of facts in support of such determination and shall issue and cause to be served upon the owner an order: (1) to demolish and remove the structure within a prescribed period; or (2) if the structure is capable of being made safe by repairs, to repair and make safe and sanitary within a prescribed period.~~

~~(b) The administrative hearing officer may grant an extension of time where the administrative hearing officer finds that there is practical difficulty or undue hardship and that such extension is in harmony with the general purpose of this chapter to secure compliance with the IPMC.~~

New ordinance summary: Unsafe Structures

Subject	Line #	Summary
Unsafe structures	13-21	IPMC Section 108 addresses unsafe structures by defining them in terms of unsafe (structural issues), unfit for occupancy (unsanitary), unlawful (e.g. built/remodeled without permit) and dangerous (catchall category; e.g. unsecured premises, abandoned, and attractive nuisances).
Demolition	24-41	Delete existing verbiage as verbose and confusing. Replace with process involving code official issuing complaint and notice of hearing (Lines 52-56)
Findings	44-48	Ordinance applies to unsafe structures, unsafe equipment, structures that are unfit for human habitation, structures that have been erected illegally and dangerous structures (unsecured, abandoned). Director of Neighborhood Relations or designee is the "Code official."
Complaint; notice of hearing	51-60	Procedure: Code official issues complaint identifying violations and setting a hearing date which will allow property owner, mortgagees, and any interest holders of record the opportunity to appear and provide testimony.
Service of complaint/hearing notice	63-95	Service methods are identical to service for general IPMC violations (e.g. personal, residence service, service on legal entities). If the property owner or interest holders of record are unknown, then publication once in the Metro News. Complaint is posted on the premises and filed with the register of deeds and the district court clerk.
Hearing	98-119	Addresses procedure and taking of evidence. Requires hearing officer to make findings and to issue an order requiring: (a) repair within a certain time period; or (b) demolish the structure. Authorizes extensions of time to get the property compliant.
Service of order; appeal	120-126	Order served on the property owner by one of the methods of serving the initial complaint. Copy of the order served personally or by regular mail on other interest holders. Order posted on property and filed with the register of deeds and district court. Order may be appealed to the district court in accordance with state law.
Emergency securements	130-137	Authorizes Code official to direct the property owner or the occupant to secure or vacate the property within a certain time period. If unable to contact either, Code will take action and assess costs against owner. Owner may appeal the costs.
Failure to comply	141-143	Failure of owner to comply within time period, code official may abate by repair or demolition. Assess against owner.
Costs; lien	146-152	Code notifies owner of the costs required to abate. Owner has 30 days to pay. If not, costs are assessed against the property. No change from current practice.
Criminal	155-161	Unlawful to not comply with administrative hearing officer's order. Fine of up to $499 and/or up to 179 days in jail. No change from current practice.

(Published in the Topeka Metro News ______________________________________)

ORDINANCE NO. _____________

AN ORDINANCE introduced by City Manager Brent Trout, amending TMC 8.60.100; adding a new section numbered TMC 8.60.085; and creating a new Chapter 8.75 of the Topeka Municipal Code concerning Unsafe Structures.

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

Section 1. That the Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered 8.60.085, which said section reads as follows:

Section 108 Unsafe structures and equipment.

Section 108.1, General, not including subsections, is deleted in its entirety and the following provision shall be substituted therefor:

When a structure or equipment is determined by the code official to be unsafe, unfit for human occupancy, or unlawful as defined, respectively, in sections 108.1.1 through 108.1.5, Chapter 8.75 of the Topeka Municipal Code will apply.

Section 108.2, Closing of vacant structures, is deleted in its entirety.

Section 108.3, Notice, is deleted in its entirety.

Section 2. That section 8.60.100 of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Section 110 – Demolition.

~~Section 110.1, General, is hereby deleted in its entirety and the following provisions shall be substituted therefor:~~Section 110, Demolition, is hereby deleted in its entirety.

~~The code official shall order the owner of any premises upon which is located any structure, which in the code official's judgment after review is so~~

~~deteriorated or dilapidated or has become so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary, or to board up and hold for future repair or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, the code official shall order the owner to demolish and remove such structure, or board up until future repair. Boarding the building up for future repair shall not extend beyond one year, unless approved by the code official.~~

~~In this section, "unreasonable to repair" means that the repair costs exceed 30% of the replacement value of the structure as established by the Shawnee County Appraiser.~~

Section 3. That the Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered 8.75.010, which said section reads as follows:

Findings.

The governing body has determined that structures exist within the city that are unfit for human use or habitation as those conditions are identified in section 108 of the International Property Maintenance Code (IPMC). The code official identified in TMC 8.60.030 is designated to exercise the powers prescribed in this chapter.

Section 4. That the Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered 8.75.020, which said section reads as follows:

Complaint; Notice of hearing.

(a) Whenever a structure or equipment is determined by the code official to be unsafe, unfit for human occupancy or unlawful as defined, respectively, in sections 108.1.1 through 108.1.5 of the IPMC, the code official will issue a complaint identifying the violations with a notice that a hearing will be held before an administrative hearing officer on a date specified in the notice.

(b) The notice shall provide that the owner(s) of record, mortgagee, or any party in interest of record shall have the right to file an answer to the complaint and to appear in person and give testimony at the place and time identified in the notice and that failure to appear may result in a determination of default.

Section 5. That the Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered 8.75.030, which said section reads as follows:

Service.

(a) The code official will serve the complaint on: (1) the owner(s) of record; (2) any mortgagee(s) of record; and (3) any party with a legal or equitable interest filed of record with the Shawnee County register of deeds.

(b) Methods of service. The complaint and notice shall be served in one of the following manners:

(1) Personal service; residence service. Personal service by delivering the complaint to the person or leaving the complaint at the person’s dwelling or usual place of abode with someone of suitable age and discretion who resides there.

(2) Personal service; residence service unsuccessful. If personal or residence service cannot be made, service may be effected by: (i) leaving a copy

of the complaint and notice at the person's dwelling or usual place of abode; and (ii) mailing to the person by first-class mail a notice that the copy has been left at the person's dwelling or usual place of abode.

(3) Personal service; legal entity. If the person is a legal entity, service may be effected as follows:

(i) serving an officer, manager, partner or a resident, managing or general agent;

(ii) leaving a copy of the complaint and notice at any business office with the person having charge of the office; or

(iii) serving any agent authorized by appointment or by law to receive service of process.

(4) Certified mail, return receipt requested, to the last known address of the person to be served as reflected in the records of the county appraiser.

(5) Publication once in the official city newspaper if the location of the persons identified in subsection 8.75.030 are unknown and cannot be ascertained by the code official in the exercise of reasonable diligence.

(b) In addition, a copy of the complaint will be posted in a conspicuous place on the premises and filed with the register of deeds and the clerk of the district court in which the property is located.

(c) In addition to the methods identified in subsection (b)(1)-(4), the code official may utilize first class mail, electronic communication and telephone notification.

Section 6. That the Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered 8.75.040, which said section reads as follows:

Hearing.

(a) The administrative hearing officer may administer oaths and affirmations, examine witnesses and receive evidence. The hearing officer may grant continuances where the officer finds that there is practical difficulty or undue hardship and that such extension is consonant with the general purpose to secure compliance with the IPMC.

(b) If the hearing officer determines that: (1) the complaint was served in accordance with 8.75.030; (2) the equipment or structure is unsafe or the structure is unfit for human occupancy or unlawful as defined in section 108 of the IPMC, the officer will provide findings to that effect, in writing, and shall issue an order which requires the owner to:

(1) Repair the equipment or structure within the time specified in the order so that the equipment is no longer a danger and/or the structure is safe and fit for human occupancy; or

(2) Demolish the structure within the time specified in the order if the hearing officer determines that repair cannot be made at a reasonable cost in relation to the replacement value of the structure. “Reasonable cost” means that the repair costs are more than 30% of the replacement value as determined by the Shawnee County Appraiser.

(c) The hearing officer may grant an extension of time for the performance of any act required where the officer finds that there is practical difficulty or undue hardship in complying and that an extension is consonant with the general purpose to secure compliance with the IPMC.

(d) Any order shall be served on the property owner pursuant to TMC

8.75.030 and a copy served personally or by first class mail to the other persons identified in TMC 8.75.030. Additionally, except for continuances, the order shall be posted in a conspicuous place on the premises and filed with the register of deeds and the clerk of the district court in which the property is located.

(e) The order may be appealed to the district court in accordance with K.S.A. 60-2101 and amendments thereto.

Section 7. That the Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered 8.75.050, which said section reads as follows:

Emergency securements.

(a) If the code official determines that an emergency exists which poses a hazard requiring immediate action to protect public health, safety or welfare, the code official may issue an order directing the owner and/or occupant to take such action, including securing or vacating the property, within the time period in the order. The code official shall attempt to contact the owner and/or occupant to abate the emergency. If such attempt is unsuccessful, the code official may abate the emergency and assess the costs against the owner.

(b) The owner may appeal the costs in accordance with TMC Chapter 2.145.

Section 8. That the Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered 8.75.060, which said section reads as follows:

Failure to comply.

If the owner fails to comply with the order within the time specified, the code official may remove the equipment, repair, vacate and close the structure, or demolish the structure and assess the costs against the owner.

Section 9. That the Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered 8.75.070, which said section reads as follows:

Costs; lien.

The code official shall notify the owner of the cost incurred by the city to repair or remove the equipment, repair, vacate and close the structure or demolish the structure. The notice shall state that the cost is due within 30 days of the date of the notice. If the cost is not paid within the 30-day time period, all costs shall, pursuant to K.S.A. 17-4759, be a lien against the real property and may be assessed as a special assessment against the parcel of land on which the structure was located.

Section 10. That the Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered 8.75.080, which said section reads as follows:

Criminal.

It is unlawful to fail to comply with an order issued pursuant to this chapter. A person who fails to comply shall be guilty of a misdemeanor and, if convicted, may be punished in accordance with TMC 1.10.070. A violation of this chapter shall be deemed a strict liability offense. Abatement by the code official shall not be a defense or excuse to a violation. The pendency of an administrative hearing shall not be a defense to a violation or prevent prosecution and adjudication in municipal court.

Section 11. That original § 8.60.100 of The Code of the City of Topeka, Kansas, is hereby specifically repealed.

Section 12. This ordinance shall take effect and be in force from September 1, 2018, and after its passage, approval and publication in the official City newspaper.

Section 13. This ordinance shall supersede all ordinances, resolutions or rules, or portions thereof, which are in conflict with the provisions of this ordinance.

Section 14. 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

____
Michelle De La Isla, Mayor

ATTEST:

____
Brenda Younger, City Clerk

City of Topeka
Council Action Form
Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
July 17, 2018

DATE:	**July 17, 2018**		
CONTACT PERSON:	**Jason M Peek, Public Works Director**	**DOCUMENT #:**	
SECOND PARTY/SUBJECT:		**PROJECT #:**	
CATEGORY/SUBCATEGORY	**020 Resolutions / 004 Public Improvements**		
CIP PROJECT:	**No**		
ACTION OF COUNCIL:	**Discussion 02-13-18. Discussion 04-10-18. Discussion 06-12-18.**	**JOURNAL #:**	
		PAGE #:	

DOCUMENT DESCRIPTION:

A RESOLUTION introduced by City Manager Brent Trout, to submit to the qualified electors of the City of Topeka, Kansas, the proposition of levying an additional special purpose retailers' sales tax of five-tenths of one percent (0.5%) in the City of Topeka, for the purpose of paying for certain improvements in the City, pursuant to K.S.A. 12-187 et seq., as amended.

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

VOTING REQUIREMENTS:

Majority vote of the Governing Body (6).

POLICY ISSUE:

Report presents a draft resolution to request a public vote on renewal of the Citywide Half Cent Sales Tax in November 2018.

STAFF RECOMMENDATION:

Staff recommends the Governing Body move to approve the resolution as presented.

BACKGROUND:

The current Citywide ½ Cent Sales Tax was approved by voters on April 7, 2009. The approval authorized an additional half-cent sales tax that commenced on October 1, 2009 and will expire on October 1, 2019.

The ballot language stated that the sales tax was to be used exclusively for the cost of maintaining and improving existing City streets, curbs, sidewalks, alleys, and street lights.

This sales tax was initiated to provide additional funding for street maintenance due to the poor condition of city streets and associated infrastructure.

Previously, staff presented information on the current half-cent sales tax program and funding levels needed to improve the condition of city streets.

The following is a list of meeting dates and topic discussions related to the sales tax this year:

1. June 12, 2018- Governing Body Meeting - Discussion of levying special purpose sales tax of 0.75%
2. May 22, 2018 - Public Town Hall Meeting - Sales Tax Extension Discussion
3. April 10, 2018 - Governing Body Meeting - Discussion on increasing special purposed sales tax from 0.5% to 0.75%
4. February 23, 2018 - Governing Body Meeting - Update on Citywide Sales Tax Program, pavement management and reauthorization of sales tax.

Based on feedback from these meetings, staff has revised the recommendation from the June 12, 2018, Governing Body Meeting. The revised recommendation reflects continuation of the existing special purpose sales tax at its current rate of 0.5% along with the existing ballot language.

The attached resolution includes:

1. Amount of Sales Tax: The ballot request a sales tax rate of a half cent (0.5%)
2. Ballot Language: The proposed ballot language reflects the same language as the ballot approved in 2009. Work would be limited to maintaining and improving existing City streets, curbs, sidewalks, alleys and street lights.
3. Election Cycle: The current half-cent tax expires on September 30, 2019. Should the Governing Body approve the attached resolution to put the issue of renewal before the electorate, the election would be held with the general election in November 2018.

BUDGETARY IMPACT:

If approved by the electorate in 2018, the attached resolution would continue the existing retailers' sales tax for a period of ten years.

SOURCE OF FUNDING:

Citywide Sales Tax

ATTACHMENTS:

Description

Question and Answer 6-08-2018

Question and Answer 6-21-2018

Map of Projects

May 22, 2018 Town Hall Meeting Summary

Presentation

Sales Tax Rate Comparison

0.5% Sales Tax Resolution

Q & A: Citywide Half Cent Sales Tax Program 2009-2019   June 8, 2018

1. **Was the Citywide Sales Tax Program Successful?**

Yes. On April 7, 2009, voters approved the following ballot question: “Shall the City of Topeka levy an additional retailers’ sales tax in the amount of five-tenths of one percent (0.5%) to be used exclusively for costs of maintenance and improvements of existing City streets, gutters, curbs, sidewalks, alleys and street lighting, provided such tax shall take effect October 1, 2009, and expire ten (10) years from the date of imposition?”

The strategy for implementing the program focused on major streets, arterials and collectors that the majority of Topekans travel every day. In addition to these streets, the work also included several neighborhood street projects

As of June 1, 2018:

- 99 Projects Completed
- 6 Projects Under Construction
- 25 Projects In Design/Planned
- 270 Lane Miles Completed
- 10 Lane Miles Under Construction
- 30 Lane Miles Planned
  (*The City is responsible for maintenance of 1,615 Lane Miles)

The attached map shows project locations for all street projects funded through the Citywide Sales Tax program.

2. How did the Citywide Sales tax change funding for streets?

Prior to the imposition of the citywide sales tax, funding for major street improvements relied on revenues received to the City’s general fund. For the period of 1997 to 2009 the City of Topeka had an annual average expenditure of $4,164,550 for major street projects. The majority of this spending focused on traffic capacity improvements – adding lanes as opposed to general street maintenance.

Prior to 2009, funding for general maintenance and street repair was provided through the Motor Fuel Fund. The motor fuel fund budget is limited to proceeds from the motor fuel tax. Revenue from motor fuel tax has remained relatively flat for the last 20 years, with an average annual budget of $6,386,600. This budget supports the labor, equipment, and material costs for day-to-day maintenance of streets, alleys, and other street-related services such as snow removal, street sweeping.

Approval of the Citywide Sales Tax has provided a much-needed boost to street maintenance spending by providing an average annual revenue of approximately $14 million each year since imposition of the tax.

3. Please provide an accounting of expenditures of the Citywide sales tax:

The following tables provide a summary of the sales tax revenues and expenditures from 2009 through 2017. This information is based on information contained in the Comprehensive Annual Financial

Report, a report that is compiled for each budget year. Since 2009, the Citywide sales tax fund has had $107,325,950 in expenditures and $120,650,985 in revenues. Any funds unspent at year-end remain in the sales tax fund and are available for the next year's citywide sales tax projects.

1/2 Cent Sales Tax - REVENUES				
	50/50 Sidewalk Projects	Sales Taxes	Investment Returns	Total
2009		$3,390,700		$3,390,700
2010	$45,110	$13,306,534	$20,798	$13,372,442
2011	$18,804	$16,077,876	$10,317	$16,106,996
2012	$26,979	$13,645,465	$16,269	$13,688,712
2013	$10,610	$13,965,074	$4,483	$13,980,166
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Totals	$210,188	$119,754,566	$686,231	$120,650,985

1/2 Cent Sales Tax - EXPENSES								
					Street Maintenance			
	50/50 Sidewalk Projects	Alleys	Curb & Gutter	Sidewalks	1/2 Cent-Personnel	1/2 Cent-Projects	1/2 Cent-Snow Removal	Total
2009								
2010		$42,246	$787,154	$164,576	$80,632	$4,564,080		$5,638,688
2011		$77,045	$128,290	$382,234	$122,287	$13,072,339		$13,782,195
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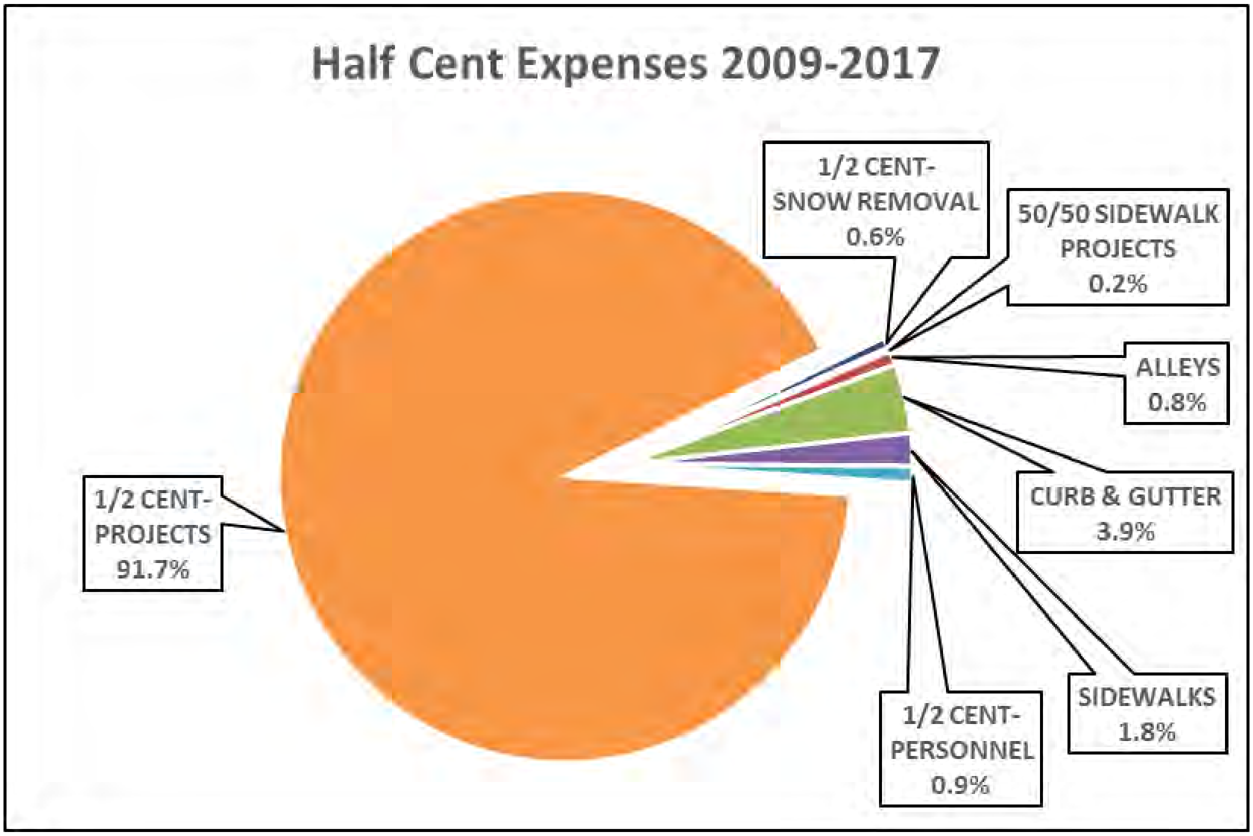
Totals	$252,100	$862,900	$4,184,750	$1,968,232	$1,011,564	$98,414,004	$632,401	$107,325,950



4. Help us understand the financial accounting of the program.

Sales tax revenues collected by the state are received monthly by the City. A dedicated accounting fund was established for Citywide Sales Tax revenue and expenditures. The Citywide Sales Tax fund account only contains revenues generated by the Citywide half-cent sales tax and funds used for expenditures generated by activities approved by the voters at the polls. Improvements not funded by sales tax, such as street widening or storm sewer replacement elements associated with any given project, use other fund sources.

5. Explain the difference between the sales tax programs (Countywide, Citywide)

Currently within Topeka, two special purpose sales taxes exist: The Citywide half cent sales tax and the Countywide half cent sales tax.

The *Citywide half* cent sales tax is used exclusively for costs of maintenance and improvements of existing City of Topeka streets, gutters, curbs, sidewalks, alleys and street lighting. The levy began on Oct. 1, 2009, and will expire Oct. 1, 2019. This sales tax is only imposed within the city limits of Topeka.

The *Countywide* half cent sales tax is used for specifically-identified road projects, economic development initiatives, improvements to the Kansas Expocentre and the Topeka Zoological

Park, and implementation of the Bikeways Master Plan. The levy was renewed on Jan. 1, 2017, and will expire 15 years later, or at the end of 2031. This sales tax is imposed in Shawnee County, including the City of Topeka.

6. **How does the City ensure that Citywide Sales tax funds are used for their intended purpose?**

In 2009, the Governing Body engaged in a great deal of discussion and ultimately decided to limit the use of the sales tax to maintenance and improvements of existing City streets, gutters, curbs, sidewalks, alleys and street lighting. This language was reflected in the ballot question approved by voters in April 2009.

To assist staff with ensuring projects would be eligible to receive a portion of the funds generated by the half-cent sales tax, City Legal staff provided an opinion on Oct. 9, 2009, which provided guidance on what types of expenditures would be considered to be in compliance with the ballot language. Eligible expenses are limited to maintenance of existing infrastructure listed within the ballot language - City streets, gutters, curbs, sidewalks, alleys and street lighting.

In addition to the ballot language and legal guidance, the annual Capital Improvement Plan and operating budget process provide review of proposed projects and expenditures. Annually, City staff recommends Citywide sales tax projects through the Capital Improvements Plan and operating expenditures for the operating budget. These recommendations are presented to the public and the Governing Body. The Governing Body has final review and approval of these recommendations through adoption of the Capital Improvement Plan and operating budgets.

1. **What is the $12 expense listed in Alley Project expenses for 2014?**

   The $12 expense was for publication costs for a public notice.

2. **Why are the snow removal expenses different from information previously provided?**

   The totals for Snow and Ice presented during March 13, 2018 CIP discussion were calculated by subtracting annual curb & gutter expenses within the CIP project. This approach over reported snow & ice expenditures because the remaining expenses in the CIP project included other commodity expenses charged by Transportation Operations. These commodity expenses included deicer, salt, asphalt, and other street repair material expenses.

   The information presented as part the June 12, 2018 Sales Tax discussion was determined by reviewing each individual expense charged by Transportation Operations and reflects the accurate total of snow maintenance expenses for each year.

3. **How much additional revenue will the city receive from the revised federal funds exchange rate?**

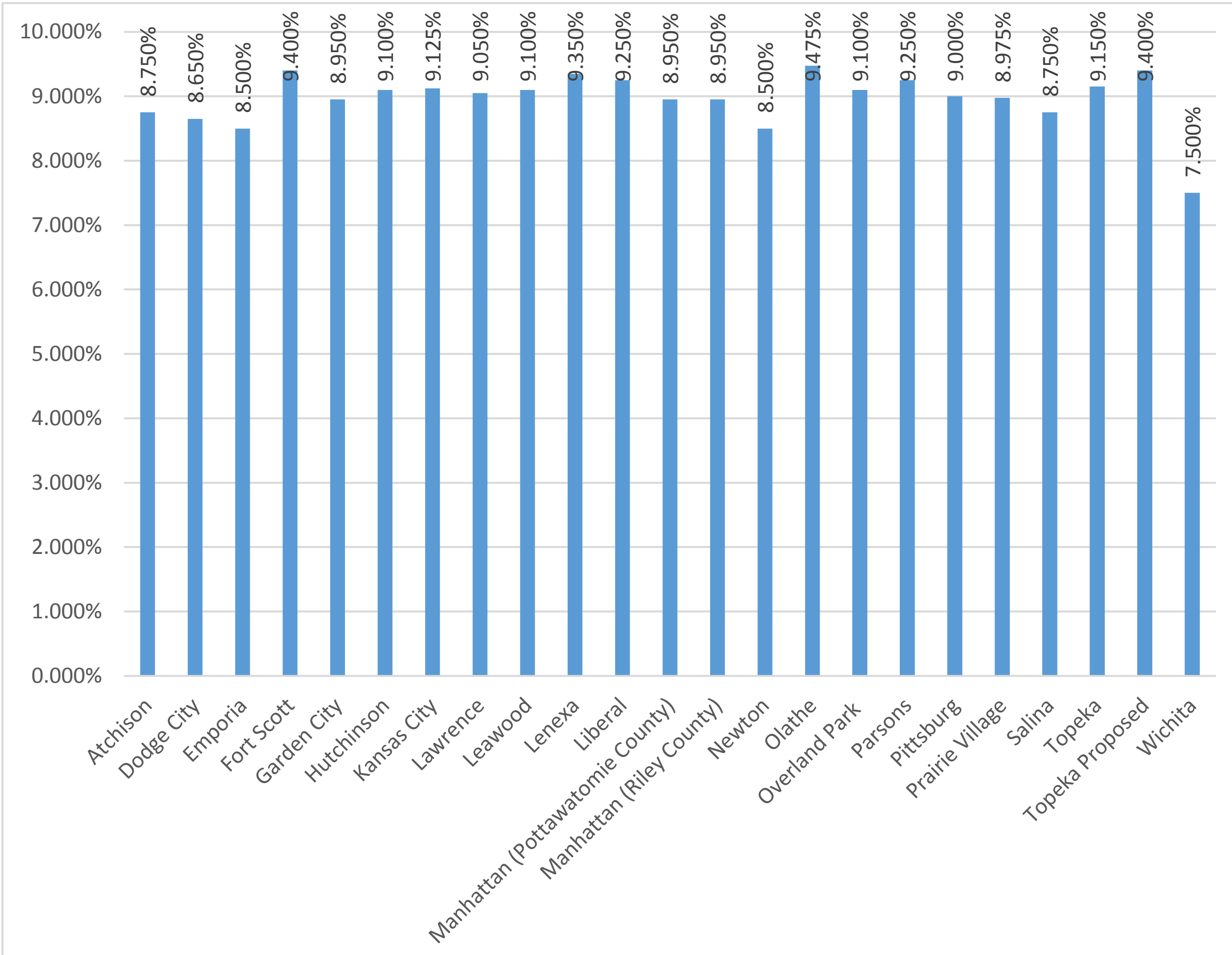
   Staff anticipates $160,000 in additional funds from the FFE program based on the formula revision.

4. **How would an increase in the sales tax compare Topeka's total sales tax rate to other Kansas first class cities?**

   Attached is a summary of all sales tax rates in Kansas. The attachment includes sales tax rates for all cities and includes rates for special taxing districts. Highlights in the attachment reflect sales tax rates for Kansas first class cities.

   The following table provides a comparison of first class cities current total sales tax rates. This table does not reflect rates for any special taxing districts within those municipalities. The table reflects the current tax rate for the City of Topeka at 9.15% and includes the new tax rate if voters approved an increase to the Topeka's sales tax. The new tax rate of 9.4% s is listed as Topeka Proposed.

Table 1: Kansas First Class Cities – Total Sales Tax Rate (June 2018)



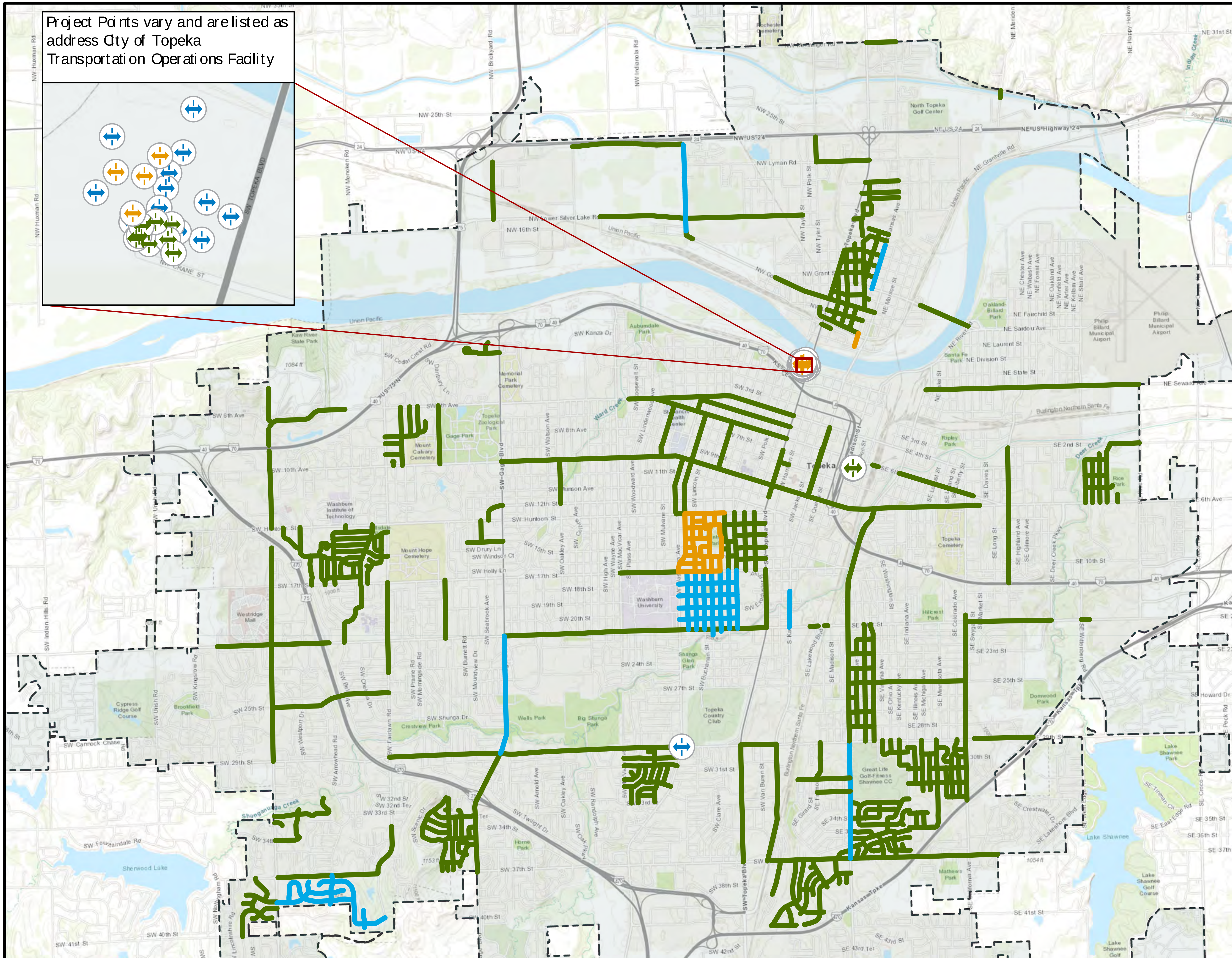
5. **What do other cities do for pavement management?**

Attached is a table showing pavement management information from other Kansas municipalities. Finance department compiled this information in 2016.

Pavement Management Data and Expenses- Kansas Cities*(2016)							
CITY	**PCI?**	**PCI SCORE**	**PCI TARGET**	**# LANE MILES**	**ANNUAL EXPENDITURES TOTAL ON PVMT MGMT**	**STREET MAINTENANCE EXPENSE DETAIL**	**TOTAL CITY BUDGET**
Kansas City, KS	No	5-7 PASER (Pavement Surface Evaluation and Rating) (about 50-70 on PCI)	N/A	2,105	Around $12m	$1m on crack sealing out of motor fuel fund. $4m mill and overlay. $4-5m GO Bond. $3.38m infrastructure spending from dedicated sales tax.	$345m
Olathe	Yes	“about 70”	Arterials: 80+ Collectors: 75+ Local Streets: 70+	1,285	$18.55m total; 3/8 cent sales tax: $12.8m, G.O. Bonds: 1m, CIP GF: $2.4m, JOCO CARS County Assistance Program: $2.125m, and Street Excise Tax: $225k	$10m for 32 lane miles of arterial mill/overlay. $4m for 22 lane miles local collectors mill overlay. $2m for 60 lane miles surface treatment program. $2.5m rest which is design work, crack sealing, base repairs etc.	$336m
Lawrence	Yes	78	"acceptable or good" which would mean 60-80	858	Roughly $2m GF, $450k Gas Tax, $8.3m total street CIP which is high due to a few major street rebuilds, and Sales Tax of $800k.	Mill & Overlay, chip & seal, curb repair: $2.05m, Asphalt $190k, Concrete $130k, $8.3m street maintenance CIP which includes a few large street rebuilds, and infrastructure sales tax maintenance of $800k.	$191m
Salina	Yes	65	No	733	$4.7m	About $1 million in gas tax and $3.7 million in special sales tax dedicated to street maintenance and rehabilitation in CIP; the special sales tax funded portion will increase by $2 million for 2017 due to the passage of the .75 % sales tax that was passed in April of 2016 to replace the current .40% sales tax.	$89m plus $16m transfers

Manhattan	Yes	73	> 70	750	Unclear initial sales tax allocation to street. See next column for partial.	Special Street & Highway fund expenses of $2.12m; sales tax recently increased by estimated $2m per year of which 95% will go to fund streets. $1m street CIP maintenance and about $800k traffic.	$147m
Lenexa	Yes	62	NO - can fluctuate wildly but do monitor changes	700	Please see total CIP expenses to right and then 0.375% sales tax partially used for roads.	Street, Bridge, and Traffic CIP expenses of $7.25m for 2017 and about $5.5m for 2018-2020. 0.375% sales tax used for roads, parks, and new civic center.	$105m
Overland Park	Yes	73	80	1,970	About $31.5m	12.15m for street maintenance (overlay, chipseal, etc) Residential Street Reconstruction, $6.3m Street Maintenance: $2,302,922m Thoroughfare Improvements: $10.8m	$278.6m
Topeka	Yes	55	Deciding	1,610	$17.4 million not including $2.1m deferred maintenance	$16.7m rehabilitation and construction, $2.1m deferred maintenance/stop-gap, and $700k Preventative Maintenance.	$289m
Wichita	Previously but not now	Wichita currently does not use PCI, but the last time they reported PCI they believe the score was upper 60s in 2014.	Wichita uses a "remaining service life" system as opposed to PCI now	Roughly 5,000	Around $15m total not including one-time allocation.	$10.9m in the operating budget for Street Maintenance. $4m budgeted in CIP for street maintenance. A one-time allocation of $10m for additional street maintenance in 2017. That doesn't included any CIP projects that rebuild streets or add capacity.	$581m

***The above information was compiled in March 2016 by COT staff contacting the City's Finance/Public Works Departments or looking through budget documents and is subject to change or updates.**



City of Topeka, Kansas

Projects Funded by the Half Cent Sales Tax

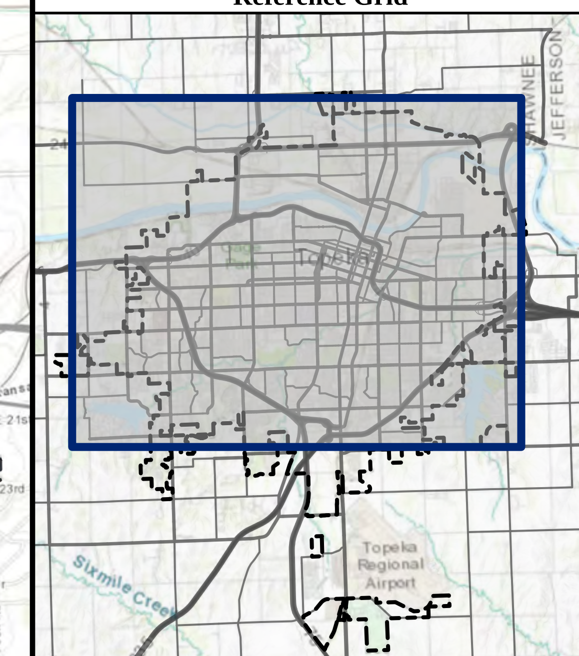
City Half Cent Sales Tax Capitol Improvement Project

- Completed - 13 projects
- Construction Phase - 4 projects
- Design/Planning Phase - 15 projects

City Half Cent Sales Tax Street Capitol Improvement Project

- Completed - 86 projects
- Construction Phase - 2 projects
- Design Phase - 10 projects

Reference Grid



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Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, © OpenStreetMap contributors, and the GIS User Community

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Town Hall Meeting Summary
Half Cent Sales Tax Extension

Date: May 22, 2018

Time: 5:30 p.m.

Place: Law Enforcement Center
320 S. Kansas Avenue, Classroom A
Topeka, Kansas, 66603

Mayor De La Isla welcomed citizens and thanked them for attending. She expressed her appreciation to Councilmember Jensen for organizing the town hall meeting. She commented on much needed infrastructure improvements in the community and across the nation. She reported the City's current Pavement Condition Index (PCI) score was 50-55, an unsatisfactory range. She thanked citizens who have provided correspondence to the Governing Body prior to the meeting and stated information from the correspondence as well as the meeting would be posted on the City's website.

Councilmember Jensen provided opening comments and stated the City wants to move forward and focus on providing better infrastructure for the future. He reported the State of Kansas determines tax exemptions on the sale of food; and the only funds available to pay the costs of infrastructure projects are property tax or sales tax revenues according to State law. He stated staff would draft a comprehensive plan on infrastructure projects once citizen input has been gathered and reviewed. He stated infrastructure projects continue to be a complex issue and he would like to gather citizen input on what projects are important, funding mechanism options and expected project timelines.

Brent Trout, City Manager, stated the City has completed a comprehensive review of city streets; however, they are seeking citizen input on how to improve infrastructure and what citizens expect from the City.

Councilmember Jensen thanked Jason Peek, Public Works Director, for his work and ability to balance resources with the needs of the community.

Leo Hafner commented on the need to work on smaller projects that could be completed at a faster rate instead of only large projects; why do improvement projects last so long; crews do not seem to work consistently at job sites; believes City budget should be used for core functions of government only; suggested moving water and/or sewer lines to easements to minimize intrusion of street repairs to local businesses and traffic

Larry Hinton urged citizens to volunteer and become involved in their neighborhood improvement associations in order to remain informed on City business; all City infrastructure needs should reflect change and growth of the community; commended the City Planning and Engineering staff members for their improved communications and flow of information to the public

Clark Trammell stated he supports extension of sales tax at the current rate of one half-cent; believes more projects could be accomplished through efficiencies in City operations; suggested street crews work in cooler months and at night to move projects along in a timely manner; any tax increase will put a greater burden on low-income households; suggested outlining how areas are determined for improvement projects and project timelines before beginning the project

Spencer Duncan stated he understands the importance of funding street repairs; however, he continues to be concerned with public perception over the last 10 years and how extending the newly proposed sales tax would be different; suggested outlining the correlation between revenues received and detailed expenditures of projects based on how much funding went to streets, sidewalks, curbs, etc.; offer incentives to contractors to get projects done in an efficient and timely manner; improve coordination with utilities

Web Garlinghouse stated citizens do not believe they are getting the results they voted for in 2009; suggested hiring a consultant to determine the best way to improve and maintain city streets; expressed concern with citizen perspective and the credibility of the Governing Body within the community

J.R. Campbell stated he believes city streets have made vast improvements and supports extending the sales tax

Shanae Holman, JUMP representative, stated she believes the City's core function should be to maintain and repair infrastructure; the City needs better accountability and project management; many citizens believe more projects should have been completed by this time; need transparency of project timelines and goals; suggested a side-by-side comparison of projects the sales tax revenues would cover versus what has been accomplished to date; offered approach to diversify sales tax revenues to set aside funds for safe and affordable housing

Mayor De La Isla and Councilmember Coen left the room.

Leroy Wetteking expressed concern with how the Citywide Sales Tax was proposed to citizens in 2009; spoke in opposition of extending the current sales tax; believes many of the new street projects were done poorly

Marge Ahrens spoke in opposition of extending the current sales tax; expressed concern with loss of revenue due to tax incentives being offered to large businesses which in turn could be used to fund proposed improvements; believes offering a lower sales tax rate could entice more people to visit the Topeka-Shawnee County area

Councilmember Jensen thanked citizens for providing input and stated transparency continues to be a priority for the Governing Body. He announced a summary of the questions and answers would be posted on the City's website and used to form a basis for the Governing Body to discuss when setting goals and funding mechanisms for City infrastructure for the next 10 years. He encouraged everyone to send their thoughts and comments regarding the Citywide Half Cent Sales Tax extension to the Governing Body at governingbody@topeka.org.

The meeting concluded at 7:02 p.m.

City Retailers' Sales Tax Extension

Department of Public Works
June 12, 2018

Definitions

- Currently within Topeka, two special purpose sales taxes exist: The Citywide half cent sales tax and the Countywide half cent sales tax.
- The *Citywide half* cent sales tax is used exclusively for costs of maintenance and improvements of existing City of Topeka streets, gutters, curbs, sidewalks, alleys and street lighting. The levy began on Oct. 1, 2009, and will expire Oct. 1, 2019. This sales tax is only imposed within the city limits of Topeka.
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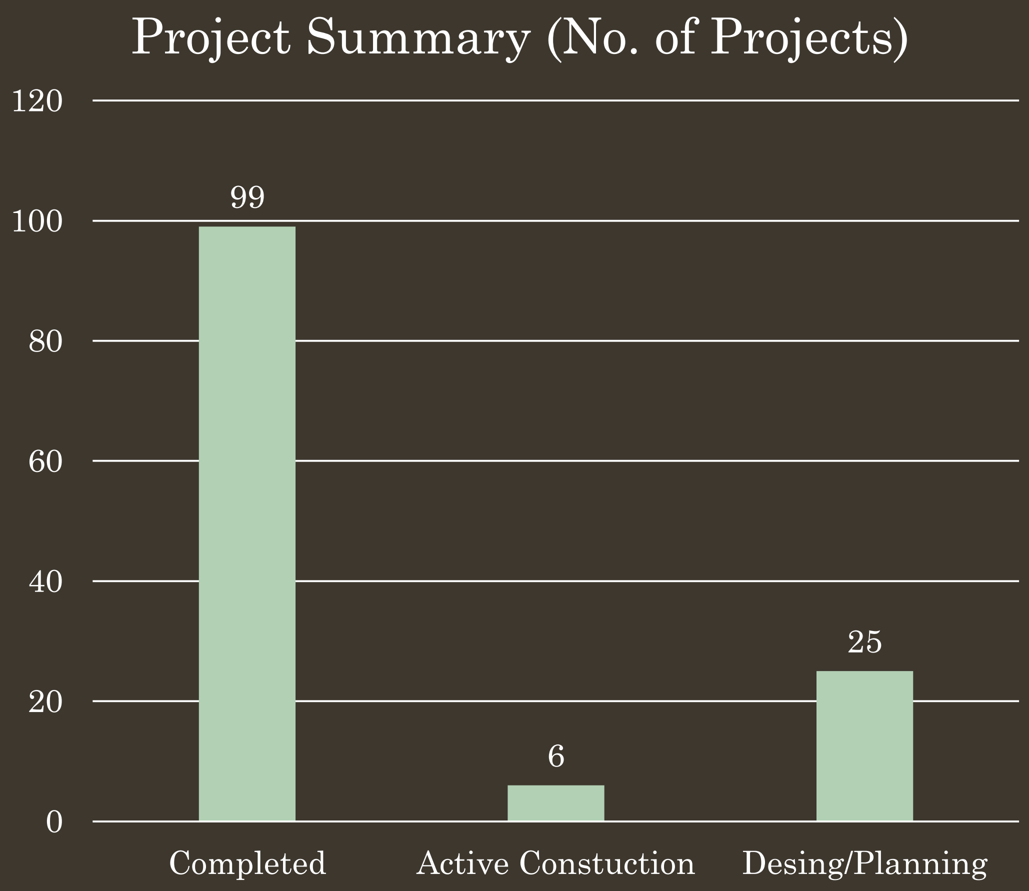
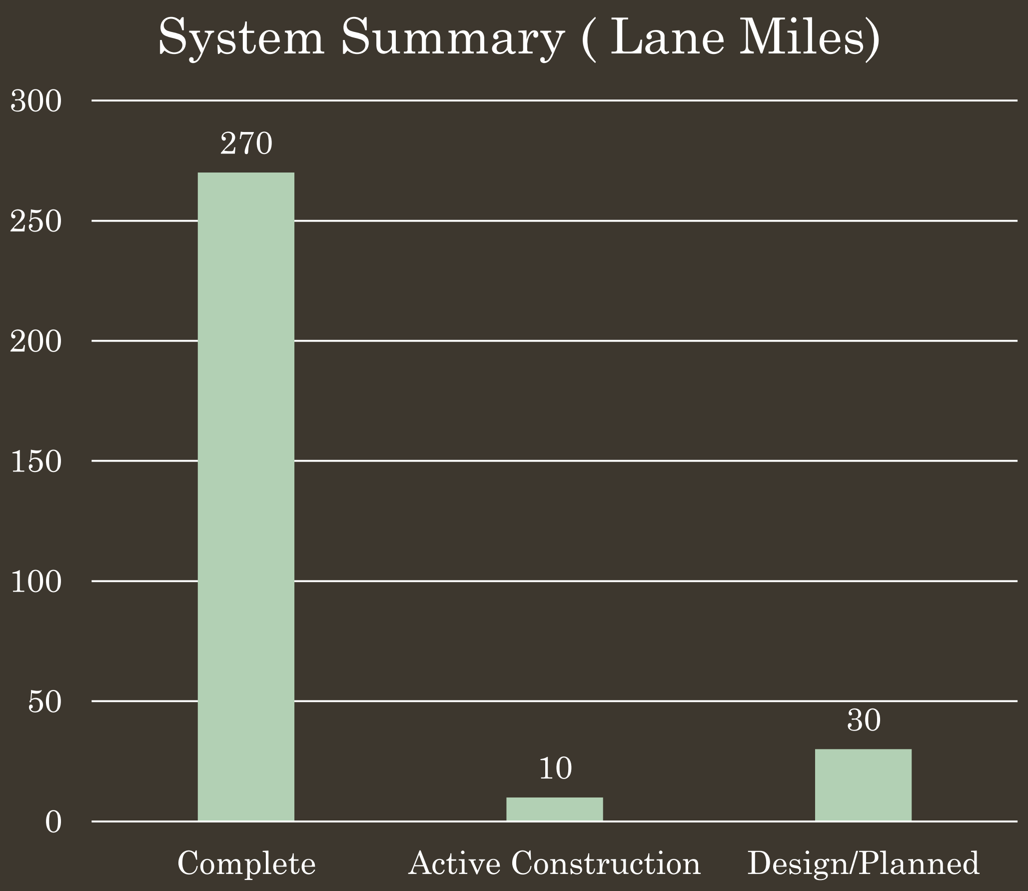
Outline of Discussion

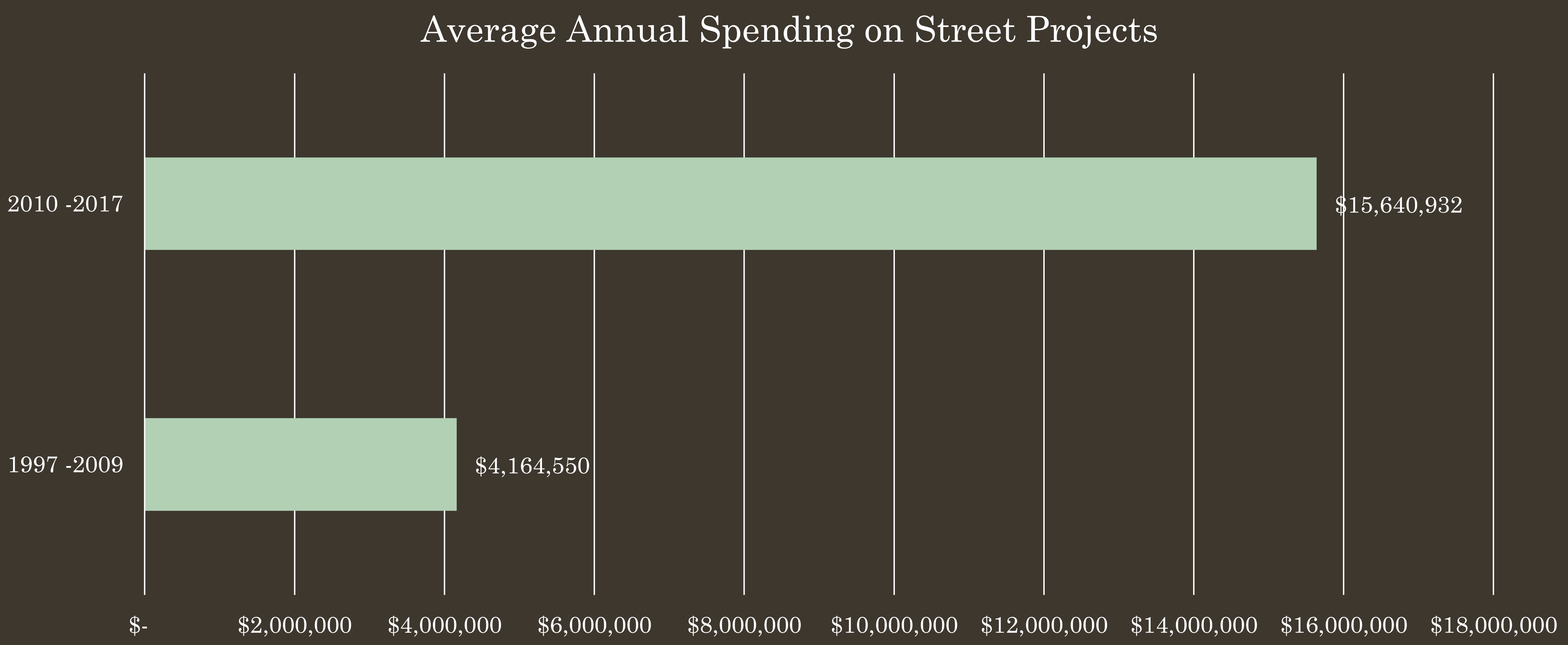
- Was the Citywide Sales Tax Program Successful?
- How did the Citywide Sales Tax change funding for streets?
- Please provide an accounting of expenditures for the Citywide sales tax.
  - Map of Projects
  - Detail of Revenue and expenditures
  - Financial Accountability
- What is the plan for the next Citywide Retailer's sales tax?
  - Pavement Management Program
    - $24 Million per year Program
    - $31 Million per year Program

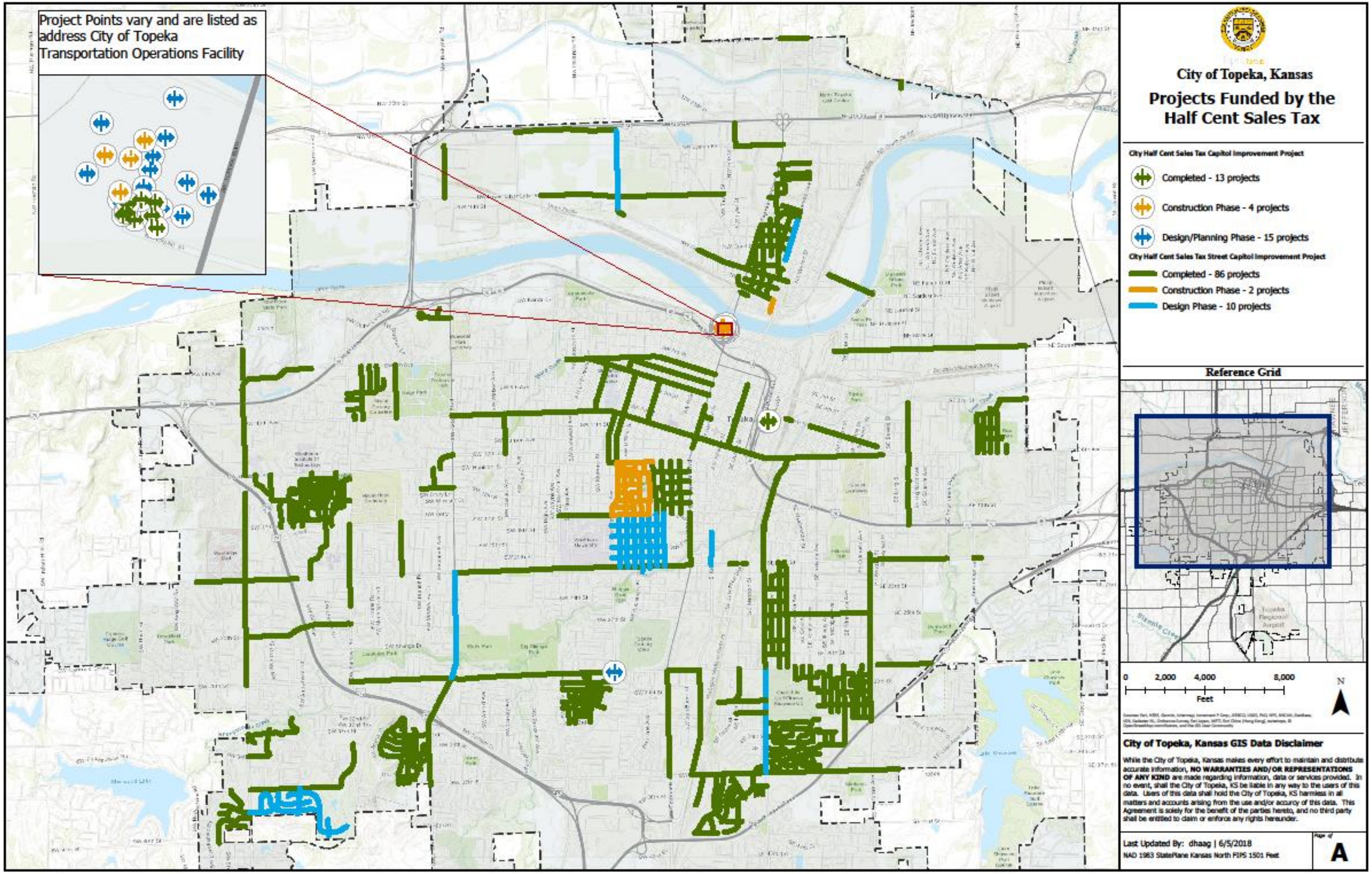
Success of 2009 Citywide Retailers’ Sales Tax





Citywide Retailers’ Sales Tax Increased Funding (Street Project Spending - All funds)





Project Points vary and are listed as address City of Topeka Transportation Operations Facility
City of Topeka, Kansas
Projects Funded by the Half Cent Sales Tax
City Half Cent Sales Tax Capitol Improvement Project
Completed - 13 projects
Construction Phase - 4 projects
Design/Planning Phase - 15 projects
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Citywide Retailers' Sales Tax Account Summary

1/2 Cent Sales Tax - REVENUES				
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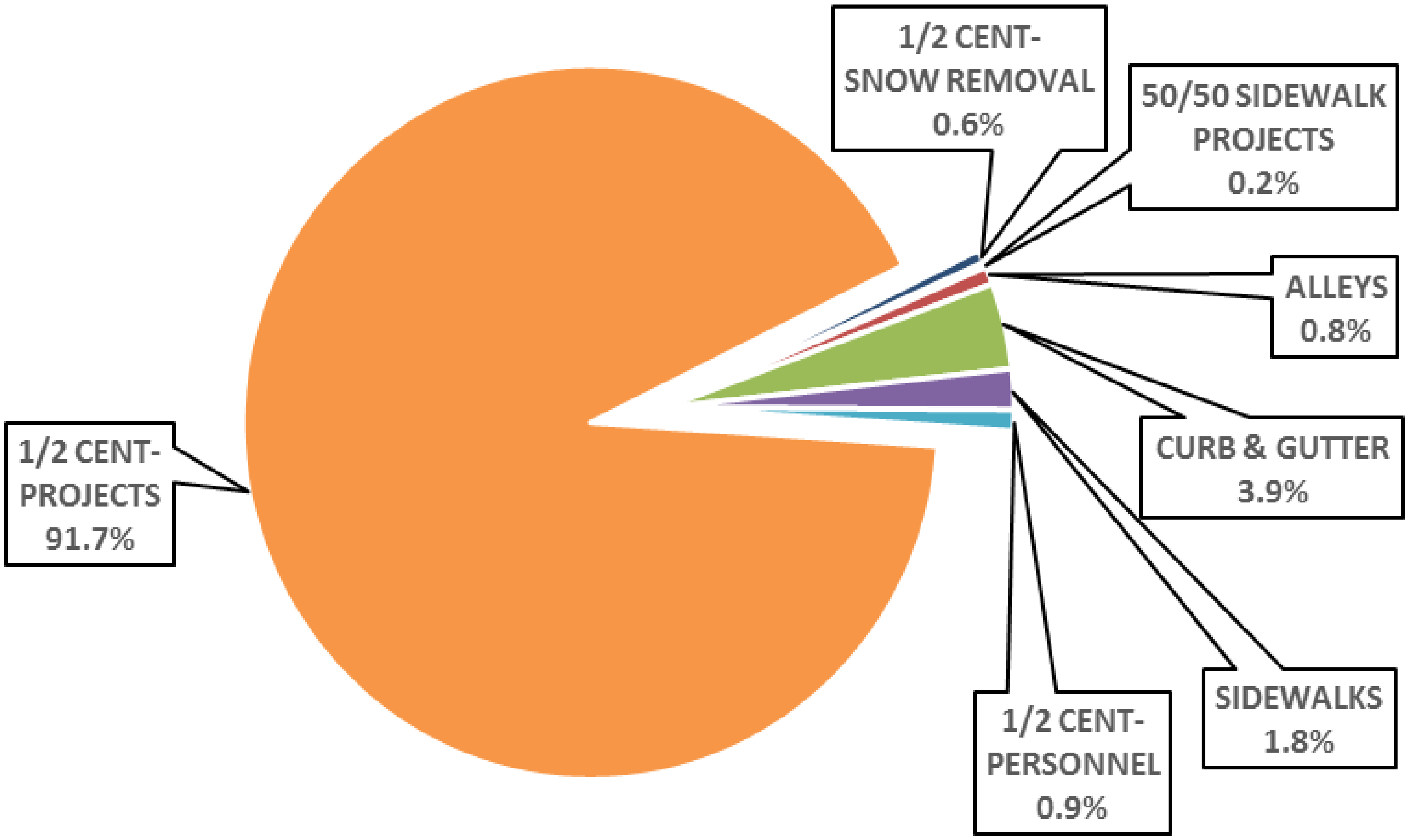
Total	$252,100	$862,900	$4,184,750	$1,968,232	$1,011,564	$98,414,004	$632,401	$107,325,950

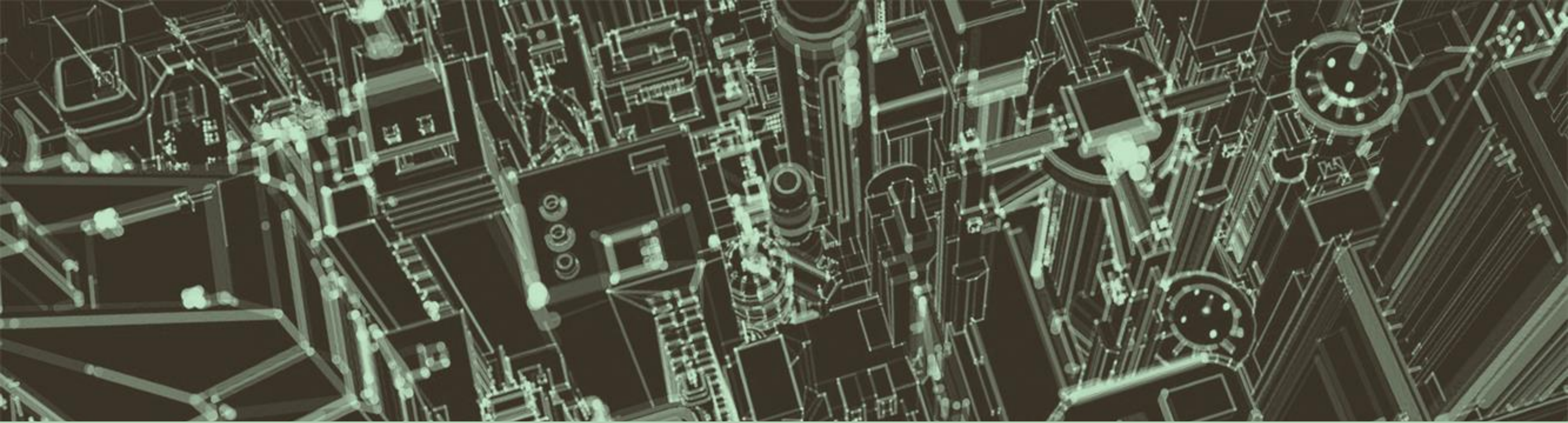
Half Cent Expenses 2009-2017



Citywide Retailers’ Sales Tax - Accountability

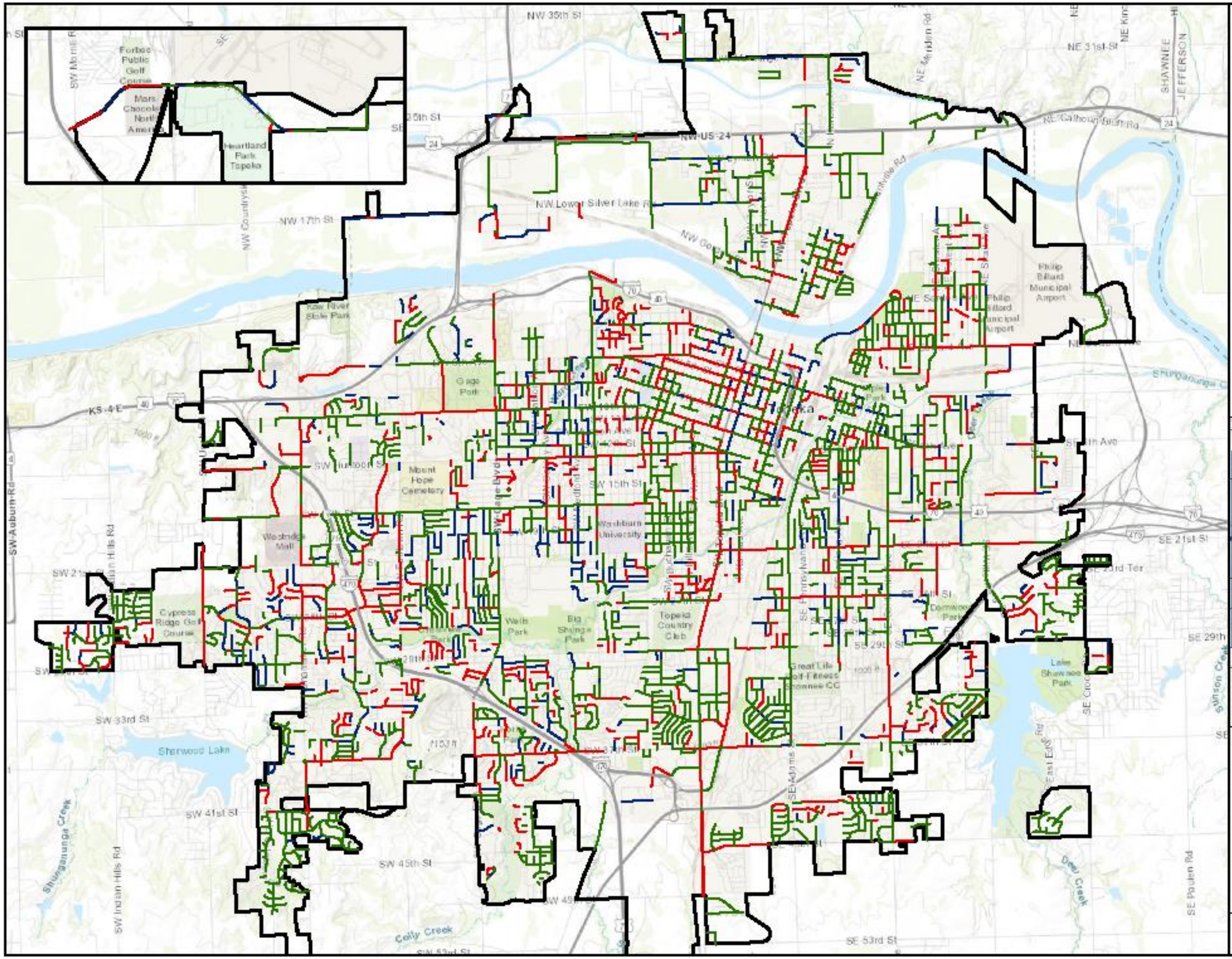
Citywide Retailers’ Sales Tax Controls

- Ballot Language & Legal Review
- Annual Capital Improvement Plan Review & Approval
- Annual Operating Budget Review and Approval
- Separate Fund Account



2019 -2029 –Proposed Program

Pavement Management Scenarios



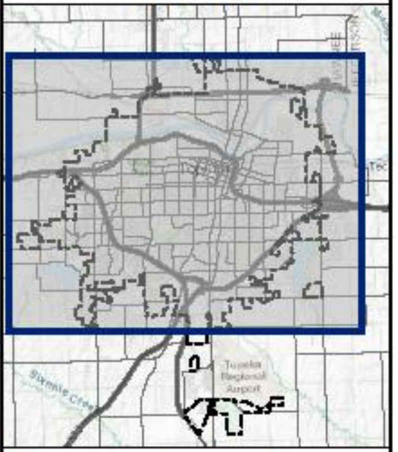
City of Topeka, Kansas

$24M Budget :: Future Recommended Work

Year Range of First Work Recommendation

- 2027-2029
- 2023-2026
- 2019-2022
- Topeka City Boundary

Reference Grid



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Last Updated By: dhaag | 6/7/2018

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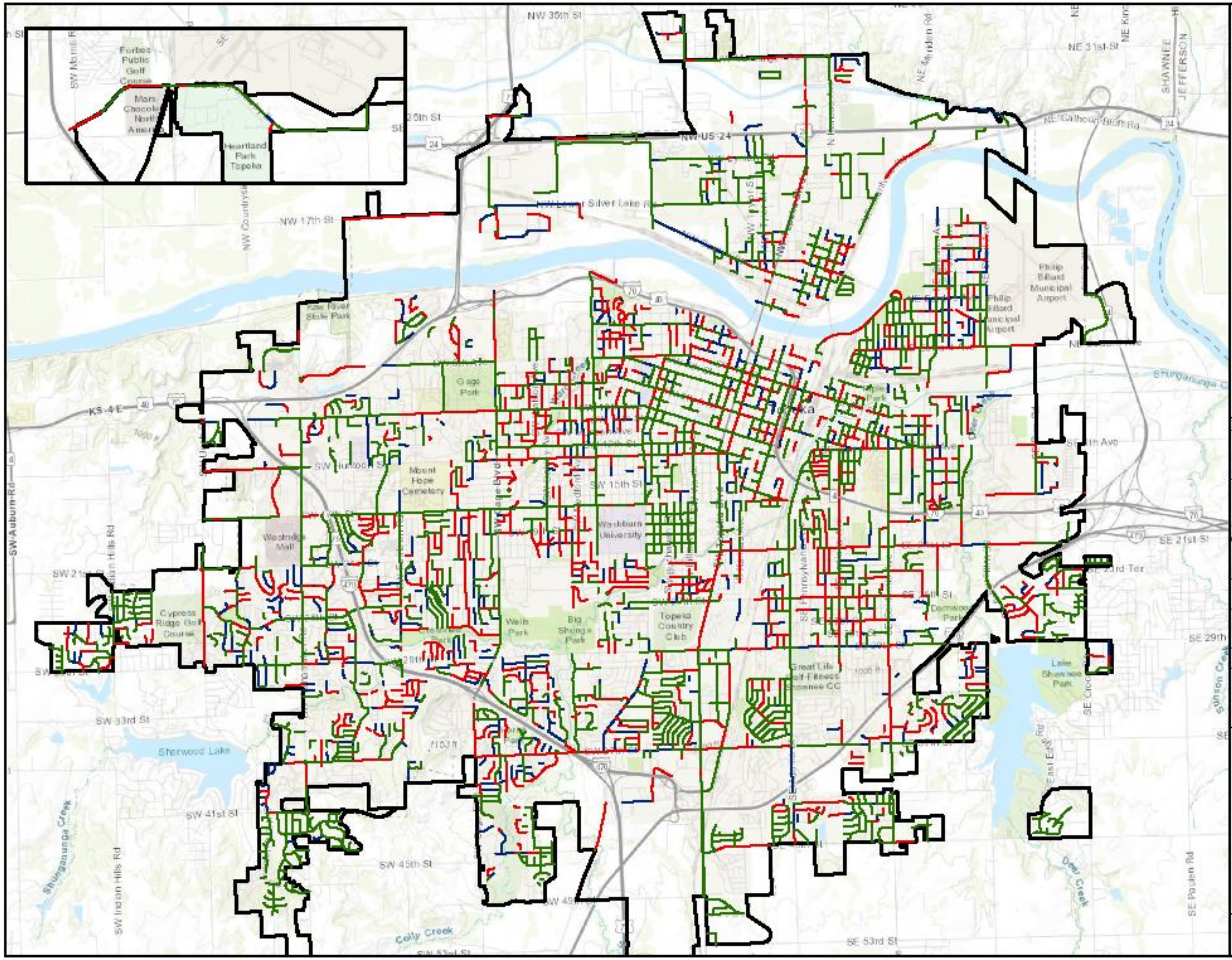


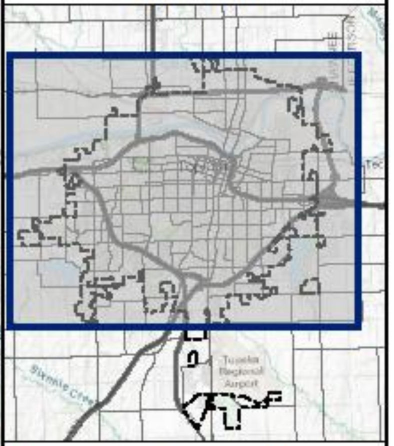
City of Topeka, Kansas

$31M Budget :: Future Recommended Work

Year Range of First Work Recommendation

- 2019-2022
- 2023-2026
- 2027-2029
- Topeka City Boundary

Reference Grid



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Last Updated By: dhaag | 6/7/2018

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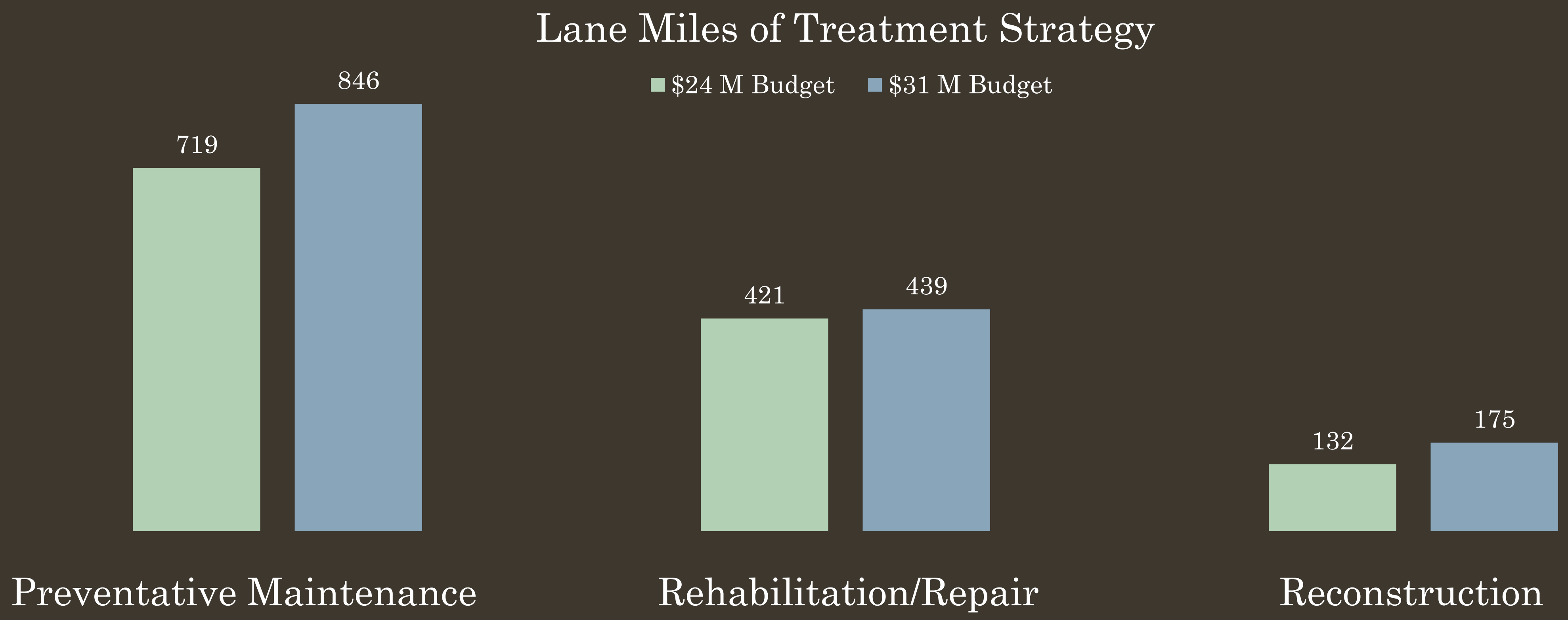
Proposed Programs – Comparison ($24M vs $31M)

PCI: $24 M = 60 & $31 M = 65
2029 Backlog: $355 M vs $243 M



Next Steps

- Mayor and Council decision needed on:
  - Sales Tax Rate
  - Ballot Language
  - Resolution Adopted

City or County Where Sales Were Delivered	Code for Delivery Sales	Code for Sales at Business Location	Total Tax Rate	Effective Date
Chanute Love's Travel Stop CID	CHAC2	CHAC2	11.500%	07-01-18
Coffeyville Holiday Inn CID	COFC1	COFC1	11.500%	07-01-17
Hays Extended Stay Hotel Partners 1 & 2 CID and Hays TDD	HAYC3	HAYC3	11.500%	07-01-17
Junction City Goody's Plaza CID	JUNC1	JUNC1	11.500%	07-01-15
Leavenworth Downtown Hotel CID	LEVC2	LEVC2	11.500%	10-01-17
Leavenworth First City Hotel CID	LEVC3	LEVC3	11.500%	10-01-17
Olathe Conference Center Hotel CID	OLAC3	OLAC3	11.475%	04-01-17
Liberal CID	LIBC1	LIBC1	11.250%	01-01-16
Liberal IHOP CID	LIBC2	LIBC2	11.250%	10-01-17
Kansas City Downtown Hotel CID	KANC6	KANC6	11.125%	07-01-15
Kansas City Schlitterbahn CID	KANC5	KANC5	11.125%	07-01-15
Hutchinson Fairfield Inn CID	HUTC2	HUTC2	11.100%	07-01-15
Hutchinson Holiday Inn Express CID	HUTC4	HUTC4	11.100%	07-01-15
Cunningham CID	CUNC1	CUNC1	11.000%	07-01-17
Goodland 25th Street CID	GOOC1	GOOC1	11.000%	07-01-15
Hiawatha Hotel CID	HIAC1	HIAC1	11.000%	04-01-17
Hugoton Sunrise Hospitality CID	HUGC1	HUGC1	11.000%	07-01-17
WaKeeney Travel Plaza CID	WAKC1	WAKC1	11.000%	07-01-15
Westwood South Woodside CID	WESC2	WESC2	10.975%	07-01-18
Hays 48th & Roth Avenue CID	HAYC1	HAYC1	10.750%	07-01-15
Abilene Property 6 CID	ABIC1	ABIC1	10.750%	07-01-18
Salina S&B South Ninth CID	SALC1	SALC1	10.750%	10-01-16
Kansas City Legends Garage & Lawn CID & Village West TDD	KANCT	KANCT	10.725%	04-01-18
Kansas City Legends CID & TDD	WRACT	WRACT	10.725%	04-01-18
Mission Commons Community CID	MISC2	MISC2	10.600%	04-01-17
Mission Crossing CID	MISC1	MISC1	10.600%	04-01-17
Ottawa South 59 TDD	OTTTD	OTTTD	10.600%	07-01-16
Shawnee Plaza TDD	SHATD	SHATD	10.600%	04-01-17
Overland Park Corbin Park CID	OVEC8	OVEC8	10.600%	04-01-17
Overland Park Prairiefire Phase I CID	OVEC4	OVEC4	10.600%	04-01-17
Overland Park Prairiefire STAR Bond Phase I CID	OVEC5	OVEC5	10.600%	04-01-17
Augusta Comfort Inn CID	AUGC1	AUGC1	10.500%	07-01-18
Augusta Sugar Shane's Café CID	AUGC2	AUGC2	10.500%	07-01-18
Chanute Santa Fe Ave CID	CHAC1	CHAC1	10.500%	07-01-18
Hays Extended Stay Hotel Partners 2 CID and Hays TDD	HAYC4	HAYC4	10.500%	07-01-17
Hays Investors CID and Hays TDD	HAYC5	HAYC5	10.500%	07-01-17
Herington (Dickinson County)	HERDK	HERDK	10.500%	04-01-18
Luray	LURRS	LURRS	10.500%	04-01-17
Olathe Entertainment District Phase 3 TDD	OLAT3	OLAT3	10.475%	04-01-17
Olathe Gateway No. 1a TDD	OLAT4	OLAT4	10.475%	04-01-17
Olathe Gateway No. 1b TDD	OLAT5	OLAT5	10.475%	04-01-17
Olathe Heart of America CID	OLAC2	OLAC2	10.475%	04-01-17
Olathe Pointe TDD	OLATD	OLATD	10.475%	04-01-17
Olathe Ridgeview Falls TDD	OLAT6	OLAT6	10.475%	04-01-17
Olathe Ridgeview Marketplace CID	OLAC7	OLAC7	10.475%	01-01-18
Olathe Santa Fe Square CID	OLAC5	OLAC5	10.475%	04-01-17
Olathe Station CID	OLAC6	OLAC6	10.475%	01-01-18
Olathe WIN CID	OLAC4	OLAC4	10.475%	04-01-17
Fort Scott EMD CID	FORC1	FORC1	10.400%	10-01-15
Kansas City 39th & Rainbow #2 CID	KANC8	KANC8	10.375%	07-01-15
Kansas City Rainbow Village Hotel CID	KAN11	KAN11	10.375%	04-01-17
Lenexa Candlewood Suites CID	LENC8	LENC8	10.350%	10-01-17
Lenexa City Center East Village I CID	LENC5	LENC5	10.350%	04-01-17
Lenexa City Center East Village 2 CID	LENC6	LENC6	10.350%	04-01-17
Lenexa Greystone South Plaza CID	LENC4	LENC4	10.350%	04-01-17
Lenexa Holiday Inn CID	LENC9	LENC9	10.350%	10-01-17
Lenexa Midas Springhill Suites CID	LENC7	LENC7	10.350%	07-01-17

City or County Where Sales Were Delivered	Code for Delivery Sales	Code for Sales at Business Location	Total Tax Rate	Effective Date
Lenexa Orchard Corners CID	LENC1	LENC1	10.350%	04-01-17
Lenexa Prairie Creek CID	LENC2	LENC2	10.350%	04-01-17
Lenexa Quivira 95 CID	LENC3	LENC3	10.350%	04-01-17
Bonner Springs Center CID	BONC1	BONC1	10.250%	07-01-15
Great Bend Golden Belt Cinema 6 CID	GREC2	GREC2	10.250%	07-01-15
Great Bend Holiday Inn Express CID	GREC3	GREC3	10.250%	07-01-16
Hoisington Cheyenne Bottoms Inn CID	HOIC1	HOIC1	10.250%	07-01-15
Hoisington Subway CID	HOIC3	HOIC3	10.250%	07-01-15
Leavenworth Zeck Ford CID	LEVC1	LEVC1	10.250%	07-01-15
Kansas City Northwood Shopping Center CID	KANC9	KANC9	10.225%	07-01-15
Kansas City Sporting CID	KANC1	KANC1	10.225%	07-01-15
Roeland Park Center CID	ROEC1	ROEC1	10.225%	04-01-17
Roeland Park Shopping Center #1 TDD	ROETD	ROETD	10.225%	04-01-17
Topeka Crosswinds Common CID	TOPC2	TOPC2	10.150%	07-01-15
Topeka Cyrus Hotel CID	TOPC3	TOPC3	10.150%	01-01-17
Topeka Holliday Square CID	TOPC1	TOPC1	10.150%	07-01-15
Topeka SE 29th St CID	TOPC4	TOPC4	10.150%	01-01-18
Kansas City 39th & Rainbow #1 CID	KANC3	KANC3	10.125%	07-01-15
Kansas City Happy Foods TDD	KANT3	KANT3	10.125%	07-01-15
Kansas City Legends Garage & Lawn CID & Race Track STAR Bond	WYRTC	WYRTC	10.125%	04-01-08
Kansas City Metropolitan Avenue CID	KANC7	KANC7	10.125%	07-01-15
Kansas City Plaza at the Speedway #2 TDD	KANT6	KANT6	10.125%	07-01-15
Kansas City Prescott Plaza TDD	KANT2	KANT2	10.125%	07-01-15
Kansas City Shawnee Plaza CID	KANC2	KANC2	10.125%	07-01-15
Kansas City Wyandotte Plaza CID	KANC4	KANC4	10.125%	07-01-15
Hutchinson Hobby Lobby/Orschlen CID	HUTC1	HUTC1	10.100%	07-01-15
Hutchinson Mall CID	HUTC5	HUTC5	10.100%	07-01-15
Hutchinson Mall Outlot CID	HUTC3	HUTC3	10.100%	07-01-15
Leawood Camelot Court CID	LEAC1	LEAC1	10.100%	04-01-17
Leawood Park Place TDD	LEATD	LEATD	10.100%	04-01-17
Overland Park 91st Street & Metcalf CID	OVEC2	OVEC2	10.100%	04-01-17
Overland Park Bluhawk TDD	OVET5	OVET5	10.100%	04-01-18
Overland Park Deer Creek TDD	OVETD	OVETD	10.100%	04-01-17
Overland Park Hawthorne Plaza CID	OVEC7	OVEC7	10.100%	04-01-17
Overland Park Highlands Village TDD	OVET4	OVET4	10.100%	04-01-17
Overland Park Nall Hills CID	OVC10	OVC10	10.100%	04-01-17
Overland Park Quivira 95 Shops CID	OVEC1	OVEC1	10.100%	04-01-17
Overland Park Ranch Mart South CID	OVEC9	OVEC9	10.100%	04-01-17
Overland Park Regency Park CID	OVC11	OVC11	10.100%	04-01-18
Overland Park The Vue CID	OVC12	OVC12	10.100%	07-01-18
Overland Park West Park CID	OVEC3	OVEC3	10.100%	04-01-17
Shawnee Ten Quivira Plaza CID	SHAC1	SHAC1	10.100%	04-01-17
Westwood Woodside CID	WESC1	WESC1	10.075%	04-01-17
Lawrence 9th & New Hampshire TDD	LAWT3	LAWT3	10.050%	07-01-15
Lawrence Free State TDD	LAWTD	LAWTD	10.050%	07-01-15
Lawrence Oread TDD	LAWT2	LAWT2	10.050%	07-01-15
Arkansas City Summit Plaza CID	ARKC1	ARKC1	10.000%	04-01-18
Baxter Springs	BAXCK	BAXCK	10.000%	04-01-18
Edwardsville Village South CID	EDWC1	EDWC1	10.000%	01-01-18
Herington (Morris County)	HERMR	HERMR	10.000%	04-01-18
Kingman Stucky Services CID	KINC1	KINC1	10.000%	07-01-18
Pomona	POMFR	POMFR	10.000%	07-01-15
Sedan	SEDCQ	SEDCQ	10.000%	07-01-15
Wabaunsee County Maple Hill Travel Store CID	WABC1	WABC1	10.000%	07-01-15
Fairway	FAIJO	FAIJO	9.975%	04-01-17
Prairie Village "The Village" CID	PRAC1	PRAC1	9.975%	04-01-17
Prairie Village Corinth Square CID	PRAC2	PRAC2	9.975%	04-01-17

City or County Where Sales Were Delivered	Code for Delivery Sales	Code for Sales at Business Location	Total Tax Rate	Effective Date
Garden City Stone Development CID	GARC1	GARC1	9.950%	04-01-18
Lansing Speedway CID	LANC1	LANC1	9.950%	10-01-17
Lansing Town Center TDD	LANTD	LANTD	9.950%	10-01-17
Fort Scott Price Chopper CID	FORC2	FORC2	9.900%	04-01-18
Ottawa Center CID	OTTC1	OTTC1	9.900%	07-01-16
Atchison Taco Bell CID	ATCC1	ATCC1	9.750%	04-01-18
Edna	EDNLB	EDNLB	9.750%	04-01-17
Ellsworth CID	ELHC1	ELHC1	9.750%	10-01-15
Erie	ERINO	ERINO	9.750%	07-01-18
Geary County Acorns Resort CID	GEAC1	GEAC1	9.750%	07-01-15
Grandview Plaza	GRAGE	GRAGE	9.750%	07-01-15
Hays Mall CID	HAYC2	HAYC2	9.750%	07-01-15
Junction City	JUNGE	JUNGE	9.750%	07-01-15
South Hutchinson Love's Travel CID	SOUC1	SOUC1	9.750%	07-01-17
Bonner Springs (Johnson County)	BONJO	BONJO	9.725%	04-01-17
De Soto (Johnson County)	DESJO	DESJO	9.725%	04-01-17
Kansas City Legends TDD	WRATD	WRATD	9.725%	07-01-15
Kansas City Plaza at the Speedway #1 TDD	KANT5	KANT5	9.725%	07-01-15
Kansas City Plaza at the Speedway #3 TDD	KANT7	KANT7	9.725%	07-01-15
Kansas City Village West-West End TDD	KANTD	KANTD	9.725%	07-01-15
Roeland Park Shopping Center #2 TDD	ROET2	ROET2	9.725%	04-01-17
Dodge City IHOP CID	DODC1	DODC1	9.650%	04-01-17
Dodge City Leisure Development CID	DODC3	DODC3	9.650%	07-01-17
Mission	MISJO	MISJO	9.600%	04-01-17
Ottawa	OTTFR	OTTFR	9.600%	07-01-16
Overland Park Oak Park Mall TDD	OVET2	OVET2	9.600%	04-01-17
Shawnee	SHAJO	SHAJO	9.600%	04-01-17
Burrton	BURHV	BURHV	9.500%	04-01-17
Carbondale	CAROS	CAROS	9.500%	07-01-15
Cedar Vale	CEDCQ	CEDCQ	9.500%	07-01-15
Chanute	CHANO	CHANO	9.500%	07-01-18
Cherryvale	CHEMG	CHEMG	9.500%	10-01-15
Clay Center	CLACY	CLACY	9.500%	07-01-15
Coffeyville	COFMG	COFMG	9.500%	07-01-15
El Dorado Days Inn Hotel CID	ELDC1	ELDC1	9.500%	07-01-18
El Dorado Holiday Inn Express CID	ELDC3	ELDC3	9.500%	07-01-18
El Dorado Red Coach Inn CID	ELDC4	ELDC4	9.500%	07-01-18
Emporia Flinthills Mall CID	EMPC1	EMPC1	9.500%	04-01-16
Emporia Pavilions CID	EMPC2	EMPC2	9.500%	07-01-17
Eureka	EURGW	EURGW	9.500%	07-01-15
Geneseo	GENRC	GENRC	9.500%	07-01-15
Hays TDD	HAYTD	HAYTD	9.500%	07-01-15
Horton	HORBR	HORBR	9.500%	01-01-17
Independence	INDMG	INDMG	9.500%	07-01-15
Leavenworth	LEALV	LEALV	9.500%	07-01-15
Lindsborg	LINMP	LINMP	9.500%	07-01-15
Moscow	MOSSV	MOSSV	9.500%	07-01-17
Neodesha	NEOWL	NEOWL	9.500%	07-01-15
Oswego (Cherokee County)	OSWCK	OSWCK	9.500%	10-01-17
Rolla	ROLMT	ROLMT	9.500%	04-01-17
Smith Center	SMISM	SMISM	9.500%	07-01-15
Spring Hill (Miami County)	SPRMI	SPRMI	9.500%	07-01-15
Stafford	STASF	STASF	9.500%	04-01-17
Stockton	STORO	STORO	9.500%	01-01-17
Thayer	THANO	THANO	9.500%	07-01-18
Valley Falls	VALJF	VALJF	9.500%	01-01-17
Wellington	WELSU	WELSU	9.500%	04-01-17

City or County Where Sales Were Delivered	Code for Delivery Sales	Code for Sales at Business Location	Total Tax Rate	Effective Date
Wichita Broadview Hotel CID	WICC2	WICC2	9.500%	07-01-15
Wichita Douglas & Broadway CID	WICC5	WICC5	9.500%	07-01-15
Wichita WaterWalk Hotel CID	WICC1	WICC1	9.500%	07-01-15
Yates Center	YATWO	YATWO	9.500%	04-01-17
Gardner	GARJO	GARJO	9.475%	04-01-17
Merriam	MERJO	MERJO	9.475%	01-01-18
Olathe	OLAJO	OLAJO	9.475%	04-01-17
Spring Hill (Johnson County)	SPRJO	SPRJO	9.475%	04-01-17
Manhattan Blueville Addition TDD	MANT7	MANT7	9.450%	04-01-17
Manhattan Flint Hills South TDD	MANT5	MANT5	9.450%	04-01-17
Manhattan Marketplace TDD	MANT2	MANT2	9.450%	04-01-17
Manhattan McD's Addition TDD	MANT6	MANT6	9.450%	04-01-17
Fort Scott	FORBB	FORBB	9.400%	10-01-15
Lenexa	LENJO	LENJO	9.350%	04-01-17
Pittsburg TDD	PITTD	PITTD	9.300%	10-01-17
Basehor Wolf Creek Junction TDD	BASTD	BASTD	9.250%	07-01-15
Bonner Springs (Leavenworth County)	BONLV	BONLV	9.250%	07-01-15
Bonner Springs (Wyandotte County)	BONWY	BONWY	9.250%	07-01-15
Caney	CANMG	CANMG	9.250%	07-01-15
Chetopa	CHELB	CHELB	9.250%	07-01-15
De Soto (Leavenworth County)	DESLV	DESLV	9.250%	07-01-15
Eudora	EUDDG	EUDDG	9.250%	10-01-15
Great Bend Sutherlands CID	GREC1	GREC1	9.250%	07-01-15
Lecompton	LECDG	LECDG	9.250%	10-01-15
Liberal	LIBSW	LIBSW	9.250%	07-01-15
Louisburg	LOUMI	LOUMI	9.250%	07-01-15
Medicine Lodge Streetscape CID	MEDC1	MEDC1	9.250%	07-01-15
Oswego (Labette County)	OSWLB	OSWLB	9.250%	01-01-17
Paola	PAOMI	PAOMI	9.250%	07-01-15
Parsons	PARLB	PARLB	9.250%	07-01-15
St Paul	SAINO	SAINO	9.250%	07-01-18
Tonganoxie	TONLV	TONLV	9.250%	07-01-15
Wamego	WAMPT	WAMPT	9.250%	07-01-15
Kansas City Village West-East End TDD	WRAT2	WRAT2	9.225%	07-01-15
Roeland Park	ROEJO	ROEJO	9.225%	04-01-17
Council Grove	COUMR	COUMR	9.200%	07-01-15
Auburn	AUBSN	AUBSN	9.150%	07-01-15
Dodge City McDonalds 2 CID	DODC4	DODC4	9.150%	10-01-17
Dodge City McDonalds CID	DODC2	DODC2	9.150%	04-01-17
Jetmore	JETHG	JETHG	9.150%	01-01-17
Topeka	TOPSN	TOPSN	9.150%	07-01-15
Topeka Heartland Park STAR Bond	TOPHP	TOPHP	9.150%	07-01-15
Kansas City	KANWY	KANWY	9.125%	07-01-15
Kansas City Northwest Speedway (American Royal) STAR Bond 1	KAAR1	KAAR1	9.125%	10-01-17
Kansas City Northwest Speedway (American Royal) STAR Bond 2	KAAR2	KAAR2	9.125%	10-01-17
Kansas City Race Track STAR Bond	WYART	WYART	9.125%	04-01-18
Kansas City Schlitterbahn STAR Bond	KANWP	KANWP	9.125%	07-01-15
Kansas City Speedway STAR Bond	WYSPE	WYSPE	9.125%	04-01-17
Kansas City US Soccer STAR Bond	KANSO	KANSO	9.125%	04-01-17
Hutchinson	HUTRN	HUTRN	9.100%	07-01-15
Hutchinson Kansas State Fairgrounds	HUTSF	HUTSF	9.100%	07-01-18
Leawood	LEAJO	LEAJO	9.100%	04-01-17
Overland Park	OVEJO	OVEJO	9.100%	04-01-17
Overland Park Prairiefire STAR Bond Phase II	OVEC6	OVEC6	9.100%	04-01-17
Lawrence	LAWDG	LAWDG	9.050%	07-01-15
Alma	ALMWB	ALMWB	9.000%	07-01-15
Arkansas City	ARKCL	ARKCL	9.000%	04-01-18

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Belleville	BELRP	BELRP	9.000%	10-01-15
Buhler	BUHRN	BUHRN	9.000%	10-01-15
Canton	CANMP	CANMP	9.000%	07-01-15
Chapman	CHADK	CHADK	9.000%	07-01-15
Collyer	COLTR	COLTR	9.000%	07-01-15
Columbus	COLCK	COLCK	9.000%	07-01-15
Cunningham	CUNKM	CUNKM	9.000%	07-01-17
Edwardsville	EDWWY	EDWWY	9.000%	07-01-15
Ellis	ELLEL	ELLEL	9.000%	07-01-15
Ellis County BBJ CID	ELLC1	ELLC1	9.000%	07-01-15
Fredonia	FREWL	FREWL	9.000%	07-01-15
Galena	GALCK	GALCK	9.000%	07-01-15
Goodland	GOOSH	GOOSH	9.000%	07-01-15
Harper County Downtown Anthony CID	HARC1	HARC1	9.000%	07-01-15
Hiawatha	HIABR	HIABR	9.000%	04-01-17
Hugoton	HUGSV	HUGSV	9.000%	07-01-17
Humboldt	HUMAL	HUMAL	9.000%	07-01-15
Kincaid	KINAN	KINAN	9.000%	07-01-15
Kingman	KINKM	KINKM	9.000%	07-01-17
Lane	LANFR	LANFR	9.000%	07-01-15
Larned	LARPN	LARPN	9.000%	07-01-15
Lyndon	LYNOS	LYNOS	9.000%	07-01-15
Marquette	MARMP	MARMP	9.000%	07-01-15
McPherson	MCPMP	MCPMP	9.000%	07-01-15
Moundridge	MOUMP	MOUMP	9.000%	07-01-15
Nickerson	NICRN	NICRN	9.000%	07-01-15
Oakley (Gove County)	OAKGO	OAKGO	9.000%	07-01-15
Oberlin	OBEDC	OBEDC	9.000%	07-01-15
Osage City	OSAOS	OSAOS	9.000%	07-01-15
Osawatomie	OSAMI	OSAMI	9.000%	07-01-15
Paxico	PAXWB	PAXWB	9.000%	07-01-15
Phillipsburg	PHIPL	PHIPL	9.000%	07-01-15
Pittsburg	PITCR	PITCR	9.000%	10-01-17
Plainville	PLARO	PLARO	9.000%	07-01-15
Pratt	PRAPR	PRAPR	9.000%	07-01-15
Sabetha (Nemaha County)	SABNM	SABNM	9.000%	07-01-15
Scammon	SCACK	SCACK	9.000%	07-01-15
Scott City	SCOSC	SCOSC	9.000%	07-01-15
Seneca	SENNM	SENNM	9.000%	07-01-15
St Marys (Wabaunsee County)	SAMWB	SAMWB	9.000%	07-01-15
WaKeeney	WAKTR	WAKTR	9.000%	07-01-15
Weir	WEICK	WEICK	9.000%	07-01-15
Wellsville	WELFR	WELFR	9.000%	07-01-15
Wichita Downtown Hilton CID	WICC8	WICC8	9.000%	01-01-18
Williamsburg	WILFR	WILFR	9.000%	07-01-15
Edgerton	EDGJO	EDGJO	8.975%	04-01-17
Edgerton - Kansas City Intermodal Facility	KCIMF	KCIMF	8.975%	10-01-17
Mission Hills	MIHJO	MIHJO	8.975%	04-01-17
Mission Woods	MIWJO	MIWJO	8.975%	01-01-18
Prairie Village	PRAJO	PRAJO	8.975%	04-01-17
Westwood	WESJO	WESJO	8.975%	04-01-17
Westwood Hills	WEHJO	WEHJO	8.975%	04-01-17
Garden City	GARFI	GARFI	8.950%	04-01-18
Lansing	LANLV	LANLV	8.950%	10-01-17
Manhattan (Pottawatomie County)	MANPT	MANPT	8.950%	04-01-17
Manhattan (Riley County)	MANRL	MANRL	8.950%	04-01-17
Manhattan Flint Hills Discovery Center STAR Bond North	MANSN	MANSN	8.950%	04-01-17

City or County Where Sales Were Delivered	Code for Delivery Sales	Code for Sales at Business Location	Total Tax Rate	Effective Date
Manhattan Flint Hills Discovery Center STAR Bond South	MANSS	MANSS	8.950%	04-01-17
Bronson	BROBB	BROBB	8.900%	10-01-15
Cimarron	CIMGY	CIMGY	8.900%	07-01-15
Mapleton	MAPBB	MAPBB	8.900%	10-01-15
Mayetta	MAYJA	MAYJA	8.900%	07-01-15
Uniontown	UNIBB	UNIBB	8.900%	10-01-15
Hays	HAYEL	HAYEL	8.750%	07-01-15
Hoisington Kindscher CID	HOIC2	HOIC2	8.750%	07-01-15
Abilene	ABIDK	ABIDK	8.750%	07-01-18
Altamont	ALTLB	ALTLB	8.750%	07-01-15
Atchison	ATCAT	ATCAT	8.750%	07-01-15
Baldwin City	BALDG	BALDG	8.750%	07-01-15
Colby	COLTH	COLTH	8.750%	04-01-17
Effingham	EFFAT	EFFAT	8.750%	07-01-15
Ellsworth	ELLEW	ELLEW	8.750%	07-01-15
Frontenac	FROCR	FROCR	8.750%	07-01-15
Gas	GASAL	GASAL	8.750%	07-01-15
Grinnell	GRIGO	GRIGO	8.750%	07-01-15
Iola	IOLAL	IOLAL	8.750%	07-01-15
Kanorado	SHNCO	KANSH	8.750%	07-01-15
La Harpe	LAHAL	LAHAL	8.750%	07-01-15
Maple Hill	MAPWB	MAPWB	8.750%	07-01-15
Salina	SALSA	SALSA	8.750%	10-01-16
Sherman County	SHMCO	SHMCO	8.750%	07-01-15
South Hutchinson	SOURN	SOURN	8.750%	07-01-15
Willard (Wabaunsee County)	WILWB	WILWB	8.750%	07-01-15
Wichita Greenwich & K-96 CID	WICC4	WICC4	8.700%	07-01-15
Dodge City	DODFO	DODFO	8.650%	04-01-17
Dodge City Heritage Area STAR Bond	DODHA	DODHA	8.650%	04-01-17
Holton	HOLJA	HOLJA	8.650%	07-01-15
Rossville	ROSSN	ROSSN	8.650%	07-01-15
Agenda	REPCO	AGERP	8.500%	07-01-15
Alden	ALDRC	ALDRC	8.500%	04-01-18
Argonia	ARGSU	ARGSU	8.500%	04-01-17
Arma	ARMCR	ARMCR	8.500%	07-01-15
Athol	SMICO	ATHSM	8.500%	07-01-15
Attica	ATTHP	ATTHP	8.500%	07-01-18
Augusta	AUGBU	AUGBU	8.500%	07-01-18
Basehor	BASLV	BASLV	8.500%	07-01-15
Belle Plaine	BELSU	BELSU	8.500%	04-01-17
Beloit	BELMC	BELMC	8.500%	07-01-15
Bennington	BENOT	BENOT	8.500%	07-01-15
Bird City	CHYCO	BIRCN	8.500%	07-01-15
Bunker Hill	RULCO	BUNRS	8.500%	07-01-15
Burdett	PAWCO	BURPN	8.500%	07-01-15
Burlingame	BUROS	BUROS	8.500%	07-01-15
Burlington	BURCF	BURCF	8.500%	07-01-15
Caldwell	CALSU	CALSU	8.500%	04-01-17
Cedar	SMICO	CEDSM	8.500%	07-01-15
Chautauqua	CHQCO	CHACQ	8.500%	07-01-15
Chautauqua County	CHQCO	CHQCO	8.500%	07-01-15
Cherokee	CHECR	CHECR	8.500%	07-01-15
Cheyenne County	CHYCO	CHYCO	8.500%	07-01-15
Clifton (Clay County)	CLICY	CLICY	8.500%	07-01-15
Clifton (Washington County)	CLIWS	CLIWS	8.500%	07-01-15
Coldwater	COLCM	COLCM	8.500%	07-01-15
Concordia	CONCD	CONCD	8.500%	07-01-15

City or County Where Sales Were Delivered	Code for Delivery Sales	Code for Sales at Business Location	Total Tax Rate	Effective Date
Conway Springs	CONSU	CONSU	8.500%	04-01-17
Cottonwood Falls	COTCS	COTCS	8.500%	07-01-15
Courtland	REPCO	COURP	8.500%	07-01-15
Cuba	REPCO	CUBRP	8.500%	07-01-15
Dearing	DEAMG	DEAMG	8.500%	04-01-17
Delphos	DELOT	DELOT	8.500%	07-01-15
Dighton	DIGLE	DIGLE	8.500%	07-01-15
Dorrance	RULCO	DORRS	8.500%	07-01-15
Douglass	DOUBU	DOUBU	8.500%	07-01-18
Downs	DOWOB	DOWOB	8.500%	07-01-15
Easton	EASLV	EASLV	8.500%	07-01-15
El Dorado CID	ELDC2	ELDC2	8.500%	07-01-18
Elgin	CHQCO	ELGCQ	8.500%	07-01-15
Elkhart	ELKMT	ELKMT	8.500%	07-01-15
Elwood	ELWDP	ELWDP	8.500%	07-01-15
Emporia	EMPLY	EMPLY	8.500%	07-01-15
Florence	FLOMN	FLOMN	8.500%	07-01-18
Fontana	FONMI	FONMI	8.500%	07-01-15
Garfield	PAWCO	GARPN	8.500%	07-01-15
Garnett	GARAN	GARAN	8.500%	07-01-15
Gaylord	SMICO	GAYSM	8.500%	07-01-15
Girard	GIRCR	GIRCR	8.500%	07-01-15
Glasco	GLACD	GLACD	8.500%	07-01-15
Goddard	GODSG	GODSG	8.500%	07-01-15
Goddard Olympic Park STAR Bond	GODOP	GODOP	8.500%	07-01-15
Gorham	RULCO	GORRS	8.500%	07-01-15
Gove	GOVCO	GOVGO	8.500%	07-01-15
Gove County	GOVCO	GOVCO	8.500%	07-01-15
Grainfield	GOVCO	GRAGO	8.500%	07-01-15
Greensburg	GREKW	GREKW	8.500%	07-01-15
Halstead	HAYCO	HALHV	8.500%	07-01-15
Harper County CID	HARC2	HARC2	8.500%	07-01-15
Hartford	HARLY	HARLY	8.500%	07-01-15
Harvey County	HAYCO	HAYCO	8.500%	07-01-15
Haven	HAVRN	HAVRN	8.500%	10-01-15
Haysville	HAYSG	HAYSG	8.500%	07-01-15
Hesston	HAYCO	HESHV	8.500%	07-01-15
Highland	HIGDP	HIGDP	8.500%	07-01-15
Hill City	HILGH	HILGH	8.500%	07-01-15
Hillsboro	HILMN	HILMN	8.500%	07-01-18
Howard	HOWEK	HOWEK	8.500%	04-01-17
Hoxie	SHDCO	SHDCO	8.500%	07-01-15
Kanopolis	KANEW	KANEW	8.500%	07-01-15
Kensington	SMICO	KENSM	8.500%	07-01-15
Kinsley	KINED	KINED	8.500%	07-01-15
La Crosse	LACRH	LACRH	8.500%	10-01-15
La Cygne	LACLN	LACLN	8.500%	07-01-15
Lebanon	SMICO	LEBSM	8.500%	07-01-15
Leonardville	LEORL	LEORL	8.500%	07-01-15
Leoti	WICCO	LEOWH	8.500%	07-01-15
Lincoln Center	LINLC	LINLC	8.500%	07-01-15
Linwood	LINLV	LINLV	8.500%	07-01-15
Little River	LITRC	LITRC	8.500%	07-01-15
Longford	LONCY	LONCY	8.500%	07-01-15
Lucas	RULCO	LUCRS	8.500%	07-01-15
Lyons	LYORC	LYORC	8.500%	07-01-15
McCune	MCCCR	MCCCR	8.500%	07-01-15

City or County Where Sales Were Delivered	Code for Delivery Sales	Code for Sales at Business Location	Total Tax Rate	Effective Date
Meade	MEAME	MEAME	8.500%	07-01-15
Melvern	MELOS	MELOS	8.500%	07-01-15
Miltonvale	MILCD	MILCD	8.500%	07-01-15
Minneapolis	MINOT	MINOT	8.500%	07-01-15
Morland	MORGH	MORGH	8.500%	07-01-15
Mullinville	MULKW	MULKW	8.500%	04-01-17
Mulvane (Sedgwick County)	MULSG	MULSG	8.500%	07-01-15
Mulvane (Sumner County)	MULSU	MULSU	8.500%	04-01-17
Munden	REPCO	MUNRP	8.500%	07-01-15
Narka	REPCO	NARRP	8.500%	07-01-15
Neosho Rapids	NEOLY	NEOLY	8.500%	07-01-15
Newton	HAYCO	NEWHV	8.500%	07-01-15
Niotaze	CHQCO	NIOCQ	8.500%	07-01-15
North Newton	HAYCO	NORHV	8.500%	07-01-15
Norton	NORNT	NORNT	8.500%	07-01-15
Oak Hill	OAKCY	OAKCY	8.500%	07-01-15
Oakley (Logan County)	OAKLG	OAKLG	8.500%	07-01-15
Oakley (Thomas County)	OAKTH	OAKTH	8.500%	04-01-17
Ogden	OGDRL	OGDRL	8.500%	07-01-15
Onaga	ONAPT	ONAPT	8.500%	07-01-15
Oskaloosa	OSKJF	OSKJF	8.500%	07-01-15
Overbrook	OVEOS	OVEOS	8.500%	07-01-15
Oxford	OXFSU	OXFSU	8.500%	04-01-17
Ozawkie	OZAJF	OZAJF	8.500%	07-01-17
Paradise	RULCO	PARRS	8.500%	07-01-15
Park	GOVCO	PARGO	8.500%	07-01-15
Parker	PARLN	PARLN	8.500%	07-01-15
Pawnee County	PAWCO	PAWCO	8.500%	07-01-15
Peabody	PEAMN	PEAMN	8.500%	07-01-18
Peru	CHQCO	PERCQ	8.500%	07-01-15
Princeton	PRIFR	PRIFR	8.500%	07-01-15
Quinter	GOVCO	QUIGO	8.500%	07-01-15
Randolph	RANRL	RANRL	8.500%	07-01-15
Republic	REPCO	REPRP	8.500%	07-01-15
Republic County	REPCO	REPCO	8.500%	07-01-15
Riley	RILRL	RILRL	8.500%	07-01-15
Rozel	PAWCO	ROZPN	8.500%	07-01-15
Russell	RULCO	RUSRS	8.500%	07-01-15
Russell County	RULCO	RULCO	8.500%	07-01-15
Sabetha (Brown County)	SABBR	SABBR	8.500%	01-01-17
Scandia	REPCO	SCARP	8.500%	07-01-15
Scott County	SCOCO	SCOCO	8.500%	07-01-15
Scranton	SCROS	SCROS	8.500%	07-01-15
Sedgwick (Harvey County)	HAYCO	SEDHV	8.500%	07-01-15
Selden	SHDCO	SELSD	8.500%	07-01-15
Severy	SEVGW	SEVGW	8.500%	07-01-15
Sheridan County	SHDCO	SHDCO	8.500%	07-01-15
Smith County	SMICO	SMICO	8.500%	07-01-15
Spivey	SPIKM	SPIKM	8.500%	07-01-17
St Francis	CHYCO	SAICN	8.500%	07-01-15
St John	SAISF	SAISF	8.500%	01-01-17
St Marys (Pottawatomie County)	SAMPT	SAMPT	8.500%	07-01-15
Sterling	STERC	STERC	8.500%	07-01-15
Strong City	STRCS	STRCS	8.500%	07-01-15
Sylvia	SYLRN	SYLRN	8.500%	07-01-18
Syracuse	SYRHM	SYRHM	8.500%	07-01-15
Tipton	TIPMC	TIPMC	8.500%	04-01-18

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Troy	TRODP	TRODP	8.500%	07-01-15
Ulysses	ULYGT	ULYGT	8.500%	07-01-15
Wakefield	WAKCY	WAKCY	8.500%	07-01-15
Waldo	RULCO	WALRS	8.500%	07-01-15
Walton	HAYCO	WALHV	8.500%	07-01-15
Washington	WASWS	WASWS	8.500%	07-01-15
Wathena	WATDP	WATDP	8.500%	07-01-15
Westmoreland	WESPT	WESPT	8.500%	07-01-15
Wichita Central & Oliver CID	WICC3	WICC3	8.500%	07-01-15
Wichita County	WICCO	WICCO	8.500%	07-01-15
Wichita K-96 Greenwich STAR Bond CID	WICC6	WICC6	8.500%	10-01-15
Wichita Kellogg and West CID	WICC7	WICC7	8.500%	01-01-16
Wilson	WILEW	WILEW	8.500%	07-01-15
Holcomb	HOLFI	HOLFI	8.450%	04-01-18
Willard (Shawnee County)	WILSN	WILSN	8.400%	07-01-15
Andover	ANDBU	ANDBU	8.250%	07-01-18
Byers	PRACO	BYEPR	8.250%	07-01-15
Coats	PRACO	COAPR	8.250%	07-01-15
Cullison	PRACO	CULPR	8.250%	07-01-15
Earlton	NEOCO	EARNO	8.250%	07-01-18
Galesburg	NEOCO	GALNO	8.250%	07-01-18
Great Bend	GREBT	GREBT	8.250%	07-01-15
Hoisington	HOIBT	HOIBT	8.250%	07-01-15
Iuka	PRACO	IUKPR	8.250%	07-01-15
Kiowa	KIOBA	KIOBA	8.250%	07-01-15
Mankato	MANJW	MANJW	8.250%	07-01-15
Marion	MARMN	MARMN	8.250%	07-01-18
Medicine Lodge	MEDBA	MEDBA	8.250%	07-01-15
Moran	MORAL	MORAL	8.250%	07-01-15
Mound Valley	MOULB	MOULB	8.250%	07-01-15
Neosho County	NEOCO	NEOCO	8.250%	07-01-18
Pratt County	PRACO	PRACO	8.250%	07-01-15
Preston	PRACO	PREPR	8.250%	07-01-15
Richmond	RICFR	RICFR	8.250%	07-01-15
Sawyer	PRACO	SAWPR	8.250%	07-01-15
Stark	NEOCO	STANO	8.250%	07-01-18
Sublette	SUBHS	SUBHS	8.250%	07-01-15
Marysville	MARMS	MARMS	8.100%	07-01-15
Abbyville	RENCO	ABBRN	8.000%	07-01-15
Alta Vista	WABCO	ALTWB	8.000%	07-01-15
Alton	OSBCO	ALTOB	8.000%	07-01-15
Americus	AMELY	AMELY	8.000%	07-01-15
Anderson County	ANDCO	ANDCO	8.000%	07-01-15
Arlington	RENCO	ARLRN	8.000%	07-01-15
Bern	NEMCO	BERNM	8.000%	07-01-15
Blue Rapids	BLUMS	BLUMS	8.000%	07-01-15
Brewster	THOCO	BRETH	8.000%	04-01-17
Carlton	DICCO	CARDK	8.000%	07-01-15
Centralia	NEMCO	CENNM	8.000%	07-01-15
Chase	CHARC	CHARC	8.000%	07-01-15
Cherokee County	CHKCO	CHKCO	8.000%	07-01-15
Claflin	CLABT	CLABT	8.000%	07-01-15
Colony	ANDCO	COLAN	8.000%	07-01-15
Corning	NEMCO	CORNM	8.000%	07-01-15
Derby	DERSG	DERSG	8.000%	07-01-15
Derby Field Station STAR Bond	DERFS	DERFS	8.000%	07-01-17
Dickinson County	DICCO	DICCO	8.000%	07-01-15

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Ellinwood	ELLBT	ELLBT	8.000%	07-01-15
Enterprise	DICCO	ENTDK	8.000%	07-01-15
Eskridge	WABCO	ESKWB	8.000%	07-01-15
Franklin County	FRACO	FRACO	8.000%	07-01-15
Galva	MCPCO	GALMP	8.000%	07-01-15
Gem	THOCO	GEMTH	8.000%	04-01-17
Glade	GLAPL	GLAPL	8.000%	07-01-15
Goff	NEMCO	GOFNM	8.000%	07-01-15
Greeley	ANDCO	GREAN	8.000%	07-01-15
Harper	HARHP	HARHP	8.000%	07-01-15
Harveyville	WABCO	HARWB	8.000%	07-01-15
Hope	DICCO	HOPDK	8.000%	07-01-15
Inman	MCPCO	INMMP	8.000%	07-01-15
Kingman County	KINCO	KINCO	8.000%	07-01-17
Langdon	RENCO	LANRN	8.000%	07-01-15
Logan	LOGPL	LOGPL	8.000%	07-01-15
Logan County	LOGCO	LOGCO	8.000%	07-01-15
Lone Elm	ANDCO	LONAN	8.000%	07-01-15
Manchester	DICCO	MANDK	8.000%	07-01-15
Mayfield	MAYSU	MAYSU	8.000%	04-01-17
McFarland	WABCO	MCFWB	8.000%	07-01-15
McPherson County	MCPCO	MCPCO	8.000%	07-01-15
Menlo	THOCO	MENTH	8.000%	04-01-17
Meriden	MERJF	MERJF	8.000%	10-01-15
Miami County	MIACO	MIACO	8.000%	07-01-15
Nashville	KINCO	NASKM	8.000%	07-01-17
Natoma	OSBCO	NATOB	8.000%	07-01-15
Nemaha County	NEMCO	NEMCO	8.000%	07-01-15
Norwich	KINCO	NORKM	8.000%	07-01-17
Olpe	OLPLY	OLPLY	8.000%	07-01-15
Oneida	NEMCO	ONENM	8.000%	07-01-15
Osborne	OSBCO	OSBOB	8.000%	07-01-15
Osborne County	OSBCO	OSBCO	8.000%	07-01-15
Palco	PALRO	PALRO	8.000%	04-01-18
Partridge	RENCO	PARRN	8.000%	07-01-15
Penalosa	KINCO	PENKM	8.000%	07-01-17
Perry	PERJF	PERJF	8.000%	07-01-15
Plevna	RENCO	PLERN	8.000%	07-01-15
Portis	OSBCO	POROB	8.000%	07-01-15
Pretty Prairie	RENCO	PRERN	8.000%	07-01-15
Protection	PROCM	PROCM	8.000%	07-01-15
Rantoul	FRACO	RANFR	8.000%	07-01-15
Reno County	RENCO	RENCO	8.000%	07-01-15
Rexford	THOCO	REXTH	8.000%	04-01-17
Roseland	CHKCO	ROSCK	8.000%	07-01-15
Russell Springs	LOGCO	RUSLG	8.000%	07-01-15
Satanta	SATHS	SATHS	8.000%	07-01-15
Solomon (Dickinson County)	DICCO	SOLDK	8.000%	07-01-15
Thomas County	THOCO	THOCO	8.000%	04-01-17
Toronto	TORWO	TORWO	8.000%	07-01-15
Treece	CHKCO	TRECK	8.000%	07-01-15
Trego County	TRECO	TRECO	8.000%	07-01-15
Turon	RENCO	TURRN	8.000%	07-01-15
Victoria	VICEL	VICEL	8.000%	07-01-15
Wabaunsee County	WABCO	WABCO	8.000%	07-01-15
Waterville	WATMS	WATMS	8.000%	07-01-15
West Mineral	CHKCO	WESCK	8.000%	07-01-15

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Westphalia	ANDCO	WESAN	8.000%	07-01-15
Wetmore	NEMCO	WETNM	8.000%	07-01-15
Willowbrook	RENCO	WILRN	8.000%	07-01-15
Windom	MCPCO	WINMP	8.000%	07-01-15
Winona	LOGCO	WINLG	8.000%	07-01-15
Woodbine	DICCO	WOODK	8.000%	07-01-15
Zenda	KINCO	ZENKM	8.000%	07-01-17
Johnson County	JOHCO	JOHCO	7.975%	04-01-17
Lake Quivira (Johnson County)	JOHCO	LAKJO	7.975%	04-01-17
Finney County	FINCO	FINCO	7.950%	04-01-18
Bourbon County	BOUCO	BOUCO	7.900%	10-01-15
Circleville	JACCO	CIRJA	7.900%	07-01-15
Delia	JACCO	DELJA	7.900%	07-01-15
Denison	JACCO	DENJA	7.900%	07-01-15
Fulton	BOUCO	FULBB	7.900%	10-01-15
Hoyt	JACCO	HOYJA	7.900%	07-01-15
Jackson County	JACCO	JACCO	7.900%	07-01-15
Netawaka	JACCO	NETJA	7.900%	07-01-15
Redfield	BOUCO	REDBB	7.900%	10-01-15
Soldier	JACCO	SOLJA	7.900%	07-01-15
Whiting	JACCO	WHIJA	7.900%	07-01-15
Winfield	WINCL	WINCL	7.900%	04-01-18
Allen County	ALLCO	ALLCO	7.750%	07-01-15
Almena	ALMNT	ALMNT	7.750%	07-01-15
Atchison County	ATCCO	ATCCO	7.750%	07-01-15
Bartlett	LABCO	BARLB	7.750%	07-01-15
Bassett	ALLCO	BASAL	7.750%	07-01-15
Elsmore	ALLCO	ELSAL	7.750%	07-01-15
Geary County	GEACO	GEACO	7.750%	07-01-15
Huron	ATCCO	HURAT	7.750%	07-01-15
Kismet	SEWCO	KISSW	7.750%	07-01-15
Labette	LABCO	LABLB	7.750%	07-01-15
Labette County	LABCO	LABCO	7.750%	07-01-15
Lancaster	ATCCO	LANAT	7.750%	07-01-15
Milford	GEACO	MILGE	7.750%	07-01-15
Muscotah	ATCCO	MUSAT	7.750%	07-01-15
Savonburg	ALLCO	SAVAL	7.750%	07-01-15
Seward County	SEWCO	SEWCO	7.750%	07-01-15
Bucklin	FORCO	BUCFO	7.650%	04-01-17
Copeland	GRYCO	COPGY	7.650%	07-01-15
Ensign	GRYCO	ENSGY	7.650%	07-01-15
Ford	FORCO	FORFO	7.650%	04-01-17
Ford County	FORCO	FORCO	7.650%	04-01-17
Garden Plain	SEDCO	GARSG	7.650%	07-01-15
Gray County	GRYCO	GRYCO	7.650%	07-01-15
Hanston	HODCO	HANHG	7.650%	07-01-15
Hodgeman County	HODCO	HODCO	7.650%	07-01-15
Ingalls	GRYCO	INGGY	7.650%	07-01-15
Montezuma	GRYCO	MONGY	7.650%	07-01-15
Shawnee County	SHACO	SHACO	7.650%	07-01-15
Silver Lake	SHACO	SILSN	7.650%	07-01-15
Spearville	FORCO	SPEFO	7.650%	04-01-17
Admire	LYOCO	ADMLY	7.500%	07-01-15
Albert	BATCO	ALBBT	7.500%	07-01-15
Allen	LYOCO	ALLLY	7.500%	07-01-15
Altoona	ALTWL	ALTWL	7.500%	07-01-15
Andale	SEDCO	ANDSG	7.500%	07-01-15

City or County Where Sales Were Delivered	Code for Delivery Sales	Code for Sales at Business Location	Total Tax Rate	Effective Date
Arcadia	CRACO	ARCCR	7.500%	07-01-15
Ashland	ASHCA	ASHCA	7.500%	07-01-15
Assaria	SALCO	ASSSA	7.500%	07-01-15
Atwood	RAWCO	ATWRA	7.500%	01-01-17
Aurora	CLOCO	AURCD	7.500%	07-01-15
Axtell	AXTMS	AXTMS	7.500%	07-01-15
Barber County	BABCO	BABCO	7.500%	07-01-15
Barnard	LICCO	BARLC	7.500%	07-01-15
Barnes	WASCO	BARWS	7.500%	07-01-15
Barton County	BATCO	BATCO	7.500%	07-01-15
Bel Aire	SEDCO	BELSG	7.500%	07-01-15
Belpre	EDWCO	BELED	7.500%	07-01-15
Belvue	POTCO	BELPT	7.500%	07-01-15
Bentley	SEDCO	BENSG	7.500%	07-01-15
Benton	BENBU	BENBU	7.500%	07-01-18
Beverly	LICCO	BEVLC	7.500%	07-01-15
Bogue	GRHCO	BOGGH	7.500%	07-01-15
Brookville	SALCO	BROSA	7.500%	07-01-15
Brown County	BROCO	BROCO	7.500%	01-01-17
Burden	BURCL	BURCL	7.500%	04-01-18
Burns	MANCO	BURMN	7.500%	07-01-18
Burr Oak	JEWCO	BURJW	7.500%	07-01-15
Bushong	LYOCO	BUSLY	7.500%	07-01-15
Bushton	RICCO	BUSRC	7.500%	07-01-15
Cawker City	MITCO	CAWMC	7.500%	07-01-15
Cedar Point	CHSCO	CEDCS	7.500%	07-01-15
Chase County	CHSCO	CHSCO	7.500%	07-01-15
Cheney	SEDCO	CHESG	7.500%	07-01-15
Clay County	CLYCO	CLYCO	7.500%	07-01-15
Clayton (Decatur County)	DECCO	CLADC	7.500%	07-01-15
Clearwater	SEDCO	CLESG	7.500%	07-01-15
Climax	GRWCO	CLIGW	7.500%	07-01-15
Cloud County	CLOCO	CLOCO	7.500%	07-01-15
Clyde	CLOCO	CLYCD	7.500%	07-01-15
Colwich	SEDCO	COLSG	7.500%	07-01-15
Coolidge	HAMCO	COLHM	7.500%	07-01-15
Crawford County	CRACO	CRACO	7.500%	07-01-15
Culver	OTTCO	CULOT	7.500%	07-01-15
Danville	DANHP	DANHP	7.500%	04-01-18
Decatur County	DECCO	DECCO	7.500%	07-01-15
Deerfield	DEEKE	DEEKE	7.500%	07-01-15
Denton	DONCO	DENDP	7.500%	07-01-15
Doniphan County	DONCO	DONCO	7.500%	07-01-15
Douglas County	DOUCO	DOUCO	7.500%	07-01-15
Dresden	DECCO	DREDC	7.500%	07-01-15
Dunlap	MOSCO	DUNMR	7.500%	07-01-15
Durham	MANCO	DURMN	7.500%	07-01-18
Dwight	MOSCO	DWIMR	7.500%	07-01-15
Eastborough	SEDCO	EASSG	7.500%	07-01-15
Edwards County	EDWCO	EDWCO	7.500%	07-01-15
El Dorado	ELDBU	ELDBU	7.500%	07-01-18
Elk County	ELKCO	ELKCO	7.500%	07-01-15
Elk Falls	ELKCO	ELKEK	7.500%	07-01-15
Ellsworth County	ELSCO	ELSCO	7.500%	07-01-15
Elmdale	CHSCO	ELMCS	7.500%	07-01-15
Emmett	POTCO	EMMPT	7.500%	07-01-15
Esbon	JEWCO	ESBJW	7.500%	07-01-15

City or County Where Sales Were Delivered	Code for Delivery Sales	Code for Sales at Business Location	Total Tax Rate	Effective Date
Everest	BROCO	EVEBR	7.500%	01-01-17
Fairview	BROCO	FAIBR	7.500%	01-01-17
Fall River	GRWCO	FALGW	7.500%	07-01-15
Formoso	JEWCO	FORJW	7.500%	07-01-15
Fowler	MEACO	FOWME	7.500%	07-01-15
Frankfort	FRAMS	FRAMS	7.500%	07-01-15
Frederick	RICCO	FRERC	7.500%	07-01-15
Galatia	BATCO	GALBT	7.500%	07-01-15
Geuda Springs (Sumner County)	SUMCO	GEUSU	7.500%	04-01-17
Glen Elder	MITCO	GLEMC	7.500%	07-01-15
Goessel	MANCO	GOEMN	7.500%	07-01-18
Graham County	GRHCO	GRHCO	7.500%	07-01-15
Greeley County	GRLCO	GRLCO	7.500%	07-01-15
Green	CLYCO	GRECY	7.500%	07-01-15
Greenleaf	WASCO	GREWS	7.500%	07-01-15
Greenwood County	GRWCO	GRWCO	7.500%	07-01-15
Grenola	ELKCO	GREEK	7.500%	07-01-15
Gypsum	SALCO	GYPSA	7.500%	07-01-15
Haddam	WASCO	HADWS	7.500%	07-01-15
Hamilton	GRWCO	HAMGW	7.500%	07-01-15
Hamilton County	HAMCO	HAMCO	7.500%	07-01-15
Hamlin	BROCO	HAMBR	7.500%	01-01-17
Hanover	WASCO	HANWS	7.500%	07-01-15
Hardtner	BABCO	HARBA	7.500%	07-01-15
Havensville	POTCO	HAVPT	7.500%	07-01-15
Haviland	KIOCO	HAVKW	7.500%	07-01-15
Hazelton	BABCO	HAZBA	7.500%	07-01-15
Hepler	CRACO	HEPCR	7.500%	07-01-15
Herndon	RAWCO	HERRA	7.500%	01-01-17
Hollenberg	WASCO	HOLWS	7.500%	07-01-15
Holyrood	ELSCO	HOLEW	7.500%	07-01-15
Horace	GRLCO	HORGL	7.500%	07-01-15
Hudson	STFCO	HUDSF	7.500%	07-01-15
Hunnewell	SUMCO	HUNSU	7.500%	04-01-17
Hunter	MITCO	HUNMC	7.500%	07-01-15
Isabel	BABCO	ISABA	7.500%	07-01-15
Jamestown	CLOCO	JAMCD	7.500%	07-01-15
Jefferson County	JEFCO	JEFCO	7.500%	07-01-15
Jennings	DECCO	JENDC	7.500%	07-01-15
Jewell	JEWCO	JEWJW	7.500%	07-01-15
Jewell County	JEWCO	JEWCO	7.500%	07-01-15
Johnson City	STNCO	JOHST	7.500%	07-01-15
Kechi	SEDCO	KECSG	7.500%	07-01-15
Kiowa County	KIOCO	KIOCO	7.500%	07-01-15
Lake Quivira (Wyandotte County)	WYACO	LAKWY	7.500%	07-01-15
Lakin	LAKKE	LAKKE	7.500%	07-01-15
Lane County	LANCO	LANCO	7.500%	07-01-15
Latimer	MOSCO	LATMR	7.500%	07-01-15
Le Roy	LERCF	LERCF	7.500%	07-01-15
Leavenworth County	LEACO	LEACO	7.500%	07-01-15
Lebo	LEBCF	LEBCF	7.500%	07-01-15
Lehigh	MANCO	LEHMN	7.500%	07-01-18
Leon	LEOBU	LEOBU	7.500%	07-01-18
Leona	DONCO	LEODP	7.500%	07-01-15
Lewis	EDWCO	LEWED	7.500%	07-01-15
Lincoln County	LICCO	LICCO	7.500%	07-01-15
Lincolnville	MANCO	LINMN	7.500%	07-01-18

City or County Where Sales Were Delivered	Code for Delivery Sales	Code for Sales at Business Location	Total Tax Rate	Effective Date
Linn	WASCO	LINWS	7.500%	07-01-15
Longton	ELKCO	LONEK	7.500%	07-01-15
Lorraine	ELSCO	LOREW	7.500%	07-01-15
Lost Springs	MANCO	LOSMN	7.500%	07-01-18
Louisville	POTCO	LOUPT	7.500%	07-01-15
Lyon County	LYOCO	LYOCO	7.500%	07-01-15
Macksville	STFCO	MACSF	7.500%	07-01-15
Madison	GRWCO	MADGW	7.500%	07-01-15
Mahaska	WASCO	MAHWS	7.500%	07-01-15
Maize	SEDCO	MAISG	7.500%	07-01-15
Manter	STNCO	MANST	7.500%	07-01-15
Marion County	MANCO	MANCO	7.500%	07-01-18
Matfield Green	CHSCO	MATCS	7.500%	07-01-15
McDonald	RAWCO	MCDRA	7.500%	01-01-17
McLouth	JEFCO	MCLJF	7.500%	07-01-15
Meade County	MEACO	MEACO	7.500%	07-01-15
Milan	SUMCO	MILSU	7.500%	04-01-17
Minneola	MINCA	MINCA	7.500%	07-01-15
Mitchell County	MITCO	MITCO	7.500%	07-01-15
Moline	ELKCO	MOLEK	7.500%	07-01-15
Morganville	CLYCO	MORCY	7.500%	07-01-15
Morrill	BROCO	MORBR	7.500%	01-01-17
Morris County	MOSCO	MOSCO	7.500%	07-01-15
Morrowville	WASCO	MORWS	7.500%	07-01-15
Morton County	MOTCO	MOTCO	7.500%	07-01-15
Mound City	MOULN	MOULN	7.500%	07-01-15
Mount Hope	SEDCO	MOUSG	7.500%	07-01-15
Mulberry	CRACO	MULCR	7.500%	07-01-15
Neosho Falls	WOOCO	NEOWO	7.500%	07-01-15
Ness City	NESNS	NESNS	7.500%	07-01-15
New Cambria	SALCO	NEWSA	7.500%	07-01-15
Norcatur	DECCO	NORDC	7.500%	07-01-15
Nortonville	JEFCO	NORJF	7.500%	07-01-15
Offerle	EDWCO	OFFED	7.500%	07-01-15
Olivet	OSACO	OLIOS	7.500%	07-01-15
Olmitz	BATCO	OLMBT	7.500%	07-01-15
Olsburg	POTCO	OLSPT	7.500%	07-01-15
Osage County	OSACO	OSACO	7.500%	07-01-15
Ottawa County	OTTCO	OTTCO	7.500%	07-01-15
Palmer	WASCO	PALWS	7.500%	07-01-15
Park City	SEDCO	PARSG	7.500%	07-01-15
Parkerville	MOSCO	PARMR	7.500%	07-01-15
Pawnee Rock	BATCO	PAWBT	7.500%	07-01-15
Plains	MEACO	PLAME	7.500%	07-01-15
Pleasanton	PLELN	PLELN	7.500%	07-01-15
Pottawatomie County	POTCO	POTCO	7.500%	07-01-15
Potwin	POTBU	POTBU	7.500%	07-01-18
Powhattan	BROCO	POWBR	7.500%	01-01-17
Quenemo	OSACO	QUEOS	7.500%	07-01-15
Radium	STFCO	RADSF	7.500%	07-01-15
Ramona	MANCO	RAMMN	7.500%	07-01-18
Randall	JEWCO	RANJW	7.500%	07-01-15
Rawlins County	RAWCO	RAWCO	7.500%	01-01-17
Raymond	RICCO	RAYRC	7.500%	07-01-15
Reading	LYOCO	REALY	7.500%	07-01-15
Reserve	BROCO	RESBR	7.500%	01-01-17
Rice County	RICCO	RICCO	7.500%	07-01-15

City or County Where Sales Were Delivered	Code for Delivery Sales	Code for Sales at Business Location	Total Tax Rate	Effective Date
Richfield	MOTCO	RICMT	7.500%	07-01-15
Riley County	RILCO	RILCO	7.500%	07-01-15
Robinson	BROCO	ROBBR	7.500%	01-01-17
Rose Hill	ROSBU	ROSBU	7.500%	07-01-18
Saline County	SALCO	SALCO	7.500%	07-01-15
Scottsville	MITCO	SCOMC	7.500%	07-01-15
Sedgwick (Sedgwick County)	SEDCO	SEDSG	7.500%	07-01-15
Sedgwick County	SEDCO	SEDCO	7.500%	07-01-15
Severance	DONCO	SEVDP	7.500%	07-01-15
Seward	STFCO	SEWSF	7.500%	07-01-15
Sharon	BABCO	SHABA	7.500%	07-01-15
Simpson (Cloud County)	CLOCO	SIMCD	7.500%	07-01-15
Simpson (Mitchell County)	MITCO	SIMMC	7.500%	07-01-15
Smolan	SALCO	SMOSA	7.500%	07-01-15
Solomon (Saline County)	SALCO	SOLSA	7.500%	07-01-15
South Haven	SUMCO	SOUSU	7.500%	04-01-17
St George	POTCO	SAGPT	7.500%	07-01-15
Stafford County	STFCO	STFCO	7.500%	07-01-15
Stanton County	STNCO	STNCO	7.500%	07-01-15
Stevens County	STECO	STECO	7.500%	07-01-17
Sumner County	SUMCO	SUMCO	7.500%	04-01-17
Sun City	BABCO	SUNBA	7.500%	07-01-15
Susank	BATCO	SUSBT	7.500%	07-01-15
Sylvan Grove	LICCO	SYLLC	7.500%	07-01-15
Tampa	MANCO	TAMMN	7.500%	07-01-18
Tescott	OTTCO	TESOT	7.500%	07-01-15
Towanda	TOWBU	TOWBU	7.500%	07-01-18
Tribune	GRLCO	TRIGL	7.500%	07-01-15
Udall	UDACL	UDACL	7.500%	04-01-18
Utica	UTINS	UTINS	7.500%	07-01-15
Valley Center	SEDCO	VALSG	7.500%	07-01-15
Vining (Clay County)	CLYCO	VINCY	7.500%	07-01-15
Vining (Washington County)	WASCO	VINWS	7.500%	07-01-15
Viola	SEDCO	VIOSG	7.500%	07-01-15
Virgil	GRWCO	VIRGW	7.500%	07-01-15
Walnut	CRACO	WALCR	7.500%	07-01-15
Washington County	WASCO	WASCO	7.500%	07-01-15
Webber	JEWCO	WEBJW	7.500%	07-01-15
Wheaton	POTCO	WHEPT	7.500%	07-01-15
White City	MOSCO	WHIMR	7.500%	07-01-15
White Cloud	DONCO	WHIDP	7.500%	07-01-15
Wichita	SEDCO	WICSG	7.500%	07-01-15
Wichita K-96 Greenwich STAR Bond District	WICGR	WICGR	7.500%	07-01-15
Wichita River Walk STAR Bond Project	WICRW	WICRW	7.500%	07-01-15
Willis	BROCO	WILBR	7.500%	01-01-17
Wilmore	WILCM	WILCM	7.500%	07-01-15
Wilsey	MOSCO	WILMR	7.500%	07-01-15
Winchester	JEFCO	WINJF	7.500%	07-01-15
Woodson County	WOOCO	WOOCO	7.500%	07-01-15
Wyandotte County	WYACO	WYACO	7.500%	07-01-15
Clayton (Norton County)	NORCO	CLANT	7.250%	07-01-15
Edmond	NORCO	EDMNT	7.250%	07-01-15
Lenora	NORCO	LENNT	7.250%	07-01-15
Norton County	NORCO	NORCO	7.250%	07-01-15
Agra	PHICO	AGRPL	7.000%	07-01-15
Anthony	ANTHP	ANTHP	7.000%	07-01-18
Damar	ROOCO	DAMRO	7.000%	07-01-15

City or County Where Sales Were Delivered	Code for Delivery Sales	Code for Sales at Business Location	Total Tax Rate	Effective Date
Ellis County	ELICO	ELICO	7.000%	07-01-15
Haskell County	HASCO	HASCO	7.000%	07-01-15
Kirwin	PHICO	KIRPL	7.000%	07-01-15
Long Island	PHICO	LONPL	7.000%	07-01-15
Phillips County	PHICO	PHICO	7.000%	07-01-15
Prairie View	PHICO	PRAPL	7.000%	07-01-15
Ransom	RANNS	RANNS	7.000%	07-01-15
Rooks County	ROOCO	ROOCO	7.000%	07-01-15
Schoenchen	ELICO	SCHEL	7.000%	07-01-15
Speed	PHICO	SPEPL	7.000%	07-01-15
Whitewater	WHIBU	WHIBU	7.000%	07-01-18
Woodston	ROOCO	WOORO	7.000%	07-01-15
Zurich	ROOCO	ZURRO	7.000%	07-01-15
Alexander	RUHCO	ALERH	6.500%	07-01-15
Atlanta	ATLCL	ATLCL	6.500%	04-01-18
Bazine	NESCO	BAZNS	6.500%	07-01-15
Beattie	MALCO	BEAMS	6.500%	07-01-15
Benedict	WILCO	BENWL	6.500%	07-01-15
Bison	RUHCO	BISRH	6.500%	07-01-15
Blue Mound	LINCO	BLULN	6.500%	07-01-15
Bluff City	HARCO	BLUHP	6.500%	07-01-15
Brownell	NESCO	BRONS	6.500%	07-01-15
Buffalo	WILCO	BUFWL	6.500%	07-01-15
Butler County	BUTCO	BUTCO	6.500%	07-01-18
Cambridge	COWCO	CAMCL	6.500%	04-01-18
Cassoday	BUTCO	CASBU	6.500%	07-01-18
Clark County	CLACO	CLACO	6.500%	07-01-15
Coffey County	COFCO	COFCO	6.500%	07-01-15
Comanche County	COMCO	COMCO	6.500%	07-01-15
Cowley County	COWCO	COWCO	6.500%	04-01-18
Coyville	WILCO	COYWL	6.500%	07-01-15
Dexter	COWCO	DEXCL	6.500%	04-01-18
Elbing	BUTCO	ELBBU	6.500%	07-01-18
Elk City	MONCO	ELKMG	6.500%	07-01-15
Englewood	CLACO	ENGCA	6.500%	07-01-15
Freeport	HARCO	FREHP	6.500%	07-01-15
Geuda Springs (Cowley County)	COWCO	GEUCL	6.500%	04-01-18
Grant County	GRNCO	GRNCO	6.500%	07-01-15
Gridley	COFCO	GRICF	6.500%	07-01-15
Harper County	HARCO	HARCO	6.500%	07-01-15
Havana	MONCO	HAVMG	6.500%	07-01-15
Kearny County	KEACO	KEACO	6.500%	07-01-15
Latham	BUTCO	LATBU	6.500%	07-01-18
Liberty	MONCO	LIBMG	6.500%	07-01-15
Liebenthal	RUHCO	LIERH	6.500%	07-01-15
Linn County	LINCO	LINCO	6.500%	07-01-15
Linn Valley	LINCO	LINLN	6.500%	07-01-15
Marshall County	MALCO	MALCO	6.500%	07-01-15
McCracken	RUHCO	MCCRH	6.500%	07-01-15
Montgomery County	MONCO	MONCO	6.500%	07-01-15
Ness County	NESCO	NESCO	6.500%	07-01-15
New Albany	WILCO	NEWWL	6.500%	07-01-15
New Strawn	COFCO	NEWCF	6.500%	07-01-15
Oketo	MALCO	OKEMS	6.500%	07-01-15
Otis	RUHCO	OTIRH	6.500%	07-01-15
Parkerfield	COWCO	PARCL	6.500%	04-01-18
Prescott	LINCO	PRELN	6.500%	07-01-15

City or County Where Sales Were Delivered	Code for Delivery Sales	Code for Sales at Business Location	Total Tax Rate	Effective Date
Rush Center	RUHCO	RUSRH	6.500%	07-01-15
Rush County	RUHCO	RUHCO	6.500%	07-01-15
Sharon Springs	WALCO	SHAWA	6.500%	07-01-15
Summerfield	MALCO	SUMMS	6.500%	07-01-15
Timken	RUHCO	TIMRH	6.500%	07-01-15
Tyro	MONCO	TYRMG	6.500%	07-01-15
Vermillion	MALCO	VERMS	6.500%	07-01-15
Waldron	HARCO	WALHP	6.500%	07-01-15
Wallace	WALCO	WALWA	6.500%	07-01-15
Wallace County	WALCO	WALCO	6.500%	07-01-15
Waverly	COFCO	WAVCF	6.500%	07-01-15
Wilson County	WILCO	WILCO	6.500%	07-01-15

RESOLUTION NO. ____________

A RESOLUTION introduced by City Manager Brent Trout, to submit to the qualified electors of the City of Topeka, Kansas, the proposition of levying an additional special purpose retailers' sales tax of five-tenths of one percent (0.5%) in the City of Topeka, for the purpose of paying for certain improvements in the City, pursuant to K.S.A. 12-187 *et seq.*, as amended.

WHEREAS, K.S.A. 12-187 *et seq.,* as amended, authorizes the Governing Body to submit to the qualified electors of the City the question of levying a special purpose retailers' sales tax to be collected by the Kansas Department of Revenue with revenue therefrom returned to this City; and

WHEREAS, the Governing Body has determined that additional revenue is needed for the special purpose of certain improvements within the City.

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

Section 1. A special question election shall be held in the manner prescribed by law at the general election on November 6, 2018, for the purpose of submitting to the qualified electors of the City of Topeka, Kansas, the question of levying an additional special purpose retailers' sales tax in the City for the purpose of paying the costs of certain improvements within the City. The amount of the additional special purpose retailers' sales tax shall be five-tenths of one percent (0.5%), with the tax taking effect on October 1, 2019 and expiring on October 1, 2029, if approved by a majority of the electors voting thereon.

Section 2. The proposition to be voted on shall appear on the ballot as follows:

"Shall the City of Topeka levy an additional retailers' sales tax in the amount of five-tenths of one percent (0.5%) to be used exclusively for costs of maintenance and improvements of existing City streets, gutters, curbs, sidewalks, alleys and street lighting, provided such tax shall take effect on October 1, 2019 and expire on October 1, 2029?"

Section 3. If approved by a majority of the electors voting thereon, such tax shall be subject to all applicable state laws and administrative rules and regulations of the Kansas Department of Revenue. The services of the Kansas Department of Revenue shall be utilized to administer, enforce and collect such tax.

Section 4. The City Clerk is authorized and directed to deliver this Resolution to the Election Commissioner of Shawnee County, Kansas, who is authorized to and shall give notice of the election, as provided by law, by newspaper of general circulation in the City, as provided by K.S.A. 10-120, with the first publication to be not less than twenty-one days prior to the date of the election. The vote at the election shall be by ballot, and the proposition stated above shall be printed on the ballot, together with voting instructions as provided by law.

ADOPTED and APPROVED by the Governing Body on _________________.

CITY OF TOPEKA, KANSAS

____
Michelle De La Isla, Mayor

ATTEST:

____
Brenda Younger, City Clerk